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DF Defeated
IP Indefinite Postponement

ANNUAL TOWN ELECTION

March 27, 1978

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 3,623 votes cast, including 78 absentee ballots. Twenty-three voting machines were used. The results were announced by Town Clerk Betsey M. Powers at 10:20 P.M.

MODERATOR: For One Year

J. Owen Todd	2866
Blanks	757

SELECTMAN: For Three Years

Raymond P. Clark	709
Richard B. Finnin	582
John E. Murray	1184
Donald R. Oasis	1051
Blanks	97

ASSESSOR: For Three Years

David G. Hubbard	2539
Blanks	1084

CONSTABLE: For Three Years

Ronald G. Adolph	1577
John R. MacLean, Jr.	1597
Blanks	449

HIGHWAY SURVEYOR: For One Year

Robert A. Noyes	2883
Blanks	740

TREE WARDEN: For One Year

William M. Waldsmith	2629
Scattering	1
Blanks	993

GOODNOW LIBRARY TRUSTEE:
For Three Years

George D. Max	2702
Blanks	921

BOARD OF HEALTH: For Three Years

E. Lawrence Gogolin	2653
Blanks	970

PLANNING BOARD: For One Year
(To Fill Vacancy)

John C. Cutting	2126
Lael M. Meixsell	974
Blanks	523

PLANNING BOARD: For Three Years
(To Fill Vacancy)

Paul H. McNally	2502
Scattering	1
Blanks	1120

PLANNING BOARD: For Five Years

Edward W. Connors, Jr.	2434
Scattering	1
Blanks	1188

SUDBURY SCHOOL COMMITTEE:

For Three Years (Vote for Two)

N. Cornell Gray	2071
Steven M. Fisch	1900
Thomas A. Welch	1470
Scattering	1
Blanks	1804

BOARD OF PARK AND RECREATION

COMMISSIONERS:

For One Year (To Fill Vacancy)

Oscar W. Harrell	1575
Ronald A. Stephan	1459
Blanks	589

BOARD OF PARK AND RECREATION

COMMISSIONERS:

For Three Years

Robert J. Myers, Jr.	2625
Blanks	998

SUDBURY HOUSING AUTHORITY:

For Five Years (Write-in)

Russell Loftus	154
Marjorie W. Potell	93
Carl K. Witham	13
Scattering	8
Blanks	3355

LINCOLN-SUDBURY REGIONAL SCHOOL

DISTRICT SCHOOL COMMITTEE:

For Three Years (Vote for Two)

Dante Germanotta	1506
Lois Y. Fink	1632
Alan H. Grathwohl	1263
Allan C. Morgan	1383
Geraldine F. O'Connor	689
Scattering	1
Blanks	772

(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: *Betsy M. Powers*
Town Clerk

1978 FINANCE COMMITTEE REPORT

The 1979 fiscal year budget that appears in this warrant is unique in a very disturbing way. Although the recommended budget is up less than 3% from that of last year, a major portion of the budget is not yet determined - namely salary increases for virtually all Town personnel. At the time this report goes to press, the only real FY 1979 salaries that appear in the budget are those for the Town clerical personnel, Lincoln-Sudbury Regional High School and the Minute-man Regional Vocational Technical School. The remainder are present salaries with only step increases. What is the potential impact of this? - approximately \$5.7 million of the budget (68%) is still to be negotiated. If we were to assume a 5-6% raise for all the employees, we could expect an additional \$300,000 to \$350,000 that we would have to appropriate when the collective bargaining process is complete. This would amount to \$1.75 to \$2.00 on the tax rate.

Another equally disturbing fiscal factor that impacts your taxes is assessments and reimbursements. The assessment to Middlesex County is up dramatically, the reimbursements from the State are as yet unknown, but history leads us to believe that aid to cities and towns will continue to decrease. We have heard that this year, the State surplus of some \$200 million may be returned as local aid, but we cannot rely on this.

Where then are the increases of note on this yet incomplete budget?

Approximately \$150,000 of the total \$355,000 budget increase is contained in the Lincoln-Sudbury Regional High School account (but note that this does include \$180,000 of anticipated salary increases), \$105,000 is in the Unclassified account and includes \$20,000 more than this year for medical insurance, \$25,000 more for other insurance, and \$60,000 for unemployment compensation, a new mandatory program which we can expect to fund henceforth. Other accounts reflect increases due to step raises and the inflation effects on utilities and supplies. Virtually all Town services will remain at the same level as this year with this proposed budget, and therein lies a perpetual dilemma for the taxpayer. Where can savings be effected? What options does the voter have in influencing the size of the tax rate? Apparently, we must continually pay ever-increasing costs for the same or diminished services due to a multiplicity of factors.

First, the lion's share of the budget is represented by salaries (about 70%). Of these, most are determined by collective bargaining (teachers, police, fire and highway); hence salary level is beyond the direct control of the taxpayer. Second, certain costs associated with salaries (usually referred to as benefits) also result from negotiated agreements, e.g. medical insurance, retirement fund contribution, life insurance, etc. There is now also the cost of unemployment compensation. Third, there are the costs associated with the maintenance and use of Town property; these include heat, light, insurance, telephone, fuel and repair of Town vehicles, materials for roads, parks, cemeteries, supplies for schools, offices, library and so on. We recognize that in our economic climate salaries will increase each year as well as the cost of benefits. Inflation affects our utilities, supplies and insurance. The answer to the question posed above - namely, where can the voter exercise options over the budget? - can be found in only one place.

The only direct, effective control lies in the quantity of Town-provided services that the citizen is willing to support. If the present level of those services is deemed to be either necessary or desirable, then we must be prepared to see the costs of those services rise annually.

This year as the Finance Committee reviewed the budget requests, it became obvious that the majority of Town agencies are "holding the line"; no additional personnel, no new programs, just continue at the present levels. The Finance Committee was able to identify less than \$30,000 of requests that we felt were unjustified, attesting to the careful, diligent and concerned budget preparation process. Our liaison members worked closely with the various departments, boards and committees to assure responsible budget requests, so that much "trimming" was done prior to the formal requests being submitted. The Finance Committee also requested program budget formats which enable us to better understand each department's operation and cost. We intend to continue this practice and to present the results as both program and line item budgets next year. A few words now concerning other factors affecting the tax rate. It was mentioned earlier that assessments and reimbursements can have a significant impact. This year, for

example, the Middlesex County assessment rose 20% or \$86,000 above the estimated assessment received last July. Also, the State Aid received over the past several years has been materially less than the Town anticipated or was "entitled to" by formula. These factors (assessments and reimbursements) are determined by the Massachusetts legislature and the Governor. Federal Aid has also been used over the past several years to reduce the tax rate.

Another area of tax impact is the special article. You will be asked to support a number of funding requests for new programs or continuation of on-going programs. These should receive your careful scrutiny as they will directly affect taxes both this coming year and in years to come.

Since the three school systems represent almost 70% of our budget, they deserve special mention. The Sudbury School budget remains the same as last year - as a bottom line request. However, teacher salary negotiations are as yet incomplete and must be added to the appropriation when the bargaining is complete. The present requested budget reflects a 6% increase in per pupil cost as the student population continues to decline. Although proportional staff reductions have been made, increase in the special needs program and step increases for the staff offset those potential savings. The library/audio visual program is the only significant growth area for the schools.

The Lincoln-Sudbury Regional High School also projects a decreasing school population and, by virtue of a contractual pupil/staff ratio, will experience a decline in staff. The salary negotiations also are incomplete, however, a salary reserve of \$180,000 is included in the budget for both professional and other salary settlements. At the high school, the per pupil cost will rise 8.5% from \$2657 to \$2882. The total assessment to Sudbury is up 2.5% from last year.

The Minuteman Regional Vocational Technical School assessment to Sudbury will be less than last year due to a percentage decrease in the proportion of Sudbury students in the school. The total assessment apportioned among the twelve towns remains the same as last year due to what we believe is a dangerous practice - namely, increasing the estimate of State Aid in order to offset budget increases. This is the second year in a row that this has been done. If the anticipated aid is not forthcoming, the Region may be forced to borrow to cover the deficit. We will pay later.

One final note on budget impact. The Town has utilized CETA employees in several areas over the past few years. This program provides Federal funds to support the employee as he works on Town programs. In several of these instances, once the CETA grant had expired (after one year) the services of that person were deemed to be important enough that the job became a full-time Town-supported position. We must exercise care that in each instance the additional service is indeed required and not just desirable.

In summary, the Finance Committee recommends for your approval, the budgets and those special articles in your warrant which we believe are responsive to the desires and needs of the community.

Respectfully submitted,

Donald D. Bishop
Karl E. Clough
Anne W. Donald
Philip G. Felleman (Chairman)
Linda E. Glass
Edward L. Glazer
Alan H. Grathwohl
Carol McKinley
Robert A. Norling

ESTIMATED SUDBURY 1978-79 TAX RATE

DEPARTMENT	ATM 1977-78 APPROPRIATION	1978-79 RECOMMENDED	INCREASE or DECREASE	% of INCREASE or DECREASE	% of TOTAL BUDGET
SCHOOLS					
Sudbury	\$4,700,000	\$4,696,996	\$ -3,004	--	37.3
LSRHS	3,138,116	3,288,238	150,122	+ 4.8	26.1
MMRVTHS	311,702	298,217	-13,485	- 5.3	2.4
Community Use	20,000	20,000	--	--	0.1
Summer School	4,350	3,245	-1,105	-25.4	--
Sub-total - Schools	8,174,168	8,306,696	132,528	+ 1.6	65.9
PROTECTION	1,281,118	1,387,106	105,988	+ 8.3	11.0
HIGHWAY	735,672	768,259	32,587	+ 4.4	6.1
UNCLASSIFIED	657,647	762,968	105,321	+16.0	6.1
DEBT	533,103	482,283	-50,820	- 9.5	3.8
GOVERNMENT	448,721	470,544	21,823	+ 4.8	3.7
LIBRARY	157,918	170,782	12,864	+ 8.1	1.4
HEALTH	100,558	107,741	7,183	+ 7.1	0.9
PARKS & RECREATION	115,134	122,828	7,694	+ 6.7	1.0
VETERANS	12,062	12,087	25	+ .2	.1
	12,216,101	12,591,294	375,193	+ 3.0	100.0

Estimate of State and
 County Assessments 775,000
 Special Articles 187,994*
 Estimate of Town
 Classification Increases 120,000**
 Estimate of School
 Classification Increases 185,000**
 Estimate of Overlay & Overlay Deficit 125,000

Gross Estimated Appropriation 13,984,288

Less Estimated Receipts 2,000,000
 Less Governmental Receipts 850,000
 Less Revenue Sharing 250,000
 Less School Federal Aid 11,882
 Less Miscellaneous Receipts 50,000
 Less Conservation Fund 50,000

TOTAL TO BE RAISED BY TAXATION \$10,772,406

Tax Rate Based on estimated \$178,775,000 Assessed Valuation \$60.25

* Does not include Landham Road

** Estimate of School and Town classification salary increases not voted on by the Finance Committee at warrant print time.

PROCEEDINGS

ANNUAL TOWN MEETING

April 3, 1978

The Moderator called the meeting to order at 8:05 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present and that this was the 341st consecutive town meeting in the Town of Sudbury.

The Rev. Shephard S. Johnson of the Sudbury United Methodist 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 by the Town Accountant was zero. He stated that he had examined the call of the Annual Meeting and the officer's return of service and had found them to be in order.

Upon a motion by Mr. William F. Toomey, Chairman of the Board of Selectmen, it was

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

The Moderator announced that, under the Bylaws, motions of more than a few words, including motions to amend, must be submitted in writing to the Town Clerk. He then explained the Bylaw procedure relative to adjourning each session of the Annual Meeting and made several announcements.

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 1977 Town Report or as otherwise presented, or act on anything relative thereto.

Hear
Reports

Submitted by the Board of Selectmen.

Before asking for a motion under Article 1, the Moderator stated that it had become a custom for the Selectmen each year to single out an individual for recognition of valuable service to the Town. This year it was decided to depart from this tradition of singling out one person and to honor instead a number of persons. Those to be saluted are the man who has given the greatest number of years of service to the Town, the person who has the largest number of friends and followers in the Town, that individual who has served in the greatest number of Town offices, the most controversial person in Town, the Town's best orator in terms of quality and quantity, and the person who has the most impressive figure in the Town.

He then announced that the winners of each of these categories are John C. Powers.

Upon a motion made by Mr. Powers, it was

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE REPORTS OF THE TOWN BOARDS, COMMISSIONS, OFFICERS AND COMMITTEES AS PRINTED IN THE 1977 TOWN REPORT SUBJECT TO CORRECTION OF ERRORS, IF ANY, WHEN FOUND.

Board of Selectmen Report: (Mr. Toomey)

For the first time in recent memory, we started Town Meeting with no Cherry Sheet, showing State and County charges and receipts, having been received by the Board of Assessors.

On several occasions prior to Town Meeting, the Selectmen met with various boards, commissions, committees and departments in an effort to have collective and cooperative approval in keeping the tax rate stable and at a minimal increase. As recently as last Saturday and Sunday, the Selectmen met with official Town groups to reach a final consensus on reducing requested budget figures. These efforts were successful as will be witnessed later in the Town Meeting. We especially want to thank the Finance Committee and the School Department for their cooperation in these endeavors.

The Finance Committee in its report will give you the details of the latest projected tax rate based upon these recommendations with which, for the most part, for the first time in recent memory, the Selectmen concur.

We do start this Town Meeting with final agreements with all Town unions. A two-year collective bargaining contract will be signed with the Fire, Police and Highway Departments with salaries averaging approximately 5 1/2% the first year and 5% the second year. This year, again for the first time in recent memory, we start the Town Meeting being able to project and budget Town personnel costs without having to call a special town meeting later in the year.

This year, the Selectmen recommended and the Moderator agreed to present the Consent Calendar as the first item of business of the 1978 Annual Town Meeting. It is the first subject matter printed in the beginning of the Warrant. We hope that this innovation meets with your approval and helps expedite the town meeting business.

The Selectmen have arranged the articles in the Warrant after consultation with the submitters so that similar subject matters are debated and voted upon together. Likewise, we have strategically tried to group articles in the Warrant so that the Town Meeting will proceed to final adjournment with interest and enthusiasm and a good quorum.

The Selectmen will speak to each of its specific recommendations on the articles at the proper time, and we encourage and solicit your support in making this Town Meeting a productive one.

Finance Committee Report: (Mr. Philip G. Felleman)

As you came in this evening, you received some hand-outs. One of them is the budget article, and it is significantly different from the one that is printed in your Warrant. I think that deserves a few words.

The differences are that since the Town Warrant has been printed, we have come to agreement in the collective bargaining with the three unions that represent a large number of the Town employees. In addition, the Personnel Board has made recommendations for clerical and other non-union personnel. All those salary figures are represented in the hand-out. There will be no special town meeting for salary adjustments.

In addition, we have made a new estimate of what your tax rate will be. This varies considerably from what was printed in your Warrant. We have had some significant changes since the Warrant has been printed.

The most significant change is that the Lincoln-Sudbury Regional High School Committee this evening voted to reduce their assessment to Sudbury to the tune of about \$100,000. The State gave us more money, and the Committee found some. The rest of the school numbers are the same as was printed in the Warrant earlier.

In the other line items, Protection, Highway, Government, Library, Health, Park and Recreation, etc., we have factored in all the raises for the Town employees. That has increased those numbers by about \$150,000.

We reduced the Unclassified Account with our fingers crossed, by some \$40,000. We took some out of insurance, and we took some out of unemployment compensation.

The estimate of State and County assessments has gone down by about \$40,000.

The special articles have taken a significant jump because we included Landham Road which was not in the original estimate in the Warrant. We also reevaluated some of the special articles. We are recommending some that we did not originally approve. There are also some we will not recommend approval of because they will be indefinitely postponed.

With respect to the estimate of school classifications increases, we have been notified by the Sudbury School Committee that we can make a little better guess than we could when the Warrant was printed. Our guess now is that we will come in for \$135,000, which is a reduction of \$50,000 from our original estimate.

Our estimated receipts are about the same. We have put in an Overlay Surplus of \$40,000 with which we will intend to offset the Reserve Fund.

The bottom line comes out to a little under \$60.00, which is a little better than we said when we started. We have made a lot of changes, but the bottom line didn't change all that much. We are up close to 6%, and as we noted in our report at the beginning of the Warrant, a large part of those dollars represents salaries, about \$8,500,000. Some 90% of those salaries are bargained with negotiating agencies; we can safely say that those numbers are going to go up year after year unless we want reduced services.

The Finance Committee is pleased that we have reached agreements with the unions for two years. That means we can project a good feel for what our budgets will be, not only for this year, but when we get around to budget time next year.

We have recommended this year that about two people be added to the Town's work force: one in the Engineering Department and a Town Planner. The Town Planner is really not a new additional person since we have had one, but now we are going to make him an employee of the Town.

Additionally, there are a few other part-time positions that have been increased which are spread over many departments.

We have made our recommendations. We will, during the course of the meeting, be standing up to defend them, and we hope the Town supports us.

The Moderator then explained the procedure relative to the Consent Calendar and read the numbers of each article appearing on the Calendar as follows: Articles 2, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 25, 32, 33, 34, 35, 36. The following articles were held and removed from the Calendar: 7, 9, 20, 21, 32, 33, 34, 35, and 36.

Upon a motion by Mr. Toomey, it was

UNANIMOUSLY VOTED: THAT ALL OF THE ARTICLES ON THE CONSENT CALENDAR EXCEPT THOSE WHICH WERE HELD, BE APPROVED. [MOTIONS AS PRINTED IN THE CONSENT CALENDAR.]

[See individual articles for reports and motions voted.]

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, 1978, in accordance with the 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 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.

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

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

Class. & "1978 - 1979
Salary Plan SCHEDULE A & B
Art. XI CLASSIFICATION PLAN AND SALARY PLAN

CLASSIFICATION	HRS PER					
	WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<u>CLERICAL</u>						
<u>ANNUALLY RATED</u>						
Administrative Secretary	35	\$10,103	\$10,395	\$10,691	\$10,987	\$11,281
Assistant to Town Clerk	35	10,103	10,395	10,691	10,987	11,281
Principal Clerk	35	9,001	9,275	9,600	9,841	10,114
Senior Clerk	35	8,096	8,349	8,702	8,888	9,157
Junior Clerk	35	7,094	7,366	7,617	7,888	8,134
<u>HOURLY RATED</u>						
Senior Part-time Clerk		4.15	4.29	4.46	4.62	4.79
Junior Part-time Clerk		3.26	3.41	3.55	3.65	3.80
<u>FIRE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Fire Chief		INDIVIDUALLY RATED - MAXIMUM \$26,000				
Fire Captain	42	\$15,554	\$15,913	\$16,282	\$16,642	\$17,034
Fire Fighter	42	12,645	12,937	13,237	13,530	13,849
Fire Fighter/Emergency Medical Technician	42	12,645	12,937	13,237	13,530	13,849

CLASSIFICATION	HRS PER WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<u>FIRE DEPARTMENT (continued)</u>						
<u>SINGLE RATED</u>						
Call Fire Fighter		\$60.94 per year		5.87 per hour		
Fire Prevention Officer		600 per year				
Fire Alarm Superintendent		600 per year				
Master Mechanic		600 per year				
<u>POLICE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Police Chief		INDIVIDUALLY RATED - BY STATE LAW - \$27,000				
Sergeant	37 1/3	\$15,710	\$16,076	\$16,453	\$16,823	\$17,159
Patrolman	37 1/3	13,091	13,396	13,711	14,019	14,298
Reserve Patrolman	37 1/3	13,091	13,396	13,711	14,019	14,298
Provisional Patrolman		10,591	11,226			
<u>SINGLE RATED</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)		47.80 per week				
Police Matron		5.28 per hour				
<u>HIGHWAY DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Asst. Highway Surveyor		INDIVIDUALLY RATED - MAXIMUM \$18,000				
Operations Assistant		INDIVIDUALLY RATED - MAXIMUM \$15,000				
Foreman - Highway	40	\$12,746	\$13,068	\$13,392	\$13,738	\$14,061
Foreman - Tree & Cemetery	40	12,746	13,068	13,392	13,738	14,061
<u>HOURLY RATED</u>						
Mechanic	40	5.45	5.70	5.95	6.22	6.44
Heavy Equipment Operator	40	5.01	5.23	5.44	5.60	5.84
Tree Surgeon	40	5.01	5.23	5.44	5.60	5.84
Truck and/or Light Equipment Operator	40	4.62	4.79	4.97	5.16	5.30
Tree Climber	40	4.62	4.79	4.97	5.16	5.30
Laborer (Heavy)	40	4.27	4.40	4.58	4.73	4.90
Laborer (Light)	40	3.71	3.84	3.99	4.13	4.30
Temporary Laborer	40	3.13	3.24	3.36	3.47	3.62
<u>LIBRARY</u>						
<u>ANNUALLY RATED</u>						
Library Director	35	INDIVIDUALLY RATED - MAXIMUM \$17,000				
Asst. Library Director	35	\$10,532	\$10,973	\$11,504	\$12,086	\$12,693
Children's Librarian	35	10,532	10,973	11,504	12,086	12,693
Staff - Asst. Child. Lib.	35	9,001	9,400	9,819	10,366	10,801
Staff - Reference Lib.	35	9,001	9,400	9,819	10,366	10,801
Staff - Cataloger	35	9,001	9,400	9,819	10,366	10,801
Librarian Assistant	35	8,020	8,271	8,621	8,805	9,071
Jr. Librarian Assistant	35	5,180	5,515	5,725	5,940	6,173
<u>HOURLY RATED</u>						
Library Page		2.65	2.75	2.85		
<u>PARK AND RECREATION DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Maintenance Foreman		INDIVIDUALLY RATED - MAXIMUM \$15,000				
Recreation Director, Part-time		\$5,629	\$5,479	\$5,573	\$6,051	\$6,353
<u>SEASONALLY RATED</u>						
Swimming Director		1,459	1,517	1,592	1,674	1,756
Playground Supervisor		1,125	1,170	1,229	1,290	1,356
Arts and Crafts Supervisor		1,125	1,170	1,229	1,290	1,356
Maintenance Asst./Equip. Operator		4.60	4.79	4.99	5.20	5.38
Laborer (Heavy)		4.18	to	4.84		
Swimming Instructor		3.76	to	4.40		
Laborer (Light)		3.59	to	4.22		
Playground Instructor		3.36	to	3.88		
Temporary Laborer		2.99	to	3.50		
Assistant Swim Instructor		2.99	to	3.50		
Monitors (Tennis & Skating)		2.99	to	3.50		

CLASSIFICATION	HRS PER WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<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				
Town Planner		INDIVIDUALLY RATED - MAXIMUM \$16,000				
Building Inspector & Zoning Enforcement Agent		INDIVIDUALLY RATED - MAXIMUM \$19,400				
Director of Health		INDIVIDUALLY RATED - MAXIMUM \$19,600				
Junior Civil Engineer	\$13,390	\$14,477	\$15,054	\$15,664	\$16,297	
Building Services Coord.	11,950	12,252	12,558	12,862	13,183	
Assistant Dog Officer	8,875	9,144	9,466	9,703	9,972	
<u>HOURLY RATED</u>						
Senior Engineering Aide	5.39	5.62	5.83	6.07	6.31	
Junior Engineering Aide	4.26	4.43	4.61	4.78	4.98	
Student Engineering Aide	3.37	3.49	3.64	3.79	3.94	
Custodian	4.09	4.23	4.40	4.56	4.73	
Custodian (Part-time)	3.22	3.37	3.50	3.61	3.76	
<u>SINGLE RATED SCHEDULE</u>						
Veterans Agent & Director	\$1,806 per year					
Animal Inspector	800 per year					
Custodian of Voting Machines	4.93 per hour					
Census Taker	3.97 per hour					
Election Warden	3.97 per hour					
Election Clerk	3.97 per hour					
Deputy Election Warden	3.97 per hour					
Deputy Election Clerk	3.97 per hour					
Election Officers & Tellers	3.78 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.

[NOTE: The above Classification Plan and Salary Plan figures are those appearing in the Personnel Board's Town Meeting handout. The figures published in the Warrant differed in that the handout contained the 5.5% increase agreed upon by the collective bargaining units. Clerical personnel salary figures in the Warrant and in the handout included the 7% proposed increase.]

Personnel Board Report: The following changes in the Classification Plan and Salary Plan are brought to your attention:

Clerical

The study of the Town clerical positions has been completed but the Board was prevailed upon to delay full implementation of its recommended changes until discussions with heads of Boards and Departments are concluded and until a more detailed comparison with the school clerical positions is completed. In the interim, in order to move toward equalizing the Town clerical and school clerical rates, the Town clerical salary schedule has been adjusted as shown.

Police Department

A new classification for a Reserve Patrolman has been added.

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Library

A recent classification and salary review of the library personnel indicates the existence of a wide gap between what we pay our professional library staff and what comparable towns pay to theirs. This is a first step in organizing the positions, as indicated by the study, and in upgrading the salaries to close the gap.

Park and Recreation

The seasonal employees of this Department do not work long enough each year to qualify for an earned increase in the following year under the step increase plan outlined in the Bylaw. Therefore, the steps have been replaced with a salary range where the Department can set the individual's merit increase anywhere within the limits without violating the time constraints of the step system. The starting rate will be the minimum rate indicated.

Town Administration

A new classification for a Town Planner has been added.

Mr. Daniel P. McLean of the Personnel Board then further reported to the meeting as follows:

In the past two weeks since the union contracts were settled, there has been a great deal of discussion amongst ourselves on the Personnel Board and the various groups and committees to arrive at this Salary and Classification Plan. The last meeting was yesterday afternoon, and hence there are some changes tonight.

However, not all of the changes were decided upon in the last two weeks. During the past year, the Board took a close look at the clerical personnel and library employees in an attempt to arrive at a proper classification structure and set salary figures which adequately support the classifications. In both cases, salary and classification changes were recommended.

The Library changes will take effect with this town meeting vote while the clerical changes will have to wait for the next town meeting. The reason for that delay is so that we can better inform and prepare the heads of the boards and committees and the employees so there will be no surprises. The 7% increase in the clerical salaries is an attempt to close the gap we feel exists between the Town and the school pay scales for those classifications.

In the coming year, we intend to investigate the remaining non-union positions in a similar fashion and come back with recommendations also.

This year, we will be implementing a policy requiring managers to certify competency of individuals before we approve step increases for those employees. We plan to initiate a review procedure so that the practice of the past few years of holding back the non-union increases until the unions have settled will be stopped. This will end a seemingly irrational approach to setting salaries of Town employees and start a rational and fair scheme of comparability of positions within the Town and with other towns.

The Fire and Police Departments salaries have been adjusted by 5.5% and the Highway by 30¢ per hour as a result of contract negotiation. Park and Recreation and Town Administration figures have been adjusted by 5.5% also. The step increase requirement for Park and Recreation summer help has been eliminated in order to eliminate a source of disagreement between the Board and Park and Recreation as to when step raises should be awarded to temporary employees.

The individually rated maximums were arrived at through an analysis of salary data of these similar positions in other towns and through the recommendations of most of the department heads, the Finance Committee and the Board of Selectmen.

We feel this is a good plan, properly thought out, and we urge your approval.

Finance Committee Report: (Mr. Felleman)

The Finance Committee supports this Classification and Salary Plan.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 3 in the Warrant for the 1978 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. Paul H. McNally of the Planning Board then *moved to amend the motion by deleting therefrom under Town Administration, Annually Rated, Town Planner, Individually Rated - Maximum \$15,000, and by adding a new classification immediately*

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following the classification Park and Recreation Department entitled Planning Board, Individually Rated, with a position inserted thereunder entitled Planner, Individually Rated - Maximum \$15,000.

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

The purpose for this motion to amend is to ask this Town Meeting to continue the effectiveness of the Planning Board in carrying out its mandated charge to plan for the Town and to continue the services of a Planner under the direction of the Planning Board as it has for the last three years.

The responsibilities of the Planning Board are established under Chapters 40A and 41 of the General Laws. The Planning Board shall make studies, establish goals, do information gathering and data analysis, among other things. They shall prepare plans of resources and submit recommendations to the Town Meeting. They shall make a master plan for the Town including a Town map.

They shall be responsible for subdivision control. The Planning Board shall adopt rules and regulations governing subdivisions of land, and the Planning Board shall propose zoning for the purpose of promoting the health, the safety and welfare of the townspeople. The Planning Board shall hold hearings on zoning proposals and subdivisions.

The Planning Board is charged with planning as a primary responsibility. That job is not a small one. It is a very large one. A lot has been done under the guidance of the Planning Board, but a great deal is still needed.

Planning deals with interrelationships of resources, facilities, activities and people over space and time. It is difficult to turn it on and turn it off, and historically, the Planning Board has worked hard to perform its task.

From time to time, the Planning Board has asked the Town Meeting to support special studies such as the Master Plan or Hydrology Study, apartment studies and other matters that might impact large subdivisions on the Town and sanitary land filling proposals. These studies cost money, and they don't always reflect the wishes of the Town when completed because outside consultants do not necessarily live or work in the Town. The Planning Board is often handicapped with their products.

Since 1972, the Planning Board has supported the need of a resident Planner. The Town has agreed to support this on an annual contract basis at the Annual Town Meeting beginning in 1974. The return on the investment since having an on-board full-time Planner has been rather tremendous. In the three years, the Town has received about \$250,000 in Federal grants, if not more than that. A valuable set of natural resource maps has been completed. A Comprehensive Open Space Plan is completed, and the successful completion of our Hydrology Study has been due to the efforts of the Town Planner. All of this for \$45,000 or less. Sounds to me like a pretty good bargain for the Town.

The continued employ of the Planner for the process of planning and Federal aid applications can provide more financial assistance to the Town for its many worthwhile projects including housing and recreation, road construction, walkways, sewage treatment and whatever.

The Planning Board did not ask that the Planner be placed under the Board of Selectmen's control, nor did the Board of Selectmen ask for this. The Finance Committee, in its wisdom, decided that the Planner would be more suitable under the Board of Selectmen. The Finance Committee also decided in an earlier budget decision not to support the Planner at all.

It appears to me that the Finance Committee vacillated in its judgment of what is best for the Town. It also appears to me that the Finance Committee is deciding changes in what Town board shall be responsible for what various activities. I believe that these kinds of changes are more properly decided by the Town Meeting.

I would like to restate the charge of the Planning Board. That is to plan for the Town. To do this properly, a Planner is needed and should be responsible to the Planning Board. The actual filling out of a Federal grant application is very small in time required compared to that needed to develop data, resource inventories and comprehensive plans for which the Town might receive Federal monies. Who the Planner reports to is a fundamental question of what board is responsible for planning.

I trust that the Board of Selectmen will support this motion to amend since they have expressed their feelings quite clearly in a letter dated March 21, 1978, to the Planning Board.

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In response to a question, Mr. McNally stated that he was speaking for a majority of the Planning Board in his motion to amend and statements in support thereof.

Mr. Felleman commented on the amendment for the Finance Committee as follows:

Mr. McNally has proposed that because the Finance Committee is an appointed Board and does not fall to its knees in complete agreement with two elected boards, that this Board is not doing its job. I think that is pure and utter nonsense. I think this Board has very long and many deliberate hearings on many subjects. The Town Planner was only one of many we considered this year. We had good reason for doing what we recommended.

Mr. Felleman then asked that Mr. Robert A. Norling of the Finance Committee continue the comments relative to Mr. McNally's amendment.

Mr. Norling stated as follows:

The Finance Committee does not see this in any way as a jurisdictional issue. The issue is simply one of effective supervision. We see the Planner as being a resource of the entire Town whose functions are better supervised by Town Administration where there are full-time employees, recognizing that he will spend a large, if not a majority part of his time with the Planning Board. In principal, we see this no differently than the Director of Health who also reports to Town Administration and doesn't seem to have a problem doing that. So, we support the concept of the Planner as part of the Town Administration where he can most effectively be supervised in our opinion.

Mr. Toomey commented on the amendment for the Board of Selectmen as follows:

The letter written by our Board to Mr. Connors of the Planning Board was a vote taken by last year's Board. We have a new Board this year, and the present vote is to support the Planner. Our feeling then, as it is now, is that the Town does need the Planner. The Planner does other work for the Conservation Commission and for the various boards and committees in Town. The night of the meeting [with the Finance Committee], we supported the Planning Board. When it came down to the position, not of jurisdiction, but of who and when and where was this man going to do what and the Finance Committee took their vote, we thought it was in the best interests of the Town to accept it. We still feel the Planning Board will have the use of the man for 85-90% of the time, but there would be other work that the Town could use him for. We definitely recommend the Planner under anybody's jurisdiction, and we hope that in this debate you will really consider the point that the Town does need this person.

William W. Cooper IV of the Board of Health then stated as follows:

I would like to correct a misstatement by the Finance Committee that the Director of Health comes under Town Administration. The Director of Health is under Town Administration in the Classification Plan. The critical item comes later in the budget line item. In the budget, the Director of Health comes under the jurisdiction of the Board of Health. We control Account Number 800. If you were to suggest moving the Director of Health from the Board of Health control, I am sure the Board of Health would object.

After discussion, Mr. McNally's motion to amend was defeated.

Mr. Richard F. Brooks then *moved to strike the category Town Planner from the classification, Town Administration, Annually Rated.*

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

I have served on the Planning Board for eleven and a half years. I resigned last July to accept and to continue full-time responsibilities on the Regional High School Committee.

At that time, I wrote a letter to the Planning Board advising them that this matter of the Town Planner should be resolved by the Planning Board to the satisfaction of itself and the Finance Committee, so that it could be presented to the Town in a logical way. At the time, I protested against the idea of having a continuation of a full-time Planner in the Town.

The way this thing started out was with a CETA employee for \$10,000 a year several years ago. The Town later added a certain amount of money to that to boost it up to around \$12,000 or \$14,000. Each year since that time, the Town

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has appropriated under a special article some monies to sustain the office of Town Planner for the ensuing year.

It has never been a full-time position in the Salary Plan of the Town up until now. It is now in the Salary Plan, and if you vote it, you are starting a new position in the Town Administration which will, I am sure, flourish.

The problem is that these things start out at \$15,000 a year and then increase. The Executive Secretary started off about fifteen years ago at \$8,500. He is now up to \$31,000. He has secretaries, and he has a Town Accountant, and he has all kinds of help in the Town.

What we will have in the Town Planning Office in five years is a \$100,000 budget and if you vote this, he will need a facility. He will need assistants. He will need a full-time secretary. He will eventually want his own engineering department because the one across the hall isn't doing the full-time job for him. This is the way these things grow.

The Planning Board needs to do a lot of work on its own. It needs an assistant, but it does not need a full-time Planner. The Hydrology Study was done at expense to the Town of some \$25,000 by a Dr. Motts from the University of Massachusetts. The Town Planner did not do the Hydrology Study.

I would like to urge you to strike this thing out and send the Planning Board a message that they should, in fact, arrange their affairs in such a way that they could come to you next year with a logical position description, something perhaps along the lines I have described to them. They could have someone who would do the job of the secretary including meeting minutes, correspondence files, perform all coordination required during daytime hours amongst Federal, State, MAPC, etc. Town, inter-town and various Sudbury boards, departments and petitioners, draw up recommendations, handle applications of zoning matters, subdivision matters, site plans and so forth. The above represent 90% of what is required of the Board.

Future drafting or map making can be done very competently by the Engineering Department. The person filling the Planning Board Assistant job should have a thorough working knowledge of topo maps, map reading, and so forth. This could be done very capably by a housewife, or someone in the Town on a part-time basis of about twenty hours a week at about \$7.00 per hour. There are plenty of people in this Town right now very qualified to do that kind of work who could very profitably do it on a part-time basis. You don't need to spend \$15,000 which will immediately next year go up 10 or 15% and there will be all kinds of proliferations.

Mr. Brooks' amendment was voted.

VOTED: THAT THE TOWN AMEND THE CLASSIFICATION PLAN AND SALARY PLAN, SCHEDULES A & B, IN ARTICLE XI OF THE TOWN BYLAWS, 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, "ARTICLE 3, PERSONNEL BYLAW, ARTICLE XI, 1978 ANNUAL TOWN MEETING", DATED APRIL 3, 1978, WITH THE FOLLOWING CHANGES:

FIRE CHIEF	MAXIMUM \$27,000
ASSISTANT HIGHWAY SURVEYOR	MAXIMUM \$18,500
LIBRARY DIRECTOR	MAXIMUM \$18,000
EXECUTIVE SECRETARY	MAXIMUM \$31,000
TOWN ACCOUNTANT	MAXIMUM \$22,000
TOWN ENGINEER	MAXIMUM \$24,500
BUILDING INSPECTOR	MAXIMUM \$21,000
HEALTH DIRECTOR	MAXIMUM \$21,000;

AND TO STRIKE OUT THE CATEGORY "TOWN PLANNER" FROM THE CLASSIFICATION, TOWN ADMINISTRATION, ANNUALLY 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.

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 Maximum after continuous service in the position for the following periods:

Step 1	Step 2	Step 3	Maximum
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.

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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 11:

By renumbering the present Section 11, to Section 12; and

By adding a new Section 11 as follows:

"Section 11. Health and Life Insurance Benefits

- (1) 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.
- (2) 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.
- (3) Health and life insurance benefits are authorized only for those permanent employees, who are paid for services through Town appropriations. Any employee hired through the use of any other funds such as Federal or State program, 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 13;

or act on anything relative thereto.

Submitted by the Personnel Board.

Mr. McLean of the Personnel Board moved that the Town amend Article XI of the Sudbury Bylaws referred to as the Personnel Administration Plan as set forth in Article 4 of the Warrant for this meeting.

Personnel Board Report: The changes to the Bylaw are to define the term "employee", full-time, part-time, temporary, or retired; and more clearly designate the employment benefits provided by the Town that apply to each such employee. Permanent part-time employees would now be considered as eligible for many of these benefits.

What the article does is, put down in writing the policies that have been followed by the Town Accountant in administering the benefits program.

Finance Committee Report: Since the Finance Committee has seen no changes proposed to the Personnel Administration Plan, a report will be made at Town Meeting if necessary.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 4 in the Warrant for the 1978 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. Frederick W. Welch then moved *Indefinite Postponement*.

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

Last year this same article was defeated. This is not just a housekeeping motion. Decidedly not. They are proposing substantial changes in the benefits program to our Town employees. We are giving the same benefits which the permanent full-time employees enjoy to our part-time employees. That is a substantial departure from what we are doing now.

For instance, in Section 4 of the amendment, you will note that both permanent part-time and permanent full-time employees holding a position shall be entitled to a salary set forth in steps one to the maximum, and after continuous service in the position for the following periods of time...etc. That doesn't exist in the present Bylaw.

What you are doing here is insuring that part-time employees, regardless of the number of hours they work per week, get double raises for the next three and a half years. The raise you just voted here at Town Meeting for cost of living plus the step rate increments represent a substantial departure from past practice.

Mr. Felleman of the Finance Committee has stated that the major impact that increases our taxes every year is employee benefits, their salaries. We are going to escalate that even more now if we pass this article.

We are going to offer them vacation. This is something that we are not doing now. We are going to extend sick leave benefits more liberally than we do now. We are going to extend holiday benefits more liberally than we do now. We are going to liberalize the jury pay so that now it includes not only jury pay, but you will also be paid if you are subpoenaed into court, no matter what particular item you are subpoenaed for.

The most dangerous things we see here is that we are going to start to affect our retired employees. I pity the poor police officer or firefighter with less than ten years of service who is forced to retire on a disability under Chapter 32 of the General Laws. If this motion passes as it is presented, he will not be able to qualify for Blue Cross/Blue Shield or life insurance the same as other Town employees retired after ten years of service. He qualifies now and the law allows him to qualify now. I asked the State Retirement Board if, in fact, this article is "legal" in their opinion, and the answer was, "No". You can't restrict a retired employee from getting Blue Cross/Blue Shield.

Under Section 11, subsection 3, health and life insurance benefits are authorized only for those permanent employees who are paid for services through Town appropriations. It goes on to exempt people such as those who work under the CETA and METCO programs.

We are going to change the definition of permanent employee. It will be any employee now full- or part-time who has been appointed to an authorized position on an enduring basis. No limit. It could be five hours a week, one hour a week, twenty hours a week, thirty hours a week. We are going to have to pay 75% of their Blue Cross/Blue Shield benefits, whether it be on an individual or a family basis plan. That's expensive.

I believe the Warrant for this meeting contains an appropriation request for \$220,000 for Blue Cross/Blue Shield benefits out of the tax rate. I am informed by Blue Cross/Blue Shield that they guarantee at least a 20% increase per year in costs to municipalities in Massachusetts because of the type of programs they have. You just continue to add to your tax expense.

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I think this is not a very well thought out article from the standpoint of the taxpayer. From the standpoint of the part-time employee, it's very well thought out. They are going to get a lot of benefit. I suggest you vote Indefinite Postponement.

Mr. John H. Wilson, Town Accountant, made the following comments with respect to the motion for Indefinite Postponement:

I think some of the issues have been very badly confused by the previous speaker. The reason we submitted this article was that we wanted to try to define the types of employees we have in the Town. We defined what is a full-time, part-time, permanent and temporary employee. Virtually every personnel plan has those definitions. We do not.

The part-time employees of the Town are not eligible for a third week of vacation at the same point of their tenure with the Town as a full-time employee is. First of all, a part-time employee is only eligible for that ratio of vacation time as is the amount of time and salary that that person works. They don't get extra pay for vacation. If they work fifteen hours per week, they get fifteen hours per week of vacation pay.

We wanted to add this additional incentive so that we don't lose part-time employees that we have trained over a long period of time, after three or four years. That is what is happening now. We get people that have worked three or four years, and they are not eligible for longevity or additional vacation, and they go elsewhere. This means we have to train other people.

The previous speaker mentioned there are double raises for part-time people. That is not true.

In regard to retired employees, under Chapter 32B, Section 11, (1) is a statutory requirement. This is not a further sanction. This is just to clarify something that has not been in the present Personnel Plan.

Last year, the Town Meeting voted on several parts of this article, and there were many other confusing sections of this article which are not in here this year.

The Personnel Board has taken under advisement the provisions relative to people receiving increases and will come up with a new plan to determine when a person should receive an increase, how long a person must work and how many hours a week to be eligible for certain benefits. Again, the General Laws of the Commonwealth dictate some of this.

A person that works five hours per week is not entitled to the 75% Blue Cross/Blue Shield benefits as other employees are. This particular item is a statutory item that has been voted by the Legislature and signed by the Governor.

There are some sanctions in here, too. One of the sanctions is under Section 7 which says that if a sick day is taken on the day immediately before or on the day immediately following a holiday, no holiday pay will be given without specific approval of the department head.

Relative to jury duty, we have had several people subpoenaed to court or they have been called to jury duty, and we have no provision in the Bylaw for dealing with these people. We checked with other towns, and this is what we felt was a fair provision - that a person should receive the difference between what he receives on jury duty and the compensation he would receive from the Town.

I think this is a fair article. I think that it is of benefit to the employees of the Town. I don't mean overly beneficial. I think it's beneficial to the Town to retain good employees that we've trained. I think it is well thought out and it should be passed.

In response to a question from Mr. James E. Huston, Mr. Felleman of the Finance Committee stated as follows:

I would not say that there is no financial impact [from the article]. The Finance Committee does, however, support this article.

VOTED: INDEFINITE POSTPONEMENT.

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, 1978, through June 30, 1979, inclusive, in accordance with the following schedule, which is incorporated herein by reference; or act on anything relative thereto.

Submitted by the Finance Committee.

- (* Transfer from Reserve Fund included in this figure.
 ** Transfer from Reserve Fund added but not included in this figure.
 Table of transfers is shown at the end of the budget article.
 + Inter-account transfer.)

100 EDUCATION: 110 SUDBURY PUBLIC SCHOOLS

[See page 232 for budget and action taken]

Upon a motion made by Mrs. Carol McKinley of the Finance Committee, it was

VOTED: THAT THE TOWN POSTPONE ARTICLE 5, SECTION 110, SUDBURY PUBLIC SCHOOLS, UNTIL THE FIRST ITEM OF BUSINESS ON MONDAY, APRIL THE 10th, 1978, OR AS THE LAST ITEM OF BUSINESS OF THIS ANNUAL TOWN MEETING, WHICHEVER OCCURS FIRST.

Mrs. McKinley explained that the Sudbury School budget as printed in the Warrant and on the handout sheet represents an incomplete budget. It makes no provision for the results of salary negotiations currently in process. The School Committee and the Teachers' Association now seem close to contract settlement, and the School Committee believes they will be able to present a completed budget request next week. The motion to postpone the article until April 10th is an effort to provide the Town with an opportunity to evaluate and vote a total budget during this town meeting and avoid the necessity for a special town meeting at a later date.

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

A. BUDGET	1976-77 Expenditures	1977-78 Budget	1978-79 Budget
(pupils)	(1812)	(1730)	(1658)
1100 School Committee	7,978	5,998	12,500
1200 Superintendent's Office	131,823	143,505	129,770
<u>1000 ADMINISTRATION TOTAL</u>	<u>139,801</u>	<u>149,503</u>	<u>142,270</u>
2200 Principals	170,273	228,279	229,581
2300 Teaching	2,204,220	2,366,801	2,570,477
2400 Textbooks	26,321	31,245	35,610
2500 Library	71,812	72,694	73,105
2600 Audio Visual	49,967	50,373	50,149
2700 Pupil Services	193,643	209,461	165,872
2800 Psychological Services	37,185	35,713	63,608
Reduction in 2000 Account		(5,000)	-
<u>2000 INSTRUCTION TOTAL</u>	<u>2,753,421</u>	<u>2,989,566</u>	<u>3,188,402</u>
3100 Attendance	2,015	50	5
3200 Health Services	25,677	26,531	27,424
3300 Pupil Transportation	261,220	256,514	271,944
3400 Food Services	-	2,690	0
3500 Student Body Activities	55,249	64,966	66,030
<u>3000 OTHER SCHOOL SERVICES TOTAL</u>	<u>344,161</u>	<u>350,751</u>	<u>365,403</u>
4100 Operation of Plant	374,637	389,836	391,622
4200 Maintenance of Plant	211,189	229,390	240,775
<u>4000 OPERATION & MAINT. TOTAL</u>	<u>585,826</u>	<u>619,226</u>	<u>632,397</u>
5100 Employee Retirement Program	46,406	60,603	86,928
5200 Insurance Program	115,061	154,293	168,025
<u>5000 FIXED CHARGES TOTAL</u>	<u>161,467</u>	<u>214,896</u>	<u>254,953</u>
<u>9000 PROGRAMS WITH OTHER DISTRICTS</u>	<u>163,900</u>	<u>184,465</u>	<u>194,489</u>
<u>TOTAL OPERATING BUDGET</u>	<u>4,148,576</u>	<u>4,508,407</u>	<u>4,777,914</u>

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ARTICLE 5: (130)
(continued)

	1976-77 Expenditures	1977-78 Budget	1978-79 Budget
Contingency	<u>200</u>	<u>85,000(1)</u>	<u>0</u>
<u>TOTAL</u>	<u>4,148,776</u>	<u>4,593,407</u>	<u>4,777,914</u>
<u>6000 COMMUNITY SERVICES</u>	<u>1,240</u>	<u>1,800</u>	<u>1,000</u>
7200 Improvements	0	1,700	11,500
7300 New Equipment	35,971	26,000	36,703
7400 Replacement Equipment	17,371	27,879	27,792
Reduction in 7000 Account			(7,448)
<u>7000 ACQUISITION OF FIXED ASSETS</u>	<u>53,342</u>	<u>55,579</u>	<u>68,547</u>
<u>8000 DEBT SERVICE</u>	<u>524,263</u>	<u>407,987.50</u>	<u>491,713</u>
<u>GROSS BUDGET</u>	<u>4,727,821</u>	<u>5,158,773.50</u>	<u>5,339,174</u>

B. SUDBURY ASSESSMENT

Operating Expenses Including Contingency	2,990,257.80	3,074,146.29
Community Service	1,479.60	821.00
Equipment	45,685.94	56,277.09
Debt Service	170,562.94	156,994.07
<u>REQUESTED ASSESSMENT</u>	<u>3,207,986.28</u>	<u>3,288,238.45</u>
<u>VOTED ASSESSMENT</u>	<u>3,138,116.28</u>	

(1) \$69,870 of this \$85,000 was not appropriated at the 1977 Annual Town Meeting.

Finance Committee Report: While enrollment has declined by 4.1%, the recommended Gross Budget of \$5,339,174 represents an increase of 3.49%. By a substantial percentage, this increase is the lowest in the 24-year budget history of the Regional High School.

Included within the budget is a projected dollar amount for the cost of on-going salary negotiations with the Teachers' Union. On January 5, 1978, the Finance Committee unanimously voted and subsequently requested the Regional School Committee to return entirely any unused sum at the satisfactory completion of negotiations in the combined assessments to the Towns of Lincoln and Sudbury. A representative of the Finance Committee has attended and will continue to attend future negotiating sessions.

This budget provides for staff decreases in clerical, special needs and maintenance positions (2.25) as well as professional staff reductions (4.0) under the ratio provisions of the existing Union contract. No additions to staff were approved.

The specific budget increases are attributable to professional salary steps, Blue Cross/Blue Shield, unemployment compensation, building repairs, textbooks and supplies. Decreases of note were obtained in pupil services. All travel accounts were reduced by approximately 50% from last year's figures.

Sudbury's assessment of \$3,288,238 is an increase of \$80,252 or 2.5%. For the first time in four years, Sudbury's share of the budget decreased to 82.1% for the Town.

Recommend Approval.

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

The amount is somewhat more than \$100,000 below what was printed in the hand-out. This is the result of several things. One is the State returning funds unanticipated at the time the School budget was voted by the School Committee. The second was in re-appraising the line items and doing some arithmetic, they found some that went up and some that went down. Fortunately for us, more went down than up.

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

Our request to you tonight is approximately \$100,000 below what you see printed in the Warrant.

The reasons are really two-fold. The State has told us to use \$62,000 more in anticipated receipts than we used in our original calculations, and there was a combination of some numerical errors in our budgeting.

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Sudbury's assessment last year was \$3,138,000. This year it is \$3,187,000, an increase of 1.6%. We have worked very hard to try to keep the increases down.

We have worked hard on staffing. There is, in fact, reduction in staff in both the faculty and in other areas of the school. The faculty, as many people realize, is mandated by contract. That reduction is because of reduction in students.

The other reductions are reductions the School Committee has worked hard to insure that as the number of students goes down, the number of support people will go down in some reasonable number as well. We are still looking very hard at that.

Dick Santella, the man who takes care of this building, has been able to show substantial savings in energy - the thing that drove us crazy over several years before. Our energy budget for the coming year we expect will be less than for last year.

But there are a couple of kickers always in budgets. One is that from now on we have to provide some funding for unemployment compensation. That is \$30,000 that we have never had to face up to before, and it is included in this budget.

Fortunately, Chapter 766 finally seems to be leveling off. We no longer have to come to you as we have in so many prior years to say that 766 is a major increase.

We have included an estimate of what negotiations will cost us. We are still in the process of negotiations so the specifics cannot be divulged, but we have made our best guess. We will not come back to you at a special town meeting or at any other time for more money. It is all included in the number that you will vote tonight.

Finally, the other factor that has always given Sudbury a hard time is the apportionment. That has always seemed to work against us. We always seemed to have more kids than Lincoln. The percentage of the costs, therefore, that we would have to bear was more than Lincoln's. It finally turned around, and the apportionments between the two towns have actually gone in the other direction.

The per pupil cost for last year, based on 1,730 students, was \$2,175. This year we are projecting for 1,685 students at \$2,311, an increase of a little over 6%.

The assessment includes the operating budget, which is the cost of running these buildings and educating your students, adjustments which are primarily what the State gives back to us in various forms and surpluses from prior years. The School Committee cannot keep any of the surpluses from prior years so, in fact, that is all returned to the two towns in the form of reduced assessments.

Community Services is a small number and is used to take care of certain community activities. Outlay is for capital equipment.

Debt Service is finally going down. If there were no further expenses in this school, the debt service would go to zero in about 1985.

The bottom line, the assessment we are asking you to vote, is \$3,187,739.02. We ask for your support. We will try our best to educate your students.

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

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$3,187,739.02 FOR 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.

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

A. BUDGET	1977-78 Budget	Proposed 1978-79 Budget
Administration (1000)		
Salaries	119,429	124,941
Supplies	3,010	4,610
Other	24,624	28,234
<u>1000 ADMINISTRATION TOTAL</u>	<u>147,063</u>	<u>157,785</u>
Instruction - Supv. (2100,2200)		
Salaries	206,730	193,498
Supplies	8,900	12,125
Other	33,332	42,992
<u>2100,2200 INSTRUCTION-SUPV. TOTAL</u>	<u>248,962</u>	<u>248,615</u>

ARTICLE 5: (140)
(continued)

	<u>1977-78 Budget</u>	<u>Proposed 1978-79 Budget</u>
Instruction - Teaching (2300,2400)		
Salaries	1,909,620	2,008,607
Supplies	250,751	253,512
Texts	39,550	28,143
Other	81,240	95,999
<u>2300,2400 INSTRUCTION-TCHG TOTAL</u>	<u>2,281,161</u>	<u>2,386,261</u>
Instruction - Media (2500,2600,2900)		
Salaries	80,242	82,659
Supplies	11,900	11,900
Other	51,390	48,029
<u>2500,2600,2900 INSTRUCT.-MEDIA TOTAL</u>	<u>143,532</u>	<u>142,588</u>
Instruction - Guidance (2700,2800)		
Salaries	200,290	213,917
Supplies	7,427	5,457
Other	21,650	22,450
<u>2700,2800 INSTRUCT.-GUIDANCE TOTAL</u>	<u>229,367</u>	<u>241,824</u>
Other Services (3000)		
Health	38,615	38,142
Transportation	503,321	420,334
Cafeteria	3,430	3,700
Athletics	69,470	75,726
<u>3000 OTHER SERVICES TOTAL</u>	<u>614,836</u>	<u>537,902</u>
Maintenance, Operation, Repair (4000)		
Salaries	137,227	133,721
Supplies	19,500	23,500
Other	481,741	493,686
<u>4000 MAINT., OPER., REPAIR TOTAL</u>	<u>638,468</u>	<u>650,907</u>
<u>5000 FIXED SERVICES TOTAL</u>	<u>262,248</u>	<u>304,098</u>
<u>7000 ACQUISITION OF FIXED ASSETS TOTAL</u>	<u>58,350</u>	<u>211,444</u>
<u>8000 DEBT SERVICE TOTAL</u>	<u>1,658,200</u>	<u>1,598,500</u>
<u>TOTALS</u>	<u>6,282,187</u>	<u>6,479,924</u>

B. DISTRICT ASSESSMENT

1. OPERATING BUDGET	<u>1977-78</u>	<u>1978-79</u>
Total Operating Budget	\$4,623,987	\$4,881,894
Reimbursement/Revenue	<u>-2,000,000</u>	<u>-2,198,207</u>
Net Operating Budget	<u>2,623,987</u>	<u>2,683,687</u>

11. CAPITAL BUDGET

Capital	1,658,200	1,598,500
Reimbursement	<u>-1,103,135</u>	<u>-1,103,135</u>
Assessment	<u>555,065</u>	<u>495,365</u>

TOTAL ASSESSMENT \$3,179,052 \$3,179,052

C. SUDBURY ASSESSMENT \$ 311,702 \$ 298,217

Finance Committee Report: Like the Sudbury Schools, the Minuteman Regional Vocational Technical School Committee evaluated and voted for a program budget.

The Regional Advisory Finance Committee recommended to the Minuteman Regional Vocational Technical School Committee an operating budget of \$4.661 million (based on student counts and allowing for inflation) instead of the \$4.846 million program plan developed last fall by the school staff. That program plan required an assessment of \$3.300 million on the twelve towns of the region, after generous application of other forecast receipts. Instead, the Minuteman Committee first identified \$35,000 of additional needs, and then \$156,000 more aid and other income, to produce the 1978/9 District Assessment identical to 1977/8.

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	1978 - 1979				
	77 - 78 Budget	Fall Staff Request and Plan	12 Town FINCOM Recomm.	January Staff Plan	January MMRVTS Vote
(In \$ million)					
Operations	\$4.624	\$4.846	\$4.661	\$4.882	\$4.881
- Aid	-2.000	-2.041	-2.041	-2.045	-2.197
	2.624	2.805	2.620	2.837	2.684
+ Net Bond Payments	+ 555	+ 495	+ 495	+ 495	+ 495
Assessment	\$3.179	\$3.300	\$3.115	\$3.332	\$3.179

This is the second year that Minuteman has controlled our assessment by adjusting their forecast aid and other income. This might not continue to our benefit. There is a forecast 7% to 8% increase in the 1979/80 assessment as a result of teacher contract negotiations concluded in 1977 - plus inflation.

The 1978/79 assessment on Sudbury is less than last year, because the number of students from other towns increased in October, 1977 faster than did the number of our students at Minuteman. The assessment is based on the student count of the prior October 1. Recommend Approval.

Minuteman Regional Vocational Technical High School District Report:
(Mr. Thomas A. Welch)

There are approximately 119 students from Sudbury attending the Minuteman School. The assessed cost for last year was around \$2,650 per student. It is estimated that the cost will be slightly less this year as our assessment has declined by \$13,000.

Upon a motion made by Mr. Felleman, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$298,217 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 SCHOOL COMMITTEE, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5: 200 DEBT SERVICE

	EXPENDITURES APPROPRIATED EXPENDITURES			FISCAL YEAR 1979	
	7/1/76- 6/30/77	7/1/77- 6/30/78	7/1/77- 12/31/77	7/1/78-6/30/79 REQUESTED	RECOMMENDED
201 Loan Interest, Temp.	*27,562	**20,000	15,344	35,000	35,000
202 School Bond Interest	66,955	53,103	30,263	37,282.50	37,282.50
203 Other Bond Interest	2,688	0	0	0	0
204 Principal, Schools	415,000	410,000	335,000	410,000	410,000
205 Principal, Others	164,510	50,000	50,000	0	0
TOTAL	676,715	533,103	430,607	482,282.50	482,282.50

Finance Committee Report:

200 Debt Service: Recommend Approval.

Upon a motion made by Mrs. Linda E. Glass of the Finance Committee, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$482,282.50 AS SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 200, DEBT SERVICE, AND THAT SAID SUM BE RAISED BY TAXATION.

ARTICLE 5: 300 PROTECTION OF PERSONS AND PROPERTY

		EXPENDITURES APPROPRIATED		EXPENDITURES	FISCAL YEAR 1979	
		7/1/76- 6/30/77	7/1/77- 6/30/78	7/1/77- 12/31/77	7/1/78-6/30/79 REQUESTED	RECOMMENDED
<u>310 FIRE DEPARTMENT</u>						
310-10 Fire Chief's Salary	22,260	23,596	12,235	23,596	26,000	
310-11 Salaries	+363,392	+391,572	201,744	394,164	415,843	
310-12 Overtime	+ 88,495	+115,238	71,621	132,289	150,565	
310-13 Clerical	+ 5,915	8,558	3,098	8,558	9,157	
310-21 General Expense	3,995	6,355	2,610	7,275	7,000	
310-31 Maintenance	* 28,372	15,500	8,089	17,730	17,730	
310-51 Equipment Purchase	17,054	13,000	10,527	14,450	14,450	
310-61 Fire Alarm Exten.	43	0	0	0	0	
310-62 Fire Alarm Maint.	6,345	7,000	197	8,050	8,050	
310-71 Uniforms	3,997	5,040	2,326	5,060	5,910	
310-81 Tuition Reimb.	432	800	275	800	800	
<u>310</u>	<u>TOTAL</u>	<u>540,300</u>	<u>586,659</u>	<u>312,722</u>	<u>611,972</u>	<u>655,505</u>
Federal Revenue						
Sharing		110,000	115,000		125,000	125,000
NET BUDGET		430,300	471,659	312,722	486,972	530,505

Finance Committee Report:

310 Fire Department: There is an experiment underway to determine if additional personnel can offset the Overtime Account (-12). The results will be reported at Town Meeting. The Equipment Account (-51) includes replacement of a 1973 station wagon. It also continues the practice of replacing radios and fire hose. Recommend Approval.

320 POLICE DEPARTMENT

320-10 Police Chief's Salary	23,064	24,395	12,649	24,395	26,825	
320-11 Salaries	+345,794	380,864	195,252	386,313	407,560	
320-12 Overtime & Ext. Hire	+ 52,299	69,721	39,338	81,039	95,708	
320-13 Clerical	9,095	9,641	4,999	9,641	10,316	
320-16 Crossing Guards	4,699	5,168	2,040	5,168	5,453	
320-21 General Expense	13,967	14,040	5,921	14,630	14,630	
320-31 Maintenance	* 21,991	20,700	9,504	22,200	22,200	
320-41 Travel Expense	354	650	417	500	500	
320-51 Equipment Purchase	* 17,456	19,000	5,001	18,000	18,000	
320-61 Auxiliary Police	500	1,500	666	1,500	1,500	
320-71 Uniforms	* 6,012	5,700	3,515	5,850	6,500	
320-81 Tuition Reimbursement	1,373	6,000	436	6,000	6,000	
<u>320</u>	<u>TOTAL</u>	<u>496,604</u>	<u>557,369</u>	<u>279,738</u>	<u>575,236</u>	<u>615,192</u>
Federal Revenue						
Sharing		110,000	115,000		125,000	125,000
NET BUDGET		386,604	442,369	279,738	450,236	490,192

Finance Committee Report:

320 Police Department: The increase in the Overtime Account (-12) is due to three factors: a 12% salary increase, more vacation time due to seniority, contract items for night differential and EMT requalification. General Expense (-21) is up due to increased costs of supplies and telephone. The Maintenance Account (-31) has increased 11% to cover anticipated additional cost of gasoline. The usual practice of replacing patrol cars annually is continued, with one station wagon (back-up ambulance) and three patrol sedans to be traded against new ones. Recommend Approval.

340 BUILDING INSPECTOR

340-10 Salaries	17,808	18,876	9,788	18,876	20,000	
340-12 Overtime	390	+ 562	495	562	602	
340-13 Clerical	12,685	14,164	6,653	14,309	15,311	
340-14 Deputy Inspector	565	1,000	206	1,000	1,000	
340-15 Custodial	19,584	+ 21,626	7,480	21,272	22,442	
340-16 Plumbing	1,304	2,500	799	2,500	2,500	
340-17 Retainer	1,000	1,000	500	1,000	1,000	

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173.

ARTICLE 5 (300) (continued)	EXPENDITURES	APPROPRIATED	EXPENDITURES	FISCAL YEAR 1979	
	7/1/76- 6/30/77	7/1/77- 6/30/78	7/1/77- 12/31/77	7/1/78-6/30/79 REQUESTED	RECOMMENDED
340-21 General Expense	627	750	343	750	750
340-31 Vehicle Maint.	744	1,000	257	1,000	750
340-32 Town Bldg. Maint.	*43,360	**46,921	17,795	47,500	49,500
340-51 Equipment				5,000	5,000
340 TOTAL	98,067	108,399	44,316	113,769	118,855

Finance Committee Report:

340 Building and Inspections: A new vehicle for the Building Inspector is recommended for sometime late in the fiscal year and a corresponding reduction in the Vehicle Maintenance Account (-31) is included. A 10% increase has been approved for the utilities in the Town Building Maintenance Account (-32). Recommend Approval.

350 DOG OFFICER

350-11 Salary	+ 8,488	9,485	4,637	9,642	10,173
350-12 Overtime & Ext. Hire	*+ 1,047	472	272	544	574
350-21 General Expense	5,398	5,750	2,024	5,750	2,650
350-31 Vehicle Maint.	676	750	121	1,000	750
350-51 Equipment Purchase	* 4,024	0	0	10,000	10,000
350 TOTAL	19,633	16,457	7,054	26,936	24,147

Finance Committee Report:

350 Dog Officer: The recommended budget includes the construction of a Town-owned kennel which will improve enforcement of the Dog Control Law at a reasonable cost. Recommend Approval.

Board of Selectmen Report - Dog Control Facilities, Line Item 350-51:

This budget line item is similar to Article 4 in the Warrant for the April 4, 1977, Special Town Meeting, with the exception that the dollar amount requested is \$10,000 rather than \$25,000.

Since the subject last came before Town Meeting, the Dog Officer has completed further study and research and is still recommending that the Town build its own dog pound facilities. At present we have no adequate facilities to retain dogs picked up, nor can we economically contract for such service.

The type of facility proposed is a prototype of the dog pound in the Town of Monson, which appears to be a very efficient and economical operation. The Town Engineer has already drawn up a set of construction plans, and the Dog Officer has submitted specifications and operational plans as follows:

- The building will be well-insulated and soundproofed.
- Hours will be restricted for pick-up of dogs to 8 a.m. to 5 p.m., Monday through Friday by appointment only.
- A limited number of cages will be used; therefore, stray dogs will only be held the time required by law.
- The capacity of the facility will be approximately 16 dogs.
- On a daily basis dogs will be fed and areas cleaned.
- The facility will be heated and ventilated.
- The Town may rent space to adjoining towns to help cut operational costs.

The Dog Officer has recommended that the facility be located on Town-owned land preferably adjacent to Featherland Park. The Town of Monson built their facility in a residential district and has experienced very few complaints.

Unless this line item is approved, we cannot properly enforce the Town dog control bylaws. It will also allow us to treat dogs picked up in a more humane fashion.

If funds for construction of a new dog pound facility are approved, line item 350-21 Care of Dogs may be reduced to \$1,200 and the amount of \$200 for retainer eliminated; therefore, the total requested for line item 350-21 would be reduced to \$2,650 or a savings of \$3,100. It is estimated that the dog pound facility will pay for itself within three years.

The Selectmen recommend your approval.

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ARTICLE 5 (300) (continued)	EXPENDITURES APPROPRIATED		EXPENDITURES		FISCAL YEAR 1979	
	7/1/76-	7/1/77-	7/1/77-	7/1/77-	7/1/78-6/30/79	
	6/30/77	6/30/78	12/31/77	REQUESTED	RECOMMENDED	
<u>360 CONSERVATION COMMISSION</u>						
360-13 Clerical	997	**1,937	1,389	2,744	2,937	
360-21 General Expense	527	5,350	475	5,080	5,080	
360-31 Maintenance	1,481	2,000	696	2,000	1,500	
360-41 Travel	64	150	19	75	75	
360-51 Conservation Fund	31,000	0	0	48,337	48,337	
360-52 Capital Equipment				1,870	1,870	
<u>360 TOTAL</u>	<u>34,069</u>	<u>9,437</u>	<u>2,579</u>	<u>60,106</u>	<u>59,799</u>	

Finance Committee Report:

360 Conservation Commission: The budget for operating and capital equipment has been increased by 19% due to increases in the personal services account and purchase of a mower blade attachment so that mowing of the Town areas can be accomplished by the Park and Recreation Department rather than by an outside contractor. Additional clerical services are required to handle the increased workload resulting from the Wetlands Protection Act, State-initiated studies and the increasing number of Commission hearings. The major item in the Commission's budget is the Conservation Fund. By agreement with the Finance Committee in 1971, the Commission budgets .0275% of the Town's estimated real value for the Conservation Fund which is used for the purchase of new conservation land. Over \$258,000 of supporting State and Federal funds have been obtained and returned to the General Account in connection with this program. \$48,337 is being requested in the 1978/9 budget for this purpose. Last year the Conservation Fund request was eliminated at the Town Meeting. The Finance Committee believes that it is in the Town's best interest to continue this program of land acquisition. Recommend Approval.

370 BOARD OF APPEALS

370-13 Clerical	1,272	1,685	842	2,000	2,500
370-21 General Expense	754	800	279	800	800
<u>370 TOTAL</u>	<u>2,026</u>	<u>2,485</u>	<u>1,121</u>	<u>2,800</u>	<u>3,300</u>

385 SIGN REVIEW BOARD

385-13 Clerical	397	562	291	562	602
385-21 General Expense		100	72	100	100
<u>385 TOTAL</u>	<u>397</u>	<u>662</u>	<u>363</u>	<u>662</u>	<u>702</u>

390 CIVIL DEFENSE

390-21 General Expense	214	250	40	250	0
390-22 Special Emergency	*14,634				
<u>390 TOTAL</u>	<u>14,848</u>	<u>250</u>	<u>40</u>	<u>250</u>	<u>0</u>

Finance Committee Report:

390 Civil Defense: The Finance Committee does not recommend providing funds for the proposed level of this program. Recommend Disapproval.

<u>300 GROSS BUDGET</u>	<u>1,205,944</u>	<u>1,281,718</u>	<u>647,933</u>	<u>1,391,731</u>	
Offsets	220,000	230,000		250,000	250,000
<u>300 NET BUDGET</u>	<u>985,944</u>	<u>1,051,718</u>	<u>647,933</u>	<u>1,141,731</u>	

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

The Moderator announced that the remainder of the budget would be handled like a consent calendar. He then read through the line items under Section 300, and several were held.

Upon motions made by Mrs. Anne W. Donald of the Finance Committee, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN OF THE FINANCE COMMITTEE'S HANDOUT FOR ALL ITEMS IN ACCOUNT 300, PROTECTION OF PERSONS AND PROPERTY, EXCEPT 310-11, 310-12, 310-81, 320-11, 320-12, 320-16, 320-71, 320-81, 340-17, 340-15, 350, 360-51, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$415,843 FOR ACCOUNT 310-11, SAID SUM TO BE RAISED BY TRANSFER OF \$125,000 FROM PUBLIC LAW 92-512, FEDERAL REVENUE SHARING ACCOUNT, AND THE BALANCE OF \$290,843 BE RAISED BY TAXATION.

After Mrs. Donald made the motion under line item 310-12 for the Finance Committee, Mr. Thomas Blanchette asked for an explanation concerning the overtime budget as it would relate to the employment of additional full-time employees and whether the overtime is built into the collective bargaining.

Fire Chief Josiah F. Frost responded as follows:

We are in a pilot program at the present time to determine if the figures that we have worked on over the last three years are correct. It appears that since January 1978, our previous figures show there will be an adjustment. We won't be sure until May. At that time, we will be transferring money from the Overtime Account to the Salary Account to put this into operation.

It will not affect this particular budget line unless there is money to be turned back at the end of the year. We feel confident that there will be.

The whole overtime budget depends upon contract procedures.

VOTED: THAT THE TOWN APPROPRIATE \$150,565 FOR FIRE OVERTIME, SAID SUM TO BE RAISED BY TAXATION.

Mrs. Donald then made the motion under line item 310-81.

In response to a question about tuition reimbursement, Mr. Richard E. Thompson, Executive Secretary, commented as follows:

There is tuition reimbursement in departments other than the Fire and Police. According to the Personnel Bylaw, if a person attends an accredited course and it is approved by the Department Head and the Personnel Board, he is reimbursed for tuition. However, the tuition related to the Fire and Police Departments comes under the collective bargaining agreement also.

VOTED: THAT THE TOWN APPROPRIATE \$800 FOR LINE ITEM 310-81, SAID SUM TO BE RAISED BY TAXATION.

Mrs. Donald made the motion under line item 320-12.

In response to a question relative to this line item, Mr. Thompson stated as follows:

Approximately 90% of the overtime is a result of collective bargaining. There are some minor categories, like covering for July 4th, which are not a result of bargaining.

Mr. Felleman of the Finance Committee further responded as follows:

We have a choice in whether or not to vote for this item. You can vote zero for this account. If you do, it would mean that when a policeman goes on vacation or is sick, nobody comes in to take over for him. What we would be doing is decreasing the amount of coverage we have. For many years, the policy has been to maintain essentially the same level of force during holidays and vacations and when people are sick. This is what causes us to spend this amount of money. If we are going to maintain the same policy, we are going to have to pay for what we negotiated. If we want to change that, we are changing the policy.

Mr. Edward E. Krietsek then raised a point of order and suggested that we not vote this line item out of order. It could be a procedural defect because we have not voted to take it out of order.

The Moderator ruled as follows: I read extensively on that point this afternoon, and I am comforted by the fact that the Moderator does have the discretion to take it out of order. It is not a material advance that could arguably be for the sake of deluding voters. I will take it at this point since we have had the discussion. We will then go back to 310-11.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$95,708 FOR ACCOUNT 320-12, POLICE OVERTIME, SAID SUM TO BE RAISED BY TAXATION.

Upon a motion made by Mrs. Donald, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$407,560 FOR ACCOUNT 320-11, SAID SUM TO BE RAISED BY TRANSFER OF \$125,000 FROM PUBLIC LAW 92-512, FEDERAL REVENUE SHARING ACCOUNT, AND THE BALANCE OF \$282,560 BE RAISED BY TAXATION.

After making the motion under account 320-16, Mrs. Donald made the following explanation:

The item was for salaries for crossing guards. They are going to go under the School Committee budget hereafter. Therefore, we are moving zero in this budget. This is with the agreement of the School Committee.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF ZERO DOLLARS FOR ACCOUNT 320-16.

After making the motion under account 320-71, Mrs. Donald explained that \$300 was removed from this item. This was for the uniforms for the crossing guards and that sum will appear in the School budget by agreement.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$6,200 FOR ACCOUNT NUMBER 320-71, SAID SUM TO BE RAISED BY TAXATION.

Mrs. Donald *moved* that the Town appropriate \$6,000 for line item 320-81, *said sum to be raised by taxation.*

Mr. Thomas E. Coleman asked for an explanation of the fact that in the current fiscal year we are spending at the rate of \$872 for the item that is now budgeted at \$6,000 for next year.

Nicholas Lombardi, Chief of Police, responded as follows:

The reason the expenditures for the first six months are so low is because the bills for the first semester don't come in until after the first of the year. The same thing happens in the spring. You spend a large amount of money in the first part of the calendar year because of the semester's ending in December. The spring semester ends about June 24th or 25th and you don't get these bills in until after the 1st of July. You are then into the next fiscal year. There was \$3,000 in the -81 account last year and \$4,002.33 which was carried forward. At the end of the year there was \$2,827 turned back to the Town in unexpended funds.

Mr. Coleman then *moved* to amend line item 320-81 to a recommended figure of \$3,000.

In support of this motion, Mr. Coleman stated as follows:

If we get to the point at the conclusion of this budget that items can be transferred from line to line, this strikes me as the kind of item that is essentially a slush fund after all.

Mr. Felleman of the Finance Committee commented as follows:

We do not transfer from line to line. That is only between salary accounts and overtime accounts. We don't have slush funds. We have recommended \$6,000 in this account primarily because it is very difficult for us, in December, to figure out a year from then who is going to be taking courses. We don't like to impose unnecessary burdens on the Reserve Fund. We have occasions, for example, the snowstorm we had back in February, which sometimes takes a great deal of money out of the reserve account. We recommend that we appropriate the \$6,000. It is, in a sense, an insurance against whatever these gentlemen may decide in terms of courses they are going to take over a year from now.

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Mr. Coleman's amendment was defeated.

VOTED: THAT THE TOWN APPROPRIATE \$6,000 FOR LINE ITEM 320-81, SAID SUM
TO BE RAISED BY TAXATION.

Upon motions made by Mrs. Donald, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$22,422 FOR LINE ITEM 340-15,
SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$1,000 FOR LINE ITEM 340-17,
SAID SUM TO BE RAISED BY TAXATION.

VOTED: TO ADJOURN THIS SESSION UNTIL TOMORROW AT 8 O'CLOCK.

The meeting adjourned at 10:58 p.m.

[Number of names marked on the voting list as having attended the meeting: 624]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 4, 1978

The Moderator called the meeting to order at 8:07 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that the first item of business would be Account 350, Dog Officer. He stated that he believed the pivotal issue in this account would be the last line item, Equipment Purchase, which is the dog pound. The other line items really depend upon whether that particular item is passed or not. Therefore, he asked for and received consent of the hall that it first consider line item 350-51, Equipment Purchase.

Mrs. Anne W. Donald of the Finance Committee then made the motion under line item 350-51.

Finance Committee Report: [See page 173]

Board of Selectmen Report: [See page 173]

VOTED: THAT THE TOWN APPROPRIATE \$10,000 FOR LINE ITEM 350-51, EQUIPMENT PURCHASE, SAID SUM TO BE RAISED BY TAXATION.

Upon motions made by Mrs. Donald, it was

VOTED: THAT THE TOWN APPROPRIATE \$10,173 FOR LINE ITEM 350-11, DEPUTY DOG OFFICER, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE \$574 FOR LINE ITEM 350-12, OVERTIME, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE \$2,650 FOR LINE ITEM 350-21, GENERAL EXPENSE, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$750 FOR LINE ITEM 350-31, VEHICLE MAINTENANCE, TO BE RAISED BY TAXATION.

Mr. Philip G. Felleman, Chairman of the Finance Committee, then *moved that the Town appropriate the sum of \$48,337 for line item 360-51, Conservation Fund.*

Finance Committee Report: [See page 174]

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

In 1961, the Conservation Commission made a substantial effort to educate the Town on the role and the importance of conservation land in the Town of Sudbury. At that time, the Conservation Fund was established as a vehicle to help the Town accumulate money toward the purchase of conservation land. The fund also provides a source of ready cash for small purchases, professional fees and other fees that are associated with land acquisition.

Perhaps now, obtaining conservation land and preserving the Town's open space is more important than ever. But, before I go any further, let me answer the big question that seemed to startle many people at last year's town meeting. How much money is currently in the fund? The answer is \$143,000. That sounds like a lot of money to a private homeowner, but it is not a lot of money to someone who is put in the position of trying to purchase a large tract of prime land.

The cost of land is soaring everywhere but particularly in a town like Sudbury. In 1973, the Davis Farm conservation land was purchased. That was fifty-two acres for \$132,000. In 1974, the Nobscot Hill conservation land, which is seventy-eight acres, was purchased for \$285,000. The future purchase of a major tract of land most likely will cost substantially more than those two figures.

The fund has worked well for Sudbury, but you might ask what assurances and safeguards does the taxpayer have that the fund will be administered responsibly. First, it is the duty of the Conservation Commission to offer the Town the choice of purchasing those parcels of land which become available for conservation purchases. Land acquisition is not based upon those parcels that we want. It is based on those parcels the townspeople want.

April 4, 1978

In the past, we have always fulfilled our obligation of presenting significant land purchases to the townspeople, and we will continue to follow that policy. For the Conservation Commission to spend money out of the fund just because it is sitting there sorely misses the point that we exist as a Commission to serve the people of Sudbury.

Secondly, the Conservation Commission can legally spend money from the fund without Town Meeting approval. While this is technically accurate, it is an absurdity from a practical point of view. It must be remembered that Town Meeting approval is one of the eligibility requirements in receiving State and Federal reimbursement. From 1965 to 1975, the Conservation Commission has applied for and received over a quarter of a million dollars in State reimbursements. It should be understood that the full purchase price is taken out of the fund and many months later, when the State sends its 50%, that reimbursement goes back to the Town's general fund and not to the Conservation Fund.

The next question to be considered is why do you need the fund, and why do we need conservation lands.

According to the Planning Board's questionnaire of 1974, the Growth Policy Report and the recently completed 1978-1983 Open Space Plan, people move to Sudbury and remain in Sudbury primarily because of the Town's character. Our land acquisition program not only protects some interesting and diverse habitats; it also contributes significantly to the Town's rural character through the preservation of open space.

To implement a land acquisition program, a financial reserve is necessary. If a choice piece of land becomes available, money is needed immediately for professional appraisal, surveyors, purchasing options, etc., and the existence of the fund puts us in a better negotiating position with the seller.

Next, and perhaps the most important consideration, is how the Conservation Fund affects our tax rate. Maintenance of the Conservation Fund facilitates the Commission's ability to continue to carry out a land acquisition program without substantially impacting the tax rate in any given year. This year's proposed contribution of approximately \$48,000 is 28¢ on the tax rate. That is approximately \$11.00 on the total tax bill paid on a house assessed at \$40,000.

This year's Long Range Capital Expenditures Committee Report recommends the Conservation Fund as a discretionary priority item. I feel it is appropriate to quote them so you may hear the merits of the Conservation Fund from their study. In referring to last year's recommendation for reconsideration of the fund they say, "This year that opinion has changed due in large part to the large volume of comprehensive material presented to the Committee from the Commission. The Long Range Capital Expenditures Committee also feels that if no more money accumulates in the fund, then in all likelihood because of the rapidly rising tax rate, significant purchases of conservation land will have gone irrevocably to other uses. We feel the purchase of conservation land is in the best interest of the Town. Such land provides green space for passive recreation, helps to preserve the rural and agricultural character of Sudbury and preserve the vegetation and wildlife in its natural state for all to enjoy. A Conservation Fund is one mechanism for gradually accumulating capital for the purchase of conservation land without significantly impacting the tax rate. This year we have given a discretionary priority rating to the Fund."

There are several important aspects for you to remember. First, what is the fund? It is a vehicle to help the Town gradually accumulate money for purchases of conservation land.

Second, why do we need it? The townspeople have indicated their desire to keep the rural character of the Town and the acquisition of conservation land does just that.

What are the safeguards to assure the proper administration of the fund? First, the Conservation Commission has a policy of obtaining town meeting approval for all major purchases of conservation land. Second, town meeting approval is necessary to be eligible for State and Federal funding.

What is the cost? This year's contribution is \$48,300, and it is 28¢ on the tax rate. Maintenance of the fund facilitates the Commission's ability to continue to carry out a land acquisition program without severely impacting the tax rate in any given year. We feel it is worth the price, and we hope you do, too.

After discussion, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$48,337 FOR LINE ITEM 360-51, CONSERVATION FUND, SAID SUM TO BE RAISED BY TAXATION.

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ARTICLE 5: 400 HIGHWAY DEPARTMENT

	EXPENDITURES 7/1/76- 6/30/77	APPROPRIATED 7/1/77- 6/30/78	EXPENDITURES 7/1/77- 12/31/77	FISCAL YEAR 1979 7/1/78-6/30/79 REQUESTED	RECOMMENDED
410-10 Supt's Salary	19,800	22,000	11,207	22,000	24,000
410-11 Asst. Supt's Sal.	16,000	16,960	8,640	16,960	18,000
410-12 Oper. Asst's Sal.	11,802	13,144	6,696	13,144	14,700
410-13 Clerical	+15,370	17,458	8,560	17,614	18,847
410-14 Tree Warden	500	500	0	600	500
410-21 General Expense	3,772	4,500	761	4,500	4,500
410-31 Maintenance	1,986	3,000	1,077	3,000	3,000
410-32 Utilities	*11,316	12,400	2,578	12,400	12,400
410-41 Travel	149	150	7	150	150
410-42 Out-of-State Travel	0	300	300	300	300
410-51 Admin. Equipment	525	250	240	550	450
410-71 Uniforms	3,926	4,400	3,016	4,400	4,400
<u>410 Sum</u>	<u>85,146</u>	<u>95,062</u>	<u>43,082</u>	<u>95,618</u>	<u>101,247</u>
420-11 Operating Salary	+228,516	+250,558	119,130	229,689	242,169
420-12 Extra Hire	12,069	14,907	7,308	14,907	16,372
420-13 Overtime	9,619	12,938	4,866	12,938	13,627
<u>420-10 Sum</u>	<u>250,204</u>	<u>278,403</u>	<u>131,304</u>	<u>257,534</u>	<u>272,168</u>
420-20 Road Work					
-21 Operating Materials	16,980	16,000	8,237	16,000	16,000
-23 Hired Equipment	5,351	6,000	5,365	6,000	6,000
-24 Street Seal	74,988	60,000	58,046	60,000	60,000
-25 Signs & Markings	7,476	7,500	2,491	7,500	7,500
-26 Street Maint.	34,500	34,500	33,696	34,500	34,500
-28 Sweeping	11,415	14,000	2,471	14,000	14,000
<u>420-20 Sum</u>	<u>150,710</u>	<u>138,000</u>	<u>110,306</u>	<u>138,000</u>	<u>138,000</u>
420-30 Trees					
-31 Tree Materials	2,499	2,500	182	3,700	3,700
-34 Contractors	4,985	**5,000	4,504	6,000	6,000
<u>420-30 Sum</u>	<u>7,484</u>	<u>7,500</u>	<u>4,686</u>	<u>9,700</u>	<u>9,700</u>
420-40 Landfill					
-41 Contractors		**		3,800	3,800
-43 Hired Equipment	6,985	9,000	7,534	1,000	1,000
-44 Utilities	215	330	47	330	330
-45 Maintenance	0	300	49	300	300
-46 Physical Plant	997	0	0	0	0
<u>420-40 Sum</u>	<u>8,197</u>	<u>9,630</u>	<u>7,630</u>	<u>5,430</u>	<u>5,430</u>
420-50 Cemeteries					
-51 Materials	2,676	2,000	244	1,800	1,800
-53 Hired Equipment	0	0	0	200	200
-55 Contractors	461	0	0	0	0
<u>420-50 Sum</u>	<u>3,137</u>	<u>2,000</u>	<u>244</u>	<u>2,000</u>	<u>2,000</u>
420-62 Chap. 90 Maint.	6,000	6,000	0	6,000	6,000
<u>420-60 Sum</u>	<u>6,000</u>	<u>6,000</u>	<u>0</u>	<u>6,000</u>	<u>6,000</u>
430 Machinery					
-20 Fuels & Lubr.	*21,575	23,750	8,338	23,750	23,750
-30 Parts & Repairs	*44,702	38,225	18,216	38,225	38,225
-40 Equipment	21,656	15,000	14,187	65,000	65,000
<u>430 Sum</u>	<u>87,933</u>	<u>76,975</u>	<u>40,741</u>	<u>126,975</u>	<u>126,975</u>
460 Snow & Ice					
-12 Overtime	+23,688	+22,502	6,286	22,502	23,699
-30 Materials	+36,619	40,000	6,499	40,000	40,000
-40 Equipment	5,863	6,600	0	6,600	6,600
-50 Contractors	+22,817	20,000	1,361	20,000	20,000
<u>460 Sum</u>	<u>88,987</u>	<u>89,102</u>	<u>14,146</u>	<u>89,102</u>	<u>90,299</u>

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ARTICLE 5 (400)		EXPENDITURES APPROPRIATED EXPENDITURES			FISCAL YEAR 1979	
(continued)		7/1/76 -	7/1/77 -	7/1/77 -	7/1/78-6/30/79	
		6/30/77	6/30/78	12/31/77	REQUESTED	RECOMMENDED
470	Street Lighting	*29,059	32,000	13,448	37,100	37,100
	New Locations	455	1,000	0	1,000	1,000
470	Sum	29,514	33,000	13,448	38,100	38,100
400	TOTAL	717,312	735,672	365,587	768,459	789,919
Offsets:						
	Chapter 825 + Interest	45,300	94,844.86			
	Anti-Recession Title II	0	27,824.54			5,650
	Chapter 90 Improvements	0	6,000.00			
	Cemetery: New Town	2,700	2,000.00			
	Cemeteries					16,800
	Road Machinery Fund	0	500.47			
	NET BUDGET	669,312	604,502.13			767,469

Finance Committee Report:

400 Highway: The recommended Highway budget shows an overall increase of 3.8% over fiscal 1978. Actually, the operating budget will be 2.4% less than the current year, due to personnel reductions and holding the line on all accounts except Trees (420-30) and Street Lighting (470). However, in keeping with the Long Range Capital Expenditures Committee's recommendations for equipment replacement on a cost-effective basis, the Machinery Account (430) has been substantially increased to include the purchase of three vehicles which are essential to year-round operation, particularly in the winter as first-line snow-fighting equipment.

All of the current programs for street maintenance will be continued at the same cost level. This includes the seal program scheduled for 11.4 miles (40 roads), 0.3 mile of County roads (Chapter 90 Maintenance) and miscellaneous roadwork (berm and guard rail construction and repair and walkway and treelawn maintenance). The sweeping program will be continued as it has proved so effective in preparing the roads for safe usage after winter salt, sand and accumulated debris. No new Chapter 90 construction funds are included in Account 420-63 and the present account is carried forward at \$248,796.49 toward the planned reconstruction of Landham Road.

A small increase in the Tree Account (420-30) permits an expanded tree planting program while continuing the care and maintenance of existing trees on public ways and Town property, including Dutch Elm removal, etc.

The Street Lighting Account (470) reflects the actual yearly cost of the existing street lights, including rate increases granted by the DPU and the allowed fuel adjustment costs, plus a 15% increase estimated by Boston Edison for fiscal 1979. It also includes \$1,000 for additional lighting installations, subject to Boston Edison scheduling.

The major budget increase occurs in Machinery (430). It is proposed to purchase a three-quarter ton pick-up truck, a one-ton truck and a front-end loader. These vehicles are all replacements for units which have been in heavy use over six years, in the case of the three-quarter ton truck, and eight years for the other two vehicles.

Repair costs in fiscal 1977 were \$5,766.65. The Finance Committee agrees with the Highway Surveyor and the Long Range Capital Expenditures Committee that this replacement is timely and implementation should occur in fiscal 1979. Recommend Approval.

The Moderator then read the items in Account 400 in the manner of a Consent Calendar and several items were held.

Upon a motion made by Mr. Karl E. Clough of the Finance Committee, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN OF THE FINANCE COMMITTEE'S HANDOUT SHEET FOR ALL ITEMS IN ACCOUNT 400, HIGHWAY DEPARTMENT, EXCEPT 420-11, 410-71, 420-31 AND 470, NEW LOCATIONS, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

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After making the motion under line item 410-70, Uniforms, Mr. Clough explained as follows:

The new contract calls for an increase in the allocation for uniforms that was not included in the handout sheet.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$5,200 FOR ACCOUNT 410-71, UNIFORMS, SAID SUM TO BE RAISED BY TAXATION

Upon a motion made by Mr. Clough, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$242,169 FOR ACCOUNT 420-11, SAID SUM TO BE RAISED BY A TRANSFER OF \$5,650 FROM THE ANTI-RECESSION FISCAL ASSISTANCE FUNDS AND BY TRANSFER OF \$4,400 FROM MT. PLEASANT CEMETERY PERPETUAL CARE ACCOUNT, \$5,000 FROM THE MT. WADSWORTH CEMETERY PERPETUAL CARE ACCOUNT, \$2,400 FROM THE NORTH SUDBURY CEMETERY PERPETUAL CARE ACCOUNT AND \$5,000 FROM THE NEW TOWN CEMETERY PERPETUAL CARE ACCOUNT, THE BALANCE TO BE RAISED BY TAXATION.

Mr. Clough then made the motion under line item 420-31.

In response to a question, Mr. William M. Waldsmith, Tree Warden, commented as follows:

\$1,200 of this amount is for insect pest control. \$2,000 is for tree planting. This amount for tree planting just barely keeps up with the takedown of the diseased and dying trees. Article 9, requesting \$4,000 for tree planting is going to put us way ahead planting the main roads in the Town.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$3,700 FOR ACCOUNT 420-31, SAID SUM TO BE RAISED BY TAXATION.

Upon a motion made by Mr. Clough, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$1,000 FOR ACCOUNT 470, STREET LIGHTING, NEW LOCATIONS, THAT SUM TO BE RAISED BY TAXATION.

ARTICLE 5: 500 GENERAL GOVERNMENT

	EXPENDITURES APPROPRIATED EXPENDITURES			FISCAL YEAR 1979	
	7/1/76- 6/30/77	7/1/77- 6/30/78	7/1/77- 12/31/77	7/1/78-6/30/79 REQUESTED	RECOMMENDED
<u>501 SELECTMEN</u>					
501-10 Exec. Sec'y Salary	27,350	28,991	15,032	28,991	31,000
501-11 Planner					15,000
501-12 Overtime	+ 699	562	51	1,000	1,070
501-13 Clerical Salary	+27,544	31,900	15,802	32,050	34,294
501-14 Selectmen's Salary	1,600	1,600	800	1,600	1,600
501-21 General Expense	4,900	5,000	3,073	5,500	5,300
501-31 Equip. Maint.	205	** 300	423	500	350
501-41 Travel	* 2,265	2,200	1,253	2,200	2,200
501-51 Equipment Purchase	64	** 600	714	700	600
501-71 Out-of-State Travel	1,000	1,000	666	1,000	1,000
501-81 Surveys & Studies	1,753	2,000	763	3,000	2,000
<u>501 TOTAL</u>	<u>67,380</u>	<u>74,153</u>	<u>38,577</u>	<u>76,541</u>	<u>94,414</u>
<u>502 ENGINEERING</u>					
502-10 Town Engineer Sal.	21,412	22,697	11,869	22,697	24,500
502-11 Salaries	54,562	58,273	30,459	70,545	75,484
502-12 Overtime	823	2,438	944	2,438	2,140
502-13 Clerical Salary	8,598	9,453	4,810	9,453	10,116
502-14 Temp. Eng. Aides	10,663	12,192	6,862	12,192	13,046
502-21 General Expense	6,456	6,340	1,790	6,775	6,775
502-31 Maint. & Repair Vehicles	1,802	2,300	744	2,300	2,300
502-41 Travel Expense	16	100	13	100	100
502-51 Equipment Purchase	6,800	5,500	4,929	0	0
<u>502 TOTAL</u>	<u>111,132</u>	<u>119,293</u>	<u>62,420</u>	<u>126,500</u>	<u>134,461</u>

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ARTICLE 5 (500)
(continued)

	EXPENDITURES 7/1/76- 6/30/77	APPROPRIATED 7/1 77- 6/30/78	EXPENDITURES 7/1/77- 12/31/77	FISCAL YEAR 1979 7/1/78-6/30/79	
				REQUESTED	RECOMMENDED
<u>503 LAW</u>					
503-10 Retainer	*10,750	11,000	5,500	12,500	12,000
503-11 Salaries	9,010	9,551	4,952	9,551	9,551
503-21 General Expense	*13,201	11,000	6,423	19,200	16,200
503-51 Equipment	* 394	0	0	0	0
<u>503 TOTAL</u>	<u>33,355</u>	<u>31,551</u>	<u>16,875</u>	<u>41,251</u>	<u>37,751</u>
<u>504 ASSESSORS</u>					
504-13 Clerical	17,159	23,484	11,089	26,000	27,820
504-14 Assessors' Salary	2,500	2,500	1,250	2,500	2,500
504-21 General Expense	3,879	5,480	2,565	5,480	5,480
504-31 Equipment Repair	0	125	0	125	125
504-41 Travel	1,199	1,600	377	1,600	1,600
504-51 Equipment Purchase	214	0	0	250	250
<u>504 TOTAL</u>	<u>24,951</u>	<u>33,189</u>	<u>15,281</u>	<u>35,955</u>	<u>37,775</u>
<u>505 TAX COLLECTOR</u>					
505-10 Collector's Salary	10,600	11,200	5,600	11,875	12,000
505-12 Overtime	0	+ 225	24	400	428
505-13 Clerical	*13,054	+15,733	7,302	15,394	16,472
505-14 Attorney's Salary	2,213	0	0	3,000	3,000
505-21 General Expense	1,818	2,315	748	2,285	2,285
505-31 Maintenance	25	75	0	75	75
505-41 Travel Expense	15	300	15	300	50
505-51 Equipment Purchase	0	0	0	500	500
<u>505 TOTAL</u>	<u>27,725</u>	<u>29,848</u>	<u>13,689</u>	<u>33,829</u>	<u>34,810</u>
<u>506 TOWN CLERK & REGISTRARS</u>					
506-10 Town Clerk's Sal.	10,907	12,500	6,250	12,500	13,500
506-13 Clerical Salary	24,717	27,651	14,227	27,226	29,132
506-14 Registrars	550	550	550	550	550
506-21 General Expense	8,258	8,360	956	6,075	6,133
506-31 Maintenance	237	320	214	355	355
506-41 Travel Expense	208	350	121	350	350
506-51 Equipment Purchase	* 4,442	150	149	163	163
506-61 Elections	7,965	3,332	935	9,426	9,595
506-71 Out-of-State Travel	0	0	0	225	225
<u>506 TOTAL</u>	<u>57,284</u>	<u>53,213</u>	<u>23,402</u>	<u>56,870</u>	<u>60,003</u>
<u>507 TREASURER</u>					
507-10 Treasurer's Salary	8,480	9,000	4,500	12,000	9,000
507-13 Clerical Salary	* 5,827	7,264	3,618	8,190	7,480
507-21 General Expense	463	500	259	500	500
507-31 Maintenance	0	100	20	100	100
507-41 Travel Expense	249	850	245	850	500
507-61 Tax Title Expense	50	1,000	159	500	500
507-71 Bond & Note Issue Exp.	* 235	** 150	145	500	500
507-81 Tuitions	0	200	200	225	225
<u>507 TOTAL</u>	<u>15,304</u>	<u>19,064</u>	<u>9,146</u>	<u>22,865</u>	<u>18,805</u>
<u>508 FINANCE COMMITTEE</u>					
508-13 Clerical Salary	1,575	1,911	661	2,200	2,354
508-21 General Expense	111	200	99	200	200
508-41 Travel Expense	0	50	0	0	0
<u>508 TOTAL</u>	<u>1,686</u>	<u>2,161</u>	<u>760</u>	<u>2,400</u>	<u>2,554</u>
<u>509 MODERATOR</u>					
509-11 Salary	80	100	0	100	100
509-21 General Expense	0	0	0	0	75
<u>509 TOTAL</u>	<u>80</u>	<u>100</u>	<u>0</u>	<u>100</u>	<u>175</u>

ARTICLE 5 (500)
(continued)

(continued)	EXPENDITURES 7/1/76- 6/30/77	APPROPRIATED 7/1/77 6/30/78	EXPENDITURES 7/1/77- 12/31/77	FISCAL YEAR 1979 7/1/78-6/30/79 REQUESTED RECOMMENDED	
<u>510 PERMANENT BUILDING COMMITTEE</u>					
510-13 Clerical Salary	0	56	0	56	50
510-21 General Expense	0	50	0	50	0
510 TOTAL	0	106	0	106	50
<u>511 PERSONNEL BOARD</u>					
511-13 Clerical Salary	*1,660	1,573	740	1,800	1,926
511-21 General Expense	100	200	81	300	200
511 TOTAL	1,760	1,773	821	2,100	2,126
<u>512 PLANNING BOARD</u>					
512-10 Town Planner	0	0	0	15,000	0
512-13 Clerical Salary	1,831	3,371	1,047	2,000	2,140
512-21 General Expense	780	1,250	190	800	800
512-31 Maintenance	0	50	0	50	50
512-41 Travel	13	100	0	250	100
512-61 Special Studies	15,920(1)	16,000	3,733	0	0
512 TOTAL	18,544	20,771	4,970	18,100	3,090
(1) Amount paid to Planner from Article 9 ATM 1976 included in this expenditure					
<u>513 ANCIENT DOCUMENTS COMMITTEE</u>					
513-21 General Expense	1,691	1,800	709	1,800	1,800
<u>514 HISTORIC DISTRICTS COMMISSION</u>					
514-13 Clerical	65	112	0	112	112
514-21 General Expense	47	50	32	50	50
514 TOTAL	112	162	32	162	162
<u>518 COUNCIL ON AGING</u>					
518-21 General Expense	599	643	107	1,120	1,120
518-51 Equipment	304	375	86	200	200
518-61 Senior Citizen Prog.	952	1,250	370	1,250	1,250
518-62 Trans. Programs	800	800	166	800	800
518 TOTAL	2,655	3,068	729	3,370	3,370
<u>519 TALENT SEARCH COMMITTEE</u>					
519	59	0	0	100	100
<u>520 COMMITTEE ON TOWN ADMINISTRATION</u>					
520-13 Clerical	0	0	0	100	50
520-21 General Expense	0	50	0	50	0
520 TOTAL	0	50	0	150	50
<u>521 ACCOUNTING</u>					
521-10 Town Account. Sal.	17,696	18,876	9,298	18,876	21,000
521-12 Overtime	442	+ 550	549	550	589
521-13 Clerical	16,987	+20,428	10,139	23,698	25,357
521-21 General Expense	903	965	570	965	965
521-31 Maintenance	410	3,400	286	4,000	4,000
521-41 Travel	300	450	242	450	450
521-51 Equipment Purchase	154	13,250	916	11,000	11,000
521-61 Payroll Processing	3,337	** 500	451	0	0
521 TOTAL	40,229	58,419	22,451	59,539	63,361
500 TOTAL	403,947	448,721	209,862	481,738	

Finance Committee Reports:

501 Selectmen: The Town Planner appears in Account 501-11 rather than in 512 (Planning Board) as requested. Recommend Approval.

502 Engineering: The recommended budget reflects the addition of one Senior Engineering Aide. This represents the first personnel increase to the Department since 1972. Since 1974 the Department has assumed responsibility for both engineering and surveying work. The addition of this new Senior Aide will permit the Department to perform "in house" work formerly contracted at greater expense. Recommend Approval.

503 Law: The Finance Committee feels that an increase in the Law Retainer from \$11,000 to \$12,500 is excessive. We have recommended \$12,000 which is a nine per cent increase. In General Expense (-21) the major increase is due to the Labor Relations Counsel and an increase in the hourly rate for litigation. Recommend Approval.

504 Assessors: The increase in the budget request of 8.3% primarily reflects the need for additional clerical help to handle the increased workload being performed. Recommend Approval.

505 Tax Collector: This year it is necessary to hire a lawyer for Tax Titles. This is a routine procedure occurring every other year. This budget also includes the purchase of a new typewriter to replace a twelve-year-old one. Recommend Approval.

506 Town Clerk: This budget shows an increase in the Election Account (-61) since we will have three elections in fiscal 1978/9. Recommend Approval.

507 Treasurer: This budget shows a decrease in Tax Title Expense (-61). There is an increase in Bond and Note Issue (-71) because it is now necessary to borrow more than previously. Recommend Approval.

510 Permanent Building Committee: The recommended budget will permit the Permanent Building Committee to resume activities if required by Town Meeting action. Recommend Approval.

511 Personnel Board: The 13% increase in the proposed budget for 1978/9 is to accommodate increases in the clerical workload. Recommend Approval.

512 Planning Board: The significant reduction in this budget primarily reflects transfer of the Town Planner's salary from the Planning Board to the Selectmen's account. It was felt that the Town Planner function could be more effectively implemented and supervised if the Selectmen were responsible. Reductions in the Clerical Account (-13) also contribute to the reduced 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.

521 Accounting: The addition of a part-time employee will replace a present CETA employee who currently administers all Town CETA employees. The Capital Equipment line item is a continuation in our 1977 five-year lease-purchase agreement for the Burroughs accounting machine. Recommend Approval.

The Moderator then read the items in Account 500 in the manner of a Consent Calendar and three items were held.

Upon a motion made by Mrs. Linda E. Glass, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN IN THE FINANCE COMMITTEE HANDOUT SHEET FOR ALL ITEMS IN ACCOUNT 500, GENERAL GOVERNMENT, EXCEPT LINE ITEMS 501-11, 502-11, 512-10 AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

Upon motions made by Mrs. Glass, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF ZERO DOLLARS FOR LINE ITEM 501-11, NO SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$75,484 FOR LINE ITEM 502-11, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF ZERO DOLLARS FOR LINE ITEM 512-10.

ARTICLE 5: 600 GOODNOW LIBRARY

	EXPENDITURES APPROPRIATED		EXPENDITURES		FISCAL YEAR 1979
	7/1/76- 6/30/77	7/1/77- 6/30/78	7/1/77- 12/31/77	7/1/78-6/30/79 REQUESTED	RECOMMENDED
600-10 Library Director	14,596	15,500	8,037	16,000	17,000
600-12 Overtime & Ext. Hire	0	0	0	3,291	3,477
600-13 Clerical	+39,402	51,769	24,449	49,730	40,869
600-14 Salaries	+26,498	29,303	15,219	29,327	47,316
600-15 Custodial	+ 3,623	4,006	2,199	3,702	3,906
600-16 Salaries, Pages	7,592	8,837	4,066	8,510	9,021
600-21 General Expense	* 5,812	** 5,663	2,671	7,823	7,150
600-31 Maintenance	15,611	11,550	3,773	12,154	12,154
600-41 Travel	199	250	59	357	250
600-51 Equipment	1,414	** 2,000	1,419	2,032	1,852
600-52 Books	25,200	**28,500	15,133	39,161	39,161
600-71 Out-of-State Travel	* 446	540	0	655	155
<u>600 TOTAL</u>	<u>140,393</u>	<u>157,918</u>	<u>77,025</u>	<u>172,742</u>	<u>182,311</u>
State Aid	5,064.75	5,064.75			5,064.75
County Dog License Refund					7,905.43
NET BUDGET					169,340.82

Finance Committee Report:

600 Library: The recommended budget is a 7.6% increase over the appropriation for the current fiscal year. The Clerical Account (-13) reflects step increases, and the replacement of one full-time Junior Librarian Assistant with a part-time Librarian Assistant. An Overtime and Extra Hours Account (-12) has been created to eliminate the problem of attempting to allocate this time in advance. This time has previously been included in the various salary accounts. The requested amount in the General Expense Account (-21) has been reduced by approximately \$675 to eliminate a request to place a full-page ad in Bentley's Calendar on a monthly basis to inform the Town of the Library's services and events. The substantial increase, approximately 37%, in the Book Account (-52) reflects the increase in the cost of books and a determination that the number of books purchased next year should be increased over the number purchased in prior years to take account of the Library's increased circulation, tripled in four years. The Out-of-State Travel Account (-71) has been reduced by \$500 from the amount requested to eliminate the cost of the Library Director's attending the annual American Library Association Conference. Recommend Approval.

The Moderator determined that line items 600-52, Books, and 600-71, Out-of-State Travel, were to be held.

Upon motions made by Mr. Edward L. Glazer, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 600, GOODNOW LIBRARY, AS SET FORTH ON THE FINANCE COMMITTEE'S HANDOUT SHEET EXCEPT 600-52, 600-71, AND THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$39,161 FOR ACCOUNT 600-52, SAID SUM TO BE RAISED BY TRANSFER OF \$5,064.75 FROM THE LIBRARY STATE AID ACCOUNT, THE TRANSFER OF \$7,905.43 FROM THE COUNTY DOG LICENSE REFUND ACCOUNT, AND THE BALANCE TO BE RAISED BY TAXATION.

Mr. Glazer then *moved* that the Town appropriate the sum of \$155 for account number 600-71, said sum to be raised by taxation.

Mrs. Virginia L. Howard, a Goodnow Library Trustee, then *moved* to increase the recommended amount of \$155 by \$500 to \$655.

In support of her amendment, Mrs. Howard stated as follows:

The Trustees' original request included \$500 for the Library Director to attend the American Library Association Meeting in Dallas, Texas, in the fiscal year 1979. The Trustees feel this is a very important meeting for the Director to attend in order to obtain knowledge and information which will be valuable to the services of the Goodnow staff to its patrons.

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The current Director paid her own way to this meeting in 1976 because she felt the meeting was so important. In 1978, money was budgeted as requested and granted for the same meeting, but the Finance Committee has changed its course this year and deleted the money for this meeting for 1979.

The current Director is an elected member of a national committee of the American Library Association. She paid her own way to a mid-winter meeting in Chicago in early January. This is a source of embarrassment to the Trustees, and I would think a source of embarrassment to the Town, that a professional worker must pay her own way to provide improved professional services to the Town of Sudbury.

It is further interesting to note that the Highway Department, Selectmen, Town Clerk and Registrars have been granted their 1979 requests for out-of-state travel for, we assume, opportunities to provide professional services to the Town. It seems to the Trustees that there is some inconsistency in the distribution of out-of-state travel funds for committees or departments.

We therefore urge that the Town of Sudbury support the proposed amendment to restore \$500 to the out-of-state travel account of the Goodnow Library Budget for the fiscal year 1979.

Mr. Glazer commented on the amendment for the Finance Committee as follows:

The Finance Committee has spent a considerable amount of time this year reviewing travel requests for all Town boards and committees including the Library. The position of the Finance Committee is that each travel request must be examined individually and a cost benefit judgment must be made. We do not believe that each department head is automatically entitled to a trip per year as part of his or her compensation.

While it is true that this Committee has recommended approval of travel accounts in some budgets, the Committee has also recommended reductions in travel accounts in other budgets and has been able to convince other Town departments not to include such amounts in their budget requests. The Library is not being singled out.

In the case of the Library, we are talking about a relatively large amount of money for a single trip. This is because the conference next year will be held in Dallas, and \$300 of the \$500 requested in the amendment is for airfare. In the recent past, this Committee has recommended in favor of appropriation of funds for the Library Director to attend this same conference, and the Town has supported such an appropriation.

However, this year, based on the information presented at our budget hearing on the Library, a majority of this Committee felt that, in their judgment, the benefit to be derived for the Town from the information obtained at this conference did not justify an expenditure. We ask that the Town reject this proposed amendment.

Mrs. Howard's amendment was passed.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$655 FOR ACCOUNT NUMBER 600-71, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5: 700 PARK AND RECREATION

	EXPENDITURES APPROPRIATED EXPENDITURES			FISCAL YEAR 1979	
	7/1/76- 6/30/77	7/1/77- 6/30/78	7/1/77- 12/31/77	7/1/78-6/30/79 REQUESTED	RECOMMENDED
700-10 Maint. Foreman	12,000	12,720	6,596	13,000	14,000
700-12 Overtime	486	450	289	1,000	1,055
700-15 Salaries	45,459	53,064	38,197	54,228	59,345
700-21 General Expense	923	1,000	311	1,000	1,000
700-31 Maintenance	24,522	25,000	10,272	26,800	26,800
700-41 Travel	299	500	245	500	500
700-51 Equipment	3,976	3,000	1,695	3,000	3,000
700-61 Special Programs	19,079	18,900	14,199	20,800	20,800
700-71 Uniforms	319	500	72	500	500
<u>700 TOTAL</u>	<u>107,063</u>	<u>115,134</u>	<u>71,876</u>	<u>120,828</u>	<u>127,000</u>

Finance Committee Report:

700 Park and Recreation: The recommended budget is a 6.7% increase over the appropriation for the current fiscal year. Approximately \$2,000 of the increase in labor cost (-15) reflects their assumption of the new responsibility of maintaining conservation lands. Of the recommended increase of \$1,900 in Programs (-61), it is anticipated that approximately \$1,400 will be returned to the Town in the form of increased revenue from fees charged to participants. Recommend Approval.

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 ON THE FINANCE COMMITTEE'S HANDOUT SHEET, SAID SUMS TO BE RAISED BY TAXATION.

ARTICLE 5: 800 HEALTH

	EXPENDITURES 7/1/76- 6/30/77	APPROPRIATED 7/1/77- 6/30/78	EXPENDITURES 7/1/77- 12/31/77	FISCAL YEAR 1979 7/1-78-6/30/79 REQUESTED RECOMMENDED	
800-10 Director's Sal.	18,020	19,101	9,852	20,800	20,500
800-13 Clerical Salary	5,940	7,304	3,352	7,304	7,490
800-15 Animal Inspector	800	800	350	800	800
800-21 General Expense	870	1,200	391	1,200	1,200
800-31 Lab Expense	1,152	1,200	385	2,200	2,200
800-41 Travel	*1,397	1,400	573	1,500	1,500
800-51 Equipment	364	0	0	850	850
800-61 SPHNA	22,892	26,148	10,895	29,840	29,840
800-71 Mosquito Control	14,000	16,000	15,000	16,000	16,000
800-75 Septage Disposal	11,029	22,405	132	24,000	24,000
800-81 Consultant Fees	0	250	0	250	250
800-91 Mental Health	4,740	4,750	1,580	5,000	5,000
<u>800 TOTAL</u>	<u>81,204</u>	<u>100,558</u>	<u>42,510</u>	<u>109,744</u>	<u>109,630</u>
Offset 800-75:					
ATM 1970 Art. 54					9,550.89
ATM 1970 Art. 55					9,756.76
STM 1970 Art. 44					460.20
NET BUDGET					89,862.15

Finance Committee Report:

800 Health: The recommended budget of \$107,741 represents a 7.1% increase over the amount appropriated for this current fiscal year. SPHNA costs (-61) are up 14.1% due to increased hours allocated to the Board of Health, increased salary rates and increased overhead expenses (in large part, malpractice insurance). Also, the Board of Health is instituting a new water monitoring program set up along guidelines suggested in the recent Mott Hydrology Study, which increases Account 800-31 by \$1,000 over this current year. The recommended amount of \$24,000 in Account 800-75 reflects one-half of the anticipated cost for the Wayland-Sudbury Joint Septage Disposal Facility. Recommend Approval.

After three line items under Account 800 were held, upon motions made by Mr. Glazer, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN 800, HEALTH, AS SET FORTH ON THE FINANCE COMMITTEE'S HANDOUT SHEET EXCEPT 800-61, 800-71 AND 800-75, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$29,840 FOR ACCOUNT 800-61, SAID SUM TO BE RAISED BY TAXATION.

Mr. Glazer then made the motion under line item 800-71.

In response to a question concerning this line item, Dr. James J. Healy of the Board of Health stated as follows:

The problem and subject of mosquitoes is every year somewhat of a nuisance. I think that there are several things that should be kept in mind when we think about the \$16,000 that we're spending for it. First of all, for those of you who

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may not know, Sudbury is part of the East Middlesex Mosquito Control which encompasses sixteen towns. Sudbury happens to be on the westernmost edge of that control group. Many of the other towns, such as Brookline and Watertown, benefit a great deal from the work that we do. That's unfortunate, but that's the way it is.

The other side of the coin is there isn't anyone west of us from whom we can leach, so we pretty much have to kill our own and Watertown's and Cambridge's.

The second thing that I think is important for everyone to keep in mind is that Sudbury is a particularly difficult town in which to treat mosquitoes because of the relatively high percentage of wetlands and because of the inaccessibility of many of the wetlands.

The mosquito control program consists of several areas. The one that everybody talks about is the great helicopters flying over at quarter of six in the morning. This is a relatively small percentage of the money that we actually spend. The helicopter is used for larvaciding. Larvaciding is an important phase of mosquito control. I don't know whether mosquitoes are precisely like rabbits, but if you get to them early, you save a lot of money.

There are approximately 350 acres in Sudbury that are impossible to reach with conventional hand application of larvacide material. Much of this work is done in the winter months when the workers can actually walk on the swamps and apply the dust. The areas we cannot reach in that way are larvacided by helicopter. It's not as effective, but it is more effective than doing nothing. The larvacide that is used is Abate, and the material cost is \$336.

The second thing that the helicopters do for us is adulticiding during the heavy foliage period of the year, that is, trying to eliminate fully grown and reproducing mosquitoes, again in the areas that cannot be reached by any other means. This amounts to less than \$100 for materials.

We also use a low fogging truck which makes much less noise than the old truck which used to spray kerosene. The low fogging is equally if not a little more effective.

In addition, we have been doing a great deal of ditching to reduce the volume of swamps and thereby limit the breeding areas for the mosquitoes. We probably do more ditching in Sudbury than any other town with the exception of Framingham. We feel that this represents a very reasonable, non-toxic, non-polluting and very safe way to deal with the problem.

The insecticide, Abate, has been approved not only by environmental agencies but also by the Massachusetts Department of Fish and Game. At the rate we apply it, there have been no problems with toxicity. If anyone feels threatened or jeopardized either for themselves, their animals, insects, bees or whatever, they are perfectly free to let us know. We will block out their house on our helicopter map and do everything in our power to avoid spraying them.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$16,000 FOR ACCOUNT 800-71, SAID SUM TO BE RAISED BY TAXATION.

Upon a motion made by Mr. Galzer, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$24,000 FOR LINE ITEM 800-75, SEPTAGE DISPOSAL, SAID SUM TO BE RAISED BY TRANSFER OF \$9,550.89 FROM ACCOUNT, ANNUAL TOWN MEETING 1970 ARTICLE 54, \$9,756.76 FROM ACCOUNT, ANNUAL TOWN MEETING 1970 ARTICLE 55 AND \$460.20 FROM ACCOUNT, SPECIAL TOWN MEETING 1970 ARTICLE 4, AND THE BALANCE TO BE RAISED BY TAXATION.

ARTICLE 5: 900 VETERANS

	EXPENDITURES 7/1/76- 6/30/77	APPROPRIATED 7/1/77- 6/30/78	EXPENDITURES 7/1/77- 12/31/77	FISCAL YEAR 1979 7/1/78-6/30/79	
				REQUESTED	RECOMMENDED
900-10 Agent's Salary	1,615	1,712	856	1,712	1,807
900-21 General Expense	300	350	103	375	375
900-61 Benefits	*14,873	10,000	6,231	10,000	10,000
<u>900 TOTAL</u>	<u>16,788</u>	<u>12,062</u>	<u>7,190</u>	<u>12,087</u>	<u>12,182</u>

Finance Committee Report:

900 Veterans: Recommend Approval.

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Upon a motion made by Mr. Felleman, 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 IN THE FINANCE COMMITTEE'S HANDOUT SHEET, SAID SUMS TO BE RAISED BY TAXATION.

ARTICLE 5: 950 UNCLASSIFIED

	EXPENDITURES 7/1/76- 6/30/77	APPROPRIATED 7/1/77- 6/30/78	EXPENDITURES 7/1/77- 12/31/77	FISCAL YEAR 1979 7/1/78-6/30/79 REQUESTED	RECOMMENDED
950-11 Blue Cross/Shield	170,297	200,000	74,947	220,000	220,000
950-12 Life Insurance	3,363	4,400	1,698	4,400	4,400
950-21 Fidelity Bonds	1,107	1,500	20	1,500	1,500
950-31 Casualty Insurance	63,165	75,000	70,877	100,000	88,000
950-41 Print Town Report	2,649	4,000	0	5,000	4,000
950-51 Memorial Day	1,000	1,000	0	1,735	1,100
950-61 Veterans' Graves	484	300	34	300	300
950-71 Fire Pension	1,500	1,500	875	1,500	1,500
950-81 Reserve Fund	72,742(1)	100,000	8,583	100,000	100,000
950-91 Hosmer House Cont.	2,000	2,000	1,169	2,000	0
950-92 Communications	3,421	3,500	1,066	3,500	3,500
950-93 Hydrant Rental	21,630	21,805	10,902	22,015	22,015
950-94 Copying Service	* 5,357	6,000	3,122	6,800	6,800
950-96 Retirement Fund	*200,446	207,742	207,742	206,353	206,353
950-97 Town Meetings	* 7,440	8,400	68	9,000	9,000
950-98 Postage	9,124	9,500	2,916	9,500	9,500
950-99 Telephone	* 11,941	11,000	5,366	11,000	11,000
950-100 Unemployment Comp.	0	0	0	60,000	35,000
950 TOTAL	577,666	657,647	389,385	764,603	723,968
Overlay Reserve					40,000
NET BUDGET					683,968

(1) Expenditures shown from the Reserve Fund have also been identified in line items denoted by an asterisk that received Reserve Fund transfers.

1976-77 TRANSFERS

DATE	TRANSFER NO.	ACCOUNT NUMBER/NAME	AMOUNT
7/22	0696	350-51: Dog Officer - Equipment Purchase	\$ 273.63
8/26	0697	506-51: Town Clerk - Equipment Purchase	4,400.00
9/9	0700	320-51: Police - Equipment Purchase	857.00
10/14	0698	310-31: Fire - Maintenance	10,874.00
11/18	0703	950-96: Unclassified - Retirement	127.11
12/9	0705	410-13: Highway - Clerical (from 420-11)	408.00
12/20	0706	950-96: Unclassified - Retirement	725.97
1/27	0708	507-71: Treasurer - Bond & Note Issue	45.00
2/7	0707	503-51: Law - Capital Expenditure	400.00
2/7	0709	503-10: Law - Retainer	250.00
2/10	0710	460-12: Highway - Snow & Ice Overtime (from 420-11)	7,000.00
2/24	0712	430-30: Highway - Parts & Repairs	10,000.00
2/24	0711	507-71: Treasurer - Bond & Note Issue	100.00
2/24	0713	200-201: Debt - Interest on Temporary Loans	6,000.00
2/ 28	0715	600-71: Library - Out-of-State Travel	430.00
2/28	0714	600-13: Library - Clerical (from 600-15,14)	2,100.00
3/10	0716	511-13: Personnel Board - Clerical	600.00
3/10	0717	900-61: Veterans Benefits	6,500.00
4/6	0718	800-41: Board of Health - Travel	100.00
4/6	0719	430-21: Highway - Fuels & Lubricants	5,000.00
4/12	0720	501-12: Selectmen - Overtime (from 501-13)	800.00
5/12	0721	320-12: Police - Overtime (from 320-11)	4,500.00
5/12	0725	310-12: Fire - Overtime (from 310-11,13)	3,500.00
5/12	0727	507-13: Treasurer - Clerical	375.00
5/12	0730	505-13: Tax - Clerical	500.00
5/12	0732	390-21: Civil Defense - General Expense	15,000.00
5/12	0729	310-31: Fire - Maintenance	1,500.00
5/12	0733	350-12: Dog Officer - Overtime (428.74 from 350-11, 253.00 from 950-81)	681.74

DATE	TRANSFER NO.	ACCOUNT NUMBER/NAME	AMOUNT
5/12	0731	950-99: Unclassified - Telephone	950.00
6/6	0734	600-21: Library - General Expense	350.00
6/6	0735	320-31: Police - Maintenance	1,400.00
6/6	0736	340-34: Building - Loring Parsonage	100.00
6/6	0738	460-50: Highway - Snow & Ice Materials (from 460-30)	3,500.00
7/14	0739	410-32: Highway - Utilities	316.02
7/14	0740	320-71: Police Uniforms	300.00
7/14	0741	470: Highway - Street Lighting	558.65
7/14	0742	950-94: Unclassified - Copying Service	357.84
7/14	0743	950-97: Unclassified - Town Meeting Expense	440.26
7/14	0744	503-21: Law - General Expense	3,608.21
7/14	0745	501-41: Selectmen - Travel	65.60
9/8	0737	501-51: Selectmen - Equipment Purchase	144.00
9/8	0746	600-51: Library - Equipment	351.56
10/13	0747	600-21: Library - General Expense	383.00
10/27	0749	501-31: Selectmen - Maintenance	200.00
11/10	0748	420-34: Highway/Tree - Contractors	4,504.00
11/10	0750	Art. 34 ATM 77 - Town Hall Sewerage	3,000.00
12/12	0756	310-11: Fire - Salaries (from 310-12)	6,041.00
1/5	0760	507-71: Treasurer - Bond & Note Issue	175.00
1/5	0759	200-201: Debt - Interest on Temporary Loans	10,000.00
1/5	0753	600-52: Library - Books	300.00
1/5	0761	521-61: Accounting - Payroll Processing	343.50
1/5	0762	521-12: Accounting - Overtime (from 521-13)	300.00
1/5	0758	340-32: Town Hall Maintenance	1,425.00
1/5	0755	340-12: Building Overtime & Extra Hire (from 340-15)	1,000.00
1/5	0691	505-12: Tax Collector - Overtime (from 505-13)	240.00
1/6	0757	360-13: Conservation - Clerical	200.00
1/27	0763	420-41: Highway/Landfill	4,200.00
2/9	0764	460-12: Highway - Snow & Ice Overtime (from 420-11)	7,000.00
2/16	0766	460-12: Highway - Snow & Ice Overtime (from 420-11)	7,000.00

Finance Committee Report:

950 Unclassified: Major increases are in Blue Cross/Blue Shield (up 10%), Casualty Insurance (up 33%) due to a reappraisal of Town property, Retirement Fund (up 8%) based on the County Assessment, and the inclusion of a new line item - Unemployment Compensation (-100), another mandatory municipal expense. Recommend Approval.

Upon motions made by Mrs. Glass, it was

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 ON THE FINANCE COMMITTEE'S HANDOUT SHEET EXCEPT ITEMS 950-11, 950-31, 950-51, 950-81, 950-91, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, THE BALANCE OF ALL ITEMS IN ACCOUNT 950 BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$220,000 FOR LINE ITEM 950-11 AND SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$88,000 FOR LINE ITEM 950-31, SAID SUM TO BE RAISED BY TAXATION.

Mrs. Glass moved that the Town appropriate the sum of \$1,100 for line item 950-51, and said sum to be raised by taxation.

Mr. Frank H. Grinnell of the Memorial Day Committee then moved to amend line item 950-51, Memorial Day, to increase it \$600 to the sum of \$1,700.

In support of his amendment Mr. Grinnell stated as follows:

We have been operating at a minimum budget for years. Chapter 115 of the General Laws states that you will put a flag and a marker on every veteran's grave. We do have the markers stolen from time to time, and every year we have

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to put new flags on. Every year for the past six years, we have had the Sudbury Fife and Drum Company play hymns at the different cemeteries along the route. We have asked for \$600 so that we could hire a band that would play some music and that would be able to play a hymn as we go along the route. We have never been able to get that.

Mr. Grinnell's amendment was defeated.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$1,100 FOR LINE ITEM 950-51 AND SAID SUM TO BE RAISED BY TAXATION.

Upon a motion made by Mrs. Glass, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$100,000 FOR LINE ITEM 950-81 AND TO RAISE THE APPROPRIATION THE SUM OF \$40,000 TRANSFERRED FROM THE OVERLAY SURPLUS ACCOUNT AND THE BALANCE OF THIS SUM TO BE RAISED BY TAXATION.

Mrs. Glass then made a motion for zero dollars under line item 950-91.

In response to a question, Mr. Thompson stated as follows:

\$2,000 was added to the budget item under Building earlier in the Town Meeting to provide for some work on the Hosmer House to do minimal things to better secure the building. The item that has been carried here under Unclassified is to cover the agreement made that the Town pay Miss Hosmer \$2,000 yearly for her expenses. Now that Miss Hosmer has passed away, this contract is null and void, and the house and property revert to the Town.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF ZERO DOLLARS FOR LINE ITEM 950-91.

The Moderator then explained that the usual final motion under the budget would not be taken up at this time since the Sudbury School Budget had not yet been passed. The final motion would be taken up on April 10th after action on the school budget had been completed. [See page 235 for final motion.]

ARTICLE 6: To see if the Town will vote to raise and appropriate a sum of money to pay any one or more of the following unpaid bills totaling \$634.67:

Unpaid Bills	\$ 38.38	to reimburse the Conservation Commission Petty Cash Account for receipts for May 1974 to May 1975 submitted after the close of fiscal year 1976-77 (Conservation Commission);
	221.19	to pay Dr. Gerald Evans for expenses incurred by him when involved in an automobile accident with a Town-owned vehicle;
	3.46	to pay Town Crier for a bill submitted after the close of fiscal year 1976-77 (Historic Districts Commission);
	63.19	to pay the Middlesex County Registry of Deeds for a bill submitted after the close of fiscal year 1976-77 (Board of Assessors);
	244.63	to pay four bills submitted after the close of fiscal year 1976-77 (School Committee);
	48.75	to pay Sudbury Animal Hospital, Inc. for a bill submitted after the close of fiscal year 1976-77 (Board of Health);
	15.07	to pay Allan Snow, Foreman, Highway Department, for wages earned and unpaid relative to a grievance award by the American Arbitration Association;

or act on anything relative thereto.

Submitted by the Town Accountant.

Town Accountant Report: Bills submitted after the close of the accounts at the end of a fiscal year or bills for which there are insufficient funds can only be paid by a vote of the Town Meeting or by a Special Act of the State Legislature.

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Finance Committee Report: Recommend Approval.

Town Counsel Report: The motion under this article requires a 4/5 vote of the Town Meeting.

UNANIMOUSLY VOTED: (CONSENT CALENDAR) THAT THE TOWN APPROPRIATE \$634.67 FOR THE PAYMENT OF UNPAID BILLS INCURRED, WHICH MAY BE LEGALLY UNENFORCEABLE DUE TO THE INSUFFICIENCY OF THE APPROPRIATION IN THE YEAR IN WHICH THE BILL WAS INCURRED OR RECEIPT AFTER THE CLOSE OF THE FISCAL YEAR, AS FOLLOWS:

CONSERVATION COMMISSION PETTY CASH ACCOUNT	\$ 38.38
DR. GERALD EVANS	221.19
MIDDLESEX COUNTY REGISTRY OF DEEDS	63.19
THE TOWN CRIER	3.46
FOUR BILLS PAYABLE BY SUDBURY SCHOOL COMMITTEE	244.63
SUDBURY ANIMAL HOSPITAL, INC.	48.75
ALLAN SNOW, FOREMAN, HIGHWAY DEPARTMENT	15.07

SAID SUMS TO BE RAISED BY TAXATION.

ARTICLE 7: To see if the Town will vote

- Street Acceptances/Discontinuance
- A. To accept the layout of any one or more of the following ways:
- English Road - from Canterbury Drive, southerly, 420 feet, more or less, to Arrowhead Road,
 - Hampshire Street - from Willis Road, northeasterly, 870 feet, more or less, to a dead end,
 - Hermitage Street - from Hampshire Street, southerly, 670 feet, more or less, to a dead end,
 - Canterbury Drive - from Hampshire Street, easterly, 1600 feet, more or less, to a dead end,
 - Arrowhead Road - from English Road, easterly, 420 feet, more or less, to a dead end,
 - Phillips Road - from Fairbank Road, northwesterly, 765 feet, more or less, to a dead end,
 - Meadowbrook Circle - from Peakham Road, westerly, 2160 feet, more or less, to Meadowbrook Road,
- as laid out by the Board of Selectmen in accordance with the descriptions and plans on file in the Town Clerk's office; to authorize the acquisition, by purchase, by gift or by a taking by eminent domain, in fee simple, of the property shown on said plans; and to raise and appropriate, or appropriate from available funds, \$350, or any other sum, therefor and all expenses in connection therewith; and
- B. To discontinue those portions of Meadowbrook Circle shown as areas "To Be Abandoned" on a plan entitled "Plan of Meadowbrook Circle, Sudbury, Massachusetts as laid out by the Town of Sudbury", dated December 16, 1977, by the Town of Sudbury Engineering Department, a copy of which plan is on file in the Town Clerk's office and which is incorporated herein by reference;
- or act on anything relative thereto.
- Submitted by the Board of Selectmen.

Mr. Thompson moved Article 7, as printed in the Consent Calendar.

Board of Selectmen Report: This article is the result of the recommendations of the Highway Surveyor as to roads which meet legal requirements for acceptance. The Selectmen have, at a previous public hearing, voted the layout of these seven roads. If the above streets are voted and accepted by the Town Meeting as public ways, all future maintenance and repair will be done by the Town.

The portion of this article (B) relating to discontinuance of portions of Meadowbrook Circle is necessary to abandon portions of a turn-around which was originally a dead-end to Meadowbrook Circle. If the Town accepts the layout of Meadowbrook Circle under part A, those portions of the turn-around are no longer required and will be returned to the abutters.

The Board of Selectmen recommends approval.

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Finance Committee Report: Recommend Approval.

Planning Board Report: Recommend Approval.

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

This week we reviewed the streets which are before you, and I make the following recommendations. With respect to Phillips Road, we put the final coat on with the bond. The Planning Board took the bond, and there are some small amounts of work left to be done for which we have the money. We have already bought some of the materials, so I would recommend that you accept this road.

Meadowbrook Circle was inspected by myself and by the Town Engineer. I don't believe there are any problems with that street.

Our estimate is about \$50 to finish the work that is necessary on the street off of Willis Road. Other than that, there are a couple of minor cracks. The Planning Board released the bond on our recommendations, and I recommend that you accept these streets so we can get them into our normal maintenance program. It is a rather old subdivision, and if we don't accept them, they will deteriorate further.

VOTED: IN THE WORDS OF THE ARTICLE, WITH THE SUM OF \$350 TO BE RAISED BY TAXATION.

ARTICLE 8: To see if the Town will vote to change the name of Rice Street, a public way in the Town of Sudbury, to Rice Road; or act on anything relative thereto.
Change
Name of
Rice
Street
Submitted by the Board of Selectmen.

Board of Selectmen Report: Although the legal name of this public way off of Old Sudbury Road has been "Rice Street" for over fifty years, it has commonly been referred to as "Rice Road". Several residents on the street petitioned the Selectmen to take steps to legally change the name to "Rice Road". This article, if passed, will accomplish that goal. The Selectmen recommend approval of this article.

Finance Committee Report: Recommend Approval.

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

ARTICLE 9: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$4,000, or any other sum, to be expended under the direction of the Tree Warden for planting shade or ornamental trees within the Town; or act on anything relative thereto.
Tree
Planting
Program
Submitted by the Board of Selectmen.

Board of Selectmen Report: The Board of Selectmen, in cooperation with the Tree Warden, is recommending that the Town start a modest tree planting program. The amount of \$4,000 will provide enough funds to plant approximately two miles of roadway with trees. The Tree Warden and the Permanent Landscape Committee will recommend priority for roads.

The Dutch Elm Disease has taken many of the Town's large, old, beautiful trees--now, more recently, we are also in danger of losing many of our large maple trees. We must start a tree planting program so that future town residents can enjoy the same roadway beauty we enjoy now which only trees can create. This is a multi-year program, to develop future colonnades.

This program will not conflict with or duplicate the tree replacement money in the Tree Warden's operating budget. These funds are used mostly for planting and replacing trees throughout the whole Town, such as Dutch Elm diseased trees.

The Selectmen urge your support of this article.

Finance Committee Report: From evidence developed at two Finance Committee meetings on this subject, it appears that the Town can plant about 150 new trees next year. The Highway budget provides for 100 and this article provides for about 200 more trees as a special effort to replace our dying roadside trees.

The Highway allocation alone is twice the 1978 plan. This article makes the 1979 plan six times as large as the 1978 plan. This level of work may well exceed our capabilities in one year, but money remaining from this article will be available to complete the project. Recommend Approval.

VOTED: THAT THE TOWN APPROPRIATE \$4,000, TO BE EXPENDED UNDER THE DIRECTION OF THE TREE WARDEN, FOR PLANTING SHADE OR ORNAMENTAL TREES WITHIN THE TOWN, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 10: 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 &
Construction

- 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, a distance of approximately 2650 feet, and Puffer Lane from Haynes Road to Village Road, a distance of approximately 1050 feet;
 - b) Fairbank Road from Butler Road to Maynard Road, a distance of approximately 3400 feet;
 - c) Dutton Road from Hudson Road to Pratts Mill Road, a distance of approximately 2800 feet;
- 2) Construction funds as necessary to be expended under the direction of the Highway Surveyor, for walkways along the following roads:
 - a) Morse Road from Concord Road to Marlboro Road, a distance of approximately 7200 feet;
 - b) Mossman Road from Marlboro Road to North Road, a distance of approximately 7700 feet;

or act on anything relative thereto.

Submitted by the Planning Board.

[For map showing proposed walkways, see next page.]

Mr. Edward W. Connors, Jr., Chairman of the Planning Board, made the main motion under Article 10 for \$100,000 to be expended for the items as they appeared in the article, except that under paragraph 2) a) the distance was 2,685 feet instead of 7,200 feet.

Planning Board Report: (Mr. Connors)

The League of Women Voters has asked me to say that they support the walkway article.

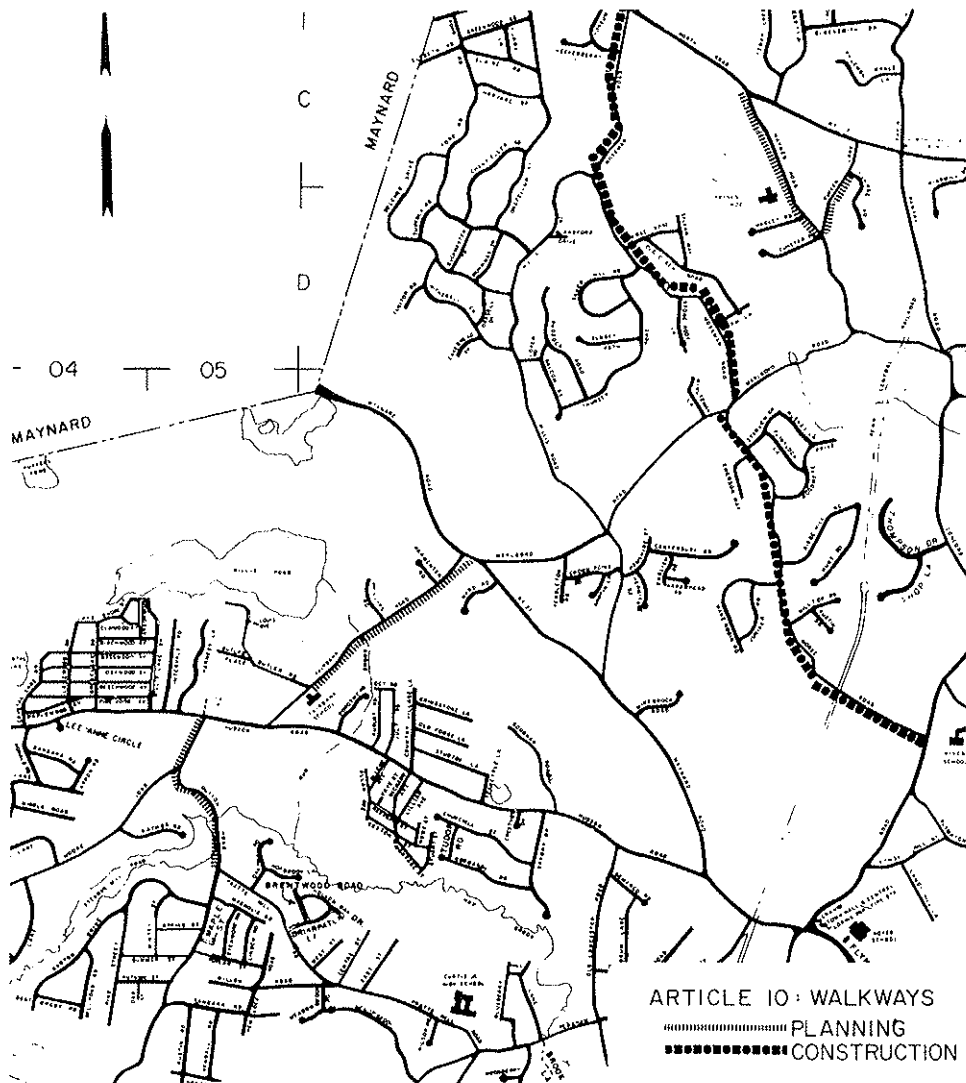
The reason we changed the construction along Morse Road from Concord to Marlboro Roads from 7,200 to 2,685 feet is because the bid has been awarded to R. Bates Company in Clinton, Massachusetts, to construct the walkway from Concord Road to Ridge Hill Road using funds appropriated at last year's town meeting. Last year's town meeting appropriated \$50,000 for construction of a walkway along Morse Road, and that \$50,000 will, unfortunately not be enough to complete that walkway all the way to Marlboro Road as was originally proposed. It will construct it to Ridge Hill Road, however.

Based on the construction costs of that portion of Morse Road, the continuation of Morse Road from Ridge Hill to Marlboro Road, a distance of 2,685 feet, will cost \$30,206.15 at \$11.25 per foot.

The construction of Mossman Road, 7,700 feet, will cost \$86,625, giving a total of \$116,831.25 for construction.

In addition to that, the cost for planning and engineering, including contract plans, is \$1.50 per foot. The cost of this has not gone up since 1972 and 1973, and the cost for the total number of feet in the article is \$14,850.

If we add \$116,831 and \$14,850, we come up with \$131,681, which is more than we are asking for. However, we do have the 1976 appropriation to construct a walkway along Old Lancaster from Concord Road to Hudson Road. That walkway has



been completed from Concord Road to Peakham Road during the 1977 construction season at a cost of \$25,473, or \$8.11 per foot. Therefore, we have the remaining portion from Peakham to Hudson Roads which has not been constructed because we have not been able to get the easements. We have about \$31,000 left in that account which we could transfer to complete the work outlined in this article if that was the wish of Town Meeting.

The Planning Board unanimously supports this article, and we ask for your support.

Finance Committee Report: The article requests continuation of funding for walkways at the \$100,000 annual level:

<u>Fiscal Year</u>	<u>Request</u>	<u>Voted</u>
1974	\$ ---	\$ 86,000
1975	173,000	166,000
1976	48,000	44,000
1977	100,000	100,000
1978	100,000	50,000
1979	100,000	?

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Final engineering and acquisition of easements for the Morse Road walkway were completed in 1977. Since this is the highest priority item in the walkway program, the Finance Committee felt that the \$50,000 in construction funds voted at the 1977 Annual Town Meeting, which are still available, should be expended for this purpose before appropriating additional funds. Recommend Disapproval.

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

The Finance Committee is not necessarily opposed to walkways. However, this year we are being asked to support a \$100,000 article for surface drainage and another \$150,000 approximately for the Landham Road reconstruction. That is \$250,000.

If we add the \$100,000 under this article, that is \$350,000 or about \$2.00 on your tax rate.

We have a lot of very highly deserving programs in Town. The Finance Committee feels that we just can't have all of them all at once. Drainage is becoming a much more serious problem as I think we are all aware. We are asking you to vote against the walkways this year and support drainage and the Landham Road reconstruction. We will just have to put it off.

We urge your support to defeat this article.

After some discussion, Mr. Chester Hamilton of Morse Road, *moved that the Town appropriate the sum of \$30,000, to be expended under the direction of the Highway Surveyor, for the completion of construction of a walkway along Morse Road from Concord Road to Marlboro Road, said sum to be raised by a transfer of \$30,000 from Article 13 of the 1976 Annual Town Meeting.*

The Moderator asked Mr. Hamilton how his motion amends the motion under Article 10. Mr. Hamilton responded that he wished to strike the main motion and substitute his motion.

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

I find myself in a very unusual position here tonight because I think most of the other residents who are here for Morse Road expected that I would speak against the completion of the walkway along Morse Road. I think that it has been evidenced by the action taken by this Town and by the residents of Morse Road that they wish a walkway along Morse Road and that they wish it not to stop at Ridge Hill Road. When we voted last time under Article 28, we appropriated \$50,000 for construction of a walkway along Morse Road from Concord Road to Marlboro Road, not stopping half way in between. The actual motion passed last year used the words, "for the construction of a walkway approximately 7,000 feet along Morse Road." It did not say it would stop at Ridge Hill.

I submit to those of you who have not looked at the figures carefully that this is the most expensive walkway that this Town has ever been asked to purchase. Having gotten as far as we have on the construction, I feel that it should be completed. Voting against the entire article would negate that and would go against the wishes of those people on Morse Road who have voted for, supported and worked hard to get a walkway. I don't particularly want that to happen, and I think the solution to the problem is very easy.

The Lancaster Road walkway, if it is ever to be constructed, can be brought before the town meeting again. I think that a transfer of funds out of that article which have not been used, could complete the walkway along Morse Road. \$100,000 would not have to be raised next year. The Town will be satisfied because they will not have \$100,000 added to the tax rate. The Finance Committee will be happy because the \$100,000 is not in the tax rate. The Planning Board will be happy because the Morse Road walkway will be completed. And, the residents of Morse Road will be happy to put this issue to rest.

I think it's time that the Planning Board lives up to what they were requested to do at the 1975 Town Meeting. At that time, they were sort of raked over the coals, and I will quote: "The townspeople have recognized the problems we have encountered in the last ten years or more and have let the Planning Board know that they want the Planning Board to slow down and review the whole process. In the light of recent information relative to the school walkway reimbursement and citizen concern about the walkway program in general, the Planning Board has voted to indefinitely postpone this article until a comprehensive review is completed and the results have been accepted at town meeting." [Planning Board Report under Article 40, 1975 Annual Town Meeting.]

I submit that that has not yet been done. It is a helter-skelter approach. It is a disorganized approach. It is an expensive approach. It's \$100,000 asked for. In ten years, it is a million dollars on absolutely no planning by a Planning Board.

In case you are not aware of it, the Chairman of the Planning Board is also the Chairman of the Walkway Committee.

I hope you will vote favorably on the motion I have made. I would like to see the walkway on Morse Road completed. I would like to put this issue to rest and I would like, by the action which I hope this town meeting will take, to emphasize once again to the Planning Board that the citizens of this Town are interested in walkways. But, they are interested only when a comprehensive review promised to this town meeting is in fact presented to us.

Mr. Connors then commented as follows with respect to Mr. Hamilton's substitute motion:

I agree with Mr. Hamilton that the walkway should be completed. I would like to point out, however, that last year we said that the \$50,000 to construct the walkway from Concord to Marlboro Road was the best number we could come up with. That number was not necessarily unreasonable. Old Lancaster Road was bid at \$8.11 per foot, considerably less than \$11.25 per foot. Peakham Road, from Old Lancaster to Hudson Road, was bid at \$6.31 per foot, considerably less than \$11.25. Old Sudbury Road, from Concord Road to the Methodist Church, which was constructed in 1976 was bid at the cost of \$5.89 a foot. Butler Road was bid at \$6.73 per foot. Hudson Road, from Old Lancaster to Concord Road, was \$6.00 a foot. Hudson Road east and west, and Woodside Road were bid at \$4.66 a foot.

Now construction costs, I am told by the Town Engineer, went up 7.9% in the last quarter of 1977, which is the highest increase in a single quarter since 1972. These are factors over which we have no control. We cannot predict what will happen.

Based upon the costs enumerated for the years 1973 through 1976, \$50,000 was an achievable goal at last year's Annual Town Meeting.

Since that time, we have formed a Walkway Committee. We have held regular meetings. We have held public meetings. We have reviewed the engineering plans with each of the interested parties. We have sent out letters to every abutter on every road along every foot of walkway that we have constructed. We have gotten them involved in the planning process, and we do have a plan for future walkways.

The walkways we are proposing for planning this year are the same that we proposed last year. However, in the motion we deleted them.

Planning and engineering of walkways in the North Sudbury area is a very vital thing right now because the kids up there are all walking to school. I understand there are some thirty kids who are walking along the streets to school now, and they have no walkways. The people up there have been petitioning the Walkway Committee and the Planning Board for about three years now to plan and build a walkway.

We have investigated different ways of doing it, and we tried to tie it in with the Mossman Road walkway by going cross-country over to the Haynes School for those people in that neighborhood. That failed because we just couldn't get the necessary agreements with the landowners whose property we would have to cross. Some people were concerned about the remoteness and the danger, etc.

In the Fairbank Road area, people have petitioned the Walkway Committee to build a walkway along Fairbank Road which would tie them into the network. The walkway along Dutton Road is a high priority walkway for the very reasons that it ties in Pratts Mill Road into the Hudson Road network and closes that loop. It also ties into the Haskell Land which is a very significant part of the Open Space Plan in the Town of Sudbury.

Mr. Felleman of the Finance Committee then asked if \$30,000 would be enough to complete the project on Morse Road.

Mr. Noyes, Highway Surveyor, responded as follows:

We feel we need \$33,000, so we would need to transfer \$30,000 from the Old Lancaster Road Walkway and raise \$3,000 in addition. We would also like to have \$15,000 for the planning which is under the article. He then asked if he could amend Mr. Hamilton's motion.

The Moderator asked, "What is your amendment?"

Mr. Noyes responded, "Essentially it would be to transfer from the Old Lancaster Road Walkway Account, the \$30,000 remaining, and to raise by taxation the \$3,000 necessary to complete the rest of Morse Road, 2,830 feet, and also \$15,000 for planning and engineering for the streets listed in Article 10."

The Moderator then commented that the motion to amend calls for the Town to appropriate the sum of \$30,000. He asked Mr. Noyes how he would propose to amend that.

Mr. Noyes responded, "\$48,000."

The Moderator then stated Mr. Noyes motion to amend as follows: "You change it to \$48,000, to be expended under the direction of the Highway Surveyor, for the completion of the construction of a walkway along Morse Road from Concord Road to Marlboro Road, said sum to be raised by a transfer of \$30,000 from Article 13 of the 1976 Annual Town Meeting." He asked Mr. Noyes how he was going to raise the rest of it.

Mr. Noyes said, "The \$18,000 would be raised by taxation."

The Moderator then obtained a second for the motion to amend.

After a few questions and comments, Mr. Noyes' amendment, as stated by the Moderator, was voted.

In response to a question, the Moderator explained the procedure as follows:

We had a main motion. Then we had a motion to amend the main motion by striking it and substituting therefor Mr. Hamilton's motion. Then Mr. Noyes moved to amend Mr. Hamilton's motion by changing the figures. That is what we have now. The motion that is before you now is to strike the motion that was made by Mr. Connors under Article 10 and substitute the motion made by Mr. Hamilton and amended by Mr. Noyes.

The Moderator read the motion as follows: *that the Town raise and appropriate the sum of \$48,000, to be expended under the direction of the Highway Surveyor, for completion of construction of a walkway along Morse Road from Concord Road to Marlboro Road, said sum to be raised by transfer of \$30,000 from Article 13, 1976 Annual Town Meeting, \$18,000 to be raised by taxation.*

The question was then moved, seconded and voted. The Moderator took the vote on the motion before the hall and declared that it was defeated.

Mr. William W. Cooper, IV, was recognized and commented as follows:

It is my understanding it is the sense of the hall that we should have \$15,000 for planning items 1), a), b) and c), as listed in the Warrant under Article 10, and we should have \$33,000 for item 2), a), as listed in the Warrant under Article 10.

He then made a motion to that effect.

Mr. Joseph A. Klein asked the Moderator for his opinion on how Mr. Cooper's motion differed from reconsideration of the motion just defeated.

The Moderator responded that it breaks down the sum of money that the motion to amend sought to appropriate into two sums, \$15,000 for planning roads other than Morse Road, \$33,000 for construction of Morse Road, and it indicated that the \$15,000 should be used by the Planning Department under the Engineering Department, so there are three distinctions between the motion to amend and the present motion. It is not a reconsideration.

VOTED: *THAT THE TOWN APPROPRIATE THE SUM OF \$15,000 FOR PLANNING AND ENGINEERING FUNDS 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, A DISTANCE OF APPROXIMATELY 2,650 FEET; AND PUFFER LANE FROM HAYNES ROAD TO VILLAGE ROAD, A DISTANCE OF APPROXIMATELY 1,050 FEET;*

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- B. FAIRBANK ROAD FROM BUTLER ROAD TO MAYNARD ROAD, A DISTANCE OF APPROXIMATELY 3,400 FEET;
- C. DUTTON ROAD FROM HUDSON ROAD TO PRATTS MILL ROAD, A DISTANCE OF APPROXIMATELY 2,800 FEET;

SAID SUM TO BE RAISED BY TAXATION;

AND THAT THE TOWN APPROPRIATE THE SUM OF \$33,000, TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY SURVEYOR, FOR WALKWAYS ALONG MORSE ROAD FROM CONCORD ROAD TO MARLBORO ROAD, A DISTANCE OF APPROXIMATELY 2,830 ADDITIONAL FEET, SAID SUM TO BE RAISED, \$30,000 BY TRANSFER FROM THE [OLD] LANCASTER ROAD WALKWAY ACCOUNT FROM ARTICLE 13 [ANNUAL TOWN MEETING] 1976, AND \$3,000 TO BE RAISED BY TAXATION.

VOTED: TO ADJOURN UNTIL TOMORROW EVENING AT 8 O'CLOCK.

The meeting adjourned at 11:10 P.M.

[Number of names marked on the voting list as having attended the meeting: 662]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 5, 1978

The Moderator called the meeting to order at 8:10 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

ARTICLE 11: To see what sum the Town will vote to raise and appropriate for the reconstruction of Landham Road, and to determine whether this sum will be raised by transfer from available funds, taxation, borrowing, or otherwise, and to determine the use of the funds in the existing 420-63 account; or act on anything relative thereto.
 Landham Road Recon-
 struction
 Submitted by the Board of Selectmen.

Board of Selectmen Report: This article was submitted to allow the broadest latitude in determining the method of financing the reconstruction of Landham Road. At present, Highway Account 420-63 contains approximately \$250,000 for reconstruction of Landham Road, and it is estimated it will require an additional sum of \$75,000 to complete the project now, at a width of 30 feet.

The Selectmen received late in 1977 the final reports from its Landham Road Advisory Committee and following this report are the majority and minority reports of the committee.

The following major points are offered in support of the Board of Selectmen's position to approve a 30-foot pavement layout for Landham Road.

Safety

- A. The American Association of State Highway Safety design standards for Landham Road, which consider all factors including traffic flow and physical characteristics, call for 30' design as minimum standard.
- B. Town Engineer James Merloni has publicly stated that he could not approve anything less - and that if it were designed deliberately below standards the Town could be liable for suit in the event of maiming, disfigurement, other serious injury, or death. Town Counsel concurs.
- C. The standing Department of Public Works policy is not to participate in the construction or engineering for a road which does not meet such standards (regardless of whether it is or is not classified as a scenic road).
- D. The figures presented by the Committee show accident rate per mile, for the period September '76 to September '77, as follows:

Landham (24 feet)	14.6
Maynard (30 feet)	5.2

From September through mid-December '77, eleven accidents have already taken place.

- E. Landham Road is perhaps the most dangerous road in Sudbury. It must be corrected as soon as possible.

Finances

- A. The cost of this road for construction during the year 1977 was \$315,000. Of this, some \$233,000, approximately, will be reimbursed to the Town if the road is built to standards.
- B. Construction costs have escalated at the rate of 10% per year. If this road is redesigned, the cost of delay alone could bring the construction figure, exclusive of engineering costs for redesign, to over \$400,000.
- C. Engineering costs to redesign and for construction supervision will cost an additional \$58,000. If the work were done in-house, the cost figure would be about \$28,000, but the Engineering Department would have to reassign 30% of its entire program away from approved, budgeted projects for other Town work. This diversion is not in the best interests of the Town.
- D. There will be little, if any, savings on construction costs of a narrower 24' road width.
- E. Responsibility or liability for Landham Road Bridge has been assigned to the State by past Town Meeting action; however, it is possible the State will not retain such liability if Landham Road is built to a substandard 24' width causing a funneling effect.

Scenics

- A. The total critical tree cut, according to Mr. Merloni, considering dead and dying trees, amounts to about eight trees. The Committee disagrees on number, but no substantiation has been received to rebut Mr. Merloni's on-site inventory.
- B. Everyone agrees that a tree replanting program will be made a part of the construction program.
- C. Many of the dead and dying trees represent a danger to the traveling public now and should be removed. Public hearings on this matter have been held.
- D. The adoption of Landham Road as a scenic road is a proposition which the Committee admits has nothing to do with the question of 30 feet or 24 feet, but is a device introduced to attempt to gain support for the 24' position.
- E. The State DPW's policy is firmly not to change design standard minimums merely because the road is classified as scenic.
- F. The attempt to designate Landham Road as scenic is not the result of any study, either of the statute upon which it is based, or of the overall nature of the 125 miles of public roads in Sudbury.
- G. No study has been made of the effect such a classification has upon normal resurfacing and maintenance of the highways by the Highway Department. The advertising and public hearing requirements of the statute, according to Mr. Noyes, will hamper emergency work and escalate department costs. Emergency tree work would be hindered.
- H. Under the statute, all the decisions to be made about scenic roads would be in the hands of the Planning Board, which is given full and exclusive power. It does not appear that the Town Meeting has any statutory authority to direct, control, or in any way interfere with that statutory function of the Planning Board. All the Town has the power to do is to designate portions of highway as scenic highway.

Cooperation by Town Officials

- A. In response to neighborhood concern, the Board of Selectmen and the Highway Surveyor agreed to refrain from approving final construction documents to allow the concerned citizen an opportunity to review the matter. This was done in the face of rising construction costs and the loss of the 1977 construction season.
- B. The Selectmen appointed a special committee, comprised of residents of the area, for the purpose of arranging a public meeting of area residents and to make recommendations.
- C. The Selectmen provided to that Committee the full availability of the Town Engineer and Town Counsel, and the Highway Surveyor made his offices and files available.
- D. The Selectmen made funds available for the Committee to distribute materials to the public.
- E. The Selectmen agreed to hold room in the Warrant for the Annual Meeting, so that the Committee could present the question to the voters of the Town.

Public Concern

- A. The Committee held a public meeting in the neighborhood. About 110 persons attended. Fifty-four persons indicated that they wanted a 24-foot road, fourteen wanted a 30-foot road, and the rest expressed no interest either way.
- B. The questionnaire resulted in about the same number of returns as votes cast at the meeting and in the same proportion.
- C. No formal request for the public view of the Landham Road matter has been made to the Town at large.
- D. Input to the Board of Selectmen is running about 4-1 for the 30-foot roadway, as opposed to the 24-foot road.
- E. The Landham Road Committee has split 3 to 2 on the issue, the majority favoring the 24-foot width.

For the above reasons, the Selectmen solicit support for their position of this article. Answers to other questions and clarification of data and facts will be made at the Annual Town Meeting.

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Landham Road Advisory Committee Report: This report documents the recommendations of the Landham Road Advisory Committee made as a result of its study of the project for reconstruction of Landham Road since its appointment on August 16, 1977.

Committee activities have included: seven open committee meetings; meetings with individual citizens directly affected by the project; meetings and telephone conversations with town, county, and state officials concerned with this project; a public hearing concerning the project; telephone conversations with other persons with useful input to the project.

The activities of the committee have been recorded in the minutes of its meetings, in its correspondence and in other written material accumulated during its deliberations. Those records are available to the Board of Selectmen and the general public. Upon acceptance of this report by the Board of Selectmen, those records will be transferred to the custody of the Town Clerk for permanent storage.

Summary of Facts

Many facts concerning the existing condition of Landham Road and concerning the reconstruction project as proposed by the Massachusetts Department of Public Works District 4 Engineering Office were presented in the booklet prepared by the committee for distribution to area residents in mid-September.

Additional facts which have come before the committee since it issued its informational booklet are presented below:

- * Two-way traffic volume at the Post Road end of Landham Road averaged 7288 vehicles per day measured between noon on October 5, 1977, and noon on October 7, 1977.
- * Traffic volume at St. Anselm's Church averaged 6425 vehicles per day.
- * Traffic volume at the town line averaged 7059 vehicles per day.
- * Specific placement of utility poles may be specified by the Board of Selectmen when issuing permits to the utilities for pole relocations.
- * Police Department statistics indicate an average of 16 accidents per year on Landham Road over the past 5 years. Of these, 13.5 accidents per year resulted in personal injuries.
- * Police Department statistics for the period of September 1976 to September 1977 indicate the following information:

	Total Accidents per mile	Accidents with Personal injury per mile
Landham Road -	14.6	3.6
Concord Road -	9.2	2.8
Maynard Road -	5.2	2.4

Additional details are available on committee records.

- * The Town of Weston received State Chapter 90 funds to reconstruct Wellesely Road at a width of 24 feet. Funding was provided on the basis of a standard design rather than by a "scenic road" designation.
- * The committee was provided with a memorandum of law addressing the subject of scenic roads and Municipal Design Liability.

Citizen Input

Outside of regular committee meetings, the input of citizens of the Landham Road area and the Town in general has been sought in several ways.

First, committee members visited individual abutters to Landham Road to provide them with details of the project directly affecting their property and to determine their feelings on the details of the project.

Second, a questionnaire was included in the committee's information booklet which asked for citizen reaction to several possible features of the reconstructed road. The results of that survey based upon 71 questionnaires returned revealed the following:

Q. 1. What paved road width would you prefer?

22-foot road width - 1 person
 24-foot road width - 55 persons
 26-foot road width - 1 person
 30-foot road width - 14 persons
 36-foot road width - 0 persons

Q. 2. Does tree removal seem excessive?

Yes - 55 persons
No - 12 persons

Q. 3. What speed limit do you believe should be imposed when construction is complete?

25 mph - 10 persons 35 mph - 10 persons
30 mph - 50 persons 40 mph - 1 person

Q. 4. Are you in favor of the walkway?

Yes - 61 persons
No - 10 persons

Q. 5. Would you be willing to grant the Town an easement for walkway construction to save trees?

Yes - 38
No - 9

The third opportunity for citizen input to the committee's deliberations came at the Public Hearing held at the Loring School on September 27. After introductory remarks including presentation of information not included in the booklet mailed to the citizens, an open discussion of the project was held. Two strong sentiments were evident during the discussion:

- * The project should be done.
- * The paved surface width should be limited to 24 feet.

In a show of hands on the question of paved surface width, 54 persons favored 24 feet, while 14 favored 30 feet.

Alternatives

Two alternatives for the design of the reconstructed road have been seriously considered by the LRAC. A number of features of the design are common to both alternatives. These common elements are documented as general recommendations of the committee in the section which follows.

The principal design features of the two alternatives and the committee's understanding of the processes involved in completing the two alternatives are discussed below.

Alternative I

The first alternative is essentially the DPW's design, with modifications as suggested in the committee's general recommendations below. This alternative is characterized by the following key features (see Figure 1):

- * A thirty-two foot wide paved surface consisting of a pair of twelve-foot wide travel lanes, adjacent three-foot wide paved shoulders and one-foot Cape Cod style berms running along each side.
- * Exclusion of fixed objects such as trees and the walkways from a three-foot wide strip extending outward from the edge of the berm.

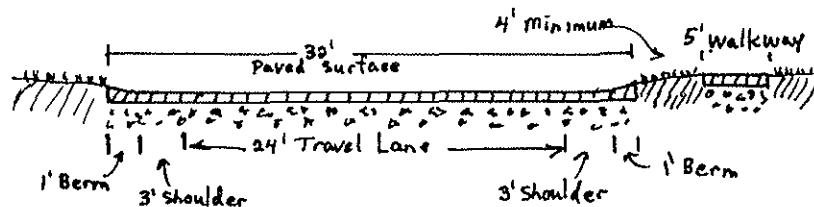


Figure 1 - Cross Section of Alternative I

The process for reconstruction under Alternative I is well established. The Board of Selectmen would approve a set of the existing DPW plans for the project with modifications as they choose perhaps upon the recommendations of this committee concerning the details of the project.

Assuming the DPW accepts the approved modifications or negotiates some compromise on the modifications, and assuming Town Meeting appropriates the additional funds required, the DPW would proceed with contracting the job and would supervise its completion.

This process would probably allow the project to be completed in the 1978 construction season.

Alternative II

The second alternative considered by the Committee has the following key features (see Figure 2):

- * A twenty-six foot wide paved surface consisting of a pair of twelve-foot wide travel lanes and one-foot Cape Cod style berms running along each side.
- * Construction of four-foot wide shoulders to support vehicles but topping that shoulder with seeded loam.
- * Exclusion of fixed objects such as trees, utility poles, fire hydrants and the walkway from the four-foot grassy shoulders.

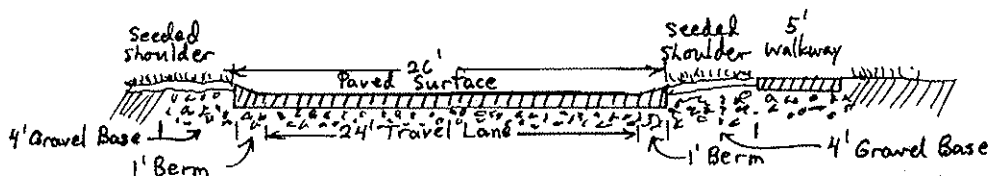


Figure 2 - Cross Section of Alternative II

Construction of the road according to Alternative II requires several additional steps compared to Alternative I. First, state and county funding intended for the state supervised project must be made available to the Town. The normal vehicle for this process involves designation of the road as a "scenic road" by a Town Meeting. If this occurs, the DPW may refuse involvement in the design and construction of the road but will release accumulated funds for use by the Town in the project.

Another vehicle for obtaining funding is to get the state to approve a substandard design, as was done for Wellesley Street in Weston. This would require a request for same by the Selectmen to the District 4 office. If approval is granted and funding is released, the state may still refuse involvement in the design and construction of the road.

The Town would then have the responsibility to design the project or retain an outside consultant to do the design work. At this time, it is the expressed intention of the Town Engineer not to place his professional engineering stamp on plans for a 24-foot road. This may force the Town to seek outside consultant to review the project and commit himself to the 24-foot design. This has been done in the case of Wellesley Street in Weston.

Assuming an approved design is prepared, the Town would then contract for the work to be done under the supervision of the consultant.

Because of the additional steps required by this process, including a Town Meeting vote and formal hearings by the Planning Board, it is possible that this design could not be implemented until 1979.

General Recommendations

Several features of the design proposed by the State DPW should be modified or reexamined regardless of the resolution of the major issue in this project, the width of the paved surface. Concerning these specific issues, the LRAC recommends:

- 1) That a tree replanting program be included as part of the reconstruction project.
- 2) That the east side walkway be extended to Blackmer Road.
- 3) That the DPW's drainage plans in the area of Woodside Road be examined to determine if additional catchbasins are required to handle runoff from St. Anselm's parking lot.
- 4) That the DPW's drainage plans in the area of the town line be examined to determine if additional catchbasins are required to handle surface water in that area.
- 5) That the DPW's drainage plans be examined to determine the feasibility of piping all stormdrains north of Lynne Road directly to Landham Brook.
- 6) That, if the recommendation under Item 5 above is not feasible, the storm sewers intended by the DPW design to be emptied into the wetland off Woodside Road, be emptied onto the wetlands via the drainage easement available between 141 and 155 Landham Road.

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- 7) That the whole drainage plan of the DPW be reviewed for greater effectiveness and lower cost to the Town in light of the recommendations prepared by the Town Engineer with consideration given to items 3 and 5 above.
- 8) That the existing "Y" intersection of Pelham Island Road with Landham Road be reconstructed as a "T" intersection similar to other intersections with Landham Road, or, if that is not feasible, that a raised island be constructed so as to more safely route traffic at the intersection.
- 9) That, regardless of design width, the road surface be placed so as to minimize removal of healthy trees.
- 10) That the walkway be meandered within the existing right-of-way to minimize removal of healthy trees.

Majority Recommendations

A majority of this committee recommends that a 24-foot wide pavement be utilized as under Alternative II. These committee members cite the following facts and opinions supporting that position:

- 1) A large majority of citizens whose feelings are known favor this width in order to maintain the rural atmosphere of the area.
- 2) Procedures exist (e.g. scenic road status) for the Town to construct a 24-foot road legally and responsibly without jeopardizing State Chapter 90 funds.
- 3) A 24-foot wide surface provides maximum flexibility for location of the roadway and walkway within the right-of-way to minimize tree removal.
- 4) Four-foot wide grassed shoulders with a gravel base can provide the desired shoulder areas for emergency stops.
- 5) The 24-foot width will tend to discourage high-speed travel in this thickly settled area with its many intersections and driveways.
- 6) The adequacy of a 24-foot width is easily demonstrated by traveling existing 24-foot roads (such as Concord Road) at the posted speeds (40 mph max). The Police Chief has indicated the speed limit on Landham Road after reconstruction will remain at 30 mph.
- 7) There is no evidence that a 30-foot road surface will significantly reduce the rate of personal injury accidents over that of a 24-foot road.
- 8) The cost differential between a 24- and a 30-foot road may be enough to pay for outside engineering not provided by the state.
- 9) A driver traveling a straight, wide, level road may gain a false sense of security and may then be ill-prepared to cope with unexpected traffic conflicts that will be common on Landham Road with its many intersections and driveways.
- 10) Road widths in excess of 26 feet for 2-lane highways without shoulder delineation might encourage drivers to use them as three-lane highways. Such use should be avoided on Landham Road with its many intersecting ways and pedestrian hazards (with the walkways on one side only, pedestrians and bicyclists will often have to cross Landham Road to reach the walkway).
- 11) Long sight lines resulting from flat grades, including grades to intersecting roads and driveways, long radius curves and lack of roadside obstructions will permit drivers on Landham Road and on intersecting ways to observe and prepare for traffic conflicts.
- 12) Design standards often set limits for several interrelated design features to achieve a specific performance level. The fact that grades and curves of the reconstructed road will not approach standard limits is justification for going beyond the limit specified for paved width.

/s/ Harold R. Cutler, Chairman; Peter H. Anderson, Miles Robinson

Minority Report - Recommendation for 30-foot Pavement

A minority of the Landham Road Advisory Committee hereby submits to the Board of Selectmen its recommendation that Landham Road be paved 30 feet in width in its entirety and sets forth the following data and opinions in support of this decision:

- 1) Landham Road is a main intra- and inter-town road carrying large volumes of both local and through traffic. The safety and convenience of all users of the road must be the highest priority of this reconstruction project. We

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point out the many accidents which have occurred at both the Post Road and Framingham ends of Landham Road where the narrow section connects with those sections already widened.

- 2) The average daily traffic on Landham Road is approximately 7,000 vehicles per day. Many of these are heavy and large vehicles, such as dump trucks, trailer trucks and buses. National standards for the design of roads carrying this volume and type of traffic call for two 12-foot travel lanes and two 10-foot paved shoulders for a total paved width of 44 feet. The 30-foot width is a compromise standard which represents the absolute minimum acceptable for this highly used and highly populated road. We advise a 30-foot width as a minimum width.
- 3) The minimal paved shoulder width will permit safe parking for disabled motor vehicles without seriously disrupting traffic flow or creating a serious safety problem.
- 4) The total width provides room for maneuvering vehicles safely on a road which has many slowing and turning vehicles, due to the many intersecting roads and driveways which enter the road.
- 5) Landham Road is a major route which must be taken by emergency Police and Fire vehicles to service a large section of Sudbury's residential areas. In addition, the road is the main route for the Town's ambulance to Framingham Union Hospital. It is the Town's responsibility to consider the necessity of speed for these emergency vehicles, their ability to pass, the safety of our Police and Fire personnel, and the very real possibility of saving lives.
- 6) The trees which would be removed due to a 30-foot wide pavement have already been bought and paid for in the original landtaking. In addition, most of these trees are dead or dying; removal of healthy trees is minimal. Much of these healthy trees is scrub growth conducive to moth breeding. A tree-planting program by the Town can replace removed trees.
- 7) A 55-foot landtaking has been completed and paid for. This landtaking constitutes a 30-foot road. The 55-foot landtaking and 30-foot road were the basic widths established during construction of the Landham Road Bridge.
- 8) At the time the Landham Road Bridge section was widened, residents and abutting property owners were extensively involved in hearings and deliberations; at that time they acceded to the wishes and mandate of the Town.
- 9) The cost of building a 30-foot road in accordance with State plans will be least expensive.

In closing, it would also be stressed that townspeople and commuters are anxious to have Landham Road rebuilt as soon as possible. This can be accomplished immediately by building a 30-foot road with Chapter 90 engineering plans.

/s/ George Mercury; Robert Phelps

Mr. William F. Toomey, Chairman of the Board of Selectmen, made the main motion under Article 11, calling for an appropriation of \$400,000 for the reconstruction of Landham Road, to be raised partially by a transfer from Account 420-63, partially by borrowing in anticipation of reimbursement, and partially by taxation.

Mr. Harold R. Cutler, then *moved to amend the article by inserting after the words "reconstruction of Landham Road" the words "at a width of 24 feet"*.

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

In the late 1960's, the reconstruction of Landham Road began with the replacement of the old bridge over the railroad crossing and also the reconstruction of the intersection with the Boston Post Road. At that time, only a minimal number of persons were directly affected by the project which was constructed at a 30-foot width. Most others viewed it basically as a replacement of the bridge and an improvement of the intersection with the Boston Post Road. Few people recognized it as an extensive revision of Landham Road in the beginning.

At each town meeting during the 1970's, funds were being appropriated for the reconstruction of Landham Road. However, the reality of the project was not finally brought home until the beginning of landtaking for the right-of-way of the project. The landtaking was completed in the summer of 1975.

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Although some concerned citizens expressed concern about the road design, they were given little opportunity to have input into the design process. The State Department of Public Works made public in February of 1977 a design incorporating a 30-foot road with straight parallel walkways which many citizens of the road and of the surrounding area felt was unsuited for the rural and residential character of Sudbury.

As a result of these efforts of the citizens, the question of the character of Landham Road is before this Town Meeting tonight. We seek your support to amend Article 11 to limit the widening of Landham Road to 24 feet.

There are three basic considerations related to the project which should be kept in mind by the voters here tonight. The first of these is the design, that is, its safety, convenience and aesthetics. The second aspect of the project which we must all be concerned with is its cost. Finally, there is a scheduling question.

After studying the design questions for several months last fall, the majority of the Landham Road Advisory Committee appointed by the Selectmen concluded that the widening of Landham Road from its present 18-22 foot width to a width of approximately 24 feet would meet the public's requirements for safety, convenience and aesthetics. The reasons for the recommendations have been well publicized and are printed in the Warrant for this Town Meeting.

Every time we discuss the width of the road, we find what we consider to be a serious misunderstanding of what a 24-foot road is. Concord Road between Sudbury Center and the Union Avenue intersection is 24 feet wide, has relatively smooth curves and no major grades. It is therefore very similar to Landham Road as it will be after its reconstruction. Because the Landham Road project is a reconstruction project, some conditions will be even better than Concord Road in that section today.

Drainage will be provided, a one-foot wide asphalt berm will be provided on each side of the 24-foot paved surface so that the total paved surface will be 26 feet wide. Roadside obstructions such as utility poles, fire hydrants and trees may be removed where necessary to provide additional clear space beyond the berm.

We believe that if you stop to think about the characteristics of Concord Road in the area between Sudbury Center and the Union Avenue intersection, you will agree with us that it is well suited for the residential character of Sudbury including Landham Road.

The second basic consideration facing us tonight is the cost question. The Selectmen in their main motion are projecting a total cost of \$400,000 for the reconstruction project. \$248,000 has already been appropriated from the previous State aids and from taxes in prior years. Tonight's appropriation seeks an additional \$150,000 to be raised by bonding until we receive reimbursement by the State.

What about the costs for a 24-foot road? If the road is reconstructed at 24 feet, we estimate there will be a savings of approximately \$23,000 in the cost of additional surface; that is, six feet of surface that will not have to be placed.

Unfortunately, the bureaucratic system involved in this project has brought it to the point where it may cost more for less road if the design was changed to 24 feet at this time. Additional design costs will be incurred because the Department of Public Works will not design a 24-foot road.

If the Town utilizes a private consultant to prepare plans for the project, the Town Engineer, Mr. Merloni, has estimated the consultant would cost the Town \$28,100. If the Town Engineering Department prepares the plans for the project, there would be no out-of-pocket costs to the Town although the design process would be extended because of the limited manpower in the Engineering Department and the Engineering Department would have to put off its services to other departments in the Town.

Construction supervision of a non-standard project also would not be provided by the State. Again based on Mr. Merloni's estimates, a cost of approximately \$29,070 would be incurred if this service is provided by an outside consultant.

The total cost therefore for design and construction supervision by a private firm is approximately \$58,700. A portion of this cost is offset by the savings achieved by a 24-foot road. The total additional cost for the 24-foot road, using an outside consultant, is approximately \$35,070.

The net result of these additions and subtractions is that the design and construction of the 24-foot road is estimated to be \$435,060 if an outside consultant is used for design and construction supervision.

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The next financial consideration relates to reimbursement for the road construction project by the State. Just this past Tuesday, we have finally received confirmation of a very cloudy issue concerning DPW funding. The State indicates it will fund a 24-foot road for the Town of Sudbury without scenic road designation. The State's share of such a project would be 75%. The Town's share would be 25%. The State will pay 100% of a road built to the DPW standard of 30 feet. If that sounds like fiscal blackmail to you, that is exactly how I interpret it.

Just what does this mean to you, the taxpayer? The Town's share of a 30-foot project would be zero per cent, or zero dollars. If the Town votes to construct the road to 24 feet, the DPW will penalize us and only reimburse us 75% of the costs of the project. The Town's share of the estimated \$435,000 would be \$108,000 and some change when a private consultant is used for the design part of the project. There is a slight savings to the Town if the Town Engineering Department does the project. The Town's share of the 24-foot road would be approximately 61¢ on the tax rate based on this year's valuation. The impact of this cost would not be felt until next year when we receive a smaller reimbursement from the State as we present the construction invoices to the State. In other words, it has a delayed impact on the tax rate.

At this time, there is an unanswered question concerning the DPW's policy on reimbursing the Town. By its contract with the Town, the DPW has the right to backcharge the Town for its survey and engineering work done to date if the project is abandoned. The cost of such work is approximately 10% of the cost of the project or about \$31,000. However, we were told during our discussions with the State Engineer last fall that he knew of no case in which a town had been backcharged for engineering services when it changed its mind on a project.

There may be some cost increase due to inflation, but, because we believe a concerted effort by the officials involved can result in the road being built within 1978, we believe the cost differential due to inflation will be minimal.

We must also consider the scheduling of the project. Mr. Merloni, Town Engineer, in a letter to the Selectmen, indicates that the design period, if the Engineering Department did the work, would be seventeen weeks based upon the limited manpower in the Engineering Department. If a private consultant is utilized, we expect some time saving should be realized, and we have one estimate that it would take thirteen weeks to design the project.

The letter from Mr. Merloni also indicates that the construction period would be approximately nineteen weeks. If we add the design period and the construction period, a thirty-two week period is required. If this effort begins immediately after Town Meeting, and we were to start by May first, we should finish it during the week that includes December first, if we use a private consultant. So, it seems to me that all of the work could be done this year if our town officials and the consultants hired and the construction crew hired went about their business in an expeditious manner.

We are asking you tonight to consider making an investment in Sudbury, an investment similar to the investment we have made in walkways, in conservation land for several years, that affects the basic characteristics of the Town of Sudbury. Please vote "Yes" on the amendment to limit the widening of Landham Road to 24 feet.

Mr. Peter H. Anderson then continued the presentation relative to the amendment as follows:

I served on the Landham Road Advisory Committee along with Harold Cutler. I also urge you to support this amendment to limit the reconstruction of Landham Road to a width of 24 feet.

Debate of the issue of Landham Road has given rise to some emotional rhetoric on both sides. I would simply like to inject a little common sense into the discussion for your consideration. These bits of common sense concern design standards, liability, safety and scenic values.

First, a word about the standards being cited for a 30-foot width. These standards could be applied to reconstructing your road. The word standard is itself a misnomer in that what is being cited are design guidelines of the American Association of State Highway Officials. These guidelines are written by highway engineers for highway engineers. They are not legally binding. The Massachusetts DPW uses them as a matter of elected policy.

The conservation-minded towns have opposed the arbitrary application of these guidelines to the design of their roads, and the State had yielded. Shouldn't Sudbury do the same?

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Are the guidelines reasonable? Should they be applied to our residential streets? On a chart showing the actual guidelines concerning road width, the traffic count on Landham Road places it in the far right hand column, calling for a travel width of 24 feet. The design guidelines indicate the 24-foot width appropriate for design speeds up to eighty miles per hour. This alone should tell you that these guidelines are for highways and should not be blindly applied to residential streets.

How does the State get from 24 feet to its proposed 30-foot surface? The extra pavement, they say, is to provide for a breakdown lane. Here again, the concept of a breakdown lane makes sense on limited access highways but really has no place on residential streets where there are many driveways and intersections.

The actual guideline's dependence on traffic count alone to determine road width has been attacked by responsible engineering organizations. Listen to what the American Society of Civil Engineers has to say on the subject. "Average daily traffic is not considered the most meaningful index for minor residential street design because the traffic density and consequences of highway and arterial street speeds are not present and residential driving attitudes are different. The characteristics of local residential traffic and resident expectations are the most definitive considerations when selecting appropriate residential street standards. Average daily traffic provides only generalized guidance for decision making."

Cities and towns across the State have also attacked the DPW policy of strict adherence to the actual guidelines. Their collective inputs led the Massachusetts Office of State Planning to put forth the following recommendation: "Revise design standards of Chapter 90 and other local highway assistance programs to allow communities to maintain and repair roads in ways consistent with local character."

We believe the interests of Sudbury would be best served by constructing Landham Road at a width of 24 feet. There are no other design features such as the grade or radius of curves on Landham Road that will exceed any other limits contained in the actual guidelines.

Now, the liability question. In their report, the Selectmen raised the issue of Town liability if DPW's 30-foot plan is not followed. Informed legal opinion calls the liability issue a red herring. The Conservation Law Foundation goes on to demonstrate that liability exists only for defects in the road. Not in over three hundred years of Massachusetts case law has road width ever been held to be a defect. On the contrary, a municipality has been held to be not liable for alleged defectiveness of a road due to crookedness or narrowness. Properly set speed limits effectively remove any liability due to road design. The current speed limit on Landham Road is thirty miles per hour. Because of its high density residential area, it will remain at thirty miles per hour after reconstruction.

Widening Landham Road to 24 feet would represent an improvement over existing conditions, and legal experts advise us that liability could not attach to the Town because of that width.

Safety considerations have been used by well meaning individuals on both sides and accident statistics can be quoted to show anything you want them to show. For example, the Selectmen's report neatly extracted part of the data developed by the Landham Road Advisory Committee to support their stand. On the other hand, the Landham Road Advisory Committee printed the complete set of data we developed covering a full year period. From the complete data, we can show that there is little difference in the rate of personal injury accidents on 24- versus 30-foot roads elsewhere in Town.

Here again, applying a little common sense perhaps is the best way to assess how road width might impact safety on the reconstructed Landham Road. Traffic safety experts, including our own Police Chief, cite excess speed as the single main cause of accidents. I simply ask you whether a 24-foot or a 30-foot road will have less of a speed problem.

Officials have also attempted to raise the issue of a funneling effect if a 24-foot road is built. But, smooth transitions can be designed and a little common sense will tell you that since the number of travel lanes does not change, no funneling effect exists in terms of traffic flow.

Finally, let's apply a little common sense to scenic values. Beyond the hard dollars and cents figures, there lie hidden costs that affect us all. We ask you to consider the value of preserving Sudbury's rural character with the impact it has. This is not a hollow issue. At a recent public meeting held at the Goodnow Library, Mrs. Alexander Dawson, attorney for the Metropolitan Planning Council, spoke forthrightly about the value that the appearance that small country roads

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have in increasing property values throughout the Town. We have only to drive through towns like Weston, Sherborn and the western suburbs to know how right she is.

We, the people of Sudbury, have the right, the responsibility, and now the opportunity to control the image that our Town conveys both for our own benefit and for those who travel through. We should never give up this control.

You would be surprised how easy it is for a road to fall under the AASHO 30-foot guidelines. Is Concord Road or Peakham Road or Dutton Road going to be next?

We cannot stand idly by while highway builders carve into our precious environment and crisscross our Town with 30-foot roads. What we give up can never be reclaimed. We believe Concord Road is wide enough at 24 feet and widening Landham Road to 24 feet is wide enough. Please vote for this amendment.

Town Engineer Report: (Mr. James V. Merloni)

You have heard and read much information about Landham Road. The Town Meeting Warrant has a report from the Board of Selectmen and majority and minority reports from the Landham Road Advisory Committee and a report from the Finance Committee.

I will direct myself to the engineering and to the safety aspects of the Landham Road construction. My primary concern is highway safety for every citizen of the Town and for all those who use Landham Road. Safety cannot be measured, but one thing is very clear. Standards must be met which will allow for maximum security and minimum hazard.

There have been such standards set by the Association of State Highway and Transportation Officials, an association of traffic engineers of all of the fifty states. These standards have been adopted not only by the Commonwealth of Massachusetts, but by the Federal Highway Administration, the American Highway Safety Foundation and nearly every other private or public agency dealing with automobile and highway safety.

Much has been said about the advantages and disadvantages of the 24-foot roadway as opposed to the 30-foot roadway. On this subject I would like to make one thing very clear. The 30-foot roadway as proposed by the State DPW is already a compromise. Current minimum standards based on volume and type of traffic would dictate the use of a 44-foot roadway. This compromise was previously approved by the state and local officials and by residents of the Town and Landham Road. The further reduction would create additional safety hazards as well as additional costs to the citizenry.

Many of the residents of Landham Road have indicated that they did not want to see their road turned into another Elm Street as in Framingham. You all know that Elm Street in Framingham is a continuation of Landham Road in Sudbury. An interesting parallel in regard to public safety can be brought up between the two sections of roadway. While Elm Street does not meet the aesthetic standards set by the residents of Landham Road, the accident rate on Elm Street is less than half that of Landham Road, and at the same time, Elm Street carries one and one-half times as much traffic as Landham Road. The speed limit of thirty miles per hour is exactly the same on both roads.

The Registry of Motor Vehicles in traffic studies has found that 85% of the citizenry using any particular road will drive at a speed which is safe and reasonable. Any widening or improvement of any road such as Landham Road in all likelihood increases average speed but only to a degree which is safe and reasonable. What we have to be concerned about is not the 85% of the drivers who will drive safely under any condition, but the 15% who do not drive safely and who do not take into consideration roadway conditions and hazards. The sad reality is these 15% are often times involved in accidents with innocent highway users and with our children.

It seems that each time a serious accident occurs on Landham Road, many people are quick to say the driver was a teenager, driving too fast and/or under the influence of alcohol. But, let us remember that the speeding driver must have been travelling on other roads before he came to Landham Road. The difference is these other roads were designed to minimize hazards to this type of driver and the safety precautions have not been taken on Landham Road.

In general, design standards and safety go hand in hand, and unless each and every one of the design standards are met, the total design can be compared to a chain which is only as strong as its weakest link.

I sincerely hope that the voters of Sudbury, recognizing that public safety transcends the wishes of special interest groups, will follow the recommendations as set forth by the Board of Selectmen, the Finance Committee and the Minority Report of the Landham Road Advisory Committee. I hope that you will vote to go forth with the construction of Landham Road in accordance with the proposal of the State Department of Public Works for a 30-foot roadway.

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

I am in favor of the reconstruction of Landham Road. I concur with the Finance Committee Report and also the Minority Report as printed in the Warrant.

Finance Committee Report: (Mr. Philip G. Felleman)

The Finance Committee is not going to address road width, only dollars. What you heard this evening so far indicates it is going to cost us \$135,000 plus to make the road smaller. That is with the very optimistic estimate that we are going to do it this year. If we don't get around to it this year, we can expect approximately 10% inflation figure driving the cost up another \$40-50,000. The Finance Committee recommends disapproval of the amendment and approval of the article.

Planning Board Report: (Mr. Edward W. Connors, Jr.)

The Planning Board supports the 30-foot wide roadway.

After discussion, Mr. Cutler's amendment was voted.

Mr. Jonathan Fridman then *moved that the Town vote to complete the Landham Road project at 30-foot width with the provision that a) large flowering and maple trees be planted immediately upon completion of the project to replace all those removed in order to truly make a scenic road out of Landham Road; b) a meandering walkway appropriately landscaped with trees and bushes be built along side the road; c) drainage problems along known locations of the road be permanently eliminated; all said improvements and the official approval of those requirements be supervised until the project is finished, by a five-man citizens committee to be appointed by the Moderator, two of them, Selectmen, one, Planning Board, one, and Conservation Committee, one.*

In support of his amendment, Mr. Fridman commented as follows:

When I moved into Sudbury sixteen years ago Landham Road was a very vital and hot issue. Unfortunately, in those days, town officials, particularly the gentlemen on the Highway Commission, were quite insensitive to the issue of flowers and trees. I was one of the original founders and first chairman of the Landham Road Conservation Committee, and the Conservation Committee was the predecessor of all of the other citizens groups, the Peakham Road Committee and all of the other flower and tree issues in Sudbury. I think that we are all concerned with safety, cost and aesthetics.

Until very recently, I was a proponent of the 24-foot width. Recently, as a result of having to walk up and down the road week after week, I got to know the ins and outs of Landham Road extremely well. That convinced me that even though the Landham Road Committee has said that Landham Road is a scenic road in its present state, I think it's a big joke. What I'm proposing to do is insure and guarantee that we get a scenic road by demanding legally the trees and flowers and the meandering walkway will be built according to the wishes of the citizenry.

It seems to me that since the 24-foot width was moved by the Town, it may take much more than a year's time to get it approved through the DPW. It took us many years to replace the old bridge on Landham Road. I'm afraid that even though I would like to believe it, the fact that the 24-foot width may be built next year just doesn't sit well on me. I am very much concerned with the road, with its safety. I would like it rebuilt. However, I would like it to be built correctly and this is why I am asking the Town to vote for my amendment so that citizens may participate in its planning.

Mr. Fridman's amendment was defeated.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$400,000 FOR THE CONSTRUCTION OF LANDHAM ROAD AT A WIDTH OF 24 FEET, INCLUDING THE COST OF PAVEMENT LAID AT THE TIME OF SAID CONSTRUCTION, TO CONSIST OF STONE, BLOCK, BRICK, CEMENT, CONCRETE OR BITUMINOUS CONCRETE, BITUMINOUS

MACADAM OR OTHER PERMANENT PAVEMENT OF SIMILAR LASTING CHARACTER, AND TO PROVIDE FOR THE EXTENSION OR THE WIDENING THEREOF, SAID SUM TO BE RAISED BY THE TRANSFER OF \$248,796.49 FROM THE EXISTING 420-63 ACCOUNT, AND THAT THE TREASURER, WITH THE APPROVAL OF THE BOARD OF SELECTMEN, IS AUTHORIZED TO BORROW \$150,000 IN ANTICIPATION OF REIMBURSEMENT UNDER GENERAL LAWS, CHAPTER 44, SECTION 6, AS AMENDED, AND THE BALANCE TO BE RAISED BY TAXATION.

ARTICLE 12: To see if the Town will vote to amend the Bylaws by adding the following article:

Amend
Bylaws

"Scenic Roads

Scenic
Roads

Section 1. Procedures.

Petition

1.1 Filing

Any person or organization seeking the consent of the Planning Board under M.G.L. Ch. 40, Sec. 15C (The Scenic Roads Act) regarding road repair, maintenance, reconstruction, or paving work that will involve the cutting or removal of trees or the tearing down of stone walls, or portions thereof, shall file a request with the Planning Board, together with the following:

- a. information identifying the location of the proposed action in terms enabling readers to reasonably locate it on the ground, and describing the proposed changes to trees and stone walls;
- b. plans, drawings or other explanatory reference material showing the specific design or engineering details;
- c. except in the case of town agencies, a deposit sufficient for the cost of advertising and notification.

1.2 Notice

The Planning Board shall, as required by statute, give notice of its public hearing by twice advertising in a newspaper of general circulation in the area. The Board shall also send copies of that notice to the Selectmen, Conservation Commission, Historical Commission, Town Engineer, Highway Surveyor, Tree Warden, Department of Public Works, and owners as of the preceding January first of property located in whole or in part within 100 feet of the proposed action.

1.3 Timing

The Planning Board shall hold a public hearing within forty-five days of receipt of a properly filed request, and shall make a decision within sixty days of that receipt, unless a longer time is agreed to by the applicant. The date and time of the public hearing shall be set outside of normal weekday work hours (8:00 AM - 5:00 PM, Monday - Friday) so as to encourage maximum citizen participation.

1.4 Tree Warden

Whenever feasible, Planning Board hearings shall be held in conjunction with those to be held by the Tree Warden acting under M.G.L. Ch. 87. Consent to an action by the Planning Board shall not be construed as inferring consent by the Tree Warden, or vice versa.

1.5 Emergency Repair

The procedures of this article shall not be required when the Tree Warden or his deputy act in an emergency in accordance with M.G.L. Ch. 87 to remove fallen trees or limbs which cause an obstruction to public travel or a dangerous situation with respect to utility lines.

Section 2. Definitions.

In the absence of contrary meaning established through legislative or judicial action pursuant to M.G.L. Ch. 40, Sec. 15C, these terms contained in that statute and herein shall be construed as follows:

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"Road" shall mean the entire right of way of a vehicular traveled way plus its necessary appurtenances including bridge structures, drainage system, retaining walls, traffic control devices, and sidewalks, but not intersecting streets or driveways. The right of way includes the area on and within the boundaries of the public way. If the boundaries are not officially known, any affected tree or stone wall shall be presumed to be within the public right of way until shown otherwise.

"Cutting or removal of trees" shall mean the destruction of more than one tree having a trunk diameter four inches or more measured one foot from the ground. Trimming of roots sufficient in the Tree Warden's opinion to cause eventual destruction of a tree is included in this definition.

"Tearing down or destruction of stone walls" shall mean the destruction of more than ten linear feet of stone wall involving more than one cubic foot of wall material per linear foot, but shall not be construed to include temporary removal and replacement at the same location with the same materials.

Section 3. Considerations.

In acting on scenic roads, the Planning Board shall take into consideration the following:

1. preservation of natural resources;
2. environmental and historical values;
3. scenic and aesthetic characteristics;
4. public safety;
5. the characteristics of local residential traffic and resident expectations;
6. relationship of road design to the standards of the Planning Board's subdivision regulations and of the Massachusetts D.P.W.;
7. compensatory actions proposed, such as replacement trees or walls;
8. functional urgency of the repair, maintenance, reconstruction, or paving;
9. financial and other consequences of design revision to avoid or reduce damage to trees or stone walls;
10. additional evidence contributed by abutters, town agencies, and other interested parties;
11. other sound planning considerations.

Section 4. Reporting.

The Planning Board shall within sixty days of receipt of a properly filed request submit a written determination of consent or denial to the applicant and a copy to the Board of Selectmen and the Town Clerk. A report of denial shall include an indication of what modifications, if any, would lead to consent.;"

or act on anything relative thereto.

Submitted by Petition.

Petitioners' Report: (Mrs. Marjorie Gibson)

The Scenic Roads Act passed by the Massachusetts Legislature in 1973 offers protection to our aesthetic and historic environment. If a town designates a road as scenic, road work which involves destruction of trees and stone walls in the right of way requires Planning Board approval after a public hearing. This results in more citizen input for decisions on local roads.

So many of our rights as Sudbury citizens have been taken away from us and given to large county and state agencies. As a result, we find ourselves almost helpless when we want to make decisions on issues which directly affect our lives.

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This bylaw can prevent us from driving down a road where are nailed to many trees notices of their impending destruction. Unfortunately these signs are often the first notice we have had of the magnitude of a road's reconstruction. By the time we are aware of what is happening, it may well be too late.

I would like to point out to you five aspects of this bylaw: 1) The procedure need not be a lengthy one. It could be completed in two to three weeks. 2) This bylaw will allow for the removal of fallen trees, branches, etc., or other emergency maintenance. 3) The Planning Board's decision must take into account public safety as well as sound planning. 4) This bylaw allows the Town to obtain State funds for the design and reconstruction of roads compatible with local desires. 5) If this bylaw is passed tonight, Sudbury's roads do not automatically fall within the Scenic Roads Act. Future warrant articles must be approved on specific roads in order for them to become classified as scenic roads.

I urge you to vote "Yes" on Article 12. In a small way, it will give back to the citizens of Sudbury the right to make some decisions which affect our daily lives.

Finance Committee Report: This proposed Bylaw provides guidelines for scenic roads in Sudbury if the Town feels it necessary to establish specific controls by the Planning Board in respect to cutting or removal of trees, the tearing down or destruction of stone walls or portions thereof, during the repair, maintenance, reconstruction or paving of any road so designated.

In their presentation to the Finance Committee the petitioners made it clear that this Bylaw was necessary in order to provide a means to build a non-standard road with Chapter 90 funds under the Scenic Road Act, Section 15C, Chapter 40, General Laws. The Finance Committee feels that adoption of the proposed Bylaw is not necessary at this time; its impact could be serious in its financial and safety implications. Recommend Disapproval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 12 in the Warrant for the 1978 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.

Planning Board Report: (Mr. Paul H. McNally)

The Planning Board has voted unanimously to support this article. It is designed to enable the Town to designate certain roads within the Town as scenic through town meeting vote. Some, if not many, roads in Town should be preserved in their natural beauty for as long as the townspeople enjoy the amenities of a well treed roadway. The time to preserve this natural beauty is now before progress calls for too much widening of roads and destruction of those things we all seem to enjoy.

As Sudbury grows, pressures will come from population as well as traffic increases which will mandate wider roads for efficient and safe handling of the increasing number of autos. Zoning changes may be desired by future town meetings including increased housing density as well as population, and these kinds of changes will impact the Town at the point of roads. Wide roads mean a loss of the beautiful old trees and stone walls. Are we willing to allow this to happen in Town?

A few years ago, the Planning Board took a survey of the townspeople and asked them what they liked and disliked about the Town. About 85% said in response that they liked the rural atmosphere and wanted to preserve it.

Passage of this article will go a long way to helping. The Town Meeting still retains control as to which roads may be designated as scenic. This article is strictly enabling legislation. The Planning Board asks your support of it.

Conservation Commission Report: (Mrs. Joan Irish)

The proposed Scenic Road Bylaw provides clarification of and guidelines for the State's Scenic Road Act, Chapter 40, Section 15C of the General Laws which was passed by the legislature in 1973.

The State statute and this proposed bylaw provide a mechanism which the Conservation Commission unanimously supports as a means of protecting the environmental, historic and aesthetic values of Sudbury's picturesque roads.

This is an issue by itself and should not be linked to or colored by previous discussion on Article 11 or the forthcoming discussion on Article 13. I would

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like to stress that this is a long range planning tool with environmental indicators which addresses the protection of all of Sudbury's roads and is not confined to one particular road or section of Town.

The State's Scenic Road Act has been in effect since 1973, but so far, we have not availed ourselves of its protection. The Conservation Commission feels it is time we did.

I will try to answer some of the questions the law poses.

What is a scenic road? The statute does not define the term but makes a legislative determination that the trees and stone walls that border our local roads have scenic value and are worth preserving.

Which roads can be designated as scenic? Any road, other than a numbered route, a State highway or a private way not maintained by the Town.

What is the procedure for adopting and implementing the Act, and what restrictions will be placed upon work on a scenic road? Article 12, the bylaw, defines the procedure and restrictions.

Why do we need it? Don't we have enough controls already? At the present, there is nothing on the books to protect our characteristic New England stone walls. As for trees, we now have a Highway Surveyor and Tree Warden who are environmentally conscientious and will go to great lengths to make highway reconstruction and tree work compatible with the Sudbury landscape. However, there is one loophole in the State statute which charges the Tree Warden. Under the Public Shade Tree Act of 1899, Chapter 87, Section 5, of the General Laws, the Selectmen or the Highway Surveyor may direct the Tree Warden to cut shade trees without public notice of hearing "for the purpose of widening a highway".

Our current Tree Warden, as a matter of policy, posts notices and holds hearings if such work is to be done, but who is to say what will take place ten or twenty years from now.

Won't this hamper emergency repair work if we have to wait for a public hearing after every snowstorm? No. The bylaw addresses itself to this question specifically in Section 1, paragraph 1.5.

What roads shall be protected? The bylaw does not designate specific roads. If this article is passed, a joint Scenic Roads Advisory Committee consisting of representatives of the Conservation Commission, the Planning Board, the Historic Commission, the Highway Surveyor, the Tree Warden and two citizens will be established to review requests for scenic road designation. This committee will report to the Conservation Commission who will in turn make recommendations to Town Meeting.

How does scenic road designation affect State financing of road work? I quote from the law: "Designation of a road as a scenic road will not affect the eligibility of a city or town to receive construction or reconstruction aid for such road pursuant to the provisions of Chapter 90." In other words, no State funds will be withheld for design or construction because of local decision.

In summary, acceptance by the Town of the concept of scenic roads will protect our roads from the impact of excessive widening, will guarantee local input by public hearings before the Planning Board, will establish criteria to be considered by the Planning Board, will fill in and define procedures of the State statute, will provide a mechanism for obtaining State funding for road work consistent with local concern, and will protect our property values by retaining the rural character of the Town.

The Conservation Commission urges you to vote "Yes" on Article 12.

Highway Surveyor Report: (Mr. Noyes)

At the present time, I feel that there are enough built-in safeguards. Funds necessary to construct or to reconstruct streets within our Town must be voted on at town meeting, as has just happened. I think our past record shows that we try to protect our environment as much as possible. The Highway Department can continue to perform and carry out their mission more effectively without added restrictions. Therefore, I move we vote against this article.

After a short discussion, it was

VOTED: THAT THE TOWN AMEND THE TOWN BYLAWS BY ADDING AN ARTICLE ENTITLED "SCENIC ROADS" AS SET FORTH IN ARTICLE 12 IN THE WARRANT FOR THIS MEETING, SAID ARTICLE TO BE NUMBERED BY THE TOWN CLERK.

ARTICLE 13: To see if the Town will vote to designate Landham Road as a scenic road pursuant to General Laws Chapter 40, Section 15C; or act on anything relative thereto.

Designate
Landham
Road a
Scenic Road

Submitted by Petition.

Petition

Petitioners' Report: Landham Road is slated for major reconstruction under state aid pursuant to the provisions of Chapter 90. The State has indicated that designation of Landham Road as a Scenic Road will enable the Town to receive all of the Chapter 90 funds for the 24-foot width favored by residents and a majority of the Landham Road Advisory Committee appointed by the Selectmen.

Conservation Commission Report:

Majority Report: The Conservation Commission is bound by the Scenic Roads Act to request consideration of a given road by the Town. At a regular meeting on January 14, 1978, a majority of the members of the Commission voted to request that Town Meeting consider Landham Road as a Scenic Road relative to M.G.L. Chapter 40, Section 15C, the Scenic Roads Act. This request is made solely for the purpose of allowing the petitioners to present their case to the Town and gives Town Meeting the opportunity to review all options and vote upon the motion. Under no circumstances does the Commission make a recommendation relative to width, design or funding.

Minority Report: A minority of the Conservation Commission feels that at the time of the vote on this article, sufficient data was not available. We wholeheartedly agree with the majority in not recommending an opinion as to width, funding or design.

Finance Committee Report: Landham Road is one of two main roads connecting Sudbury and Framingham and is listed as an urban minor arterial highway on the State Aid primary system. Over 7,000 vehicles per day use this roadway to travel between Routes 20 and 9. The present roadbed is in a serious state of disrepair and the long delayed reconstruction is absolutely essential for the safety of Sudbury residents and others who use this road. Other reports will cover various aspects of this proposed reconstruction. The Finance Committee's concern is safety and the resultant cost of providing same. The State Department of Public Works has provided plans and funding through Chapter 90, General Laws, Road Construction, to build a minimum standard thirty (30) foot paved road which meets the State's requirement for safe driving. In order to build anything less than 30 feet, which is non-conforming and sub-standard, Landham Road will have to be designated as a "Scenic Road" and built by the Town, although still partially funded by the State.

Financially, such a designation will require the Town Engineering Department to expend anywhere from \$11,260 to \$58,000 depending on what the State provides to the Town in the matter of surveying and engineering data and maps, already finished for the proposed 30-foot road. New specifications would have to be prepared for contract bid. There is also the possibility that Sudbury may be backcharged for all of the engineering work done by the State Department of Public Works. It is estimated that reconstruction of Landham Road could be delayed at least one more year and the present approximate cost of the 30-foot road would be equalled in the case of the proposed 24-foot paved surface, or increased. The Finance Committee opposes this article unanimously. Recommend Disapproval.

Upon a motion made by Mrs. Gibson, it was

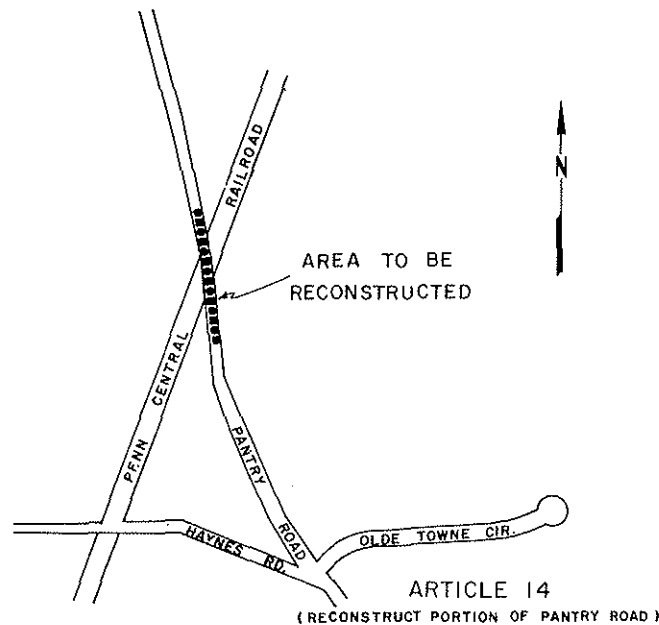
VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 14: 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 Highway Surveyor, to alter and reconstruct a portion of Pantry Road, in accordance with plans entitled "Plan of the Alteration of the Crossing of the Penn Central Railroad and Pantry Road" by the Sudbury Engineering Department; or act on anything relative thereto.

Reconstruct
Portion of
Pantry
Road

Submitted by the Highway Surveyor.

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Highway Surveyor Report: This article was submitted by the Highway Surveyor to correct a dangerous roadway condition. Pantry Road is a main connecting road between Concord Road and North Road (Route 117). It is used extensively by fire and emergency apparatuses throughout the year.

Finance Committee Report: This is a very dangerous railroad crossing on a main connecting road used extensively by fire and emergency vehicles. One fatality has occurred recently at this crossing. Recommend Approval.

Mr. Noyes, Highway Surveyor, further reported to the meeting as follows:

When I drafted this article, our estimated cost to move the signals was some \$500. Last week, I received an estimate from the Penn Central Railroad, and the bottom line is more than \$8,000. I don't think that it is fair that we should bother with it right now.

Upon a motion by Mr. Noyes, it was

VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 15: To see if the Town will vote to raise and appropriate \$100,000, or any other sum, to be expended under the direction of the Highway Surveyor, for the construction and reconstruction of surface drains as follows:

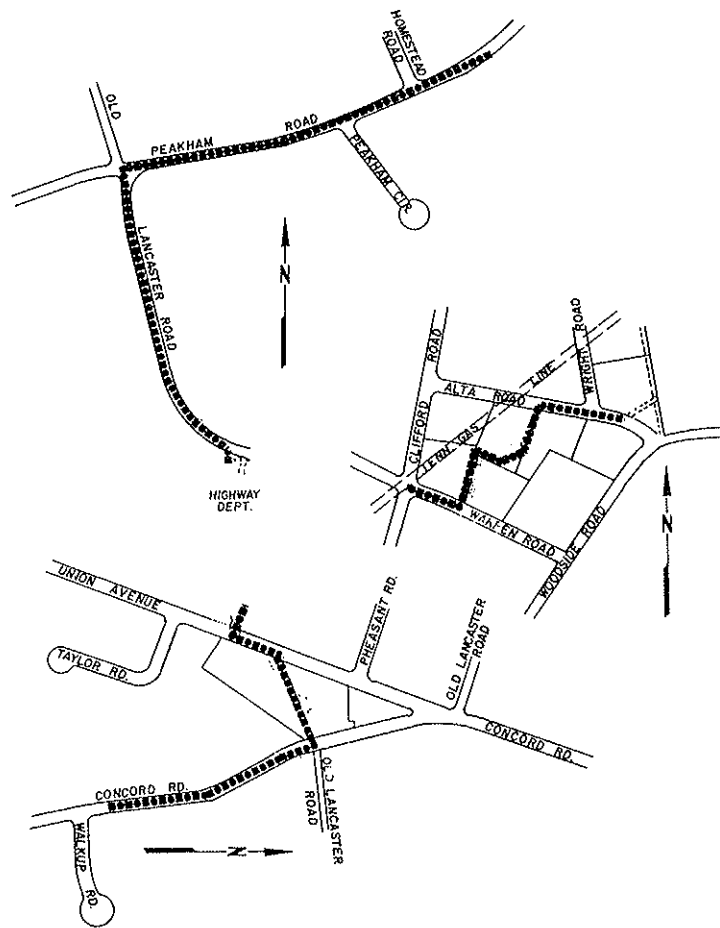
Peakham Road: Homestead Street to Old Lancaster Road, approximately 1,200 feet;

Old Lancaster Road: Peakham Road to the brook at the entrance to the Highway Department Garage, approximately 1,030 feet;

Alta Road: approximately 340 feet and 550 feet between Alta Road and Warren Road;

Concord Road: westerly approximately 600 feet to Union Avenue;
or act on anything relative thereto.

Submitted by the Highway Surveyor.



ARTICLE 15
(SURFACE DRAINS)

Highway Surveyor Report: (Mr. Noyes)

At last year's Annual Town Meeting, \$10,000 was voted to be expended under the direction of the Town Engineer for engineering drawings and specifications. The article before you is the first year of a five-year program. A portion of this year's drainage project was taken from previously engineered projects.

At this time it is my intention to perform the biggest part of these projects in-house by using my own department personnel; thereby essential savings will be realized. Several areas have to be contracted, the reason being the trench excavation is so deep that our present equipment is inadequate to perform this type of work.

The drainage proposed for the Peakham Road and Homestead Street area is probably the most expensive way to eliminate this localized problem because, as of this date, we have exhausted all other approaches to this particular problem.

By constructing drainage southerly on Old Lancaster Road, we will also be eliminating water runoff on to private property that cannot be accomplished any other way.

The proposed drainage in the Alta Road - Warren Road area is another dangerous situation. Throughout most of the winter, the intersection of Clifford Road and Alta Road was almost totally impassible due to the ice build-up caused by the inadequacy of the existing drainage.

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The third proposed situation is a portion of a first step to correct a situation which has existed for many years. Existing drainage on Concord Road is totally inadequate to handle the winter run-offs and causes an overflow onto private property and in the basement and septic system of a local resident.

Finance Committee Report: This article initiates the first year of a planned five-year program to improve or provide drainage in Sudbury. Construction of surface drains on Peakham Road and reconstruction of those on Old Lancaster Road will resolve a particularly bad situation by causing surface water from these two roads to drain into the brook at the roadway entrance to the Highway Garage. The Alta Road/Warren Road program will rectify a long existing flooding condition due to a high water table and the malfunctioning of existing drainage in that area. Construction of new drains on Concord Road, as indicated, will eliminate a severe water problem on private property on the western side, due to presently inadequate drainage. Recommend Approval.

Upon a motion by Mr. Noyes, it was

VOTED: IN THE WORDS OF THE ARTICLE.

ARTICLE 16: To see if the Town will vote to abolish and dissolve the Citizens' Task Force, a permanent committee created under Article 43 of the 1973 Annual Town Meeting; or act on anything relative thereto.
 Abolish
 Citizens'
 Task Force Submitted by the Board of Selectmen.

Board of Selectmen Report: The 1973 Annual Town Meeting voted: "That the Town create a committee to be known as the Citizens' Task Force, to be appointed by the Selectmen for three-year terms, to consist of up to 25 members, for the purpose of working with all other Town committees, officials, boards and commissions and to achieve and report a consensus concerning the ultimate development and character of the Town of Sudbury, including land use, business and industrial development, solid and liquid waste disposal, transportation, Town services, debt management, municipal facility expansion and utilization, and the training and development of our human resources, together with recommendations and articles to implement such recommendations."

As a permanent committee established by Town Meeting vote, the Citizens' Task Force can only be dissolved by Town Meeting.

Since the inception of the Citizens' Task Force, its purported functions have been usurped by other Federal, State, local agencies and programs; to name a few: the Wayland/Sudbury Septage Disposal Facility Operational Review Committee, the local Growth Policy Committee established by direction of the State Planning Office, the Metropolitan Area Planning Council (MAPC) Section 208 Water Quality Study Project, and the National Flood Insurance Program.

The serious concern to create a Citizens' Task Force in 1973 was valid...the mechanism for addressing its intended work did materialize...we no longer now or in the foreseeable future need such a Task Force and recommend your approval of this article.

Committee on Town Administration Report: As this committee has never been appointed and organized and as the need for such a committee no longer exists, the Committee on Town Administration recommends approval of this article.

Finance Committee Report: Recommend Approval.

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

ARTICLE 17: To see if the Town will vote to abolish and dissolve the Industrial Development Financing Authority and to rescind the vote under Article 13 of the 1969 Annual Town Meeting; or act on anything relative thereto.
 Abolish
 Industrial
 Development
 Financing
 Authority Submitted by the Board of Selectmen.

Board of Selectmen Report: In conjunction with the Industrial Development Commission we are seeking approval to abolish and dissolve the Industrial Development Financing Authority voted at the 1969 Annual Town Meeting. Since 1969 the directors of the Authority were never appointed by the Selectmen and a certificate of organization has never been requested from, or issued by, the Secretary of State.

In the opinion of the Selectmen and the Industrial Development Commission an Authority is not needed, or required. The original intention of the Authority was to make new local business or industry eligible for low-interest State revenue bonding without any liability on the Town's part. Current records indicate no local request for such Authority funding, and if such requests had been made, Sudbury in all likelihood would not have received financing because it would be in competition with depressed communities having higher unemployment and major loss of industry. Because of the above, the Selectmen recommend your approval of this article.

Committee on Town Administration Report: The Committee on Town Administration supports the Board of Selectmen and the Industrial Development Commission in abolishing the no longer needed Industrial Development Financing Authority and recommends your approval of this article.

Finance Committee Report: Recommend Approval.

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

ARTICLE 18: To see if the Town will vote to amend Section 1 of Article V(A) of the Town of Sudbury Bylaws, entitled "Removal of Earth", by striking therefrom the present Section 1 and substituting therefor the following:

Amend
Bylaws

Art. V(A)
Removal of
Earth

"Section 1. The Earth Removal Board is hereby established and shall consist of five registered voters of the Town, to be annually appointed by the Selectmen for a term of one year.

Members serving three year terms at the time of adoption of this section shall continue to serve until the expiration of their term.

Appointments to the Earth Removal Board may be made contingent on the member holding another office or membership on another board or committee, in which case removal or resignation from such other office, board or committee shall be deemed removal or resignation from the Earth Removal Board.

Vacancies shall be filled by appointment for the remaining portion of the term.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: Since the Earth Removal Board meets infrequently, the Selectmen have in the past appointed the Associate Members of the Board of Appeals to the Earth Removal Board. This article would make the terms of office of the Associate Members and of the Earth Removal Board concurrent, and allows such appointments to be contingent on continued Associate Membership, in order to facilitate this appointing practice. The Selectmen recommend approval of this article.

Committee on Town Administration Report: The Committee on Town Administration supports the Board of Selectmen in this article to simplify appointments to the Earth Removal Board.

Finance Committee Report: Since this article continues a legal practice, the Finance Committee recommends approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 18 in the Warrant for the 1978 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.

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ARTICLE 19: To see if the Town will vote to amend Section 2 of Article III of the Town of Sudbury Bylaws, entitled "Town Affairs", by deleting therefrom the date "January 10th", and inserting in its place "December 1st" in the first sentence; and by deleting the date "February 1st", and inserting in its place "January 10th" in the second sentence; or act on anything relative thereto.

Amend
Bylaws
Art. III, 2
Town
Affairs

Submitted by the Board of Selectmen.

Board of Selectmen Report: Article III, Section 2, of the Town Bylaws reads as follows:

"Section 2. All Town boards and officials, whether appointed or elected and all committees having had any financial transactions during the preceding financial year, shall make a written report in detail, which report shall be delivered to the Accountant on or before January 10th. The Accountant shall audit these reports and deliver them to the Selectmen not later than February 1st.

The Selectmen shall cause all such reports, as well as reports of any other Board or Committees, to be printed in pamphlet form. Receipt of the pamphlets shall be scheduled for a date which will permit the Town Clerk to have them in the hands of the citizens of the Town at least ten days before the Annual Meeting."

This article is necessitated by the fact that the Town is on a fiscal year basis now - July 1 to June 30, instead of a calendar year basis, January 1 to December 31. Therefore, current financial reports are based on the preceding fiscal year ending June 30, and ready for transmittal to the Town Accountant and Selectmen at that time.

Changing the above submission dates of financial records would not create a hardship for any Town agencies, but would allow a timely audit of these reports by the Town Accountant. This would also enable an earlier delivery by the Town Accountant to the Selectmen, thence to the Town Report Preparation Committee for inclusion in the Town Report. 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 19 in the Warrant for the 1978 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 20: To see if the Town will vote to amend Section 1 of Article XII of the Town of Sudbury Bylaws, entitled "Personal Property", by deleting therefrom all words following the words "provided, however," and adding thereto the following:

Art. XII, 1
Town
Property

"that in the case of transfer by sale of such property which has, in the opinion of the Board of Selectmen, an aggregate value in excess of \$1,000, the sale shall be by public bid in a manner prescribed by said Board of Selectmen.";

so that the said section will read as follows:

"Section 1. Disposal of Personal Property. That any board or officer in charge of a department of the Town may, with the approval of the Board of Selectmen, transfer to another town department or transfer by sale, any personal property of the Town within the possession or control of the department which has become obsolete or is not required for further use by the department; provided, however, that in the case of transfer by sale of such property which has, in the opinion of the Board of Selectmen, an aggregate value in excess of \$1,000, the sale shall be by public bid in a manner prescribed by said Board of Selectmen.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

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Board of Selectmen Report: This makes a technical correction to the Bylaw. It clarifies the fact that public bids are only required in the case of "transfer by sale" of certain property, and are not required in the case of transfer of the property to another Town department. Recommend Approval.

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 1978 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. Toomey, Chairman of the Board of Selectmen, moved in the words of the article.

Mr. Forrest D. Bradshaw then moved to amend the section as follows, by deleting the section and substituting the following:

Section 1. Disposal of Town-owned Personal Property.

A. *By Transfer - that any board or officer in charge of a department of the Town may, with the approval of the Board of Selectmen, transfer to another Town department any personal property of the Town within the possession or control of the Department which has become obsolete or is not further required by the Department.*

B. *By Trade-in - Personal property that is being traded in as an allowance on the purchase of new equipment must receive the approval of the Board of Selectmen and the Finance Committee.*

C. *By Sale - That any personal property that has become obsolete or of no further use to any Town department shall be disposed of by public bid in a manner prescribed by the Board of Selectmen.*

In support of his amendment, Mr. Bradshaw commented as follows:

This section really is of interest to all of us. At the present time, the Selectmen can sell anything as long as its value doesn't exceed \$1,000.

I would like to call your attention to the contents of the Loring Parsonage. There is a lot of furniture in there, some of which we would like to keep in there. However, if the Selectmen so decide, they could sell any of that at private sale, and you and I would know nothing about it.

The same thing holds true with the Hosmer House. We are not sure of what the contents are there. However, the Selectmen have the same authority. They could sell anything in the Hosmer House without notifying the public as long as the price did not exceed \$1,000.

The Selectmen will be the ones to determine what the price of the article to be sold is. Therefore, I think that it is important that we change this bylaw so that it will be by public bid. We will know what is being sold.

I don't think what we have proposed will hold up any transactions. However, I think the townspeople will have the protection which they need. I would hope you would support this amendment.

Mr. Toomey then stated that this was the first time the Board of Selectmen had seen this amendment, and he asked that Town Counsel comment on it.

Mr. Kenny commented as follows:

The amendment proposed is essentially the same as the motion that's before the floor with the changes that any trade-in has to be approved by the Board of Selectmen and by the Finance Committee for any vehicle in Town or any other item of property that is traded in. The \$1,000 limitation has been removed. Everything that is to be sold that has become obsolete must be put out to public bid.

Mr. Bradshaw's amendment was voted.

VOTED: THAT ARTICLE XII, SECTION 1 OF THE TOWN BYLAWS BE AMENDED BY DELETING THAT SECTION AND SUBSTITUTING THE FOLLOWING:

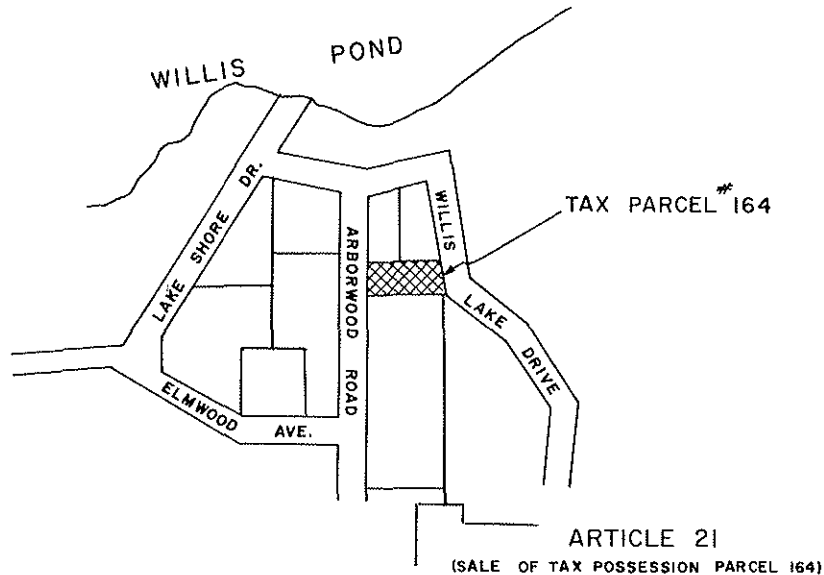
SECTION 1. DISPOSAL OF TOWN-OWNED PERSONAL PROPERTY.

- A. BY TRANSFER - THAT ANY BOARD OR OFFICER IN CHARGE OF A DEPARTMENT OF THE TOWN MAY, WITH THE APPROVAL OF THE BOARD OF SELECTMEN, TRANSFER TO ANOTHER TOWN DEPARTMENT, ANY PERSONAL PROPERTY OF THE TOWN WITHIN THE POSSESSION OR CONTROL OF THE DEPARTMENT WHICH HAS BECOME OBSOLETE OR IS NOT FURTHER REQUIRED BY THE DEPARTMENT;
- B. BY TRADE-IN - PERSONAL PROPERTY THAT IS BEING TRADED IN AS AN ALLOWANCE ON THE PURCHASE OF NEW EQUIPMENT MUST RECEIVE THE APPROVAL OF THE BOARD OF SELECTMEN AND THE FINANCE COMMITTEE;
- C. BY SALE - THAT ANY PERSONAL PROPERTY THAT HAS BECOME OBSOLETE OR OF NO FURTHER USE TO ANY TOWN DEPARTMENT SHALL BE DISPOSED OF BY PUBLIC BID IN A MANNER PRESCRIBED BY THE BOARD OF SELECTMEN.

ARTICLE 21: To see if the Town will vote to authorize and empower the Board of Selectmen to sell and convey, upon such terms and conditions as they shall deem necessary or desirable, Lots 21 and 22 located on Willis Lake Drive, at private sale; and to determine the minimum amount to be paid; or act on anything relative thereto.

Sale of
Tax
Possession
Parcel 164

Submitted by the Board of Selectmen.



Board of Selectmen Report: A contiguous property owner has expressed interest in purchasing these two small lots which are a tax possession parcel. This article, if passed, will enable the Selectmen to sell the two lots to the abutter with the condition that they shall not be used for a house lot; rather, they will merge with the abutter's property and become one lot of reasonable size.

Finance Committee Report: Recommend Approval.

Town Counsel Report: The motion under this article requires a 2/3 vote of the Town Meeting.

Mr. John E. Murray of the Board of Selectmen moved Indefinite Postponement.

In response to a question, Mr. Thompson, Executive Secretary, stated that the family interested in purchasing this had a misunderstanding as to how the property would be transferred by deed. Therefore, they are no longer interested. I assume it will come back again to a future town meeting for transfer to the Conservation Commission.

VOTED: INDEFINITE POSTPONEMENT.

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ARTICLE 22: To see if the Town will vote to abolish and dissolve the Historical Commission established pursuant to Massachusetts General Laws Chapter 40, Section 8D, or abolish and dissolve the Historic Structures Commission established as a permanent committee by Article 9b of the 1964 Annual Town Meeting; or to transfer the powers and duties of either of said boards to the other or to any other board, committee or commission; or to vote any combination of the foregoing; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: The intent of this article is to address the question of the need for continuing with both a Historical Commission and a Historic Structures Commission. It appears that the workload or business of both Commissions is minimal and we should combine or dissolve them.

The duties of the Historic Structures Commission is limited and could be accomplished by "in house" staff, subject to required review and approval of the Historic Districts Commission. The duties of the Historical Commission are broad in scope, but, again, limited by reason of past activity or action. Most of the activities of both Commissions relating to preparatory staff work or from a technical aspect are being handled by the Office of the Board of Selectmen.

Summarized below for your information are the responsibilities and duties of the Historical Commission and the Historic Structures Commission as voted by previous Town Meetings.

Historical Commission

Article 11, 1968 ATM: "...The Historical Commission shall seek to coordinate the activities of the Historic Structures Commission, the Ancient Documents Committee and the Bicentennial Committee." Such Commission, under Section 8D of Chapter 40 of the General Laws of the Commonwealth of Massachusetts accepted by the Town under Article 11, 1968 ATM, may be established "for the preservation, protection and development of the historical or archeological assets of such city or town." It is authorized to conduct research or coordinate private research for which it may publish any notices or written material necessary for its work. It may make recommendations to the Selectmen, and with their approval, to the Massachusetts Historical Commission for certification of any such assets as historical or archeological landmarks. It shall report the discovery of any archeological, paleontological, or historical site or object to the state archeologist in accordance with G.L. Ch. 9, Sec. 27C. It may hold hearings, enter into contracts, sign agreements, and may accept gifts and bequests. It shall file an annual Town Report. It may acquire by gift, purchase, or other means, interest in real or personal property of significant historical value and may manage the same.

Historic Structures Commission

Article 9, 1974 ATM: "This Commission, with the advice and consent of the Board of Selectmen, to have jurisdiction over the alterations, repairs, attachments, and furnishings and occupancy of historical structures, including the Loring Parsonage and the Hosmer House and such other structures as may thereafter be acquired by the Town as historical structures."

It is expected the Committee on Town Administration will report at the Annual Town Meeting.

The Selectmen will recommend a specific course of action by motion at the Town Meeting.

Finance Committee Report: Since the workload of these two Commissions is minimal and can be accomplished by "in house" staff, the Finance Committee is in basic agreement that they should be dissolved. However, the language of this article is open ended and does not make clear where the responsibilities would reside or how the work would be accomplished. As the article is submitted, we recommend disapproval.

Committee on Town Administration Report: (Mr. Floyd L. Stiles)

The Committee on Town Administration, at the request of the Board of Selectmen, studied the actions of previous town meetings in establishing the Historic Structures Commission, in expanding the responsibilities of the Historic Structures Commission and in creating a Historical Commission. The Committee has also

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studied the General Laws of the Commonwealth allowing the creation of such commissions and outlining their specific powers and duties. We have met with representatives of the Historic Structures Commission, the Historical Commission and the Sudbury Historical Society, as well as with persons who have had special knowledge and interest in the historic aspects of Sudbury.

It is our firm opinion that the Town Meeting, in its wisdom, created the Historic Structures Commission with a very specific charge to be responsible for the preservation of the Loring Parsonage and the Hosmer House with its contents. This we think was to assure to the Town that the very nature of their historic meaning and value would be conserved for future generations of Sudbury.

We think that the Town Meeting very wisely chose this way for two very important reasons. First, any Board of Selectmen and their in-house staff already have enough other duties with their daily overall administration and management of Town affairs. Second, it should not be assumed that any Board of Selectmen or any in-house staff are necessarily expert or even interested in historic preservation to the degree that is felt to be desirable for the continuous overseeing of these historic structures.

The Committee on Town Administration disagrees very strongly with the Selectmen's statement that "the duties of the Historic Structures Commission are limited and could be accomplished by in-house staff, subject to required review and approval of the Historic Districts Commission". Quite the contrary, this Committee feels that the historical meaning and value of the Loring Parsonage and the Hosmer House, and possibly other structures, and the intended purposes for which they were acquired, are not limited and should be monitored continuously by persons with a unique expertise in historical preservation.

The mandate of the 1964 Annual Town Meeting created the Historic Structures Commission to have "jurisdiction over the alterations, repairs, attachments, furnishings and occupancy of historic structures including the Loring Parsonage and the Hosmer House and such other structures as may thereafter be acquired by the Town as historical structures."

As constituted by statute, the Historical Commission has broad responsibility, and we feel that this is where the duties and responsibilities of the Historic Structures Commission should be absorbed. Therefore, it is the recommendation of the Committee on Town Administration that the Historic Structures Commission be abolished and the duties and responsibilities of said Commission be absorbed by the Historical Commission through the mandate of this Town Meeting and further, that the Board of Selectmen appoint qualified persons with special interest in historical preservation to be members of the same Historical Commission. The motion we have presented, if passed, will make the Historical Commission responsible for the preservation, promotion and development of the Hosmer House and the Loring Parsonage.

In response to questions raised concerning the powers being transferred to the Historical Commission, the Town Counsel stated as follows:

The Historical Commission, acting within the duties acquired by this transfer, if it is voted, would require the advice and consent of the Board of Selectmen. However, the Historical Commission may make investigations and enter into contracts. That could also include some historic structures or other historical or archeological places in Town but would not have a direct effect on those buildings other than to advise or to enter into contracts for their historical value. The contractual agreements that the Commission can enter into would not involve control of the Loring Parsonage. They are essentially research contracts, advisory or consulting type contracts to advise the Town or other interested citizens with respect to the historical or archeological assets of the Town, but do not control those assets.

VOTED: THAT THE COMMISSION FOR THE PRESERVATION OF HISTORIC STRUCTURES, ESTABLISHED AS A PERMANENT COMMITTEE BY ARTICLE 9 OF THE 1964 ANNUAL TOWN MEETING, BE ABOLISHED AND THAT ALL DUTIES AND RESPONSIBILITIES HERETOFORE VESTED IN SAID COMMISSION FOR THE PRESERVATION OF HISTORIC STRUCTURES BE TRANSFERRED HEREBY TO THE HISTORICAL COMMISSION.

AND FURTHER, THAT THE BOARD OF SELECTMEN SHALL INSURE THAT FIVE QUALIFIED PERSONS WITH SPECIAL INTEREST AND KNOWLEDGE OF HISTORICAL PRESERVATION SHALL SERVE ON SAID COMMISSION AS SET FORTH IN GENERAL LAWS, CHAPTER 40, SECTION 8D, AS AMENDED, AND ARTICLE 11, ANNUAL TOWN MEETING, 1968.

ARTICLE 23: To see if the Town will vote to amend Section 3 of Article V of the
 Amend Town of Sudbury Bylaws, entitled "Public Safety", by deleting the
 Bylaws second paragraph entitled "Control of Dogs", from that section; or
 act on anything relative thereto.
 Art. V, 3 Submitted by the Board of Selectmen.
 Control
 of Dogs

Board of Selectmen Report: Section 3 of Article V of the Town Bylaws reads as follows:

"Section 3. Unlicensed Dogs. All owners or keepers of dogs kept in the Town of Sudbury during the preceding six (6) months and who, on the first day of June of each year, have not licensed said dog or dogs, as prescribed by Section 173, Chapter 140 of the General Laws, shall be required to pay an additional fee of one dollar (\$1.00) to the Town.

Control of Dogs. All dogs in the Town of Sudbury shall be restrained, kept on a leash or under the direct and complete control of a responsible person between the hours of 7:00 o'clock a.m. and 8:00 o'clock p.m. No dog in the Town of Sudbury shall be allowed to run at large during these hours. The owner or keeper of a dog which violates this bylaw shall be punished by a penalty of not more than ten dollars for a breach thereof."

It is the intention of the Board of Selectmen to delete the second paragraph above, because of their inability to enforce said action and house dogs picked up without proper dog pound facilities.

We are in a situation where the Town Bylaws require that dogs running loose and unattended between the hours of 7 a.m. and 8 p.m. be picked up, but we have no humane way of retaining such dogs so that they may be returned to their owners in good condition. The Selectmen recommend you approve this article unless funds are provided to build adequate dog pound facilities.

Finance Committee Report: The existing Bylaw was established by Town Meeting vote, and should not be weakened by deletion of this paragraph. Recommend Disapproval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 23 in the Warrant for the 1978 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.

Upon a motion by the Board of Selectmen, it was

VOTED: INDEFINITE POSTPONEMENT.

Mr. Russell P. Kirby was then recognized for the purpose of presenting a resolution. In support of his resolution, Mr. Kirby stated as follows:

The thing that is of concern to me as an individual and apparently of concern to a number of other people in Town, including the Committee on Town Administration, the Historical Society, the League of Women Voters and others, is that we have a Commission that was established, and it has not been adequately staffed for more than three years.

There are a number of bodies, committees and commissions that have obligations, duties and powers that have been obscured by repeated actions at the Town Meeting on a piecemeal basis. Now we have two pieces of property which were mentioned this evening, the Hosmer House and the Loring Parsonage. There is also the training field. There are a number of historical assets in this Town, and we have the Historic Structures Commission, the Historical Commission, the Ancient Documents Committee and others. All are involved in these activities.

There have been numerous articles that have been passed over the years, and the language of these are not necessarily in concert. I personally feel that the only way to get this straightened out is to staff this Commission properly. Let this Commission go ahead and do its job to coordinate the activities of all these agencies. Then perhaps some intelligent proposals can be made to the Committee on Town Administration or independently and perhaps put all of these things in order. At some future town meeting, it can all be straightened out once and for all.

That is the purpose for my resolution, hoping that this reflects the sentiment of the Town. I know it's not only my opinion. It is the opinion of others also. I would like to see the Town Meeting indicate that it would like to have all of these things squared away once and for all.

VOTED:

WHEREAS THE VOTERS OF THE TOWN OF SUDBURY DID VOTE AND PASS ON ARTICLE 11 OF THE 1968 ANNUAL TOWN MEETING THEREBY ESTABLISHED AN HISTORICAL COMMISSION FOR THE PRESERVATION AND PROMOTION OF THE HISTORICAL ASSETS OF THE TOWN; AND

WHEREAS VACANCIES HAVE OCCURRED ON SAID COMMISSION DUE TO EXPIRATION OF TERMS OF APPOINTMENT AND OTHERWISE WITH NO APPOINTMENTS HAVING BEEN MADE TO FILL SUCH VACANCIES; AND

WHEREAS THE NUMERICAL STRENGTH OF SAID COMMISSION HAS BEEN AND IS INSUFFICIENT TO SERVE THE FUNCTION FOR WHICH IT WAS ESTABLISHED; AND

WHEREAS THE NEED FOR PRESERVATION, PROMOTION AND DEVELOPMENT OF THE HISTORIC ASSETS OF THE TOWN OF SUDBURY HAS INCREASED SIGNIFICANTLY OVER THE PAST DECADE; AND

WHEREAS THE DISCHARGE OF THE DUTIES AND RESPONSIBILITIES OF SAID COMMISSION REQUIRES THE INTERESTS, KNOWLEDGE AND SKILLS OF A VARIETY OF SPECIALIZED FIELDS; AND

WHEREAS IT HAS BEEN AND IS THE RESPONSIBILITY OF THE BOARD OF SELECTMEN TO APPOINT MEMBERS OF SAID COMMISSION;

THEREFORE, BE IT

RESOLVED THAT THE BOARD OF SELECTMEN OF THE TOWN OF SUDBURY ARE HEREBY DIRECTED TO SEEK THE ADVICE AND ASSISTANCE OF THE TALENT SEARCH COMMITTEE, THE SUDBURY HISTORICAL SOCIETY AND ANY OTHER SOURCES DEEMED APPROPRIATE, AND THEREBY OBTAIN THE NAMES OF PERSONS BOTH QUALIFIED AND WILLING TO SERVE THE SUDBURY HISTORICAL COMMISSION, AND TO APPOINT AS MANY OF SAID PERSONS AS MAY BE REQUIRED TO FILL ALL PRESENT VACANCIES ON SAID COMMISSION WITHIN THIRTY DAYS FROM THIS DATE, AND TO MAKE FURTHER APPOINTMENTS AS NECESSARY TO PROMPTLY FILL ALL VACANCIES THAT OCCUR HEREFTER, AND THAT SAID COMMISSION IS RECOGNIZED AS HAVING BEEN GRANTED ALL THE POWERS AND AUTHORITY PROVIDED IN SECTION 8D OF CHAPTER 40 OF THE GENERAL LAWS OF THE COMMONWEALTH OF MASSACHUSETTS.

ARTICLE 24: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$80,000, 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.

Board of Assessors Report: The purpose of this warrant article is to provide the Board of Assessors with the means to update the revaluation conducted by the professional firm of Whipple, Magane and Darcy for the 1970 Tax Roll, and to enable them to comply with the Massachusetts Supreme Court ruling requiring all cities and towns in Massachusetts to assess on a full and fair cash value. Therefore, the Board of Assessors is requesting the sum of \$80,000 to cover this updating.

After making a motion to appropriate \$40,000 for the purpose of updating property values, Mr. Frank Grinnell, Chairman of the Board of Assessors, further reported to the meeting as follows:

Chapter 41, Section 27, of the General Laws states, "If Assessors, or Selectmen acting as such, shall fail to perform their duties, the Commissioner of Corporations and Taxation may appoint three or more persons to be Assessors for such town, who shall be sworn and shall hold office until the office of Assessors are filled by the town and shall receive from the Town compensation as Assessors."

Chapter 41, Section 30, states, "Any person chosen to determine the valuation of property for the purpose of taxation due, in order that the taxpayers may escape

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payment of their just portion of any state or county tax or in order to evade any law limiting municipal indebtedness for the rate of taxation to a percentage of valuation or for any other fraudulent or corrupt purpose, knowingly fixes the valuation of any property at a smaller or greater amount than its full and fair cash value or who causes an abatement to be made otherwise than is provided by law, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months or both."

Chapter 41, Section 29, states, "A person chosen to assess taxes or to determine or to assist in determining the value of property for the purpose of taxation shall before or on the performance of his duties take the following oath: I, having been chosen to assess taxes and estimate the value of property for the purpose of taxation for the Town of Sudbury for the years of my term ensuing, do swear that I will truly and impartially according to my best skill and judgment assess and apportion all such taxes as I may during that time assess, that I will neither overvalue nor undervalue any property subject to taxation and that I will faithfully perform all the duties of said office." It goes on to say that if he neglects to take such oath before entering upon the performance of his duty, he shall forfeit not more than \$50. Then it goes on to state that assessors as public officers upon taking the oath of office prescribed by this section will not be agents or servants of the municipality but become public officers whose powers and duties are fully defined by law.

Those laws are passed, and the Assessors must abide by them.

The Assessors now have a revaluation plan approved by the Department of Corporations and Taxation. We also have an offer by a firm to furnish a complete program which will include verifying existing measurements of all houses, gathering accurate listings on all property, photographs, hearings and defense of all values.

The last revaluation was completed in 1970, and all real estate values have increased since that time. There have also been many changes in a considerable number of homes in Sudbury, much work being done without the benefit of a building permit being issued. Therefore, many improvements are not listed on the valuation cards and are not taxed. Also, all new construction in Sudbury is being assessed at a formula developed at the time of the last revaluation in 1970.

If the money to revalue all properties in Sudbury is approved, it will be spent under the direction of the Board of Assessors. However, if the money is not appropriated, the Attorney General, on behalf of the Department of Corporations and Taxation, could obtain permission from the Supreme Judicial Court to employ a firm to revalue the properties of the Town of Sudbury. If this were to happen, the Sudbury Assessors could have no part in the revaluation and should any of the property owners object to a high assessment, they would have to deal with the state-hired revaluation firm or file with the Appellate Tax Court for a hearing.

Usually state operated programs cost considerably more than locally controlled programs, and personal contact with the local board is lost.

We feel that each property owner in Sudbury should pay only his fair share of taxes and not subsidize his neighbor's tax bill. Whether we re-evaluate or not will have no bearing on what we receive on the so-called Cherry Sheet. Each month the Assessors must furnish the Department of Corporations and Taxation with a list of all real estate sales showing the sales price and the assessed valuation. Therefore, the state knows the value of the property in each city and town and every two years revalues the cities and towns. This being an even year, they will revalue Sudbury for 1978. They ignore the low assessed values and use the sales price to value the cities and towns.

We urge your support for this article.

Finance Committee Report: The 1975 Town Meeting voted \$6,000 (on a request of \$60,000) for planning money. The 1977 Town Meeting refused a request for \$54,000 more, because we saw no specific plan even then and wanted to wait for more specific pressure from the state and for action by other towns and cities. We've now seen the Assessors' plan which involves the computerizing of the Town's valuation data. Thus far the Assessors' plan and price quotation do not clearly provide to the Assessors continuing control and use of the revaluation data and tools, but that could be provided later under a more detailed contract. Revaluation is advantageous only if it will provide more equity in our taxation: relative to other cities and towns, and relative to our Sudbury residential, commercial and industrial neighbors - and within each group. The Finance Committee remains unconvinced that revaluation will provide more equity among cities and towns or within Sudbury. Recommend Disapproval.

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Mr. Philip G. Felleman, Chairman of the Finance Committee, further reported to the meeting as follows:

Since the Warrant was printed, the Finance Committee has re-examined this situation and recommends that you support Article 24. I will briefly explain the reasons therefor.

We are all aware that Sudbury was the instigator of the now famous "Sudbury Suit" which enjoined the Department of Corporations and Taxation to enforce the fair and full valuation. This Committee of the past several years has had comments to be made toward that, and I will not repeat them now. However, this year we now have an approved reassessment plan for the Town of Sudbury. We can anticipate on the basis of what has happened over the past several months that, were we not to appropriate money, we would then be put into a column called "non-compliance", and the Attorney General, on behalf of the Department of Corporations and Taxation, would institute proceedings against the Town.

At a recent progress report given to the Court by the Department of Corporations and Taxation, approximately 75% of the cities and towns are in partial compliance. Partial compliance can mean that you have appropriated some money to start to do something. The Finance Committee is still concerned that the 25% who are not compliant include the large cities and towns including Boston. Boston has stated publicly that it will go down as the last place to ever revalue. Fair Share has recently had a public meeting in Fanueil Hall to oppose full and fair valuation. However, this Committee cannot in good conscience advocate violation of the state law. We recommend your approval.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$40,000, 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 VALUES, SAID SUM TO BE RAISED BY TAXATION.

Mr. Sydney Self was then recognized and presented the following resolution:

Resolved That the citizens of Sudbury believe that the education of their children is a function that is best performed and administered at the local level; and

Whereas Further transfer of the funding of our schools from the local level to the state or federal level is certain to reduce the degree of local school autonomy as well as to increase the overall cost of education;

We the citizens of Sudbury do hereby state that we do not subscribe to the philosophy that high school education is a state function and request that the Board of Selectmen withdraw the support of the Town of Sudbury from any and all efforts and/or organizations which promote this philosophy.

In support of his resolution, Mr. Self stated as follows:

Most of you read your Town Report in which the Board of Selectmen stated that "We believe the property tax is regressive and unconstitutional as applied to the schools and our courts will accept the growing trend of the country to insist that education is a state function which must be funded accordingly. Our present system is a disservice to the public school system and the taxpayers alike."

I disagree with that. I am somewhat perturbed at the action of the Selectmen in doing this without coming to the Town Meeting for approval first. However, that is water over the dam, and there is no point in pressing the issue.

The second matter is dealing with the source of the taxes. Basically, taxes can come from two places. They can come from corporations, or they can come from people. If they come from corporations, all it's going to do is push the taxes on the corporation a little bit higher, and we will not have any more corporations left in the state. If I have to choose between paying higher taxes and a job, I'd just as soon have higher taxes and a job than no job.

But, let me start to talk about the kind of taxes we use to pay the property taxes. Basically, the taxes are coming from us. It doesn't matter whether it's income tax, or sales tax or property tax. You pay it, and one way or another, we're going to get stuck for it. This resolution does not address which kind of tax we use to get the taxes.

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What I am concerned about is the use of the concept that education is a state function. I think there are several things we have to consider here. First of all, when we give money to the state, we can consider ourselves doing very well indeed to get back 90% of it. The state seems to have very sticky fingers that way, and they usually manage to hang on to quite a bit of it.

Secondly, there is a problem of allocation when funds are allocated back to the Town. Then we can consider ourselves very, very lucky indeed to get our fair share of it. Usually Boston gets the biggest share, and we don't get our cut, so we end up paying more.

Thirdly, and most important of all, is the function of state control. I think the old saying is that he who pays the piper calls the tune. All you need to do is know a little bit about the School Board Assistance Bureau to know that when they start funding you, they start controlling you; what you do and how you spend your money and everything else. We had a very good example of that tonight on the Landham Road issue. They're giving us more money, but look at all the strings they attach to it.

I think the recent high school controversy is another illustration. We had a big argument which probably isn't settled yet as to what kind of school we're going to have.

If we start giving the state more control over our schools, do you really think we're going to have any freedom to decide things like that ourselves, or is it going to be dictated to us by the state? I am very much afraid that the state would decide what we did, and we wouldn't have much choice in the matter at all the way we do right now. After all, our Constitution guarantees freedom of speech, freedom of the press and freedom of religion. Freedom of the education of your own kids is equally important, and I don't think we want to lose it.

The Selectmen in their report discussed very briefly that they felt that the court action might override this. But, in the past, we haven't been unwilling to take a joust at a couple of windmills, and we've got a couple of dead windmills out there today. I think we've got a fair chance of beating this one, too, and I urge you to support the resolution.

After taking the vote on Mr. Self's resolution, the Moderator declared it to be a "mixed reaction".

<p><u>ARTICLE 25:</u></p> <p>Increase Membership Library Trustees</p>	<p>To see if the Town will vote to increase the membership of the Board of Trustees of the Goodnow Library from the present five members to six members, starting with the Annual Meeting of 1979. The additional member will be elected for a two-year period and thereafter for a three-year period; or act on anything relative thereto.</p> <p>Submitted by the Goodnow Library Trustees.</p>
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Goodnow Library Trustees Report: Passage of this article is necessary to comply with the provisions of Chapter 78, Section 10, of the General Laws of Massachusetts, "Trustees of Town Libraries", which require that library boards be made up of any number of elected trustees, divisible by three.

Finance Committee Report: Recommend Approval.

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

VOTED: TO ADJOURN UNTIL NEXT MONDAY AT 8 O'CLOCK.

The meeting adjourned at 10:59 P.M.

[Number of names marked on the voting list as having attended the meeting: 578]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 10, 1978

The Moderator called the meeting to order at 8:07 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

In accordance with the vote taken on April 3, 1978, the first order of business taken up was the Sudbury School Budget under Article 5.

ARTICLE 5: 100 EDUCATION: 110 SUDBURY PUBLIC SCHOOLS

	1976-77 Expenditures	1977-78 Budget	1978-79 Requested	1978-79 Recommended
(pupils)	(3059)	(2877)	(2688)	
1100 School Committee	7,251	7,950	8,075	8,075
1200 Supt. Office	100,716	114,057	113,858	113,858
<u>1000 ADMINISTRATION TOTAL</u>	<u>107,967</u>	<u>122,007</u>	<u>121,933</u>	<u>121,933</u>
2200 Principals	245,846	243,648	249,283	249,283
2300 Teachers	2,583,686	2,755,540	2,651,832	2,651,832
2400 Textbooks	12,443	18,700	26,551	26,551
2500 Library	46,434	88,053	89,732	89,732
2600 Audio-Visual	9,141	25,160	43,873	43,873
2700 Guidance	139,717	153,702	144,428	144,428
2800 Pupil Personnel	303,790	325,852	368,050	368,050
<u>2000 INSTRUCTION TOTAL</u>	<u>3,341,057</u>	<u>3,610,655</u>	<u>3,573,749</u>	<u>3,573,749</u>
3100 Attendance	200	200	200	200
3200 Health Services	72,080	79,628	82,585	82,585
3300 Transportation	202,574	203,507	218,496	218,496
3400 Food Services	18,671	20,972	22,400	22,400
3500 Student Activities	2,335	3,770	3,942	3,942
<u>3000 SCHOOL ACTIVITIES TOTAL</u>	<u>295,860</u>	<u>308,077</u>	<u>327,623</u>	<u>327,623</u>
4100 Operation	390,600	417,154	404,553	404,553
4200 Maintenance	97,081	125,976	116,054	116,054
<u>4000 OPER. & MAINT. TOTAL</u>	<u>487,681</u>	<u>543,130</u>	<u>520,607</u>	<u>520,607</u>
7300 Acquisition	7,164	11,051	18,538	18,538
7400 Replacement	6,440	9,710	24,546	24,546
<u>7000 EQUIPMENT TOTAL</u>	<u>13,604</u>	<u>20,761</u>	<u>43,084</u>	<u>43,084</u>
<u>9000 TUITION</u>	<u>117,780</u>	<u>95,370</u>	<u>110,000</u>	<u>110,000</u>
<u>TOTAL BUDGET</u>	<u>4,363,949</u>	<u>4,700,000</u>	<u>4,696,996</u>	<u>4,696,996</u>
Federal Aid Applied	21,899	19,663	11,882	11,882
Community Use - Schools	17,523	20,000	20,000	20,000
Summer School Reserved for Appropriation:		4,350	3,245	3,245

Finance Committee Report: We are faced with the recurring dilemma of a declining student population which is not proportionately reflected in the school budget request. The budget request is 0.1% less than the current budget while the anticipated student enrollment is down 6%. Staff reductions have kept pace with the reduced number of students.

Major budget increases are in contracted services, equipment and textbooks. The increase in the Library/Audio Visual Account (2500/2600) is the result of an effort to upgrade the library facilities in order to enrich all programs in the school curriculum.

Salaries account for 76% of the budget. At press time, negotiations for teacher contracts had not yet been completed and therefore are not included in this budget request. With full awareness of that fact and the subsequent implications, the Finance Committee remains firm in its recommendation of approval of the budget request of \$4,696,996.

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Sudbury School Committee Report: (Mr. Jonathan J. Sirota)

This budget has been prepared with a great deal of thought and detailed examination. It is by no means a rubber stamp of what has been suggested by the administration. When it was all done, it was voted unanimously, not because we were rubber stamping anything, but because it is a tight budget and has been reviewed in a manner which we believe fairly related dollars appropriated to students and programs.

This budget, at \$4,821,000, is the smallest increase in the last ten years. It is a \$66,000 reduction from a prediction made by the Town Accountant and the Finance Committee as printed on page v of your Warrant.

Last week, this meeting was asked to postpone consideration of this budget in order for us to factor in the results of collective bargaining. We are still resolving some wording but have been able to include what we feel represents the cost in dollars. We do not expect to return to the Town for additional funds.

The difference between the \$4,821,000 budget before us tonight and the \$4,696,996 budget originally printed in your Warrant consist of changes due to the assumption of the cost of the crossing guards from the Police budget and the changes due to negotiation.

CHART A

Sudbury Public Schools
Budget by Program
1977/78 - 1978/79

Code Program Title	Total Budget		Budget Per Student Served	
	1977-78	1978-79	1977-78	1978-79
<u>INSTRUCTIONAL PROGRAMS</u>				
<u>Basic Education</u>				
56 Kindergarten	\$ 91,953	\$ 100,675	\$ 474	\$ 503
57 Art	109,032	98,374	46	45
58 Music	121,778	111,351	53	53
59 Physical Education	187,684	179,859	70	73
60 Communicative Arts	440,627	423,243	165	171
61 Reading	386,045	368,530	206	214
62 Science	253,128	254,508	95	103
63 Health Education	7,600	14,130	20	36
64 Mathematics	372,712	373,787	139	151
65 Social Studies	252,002	250,067	94	101
66 Typing, 7-8	28,033	27,378	48	48
67 Foreign Language, 7-8	57,290	58,929	89	90
68 Home Economics, 7-8	53,272	56,481	139	156
69 Industrial Arts, 7-8	63,655	65,024	152	169
00 Non-Program	287,624	385,881	100	143
Total Basic Education	<u>\$2,712,435</u>	<u>\$2,768,222</u>	<u>\$1,015</u>	<u>\$1,119</u>
76 Special Education	329,095	395,212	982	1,113
77 Tuition, Pupils	95,370	110,000	4,146	5,500
TOTAL INSTRU. PROGRAMS	<u>\$3,136,900</u>	<u>\$3,273,434</u>	<u>\$1,095</u>	<u>\$1,215</u>
<u>INSTRUCTIONAL SUPPORT PROGRAMS</u>				
<u>Learning Resources</u>				
71 Library & A/V	\$ 117,583	\$ 139,105	\$ 44	\$ 56
<u>Pupil Personnel Services</u>				
72 Guidance	\$ 153,702	\$ 144,611	\$ 58	\$ 58
73 Health Services	79,628	82,785	30	33
78 Pupil Personnel	29,069	29,653	11	12
Total Pupil Pers. Serv.	<u>\$ 262,399</u>	<u>\$ 257,049</u>	<u>\$ 99</u>	<u>\$ 103</u>
<u>Facilities</u>				
81 Oper. & Maint. of Plant	\$ 552,245	\$ 534,232	\$ 207	\$ 216
<u>District Management</u>				
85 School Management	\$ 252,888	\$ 262,958	\$ 95	\$ 106
86 Central Office Mgmt.	114,057	113,858	53	46
Total District Mgmt.	<u>\$ 366,945</u>	<u>\$ 376,816</u>	<u>\$ 138</u>	<u>\$ 152</u>
80 Transportation	\$ 162,708	\$ 163,091	\$ 61	\$ 66
84 Food Service	21,912	22,400	8	9
00 Non-Program	79,308	54,873	28	22
Total	<u>\$ 263,928</u>	<u>\$ 240,364</u>	<u>\$ 97</u>	<u>\$ 97</u>
TOTAL INSTRUCTIONAL SUPPORT PROGRAMS	<u>\$1,563,100</u>	<u>\$1,541,813</u>	<u>\$ 580</u>	<u>\$ 598</u>
GRAND TOTAL	<u>\$4,700,000</u>	<u>\$4,821,000</u>	<u>\$1,640</u>	<u>\$1,788</u>

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In the program budget, the only changes are in the following items: under Instructional Programs, item 00 "Non-program", 76 "Special Education", and 77 "Tuition, Pupils"; under Instructional Support Programs, item 71, "Library & A/V" and 00 "Non-program".

While this does create changes in other charts and tables, the general relationship of programs to each other has not materially changed, and the comparisons from program to program are still valid.

The new budgeting process, program budgeting, has been of great assistance in identifying the cost areas and the benefits and has enabled us to knowledgeably control cost. We can now examine in great detail the real costs of specific system-wide programs such as reading, math, kindergarten or maintenance services.

The Program Budget summary highlights only two cases of substantial increases from year to year. The first, Library & A/V, is quite intentional. The second, Chapter 766 Tuition and Special Education, considers our costs for this year as a base. This cost is not very controllable by the School Department. We have and will continue to try to keep these costs down, but the program, by its nature, with a few students requiring placement outside the system, is very expensive.

The Library increase results from a recognition that the libraries as they were in 1975 were not very useful to the student or to the system. We felt that either they should be used properly, or they should be abandoned at least at the elementary level. The School Committee chose a course of action which caused the expenditures to significantly decrease for two years during a reorganization of the libraries with a subsequent controlled growth to a level which would allow the libraries to be as useful to the students and to the teachers as we all wanted them to be. We are seeing the second year of this controlled growth in this budget.

A review is scheduled for the spring of this year to determine a reasonable set of alternative end points. That is where it is all ultimately headed.

In all areas, we are looking for other ways to do things, allowing better service at lower costs. As a result of this, we have recently endorsed the reorganization of the pupil service area which we believe will have no direct financial impact this coming year but will improve services and allow lower costs in the following year.

We, as a Committee, have seriously addressed the question of declining enrollments and as much as possible have tried to make the costs follow the enrollments in a downward direction. We have taken action such as the closing of a school at the beginning of this school year. For next year, we will, of course, keep our teaching staff at a level consistent with our enrollments and our staffing guidelines, but it is not easy.

There are large fixed costs associated with facilities and minimal administration. Beyond that, there are variable costs of two types: those generally related to the number of buildings or classes such as principals, gym teachers, art teachers, etc., and those related to the number of students.

The first type is not very variable without significant change such as program changes and building closings. The second type, such as classroom teachers, is not as directly related to student population in the K through 4 grades as might be thought because of our neighborhood school structures. In grades 5 through 8, without neighborhood schools, it is much more variable.

As an example, if you arbitrarily choose a third grade for the year 1976/77 and assume there were 52 students, the number of teachers required is two. If we lost six students in the 1977/78 declining enrollment, we are down to 46 and still need two teachers. In 1978/79 perhaps we are projecting a 41 student enrollment. How many teachers do we need? We certainly can't do it with one. So we have seen a 21% decrease in the student population, but yet we haven't seen the real ability to remove even one teacher.

We are making moves to try to minimize costs and decrease expenditures as the population decreases. The previously mentioned Special Education reorganization is an example.

As taxpayers and citizens of the Town, you are welcome to learn more about the schools. You can attend School Committee meetings, which are usually on the first, third and fifth Wednesdays of the month, or call the Central Office or any Committee member with your concerns and questions. We have tried this year especially to involve the public in the budgeting process. It will start all over again at our October meetings next year. We look forward to your participation.

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In conclusion, I hope you have, as a result of the information sent home, a better understanding of the school budget. I hope that you understand some of the constraints and restrictions we have in setting the budget and certainly hope that you will support the budget as requested.

It is a sound budget. It has our unanimous support, and it represents the lowest increase in years while still allowing improvements in the system.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$4,821,000 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 \$11,882 FROM PUBLIC LAW 874 ACCOUNT, AND THE REMAINING SUM TO BE RAISED BY TAXATION; AND APPROPRIATE THE SUM OF \$20,000 FOR COMMUNITY USE OF SCHOOLS, SAID SUM TO BE RAISED BY TAXATION; AND APPROPRIATE THE SUM OF \$3,245 FOR THE SUPPORT OF A SUMMER SCHOOL PROGRAM, SAID SUM TO BE RAISED BY A TRANSFER FROM THE "SUMMER SCHOOL RESERVED FOR APPROPRIATION ACCOUNT".

Mr. Philip Felleman then made the final motion under the budget. He explained that the last paragraph was a new item which would provide the ability to accept federal funds mid-year. Some of these federal funds have a stipulation that they must be obligated to a particular purpose within thirty days or forty-five days. These sums are usually in the amount of \$3,000 or \$4,000. We are asking that the Finance Committee be allowed to obligate those funds basically as an offset to appropriated dollars in whatever the appropriate line item is.

Mr. Henry P. Sorett moved to delete paragraph A.

Mr. Felleman stated as follows with respect to Mr. Sorett's amendment:

One of the main reasons paragraph A is in here is that on occasion we are forced to move items. A lot of our transfer activity is between regular and overtime accounts. If this item is deleted, there will probably not be enough funds in the Reserve Account to increase those items which normally we would just transfer between these line items. I would feel very uncomfortable going into a year with the budgets as tight as they are with only \$100,000 in the Reserve Account and not having the flexibility to move these items around. If you look in your Warrant at the transfers, you will see that kind of activity.

Mr. Sorett then commented in support of his amendment as follows:

The concern that I had is that it seems to give the Finance Committee the ability to be very loose in the financial planning with the use of regular and overtime personnel. I'm legal counsel for a couple of other municipalities, and I have seen problems that have occurred where Boards of Aldermen, Selectmen or Town Councils have given their administrative officials this kind of flexibility. There are certain provisions in the civil service law which require that people, once hired, be retained. I am concerned that by giving this kind of flexibility you create a situation where administrative personnel may increase the fixed operating cost of the Town and commit the Town to long-term obligations other than those the Town contemplated at town meeting. For this reason, I think paragraph A ought to be deleted and that some substitute language ought to be worked out to require a further town meeting in the event that the number of authorized personnel in departments is to be increased.

Mr. Toomey, Chairman of the Board of Selectmen, commented relative to Mr. Sorett's amendment as follows:

I have never found any Finance Committee to be loose with a transfer for the Board of Selectmen. They guard that money very wisely. There is a point that you are making, but I don't think that the town meeting floor this year is the place to make it. We are doing a study with the Fire Department right now. We are adding a man to a shift and studying the implications of what would be the long-term effect if we added four men to cut down on the overtime.

But there is also another kind of overtime that we have no jurisdiction over. That is a major fire or a major storm where the men are called on to work for numbers of hours that we couldn't possibly budget and we need this leeway. I guarantee you that when we go to the Finance Committee, it has to be well documented. It just isn't handled as haphazardly as it might seem.

Mr. Sorett's amendment was defeated.

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- VOTED: A. 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;
- B. 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.
- C. 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;
- D. THAT ALL AUTOMOBILE MILEAGE SHALL BE PAID AT THE RATE OF 14¢ PER MILE UPON SUBMISSION OF A PROPER VOUCHER;
- E. THAT ALL APPROPRIATIONS UNDER ARTICLE 5 SHALL BE FOR THE FISCAL YEAR JULY 1, 1978, THROUGH JUNE 30, 1979; AND
- F. THAT ANY STATE OR FEDERAL FUNDS RECEIVED BY THE TOWN WHICH MUST BE OBLIGATED OR EXPENDED PRIOR TO THE NEXT ANNUAL TOWN MEETING MAY BE USED TO OFFSET THE COST OF ANY APPROPRIATE LINE ITEM IN THE BUDGET UPON ACCEPTANCE OF THE FINANCE COMMITTEE AND CERTIFICATION OF THE TOWN ACCOUNTANT.

ARTICLE 26: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$6,000, or any other sum, to locate and evaluate the wetlands of the Town, the wetland location and evaluation work to be done by the Conservation Commission, or consultants to the Conservation Commission, to facilitate the implementation of the Wetland Protection Act, Chapter 131, Section 40, M.G.L.; or act on anything relative thereto.

Wetlands -
Identify,
Delineate
and
Classify

Submitted by the Conservation Commission.

Conservation Commission Report: (Mrs. Kathleen M. Brown)

This is probably not going to come as any great surprise to anybody here, but Sudbury is a little damp. You might even say it is relatively wet. Thus, you can easily understand the great deal of time the Conservation Commission has spent administering the Wetland Protection Act.

Since the proposed study is to aid us in enforcing this Act, I will first go over a little information about the Act and then explain how the study will aid us. First of all, the Act requires that a notice of intent to the Conservation Commission be filed for any removing, filling, dredging or alteration of a wetland. That just about covers it. It covers any type of activity from a swimming pool to a shopping center. We then must hold hearings and issue Orders of Condition under which the work may proceed.

What is a wetland? The land subject to the Act includes any bank, fresh water wetland, coastal wetland, be it flat, marsh, meadow, or swamp, bordering on the ocean, estuary, creek, river, pond, stream, lake or any land under said waters or any land subject to tidal action, coastal storm floodage, or flowage. That's a lot.

This Act covers any land which is periodically wet. It doesn't have to be wet all year. These lands are to be determined by the Conservation Commission, and it's to be determined according to vegetation.

There is a long list of plants, a significant part of which are to be used to make up a community called a marsh. We are provided with other lists in the Act, lists which make up meadows, bogs, swamps, etc. It should be obvious to you as it is to us that the delineation of wetlands by statute necessitates botanical skill.

This study will delineate wetlands objectively and by a trained botanist.

Why do we protect our wetlands? The Act wasn't passed just to protect a few swamps and mosquitoes. It was passed to protect you and me and everybody in Sudbury and everybody in the Commonwealth. We protect our wetlands, and we protect a few very valuable things, our water supply. We guard against flood damage. We've had a little bit of that. And, we prevent pollution. The Act lists seven wetland values which we must address and which we are charged with protecting. Our Orders of Conditions must reflect this.

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This study will rate each wetland, identify and delineate it as to its value for each of the parameters, will state whether it's of high importance, moderate importance, or low for the values.

What is this wetland study going to do? First of all, ready transfer of existing data. It's going to take data we already have and transfer it to the same base, putting it all together. Initially we're going to start with the wetland soils. Second is the geologic deposits which reflect wetlands. Then we're going to take the swamp symbols on the quadrangles of the U.S. Geodetic Survey, and we're also going to use the fresh water vegetation mapped by the University of Massachusetts Mapdown Project which is an aerial study. These will lead us to the basic identification of the wetlands.

Then we have to delineate them. This shall be done according to the Act by field examination. A trained botanist will select the most accurate wetland boundaries or, if must be, develop a new boundary if the existing data does not reflect that as described by law, that is, by vegetation. Vegetation is becoming increasingly difficult to use especially under a few feet of snow. So we need these maps.

Third, it will evaluate. For each of the wetland values we will have a map. There will be seven separate maps, one for each value, that will reflect the importance of each individual wetland in the Town. This will assist us greatly in writing our Orders of Conditions.

The study will provide an evaluation of the Town's wetland resources useful for developing and expediting Orders of Condition pursuant to the Wetland Protection Act, Chapter 131, Section 40. This study will indicate where and how valuable our wetland resources are. Not only will it assist the Conservation Commission in determining the effect of a single project on the entire system, but the proposed activity can be put into perspective as it would affect the water supply, flooding, prevention of pollution and the like. It will allow us, the Conservation Commission of seven appointed people, to effectively budget our time and dollar resources for the protection of those areas that are of the greatest significance for the health, safety and well being of our townspeople and minimize the red tape for those applicants desiring alteration in those areas of little significant value.

Planning Board Report: (Mr. John C. Cutting)

I will now give this article the official Planning Board seal of approval. The Planning Board does feel strongly that this study will help not only the Conservation Commission administer the Wetland Protection Act. We feel that the result will also benefit us greatly in our own land use decisions and recommendations. It will also tie in very nicely with Dr. Mott's Hydrology Study and the National Resource Inventory, which was principally compiled by our late Town Planner. In fact, the information in the Hydrology Study, in conjunction with other data already accumulated by the Town, will be very useful to the consultant doing the wetland evaluation project. I am sure the availability of this information contributes substantially to the low price tag of the study.

We anticipate one question. It will not duplicate work already done. The Mott study primarily concerned itself with ground or subsurface waters and recommendations for protecting the same. This is related to but distinctly different from the proposed wetland evaluation project.

We recommend approval of Article 26.

Board of Health Report: (Mr. E. Lawrence Gogolin)

The Board of Health also supports this article. We are interested in it for two different reasons from what you have heard so far. We are quite concerned with the Town's potable and available water supply over the next few years. You have heard Dr. Mott's study mentioned.

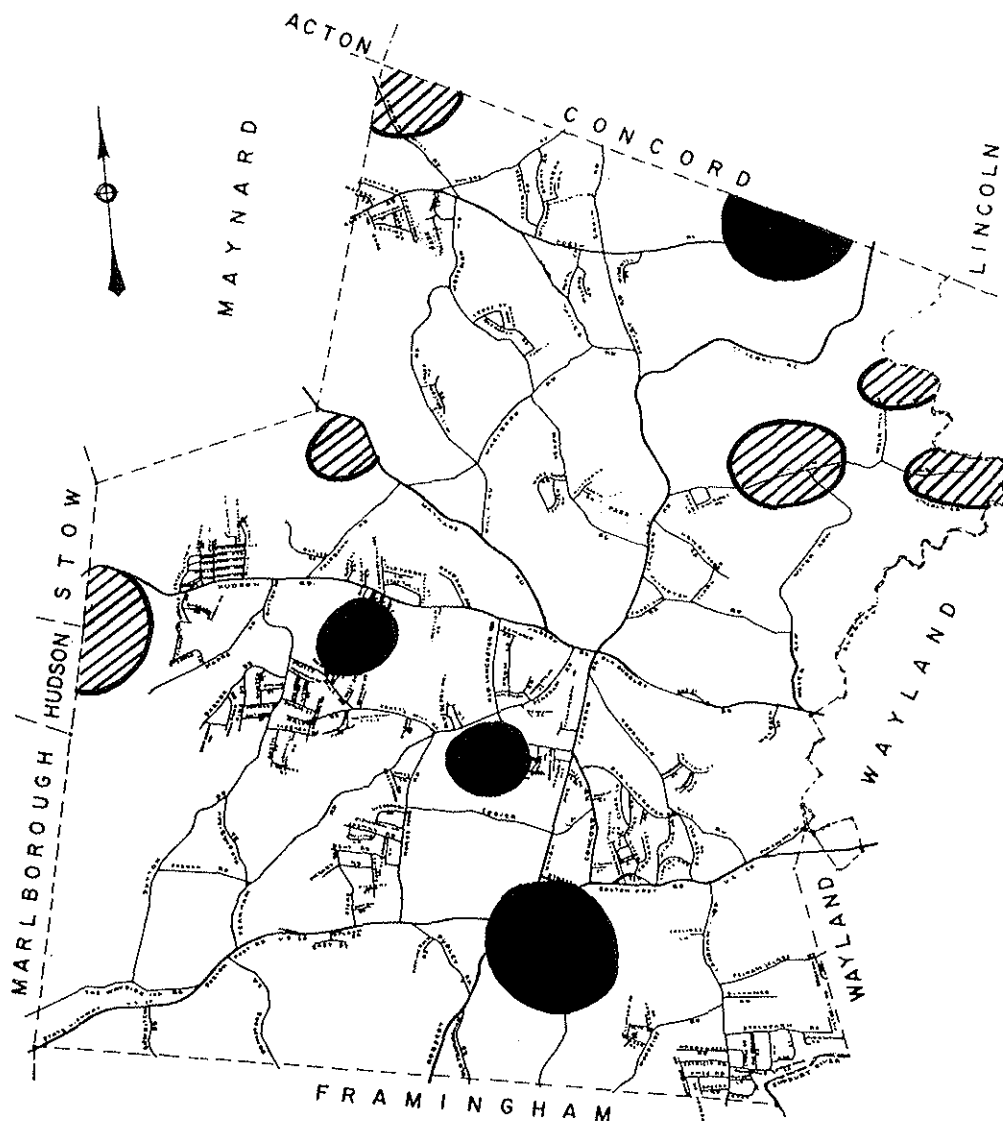
The dark areas on the chart [see Chart B on next page] represent the current well fields of the Town. The hash marks represent potential well fields that were cited in Dr. Mott's study. All of those circles are in the immediate vicinity of areas that are called wetlands. Many of them are swamps and bogs and quite a few of them are along the Sudbury Flood Plain Zone.

From that standpoint, the definition of these areas of the Town would be quite helpful in citing potential water sources.

Another concern that we have is one a good 90-100% of your homes are concerned about. That has to do with septic systems. We are quite concerned that when these systems are located by a builder, they are put in ground that will drain away the

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CHART B



septage in good order. When these are located in areas of wetlands, it gets to be a potential problem for the homeowner. We are sure we are quite interested in this article, and we hope you support it.

Finance Committee Report: The purpose of this article is to provide an identification of the Town's wetland resources in order to more effectively administer the Wetlands Protection Act and to determine the location and characteristics of Sudbury's wetlands. This will provide the basic data to insure the protection of critical areas while allowing for appropriate alterations to occur in the non-critical areas. Recommend Approval.

Board of Selectmen Report: (Mr. John E. Murray)

This article will provide an overall guide to those people serving on the Conservation Commission presently and will be invaluable to those future Commissioners who will be appointed. I believe that this document is one of great value to the Town and the Conservation Commission in carrying out their obligations to administer the Wetland Protection Act. The Board of Selectmen recommends approval.

VOTED: ARTICLE 26 IN THE WORDS AS PRINTED IN THE WARRANT.

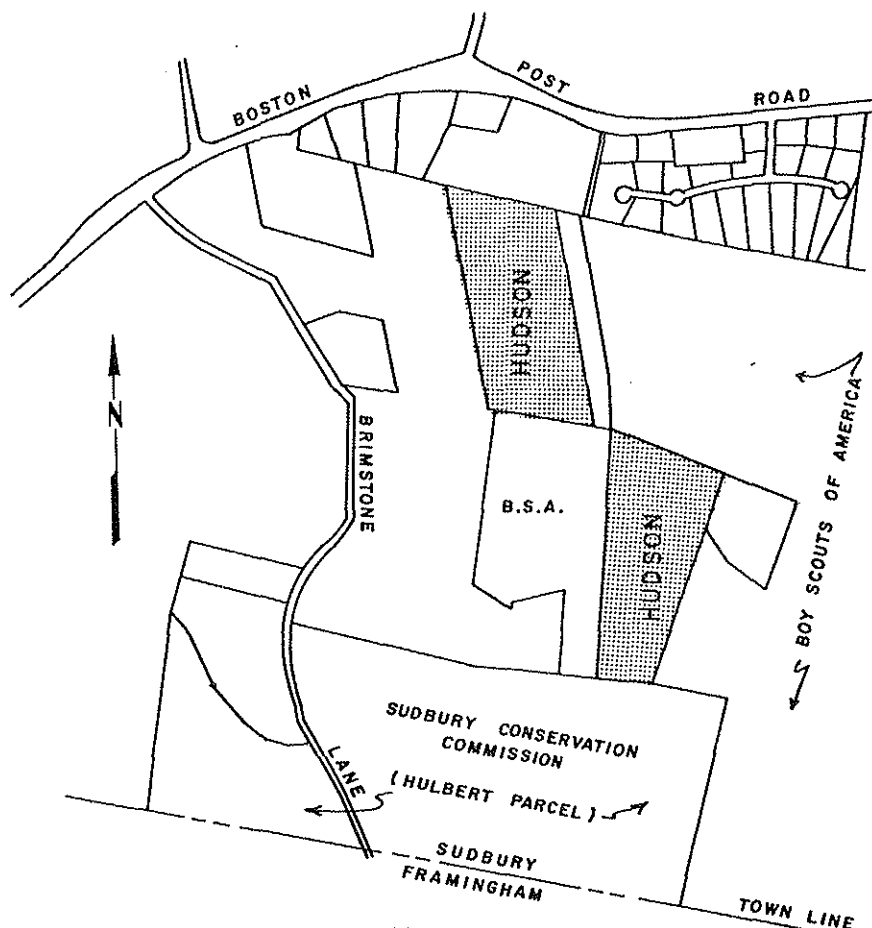
ARTICLE 27: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire in fee simple, by purchase or by a taking by eminent domain, for conservation purposes, the following described land:

Acquire
Hudson
Property

approximately 31 acres, collectively, being located off of Brimstone Lane, in the Town of Sudbury, shown on a plan entitled: "Town of Sudbury, Massachusetts, Property Maps", K05 and L05, on sheets K5 and L5, parcels 001 and 200, by the Town of Sudbury, Engineering Department, a copy of which is on file in the Town Clerk's Office, which plan is incorporated herein by reference,

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

Submitted by the Conservation Commission.



ARTICLE 27
(ACQUIRE HUDSON PROPERTY)

Conservation Commission Report: The proposed addition to the presently-owned Hulbert Land would add approximately 31 acres to the existing 78. It is very attractive for conservation-recreation purposes--being wooded and offering the opportunity to continue the trail circuit through a highly-valued parcel.

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After moving Indefinite Postponement of the article, Mrs. Judith A. Cope of the Conservation Commission stated as follows:

While the Conservation Commission felt and continues to feel the purchase of the parcels of land mentioned in Article 27 when they were recently offered to us was an absolute necessity, some developments have taken place in the last few days. I feel we owe you an explanation.

Let me call to the Town's attention the fact that the State recently made public its desire to see the remaining open space on famous Nobscot Mountain preserved on behalf of Sudbury and Framingham. The Metropolitan Area Planning Council mapped, examined and touted the remaining open space to be preserved for passive recreational use. Now with such support, acquisition and funding are made much simpler though obviously not guaranteed. So purchase could put us in the position of receiving as much as 75% in reimbursed funds.

With all of these armaments, the action did seem prudent. On coming down to the wire when we contacted the Boy Scout people to tell them of our plans and to insure that we had mutual rights of access to our respective properties, they had a surprise for us. What they said was that they were also pursuing purchase and that they were nearly lined up with a benefactor and so on. On examination of the Town's motives, it becomes obvious that preservation is preservation. Since such action by the Scouts is now guaranteed to us and we don't really feel that the property is going anywhere, we are recommending your approval for Indefinite Postponement.

VOTED: INDEFINITE POSTPONEMENT.

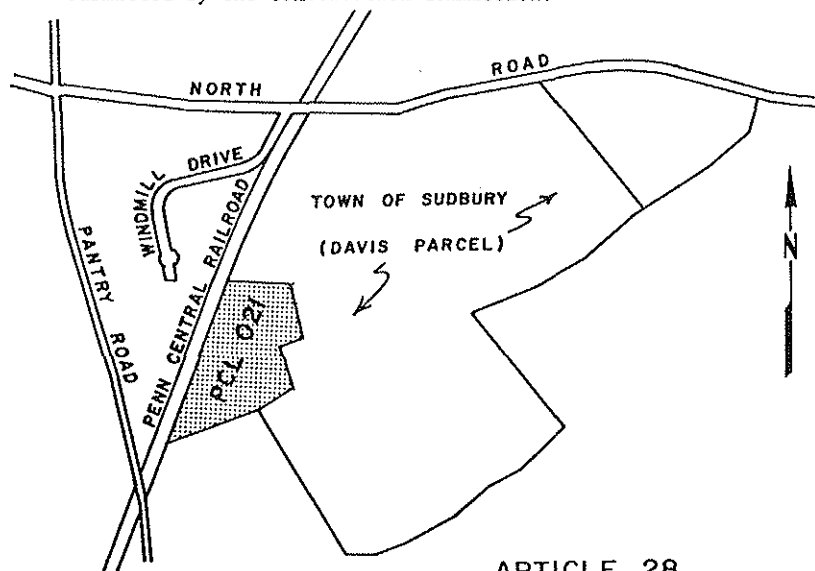
ARTICLE 28: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire in fee simple, by purchase or by a taking by eminent domain, for conservation purposes, the following described land:

Purchase
Property
Off
Pantry Rd.

approximately 12 acres, being located east of the Penn Central Railroad tracks off of Pantry Road, in the Town of Sudbury, shown on a plan entitled: "Town of Sudbury, Massachusetts, Property Map", D10, on sheet D10, as part of parcel #021, by the Town of Sudbury, Engineering Department, a copy of which is on file in the Town Clerk's Office, which plan is incorporated herein by reference,

and to appropriate therefor, and all expenses in connection therewith, \$40,000, or any other sum, and to determine whether the same shall be raised by taxation, transferred from the Conservation Fund, provided by borrowing, or any combination of the foregoing, with all land acquired hereunder to be under the management and control of the Conservation Commission; or act on anything relative thereto.

Submitted by the Conservation Commission.



ARTICLE 28

(PURCHASE PROPERTY OFF PANTRY ROAD)

April 10, 1978

Conservation Commission Report: (Mr. David F. Grunebaum)

This article requests the Town to affirm the determination of the Conservation Commission that the Town should purchase an eight acre parcel of land. It should be clearly understood that this is not an article requiring appropriation of any additional funds. The purchase of this land will be made with existing Conservation Fund funds. Neither the Bylaws of the Town nor the restrictions on the funds require the Conservation Commission to obtain Town approval for purchases made from the fund. Nevertheless, it has been a consistent policy of the Conservation Commission to bring proposed purchases involving more than minimal size, usually in excess of \$10,000, to the Town Meeting for approval.

Last year, no significant purchases were made. This year, we are proposing one purchase.

On the plan, the parcel we are talking about is numbered 021. The major portion of the Davis parcel, about 45 acres, is already owned by the Conservation Commission. The smaller portion is owned by the Park and Recreation Commission. In keeping with both the Conservation Commission philosophy and that of many townsfolk, this proposed purchase tends to create a larger, more usable area for passive recreation.

The proposed acquisition has a varied topography. It runs up to the crest of a hill on the north. The top of the hill has a superb vista especially off to the west. It then slopes gently down and flattens out, running over the railroad tracks. When I walked it two Sundays ago, there were still some small snow areas and it really gave the appearance of an Alpine meadow as you look back onto the hill.

The parcel is not only significant on its own, but for what it adds to the entire Davis Farm Conservation Area. This is not a swamp or a wetland. Most of the land is high and usable for hiking, picnicking, camping or cross country skiing. At present, I am told some of the students from the Haynes School have used the Davis Farm area for their nature program and have already picnicked from time to time on this portion of private property.

Mr. Grunebaum then showed colored slides of the area. He continued his comments as follows:

Unfortunately, the snow cover obscures some of the beauty of the land. It really is an exceptionally lovely parcel. This land, like all others purchased by the Conservation Commission, becomes part of the open lands available to all Town residents. The value of these lands can only increase.

As part of its Long Range Plan, the Conservation Commission recently completed a total overhaul of its Open Space Plan. This is a plan which is prepared for the State every five years. In this plan, the Town established goals and priorities for the preservation of open space. This plan included participation from many Town boards and committees as well as interested citizens. There were two public hearings held. The current plan, along with the prior plan, both recommended the purchase of this parcel whenever it should become available.

In light of these factors, the Conservation Commission unanimously recommends to the Town the passage of this article.

Planning Board Report: (Mr. Cutting)

The Planning Board unanimously supports Article 28. We feel this continuation of the land acquisition program will add a logical parcel to Sudbury's conserved open space.

Finance Committee Report: Recommend Approval.

After discussion, it was

VOTED: *THAT THE TOWN AUTHORIZE AND EMPOWER THE SELECTMEN, UPON THE WRITTEN REQUEST OF THE CONSERVATION COMMISSION, UNDER THE PROVISIONS OF GENERAL LAWS, CHAPTER 40, SECTION 8C, AS AMENDED, TO ACQUIRE IN FEE SIMPLE, BY PURCHASE OR BY TAKING BY EMINENT DOMAIN, FOR CONSERVATION PURPOSES THE FOLLOWING DESCRIBED LAND:*

APPROXIMATELY EIGHT ACRES LOCATED EAST OF THE PENN CENTRAL RAILROAD TRACKS OFF PANTRY ROAD, IN THE TOWN OF SUDBURY, SHOWN ON A PLAN ENTITLED: "TOWN OF SUDBURY, MASSACHUSETTS, PROPERTY MAP", D10, SHEET D10, AS PART OF PARCEL NUMBER 021,

April 10, 1978

BY THE TOWN OF SUDBURY, ENGINEERING DEPARTMENT, A COPY OF WHICH IS ON FILE IN THE TOWN CLERK'S OFFICE, WHICH PLAN IS INCORPORATED HEREIN BY REFERENCE;

AND TO APPROPRIATE THEREFOR, AND FOR ALL EXPENSES IN CONNECTION THEREWITH, THE SUM OF \$18,000, SAID SUM TO BE RAISED BY TRANSFER FROM THE CONSERVATION FUND, WITH ALL LAND ACQUIRED HEREUNDER TO BE UNDER THE MANAGEMENT AND CONTROL OF THE CONSERVATION COMMISSION.

The Moderator announced that the motion was approved by more than two-thirds.

ARTICLE 29: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$3,000, or any other sum, to be expended by the Horse Park and Recreation Commission, for the purpose of improving the Riding back riding facilities in Town; or act on anything relative thereto. Facilities Submitted by the Park and Recreation Commission.

Mrs. Claire J. Feeley of the Park and Recreation Commission moved in the words of the article.

Park and Recreation Commission Report: (Mrs. Feeley)

This three thousand dollars will be used to refurbish the large horse ring at Feeley Park. The figure asked for is low due to the fact that Park and Recreation does not feel it is an ideal location for a horse ring. We have, however, made no accommodations for the equestrians in Town in any other area. Until we can survey the lands owned by the Town and make a valid evaluation of the land we would like to refurbish the large ring at Feeley Park. Park and Recreation is very aware this land has very poor soil and is not conducive to a horse ring but it can, for \$3,000, be built up in such a manner as to give the interested people a facility to use until a more adequate area has been made available to them.

Finance Committee Report: (Mr. Edward L. Glazer)

Last Wednesday night, the Finance Committee was presented with a copy of a report from the Sub-committee on Horseback Riding Facilities dated March 20, 1978, and a report of a consulting environmental engineer dated April 5, 1978.

This report suggests that by approving this article, the Town would obtain a permanent riding facility which would serve the Town for many years. As we have just heard, the Park and Recreation Commission disagrees with that particular conclusion of the report.

The Finance Committee as a whole has not had an opportunity to independently consider this information, and we feel that we have to rely on the judgment of the Park and Recreation Commission on this factual question.

Therefore, we continue to believe that the Town should consider approval of this article only if we are fully satisfied that, for an investment of \$3,000, the large riding ring in Feeley Park will become a permanent and adequate facility which will serve the Town for many years and if the projected cost of maintaining the facility in this condition is not excessive. At this point in time, we are not fully satisfied.

Finally, this article involves setting recreational priorities, and in discussing these kinds of articles, we must attempt to strike a balance between the cost of a proposed recreational facility and the number of people who benefit from or use the facility.

We recommend disapproval of the article.

After some discussion, Mrs. Feeley's motion was defeated.

ARTICLE 30: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$9,000, or any other sum, to be expended under the direction of the Park and Recreation Commission for the purchase of a dump truck and plow for Park Department use to replace a 1972 International 1310 to be used as a trade-in; or act on anything relative thereto.

Submitted by the Park and Recreation Commission.

April 10, 1978

Park and Recreation Commission Report: (Mr. Arthur A. Walker)

This truck has 40,000 miles on it. It doesn't seem like a lot of mileage, but it's had a great deal of service. At present, it is costing a great deal to maintain. For instance, this past year the work needed to be completed on it would be for a new door at \$100, a new seat at \$200, motor work at a minimum of \$200, steering at \$100. When the new Maintenance Foreman came aboard and inherited the truck, it was then in bad shape.

This is the truck that is shared with the Highway Department for plowing. There are nights when this truck is in service all night long. The plow presently is broken. This replacement would be from \$1,200-1,500. In the past year, we have also spent \$700 on parts. The Park and Recreation Commission has a 1969 old Ford pick-up. If we were to continue holding on to this truck, it would probably not hold out, and we would be left without any vehicle. So it is a bad investment to hold on to this truck.

We encourage your support in voting for the new vehicle.

Finance Committee Report: The Finance Committee agrees that the 1972 dump truck should be replaced as it would require extensive repairs next year. The new truck will continue to be shared with the Highway Department during the winter for plowing. Recommend Approval.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$9,000, TO BE EXPENDED UNDER THE DIRECTION OF THE PARK AND RECREATION COMMISSION, FOR THE PURCHASE OF A DUMP TRUCK AND PLOW FOR PARK DEPARTMENT USE TO REPLACE A 1972 INTERNATIONAL 1310 TO BE USED AS A TRADE-IN, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 31: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$6,000, or any other sum, to be expended under the jurisdiction of the Permanent Building Committee for the purpose of planning the construction of a swim facility on the Haskell Land; or act on anything relative thereto.

Swim
Facility

Submitted by the Park and Recreation Commission.

Ms. Nancy D. Lewis of the Park and Recreation Commission moved in the words of the article.

Park and Recreation Commission Report: (Ms. Lewis)

The Park and Recreation Commission is requesting \$6,000 in planning money for its swimming facility in Sudbury. Approval of this request will add 3¢ to the tax rate. This sum would be used to obtain architectural services. These services will provide preliminary plans to scale. Suggested materials, probable construction costs and site evaluation drawings for an outdoor and an indoor/outdoor pool of an adequate size for our community will be included. The money will be spent under the jurisdiction of the Permanent Building Committee.

A vote for planning money does not necessarily mean that you will vote for a pool at a later date, but rather, that you will allow us to pursue the possibility and give the townspeople the chance to vote intelligently on this issue.

The need for swimming has long been recognized by the Park and Recreation Commission. For 25 years, the Town has been working towards establishing a permanent swimming facility. In 1955, the Barton Pool was developed for children 14 and under. This pool was used until 1967 when it closed because of unsanitary conditions. From 1958 until 1962, the Vassalotti pool was available to the Town for swimming. This too was closed because of unsanitary conditions. From 1944 through 1958, Briardale Beach on White's Pond was used for swimming classes. That property is now owned by Sperry Research Center and is accessible only to that company's employees.

In a continuing effort to provide a satisfactory swimming area, the Haskell Land was purchased in 1973 with the aid of federal funds. One of the expressed goals of purchasing this land was to provide a location for a swimming pool. The Haskell Land is centrally located and level. It has, according to the Engineering Department, suitable and proper drainage. It is an area of high density population, has walkways, and has a perfect open southern exposure with tree-lined northern exposure.

Locating on the Haskell Land would enhance our chances for securing Bureau of Outdoor Recreation money.

April 10, 1978

In February of 1975, the Town was notified of the State's intention to ultimately close Walden Pond for Town swimming lessons. Based on these points, the Park and Recreation Commission appointed the Swim Needs Committee in November of 1975. The Committee began by doing a thorough study of natural bodies of water in Town. The study included laboratory analysis, on-site inspection and consultation with John Sullivan, Sudbury Health Director, and Giles Conlon of the Middlesex County Soil Conservation District.

The Committee has concluded that there are no natural bodies of water suitable for a Town swimming area. Turbidity and pollution were the major reasons for eliminating ponds in Town.

At this point, we felt the only alternative available would be a pool. To obtain an opinion of the Town, a telephone survey was conducted with the help of the Becker Research Corporation of Boston. The survey indicated that 72% would support building a public swimming pool in Town and 28% were opposed. 69% of the people spend most of their summer in Sudbury.

The survey showed that an outdoor pool and an indoor/outdoor pool were the most favored types. Preliminary interviews with several pool company representatives indicated that the approximate cost would be \$350,000 for an outdoor pool and \$750,000 for an indoor/outdoor pool.

The Town has applied for federal funds through the Bureau of Outdoor Recreation and, if approved, this money would reduce the cost by 50%.

The planning money we are requesting would provide us with exact costs. At this point, the Committee can only estimate the cost of construction, maintenance and operation based on the ranges given us by the pool companies and other towns. The maximum cost in the construction of a pool would amount to less than 40¢ on the tax rate. These figures are all based on a fifteen-year bond.

The Committee has researched operation and maintenance costs of several existing pools and found that a pool can be self-sustaining through membership fees. Membership fees would range from \$20 to \$40. This fee would be dependent upon the number of participants. A membership fee decreases as the per cent of participants or memberships increases.

A pool, in addition to providing one major recreational activity presently not available in Town, is the only community facility that can meet the social, educational, health and recreational needs of the whole community from the very young to senior citizens. It will provide everyone the opportunity to learn a life-saving skill as well as enhance Sudbury as a place to live.

We feel that this is the time to recommend planning for a pool. We request your continued support and favorable consideration.

Finance Committee Report: The Swim Facilities Study Committee, which was appointed by the Park and Recreation Commission to explore all possibilities for developing a swim facility, has done a good deal of research and has developed an extensive amount of background material. This research has resulted in this article which asks for planning money for the purpose of designing plans for both an indoor-outdoor pool and an outdoor pool to be built on either the Haskell Land or at Featherland Park.

The Finance Committee has serious reservations whether it will ultimately prove to be in the best interests of the Town to construct a swimming facility, given the other expenditures facing the Town, such as a Police/Fire Station and the proposed drainage program. However, we do not believe that a vote in favor of planning money at this time in any way commits the Town to ultimately vote to construct the swimming facility. Approval of this article would give us the opportunity at a later date to either accept or reject this major capital expenditure with better information as to its design, location, cost, operation and financing, including the availability of 50% federal funding.

It is unfair to reject a swimming pool without this information; it is foolish to proceed without this information. Recommend Approval.

Mr. Edward L. Glazer of the Finance Committee further reported to the meeting as follows:

Construction of a swimming pool in Sudbury will no doubt provide a recreational facility that is desirable and likely to be widely used. The telephone survey indicated that there is interest in such a pool. However, the \$64,000 question, or better yet, the \$350,000 to \$750,000 question, is whether we can afford a swimming pool in the light of other expenditures the Town will face in the near future.

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The Finance Committee agrees with the Long Range Capital Expenditures Committee that the construction of a swimming facility is what that Committee calls a discretionary priority. We call your attention to the recommendations of the Long Range Capital Expenditures Committee which appear on page 32 of their report in favor of appropriation of planning money.

We are recommending that the Town appropriate this \$6,000 planning money so that all of us will have more complete information to make this difficult decision.

The Swim Facility Study Committee under the Park and Recreation Commission should be commended for the fine job they have done on this study. The findings of this study have basically eliminated the option of a natural swimming facility within Sudbury. It is apparent to us that with the construction costs of swimming pools increasing each year, this may well be the last time a swimming facility in Sudbury will be considered at least in the near future.

The Finance Committee believes that before we decide to accept or reject a swimming facility, we should know as best we can where we stand with regard to construction and operational costs, the availability of 50% federal funding and the possible offset of some of the costs by projected membership fees and other user receipts.

Accordingly, we ask you to support the request for \$6,000 of planning money.

After considerable discussion, it was

VOTED: IN THE WORDS OF THE ARTICLE.

In favor - 328; Opposed - 208. (Total - 536)

ARTICLE 32: To see if the Town will vote to amend the Zoning Bylaw by deleting Article IX, VI, "Administration", and replacing it with the following:

Amend
Bylaws

"VI. ADMINISTRATION"

Art. IX, VI

A. Enforcement

Administration

The provisions of the Zoning Bylaw shall be enforced by the Inspector of Buildings. It shall be unlawful, to occupy, use or maintain any building which has been constructed, structurally altered, remodeled or rebuilt in violation of any bylaw of the Town, or a building in which the plumbing or electric wiring has been installed or materially altered in violation of any bylaw of the Town, or a building from which any portion of the installation which is required by any bylaw, or order of an Inspector, has been removed, or a building which has been condemned as unsafe by the Inspector of Buildings. A certificate of occupancy shall be obtained from the Inspector of Buildings before any building which has been constructed, structurally altered, remodeled or rebuilt is occupied, used or maintained.

A certificate of occupancy shall not be issued for any dwelling until the street number, readable from the street, has been attached to said dwelling. In cases where the dwelling setback from the street makes this requirement impractical, the street number shall be placed at or near the driveway entrance.

Any person aggrieved by the refusal of the Inspector of Buildings to grant a building permit or by any order or ruling made by him, notice of which shall have been given to the applicant or permittee, any appeal in writing to the Board of Appeals as is provided in Section VI, C, 4 of Article IX.

B. Building and Special Permits

No building for use as a habitation, for business, for industry or accessory building shall be erected, altered or moved after this bylaw becomes operative, without a permit from the Inspector of Buildings showing that the requirements of the districts affected have been complied with. Said permit shall be posted conspicuously on the premises to which it applies during the time of construction

Permits will not be granted for the construction or alteration of any structure that will cause a change in existing grades and

contours which interfere with drainage of water from the public highways unless provision is made at the owner's expense for the proper disposal of such water by gutters, ditches, pipes or other necessary drainage structures. The owner will be required to grant the Town any necessary drainage easements.

Construction or operations under a building or special permit shall conform to any subsequent amendment of this bylaw unless the use or construction is commenced within a period of not less than six months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as possible.

A special permit shall lapse within one year after the Board of Appeals has granted such special permit if a substantial use thereof has not sooner commenced except for good cause, or in the case of a permit for construction, if construction has not begun by such date except for good cause.

The Board of Appeals, upon written application, and after due notice and a public hearing and a finding of good cause, may grant one or more extensions of time for periods not to exceed one year for each such extension.

C. Board of Appeals

1. Establishment

The Selectmen shall appoint a Board of Appeals of five members, each for a term of five years. Vacancies shall be filled by the Selectmen by appointment for the balance of the term in which the vacancy occurs.

Associate members, to fill vacancies caused by unavoidable absence, inability to act or interest on the part of a member, shall be appointed by the Selectmen annually for a term of one year.

2. Special Permit Granting Authority

For the purposes of this bylaw and General Laws, Chapter 40A, the Board of Appeals shall be the special permit granting authority unless otherwise specifically expressed in this bylaw, and all permits granted by the Board of Appeals shall be special permits.

3. Procedures

No special permit or variance shall be granted or other decision made by the Board of Appeals except after a public hearing before said Board. The Board of Appeals shall fix a reasonable time for the hearing but under no circumstances shall said time exceed 65 days from the effective filing date. For the purposes of the bylaw, the effective filing date is the date when the application for a special permit, variance, or other matter, complying with all the rules and regulations of the Board of Appeals, is filed with the Board of Appeals and a copy given by the applicant to the Town Clerk. Upon receipt of the application, the Board of Appeals shall cause to appear the notice containing the time and place of such hearing, the name of the applicant, a description of the area or premises, street address or other adequate identification of the location which is the subject of the petition, the subject matter of the hearing and the nature of action or relief requested, if any.

In all cases where notice of a public hearing is required, notice shall be given by publication in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing and by posting such notice in a conspicuous place in the Town Hall for a period of not less than fourteen days before the day of such hearing. In all cases where notice to "parties in interest" is required, notice shall be sent by mail, postage prepaid. "Parties in interest" as used in this bylaw shall mean the petitioner, abutters, owners of land

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directly opposite any public or private street or way and owners of land within three hundred feet of the property line, all as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the Planning Board of the Town, and the Planning Board of every abutting city or town.

At the hearing, any party, whether entitled to notice thereof or not, may appear in person or by agent or by attorney. All hearings of the Board of Appeals shall be open to the public. A special permit or variance shall be granted, or a favorable decision made, only by a concurring vote of not less than four members of the Board, and said Board shall grant or deny a special permit or variance or make such decision within a reasonable time after the public hearing thereon, but in no case shall the Board make its decision in more than 75 days from the effective filing date for a variance and other matters or 90 days from the date of hearing on a special permit.

The Board of Appeals may impose appropriate conditions, safeguards and limitations in all its decisions and shall impose limitations both of time (up to a maximum of two years) and of use; and, continuance of the use permitted may be conditional upon compliance therewith. If the rights authorized by a variance are not exercised within one year of the date of grant of such variance they shall lapse, and may be reestablished only after notice and a new hearing pursuant this section.

4. Appeals

An appeal to the Board of Appeals may be taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of General Laws, Chapter 40A, by the regional planning agency in whose area the town is situated, or by any person including an officer or board of the town, or of any abutting city or town, aggrieved by an order or decision of the Inspector of Buildings, or other administrative official, in violation of any provision of General Laws, Chapter 40A, or any ordinance or bylaw adopted thereunder.

Any appeal hereunder to the Board of Appeals shall be taken within thirty days from the date of the order or decision which is being appealed, by filing a notice of appeal, specifying the grounds thereof, with the Town Clerk, who shall forthwith transmit copies thereof to such officers or board whose order or decision is being appealed, and to the Board of Appeals. Such officer or board shall forthwith transmit to the Board of Appeals all documents and papers constituting the record of the case in which the appeal is taken.

5. Special Permit Guidelines

- A. Unless otherwise specifically provided to the contrary, the Board of Appeals shall, before granting special permits, find that in its judgment all the following conditions are met:
 1. that the use is in harmony with the general purpose and intent of the bylaw;
 2. that the use is in an appropriate location and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district;
 3. adequate and appropriate facilities will be provided for the proper operation of the proposed use;
 4. that the proposed use would not be detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials or other visual nuisances;
 5. that the proposed use would not cause undue traffic congestion in the immediate area; and

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6. that a proper site plan has been filed with and approved by the Board of Selectmen, a copy of which must also be filed with the Board of Appeals along with the application for the special permit.

- a. The following are specifically exempted from this site plan requirement:

- (1) applications for a customary home occupation and light industrial activity under Article IX, III, A, 1, b;
- (2) applications for permits for raising of certain animals under Article IX, V, G;
- (3) applications for permits relative to use of Flood Plain Districts under Article IX, III, E, 4; and
- (4) applications for permits to extend or enlarge a pre-existing non-conforming building under Article IX, I, C, 3.

D. Penalty

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.

E. Invalidity

The invalidity of any section or provision of this bylaw shall not invalidate any other section or division thereof.

F. Effective Date

This bylaw shall take effect as provided by law.";

or act on anything relative thereto.

Submitted by the Planning Board.

Planning Board Report: (Mr. Edward W. Connors, Jr.)

This article brings the administration section of the existing bylaw in conformity with Chapter 808 which amends the Zoning Enabling Act, Chapter 40A, and becomes effective July 1, 1978. Approval of this article will eliminate confusion when administering Sudbury Zoning Bylaws.

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 32 in the Warrant for the 1978 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 approval by the Attorney General.

This article essentially incorporates a number of mandatory provisions under the new zoning law.

Section A under "Enforcement" provides that the Inspector of Buildings will enforce the Zoning Bylaw whereas the existing Bylaw places the enforcement authority and powers in the hands of the Board of Selectmen. The new law specifically requires that it be the Inspector of Buildings. The last paragraph under Section A, "Enforcement", in this proposed amendment makes a technical correction providing for an appeal to the Board of Appeals of a decision of the Inspector of Buildings. Technical changes made under the new law have required renumbering of the sections under "Administration" in the existing Zoning Bylaw to provide for inclusion of the additional provisions.

Section B, "Building and Special Permits", has been changed to comply with the new law in the last three paragraphs. These paragraphs seem to address the same problem and a technical correction may be forthcoming from the Legislature; however, the paragraphs are different. The third paragraph addresses construction under a special

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permit and compliance with the existing Bylaw. The six-month period relates to possible amendments to the Zoning Bylaw and if this paragraph is not complied with and any amendments are made which affect the property or construction, any new amendments will be controlling. The fourth and fifth paragraphs address the question of whether or not the special permit will lapse and must be again brought before the Board of Appeals if construction or use does not start within one year unless the holders of the special permit can show good cause. The specific provision of the new zoning law allows a period up to two years, but the recommendation under this article has not set forth the maximum period of time.

Section C.1 under this article provides for the appointment of the Board of Appeals by the Selectmen which does not change the Board of Appeals as presently constituted. The second paragraph simply provides for the appointment of Associate Members which is an optional provision allowed under the new zoning law.

Any special permit granting authority must be designated in the Zoning Bylaw and may be any one of the following: Board of Selectmen, City Council, Board of Appeals, Planning Board, or Zoning Administrator if one is provided for in the Zoning Bylaw. In the case of the Town of Sudbury the Zoning Administrator position would not apply at present.

Sections C.3 & 4 provide the procedural requirements for special permits, variances and appeals from decisions of an administrative officer of the Town, normally the Inspector of Buildings, to the Board of Appeals as required under the new zoning law.

Section C.5 simply sets forth special permit guidelines for the Board of Appeals and the remainder of this article is the same as the existing Zoning Bylaw.

After discussion, it was

VOTED: THAT THE TOWN AMEND THE ZONING BYLAW BY DELETING ARTICLE IX, VI, "ADMINISTRATION", AND REPLACING IT WITH A NEW SECTION VI, AS PRINTED IN ARTICLE 32 OF THE WARRANT FOR THIS MEETING EXCEPT THAT VI, C, 6, (4) SHALL READ:

"APPLICATIONS FOR PERMITS TO EXTEND OR ENLARGE A PRE-EXISTING NON-CONFORMING BUILDING OR USE UNDER ARTICLE IX, I, C, 3, AS APPLIED TO RESIDENCES ONLY."

In response to a question as to whether or not a two-thirds vote was required, the Moderator stated the vote was "nearly unanimous, much more than two-thirds".

Mr. William F. Toomey, Chairman of the Board of Selectmen, was then recognized and presented the following resolution which was

UNANIMOUSLY VOTED:

WHEREAS A TOWN IS A FAMILY, COMPOSED OF ALL THE GENERATIONS WHICH LIVE WITHIN ITS BORDERS. THE PERSONALITIES AND GIFTS OF ITS CITIZENS, AND ABOVE ALL, THE CHARACTER AND DEDICATION WHICH THEY CONTRIBUTE TO THAT "FAMILY" DEFINE ITS HONOR, ITS STANDARDS, ITS ACCOMPLISHMENTS AND ITS CHARACTER.

WHEREAS THE PAST YEAR HAS SEEN SOME VERY SPECIAL SONS AND DAUGHTERS OF SUDBURY PASS FROM LIFE, AND A GRATEFUL TOWN WISHES TO ACKNOWLEDGE THEIR GIFTS.

NOW, THEREFORE, BE IT

RESOLVED THAT THE TOWN OF SUDBURY, IN TOWN MEETING ASSEMBLED, HEREBY EXPRESSES ITS APPRECIATION FOR THE SPECIAL SERVICES AND GIFTS OF:

AMERICO A. BRIGANDI
1915 - 1977

A WOUNDED VETERAN OF THE BATTLE OF THE BULGE, "RICKY" BRIGANDI MOVED TO SUDBURY IN 1945, AND SOON BECAME A PERMANENT EMPLOYEE OF THE HIGHWAY DEPARTMENT, WHERE HE SERVED UNTIL HIS RETIREMENT IN 1976. A MAN OF MANY TALENTS, HE WAS A HEAVY EQUIPMENT OPERATOR, FOREMAN, BUT WAS BEST KNOWN AS THE IN-HOUSE CARPENTER OF THE DEPARTMENT. HE WAS A GOOD NEIGHBOR, FRIEND AND FELLOW WORKER.

EDITH F. JOHNSON
1900 - 1977

EDITH JOHNSON BROUGHT TO HER SERVICE AT THE GOODNOW LIBRARY A LIFE OF TALENT, LOVE AND QUIET HUMOR, BOUND BETWEEN COVERS OF GRACE AND COMMITMENT TO HER FELLOW MAN. BOOKS AND PEOPLE WERE HER LIFE, AND HER "GREEN THUMB" WAS AS EFFECTIVE FOR THE MANY HUMAN CAUSES SHE ESPOUSED AS FOR THE LIBRARY PLANTS SHE SO LOVINGLY TENDED. IN HER NINE YEARS AT GOODNOW FROM 1967-1975 SHE SHARED WITH MANY THE PAGES OF THE HUMAN MIND.

CLARENCE W. LOUD, JR.
1913 - 1978

TALL, SPARE, GREGARIOUS, BILL LOUD CAME TO SUDBURY IN 1951 AND SOON WAS IMMERSSED IN THE COMMUNITY. A CORNELL GRADUATE AND OFFICER IN THE NATIONAL SHAWMUT BANK, HE WAS SOON SINGLED OUT FOR A THREE-YEAR TERM ON THE FINANCE COMMITTEE AND ALSO LENT HIS ADVICE AS A MEMBER OF THE LOW COST SCHOOL HOUSING COMMITTEE FROM 1955 TO 1956. PRESIDENT OF KIWANIS, AND ACTIVE SUPPORTER OF THE SUDBURY PLAYERS, BILL LOUD LEFT HIS MARK UPON A WARMLY APPRECIATIVE TOWN.

EARL F. NAUSS, JR.
1924 - 1977

SERVED AS SUDBURY'S TOWN COUNSEL FROM 1966 TO 1969. HIS PATIENT, PRACTICAL AND DOWN-TO-EARTH ADVICE WAS OF INFINITE HELP TO SUDBURY'S OFFICIAL FAMILY. A GRADUATE OF BOSTON UNIVERSITY SCHOOL OF LAW, EARL NAUSS HAD A DEEP UNDERSTANDING OF SUDBURY'S VIGOROUS AND OFTEN UNORTHODOX GOVERNMENT, AND HE SERVED IT WITH A KINDLY GOOD HUMOR AND LOVING TOLERANCE.

PHYLLIS A. PHELPS
1904 - 1977

SOMETIMES PUBLIC LIFE IS NOT JUST EQUATED WITH PUBLIC SERVICE, BUT WITH THE VERY FABRIC OF THE TOWN. PHYLLIS PHELPS SERVED ON THE COUNCIL ON AGING STUDY GROUP FROM 1972 TO 1973, WHERE SHE WAS AMONG THE FIRST TO ATTACK THE PROBLEM OF THE ROLE OF THE ELDERLY WITH A DETERMINATION AND VIGOR THAT WOULD HAVE EXHAUSTED FAR YOUNGER PEOPLE. CONCERN, BOUNDLESS ENERGY, AND BLUNT FIRMNESS WERE HER SPECIAL TRAITS. HER LOVE FOR THE TOWN AND HER VERY SPECIAL ATTACHMENT TO THE WAYSIDE INN, WHERE SHE WORKED FOR TWENTY-SIX YEARS, WERE EVIDENT. HER TRIM, ERECT FIGURE WAS A FAMILIAR ONE IN THE AMERICAN LEGION AUXILLIARY UNIT OF COUNTLESS TOWN PARADES.

JAMES HENRY POWERS
1892 - 1977

SUDBURY WAS A VERY SPECIAL PLACE TO JAMES H. POWERS. ITS NEW ENGLAND CHARACTER INSPIRED MANY OF THE "UNCLE DUDLEY" EDITORIALS HE WROTE FOR THE BOSTON GLOBE. A STUDENT OF WORLD HISTORY, AND OF THE IMPORTANCE OF BASIC, NATURAL ELEMENTS TO MAN, HE HELPED PLAN AND CREATE THE SUDBURY WATER DISTRICT. CHAIRMAN OF THE TOWN WATER COMMITTEE IN 1933, AND CHAIRMAN OF THE BOARD OF WATER COMMISSIONERS FROM 1936 TO 1942 HE BROUGHT THE FIRST FEDERAL FUNDS TO SUDBURY FOR THE WATER DISTRICT WHICH TODAY IS ONE OF THE FINEST IN THE STATE. HE LENT HIS PROFESSIONAL TALENTS TO THE PUBLICITY COMMITTEE OF THE SUDBURY TERCENTENARY COMMITTEE AND ASSISTED IN PREPARING THE BRIEF HISTORY OF SUDBURY PUBLISHED AT THAT TIME.

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CALVIN B. SMITH
1898 - 1977

QUIET, RESERVED, AND DEEPLY CONCERNED ABOUT THE UNFOLDING CHANGES WHICH WERE OCCURRING IN THE CHARACTER OF SUDBURY, CALVIN B. SMITH GAVE YEARS OF DIRECTION TO THE PLANNING, ZONING AND AESTHETIC CONCERNS OF SUDBURY SERVING ON THE BOARD OF APPEALS FROM 1947 TO 1959 AND FROM 1962 TO 1968. HE WAS A MEMBER OF THE COMMITTEE FOR COMBINING VARIOUS TOWN DEPARTMENTS IN 1953-4 AND SERVED ON THE HISTORIC DISTRICTS COMMISSION FROM 1963 TO 1971. HIS CARE AND CONCERN PARTICULARLY DURING THE YEARS OF THE GREATEST GROWTH PRESSURE UPON THE TOWN CONSTANTLY REMINDED US OF THE BROADER QUESTIONS OF COMMUNITY IDENTITY AND IMAGE.

VOTED: TO ADJOURN UNTIL TOMORROW NIGHT AT 8 O'CLOCK.

The meeting adjourned at 10:58 P.M.

[Number of names marked on the voting list as having attended the meeting: 607]

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 11, 1978

The Moderator called the meeting to order at 8:08 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

ARTICLE 33: To see if the Town will vote to amend Article IX, VI, C, of the Zoning Bylaw entitled "Board of Appeals", by adding the following as part "6":

Amend
Bylaws

"6. Use Variance Guidelines

Art. IX,
VI, C, 6

Use
Variance
Guidelines

- A. The Board of Appeals may grant a use variance, provided statutory variance requirements of General Laws, Chapter 40A, are met, only on lots that conform to one or more of the following conditions:
1. Expiration of the time limit specified for a previously granted use variance;
 2. Existence prior to January 1, 1978, of uses of the same general classification as the use variance applied for, on lots adjoining the lot in question on both sides, or, if the lot in question is a corner lot, on both sides and the rear;
 3. Existence on an adjoining lot of a use of such nuisance characteristics as to render unreasonable any conforming use of the lot in question; and
 4. Existence on the lot in question of a structure or structures in good repair and of appearance compatible with its vicinity which can reasonably be maintained as a visual and taxable asset only if some non-conformity of use is permitted.
- B. The use variance may be granted only if the Board of Appeals makes all of the findings required by Article IX, VI, C, 5, "Special Permit Guidelines" in addition to the findings required by statute for a variance, and further subject to all of the following limitations:
1. The extent of the use nonconformity as to floor space, bulk, number of occupants or other relevant measure shall be no greater than the minimum necessary to provide relief from the statutory hardship;
 2. The operation of the use nonconformity as to hours, noise, level of activity or other relevant ways shall be so restricted as to assure compatibility with conforming uses in the vicinity; and
 3. If the use is authorized under A, subparagraph 2 or 3 above by the prior existence of adjoining nonconformities or incompatibilities:
 - a. The use nonconformity on the lot in question shall be permitted no further from such prior adjoining conditions as the width of the lot or 100 feet, whichever is less; and
 - b. The use nonconformity shall be terminated within one year of the time when such adjoining conditions have been terminated, except that the Board of Appeals may grant a special permit for a further delay of not more than five years."

or act on anything relative thereto.

Submitted by the Planning Board.

Planning Board Report: (Mr. Connors)

This article adds use variance guidelines to Sudbury's Zoning Bylaws. Sudbury's current Zoning Bylaw allows the Board of Appeals to grant use variances without specifying guidelines. The guidelines in Article 33 do an effective job of controlling use variances.

April 11, 1978

Chapter 808 states that use variances must be expressly authorized by local ordinances or bylaw. If use variances are not explicitly allowed by ordinance or by bylaw, no variance may authorize a use or activity not otherwise permitted in the district where the land or structure is located.

Therefore, the choice before Town Meeting is to 1) pass Article 33 by a two-thirds vote and place restrictions on the type of use variance now granted, 2) to defeat Article 33 and thereby not allow any use variances, and 3) pass Article 33 without use guidelines and continue the status quo.

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 33 in the Warrant for the 1978 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 approval by the Attorney General.

This article would allow the Board of Appeals to grant a variance to provide for a use other than that which is allowed in a particular district. This is necessary under the new zoning law which provides that no use variances may be granted unless specifically allowed under the Zoning Bylaw. This article adds to the present Zoning Bylaw and has no counterpart therein providing the conditions under which the so-called "use variances" may be granted.

Mr. Donald D. Bishop then moved to amend Article 33 by inserting the word "lawful" in paragraph A. 3, "Existence on an adjoining lot of a lawful use...", and in paragraph A. 4, "Existence on the lot in question of a lawful structure..."

In support of his amendment Mr. Bishop commented as follows:

It is my uninformed feeling that that is the intent. I am convinced that putting that word in these two places will create a situation which will prevent builders' representatives from going before the Board of Appeals saying, "There is a use on the next lot". Then we will have to decide whether that use was what was meant by us tonight at this Town Meeting. I believe that we are setting a Bylaw under which the Board of Appeals will operate, and the Bylaw should be very clear to the Board of Appeals in direction and to the petitioners to the Board of Appeals for their guidance. I am convinced that the insertion of this word will help the Board of Appeals and us in the future in the administration of this Bylaw.

Mr. Bishop's amendment was voted.

UNANIMOUSLY VOTED: THAT THE TOWN AMEND ARTICLE IX, VI, C, OF THE ZONING BYLAW ENTITLED "BOARD OF APPEALS", BY ADDING A NEW PART "6" ENTITLED "USE VARIANCE GUIDELINES", AS PRINTED IN ARTICLE 33 OF THE WARRANT FOR THIS MEETING EXCEPT THAT THE WORD "LAWFUL" SHALL BE INSERTED BETWEEN THE WORDS "A" AND "USE" IN PARAGRAPH A.3. AND BETWEEN THE WORDS "A" AND "STRUCTURE" IN PARAGRAPH A.4.

ARTICLE 34:	To see if the Town will vote to amend Article IX, III, B, 1, i, and
Amend	Article IX, III, C, 2, d, of the Zoning Bylaw by striking the language
Bylaws	of these sections therefrom and adding in each case the following:
Art. IX,	"Such similar uses as the Board of Appeals may approve and
III, B & C	grant special permits therefor, which meet the guidelines
Similar	for approval as found in Article IX, VI, C, 5, "Special
Uses	Permit Guidelines", of this Bylaw.;"
	or act on anything relative thereto.
	Submitted by the Planning Board.

Planning Board Report: (Mr. Connors)

This article changes the existing Bylaw in such a way as to require conformity with the Special Permit Guidelines specified in Article 32 of this Warrant. Special Permit Guidelines are specified in paragraph 5 of Article 32. The way it reads now, it says, "Such similar uses as the Board of Appeals may approve and grant special permits therefor". This just adds the words "which meet the guidelines for approval as found in Article IX, VI, C, 5, Special Permit Guidelines".

April 11, 1978

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 34 in the Warrant for the 1978 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 approval by the Attorney General.

This article would allow similar uses in the opinion of the Board of Appeals as the allowed uses, even though not specifically identified, and would be similar to use variances without allowing for specific use variances. The reason for this provision is to allow the type of use under a special permit which does not require the same severe conditions as are required for a variance. This language has been changed to provide the implementation of the guidelines set forth under Article 32 clarifying the factors taken under consideration by the Board of Appeals in granting special permits.

UNANIMOUSLY VOTED: THAT THE TOWN AMEND ARTICLE IX, III, B, I, i, AND ARTICLE IX, III, C, 2, d, OF THE ZONING BYLAW BY STRIKING THE LANGUAGE OF THESE SECTIONS THEREFROM AND ADDING IN EACH CASE THE FOLLOWING:

"SUCH SIMILAR USES AS THE BOARD OF APPEALS MAY APPROVE AND GRANT SPECIAL PERMITS THEREFOR, WHICH MEET THE GUIDELINES FOR APPROVAL AS FOUND IN ARTICLE IX, VI, C, 5, 'SPECIAL PERMIT GUIDELINES' OF THIS BYLAW."

ARTICLE 35: To see if the Town will vote to amend each of the following sections of the Zoning Bylaw:

Amend
Bylaws

1) Article IX, III, C, 1, add new paragraph "e";

Art. IX,
III, C & D

2) Article IX, III, C, 2, add new paragraph "j";

3) Article IX, III, C, 3, a, (4), delete and replace; and

Scientific
Research
or Devel-
opment

4) Article IX, III, D, (c), delete and replace,

in each case set forth, the new paragraph or replacement to read as follows:

"Uses, whether or not on the same parcel as activities permitted as a matter of right, accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit provided the granting authority finds that the proposed accessory use does not substantially derogate from the public good.";

or act on anything relative thereto.

Submitted by the Planning Board.

Planning Board Report: (Mr. Connors)

This article changes the existing Bylaw in such a way as to require conformity with the Special Permit Guidelines as specified in Article 32 of this Warrant.

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 35 in the Warrant for the 1978 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 approval by the Attorney General.

This article provides for special permits to allow scientific development or research activities as accessory uses to related production activities which are permitted by right. The new zoning law makes mandatory the inclusion of this type of provision in all zoning bylaws. The law also requires that the provision include the language contained in the last sentence which states "that the proposed accessory use does not substantially derogate from the public good." This article is a technical addition required by the new zoning law.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

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ARTICLE 36: To see if the Town will vote to amend the Zoning Bylaw by deleting Article IX, I, C, 3, "Extension and Enlargement", and substituting the following:

Amend Bylaws

Art. IX,
I, C, 3

Extension & Enlargement

"3. Extension and Enlargement. The Board of Appeals by special permit may authorize a non-conforming use to be extended or a non-conforming building to be structurally altered or enlarged; provided that such extension, alteration or enlargement meets all the following requirements:

- 1) All the special permit guidelines of Article IX, VI, C, 5;
- 2) That it will alleviate a clearly demonstrable hardship; and
- 3) That it will not be substantially more detrimental or objectionable to the neighborhood than the existing non-conforming use.";

or act on anything relative thereto.

Submitted by the Planning Board.

Planning Board Report: (Mr. Connors)

Extension and enlargement of pre-existing, non-conforming structures or uses is currently allowed with authorization from the Board of Appeals. This change will allow a special permit to be issued by the Board of Appeals for such extension and enlargement only if the special permit guidelines as specified in Article 32 of this Warrant are complied with.

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 36 in the Warrant for the 1978 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 approval by the Attorney General.

This article requires that when a non-conforming use or structure is to be extended or altered the permit granting authority, or a special permit granting authority, must make a finding as set forth in sub-section three of the proposed amendment, "That it will not be substantially more detrimental or objectionable to the neighborhood than the existing non-conforming use." The remainder of this article is to bring such extension into conformance with the special permit guidelines recommended in Article 32 and to provide guidelines for the Board of Appeals in making the determination as to whether or not a non-conforming use will be extended or altered.

UNANIMOUSLY VOTED: THE ARTICLE AS PRINTED IN THE WARRANT.

ARTICLE 37: To see if the Town will vote to have the Planning Board establish a subcommittee made up of at least five citizens (not Planning Board members) to continue the work of the Housing Issues Study Group as authorized under Article 26 of the 1977 Annual Town Meeting, to specifically prepare articles for the 1979 Annual Town Meeting which would amend Article IX, Zoning Bylaw, to allow the following new types of residential classifications:

Extend Housing Issues Study Group

1. Multi-unit housing
2. Planned Residential Developments
3. Transfer Development Rights
4. Cluster Zoning

or act on anything relative thereto.

Submitted by the Planning Board.

Mr. John C. Cutting of the Planning Board moved *Indefinite Postponement*.

Planning Board Report: (Mr. Cutting)

Article 37 was intended to continue the work of the Housing Issues Study Group which was established for a one year period at last year's Town Meeting. This year the Study Group was to dig deeper and try to put into writing some bylaw proposals for consideration at the 1979 Town Meeting.

In submitting this Article, the Planning Board conceived of a Committee that would work in conjunction with the Town Planner. This article proposes a complex undertaking, and it is felt that if competent professional advice is not going to be available, the Study Group should have some resources to confer with outside consultants. No additional funds had initially been considered necessary for this article, and we do not have proper information to consider amending the article to provide some consulting funds at this time.

The Board feels that the question of housing alternatives is too important to risk failure by undertaking too grandiose a scheme of broad scope without providing adequate support to do it properly. This should not in any way be construed as a retreat by the Planning Board on the issues of housing alternatives. There is consensus within the Board to actively pursue at least one of these alternatives within the next year on our own. It is, I reiterate, simply a recognition that the task is too great for a citizens' committee to undertake properly without professional assistance of some kind.

Finance Committee Report: Although this sub-committee can be established without Town Meeting approval, the housing issues are of sufficient importance to justify an article for the Town to express its views on this subject. Recommend Approval.

VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 38: To see if the Town will vote to amend Article IX of the Bylaws (Zoning Bylaw), Section II, C, by deleting Shopping Center District No. 1 in its entirety; or act on anything relative thereto.

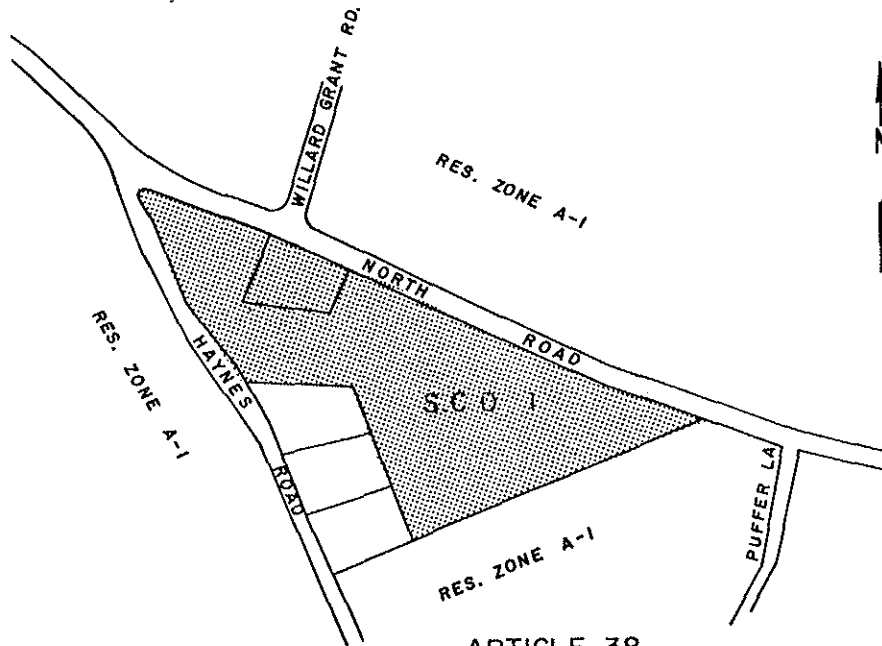
Amend
Bylaws

Art. IX,
II, C

Rezone
Shopping
Center
District #1

Route 117

Petition



ARTICLE 38

(REZONE SHOPPING CENTER DISTRICT, RT 117)

Petitioners' Report: (Mr. Kerney W. Bolton)

Shopping Center District No. 1 is located at the intersection of Haynes Road and North Road or Route 117. All of the area surrounding Shopping Center District No. 1 is zoned as Residential District A-1. The Brigandi property in the shaded area on the plan is about one acre. The remaining shaded portion of the zone is approximately eleven acres and is held by a single party for commercial development.

The total area is larger than either Mill Village on Route 20 or Village Green in the center of Town.

Prior to 1964, this property was all part of a Residential District A-1. At the Annual Town Meeting in 1964, it was rezoned into Shopping Center District No. 1 for what appeared then to be good long range planning reasons.

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Since that time, the zone has remained unused and undeveloped. It was stripped of its top soil years ago and has remained an unsightly mess ever since.

We believe that we can now conclusively demonstrate that the planning considerations that originally dictated creation of this zone no longer exist and that the zone should now be returned to Residential District A-1.

The Master Plan for Sudbury was published in 1962 and remains to this day the only comprehensive study of Town needs including zoning. The Master Plan set as a guideline that convenience shopping be provided within a two mile radius of every home in Sudbury. It cited the location of District No. 1 as the ideal location to serve North Sudbury. Clearly, there was a need for convenience shopping and for District No. 1 in 1964.

However, today, there are only two small areas that lie beyond the two mile radius of convenience shopping. We are convinced that the original intent of the zone has been met through the construction of stores in other locations. We believe that if the zoning continues to exist, sooner or later it will be developed and that such a development is not in the best long range planning interests of the Town.

On this basis alone, we believe that the elimination of District No. 1 is necessary. However, we would also like to offer the following ideas for your consideration.

Shopping Center District No. 1 is not an economically viable zone as presently established by the Zoning Bylaw. First, it has remained vacant for fourteen years. Clearly, the business community does not view it as a prime location. Second, the size of the parcel and the shape of it and the Zoning Bylaw restrictions placed upon its use make it very difficult to develop. There is a long history of appeals and variances and changes to the parcel by would-be developers.

In April 1964, a variance was requested to allow a gas station. In October of 1968, an industrial variance was asked, and Town Meeting of 1969 was asked to add several acres to the zone. Finally, in 1971, variances regarding parking and setback were requested. In each case, it was argued that the zone as presently constituted made development very difficult.

Two miles to the east at a much smaller convenience shopping facility located in Concord at Nine Acre Corner, frequent vacancies and business failures have occurred. Recently, one older building was torn down.

Can a larger complex of stores located two miles to the west on the very same road ever be expected to do better? We think not.

Development of District No. 1 we believe will also create an unnecessary hazard. The District is located on a curve on Route 117 which is well known by the Sudbury Police and Fire Departments as the location of frequent serious accidents. The Middlesex County Commissioners recognized this hazard years ago and placed notice on the deed of the major parcel in District No. 1 that it is subject to a taking for the purpose of relocation of Route 117.

Every site plan submitted over the years for the development of District No. 1 has called for shoppers to enter or leave this facility at or very close to this dangerous curve.

Construction on this site would also place stores within a short distance of Haynes Elementary School. The Haynes School will then be far closer to stores and congestion than any other elementary school in Town. Survey results obtained from the Sudbury Public School Central Office indicate the following status as of January 4, 1978. Number of students living within the statutory one and one-half mile radius of each school: Nixon - 92; Loring - 107; Fairbank - 160; Haynes - 333. Of course, only a small fraction of these children presently walk to Haynes School. However, as the Haynes walkway system is built, it is clear that shopping center traffic will present a real hazard to a very large percentage of our K through 4 school population.

The petitioners also believe that the establishment of a large shopping area at this location will cause a major change in the character of North Sudbury. At the present, the total inventory of active retail businesses in the area includes just one pub and two nurseries.

Surveys of Town residents have consistently shown that Sudbury's semi-rural character is a major attraction. The attractiveness of this Town and the value of its real estate is in large measure dependent upon the preservation of this semi-rural image.

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The area surrounding District No. 1 is an enormous resource which is a major component of this image. Allowing unneeded stores to be built in the middle of this region will detract not only from the immediate area but from the entire Town.

Finally, the vast majority of residents in the area favor rezoning. As early as Annual Meeting, March 1966, and again at Special Town Meeting, October 1971, area residents presented articles by petition to rezone this district back to residential. Area residents have consistently appeared in large numbers at all hearings and meetings during the past fourteen years involving District No. 1 variance appeals and warrant articles. They have always expressed overwhelming disapproval of this zone.

The petition for the article which we are considering tonight was signed by 150 area residents. Several hundred others have expressed their support to us since. There has probably never been a better time than right now to rezone District No. 1.

We believe we have demonstrated that the zone is no longer needed. For one of the few times in the past fourteen years, there is no approved site plan for the development of the property. The major portion of the zone was sold at public auction less than two weeks ago for less than \$9,000 per acre, a price well below its residential value, to an agent who had full knowledge of this warrant article.

The Brigandi family that owns the other one acre in the zone resided in their present home long before the property was rezoned for shopping center use. They are aware of the zone's history and have been given notice of this article and the right to be heard by the Planning Board well beyond the requirements of law.

The Planning Board is also well aware of the long history of this zone and has had ample time over many years to render a well documented position. Please join with us in returning this land to its original and most appropriate use as part of Residential District A-1.

Mrs. Laura S. Ely then continued the report for the Petitioners as follows:

Our purpose in being here this evening is to ask for your support for Article 38. Our concern as parents is for the safety of our children. When this parcel of land was rezoned from residential to shopping center some fourteen years ago, several of the neighborhood roads were primarily farm land.

The child density has radically increased since then. At the present time, the children must walk and bicycle on dangerous narrow roads without walkways. Buses and cars can barely squeeze by each other. With any increase in traffic generated by a shopping center, these roads could become treacherous.

The playground behind the school is used during off-school hours as well as in the summer for a Park and Recreation program. We who would have the most to gain by the convenience of a nearby shopping complex would also have the most to lose by the increase in traffic.

Route 117 is a hazardous road. There have been frequent accidents including two recent fatalities near the proposed shopping center entrance.

Besides the safety aspects, we want to preserve the rural feeling of our community. We therefore ask for your support in rezoning the land back to residential. Help us keep the Haynes Elementary School District free from the hazards of shopping center traffic so that these young children's lives are not jeopardized. We implore you. Don't postpone this any longer. Please think of the safety of our children and vote in favor of Article 38.

Finance Committee Report: (Mr. Edward L. Glazer)

The Finance Committee held a hearing on this article after the Warrant went to the printer and that is why our report is not contained therein. This land has been zoned for convenience shopping for something like fourteen years, and there is no sign that business intends to establish itself there. This appears to be, and we can only speculate, due to the present shape of the land and its access.

It is the Finance Committee's opinion that it is in the interest of the Town to rezone this to residential so that we might gain some tax revenue from it. We are in favor of the article.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 38 in the Warrant for the 1978 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 approval by the Attorney General.

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Mr. Edward W. Connors, Jr., Chairman of the Planning Board, then moved Indefinite Postponement.

Planning Board Report: (Mr. Connors)

The Planning Board, four in favor, one abstention, recommends Indefinite Postponement until such time as the Sudbury Master Plan of 1962, upon which the original rezoning to business was based in 1964 and because of which all subsequent attempts at rezoning were defeated, can be comprehensively reviewed and updated by a qualified planning consultant as well as adopted by town meeting action.

After discussion, Mr. Connors' motion for Indefinite Postponement was defeated.

Upon a motion made by Mr. Bolton, it was

VOTED: THAT THE TOWN AMEND ARTICLE IX OF THE ZONING BYLAW, SECTION II, C, BY DELETING SHOPPING CENTER DISTRICT NO. 1 IN ITS ENTIRETY.

In favor - 443; Opposed - 53. (Total - 496)

ARTICLE 39: To see if the Town will vote to amend Article IX, Section IV, of the Zoning Bylaw by adding thereto a new subparagraph D entitled "Open Space Residential District" as follows:

Amend
Bylaws

Art. IX, IV

Open Space
Residential
District -

Definition
& Control

Petition

"OPEN SPACE RESIDENTIAL DISTRICT"

1. General Requirement

The Planning Board may grant a special permit for the purpose of developing mixed-income housing in an Open Space Residential District subject to the conditions specified herein. The Planning Board is hereby designated as the special-permit granting authority for the purposes of this section.

2. Definitions

An Open Space Residential Development (OSRD) shall mean a residential development of land containing a minimum of 30 acres in which a mixture of residential and open space use and a variety of building types are determined to be sufficiently advantageous to render it appropriate to grant special permission to depart from the normal requirements of the district to the extent authorized herein.

Open Space Land shall mean land reserved and excluded from division into lots in the OSRD and (a) to be owned and maintained in common by the property owners in said OSRD, or (b) to be conveyed to and maintained by the Town, or (c) to be conveyed to a separate non-profit entity and maintained for the sole and exclusive purposes of land conservation, and/or recreational use by the inhabitants of the Town of Sudbury, or for such use by said property owners as the case may be. No buildings shall be permitted on open space land except buildings accessory to recreation or conservation use. Such buildings shall not occupy more than 2 1/2 per cent of the open space land. No single building shall be larger than 500 square feet, greater than one story in height, nor closer than 50 feet to any other building.

3. Intent

The major purpose of the OSRD, in addition to the purposes governing this Zoning Bylaw, is to provide for a mixture of housing types at certain locations and in certain districts in the Town at somewhat greater densities than would normally be allowed in each district without detracting from the livability and esthetic qualities of the environment and to provide housing for a variety of income ranges.

The OSRD should result in:

- A. Residential Amenity: A more agreeable proportion of open space to developed lots, with the open space to be considered an adjunct to residential use.
- B. Conservation: Preservation of open space for the benefit of the community.

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- C. Economic and efficient street, utility and public facility installation, construction and maintenance.
 - D. A variety of housing types and characteristics appropriate to various social and economic groups, at a lower cost than might ordinarily be the case.
 - E. Efficient allocation, distribution, and maintenance of common open space.
 - F. Land use harmonious with natural features.
 - G. The development and protection of real property values for the long-range future.
4. Use Regulations
- In the OSRD, the following uses shall be permitted:
- A. one-family dwelling
 - B. town houses (one-family attached dwellings)
 - C. two-family or semi-detached dwellings
 - D. multi-family dwellings
 - E. nursery or kindergarten
 - F. place of worship
 - G. public or nonprofit educational use
 - H. governmental use
 - I. accessory uses as regulated in this bylaw
 - J. signs as regulated in this bylaw
5. Dimensional Regulations
- In the OSRD, the following requirements relating to the density and intensity of land use shall be met:
- A. Minimum total area: 30 acres
 - B. Maximum number of dwelling units shall not exceed the following:
 - 30 - 44.9 acre parcel: 93 units plus one unit per acre over 30 acres.
 - 45 acre parcel or larger: 135 units plus one unit per acre over 45 acres. See Table 1.
 - C. Maximum height of structures as regulated in Table 2.
 - D. Minimum open space land per OSRD: 25 per cent of total tract. No individual parcel for open space land use shall be smaller than 25,000 square feet. An additional 15 per cent of the gross acreage shall be used or reserved for active recreational use (a total of 40 per cent for passive and active recreation).
 - E. Only 25 per cent of land unusable because of conservation easements, floodplain, wetlands, or other deed restrictions shall be used in calculating density of housing. Only 50 per cent of such unusable land shall be credited toward meeting open space requirements.
 - F. A 100-foot wide open space buffer shall be provided on all property lines.
 - G. Maximum percentage of dwelling units of any one type of permitted housing: 65 per cent.
 - H. Minimum parking requirements: as regulated in this bylaw.
 - I. All land shall be designated for a specific use on the developer's plan prior to Planning Board approval.
6. Other Requirements
- A. A minimum of 25 per cent and a maximum of 75 per cent of all units shall be occupied by families with income less than 80 per cent of the median income in the local housing market, as defined by the Federal Housing Administration.

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- B. The proposed development shall be in harmony with the comprehensive plan of the community, as prepared, approved and amended by the Planning Board.
- C. At the election of the owner, all open space land shall be either owned and maintained in common by the owners of all lots in the development or conveyed and maintained by the Town or conveyed and maintained by a nonprofit trust or corporation for permanent open space or recreational use by such owners or the Town. Except when the open space land is conveyed to the Town in fee, a covenant running with the land shall be given to the Town of Sudbury stating that such land shall not be subdivided, built upon or used, except for open space purposes as defined herein.

7. Procedural Controls

The owner or owners of a parcel of land seeking approval for an Open Space Residential Development shall submit to the Planning Board an application for a special permit, together with plans and a filing fee, in accordance with the provisions for site plan review in Section V of the Zoning Bylaw and in accordance with the additional provisions of this section.

The Planning Board shall hold a public hearing in accordance with the requirements of Chapter 40A of the General Laws and shall take final action on an application for a special permit within 90 days following such hearing.

A special permit for an OSRD issued hereunder by the Planning Board is primarily an authorization for the use of lots which have less than the normal minimum area and/or frontage. Subsequent approval by the Planning Board of such portions of the development as constitute a subdivision will be required as set forth in the Subdivision Control Law, Chapter 41, G.L., sections 81-A to 81-GG, G.L., including approval of the street and utility systems. A favorable recommendation by the Planning Board that the special permit be issued under this provision shall not, therefore, be deemed to constitute subdivision approval under the Subdivision Control Law or the Subdivision Rules and Regulations of the Planning Board.

8. Standards for Reviewing and Approving Open Space Residential Developments

The Planning Board shall recommend approval of the Open Space Residential Development application and plan only if it finds the Open Space Residential Development satisfies all of the following standards:

A. General Standards

The Open Space Residential Development shall provide for an effective and unified treatment of the development possibilities on the project site, making appropriate provision for the preservation of scenic features and amenities of the site and the surrounding areas.

The Open Space Residential Development shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.

The uniqueness of each proposal for an Open Space Residential Development requires that the specifications for the width and surfaces of the streets, ways for public utilities, for curbs, gutters, sidewalks, street lights, storm water drainage, water supply and distribution, sanitary sewers and sewage collection and treatment shall be subject to modification from the specifications established in the Rules and Regulations Governing the Subdivision of Land in the Town of Sudbury, Massachusetts, and as amended from time to time. The Planning Board may recommend that the specifications otherwise applicable for a particular public facility may be waived or modified (provided that such modification shall not apply to the material of said

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construction and shall not produce construction of inferior quality to that required in the Rules and Regulations Governing Subdivision) when such waiver or modification is not inconsistent with generally approved design standards.

The Planning Board shall recommend the installation or the furnishing of a performance guarantee in lieu thereof, of all or any of the following improvements it may deem to be necessary or appropriate: street grading, pavement, gutters, curbs, sidewalks, street lighting, shade trees, landscaping, surveyor's monuments, water mains, culverts, bridges, storm sewers, sanitary sewers or other means of sewage disposal, drainage facilities or structures and other improvements as the Planning Board may require or deem necessary in the public interest.

The Planning Board may recommend phases for the completion of improvements in sections of the Open Space Residential Development and recommend minimum improvement completion requirements necessary for the issuance of certificates of zoning compliance in any section.

B. Design Standards

All buildings in the layout and design shall be an integral part of the development and have convenient access to and from adjacent uses and roadways.

Individual buildings shall be related to each other in design, masses, materials, placement and connections to provide a visually and physically integrated development. Detached buildings shall be separated by a minimum of 20 feet or 0.75 per cent of the building height times its length whichever is greater.

Treatment of the sides and rear of all buildings within the Open Space Residential Development shall be comparable in amenities and appearance to the treatment given to street frontages of these same buildings.

All building walls shall be so oriented as to insure adequate light and air exposures to the rooms within.

All buildings shall be arranged so as to avoid undue exposure to concentrated loading or parking facilities wherever possible, and shall be oriented so as to preserve visual and audible privacy between adjacent buildings.

All buildings shall be arranged so as to be accessible to emergency vehicles.

All utilities shall be placed underground.

C. Landscape Design Standards

Landscaped treatment for plazas, roads, paths, service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area.

Primary landscape treatment shall consist of shrubs, ground cover, and trees, and shall be combined with appropriate walks and street surfaces to provide an attractive development pattern. Landscape materials selected should be appropriate to the local growing conditions.

Whenever appropriate, existing trees shall be preserved and integrated into the landscape design plan.

All streets contained within and bordering the project area shall be planted at appropriate intervals with street trees.

Whenever possible the existing terrain shall be preserved and land-moving shall be kept to a minimum.

D. Circulation System Design Standards

There shall be an adequate, safe, and convenient arrangement of pedestrian circulation facilities, driveways, roadways, off-street parking, and loading spaces.

Roads, pedestrian walks and open space shall be designed as an integral part of the overall site design. They shall be properly related to existing and proposed buildings, and appropriately landscaped.

There shall be an adequate amount, in suitable location, of pedestrian walks, malls, and landscaped spaces in order to discourage pedestrian use of vehicular ways and parking and loading spaces; and to separate pedestrian walks, malls and public transportation loading spaces from general vehicular circulation facilities.

Buildings and vehicular circulation open spaces shall be arranged so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic.

Landscaped, paved and comfortably graded pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas and adjacent buildings.

The location and design of pedestrian walks should emphasize desirable views of new and existing development in the area.

The maximum separation of private automobiles and service vehicles shall be provided through the use of separate service lanes.

Material and design of paving, lighting fixtures, retaining walls, bulkheads, fences, curbs, benches, etc., shall be of good appearance, easily maintained and indicative of their function.

E. Parking Standards

Off-street parking facilities shall be landscaped and screened from public view to the extent necessary to eliminate unsightliness and the monotony of parked vehicles.

Pedestrian connection between parking areas and buildings shall be via special pedestrian walkways.

Parking facilities shall be designed with careful regard to arrangement, topography, landscaping, ease of access, and shall be developed as an integral part of an overall site design.

F. Common Open Space

A minimum of 25 per cent of an Open Space Residential Development site area shall be developed as open space, excluding walkways, plazas, landscaped areas, recreation areas, tennis courts, pools, and fountains. Parking areas and vehicle access facilities shall not be considered in calculating open space. A maximum of 40 per cent of the Open Space Residential Development site area shall be covered by impervious waterproof surface.

1. Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements in the common open space must be appropriate to the uses which are authorized for the common open space.
2. The development schedule must coordinate the improvement of the common open space, and the construction of residential dwellings.

9. Development Review

A Development Review Team shall be established composed of one representative of each of the following:

Water District	Fire Department
Building Inspector	Selectmen
Highway Department	Conservation Commission
Board of Health	Police Department
Town Engineer	

A preapplication review conference shall be held with the Planning Board and the Review Team at least 15 days prior to the submission of an application for special permit for an Open Space Residential Development. In addition, at the time application for a special permit is submitted to the Planning Board, copies shall be submitted to members of the Review Team and further meetings with the Review Team shall be called by the Planning Board as deemed appropriate.

At the time of applying for the special permit, the applicant shall provide a statement of community and environmental impact including potential impacts of the proposed development as related to tax rate, school enrollment, traffic, solid waste disposal, water supply, sewage disposal, ground water, drainage and similar concerns.

The Planning Board may appoint a Design Review Committee composed of 3 to 5 local residents qualified by training or experience in the fields of architecture, landscape architecture or civil engineering.

Table 1
Units Allowed for Parcels of Varying Size

30 acres.....	93 units	45 acres.....	135 units
31	94	46	136
32	95	47	137
33	96	48	138
34	97	49	139
35	98	50	140
36	99	51	141
37	100	52	142
38	101	53	143
39	102	54	144
40	103	55	145
41	104	56	146
42	105	57	147
43	106	58	148
44	107	59	149
		60	150

Table 2
Dimensional Standards in Open Space Residential Developments

Use	Minimum Lot Size(5) (Sq.Ft.)	Minimum(2) Frontage (Feet)	Yard Setbacks(3) (Feet)			Maximum Height (Feet)
			Front	Side	Rear	
Detached Single-Family House	15,000	100	25	20	30	35
Two-Family or Semi-Detached	20,000	100	25	25(1)	30	35
Multi-Family	40,000	150	50	30(1)	40	35
Town Houses(4)	3,000(6)	30	20	20(1)	20	35
Public or Semi-Public Building	15,000	100	25	20	30	35

(1) A side yard need not be provided if dwelling shares a party wall or double wall with a neighboring dwelling.

(2) Where lots front on a turn-around (cul-de-sac) or concave curve with a radius of 100 feet or less, frontage shall be measured at the front building line.

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- (3) These setbacks shall apply only to streets and adjoining property within the OSRD. Setbacks from existing streets and property adjoining the OSRD shall conform to the requirements of the OSRD.
- (4) No less than 3 nor more than 10 Town Houses shall be built in any one row.
- (5) Relates to sublots within the total OSRD.
- (6) Per individual Town House. A lot containing a group of Town Houses shall be a minimum of 15,000 square feet."

or act on anything relative thereto.

Submitted by Petition.

[NOTE: The article above is worded as it appeared in the Petitioners' Handout rather than as it appeared in the Warrant.]

Miss Helga Andrews, of the Sudbury Non-profit Housing Corporation, *moved that the Town amend Article IX, Section IV, of the Zoning Bylaw by adding thereto a new subparagraph D entitled, "Open Space Residential District", as printed in the Petitioners' Handout Sheet entitled, "Article 39".*

Petitioners' Report: (Miss Andrews)

Warrant Articles 39, 40 and 41, which would create an Open Space Residential District for the purpose of constructing mixed income housing in Sudbury, were submitted by the Sudbury Non-profit Housing Corporation in late November shortly after we had taken an option on a promising piece of land.

The reason for the Handout on Article 39 is that since we submitted the article, we have met with various Town boards and officials. The Handout incorporates minor changes made at the recommendation of the Conservation Commission and the Planning Board plus correcting a couple of typographical errors made by me. If there are any questions regarding these changes, I should be glad to go through them specifically.

The Sudbury Non-profit Housing Corporation was chartered in 1973 by the Commonwealth of Massachusetts for the purpose of providing low and moderate income housing in Sudbury. The formation of the corporation was recommended in the 1972 report of the Town's Moderate Income Housing Committee and supported by a resolution passed at the 1973 Annual Town Meeting. The corporation is open to all Sudbury residents for annual dues of five dollars, holds regular monthly meetings, and currently has about sixty members.

It differs from the Sudbury Housing Authority which constructed Musketahquid Village in that it is a private organization permitted by both State and Federal legislation to construct mixed income housing, whereas the Housing Authority is a public agency authorized only to provide low income housing.

Articles 39, 40 and 41 establish what we have called an Open Space Residential District to be added to the Town's existing Zoning Bylaws solely for the purpose of developing mixed income housing in Sudbury. Should these three articles pass, we will ask you to consider Article 42 which would place a 58-acre parcel of land on Route 20 within this district. For any other parcel of land to be placed within the district, a two-thirds vote of the Town would again be required.

It is our hope that we can show you why we believe that a "yes" vote on Articles 39 through 42 would be in the best interests of the entire Town of Sudbury.

Miss Andrews then stated that Mrs. Sylvia M. Throckmorton and Mr. Dallas T. Hayes would continue the presentation for the Petitioners.

Mrs. Throckmorton commented as follows:

Almost exactly ten years ago, there was a feeling expressed by many people at a public meeting in Town that the rising cost of housing in Sudbury was preventing people of moderate and low income from finding housing here and forcing an even greater number of Sudbury citizens to leave the Town because they could no longer afford to remain. Their concern resulted in the creation of the Moderate Income Housing Committee, which after amassing a great deal of information by conducting surveys and establishing contact with virtually every housing agency in the Boston area, recommended that the Town endorse a Housing Authority to assist elderly persons of low income. That same Committee was responsible for the resolution that resulted in the creation of the Sudbury Non-profit Housing Corporation primarily to provide moderate income housing.

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That was five years ago. During those years, those of us who are members of the corporation have familiarized ourselves with acres and acres and acres of Sudbury land. We have questioned many landowners with sizable holdings about their possible availability. We sought the cooperation of realtors for additional leads, and we have seen our hopes rise and fall a number of times as potentially good sites had to be eliminated for one reason or another.

Obviously, the original report of that Moderate Income Housing Committee, published in 1972 citing the needs and recommendations, contains some statistical material that is obsolete in terms of income, housing, costs and so forth. But, their basic premise that such housing was necessary and that such housing should be convenient to shopping centers, public transportation, fire and police protection is as valid today as it was then and the need is even more pressing.

During the past months as our search for and the finding of a parcel of land meeting our criteria became more visible, we have been overwhelmed by the number of persons who have come to us spontaneously saying that at last, it sounded almost too good to be true. Some of them said that it would mean that they could stay in Sudbury after all, after their children had left home for college or jobs, and they no longer needed a large home.

This was also true for older persons who wanted to sell their homes, but who, because of the profit from the sale, would be ineligible to move into Musketahquid Village. In fact, we found some elderly persons who said they would prefer to be in an area with children and young people anyway.

For other persons who work here, such as teachers, fire and policemen, employees in local firms or stores, it suddenly seemed possible that perhaps they might not have to make that long daily commute from less expensive suburbs. One man said, "Imagine me walking to work."

For young people, some of them sons and daughters of Sudbury residents wishing to live here now near their home but having modest income and small families, it could quite literally be the answer to a prayer.

In the material we have prepared, there are certain facts that we feel just cannot be ignored any longer. For instance, the figure that states that the median selling price of a home here in Sudbury last year was \$71,500. Do you know anyone in the categories I just mentioned who could have bought one of those houses in a single income situation? Of course not.

And that is exactly why our population shows such an unnatural picture. 4% of our population is between 25 and 29 years of age and 4.3% is above 65 years. It threatens to become even more lopsided and all in the middle ages.

Five years ago, you accepted by resolution the formation of a group to meet these needs while maintaining the character of the Town. We feel that the character of the town is created by the people who live in that town, and many of the people we are talking about already do live here. They have helped to create its character. They are not going to change their spots just because their new house might be attached to a neighbor's house or to several neighbors' houses instead of standing on a plot of ground by itself.

We envision this Open Space Residential District as a microcosm of life with all its diversities as we feel life was meant to be enjoyed. We hope you feel that way too.

Mr. Dallas T. Hayes then continued the presentation as follows:

Helga Andrews and Sylvia Throckmorton have described the history of the effort to bring moderate income housing to Sudbury in a manner in keeping with the character of our community and have discussed the need for this housing.

I would now like to explain the contents of the article which, if passed, would permit this much needed housing to be constructed in a manner which we feel would provide quality housing which both its occupants and the community will be proud of.

We have four articles to consider tonight. Article 39 establishes the zoning regulations under which a corporation such as Sudbury Non-profit Housing Corporation must operate. It establishes regulations which will control the type and density of housing which may be constructed in an Open Space Residential District.

Articles 40 and 41 are mainly bookkeeping articles which modify the present Zoning Bylaw so that they are in line with the intent of Article 39.

Finally, Article 42 will rezone a particular piece of land for an Open Space Residential District.

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All articles must receive a two-thirds vote from you for approval.

What type of zoning would be established by Article 39? The title of the zoning is Open Space Residential District, OSRD. Why this title? What uses are allowed in an OSRD, and what controls does the Town have over the development of a piece of land zoned for such use?

First, what is an Open Space Residential District? A mixture of residential and open space uses would be allowed on a parcel of land rezoned as an OSRD. The minimum size parcel of land which could be so zoned would be thirty acres. In such a district, a variety of housing types would be allowed. The siting of the housing would not be based upon a rigid formula as presently exists in our Zoning Bylaw, one house per acre, for instance. Instead, the buildings would be clustered in such a way that the natural features of the land would be preserved.

We have titled this zoning Open Space Residential District because it would be the first zoning permitted in Sudbury which would require that a minimum amount of land be preserved as open space. The Zoning Bylaw proposed would require that a minimum of 40% of the land will remain open. Of this amount, 25% would be set aside for passive recreation use such as hiking or cross country skiing. Active recreation uses would be allowed on the remaining 15%.

Open Space in the title of Article 39 does not imply that a piece of land so zoned would be included in the Conservation Commission's Open Space Program.

Now, how will the open space areas be preserved and maintained? The Bylaw offers three options. The open space may be owned and maintained in common by the owners of the land, or it may be conveyed to and maintained by the Town if the Town so desires, or the open space may be conveyed to a separate non-profit entity and maintained for conservation and recreation use by Sudbury residents and the residents of the Open Space Residential District.

If the open space land is not conveyed to the Town, a covenant running with the land shall be given to the Town of Sudbury stating that such land shall not be used for other than open space purposes defined in the Bylaw.

What are the uses permitted in OSRD? In an Open Space Residential District, housing would be allowed to be built at a greater density than allowed under present Zoning Bylaws. The density allowed would be a function of land size. On the minimum size parcel of thirty acres, a maximum of ninety-three units of housing would be allowed. The dwelling units allowed would increase at one per acre for all additional acres over forty and up to forty-five acres. This would vary the density from 3.1 units per acre on thirty acres down to 2.4 units per acre on a forty-four acre parcel site. On a forty-five acre parcel, one hundred thirty-five units would be allowed at a density of three units per acre. Over forty-five, one additional unit would be allowed. For instance, one hundred fifty units would be allowed on a fifty acre site. That is a density of 2.5 units per acre. Thus the maximum density allowed under the proposed bylaw would be 3.1 units per acre on a thirty acre site.

In an Open Space Residential District, a mixture of housing types would be allowed. These would be single family houses, town houses, which are simply one-family attached dwellings, two-family dwellings and multi-family dwellings. Zoning would limit the amount of any one type to 65% of the total number.

This mixture of housing will allow Sudbury to fulfill housing needs not possible under present zoning and market conditions. The higher density allowed is designed to permit quality housing to be built at lower per unit cost than possible under present zoning, and also Article 39 allows this housing to be placed on a piece of land so as to preserve the natural features of the site.

It is specified in the proposed bylaw that a minimum of 25% and a maximum of 75% of the housing is to be occupied by families with incomes less than 80% of the median income in the local market. That is the definition of people who would be eligible for subsidies under the various Federal and State programs. The remaining 25% or more would be market housing rented just like any other housing would be sold or rented in Sudbury.

Most importantly, what are the controls the Town will have over the development of housing in an Open Space Residential District should Article 39 be approved? We have already discussed the open space requirements as specified in the Bylaw. No structures may be built within 100 feet of the boundary of an OSRD. This buffer zone will minimize the impact of this type of development on adjoining property.

Only 25% of the land unbuildable because of conservation easements, flood plains, wetlands and other deed restrictions shall be used in calculating the density allowed. In addition, only 50% of such unbuildable land shall be counted

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toward the required 40% open space land requirement. The purpose of these clauses is to prevent a developer from getting undue credit toward housing density or open space for land which under present zoning would not be developable and thus would remain as open space under all conditions.

The article establishes for all development, standards covering such items as dimensional requirements, building and landscape design standards and parking standards.

Before a parcel of land may be placed into an Open Space Residential District, the owner of the land must obtain approval by a two-thirds vote of Town Meeting. This is important if, in the future, additional need or needs for additional moderate income housing is determined to exist. This Bylaw, by the way, is applicable only to this type of housing. A corporation, such as the Sudbury Non-Profit Housing Corporation, must come before town meeting and obtain approval by two-thirds majority, just as we are doing tonight.

Now let's say you have approved the four articles that we are proposing, may we then begin construction immediately? The answer is "No". Before construction may proceed, a special permit from the Planning Board would be required. The granting of this special permit must follow local and state requirements for such permits. For instance, a public hearing would be required. To apply for a special permit, the corporation would submit a detailed site plan to the Planning Board specifying on every square inch of the land, the use to which it would be applied. Most importantly, the corporation would provide a statement of community impact which would include the potential impact of the proposed development as related to tax rate, school enrollment, traffic, solid waste disposal, sewage disposal, water supply, ground water, drainage and similar concerns.

Also, the article provides for a Development Review Team of Town officials to review the OSRD plans for compliance with Town regulations and authorizes the Planning Board to establish a Design Review Committee composed of from three to five local residents to review the functional and aesthetic design of the proposed Open Space Residential District.

In conclusion, let me assure you that over the past ten years, a great deal of effort and study has been devoted to the question of how best to provide alternate housing for Sudbury; alternate housing for persons with ties to Sudbury who wish to live here or to continue to live here, but who cannot, due to the high cost of housing. I apologize for the length of Article 39, but let me assure you it was drafted with great regard to protect our community in addition to providing this much needed housing.

In creating the Sudbury Housing Authority, Sudbury empowered a public body composed of Sudbury citizens to construct housing for the elderly. Musketahquid Village was the result. I believe that most of us will agree that the Village is an asset to our community.

If you approve Articles 39, 40, 41 and 42, you will be taking the first step to allow a private non-profit corporation composed only of Sudbury citizens to provide much needed moderate income housing. I submit that the housing that will result from this action will compare favorably with Musketahquid Village. The corporation is open to all for membership. We invite you to join us in this endeavor. We urge you to vote "Yes" on Articles 39, 40, 41 and 42.

Finance Committee Report: These four petition articles (39, 40, 41, 42) provide for the addition of an Open Space Residential District to our list of zoning districts and place a specific parcel of land into that district.

The 1977 Annual Town Meeting voted to establish a housing policy and directed the Planning Board to report on the alternatives for housing needs at the 1978 Annual Town Meeting. The Finance Committee has not seen the Planning Board report as yet and feels that any action on open space zoning is premature until such report has been presented and evaluated by Town Meeting. The many variables make it difficult to predict the impact of this type of zoning on the future tax rate. Recommend Disapproval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 39 in the Warrant for the 1978 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 approval by the Attorney General.

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Planning Board Report: (Mr. William R. Firth)

This article allows Open Space Residential Districts in the Town of Sudbury for the purpose of supplying low and moderate income housing. The Planning Board recognizes the need for low and moderate income housing and understands the obligations of the Town to supply a total of 339 low and moderate income housing units as mandated by Chapter 774. The Town has provided for a total of sixty-nine such units and, by law, must provide an additional 270. The Board believes the development controls and guidelines established and provisions for the Open Space Residential District will result in low and moderate income housing development which will both respect the environment and be planned and designed to not conflict with the character of the Town.

The Sudbury Planning Board recommends approval of Article 39.

Sudbury Housing Authority Report: (Mr. Thomas R. Blanchette)

The Sudbury Housing Authority is unanimously in support of Article 39, the establishment of an Open Space Residential Bylaw. The Authority shares a common interest with the Non-profit Corporation, that of meeting the housing needs of Sudbury.

The Town Meeting established the Sudbury Housing Authority in 1971, and since that time has supported our efforts to meet specific housing needs. We currently conduct two programs. The 667 housing for the elderly and the 705 scattered site housing for families. By statute, the availability of housing provided under these programs is limited to low income persons and families.

Beyond that, however, and as part of the article passed last year which established the Housing Issues Study Group, the Town Meeting mandated the Sudbury Housing Authority to report on the needs for additional housing. The reason we are unanimously in support of this article is that we feel that it represents the best possible way to meet the housing needs we have documented. That documentation is based upon our experience of the past three years.

During this period of time, there have been more than 150 applications filed with the Sudbury Housing Authority for elderly housing. There have been an additional 100 inquiries which never resulted in applications. Of those 250 persons, the majority of whom were from Sudbury and had families living in Sudbury, we have been able to certify 100 as eligible for low income housing. But, every third person on the waiting list is denied access to low income housing because of strict state guidelines which define low income and which restrict income to \$5,000 for one person and \$6,000 for two persons and assets which cannot exceed \$10,000.

We bring this to your attention to focus on the fact that, while there is a program which offers housing to elderly persons of low income, the majority of persons seeking housing resources through the Housing Authority fall into the category of moderate or over income and could therefore not qualify for our programs. But one of the dilemmas many of our elderly have is that of divesting themselves of their assets that they have accumulated over a lifetime of work or by sale of their house or remaining in their present homes which are too large and too expensive, or renting at current market rates which run about \$350 per month.

The so-called Section 8 program was designed to alleviate this housing crunch, but, in fact, the demand for Section 8 resources, subsidized rent, is much greater than the supply. Framingham, for example, indicates up to a three year waiting list for persons making application now. The situation seems almost designed to force a segment of our elderly population to spend themselves into poverty or relinquish their hard-earned assets before they can qualify for those housing resources that are available to the elderly.

The other sad aspect of the situation is that in today's economy, it doesn't take long to spend \$30,000 or \$50,000 of savings. Because of this experience and the documentation accumulated, we've determined there is an immediate need in Sudbury for over fifty one-bedroom units designed to serve elderly persons of moderate income. This is a need which the Housing Authority cannot meet. That is one major reason that we support the article.

Our experience with family housing has been similar. Recently, we reconstituted our waiting list for family housing, and the results are as follows: forty applications were filed; ten represented families formerly of Sudbury; twenty, or 50%, do not qualify for assistance from Sudbury Housing Authority for reasons of being over income; all of the forty applicants would qualify for moderate income housing; none of the applicants were from any town outside of the immediate vicinity of Sudbury.

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The 705 program, under which the Sudbury Housing Authority receives state funds to acquire housing in the private market and lease it to low income families, is our only resource meeting the needs of such families. The Town Meeting authorized the Sudbury Housing Authority to acquire fifty such home in five years or less. In 1976, after we had used five allocations, the present administration put the program on the shelf, and funds have not been available since that time. We met with the Department of Community Affairs officials as recently as last Thursday to determine the status of this program. We were told that funds remain unavailable but the guidelines were being rewritten and that there was no definite time by which a commitment could be made for further funding.

We are confident that at some future date the 705 program will be revived. However, whether it represents in 1978 the best and most economic way of providing housing for low and moderate income families is an open question.

The state is presently talking about acquisition prices in the range of \$40-50,000. Last year, in Sudbury, there were less than twenty real estate transactions in which houses sold for less than \$50,000. The potential for the program when approved in 1975 was far greater than it is now in 1978.

The above real estate figures make it evident there is presently no housing available in Sudbury for persons or families of moderate income. To provide a house under the 705 program costs an average of \$45,000 for the acquisition price plus \$5,000 for initial refurbishing. The house requires a total of \$50,000. That is high cost to provide one unit of housing.

The method being proposed here this evening would provide family units at a cost of approximately \$32,000. That is a considerably bigger payoff on the tax dollar.

The conclusions are much the same as under the elderly situation. The Sudbury Housing Authority may be able to make minimum strides in the next two years to meet the needs of 50% of the current waiting list which are families eligible for low income housing. This need of moderate income families will remain unaddressed.

The directions of the Housing Authority over the next few years will not call for any major changes in emphasis. If nothing is done in the future, there will be a legitimate demand for additional units of low income housing for elderly persons. We would attempt to be responsive to that demand. We see no rationale for supporting or advancing any proposal for family housing which does not address a broader range of needs than those of low income families alone.

The immediate future of the Housing Authority will concern itself with managing what housing we are responsible for in the best possible manner and attempting to address the needs of special population groups. Congregate units for so-called frail elderly, severely physically handicapped persons, mentally retarded persons, is one of our priorities.

There is, therefore, no conflict with what is being proposed here this evening and the present or planned activities of the Sudbury Housing Authority. To the contrary, the proposal is completely compatible with our present activities and addresses many of the needs which we, by statute, can do nothing about and has our full support.

Board of Health Report: (Mr. William W. Cooper IV)

In the Non-profit Housing Corporation's survey of Town boards, the Board of Health was unfortunately overlooked. I think this is too often the situation when a project is underway. What you want to dispose of is often forgotten. But, in a project such as this, however, I think it is very important to be sure that we handle waste from the facility. It is going to have major implications for the Town depending on how we do it, and we would want to be sure that we handle it right.

The Board of Health feels that this proposal would really benefit from the kind of debate that we are having tonight and the kind of debate and interchange that would occur in meetings with the Non-profit Housing people and others who have a different view of this.

The proposal is complex. There are things about it that are in need of some thought and may have implications for the Town in the future. Specifically for the Board of Health, large volume septic systems have always been something of a difficulty. There is a table in the presentation. The Board of Health needs to look at whether the proposals for density set forth in Table 2 are really consistent with existing regulations for sewage disposal and what would need to be done to be sure that the Town is adequately protected at the density proposed, or if indeed it can be at the density proposed.

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Secondly, there are implications in Section 8 A of the article which sets the Planning Board up as a review body for issuing permits in areas that are usually, and I believe, by statute, reserved to the Board of Health. I would like to understand exactly what the objective is here and how it fits in with the overall review process. I don't have that understanding right now.

In essence, the Board of Health recommends disapproval of the article until we can really work out some of these implications.

After discussion, Mr. William J. Halter *moved to amend Article 39, Section 5, Dimensional Regulations, the following to be added: J. No unit of any type may have more than three bedrooms. Multi-family units shall be limited to a) no more than 10% three-bedroom units, and b) no more than 40% two-bedroom units. Town houses and two-family or semi-detached buildings shall be limited to no more than 25% three-bedroom units.*

Mr. Halter's amendment was defeated.

The main motion under the article made by Miss Andrews was then defeated.

In favor - 179; Opposed - 248. (Total - 427)

ARTICLE 40: To see if the Town will vote to amend Article IX, Section III, Par. A of the Zoning Bylaw by adding thereto a new subparagraph 2 entitled "Open Space Residential District" as follows:

Amend Bylaws "2. Open Space Residential District OSRD
Art. IX, III
Open Space Residential District - In addition to residential uses, the following uses shall be permitted in the Open Space Residential District:
District - a. all uses permitted under items "a" through "d" inclusive in Section III.A.1. above.
Permitted Uses b. multi-unit residences, under a special permit to be granted by the Planning Board, and which must meet all requirements set forth under Article IX, Section IV, Par. D.";
Petition

or act on anything relative thereto.

Submitted by Petition.

Petitioners Report: Article 40 meets technical requirements for permitting multi-family and other uses in the Open Space Residential District.

Finance Committee Report: See report under Article 39.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 40 in the Warrant for the 1978 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 approval by the Attorney General.

VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 41: To see if the Town will vote to amend Article IX, Section I, subparagraph F of the Zoning Bylaw by deleting the existing subparagraph F and substituting therefor the following:

Amend Bylaws "F. Single Dwelling Per Lot
Art. IX, I
Open Space Residential District - No lot within a subdivision or within the Town shall have more than one building to be used for dwelling purposes except as is permitted in an "Open Space Residential District.";
Dwellings or act on anything relative thereto.
Per Lot Submitted by Petition.
Petition

Petitioners' Report: Article 41 would allow more than one building on a lot of land if part of an Open Space Residential Development.

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Finance Committee Report: See report under Article 39.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 41 in the Warrant for the 1978 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 approval by the Attorney General.

VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 42: To see if the Town will vote to amend Article IX, Section II, Par. A of the Zoning Bylaw by adding thereto a new district to be called "Open Space Residential District" as follows:

Amend Bylaws "9. Open Space Residential District";

Art. IX, II and to amend Article IX, Section II, Par. B of the Zoning Bylaw by inserting after "Residential Zone C-2" a section entitled "Open Space Residential District" as follows:

Establish Open Space Residential District "Open Space Residential District

Off Rt. 20 The land referred to as Parcel A in 'Plan of Lands Located in Sudbury, Mass., belonging to Mary A. Piona', dated February 17, 1978, a copy of which is on file in the Town Clerk's Office, which plan is incorporated herein by reference,";

Petition or act on anything relative thereto.

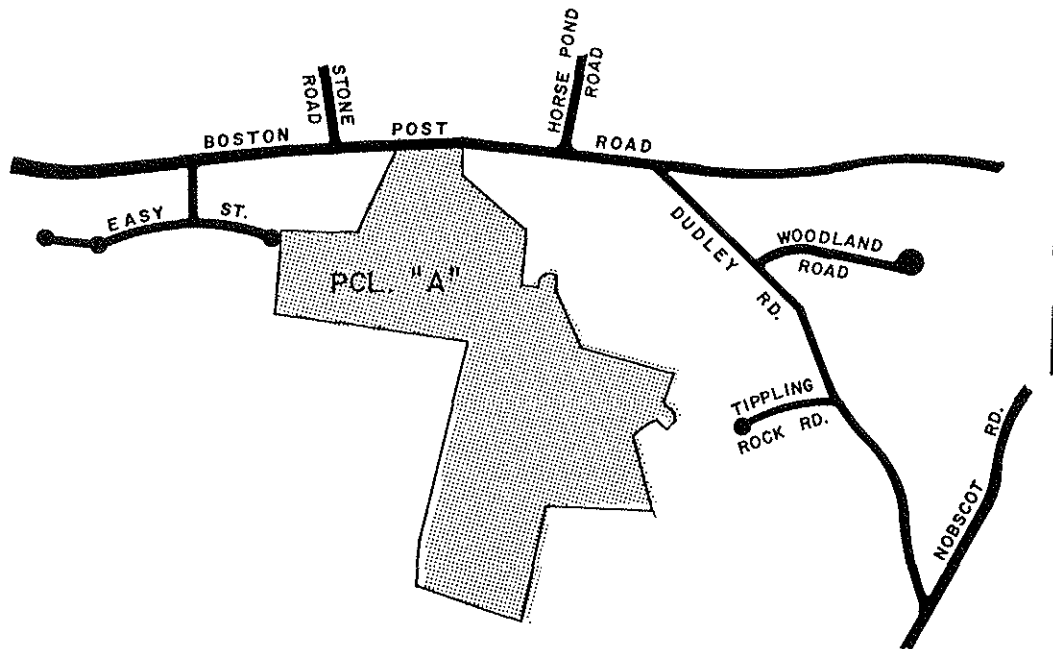
Submitted by Petition.

Petitioners' Report: Article 42 adds "Open Space Residential District" to the list of zoning districts in the Town and places a specific parcel of land into such district.

Finance Committee Report: See report under Article 39.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 42 in the Warrant for the 1978 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 approval by the Attorney General.

VOTED: INDEFINITE POSTPONEMENT.



ARTICLE 42
(OPEN SPACE RESIDENTIAL DISTRICT)

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ARTICLE 43: To see if the Town will vote to amend Article V of the Town of Sudbury Bylaws, entitled "Public Safety", by adding a new Section #22 entitled "Fire Lanes", to read as follows:

Amend
Bylaws
Art. V, 22
Public
Safety
Designate
Fire Lanes

"Section 22. Fire Lanes: The Chief of the Fire Department may designate, as defined below, fire lanes in any area or way or portion thereof. Upon notice of such designation the owner or person in lawful control thereof shall at his own expense post and/or mark such area or way as directed by the Chief of the Fire Department. Fire lanes shall be a distance of twelve feet from the curbing of a sidewalk adjacent to buildings in a shopping center, bowling establishment, theater, restaurant, or similar location. Where no sidewalk with curbs exists, the distance shall be eighteen feet from the building.";

or act on anything relative thereto.

Submitted by the Fire Chief.

Fire Chief's Report: (Chief Josiah F. Frost)

The motion under Article 43 is slightly different from the article published in the Warrant. The difference is that the bylaw change states that it will not be designated in such locations in existence at the time of adoption of this bylaw. This is a request and a legitimate request from the present business people in the Town of Sudbury and has been accepted by myself as the originator of the article. I would hope that it would have the support of the Town.

Articles 44 and 45 are police and fire regulations so that we may properly do our job in areas that might be obstructed by people or vehicles in front of fire hydrants, Fire Department sprinkler connections, standpipe connections. The last article, 45, is giving us permission to remove obstructions without liability to the Town of Sudbury. They are necessary articles for us on the Fire and Police Departments to do the job that you ask us to do.

I would urge support of all three articles.

Finance Committee Report: This amendment will allow the Fire Department to provide more effective fire protection to the Town. Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 43 in the Warrant for the 1978 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

VOTED: THAT THE TOWN AMEND ARTICLE V OF THE TOWN OF SUDBURY BYLAWS, ENTITLED "PUBLIC SAFETY", BY ADDING A NEW SECTION NO. 22 ENTITLED "FIRE LANES", TO READ AS FOLLOWS:

"SECTION 22: FIRE LANES: THE CHIEF OF THE FIRE DEPARTMENT MAY DESIGNATE AS DEFINED BELOW, FIRE LANES IN ANY AREA OR WAY OR PORTION THEREOF. UPON NOTICE OF SUCH DESIGNATION, THE OWNER OR PERSON IN LAWFUL CONTROL THEREOF SHALL, AT HIS EXPENSE, POST AND/OR MARK SUCH AREA OR WAY AS DIRECTED BY THE CHIEF OF THE FIRE DEPARTMENT. FIRE LANES SHALL BE A DISTANCE OF TWELVE FEET FROM THE CURBING OF A SIDEWALK ADJACENT TO BUILDINGS IN A SHOPPING CENTER, BOWLING ESTABLISHMENT, THEATER, RESTAURANT OR SIMILAR LOCATION, OR WHERE NO SIDEWALK WITH CURBINGS EXISTS, EIGHTEEN FEET FROM THE BUILDING; PROVIDED THAT THE FIRE LANES SHALL NOT BE SO DESIGNATED IN SUCH LOCATIONS IN EXISTENCE AT THE ADOPTION OF THIS BYLAW EXCEPT UPON THE REQUEST OF THE OWNER THEREOF."

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ARTICLE 44: To see if the Town will vote to amend Article V of the Town of Sudbury Bylaws, entitled "Public Safety", by adding a new Section #23 entitled "Fire Regulations" to read as follows:

Amend Bylaws
Art. V, 23
Public Safety
Fire Lanes Regulations

"Section 23. Fire Regulations: It shall be unlawful to obstruct or block a fire lane, a private way, fire hydrant, Fire Department sprinkler connection or standpipe connection with a vehicle or other means so as to prevent access by Fire Department apparatus or other Fire Department equipment.";

or act on anything relative thereto.

Submitted by the Fire Chief.

Fire Chief's Report: This article was submitted in an effort to legally establish fire regulations concerning particularly the blocking of hydrants, fire lanes, private ways and other Fire Department connections. The acceptance of this article will enable the Fire Department and/or Police Department to enforce these regulations on or about buildings and hydrants located on private property or ways. These regulations presently apply to fire hydrants, Fire Department sprinkler connections or standpipes located on public ways.

Finance Committee Report: This addition to the Fire Regulations is necessary to enforce the fire lane bylaw. Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 44 in the Warrant for the 1978 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

VOTED: THAT THE TOWN AMEND ARTICLE V OF THE TOWN OF SUDBURY BYLAWS, ENTITLED "PUBLIC SAFETY", BY ADDING A NEW SECTION NO. 23 ENTITLED "FIRE REGULATIONS", TO READ AS FOLLOWS:

"SECTION 23. FIRE REGULATIONS: IT SHALL BE UNLAWFUL TO OBSTRUCT OR BLOCK A FIRE LANE, A PRIVATE WAY, FIRE HYDRANT, FIRE DEPARTMENT SPRINKLER CONNECTION OR STANDPIPE CONNECTION WITH A VEHICLE OR OTHER MEANS SO AS TO PREVENT ACCESS BY FIRE DEPARTMENT APPARATUS OR OTHER FIRE DEPARTMENT EQUIPMENT."

ARTICLE 45: To see if the Town will vote to amend Article V of the Town of Sudbury Bylaws, entitled "Public Safety", by adding a new Section #24 to read as follows:

Amend Bylaws
Art. V, 24
Public Safety
Fire Lanes Enforcement

"Section 24. Any object or vehicle obstructing or blocking a fire lane, private way, fire hydrant, Fire Department sprinkler connection or standpipe connection may be removed or towed by the Town at the expense of the owner and without liability to the Town of Sudbury.";

or act on anything relative thereto.

Submitted by the Fire Chief.

Fire Chief's Report: This article was submitted in an effort to legally establish the right of the Fire Department and/or Police Department to order the removal of any object or vehicle that is obstructing or blocking a fire lane, private way, fire hydrant, Fire Department sprinkler connection or standpipe at the owner's expense. The Fire Department and/or the Police Department presently have this authority on public ways.

Finance Committee Report: This new Fire Regulation protects the Town, while providing the authority to remove anything blocking a fire lane.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 45 in the Warrant for the 1978 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.

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VOTED: THAT THE TOWN AMEND ARTICLE V OF THE TOWN OF SUDBURY BYLAWS,
ENTITLED "PUBLIC SAFETY", BY ADDING A NEW SECTION NO. 24 TO
READ AS FOLLOWS:

"SECTION 24. ANY OBJECT OR VEHICLE OBSTRUCTING OR BLOCKING
A FIRE LANE, PRIVATE WAY, FIRE HYDRANT, FIRE
DEPARTMENT SPRINKLER CONNECTION OR STANDPIPE
CONNECTION MAY BE REMOVED OR TOWED BY THE
TOWN AT THE EXPENSE OF THE OWNER AND WITHOUT
LIABILITY TO THE TOWN OF SUDBURY.

VOTED: TO DISSOLVE THE ANNUAL TOWN MEETING FOR 1978.

The meeting dissolved at 11:10 P.M.

[Number of names marked on the voting list as having attended the meeting: 557]

A True Record, Attest:

Betsy H. Powers
Town Clerk

SPECIAL TOWN ELECTION

June 5, 1978

A Special Town Election was held at the Peter Noyes School on June 5, 1978, with the polls open from 12:00 Noon to 8:00 P.M. There were 320 votes cast, including 4 absentee ballots. Sixteen voting machines were used. The results were announced by Town Clerk Betsey M. Powers at 8:30 P.M.

SELECTMAN: Term to Expire March 26, 1979

Robert J. Hotch	312
Scattering	4
Blanks	4

A True Record, Attest: *Betsey M. Powers*
Town Clerk

PROCEEDINGS

SPECIAL TOWN MEETING

June 7, 1978

The Moderator called the meeting to order at 8:18 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

The Rev. Homer E. Goddard of the First Parish Church was recognized for the purpose of giving 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 by Town Accountant, John H. Wilson, was zero. He stated that he had examined the call of the meeting, the Constable's return of service and the Town Clerk's certificate of mailing notice of the meeting, and had found each of them in order.

He introduced the members of the Finance Committee to the citizens assembled.

UNANIMOUSLY VOTED: TO DISPENSE WITH THE READING OF THE CALL OF THE MEETING, THE OFFICER'S RETURN OF SERVICE, AND TO WAIVE THE READING OF THE SEPARATE ARTICLES OF THE WARRANT FOR THE SPECIAL TOWN MEETING OF JUNE 7, 1978.

ARTICLE 1: To see if the Town will vote to modify or amend its vote under Article 11 of the 1978 Annual Town Meeting concerning the reconstruction of Landham Road, by deleting the words "at a width of 24 feet" contained in said vote; or act on anything relative thereto.

Landham
Road
Recon-
struction
Petition

Submitted by Petition.

Mr. Roland R. Cutler moved that the Town vote to amend its vote under Article 11 of the 1978 Annual Town Meeting concerning the reconstruction of Landham Road by deleting the words "at a width of 24 feet" contained in said vote, and inserting therefor the words "at a width of 30 feet"; by deleting the words "sum of \$400,000" and inserting therefor the words "sum of \$450,000"; by deleting the words "to borrow \$150,000" and inserting therefor the words "to borrow \$200,000"; and, at the end of the motion, by adding the words "to be expended under the direction of the Highway Surveyor".

Petitioners' Report: (Mr. Roland R. Cutler)

I am Roland Cutler, and I reside at 175 Landham Road. Recent publicity in reference to this Special Town Meeting names me as the prime petitioner. However, this is not entirely accurate; many other concerned citizens are equally responsible.

There can be no doubt in the mind of anyone who must travel on Landham Road that immediate reconstruction is necessary. Before us is the question of whether reconstruction should be to a uniform 24' width or to a uniform 30' width. The proponents of reconstruction to a 24' width have been widely heard and have effectively presented their case.

However, some issues have not even been mentioned by the 24' width proponents.

I now concern myself with safety. I am an automobile driver who must seek egress onto Landham Road many times each week. A wider road is, to my thinking, a safer road to exit onto. I must also think of the safety of the many bicycle riders and pedestrians who have rights on our public ways. I particularly have in mind the children of some of the proponents of the 24' width. I am, to a limited extent, a bicyclist and a pedestrian who has many times taken to the snowbank in winter for my own safety.

Concern of the 24' width road proponents over the increase of so-called speeders is exaggerated. There will be speeders no matter what the road width.

The removal of trees in any construction is regrettable. However, one has only to note the dead and dying trees on Landham Road to realize that the so-called "excessive" removal is a figure of speech. Few residents of Landham Road remember the handsome maples which are long gone - victims of old age, salt and gas and water mains. New plantings can and should replace the old trees.

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Finally, Sudbury is not now a rural community. I refer you to a recent series of articles in the Boston Globe on the value and other aspects of owning real estate in Sudbury and other towns. Sudbury is a suburban residential community. Landham Road is not a rural road. I have lived here for a lifetime and have seen the change from rural to suburban character. How many of you remember the red barns housing cattle and horses in the area now traversed by Patricia Road? There are only sad remnants of the Ames' orchards in the yards of the owners of the former Ames' property.

Therefore, in the interest of public safety, in the interest of fiscal propriety, in the interest of all persons who must use Landham Road, whether they be residents of Sudbury or not, I urge your support for the reconstruction of Landham Road to a 30' width.

Board of Selectmen Report: (Mr. William F. Toomey)

I first moved to Sudbury pretty close to twenty years ago. I lived on Blackmer Road and had the opportunity to meet a great number of people who lived on Landham Road - the Lettery family, the Mercury family, the Cutler family, the Johnsons. We had a road at that time that could work. But things have changed, and this present Board and last year's Board have supported the 30-foot road.

We have tried to supply the information for all parties concerned about what the costs are, what the ramifications are, and what ultimately is the best for the Town of Sudbury. On June 5th, at 4 o'clock, we had a meeting with Commissioner Carroll of the Department of Public Works. As a result of that meeting, we have a letter that I would like to read to you.

"Board of Selectmen
Town of Sudbury
Sudbury, Massachusetts

At our meeting today, attended by representatives of Senator Atkin's office and other Town officials, I stated this Department's position on the proposed reconstruction of Landham Road under the state aid program. Our position is that Landham Road should be built to a 30-foot width and that choosing any lesser width would be a mistake on the part of the Town.

The Department of Public Works Chief Engineer and I made a personal inspection of the project last week in order to have first hand knowledge of this issue. The existing traffic on the road is 7,800 vehicles per day. The condition of the road at each end of the section under consideration, 44-foot width in Saxonville, 30-foot width approaching Route 20, and the future use of the road as a connector from Framingham to Sudbury were the prime factors in arriving at this position.

Very truly yours,

John J. Carroll, Commissioner
Department of Public Works"

Mr. Toomey stated that he would like to defer to Mr. John E. Murray of the Board of Selectmen. Mr. Murray then continued the report of the Board of Selectmen as follows:

The Board of Selectmen would be remiss if they did not make a statement on the ever-resurging issue of Landham Road. It is the Board of Selectmen, in the final analysis, who must carry out the mandate of Town Meeting on the issue of the reconstruction of Landham Road.

As most town meeting members here tonight are aware, this Special Town Meeting was called by the Selectmen as the result of a petition by concerned residents along Landham Road who honestly and seriously believe that the road should be constructed at a 30-foot width. This is not to say other residents along Landham Road don't believe just as seriously and strongly that the pavement width should be 24 feet. A 24-foot pavement width was voted at the April 1978 Annual Town Meeting.

The Board of Selectmen again wish to go on record as being unanimous in strong support of reconstruction of Landham Road at a minimum pavement width of 30 feet for all the same reasons as stated under Article 11 in the 1978 Annual Town Meeting Warrant.

We, the Board of Selectmen, believe that Landham Road should be constructed at a minimum of 30 feet in pavement width. This we believe to be in the best interest of the whole Town from the standpoint of public safety and economics.

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Tonight as you checked in you should have picked up or received two separate handouts showing the new projected costs and financial options relative to the reconstruction of Landham Road. These handouts show updated dollar figures necessary to reconstruct Landham Road at 30 feet or at 24 feet. The data and information was obtained by the Town Accountant in conjunction with the Town Treasurer, Town Engineer and State Highway District 4 officers.

Two important factors stand out: 1) The new figures include inflationary costs for construction given by District 4 this past month as a result of recent bids on similar work in other towns. 2) As you can see, if Landham Road is constructed at 24 feet, the Town will lose approximately \$122,000 plus in available funds over the next twelve months because the State will only reimburse us 75% compared to 100% if built at 30 feet.

This fact was confirmed at a meeting Monday with the State Public Works Commissioner, John Carroll. Attending this meeting were the Sudbury Selectmen; Town Engineer; Highway Surveyor; Executive Secretary; Commissioner Carroll; Chief State Engineer, Robert Tierney; District 4 Highway Engineer, Charles Mistretta; District 4 Project Engineer, Charles Teague; and aides from Senator Atkins' office.

Commissioner Carroll, after viewing Landham Road last weekend with the State Chief Engineer, Robert Tierney, stated emphatically that he would not grant a waiver to the Town of Sudbury for 100% reimbursement if voted at a 24-foot width pavement. Commissioner Carroll, at the same meeting, further stated that, in his opinion, from a public safety standpoint, Landham Road should be built at a minimum of 30-foot pavement width. Commissioner Carroll has confirmed his statements on Landham Road to the Board of Selectmen in writing in a letter received yesterday, June 6th.

From a public safety standpoint, national and state highway officials, Town Engineer, Finance Committee, and a minority of the Landham Road Advisory Committee say that the minimum safety design standard for Landham Road should be based on a 30-foot pavement width. The accidents on Landham Road, 20-24 feet now, compared with the connector, Elm Street, 40-44 feet, in Framingham, is 50% more. The accidents on Elm Street do not occur on the wider stretches of the road but only at intersections.

Relating to the same point, 30 feet will lessen the funneling effect on Landham Road. 24 feet is not a generally accepted safety design standard for Landham Road based on the volume of traffic, somewhere between 8- and 10,000 cars a day. Landham Road should be designed to a safety standard that takes into consideration all motor vehicle traffic using the road. The road should be a safe width for all the public using it.

The issue really boils down to one of public safety and economics. Abutters' positions, some louder than others, some more eloquent than others, all should be listened to and given equal time and consideration. We believe we have done so, and after weighing all the factors, support construction of Landham Road at a 30-foot width. We believe this to be in the best interests of the Town.

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

CHART A

LANDHAM ROAD RECONSTRUCTION

Cost Options

<u>30' Road</u>	Engineering, Construction and Supervision	<u>\$450,000</u>
<u>24' Road</u>	Engineering, Construction and Supervision	440,800
	Additional Engineering	50,000
		<u>\$490,800</u>

This chart shows costs for both the 30-foot width and the 24-foot width. The first line shows the 30-foot road. The cost is \$450,000 for engineering, construction and supervision. For the 24-foot road, the cost of engineering, construction and supervision is \$9,200 less than for the 30-foot road, or \$440,800. However, there is additional engineering for the 24-foot road which will be approximately \$50,000 for a total cost of \$490,800.

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CHART B

LANDHAM ROAD RECONSTRUCTION

Financial Options

30' Road

1978-79	Appropriate: \$450,000	
	State House Notes	\$200,000.00
	Available Funds	248,796.49
	Tax Rate	1,203.51
1979-80	Appropriate Interest of	7,500.00
	Receive Reimbursement of	450,000.00
	Repay Notes of	200,000.00
	Deposit in General Fund	250,000.00

24' Road

1978-79	Appropriate: \$490,800	
	State House Notes	240,000.00
	Available Funds	248,796.49
	Tax Rate	2,003.51
1979-80	Appropriate Interest of	9,000.00
	Receive Reimbursement of	368,100.00
	Repay Notes of	240,000.00
	Deposit in General Fund	128,100.00

Town Loss on 24' Road
of Available Funds for
1980-81 Annual Town Meeting: \$121,900

(Does not include difference in interest)

This chart shows the financial options for each of these roads. The 30-foot road will cost \$450,000. In the first year, that is, the upcoming fiscal year 1978/79, the Town will have to appropriate the total of \$450,000 and that is in the motion tonight.

In order to reach this appropriation, the Town will borrow on State House Notes \$200,000 for a short term period of time. There is currently available \$248,796.49 in the Highway Account that has accumulated over several years for this project. The tax rate impact in 1978/79 is \$1,203.51. Those three figures total \$450,000.

For the subsequent fiscal year, 1979/80, the Town will have to appropriate \$7,500 in interest to pay for the \$200,000 that has been borrowed. Under the 30-foot road, the Town will receive 100% reimbursement, or \$450,000. We will then have to repay the note of \$200,000, and the balance of \$250,000 will be deposited in the general fund of the Town.

For the 24-foot road, the Town will have to appropriate \$490,800. In order to reach this appropriation, the Town will borrow \$240,000, use the same \$248,796.49 in available funds, and raise on the fiscal 1978/79 tax rate \$2,003.51. In the subsequent fiscal year, 1979/80, the Town must appropriate the interest to pay for the \$240,000 in notes. We will receive 75% of \$490,800 in reimbursement, or \$368,100. From the \$368,100 we must repay the notes of \$240,000 and deposit \$128,100 in the general funds.

By depositing \$250,000 in the general fund from the reimbursement on the 30-foot road, or by depositing \$128,100 in the general fund for the 24-foot road, the net impact to the Town is \$121,900.

I have not included any difference in the interest because we may be able to borrow for a much shorter period of time and the cost of the interest will be diminished by the amount of time that we may borrow.

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Finance Committee Report: (Mr. Chester Hamilton)

The Finance Committee again supports the reconstruction of Landham Road to a minimum of 30-foot paved surface. Because of the greater amount of state reimbursement for the 30-foot road, namely 100% rather than only 75%, this is clearly the most cost-effective way of completing the long delayed reconstruction of Landham Road. The Finance Committee recommends approval.

Mr. Harold R. Cutler then *moved to amend the main motion by deleting the words "by deleting the words at a width of 24 feet contained in said vote and inserting therefor the words at a width of 30 feet" and by changing the sum \$450,000 to read \$490,800 and changing the words \$200,000 to the number \$240,000.*

For clarification, the Moderator asked Mr. Cutler if the purpose of his motion was to restore the road to 24 feet in width and to appropriate some additional funds over those funds appropriated in the Annual Town Meeting last. Mr. Cutler responded that that was correct, and that the motion with the proposed amendment would also assign the project to the Highway Surveyor which was not done at the Annual Town Meeting.

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

We, the proponents of the 24-foot road design for Landham Road, are back before you this evening seeking your support to defeat this attempt to reverse the vote of the Annual Town Meeting in favor of the 24-foot design. We are hopeful that you continue to feel as we do that the 24-foot road is well suited for the needs of the Landham Road neighborhood, the Town of Sudbury, and the communities surrounding Sudbury whose citizens use Landham Road.

As we pointed out at the Annual Town Meeting, there are three basic considerations related to this project which should be kept in mind by voters. The first of these is the consideration of the design, that is, its safety, convenience and aesthetics. The second aspect is its cost, and finally there is the scheduling question, all of which we need to review. All these questions have been dealt with one way or another by the proponents of this article, but not really with any new information that we didn't present to you at the time of the Annual Town Meeting.

At this time, we would like to consider our thought on the matter. The proponents of the 30-foot design have only two points to make about the design. They claim it will be unsafe and not meet national standards, and they claim, of course, it will cost us more, which is true because of the DPW funding policies.

As we pointed out at the Annual Town Meeting, the best way to envision the design questions is to consider an example. Concord Road, between Sudbury Center and Union Avenue, is 24 feet wide, has relatively smooth grades and no serious curves. It is therefore quite similar to the design we seek for Landham Road. Because Landham Road is a reconstruction project, some conditions will be improved over those that exist on Concord Road at this time. Drainage will be provided. A one-foot asphalt berm will be placed on each side of the 24-foot paved surface, making a total paved surface of 26 feet.

Roadside obstructions, such as utility poles, fire hydrants and trees, can be removed to provide extra clear space at the side of the road beyond the berm provided.

We believe that if you stop and think about the characteristics of Concord Road in that section just south of the Center, you will agree that it is well suited for any residential road in Sudbury, including Landham Road.

You may be concerned about all this talk about the requirements of standards. Consider the following points about the requirements of standards. Suppose we want to build two roads. One of these is an imaginary "standard road"; the second one is an actual road named Landham Road. The standards say the imaginary road should be 30 feet wide at least. Landham Road will be 24 feet, we hope.

The standards require that the imaginary road have no curves greater than 13.5 degrees. Landham Road has moderate curves by this standard because the greatest curve on Landham Road, according to the DPW design already produced, is 8.2 degrees.

Another characteristic that relates to the sharpness of curves is the minimum radius of curvature. This goes hand in hand with the degree of curve. On our imaginary standard road, the specifications call for 427 feet. On Landham Road, our sharpest curve has a radius of curvature of 698 feet. Then we jump to 1,200 feet or more and significantly smoother curves for all of the other curves on the road.

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The standard suggests a maximum grade of 5% for a road with a design speed of 40 miles per hour. Landham Road has most of its grades between one and two per cent and at its highest slope, the grade reaches 2.18%.

Another consideration concerning grades is that one standard suggests a 2% maximum grade within 100 feet of intersections in the areas that we have snow problems. This is to help control starting and stopping of a vehicle at an intersection and also provide good lines of sight to allow the observation of other vehicles entering the intersection. With a maximum grade of 2.18% along one short section, Landham Road has grades well suited for its many intersecting driveways and roads.

Finally, consider the nature of the grades. To prevent blind hills and dips, it is desirable to avoid sharp crests or deep valleys. Anyone driving regularly on Landham Road knows that because of the flatness of the area it goes through, we have no blind peaks or hidden valleys which obstruct the view of the road ahead.

There are obviously other design features which affect the safety of any road. I won't suggest to you that I have an engineering understanding of the ones I've discussed or of any of the others. I do believe that in an educated layman's understanding of them, they tell me one thing. Landham Road will not be stretching the limits of standard road design criteria in any of its key elements with one exception, and that is its width.

By the way, the 24-foot width is the standard for the travel lanes of a road, two 12-foot travel lanes. The extra width they are asking for is not really called travel lanes. It is shoulder space. They are suggesting that we need space to park cars, temporarily or perhaps for the long term.

I suggest to you that when a road has minimum to moderate curves, relatively flat grades, extra clear space at its shoulders and good drainage and many other features, these many positive features will more than compensate for a less than standard road width.

My final comment on the design question concerns the availability of an engineering consultant to do the work on this project knowing that the DPW and the Town Engineer have taken a negative stand on the 24-foot width. I have been informed by the Town Engineer that at least one engineering firm has already made an inquiry about filing a proposal to design the 24-foot road since the Annual Town Meeting vote. I have second hand information that as many as three firms may have already made inquiries concerning designing this project. I suggest to you that this means some professionals, knowing the great concern and the great debate about the safety of this road, still have judged that it can be built safely at 24 feet.

Cost considerations have major impact on this project. Because of the DPW funding, the Town faces a significant charge in order to have this road built to its own specifications. The cost data which has been presented this evening is based on DPW estimates and is reasonably accurate. We have no quarrel with the general range of the numbers provided.

The necessary money has already been appropriated from taxes in previous years. The impact of the 24-foot vote this evening will be that the state will reimburse the Town less next year than if we go with the 30-foot road. We see that it has some impact on the availability of free cash at the time of our Annual Town Meeting in 1980. The state money won't be returned to us until the fall of '79.

The specific impact on your tax rate will be approximately 75¢ per thousand dollars valuation.

There is one alternative which the proponents have not discussed this evening concerning the engineering costs of this project. Because the project can now not be done during this building season, nearly a full year exists during which the Town Engineering Department could, as it has indicated it is capable of doing, at a moderate pace, prepare plans and specifications for the road. The bulk of this work could be done during the relatively slow winter months when weather conditions prevent them from doing field work. This could result in a savings of a significant portion of the outside engineering costs.

We consider these costs to be an investment in the character of our neighborhood and of the Town as a whole. Spending this money is entirely consistent with the philosophy of the Town to purchase conservation land or construct meandering walkways because that is the style of town the townspeople want to live in. We hope you agree with us on that point.

Finally, the questions concerning the scheduling of the project have been answered by the action of the petitioners for this article. They have delayed the

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design and construction efforts sufficiently so that there is no chance for either of the designs to be implemented this year. Therefore, there appears to be no advantage to voting one way or the other concerning this project from a scheduling point of view.

I have to respond, because I may not be given another chance, to a couple of comments made by the Selectmen. The accident data suggested by Mr. Murray reflects the accidents on a delightful, wide, smooth, well-drained road in the Town of Framingham. It doesn't reflect the fact that Landham Road is in terrible shape and very conducive to accidents because of pot holes, drainage, obstructions at the side of the road and so on. I think any use of accident statistics based on the existing conditions of Landham Road is entirely inappropriate except to identify the fact that something needs to be done.

We also continue to hear data on the number of vehicles per day using Landham Road. It is obviously a large number, but to say that we are carrying 8- to 10,000 cars per day is strictly conjectural without factual basis. The DPW, last fall, placed counters on the road for the Landham Road Advisory Committee and determined that the peak load at one point was 7,288 cars per day. How the proponents of the 30-foot design get to 8- to 10,000 cars per day, I don't know.

Mr. Cutler then asked the Moderator's permission that Mr. Peter H. Anderson continue with some additional comments concerning this project.

Mr. Anderson continued as follows:

I am here again along with you to debate the merits of the width of Landham Road. It is indeed unfortunate that this should be the case since, as Harold Cutler has just indicated, the petition for this Special Town Meeting has only succeeded in introducing additional delay into the project along with the ever present inflationary effects. It would be sadder still if we were to allow this to become successful strategy for reversing the previous mandate of a regular town meeting.

The remarks that I have to add to Mr. Cutler's presentation in support of this amendment for a 24-foot road deal with first, the fact that Sudbury is not alone in its opposition to DPW standards for road width; second, some facts about Sudbury's roads to get you calibrated on the subject of road width; and finally, specific facts that relate to the residential nature of Landham Road.

The Landham Road situation is not an isolated incident. Other communities have been and are continuing to be confronted with similar situations. Listen to some other cases in brief. The DPW wanted to widen Hutchinson Road in Burlington to 30 feet. The town was able to get a 24-foot road built with state funding by declaring it a scenic road.

In another case, the DPW wanted to widen the remaining portion of Central Street in Saxonville to 30 feet. Assisted both by prior designation as a scenic road and by a Selectman who lives on the extension of Central Street, residents were successful in getting the DPW to drop its plans for the road widening.

In still another case, the DPW wanted to widen Wellesley Street in Weston to 30 feet. Here the Weston Town Engineer took up the fight for the 24-foot road and got it built at that width using state aid funds even without a scenic road designation. Wellesley Street is similar to Landham Road in that it carries traffic between two towns, Wellesley and Weston.

There are currently other road widening battles going on in West Newbury and Sterling. The point is the problem is always the same. The DPW starts out wanting to reconstruct at a 30-foot width, and the people react because they know that such wide roads are simply not right for their community.

There has been enough state-wide controversy against DPW arbitrary use of inappropriate, non-binding standards to prompt the Office of State Planning to recommend the standards be changed. The legislative commission set up under State Senator Robert Wetmore is currently looking into potential legislation that would force the DPW to adopt a more flexible policy in response to this recommendation. Until such legislation can be passed, individual communities will continue to face battles with the DPW over their road widening policy.

What we do here tonight will impact how the DPW approaches other road reconstruction in Sudbury and elsewhere in the future. Our own state legislators have been alerted. They are sympathetic to our cause, and they will be closely observing the sentiments expressed by the people of Sudbury.

Let Sudbury stand up and be counted among the other conservation-minded towns that will not sit idly by while the DPW tears into their environment to lay down

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excessive pavement in the name of totally inappropriate AASHO highway design standards. To yield to the DPW fiscal blackmail would be a sad reflection on our character as a people and where we are going as a town.

Now, let's get calibrated on road width. This data is from the Town of Sudbury Street Information Book prepared by the Town Engineering Department. There are slightly over three hundred roads in Sudbury. Of these, 280, or 92%, are 24 feet or less in width. Only two roads are as wide as 30 feet, these being Route 20 and part of Route 27. It is not surprising to find that most of Sudbury's roads are 24 feet or less because we are, after all, a residential community.

A standard practice in many new subdivisions in Town has been to build a 20-foot road. Landham Road is currently of variable width, measuring 18-22 feet. Widening Landham Road to a constant width of 24 feet will represent ample improvement.

The difficulties with the present road are pot holes, rough surface, no crown and poor drains. These will all be solved by a 24-foot road, and a meandering walkway will be added.

As a calibration point, we have noted that Concord Road is 24 feet, and in the 1972 traffic study, it was found to carry more traffic volume now than what is being quoted for Landham Road today.

Looking at other roads, Peakham Road is 18-20 feet. Dutton Road is 17-20 feet. Marlboro Road is 18-22 feet wide. These are all significant residential collector streets. Neither they nor Landham Road should be widened to an extent that would put them in a class with the two numbered routes which, at 30 and 32 feet, are the widest streets in Town.

Finally, Landham Road is residential. It is zoned as A-1 which is Sudbury's maximum density residential zoning. The road has 44 driveways along its one and one quarter mile length, an average of one driveway every 190 feet. In addition, there are 13 intersecting streets. 131 residents live directly on Landham Road, and of these, 36 are children under age 18.

You can count more than 270 additional youngsters in the immediate surrounding area east of Landham Road who must walk along or cross Landham Road to get to the public playing fields and summer recreational programs. For their sake, and for all the reasons we've given, we ask you not to turn Landham Road into a speedway. Please vote "Yes" on this amendment.

The Moderator then stated as follows: Now we've heard from both sides of the Landham Road issue, and before we call for any more speakers for or against, I wonder if there is anybody who has a question they'd like to ask.

After about a dozen questions were asked and answered, the question was moved.

Mr. Robert K. Coe then raised a point of order as follows: Since you opened the floor only for questions, I ask you to rule that the motion of the question is out of order.

The Moderator stated as follows: I don't think that is required. If anybody feels that way, you can certainly vote against this motion to move the question. If you feel that we need more discussion or if you feel that we should have a chance for additional questions, you'll just vote against this motion to move the question.

Mr. John C. Powers then raised a point of order as follows: I'm concerned with the fact that we had a limitation on the debate and an opportunity was not had for full debate in the hall for people who were not interested in asking a question but who wished to persuade the hall one way or the other on this question. I understand the problem that the Moderator is in. But, the Moderator normally and usually inquires of the hall as to how many people would like to debate or ask questions by a show of hands. That is the only way you can get some feeling before you vote as to whether you'll just take a vote or whether the right to debate or the right to address the hall, which is a very important part of our town meeting procedure, is going to be truncated.

The Moderator then stated as follows: The fact is that during any motion to move the question there is going to be somebody that didn't get a chance to speak. The way that is dealt with is voting for or against this motion to terminate debate or move the question. So, we will ask, for the guidance of the hall, all those persons who would like to have spoken, or who would like to have asked a question, or would like to have examined this issue further, to raise their hands.

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He then called for a vote on the motion of the question, and it was passed.

VOTED: TO AMEND THE MAIN MOTION BY DELETING THE WORDS "BY DELETING THE WORDS AT A WIDTH OF 24 FEET CONTAINED IN SAID VOTE AND INSERTING THEREFOR THE WORDS AT A WIDTH OF 30 FEET" AND BY CHANGING THE SUM \$450,000 TO READ \$490,800, AND CHANGING THE WORDS \$200,000 TO THE NUMBER \$240,000.

In favor - 355, Opposed - 342. (Total - 697).

After several more questions were asked and answered, the question was moved again. The Moderator asked how many in the hall would like to speak or ask questions, and he stated that there were about a half dozen. He then took the vote, and the motion of the question was passed.

VOTED: THAT THE TOWN VOTE TO AMEND ITS VOTE UNDER ARTICLE 11 OF THE 1978 ANNUAL TOWN MEETING CONCERNING THE RECONSTRUCTION OF LANDHAM ROAD, BY DELETING THE WORDS "SUM OF \$400,000" AND INSERTING THEREFOR THE WORDS "SUM OF \$490,800"; BY DELETING THE WORDS "TO BORROW \$150,000" AND INSERTING THEREFOR THE WORDS "TO BORROW \$240,000"; AND AT THE END OF THE MOTION, BY ADDING THE WORDS "TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY SURVEYOR".

ARTICLE 2: 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 Morse Road, Sudbury, Massachusetts", drawn by: Town of Sudbury Engineering Department, dated: March 23, 1977, and to amend the vote passed under Article 28 of the 1977 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.

Submitted by the Board of Selectmen.

Board of Selectmen Report: Construction of the Morse Road walkway was previously approved by the Town. It is, however, necessary that an easement be obtained over the Penn Central Railroad tracks. This article will allow the easement to be obtained by the Town.

Finance Committee Report: (Mr. Chester Hamilton)

In order to complete this walkway that was first voted at the 1977 Annual Town Meeting, the Town must acquire this easement which involves a railroad crossing. The Finance Committee recommends approval.

VOTED: IN THE WORDS OF THE ARTICLE.

ARTICLE 3: To see if the Town will vote to establish a committee to study the feasibility of modifying the Lincoln Sudbury Regional Agreement with respect to establishing proportional representation on the Lincoln Sudbury Committee from the Towns of Lincoln and Sudbury: 2 members appointed by Moderator and 3 by Selectmen; or act on anything relative thereto.

Submitted by Petition.

Petition

Petitioners' Report: This committee would study the way that other regions elect regional school committees and compare these with the method used for Lincoln and Sudbury.

Based on the advantages and disadvantages of the various regions, and the L-S experience with the present at-large elections, this committee may recommend changes to the Town Meetings.

Article 3

June 7, 1978

Mr. Albert E. Fink moved *Indefinite Postponement*.

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

We were informed late this afternoon that this article would be brought forth for Indefinite Postponement. I had the opportunity to talk to the other members of the Committee, and it is the general consensus of the Committee members that this is a constructive way to dispose of this motion and a very sensible one. We appreciate the fact that there are so many people here who were ready to take part in the debate relative to the article, but we definitely recommend that you support a motion for Indefinite Postponement.

VOTED: *INDEFINITE POSTPONEMENT.*

VOTED: *TO ADJOURN.*

The meeting adjourned at 10:06 P.M.

[Number of names marked on the voting list as having attended the meeting: 739]

A True Record, Attest: *Betsy M. Powers*
Town Clerk

STATE PRIMARY

September 19, 1978

The State Primary Election was held at the Peter Noyes School with the polls open from 7:00 A.M. to 8:00 P.M. There were 1,211 Republican ballots cast, including 24 absentee ballots (Precinct 1 - 6; Precinct 2 - 6; Precinct 3 - 5; Precinct 4 - 7); there were 1,312 Democratic ballots cast, including 26 absentee ballots (Precinct 1 - 1; Precinct 2 - 14; Precinct 3 - 6; Precinct 4 - 5); there was one American party ballot cast; a total of 2,524 votes cast. Twenty-three voting machines were used. The precinct results were announced by the Precinct Clerks by 11:00 P.M.

REPUBLICAN BALLOT

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
SENATOR IN CONGRESS					
Edward W. Brooke	120	109	119	216	564
Avi Nelson	144	146	150	194	634
Scattering	0	0	0	2	2
Blanks	3	2	0	6	11
GOVERNOR					
Francis W. Hatch, Jr.	102	127	143	241	613
Edward F. King	147	110	114	148	519
Blanks	18	20	12	29	79
LT. GOVERNOR					
William I. Cowin	111	115	117	200	543
Peter L. McDowell	99	88	88	122	397
Blanks	57	54	64	96	271
ATTORNEY GENERAL					
William F. Weld	188	178	181	310	857
Blanks	79	79	88	108	354
SECRETARY					
John W. Sears	193	184	189	330	896
Blanks	74	73	80	88	315
TREASURER					
Lewis S. W. Crampton	190	174	175	306	845
Blanks	77	83	94	112	366
AUDITOR					
William A. Casey	187	177	171	301	836
Blanks	80	80	98	117	375
REPRESENTATIVE IN CONGRESS (Fourth District)					
Raymond A. Gastonguay (write-in)	14	9	8	15	46
Blanks	253	248	261	403	1165
COUNCILLOR (Third District)					
Blanks	267	257	269	418	1211
SENATOR IN GENERAL COURT (Middlesex & Worcester District)					
Blanks	267	257	269	418	1211
REPRESENTATIVE IN GENERAL COURT (Thirteenth Middlesex District)					
Ann C. Gannett	215	200	205	355	975
Scattering	0	0	1	2	3
Blanks	52	57	63	61	233

September 19, 1978

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
DISTRICT ATTORNEY (Northern District)					
Guy A. Carbone (write-in)	9	0	2	5	16
Scattering	0	2	0	0	2
Blanks	258	255	267	413	1193
REGISTER OF PROBATE AND INSOLVENCY (Middlesex County)					
James Matthew Veneziano (write-in)	4	2	1	6	13
Blanks	263	255	268	412	1198
COUNTY COMMISSIONER (Middlesex County)					
Joan Rhines Needleman (write-in)	3	0	4	0	7
Blanks	264	257	265	418	1204
COUNTY TREASURER (Middlesex County)					
Blanks	267	257	269	418	1211

AMERICAN BALLOT

American Party ballots were furnished by the State Secretary's Office and were available at the polls on September 19, 1978. However, no candidates' names appeared printed on the ballot, and there were no votes cast in the American Party at the Primary in Precincts 2, 3 and 4. There was one blank ballot cast in Precinct 1.

DEMOCRATIC BALLOT

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
SENATOR IN CONGRESS					
Kathleen Sullivan Alioto	26	34	29	27	116
Paul Guzzi	77	102	91	85	355
Elaine Noble	32	42	39	52	165
Howard Phillips	17	12	24	25	78
Paul E. Tsongas	127	158	118	154	557
Blanks	8	12	6	15	41
GOVERNOR					
Michael S. Dukakis	168	217	150	229	764
Barbara Ackermann	17	27	16	20	80
Edward J. King	97	111	137	103	448
Blanks	5	5	4	6	20
LT. GOVERNOR					
Thomas P. O'Neill III	206	250	217	255	928
Blanks	81	110	90	103	384
ATTORNEY GENERAL					
Francis X. Bellotti	195	240	195	225	855
Blanks	92	120	112	133	457
SECRETARY					
Michael Joseph Connolly	46	54	47	35	182
David E. Crosby	13	21	20	20	74
John Fulham	10	13	14	13	50
William James Galvin, Jr.	15	34	25	31	105
James W. Hennigan, Jr.	8	6	11	14	39
Lois G. Pines	146	174	142	185	647
Anthony J. Vigliotti	7	8	10	7	32
Blanks	42	50	38	53	183

September 19, 1978

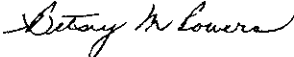
	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
TREASURER					
Robert Q. Crane	93	120	76	119	408
Lawrence E. Blacke	18	29	24	19	90
Paul R. Cacchiotti	17	16	15	17	65
Lawrence S. DiCara	92	120	114	106	432
Thomas D. Lopes	8	14	16	5	43
Dayce Philip Moore	7	5	7	15	34
Blanks	52	56	55	77	240
AUDITOR					
Thaddeus Buczko	104	128	109	122	463
Peter G. Meade	136	173	143	165	617
Blanks	47	59	55	71	232
REPRESENTATIVE IN CONGRESS (Fourth District)					
Robert F. Drinan	186	268	198	257	909
Norman M. Walker	90	76	97	85	348
Blanks	11	16	12	16	55
COUNCILLOR (Third District)					
Herbert L. Connolly	123	134	121	139	517
Raymond P. McKeon	68	90	84	72	314
Blanks	96	136	102	147	481
SENATOR IN GENERAL COURT (Middlesex & Worcester District)					
Chester G. Atkins	217	267	208	260	952
Robert C. Bowler	37	42	59	53	191
Blanks	33	51	40	45	169
REPRESENTATIVE IN GENERAL COURT (Thirteenth Middlesex District)					
Dennis J. Berry	176	195	184	198	753
Blanks	111	165	123	160	559
DISTRICT ATTORNEY (Northern District)					
John J. Droney	56	77	72	75	280
Guy A. Carbone	28	37	41	30	136
L. Scott Harshbarger	167	176	139	181	663
Blanks	36	70	55	72	233
REGISTER OF PROBATE AND INSOLVENCY (Middlesex County)					
Paul J. Cavanaugh	76	94	89	92	351
Edward J. Bishop, Jr.	16	30	19	29	94
Francis X. Donahue	24	26	24	15	89
Leonard F. Deacon Doyle	22	18	25	25	90
John R. Harvey	23	23	15	22	83
Ralph R. Hogan	12	7	12	11	42
Blanks	114	162	123	164	563
COUNTY COMMISSIONER (Middlesex County)					
John L. Danehy	25	43	29	33	130
William C. Chisholm, Jr.	13	24	14	24	75
Michael T. Cunningham	20	22	25	18	85
Bernard J. Hennessy	173	162	154	161	650
Blanks	56	109	85	122	372

September 19, 1978

COUNTY TREASURER
(Middlesex County)

Rocco J. Antonelli	26	33	30	29	118
James F. Brennan	19	23	17	17	76
Thomas F. Coughlin	32	30	34	36	132
Donald A. Fantini	41	59	34	36	170
Charles A. Gallagher	14	19	19	22	74
Richard D. Mahoney	19	15	16	20	70
John J. Twomey	32	35	47	53	167
Scattering	0	0	0	1	1
Blanks	104	146	110	144	504

A True Record, Attest:

Betsey M. Powers
Town Clerk

STATE ELECTION

November 7, 1978

The Biennial State Election was held at the Peter Noyes School with the polls open from 6:30 A.M. to 8:00 P.M. There were 5,969 votes cast, including 196 absentee ballots (Precinct 1 - 43; Precinct 2 - 44; Precinct 3 - 55; Precinct 4 - 54). Twenty-three voting machines were used. The precinct results were announced by the Precinct Clerks by 10:45 P.M.

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
SENATOR IN CONGRESS					
Edward W. Brooke	715	746	769	996	3226
Paul E. Tsongas	592	675	652	702	2621
Avi Nelson (write-in)	2	0	0	0	2
Scattering	1	2	3	4	10
Blanks	18	33	30	29	110
GOVERNOR-LIEUTENANT GOVERNOR					
Hatch and Cowin	862	950	988	1245	4045
King and O'Neill	437	468	442	456	1803
Blanks	29	38	24	30	121
ATTORNEY GENERAL					
Francis X. Bellotti	868	985	924	1025	3802
William F. Weld	421	429	483	657	1990
Scattering	0	2	0	0	2
Blanks	39	40	47	49	175
SECRETARY					
Michael Joseph Connolly	402	521	441	472	1836
John W. Sears	790	798	877	1101	3566
Scattering	0	0	0	1	1
Blanks	136	137	136	157	566
TREASURER					
Robert Q. Crane	492	586	483	561	2122
Lewis S. W. Crampton	717	751	849	1032	3349
Scattering	0	1	0	0	1
Blanks	119	118	122	138	497
AUDITOR					
Thaddeus Buczko	508	579	530	621	2238
Timothy F. O'Brien	660	708	778	907	3053
Blanks	160	169	146	203	678
REPRESENTATIVE IN CONGRESS (4th District)					
Robert F. Drinan	827	958	874	1039	3698
Scattering	1	2	2	3	8
Blanks	500	496	578	689	2263
COUNCILLOR (3rd District)					
Herbert L. Connolly	728	799	816	906	3249
Blanks	600	657	638	825	2720
SENATOR IN GENERAL COURT (Middlesex & Worcester District)					
Chester G. Atkins	877	982	940	1090	3889
Scattering	0	0	0	1	1
Blanks	451	474	514	640	2079
REPRESENTATIVE IN GENERAL COURT (13th Middlesex District)					
Ann C. Gannett	909	937	960	1231	4037
Dennis J. Berry	349	470	426	425	1670
Blanks	70	49	68	75	262

November 7, 1978

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>Total</u>
DISTRICT ATTORNEY					
(Northern District)					
John J. Droney	752	861	833	990	3436
Scattering	1	0	0	0	1
Blanks	575	595	621	741	2532
REGISTER OF PROBATE AND INSOLVENCY					
(Middlesex County)					
Paul J. Cavanaugh	520	629	556	623	2328
Robert V. Campo	444	419	495	586	1944
Blanks	364	408	403	522	1697
COUNTY COMMISSIONER					
(Middlesex County)					
John L. Danehy	709	811	765	885	3170
Scattering	0	0	0	1	1
Blanks	619	645	689	845	2798
COUNTY TREASURER					
(Middlesex County)					
Rocco J. Antonelli	384	467	439	446	1736
S. Lester Ralph	643	679	721	863	2906
Blanks	301	310	294	422	1327
QUESTION 1 (Property Classification for Tax Purposes)					
Yes	427	540	592	605	2164
No	866	878	814	1065	3623
Blanks	35	38	48	61	182
QUESTION 2 (State Budget Deadline)					
Yes	942	1027	1033	1220	4222
No	286	326	314	366	1292
Blanks	100	103	107	145	455
QUESTION 3 (Distributing Information for Voters)					
Yes	874	947	956	1097	3874
No	370	399	388	490	1647
Blanks	84	110	110	144	448
QUESTION 4 (Residence Standards for State Census)					
Yes	852	960	956	1066	3834
No	357	358	365	486	1566
Blanks	119	138	133	179	569
QUESTION 5 (Charter Commission Deadline)					
Yes	542	598	597	726	2463
No	646	686	687	786	2805
Blanks	140	172	170	219	701
QUESTION 6 (Student Assignments to Public Schools)					
Yes	689	820	822	894	3225
No	543	545	518	693	2299
Blanks	96	91	114	144	445
QUESTION 7 (Taxation of Land Used for Recreation or Left in a Natural State)					
Yes	758	769	788	970	3285
No	491	583	557	625	2256
Blanks	79	104	109	136	428
QUESTION 8 (Reduction and Limitation of Local Property Taxes)					
(Non-binding Advisory Question)					
Yes	912	937	983	1121	3953
No	222	294	236	336	1088
Blanks	194	225	235	274	928

A True Record, Attest: *Betsey M. Powers*
 Betsey M. Powers
 Town Clerk

