

INDEX

Special Town Election, January 22, 1979
 Annual Town Election, March 26, 1979
 Annual Town Meeting, April 2, 1979
 Special Town Meeting, April 9, 1979
 Special Town Meeting, June 11, 1979
 Emergency Special Town Meeting, June 11, 1979

	<u>Art.</u>	<u>Page</u>	
Acts, General Laws			
petition for amendment to Chap. 111, Sec. 31D (billing and user fees for septage facility)	29	113	
Acts, Special, petitions to General Court			
Contingency Fund, establishment of, Lincoln-Sudbury Regional High School	22	104	
Selectmen, five-member board	34	124	DF
Special Police, appointment of	12	49	DF
Tax Collector, appointment of	36	131	IP
Treasurer, appointment of	35	128	DF
Validation of Annual Town Election and Annual Town Meeting, failure to post warrant	1	75	
Audit, Town	8	45	
Borrowing, authorization for	2	9	
Budgets, 1979-80	5	28	
reconsideration of 5(110)		68	DF
additional appropriation to 5(110)	1	155	
adjustments for 1979-80 classification and salary plan	2	143	
Bylaws, amendments (except IX-Zoning and XI-Personnel)			
Dog Fines (V, 3)	9	46	
Earth Removal (V(A), 7)	21	104	
Public Safety (V, 15, 18, 19)	19	101	
Town Property (XII, 1)	20	102	
Cluster Development (Art. IX, Sec. IV)	14	56	DF
Committees, abolishment of			
Town Administration, Committee on	40	135	IP
Conservation Commission			
transfer of tax possession parcel #164 to	11	48	
Debt Service, budget	5(200)	41	
Dog Fines, amendment (Art. V, Sec. 3)	9	152	
Dog Pound Funds, carry forward to 1979-80	3	145	
Drainage, construction/reconstruction of surface drains	37	132	
Earth Removal, amendment (Art. V(A), Sec. 7)	21	104	
Elections			
Special Town Election, January 22, 1979		1	
Annual Town Election, March 26, 1979		2	
validation of	1	75	
Fairbank School, new roof	24	107	
Finance Committee Report		3	
Fire/Police Headquarters/Facilities, planning money	13	52	
Free Cash, exempt \$100,000 from reducing tax levy	8	152	
General Government, budget	5(500)	79	
Haynes Road/Puffer Lane, walkway construction	15	95	
Health, budget	5(800)	88	
vehicle for director, purchase	4	146	
Highway Department, budget	5(400)	77	
Highways			
electrical services for salt shed and landfill	38	134	
Landham Road reconstruction	41	136	DF
surface drains, construction/reconstruction	37	132	
Horse Pond School, heating system repairs	25	108	
Housing Authority			
municipal exemption for housing for physically disabled persons (Art. IX, Sec. I, B)	27	110	DF
	10	153	IP
zoning exemption for congregate housing, Nobscot Road	28	112	IP

	<u>Art.</u>	<u>Page</u>	
Land, transfer of tax possession parcel #164 to Conservation	11	48	
Landham Road, reconstruction	41	136	DF
Library, budget	5(600)	86	
Lincoln-Sudbury Regional High School			
budget	5(130)	35	
contingency fund, establishment of, petition to			
General Court for special act	22	104	
roof repairs	23	106	
Microfilm Reader/Printer, purchase	39	135	
Minuteman Regional Vocational Technical High School			
budget	5(140)	39	
amend agreement	5	147	
Mossman Road, walkway construction	16	96	
Park and Recreation			
budget	5(700)	87	
swim facility, construction	32	118	DF
operations budget	33	123	IP
Personnel Bylaw (Art. XI), amendments			
Classification and Salary Plan 1979-80	3	10	IP
reconsideration	3	67	DF
Classification and Salary Plan 1979-80	1	139	
Personnel Administration Plan, Sec. 1-12	4	15	
reconsideration	4	68	DF
Personnel Administration Plan, Sec. 7	18	100	IP
Police, special, appointment of, petition to General Court			
for special act	12	49	DF
Police/Fire Headquarters/Facilities, planning money	13	52	
Property Values, update	7	43	
Protection of Persons and Property, budget	5(300)	69	
Public Safety, amendments (Art. V, Sec. 18, 19, 20)	19	101	
Reports, Town boards, committees and officials, accept	1	7	
Reserve Fund, transfers from		90	
Resolutions (in memoriam)			
Devoll, James L., Sr.		6	
Drum, John J.		6	
Hosmer, Florence A.		6	
Quinn, James Leo		6	
Rice, Harry C.		6	
Sherman, Edward A.		6	
Skog, Malcas		7	
Scenic Roads, designation of ten roads as	17	98	DF
Schools, Sudbury			
budget	5(110)	28	
reconsideration	5(110)	68	DF
additional appropriation to 5(110), 1979-80 budget	1	155	
Fairbank School, new roof	24	107	
Horse Pond School, heating system repairs	25	108	
Summer School	26	108	
Selectmen, petition General Court for special act, five-member			
board	34	124	DF
Special Police, appointment of, petition General Court for			
special act	12	49	DF
Street Acceptances, ten streets	9	46	
Newbridge Road	10	47	
Summer School	26	108	
Surface Drains, construction/reconstruction	37	132	
Swim Facility, construction of	32	118	DF
operations budget	33	123	IP
Tax Collector, appointment of, petition General Court for			
special act	36	131	IP
Tax Possession Parcel #164, transfer to Conservation Commission	11	48	
Taxes			
Levy Limit	6	151	IP
Appropriations Limit	7	152	IP
Free Cash, exempt \$100,000 from reducing tax rate	8	152	
Town Administration, Committee on, abolish	40	135	IP
Town Audit	8	45	

	<u>Art.</u>	<u>Page</u>	
Town Meeting, Annual, validation	1	75	
Town Property, amendment (Art. XII, Sec. 1)	20	102	
Treasurer, appointment of, petition General Court for special act	35	128	DF
Trinity Mental Health Services, appropriation for	31	116	DF
Unclassified, budget	5(950)	90	
Unpaid bills	6	43	
Valuation, update property values	7	43	
Veterans, budget	5(900)	89	
Walkways, construction			
Haynes Road/Puffer Lane	15	95	
Mossman Road	16	96	
Wayland/Sudbury Septage Disposal Agreement, amend (user charge system)	30	115	IP
Wayland/Sudbury Septage Disposal Facility, petition General Court for amendment to Chap. 111, Sec. 31D (billing and user fees)	29	113	
Zoning Bylaws (Art. IX), amendments			
Cluster Development (Sec. IV)	14	56	DF
Housing for physically disabled, municipal exemption (Sec. I, B)	27	110	DF
	10	153	IP
Zoning Exemption, for building congregate housing for physically disabled, Nobscot Road	28	112	IP

DF Defeated
IP Indefinite Postponement

SPECIAL TOWN ELECTION

January 22, 1979

A Special Town Election was held at the Peter Noyes School on January 22, 1979, with the polls open from 7:00 A.M. to 8:00 P.M. There were 1703 votes cast, including 35 absentee ballots. Sixteen voting machines were used. The results were announced by Town Clerk Betsey M. Powers at 8:45 P.M.

SELECTMAN: Term to Expire March 31, 1980

William J. Cossart	1016
Donald R. Oasis	686
Blanks	1

A True Record, Attest:

Betsey M. Powers
Betsey M. Powers
Town Clerk

ANNUAL TOWN ELECTION

March 26, 1979

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 2,594 votes cast, including 73 absentee ballots. Twenty-two voting machines were used. The results were announced by Town Clerk Betsey M. Powers at 11:20 P.M.

MODERATOR: For One Year (Write-in)		PLANNING BOARD: For Five Years	
J. Owen Todd	751	Oiga P. Reed	1545
John C. Powers	53	Blanks	1049
Frank R. Sherman	23	SUDBURY SCHOOL COMMITTEE:	
Scattering	16	For Three Years (Vote for Two)	
Blanks	1751	Jonathan J. Sirota	1437
SELECTMAN: For Three Years		Bernard J. Hennessy	1032
Robert J. Hotch	1940	Beatrice Kipp Nelson	1476
Scattering	2	Scattering	2
Blanks	652	Blanks	1241
ASSESSOR: For Three Years		BOARD OF PARK AND RECREATION	
William R. Duckett	1796	COMMISSIONERS:	
Blanks	798	For Three Years (Vote for Two)	
CONSTABLE: For Three Years		Oscar W. Harrell	1572
Ronald G. Adolph	1743	Donald R. Soule	1402
Blanks	851	Blanks	2214
HIGHWAY SURVEYOR: For One Year		SUDBURY HOUSING AUTHORITY:	
Robert A. Noyes	1959	For Two Years (To Fill Vacancy)	
Blanks	635	Carl K. Witham	1600
TREE WARDEN: For One Year		Blanks	994
William M. Waldsmith	1724	SUDBURY HOUSING AUTHORITY:	
Blanks	870	For Five Years	
GOODNOW LIBRARY TRUSTEE:		Albert S. Feinberg	1520
For Two Years		Blanks	1074
Anne W. Donald	1918	LINCOLN-SUDBURY REGIONAL SCHOOL	
Blanks	676	DISTRICT SCHOOL COMMITTEE:	
GOODNOW LIBRARY TRUSTEE:		For Three Years (Vote for Two)	
For Three Years (Vote for Two)		Ronald L. Blecher	1339
Virginia L. Howard	1669	Joan W. Wofford	1103
Charlotte M. MacLeod	1448	Lois Y. Pink	1594
Blanks	2071	Blanks	1152
BOARD OF HEALTH: For Three Years		(NOTE: Members of the Lincoln-Sudbury	
(Write-in)		Regional School District School Committee	
Mark Bloomberg	217	were elected on an at-large basis pursuant	
Karen D. Rasile	514	to the vote of the Special Town Meeting	
Scattering	9	of October 26, 1970, under Article 1, and	
Blanks	1854	subsequent passage by the General Court	
PLANNING BOARD: For One Year		of Chapter 20 of the Acts of 1971. The	
(To Fill Vacancy)		votes recorded above for this office are	
Robert F. Dionisi, Jr.	1468	those cast in Sudbury only.)	
Scattering	2		
Blanks	1124		
PLANNING BOARD: For Two Years		A True Record, Attest: <i>Betsey M. Powers</i>	
(To Fill Vacancy)		Betsey M. Powers	
John C. Cutting	1714	Town Clerk	
Blanks	880		

1979 FINANCE COMMITTEE REPORT

The Sudbury Finance Committee is composed of nine citizens, three appointed by the Moderator each year for a three-year term. It is charged by Town Bylaw to review all budgets, monied articles and non-monied articles and to report its recommendations in the Warrant and at Town Meeting. The Committee presents an estimate of the tax rate for the coming year.

Your tax is based on the difference between the costs of the Town for the year and the net income from sources other than property taxes. Basically, our costs as a town are categorized as follows:

- Payment of State and county assessments.
- Monies appropriated at Town Meeting to provide services to the Town. These monies are voted in the budget article which provides for the basic operating expenses of the boards and departments, and in the special articles which provide for expenditures over and above the regular department budgets.
- The maintaining of an overlay account. The overlay is an amount established by the Assessors to cover abatements granted.

The costs itemized above are paid from the following sources:

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

The major problem the Town of Sudbury must face is our escalating property tax. This Finance Committee has attempted to control the problem for Sudbury by setting the specific goal of keeping the tax rate for next year equal to or less than its present rate of \$59.00. Since it is difficult to accurately estimate what the receipts to the Town will be in the forthcoming year, we essentially operated under the concept that a "no growth" town-wide total operating budget (including monied articles) would enable us to stabilize the tax rate.

To help us accomplish this goal, we asked the Town boards and departments to follow three procedures: (1) a program budget, (2) a budget request at no larger than 4% over last year's budget, and (3) a "shopping list" of those areas that could be cut to bring their budgets down to zero growth. The 4% guideline was a preliminary step toward zero growth. Faced with roughly 5% to 7% salary increases and a 9% inflation rate, limiting a budget to 4% actually meant, in some cases, a budget reduction in non-salary items of 12%.

From this starting point, the Finance Committee has made every attempt to obtain an overall Town budget growth as close to zero as possible. Using our projected information on receipts and future Town valuation (which we estimate to be \$182,500,000), the tax rate for next year will be no greater than \$59.00 if the Town follows the Finance Committee recommendations. Every \$182,000 we spend equals \$1.00 on the tax rate.

It is quite evident that the major financial impact to our Town occurs in salary increases in all areas. Of the entire recommended operating budget of

\$12,508,033, over 75% is spent on salaries. Part of the increase in salaries is due to the long-awaited reclassification plan of non-union employees in this Town. A clerical study was conducted last year which enabled the Personnel Board to reclassify personnel and adjust their salaries accordingly.

As contractually negotiated salaries continue to increase, it will be necessary to cut services either by reducing hours worked or number of personnel employed if the Town wishes to maintain the same budget. Our recommendations have resulted in reduced services in non-essential areas.

The Governor has recently proposed "tax cap" legislation which, if enacted, would freeze appropriations, budgets and tax levies, with certain exceptions, at fiscal 1978-1979 levels. It is not known at this time what legislation, if any, will be adopted, and we will report to you at Town Meeting on the impact, if any, of such "tax cap" legislation on our recommendations.

We realize that the ultimate decision on what to spend is in the hands of Town Meeting. We have presented our 1979-1980 recommendations. We hope that the information and comments related to each article will be helpful to you in making your decision.

Most important, you must exercise your responsibility to choose by attending Town Meeting.

Respectfully submitted,

FINANCE COMMITTEE

Linda Glass, Chairman

Anne Donald

Philip Felleman

Edward Glazer

Chester Hamilton

Carol McKinley

Robert Norling

Joseph Slomski

Ronald Stephan

ESTIMATED SUDBURY 1979-80 TAX RATE

DEPARTMENT	ATM 1978-79 APPROPRIATION	1979-80 RECOMMENDED	INCREASE OR DECREASE	% OF INCREASE or DECREASE	% OF TOTAL BUDGET
SCHOOLS					
Sudbury	\$4,821,000	\$4,948,000	\$127,000	+ 2.6	39.5
LSRHS (Net)	2,909,465	2,874,861	-34,604	- 1.2	23.0
MMRVTHS	298,217	321,025	22,808	+ 7.6	2.6
Community Use	20,000	20,000	---	--	0.1
Sub-total - Schools	8,048,682	8,163,886	115,204	+ 1.4	65.2
PROTECTION	1,471,747	1,459,669	-12,078	- 0.8	11.7
HIGHWAY	790,719	819,744	29,025	+ 3.7	6.6
UNCLASSIFIED	723,968	727,970	4,002	+ 0.5	5.8
DEBT	482,283	412,943	-69,340	-14.4	3.3
GOVERNMENT	479,857	491,182	11,325	+ 2.3	4.0
LIBRARY	182,811	186,964	4,153	+ 2.3	1.5
HEALTH	109,630	102,109	- 7,521	- 6.8	0.8
PARKS & RECREATION	127,000	125,762	- 1,238	- 0.9	1.0
VETERANS	12,182	12,250	68	+ 0.5	0.1
	12,428,879	12,502,479	73,600	+ 0.6	100.0
Estimate of State and County Assessments	709,782	700,000			
Special Articles	722,865	297,299			
Estimate of Overlay & Overlay Deficit	242,034	125,000			
Gross Estimated Appropriation	14,103,560	13,624,778			
Less Free Cash	0	75,000			
Less Estimated Receipts	1,586,378	1,650,000			
Less Governmental Receipts	1,023,395	1,000,000			
Less Revenue Sharing	251,479	180,000			
Less School Federal Aid	11,852	16,529			
Less Miscellaneous Receipts & Offsets	105,509	33,000			
Less Conservation Fund	18,000	0			
Less Landham Road (borrowing and available)	488,796	0			
Less Overlay Surplus	40,000	50,000			
TOTAL TO BE RAISED BY TAXATION	10,578,151	10,620,249			
Tax Rate	\$59.00		(1978-79: based on \$179,290,700 Assessed Valuation)		
Estimated Tax Rate		\$58.19	(1979-80: based on \$182,500,000 Assessed Valuation)		

PROCEEDINGS
ANNUAL TOWN MEETING
April 2, 1979

The Moderator called the meeting to order at 8:09 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present and that this was the 342nd consecutive town meeting in the Town of Sudbury.

The Rev. John E. Hartigan, Pastor of Our Lady of Fatima 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.

Mr. John E. Murray, Chairman of the Board of Selectmen, was then recognized and presented the following resolution:

WHEREAS THE TOWN OF SUDBURY HAS ENJOYED THE BLESSINGS OF THOSE OF ITS CITIZENS WHO GAVE OF THEIR TIME AND TALENT TO ENRICH THE QUALITY OF LIFE OF THE TOWN, AND

WHEREAS CONTRIBUTIONS AND CIVIC DUTY AND PUBLIC SERVICE HAVE BEEN RENDERED BY SEVERAL OF ITS CITIZENS WHO HAVE PASSED FROM AMONG US;

NOW, THEREFORE, BE IT

RESOLVED THAT THE TOWN EXTEND ITS HEARTFELT SYMPATHY TO THE FAMILIES OF THESE PERSONS AND TAKE COGNIZANCE OF THEIR SERVICE AND DEDICATION:

JAMES L. DEVOLL, SR. 1915-1978. MOVED TO SUDBURY IN 1920.

DIRECTOR OF CIVIL DEFENSE: 1950-1956, 1958.
SPECIAL POLICE OFFICER: 1946-1949, 1963-1967.
POLICE OFFICER: 1949-1963.
PART-TIME PATROLMAN: 1967-1971, 1972-1976.
FINANCE COMMITTEE: 1966-1968.
COMMITTEE ON TOWN ADMINISTRATION: 1955-1960.

JOHN J. DRUM 1920-1978. MOVED TO SUDBURY IN 1962.

MUNICIPAL LIGHT DEPARTMENT STUDY COMMITTEE: 1964-1965.
FINANCE COMMITTEE: 1973-1974.
DATA PROCESSING TASK FORCE.

FLORENCE A. HOSMER 1880-1978. MOVED TO SUDBURY IN 1898.

ART TEACHER IN SUDBURY PUBLIC SCHOOLS: 1902-1930.

JAMES LEO QUINN 1892-1978. LIFETIME SUDBURY RESIDENT.

ELECTION OFFICER: 1925-1927, 1930-1934, 1937-1960.
BOARD OF REGISTRARS: 1934-1936, 1957-1961.
FIRST PERMANENT MEMBER OF FIRE DEPARTMENT BEGINNING 1932.
CUSTODIAN OF TOWN BUILDINGS.
SPECIAL POLICE: 1936-1954.
AUXILLIARY POLICE: 1954-1955.
POLICE OFFICER: 1955-1957.
RESUSCITATOR COMMITTEE: 1951-1952.
BOARD OF ASSESSORS: 1961-1976.

HARRY C. RICE 1903-1978. LIFETIME SUDBURY RESIDENT.

INSPECTOR OF ANIMALS: 1952-1968.
SUASCO WATERSHED ASSOCIATION: 1955-1961.
DOG OFFICER: 1956-1968.
POLICE OFFICER: 1957-1963.
SPECIAL POLICE OFFICER: 1963-1968.
DOG LEASH STUDY COMMITTEE: 1963-1964.

EDWARD A. SHERMAN 1910-1978. SUDBURY RESIDENT: 1928-1971.

SEALER OF WEIGHTS AND MEASURES: 1962-1966.
CUSTODIAN OF VOTING MACHINES: 1964-1965, 1968-1970.
CUSTODIAN OF TOWN BUILDINGS: 1964-1974.

April 2, 1979

MALCAS SKOG 1893-1979. MOVED TO SUDBURY IN 1901.

SPECIAL POLICE OFFICER: 1951-1954, 1963-1968.

AUXILLIARY POLICE: 1954-1955.

POLICE OFFICER: 1955-1963.

AND BE IT FURTHER

RESOLVED THAT THE TOWN OF SUDBURY, IN TOWN MEETING ASSEMBLED, RECORD FOR POSTERITY IN THE MINUTES OF THIS MEETING, ITS RECOGNITION AND APPRECIATION FOR THEIR SPECIAL GIFTS AND SERVICE TO THE TOWN.

The voters signified their approval of the resolution by their applause.

The Moderator announced that the amount of free cash as certified by the Town Accountant was \$107,450.11.

He stated that he had examined the call of the annual meeting and the officer's return of service and had found each of them to be in order.

Upon a motion made by Mr. Murray, it was

UNANIMOUSLY 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 procedures 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 1978 Town Report or as otherwise presented, or act on anything relative thereto.

Hear Reports

Submitted by the Board of Selectmen.

Finance Committee Report: Recommend Approval.

Before asking for the motion under Article 1, the Moderator commented as follows:

All that many visitors to Sudbury see of our Town is the Wayside Inn. For the past twenty years, these people have been welcomed to Sudbury and to the Wayside Inn by Frank Koppeis, the Innkeeper. He took on his responsibility in 1959, just after the Inn had burned. Under his direction and through his efforts, the Wayside Inn was restored and today operates as the oldest continuously operating inn in the country. It is a national landmark. Frank was one of the founders of the Sudbury Minutemen and is the father of the Sudbury Ancient Fyfe and Drum and their host on many a cold and thirsty evening.

To congratulate Frank Koppeis on his twentieth anniversary as Innkeeper of the Wayside Inn, and in recognition of his services to the Town and its residents, the people of Sudbury call upon Frank Koppeis to move the first article for this annual town meeting.

Upon a motion made by Mr. Francis J. Koppeis, it was

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE REPORTS OF TOWN BOARDS, COMMISSIONS, OFFICERS AND COMMITTEES AS PRINTED IN THE 1978 TOWN REPORT OR AS OTHERWISE PRESENTED, SUBJECT TO THE CORRECTION OF ERRORS, IF ANY, WHEN FOUND.

Board of Selectmen Report: (Mr. Murray)

The state of the fiscal affairs of the Town this year is good...good, if this Town Meeting assembled follows the recommendations of the Board of Selectmen and the Finance Committee. We especially commend the Finance Committee this year for their hard work and long hours to develop budget recommendations for Town Meeting that will relieve the property taxpayer.

April 2, 1979

8.

For the first time in recent memory, the Board of Selectmen has printed its position on almost all articles contained in the Warrant. We only disagree with the Finance Committee on a very few budgetary items; for example, the Conservation Fund. However, we will make our presentation and recommendation on individual articles as Town Meeting proceeds.

As the Board of Selectmen states in the Annual Town Report, uppermost in your mind is probably the California "Proposition 13" fever and the State's concomitant discourse on "Taxcaps" and limitation on levies. What is the Selectmen's position?

Again, as last year, prior to Town Meeting, the Board of Selectmen sponsored a weekend meeting this past Saturday of all Town officials to discuss strategy for complying with impending taxcap legislation. It was the consensus of those in attendance that we should proceed with Town Meeting, and a survey of surrounding towns shows they are doing likewise. In all likelihood, any ultimate taxcap legislation will provide for a 2/3 vote override by Town Meeting. Therefore, as we proceed, if it appears necessary to do so, we will recommend a 2/3 vote on any item which may exceed contemplated legislative restrictions.

SUMMARY OF COMMITTEE ON TAXATION'S
TAX LEVY LEGISLATIVE PROPOSAL

	<u>1978-79</u>	<u>1979-80*</u>
Levy	\$10,578,151	\$10,620,249
Less Debt	- 482,282	- 412,942
(TAN's)	+ 35,000	+ 60,000
Less Pension	- 207,770	- 207,770
Less Grants	---	---
Less County	- 709,782	- 700,000
Less Overlay	- 242,034	- 125,000
TOTAL	\$ 8,971,283	\$ 9,234,537

\$8,971,283 X 104% = \$9,330,134

\$9,330,134 less \$9,234,537 = \$95,597 gap

Note: If the LSRHS budget decreases by District Committee action, the gap increases.

* Based on Finance Committee recommendations

Following the Finance Committee recommendations with minor adjustments, this chart shows the dollar gap that the Town might appropriate, in addition to Finance Committee recommendations, to stay within what we believe might be the ultimate taxcap legislation, now currently being proposed by the State Committee on Taxation. In addition, the Selectmen have been in contact with Senator Atkins to help confirm that this is probably the best and safest procedure for Town Meeting to follow.

To postpone Town Meeting as the Selectmen may do by majority vote, in accordance with Chapter 22 of the Acts of 1979, does not, in our opinion, seem to be in the best interest of the Town. The Selectmen would not make this statement if they believed budgets were in excess of any probable taxcap legislation; with the exception of schools, the overall general government budget is well within the most stringent pending taxcap proposal by the Governor. There should be a tax-rate decrease...with only a modest decrease in Town services!

Again this year, we are proceeding with Town Meeting without Cherry Sheet figures showing State and County assessments and Local Aid. If we believe Governor King, which we must, increased Local Aid will be forthcoming and must and will be used to further reduce the property taxes.

Again this year, the Selectmen are proposing that the first item of business be the Consent Calendar to expedite Town Meeting. We have attempted to group articles in the Warrant to maintain active interest in Town Meeting to its completion.

In closing, we suggest that all Town Meeting members pick up a copy of the Capital Improvement Program prepared by the Long Range Capital Expenditures Committee. We recommend you read it, and we thank the Committee for making it available to Town Meeting.

Finance Committee Report: (Mrs. Linda E. Glass, Chairman)

The Finance Committee established in September a goal of maintaining this year's tax rate for the coming year. To succeed, we had to hold the requested budget and monied article increases to as close to zero as possible. This process was necessary because estimated State Aid figures are not always reliable, and the real amounts could be lower than predicted.

We proceeded by asking committee chairpeople and department heads to do two things. One, to present us with program budgets, and we held a seminar with them to explain the process. Two, to hold their budget requests to no greater than a four per cent increase over this year's appropriation.

These were difficult tasks, very time consuming, and cooperation was excellent. Town officials and department heads worked with us and each other with mutual respect and understanding. Our many long hours of deliberation and working with our separate liaison assignments have resulted in recommendations that we feel are in the best interests of the Town.

In order to attain our goal, these recommendations result in budget cuts below the requested amounts. These further cuts were difficult to make and often led to reduction in services. This is especially evident in the school budgets and the Library account.

If it is your wish to slightly reduce the tax rate, then vote the Finance Committee's recommendations. If, however, your priorities are to maintain or increase services, then vote the requested amounts. The important point is that you have been provided with sufficient information to make a choice.

I hope this Town Meeting proceeds through its deliberations with the same spirit of mutual trust and respect as we found as we went through our budget hearing process which has resulted in giving you, the Town Meeting, the opportunity to choose.

The Moderator then explained the Consent Calendar and the procedure which would be used.

*UNANIMOUSLY VOTED: TO TAKE OUT OF ORDER AND TOGETHER AT THIS TIME
THE FOLLOWING ARTICLES: 2, 6, 9, 11, 19, 20, 21, 26, 29, 38,
AND 39.*

The Moderator then read the number of each article which appeared on the Consent Calendar, and the following articles were held and removed therefrom: 6, 11, 20, 26 and 29.

*UNANIMOUSLY VOTED: IN THE WORDS OF THE CONSENT CALENDAR FOR ARTICLES
2, 9, 19, 21, 38, AND 39, AS PRINTED IN THE WARRANT.*

(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, 1979, 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:

Personnel Bylaw: "1979 - 1980
 Class. & Salary Plans SCHEDULE A - CLASSIFICATION PLAN
 AND
 Art. XI SCHEDULE B - SALARY PLAN

CLASSIFICATION	HRS PER					
	WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<u>CLERICAL</u>						
<u>ANNUALLY RATED</u>						
Clerk I	35	\$ 7,449	\$ 7,747	\$ 8,057	\$ 8,379	\$ 8,672
Clerk II	35	8,193	8,522	8,862	9,217	9,539
Account Clerk	35	8,193	8,522	8,862	9,217	9,539
Administrative Aide	35	8,193	8,522	8,862	9,217	9,539
Clerk Stenographer	35	8,766	9,117	9,483	9,862	10,206
Sr. Account Clerk	35	8,766	9,117	9,483	9,862	10,206
Secretary	35	9,293	9,664	10,051	10,453	10,818
Office Supervisor	35	10,129	10,534	10,956	11,394	11,793
Account Office Supervisor	35	10,129	10,534	10,956	11,394	11,793
Assistant Town Clerk	35	10,129	10,534	10,956	11,394	11,793
Administrative Secretary	35	10,535	10,956	11,395	11,850	12,265
Assistant Town Treasurer	35	10,535	10,956	11,395	11,850	12,265
<u>FIRE DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Fire Chief		INDIVIDUALLY RATED - MAXIMUM			\$28,300	
Fire Captain	42	\$16,332	\$16,709	\$17,096	\$17,475	\$17,886
Fire Fighter	42	13,277	13,584	13,899	14,207	14,541
Fire Fighter/EMT	42	13,277	13,584	13,899	14,207	14,541
<u>SINGLE RATED</u>						
Call Fire Fighter		\$63.99	per year and \$6.16		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 - STATE LAW - \$28,248				
Sergeant	37 1/3	16,495.50	16,879.80	17,275.65	17,664.15	18,016.95
Patrolman	37 1/3	13,746.60	14,065.80	14,396.55	14,719.95	15,012.90
Reserve Patrolman	37 1/3	13,746.60				
Provisional Patrolman		11,099.55	11,787.30			
<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)		\$50.19	per week			
Police Matron		\$ 5.54	per hour			
<u>HIGHWAY DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Asst. Highway Surveyor		INDIVIDUALLY RATED - MAXIMUM			\$19,425	
Operations Assistant		INDIVIDUALLY RATED - MAXIMUM			\$15,750	
Foreman - Highway	40	\$13,370	\$13,692	\$14,016	\$14,362	\$14,685
Foreman - Tree & Cemetery	40	13,370	13,692	14,016	14,362	14,685
<u>HOURLY RATED</u>						
Mechanic	40	5.75	6.00	6.25	6.52	6.74
Heavy Equipment Operator	40	5.31	5.53	5.74	5.90	6.14
Tree Surgeon	40	5.31	5.53	5.74	5.90	6.14
Truck and/or Light Equipment Operator	40	4.92	5.09	5.27	5.46	5.60
Tree Climber	40	4.92	5.09	5.27	5.46	5.60
Laborer (Heavy)	40	4.57	4.70	4.88	5.03	5.20
Laborer (Light)	40	4.01	4.14	4.29	4.43	4.60
Temporary Laborer	40	3.28	3.40	3.53	3.64	3.80

April 2, 1979

CLASSIFICATION	HRS PER					
	WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<u>LIBRARY</u>						
<u>ANNUALLY RATED</u>						
Library Director	35	INDIVIDUALLY RATED - MAXIMUM			\$18,900	
Asst. Library Director	35	\$11,269	\$11,741	\$12,309	\$12,932	\$13,582
Children's Librarian	35	11,269	11,741	12,309	12,932	13,582
Staff-Asst. Child. Lib.	35	9,451	9,870	10,310	10,884	11,341
Staff-Reference Lib.	35	9,451	9,870	10,310	10,884	11,341
Staff-Cataloger	35	9,451	9,870	10,310	10,884	11,341
Librarian Assistant	35	8,421	8,685	9,052	9,245	9,525
<u>HOURLY RATED</u>						
Library Page		2.78	2.89	2.99		
<u>PARK AND RECREATION DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Maintenance Foreman		INDIVIDUALLY RATED - MAXIMUM			\$15,750	
Recreation Director, Part-time		\$ 5,910	\$ 5,753	\$ 5,852	\$ 6,354	\$ 6,671
Maintenance Asst./						
Equip. Operator		10,046	10,483	10,899	11,357	11,752
Laborer (Light)		7,842	8,154	8,528	8,802	9,214
<u>SEASONALLY RATED</u>						
Swimming Director		1,532	1,593	1,672	1,758	1,844
Playground Supervisor		1,181	1,229	1,290	1,355	1,424
Arts and Crafts Supervisor		1,181	1,229	1,290	1,355	1,424
Laborer (Heavy)		4.39	to	5.08		
Swimming Instructor		3.95	to	4.62		
Laborer (Light)		3.77	to	4.43		
Playground Instructor		3.53	to	4.07		
Temporary Laborer		3.14	to	3.68		
Assistant Swim Instructor		3.14	to	3.68		
Monitors (Tennis & Skating)		3.14	to	3.68		
<u>TOWN ADMINISTRATION</u>						
<u>ANNUALLY RATED</u>						
Executive Secretary		INDIVIDUALLY RATED - MAXIMUM			\$32,550	
Town Accountant		INDIVIDUALLY RATED - MAXIMUM			\$23,100	
Town Engineer		INDIVIDUALLY RATED - MAXIMUM			\$25,725	
Building Inspector &						
Zoning Enforcement Agent		INDIVIDUALLY RATED - MAXIMUM			\$22,050	
Director of Health		INDIVIDUALLY RATED - MAXIMUM			\$22,050	
Junior Civil Engineer		\$14,060	\$15,201	\$15,807	\$16,447	\$17,112
Building Services Coord.		12,548	12,865	13,186	13,505	13,842
Assistant Dog Officer		9,319	9,601	9,939	10,188	10,470
<u>HOURLY RATED</u>						
Senior Engineering Aide		5.66	5.90	6.12	6.37	6.63
Junior Engineering Aide		4.73	4.65	4.84	5.02	5.23
Student Engineering Aide		3.54	3.66	3.82	3.98	4.14
Custodian		4.29	4.44	4.62	4.78	4.97
<u>SINGLE RATED SCHEDULE</u>						
Veteran's 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				

No employee of the Town at the time of amendment of the Salary Plan shall suffer a reduction of pay by virtue of such amendment.

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.

April 2, 1979

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 percent (2%); after ten (10) years, an additional one percent (1%); and after fifteen (15) years, an additional one percent (1%).";

or act on anything relative thereto.

Submitted by the Personnel Board.

Mr. Alan P. Carpenter of the Personnel Board *moved that the Town amend the Classification Plan and Salary Plan, Schedules A & B of 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 Article 3 of the Warrant for this meeting, except that item entitled Assistant Town Clerk shall read under the steps as follows:*

Minimum	Step 1	Step 2	Step 3	Maximum
\$10,535	\$10,956	\$11,395	\$11,850	\$12,265

Personnel Board Report: (Mr. Carpenter)

ARTICLE 3 IN PERSPECTIVE

Total Wage/Salary Proposal Exclusive of Schools	\$2,071,014
Less - Portion involved in second year of two-year union contracts (Police, Fire, Highway)	<u>-1,184,430</u>
Net	\$ 886,584
Less - Portion involved in ⁺ 15 positions not part of Classification/Salary Plans (Article 3) (Elected, Legal, Custodial)	<u>- 138,741</u>
Hence - This Article Requests	\$ 747,843

I hope that I can put this article into some monetary perspective. In taking the line items in the entire Warrant, we see that there is a salary wage total being requested of two million and some dollars. Of that two million dollars, one million one hundred and some thousand dollars is represented by contractual arrangements in the Police, Fire and Highway departments as the second year of a two-year negotiated contract. This leaves us with a net of about \$886,000.

There are fifteen positions which are not in this Salary and Classification Plan, which are the elected officials and certain others. Therefore, this article addresses itself to a requested amount of appropriation of about \$747,000.

The financial impact of the \$747,843 that this article addresses itself to is reflected in the comparison to the amount requested for the current fiscal year, \$709,532. The increase is about \$38,000, representing an increase in our request of 5.4%. The increase is roughly one-third of 1% of the total appropriation. That factors into a potential effect on the tax rate of 21¢ per \$1,000.

This article concerns approximately sixty people: eleven individually rated, thirty-three clerical, plus or minus seven at the Library, and the others are temporary or seasonal employees.

Of the increase of \$38,000, the thirty-three clerical people represent \$17,000, which is an increase of about 7.9%. There is a reason for that.

The Bylaw of the Town requires that the Personnel Board review the Salary and Classification Plan for positions in the Town not less often than once every three years. The Personnel Board looked at the Plan, and it was apparent in talking to the Town officers as well, that in the clerical field, in the light of the growth of the Town and its growing complexities, it would be fair and wise to analyze anew the positions. The Board looked at the situation and decided that it would best be done by a group who are independent of the Town so that there would be no connection with any personalities. Also, it would be an accredited and professional group.

April 2, 1979

In 1977, the Town appropriated \$3,500 to proceed with the study. With the help of the Executive Secretary in looking at qualifications of various firms, the Personnel Board engaged one of the offices of the Civil Service Commission. That group came in and conducted job surveys, gained job descriptions, analyzed data, weighted the jobs and proposed to the Personnel Board a new structure for the clerical personnel. The new structure as presented to the Personnel Board was discussed in various meetings in Town with Town department heads. After ironing out several specific cases where perhaps positions were not being correctly assessed in the opinion of knowledgeable people, the Selectmen among them, we arrived at a final package.

There are four levels in the existing structure of clerical positions, thirteen full-time and twenty part-time. Our proposal introduces a six-level structure.

RANGE OF PROPOSED SALARY AND CLASSIFICATION PLAN

CLERICAL

SALARY LEVEL

	<u>4% Between</u>	<u>4% Between</u>	<u>4% Between</u>	<u>3½% Between</u>	
	<u>MINIMUM</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>MAXIMUM</u>
I	\$ 7,449	\$ 7,747	\$ 8,057	\$ 8,379	\$ 8,672
<u>10% Between Level I and II</u>					
II	8,193	8,522	8,862	9,217	9,539
<u>7% Between Level II and III</u>					
III	8,766	9,117	9,483	9,862	10,206
<u>6% Between Level III and IV</u>					
IV	9,293	9,664	10,051	10,453	10,818
<u>9% Between Level IV and V</u>					
V	10,129	10,534	10,956	11,394	11,793
<u>4% Between Level V and VI</u>					
VI	10,535	10,956	11,395	11,850	12,265

The Civil Service Commission recommended that we have a 5½% increase from step to step across the five steps. It recommended that we have 7½% going from grade level up from level to level. It seemed to the Personnel Board to be much too expensive and not particularly realistic, so we reshaped it to be more realistic.

We have been at this as a Board for about two years now, and we feel that it warrants adoption by the Town. It has been thoroughly discussed with the Selectmen, and I hope that you can find it appropriate to accept it.

Finance Committee Report: (Mr. Robert A. Norling)

The salary changes contained in the Warrant article have been factored into the Finance Committee's recommendations, and their impact is as Mr. Carpenter described. This Salary Plan is in keeping with the President's wage and salary guidelines.

The Finance Committee recommends approval of this article.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 3 in the Warrant for the 1979 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

Mr. John C. Powers then *moved Indefinite Postponement*.

In support of his motion, Mr. Powers stated as follows: I think some things should be said about why we come to Town Meeting. One of them, very simply, is because we are concerned where our public expenditures are and where they are going. The Board of Selectmen is of the opinion that the financial condition of the Town is good. But, I think even they will tell you that at best, that is an

April 2, 1979

educated guess. We do not know what the cap limitation on our ability to raise taxes to meet appropriations is. We do not know what the reimbursements from the State are going to be with anywhere near the certainty with which we used to know them in the past. And, we haven't yet heard when they are going to implement the famous classification amendment which, according to the Assessors, will take from our treasuries some \$400,000 worth of tax monies from the utilities of this Town, leaving us in anything but a good financial position.

Apart from that, you have heard about Proposition 13, and I think the folks from one end of the country to the other have made it very clear that they are very much concerned that their government does not keep expanding endlessly and keep spending their money endlessly. They are asking for some relief. They are asking for some concern. I presume that in this Town we are no different from anyone else. So, when we come to some items in the Warrant, and this is one of them, I urge you to take a very close look at it because it is not what it appears to be.

I know everybody and every board involved has worked very hard, very honestly and very sincerely. I have no criticism of any member of any board at all on this, but I think we should get back to basics.

When the Board of Selectmen asked for \$3,400 to do a clerical study, it was explained to you at that time that the reason it was being done was not because we had a union knocking on our door, or a large wave of employees who were unhappy with their pay rates and clammering for more. What was happening was that the personnel in the Town, once trained, would be grabbed by the School Committee for higher wages, and we were losing people. That, of course, is ancient history.

The major reason for the request for the study was not for a reclassification of every employee in the Town. It was to bring parity in the clerical areas, strictly between the school systems and the Town. When you were asked to vote for that money, you were told specifically that the school input would be in it, that there would be a study made of the clerical situation in the schools and that that would be factored into the program.

When that report came in in December of 1977, the then Board of Selectmen rejected it because there wasn't a mention, one word or one line, about the study asked for in the schools. We found at that time that very little discussion had gone on with the department heads involved. So, the recommendation then was to do a cost of living percentage as a holding line in the meantime.

That part of the study still hasn't been done. In fact, some of the figures suggest that the clerical at least in the Sudbury School system is slightly behind the Town of Sudbury.

I think what you are in danger of dealing with here is a built-in escalation arrangement that is inflationary. For example, what you are asked to do is vote a whole new salary plan. This isn't X per cent cost of living a year. This is the basic plan, and the basic plan started with a grid with a Junior Clerk at 105% of what she is getting now and then went on. The grid now is thirty steps, with thirty opportunities for leveling and rising in between them.

It is said that this is a small amount, and you have heard some percentages. But, when you get down to the bottom line, it is what you are paid an hour now versus what you will be paid an hour then. In fact, if we go to the maximum of our present arrangement and compare it with the maximum of the proposed arrangement, we find, for example, that in Clerk 3, it's an increase of 11.5%; in Clerk 4, 16.5%; in Clerk 5, 16.4%; and in Clerk 6, 6.9%.

Again, I'm talking base, not cost of living increase. For example, when you are all through doing your figuring, you will find out when you add the bodies up and look at what they are going to be paid, 42% of them will get an 8% increase; 23% of them will get a 9% increase; and 13% of them will get over a 10% increase. It's pretty difficult to look at that and say that it is a minor matter.

You get the magic 5% by submerging them with the Fire and Police where percentages are less and with Highway where their percentages are less. Then you say, the total work force doesn't have that kind of increase, so it is well within the Presidential guidelines.

All I hope is that whoever makes those decisions knows what he's saying because if the President and his people don't happen to agree with that kind of logic, we are jeopardizing over \$300,000 worth of Federal Revenue Sharing which is used to pay our Fire and Police. So, I urge you to take great care.

April 2, 1979

The study itself was simply incredible. There are Town department heads who have never seen the consultant who disappeared shortly thereafter never to be seen again. The Personnel Board, which has had numerous changes in its membership, has struggled trying to keep that report valid and adjusted and sandpaper it to overcome the personal difficulties involved. But, it is well known in this Town that at least one employee, who was rated at a pay rate equal to someone she had supervised for a number of years, despite the differences in grades, resigned from the Town service. There has been some bitterness, some unhappiness and some apprehension among the people in the clerical forces in the Town. If we are going to do a study, then I suggest we do it thoroughly.

But, once you put your foot on this escalator, you are not talking just about this year. You are talking about this year and next year and next year. You are talking about a three-year pathway to heaven.

I also will leave you with one other comment because this is not just clerical. It includes in it the maximums for individually-rated. The individually-rated are department heads, our Executive Secretary, our Town Engineer. They are all fine men. I have no difficulty with that.

But, if you look later on in the Warrant, it leaves some rather interesting questions. We are told that to keep the cost down we must do something effective. But, if you take a look at the \$700 that is going to be saved in the Finance Committee's recommendation to close the dump on the five Monday holidays, you'll be puzzled when you put that side by side with the recommended increases for the Superintendent, the Assistant Superintendent and the Operations Assistant in the same department which more than swallow up the cost of the public service of maintaining the dump open on Mondays.

I think you find exactly the same peculiar situation happens when you get over into the Building Department. We are told it will be closed for three hours a week because economy is severe, and we must watch our budgets. I invite you to look at the Building Department and look at what was spent last year for the Building Inspector. When you take his salary increase and lay it off against the decrease in the clerical to cut the public service, you find that it's a washout, and nothing really happened.

So, it's a question of where you put your priorities.

I urge you very much to take a look at this very carefully. I urge you for the benefit of the Town, including all of the boards and departments that have worked on it and for the girls that work for the Town. I urge you to send this back to a study. Let them do the other half of it that they were supposed to do for the money they were paid and bring it back when we can arrange it with a look at the schools so we can try to get a uniform policy between the schools and the Town. Then I think you'll be in a position properly to judge it. I think this is voting an escalator in the dark.

VOTED: INDEFINITE POSTPONEMENT.

In favor - 204; Opposed - 197. (Total - 401)

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 deleting Article Personnel Admin. Plan XI, Sections 1 through 12, and substituting therefor the following:

Plan
Art. XI
"ARTICLE XI
THE PERSONNEL ADMINISTRATION PLAN
TOWN OF SUDBURY, MASSACHUSETTS
PERSONNEL BOARD, CLASSIFICATION PLAN, SALARY PLAN
AND INCIDENTAL BENEFITS

Section 1. Short Title

This Bylaw may be referred to as the Personnel Administration Plan.

Current Bylaw: (No change has been made to Section 1.)

Section 2. Personnel Board

There shall be a Personnel Board consisting of five members who shall be appointed by the Selectmen as herein provided:

April 2, 1979

Within ten days of the effective date of this Bylaw said Board of Selectmen shall appoint two members to serve until the adjournment of the Annual Town Meeting in 1962; two members to serve until the adjournment of the Annual Town Meeting in 1961; and one member to serve until the adjournment of the Annual Town Meeting in 1960; and thereafter, at the adjournment of each Annual Town Meeting as their terms of office shall expire their successors shall be appointed for terms of three years. Any vacancy which shall occur in the membership of said Personnel Board shall be filled by said Board of Selectmen, and the appointee shall serve for the balance of the term in which such vacancy shall occur.

Members of the Personnel Board must be registered voters in the Town and shall serve without compensation. No member may be an employee or elected official of the Town.

Current Bylaw: (No change has been made to Section 2.)

Section 3. Definition of Terms and Classification Plan

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 for an indefinite time.

Retiree - Any former employee who qualifies for retirement under the County Retirement System.

The positions of all employees in the service of the Town, whether full- or part-time, seasonal, casual, special, Civil Service, or others, except those positions filled by popular election and those under the control of the School Committee, shall be classified by titles in groups. Each group shall include those positions which involve substantially similar work or which have substantially equal responsibilities. These groups and all other positions not falling within a group shall be set forth in this bylaw in Schedule A, entitled "Classification Plan".

The title of any position in the Classification Plan shall be used to designate that position in all payrolls, budget estimates, official reports, memoranda, records, or other matters involving the personnel or fiscal processes of the Town.

Current Bylaw:

Section 3. Classification Plan

The positions of all employees in the service of the Town, whether full- or part-time, seasonal, casual, special, Civil Service, or others, except those positions filled by popular election and those under the control of the School Committee, shall be classified by titles in groups. Each group shall include those positions which involve substantially similar work or which have substantially equal responsibilities. These groups and all other positions not falling within a group shall be set forth in this bylaw in Schedule A, entitled "Classification Plan".

The title of any position in the Classification Plan shall be used to designate that position in all payrolls, budget estimates, official reports, memoranda, records, or other matters involving the personnel or fiscal processes of the Town.

Section 4. Salary Plan

The minimum and maximum salaries, or the single rate salaries, for the groups and positions in the Classification Plan are to be established by vote of the Town in Town Meeting, and are to be set forth in this bylaw in Schedule B, entitled "Salary Plan". The salary range, or rate, for a group shall be the salary range, or rate, for all positions in the group.

April 2, 1979

The minimum salary set for any position in the Salary Plan shall be the starting salary for that position, unless the Personnel Board authorizes a higher starting salary under Section 8, paragraph (6).

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 satisfactory performance, as recommended by the appropriate department head with notice to the Personnel Board to insure compliance with its Performance Review Plan, 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 pay by virtue of such amendment.

Current Bylaw:

Section 4. Salary Plan

The minimum and maximum salaries, or the single rate salaries, for the groups and positions in the Classification Plan are to be established by vote of the Town in Town Meeting, and are to be set forth in this bylaw in Schedule B, entitled "Salary Plan". The salary range, or rate, for a group shall be the salary range, or rate, for all positions in the group.

The minimum salary set for any position in the Salary Plan shall be the starting salary for that position, unless the Personnel Board authorizes a higher starting salary under Section 8, paragraph (6).

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

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

Part-time and temporary employees shall be paid the starting rate 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. Such employees are not entitled to salary adjustments based on length of continuous service. Temporary and part-time employees of the Town at the time of amendment of the Salary Plan shall not suffer a reduction of rate by virtue of such amendment.

Section 5. Payment of Employees

No person may be appointed, employed, or paid as an employee of the Town in any position subject to the Classification Plan:

- (1) Under any position title or titles other than those in the Classification Plan;
- (2) Under a position title other than that of the position, or positions, the duties of which the person actually performs;
- (3) At a salary, or rate, other than that set in the Salary Plan for the position, or positions, the duties of which the person actually performs; nor
- (4) Unless the Personnel Board has determined that the employment of such a person is consistent with all provisions of this bylaw.

Current Bylaw: (No change has been made to Section 5.)

Section 6. Reclassification of Employees

No employee may be reclassified to a position in another group, either higher or lower, unless the Personnel Board has determined that the reclassification will be consistent with all provisions of this bylaw. Any employee who is asked to work in a higher classification, except during a training period, will be paid all hours worked in said classification at the appropriate classification rate.

Current Bylaw: (No change has been made to Section 6.)

April 2, 1979

Section 7. Incidental Benefits

(1) Holidays With Pay. All permanent Town employees will be allowed the following eleven (11) days with pay:

- | | | |
|------------------------|------------------|------------------|
| New Year's Day | Memorial Day | Columbus Day |
| Martin Luther King Day | Independence Day | Veterans' Day |
| Washington's Birthday | Labor Day | Thanksgiving Day |
| Patriot's Day | | Christmas Day |

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.

Permanent Full-time Town Employees When one of the foregoing holidays falls on Sunday, such an employee shall be entitled to time off with pay on the following Monday. If it should fall on a Saturday, he shall be entitled to time off with pay on the preceding Friday. Or, if such holiday falls during his vacation, such employee shall be entitled to equal time off with pay at a time approved by his department head. If, due to an emergency, he is required to work on a holiday, the employee is to be paid at time-and-one-half for such time worked... (4 hours minimum).

Permanent Part-time Employees A permanent part-time employee with regularly scheduled working hours shall be eligible for salary payment for each paid holiday which falls on his normally scheduled work day. The pay shall be for the number of hours the employee would normally have been scheduled to work on such a day.

Current Bylaw: Section 7 (1)

(1) Holidays With Pay. All permanent Town employees will be allowed the following eleven (11) days with pay:

- | | | |
|------------------------|------------------|------------------|
| New Year's Day | Memorial Day | Columbus Day |
| Martin Luther King Day | Independence Day | Veterans' Day |
| Washington's Birthday | Labor Day | Thanksgiving Day |
| Patriot's Day | | Christmas Day |

FIRE DEPT. and POLICE DEPT. Holiday pay shall be calculated as follows: Each permanent full-time Police Department employee's holiday pay shall be an amount equal to one day's pay at said permanent full-time employee's hourly rate. Each permanent full-time employee's holiday pay shall be an amount equal to one-fifth (1/5) of said permanent full-time employee's weekly base salary.

Permanent full-time members of the Fire and Police Departments (the Chiefs excluded) who are permanently assigned to shifts that are an integral part of the twenty-four (24) hour per day, seven (7) days per week coverage shall be paid the above ten holidays when earned in the following manner: an individual holiday or an accumulation of any number of holidays shall be paid to said member upon request in any pay period following the holiday.

When a permanent full-time member of the Fire Department, or the Police Department is scheduled to work on a holiday, he shall receive a day's pay, straight time, in addition to holiday pay. Any permanent full-time Fire or Police employee can request time off in lieu of a paid holiday and will be given a day off with pay at a time approved by his department head. If this option is chosen, the paid holiday pay will be deducted from the holiday pay payment. Time off will not be given during his regularly scheduled work week in which the holiday falls. Time off in lieu of holiday pay shall be based on 10-hour shifts; therefore, when taking a night shift off, four (4) additional hours would be deducted from the employee's holiday time. For further clarity, any permanent full-time employee of the Fire or Police Department whose work week is Monday through Friday will not be entitled to the ten (10) paid holidays. Said employees shall come under the benefits as described for permanent full-time employees.

PERMANENT FULL-TIME TOWN EMPLOYEES When one of the foregoing holidays falls on Sunday, such an employee shall be entitled to time off with pay on the following Monday. If it should fall on a Saturday, he shall be entitled to time off with pay on the preceding Friday. Or,

if such holiday falls during his vacation, such employee shall be entitled to equal time off with pay at a time approved by his department head. If, due to an emergency, he is required to work on a holiday, the employee is to be paid at time and one-half for such time worked... (4 hours minimum).

PERMANENT A permanent part-time employee with regularly scheduled
PART-TIME working hours shall be eligible for salary payment for each
EMPLOYEES paid holiday which falls on his normally scheduled work day.

The pay shall be for the number of hours the employee would normally have been scheduled to work on such a day.

(2) Sick Leave. Each permanent, full-time employee shall be entitled to twelve (12) days of sick leave per fiscal year commencing July 1 after the completion of one full year of employment. The 12-day sick leave is credited to each employee annually on July 1. These unused sick days may be accumulated from fiscal year to fiscal year up to a maximum of 120 days.

All present permanent full-time employees will be credited with accumulated unused sick days in accordance with the following formula:

<u>After () Year</u>	<u># Days</u>	<u>Less # Sick Days Used</u> <u>in Last 5 Years</u>	<u>=</u>	<u>Amount</u> <u>Credited</u>
1 yr X 12 =	12	"		
2 yrs X 12 =	24	"		
3 yrs X 12 =	36	"		
4 yrs X 12 =	48	"		
5 yrs X 12 =	60	"		
6 yrs X 12 =	72	"		
7 yrs X 12 =	84	"		
8 yrs X 12 =	96	"		
9 yrs X 12 =	108	"		
10 yrs X 12 =	120	"		120 or less
11 yrs X 12 =	132	"		"
12 yrs X 12 =	144	"		"
13 yrs X 12 =	156	"		"
14 yrs X 12 =	168	"		"
15 yrs X 12 =	180	"		"
16 yrs X 12 =	192	"		"
17 yrs X 12 =	204	"		"
18 yrs X 12 =	216	"		"
19 yrs X 12 =	228	"		"
20 yrs X 12 =	240	"		"

An employee granted sick leave of five (5) consecutive days or more shall, prior to returning to work, submit to the department head and the Personnel Board satisfactory medical evidence of good health.

In order to incorporate this sick leave policy, all permanent full-time members will receive twelve (12) days times (x) the number of years' service, less those days used as sick leave between the following dates: July 1, 1974 - June 30, 1979. Those employees with less than one year of service as of July 1 will be credited with sick days on a pro rata basis.

The number of days of sick leave each year that a permanent part-time employee shall be entitled to shall be determined by multiplying twelve (12) days times (x) the number of days the employee works per week (irrespective of the number of hours per day) and dividing the result by five (5). Payment for each day taken as sick leave shall be the payment that the employee would have normally received on the days taken.

A permanent full-time employee who retires from service in the employ of the Town of Sudbury and retires into the State or County Retirement System shall receive from the Town payment at the then current rate of pay equal to 50% of the daily pay times the number of unused accumulated sick days.

Sick Leave Bank - A sick leave bank shall be created for permanent full-time employees which will be jointly administered by a committee of one (1) Personnel Board designee and two (2) Town employee designees. The joint committee may establish rules and regulations for the administration and operation of this bank, provided said rules and regulations do not conflict with this personnel administration plan.

To be eligible to use the bank, an employee must contribute three (3) days of his sick leave each year. Further, an employee must exhaust his own accumulated sick days before he is eligible to use the bank. The maximum number of bank days any employee may be granted is twelve (12) times the number of years of his service. Although employees to be eligible are required to deposit three (3) days per year, the total number of days available in the bank shall not exceed seven hundred and twenty (720) days.

For every week an employee receives Workmen's Compensation benefits, he shall be entitled to 1½ days of available sick leave, not to exceed his regular pay nor his sick leave entitlement.

Current Bylaw: Section 7 (2)

(2) Sick Leave. A permanent full-time employee who has been continuously employed by the Town for six months is entitled to three days sick leave with pay between his sixth and twelfth months of service. After completing one year of service the employee is entitled to five days of sick leave with pay in each twelve month period that begins with the anniversary date of his employment. Such sick leave may not be accumulated from year to year.

Upon the recommendation of such an employee's department head, supported by such medical evidence as it may require, the Personnel Board may grant the employee additional sick leave with pay in any twelve month period that begins with the anniversary date of his employment in accordance with the following schedule:

<u>Completed Years of Full-Time Continuous Employment</u>	<u>Maximum Additional Paid Sick Leave</u>
1 through 4 years	25 days
5 through 9 years	50 days
10 through 14 years	75 days
15 years and over	100 days

An employee granted additional paid sick leave of two (2) weeks or more shall, prior to returning to work, submit to the department head and the Personnel Board satisfactory medical evidence of good health. If an employee is on sick leave on his anniversary date of employment, he will not be granted additional sick leave beyond the maximum for the previous period until he has returned to work and completed ten (10) weeks full-time employment.

Regular part-time employees who work on a scheduled basis of more than twenty hours per week, but less than the normal work schedule for the department twelve months of the year, shall be entitled to sick leave payment after completing one full year of service. This payment shall not exceed five days in any twelve month period that begins with the anniversary date of his employment. The amount of payment 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.

For every week an employee receives Workmen's Compensation benefits, he shall be entitled to 1½ days of available sick leave, not to exceed his regular pay nor his sick leave entitlement.

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

<u>First Year of Employment Date of Employment</u>	<u>Paid Vacation Entitlement</u>
July or August	2 weeks
September thru January	1 week
February thru June	None

After the first fiscal year of employment, vacation entitlement shall be based on the years of continuous Town service which shall be completed during the fiscal year as follows:

April 2, 1979

<u>Years of Continuous Town Service</u>	<u>Paid Vacation Entitlement</u>
One (1) thru five (5) years	2 weeks
After five (5) years of continuous service	3 weeks
After ten (10) years of continuous service	4 weeks

In no case shall an employee be entitled to paid vacation prior to completing five months' continuous service. The vacation period shall be the fiscal year, i.e., July 1 through June 30. However, eligibility shall be determined by the anniversary date; e.g., if an employee shall complete ten (10) years of continuous service during a fiscal year, he shall be entitled to four weeks of vacation in that period of July 1, through June 30.

A permanent part-time employee's vacation entitlement shall be paid in an amount equal to the average weekly pay for his regularly scheduled working hours for the previous five months.

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

In order to implement the fiscal year vacation planning, an eighteen (18) month period of grace will be allowed to provide for an orderly and equitable transition.

Current Bylaw: Section 7 (3)

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

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

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

<u>Years of 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

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

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

During the calendar year 1974 and during the first 12 months that this bylaw revision is in effect, the department head shall make adjustments to vacation entitlement so that the change from a calendar year to an anniversary year basis for vacation entitlement shall not result in inequities for Town employees and the Town of Sudbury.

(4) Jury Duty. An employee called for jury duty 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 jury service.

Current Bylaw: (No change has been made to Section 7 (4).)

(5) Reserve Military Duty. An employee who is called upon to report for reserve military duty shall be paid the difference between the compensation he would have received from the Town and his military pay and allowances upon the presentation of a pay voucher to the office of the Town Accountant. Such pay for reserve duty is not to exceed seventeen (17) days' pay in a calendar year.

Current Bylaw: (No change has been made to Section 7 (5).)

(6) Bereavement Time. An employee may be granted, by his department head, up to three (3) days' excused absence with pay to handle personal matters related to the death of a close member of the employee's family including his spouse, child and parent, brother, sister or grandparent of either spouse.

Current Bylaw: (No change has been made to Section 7 (6).)

(7) Reimbursement Benefits. When a permanent full-time Town employee takes a course with the prior approval of his department head, at an accredited college as part of a degree program, when the course or degree has a functional relationship to the employee's job, the employee will be reimbursed for 100% of the cost of books, registration and tuition fees upon the presentation of satisfactory evidence that he has completed the course with a "C" grade or better, or that portion due which was disapproved or not paid by the state and federal government. The determination as to whether or not the degree is functionally related to his job shall be the responsibility of the department supervisor and approved by the Personnel Board.

When an employee, with the approval of his supervisor and of the Personnel Board, attends a job-related course, not as part of a degree-related program, at an accredited school or professional seminar, he will be reimbursed at the rate of 100% for the cost of books, registration and tuition fees, upon the presentation of satisfactory evidence that he has completed the course with a "C" grade or better, if grades are given.

When an employee is directed by his supervisor to attend a course as part of his job, the Town will reimburse the employee for all costs associated with attendance, including mileage at the rate established by vote at Town Meeting for travel to and from the course.

Reimbursement as outlined above shall be reduced by any amount to which the employee is entitled under various state and federal laws.

Current Bylaw: Section 7 (7).

(7) Reimbursement Benefits. When a permanent full-time Town employee takes a course with the prior approval of his department head, at an accredited college as part of a degree program, when the course or degree has a functional relationship to the employee's job, the employee will be reimbursed for 100% of the cost of books, registration and tuition fees upon the presentation of satisfactory evidence that he has completed the course with a "C" grade or better, or that portion due which was disapproved or not paid by the state and federal government. The determination as to whether or not the degree is functionally related to his job shall be the responsibility of the department supervisor and approved by the Personnel Board.

When an employee, with the approval of his supervisor and of the Personnel Board, attends a job-related course, not as part of a degree-related program, at an accredited school or professional seminar, he will be reimbursed at the rate of 100% for the cost of books, registration and tuition fees, upon the presentation of satisfactory evidence that he has completed the course with a "C" grade or better, if grades are given.

When an employee is directed by his supervisor to attend a course as part of his job, the Town will reimburse the employee for all costs associated with attendance, including mileage at the rate of \$.10 per mile for travel to and from the course.

Reimbursement as outlined above shall be reduced by any amount to which the employee is entitled under various state and federal laws.

Section 7 (8), as follows, has been deleted in its entirety:

(8) Police and Fire Career Incentive Plan. There is hereby established a career incentive pay program offering supplemental remuneration

April 2, 1979

to regular full-time employees of the Sudbury Police and Fire Departments, for furthering their education in the field of police and fire work.

This remuneration is supplemental to base salary and shall be predicated on the accumulation of points earned in the following manner: one point for each semester hour credit earned toward a baccalaureate or an associate degree; sixty points for an associate degree; one hundred and twenty points for a baccalaureate degree; one hundred fifty points for a degree of Master, or, in the Police Department, a degree of law. All semester credits and degrees shall be earned in an educational institution such as and including those accredited by the New England Association of Colleges and Secondary Schools, or by the Board of Higher Education.

Such supplemental remuneration shall be granted in the following manner: a one and one-half percent increase for ten points so accumulated, a three percent increase for twenty-five points, a five percent increase for forty points, a seven and one-half percent increase for sixty points, a ten percent increase for one hundred twenty points, or fifteen percent increase for one hundred fifty points so accumulated.

This plan, to be administered by the Personnel Board, requires the following steps:

- 1) The chief of the respective department must approve, in advance, the professional appropriateness of the courses taken.
- 2) Employees shall receive supplemental remuneration on the basis of appropriate course completion information filed on or before August first of each year with the Personnel Board on a form furnished by the chief of the department.
- 3) The number of points accumulated by each employee shall then be computed and the appropriate supplemental remuneration shall be authorized by the Personnel Board to begin on the eighteenth pay period.

The intent of this clause is not to deprive employees of worthy courses which may be given in schools not accredited, and therefore, exceptions may be made upon good cause shown and subsequent approval by the Personnel Board. In any event, all courses and classes referred to in the above clause shall require prior approval of the Personnel Board.

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

Section 8. Duties and Authority of the Personnel Board

(1) The Personnel Board shall administer the Personnel Administration Plan. It may establish and promulgate for this purpose such policies, procedures and regulations consistent with the plan as it considers desirable, except that no action of the Board may take effect unless approved by a majority of its members.

(2) The Town Accountant and department heads shall keep such records of the employees of the Town as the Board may require. The Board shall keep such records of its own as it considers appropriate. All records of the Town by whomsoever kept pertaining to the Town's employees shall be open to inspection by the Board, or any of its members, at all reasonable times.

(3) The Board shall maintain written descriptions of the positions subject to the classification plan, describing their essential characteristics and general duties, and establishing their minimum requirements. These descriptions are not to be interpreted as limiting the scope of any position, and employees in the future, as in the past, subject to the provisions of sections 5 and 6, shall perform any incidental duties assigned by department heads, supervisors, or other administrative authority.

- (4) The Board shall review every three years or more often if it considers it advisable,
- A. All positions subject to the Classification Plan to determine whether each group continues to include those positions which involve substantially similar work or which have substantially equal responsibilities, and
 - B. The Salary Plan to determine whether it sets forth fair and equitable pay levels.

After each review the Board shall recommend to the Town the action which it considers advisable.

(5) The Board may tentatively add a new position to the Classification Plan, or reclassify an existing position to a different group. Any such action shall cease to be effective after the close of the next following annual town meeting unless adopted by an amendment to the Classification Plan at that meeting.

(6) Notwithstanding provisions of Sections 4 and 5 that might be construed to the contrary, the Board may authorize an entrance rate higher than the minimum rate for a position. The Board shall consider the recommendation of the department head or other administrative authority, supported by evidence of exceptional circumstances satisfactory to the Board. The Board may make such other variances from the Salary Plan as it considers necessary for the proper functioning of the services of the Town.

(7) No action of the Personnel Board under paragraph (6) of this section, or under Sections 5 or 6, or under any other section or provision of this bylaw, may be construed as authorization to spend money for salaries or wages to employees in addition to that which has been lawfully appropriated for that purpose at Town Meeting, or which is otherwise lawfully available.

(8) The Board may on its own motion propose the amendments, authorized by Article XI, and amendments of other Town bylaws which may affect the Personnel Administration Plan.

(9) The Board shall summarize its activities annually in a report which shall be published in the Annual Town Report.

(10) The Board may, by order, establish a temporary classification for any position, the nature and duties of which are temporary or subject to material change, which order shall be in effect until the completion of the next annual town meeting.

(11) The Personnel Board may require that any employee prior to advancing to a new salary level shall be given a written evaluation and recommendation by his supervisor, superior, or department head, which evaluation shall be in such form as the Personnel Board may prescribe and which shall be filed with said Board.

*Current Bylaw: (No change has been made to Section 8 (1-10).
Part (11) has been added.)*

Section 9. Employee Physical Examinations

Every permanent employee of the Town whose weekly work schedule is twenty (20) hours or more shall be required, as condition of their employment, prior to the effective date of their employment, to have a physical examination by a Town Physician, appointed for such purpose by the Board of Selectmen. The cost of such physical examinations shall be borne by the Town and reports from the examining physician shall be filed with the Personnel Board and applicable board or commission having jurisdiction.

Current Bylaw:

Section 9. Employee Physical Examinations

Every person, except clerical personnel, employed as a full-time member of the Police, Fire or Highway Departments shall be required, as condition of their employment, prior to the effective date of their employment, to have a physical examination by a Town Physician, appointed for such purpose by the Board of Selectmen. The cost of such physical examinations shall be borne by the Town and reports from the examining physician shall be filed with the Personnel Board and applicable Board or Commission having jurisdiction.

Section 10, as follows, has been deleted in its entirety:

Section 10. Civil Service Law

Nothing in this bylaw shall be construed to conflict with the Civil Service Law of the Commonwealth of Massachusetts.

Section 10. Severability

If a part of this bylaw is invalid, all valid parts which are severable from the invalid part remain in effect. If a part of this bylaw is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Current Bylaw: (No change has been made to the provisions of Section 10 (formerly Section 11).)

Section 11. Amendments

This bylaw may be amended by majority vote at any town meeting.

The Personnel Board shall be given a copy of any proposed amendment at least thirty (30) days before the town meeting at which it is to be considered. The copy shall contain the names and addresses of the proponents.

Except as otherwise specifically provided in collective bargaining agreements, or by vote of the Town, amendments to the Classification Plan and to the Salary Plan voted at an Annual Town Meeting shall be effective as of July first of the calendar year in which voted; provided, however, that those amendments which confirm a tentative or temporary classification or salary change as ordered by the Personnel Board under Section 8 shall be effective immediately upon completion of the Annual Town Meeting.";

Current Bylaw: (No change has been made to the provisions of Section 11 (formerly Section 12).)

or act on anything relative thereto.

Submitted by the Personnel Board and the Board of Selectmen.

Personnel Board and Board of Selectmen Report: This article proposes amendments to the Personnel Administration Plan to accomplish the following:

- Add definitions to clearly define different types/groups of employees;
- Add fringe benefits for non-union employees available to unionized groups for the past three years;
- Eliminate specific references to police, fire, and highway employees' benefits now incorporated in binding collective bargaining contracts.

The first major proposal to amend the Personnel Administration Plan to provide a definition of terms relating to Town employees is commonplace and an integral part of any good personnel bylaw. The new employee terms presented here for Town Meeting consideration confirm past interpretations by the Personnel Board for these employee groups, and most importantly, do not affect any employee's present rights or benefits under the Bylaw.

These definitions of terms for employee groups have been reviewed by Town Counsel and do not conflict with State statutes.

The Town (excluding schools and Town union personnel) has the following number of employees: Full-time - 27; Part-time - 48; Temporary - 49; Retirees - 7. These figures were compiled as of the summer of 1978 to reflect a better picture of the actual number of part-time and temporary employees hired in a typical year. Only approximately twelve part-time employees are eligible for Blue Cross/Blue Shield and other major benefits. The following is a compilation of all Town employees:

	<u>Full</u>	<u>Part-time</u>	<u>Temporary</u>
Local Schools	232	23	--
LSRHS	151	70	--
Town Union Employees	78	--	--
Town Non-union Employees	27	48	49

Proposed changes to Section 4, third paragraph, add the words "permanent part-time" thus allowing permanent part-time employees to be entitled to salary adjustments based on length of continuous service, without written Personnel Board approval.

April 2, 1979

At present, part-time employees receive less hourly pay than full-time employees even though they work in the same grade classification and perform the same job functions; i.e., the 1978-79 Salary Plan calls for a Junior Clerk part-time to start at \$3.26/hour and a full-time Junior Clerk to start at \$3.89/hour. This proposed amendment, if adopted, will affect the salaries of eighteen clerical positions at a cost of approximately \$7,500.

Proposed changes to Section 4, Salary Plan, fourth paragraph, eliminate references to part-time employees, but still require temporary employees to acquire Personnel Board approval before being hired or rehired at a level other than Start. This proposed amendment, if adopted, will have no monetary impact.

Proposed changes to Section 7 (1), Holidays with Pay, delete all references to fire and police because holiday pay benefits are more thoroughly covered in their respective union contracts and by State statute. In the past, union contracts have been modified or changed while the Personnel Administration Plan has not, because if a conflict arose the union contract would prevail. During grievance procedures it is cumbersome for the Town to be arbitrating an issue and have two documents from which references or implied interpretations can be extracted. As stated, the union contract is binding nonetheless.

The addition of a new paragraph to Section 7 (1), Holidays with Pay, gives the department head latitude in granting holiday pay where it can be proven that an abuse of sick leave takes place immediately prior to or after a holiday.

The second major proposal to amend the Personnel Administration Plan deals with providing non-union Town employees with certain benefits enjoyed by Town unionized groups over the past three years. Proposed changes to Section 7 (2), Sick Leave, and 7 (3), Vacation, add a completely new sick leave plan and modify vacation entitlement for Town non-union employees.

The new sick leave plan, if adopted, is similar to those offered throughout Massachusetts and the United States in both the public and private sectors. It is anticipated that the new sick leave plan will encourage less absenteeism for sick leave by allowing accumulation and buy-back at the time of retirement. The only monetary effect will be upon retirement of a given employee. A total of three Town employees (excluding school and union employees) retired over the past five years. No retirements are contemplated over the next few years.

The new proposed sick leave plan is similar, or identical in most cases, to those in effect for the police, fire, highway and local and regional school employees.

Town non-union employees have been neglected for too long! On this point, please read a verbatim quotation from the Report of the Governor's Special Committee on Local Government Management Capacity, dated April 1978:

..."People are the most valuable management resource available to local government, and yet, in most communities, they are not managed properly. Of the Commonwealth's 351 municipalities, fewer than fifteen percent have a personnel director or an individual whose prime responsibility is personnel management. While precise figures are not available, it appears that relatively few communities have any written personnel policy which affects all appointed and salaried employees. Without uniform policies and practices, gross inequities inevitably result. Salaries and benefits for employees doing similar work and with similar experience can vary and, without proper supervision, become ineffective and discriminatory. Varying policies regarding recruiting and hiring, discipline, and discharge will result in legitimate grievances by some employees who are treated more severely than others. Whenever people working together are not treated equitably and fairly, morale will decline and, along with it, productivity.

Moreover, the growing influence of CETA programs and affirmative action may result in further management-related or legal problems unless adequate personnel policies and practices are provided. ..."

For the same justification as stated above, a modified vacation plan is proposed for all non-union Town personnel entitling them to the same vacation benefits now enjoyed by all other unionized and school employees. Under the proposed vacation plan an employee would now be eligible for three (3) weeks of vacation after five (5) years of continuous service instead of six (6), and four (4) weeks of vacation after ten (10) years of continuous service instead of twelve (12). Other changes are incorporated to coincide with Town fiscal year accounting or budgeting. The monetary effect of the new vacation entitlements, if adopted,

April 2, 1979

would be \$3,214 in the new fiscal year. However, unlike other employee groups, no additional appropriation would be required because rarely do we budget to cover for non-union personnel.

Proposed changes to Section 7(7), Reimbursement Benefits, eliminate references to mileage reimbursement to employees for use of personal cars for Town business, because the rate is established yearly by vote of the Annual Town Meeting.

The third major proposal dealing with amending the Personnel Administration Plan involves eliminating all references to police, fire and highway which are now covered in binding collective bargaining contracts, as referred to previously under proposed changes to Section 7(1), Holidays with Pay.

Section 7(8), Police and Fire Career Incentive Plan, is proposed for deletion in its entirety for the reasons stated immediately above.

Changes to Section 9, Employee Physical Examinations, are proposed to require that all permanent employees working twenty hours or more per week must submit to a physical examination prior to starting employment. Prior exclusion from the Bylaw of certain employees like clerical, Park and Recreation, Library and department heads was not a sound policy. (In practice, however, department heads have been required to take physical examinations before being employed.) All permanent employees are eligible for retirement benefits (employees working 25 hours plus), workmen's compensation, Blue Cross/Blue Shield (employees working 20 hours plus), and Unemployment Compensation, which costs the Town hundreds of thousands of dollars. It is imperative and in the Town's best interest to have a record of an employee's health at the time of his/her employment. The estimated, additional cost for this provision could be a maximum annual cost of \$150 based on prior turnover. No additional appropriation will be requested.

Section 10, Civil Service Law, has been recommended for deletion because the Town at present has no non-union personnel, with the exception of the Plumbing Inspector, under Civil Service (now called the State Division of Personnel Administration).

In conclusion, we hope Town Meeting agrees that all employees should be treated similarly and on a fair and equitable basis. This article is one big step step in that direction. The Board of Selectmen and the Personnel Board recommend your approval.

After making the motion under the article, Mr. John R. Williams of the Personnel Board further reported to the meeting as follows:

We of the Personnel Board have tried to be up front and honest about what we are trying to accomplish with this proposal. We have tried to do several things. We have tried to standardize benefits for all employee groups as much as possible. By all employee groups, I am talking about not only those employees covered by collective bargaining agreements, but also the non-union personnel of the Town. We feel this is a good employee relations practice.

We have also tried to embrace the practice of equal pay for equal work wherever possible. Most importantly, we have tried to formally systematize the personnel practices in the Town and to put them down in black and white.

This article represents the combined efforts of many individuals, the citizens of the Town who have come forward and spoken to us about their thoughts. It certainly represents the collective opinion of the Personnel Board, and, most importantly, it represents the opinion of the management of the Town of Sudbury, those employees of the Town who do, in fact, manage the business of the Town. I urge your adoption of this article.

Mr. John E. Murray further reported for the Board of Selectmen as follows:

The initial impetus to revise the Personnel Administration Plan came from the fact that there are problems in trying to interpret the meaning of certain sections of the present Plan and the necessity to revise it because of its conflict with union contracts. This article proposes amendments to the Personnel Administration Plan to accomplish those items which the Personnel Board has just referred to. We refer to the Personnel Board in the Board of Selectmen report in the Warrant which chronologically explains and justifies the proposed new plan. Due to the vastness of the amendments and semi-technical nature of them, rather than repeat the whole written report, we will be available to answer any questions in order that the Town and non-union employees may begin to enjoy the privileges and benefits that have been enjoyed over the past several years by other Town union and school employees.

We recommend approval.

April 2, 1979

Finance Committee Report: The main objectives of this revised personnel plan are: 1) to provide a clear definition of the categories of individuals employed by the Town, 2) to provide for the same hourly rate to be paid part-time employees as full-time employees, 3) to add certain fringe benefits for non-union employees similar to those available to union employees and 4) to delete obsolete language. The cost impact of these proposed amendments is as follows:

<u>Section</u>	<u>Item</u>	<u>Approximate Cost Impact</u>
(a) 4	Bring part-time employees to same hourly rate as full-time employees	\$7,500
(b) 7	Increased sick pay benefit	0
(c) 7	Increased vacation	\$3,214 increase
(d) 9	Employee physical exam	\$ 150

These amendments provide reasonable and fair consideration to our non-union employees. Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 4 in the Warrant for the 1979 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

VOTED: THAT THE TOWN AMEND ARTICLE XI OF THE SUDBURY BYLAWS, REFERRED TO AS THE "PERSONNEL ADMINISTRATION PLAN", BY DELETING SECTIONS 1 THROUGH 12, AND SUBSTITUTING THEREFOR NEW SECTIONS 1 THROUGH 11, AS SET FORTH IN ARTICLE 4 OF THE WARRANT FOR THIS MEETING.

The Moderator declared that the motion had passed by well over a two-thirds majority.

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, 1979 through June 30, 1980, 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.
- + Inter-account transfer.

100 EDUCATION: 110 SUDBURY PUBLIC SCHOOLS

	<u>1977-78</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1979-80</u>
	<u>Expenditures</u>	<u>Budget</u>	<u>Requested</u>	<u>Recommended</u>
(Pupils)	(2877)	(2689)	(2525)	
1100 School Committee	9,926	8,075	8,345	
1200 Supt. Office	107,911	113,382	123,566	
<u>1000 ADMINISTRATION TOTAL</u>	<u>117,837</u>	<u>121,457</u>	<u>131,911</u>	
2200 Principals	235,041	252,568	272,768	
2300 Teachers	2,753,012	2,803,016	2,858,622	
2400 Textbooks	17,790	26,551	24,761	
2500 Libraries	86,509	96,732	105,206	
2600 Audio-Visual	23,798	41,950	43,308	
2700 Guidance	148,555	150,205	155,008	
2800 Pupil Personnel	336,582	361,688	362,876	
<u>2000 INSTRUCTION TOTAL</u>	<u>3,601,287</u>	<u>3,732,710</u>	<u>3,822,549</u>	
3100 Student Services	200	6,200	6,604	
3200 Health Services	79,628	82,585	84,258	
3300 Transportation	210,363	201,357	301,889	
3400 Food Services	20,501	22,400	20,548	
3500 Student Activities	2,744	3,842	3,910	
<u>3000 OTHER SCHOOL SERVICES TOTAL</u>	<u>313,436</u>	<u>316,384</u>	<u>417,209</u>	

ARTICLE 5 (110)
(continued)

	1977-78 Expenditures	1978-79 Budget	1979-80 Requested	1979-80 Recommended
4100 Operation	402,591	398,529	403,393	
4200 Maintenance	107,785	101,355	113,297	
<u>4000 OPER. & MAINT. TOTAL</u>	<u>510,376</u>	<u>499,884</u>	<u>516,690</u>	
7300 Acquisition	14,049	17,829	4,173	
7400 Replacement	7,645	22,736	9,668	
<u>7000 ACQUISITION/REPLMT. TOTAL</u>	<u>21,694</u>	<u>40,565</u>	<u>13,841</u>	
9100 Tuitions	125,417	110,000	111,800	
<u>9000 PROGRAM W/OTHERS TOTAL</u>	<u>125,417</u>	<u>110,000</u>	<u>111,800</u>	
<u>TOTAL BUDGET</u>	<u>4,690,047</u>	<u>4,821,000</u>	<u>5,014,000</u>	<u>4,948,000</u>
Federal Aid Applied	19,663	11,882	16,528.51	16,528.51
Community Use of Buildings	11,992	20,000	20,000	20,000

Finance Committee Report: The total request of \$5,014,000 reflects a 4% increase over this year's budget as the projected student population declines by 6%, resulting in an 11% increase in cost per pupil. Reduced staff is in line with the declining student population. No new programs have been added, although increased student participation in Home Economics and Art at Curtis Junior High is reflected in increased dollars for the programs. The most notable requested increase is in Transportation, up \$94,547 (+57%), as a new bus contract is being negotiated with a sizable increase anticipated to maintain the current level of service.

The Finance Committee is recommending a budget of \$4,948,000 (an increase of \$127,000 or 2.6%). Our recommended reduction of \$66,000 is based primarily on a priority "shopping list" which we requested from the School Committee in an effort to maintain a zero growth total Town budget. We suggest reducing Transportation by \$25,000 in light of a possible reduction in the number of buses needed (\$10,000 per bus) coupled with a more reasonable contract than anticipated. Reduce both Central Management and School Management by \$5,000. Reduce the Library program by \$13,000. This is a planned growth program which could be slowed down. Reduce the Instrumental Music program by \$18,000 thereby eliminating one staff position. The program could still be offered and paid for by the individual participants or be a contracted service at a reduced cost.

In voting a budget of \$4,948,000 you are not mandating the above suggested reductions. The School Committee has the final decision as to where reductions will occur and the flexibility to transfer monies within the total budget.

The Finance Committee urges the Sudbury School Committee to develop an educational plan commensurate with the projected school population five years hence. It is imperative that this be developed expeditiously so that the Town will be able to evaluate subsequent budget requests in the context of the expected system.

Recommend Approval.

Mrs. Carol McKinley of the Finance Committee *moved that the Town appropriate the sum of \$4,948,000 for 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 \$16,528.51 from the 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.*

Mr. Jonathan J. Sirota of the Sudbury School Committee then *moved to amend the motion under Article 5, Section 100 Education: 110 Sudbury Public Schools, by striking the figure \$4,948,000, and substituting the figure \$5,014,000.*

In support of his motion to amend, Mr. Sirota stated as follows: This motion to amend increases the amount requested by \$66,000. The resulting total of \$5,014,000 is the amount that the School Committee voted and is consistent with the amounts printed in the Warrant and sent to each home in Bentley's Calendar. It was sent to each home so that everyone could have an opportunity to better understand what makes up the budget for the Sudbury Public Schools, where we have placed our priorities, and by comparing with last year's figures, how the changes came about.

All mention of numbers, ratios and increases which I will make will refer to the School Committee requested budget level of \$5,014,000, not the Finance Committee's number.

April 2, 1979

CHART A
Sudbury Public Schools
Analysis of Programs by Category

Program	Salaries	Supplies	Texts	Equipment	Other Expense	Contracted Services	Total Program
Non-Program #00	317,435	21,200	-	-	34,575	14,996	388,206
Kindergarten #56	102,689	5,000	50	-	-	-	107,739
Art #57	103,128	12,500	70	-	-	200	115,898
Music #58	108,744	2,225	75	-	-	500	111,544
Phys. Ed. #59	189,075	2,500	200	-	535	2,175	194,485
Comm. Arts #60	406,049	9,610	4,833	-	220	-	420,712
Reading #61	421,842	10,165	3,910	-	-	-	435,917
Science #62	251,580	6,800	500	349	-	200	259,429
Health Ed. #63	15,062	1,140	709	-	-	-	16,911
Math #64	356,970	9,990	6,280	-	-	3,050	376,290
Soc. Sci. #65	243,231	5,670	6,706	-	-	-	255,607
Typing #66	31,013	1,650	-	250	-	1,000	33,913
For. Lang. #67	59,630	900	585	-	-	-	61,115
Home Ec. #68	51,718	3,135	50	1,250	-	300	56,453
Ind. Arts #69	63,379	5,000	100	-	-	500	68,979
Libraries #71	99,336	21,300	13,658	6,570	5,550	4,670	151,084
Guidance #72	154,169	839	-	-	-	-	155,008
Health Serv. #73	-	-	-	-	-	84,258	84,258
Spec. Needs #76	311,906	2,397	693	1,244	-	49,991	366,231
Tuition #74 & #77	-	-	-	-	-	111,800	111,800
Pupil Pers. #78	22,618	4,640	-	-	1,875	4,000	33,133
Transportation #80	7,250	-	-	-	-	254,588	261,838
Maint./Gr. #81	-	-	-	-	-	-	-
Maint./Bldg. #82	224,860	24,100	-	7,500	239,500	28,230	524,190
Maint./Equip. #83	-	-	-	-	-	-	-
Food Serv. #84	17,548	-	-	-	-	3,000	20,548
School Mgmt. #85	266,123	3,000	-	678	1,430	7,915	279,146
Central Mgmt. #86	98,749	5,000	-	-	8,650	11,167	123,566
1979-80 TOTAL	3,924,104	158,761	38,419	17,841	292,335	582,540	5,014,000
1978-79 TOTAL	3,819,341	168,380	40,101	45,565	277,057	470,556	4,821,000
Percent. Diff.	+2.7	-5.7	-4.2	-60.8	+5.5	+23.8	+4.0

This chart shows our budget in the program format. We have used this format for the last two years, and we very strongly believe in it. It enables all of us to better understand the budget and allows the Committee and the administration to control the budget and the expenditures.

CHART B
Sudbury Public Schools
Operating & Total Budgets

	<u>1978-79</u> <u>Budget</u>	<u>1979-80</u> <u>Budget</u> <u>Request</u>	<u>Percentage</u> <u>Increase</u>
Operating Budget	4,821,000	5,014,000	4%
"200" Account	469,857	392,942	
"950" Account	242,450	269,960	
Community Use	20,000	20,000	
"Total" Budget	5,553,307	5,696,902	2.6%

However, in order to put things into perspective, we should look at one other thing which shows where we really are. We can see in this chart numbers which might constitute a "total budget" as used by the two regional school districts and as published in the Warrant. While our operating budget requested this year increases by 4%, our total budget goes up by only 2.6%. This is presented based upon Finance Committee generated numbers and allows you to view our budget growth on a basis which is consistent with the other schools.

The 200 and 950 accounts will appear later in the Town budget and will be voted separately from this motion, but it should be noted that the reduction in the debt accounts is attributable to the schools. That represents much of the General Government reduction referred to by Mr. Murray at the start of this Town Meeting.

It should also be noted that this is the second year in a row that we have had very small increases, well under the proposed 4% tax cap.

The program budget format forces us to identify all major items and review their origins. A single sheet is backed up by much detailed paperwork. Because we have looked at it carefully, we know we need the amount we are requesting. Because we have gone through an orderly documented process and have included the Finance Committee in it, we have provided the Finance Committee with the information to second guess us on what it takes to run the schools. We know that to maintain the programs at even a minimal level while still deriving some worthwhile benefit, we must budget as we have. Certainly, a budget with \$66,000 less will be a large problem and would be severely impacting.

Our process ties the degree of accountability on the part of the program coordinators with the dollars and goals. It also gives us a uniform measure of unit costs in terms of both per student served and cost per student hour of instruction.

We started our budget process without external guidelines. Our administrative team generated a set of requests honestly and sincerely stated which totaled almost 5.4 million dollars. The School Committee directed the Superintendent to prepare recommendations from within those requests on three different budgets: one 2% lower than this year's, or \$4,821,000; one at this current year's level; and one at a level 5% higher. It was near the end of this process that the Finance Committee notified us of their intent to limit the budget increases to 4%.

We sincerely tried to live with a zero percent increase but found it to be too impacting if we were to do so. It represented some current program total eliminations and severe cuts in others. We generally felt that the 5% increase would have been comfortable even though the Superintendent's attempt at the 5% increase came out somewhat higher indicating his feelings.

We agreed unanimously to direct the Superintendent to start with a zero increase budget and prepare a list of additions in a priority order to bridge the gap between zero increase and 5% increase, so that we could restore cuts, stop at any point, evaluate the budget and decide whether or not to go on.

The administrative team, consisting of the Superintendent, principals and program coordinators, generated that priority list. We, in restoring our budget from the \$4,821,000 level generally accepted its order, but in some cases deleted items in order to allow us to cover more program restorations - not increases but

April 2, 1979

restorations - with the limited dollars available. This budget then at \$5,014,000 represents a cutoff at the 4% increase at the operating budget level. It represents program cutbacks from this year's level of services, including specifically cutbacks in maintenance, music and summer school.

CHART C

Sudbury Public Schools

Net Changes, by Category

1978-79 Budget to 1979-80 Budget Request

Salaries	+ 2.7%
Supplies	- 5.7%
Texts	- 4.2%
Equipment	-60.8%
Other Expense	+ 5.5%
Contracted Services	+23.8%

A comparison of categories in the program matrix from last year to this year shows the impact. Last year we negotiated a three-year contract with the teaching staff. As a result, the salary scales increase 3% for 1978-79, 4% for 1979-80 and 5% for 1980-81. This is one of the best financial packages from the Town's point of view in the State. But, because of decreasing projected enrollments, we find it is not necessary to maintain the staffing level of this year. We are expecting to eliminate five and three-quarters teaching positions covering all grade level groupings.

We have not yet negotiated with other groups in the system, but, taking everything into consideration, we feel that the 2.7% increase in the salaries account is realistic.

We have squeezed supplies, and we have squeezed texts, and we are limiting equipment purchases to replacements only.

In the contracted services area, the total is up 23.8%, and we have some significant uncertainties. Chapter 766 Tuitions, where some special needs students are required to attend day or residential schools outside the public schools in order to meet their needs, is the first area. We carefully screen these children and try to find placements within our system or within collaboratives, but we are not always successful. If just one student moves into Town and requires residential placement, we could see an increased expenditure here of \$12,000-\$15,000. The rates of these schools are set by the State Rate Setting Commission, which can increase them even after a placement is contracted.

Fuel represents a known problem right now. We have made moves to economize, and we will continue to do so, but we do consume about 7,000 barrels of heating oil annually to heat our buildings. Fuel was budgeted at just under \$16 a barrel when the first budget sheet was drawn up. It is still budgeted at that price. However, the early March price was almost \$21 a barrel, and we can expect it to go up to \$23 to \$25 a barrel by the heating season next year. At \$25 a barrel, even in the \$5,014,000 budget, we are under-funded in this account by about \$66,000. That is not the same \$66,000 that the Finance Committee is looking for. It is an additional \$66,000.

We do agree with the Finance Committee that the transportation contract should be worked on and dollars should be saved there. We rejected our initial bid because of the costs and are respecifying the contract to result in better rates for both us and the Lincoln-Sudbury Regional High School. We feel we must then take those savings and restore the funds to the heating account. This means that, far from being able to operate at a reduced rate with only minor changes, as implied by the Finance Committee, the impact of not passing this motion to amend will be very impacting, and we believe unacceptable.

We have been responsible and responsive. We have returned money to the Town for the last three years. We have, early in the game, responded positively to the Finance Committee upper limit even though we believe somewhat more is truly required to maintain what we now have.

We are not against doing things differently. We are constantly examining ways to be more cost effective, but we need to have these funds to maintain a satisfactory set of programs in the Sudbury Public Schools.

We urge you to please support this amendment and then the \$5,014,000 budget for the Sudbury Public Schools.

April 2, 1979

Mr. Sirota's amendment was defeated.

In favor - 178; Opposed - 246. (Total - 424)

The Moderator asked for unanimous consent of the hall for Mr. Arthur Finstein of Framingham, Director of Music in the Lincoln, Sudbury and Regional school systems, to address the hall and make a motion to amend. However, it was pointed out that a person not a citizen of the Town could not make a motion. Mr. Robert K. Coe then volunteered to make the motion for Mr. Finstein as follows: moved to amend Article 5 of the Sudbury Warrant, Section 100, Education, budget line item 110, by striking out \$4,948,000 and substituting therefor the figure \$4,982,000.

Mr. Finstein stated that the amendment represented a \$34,000 increase.

Mr. Joseph A. Klein then raised a point of order stating that if a motion has been made to raise or lower a budget and it has failed, any additional motion to do the same is essentially a reconsideration and requires a two-thirds vote.

The Moderator ruled on the point of order as follows: The first motion to amend was to increase the budget by \$66,000. This motion is to increase it by \$34,000. When you have a money budget, it is subject to amendment by bits and pieces. It is my duty to see to it that the bits are far enough apart so they are not the same thing. You do try to strike a balance at where the Town is willing to settle on a budget. This figure of \$34,000 is about \$32,000 different from the last one. I will rule that that is a sufficient difference not to be a motion to reconsider.

The Moderator then requested and obtained consent for Mr. Finstein to address the hall.

Mr. Finstein stated as follows: The Finance Committee's recommendation as explained in the Warrant represents \$66,000 less in expenditure for the school account than that figure recommended by the School Committee in the amendment just voted on. I would like to call your attention to the fact that in the Finance Committee recommended budget, one of the programs cited as having been reduced is the music budget recommended by the School Committee at a figure of \$20,000. This is the instrumental music budget, and specifically the salary account of that budget for two positions.

It is an amount \$18,000 below the School Committee's recommended budget of \$20,000. The figure of \$20,000 represents a decrease of \$16,000 below the fully funded level that we had asked for from the School Committee to fund two full-time instrumental professional instructors for the system. That is the source of the \$34,000 requested in this amendment; the \$16,000 over and above what the School Committee has recommended and the \$18,000 that has been struck from the School Committee's recommendation in the Finance Committee report.

The instrumental music program currently exists in the following forms: Students in grades 3 and 4 are given the opportunity to begin the study in small group lessons in the school of band and orchestral instruments, specifically all of the band instruments, wind and percussion instruments and strings. For this purpose, we have had two instructors in the past, one specializing in wind and percussion, and one specializing in strings. The program has grown over recent years, and last year, 1977-78, totalled 209 students. This year the enrollment of students is 320.

This does not include Junior High students who are involved in the performance groups. The projected enrollment for next year is 346, representing an increase of nearly 60% between last year and next year. This is largely due to the efforts of Mrs. Hanson who does the string program which has grown to about 108 full-time string students and to Mrs. Nicholson who has done the wind and percussion and whose enrollment has jumped dramatically to almost double what it was last year.

The lesson of this is simply the fact that if the service is available to students, they are telling us that they want it and that they will make good use of it.

The fiscal responsibility of the program has been demonstrated by a corresponding drop in the cost per student. In 1977-78, the cost per student enrolled and actually making use of the program was \$119.20. Currently, the cost for any student in that program is \$78.65. Next year, if we were to fully fund the request, the total cost would be \$82.97, projected on a very modest increase in student enrollment.

April 2, 1979

I am not intimately familiar with the details of the budget, but I doubt that there are many programs in the school budget that can point to such a reduction and such an expansion of services in such a short period of time.

As to the question of whether or not such a program could be self-sufficient, or ought to be self-sufficient if students simply paid for lessons on the outside with no school involvement, I would like to bring to bear at least two bits of evidence. One is that there are many systems in this area which do the same kind of thing we are currently doing, fund student group lessons at the outset and then ask students to study on their own at some point. Generally that time is at the beginning of the Junior High School or the middle school depending on the individual town.

There are some who, because of the large numbers of students enrolled in the program, simply cannot accommodate a second year of lessons as there would simply be no time available in the week to do it. It is just not possible physically without doubling the size of the staff which is certainly out of the question. These school systems offer lessons for one year, and it is not necessarily because they feel that is a desirable alternative.

There are school systems in the area in which students are allowed to take lessons simply on their own with no school involvement whatever or a very tentative school involvement. One such example is in Lincoln in which the program really hasn't gotten off the ground despite some very talented people who have tried to make it go, but simply can't do so without the help of the schools to encourage student participation.

Participation in school groups tends to suffer, student morale suffers, and we tell students and generally the community at large that this is something generally we do not value. We have gone around on this issue a number of times with the School Committee. They have listened to our request and have debated the issue with us. We still believe, in spite of the vote tonight, and in spite of their willingness to fund on a \$20,000 request in their amendment, that the full amount is absolutely necessary to make this program continue to grow in the way in which it has shown this year it can.

I think that there is more at stake here than just the music program. I think, to some degree, we have the reputation of the schools at large and the atmosphere of the schools at large at stake because the music program does make a definite contribution to the activities of the schools, and it is sought out by the community for various functions. Without this kind of school support, I think we would find a corresponding lack of enthusiasm in the students to follow through when asked to take part in these kinds of events.

When we teach music, and specifically instrumental music, we teach more than just how to hold an instrument. We teach such things as discipline, self-respect, self-expression, team work, cooperation, to say nothing of the discipline of practice. Rhythmic notation tends to reinforce mathematical skills. It has been shown in recent studies in the Child Development Center at MIT that there is a correlation between reading music and reading language, the way in which people learn to do these things. So this is not just an idle kind of activity for those who happen to be interested.

Finally, we feel that the recommendation of the Finance Committee's Report strikes very strongly at the music program in a categorical way because it represents such a drastic cut in the amount of money in the program to fund it. The recommendation that we somehow fill the void by allowing students to go out and take lessons with high school students or on the outside or with no school involvement represents less than professional commitment on our part. I question why should we be saying that in this field we will accept less than professional staffing and less than good services for our students when we are not willing to do so in other fields. So, therefore, I ask you to listen to the students and to vote for an amendment to the budget that would restore this money.

Mr. Coe's motion to amend was defeated.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$4,948,000 FOR 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 \$16,528.51 FROM THE 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.

April 2, 1979

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

A. BUDGET	1977-78 <u>Expenditures</u>	1978-79 <u>Budget</u>	1979-80 <u>Budget</u>
(Pupils)	(1729)	(1668)	(1575)
1100 School Committee	8,492	12,500	7,200
1200 School Superintendent	136,819	139,979	147,146
<u>1000 ADMINISTRATION TOTAL</u>	<u>145,311</u>	<u>152,479</u>	<u>154,346</u>
2200 Principal	234,572	237,410	247,663
2300 Teaching	2,213,703	2,411,152	2,535,552
2400 Textbooks	26,279	35,610	36,223
2500 Library	71,643	74,130	81,717
2600 Audio Visual	48,007	51,510	58,742
2700 Student Services	213,766	189,354	196,214
2800 Psych. Services	49,258	63,608	65,097
<u>2000 INSTRUCTION TOTAL</u>	<u>2,857,228</u>	<u>3,062,774</u>	<u>3,221,208</u>
3100/3200 Attendance & Health	26,774	27,429	27,105
3300 Transportation	284,438	274,944	297,482
3500 Ath. & Student Acct.	96,686	113,030	128,964
<u>3000 OTHER SCHOOL SERVICES TOTAL</u>	<u>407,898</u>	<u>415,403</u>	<u>453,551</u>
4100 Oper./Plant	406,194	380,922	443,904
4200 Maint./Plant	220,873	260,627	258,540
<u>4000 PLANT & MAINTENANCE TOTAL</u>	<u>627,067</u>	<u>641,549</u>	<u>702,444</u>
5100 Emp. Retire. & Unemployment	45,035	81,428	72,000
5200 Insurance	145,971	180,665	212,300
<u>5000 FIXED CHARGES TOTAL</u>	<u>191,006</u>	<u>262,093</u>	<u>284,300</u>
9100 Programs w/Other Schools	179,872	183,424	218,000
<u>9000 PROGRAMS W/OTHER DISTRICTS/SCHOOLS</u>	<u>179,872</u>	<u>183,424</u>	<u>218,000</u>
<u>REDUCTION TO BE DETERMINED BY SUPERINTENDENT</u>			<u>(7,500)</u>
<u>TOTAL OPERATING BUDGETS</u>	<u>4,408,382</u>	<u>4,717,722</u>	<u>5,026,349</u>
<u>6000 COMMUNITY SERVICE</u>	<u>1,312</u>	<u>1,000</u>	<u>1,000</u>
<u>7000 EQUIPMENT</u>	<u>61,874</u>	<u>68,547</u>	<u>64,405</u>
<u>8000 DEBT SERVICE</u>	<u>507,987</u>	<u>491,713</u>	<u>475,438</u>
<u>TOTAL EXPENDITURES/BUDGET</u>	<u>\$4,979,555</u>	<u>\$5,278,982</u>	<u>\$5,567,192</u>
 B. SUDBURY ASSESSMENT			
Operating Expenses Less Reimbursements		\$2,695,373.44	\$2,689,428.01
Community Service		821.00	828.00
Equipment		56,277.09	53,327.34
Net Debt Service		156,994.07	131,277.92
<u>REQUESTED ASSESSMENT</u>		<u>\$2,909,465.60</u>	<u>\$2,874,861.27</u>
<u>VOTED ASSESSMENT</u>		<u>\$2,909,465.60</u>	<u>\$2,874,861.27</u>

Finance Committee Report: The Lincoln-Sudbury School Committee voted a total assessment of \$3,454,540, of which Sudbury's assessment will be \$2,874,861.27. This is a reduction of 1.2% from last year's assessment.

The Sudbury Finance Committee voted to support the \$2,874,861.27 assessment as was voted by the Lincoln-Sudbury Regional High School, but the vote was passed with great reluctance by the Finance Committee. The reason for our reluctance and to a large extent our disappointment, was the fact that the LSRIHS's total budget was about 5.4% over last year's budget. The Finance Committee showed its displeasure with the LS budget by voting to support a budget of \$5,490,000 instead of the LS budget of \$5,567,000. The assessment is lower than last year's only because the estimated reimbursements were assumed to be larger.

With the student population decreasing next year to 1,574 from 1,668 this year, and with the total budget increasing by approximately \$288,000, the cost per pupil has increased 12 percent. We find this excessive. We feel that a

reduction to \$5,490,000, which is 4% over last year, should have been, and could have been achieved. Various alternatives were suggested that could have reduced the budget to \$5,490,000 - very few were implemented.

The LSRHS Committee feels that the Town has not given them a mandate that would encourage them to make significant programmatic changes and commensurate budget reductions in LS school system. We urge the townspeople to give them such a mandate. Such indications will be extremely useful in future years, since a five-year projection shows enrollment decreasing to 1,300 students in the 1983 period. Unless we give guidance and direction to the Regional School Committee, the cost per pupil will become exorbitant in future years.

Recommend approval.

The Moderator recognized Mr. Joseph J. Slomski of the Finance Committee who yielded to Mr. Alan H. Grathwohl of the Lincoln-Sudbury Regional School Committee. Mr. Grathwohl *moved that the Town appropriate the sum of \$2,686,535.98 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.*

Lincoln-Sudbury Regional School Committee Report: (Mr. Richard H. Davison)

The Regional High School Committee would like to thank the Finance Committee for yielding to us in order that we could put this motion before you.

At the outset I need to explain to you why the motion before you is for a sum considerably below the amount shown in the Warrant. The assessment printed is some \$2,875,000. The motion before you, read by Mr. Grathwohl, is some \$188,000 less than that. The assessment ultimately is the difference between the total expenditure budget and off-setting revenues and anticipated reimbursements. Being a region, while it has some problems, has some very definite advantages. One of them is financial.

The total expenditure budget printed in the Warrant is some 5.5 million dollars. That number has not changed in our motion. What has changed is that in the last week, the Regional High School was in receipt of a letter from the Commissioner of Education indicating that we should anticipate some \$227,000 more for our regional aid, Chapter 71, than what we had been told to anticipate some time ago. By vote of the Regional Committee in special meeting tonight, we decided to indicate immediately and reflect this reduction.

That, of course, is the good news, which means that from a tax impact point of view, through what we hope will be done by the legislature, our taxes will be less impacted by the Regional High School than we had anticipated. I think that it is very important to understand, however, that that is the issue of the assessment and the tax rate, and not necessarily the budget.

I would like to review for you the key aspects of our budget and how it changed from last year.

CHART A

Lincoln-Sudbury Regional High School

Budget Summary

* 1978-79	\$5,279,000	
* 1979-80	\$5,567,000	
	\$+ 288,000	(+5.45%)

ACCOUNT	78-79	79-80	CHANGE (%)
1000 - Admin.	\$ 152,000	\$ 154,000	+1.3
2000 - Instr.	3,063,000	3,221,000	+5.2
3000 - Services	415,000	454,000	+9.4
4000 - Plant	642,000	702,000	+9.3
5000 - Fixed Chg.	262,000	284,000	+8.4
6000 - Comm. Serv.	1,000	1,000	-
7000 - Equip.	69,000	64,000	-7.2
8000 - Debt	492,000	475,000	-3.5
9000 - Programs	183,000	218,000	+19.1
	\$5,279,000	\$5,567,000	+5.45%

April 2, 1979

Account 2000, the Instruction Account, is where the primary teaching salaries are. The chart indicates a 5.2% increase over last year. Our teachers' salaries and benefits, which are to some extent lumped in that account, are up over 5.2%. But there is a reduction of just under three teachers which makes the net 5.2%.

The 3000 account, Services, is a whole list of things: the Sudbury Public Health Nursing Association, transportation, athletics and student accounts. The major item in there is transportation. The vast majority of that increase is due to anticipated costs of transportation. We also have rejected the bid and hope that by how we structure the rebidding that we can come in with a more favorable figure.

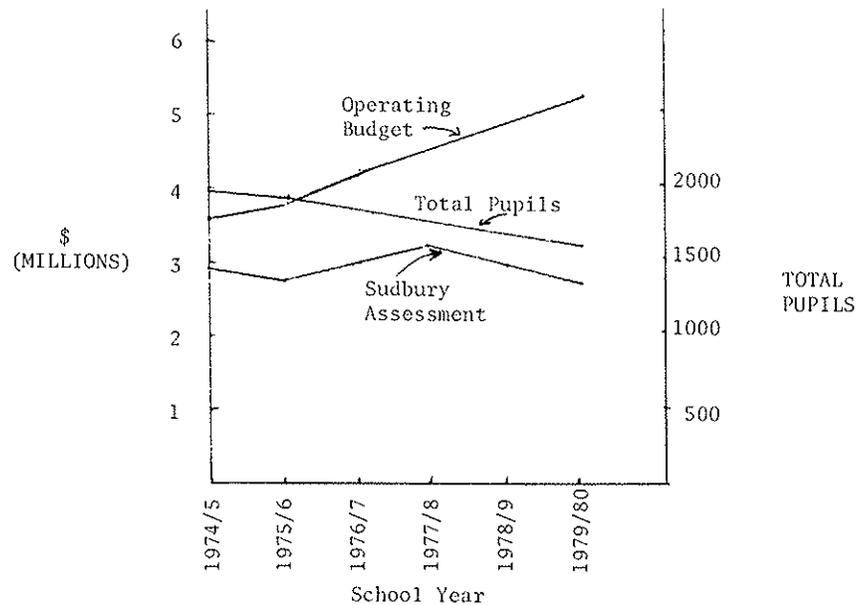
The 4000 account, Plant, refers to our buildings and grounds, maintenance and repairs, utilities, and the vast majority of the increase in that is for utilities.

The 5000 account has several items: Blue Cross/Blue Shield hospitalization, county retirement and other insurance; and the increase is almost solely Blue Cross/Blue Shield hospitalization.

The 8000 account, Debt Service, is down. In either four or five years from now, we will no longer be paying any debt because all aspects of the High School will finally be paid off.

The 9000 account refers to Special Education, Chapter 766, and in particular that part of special education which is the tuition of students and programs primarily or totally outside the High School and their transportation. That is an account which has risen frighteningly for several years.

CHART B
Lincoln-Sudbury Regional High School



It is no surprise to anyone that over the last several years the operating budget, or total expenditures budget, has risen fairly steadily. This is made even more acute by the fact that our student population is decreasing at a fairly predictable and steady rate. This means that the allocation of funds on a student basis is, of course, going up very rapidly.

The good piece of news is that, being a regional high school, our reimbursements have been increasing, and over the last five year, in fact, the assessment to the Town is down.

The portion that the Regional assessment represents of the total Town tax rate has decreased quite substantially and, of course, we would hope it would because there are less students in the school. It represented very close to 35% in 1974-75 and our projection set for next year is that it will represent only about 25% of the total \$59 or \$57 tax rate.

It is important to state that to us this budget represents basically a maintenance of program. With the exception of our commitment to one program increase, namely in the computer curriculum area, there is no significant change, up or down, in programs except for a few minor things in both directions.

It is the unanimous position of the School Committee, and we believe supported by the Finance Committees of both towns, that further significant reductions in this budget will require reductions in programs, either quantity or quality. We're not all agreed as to whether we should do this, but we agree that we are beyond the point where we can belt-tighten or increase efficiency. Just as the Sudbury School Committee indicated quite graphically, to reduce the budgets is going to require us to make decisions to give things up.

The School Committee is aware that the Finance Committee plans to put a motion for reduction on the floor, and we will respond to that. We hope you will support the budget as is and not support that motion for amendment. We appreciate the Finance Committee's willingness to yield to us in order that we could put this motion before you.

Mr. Slomski of the Finance Committee then *moved* that the Town appropriate the sum of \$2,618,639.98 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.

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

The further reduction comes about from the fact that when we originally voted, as was stated in the Warrant, we were rather disappointed that the operating budget for the School Committee was around 5.4%, which showed a rather high cost per pupil. We worked with the School Committee and with ourselves and came upon a plan and a recommendation to reduce their total budget by approximately \$85,000.

The \$85,000 would be the total operating budget, and the Sudbury portion of it would be approximately \$68,000 further reduction. We leaned very heavily on most other boards and committees to hold a 4% cap on their budgets. In most cases we were successful. In some cases, we were not.

This amendment is a further effort to get the total operating budget down to approximately 4%.

The other fact is we believe the Town should have a choice in expressing their specific opinion concerning the monies to be spent by the Lincoln-Sudbury Regional School Committee. This is an attempt to give the Town such a choice.

Mr. Davison then commented for the Lincoln-Sudbury Regional School Committee as follows:

The \$68,000 is the Sudbury portion of it. The operating budget effect is an \$82,000 reduction.

\$5,000 would be in the audio-visual area, \$4,000 in the faculty travel account, \$5,000 in the athletics account, and \$8,000 in the textbook account. \$5,000 would be in the area of unemployment compensation. And the two major items are in what we call Special Repair, which would be \$25,000, and in the 9000 account, which is Chapter 766 tuition, which is \$30,000.

In audio-visual, athletics and textbooks, it is hard to say where you would be removing a program as much as we will be negatively impacting the quality of several programs. There is really no way of avoiding that.

The special repairs are a series of items which we feel that we would defer, and we defer only those that would not cause some kind of deterioration which would be irresponsible to support. That is why we have identified those items.

The 766 account is a very volatile account. It is very difficult to predict what the needs are going to be in terms of tuitioning students with special needs. One area in which we have provided a reserve has been in that area, and that was \$30,000. We are hoping we won't need that. That is an area in which there is some risk involved, but that is where we would impact that.

April 2, 1979

The majority of the School Committee hopes that you will defeat this amendment. The School Committee and the Finance Committee agree that if you support this amendment, there will be a program impact of quality and/or quantity.

While we do not support this \$82,000 total reduction, or the \$68,000 assessment to the Town of Sudbury, the School Committee has determined that we would respect the position of Town Meeting and would not challenge your decision if it is in the affirmative.

Finally, I would like to make a request, because of the nature of the Regional High School which involves both Sudbury and Lincoln, that however you vote on this amendment, when we finally get to the main motion, it is very important to us that we have hopefully a unanimous vote, but a counted vote, if that is at all possible.

Mr. Slomski's amendment was voted.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$2,618,639.98 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	1978-79 Budget	Proposed 1979-80 Budget
1100 School Committee	35,909	37,299
1200 Supt. Office	121,876	130,048
<u>1000 ADMINISTRATION TOTAL</u>	<u>157,785</u>	<u>167,347</u>
2100 Computer Services & Planning	66,043	68,625
2200 Principal	183,072	178,305
2300 Teachers	2,357,618	2,517,223
2400 Textbooks	28,643	24,210
2500 Library	105,599	102,724
2600 Audio-Visual	31,864	26,158
2700 Guidance	206,419	220,393
2800 Pupil Personnel	35,405	27,151
2900 Resources	2,125	725
<u>2000 INSTRUCTION TOTAL</u>	<u>3,016,788</u>	<u>3,165,514</u>
3200 Health Services	38,142	53,528
3300 Transportation	420,334	462,092
3400 Food Services	3,700	3,800
3500 Student Activities	75,726	79,704
3600 Audio-Visual	3,000	1,500
<u>3000 SCHOOL ACTIVITIES TOTAL</u>	<u>540,902</u>	<u>600,624</u>
4100 Operation	493,071	519,115
4200 Maintenance	157,836	177,050
<u>4000 OPER. & MAINT. TOTAL</u>	<u>650,907</u>	<u>696,165</u>
5100 Retirement	50,000	68,124
5200 Insurance	191,747	172,474
5300 Rental	37,351	39,035
5400 Debt. Mgt.	25,000	25,000
<u>5000 BUSINESS TOTAL</u>	<u>304,098</u>	<u>304,633</u>
7100 Equipment Improvement	850	200
7200 Bldg. Improvements	43,475	57,161
7300 Equipment Acquisition	127,632	147,650
7400 Equipment Replacement	38,987	32,208
<u>7000 EQUIPMENT/IMPROVEMENTS TOTAL</u>	<u>210,944</u>	<u>237,219</u>
8100 Principal Payment	1,300,000	1,300,000
8190 Interest Payment	298,500	238,800
<u>8000 DEBT SERVICE TOTAL</u>	<u>1,598,500</u>	<u>1,538,800</u>
<u>TOTAL BUDGET</u>	<u>6,479,924</u>	<u>6,710,302</u>

April 2, 1979

<u>ARTICLE 5 (140)</u> (continued)	<u>1978-79</u>	<u>1979-80</u>
B. DISTRICT ASSESSMENT		
I. OPERATING BUDGET		
Total Operating Budget	\$ 4,881,894	\$ 5,055,882
Aid/Revenue	<u>-2,198,207</u>	<u>-2,103,865</u>
Net Operating Budget	2,683,687	2,952,017
II. SPECIAL OPERATING COSTS	--	127,418
III. CAPITAL BUDGET		
Capital	1,598,500	1,598,800
Reimbursement	<u>-1,103,135</u>	<u>-1,574,235</u>
Assessment	495,365	24,565
TOTAL ASSESSMENT	\$ 3,179,052	\$ 3,104,000
C. <u>SUDBURY ASSESSMENT</u>	<u>\$ 298,217</u>	<u>\$ 321,025</u>

Finance Committee Report: The MMRVTHS operating budget has increased 3.7% over this year while the regular day student population from the twelve member towns has declined 11.1%. The number of Sudbury students has remained approximately the same accounting for nearly 10% of the total. Due to a ONE TIME windfall, reimbursement of State construction aid of \$471,000 has increased anticipated revenues to more than compensate for the budget increase of \$302,176 which includes \$60,000 for the construction of a second access road. The resultant total assessment is down \$75,052, but due to Sudbury's larger share of the student population, our assessment is up \$22,808 to \$321,025.

The Minuteman Region is concerned about declining regular student population from the twelve member towns and is actively considering expansion of the district. Also, while the region's students are decreasing, there is an increasing number of tuition students from non-member towns keeping the total population fairly stable. Continuing evaluation of the regular day programs as well as the work-study, afternoon, and adult education programs should maintain the Minuteman Regional School as a valuable educational resource to the Town of Sudbury.

Recommend Approval.

Mr. Philip G. Felleman of the Finance Committee *moved that the Town appropriate the sum of \$321,025 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.*

Mrs. Phyllis L. Kaufman *moved to amend Article 5, section 100, item 140, Minuteman Regional Vocational Technical High School proposed budget from \$321,025 to zero.*

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

I do this out of a sense of frustration with the Townspeople and with the Finance Committee. I note from Mr. Bishop's article in the Town Crier that we are sending one hundred full-time students and forty part-time, I believe at a cost of \$321,025, to Minuteman Regional Vocational Technical High School. I have heard the discussion tonight on the Sudbury School and on the Regional High School budgets. I am doing this actually just to stand up and have somebody finally say that we are very penny wise and pound foolish.

We have an approximate cost of \$3,201.25 for one hundred full-time students at Minuteman Vocational High School. Mr. Finstein was talking to you about a \$78 per pupil cost in the music area, and you have just now reduced the budget of the Lincoln-Sudbury Regional High School by dollars which I can't break down in a per pupil cost.

I am doing this basically to point out to the Town where are our priorities.

Minuteman Regional Vocational Technical School Committee Report:
(Mr. Donald D. Bishop)

Mrs. Kaufman has made reference to the article that our local newspaper so kindly printed. I hope that everyone has read it. If they have, they recognize that there are 1,312 students funded, of which Sudbury's portion is \$2,366.

There has been comment about the increase in operating budget. Minuteman's is up 3.7%. We have seen the swinger on State aid, up and down and around the middle, on the various school accounts. You see it in the front of the Warrant for the Town budget and in Minuteman's case, we have exactly the same thing.

We saw a reduction in the Lincoln-Sudbury assessment tonight. I would anticipate that Minuteman is in the same position, but we haven't met within the last week. We are meeting tonight. I am not attending there. I am one of twelve representatives. The only one here.

But, when we do get the dollars from the State, the legislature will no doubt, as it has in the past, direct us to return them to the towns, and we will do that.

As a result, this year the cost per student, bottom line, at Minuteman is \$2,366.

We have no articles in this Warrant for roofs or anything else. Every penny we spend comes in this one line item, \$311,000, if you vote against this amendment for a decreasing cost per student.

Mrs. Kaufman's amendment was defeated.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$321,025 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 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED
201 Loan Int., Temp.	*38,465	35,000	15,585	60,000	60,000
202 School Bond Int.	53,102.50	37,282.50	22,052.50	22,942.50	22,942.50
203 Other Bond Int.	--	--	--	--	--
204 Principal, Schools	410,000	410,000	335,000	330,000	330,000
205 Principal, Others	50,000	--	--	--	--
<u>200 TOTAL</u>	<u>551,567.50</u>	<u>482,282.50</u>	<u>372,637.50</u>	<u>412,942.50</u>	<u>412,942.50</u>

Finance Committee Report: The increase in Loan Interest, Temporary (200-201) represents the increased interest rate the Town is expected to pay on Tax Anticipation Notes. Recommend Approval.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$412,942.50 AS SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 200, DEBT SERVICE, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, AND THAT SAID SUM BE RAISED BY TAXATION.

The Moderator declared that the meeting would adjourn until 8:00 o'clock tomorrow night, in accordance with the Bylaws of the Town.

The meeting adjourned at 11:02 P.M.

(Attendance - 492)

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 3, 1979

The Moderator called the meeting to order at 8:11 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that the Town Clerk had received three notices of motions to reconsider articles and that they would be considered as the first order of business tomorrow night. The motions to reconsider related to Articles 3 and 4 and Article 5, section 110, Sudbury Public Schools.

Mr. John E. Murray, Chairman of the Board of Selectmen, *moved that the Town adopt the rest of the budget under Article 5.* The motion was seconded.

Mr. Murray then *moved that the Town postpone consideration of the remaining items under Article 5 until after reconsideration of all articles for which notices were filed with the Town Clerk prior to 12 Noon on April 3, 1979.*

In support of his motion, Mr. Murray stated as follows: Indefinite Postponement of Article 3 Monday night has the following ramifications. It destroys a Town clerical study and reclassification which had the support of nearly every Town official. In addition, both local and regional school committees had indicated their desire to implement a similar or identical plan. The local schools at present have no clerical classification plan.

This vote gave salary increases to the police, with the exception of the clerical. It gave increases to the fire, with the exception of the clerical and the Chief; highway employees, with the exception of the clerical, the Assistant Surveyor and the Operations Assistant. Elected Town officials received an increase.

It precludes salary increases for 27 full-time and 48 part-time employees: clerical, individually-rated, library, engineering and park and recreation.

Town Meeting action thus far has voted salary increases for 476 school employees: teachers, clerical, administrators and maintenance personnel. 78 additional Town union employees have built-in salary increases covered by binding contracts: the police, the fire and the highway.

The Moderator stated as follows: That is why you feel that Article 3 should not have been postponed. Why should we postpone Article 5 until after Article 3 is considered? Is there any correlation between the two? Is there any reason why Article 3 should be decided one way or the other before we get on to Article 5?

The Moderator then recognized Mrs. Linda E. Glass, Chairman of the Finance Committee, who commented as follows: Since there are salary line items in Article 5 that have to be discussed and since those salary line items cannot be discussed as they currently exist in the Warrant, it makes sense to see what happens tomorrow night after reconsideration before we attempt to start fiddling with the numbers which may or may not be real or unreal. Therefore, I think that it is essential that we postpone Article 5 until we see what happens with the reconsideration of Article 3.

In response to a question, Mr. John H. Wilson, Town Accountant, stated that he had reconstructed the numbers in the 300 and 400 accounts to comply with last year's bylaw. He understood that Mr. Glazer of the Finance Committee had worked on the 500 account, so that going into this evening we have the new numbers for the 300 through the 500 accounts.

After discussion, it was

VOTED: THAT THE TOWN POSTPONE CONSIDERATION OF THE REMAINING ITEMS UNDER ARTICLE 5 UNTIL AFTER RECONSIDERATION OF ALL ARTICLES FOR WHICH NOTICES WERE FILED WITH THE TOWN CLERK PRIOR TO 12 NOON ON APRIL 3, 1979.

[For action taken on Article 5, accounts 300 through 950, see pages 69-94]

April 3, 1979

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 \$2,743.65:

Unpaid
Bills

\$ 360.71	To pay the Town of Braintree for retirement benefits paid to Everett A. Johnson during the year 1977 (Board of Selectmen);
1,870.00	To pay Norfolk County Agricultural School for the tuition expenses for a Sudbury student attending that school (Unclassified);
62.50	To pay the National Geographic Society for a bill submitted after the close of the fiscal year 1977-78 (School Committee);
90.30	To pay the Library of Congress for a bill submitted after the close of the fiscal year 1977-78 (School Committee);
360.14	To pay Patrick J. Manzo for pay adjustment (Selectmen);

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.

Finance Committee Report: Recommend Approval.

Board of Selectmen Position: The Board unanimously supports this article.

Town Counsel Report: The motion under this article requires a four-fifths vote of the Town Meeting.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$5,157.99 FOR THE PAYMENT OF UNPAID BILLS INCURRED, WHICH MAY BE LEGALLY UNENFORCEABLE DUE TO THE INSUFFICIENCY OF APPROPRIATION OF THE YEAR IN WHICH THE BILL WAS INCURRED OR RECEIPT AFTER THE CLOSE OF THE FISCAL YEAR, AS FOLLOWS:

TOWN OF BRAINTREE	\$ 360.71
NORFOLK COUNTY AGRICULTURAL SCHOOL	1,870.00
NATIONAL GEOGRAPHIC SOCIETY	62.50
LIBRARY OF CONGRESS	90.30
PATRICK J. MANZO	360.14
WOODS SCHOOL	2,414.34;

SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 7: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$40,000, or any other sum, to complete the updating of property values in the Town of Sudbury, to be expended under the direction of the Board of Assessors, in order to comply with the Massachusetts Supreme Judicial Court ruling requiring all property in the Commonwealth of Massachusetts to be valued at a full and fair cash value; or act on anything relative thereto.

Update
Property
Values

Submitted by the Board of Assessors.

Mr. Frank H. Grinnell, Chairman of the Board of Assessors, *moved to appropriate the sum of \$35,000 to be added to the sums previously appropriated for the employment of an appraisal consulting firm, and to appropriate the sum of \$5,000 to be transferred to a new line item, (Assessors) 504-61, for salary payments incurred for services to be rendered in conjunction with the coordination and supervision of the revaluation project, said sums to be expended under the direction of the Board of Assessors for the purpose of updating property values in the Town of Sudbury so that we will be valued at full and fair cash value; said sums to be raised by taxation.*

April 3, 1979

Board of Assessors Report: The purpose of this warrant article is to provide the Board of Assessors with additional funds 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 \$40,000 to supplement funds already allocated for this purpose (\$40,000 - 1978 Annual Town Meeting).

Mr. Grinnell further reported to the meeting for the Board of Assessors as follows:

Last year, we asked for \$80,000. The Finance Committee asked us and the Selectmen to take \$40,000 last year. We agreed that we would take the \$40,000. We are now back asking for the other \$40,000.

We have a firm all lined up already to go on the revaluation, but we do have to have enough money to cover the contract.

Mr. Robert A. Norling of the Finance Committee then *moved that the Town appropriate the sum of \$34,000, to be expended under the direction of the Board of Assessors, for updating property values in the Town of Sudbury in order to comply with the Massachusetts Supreme Judicial Court ruling requiring all property in the Commonwealth of Massachusetts to be valued at full and fair cash value; said sum to be raised by taxation.*

Finance Committee Report: (Mr. Norling)

By way of explanation, we have been assured by the Board of Assessors that \$80,000 is all that will be necessary to perform this reassessment. We have voted \$40,000 from last year's town meeting. There is \$6,000 in accounts available from votes taken in prior years' town meeting. So we now have \$46,000 available for this reassessment, leaving the remaining need to be \$34,000 to complete the action.

In response to a question, Mr. Grinnell stated that the \$5,000 under his motion was a "one shot deal". It would pay for his time working with the revaluation firm. Last year and the four years previous, he had spent 1,300 hours each year for \$900 to pick up the 3.5 million dollars that were put on the tax rolls to keep the tax rate down. That figured out to 62.5¢ per hour.

Board of Selectmen Report: (Mr. William J. Cossart)

A majority of the members of the Board of Selectmen support this article as it was originally presented.

It is true that in the past there has been willful disobedience to the State law to revalue. It truly seems now that those days are over. There are a number of court cases that are currently underway on towns that have neglected to proceed with revaluation.

There is no reason to believe that money would have to be appropriated annually for revaluation. The law requires it to be done every five years.

One final point is that we should face directly the question of Mr. Grinnell acting as a clerk of the works in this situation. The contract does require that there be a clerk of the works to work with the revaluation firm. Frankly, we are very fortunate that there is a man like Mr. Grinnell who is available and can do this job. I don't know where we could find anybody with the knowledge, the enthusiasm, and the ability to get the job done. We are very fortunate to have Mr. Grinnell, and we should defeat the Finance Committee's motion.

Mr. Richard F. Brooks *moved to amend the Finance Committee's motion so that it would read as in Mr. Grinnell's motion but that the amounts of money would be \$30,000 for the primary effort and \$4,000 for the clerk of the works function.*

In support of his amendment, Mr. Brooks stated as follows: I would like to support the concept of having Mr. Grinnell act as a clerk of the works in respect to this article. I am not hung up on the \$34,000, or the \$40,000, but I do feel that there should be a provision for such a function. The fact of the matter is that he spends an awful lot of time on this sort of thing. I think that, rather than have the Assessors come in with a larger salary for the Assessors, it would be much better to have a one shot deal in connection with the revaluation to compensate him for his time.

April 3, 1979

I am opposed to having elected officials salaries increased. I think we serve at the pleasure of the voters and for reasons other than salary. But, when someone puts in the type of daytime hours that Mr. Grinnell does, there should be a provision, other than regular officials salaries, to compensate him for that.

Mr. Brooks motion was defeated.

After some discussion, Mr. Norling's motion was defeated.

In response to a question concerning the payment proposed for Mr. Grinnell under the motion, Mr. Paul L. Kenny, Town Counsel, responded as follows: The motion provides for a salary line item, not a consultant or a contractual basis. The conflict of interest law would preclude Mr. Grinnell from contracting with the Town either through the Board of Assessors or any other board in Town. An Assessor can be paid an increase in salary so the motion is legal.

Mrs. Anne W. Donald moved that this subject be committed to the Committee on Town Administration to come back to another town meeting with a report as to what is the most appropriate way of paying the Assessors for the Town of Sudbury.

Mrs. Donald stated that she had a great difficulty with adding a line item with no previous word to the Town Meeting.

Mrs. Donald's motion was defeated.

VOTED: TO APPROPRIATE THE SUM OF \$35,000, TO BE ADDED TO THE SUMS PREVIOUSLY APPROPRIATED, FOR THE EMPLOYMENT OF AN APPRAISAL CONSULTING FIRM, AND TO APPROPRIATE THE SUM OF \$5,000 TO BE TRANSFERRED TO A NEW LINE ITEM, (ASSESSORS) 504-61, FOR SALARY PAYMENTS INCURRED FOR SERVICES TO BE RENDERED IN CONJUNCTION WITH THE COORDINATION AND SUPERVISION OF THE REVALUATION PROJECT, SAID SUMS TO BE EXPENDED UNDER THE DIRECTION OF THE BOARD OF ASSESSORS FOR THE PURPOSE OF UPDATING PROPERTY VALUES IN THE TOWN OF SUDBURY SO THAT WE WILL BE VALUED AT FULL AND FAIR CASH VALUE; SAID SUMS TO BE RAISED BY TAXATION.

ARTICLE 8: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$15,000, or any other sum, to engage the services of a public accounting firm to perform an audit of the Town's financial records for the period June 30, 1972 to June 30, 1979; or act on anything relative thereto.

Town
Audit

Submitted by the Board of Selectmen.

Board of Selectmen Report: The Bureau of Accounts in the Department of Revenue of the Commonwealth of Massachusetts is the auditing agency of the Commonwealth for cities, towns, counties and other local government agencies such as school districts and water districts. The aggregate number of agencies for which the Bureau of Accounts is responsible exceeds 600. The Town of Sudbury has not been audited since June 30, 1972 by the Bureau of Accounts; additionally, it is known that the Bureau of Accounts will be unable to perform a financial audit of the records of the Town of Sudbury in the upcoming fiscal year. Furthermore, in addition to the traditional desire for timely financial audits, the Town must now comply with the office of Federal Revenue Sharing's directive that in order to continue to receive Revenue Sharing funds, all recipients of over \$25,000 must have a complete audit by December 31, 1979.

Financial audits ordinarily involve the systematic examination of records and procedures relative to the financial transactions of the auditee. Documents pertaining to revenue, collections and expenditures are examined to verify that transactions have been properly handled in compliance with existing laws and restrictions. The proposed audit specifications are not limited to the financial audit; also included are specifications for an examination of systems and procedures and the value and efficiency of Town operations. Administrative procedures will be reviewed to identify waste and opportunities to reduce costs and improve programs.

The objective of this article is to provide the funds necessary for the Town to engage the services of an independent public accounting firm which will perform

the necessary tests of records, statements and procedures of the Town in order to render a report which will conform to the financial standards known as the Generally Accepted Auditing Standards and will ensure acceptance by the Bureau of Accounts and the several federal agencies from which the Town has received funds and which will express an opinion on the financial statements and financial position of the Town. Additionally, the Town can expect to receive recommendations concerning improving controls and procedures.

It is essential that an audit be completed by December 31, 1979 if the Town expects to receive \$180,000 - \$200,000 of Revenue Sharing each year. It also makes sound financial sense to audit this year and continue the auditing process on a more frequent basis in the future. The Board of Selectmen recommends approval.

Finance Committee Report: Recommend Approval.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$15,000, TO BE EXPENDED UNDER THE DIRECTION OF THE BOARD OF SELECTMEN, TO ENGAGE THE SERVICES OF A PUBLIC ACCOUNTING FIRM TO PERFORM AN AUDIT OF THE TOWN'S FINANCIAL RECORDS FOR THE PERIOD JUNE 30, 1972 TO JUNE 30, 1979; SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 9: To see if the Town will vote to accept the layout of any one or more of the following ways:

Street

Acceptances

- Paddock Way - From Dakin Road to a dead end, a distance of 743 feet, more or less;
- Deacon Lane (formerly Olde Towne Circle) - From Pantry Road to a dead end, a distance of 900 feet, more or less;
- Witherell Drive - From Willis Road to Belcher Drive, a distance of 2,502 feet, more or less;
- Cakebread Drive - From Witherell Drive to a dead end, a distance of 528 feet, more or less;
- Taintor Drive - From Witherell Drive to a dead end, a distance of 494 feet, more or less;
- Darvell Drive - From Witherell Drive to Belcher Drive, a distance of 422 feet, more or less;
- Belcher Drive - From Willis Road to Bowker V, a distance of 1,784 feet, more or less;
- Robert Best Road - From Peakham Road to Peakham Road, a distance of 2,460 feet, more or less;
- Colburn Circle - From Robert Best Road to a dead end, a distance of 565 feet, more or less;
- Curtiss Circle - From Robert Best Road to a dead end, a distance of 682 feet, more or less;

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, \$750, or any other sum, therefor and all expenses in connection therewith; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article is the result of the recommendations of the Highway Surveyor and the Town Engineer as to roads which meet legal requirements for acceptance. The Selectmen have, at a previous public hearing, voted the layout of these ten 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 Board of Selectmen recommends approval.

Finance Committee Report: Recommend Approval.

UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE, WITH THE SUM OF \$750 TO BE RAISED BY TAXATION.

April 3, 1979

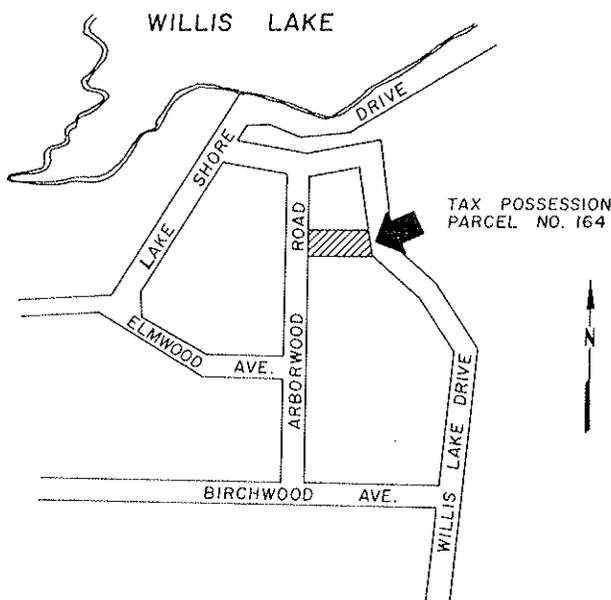
ARTICLE 11: To see if the Town will vote to transfer the following parcel of land to the custody and control of the Conservation Commission for all purposes included in General Laws, Chapter 40, Section 8C, as amended:

Transfer of Tax Possession Parcel 164 to Conservation	Lots 21 and 22, Block G, as shown on a plan entitled "Plan of Pine Lakes, Sudbury, Mass." dated April 1927, drawn by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described as follows:
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Northerly	By land now of formerly of Town of Sudbury and by land now or formerly of Woodlee
Easterly	By Willis Lake Drive
Southerly	By land now or formerly of Dunne
Westerly	by Arborwood Drive;

or act on anything relative thereto.

Submitted by the Board of Selectmen.



ARTICLE 11: TRANSFER OF TAX POSSESSION LAND

Board of Selectmen Report: This small (0.14 acre) tax possession parcel (#164) was previously desired by an abutting property owner; see Article 21 of the 1978 Annual Town Meeting. However, the abutter misunderstood the sale terms and is no longer interested in acquiring it. Since it abuts land already under the jurisdiction of the Conservation Commission, the Commission is interested in acquiring it, and transfer to the Commission appears appropriate. The Board of Selectmen recommends approval.

Finance Committee Report: This parcel is apparently of no value to the abutting property owners. Recommend Approval.

VOTED: THAT THE TOWN TRANSFER TO THE CUSTODY AND CONTROL OF THE CONSERVATION COMMISSION, FOR ALL PURPOSES INCLUDED IN THE GENERAL LAWS, CHAPTER 40, SECTION 8C, AS AMENDED, THE FOLLOWING PARCEL OF LAND:

LOTS 21 AND 22, BLOCK G, AS SHOWN ON A PLAN ENTITLED, "PLAN OF PINE LAKES, SUDBURY, MASS." DATED APRIL 1927, DRAWN BY ROBERT B. BELLAMY, SURVEYOR, RECORDED WITH MIDDLESEX SOUTH DISTRICT DEEDS IN PLAN BOOK 394, PLAN 37, AND BOUNDED AND DESCRIBED AS FOLLOWS:

NORTHERLY	BY LAND NOW OR FORMERLY OF TOWN OF SUDBURY AND BY LAND NOW OR FORMERLY OF WOODLEE
EASTERLY	BY WILLIS LAKE DRIVE
SOUTHERLY	BY LAND NOW OR FORMERLY OF DUNNE
WESTERLY	BY ARBORWOOD DRIVE.

The Moderator declared that the motion was carried by more than two-thirds.

ARTICLE 12: To see if the Town will vote to approve the petition set forth herein relative to the appointment of special police officers and authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact the special law set forth in said petition and without further submissions to a town meeting:

Special
Act -
Special
Police

"The Commonwealth of Massachusetts

In the year one thousand nine hundred and seventy-nine an act relative to the appointment of special police in the Town of Sudbury.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. The Board of Selectmen, the appointing authority, may appoint special police officers, hereinafter called special police, in the Town of Sudbury. Such appointments shall not be subject to the provisions of General Laws, Chapter 31, as amended. Special police shall be appointed for 1 year terms, provided, however, that an appointment may be revoked at any time, with or without cause, by the appointing authority.

Section 2. Special police may be given, by the appointing authority, all or any part or portion of the powers and authority of police officers appointed under the provisions of General Laws, Chapter 31, as amended, and General Laws, Chapter 41, Section 96, as amended, hereinafter called police officers. Special police shall be assigned duties or tasks by the Chief of Police, by the acting Chief of Police in absence of a Chief of Police, or by the senior police officer on duty (subject to written rules and regulations concerning special police established by the Chief of Police). Special police shall not be assigned duties or tasks that deprive a police officer of regular employment or overtime employment requested by a police officer.

Section 3. This act shall take effect upon its passage.;"

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Mr. Murray, Chairman of the Board of Selectmen, *moved to approve the petition relative to the appointment of special police officers and authorize and request the Board of Selectmen to submit said petition to the General Court of the Commonwealth of Massachusetts to enact a special law set forth in Article 12 of the Warrant for this meeting, and to provide that said petition, when enacted by the legislature, become effective without further submission to a town meeting.*

Board of Selectmen Report: This article is identical to Article 18 approved at the 1977 Annual Town Meeting. This Special Act became House Bill 6170 and died in the waning hours of the 1977 legislative session. The Board of Selectmen submitted the Special Police bill to the General Court for the 1978 legislative session but was informed that once a bill requiring local approval has been considered without being enacted, any refiling of that bill in the following session must be accompanied by a new certificate of local approval.

In March of 1978 we were advised by Senator Atkins' office to have this article placed on the Warrant for the next Annual Town Meeting so that the bill could be considered as expeditiously as possible by the Legislature. We were unable to submit this bill to the 1978 Annual Town Meeting because of the closing of the Warrant and late notification of the above circumstances dealing with the refiling of the legislation requested by Town Meeting.

In order that the Town Meeting might properly understand the purpose of the article, we repeat below the written report of the Board of Selectmen contained in the Warrant for the 1977 Annual Town Meeting.

On June 7, 1976 the Board of Selectmen voted: "That it would be the policy of the Board, until it is advised that it has other authority, rather than to appoint Special Police Officers, as that term has been known, to appoint, in their stead, Special Constables under the provisions

of Chapter 90, Section 29 of the General Laws, as recommended by Town Counsel in his memorandum of April 1, 1976." However, Special Constables under the law are limited in their power to only "the enforcement of all laws and regulations concerning motor vehicles". Therefore, the purpose of this article is to present special legislation to the General Court so that the Board of Selectmen would be authorized to appoint Special Police Officers, as has been the practice in the past, with the powers and duties which the Police Chief feels they should have to carry out their job. To state in more simple terms this correcting legislation is needed (1) so that the title Special Police may be used in future appointments; and (2) to seek legislative clarification of the powers of Special Police Officers.

To quote from Town Counsel's memorandum of April 1, mentioned above:

"Many towns still follow the practice of appointing special police officers; this is usually not a matter of reliance upon an interpretation of a particular statute, but is based on habit and custom. It is my opinion that custom and usage should not be relied on in so important a matter."

The Selectmen recommend approval of this article.

Finance Committee Report: This article, as approved by Town Meeting in 1977, died in the legislature before it was enacted. Therefore, the process must be repeated. There is no provision in the law for appointing special police. Constables can be appointed, but their authority is limited. Reserves cannot be appointed without a 12-week training program. Contingent upon receiving rules and regulations as requested, the Finance Committee recommends approval.

Mr. Ronald A. Stephan further reported to the meeting for the Finance Committee as follows:

The Finance Committee report as printed in the Warrant says that contingent upon receiving the rules and regulations, the Finance Committee recommends approval. We have received the rules and recommendations, and we are satisfied with their content.

Police Chief's Report: (Chief Nicholas Lombardi)

I stand in opposition to this article for several reasons. First and foremost, it is completely unnecessary and, in my opinion, without merit. The Police Department has been stripped of its Special Police Officers because of an opinion by Assistant Town Counsel that there is no statutory authority in Massachusetts for boards of Selectmen to appoint special police officers. That is an opinion, and that's all it is--one man's opinion.

I have been to the legal section of the Massachusetts Police Institute and have been advised by their attorneys that, while the statutes relating to police appointments in Massachusetts may lack uniformity, there is no problem and there never has been any problem relating to liability in appointing Special Police Officers.

The fear of liability is what brought this whole problem up in the first place. A couple of years ago we were on a liability kick. The Selectmen didn't think reporters could ride in police cruisers because of liability. They didn't think the high school kids should ride in the cruisers because of liability. We had an awful time getting an auxiliary organized because of liability. We were so hung up on liability that we were the only town in the area spending money to support an Assistant Town Counsel.

Why does a town of 15,000 people require two attorneys to handle the workload while the Town of Framingham of some 70,000 people can get along without the services of an Assistant Town Counsel. The answer has to be fear of liability.

If I allowed the fear of liability to bother me, I couldn't do my job, and if I couldn't do my job, I should step down. If we have elected or appointed officials who can't do their job because of the fear of liability, then I think this town is being shortchanged.

Your Police Department has been short two men since last September. Two men are out on long-term disabilities. I have just had another man resign. The Department will be down three men for quite some time. If ever this town needed Special Police Officers, it is now.

April 3, 1979

The overtime budget has been cut from \$95,000 this year to \$79,000 next year in spite of the 5% contracted salary increase. Where is the money to pay overtime? You won't find it in my budget.

We need the Specials for back-up support and to handle outside details. We need officers with peacekeeping powers, not Special Constables whose powers are limited to the enforcement of motor vehicle laws.

Two years ago you were asked to vote for the same article before you now. You didn't know what you were voting for then any more than you do tonight.

The Board of Selectmen and the Finance Committee tell you in your Warrant the article died in the legislature before it was enacted. The article died in the legislature because no one would vote for it. Senator Atkins appeared before the Selectmen, and he stated, "I cannot muster four votes for this bill in the Senate." He also, at a later meeting, questioned the advisability and wisdom of submitting the bill at all.

In other words, the legislature is telling us we are no different than the other 350 cities and towns in the Commonwealth. They have the authority to appoint Special Police Officers and so do we. This authority can be found in Chapter 41, Section 96 of the General Laws which has just been re-written by the Acts of 1977. It now states that in any town in which such appointments are not subject to Chapter 31, they shall be made annually or for a term of years not exceeding three as the Selectmen may determine. The Selectmen may remove such officers for cause at any time during such appointment after a hearing.

If the legislature had intended to limit the appointing powers of Selectmen, they would have designated that only certain categories of police be appointed, but their intent was that Selectmen can appoint all police officers regardless of their different functions or categories.

As far back as 1896, under Chapter 423, Section 7 empowering Selectmen to appoint Police Officers with any or all powers of Constables except the power of serving civil process, a vote of the Selectmen appointing a Special Police Officer without any objection included all the powers mentioned in the statute. The intent of the legislature is clear. The term "police officer" means all police officers.

The legislature refused to act on this article two years ago. They will refuse again this year. The same people who lobbied against this bill two years ago will be back again this year: the Department of Civil Service, because they believe it was an attempt to thwart their affirmative action programs, and the Boston Police Patrolman's Association, because they believe it was an attempt to get around Civil Service appointments by the Selectmen. These things may not be true, but that is what they believe.

For these reasons, and those stated before, I don't believe this bill will pass the legislature.

I urge you to vote against the article, and I also urge you to instruct our elected and appointed officials to accept their responsibility to make these most necessary appointments and not to be swayed by the opinion of one man who, on his record of achievement with this town, is far from infallible.

In response to a request by Mr. Murray, Town Counsel reported as follows:

A number of points have been raised by the Chief that I believe require a response. The Chief is correct that the Selectmen do have the authority to appoint, for a period of time, police officers not subject to Chapter 31.

Police Officers in Sudbury are subject to Chapter 31, and there is a question whether or not the Civil Service Law would prevent the appointment of Special Police Officers.

That question has never been answered by what we term our courts of record, but it has been answered many times in the trial courts of this state. It has been answered both ways. There are some judges that have made orders in the negative concerning whether or not Selectmen had the authority to appoint Special Police. There are some judges who have ordered that they do have the authority.

The question is here because it has not been determined. It is impossible to determine the intent of the legislature. The trial courts have been unable to do so with consistency. The Selectmen wish to submit this to the legislature to clarify the point at least from Sudbury's point of view.

After some discussion, Mr. Murray's motion was defeated.

ARTICLE 13: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$7,500, or any other sum, to be expended under the jurisdiction of the Permanent Building Committee for the purpose of preparation of bidding documents, including the updating of plans and specifications, for a new police and fire headquarters building to be located on the Oliver land site, so-called; or act on anything relative thereto.

Police/
Fire
Head-
quarters

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article has been inserted to provide funds for the Permanent Building Committee to review and update existing plans and specifications for a new fire and police headquarters building to be located off Hudson Road on Town land, formerly the so-called Oliver land.

Previous Town expenditures relating to the proposed new Police/Fire Headquarters project are as follows:

1972 Annual Town Meeting, Art. 48:	(Land)	\$ 3,000
1972 Annual Town Meeting, Art. 47:	(Plans)	8,000
1973 Special Town Meeting, Art. 1:	(Land)	77,000
1973 Special Town Meeting, Art. 2:	(Plans)	40,000
Reserve Fund Transfer, Architect:	(Plans)	3,000
		<u>\$131,000</u>

It is the intention of the Permanent Building Committee, if this article is approved, 1) to determine current construction cost figures for the facility; 2) to update plans to recognize energy conservation construction saving measures; and 3) to update plans to recognize new state building code requirements, if any. Once this work is completed, the proposed Police/Fire facility project will be brought to a future Town Meeting for further funding action.

The Board of Selectmen believes that a serious need still exists for new police and fire facilities. We must go forward now because escalating construction costs dictate that we do so. The majority of the Board of Selectmen supports this article.

After making the motion under the article, Mr. Robert J. Hotch further reported to the meeting for the Selectmen as follows:

The purpose of this article is to again take a step towards a final solution to the problem which has held the attention of this town and its people for more than a dozen years. It is unlikely that many other projects in the history of this town have been so persistent or have been worked on by so many members and so many boards and so many committees.

The last time that Sudbury appropriated capital funds for either fire or police other than minor renovations, was 1961. In that year, Sudbury housed 9,000 people in something under 2,400 homes. Since then, we have grown to a population of over 15,000 living in more than 3,900 homes.

With that increase in dwellings, commercial properties and industrial properties, our need for proper public safety has grown steadily on all fronts. As early as 1962, the inadequacy of our central fire station was noted by Charles Downe, who said in the Mater Plan, "The present situation in the basement of the Town Hall does not provide the kind of space and equipment necessary for an efficient, well-trained fire department and should be replaced as soon as possible."

By 1963, the inspection report of the New England Fire Insurance Rating Association said, "Immediate consideration should be given to the erection of a new headquarters station to replace the present headquarters."

By 1965, special fire consultant, Robert Moulton, reported to the Town that, "A major expenditure that the Town must eventually face is the construction of a new central fire station. The conditions in the present quarters in the basement of the Town Hall are disgraceful."

By 1967, as a result of these observations, the then Board of Selectmen appointed a study committee to study those problems. That committee recommended that a new headquarters fire station be built. Over the same period, the nature and scope of the police functions have enforced a change, and their quarters, cramped at best, have been almost incapable of efficiently housing modern police facilities.

April 3, 1979

As the years progressed, Sudbury had other matters which claimed civic priorities, and we made capital expenditures for schools, school additions, regional additions, park and recreational land, conservation land, and a host of other activities that made up a part and parcel of municipal government.

We all said, "Wait". Fire and police said, "Wait". And wait we have. The problem of an adequate facility still exists, and with each new house and with each new business, the problem of administering and guaranteeing public safety becomes more and more difficult with our present facilities.

As Town officials, we feel it is impossible for us to stand by idly while we recognize the present inadequacies. The Selectmen, the Finance Committee, the Permanent Building Committee, the Long Range Capital Expenditures Committee and other departments have inspected all the facilities throughout the Town and have determined the existing problem must be solved.

Although the studies leading to the 1974 Special Town Meeting indicated the most efficient way to proceed was to construct a combined facility, we, the Board of Selectmen and members of other committees feel that, under the present circumstances, that may not be the best alternative. We want to re-address the problem.

As you know, the wording of the article indicates that funding is requested for either updating the existing plans of the combined facilities or professionally evaluating the existing buildings with an eye towards expansion, remodelling or conversion. We expect, and we hope, that if this article is approved, by the next Annual Town Meeting we will have some specific proposals for your acceptance.

Finance Committee Report: (Mr. Stephan)

The Finance Committee feels that the study is necessary, and as long as it includes planning and/or a feasibility study, we recommend approval.

Permanent Building Committee Report: (Mr. John L. Reutlinger)

The Selectmen asked us to recommend a figure to them to conduct the study on an either/or basis--updating the plans and specifications which we had done in 1974, or looking into an alternative of possibly adding a second floor onto the current police station.

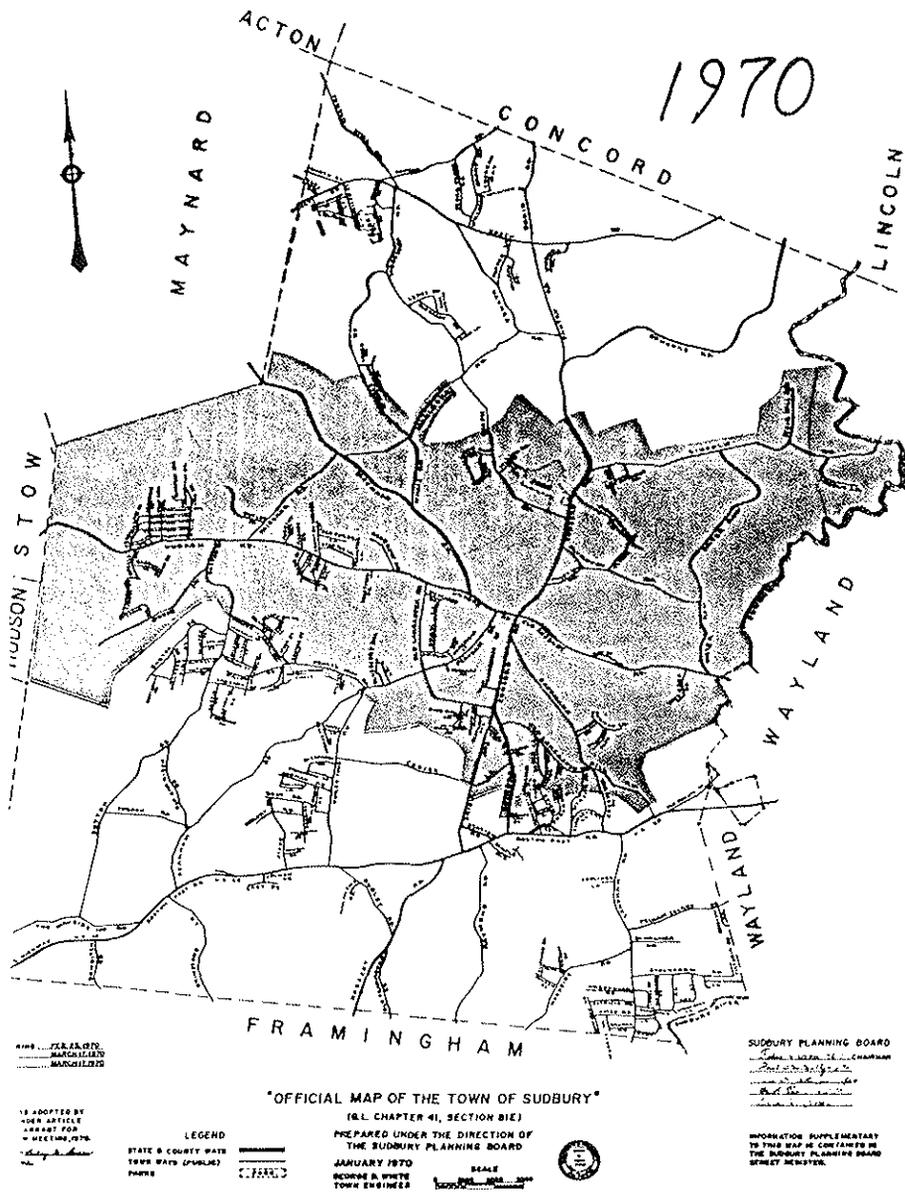
Since 1974, there have been two major code revisions relative to the handicapped and energy conservation. We did not, at that time, consider additions to the current police station on Route 20.

There is a feeling that the fire station in the main headquarters has to be either where it is or north of the center of Town due to the running distances between the station and the area to be covered.

We feel that \$7,500 would allow us to update the plans that we currently have or conduct a different study for the existing police station and maybe renovations to the fire station.

Fire Chief's Report: (Chief Josiah F. Frost)

I think this is probably the sixth time since I have been associated with the Fire Department that I have been before this Town Meeting in regard to a fire headquarters. I support the article in regard to updating our plans for the fire station, looking at alternatives on the police station.

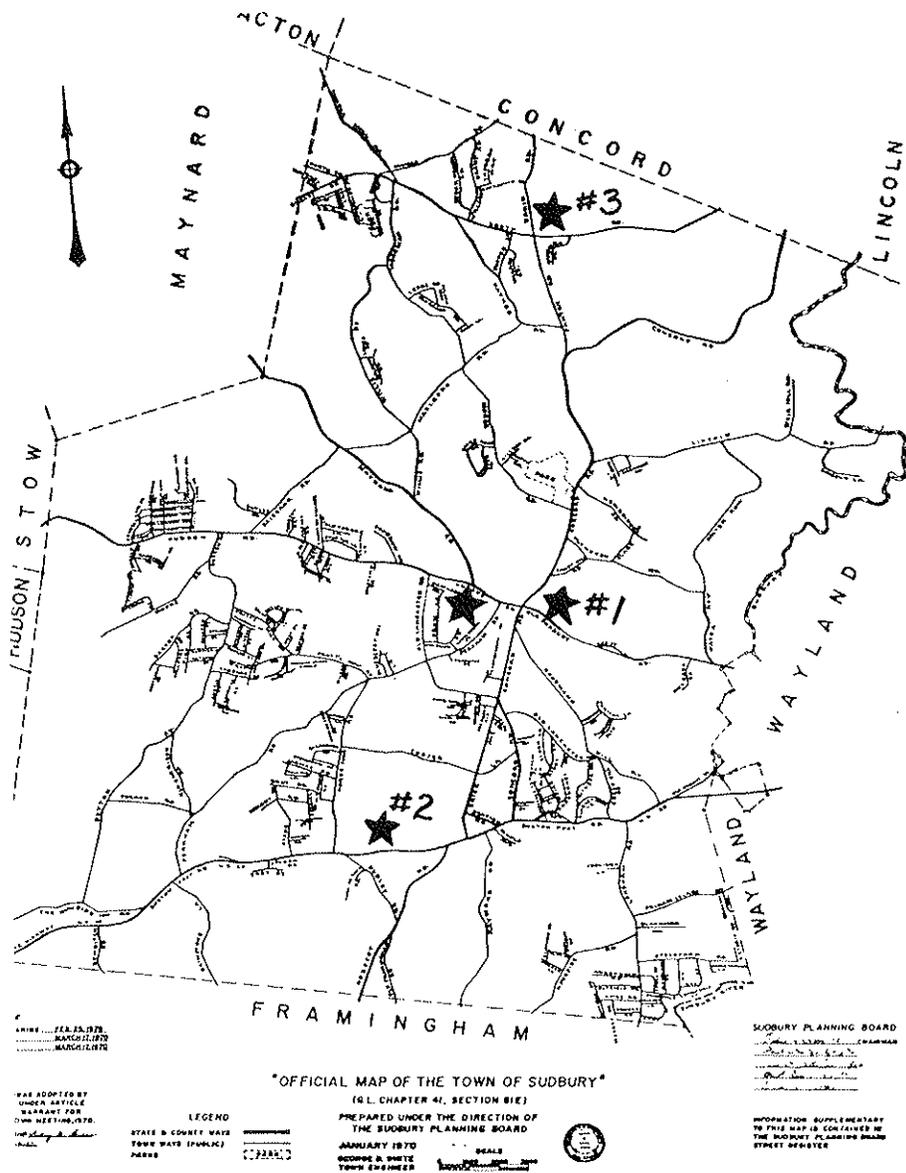


The shaded area gives you an idea of the area that the first piece of apparatus out of headquarters is first due in. There is quite a bit of open area there in 1970.

In 1978, the area had started to become filled in, and it now contains 1,600 homes, five schools, the Town Hall, the Flynn Building, the elderly housing, one shopping center and six churches. This area is supported by one piece of apparatus first due in with one man.

The two outstations have two men that are first due in in their areas.

We can't increase our manpower at headquarters because we have no room to do so. We also have a problem in seeing that the people towards the ammunition dump are within the three-mile limit because of the location of the station at its present site.



Location number 1 on this chart is the present site of the Center Station. The star west of the center shows the area that was purchased by the Town for a fire station in the early 1970's. This is where the fire station should be, not by my say so as a professional fire fighter, but the judgement of the International Society of Fire Engineers, by the Town Planner, and the study that was made by the I.S.O. people when they rated the Town. This area is east of Old Lancaster Road and west of the railroad tracks. It is mentioned in all the reports.

We have a problem in our station in not having the cubic feet necessary to properly operate an efficient fire station, and there is no way to be able to change that unless we get a new and different building. Cubic feet are cubic feet.

There is a certain necessity in running a headquarters station, a certain necessity for having the proper areas to work in without danger to the people and with safety to the help. This is what this \$7,500 is going to do. It is going to update the plans that we have now. It is going to look at alternatives to a combined facility.

April 3, 1979

I urge your support of the article. I hope that this would follow through to a conclusion within the next year because we have been putting up with sub-standard quarters for the men who are doing the work to protect you people. We should have the facilities to work with.

Police Chief's Report: (Chief Lombardi)

When the present Police Station was built, there were six police officers in the Town of Sudbury. There are now twenty-eight. Some of them are specialists.

There are no policemen in the Town of Sudbury that want to leave 415 Boston Post Road, but we are talking about alternatives. We haven't said we are going to build the Taj Mahal on the Oliver land. I never said I wanted it. All I want is a little elbow room so my officers can work and do a good job.

I favor the article, and I urge you to vote for it, but let's look at the alternatives. There are several alternatives, and I hope the Selectmen, the Finance Committee and the Building Committee will look at them.

VOTED: THAT THE TOWN APPROPRIATE \$7,500, TO BE EXPENDED UNDER THE JURISDICTION OF THE PERMANENT BUILDING COMMITTEE, FOR THE PURPOSE OF PREPARATION OF BIDDING DOCUMENTS, INCLUDING THE UPDATING OF PLANS AND SPECIFICATIONS, FOR A NEW POLICE AND FIRE HEADQUARTERS BUILDING AND/OR FOR PLANNING AND/OR FEASIBILITY STUDY TO DETERMINE ALTERNATIVE METHODS FOR PROVIDING FACILITIES FOR THE POLICE AND FIRE DEPARTMENTS; SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 14: To see if the Town will vote to amend Article IX, Section IV of the Zoning Bylaw by adding thereto a new subsection D entitled, "Cluster Development", as follows:

Amend Bylaws
Art. IX,
Sec. IV

"D. CLUSTER DEVELOPMENT

1. Objectives

Cluster Development Provision

A. The Planning Board may grant a special permit for any tract of land ten (10) acres or greater within a residential zoning district for the purpose of allowing a cluster development of residential building lots. The objectives of cluster development shall be:

- (1) To preserve historical or prehistorical resources, open space for conservation, agriculture, outdoor recreation or park purposes;
- (2) To promote more efficient use of land in harmony with its natural features;
- (3) To protect natural aquifer recharge systems;
- (4) To reduce the length of proposed utilities and streets thereby promoting more efficient municipal services;
- (5) To promote better siting of building lots.

2. Standards

A. The number of lots permitted within any cluster development shall not exceed the number of buildable lots that could be obtained through conventional development of the tract under the requirements of the zoning district in which the tract is located. Buildable lot is defined as any lot meeting the dimensional requirements of the zoning district in which it is located, having adequate area for locating buildings, and having been certified by the Board of Health as to suitability for sub-surface sewerage disposal.

B. All dimensional regulations within a cluster development shall comply with the provisions of Article IX, Section IV, subsection B of the Zoning Bylaw, except as follows:

- (1) The minimum area of building lots shall be half that of the residential district in which it is located, as follows:
 - Single Residence "A" = 20,000 sq. feet
 - Single Residence "C" = 30,000 sq. feet

April 3, 1979

ARTICLE 14:
(continued)

In instances where a tract overlaps residence zones A and C, the preliminary standard subdivision plan must respect these boundaries. The minimum lot size in the cluster development will be determined by multiplying the number of lots in residence zone A by 20,000 square feet, and multiplying the lots in residence zone C by 30,000 square feet, adding the two areas and dividing by the total number of lots.

- (2) Lot frontage shall have an average width of one-half that required in the residential district in which the cluster development is located, as follows:

Single Residence "A" = 90 feet
Single Residence "C" = 105 feet

The minimum lot frontage permitted in either residence zone shall be 50 feet.

- (3) Minimum side yard requirements will be 15 feet in residence zone A.
- C. To provide a buffer between a cluster development and surrounding properties, no structure shall be located within 50 feet of the overall perimeter boundary.
- D. A minimum of 35% of the land area of the tract, exclusive of land set aside for street purposes, shall remain unsubdivided and shall be designated as common open land. Such land shall have a shape, character and dimension suitable to assure its use for conservation, recreation or park purposes. If not contiguous, no portion of the common open land shall be smaller than one acre. Provision shall be made so that the common land shall be readily accessible to all lots within the cluster development that do not abut the common land. A pedestrian easement of 10 feet minimum width is required leading from common open land parcels and a public or private way within the cluster development, or between such parcels, one of which must abut a way. In cases where any portion of the common open land is used for septic systems, the minimum width of the easement will be determined by the nature of the terrain to readily allow the passage of service vehicles. A maximum of 20% of the common land may be devoted to paved areas and structures used for or accessory to outdoor recreation and consistent with the objectives of this subsection. Such structures or paved areas may not be constructed on flood plain, wetland, slopes in excess of 10% grade, or ledge outcroppings.
- E. Subject to the approval of the Board of Health, the Planning Board may permit the common land to be used for sub-surface sewerage disposal where it finds that such use will not be detrimental to the character or quality of the common land. In such cases, the homeowner will be provided with an easement to permit any maintenance or construction as may be required. Such easements shall also apply to applicable septic expansion areas and will designate the homeowner as the "agent of premises" for sewerage disposal maintenance purposes.
- F. The common open land, and such other facilities as may be held in common, shall be conveyed to one of the following, as determined by the applicant subject to the approval of the Planning Board and subject to the following guidelines:
- (1) A corporation or trust comprising a homeowners association whose membership includes all the owners of lots or units contained in the tract. The developer shall include in the deed to purchasers of individual lots beneficial rights in said open land, and shall grant a conservation restriction to the Town of Sudbury over such land pursuant to M.G.L. Chapter 184, S. 31-33, to insure that such land be kept in an open or natural state and not be built upon for residential use or developed for accessory uses such as parking or roadways. This restriction shall be enforceable by the Town

ARTICLE 14:
(continued)

through its Conservation Commission in any proceeding authorized by a S. 33 of Ch. 184 of M.G.L., including future amendments thereto and corresponding provisions of future laws. In order to ensure that the association will properly maintain the land deeded to it under this section, the developer shall cause to be recorded at the Middlesex South District Registry of Deeds a declaration of covenants and restrictions which shall, at a minimum, provide for the following:

- (a) Mandatory membership in an established homeowners association, as a requirement of ownership of any lot in the tract;
 - (b) Provisions for maintenance assessments of all lots in order to ensure that the open land is maintained in a condition suitable for the uses approved and in conformance with all state and local laws. Failure to pay such assessment shall create a lien on the property assessed, enforceable by either the homeowners association or the owner of any lot;
 - (c) Provision which, so far as possible under the existing law, will ensure that the restrictions placed on the use of the open land will not terminate by operation of law;
 - (d) In instances where the common open land is not being maintained properly, and deemed to be in violation of the Town Bylaws, or a threat to public health, safety and welfare by appropriate boards or officials acting in accordance with federal, state or local laws, the Town of Sudbury, after due notice, may enter the common open land and perform the necessary maintenance and assess the owners appropriately. Such restriction shall contain the above right of entrance and maintenance and shall be in a form and substance as the Planning Board shall prescribe and may contain such additional restrictions on development and use of the common land as the Planning Board may deem appropriate.
- (2) A nonprofit organization, the principal purpose of which is the conservation of open space. The developer or charity shall grant a conservation restriction as set out in (1) above.
 - (3) The Conservation Commission of the Town for park or open space use, subject to the approval of the Selectmen with a trust clause insuring that it be maintained as open space.
- G. No lot shown on a plan for which a special permit for cluster development is granted may be further subdivided and a notation to this effect shall be shown on the plan and on each deed conveying building lots on said plan.
 - H. Individual wells are not permitted as a water source within a cluster development. Communal wells will only be allowed subject to the approval of the Sudbury Water District and the Board of Health.

3. Procedure for Approval

- A. The applicant seeking a special permit for a cluster development shall submit two plans to the Planning Board. The first plan shall show development of the tract under the provisions of the Zoning Bylaw without regard to this subsection. Such plan shall conform to provisions described in Section IV, B of the rules and regulations governing the subdivision of land for a preliminary subdivision plan. Such plan shall be accompanied by a report from the Board of Health stating which lots on said plan meet soil standards that appear suitable for sub-surface sewerage disposal.

The second plan shall show development of the tract as a cluster development under the provision of the Zoning Bylaw including this subsection. The submission and approval of such plan shall

ARTICLE 14:
(continued)

- meet all requirements set forth in the Planning Board's rules and regulations governing cluster development and any amendments thereto. In addition to the information required on the above, the plan shall also show topographical lines, soil types, wooded areas, ledge outcroppings, wetlands and floodplains. The plan shall detail the landscaping and proposed use of the common open land, including any proposed structures thereon. To the maximum extent possible, all proposed instruments to be recorded with the plan, including the perpetual conservation restriction draft, shall be submitted to the Planning Board at the time of application for a special permit under this subsection.
- B. Within 60 days of submission of the preliminary cluster plan the Planning Board shall approve, conditionally approve, or disapprove said plan. Application procedures for filing the cluster definitive plan are described in the Planning Board's rules and regulations governing cluster development.
- C. The Planning Board shall not grant a special permit for a cluster development unless it determines that because of soil, drainage, traffic or other conditions the granting of such permit would be consistent with the objective of this subsection and would not be detrimental to the Town or neighborhood in which the proposed development is located.
- D. The Planning Board may, for the purposes of reviewing certain cluster subdivision plans, appoint a design review committee numbering three professionals in the fields of land planning, landscape architecture, engineering, or other areas the Planning Board may deem necessary to act in a review capacity during the approval process of cluster subdivisions.
- E. If a special permit is granted under this subsection, the Planning Board shall impose as a condition that the common land shall be conveyed, free of any mortgage interest or security interest or made subject to a perpetual restriction of the type described above in paragraph 2, F, (1) prior to any construction or alteration of the land. The applicant shall provide satisfactory assurance of said conveyance and recording in the form of copies of the recorded instruments bearing the recording stamp.
- F. The provisions of this bylaw are severable from each other, and if any of said provisions shall be held unconstitutional or invalid by any court of competent jurisdiction, the remaining provisions shall remain in full force and effect; if any provision of these regulations is held by such court to be invalidly applied to any particular case, all other applications of such provision to other cases shall not be affected thereby.

4. Amendments

- A. Following the granting of a special permit under this subsection, the Planning Board may amend the plan in accordance with its cluster development rules and regulations, solely to change lot lines, provided, however, that no such amendment shall:
- (1) Grant any reduction in the size or change in location of the common open land as provided in the permit;
 - (2) Grant any change in the layout of the ways as provided in the permit;
 - (3) Increase the number of lots as provided in the permit; or
 - (4) Decrease the dimensional requirements of any lot below those permitted by this bylaw.";

or act on anything relative thereto.

Submitted by the Planning Board.

April 3, 1979

Mr. John C. Cutting of the Planning Board moved that the Town amend Article IX, Section IV, of the Zoning Bylaw, by adding thereto a new subsection D entitled, "Cluster Development", as printed in Article 14 in the Warrant for this meeting, except as follows:

1. Paragraph 2 ("Standards"), B (1): change "20,000 square feet" to "25,000 square feet" in both places it appears.
2. Paragraph 2, D: delete the sentence, "In cases where any portion of the common open land is used for septic systems, the minimum width of the easement will be determined by the nature of the terrain to readily allow the passage of service vehicles."
3. Paragraph 2, E: delete completely.
4. Relabel 2, F, 2 E. Further, in subparagraph (1) in the sentence, "This restriction shall be enforceable by the Town through its Conservation Commission in any proceeding authorized by a S. 33 of Chapter 184 of M.G.L., including future amendments thereto and corresponding provisions of future laws.": change "a S. 33 of Ch. 184 of M.G.L." to "S. 32 of Ch. 184 of M.G.L."
5. Relabel 2 G, 2 F.
6. Relabel 2 H, 2 G. Delete sentence, "Communal wells will only be allowed subject to the approval of the Sudbury Water District and the Board of Health."

Planning Board Report: (Mr. Cutting)

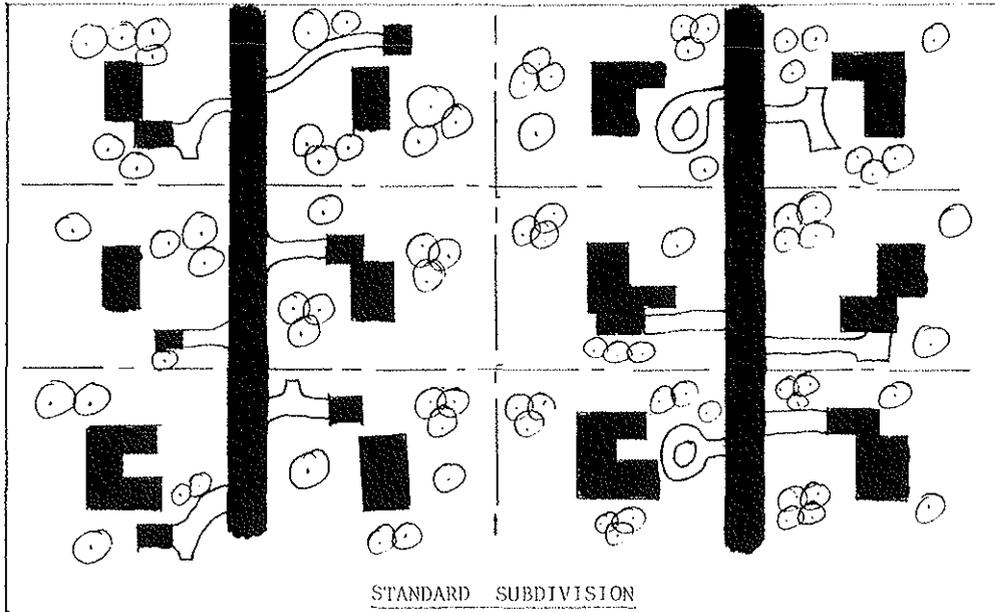
If adopted, Article 14 will amend the Zoning Bylaw to allow a developer, on issuance of a special permit by the Planning Board, to build houses on smaller lots than normally permitted with reduced frontages, provided a certain percent of the tract is set aside as permanently preserved open space. Only single residences are being considered here. Apartment or attached units of any type are not involved.

It should be pointed out that this is not pioneer legislation. Our survey of fifty towns in the area indicates that twenty towns possess this type of cluster bylaw. Some of these have been in effect for as long as fifteen years, and local experience has been excellent.

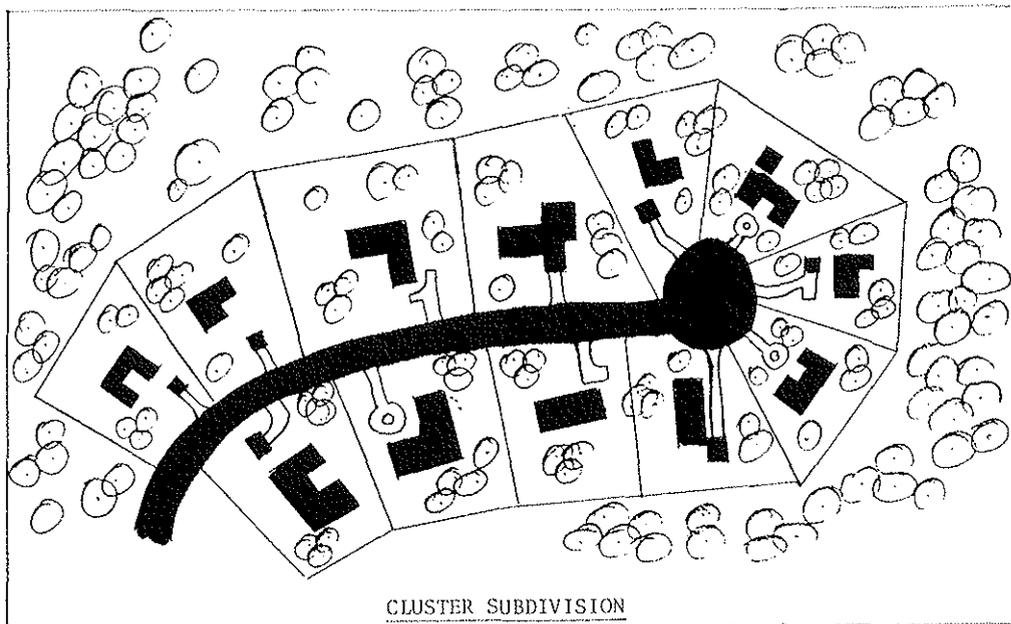
One of the major reasons we are proposing cluster zoning is to encourage development more compatible with the physical features of the site. I think we can all understand that the developer feels obligated to get the maximum number of houses he can out of a piece of land. This can easily result in the land being radically re-worked and forced to submit to a grid pattern that frequently looks a lot better on paper than it does on the ground.

In Sudbury, where so much of our land is marginal to begin with, the problems of design are even greater. I am sure we can all think of places we have admired that have been put to the dozer. However, on sites that qualify, cluster zoning would allow the builder to put his houses closer together on the most buildable portion and avoid the marginal land and sections that would require major modification. He would not lose any lots, his construction would be physically easier and a portion of the site could remain untouched.

Mr. Cutting then showed colored slides of the types of land and open space which could be preserved and of the communal land areas of cluster developments in nearby towns.



This is a rough plan of a conventional subdivision. There is a large amount of road area and the entire site is consumed by large lots.

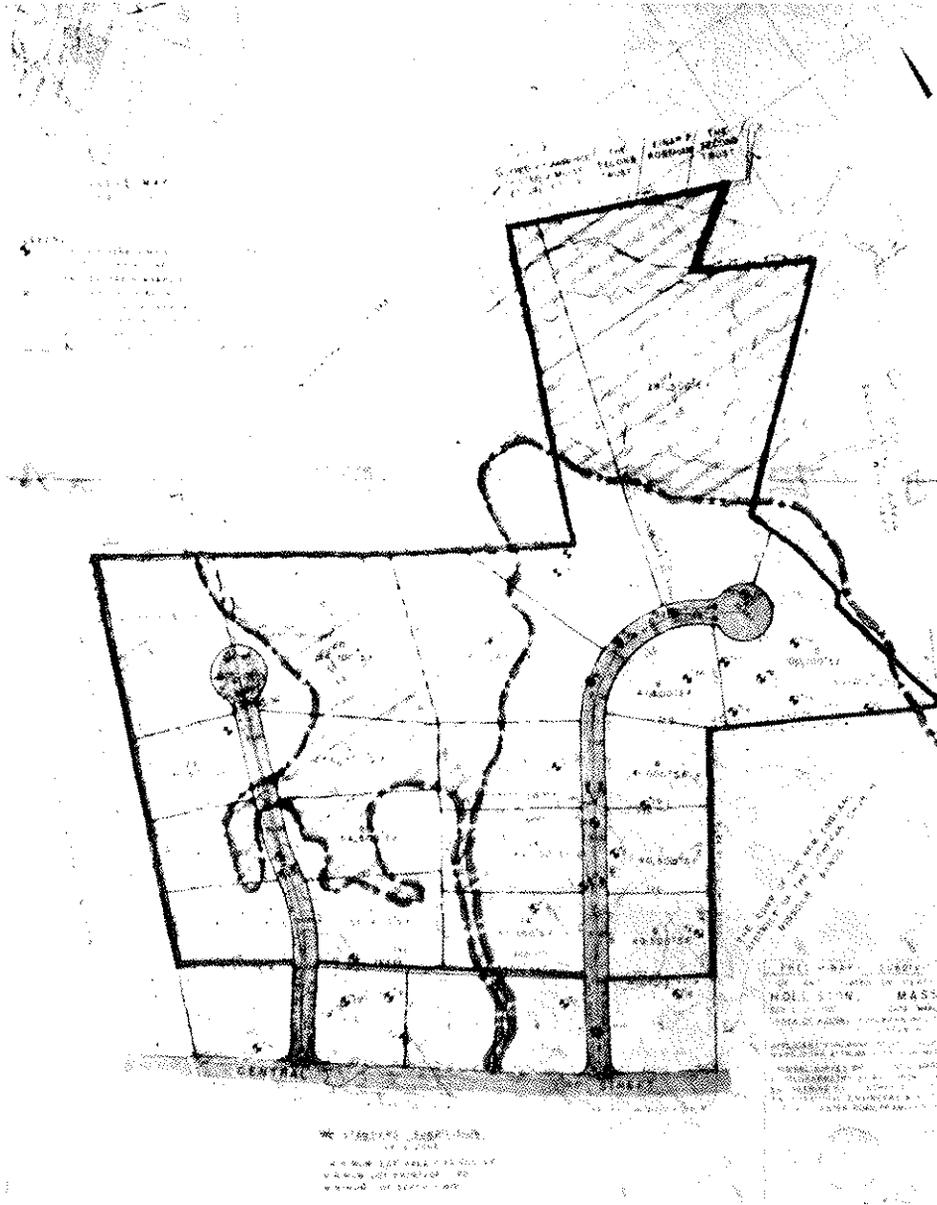


A cluster development on the same site shows a greatly reduced road area. The lots are smaller, but open space is being retained around the periphery.

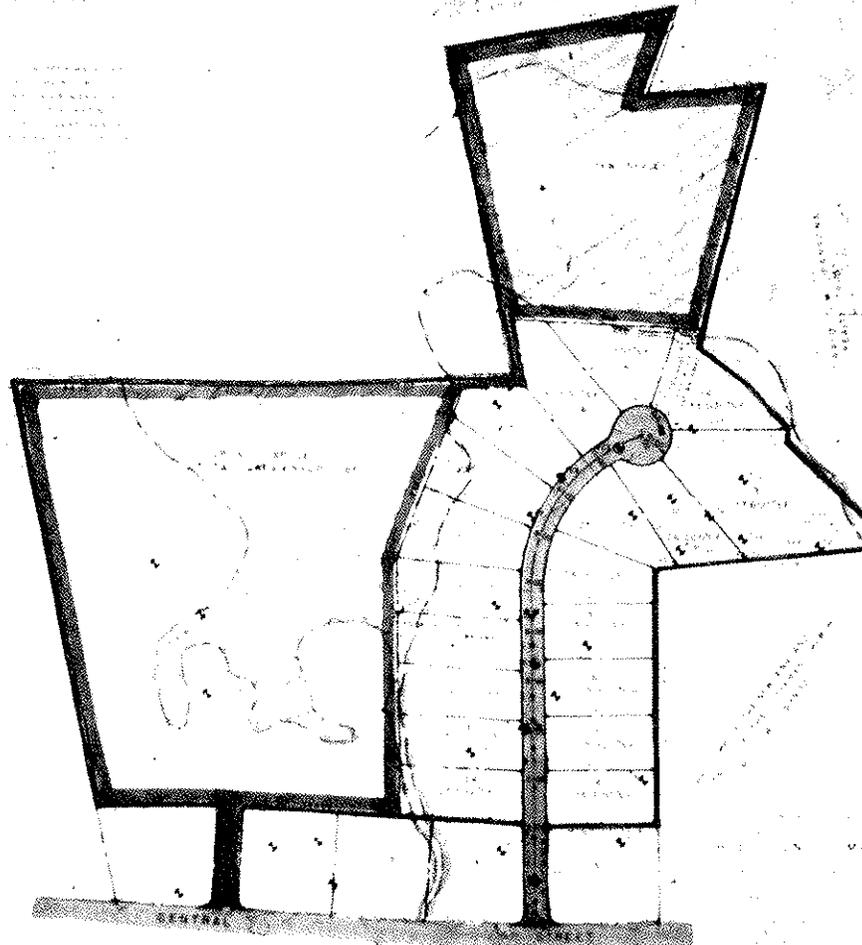
A cluster approval process for a site would begin with a decision by the developer to apply for a special permit. He would then submit two plans to the Planning Board. The first would delineate a conventional subdivision as is presently required.

This plan is reviewed to determine the number of lots the parcel will legitimately support. The examination of the conventional subdivision would include review by the Board of Health and would require them to state which of the lots appear suitable for septage disposal.

A developer does not reap a density bonus simply by opting for cluster. If, for example, under conventional rules he receives approval for construction for fifteen houses on a twenty-acre tract, fifteen houses is all that may be built in a cluster development on that piece of land. Once the number of legitimate lots has been determined, the cluster plan can be considered.



This chart and the next show an actual subdivision that has been engineered, approved and built in the Town of Holliston. There are two wetland areas, one of which rises rapidly into an esker. The above chart is the submitted conventional plan. There are two streets with cul-de-sacs and lots everywhere.



This is the cluster plan of the same land. One entire roadway has been eliminated. The lots are typically 25,000 square feet in area, and they're on the most buildable portion. The wetlands and the unusual geologic feature have been preserved in the common open land. Houses constructed here are of comparable size, style and value to those being constructed in Sudbury today. This will give you an idea of the approximate density of this development.

We are also recommending cluster zoning as a means of protecting Sudbury's ground water supply. The Planning Board feels there is no more important growth-related issue in our future. Sudbury is a town that is 100% on wells. These wells draw from aquifers which are water-holding geological formations. The quality of the water these aquifers yield depends to a great extent on how these surface recharge areas are treated.

Highway run-off of salt and other substances is another major source of ground water pollution threatening our water. Cluster development helps preserve water quality by shortening the length of the streets, thereby reducing run-off and leaving recharge areas undisturbed.

April 3, 1979

Sudbury's hydrology study was completed for the Planning Board in 1977 by Dr. Ward S. Motts. In the study he analyzed the geology of our Town and evaluated the ground water resources. In discussing the various recommendations, Dr. Motts states, "Cluster development offers the greatest protection for ground water quality."

The Metropolitan Area Planning Council has been carrying out their area-wide 208 Waste Water Management Study. This planning phase of the Federal Clean Water Act, which seems to have been going on for an eternity, has recently issued a final draft report, and cluster zoning was one of their specific recommendations for Sudbury.

Wetlands also have an important role to play in ground water quality and supply. Last year, the Conservation Commission had a Wetlands Delineation and Evaluation Study completed by the Interdisciplinary Environmental Planning Corps. Wetlands were evaluated under concerns of the Wetlands Protection Act.

Two of these concerns are water supply and ground water quality. Many of the sites we have tentatively identified as being suitable for cluster zoning have wetlands with high value for one or both of these concerns.

You have financed these three studies, either directly or indirectly. They either recommend cluster zoning or they will be very helpful in its implementation. Instead of interminably funding studies, we are attempting to implement some of their recommendations. Test results, provided by the Massachusetts Department of Water Quality Engineering, have shown that the mineral content of Sudbury's water has been increasing - not enough to adversely affect us yet, but enough to show it is time for concern and to plan ahead to protect this essential resource. The proposed cluster development bylaw is a first step toward that goal.

There are other reasons we feel you should support this proposal. Included in our objectives is the preservation of historic and prehistoric resources and open space for agriculture and conservation. Sudbury has historically supported the purchase of conservation land. While we expect this support to continue to some degree, with the current emphasis on austerity in budgets at all levels of government and the soaring cost of land, it is reasonable to assume that many parcels that we would like to see remain open will certainly disappear. If the developer can be encouraged to use the cluster concept, a portion of each tract will be preserved, remain open and contribute to the character of the Town.

The preservation of land suitable for agriculture is also a rising concern of most of us. While we feel it of significance to the overall reason, we realize it will have limited applicability in Sudbury.

Consideration of historic and prehistoric resources is another objective. Known sites or features will have a greater chance of being preserved, and since less disruption takes place on parcels that are clustered, there should be less destruction of unidentified sites.

We also feel that the closer placement of homes permitted in clusters potentially serves as a deterrent to break-ins that plague suburbia.

Mr. Cutting then yielded to Mr. Robert F. Dionisi, Jr., of the Planning Board to report on the financial and legal implications of the bylaw.

Mr. Robert F. Dionisi, Jr.: One of the desired objectives of the proposed cluster zoning amendment is the preservation of open space for conservation, agricultural, outdoor recreational and park purposes. To implement this particular objective, the bylaw as proposed mandates that a minimum of 35% of the entire tract remain unsubdivided and be designated as common open space.

The Massachusetts legislature, in 1975, perceiving the need for municipalities to obtain some type of flexibility with respect to their growth and development, passed Chapter 808 of the Acts of 1975. What this did, in effect, was revise the zoning statute as we had come to know it. What it did was to enable cities and towns of Massachusetts to adopt cluster zoning.

What it mandated with respect to the common open land was to specifically designate that the common open land had to be owned in one of three different fashions. It had to vest title in the Conservation Commission of the city or town. It had to be owned by a non-profit organization, or it had to be owned by a corporation or trust whose membership consisted of all the members who owned lots in a particular subdivision. Bear in mind the fact that each one of these alternatives must get the approval of the Board of Appeals.

April 3, 1979

In addition, the common open space or the cluster zoning subdivision must be rendered under the special permit process. It is not a matter of right that a developer has under the conventional subdivision process.

If we take each one of the vehicles of ownership individually, we find that the city or town ownership, if that is the option of the developer, must first be approved by the Planning Board and then be accepted by the Board of Selectmen of the town. Then title will vest in the Conservation Commission. Also, a trust clause will go on the particular property which will mandate again that the property must remain in its natural and open state.

If the property should be owned by a non-profit organization, the purpose of that organization must be to own land and to keep that land in its natural state. In addition, certain restrictions will be put on that land pursuant to Massachusetts General Laws, Chapter 184. There will be restrictions that the common open land cannot be constructed on. It cannot be destructed; there can be no excavation. These restrictions must remain in perpetuity. It also allows for the Conservation Commission to have certain remedial rights with injunctive powers to go on the property to assure compliance.

With respect to the vehicle that is most often used, that is, the corporation or trust consisting of a homeowners' association, the restrictions with respect to Chapter 184 will also be implemented. In addition, there will be restrictions and covenants put on the property which will allow for each individual owner to have mandatory ownership in the homeowners' association. There will be an assessment with respect to each homeowner's individual interest in the common open land. There will be remedies for the Town or its agents to go on the common open land to assure compliance with the statute in the homeowners' association.

Another desired objective of this particular proposed amendment is for the reduction in utility lengths in streets in an effort to promote more efficient municipal services. It is pretty clear that with reduction of streets, the costs expended for the maintenance of the roads, snow plowing, drainage, clearance and so forth, would be greatly reduced. It is also critical to note that in any one given asphalt street, the maintenance cost of that street over a twenty-five year period will equal one-half of the initial building cost.

With respect to revenues of the Town, it should be noted that there will be no impact whatsoever with respect to taxation on the lots in a particular subdivision under the cluster zone. It is assumed that the vehicle of the homeowners' association would be used in any particular instance, and the lot owner, although he would perhaps be on a smaller individual lot, will be assessed his interest in the common land.

The track record with respect to values in a cluster zoning subdivision is really non-existent at this point although a neighboring community that has a cluster zoning amendment similar to the criteria established in this one has demonstrated that the values of the cluster zoning amendments exceed, in terms of sale and re-sale, neighboring subdivisions under a conventional process.

It is urged by the Planning Board to pass this particular article with respect to amending the Zoning Bylaws of the Town of Sudbury, particularly in the belief that there are valid and compelling reasons for doing so which are contained in the objectives of the cluster zoning amendment.

Finance Committee Report: (Mrs. Carol McKinley)

The Finance Committee feels that this article proposes a plan for the efficient, environmentally sound development of some of the remaining residential areas in Town. Its objective is to preserve open space, protect the water supply, and reduce the cost of providing roads, utilities and other services.

According to Alexander Beal and Co., Assessors, the primary financial benefit of cluster zoning to a town is realized through a concentration of services at a reduced cost. The Metropolitan Area Planning Council agrees with this opinion. It was also their opinion that cluster zoning does not have a detrimental impact on the tax base.

The Finance Committee supports this article as amended.

Conservation Commission Report: (Mrs. Teresa N. Lukas)

The Conservation Commission supports Article 14. We believe that cluster zoning would allow the Town to guide its development in order to keep more open space open and to better protect the natural resources which will be harder pressed in the future. You have heard from the Planning Board that the Hydrology

April 3, 1979

Study and other studies recommended cluster zoning in order to maintain water quality in the Town. I would like to call your attention to the way cluster zoning would enable us to safeguard special and sensitive land areas. In a cluster development, outstanding natural features such as scenic views, unusual geological forms, farm fields, brooks and streams would be set aside in the common open land and preserved for residents to enjoy.

Such natural features and open lands will become more and more precious as more of the Town's natural scenery gives way to new housing. In most cases, the common open land will be held in a trust by a homeowners' association and protected by a conservation restriction from any further development.

The Commission believes that cluster development will also provide for more efficient use of land. The land which is best suited for house sites and septic systems will be used for this purpose. The land which is best used by being retained in its natural state will be.

This may be land which naturally stores flood waters, provides habitat for fish and wildlife or collects ground water for water supply - in other words, wetlands. The wetlands study conducted this year found that about one-quarter of Sudbury's land area consists of wetlands. Therefore, a large number of the undeveloped sites left in Town must be wet.

The Conservation Commission is most concerned with protecting our vulnerable wetlands and the water resources they represent. We administer the Wetlands Protection Act strenuously, but we cannot prohibit development. In conventional developments, some wetlands have been encroached upon by filling or threatened by pollution. Where development has already occurred, we struggle with the problem of backyard creep, the tendency of owners to extend their lawns and recreational facilities close to or into wet areas. With cluster development, valuable wetlands would be set aside and reserved.

The Commission will enforce the conservation restrictions insuring preservation of common lands in an open natural state. As with any other development, we shall require a Wetlands Protection hearing wherever that is necessary. We hope to work closely with the Planning Board and builders to achieve the best use of land under this bylaw.

We don't believe cluster zoning is the last word in resource protection for the Town, but it is a progressive step toward maintaining the quality of land and water we now enjoy and for providing sufficient resources for the future.

Board of Selectmen Report: (Mr. Cossart)

The Board of Selectmen unanimously supports this article. We have looked at it very thoroughly. We have no reason to believe that there is anything inherent in the article which is going to have an effect one way or the other upon the rate of construction within the Town. We think that the Planning Board has done a marvellously thorough job of putting this together, and we have been very impressed with the number of hearings and the willingness to modify this plan as it has progressed through Town.

We believe that the Planning Board has done a wonderful job of providing us with an alternate method of construction which provides for better land utilization and, at the same time, it has no detrimental effect upon the character of the Town whatsoever.

After discussion, Mr. Cutting's motion was defeated.

In favor - 184; Opposed - 165. (Total - 349) (Two-thirds vote required)

In accordance with the Bylaws of the Town, the meeting was adjourned until 8:00 P.M. on Wednesday, April 4, 1979.

The meeting adjourned at 11:21 P.M.

(Attendance - 594)

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 4, 1979

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.

He announced that the first order of business would be the motions to reconsider the vote under Article 3, the vote under Article 4, and the vote taken on the Sudbury School budget. He stated that the motion to reconsider required a two-thirds vote and that the procedure would be to vote first on the three motions to reconsider. If any of the motions to reconsider passed, we would then go back and deal with the main motion itself after voting on all of the motions to reconsider.

Reconsideration of Article 3:

After accepting the motion to reconsider the vote for Indefinite Postponement of Article 3 and obtaining a second, the Moderator recognized Mrs. Carol Sokoloff who had filed the notice. Mrs. Sokoloff yielded to Mr. John E. Murray, Chairman of the Board of Selectmen.

Mr. Murray stated as follows: Indefinite Postponement of Article 3 Monday night has the following ramifications: It destroys the Town clerical study and classification which had the support of nearly every Town official. In addition, both local and regional school committees had indicated their desire to implement a similar or identical plan. The local schools at present have no clerical classification plan. It gives salary increases to the Police, with the exception of clerical.

Mr. John C. Powers then raised a point of order as follows: It is my understanding of the rules of this hall that the subject matter and the merits of the subject matter cannot be discussed, only the question of whether it should or should not be reconsidered.

The Moderator ruled on the point of order as follows: What we are discussing is whether this article should be reconsidered. I believe there must be some latitude here to attempt to persuade the persons present as to why we should reconsider this, that is, what the effect of it is as it presently stands. So, I am going to grant everybody latitude on this issue.

Mr. Murray continued his comments as follows: We believe it is very important that Town Meeting understands that certain comments given to them last Monday evening dealing with Indefinite Postponement of Article 3 were in error and grossly misleading to the members assembled in the hall. The statement was made that pending state property tax classification legislation will take \$400,000 from the Town Treasury. This is not true and cannot be verified. Both Town Counsel and the Chairman of the Board of Assessors have told us the same.

At present, classification of property will not be implemented for several years, if it ever is implemented; it now provides for a local excise tax for utilities which could create more taxes than. These are the true facts, and we are at a loss as to how it relates to the Town employees classification plan.

Another fact is the clerical study did not originate to evaluate the salaries of Town and school personnel. To the contrary--its purpose or objective was to address inequities in clerical job description classifications, which the study has done. Long hours were spent in considering various options before determining the final classification and pay plan for clerical, and every single department was involved in the decision-making process.

Also, the fact is that comparative evaluation of school vs. Town clerical studies were conducted, one two years ago, one a year ago and updated as recently as April 2, 1979. We could not compare the school's clerical classification plan because none exists.

The proposed salaries in the clerical plan do have varying ranges of percentage increases. However, these facts should be pointed out: The large percentage increases are for part-time employees who have been underpaid for many years.

April 4, 1979

Part-time clerical salaries are being upgraded to the same hourly rate as full-time employees to recognize that people should be paid equal pay for equal work. Part-time people are now being paid 63¢ less per hour than full-time in the Junior Clerk level.

Clerical Town employees have not been paid anywhere near the cost of living for the last five years. A February 6, 1979, article in the Boston Globe quotes a U.S. Labor Department study that shows clerical pay in New England is the lowest in the United States, but the highest cost of living anywhere in the mainland United States.

The salary increases are within the presidential guidelines by employee group as federal guidelines and regulations so dictate. This can be verified by the Town Accountant and Town Counsel. Therefore, it is not true that the Town will lose federal general revenue sharing.

In summary, we request that you give us the opportunity to discuss the Classification and Salary Plan with you. We do have data available and are ready to respond to any of your questions.

The Selectmen and the Personnel Board made a serious mistake last Monday evening by not responding to the motion of Indefinite Postponement and publicly apologize for the same. The consequence of a lack of action should not be to the detriment of twenty-seven full-time and forty-eight part-time Town employees not protected by union contracts.

We have made our comments on a clerical group. We should further point out, however, that a handout has been circulated to certain Town Meeting members showing salary percentage increases of individually-rated employees that is full of inaccuracies and very misleading. We would like an opportunity to show these inaccuracies. All Town employees should be treated fairly and uniformly. We should not single out one employee group unprotected by fiscal autonomy or a union contract. We urge that you give our comments serious thought, and we ask support from you on this motion.

The motion to reconsider Article 3 was defeated.

(In favor - 477; Opposed - 264. Total - 741) (Two-thirds vote required)

Reconsideration of Article 4:

Mr. Frederick W. Welch, who filed the notice for reconsideration of Article 4, was then recognized and moved that Article 4 be reconsidered.

Mr. Welch commented as follows: I filed a motion for reconsideration because it was my understanding Monday night that there was a pre-arranged speaking order under Article 4. Someone had asked to be recognized under the provisions of the Bylaws to speak on Article 4, and he was not. It is a technical error I think the Town should consider.

After determining that Mr. Welch was referring to Mr. Powers, the Moderator responded as follows: If he didn't speak, he didn't raise his hand to be recognized. I had him down on both Articles 3 and 4 and looked around for him. I'm either sure I called on him, or he indicated by not raising his hand that he didn't wish to be recognized. I confess to no error.

Mr. Welch's motion was defeated.

Reconsideration of Sudbury School Budget:

Mrs. Mary Lou Abrams, who had filed the notice, then moved for reconsideration of the Sudbury School budget.

Mrs. Abrams commented as follows: The Sudbury School Committee was asked by the Finance Committee to keep their 1979-80 budget to a four percent increase. They did this by cutting back in several ways, one of which was to eliminate the instrumental music program as it is presently constituted.

On Monday night, the Finance Committee requested that the Sudbury School budget be further cut by another \$66,000. This cut in the Committee's bottom line request for \$5,014,000 leaves the members to face further program maintenance and perhaps staff cuts. The serious implications of the Finance Committee's motion were not made clear before the motion was passed, and the Town needs to fully understand what is now facing the schools.

The discussion Monday night centered around the music program. The implication was the \$66,000 returned would reinstate that program. The fact is that music is no longer the issue at all because it has already been eliminated to meet the four percent limit.

I filed the motion to reconsider Article 5, section 110, Sudbury Schools, because it is now evident that the budget is not underfunded by \$66,000 but by \$132,000--the \$66,000 cut by the Finance Committee and the \$66,000 estimated fuel cost increase. We expect to use 7,000 barrels of oil for the next school year which are budgeted at \$16 a barrel and, in fact, are expected to rise.

We were led to believe Monday night that we had cut the budget \$66,000. We have not. We have cut it \$132,000, leaving the School Committee without the money to pay the fuel bill for next year. The School Committee funded the fuel bill at \$16 a barrel. It is presently \$21 a barrel, and it is estimated to be about \$25 a barrel by the next time we start heating the schools. Therefore, I am asking that the Town reconsider Article 5.

Mrs. Abrams' motion was defeated.

(In favor - 462; Opposed - 327. Total - 789) (Two-thirds vote required)

The Moderator announced that the remainder of the budget under Article 5 was before the hall. He explained that the accounts 300 through 950 were line item budgets rather than bottom line budgets, and each section would be treated as a consent calendar. If anyone wished to discuss a line item, it would be held and voted separately.

ARTICLE 5: 300 PROTECTION OF PERSONS AND PROPERTY

	EXPENDITURES 7/1/77- 6/30/78	APPROPRIATED 7/1/78- 6/30/79	EXPENDITURES 7/1/78- 12/31/78	FISCAL YEAR 1980 7/1/79-6/30/80 REQUESTED RECOMMENDED	
<u>310 FIRE DEPARTMENT</u>					
310-10 Fire Chief's Salary	23,596	26,000	13,000	28,350	27,820
310-11 Salaries	+395,592	+466,408	228,274	508,895	492,563
310-12 Overtime	*+113,967	+100,000	58,897	72,915	80,915
310-13 Clerical	5,500	9,157	3,512	9,266	8,555
310-21 General Expense	* 7,162	7,000	2,358	7,000	7,000
310-31 Maintenance	* 16,626	17,730	10,932	24,192	23,192
310-42 Out-of-State Travel	--	--	--	1,200	1,200
310-51 Equipment	12,988	14,450	6,370	18,250	17,250
310-62 Fire Alarm Maint.	6,920	8,050	585	4,500	4,500
310-71 Uniforms	5,023	5,910	3,343	7,380	7,170
310-81 Tuition Reimb.	* 1,104	800	145	1,200	1,200
<u>310 TOTAL</u>	<u>588,478</u>	<u>655,505</u>	<u>327,416</u>	<u>683,148</u>	<u>671,365</u>
Federal Revenue Sharing	-115,000	-125,000		-90,000	-90,000
<u>NET BUDGET</u>	<u>473,478</u>	<u>530,505</u>	<u>327,416</u>	<u>593,148</u>	<u>581,365</u>

Finance Committee Report:

310 Fire Department: The overall increase of 1½% in Personal Services is attributed to a 5% contracted salary increase and a savings in overtime (310-12) of 46% due to the "swing man principle". Increases in the maintenance account (310-31) are due to a "service life program" of fire engine repowering along with water tank overhauls. The equipment account (310-51) includes the replacements of a brush truck as well as hose and communications radios. The total budget increase is 2½%. Recommend Approval.

320 POLICE DEPARTMENT

320-10 Police Chief's Salary	24,395	26,825	13,412	28,248	28,248
320-11 Salaries	377,852	407,560	204,088	448,646	448,646
320-12 Overtime	69,701	95,708	48,357	84,283	79,283
320-13 Clerical	9,641	10,316	5,158	11,089	11,089
320-16 Crossing Guards	4,872	--	--	--	--
320-21 General Expense	14,021	14,630	6,460	14,580	13,580
320-31 Maintenance	20,680	22,200	5,267	23,016	22,900

ARTICLE 5 (300) (continued)	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED		
320-41 Travel	550	500	237	500	500		
320-51 Equipment	14,813	18,000	4,227	18,395	16,000		
320-61 Auxiliary Police	1,385	1,500	905	1,500	1,110		
320-71 Uniforms	* 5,782	6,200	3,460	7,000	7,000		
320-81 Tuition Reimb.	2,782	6,000	820	3,000	3,000		
<u>320</u> TOTAL	546,474	609,439	292,391	640,257	631,356		
Federal Revenue Sharing	-115,000	-125,000		-90,000	-90,000		
NET BUDGET	431,474	484,439	292,391	550,257	541,356		

Finance Committee Report:

320 Police Department: The increase in personal services accounts are due to a 5% contracted salary increase. General Expense (320-21) is down 7% and the maintenance account (320-31) is up 3% due to anticipated increases in the cost of vehicle repairs. The usual practice of replacing patrol cars annually is continued with two sedans and one wagon to be traded during this budget year. The overall total budget increase is 3½%. Recommend Approval.

340 BUILDING INSPECTOR

340-10 Salaries	18,876	20,000	10,000	22,050	21,400
340-12 Overtime	+ 855	602	190	602	602
340-13 Clerical	13,066	15,311	7,226	17,197	16,050
340-14 Deputy Inspector	646	1,000	325	1,000	750
340-15 Custodial	+ 16,312	22,442	10,803	23,657	23,657
340-16 Plumbing	1,548	2,500	820	2,625	2,500
340-17 Retainer	1,000	1,000	500	1,050	1,000
340-18 Sealer of Weights & Measures	--	--	--	1,000	0
340-21 General Expense	677	750	496	750	750
340-31 Vehicle Maint.	843	750	194	750	750
340-32 Town Bldg. Maint.	* 51,509	49,500	13,737	63,395	60,395
340-51 Equipment	--	5,000	4,399	--	--
<u>340</u> TOTAL	105,332	118,855	48,690	134,076	127,854

Finance Committee Report:

340 Building and Inspections: The major changes are in salaries, utilities, and painting the Alan J. Flynn Building. The cost of utilities is mostly out of the Town's control, and the Flynn Building should be attended to before its condition deteriorates further and the job becomes more costly. Therefore, to keep this budget at approximately the same level as last year without regard to the painting of the Flynn Building which we view as an extraordinary item, the Finance Committee recommends reducing the Clerical Salaries by \$1,147, which will mean a reduction in the hours the office is open of about 3 hours a week. The request to hire a new Sealer of Weights and Measures at \$1,000 a year is disapproved in this cost-cutting year. Recommend Approval.

350 DOG OFFICER

350-11 Salaries	6,888	10,173	5,086	10,680	10,680
350-12 Overtime & Extra Hire	272	574	0	574	574
350-17 Retainer	--	--	--	500	0
350-21 General Expense	3,892	2,650	1,823	2,850	2,600
350-31 Vehicle Maint.	165	750	88	750	750
350-51 Equipment	--	10,000	0	--	--
<u>350</u> TOTAL	11,217	24,147	6,997	15,354	14,604

Finance Committee Report:

350 Dog Officer: The Finance Committee recommends that the Assistant Dog Officer become the Dog Officer at the requested salary, and that the newly requested Dog Officer Retainer be deleted. With the recommended reduction of \$250 in General Expense (350-21), the actual working budget will have an increase of 3.2%. Overall, including the Dog Pound request in the '79 budget, there is a decrease in the recommended amounts of 6.5%. The opening of the pound should bring some savings in the Care of Dog (350-21). Recommend Approval.

ARTICLE 5 (300) (continued)	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1980	
	7/1/77-	7/1/78-	7/1/78-	7/1/79-6/30/80			
	6/30/78	6/30/79	12/31/78	REQUESTED	RECOMMENDED		
<u>360 CONSERVATION</u>							
360-13 Clerical	* 2,735	2,937	1,308	3,637	3,323		
360-21 General Expense	3,296	5,080	2,059	5,080	5,080		
360-31 Maintenance	1,929	1,500	153	1,500	1,500		
360-41 Travel	26	75	11	75	75		
360-51 Conservation Fund	0	48,337	63	49,304	0		
360-52 Equipment	--	1,870	1,784	--	--		
<u>360 TOTAL</u>	<u>7,986</u>	<u>59,799</u>	<u>5,378</u>	<u>59,596</u>	<u>9,978</u>		

Finance Committee Report:

360 Conservation: The major issue in this budget is the Conservation Fund which the Finance Committee is recommending be deleted from the 1979/80 budget appropriations. Although the Finance Committee strongly supports the Conservation Commission's Land Acquisition program, the high cost of the parcels now under consideration for purchase by the Conservation Commission would require borrowing through a bond issue or other source of funds; consequently, in this very tight fiscal year, we do not see justification for adding \$49,304 request by the Conservation Commission to the Fund which has an outstanding balance of \$161,000. Recommend Approval.

370 BOARD OF APPEALS

370-13 Clerical	* 2,331	2,500	1,413	3,000	2,809
370-21 General Expense	684	800	171	800	800
<u>370 TOTAL</u>	<u>3,015</u>	<u>3,300</u>	<u>1,584</u>	<u>3,800</u>	<u>3,609</u>

Finance Committee Report:

370 Board of Appeals: The \$309 or 12% increase for personal services is attributed to increased clerical support for the anticipated case load. Recommend Approval.

385 SIGN REVIEW BOARD

385-13 Clerical	516	602	324	645	803
385-21 General Expense	93	100	36	100	100
<u>385 TOTAL</u>	<u>609</u>	<u>702</u>	<u>360</u>	<u>745</u>	<u>903</u>

390 CIVIL DEFENSE

390-21 General Expense	245	--	--	--	--
390-22 Spec. Emergency	318	--	--	--	--
<u>390 TOTAL</u>	<u>563</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>

<u>300 GROSS BUDGET</u>	<u>1,263,674</u>	<u>1,471,747</u>	<u>682,816</u>	<u>1,536,976</u>	<u>1,459,669</u>
Offsets	230,000	250,000		180,000	180,000
<u>300 NET BUDGET</u>	<u>1,033,674</u>	<u>1,221,747</u>	<u>682,816</u>	<u>1,356,976</u>	<u>1,279,669</u>

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 300, PROTECTION OF PERSONS AND PROPERTY, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 310-10, 310-11, 310-12, 310-13, 320-11, 320-13, 340-10, 340-13, 340-15, 350-11, 360-13, 360-51, 370-13, 385-13, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

Mr. Ronald A. Stephan of the Finance Committee *moved* that the Town appropriate the sum of \$27,000 for Account 310-10, said sum to be raised by taxation.

Mr. Edward L. Glazer of the Finance Committee explained that this number represented the present maximum under the existing Classification Plan, not the one which was set forth in the Warrant and which was Indefinitely Postponed. This is going to be the case with respect to all of the individually-rated positions as we go forward.

April 4, 1979

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$27,000 FOR ACCOUNT 310-11, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the motion had passed by much more than two-thirds.

Upon motions made by Mr. Stephan, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$492,563 FOR ACCOUNT NUMBER 310-11, SAID SUM TO BE RAISED BY TRANSFER OF \$90,000 FROM PUBLIC LAW 92-512, FEDERAL REVENUE SHARING ACCOUNT, THE BALANCE TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$80,915 FOR ACCOUNT 310-12, SAID SUM TO BE RAISED BY TAXATION.

Mr. Stephan then moved that the Town appropriate the sum of \$7,846 for Account 310-13, said sum to be raised by taxation.

Ms. Mariyse Allison Schwartz moved that the clerical salary be raised to \$8,555. In support of her amendment, Ms. Schwartz stated as follows: You just cut \$820 off the Police Chief's salary, and now you are going to cut \$800 off all the clerical salaries. People are saying that this isn't important because you can give it back next year. If I were making this amount of money and I were working for this town, I couldn't wait until next year. I would leave and get another job. \$800 is an awful lot of money.

Mrs. Linda E. Glass, Chairman of the Finance Committee, commented as follows: Unfortunately, since the Classification Plan was not passed, even if we appropriate this money, the clerical personnel who would receive these monies will not get them. There is no Classification Plan to account for the paying of that amount of money.

Ms. Schwartz's motion was defeated.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$7,846 FOR ACCOUNT 310-13, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the motion passed by more than two-thirds.

Upon motions made by Mr. Stephan, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$448,656 FOR ACCOUNT 320-11, SAID SUM TO BE RAISED BY TRANSFER OF \$90,000 FROM THE PUBLIC LAW 92-512, FEDERAL REVENUE SHARING ACCOUNT, AND THE BALANCE BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$10,417 FOR ACCOUNT 320-13, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the motion under 320-13 passed by far more than two-thirds.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$21,000 FOR ACCOUNT 340-10, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$14,566 FOR ACCOUNT 340-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$22,535 FOR ACCOUNT 340-16, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$10,271 FOR ACCOUNT 350-11, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$3,238 FOR LINE ITEM 360-13, SAID SUM TO BE RAISED BY TAXATION.

Mr. Stephan moved that the Town appropriate the sum of zero for account number 360-51, said sum to not be raised by taxation.

Mr. David F. Grunebaum of the Conservation Commission moved to appropriate the sum of \$49,304 for account 360-50, said sum to be raised by taxation.

April 4, 1979

In support of his amendment, Mr. Grunebaum commented as follows: The motion before you asks that you appropriate funds to be placed in the Conservation Fund for future use by the Conservation Commission as part of its conservation land acquisition program. It is not an amount which will necessarily be spent this year. It is a sum to be deposited for subsequent use.

The Town has, over the last eighteen years since the Fund originally was established, consistently voiced strong support for funding of the Conservation Fund. Town Meeting has voted for the Fund each time it was requested to do so.

The Conservation Commission has, this year, held several meetings on our acquisition program. The Conservation Fund has been raised at that time and at numerous other occasions when the public has met. The consistent public comment has been one of strong approval for the Fund. In fact, the only criticism which I have heard at these meetings is that the Conservation Commission is not aggressive enough in acquiring additional land.

The Conservation Fund was originally established in 1971 at the recommendation of the then Finance Committee. The formula which was recommended at that time has since been amended and now provides that the Town appropriate an amount equal to .0275% of the assessed value of the Town.

There is currently in the Fund \$161,000 which has been appropriated in prior years. This year, the amount is \$49,304 as indicated in the motion. With these funds, self-help reimbursements and additional appropriations, the Town has acquired in excess of 300 acres for conservation purposes.

As everyone knows, the cost of land in Sudbury has escalated dramatically over the past several years. Because of this escalation, the amount of land which can be purchased with our funds is decreasing, and our responsibility for conserving valuable wetlands and open space is made more difficult. It is also obvious that we will have to spend more money if we want this land purchased.

In 1977-78, the Commission completely redrafted its Open Space Plan, a plan for which we received an award. This Open Space Plan is a planning document which permits and assists the Commission in selecting those parcels it deems most significant for conservation purposes. Every parcel which the Conservation Commission has purchased since 1970 was on the then-current Open Space Plan.

With this planning tool, we have contacted owners of all land which we may be interested in acquiring, and we continuously follow up on these contacts. We have and we continue to invite Town residents to assist us in our efforts. The Conservation Commission tries to be both aggressive and prudent in its purchases.

Because one cannot anticipate when a given parcel of land will come on the market, the availability of the Conservation Fund assists us in making a credible presentation to prospective sellers and provides funds to make a down-payment pending Town Meeting approval. No purchase in excess of \$10,000 is made without prior Town Meeting approval.

While the Fund is only one of several sources of funding, it is an important long-range planning tool. It provides us the flexibility. No one doubts that in every succeeding year, the need for fiscal responsibility and restraint will become more compelling. But the Fund allows the Town to have a cushion in the event of a large purchase. It allows the Town to go ahead with purchases which might not otherwise be possible.

Finally, it provides funds for smaller purchases which do not require alternative sources of funding.

While past performance is no guarantee of the possible future results, our past history does show that where we have sought state and federal reimbursements for purchases, we have been largely successful. Approximately one-quarter of a million dollars has been returned to the general fund of the Town from these reimbursements from state and federal sources. These reimbursements have not gone into the Conservation Fund. They have returned to the general fund.

While the Conservation Commission recognizes the need for continued fiscal restraint, it also feels that the Town has repeatedly gone on record in support of the Conservation Fund. We therefore recommend to the Town that it vote in favor of the proposed amendment.

Mrs. Linda E. Glass commented on the amendment for the Finance Committee as follows: The Finance Committee continues to support the Conservation Commission's land acquisitions, and, as a matter of fact, we usually have when they have been proposed. However, we believe that adding to the Fund's bank account, which currently stands at \$161,000, cannot be justified in this budget year.

April 4, 1979

This request is not essential to their program, since any parcels under consideration would probably exceed the Fund's resources even if the \$49,000 would be appropriated. Therefore, borrowing would be required in any case.

It is also true that two years ago, this Town voted not to approve putting the Conservation Fund into the bank, so it has not been voted every single year. When things have gotten a little tight, that Fund has been waived.

If there were parcels up here, we would view them on their own merits. Just because we are recommending that you don't put this money into a bank account doesn't mean that we are opposed to conservation or opposed to the acquisition of land. We do suggest that at this time you disapprove this amendment.

Mr. John E. Murray commented on the amendment for the Board of Selectmen as follows:

The Board of Selectmen unanimously supports the reinstatement of monies in the Conservation Fund under Account 360-51 as requested by the Conservation Commission for fiscal 1980. The Finance Committee has stated they support the Conservation Commission's land acquisition land program but recommend deletion of an appropriation in this fiscal year. But, because major future land purchases will have to come before the Town Meeting for bonding, the Board of Selectmen feels that this process started years ago to establish a so-called revolving fund for conservation purposes could also be called a savings mechanism to minimize the dollar tax rate impact of future large bonding. The Board of Selectmen's position is to officially go on record that we are conservation-minded, and we encourage the Conservation Commission's efforts towards long-range planning. Therefore, we unanimously recommend your support in restoring these funds.

After discussion, Mr. Grunebaum's motion was defeated.

(In favor - 196; Opposed - 219. Total - 415)

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF ZERO FOR ACCOUNT NUMBER 360-51, SAID SUM TO NOT BE RAISED BY TAXATION.

Upon motions made by Mr. Stephan, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$2,500 FOR ACCOUNT NUMBER 370-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$647 FOR ACCOUNT NUMBER 385-13, SAID SUM TO BE RAISED BY TAXATION.

In accordance with the Bylaws of the Town, the meeting adjourned to Monday, April 9, 1979, at 8:00 P.M. The Moderator reminded the hall that there would be a Special Town Meeting on Monday evening at 7:30 P.M.

The meeting adjourned at 11:05 P.M.

(Attendance - 824)

PROCEEDINGS
SPECIAL TOWN MEETING

April 9, 1979

The Moderator called the meeting to order at 7:47 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He stated that he had examined the call of the Special Town Meeting, the Officer's return and the Town Clerk's return of mailing and had found each of them to be in order.

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

UNANIMOUSLY VOTED: TO DISPENSE WITH THE READING OF THE CALL OF THE MEETING, THE OFFICER'S RETURN OF SERVICE AND THE TOWN CLERK'S RETURN OF MAILING TO EACH HOUSEHOLD IN THE TOWN AND TO WAIVE THE READING OF THE ARTICLE OF THE WARRANT FOR THE SPECIAL TOWN MEETING OF APRIL 9, 1979.

ARTICLE 1: To see if the Town will vote to authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact the special act set forth herein and without further submission to a town meeting:

Validate
Town
Meeting

"Commonwealth of Massachusetts

In the year one thousand nine hundred and seventy-nine. An Act validating the acts and proceedings at the annual election and annual business meeting of the Town of Sudbury in the year nineteen hundred and seventy-nine.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. All acts and proceedings of the Town of Sudbury taken at its annual town election held on March twenty-sixth, nineteen hundred and seventy-nine, and at its annual town meeting for the transaction of other business commenced on April second, nineteen hundred and seventy-nine, and all acts done in pursuance thereof, are hereby ratified, validated and confirmed, notwithstanding the failure of said Town to post the warrant for said annual town election and annual business meeting at least seven days before March twenty-sixth, nineteen hundred and seventy-nine.

Section 2. This act shall take effect upon its passage.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Mr. Murray)

The Board of Selectmen had to call this Special Town Meeting in order to request Town Meeting approval to submit a special act to the legislature to validate the March 26, 1979, Town Election because of our failure to post three warrants in each of the precincts within seven days prior to the Town Election.

This course of action was recommended to us by the Attorney General's Office. Representative Gannett and Senator Atkins are aware of this matter and will carry the bill through the House and Senate for enactment. We anticipate no problems since other communities have been in the same situation requiring a special act to validate their town election or town meeting.

Town Counsel feels that the Town Election is valid in itself for the following reasons: 1) the Warrant was delivered to every household nine days prior to the election, and 2) the Warrants were posted in each precinct prior to the Town Election. Town Counsel is available for comment if anyone has any further questions or inquiry into this matter.

April 9, 1979

76.

UNANIMOUSLY VOTED: THAT THE TOWN AUTHORIZE AND REQUEST THE BOARD OF SELECTMEN TO PETITION THE GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS TO ENACT THE SPECIAL ACT SET FORTH IN ARTICLE 1 OF THE WARRANT FOR APRIL 9, 1979, SPECIAL TOWN MEETING, WITHOUT FURTHER SUBMISSION TO A TOWN MEETING.

VOTED: THAT THE MEETING DISSOLVE.

The meeting dissolved at 7:58 P.M.

A True Record, Attest: *Betsy M. Powers*
Betsy M. Powers
Town Clerk

PROCEEDINGS
ADJOURNED ANNUAL TOWN MEETING

April 9, 1979

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

He announced that Article 5, Account 400, Highway Department, was before the hall and stated that it would be taken up on a consent calendar basis. If anyone should want to discuss an item, he should call out "hold".

ARTICLE 5: 400 HIGHWAY DEPARTMENT

	EXPENDITURES APPROPRIATED			FISCAL YEAR 1980	
	7/1/77-	7/1/78-	7/1/78-	7/1/79-6/30/80	
	6/30/78	6/30/79	12/31/78	REQUESTED	RECOMMENDED
410-10 Supt's Salary	22,000	24,000	12,000	25,700	25,200
410-11 Asst. Supt's Salary	16,960	18,000	9,000	19,425	19,425
410-12 Oper. Asst's Salary	11,656	14,700	4,933	15,750	15,750
410-13 Clerical	17,036	18,847	9,315	19,689	20,101
410-14 Tree Warden	500	500	129	600	500
510-21 General Expense	4,450	4,500	1,209	4,500	4,500
410-31 Maintenance	1,997	3,000	1,079	3,450	3,450
410-32 Utilities	11,110	12,400	3,597	13,400	13,400
410-41 Travel	100	150	39	150	150
410-42 Out-of-State Travel	300	300	0	300	300
410-51 Admin. Equipment	240	* 450	698	--	--
410-71 Uniforms	4,327	5,200	1,841	5,200	5,200
<u>410 Sum</u>	<u>90,676</u>	<u>102,047</u>	<u>43,840</u>	<u>108,164</u>	<u>107,976</u>
420-11 Operating Salary	+230,727	242,169	118,810	256,966	256,966
420-12 Extra Hire	13,853	16,372	8,007	16,372	15,000
420-13 Overtime	8,992	13,627	5,471	13,627	12,923
<u>420-10 Sum</u>	<u>253,572</u>	<u>272,168</u>	<u>132,288</u>	<u>286,965</u>	<u>284,889</u>
420-20 Road Work					
420-21 Operating Materials	15,998	16,000	5,226	16,000	16,000
420-23 Hired Equipment	5,662	6,000	3,083	6,000	6,000
420-24 Street Seal	60,000	60,000	27,961	60,000	60,000
420-25 Signs & Markings	7,491	7,500	2,540	7,500	7,500
420-26 Street Maint.	34,499	34,500	2,885	34,500	34,500
420-28 Sweeping	13,730	14,000	352	14,000	14,000
<u>420-20 Sum</u>	<u>137,380</u>	<u>138,000</u>	<u>42,047</u>	<u>138,000</u>	<u>138,000</u>
420-30 Trees					
420-31 Tree Materials	2,416	3,700	699	3,000	3,000
420-34 Contractors	* 9,493	6,000	1,837	6,000	6,000
<u>420-30 Sum</u>	<u>11,909</u>	<u>9,700</u>	<u>2,536</u>	<u>9,000</u>	<u>9,000</u>
420-40 Landfill					
420-41 Materials	* 4,185	3,800	0	3,800	3,800
420-43 Hired Equipment	8,989	1,000	0	1,000	1,000
420-44 Utilities	* 362	330	97	330	330
420-45 Maintenance	288	300	150	300	300
<u>420-40 Sum</u>	<u>13,824</u>	<u>5,430</u>	<u>247</u>	<u>5,430</u>	<u>5,430</u>
420-50 Cemeteries					
420-51 Materials	1,996	1,800	618	1,800	1,800
420-53 Hired Equipment	0	200	50	200	200
<u>420-50 Sum</u>	<u>1,996</u>	<u>2,000</u>	<u>668</u>	<u>2,000</u>	<u>2,000</u>
420-62 Chap. 90 Maint.	5,997	6,000	0	6,000	6,000
<u>420-60 Sum</u>	<u>5,997</u>	<u>6,000</u>	<u>0</u>	<u>6,000</u>	<u>6,000</u>

ARTICLE 5 (400) (continued)	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED	
430 Machinery							
430-20 Fuels & Lubr.	* 26,148	23,750	8,274	25,350	25,350		
430-30 Parts & Repairs	* 43,124	38,225	13,598	38,225	38,225		
430-40 Equipment	14,544	65,000	61,303	65,000	65,000		
<u>430</u> Sum	83,816	126,975	83,175	128,575	128,575		
460 Snow & Ice							
460-12 Overtime	+ 38,506	23,699	5,155	23,699	23,699		
460-30 Materials	* 41,990	40,000	12,572	48,150	48,150		
460-40 Equipment	6,342	6,600	1,338	6,600	6,600		
460-50 Contractors	* 15,154	20,000	695	20,000	20,000		
<u>460</u> Sum	101,992	90,299	19,760	98,449	98,449		
470 Street Lighting							
470-20 Street Lighting	* 33,078	37,100	13,824	39,325	39,325		
470-30 New Locations	0	1,000	0	100	100		
<u>470</u> Sum	33,078	38,100	13,824	39,425	39,425		
<u>400</u> TOTAL	734,240	790,719	338,385	822,008	819,744		
Offsets:							
Chapter 825 Cemetery:	94,845						
Mt. Wadsworth		5,000					
North Sudbury		2,400					
Mt. Pleasant		4,400					
New Town	2,000	5,000					
Chapter 90 Improvements	6,000						
Anti-Recession Title II	27,825	5,650					
Road Machinery Fund	500						
<u>400</u> NET BUDGET	603,070	768,269	338,385	822,008	819,744		

Finance Committee Report:

400 Highway: In general, the recommended appropriations reflect a continuation of actual expenditures for adjusted salary changes, a known increase in the cost of salt (reflected in Account 460-30) and estimated increases in fuel and utility charges. Approximately 31,000 lineal feet of roads will be repaired and resurfaced, and although current programs for street maintenance are to be continued at the same cost level, 11% less materials can be purchased due to current bid prices.

Chapter 90 Maintenance, for County roads, is continued at the same cost level of the past several years. No new Chapter 90 Construction Funds are requested in 420-63, and the present account is carried forward at \$440,800 toward the eventual reconstruction of Landham Road.

The equipment contemplated in Account 430 consists of replacing a 13-year-old dump truck, which is used both as a snowplow and a year-round piece of equipment, a backhoe to replace one in use since 1970, and a 13-year-old brush chipper. The recommended purchases reflect a continuation of this program recommended by the Long Range Capital Expenditures Committee to replace necessary equipment on a regularly scheduled basis.

The reduction recommended for overtime (420-13) is based on closing the Sanitary Landfill on five Monday holidays on which it is currently open and thus eliminating the overtime costs now required by these holiday openings.

Recommend Approval.

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

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 400, HIGHWAY, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT ARTICLES 410-11, 410-12, 410-13, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$18,500 FOR LINE ITEM 410-11, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$15,000 FOR LINE ITEM 410-12, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$19,271 FOR LINE ITEM 410-13, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5: 500 GENERAL GOVERNMENT

	EXPENDITURES APPROPRIATED		EXPENDITURES		FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED	
<u>501 SELECTMEN</u>						
501-10 Exec. Sec'y Salary	28,991	31,000	15,500	32,550	32,500	
501-12 Overtime	561	1,070	130	500	500	
501-13 Clerical Salary	30,162	34,294	15,510	38,011	37,790	
501-14 Selectmen's Salary	1,517	1,600	758	1,600	1,600	
501-21 General Expense	4,972	5,300	2,397	5,000	5,000	
501-31 Maintenance *	465	350	294	400	400	
501-41 Travel	1,890	2,200	871	2,000	2,000	
501-42 Out-of-State Travel	1,000	1,000	1,000	1,000	1,000	
501-51 Equipment Purchase *	720	600	0	0	0	
501-81 Surveys & Studies	1,538	* 2,000	1,568	1,000	1,000	
<u>501 TOTAL</u>	<u>71,816</u>	<u>79,414</u>	<u>38,028</u>	<u>82,061</u>	<u>81,840</u>	
<u>502 ENGINEERING</u>						
502-10 Town Engineer Sal.	22,697	24,500	12,250	25,725	25,725	
502-11 Salaries	58,226	75,484	36,660	79,775	79,775	
502-12 Overtime	1,903	2,140	899	2,000	1,000	
502-13 Clerical Salary	9,361	10,116	5,057	11,034	11,034	
502-14 Temp. Eng. Aides	12,154	13,046	5,636	13,032	10,432	
502-21 General Expense	6,319	6,775	1,944	6,700	6,700	
502-31 Maint. & Repair Vehicles	2,059	2,300	656	2,700	2,700	
502-41 Travel	13	100	0	100	100	
502-51 Equipment Purchase	4,929	0	--	--	--	
<u>502 TOTAL</u>	<u>117,661</u>	<u>134,461</u>	<u>63,102</u>	<u>141,066</u>	<u>137,466</u>	
<u>503 LAW</u>						
503-10 Retainer	11,000	12,000	6,000	12,600	12,600	
503-11 Salaries	9,551	9,551	4,775	10,029	10,029	
503-21 General Expense *	14,447	16,200	7,479	13,400	13,400	
503-51 Equipment Purchase	--	--	--	--	--	
<u>503 TOTAL</u>	<u>34,998</u>	<u>37,751</u>	<u>18,254</u>	<u>36,029</u>	<u>36,029</u>	
<u>504 ASSESSORS</u>						
504-13 Clerical	21,466	27,820	11,033	33,255	28,754	
504-14 Assessors' Salary	2,500	2,500	1,250	6,100	2,500	
504-21 General Expense	3,941	5,480	3,209	5,480	5,480	
504-31 Maintenance	0	125	0	125	125	
504-41 Travel	1,166	1,600	374	1,600	1,600	
504-51 Equipment Purchase	0	250	234	150	150	
<u>504 TOTAL</u>	<u>29,073</u>	<u>37,775</u>	<u>16,100</u>	<u>46,710</u>	<u>38,609</u>	
<u>505 TAX COLLECTOR</u>						
505-10 Collector's Salary	11,200	12,000	6,000	13,500	12,600	
505-12 Overtime +	217	428	418	425	425	
505-13 Clerical +	14,344	16,472	7,665	20,569	18,599	
505-14 Attorney's Salary	0	3,000	0	--	--	
505-21 General Expense	2,168	2,285	850	2,300	2,300	
505-31 Maintenance	0	75	0	35	35	
505-41 Travel	15	50	47	150	150	
505-51 Equipment Purchase	0	500	487	--	--	
<u>505 TOTAL</u>	<u>27,944</u>	<u>34,810</u>	<u>15,457</u>	<u>36,979</u>	<u>34,109</u>	

April 9, 1979

ARTICLE 5 (500) (continued)	EXPENDITURES APPROPRIATED			FISCAL YEAR 1980	
	7/1/77-	7/1/78-	7/1/78-	7/1/79-6/30/80	
	6/30/78	6/30/79	12/31/78	REQUESTED	RECOMMENDED
<u>506 TOWN CLERK & REGISTRARS</u>					
506-10 Town Clerk's Salary	12,500	13,500	6,750	13,500	14,175
506-12 Overtime	+ 449	--	--	--	--
506-13 Clerical	+ 27,105	29,132	14,288	29,176	31,596
506-14 Registrars	550	550	550	550	550
506-21 General Expense	8,341	6,133	1,241	6,515	6,515
506-31 Maintenance	* 374	355	188	280	280
506-41 Travel	350	350	117	350	350
506-42 Out-of-State Travel	0	225	225	255	255
506-51 Equipment Purchase	149	163	160	60	60
506-61 Elections	* 4,001	* 9,595	5,804	6,486	6,486
<u>506 TOTAL</u>	<u>53,819</u>	<u>60,003</u>	<u>29,323</u>	<u>57,172</u>	<u>60,267</u>
<u>507 TREASURER</u>					
507-10 Treasurer's Salary	9,000	9,000	4,500	12,000	9,450
507-13 Clerical	7,034	7,480	3,669	10,515	9,212
507-21 General Expense	467	500	140	600	600
507-31 Maintenance	20	100	0	100	100
507-41 Travel	683	500	267	800	800
507-61 Tax Title Expense	384	500	16	400	400
507-71 Bond & Note Issue Exp.*	290	500	240	500	500
507-81 Tuitions	200	225	195	225	225
<u>507 TOTAL</u>	<u>18,078</u>	<u>18,805</u>	<u>9,027</u>	<u>25,140</u>	<u>21,287</u>
<u>508 FINANCE COMMITTEE</u>					
508-13 Clerical Salary	* 2,211	2,354	723	1,350	1,350
508-21 General Expense	161	200	155	200	200
508-41 Travel	--	--	--	--	--
<u>508 TOTAL</u>	<u>2,372</u>	<u>2,554</u>	<u>878</u>	<u>1,550</u>	<u>1,550</u>
<u>509 MODERATOR</u>					
509-10 Salary	60	100	0	100	100
509-21 General Expense	0	75	0	75	75
<u>509 TOTAL</u>	<u>60</u>	<u>175</u>	<u>0</u>	<u>175</u>	<u>175</u>
<u>510 PERMANENT BUILDING COMMITTEE</u>					
510-13 Clerical Salary	0	50	44	750	50
510-21 General Expense	0	0	0	100	50
<u>510 TOTAL</u>	<u>0</u>	<u>50</u>	<u>44</u>	<u>850</u>	<u>100</u>
<u>511 PERSONNEL BOARD</u>					
511-13 Clerical Salary	1,569	1,926	1,044	3,150	2,085
511-21 General Expense	188	200	195	300	250
<u>511 TOTAL</u>	<u>1,757</u>	<u>2,126</u>	<u>1,239</u>	<u>3,450</u>	<u>2,335</u>
<u>512 PLANNING BOARD</u>					
512-13 Clerical Salary	2,100	2,140	1,031	3,500	2,772
512-21 General Expense	658	800	133	800	800
512-31 Maintenance	45	50	0	50	50
512-41 Travel	84	100	0	100	100
512-61 Spec. Studies	13,374	0	0	5,000	2,000
<u>512 TOTAL</u>	<u>16,261</u>	<u>3,090</u>	<u>1,164</u>	<u>9,450</u>	<u>5,722</u>
<u>513 ANCIENT DOCUMENTS COMMITTEE</u>					
513-21 General Expense	1,800	1,800	788	1,800	1,800
<u>514 HISTORIC DISTRICTS COMMISSION</u>					
514-13 Clerical Salary	27	112	27	192	233
514-21 General Expense	* 78	50	13	70	70
<u>514 TOTAL</u>	<u>105</u>	<u>162</u>	<u>40</u>	<u>262</u>	<u>303</u>

April 9, 1979

ARTICLE 5 (500) (continued)	EXPENDITURES APPROPRIATED			FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED
<u>515 HISTORICAL COMMISSION</u>					
515-13 Clerical Salary	0	0	0	140	50
515-21 General Expense	0	0	0	650	50
<u>515 TOTAL</u>	0	0	0	790	100
<u>518 COUNCIL ON AGING</u>					
518-21 General Expense	503	1,120	327	1,120	1,120
518-51 Equipment Purchase	260	200	85	200	200
518-61 Sr. Citizen Program	1,231	1,250	222	1,250	1,250
518-62 Transportation Prog.	793	800	252	800	800
<u>518 TOTAL</u>	2,787	3,370	886	3,370	3,370
<u>519 TALENT SEARCH COMMITTEE</u>					
519-21 General Expense	0	100	45	100	100
<u>520 COMMITTEE ON TOWN ADMINISTRATION</u>					
520-13 Clerical Salary	0	50	0	150	50
520-21 General Expense	39	0	0	100	50
<u>520 TOTAL</u>	39	50	0	250	100
<u>521 ACCOUNTING</u>					
521-10 Town Account. Salary	17,897	21,000	10,419	23,100	22,470
521-12 Overtime & Ex. Hire	+ 762	589	509	1,680	1,340
521-13 Clerical Salaries	+20,066	25,357	13,488	29,322	27,820
521-21 General Expense	965	965	502	1,040	1,040
521-31 Maintenance	3,400	4,000	1,869	4,000	4,000
521-41 Travel	450	450	192	450	450
521-51 Equipment Purchase	13,199	11,000	7,953	8,800	8,800
521-61 Payroll Processing	* 844	0	--	--	--
<u>521 TOTAL</u>	57,583	63,361	34,932	68,392	65,920
Excess Paid Detail	0	0	0	1,500	1,500
<u>521 NET BUDGET</u>	57,583	63,361	34,932	66,892	64,420
<u>500 GROSS BUDGET</u>	436,153	479,857	229,307	515,596	491,182
Offsets	0	0	0	1,500	1,500
<u>500 NET BUDGET</u>	436,153	479,857	229,307	514,096	489,682

Finance Committee Reports:

502 Engineering: The budget recommended for the Engineering Department represents a net increase over fiscal '79 of \$3,005, or 2.2%. This results almost entirely from increases in the salary accounts, offset by recommended reductions in the temporary engineering aides and overtime accounts. Recommend Approval.

504 Assessors: This budget is up approximately 2% due largely to the increase in clerical costs resulting from reclassification. You will note the significant difference between the amount requested and what is being recommended by the Finance Committee for the Assessors' salary. The Finance Committee feels it would be a bad precedent to recommend a substantial increase into the salary account of elected officials. The Assessors feel that the additional salary is justified by the hours required to perform their job. The Finance Committee recommends that the question of organization in the Assessors' office be studied. Recommend Approval.

506 Town Clerk: The reduction in the Elections Account (506-61) is due to the fact that there will be only two elections, instead of three, in fiscal 1979-80. This reduction offsets the increases in clerical salaries (506-13) and small increases in other accounts. Recommend Approval.

507 Treasurer: The increase in the Clerical Account (507-13) reflects a reclassification and upgrade of the position of Assistant Treasurer as proposed by the Personnel Board. Recommend Approval.

510 Permanent Building Committee: The activity of this Committee is dependent upon action to be taken at this Town Meeting. The amounts recommended are sufficient to sustain the Committee. If additional activity is required, it can be funded from the special project requiring planning or construction. Recommend Approval.

511 Personnel Board: The recommended budget is approximately 9.8% over the current year appropriations. Projected increases are in the clerical account (511-13). Recommend Approval.

512 Planning Board: The significant increase in the number of hearings has resulted in corresponding increases in the clerical account. In addition, \$2,000 has been allocated to special studies (512-61). Although additional study funds were requested, specific plans and studies to be accomplished were not identified. Recommend Approval.

515 Historical Commission: This Commission was recently reorganized and this is its first budget. The Finance Committee recommends \$50 for clerical (515-13) and \$50 for general expense (515-21) at this time, as being adequate to get the Commission under way. Recommend Approval.

521 Accounting: This budget reflects a proposed reduction of hours in the clerical account (521-13). The equipment purchase account (521-51) is a continuation of the 1977 five-year lease/purchase agreement for the Burroughs accounting machine. The overtime and extra hire account (521-12) has been increased to reflect the transfer of certain budget functions formerly performed by the Finance Committee clerk. The Finance Committee clerical account (508-13) has been correspondingly reduced. Recommend Approval.

Upon a motion made by Mr. Edward L. Glazer of the Finance Committee, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 500, GENERAL GOVERNMENT, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 501-10, 501-13, 502-10, 502-11, 502-13, 503-11, 504-13, 505-13, 506-13, 507-13, 508-13, 511-13, 512-13, 512-61, 514-13, 515-13, 515-21, 521-10, 521-12, 521-13, 521-31, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

The Moderator declared that the vote was much more than two-thirds.

Upon motions made by Mr. Glazer, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$31,000 FOR LINE ITEM 501-10, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$35,439 FOR LINE ITEM 501-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$24,500 FOR LINE ITEM 502-10, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$76,000 FOR LINE ITEM 502-11, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$10,316 FOR LINE ITEM 502-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$10,029 FOR LINE ITEM 503-11, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$27,820 FOR LINE ITEM 504-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$16,472 FOR LINE ITEM 505-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$29,176 FOR LINE ITEM 506-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$7,480 FOR LINE ITEM 507-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$2,350 FOR LINE ITEM 508-13, SAID SUM TO BE RAISED BY TAXATION.

In response to a question from Mr. Joseph A. Klein, Mrs. Linda E. Glass, Chairman of the Finance Committee, stated as follows: The reason the figure in line item 508-13 is \$1,000 more than in the Warrant is because we had considered the possibility of splitting that into two positions. One would be purely secretarial and would go under the Finance Committee's budget. The \$1,000 would be put into the Town Accountant's budget and would be there to handle budgetary questions. On further consideration, we decided that the functions should be fulfilled entirely by one person and therefore, this splitting went back into the Finance Committee budget. You will notice that 521-12 has been reduced by \$1,000, that is the offset.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$2,000 FOR LINE ITEM 511-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$2,250 FOR LINE ITEM 512-13, SAID SUM TO BE RAISED BY TAXATION.

Mr. Glazer *moved* that the Town appropriate \$2,000 for line item 512-61, said sum to be raised by taxation.

In response to a question from Mr. Klein, Mr. John Cutting of the Planning Board explained the need for the amount as follows: One of the two major functions of the Planning Board is long-range planning. Our other function is pretty much subdivision control. This fund will allow us to get expert consultant opinion on the various subjects that we have no expertise in, such as hydrology, various types of engineering, types of professional information that the Town cannot provide us with. Specific studies that we are going to undertake this year are not precisely known at this time since the ones we had in mind are related to some extent on the outcome of Article 14. If Article 14 had passed, we probably would have elaborated on that somewhat, possibly zoned certain areas suitable for cluster. Since Article 14 did not pass, we will be operating in a different direction.

The areas that we are considering in a vague way at the moment deal with other types of aquifer protection, sediment and erosion control. We are going to be revising our Rules and Regulations. We have also talked about the development of some landscape specifications for site plan reviews. We do not know exactly which of these we are going to attack yet, but we do know that we will need special opinions for this to make sound judgments to present reasonable proposals to Town Meeting for consideration. This fund is primarily for data collection and professional consultation.

VOTED: THAT THE TOWN APPROPRIATE \$2,000 FOR LINE ITEM 512-61, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the vote was more than two-thirds.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$200 FOR LINE ITEM 514-13, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE \$50 FOR LINE ITEM 515-13, SAID SUM SO BE RAISED BY TAXATION.

The Moderator declared that the vote was more than two-thirds.

Mr. Glazer *moved* that the Town appropriate \$50 for line item 515-12, said sum to be raised by taxation.

Mr. John C. Powers *moved* to amend to the sum of \$500.

In support of his amendment, Mr. Powers stated as follows: The Historical Commission which has been relatively inactive in the past was reconstituted by virtue of action of the Town Meeting indicating that it should be so. It has been filled with appointments so that it is now together and active and has been meeting on a regular basis. This is, of course, one of the small unpaid commissions of the Town.

We have, with the change in the situation in the Hosmer House by virtue of Miss Hosmer's death, inherited a number of responsibilities that we are concerned with. When you understand that to do just one mailing to the Town costs you about \$400, and that even the \$140 we asked for clerical in the last line item was for a part-time girl of the lowest clerical rate for five days a year, I think you'll understand we are not being very wild in our request.

However, there are things that we must do if the Commission is to function. The Commission has indicated to the Board of Selectmen a plan of action that it would like to pursue. One of the hallmarks of that plan of action is public information. It is certainly a necessity for a phased and repetitive series of fund-raising events to try to get, by general subscription rather than from tax dollars, funds for various phases of the restoration of the house and its contents.

Even if that were not done, the Commission is in the process of actively pursuing grants that would permit us to do this from another source of funding. Most of the grants are many pages long and require clerical work and require correspondence. We are particularly concerned now with one grant which had been forwarded for action funds for architectural studies of the house.

We have another grant for planning money which is a 70-30 grant we would like to pursue. There is another grant of 100% from the Massachusetts Commission on Humanities and the Arts which we think should be pursued to see if funds would be available there for the restoration of some of the paintings.

The figures that are recommended by the Finance Committee are simply token figures that don't relate to anything. They look good in a book so somebody can say we are funded, but they don't mean anything. I would hope that with the size of the budget that we are considering, running into the many millions of dollars, that the efforts of five good unpaid citizens would gain at least minimal support.

For example, we have just received data which indicates a very beneficial tax handling write-off that you can get if you happen to live in an historic district that is in the National Register. We have some forty-two families that live there. We can't even smuggle that out in the mails and let them know that they can get a tax break, which can amount to a 10% write-off of the amount of restoration.

We really feel terribly constricted, and we would like to ask your help.

Mr. Felleman commented for the Finance Committee as follows: The nine unpaid members of the Finance Committee had a hearing on this budget like we did on all budgets. The request, when it came in to us, was \$400 for a Town-wide mailing for some public relations function, \$200 for office supplies, and \$50 for memberships and subscriptions to different magazines, National Historic Trust, etc. This Committee felt that in this very austere year we could forego some of these things and that there were perhaps other methods of attracting attention in the Town rather than sending publications to each house. We are asking other boards and committees to be ingenious in their activities, and we ask this Commission to be the same.

Mr. Powers' motion was defeated.

VOTED: THAT THE TOWN APPROPRIATE \$50 FOR LINE ITEM 515-21, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the vote was more than two-thirds.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$22,000 FOR LINE ITEM 521-10, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$340 FOR LINE ITEM 521-12, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the vote was more than two-thirds.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$24,150 FOR LINE ITEM 521-13, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$4,000 FOR LINE 521-31, SAID SUM TO BE RAISED BY TRANSFER OF \$1,500 FROM THE PAID DETAIL ACCOUNT AND THE BALANCE TO BE RAISED BY TAXATION.

April 9, 1979

Chief Nicholas Lombardi then questioned whether or not line item 503-11 had been voted.

The Moderator responded that it had been called and voted and confirmed this with the Town Clerk. He stated that the Chief could move to reconsider it if he liked.

Chief Lombardi then moved to reconsider line item 503-11.

Before making a comment under the motion, Chief Lombardi stated that he would like to ask, if Town Counsel is paid a retainer of \$12,600, who gets the \$10,029 of the 503-11 salary?

Mr. Murray responded that the Assistant Town Counsel receives this salary.

Chief Lombardi then commented as follows in support of his motion to reconsider 503-11: Last week I took the floor and you heard me ask the question why a town of 15,000 people needs an Assistant Town Counsel when a town like Framingham, with 70,000 people, can get along without one.

For those of you who weren't here at 7:30, we just held a Special Town Meeting to decide to send a petition to the legislature to clarify our recent election. You've seen Town Counsel and the Executive Secretary versus the Chief of Police on the Special Police bill for the last two years.

I recently came across a letter to the Finance Committee from the Executive Secretary suggesting that Town Counsel will write rules and regulations for Special Police Officers in the Town of Sudbury. The Executive Secretary should know better. Town Counsel should know better.

Chapter 41, section 97A, under which this Town's Police Department operates, is called the "strong Chief's law". It states very clearly that the Chief of Police will make rules and regulations that will be submitted to the Board of Selectmen. If they don't act on them in thirty days, they become law.

I submit to you that we are spending \$36,000 a year for legal advice, and we're not getting \$36,000 worth. I don't feel responsible for any make-work programs for people who live outside Sudbury.

Our Assistant Town Counsel came to us from the CETA program, like the situation with the Planner a year or so ago. It seems to me that every time we pick up somebody on the CETA program, we've got to create a permanent job for him.

Mr. Brooks is right when he says, if you give them space, they'll fill it up with employees.

I don't feel very generous, and I don't think I should be taxed because some guy who holds a law degree has to come to us through the CETA program. We're not getting what we're paying for, and when the time comes, I'd like to make a motion to eliminate \$10,029 right out of the budget.

Mr. Paul L. Kenny, Town Counsel, commented as follows: The only item I heard that concerned the Chief was the question of who makes rules and regulations in the Police Department. Approximately four weeks ago, I sent a memo to the Board of Selectmen which indicated that the Chief of Police makes the rules and regulations in the Town of Sudbury and that section 97A allows the Selectmen to review those rules and regulations. The Chief was provided with a copy of that memo. What he has said tonight is incorrect.

Mr. Richard E. Thompson, Executive Secretary, commented as follows: There was a comment dealing with surrounding towns. We did a survey about 1976. The Town of Framingham spends \$105,000 for legal counsel. In the ten surrounding towns that we surveyed, Sudbury stands right in the median.

Acton spends \$32,000 to retain a firm. Concord spends \$22,600 for a senior and an associate member. One gets \$45 and one gets \$40 per hour. Wellesley spends \$103,815. They have a part-time counsel with several people in the firm being paid at different rates. Weston spends \$21,000 plus their special case account which was \$20,000. Wilmington, \$24,000; Winchester, \$33,000 plus special cases.

The Chief's motion to reconsider was defeated.

(In favor - 281; Opposed - 200. Total - 481) (Two-thirds vote required)

April 9, 1979

ARTICLE 5: 600 GOODNOW LIBRARY

	EXPENDITURES APPROPRIATED EXPENDITURES			FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED
600-10 Library Director	15,270	17,000	8,173	18,900	18,200
600-12 Overtime & Ext. Hire	0	3,477	0	2,343	2,200
600-11 Clerical	+ 47,744	40,869	20,249)		
Salaries	+ 29,242	47,316	23,643)	100,738	95,885
Pages Sal.	7,979	9,021	3,873)		
600-15 Custodial	+ 4,367	3,906	1,969	5,165	5,165
600-21 General Expense	* 6,045	7,150	3,190	8,415	8,415
600-31 Maintenance	10,507	12,154	5,545	13,869	13,869
600-41 Travel	250	250	63	250	250
600-42 Out-of-State Travel	468	655	45	480	480
600-51 Equipment Purchase	* 2,352	1,852	1,298	2,322	1,900
600-52 Books	* 28,657	39,161	17,122	43,600	40,600
<u>600 TOTAL</u>	<u>152,881</u>	<u>182,811</u>	<u>85,170</u>	<u>196,082</u>	<u>186,964</u>
Offsets:					
State Aid	5,064.75	5,064.75	--	6,148.56	6,148.56
Dog License Refund		7,905.43	--	3,317.88	3,317.88
<u>600 NET BUDGET</u>	<u>147,816.25</u>	<u>169,840.82</u>	<u>85,170</u>	<u>186,615.56</u>	<u>177,497.56</u>

Finance Committee Report:

600 Library: In its continuing attempt to hold down the tax rate, the Finance Committee is recommending that the Trustees' request be reduced to \$186,964, an increase of 2.2% over last year. This will cut \$3,000 from the Book Account (600-52), \$422 from Equipment Account (600-51) and \$5,696 from the Personal Services Account. Recommend Approval.

Upon motions made by Mr. Joseph J. Slomski of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 600, GOODNOW LIBRARY, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 600-52, 600-10, 600-11, 600-15, 600-51, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$40,600 FOR ACCOUNT 600-52, SAID SUM TO BE RAISED BY TRANSFER OF \$6,148.56 FROM THE LIBRARY STATE AID ACCOUNT, TRANSFER \$3,317.88 FROM THE COUNTY DOG LICENSE REFUND ACCOUNT, AND THE BALANCE TO BE RAISED BY TAXATION.

The Moderator declared that line item 600-52 was passed by more than two-thirds.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$18,000 FOR LINE ITEM 600-10, SAID SUM TO BE RAISED BY TAXATION.

Mr. Slomski then moved that the Town appropriate \$92,520 for line item 600-11, said sum to be raised by taxation.

Mrs. Virginia L. Howard, Goodnow Library Trustee, moved to amend line item 600-11 to \$96,330 by adding \$3,810 to be raised by taxation.

In support of her motion to amend, Mrs. Howard commented as follows: The purpose of this amendment is to ask the voters to decide whether the Library should continue to be open on Sundays from 1:00 to 5:00 o'clock in the afternoon. The Finance Committee's recommended \$3,800 decrease in the salary account will make it necessary to close on Sundays.

Over the past two years, Sunday has become the busiest day of the week. Two years ago, the voters voted money to the salary account to open on Sunday afternoons.

The Trustees urge a favorable vote for our recommended increase for this purpose.

Mr. Slomski commented for the Finance Committee as follows: When we reviewed the budget, we were given two separate pages. One had a certain dollar amount, and the other, page 2, had approximately \$5,000 lower. The recommendation on top of page 2 was to close for certain periods of time including Sunday. The Finance Committee voted the lower of the dollars but in no sense recommends the Library be closed on Sunday. That is the purview of the Trustees of the Library. We are merely recommending a lower dollar amount to give the Town a choice between reduced expenditures and reduced services.

Mrs. Eunice A. Whipple *moved to further amend line item 600-11 by striking the proposed amended amount of \$96,330, and substituting the amount of \$99,472, said sum to be raised by taxation.*

In support of her amendment, Mrs. Whipple commented as follows: As I understand it, without this amount, the Library will be forced to close one evening. I feel that the facility, such as the free public library, should be readily accessible to the community at all times, especially in the evening, not only for the use of reading materials but especially for the use of the function room. I feel that the importance of keeping the Library open for all presently scheduled hours far outweighs the small cost involved.

Mrs. Whipple's motion was *voted*.

VOTED: THAT THE TOWN APPROPRIATE \$99,472 FOR LINE ITEM 600-11, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$4,919 FOR LINE ITEM 600-15, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the vote on line item 600-15 was more than two-thirds.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE \$1,900 FOR LINE ITEM 600-51, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5: 700 PARK AND RECREATION

	EXPENDITURES APPROPRIATED EXPENDITURES			FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED
700-10 Maint. Foreman	12,720	14,000	7,000	15,750	14,980
700-12 Overtime	435	1,055	211	1,000	500
700-15 Salaries	52,860	59,345	39,644	62,895	62,282
700-21 General Expense	989	1,000	316	1,000	1,000
700-31 Maintenance	23,724	26,800	8,969	22,000	21,000
700-41 Travel	413	500	262	500	500
700-51 Equipment Purchase	2,953	3,000	180	3,000	2,600
700-61 Special Programs	18,898	20,800	16,619	22,400	22,400
700-71 Uniforms	462	500	22	500	500
<u>700 TOTAL</u>	<u>113,454</u>	<u>127,000</u>	<u>73,223</u>	<u>129,045</u>	<u>125,762</u>

Finance Committee Report:

700 Park and Recreation: With cuts of approximately 2% recommended in the Salary and Maintenance Accounts, this budget is reduced 1%. However, this budget maintains the requested programs. Recommend Approval.

Upon a motion made by Mrs. Glass, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 700, PARKS AND RECREATION, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 700-10, 700-12, 700-15, 700-31, 700-16, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$15,000 FOR LINE ITEM 700-10, SAID SUM TO BE RAISED BY TAXATION.

Mrs. Glass then moved that the Town appropriate the sum of \$500 for line item 700-12, this sum to be raised by taxation.

Ms. Nancy D. Lewis of the Park and Recreation Commission then moved to amend line item 700-12 to \$1,000.

In support of her motion, Ms. Lewis commented as follows:

The Park and Recreation budget as presented to the Finance Committee reflected a 1.6% increase over last year. In order to demonstrate to you that the original budget is necessary, I would like to give you some background information. Approximately three-fifths of the budget is allocated for maintenance, the remainder for programs. Our maintenance department not only services the recreation areas specifically designated as park and recreation land; it also maintains the turf at all Sudbury schools, Heritage Park, Goodnow Library, the Police Station and the Town Hall. Last year, we added conservation land area also.

The decrease recommended by the Finance Committee is entirely in the maintenance area, in the overtime account and in the -31 account. The -31 account budget item as originally requested represented approximately a 7% cut over the 78/79 appropriation. The account asked for the minimum amount necessary to provide facilities for the scheduled programs and to protect the investment already made by the Town in these facilities. Any further decrease as recommended by the Finance Committee must result in termination of services to some area or areas now being maintained by the department.

Areas under consideration for discontinuance of services are the turf maintenance of some park and recreation land, the Goodnow Library, the Police Station and the Town Hall, as cuts in these areas would not adversely affect department programs.

Another area that could be cut is not to use the lights at Featherland Field during the softball or football games.

The decrease in the overtime account of 50% would seriously impair the ability of the department to provide such extra services as helping with the winter carnival and providing personnel for weekend and evening activities.

We on the Commission feel that these two areas of service are important to the Town and should be maintained.

Ms. Lewis' amendment was voted.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$1,000 FOR LINE ITEM 700-12, THIS SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$59,345 FOR LINE ITEM 700-15, SAID SUM TO BE RAISED BY TAXATION.

Mrs. Glass then moved that the Town appropriate the sum of \$21,000 for line item 700-31.

Ms. Lewis moved to amend line item 700-31 to read \$22,000.

Ms. Lewis' amendment was defeated.

(In favor - 246; Opposed - 248. Total - 494)

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$21,000 FOR LINE ITEM 700-31.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$22,400 FOR LINE ITEM 700-61.

ARTICLE 5: 800 BOARD OF HEALTH

	EXPENDITURES APPROPRIATED EXPENDITURES			FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED
800-10 Director's Salary	19,000	20,500	10,250	22,000	22,000
800-13 Clerical Salary	6,574	7,490	3,420	8,000	8,191
800-15 Animal Inspector	800	800	400	800	800
800-21 General Expense	929	1,200	418	1,200	1,200
800-31 Lab Expense	960	2,200	1,280	3,600	3,600

April 9, 1979

ARTICLE 5 (800) (continued)	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	7/1/79-6/30/80 RECOMMENDED	
800-41 Travel	1,282	1,500	565	1,500	1,500	1,500	
800-51 Equipment Purchase	0	850	284	200	200	200	
800-61 SPHNA	26,148	29,840	14,918	29,868	29,868	29,868	
800-71 Mosquito Control	15,000	16,000	16,000	16,500	16,500	16,500	
800-75 Septage Disposal	1,424	24,000	0	24,000	13,000	13,000	
800-81 Consultant Fees	--	250	0	250	250	250	
800-91 Mental Health	4,740	5,000	2,053	5,000	5,000	5,000	
<u>800</u> TOTAL	76,857	109,630	49,588	112,918	102,109	102,109	
Offsets	0	19,767.85	0	0	0	0	
NET BUDGET	76,857	89,862.15	49,588	112,918	102,109	102,109	

Finance Committee Report:

800 Board of Health: The recommended budget of \$102,109 represents a 7% decrease from the current budget. The Stream Analysis and Mosquito Control programs are being increased and there is a 9% increase in the personal services account. However, the amount to be appropriated for the Septage Disposal Facility is less than originally anticipated because there will be unexpended funds from this year that can be carried forward. Recommend Approval.

Upon motions by Mr. Ronald Stephan of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 800, HEALTH, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 800-10, 800-13, 800-71, AND THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$21,000 FOR LINE ITEM 800-10, SAID SUM TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$7,490 FOR ACCOUNT 800-13, SAID SUM TO BE RAISED BY TAXATION.

After considerable discussion concerning Mosquito Control, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$16,500 FOR ACCOUNT 800-71, SAID SUM TO BE RAISED BY TAXATION.

(In favor - 275; Opposed - 264. Total - 539)

ARTICLE 5: 900 VETERANS

	EXPENDITURES APPROPRIATED			EXPENDITURES		FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	7/1/79-6/30/80 RECOMMENDED	
900-10 Agent's Salary	1,712	1,807	903	1,896	1,900	1,900	
900-21 General Expense	309	375	43	350	350	350	
900-61 Benefits	9,155	10,000	3,861	10,000	10,000	10,000	
<u>900</u> TOTAL	11,176	12,182	4,807	12,246	12,250	12,250	

Upon motions made by Mr. Robert A. Norling, 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 PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 900-10, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

The Moderator declared that the vote was more than two-thirds.

VOTED: THAT THE TOWN APPROPRIATE \$1,806 FOR LINE ITEM 900-10, WITH SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the vote was more than two-thirds.

ARTICLE 5: 950 UNCLASSIFIED

	EXPENDITURES APPROPRIATED			FISCAL YEAR 1980	
	7/1/77- 6/30/78	7/1/78- 6/30/79	7/1/78- 12/31/78	7/1/79-6/30/80 REQUESTED	RECOMMENDED
950-11 Blue Cross/Shield	157,926	220,000	82,695	240,000	220,000
950-12 Life Insurance	3,442	4,400	1,426	4,400	4,400
950-21 Fidelity Bonds	918	1,500	0	1,500	1,500
950-31 Casualty Insurance	71,432	88,000	64,322	96,000	96,000
950-41 Print Town Report	3,543	4,000	0	4,000	4,000
950-51 Memorial Day	998	1,100	0	1,530	825
950-61 Veterans' Graves	289	300	0	350	350
950-71 Fire Pension	1,500	1,500	875	1,500	1,500
950-81 Reserve Fund	65,189 ⁽¹⁾	100,000	4,599	100,000	100,000
950-89 School Tuition	--	--	--	3,740	3,740
950-91 Hosmer House	1,336	0	--	--	--
950-92 Communications	3,372	3,500	1,395	3,500	3,500
950-93 Hydrant Rental	21,805	22,015	11,008	22,085	22,085
950-94 Copying Service	5,805	6,800	2,611	6,800	6,800
950-96 Retirement Fund	207,742	*206,353	103,177	207,770	207,770
950-97 Town Meetings	6,455	9,000	25	9,000	9,000
950-98 Postage	7,140	9,500	3,856	9,500	9,500
950-99 Telephone	* 12,217	11,000	5,429	12,000	12,000
950-100 Unemployment	0	35,000	1,664	25,000	25,000
<u>950</u> TOTAL	571,109	723,968	283,082	748,675	727,970
Overlay Reserve	100,000	40,000	0	50,000	50,000
NET BUDGET	471,109	683,968	283,082	698,675	677,970

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

1977-78 TRANSFERS

ACCOUNT NUMBER/NAME	TRANSFER NO.	AMOUNT
200-201: Debt - Interest on Temporary Loans	0759	\$10,000.00
200-201: Debt - Interest on Temporary Loans	0778	8,600.00
310-11: Fire - Salaries (from 310-12)	0756	6,041.10
310-12: Fire - Overtime	0768	5,277.00
310-21: Fire - General Expense	0776	835.00
310-31: Fire - Maintenance	0768	1,433.00
310-81: Fire - Tuition Reimbursement	0784	330.00
320-71: Police - Uniforms	0792	85.00
340-12: Building - Overtime & Extra Hire (from 340-15)	0755	1,000.00
340-32: Building - Town Hall Maintenance	0758	1,425.00
340-32: Building - Town Hall Maintenance	0789	249.83
340-33: Building - Center School Maintenance	0790	232.48
340-35: Building - Police Building Maintenance	0765	850.00
340-35: Building - Police Building Maintenance	0791	22.61
340-36: Building - Hosmer House Maintenance	0772	800.00
340-36: Building - Hosmer House Maintenance	0777	1,400.00
360-13: Conservation - Clerical	0757	700.00
370-13: Appeals - Clerical	0786	650.00
420-34: Highway/Tree - Contractors	0748	4,504.00
420-41: Highway/Landfill - Materials	0763	4,200.00
420-44: Highway/Landfill - Utilities	0783	31.53
430-20: Highway/Machinery - Fuels & Lubr.	0767	2,415.00
430-30: Highway/Machinery - Parts & Repair	0767	4,903.00
460-12: Highway/Snow & Ice - Overtime (from 420-11)	0764	7,000.00
460-12: Highway/Snow & Ice - Overtime (from 420-11)	0766	7,000.00
460-12: Highway/Snow & Ice - Overtime (from 420-11)	0767	3,000.00
460-30: Highway/Snow & Ice - Materials	0767	2,000.00
460-50: Highway/Snow & Ice - Contractors	0767	2,000.00
470: Highway/Street Lighting	0793	1,077.75
501-31: Selectmen - Maintenance	0749	200.00
501-51: Selectmen - Equipment Purchase	0737	144.00
503-21: Law - General Expense	0787	3,447.47
505-12: Tax Collector - Overtime (from 505-13)	0691	240.00
506-12: Town Clerk & Registrars - Overtime (from 506-13)	0773	460.00
506-31: Town Clerk & Registrars - Maintenance	0774	53.76
506-61: Town Clerk & Registrars - Elections	0775	1,220.00

ACCOUNT NUMBER/NAME	TRANSFER NO.	AMOUNT
507-71: Treasurer - Bond & Note Issue	0760	175.00
508-13: Finance Committee - Clerical	0770	300.00
514-21: Historic Districts Commission - General Expense	0780	32.15
521-12: Accounting - Overtime (from 521-13)	0762	300.00
521-61: Accounting - Payroll Processing	0761	343.50
600-14: Library - Salaries (from 600-13)	0779	250.00
600-15: Library - Custodial (from 600-13)	0771	500.00
600-21: Library - General Expense	0747	383.00
600-51: Library - Equipment Purchase	0746	351.56
600-52: Library - Books	0753	300.00
950-99: Unclassified - Telephone	0782	1,216.90
Art.34: ATM77 - Town Hall Sewerage	0750	3,000.00

1978-79 TRANSFERS

ACCOUNT NUMBER/NAME	TRANSFER NO.	AMOUNT
310-11: Fire - Salaries (from 310-12)	0785	\$50,565.00
410-51: Highway - Admin. Equipment	0795	255.00
410-51: Highway - Admin. Equipment	0796	324.00
501-81: Selectmen - Surveys & Studies	0788	1,943.31
506-61: Town Clerk & Registrars	0802	1,610.00
950-96: Unclassified - Retirement Fund	0800	721.41

As of 2/8/79

Finance Committee Report:

950 Unclassified: The more significant increases are again in Casualty Insurance (950-31) and Retirement Funds (950-96) accounts. Recommend Approval.

Upon a motion made by Mr. Edward L. Glazer, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 950, UNCLASSIFIED, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 950-81, 950-96, 950-100, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, AND TO RAISE THIS APPROPRIATION, THE BALANCE OF ALL ITEMS IN ACCOUNT 950 BE RAISED BY TAXATION.

Mr. Glazer then moved that the Town appropriate the sum of \$100,000 for line item 950-81, the sum of \$50,000 be transferred from the Overlay Surplus Account to account 950-81, the balance to be raised by taxation.

Mr. Jonathan Sirota then moved to amend this motion to change the number \$100,000 to \$175,000.

In support of his amendment, Mr. Sirota commented as follows: We have seen a couple of things happen at this Town Meeting. It's a very tight budget for all committees and boards in the Town. We have seen also as a result of that, an expected decrease in the tax rate per the Finance Committee's numbers.

What I am proposing here is to put some additional dollars away under the Finance Committee's control - we all know that they are very tight-fisted - so that we have enough funds available in the event that various boards and committees in the Town do have need for extra funds in the upcoming year.

If we look at the Warrant, in 1977/78 transfers out of the Reserve Fund totaled about \$91,000 out of the \$100,000 that was budgeted. It is too early to tell what the total number is going to be for the year, but so far, it's about \$55,000, according to the amounts printed in the Warrant.

The dollars put away here would allow the Finance Committee to support any increases in fuel in the various buildings in the Town, including the schools, which they've never been able to do out of the Reserve Fund before. Anytime the school committees have come to the Finance Committee for such funds, not to run the education programs, but to support buildings and emergency maintenance, we have never had the funds available to the schools. This would allow that to happen.

Mrs. Glass commented on the amendment for the Finance Committee as follows: I just want to mention that \$50,000 out of the \$55,000 that have been spent to date was a transfer from one line item to the next. It was from Fire Salaries, 310-12, to account 310-11, so we have only spent about \$5,000 this year.

Mr. Sirota's amendment was defeated.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$100,000 FOR LINE ITEM 950-81, THE SUM OF \$50,000 BE TRANSFERRED FROM THE OVERLAY SURPLUS ACCOUNT TO ACCOUNT 950-81, THE BALANCE TO BE RAISED BY TAXATION.

Mr. Glazer then moved that the Town appropriate the sum of \$225,000 for account 950-96, said sum to be raised by taxation.

Mr. Glazer stated that this is the most up to date number that the Town Accountant was able to provide us in terms of what the County Retirement is going to cost.

In response to several questions, Mr. John H. Wilson, Town Accountant, stated as follows: This is the Retirement Fund for the Town employees exclusive of teachers who are covered under the State Retirement Fund. I don't know how many employees the Town retired. I do know that we have 232 employees currently working in the Town that are covered by this system. The reason for the adjustment [approximately an \$18,000 increase] is in conjunction with the County Retirement System's formula. The County Retirement System takes the number of employees that are retired throughout the systems and determine what their cost is going to be for retiree benefits during a particular year. Then each payee into that system pays a ratio based on the total dollars that their current employees make during the year.

Mrs. Glass of the Finance Committee commented as follows: We established a subcommittee to look into the possibility of withdrawing from the Middlesex County Retirement System. We have received the report from that subcommittee. The County has just changed Commissioners at this time, so they could not get too much information from them. There are other towns that are considering this possibility as well.

The whole subject seems to be a little foggy, a little hazy. Supposedly, some new laws are going to be written as to how they are going to cover themselves for any extreme increase in the number of personnel across the County who might retire all of a sudden. It was the opinion of the subcommittee that this Town, at least for the time being, stay with this retirement system even though we may not be totally pleased with the way in which they are functioning.

Mr. Mark Goldman then moved *Indefinite Postponement*.

In support of his motion, Mr. Goldman stated as follows: My reason for this is that from the figures I have heard here, I don't have any idea of how many employees in the Town are presently retired and are being supported by this \$225,000, and what is the average cost per town employee for this retirement program. I think we are voting on an item that just isn't the point.

Mr. Glazer commented for the Finance Committee as follows: Let me just point out that this would be an assessment on the Town if we indefinitely postpone this article. The County Retirement System would still charge the Town for this amount.

I think it is a legitimate question to look into the long term question of whether or not we should get out of the system. It would be impossible to do within the time frame of this year coming up.

There are serious legal questions and other questions in terms of how one goes about it and if one can get out of this County Retirement. Likewise there are a number of questions of what the cost to the Town would be to have to try to calculate what the cost is to administer an individual system.

I think the Town of Sudbury alone to do this may not be the best way to go. Towns like Wayland and others are looking into it. Whether or not that kind of system makes sense, I can't very well say. It is a question of an assessment. I would recommend that we not indefinitely postpone this line item.

Mr. Goldman's motion was defeated.

April 9, 1979

Mr. Richard G. Silver then *moved to amend this motion to add, after the word "taxation", "said funds to be placed in escrow until such time as the Town of Sudbury can determine whether to have its own retirement program or not"*.

Mr. Wilson then stated that the bills from the Middlesex County Retirement System each year are, in effect, an assessment of the Town. We still have to raise not only this amount of money by taxation to place in escrow under this plan, but raise an additional amount of \$225,000 to pay to the system.

In response to a question, Town Counsel, Mr. Paul L. Kenny, stated as follows: These funds can be placed in escrow and withheld from the County if so desired, but Mr. Wilson is correct in that there will be an assessment that will also go on the recap sheet and be added to the tax rate.

Mr. Silver's motion was *defeated*.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$225,000 FOR ACCOUNT 950-96, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the vote was more than two-thirds.

After making the motion for line item 950-100, Mr. Glazer explained as follows: There is a new state law that permits the creation of an Unemployment Fund. We propose to take the present balance in the account for this year and transfer it to the Fund. That results in not having to raise more money for next year. This line item can go back to zero.

In response to a question, Mr. Wilson stated as follows: The benefit of using the available funds to establish the Unemployment Fund is that no money has to be raised on this year's tax levy. The fund will begin, and we have to pay bills as they come due to the Town. The future of this will be that each year, if the Fund has diminished to such a point that the estimates for the following year's expense will exceed the balance of the Fund, then this account 950-100 will be used to request small amounts each year to replenish the Fund to pay for the estimated expenses for the following year.

If we don't take advantage of using the available balance, then the Town should raise some \$25,000 this year to cover expenses for next year. The present balance closes out as do other balances remaining in accounts at the end of the year.

VOTED: TO APPROPRIATE \$0 FOR ACCOUNT 950-100, UNEMPLOYMENT, FROM THE ANNUAL TOWN MEETING 1979 TAX LEVY AND TO TRANSFER THE PRESENT BALANCE OF \$30,919.14 FROM ACCOUNT 950-100 TO ESTABLISH AN UNEMPLOYMENT FUND AS AUTHORIZED BY CHAPTER 412 OF THE ACTS OF 1978.

The Moderator declared that the vote was more than two-thirds.

Upon a motion made by Mrs. Glass, it was

- VOTED:*
- A. THAT SALARY AND OVERTIME APPROPRIATIONS WITHIN DEPARTMENT BUDGETS ARE FUNDED HEREUNDER AS INTEGRATED LINE ITEMS, PROVIDED, HOWEVER, THAT THE DEPARTMENTAL APPROPRIATION FOR ONE SUCH LINE ITEM CANNOT BE USED FOR ANOTHER LINE ITEM WITHOUT THE 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 THE LINE ITEMS IN ALL OTHER ACCOUNTS HAVE BEEN VOTED IN 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;*

April 9, 1979

94.

- E. THAT ALL APPROPRIATIONS UNDER ARTICLE 5 ARE FOR THE FISCAL YEAR JULY 1, 1979, TO JUNE 30, 1980; 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 AN APPROPRIATE LINE ITEM IN THE BUDGET UPON THE ACCEPTANCE OF THE FINANCE COMMITTEE AND CERTIFICATION OF THE TOWN ACCOUNTANT.

Upon a motion made by Mr. Eric F. Menoyo, it was

UNANIMOUSLY VOTED: TO ADJOURN UNTIL 8:00 O'CLOCK TOMORROW.

The meeting adjourned at 10:47 P.M.

(Attendance - 652)

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 10, 1979

The Moderator called the meeting to order at 8:15 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

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

UNANIMOUSLY VOTED: THAT AT THE CONCLUSION OF TONIGHT'S BUSINESS, WE ADJOURN TO APRIL 23, 1979, AT 8:00 P.M., IN THE LINCOLN-SUDBURY REGIONAL HIGH SCHOOL AUDITORIUM.

ARTICLE 15: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$40,000, or any other sum, for the construction of a walkway, such funds to be expended in the following manner:

Walkway
Construc-
tion
Haynes/
Puffer

Construction funds as necessary to be expended under the direction of the Highway Surveyor, for a walkway along the following roads:

1. Haynes Road from Dunster Road to North Road, a distance of approximately 2650 feet;
2. Puffer Lane from Haynes Road to Village Road, a distance of approximately 1050 feet;

or act on anything relative thereto.

Submitted by the Planning Board.

(For map, see next page.)

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

The Haynes-Puffer walkway will provide a safe convenient means of access to the Haynes Road School. The children from this neighborhood have been walking to the Haynes School for a number of years during which the traffic along these main connecting roads to Route 117 has been increasing. This traffic increase shows no signs of abating. The safety of these school walkers has therefore become a problem which has been brought to the attention of the Planning Board and its Walkway Subcommittee by residents in this area.

The Planning Board and Walkway Subcommittee have assigned highest priority to the construction of this walkway for school-related safety reasons. The Planning Board unanimously recommends approval of this article. The League of Women Voters supports this article.

Finance Committee Report: (Mr. Robert A. Norling)

This walkway will be used daily by children walking to and from the Haynes School. It is consistent with the original intent of the walkway program and therefore in the mind of this Committee, of the highest priority. Therefore, we recommend approval.

Board of Selectmen Report: (Mr. William J. Cossart)

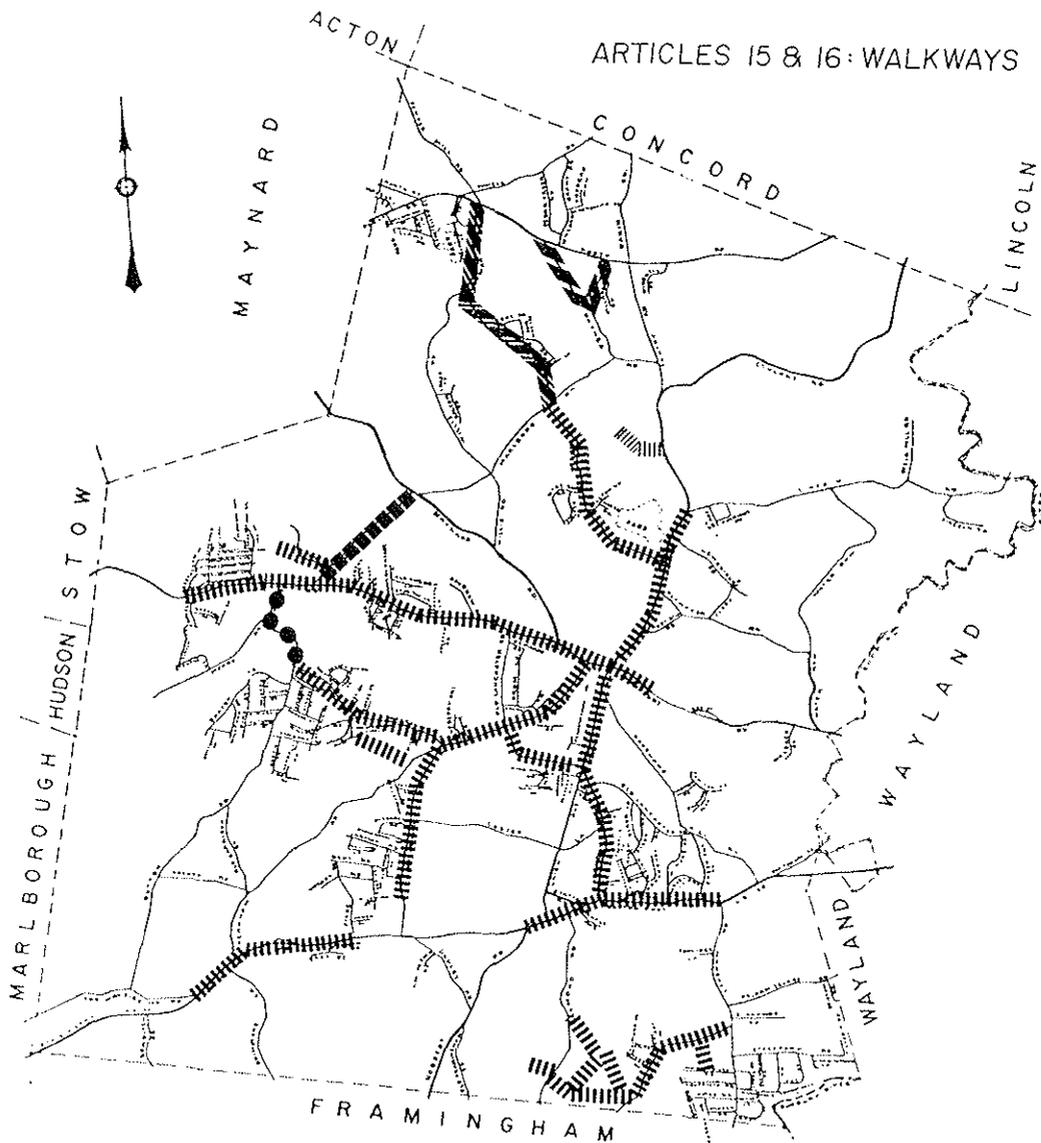
The Board of Selectmen unanimously supports this article. The basic intent of this article and the service it provides for the schools is the reason for our support.

VOTED: THAT THE TOWN APPROPRIATE \$40,000 FOR THE CONSTRUCTION OF WALKWAYS UNDER THE DIRECTION OF THE HIGHWAY SURVEYOR ALONG THE FOLLOWING ROADS:

1. HAYNES ROAD FROM DUNSTER ROAD TO NORTH ROAD, A DISTANCE OF APPROXIMATELY 2650 FEET;
2. PUFFER LANE FROM HAYNES ROAD TO VILLAGE ROAD, A DISTANCE OF APPROXIMATELY 1050 FEET;

SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the vote was more than two-thirds.



LEGEND:

- ||||| existing walkways
- ////// Haynes/Puffer walkway (Art. 15)
- XXXXXX Mossman Road walkway (Art. 16)
- Dutton Road walkway (Planned)
- Fairbank Road walkway (Planned)

ARTICLE 16: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$80,000, or any other sum, for the construction of a walkway, such funds to be expended in the following manner:

Walkway
Construction
Mossman

Construction funds as necessary to be expended under the direction of the Highway Surveyor for a walkway along 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.

Planning Board Report: The Long Range Walkway Development Program, initiated as a result of Town Meeting action at the 1963 Annual Town Meeting, continues to add new walkways. The 1977 Annual Town Meeting authorized funds for construction of a walkway along Morse Road from Concord Road to Marlboro Road. Final engineering

April 10, 1979

of the Mossman Road walkway was completed in 1977. Construction of the Morse Road walkway will be completed during the 1979 construction season. The Mossman Road walkway will provide a safe, convenient means of walking along one of the principal through streets in the northern section of Sudbury. This link to the Morse Road walkway will provide residents living along Mossman Road, and the many subdivision roads exiting onto Mossman Road, a safe, convenient means of walking to parks, shopping, schools, churches, and public facilities.

Finance Committee Report: (Mr. Norling)

The Finance Committee recommends against approval of this article. The Mossman walkway is not required for children walking to and from school, and therefore, it does not have the same high priority as the Haynes-Puffer article does. Secondly, in view of other budget cutting actions in a tight fiscal year, the Finance Committee does not feel that this article has sufficient priority to justify expenditure of an additional \$60,000 funds.

Board of Selectmen Report: (Mr. Cossart)

The Board of Selectmen is unanimously opposed to this article. We frequently hear the analogy that municipal budgets can be compared with a piece of meat with a layer of fat all over them. When the Warrant was first delivered to me, I visualized myself as a butcher who was just going to lop off a big piece of that fat.

But, as Senator Atkins said, we are now down to the point where any fat in these budgets is marbelized into the meat. What I personally felt in looking at this article was that if any further trimming is to be done in our budget, this is where it has to come from, even at the risk that we possibly may be taking something out that has a positive contribution to the overall quality of the package. Nevertheless, we do feel that this is an area where some additional trimming could be done.

I think it is time to look again at the walkway program because this is a program that does lend itself to periodic reconsideration as to just how far we should proceed with it. I think that now that we've had several years of walkway experience, we can look at it in a new light and just see how effective it has been.

One thing is very true. I've been absolutely delighted with the appearance the walkways provided in the Town. I think they do a magnificent job of improving property values and in what they do for the appearances.

The disappointment is in the area of what they have done for our school buses. Many of us are still sure in the back of our minds that when we first heard about the walkway program there was some very real justification that had to do with the reduction of school buses, and not one school bus has been eliminated as a result of the walkway program.

I think we are also disappointed to learn that there are very large costs, not just the additional construction costs, but to maintain them and to buy the equipment to plow them and to sand them. The equipment that plows and sands has to be mentioned. It has to be staffed, and those people have to have retirement benefits. There are a lot of additional costs that come in beyond the point of just construction.

There is one other reality that seems true, and that's really how much use, what has been the actual experience in terms of use? From what I've seen, people who were not walkers in the past do not become walkers once the walkway is made available to them. In spite of all the best resolutions that you are going to get out and use it, it doesn't seem to happen.

There are some other realistic considerations, too, that the time you want to use the walkway, either it's too hot or too cold, or it's raining, or it's late at night, or there's not enough time to walk there.

There are a lot of other factors that come into it that affect whether or not they are used.

When the walkway was originally proposed with the \$80,000 figure, it was recognized that the entire walkway probably could not be built for that price and any reduction would certainly guarantee that we're going to have considerably less than what was considered.

The Board of Selectmen unanimously opposes the article.

April 10, 1979

After considerable discussion, it was

VOTED: THAT THE TOWN APPROPRIATE \$60,000 FOR THE CONSTRUCTION OF A WALKWAY ALONG MOSSMAN ROAD FROM MARLBORO ROAD TO NORTH ROAD, A DISTANCE OF APPROXIMATELY 7,700 FEET, CONSTRUCTION AND EXPENDITURE OF FUNDS TO BE UNDER THE DIRECTION OF THE HIGHWAY SURVEYOR; SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the vote was much more than two-thirds.

ARTICLE 17: To see if the Town will vote to designate the following roads in accordance with the recommendation of the Conservation Commission under Section 15C of Chapter 40 of the General Laws (The Scenic Roads Act):

Scenic
Roads
Recommen-
dations

Concord Road	Boston Post Road to Concord Line
Haynes Road	Pantry Road to North Road
Lincoln Road	Concord Road to Wayland Line
Marlboro Road	Maynard Road to Haynes Road
Morse Road	Concord Road to Marlboro Road
Mossman Road	Marlboro Road to North Road
Plympton Road	Concord Road to Water Row
Powers Road	North Road to Concord Line
Water Row	Old Sudbury Road to Lincoln Road
Willis Road	Maynard Road to Mossman Road

or act on anything relative thereto.

Submitted by the Conservation Commission.

(For map, see next page)

Mrs. Joan C. Irish of the Conservation Commission *moved* in the words of the *article*.

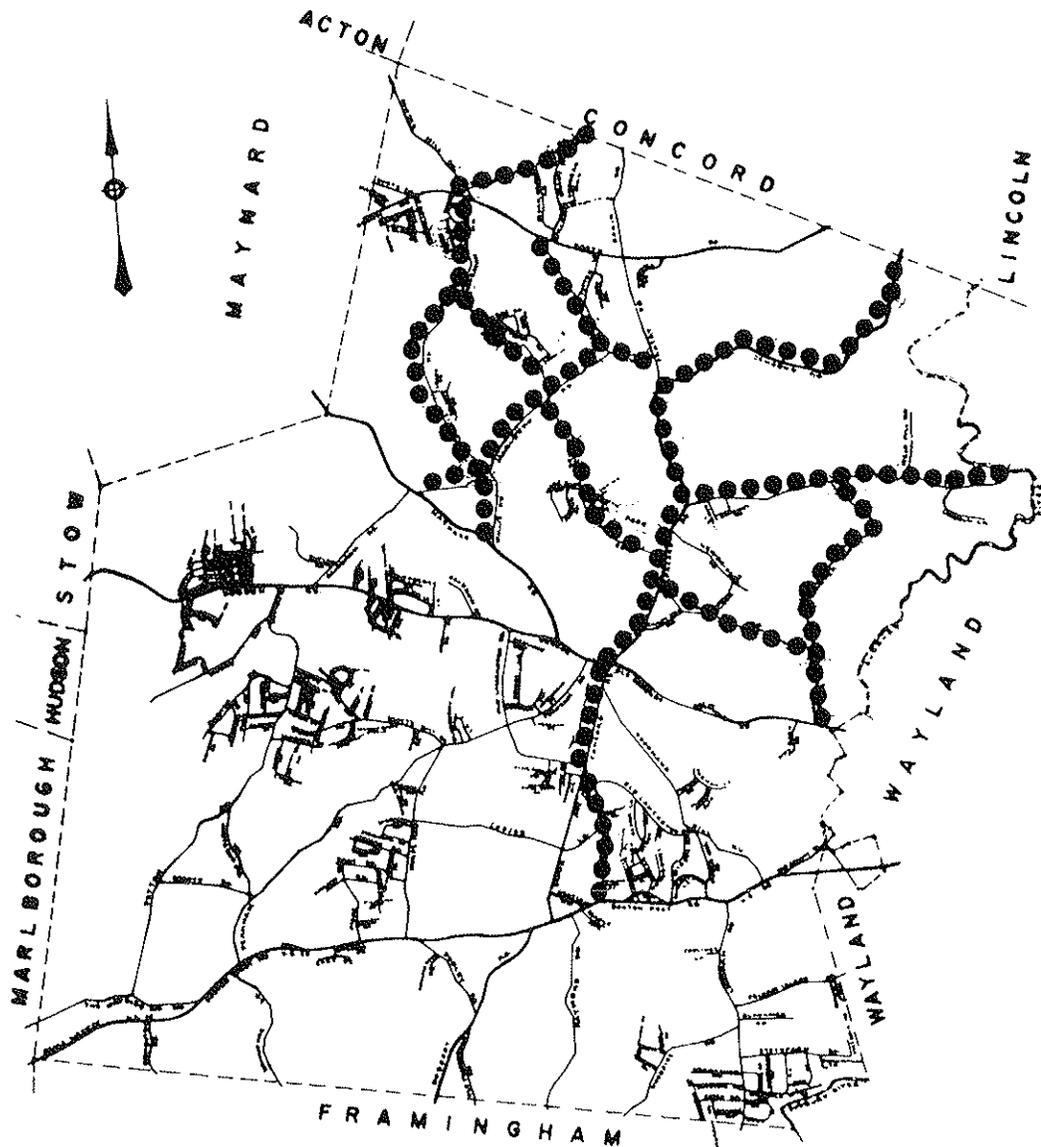
Conservation Commission Report: (Mrs. Irish)

The Scenic Roads Act was enacted by the Massachusetts legislature in 1973. Its sponsor, former State Representative George Sprague, has described it as an outgrowth of his experiences and the concerns of others over the lack of local input to the construction and reconstruction of highways using state aid, "Chapter 90 jobs". Since its enactment, about sixty cities and towns across Massachusetts have designated certain of their streets as scenic roads subject to the provisions of the law. Some towns have gone so far as to designate all of their roads, and others have only placed one or two in the category.

The law itself states, in part, that "upon recommendation or request of the Planning Board, the Conservation Commission or the Historical Commission of the town, the town may designate any road in town other than a numbered route or a state highway as a scenic road." Once a road has been so designated, "any repair, maintenance, reconstruction or paving work in respect thereto shall not involve or include the cutting or removal of trees, the tearing down of stone walls or portions thereof except with the prior written consent of the Planning Board."

The Scenic Road statute also insures that the eligibility of the town to receive state aid for approved construction or reconstruction will remain unaffected. It is also important to keep in mind the operation of the Act is strictly limited to projects involving repair, maintenance, reconstruction and paving work on a non-state highway; thus designation of a road as scenic does not prevent removal of a diseased or dead tree by the town, nor does it prevent routine maintenance by the Tree Warden or removal of an overgrown tree that may be overlapping the highway. Moreover, public utilities are not prevented from trimming tree branches back from its wires.

Last year, Annual Town Meeting voted to incorporate in the Sudbury Bylaws specific definitions for administering the general law on streets that town meeting might in the future designate as scenic roads. The overwhelming acceptance of that petition article last year was taken by the Conservation Commission as a clear statement that you support the concept of scenic roads for Sudbury. Accordingly, a subcommittee was set up for the purpose of gathering additional facts and considering which streets should be recommended for designation. The subcommittee membership includes a representative from the Conservation Commission, the Planning Board, the Historical Commission, the Highway Department, the Tree Warden and interested citizens.



ARTICLE 17: SCENIC ROADS

When it came time to consider which streets should be recommended for designation, the subcommittee found itself faced with a more difficult task than we first imagined. Nothing in the state law specifies what scenic means other than the general references to trees and stone walls. Sudbury certainly has much to offer and presumably much to want to protect in these broad categories. An obvious problem is what is scenic to one person may not be to another and vice versa.

From the outset, another overriding consideration was the desire of the subcommittee to give all residents on each candidate street an opportunity to express their feelings as to whether or not they wanted their road designated. This necessarily meant the list of candidates for consideration for this year be kept to a manageable size.

In light of these considerations, the subcommittee formulated a set of criteria which included 1) roads that are bordered by trees of exceptional quality, 2) roads that are bordered by stone walls, 3) roads having historical significance or that are bordered by sites of historical value, and 4) roads bordered by any other natural or manmade features of aesthetic value.

April 10, 1979

We proceeded to develop a large list of streets which, in the opinion of the subcommittee members, satisfied one or more of these criteria, and from this large list, we selected the subset of town streets that all members of the subcommittee agreed met all the criteria.

These are the streets listed in the article.

We sent notices and questionnaires to 416 residents along these streets and held a public hearing in January to explain what a scenic road designation is all about. Based on the questionnaires returned and a show of hands at the public hearing, we can report that the residents of these streets appear to be in near unanimous support of a scenic road designation.

Before turning to discussion and a vote on this article, I would like to emphasize two important points. The first concerns possible amendments to the motion under this article. The state law requires either Conservation Commission, Planning Board or Historical Commission recommendation before town meeting can designate a street as a scenic road. The ten streets named in Article 17 have been recommended by the Conservation Commission. Amendments could be offered to delete streets from this list but not to add to it.

The second important point I wish to emphasize is that the Conservation Commission views this list as a start for a scenic road program in Sudbury. If this article is passed tonight, the Conservation Commission is committed to continuing the work of the Scenic Roads Subcommittee to investigate which roads should be recommended to future town meetings. If additional roads are brought to our attention for scenic status, we will consider them and submit a similar article to the 1980 Town Meeting.

The Scenic Roads Act and the Bylaw are not intended to save every tree and stone wall in Town, but they do provide the Planning Board with a tool whereby a balance can be struck between highway safety and aesthetics. I urge you to start this program off with a "yes" vote on this article.

Finance Committee Report: (Mr. Norling)

The Finance Committee has taken no position on this article.

Planning Board Report: (Mr. William R. Firth)

The Planning Board unanimously supports Article 17. As stated by the Conservation Commission, the Planning Board has worked with the Conservation Commission in identifying the roads which qualify as being scenic.

The Board feels that the scenic roads in Sudbury play an important role in contributing to the aesthetic qualities of the Town and feels strongly that acceptance of the ten roads which qualify for and were selected as scenic roads is a positive step in preserving these valuable natural and manmade resources.

Board of Selectmen Position: The Board unanimously supports this article.

After discussion, Mrs. Irish's motion was defeated.

ARTICLE 18: To see if the Town will vote to amend the Town of Sudbury Bylaws, Amend Article XI, Personnel Administration Plan, Section 7, Incidental Bylaws Benefits, (1) Holidays With Pay, by:

- Art. XI, 7
Personnel
Admin.
Plan
- a) substituting in the third paragraph the word and number, "eleven (11)", for the word, "ten", so that the sentence as amended will read as follows:
- "Permanent full-time members of the Fire and Police Departments (the chiefs excluded) who are permanently assigned to shifts that are an integral part of the twenty-four (24) hour per day, seven (7) days per week coverage shall be paid the above eleven (11) holidays when earned in the following manner: an individual holiday or an accumulation of any number of holidays shall be paid to said member upon request in any pay period following the holiday."; and
- b) substituting in the fourth paragraph the word and number, "eleven (11)", for the word and number "ten (10)", so that the sentence as amended will read as follows:

April 10, 1979

"For further clarity, any permanent full-time employee of the Fire or Police Department whose work week is Monday through Friday will not be entitled to the eleven (11) paid holidays.";

or act on anything relative thereto.

Submitted by the Town Clerk.

Town Clerk Report: This article is submitted for the purpose of correcting an error in Section 7(1). At the time the number of holidays to which Town employees are entitled was increased from 10 to 11, the appropriate amendment was made in the first paragraph of Section 7(1), but was inadvertently not made in the third and fourth paragraphs.

If the article submitted by the Board of Selectmen and Personnel Board proposing several changes in Article XI is passed, this article will be indefinitely postponed as the paragraphs in which this error appears will have been eliminated in the new wording of Section 7(1). (See Article 4 for full text of Section 7(1) as proposed and as presently worded.)

Finance Committee Report: If the Personnel Administration Plan is approved, this article becomes unnecessary.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 18 in the Warrant for the 1979 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 made by the Town Clerk, it was

VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 19: To see if the Town will vote to amend the Town of Sudbury Bylaws, Article V, Public Safety, as follows:

Amend	
Bylaws	In Section 15, by substituting the words, "Highway Surveyor",
Art. V	for the words, "Superintendent of the Highway Department";
Public	In Section 18, by substituting the words, "Inspector of
Safety	Buildings", for the words, "Building Inspector"; and
	In Section 19, by substituting the words, "Highway Surveyor",
	for the words, "Highway Commission";

or act on anything relative thereto.

Submitted by the Town Clerk.

Town Clerk Report: This article is submitted for the purpose of correcting the titles of the officials to whom reference is made in Article V, sections 15, 18, and 19 of the Bylaws.

The text of these three sections as they presently appear in the Bylaws is as follows: (The titles to be corrected have been underlined.)

Section 15. No person shall park any vehicle in the Town of Sudbury so that it interferes with the work of removing or plowing snow or removing ice from any way within the Town. The Superintendent of the Highway Department is authorized to remove, or cause to be removed, to some convenient place, including in such term a public garage, any vehicle interfering with such work. The owner of such vehicle shall be liable for the cost of such removal and the storage charges, if any, resulting therefrom.

Section 18. Any person excavating land or any person in charge of such excavation and the owner of land which has been excavated, shall, within two days after such person has been notified in writing by the Selectmen or the Building Inspector that in the opinion of the Selectmen or the Building Inspector such excavation constitutes a hazard to public safety, erect barriers or take other suitable measures to eliminate such hazard. The penalty for violation of this section of the Sudbury Bylaws shall not exceed \$200.00 per day for every day such person is in violation of such notice, commencing with the fourth day thereof.

Section 19. No person shall move or remove snow or ice from private lands upon any public street, walkway, or common land of the Town in such manner as to obstruct or impede the free passage of vehicular or pedestrian traffic upon the street, walkway, or common land of the Town unless he has first obtained a permit therefor issued by the Highway Commission."

Finance Committee Report: Recommend Approval.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 19 in the Warrant for the 1979 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 Article XII, Section 1, of the Town of Sudbury Bylaws, entitled, "Disposal of Town-owned Personal Property", by deleting said Section 1 and substituting therefor the following:

Amend
Bylaws

Art. XII, 1

Town
Property

Section 1. Disposal of Town-owned Personal Property. 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 or any other Town 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, or in the case of transfer by sale of personal property (regardless of its value) which, in the opinion of the Board of Selectmen, is historically significant to the Town, the sale shall be by public bid in a manner prescribed by said Board of Selectmen; and provided further that in the case of transfer by sale of such historically significant property the Board of Selectmen shall send advance written notice of such transfer by sale and such public bid to the Historical Commission and to the Ancient Documents Committee. For purposes of this Section 1, all personal property located in the Hosmer House or in the Loring Parsonage shall be deemed to be historically significant to the Town.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: As the Bylaw presently reads, all obsolete, personal property to be sold must be sold "by public bid". This amendment is proposed to allow the sale of obsolete low-value property without the delay and expense of public bid procedures, unless the property is "historically significant" to the Town. Recommend approval.

Note: Printed below is Section 1 of Article XII as the Bylaw presently reads:

"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."

Finance Committee Report: We believe that the proposed Bylaw change strikes a good balance between the protection of historically significant Town property and the efficient disposition of obsolete Town property. Recommend Approval.

April 10, 1979

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 20 in the Warrant for the 1979 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. William J. Cossart of the Board of Selectmen *moved to amend Article XII, Section 1, of the Sudbury Bylaws, entitled: "Disposal of Town-owned Personal Property", by deleting Section 1 and substituting therefor a new Section 1 as set forth in Article 20 of the Warrant for this meeting.*

Mr. Cossart further reported to the meeting for the Board of Selectmen as follows: The current Bylaw is unworkable. As it presently exists, the disposal of Town-owned personal property, regardless of value, must be handled by bid. This has been shown over the years to be impractical and has caused a great deal of problems within the administration of the Town.

The proposed amendment, as it has been worded, has been brought to you not only to solve this problem but also to build in some protection for the historical items that are Town-owned, even if the value of them is very low. It has been pointed out to us that the Bylaw is overly restrictive. In fact, it might even be silly in that, in the most literal sense, if this Bylaw is enforced, we could visualize suggestions such as Miss Hosmer's cat is now an historical item of the Town. We have also been reminded that because of the Loring Parsonage, where the Executive Secretary has his office, that Mr. Thompson's trash is now historically significant. I would concede right off the top that the Bylaw is perhaps overly conservative in that sense if we press it to those points. But we have deliberately chosen to err on the side of being conservative. I think we are protecting the Town's interests best in that direction.

Mr. John E. Murray of the Board of Selectmen *moved to amend by striking out in the last sentence under Section 1, the words "or in the Loring Parsonage".*

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

Mr. James E. Huston then moved Indefinite Postponement.

In support of his motion, Mr. Huston commented as follows: Town Meeting last year passed an amendment which was entered by Mr. Bradshaw dealing with the question of disposal of Town property. I think the agreement in that Town Meeting was that the words of the current Bylaw were acceptable.

The second point is that there seems to be quite a bit of confusion about the specific wording of this article. I think there needs to be a little more careful consideration of that wording to avoid the problems that the Selectmen have raised and some of the other concerns that were raised here tonight.

Mr. Huston's motion was defeated.

Mrs. Anne W. Donald then *moved to amend following the words "which in the opinion of the Board of Selectmen" by adding "the Historical Commission and the Ancient Documents Committee and is contained in a list maintained by them" so that the sentence will read, "...in the case of transfer by sale of personal property (regardless of its value) which in the opinion of the Board of Selectmen, the Historical Commission and the Ancient Documents Committee and is contained in a list maintained by them, is historically significant to the Town..."*

Mrs. Donald's amendment was voted.

VOTED: THAT THE TOWN AMEND ARTICLE XII, SECTION 1, OF THE SUDBURY BYLAWS, ENTITLED, "DISPOSAL OF TOWN-OWNED PERSONAL PROPERTY", BY DELETING SECTION 1, AND SUBSTITUTING THEREFOR A NEW SECTION 1 AS SET FORTH IN ARTICLE 20 OF THE WARRANT FOR THIS MEETING, EXCEPT STRIKING OUT IN THE LAST SENTENCE UNDER SECTION 1 THE WORDS, "OR IN THE LORING PARSONAGE", AND FOLLOWING THE WORDS "IN THE CASE OF TRANSFER BY SALE OF PERSONAL PROPERTY (REGARDLESS OF ITS VALUE) WHICH IN THE OPINION OF THE BOARD OF SELECTMEN" ADDING THE WORDS, "THE HISTORICAL COMMISSION AND THE ANCIENT DOCUMENTS COMMITTEE AND IS CONTAINED IN A LIST MAINTAINED BY THEM".

April 10, 1979

ARTICLE 21: To see if the Town will vote to amend the first sentence of Section 7 of Article V(A) of the Town of Sudbury Bylaws (Removal of Earth) by adding, after the words, "any provision of", the words, "this bylaw or of", so that said sentence shall then read:

Amend
Bylaws
Art. V(A)
Removal
of
Earth

"If the Earth Removal Board shall be informed or shall have reason to believe that any provision of this bylaw or of any removal permit or condition thereof has been, is being, or is about to be violated, the Board shall make, or cause to be made, an investigation of the facts, and if the Board finds any violation, the Board shall send a notice ordering cessation of the improper activities to the owners of the premises in question or his duly authorized agent, and to the occupant of the premises.";

or act on anything relative thereto.

Submitted by Town Counsel.

Town Counsel Report: This amendment to the Earth Removal Bylaw is proposed to clarify the powers and duties of the Earth Removal Board; the Bylaw as amended indicates that the Board has jurisdiction to enforce its provisions whether or not a permit has been issued.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 21 in the Warrant for the 1979 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.

Finance Committee Report: Recommend Approval.

Board of Selectmen Position: The Board unanimously supports this article.

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

ARTICLE 22: To see if the Town will vote to approve the submission of legislation proposed by the Lincoln-Sudbury Regional School District relative to the establishment of a contingency fund and to authorize the Lincoln-Sudbury Regional School District to petition the General Court of the Commonwealth of Massachusetts to enact the following special law:

LSRHS
Contingency
Fund

"An Act authorizing the Lincoln-Sudbury Regional School District to establish a contingency fund.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

To provide for extraordinary or unforeseen expenditures or shortfalls in estimated receipts from sources other than assessments on the member towns, the Lincoln-Sudbury Regional School District may include in its annual operating and maintenance budget, in addition to all other sums included therein, a sum not exceeding two percent of the amount of said budget, to be known as the contingency fund. No direct drafts shall be made against the contingency fund, but transfers therefrom may from time to time be voted by vote of two-thirds of all members of the Regional District School Committee of said District. Sums included in the annual operating and maintenance budget of said District for a contingency fund shall be subject to the provisions of section thirty-four of chapter seventy-one of the General Laws.";

or act on anything relative thereto.

Submitted by the Lincoln-Sudbury Regional District School Committee.

Lincoln-Sudbury Regional District School Committee Report: (Mr. Alan H. Grathwohl)

If passed, Article 22 will enable the Regional School Committee to petition the legislature to make legitimate our long-standing practice of showing reserves for unforeseen expenses in a single budget line item. Your Regional School Committee is aware that this is not a simple accounting type of housekeeping issue in the minds of some of the district voters. I will not attempt to persuade you that it should be.

As residents of the Town of Sudbury, most of you have four local governmental bodies that are directly responsible to you in whole or in part: Town government, Minuteman Regional Vocational Tech, the Sudbury Water District, and the Lincoln-Sudbury Regional High School District. In a broad sense, the separate governing bodies, each of the four municipalities, has its own powers granted by the legislature and/or the residents of the districts they serve. Each has the authority to raise and spend your money.

In the case of Lincoln-Sudbury, we raise by assessment to the towns of Lincoln and Sudbury through the regional agreement and town meeting process.

Each of the governmental bodies must provide for unforeseen and emergency expenditures. Your Regional School Committee cannot go to the Finance Committee, to special town meeting, or hold unspent appropriations from one year to cover emergencies in another. Town government has its Reserve Fund and the Finance Committee to fall back on. Legally, this fund can stand at five percent of the amount raised by taxation.

If you examined your Water District Warrant carefully, you will have noticed than an \$8,000 Reserve Fund, or approximately three percent of its total operating budget, is allowed as a reserve. Minuteman, as does Lincoln-Sudbury, currently carries various line item reserves that can and will vary from year to year.

Your Regional School Committee is proposing legislation to return to the practice established in 1967 with the consent of that Finance Committee and accepted by every Finance Committee thereafter, so that the voter can see up front what our Committee believes it needs for unforeseen expenses.

For three consecutive years since this issue was raised by the then Board of Selectmen in 1977, your Finance Committee has supported this practice without casting a negative vote. The article before you also has the unanimous approval of your current Board of Selectmen, the Lincoln Board of Selectmen, the Lincoln Finance Committee, the Regional School Committee, and it satisfies both town counsels and the Regional counsel. The legislation would allow a reserve or contingency fund equal to or less than two percent of our total gross budget, less debt service. Based upon the budget passed last week, it could not have exceeded \$90,686. In truth, we have reserves in the 4000 account for fuel and utilities totalling \$45,000, or approximately fifty percent of those allowed under this legislation.

I would urge the voters of this Town Meeting to approve the article before them in its present form.

Finance Committee Report: The concept of a contingency fund in the Lincoln-Sudbury budget had been accepted for many years until the question of its legality was raised at the 1977 Town Meeting. The need for such a fund results from the fact that the Region, after voting its budget and determining the assessments to the towns in February, has no mechanism to acquire additional funds to cover emergency expenses. The contingency fund is, therefore, equivalent to the Town's Reserve Fund. The Finance Committees of past years, as well as the present, support the concept of a contingency fund which is so identified and replaces reserves that are currently added to several line items in the budget. This fund remains visible and the annual accounting reports show its use if it becomes necessary. If not used, the funds are used to offset the following year's assessment. The Finance Committee strongly urges your support of this article.

Board of Selectmen Position: The Board unanimously supports this article.

After discussion, it was

VOTED: TO APPROVE THE SUBMISSION OF LEGISLATION PROPOSED BY THE LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT RELATIVE TO THE ESTABLISHMENT OF A CONTINGENCY FUND AND TO AUTHORIZE THE LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT TO PETITION THE GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS TO ENACT THE PROPOSED SPECIAL LAW SET FORTH IN ARTICLE 22 OF THE WARRANT FOR THIS MEETING.

The Moderator declared that the vote was more than two-thirds.

ARTICLE 23: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$53,820, or any other sum, as Sudbury's share, according to the regional apportionment of cost, to begin a program of re-roofing the Lincoln-Sudbury Regional School buildings, said funds to be spent under the direction of the Lincoln-Sudbury Regional District School Committee; or act on anything relative thereto.

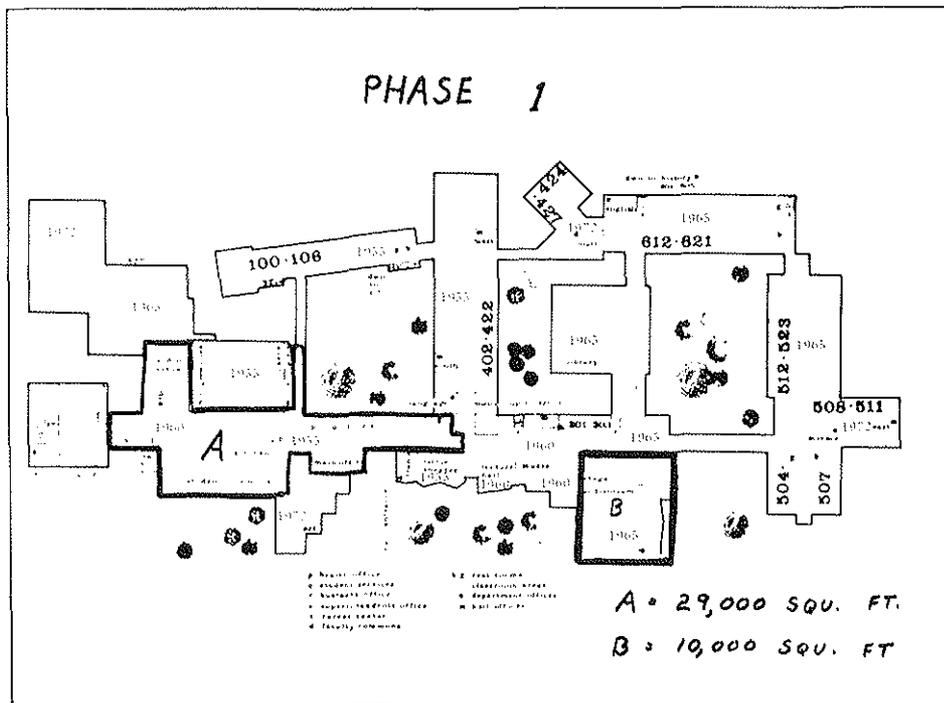
LSRHS
Roof
Repairs

Submitted by the Lincoln-Sudbury Regional District School Committee.

Mr. Richard S. Brooks of the Lincoln-Sudbury Regional School Committee moved in the words of the article.

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

About a year ago, I was asked to chair a subcommittee of the Regional High School Committee to study the situation with respect to the roofs of the building and the rest of the Lincoln-Sudbury buildings. Subsequently, the balance of the membership of the committee was made up of Bob Beckett, an engineer; Bob Hotch; John Reutlinger, who is on the Permanent Building Committee; Jim Russell from the Town of Lincoln, who is in the construction business; Dick Santella, who is the head of Buildings and Grounds at the Regional; and Ben Stevens, a former Planning Board member. We studied the matter of the roofs. We met about twelve times and went up on the roofs, surveyed the situation there, and talked with various suppliers of roofing systems concerning what we should do with our roofs.



LINCOLN-SUDBURY REGIONAL HIGH SCHOOL

This is a plot plan of the building, overall. You can see which areas were built during the different years, 1955, 1960, 1965, and 1972.

The deterioration in the roofs is not uniform with respect to age. Some of the older roofs are in better condition than some of the newer roofs. Those which have a little slant to them tend to be in better condition than the roofs which are flat.

April 10, 1979

What we have come up with is a seven-year-plan to treat the roofs on this building. The subcommittee membership recommended to the School Committee that this whole thing be done as part of normal maintenance or budget in the Regional High School budget. The Finance Committee of Sudbury requested meetings concerning this and strongly recommended to us that we have the first installment of this seven-year-plan run as a warrant article for your consideration, so that you would be fully apprised of what it is we are going to do. We have agreed that subsequent installments of this plan would be as a part of the maintenance in the Regional High School budget. It will not be brought in as a separate article for your consideration.

Phase One is shown on the diagram marked A and B. The article that is in front of you tonight is for these two areas of the building, approximately 39,000 square feet. The area labelled B on the chart is the room you're sitting in. This ceiling was just painted by CETA workers about a year ago, and because of the condition of this roof with rain coming in, you can see the stain on the wall and the paint is peeling off the ceiling.

In our library, we have a situation where we have buckets spread around.

In area A, which is an older part down towards the cafeteria, whenever we get hard rains as we did this winter, we have a very severe leaking problem.

So, the School Committee is reluctantly embarking upon this program which in today's dollars, with no inflation counted over the seven year period, will cost approximately \$350,000.

What we are talking about tonight is \$65,000. Sudbury's share is on the order of something like \$50,000. We pay 82% and Lincoln pays 18%.

The Moderator then asked Mr. Brooks if he would accept an amendment to his motion to strike out the phrase "or any other sum". Mr. Brooks gave his consent and the amendment was voted.

Finance Committee Report: (Mr. Slomski)

A multi-year program has been developed to solve the roofing problem. Phase One is to re-roof approximately 39,000 square feet at an estimated cost of \$53,820. It is important to know that each succeeding phase will be analyzed, and each phase decided upon on a year-to-year basis by the Lincoln-Sudbury School Committee. The yearly cost will be included in their operating budget.

The Finance Committee recommends approval.

Board of Selectmen Report: (Mr. Hotch)

Having worked on the committee, and being directly connected with roofs and leaking problems, certainly we support this. I think, carrying it one step further, you people should realize that the Selectmen have addressed this problem throughout the Town in all the other buildings. This is not a unique situation with bad roofs and faulty construction problems in Town-owned buildings. We have established a committee to address the situation. Hopefully, a plan consistent to eliminate the high cost of drastic repairs and to be able to address these maintenance-type items on a yearly basis ought to reduce costs to the townspeople.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE, EXCEPT STRIKING OUT THE PHRASE "OR ANY OTHER SUM".

ARTICLE 24: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$30,000, or any other sum, to be expended under Fairbank the direction of the Sudbury School Committee for the purpose of providing a new roof for the Fairbank School; or act on anything relative School - thereto.
New Roof

Submitted by the Sudbury School Committee.

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

We have much the same story as the high school's. All our schools are approaching twenty years of age. Horse Pond School is that this year, I believe. These flat roofs are in turn deteriorating to the point where patching is no longer adequate.

The Fairbank School roof is in particularly poor condition. It has several serious leaks that primarily come in around the lighting fixtures, probably the low point on the interior roof. In the library, there is a disastrous leak, so that in a heavy rain storm, it seems to be synonymous with a frog pond in the middle of the floor. The roof is very badly stained and beginning to fall apart in that particular building.

The School Committee is unanimously agreed that we should provide that school with a new roof this year. It needs it, and we urge your support.

Finance Committee Report: (Mrs. McKinley)

The Finance Committee would like to remain consistent regarding its feeling about roofs this year. We feel it is essential to maintain our buildings in good repair. If we do not repair the roof of the Fairbank School, we can all look forward to the need for additional repairs of a more costly nature.

We support the School Committee's request of \$30,000 for this purpose.

UNANIMOUSLY VOTED: TO APPROPRIATE \$30,000, TO BE EXPENDED UNDER THE DIRECTION OF THE SUDBURY SCHOOL COMMITTEE, FOR THE PURPOSE OF PROVIDING A NEW ROOF FOR THE FAIRBANK SCHOOL; SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 25: To see if the Town will vote to appropriate \$7,000, or any other sum, to be expended under the direction of the Sudbury School Committee, for the purpose of repairing the heating system, controls, and thermostats at the Horse Pond School, said sum to be raised by a transfer from the Special Rental Account reserved for such repairs, or act on anything relative thereto.

Horse Pond
School -
Heating
System

Submitted by the Sudbury School Committee.

Sudbury School Committee Report: (Mr. Gray)

The rental contract with the Firefighting Academy requires that the School Committee repair problems with the boiler and heating system. The fee which the Firefighting Academy is paying to the Town of Sudbury stipulates that all of those funds be held in reserve for the duration of the five-year contract, those sums to be applied to this kind of repair as may be necessary over the term of the contract. This has no effect on the tax rate. It is to transfer funds that are there for exactly this purpose.

Finance Committee Report: The School Committee is responsible for the maintenance of the heating system in the Horse Pond School. The cost of repair and upgrading of the system will total \$7,000. This amount is available in the Special Rental Account with the Firefighting Academy, and Town Meeting approval is necessary for a transfer from that account. Recommend Approval.

UNANIMOUSLY VOTED: TO APPROPRIATE \$7,000, TO BE EXPENDED UNDER THE DIRECTION OF THE SUDBURY SCHOOL COMMITTEE, FOR THE PURPOSE OF REPAIRING THE HEATING SYSTEM, CONTROLS, AND THERMOSTATS AT THE HORSE POND SCHOOL, SAID SUM TO BE RAISED BY A TRANSFER FROM THE SPECIAL RENTAL ACCOUNT RESERVED FOR SUCH REPAIRS.

ARTICLE 26: To see if the Town will vote to appropriate \$3,245, or any other sum, to be expended under the direction of the Sudbury School Committee, for the purpose of supporting the Summer School Program, said sum to be raised by transfer from the Summer School Reserved for Appropriation Account, or act on anything relative thereto.

Summer
School

Submitted by the Sudbury School Committee.

Sudbury School Committee Report: (Mr. Gray)

Each year, the summer school is held at the Noyes School. It is a self-supporting summer school, but it is a year behind itself. We put money up front the first year, and then that was used to pay for the salaries during that year. Tuition is charged to the students who attend it, and then the next year, that tuition just keeps revolving around and around. This is this year's transfer. It has absolutely no effect on the tax rate.

April 10, 1979

109.

Finance Committee Report: Town Meeting approval is necessary to transfer the requested \$3,245 from the "Summer School Reserved for Appropriation Account" for the support of the 1979 Summer School Program. Recommend Approval.

Board of Selectmen Position: The Board unanimously supports this article.

UNANIMOUSLY VOTED: TO APPROPRIATE \$3,535, TO BE EXPENDED UNDER THE DIRECTION OF THE SUDBURY SCHOOL COMMITTEE, FOR THE PURPOSE OF SUPPORTING THE SUMMER SCHOOL PROGRAM; SAID SUM TO BE RAISED BY TRANSFER FROM THE SUMMER SCHOOL RESERVED FOR APPROPRIATION ACCOUNT.

Upon a motion made by Mr. Joseph A. Klein, it was

VOTED: TO ADJOURN UNTIL MONDAY, APRIL 23RD, AT 8:00 P.M.

The meeting adjourned at 10:44 P.M.

(Attendance: 730)

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 23, 1979

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.

He announced that the Little Theatre had been set up to accommodate more folks and that there was a television with a two-way sound system. He asked that all non-voters go to the Little Theatre so that the voters in Town could use the main theatre to vote. He stated that Mr. Raymond P. Clark would be in the Little Theatre as Assistant Moderator.

ARTICLE 27: To see if the Town will vote to amend Article IX, Section I, paragraph B, of the Zoning Bylaw entitled, "Basic Requirements", by adding in the second sentence immediately following the words, "for elderly persons of low income", the words, "or low-income handicapped persons"; or act on anything relative thereto.

Amend
Bylaws
Art. IX,
I,B
Submitted by Petition.

Basic
Requirements
Exempt SHA/
Handicapped
Housing
Petition

Mr. Dallas T. Hayes *moved to amend Article IX, Section I, paragraph B of the Zoning Bylaw entitled, "Basic Requirements", by adding in the second sentence immediately following the words, "for elderly persons of low income", the words, "or low-income handicapped persons".*

Sudbury Housing Authority Report: (Mr. Hayes)

The Sudbury Housing Authority supports Article 27. First, let me clear up why Articles 27 and 28 were submitted by petition and not by the Authority. Due to delays in the process of site selection, the articles were not ready in time for submission by the Authority. Other than asking for a special town meeting, the only option open to the Authority was to submit the articles by petition. Four members of the Housing Authority signed the petition. The other seven signatures on the petition are relatives and friends of the Housing Authority.

Now, let me speak only to Article 27.

It has always been the policy of the Housing Authority to request permission of Town Meeting before the Authority took action to provide for new housing needs in Sudbury. The original article approving the creation of the Sudbury Housing Authority contained the restriction that the Sudbury Housing Authority was created for the sole purpose of providing housing for the elderly.

When the Authority saw the opportunity to obtain state aid under the 705 Program to purchase houses in Sudbury for rental to persons of low income, it submitted an article to the 1974 Town Meeting requesting that its mandate be expanded to include such housing. Town Meeting approved giving the Authority permission to purchase up to fifty houses under the 705 Program.

We now have the opportunity to become involved in an innovative program to assist in providing for the housing needs of handicapped persons. The details of this program should not concern us in discussing Article 27. Whether the housing proposed in Article 28 is proper for Sudbury to endorse will be at the heart of the discussion concerning Article 28. The sole question you should answer before voting on Article 27 is, "Should the Housing Authority be authorized to take action to provide for housing needs for handicapped persons when it establishes the need for such housing and sees an opportunity to take action in this area?"

Approval of Article 27 will not give the Housing Authority carte blanche authority to construct housing for handicapped persons without Town Meeting approval. As zoning for this type of housing does not exist, the Authority, before it may construct any such housing, must come before Town Meeting with an article requesting municipal use exemption for a particular site. A two-thirds vote of Town Meeting is required for approval for such action.

April 23, 1979

You may disapprove of the specific action proposed in Article 28, but may be of the opinion that providing housing for handicapped persons is a proper area in which the Housing Authority should involve itself. If such is the case, you should vote "yes" on Article 27 and "no" on Article 28. However, a "no" vote on Article 27 will limit the Authority's ability to plan for the housing needs of handicapped persons of Sudbury.

The Authority urges you to vote "yes" on Article 27.

Finance Committee Report: (Mrs. McKinley)

The Finance Committee supports the request to broaden the scope of this bylaw to include low-income handicapped persons.

Town Counsel Report: As presently enacted, the Zoning Bylaw provides for the use of land by the Sudbury Housing Authority for housing for elderly persons of low income. The Zoning Bylaw also provides that the Town Meeting may authorize an exemption from its provisions by a two-thirds vote. This amendment would add an exemption for housing for low-income handicapped persons subject to approval by a two-thirds vote of the Town Meeting.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Zoning Bylaw change set forth in Article 27 in the Warrant for the 1979 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.

Planning Board Report: (Mr. John C. Cutting)

The Sudbury Planning Board unanimously supports the proposed amendment to the Zoning Bylaw. This amendment would make it possible for the Sudbury Housing Authority to plan proposed housing for low-income handicapped persons. This type of housing is not allowed in any district now. Under the amendment, the Town Meeting may authorize the Sudbury Housing Authority to use land in any district by a two-thirds vote.

We recommend a favorable vote on this motion.

As Mr. Hayes mentioned, this is sort of entwined with Article 28. The Planning Board is not going to support Article 28 which specifies a specific site and authorizes a complete exemption from the Zoning Bylaw.

However, we urge you to separate the concepts of authorizing this type of housing from the proposed site and the Bylaw exemption and support Article 27.

Mr. Joseph A. Klein *moved to amend Article 27 by deleting the word "handicapped" and substituting "severely physically disabled" in its place, so the phrase reads, "low-income severely physically disabled persons".*

In support of his amendment, Mr. Klein commented as follows: It is obvious that the reason why this warrant article appears is to enable the Sudbury Housing Authority to erect and manage housing for wheelchair-type patients, but this is not what this particular article says. It uses the word "handicapped". Handicapped is a big broad word that means a lot of things. My Webster's Collegiate Dictionary says handicapped is "any disadvantage that renders success more difficult". The American Heritage Dictionary says, "any disadvantage, any deficiency or any disability".

The Moderator commented to Mr. Klein that the petitioners were the ones who seconded his motion to amend and asked him if he wanted to see if we could get a sense of the meeting whether they are in favor of the amendment.

Mr. Klein responded as follows: If the sense of the hall is for the amendment, there is no point in my speaking.

The Moderator then took a straw vote which indicated that the hall favored making the amendment proposed by Mr. Klein.

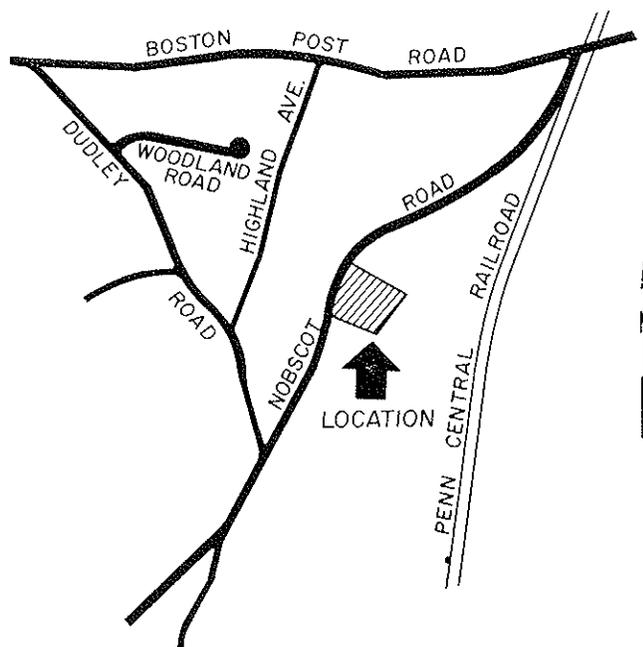
Following comments by one additional speaker, the Moderator took the official vote and declared that Mr. Klein's amendment was voted.

The Moderator then announced that the main hall, the Little Theatre and the Lecture Hall were full and that the Library was being opened up and a microphone installed. He suggested that those who were standing against the wall in any of the three locations go to the Library. Mr. Donald D. Bishop was the Assistant Moderator in the Lecture Hall and Mr. Arthur A. Babigian was the Assistant Moderator in the Library.

After discussion, the Moderator called for a counted vote in each hall being used, following which he announced that the main motion was defeated. (In favor - 756; Opposed - 433. Total - 1,189) (Two-thirds vote required)

ARTICLE 28: To see if the Town will vote to exempt the Sudbury Housing Authority from all provisions of the Zoning Bylaw, in accordance with Article IX, Section I, paragraph B., for the purpose of implementing a plan for the development of a congregate facility to house and serve twelve to fifteen (12-15) severely physically disabled persons on a specific parcel of land shown on a plan entitled: "Plan of Land of Ralph E. & Agnes A. Hawes, South Sudbury, Massachusetts," dated: February 12, 1942, and recorded with Middlesex South District Deeds as Plan 127 of 1942, a copy of which is on file in the Town Clerk's Office; and to further authorize and empower the Sudbury Housing Authority to implement said plan; or act on anything relative thereto.
Submitted by Petition.

Congregate
Housing
Zoning
Exemption
Petition



ARTICLE 28: CONGREGATE HOUSING

Petitioners' Report (Articles 27 & 28): In 1971, Town Meeting established a housing authority for the sole purpose of providing housing for elderly persons of low income, under provisions of Massachusetts General Laws, Chapter 121B, and all Acts and Amendments thereof and in addition thereto. At the time, Town Counsel advised the Town Meeting that the Sudbury Housing Authority could, with appropriate State or Federal financial assistance, get bonding and acquire property without any additional vote of authorization from Town Meeting. However, the Housing Authority would have to obtain Town Meeting approval for any zoning changes or exemptions required to proceed with any proposed development. This would require a two-thirds vote of Town Meeting.

In 1973, Town Meeting overwhelmingly approved the request of the Housing Authority to establish a "municipal use exemption" which provided that:

April 23, 1979

"The use of land in any district by the Sudbury Housing Authority for housing for elderly persons of low income shall be exempt from all the provisions of this Zoning Bylaw when and as authorized by a two-thirds vote of the Town."

Implicit in such approval was the inclusion of "housing for the handicapped", as the plan described to Town Meeting on the occasion of this vote included units of housing for the handicapped.

In 1974, contract was let for construction of Musketahquid Village, developed in close cooperation with Town officials, and occupancy began in July, 1976.

In January, 1978, SHA received notice of the availability of funds under the Public Housing Act of 1937, administered by the U.S. Department of Housing and Urban Development. The SHA applied in February for a reservation of these funds to develop up to 15 units of housing, utilizing a "congregate" model, to serve severely physically disabled persons (quadraplegics). Immediately thereafter, the SHA sought and received full endorsement by the Board of Selectmen at their meeting of March 13, 1978. The Selectmen were informed of a request from HUD officials for clarification of the 1971 Town Meeting vote, which specified "housing for elderly persons of low income". The Selectmen voted to endorse and support the SHA application subject to any corrections or reservations that might be expressed by Town Counsel.

In accordance with established procedure, and the mandate of the Sudbury Housing Authority to develop housing for elderly persons of low income, and handicapped persons, the SHA now seeks exemption from all provisions of the Zoning Bylaw in order to utilize that property designated as Site A, a plan of which is on file in the Town Clerk's Office, to develop up to 15 units of congregate-type housing to serve severely physically disabled persons. The primary purpose of this housing will be to serve as "transitional" housing for quadraplegics who wish to receive the training and education necessary to establish their own independent lives in the community.

Finance Committee Report: This article would allow the Town to build housing for handicapped persons under the control of the Sudbury Housing Authority. The project would be funded by the Department of Housing and Urban Development (HUD). Recommend Approval.

Board of Selectmen Position: The Board unanimously supports this article.

Upon a motion made by Mr. Hayes, it was

VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 29: To see if the Town will vote to authorize and direct the Board of Selectmen to approve and support a petition to the General Court of the Commonwealth of Massachusetts by the Operational Review Committee of the Wayland/Sudbury Septage Disposal Facility amending General Laws Chapter 111, Section 31D, as follows:

Amend
G.L.
Ch.111,
Sec.31D

Septage
Facility -
Billing &
User Fees

By striking from the first paragraph the word, "shall", and substituting therefor the word, "may", and by striking from the first paragraph the words, "by such persons", and by striking from the second paragraph the word, "shall", and substituting therefor the word, "may", and also by striking from the second paragraph the words, "by such persons", so that the law will read as follows:

"Section 31D. Privy, Cesspool and Septic Tanks; Disposal of Contents; Investigation of Facilities.

Cities, towns and sewerage districts may, subject to the approval of the department, provide facilities for the receipt and disposal of privy, cesspool and septic tank contents collected for hire by private persons and shall may establish such charges for the use by such persons of such facilities as may be necessary for defraying the cost of construction, operating and maintaining the same.

The commissioner may investigate facilities for the receipt and disposal of privy, cesspool and septic tank contents in cities, towns and sewerage districts. If in

April 23, 1979

his opinion he determines such facilities are inadequate for proper disposal of such contents, he may recommend necessary action for the protection of the public. If after a reasonable time, the city, town or sewerage district fails to act upon his recommendation in a manner satisfactory to him, upon an order issued by the department, a city, town or sewerage district shall provide facilities for the receipt and disposal of privy, cesspool and septic tank contents collected for hire by private persons. The city, town or sewerage district shall ~~may~~ establish such charges for the use by such persons of such facilities as may be necessary for defraying the cost of constructing, operating and maintaining the same.

Nothing in this section shall prevent a city, town or sewerage district, or a combination of cities and towns or cities, towns and a sewerage district from acting jointly in carrying out the provisions of this section.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: The Operational Review Committee of the Wayland/Sudbury Septage Disposal Facility involves active participation by representatives of the Town of Sudbury. The Selectmen, in accordance with the Bylaws and established policies of the Town of Sudbury, have submitted this article to enable them to convey to the Legislature and appropriate legislative committees the support of the Town Meeting body. The legislation, if enacted, will involve technical amendments to existing legislation. Recommend approval.

Finance Committee Report: This article has been submitted to reflect the change in wording from "shall establish charges" to "may establish charges" and to delete the words "by such persons". All maintenance and operation costs must appear on the user charges which would make pumping very costly for individual pumpers. The amendment allows flexibility in determining what portion will be a direct charge as opposed to incorporating the charges into the Town's tax rate. This change will allow the Operational Review Committee to bill the homeowner directly as the user. Recommend Approval.

Wayland/Sudbury Septage Disposal Facility Operational Review Committee Report:
(Dr. William W. Cooper IV)

The Wayland/Sudbury Septage facility is a plan presently under design to process and dispose of septage generated in the Towns of Wayland and Sudbury. Proper maintenance of septic systems requires periodic pumping. At present, there is no legal means of disposal of these pumpings within either Wayland or Sudbury.

This article seeks a technical change in the wording of the General Laws to permit direct billing of property owners for user charges which are necessary to bear the cost of processing the septage material. The Operational Review Committee feels that this change in the General Laws is necessary. It removes an incentive for any pumper to illegally dispose of the septage waste. At present, the wording of the General Laws requires that these charges be passed through the commercial firms or pumpers who are doing the pumping, and they, of course, would in turn pass them on to the property owner.

The proposed change would allow these costs to be billed directly, and therefore, the pumper would have nothing to pass on. As far as he was concerned, it would be no-cost disposal so he would have no incentive to dispose of the material illegally.

Second, it provides the towns with a means of control for unauthorized use of the facility. Anyone in town who receives a bill for disposal who, in fact, has not had his septic tank pumped, is going to complain about it. That will give us a means of controlling disposal in the facility.

Thirdly, we think it will have some beneficial effect on the cost picture in two ways: The charges would not be passed back through the pumper. There wouldn't be any over-heads tacked on to compensate the pumper or the commercial establishment for handling them. And, because all of the pumpers will be on an equal basis, we believe it will encourage competition in the town among the pumpers and result in the townspeople getting the best possible price for the actual pumping charges themselves.

VOTED: THAT THE TOWN AUTHORIZE AND DIRECT THE BOARD OF SELECTMEN TO APPROVE AND SUPPORT A PETITION TO THE GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS BY THE OPERATIONAL REVIEW COMMITTEE OF THE WAYLAND/SUDBURY SEPTAGE DISPOSAL FACILITY TO AMEND GENERAL LAWS CHAPTER 111, SECTION 31D, AS SET FORTH IN ARTICLE 29 OF THE WARRANT FOR THIS MEETING.

The Moderator declared that the vote was more than two-thirds.

ARTICLE 30: To see if the Town will vote to amend the Septage Disposal Agreement between the Towns of Wayland, Massachusetts, and Sudbury, Massachusetts, dated March 11, 1976, by adding a new Section IV-G, as follows:

Amend W/S Septage Disposal Agreement "In the event that a grant is received from the Federal or State government to assist financially the construction of the Septage Disposal Facility, the Committee shall adopt a user charge system as may be required by the granting agency."; or act on anything relative thereto.

Submitted by the Sudbury Board of Health and the Wayland/Sudbury Septage Disposal Facility Operational Review Committee.

Sudbury Board of Health and Wayland/Sudbury Septage Disposal Facility Operational Review Committee Report: This article is being inserted into the warrants for the 1979 annual town meetings in both Sudbury and Wayland by the Operational Review Committee of the joint septage treatment facility. In its review of the Towns' grant application the Environmental Protection Agency asked that the intertown agreement be amended to conform to EPA requirements for user charges.

User charges are fees for using the septage facility. In Section IV-C, the agreement between Wayland and Sudbury establishing such a facility states: "...the Committee shall...establish...the schedule of fees to be charged for the use of said facility."

Present estimated cost of constructing the facility is \$1,200,000. EPA approval of our grant application will bring 75% Federal and 15% State reimbursement of eligible costs. Inasmuch as the Towns had planned to have user charges for the facility from the beginning of their joint discussions, it seems advisable to make the wording of the intertown agreement more explicit, as the EPA wishes, to take advantage of a reimbursement program for which the facility was not originally anticipated to be eligible.

The Operational Review Committee estimates that the cost of treating a typical 1,000 gallon pump-out from a household septic system will be between \$25.00 and \$30.00 for all the facility's costs, capital, operating and maintenance. How much of this should be incorporated into the Towns' tax rates and how much should be raised directly through user charges remains to be determined.

The Operational Review Committee is presently working out a proposal. While EPA regulations set limits on the apportionment of charges, there is some flexibility. These regulations also require that public hearings on the subject be held, and it is hoped that citizens and officials of the two Towns will provide their counsel to the Committee to help it strike the most desirable balance.

Finance Committee Report: In order for the Town to be eligible for a grant, the Environmental Protection Agency has requested the changes proposed in this article. The effect of the changes is to accept the homeowner as the user as opposed to the pumper. Recommend Approval.

Board of Selectmen Position: The Board unanimously supports this article.

Dr. Cooper *moved Indefinite Postponement of Article 30.*

He explained his reasons for the motion as follows: At the time the Warrant was put together, the Environmental Protection Agency said it would require that the Towns of Wayland and Sudbury amend the intertown agreement to require that a user charge system be adopted. We have had substantial discussions with the EPA on this point, particularly about encumbering our intertown agreement with specifics about user charges which may be cumbersome to maintain. We pointed out to them that the intertown agreement already possessed the authority to assess fees. The EPA has accepted our position and not required us to make this amendment to the agreement. This is the reason for it's being Indefinitely Postponed.

VOTED: INDEFINITE POSTPONEMENT OF ARTICLE 30.

ARTICLE 31: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$1,498, or any other sum, for mental health services to be provided to residents of the Town of Sudbury by Trinity Mental Health Association of Framingham, Massachusetts, or act on anything relative thereto.

Trinity
Mental
Health
Services
Petition

Submitted by Petition.

Petitioners' Report: Trinity Mental Health Center is an outpatient community mental health center serving persons sixteen years of age and older who live, work or attend school in Sudbury, Wayland, Framingham, Natick, Dover, Ashland, Sherborn, Holliston and Hopkinton. The Center has a professional staff of over forty full and part-time psychiatrists, psychologists, psychiatric social workers and psychiatric nurses. The services provided include comprehensive evaluations, individual psychotherapy, marital and family counseling, group therapy for individuals and couples, medication evaluation and review, psychological testing, emergency psychiatric and telephone consultation, consultation and training for other agencies, and information and referrals.

Trinity Mental Health Center was founded in 1966 as a non-profit outpatient clinic by a group of private citizens who formed a Mental Health Association in partnership with the Department of Mental Health of the Commonwealth of Massachusetts. Its sources of funding include local towns, Federal grants, Department of Mental Health, patient fees on a sliding scale, and third party carriers.

In Fiscal Year 1978 Trinity Mental Health Center served approximately eighty-two clients from the Town of Sudbury. This number included forty-two new applications during the year. Overall services provided to residents of Sudbury totalled 748 visits including seventy-three diagnostic evaluations, 380 visits for individuals, couples and family therapy, 234 visits for group therapy, sixty medication evaluations, and one visit for psychological testing. It is anticipated that for Fiscal Year 1980 the number of visits for residents of Sudbury will increase to 793 visits. This number is based on additional monies appropriated to Trinity Mental Health Center by the Department of Mental Health.

The amount of \$1498 requested from the Town of Sudbury has been calculated according to a formula used for all towns. This amount represents the remaining cost to Trinity Mental Health Association after patient fees and third party payments have been collected.

Board of Selectmen Position: The Board does not support this article.

For the Petitioners, Ms. Candace Graham Mandel *moved that the Town appropriate \$1,498 for mental health to be provided to the residents of the Town of Sudbury by Trinity Mental Health Association of Framingham, Massachusetts; said sum to be raised by taxation.*

She stated that she would like to ask permission from the hall that Dr. Robert Romano, the clinic director, and not a resident of Sudbury, be allowed to speak.

The Moderator obtained the consent of the hall for Dr. Romano to address the hall.

Dr. Robert Romano: My thanks to the Town of Sudbury for providing me this opportunity to speak to the Town on behalf of Trinity Mental Health Center and Article 31. Trinity Mental Health Center, located on Union Avenue in Framingham, is your community mental health center. It was founded in 1966 as a partnership clinic funded both by the Department of Mental Health of the Commonwealth of Massachusetts and the Trinity Mental Health Association, a non-profit community mental health association.

For the past thirteen or fourteen years, the Center has provided services to adolescents and adults, sixteen years of age and over, who live in the nine-town area which includes Sudbury. Today, Trinity Mental Health Center offers a variety of psychiatric services including diagnostic evaluations, individual psychotherapy, group therapy, medication evaluation and medication monitoring by physicians, psychiatrists on the staff, emergency services available on a walk-in basis and psychological testing. We are also providing consultation and education to some forty agencies in the community including the mental health nurses, the VA, the local hospitals and other service organizations.

There are two specialized programs available for serving the elderly and also for serving the Hispanic population in the total area. People come to Trinity

April 23, 1979

with a variety of problems including marriage difficulties, alcoholism, extreme depression or anxiety, life adjustment problems, loss of a parent or spouse, unemployment difficulties that impinge on personality and behavior. The kinds of support that are offered at the Center are by way of the therapies mentioned.

With regard to Sudbury, last year the Trinity Mental Health Center served eighty-two residents from the Town, and this resulted in 749 patient visits. It is anticipated that these services will be requested and provided by an increase of over 50% in the next fiscal year. This increase by 50% has occurred over the past two years, and this is without any extensive advertising. That means that residents of Sudbury have been coming to Trinity Mental Health Center on the reputation of clients who have received services there and who also live in the Town.

The staff at Trinity Mental Health Center numbers about forty-five clinical personnel including staff trained in psychiatry, psychology, social work, psychiatric nursing, in addition to ten administration support staff which provides the services. The Center is funded by patient fees based on a sliding scale, the State, the towns, and third party insurance carriers. A combination of these resources covers about 92% of the cost of service, and the remaining 8% is being requested from the towns to approximate a total sum of \$45,000.

It is my understanding that the Town of Sudbury has funded in the past, in the sum of \$5,000, another mental health agency in the area. This agency has been providing services to citizens of the Town. While that may be true, it is also true by our record that the citizens of the Town of Sudbury have been utilizing and requesting services of the Trinity Mental Health Center, and we have not received Town funding, at least within the last few years.

So, this evening, I am asking you to support Article 31 in the amount that is cited and provide us with a means to continue service to the Town by a caring and well-trained staff and to prevent us, in the event of a shortage of funding, from not being able to continue to provide this service to the degree that we are doing at the present time.

Finance Committee Report: (Mr. Stephan)

The Finance Committee agrees with the concept of helping to support mental health organizations but believes this support should fall into the auspices of the Board of Health. For Fiscal 79/80, the Board of Health is already committed to another organization, which is the Framingham Family Counseling Center. We hope that some arrangement can be worked out for the following year.

The Finance Committee recommends disapproval.

Board of Health Report: (Mr. E. Lawrence Gogolin)

In making its recommendation to the Town Meeting on this article, the Board of Health has considered this agency as compared to the presently funded one, which is line item 800-91 in your Board of Health budget, for an amount of \$5,000. The Family Counseling and Guidance Center is presently serving Sudbury citizens and has been partially funded by this Town for about five years. The agency provides services for patients of all ages.

Trinity is requesting the \$1,498 in funding, which we feel should be over and above that which we are presently using to support the Family Counseling group. Trinity, being a semi-public agency, already receives both Federal and State support from your tax dollars, while the Family Counseling group does not.

Based on the desire of the Town to hold the tax line and the precedent the approval of this article could set for any agency to request funds of this sort, we cannot recommend support. However, if the Town wishes to fund this additional mental health service, we will not disapprove it.

I will compare the two agencies and some of the items might be of interest to you in making your decision. Family Counseling and Guidance is a private agency for all ages, while the Trinity Group is semi-public and sees patients only sixteen and above. The staff at Family Counseling is sixteen, and over forty at Trinity. Funding for Family Counseling is towns, fees and insurance; funding for Trinity Mental Health is towns, Federal grants, State funding, fees and insurance. The number of clients from Sudbury in 1978 for Family Counseling was sixty-one, for Trinity eighty-two. The Sudbury funding allocation for Family Counseling this year is \$5,000; the request for Trinity is \$1,498. The method of funding is current line item budget for Family Counseling under the Board of Health and special Article 31 for Trinity.

Board of Selectmen Report: (Mr. Cossart)

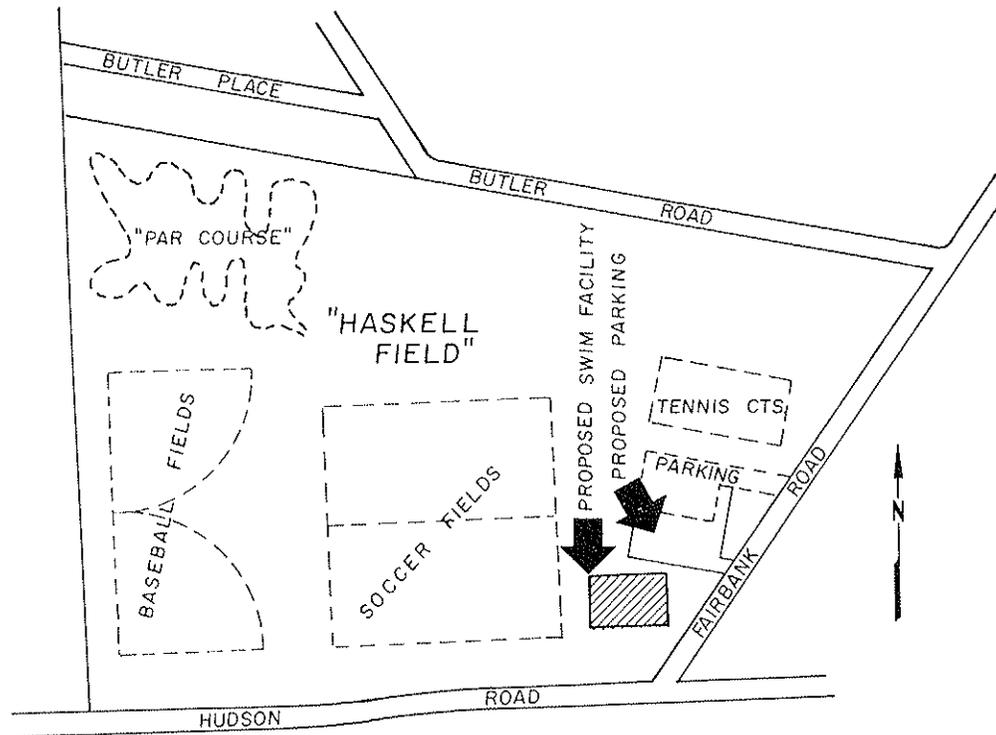
The Board of Selectmen does not support this article. The reasons are that it seems that the \$5,000 appropriation is adequate and has been adequate. It looks as though it will be adequate for the future. Secondly, the Board of Health seems to have made the proper choice between the two agencies, and we would support them and recommend that we continue with that.

If the Town insists upon forcing the additional \$1,500 on the Board of Health, we will take it, and we will spent it. I just don't think that that is proper. If additional money is to be spent, we should not fractionate the services but stick with a single agency.

After discussion, the motion was defeated.

ARTICLE 32: To see if the Town will vote to appropriate \$1,200,000, or any other sum, for the purpose of constructing and equipping, on land now owned by the Town, a year-round, totally-enclosed, swim facility, and to determine whether this sum will be raised by borrowing or otherwise, or act on anything relative thereto.

Submitted by the Permanent Building Committee.



ARTICLE 32: SWIM FACILITY

Mr. John L. Reutlinger of the Permanent Building Committee moved that the Town appropriate the sum of \$1,200,000, to be expended under the jurisdiction of the Permanent Building Committee, for the constructing, including the cost of original equipment, furnishing, on land now owned by the Town, a totally enclosed building including a swim facility, and for the cost of architectural services, for plans and specifications, including bidding documents; and to raise this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$1,200,000 under Massachusetts General Laws, Chapter 44, section 73, said borrowing to be for a period of 20 years.

Permanent Building Committee Report: (Mr. Reutlinger)

The presentation of this article will be made by three different committees: the Permanent Building Committee, the Park and Recreation Committee, and the Swim Needs Committee.

In bringing this facility to the Town this year, the Permanent Building Committee took a look at where we stand today with regard to energy and/or whether we were going to build a low-cost building or whether we were going to spend a little bit more money in hopes of lowering the annual maintenance cost over the twenty years. We chose to spend a little more money in the beginning in hopes that we would recoup a lower number through the maintenance of facility.

We chose to make this an indoor-outdoor facility for twelve months operation, not just three or four months, as an outdoor pool in our backyard might do. We chose the Haskell Land because it is centrally located. It's open land, and it's definitely a lower site development cost to the Town at this time.

Rather than waiting another year and going another step in the planning process, we are asking the Town to appropriate the \$1,200,000 based on a construction estimate prepared by the architectural firm that we have under contract. We feel that in this way we can save the 8, 10 to 12% escalation of another year.

This number also includes the fees of the professional architects and engineers involved, the clerk of the works for the period of construction, insurance and the furnishing of the entire facility.

We have tried to address the siting of the facility so that it takes advantage of the fact that it can face directly south. We have taken some steps to use the solar energy available, and also on the inside, so that we have the long direction of the pool oriented east-west. We hope that in the overall run, we'll keep the passive solar contributions in mind.

We also have pumped into the mechanical systems a design that will not be throwing away any of that which we have heated, be it air or water or so forth. We will recycle and keep the cost of running this facility as low as possible.

Park and Recreation Commission Report: (Ms. Nancy D. Lewis)

The Town of Sudbury has been working toward establishing a permanent swimming facility for twenty-five years. The Warrant item we are discussing tonight is the culmination of a comprehensive three and a half year effort to determine the residents' needs, evaluate existing resources and plan the best solution.

In 1975, the State notified the Town that it intended to return Walden Pond to its natural state and to discontinue all town swimming programs. As of now, Walden Pond is available to us only on a year-to-year basis. This plan will eventually make Walden Pond completely unavailable to us for swimming lessons.

As a result of the State's announcement, the Park and Recreation Commission appointed the Swim Needs Committee to determine the availability of and desire for swimming in Sudbury. The Committee began by studying the Town's natural bodies of water to determine their suitability for a Town swimming area. The study included laboratory analysis, on-site inspection and consultation with John Sullivan, Sudbury Health Director, and Charles Tomlin of the Middlesex Soil Conservation District. The study concluded that, because of pollution and turbidity, there are no natural bodies of water in Town that are suitable or available for a swimming area.

A swimming pool, then, became the only alternative.

To discover the opinion of the Town's residents, a statistically-managed random telephone survey was conducted in 1977 with the help of the Becker Research Corporation of Boston. This survey indicated that an overwhelming 72% of the people would support building a public swimming pool with construction costs paid for by tax dollars. In addition, 64% wanted year-round swimming, and most favored an indoor-outdoor pool. The survey also showed that potential users would be willing to bear the operating cost through users fees.

Responding to this positive result of this survey and input from public meetings, the Swim Needs Committee visited other swimming facilities and interviewed pool companies. They compiled information on the cost of construction, operation and maintenance.

The Park and Recreation Commission applied for Federal funding through the Bureau of Outdoor Recreation but was informed that the project is not eligible for funds. The Park and Recreation Commission has worked closely with the Swim Needs Committee in preparing their proposal.

Recreation is one of the essential services our Town should provide. Though we all pay for services such as schools, public health, Fire Department and the library, not everyone makes use of these services. We believe that it is important

to establish a recreational facility that can be enjoyed by all age groups in Town. If you endorse this article, we will be adding an important recreational facility without a great cost to any of us.

The Park and Recreation Commission unanimously supports this article and urges your affirmative vote.

Swim Needs Committee Report: (Mrs. Sandra M. Bell)

Last year's Town Meeting appropriated \$6,000 for planning construction of a swim facility. The Swim Needs Committee and the Permanent Building Committee then compiled requirements for an indoor-outdoor pool. We chose an indoor-outdoor pool for several compelling reasons.

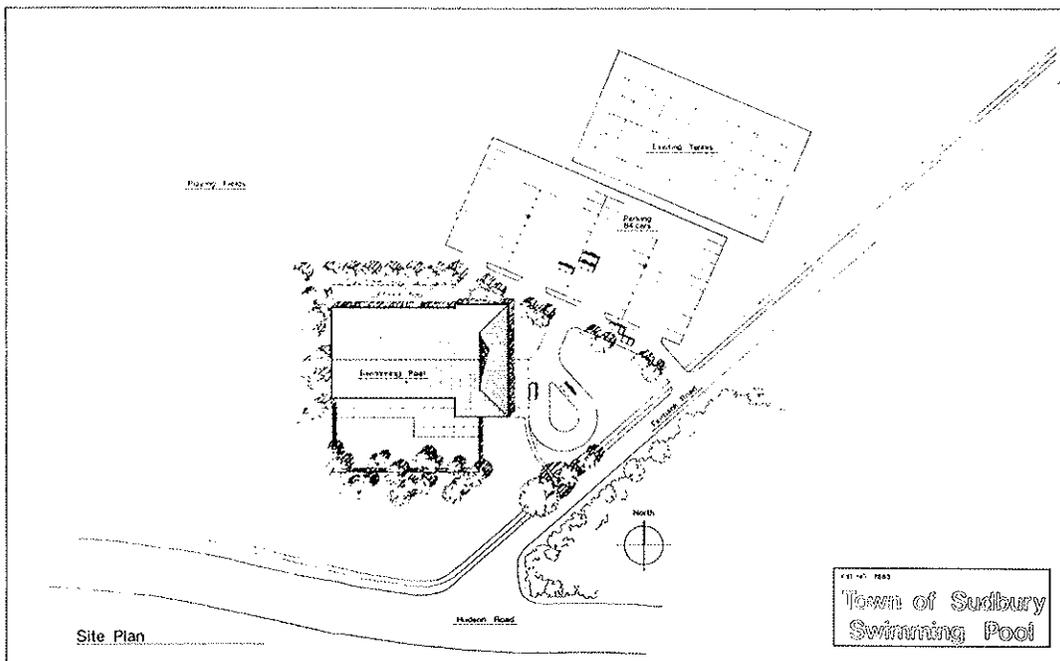
The survey showed strong resident preference for an indoor-outdoor facility. A year-round facility would give us a better opportunity to accommodate a larger percentage of Townspeople by extending usage over a twelve-month period. Moreover, the Town's major capital investment will not lie idle nine and one-half months of the year.

The requirements for an indoor-outdoor pool were obtained by visiting existing facilities, contacting suppliers of pool equipment, interviewing pool company representatives, and consulting with swimming experts. The requirements were presented to architectural firms interested in the job. Fifteen firms were contacted. Four were interested. Mass Design Architects and Planners of Cambridge was selected.

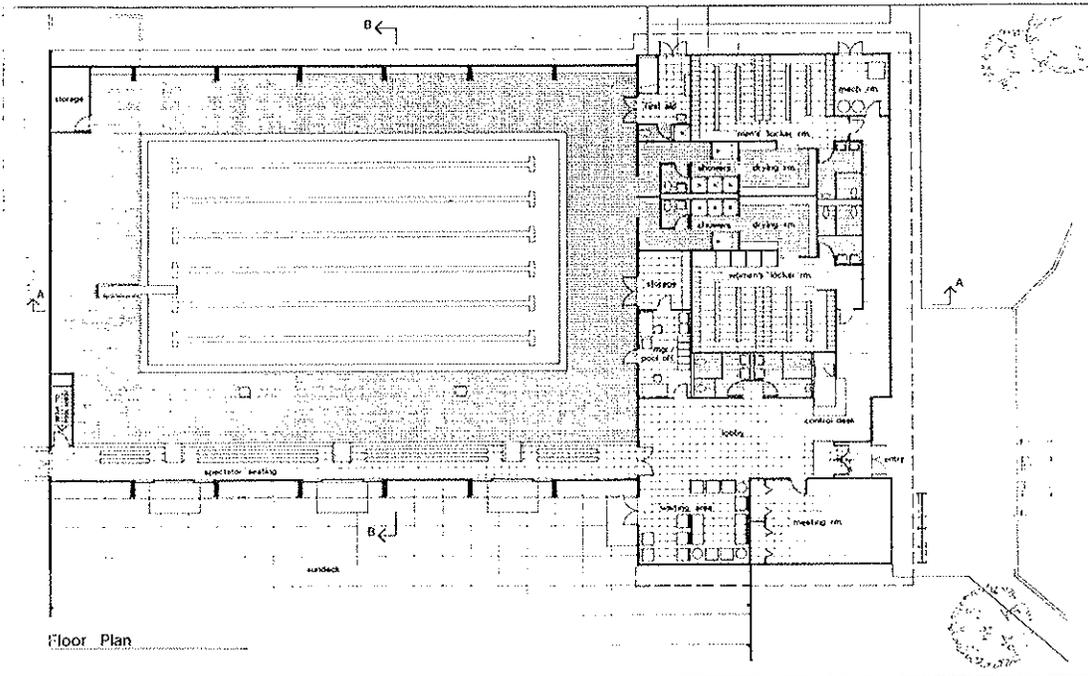
The Committee worked closely with Mass Design to develop preliminary estimated costs for construction, operation and maintenance, the results of which we are presenting to you now.

The Swim Needs Committee investigated various sites for the pool and determined that the Haskell Land was the most suitable location. It is the least expensive site to develop. It is centrally located in a highly populated area. Existing walkways link this site to homes and schools. It is a level site with proper drainage and open southern exposure. Existing athletic facilities would be enhanced, not eliminated. In fact, the presence of soccer fields, softball fields, tennis courts and the nearby Fairbanks gymnasium and playground give the location the potential to be a true community recreation area.

One of the reasons the Haskell land was purchased in 1973 was to provide a location for a swimming pool. Since the land was purchased with Federal funds, the Town would be required to allow non-residents to use the pool. We can, however, charge them double the usage fee that residents are charged and restrict ads for some programs to the Town.



The pool will be located in the southeast corner of the Haskell land on 1.7 acres of land. This corner is bordered by Hudson Road and Fairbank Road. The entrance to the parking lot is an improvement because it is farther away from Hudson Road and therefore safer than the current access. The circular driveway provides a safe and convenient pick-up and drop-off point. Fairbank School is located directly across the street.



The building is a large wood frame structure with its long access east to west. Its south side is designed as a greenhouse wall to catch the sun's heat and light in winter. Large lightweight reflective baffles direct most of the incoming light onto the ceiling of the pool enclosure creating uniform daylight and safe viewing for lifeguards.

The building walls contain six inches of glass wool insulation, the roof eight inches. Mechanical equipment includes a heat scavenging device to extract 70% of the heat energy from exhaust air in winter. This waste energy is used to preheat incoming ventilation air.

Natural ventilation is used in summer whenever the outside temperature is suitable.

The concrete pool is 45 feet by 75 feet, 12 feet deep near the one-meter board, 3½ feet deep at the shallow end. Also provided in the pool design are the men's and women's changing shower areas. The meeting room can be used for instruction meetings, exercise and babysitting. There is a manger/pool office combination, a first aid room and storage rooms, and public toilets. Three large doors connect the swimming area to an enclosed sunbathing and picnic area. This area is sheltered from the street and noise by a landscaped berm which is an earthen buffer built to deflect sound and insure privacy.

An improved gravel parking lot area for eighty-four cars is located next to the existing tennis courts. This area and the access road will be lighted after dark.

Every effort has been made in both the overall planning and selection of building materials to find the most cost-effective methods of construction. The total budgeted cost for the project including pool, building and outside area is \$1,200,000. This sum will be financed by a twenty-year general obligation bond. This type of bonding, the only type possible for such a project, gives us the advantage of the lower interest rate of 6%, well below the inflation rate of the last decade. In effect, we will receive 1979 dollars and eventually pay back in 1989 or 1999 dollars with only 6% interest. This method of bonding is the only way we can build a facility which can feasibly serve the general public including residents who can't afford private clubs.

The average increase in the tax rate will be 55¢ on a thousand dollars. For a house assessed at \$34,000, which is the average assessed value of a house in Sudbury, the increased taxes would amount to \$18.70 a year. This figure does not apply evenly over the life of the bond, however, It would be higher in the first year and then decrease gradually. The first year would mean an increase of 74¢ on the tax rate, or \$25.12 for the average homeowner. It would be less each year until the twentieth year when it would be 36¢ on the tax rate, or \$12.24 to the average taxpayer. After twenty years, of course, the bond would be paid off, and the effect on the tax rate eliminated.

The estimated cost for one year of operation is \$83,900. This figure includes \$46,900 in salaries and \$37,000 in other expenses, consisting of insurance, chemicals, utilities, supplies and major repairs and upkeep. To arrive at this figure, the Swim Needs Committee investigated ten pools in the area and consulted with Mass Design and Town Accountant, John Wilson.

For a comparable pool with similar built-in energy conserving devices, last year's operating expenses were \$73,000. The operating costs, which are separate from the construction costs, would be paid for by pool usage fees.

Extensive work went into building a balanced budget fee system. The total projected income is \$84,440. This includes \$60,000 in membership fees and \$24,440 in program fees. This completely offsets the operating cost of \$83,900 and makes the pool self-sustaining.

There will be additional revenue from rental and daily users fees which were not figured into the income. This money, along with revenue from users fees above our conservative estimate of membership, will be returned to the Town's general fund. This will reduce the pool's impact on property taxes.

The proposed membership fee is based on the percentage of participation. Initially, the Committee estimated 30% of the Town would participate, since this is the national average and lower than the average of the pools visited. The figures for participation in this area went as high as 60% in Weston and 65% in Lexington. Therefore, we feel safe with this estimate.

Based on 30% participation, the membership fee would be \$50 per year per family. For a small fee, non-members may use the pool upon each visit and use of the pool would be free to senior citizens and adjusted for those with a financial need.

This is considerably less than anything now available in the area. The cost to Sudbury residents for a family membership would be \$50 in our proposed pool. The cost of a family membership to Sudbury residents at the Wayland Town House is \$150, at the Framingham Y, \$200, and at Minuteman Tech, \$120.

A program that assures all Sudbury residents of fair and comprehensive use of the pool was a major concern. On the proposed schedule, the pool would be open every day from 7 a.m. to 9 p.m., twelve months of the year. The program and hours are flexible and can be adjusted to the needs of the community. In the proposed winter program, 30% of the day could be set aside for fitness programs, including lap and competitive swimming. 40% of the day could be allotted for lessons of all types from beginner to water safety instruction, also including such programs as drownproofing, synchronized swimming, tot swims and diving. The remaining 30% would be open for recreational swimming, which can include open, family, senior citizens and teen swims.

In the summer, a majority of the time would be available for recreational swimming. Out of every hour of open swim time, fifteen minutes would be set aside for adult swimming, and during most program hours, a lane would be open for lap swimming in the summer and winter.

In conclusion, the swim facility under discussion tonight is the culmination of over 3½ years of effort by the Swim Needs Committee, the Park and Recreation Commission and the Permanent Building Committee. These groups have worked hard to plan a facility that will meet the needs of the community at an affordable cost. The pool would provide a much needed community center where the people of Sudbury could gather for recreation, exercise and socialization year-round. The pool would also provide a place where vital lifesaving skills could be taught and where therapeutic swimming and physical therapy could be available. Swimming is a lifetime sport for people of all ages from babies to senior citizens.

Tonight, you must decide whether the pool is a worthwhile investment for the Town. Consider this proposal carefully from every perspective: financial, educational, safety, social, therapeutic and recreational. If it is defeated, there

April 23, 1979

will be no public swimming available in Town, and there will be no place for summer swimming lessons, as Walden Pond will soon be unavailable to us. We look ahead to rising population and declining opportunities to swim in increasingly restricted, expensive locations outside of Town.

If it passes, we and our children will have a public swimming facility, which is affordable, by early 1980. We who have worked on the swim facility are convinced of the Town's need for it, and we urge you to vote for it tonight.

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

The basic question before us all this evening is, "Do we want to spend two million dollars to go for a swim." That's what we are being asked to support here.

The Swim Committee has done an outstanding job. We commend them. The question again is, what are the Town needs, what are the priorities that we all have to live with. If we vote for this facility, we are asking the Town to commit to spending \$100,000 a year for the next twenty years. At present, the entire Park and Recreation budget that you voted was \$125,000 for this fiscal year. That is for all the recreational activities that go on in this Town.

The swim facility alone is \$100,000 to pay for it and another \$90,000 to run it. We are told that the swim facility is based on an estimate of 30% of the population using it. That means that 70% of the people will be paying for 30% to swim. You can say that we do this in other areas. Yes, we do. But, 70% paying \$2,000,000 means that non-users are going to pay \$1,400,000 over the next twenty years.

The Finance Committee recognizes the need for recreation. The Finance Committee also recognizes the need for other services in this Town. We expect within the next several years to have to face the issue of having to do something about Police and Fire facilities, which means new bonding for that purpose. We can only say at this point in time that we do not recommend approving this facility. It is not within our guidelines, and we feel not within your guidelines.

Board of Selectmen Report: (Mr. Robert J. Hotch)

The Selectmen are unanimously opposed to this article. The Town has had a history of supplying recreational services and recreational facilities in the past, but we feel the construction of this particular facility is over and above what we could recommend as a sound expenditure of our tax dollars.

In our forming our recommendation to you about this article, we have given a great consideration to the desires of people for the facility, but have felt it necessary to establish priorities based on all requirements of the Town. There is no question that this facility is very desirable, but we feel that its construction is not critical to the development of Sudbury as a community.

During the coming year, we are initiating a study of all existing Town buildings and with funds you have just appropriated, are determining the requirements for a new Fire and Police station or remodeling of existing stations. Although the results of repairing or modifying the Fire and Police stations may not seem as appealing as constructing a new swimming facility, the Selectmen feel the need is greater to expend funds in the direction of public safety. To recommend that you proceed with the construction of a swimming pool facility is something that we as a Board of Selectmen cannot and will not do.

After discussion, the main motion was defeated.

ARTICLE 33: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$35,000, or any other sum, to be expended under Swim the jurisdiction of the Park and Recreation Commission, for the operation of the Town swimming facility, or act on anything relative thereto.
 Facility
 Operations
 Budget Submitted by the Park and Recreation Commission.

Park and Recreation Commission Report: This article reflects the operating budget needed to run the swimming pool for the balance of time between pool construction completion and the end of the fiscal year. The figures here were ascertained by intensive research by the Swim Needs Subcommittee, and we feel this is a reasonable request to maintain and operate a swimming facility.

Finance Committee Report: If the previous article does not pass, this budget is unnecessary. Recommend Disapproval.

April 23, 1979

Board of Selectmen Position: The Board does not support this article.

The Moderator asked for a motion from the Park and Recreation Commission. However, since no one from that Commission volunteered a motion, he recognized Mr. Felleman of the Finance Committee who moved Indefinite Postponement.

The Moderator determined that no one wished to speak on Article 33 in the main hall, the Little Theatre and the Lecture Hall.

He then announced that he had just been asked to count the vote on Article 32, there being more than seven people in the Library who requested the count. After consulting with Town Counsel, he stated that Town Counsel ruled that the hall should not be counted. He announced for the record that it was very clear in the main hall that the motion did not even have a majority, let alone two-thirds. In response to the Moderator's question, Mr. Clark, Assistant Moderator in the Little Theatre, stated that the vote was clearly not two-thirds there. Mr. Bishop, Assistant Moderator in the Lecture Hall, stated that it was fifty-fifty.

The Moderator then proceeded with Article 33.

VOTED: *INDEFINITE POSTPONEMENT.*

ARTICLE 34: To see if the Town will vote to authorize and direct the Board of Special Act Five-member Board of Selectmen to petition the General Court immediately upon the passage of this article, for the enactment of special legislation contained herein, authorizing the Town of Sudbury to increase the number of members of its Board of Selectmen, chosen by election, from three to five, without further submissions to a Town Meeting.

"Commonwealth of Massachusetts

In the year one thousand nine hundred and seventy nine, an act authorizing the Town of Sudbury to increase the number of Selectmen of said Town.

Be it enacted by the Senate and House of Representatives in General Court assembled and by authority of the same, as follows:

Section 1. Notwithstanding any contrary provision of law, the number of Selectmen in the Town of Sudbury shall be increased from three to five at the next annual town election held not less than ninety days from the effective date hereof. At such election, three Selectmen shall be elected as follows: one for one year, one for two years and one for three years. Thereafter, upon the expiration of the term of a Selectman, his successor shall be elected for a term of three years.

The provision of this act shall not be construed as limiting the term of any Selectman in office on the effective date hereof.

Section 2. This act shall take effect upon its passage."; or act on anything relative thereto.

Submitted by the Committee on Town Administration.

Mr. Floyd L. Stiles of the Committee on Town Administration moved to authorize and direct the Board of Selectmen to petition the General Court for the enactment of special legislation authorizing the Town of Sudbury to increase the number of members of its Board of Selectmen, chosen by election, from three to five, as set forth in Article 34 of the Warrant for this meeting, and to further provide that this proposed act will take effect upon its passage without further submission to a town meeting.

Committee on Town Administration Report: In Sudbury, politics is what people talk about when they meet at the grocery store, Little League games and parties. And for the past year and a half or so, the principal subject of discussion has been the Board of Selectmen, and who and how many will show up at the next meeting.

April 23, 1979

We're supposed to have three Selectmen running the business of the Town: three people to apply their collective brainpower to the problems we face day in and day out. At various times in our history, of course, we've had various numbers of Selectmen; for the past two hundred years or so, the number has been three, probably because one, while efficient, might become despotic, two would be voting against each other all the time, and three sounded just right.

The fact is, three Selectmen is a good number--if we could always count on having three Selectmen. Unhappily, over the past eighteen or twenty-four months, circumstances have pushed Sudbury into the awkward position of having two, or even one, for long periods of time. This March, in fact, we'll have our fourth election for Selectman in twelve months.

Obviously, the situation is, and has been, unsettled. This situation is what caused the Committee on Town Administration to be asked both formally and informally by several citizens to investigate the value of increasing the number of Selectmen from three to five. We have done so, at personal cost of hundreds of hours spent in deliberation, in discussions with other towns, in public hearings, in subcommittee meetings, in meetings with many Town officials and citizens. We've probably given the matter as exhaustive a study as possible--there's no doubt that we're all exhausted by it, anyway.

There is, it must be admitted, little hard evidence on which to judge one way or another. The towns we've talked to, such as Hudson, Wayland, Hull and Braintree, generally report in sheer generalizations: they "like" five, if they've gone to five, they're "happy" with three, if they stuck with three. Efficiency and effectiveness in town government is, apparently, impossible to measure.

In the end, the reasons to remain with three Selectmen seem to be these:

1. Fewer members mean less talk; less talk means greater efficiency.
2. The Selectmen are involved in enough Town affairs already, and adding more simply means they'll be able to meddle more.
3. A three-member Board has worked for two hundred years; why change?

On the other hand, a five-member Board offers these advantages:

1. The Board is able to function in the absence of one or even two members --decisions and appointments needn't be put off.
2. The strain on each member is at least somewhat eased, because there are more members among whom to divide the chores.
3. It seems to be much more difficult for a single strong member to dominate a five-member Board; more difficult, too, for a single group of politically active citizens to gain disproportionate influence.

After carefully weighing the merits, the Committee on Town Administration unanimously recommends increasing the number of Selectmen from three to five.

What is more important, we affirm the right of the Town to decide which is better, through open Town Meeting. It is clear to us from the number of people who have mentioned the subject that a significant segment of the Town wishes to be consulted on the matter, and Town Meeting is the proper forum.

Finally, it should be pointed out that there are several possible mechanisms to effectuate such a change, should the Town will it, ranging from simply electing two more Selectmen to undertaking a Charter Commission. After discussion with Town Counsel, the Massachusetts League of Cities and Towns and other towns, and after our own investigations, we recommend the method outlined in the article. It appears to be the simplest, surest, most legally defensible method devised for the purpose, and it has been successfully used by other towns.

Mr. Stiles further reported to the meeting for the Committee as follows: This is not a new article that is being presented before this body. It has been presented at least once before to my knowledge. It is being presented again here this evening because at this time the Committee on Town Administration felt, from the requests of various citizens and public officials, that the subject of whether a three-man board of Selectmen for the carrying out of the executive and administrative responsibilities of our Town is sufficient, should be brought up.

The Committee on Town Administration looked into the matter, interviewed people associated with other towns, some towns that did go from three to five and some who attempted to go from three to five but did not. We attempted to

April 23, 1979

find out whether a five-man Board of Selectmen versus a three-man Board of Selectmen was better or made more sense. I'm not sure that we can say to you that we found out all of the answers to the questions we were looking for.

I think, however, we did find out that those towns that had five-member Boards of Selectmen are more than happy with five men. We found no instances that I can recall where a town went from five to three.

We, as a Committee, after public hearings and looking into the matter, decided to bring to you an article to provide for you a vehicle by which you can obtain a five-member Board in the easiest possible way. The CTA recommends unanimously to you that we should have a five-man Board. The reason for this is quite simple: we feel that a five-man Board better represents the varying differences of our neighborhood feelings throughout the Town. We think that each and every one of us will be represented better by five than by three. We also feel that the workload of the Board of Selectmen is such that certainly five men should be able to spread the workload more evenly and make it easier for them.

We also feel that there are a number of people who do not run for Selectman as long as there are three men because they fear the job in that it is an awesome job taking many, many hours. Most people really don't want to spend that kind of time. I think I can vouch for the number of hours the Selectmen work in some of my previous employment in this Town and other towns. I am convinced personally that a five-man Board of Selectmen will make it easier for you, the public, to run for office because you won't have to be fearing as hard work.

There are many who say the ideal number of Selectmen is only one. He won't have anybody to argue with. He won't have anybody to keep him. He can go down the agenda and just vote everything right in order and do it very fine. But, we submit to you that that does not represent you. It does not represent us.

We think that a five-man Board of Selectmen makes more sense in today's era of progress and of the complications involved. So, we recommend to you to vote favorably on this article.

Finance Committee Report: (Mrs. Glass)

The Finance Committee recommends approval of this article. Even though this is not a financial matter, we have given it some discussion, and we feel that there will be more equitable distribution of workload and responsibility.

Mr. Stiles alluded to the fact that when you have five people instead of three people who are discussing issues, it is true that sometimes those discussions will last a little bit longer. But, you may get additional points of view and additional comments coming out that you might not necessarily have if you have a three-man Board.

Another factor is that if you've got three people sitting on the Board of Selectmen and one of them is missing, then you have only two people present. That makes it very hard to get a vote. It also makes it very hard for those two members to really discuss the issues that may be before them. If you have a five-person Board of Selectmen and one or two are absent, you still have enough for a viable discussion on issues which could be very critical to the Town.

Therefore, the Finance Committee recommends approval of this article.

Board of Selectmen Report:

Mr. Murray: I personally feel that a three-member Board is enough. I think there is more accountability with a three-member Board. I will let the rest of the Selectmen speak for themselves.

Mr. Cossart: I think in a situation where we are being asked to change something, there should be some very clear cut incentive towards the change. In spite of looking very hard at this, I have yet to hear a good reason why we should be considering the change.

The suggestion of better representation I don't think is valid. Obviously the people who elected the three are going to elect the five. The representation isn't going to be any different.

The business of spreading the workload: we have a functioning Board of Selectmen now with three very active members. We feel that we can handle the workload. There is no desire among the Board to have additional help to absorb the workload. We frankly wish that we would have the opportunity to demonstrate that a three-member Board can do the entire job.

April 23, 1979

For some time I have been talking about this issue, and the best analogy I have been able to come up with is the comparison to the hundred year storm. We may do a lot of our highway engineering and a lot of construction work based upon the possibility of a hundred year storm, but I don't think we have to organize the Board of Selectmen for a hundred year storm which really is behind us anyway. We are now up and running.

There is one problem that I've found in being a Selectman. The biggest problem is in communications, being able to disseminate information between all Board members so that everybody is completely up to date and able to make intelligent decisions. That is really the entire problem, and a five-member Board is going to make that exceedingly more difficult.

Mr. Hotch: I also now concur with my other two partners. I feel that the three-member Board is the direction we should stay with. When I was asked this question a few months ago, my only experience, unfortunately, had been with operation with a two-man Board. It's unfortunate that Mr. Toomey was ill for a long period of time, but my experience did not even lend itself to see what a three-man Board was like.

We've been operating now for a few months with Bill Cossart on the Board, and we seem to be quite efficient.

It does require an awful lot of work and an awful lot of time. I feel very frustrated because I feel that I don't always have the time to give. I'm sure my other two partners feel the same way. But, unfortunately, increasing the Board to five will not allow me to devote more time to what I have to do, and the frustration will still exist.

I think that we should defeat this proposal and stay with the current number of three.

After discussion, Mr. Stiles' motion was defeated.

Upon a motion made by Mr. Murray, it was

VOTED: THAT WE ADJOURN UNTIL MONDAY, APRIL 30TH, SAME TIME, SAME PLACE.

The meeting adjourned at 11:02 P.M.

(Attendance - 1,464)

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 30, 1979

The Moderator called the meeting to order at 8:14 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

ARTICLE 35: To see if the Town will vote to approve the petition set forth herein providing for the appointment of the Town Treasurer and authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact the special law set forth in said petition and without further submissions to a town meeting:

Special
Act
Appoint
Town
Treasurer

"The Commonwealth of Massachusetts

In the year one thousand nine hundred and seventy-nine.
An Act authorizing the Selectmen of the Town of Sudbury to appoint the Town Treasurer of said Town.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding the provisions of section one of chapter forty-one of the General Laws, the Board of Selectmen of the Town of Sudbury shall appoint a suitable qualified person to the office of Town Treasurer and upon the appointment and qualification of the person initially so appointed the term of the incumbent of said office shall terminate, but in no case shall said term of office of said incumbent terminate before the next annual election at which said office is normally filled following the passage of this act. The Town Treasurer so appointed shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred or imposed by law on town treasurers. The term of initial appointment shall expire on the last Monday in March of the third year following appointment, and thereafter the Town Treasurer shall be for a term of three years and shall serve until his successor is appointed and qualified. He may be removed for cause at a public hearing by the Selectmen and the vacancy filled by appointment for the remainder of the unexpired term in the same manner as in the case of an original appointment. His salary or compensation shall be such as the Selectmen may vote from time to time in accordance with the job classification and salary plans of the Town. The position or office of Town Treasurer shall not be subject to the laws and rules pertaining to Civil Service. Said board shall fill any vacancy in such office by appointing a qualified successor for the remainder of any unexpired term.

Section 2. In the event that the Town Treasurer shall resign, be permanently disabled or otherwise be unable to perform the duties of his office before section one of this act shall become effective, then the Board of Selectmen of said Town may implement any and all of the provisions of this act as may be necessary to continue the orderly administration of this office.

Section 3. The present Town Treasurer may be appointed or reappointed to his respective office without any age limitations or restrictions.

Section 4. This act shall take effect upon its passage."; or act on anything relative thereto.

Submitted by the Committee on Town Administration.

April 30, 1979

Mr. Douglas H. Zanzot of the Committee on Town Administration *moved to authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact special legislation providing for the appointment of the Town Treasurer in the form set forth in Article 35 of the Warrant for this meeting, and to further provide that the proposed act become effective upon its passage without further submission to a town meeting.*

Committee on Town Administration Report: Last year, the Committee on Town Administration was asked by the then-Chairman of the Finance Committee to study the office of Town Treasurer, including the various methods of filling that office with the best possible person.

Our investigations have involved many hours of research, a public hearing and several interviews with William Downing, Sudbury's present Treasurer.

Right now, Sudbury elects its Treasurer. And we do a good job of it. Mr. Downing is a skilled, honest, industrious Treasurer; we're fortunate to have him, and--if he should decide to retire--he'd be a difficult Treasurer to follow.

This is precisely why it is appropriate now to study the office.

In recent years, the Treasurer's duties have become increasingly complex. A swelling host of government rules and regulations surround virtually every move. He devotes twenty-five to thirty hours a week to his job, and his assistant gives another thirty or more hours of service.

This growing demand on time and technical knowledge seems to require a special kind of person, with specialized training, for the post. Mr. Downing has told the CTA that the job simply couldn't be successfully handled by a part-time, relatively unskilled volunteer--precisely the kind of person Sudbury has always relied on to run for and hold its public offices. And the consequences of ill-informed actions, or non-action, by a Sudbury Treasurer could be disastrous.

So it seems to the CTA that the Treasurer ought to be appointed rather than elected. This way, a candidate's qualifications could be carefully studied by the appointing body--qualifications which suit the candidate to be a Treasurer, not an electable politician, which are often (but not always) two different things. It would also appear that an appointed Treasurer will be more accountable to his (or her) appointing body, which would, of course, be charged with the responsibility of monitoring this most important office.

Clearly, the post must be filled by the Selectmen. No other Town committee or board has the stature of the Selectmen; none other has such a straightforward responsibility to govern the Town.

We are, frankly, reluctant to remove any office from public election--and further reluctant to attach to the Selectmen yet another appointment. Yet, for the future good of the Town, we see no alternative.

We, therefore, urge your approval of this article. And--as its first appointment to the office--we respectfully recommend to the Selectmen a candidate eminently qualified, thoroughly experienced, greatly admired: Mr. William Downing.

Mr. Zanzot further reported to the meeting as follows:

The Committee on Town Administration is submitting the next two articles after giving them a great deal of consideration in the past twelve months. Separate individual meetings were held with Mr. Downing and with Mrs. Stone to learn of their duties, hopefully to understand some of the complexities of their offices. Public hearings were held.

Subsequently the Committee met with the Selectmen and the Finance Committee and informed them of our findings and our views.

We have found that these offices, particularly that of Treasurer, require a high degree of technical knowledge. Not only is the general financial expertise necessary but also specific knowledge of Massachusetts statutes which have become increasingly complex in recent years.

Our most current short-term borrowings were sold at an interest rate of less than 5%, and our borrowing rate is among the lowest in the Commonwealth. Mr. Downing has done an excellent job of managing our financial affairs. We want to keep it that way. We want to be sure the Treasurer is selected for his ability to perform the job, not his ability to win votes.

April 30, 1979

In our most recent election, two positions were filled by write-in candidates and few positions were contested. There appears to be decreasing interest in running for elective office. We feel that making these offices appointive and separate, and recommending the incumbents as initial appointees, is the best way to provide for the future of these two critical offices that are vital to the efficient functioning of Sudbury's town government.

Finance Committee Report: The Finance Committee agrees with the CTA's conclusion that the position of Town Treasurer requires a high degree of technical knowledge and specialized training and experience. The elective process does not necessarily produce the best candidate. Recommend Approval.

Board of Selectmen Position: The majority supports this article.

Mr. Matthew W. Slate was recognized and commented as follows: The Committee on Town Administration has submitted Articles 35 and 36 as a pair. According to the Warrant, the Board of Selectmen approves one and disapproves the other. I think we should know why.

The members of the Board of Selectmen, speaking as individuals, responded as follows:

Mr. Murray: We took those articles as separate issues. I think that I'm probably the one that was the swing vote on these two articles. My first thought was given to addressing the Treasurer. I felt perhaps in the event that we were without Mr. Downing, we'd be hard pressed to replace him.

I've since reconsidered my position. I feel that the Town would elect a qualified person to that position. I don't think the Board of Selectmen needs any more departments under them than they already have. I think that it's an important enough position.

I first thought that some thought should be given to the Treasurer's position since it takes a great deal of know-how. I've since thought it over, and quite frankly, that position has changed.

Mr. Cossart: I guess I can't resist the temptation to demonstrate consistency because I have always been against this concept. I'll speak now relative to both articles and save the trouble the next time.

I've been opposed to this idea both times because I think that we have excellent people in there. As long as we have excellent people doing these jobs, we can well afford to continue in this vein.

It's true that we've looked at this and considered this before. Frankly, I see no problem with considering it again. I think we should consider it again and again as time goes on. It's something well worthy of further consideration as the years wear on because obviously we won't have these same people forever. As long as we do have them, it's an excellent way to get the job done.

I think even if we didn't have Mrs. Stone and Mr. Downing in these jobs, we should bear in mind the importance of the separation of power in the Town. I also feel that the Town's done a wonderful job of electing. People have filled these offices, and it keeps the power where it really belongs.

Mr. Hotch: Obviously I'm speaking for the minority. I wasn't always a minority on this, but I guess other factors have entered into the issue. I don't agree at all that the proposal of this article is a slap in the face to Mr. Downing and Mrs. Stone. I think that this is the ultimate compliment. It is saying to those individuals, "We appreciate the fantastic job you've done, and we're concerned that individuals in this Town do not want to subject themselves to running for public office."

We have very capable people in this Town, but there is a big difference between one who is willing to work on an appointive board and another who actually wants to take their time to run for public office.

This Town has been very fortunate to have Mr. Downing as its Treasurer. By coincidence, we've had the right man in the right job at the right time. Unfortunately, this coincidence may not always occur. The qualifications for this position are very specialized. We are concerned that the position be filled by the most qualified and not necessarily the most politically popular individual. The duties of the Town Treasurer are more administrative than policy making, so that the need for direct election to that position is not essential.

I urge you to vote in favor of the change to appointment of the Town Treasurer to guarantee that the current high level of operation of that office will continue.

Treasurer's Report: (Mr. William E. Downing) There are arguments pro and con for both sides of this. I have given it very serious consideration. I have been your Treasurer for over thirty years. My own thinking is and always has been that one of the great American traditions of all time is the right to vote for anybody for public office. I think that is one of the very essences of democracy itself. I believe the people in the Town of Sudbury are quite capable of electing whoever they want, and I am sure there would be a good candidate. I believe that tradition should be upheld. Consequently, I am in favor of retaining the election of the Treasurer.

Mr. Zanzot's motion was defeated.

ARTICLE 36: To see if the Town will vote to approve the petition set forth herein providing for the appointment of the Town Collector of Taxes and authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact the special law set forth in said petition and without further submissions to a town meeting:
Special Act
Appoint Tax Collector

"The Commonwealth of Massachusetts

In the year one thousand nine hundred and seventy-nine.
An Act authorizing the Selectmen of the Town of Sudbury to appoint the Collector of Taxes of said town.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding the provisions of section one of chapter forty-one of the General Laws, the Board of Selectmen of the Town of Sudbury shall appoint a suitable qualified person to the office of Collector of Taxes of said town and upon the appointment and qualification of the person initially so appointed the term of the incumbent of said office shall terminate, but in no case shall said term of office of said incumbent terminate before the next annual election at which said office is normally filled following the passage of this act. The Collector of Taxes so appointed shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred or imposed by law on collectors of taxes. The term of initial appointment shall expire on the last Monday in March of the third year following appointment, and thereafter the Collector of Taxes shall be for a term of three years and shall serve until his successor is appointed and qualified. He may be removed for cause at a public hearing by the Selectmen and the vacancy filled by appointment for the remainder of the unexpired term in the same manner as in the case of an original appointment. His salary or compensation shall be such as the Selectmen may vote from time to time in accordance with the job classification and salary plans of the Town. The position or office of Collector of Taxes shall not be subject to the laws and rules pertaining to Civil Service. Said board shall fill any vacancy in such office by appointing a qualified successor for the remainder of any unexpired term.

Section 2. In the event that the Collector of Taxes shall resign, be permanently disabled or otherwise be unable to perform the duties of his office before section one of this act shall become effective, then the Board of Selectmen of said town may implement any and all of the provisions of this act as may be necessary to continue the orderly administration of this office.

Section 3. The present Collector of Taxes may be appointed or reappointed to his respective office without any age limitations or restrictions.

April 30, 1979

Section 4. This act shall take effect upon its passage.";
or act on anything relative thereto.

Submitted by the Committee on Town Administration.

Committee on Town Administration Report: The Committee on Town Administration was asked by last year's Chairman of the Finance Committee to investigate the methods of filling the office of Town Tax Collector, which is now an elected post.

Our present Tax Collector is Isabelle Stone, who was appointed in 1972 to fill a vacancy, and who has won re-election ever since, to the credit of the Town's electorate. Mrs. Stone is capable, dedicated, qualified--and willing to serve.

The Tax Collector's is a full-time responsibility, according to Mrs. Stone; she has three part-time people (amounting to two full-time people) reporting to her. The office is always busy; there are few lulls, and at times it faces a blizzard of tax bills.

Mrs. Stone has established an enviable record for collections: Sudbury's delinquency rate is very, very low. This is a tribute to her personality, her patience and her powers of persuasion.

Like the Treasurer, the Tax Collector is knotted within an ever-changing, ever-growing net of government directives. The job appears to be not one for an amateur, certainly not one for an amateur who holds a full-time job somewhere else. But this is exactly the kind of candidate for public office that Sudbury depends on to run its government.

The CTA has spent considerable time looking into the Tax Collector's job; we've held a public hearing, we've talked to Mrs. Stone a number of times. Over this period of about six months, we've developed a great admiration for Mrs. Stone and her accomplishments, and we'd hate to see her subject to the vagaries of the elective process.

For a Tax Collector, no less than a Town Counsel or a Town Accountant, has become a professional. And a good one requires certain training, certain experience, certain skills that are unfortunately often irrelevant to one's ability to get elected.

We, therefore, suggest that this position is too delicate and too important to Sudbury to be filled on the basis of public popularity, and that the post ought to be filled by appointment.

Again reluctantly, we recommend that the Selectmen be charged with the responsibility of reviewing resumes and appointing a qualified Tax Collector.

And finally, we recommend that that Tax Collector be, if she's still willing, Isabelle Stone.

Finance Committee Report: We agree with the CTA's conclusion that the Tax Collector's position requires special skills and experience to meet the growing demands of that office. The elective process can no longer be counted on to produce the best candidate. Recommend Approval.

Board of Selectmen Position: The majority does not support this article.

Upon a motion made by Mrs. Anne D. Bigelow of the Committee on Town Administration, it was

VOTED: THAT ARTICLE 36, THE SPECIAL ACT TO APPOINT A TAX COLLECTOR, BE INDEFINITELY POSTPONED.

ARTICLE 37: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$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:

Surface
Drains

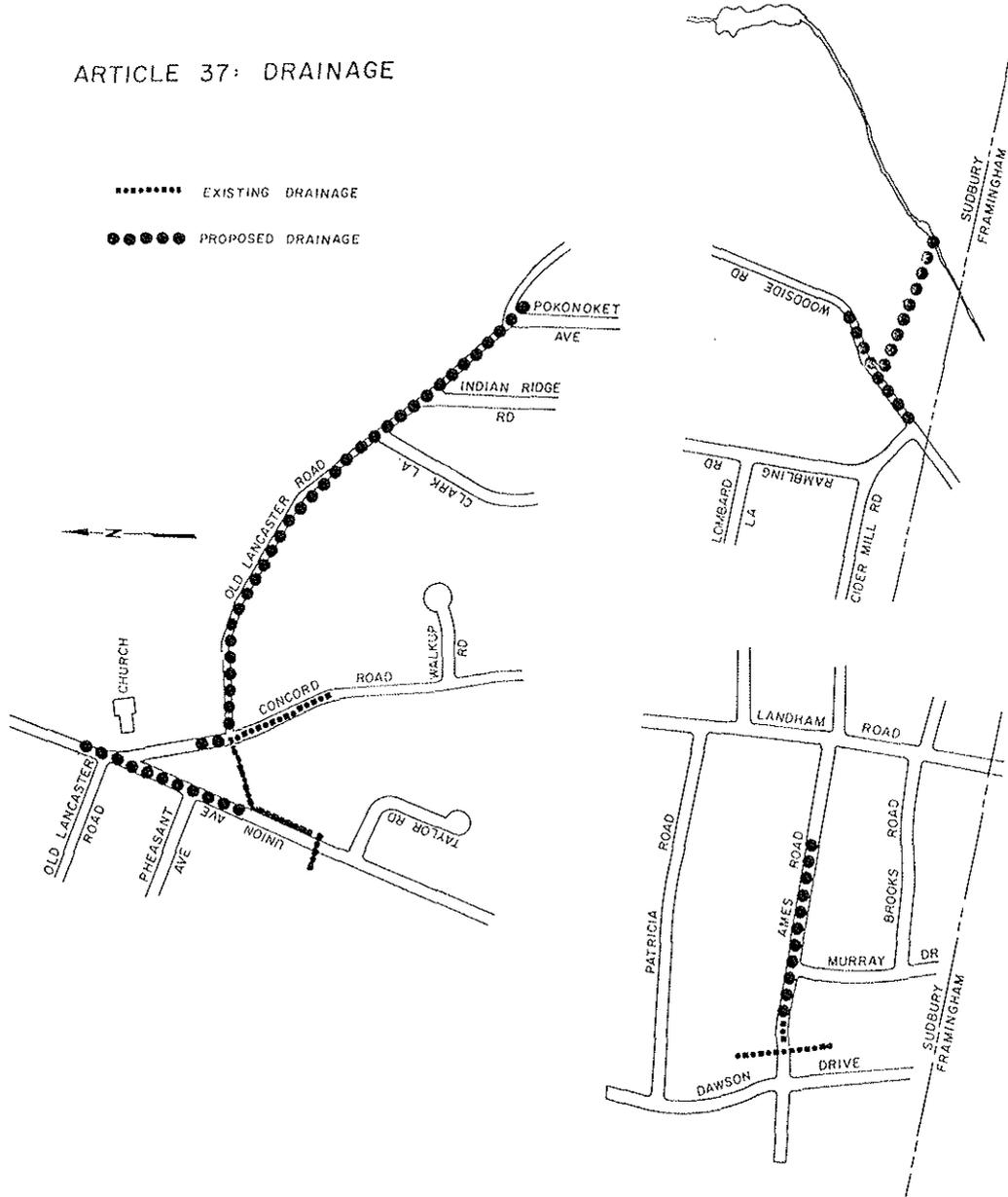
Concord Road: Old Lancaster Road northerly approximately 160 feet;

Old Lancaster Road: Easterly from Concord Road to Pokonoket Avenue approximately 2,310 feet;

Union Avenue: Southerly from the intersection of Concord Road and Old Lancaster Road approximately 825 feet;

Ames Road and Murray Drive: Approximately 1,040 feet;
Woodside Road (portion): Approximately 980 feet;
or act on anything relative thereto.
Submitted by the Highway Surveyor.

ARTICLE 37: DRAINAGE



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

In 1973, the Town Meeting voted to spend \$40,000 under the direction of the Highway Commission for the study and analysis of surface water drains in Sudbury. Weston and Sampson Engineering Firm conducted the study and published their recommendations in a Master Drain Plan.

In 1977, Town Meeting voted to spend \$10,000 for engineering drawings and specifications in the southeastern part of Sudbury. Design plans are now complete in the areas where flooding is most severe. These high priority locations have been incorporated into a five-year drainage construction program currently being in its second year.

April 30, 1979

Like last year, the majority of the drainage construction will be done in-house using my own department personnel and equipment. Some areas may have to be contracted because of deep cuts and anticipated rock excavation. Both are beyond the capabilities of my department. By constructing and reconstructing surface drains, troublesome drainage situations can be remedied at what I believe is the least cost to the Town.

Finance Committee Report: This article allows for the continuation of the Drainage Program begun last year. Construction of surface drains in the Concord Road, Old Lancaster Road and Union Avenue area will resolve a particularly bad situation. The Ames Road-Murray Drive and Woodside areas are considered equally high priority for this phase of the program. Utilizing in-house manpower has enabled the Highway Surveyor to underspend last year's appropriation by \$15,000 which monies can be used this year to offset the \$100,000 requested. Recommend Approval.

Board of Selectmen Position: The Board unanimously supports this article.

VOTED: THAT THE TOWN APPROPRIATE \$100,000, TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY SURVEYOR, FOR THE CONSTRUCTION AND RECONSTRUCTION OF SURFACE DRAINS, AS FOLLOWS:

CONCORD ROAD: OLD LANCASTER ROAD NORTHERLY APPROXIMATELY 160 FEET;

OLD LANCASTER ROAD: EASTERLY FROM CONCORD ROAD TO POKONOKET AVENUE APPROXIMATELY 2,310 FEET;

UNION AVENUE: SOUTHERLY FROM THE INTERSECTION OF CONCORD ROAD AND OLD LANCASTER ROAD APPROXIMATELY 825 FEET;

AMES ROAD AND MURRAY DRIVE: APPROXIMATELY 1,040 FEET;

WOODSIDE ROAD (PORTION): APPROXIMATELY 980 FEET;

SAID SUM TO BE RAISED BY A TRANSFER OF \$15,000 FROM ARTICLE 15 OF THE 1978 ANNUAL TOWN MEETING, AND THE BALANCE OF \$85,000 TO BE RAISED BY TAXATION.

ARTICLE 38: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$1,200, or any other sum, to be expended under the direction of the Highway Surveyor, for the installation of new electrical services in the following locations:

Electrical
Services
for Salt
Shed &
Landfill

(A) Installation of a 100 amp service and floodlights for the salt storage shed located behind the Highway Department Garage:

\$680

(B) Installation of a 100 amp service and light for the trailer at the Sanitary Landfill located on Boston Post Road:

\$520

Submitted by the Highway Surveyor.

Highway Surveyor Report: The electrical service for our salt storage shed was not included in the contract awarded by the State Department of Public Works; therefore, in order to finalize the building, the electrical service would be most helpful.

The electrical service for our trailer, located at our Sanitary Landfill, is a requirement of the State Department of Public Health Regulations for Disposal of Solid Wastes.

Finance Committee Report: Recommend Approval.

Board of Selectmen Position: The Board unanimously supports this article.

UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE, WITH THE SUM OF \$1,200 TO BE RAISED BY TAXATION.

April 30, 1979

ARTICLE 39: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$3,700, or any other sum, to be expended under the direction of the Ancient Documents Committee, for the purchase of a microfilm reader/printer, or act on anything relative thereto.

Purchase
Microfilm
Reader/
Printer Submitted by the Ancient Documents Committee.

Ancient Documents Committee Report: The purpose of this article is to provide a microfilm reader/printer to be used by all Town departments and committees in conjunction with the Records Management Program. The microfilming aspect of the Records Management Program has been in operation for the past several years, and we now have 70 reels of 16mm and 35mm microfilm of Town records on hand.

The application of microfilming has thus far been limited to two areas: one, to provide added security for current vital operating records and for our ancient records, and two, to preserve the needed information contained in records which have no historical importance in and of themselves and which, once filmed, can be disposed of.

Many of the records already filmed are in the second category and this filming has allowed the release of about 25 cubic feet of valuable vault space and additional office space.

A third, and more significant application yet to be utilized is the filming of records which must be readily accessible, but which are referenced on an average of a few times a week. Such records are a major part of the critical file/storage problem facing many of the Town departments.

One of the major objectives of the Records Management Program is to significantly reduce the office and vault space devoted to the filing and storage of records, thereby extending the useful life of the existing offices and vault.

The acquisition of a microfilm reader/printer would permit the filming of records in this third category and removal of the originals from the "active" files. The ability to retrieve "hard copies" of such records when needed is essential for the departments involved to continue providing service to the Town.

The proposed reader/printer was set forth as a requirement in the five year plan for the development of the Records Management Program. It would be suitable for both 16mm and 35mm film and could be adapted for microfiche should the Town have need for it at some time in the future.

Finance Committee Report: We believe that the acquisition of such a microfilm reader/printer will prove to be valuable to the Town by reducing the office and vault space devoted to the storage of records. Recommend Approval.

Board of Selectmen Position: The Board unanimously supports this article.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE,
WITH THE SUM OF \$3,700 TO BE RAISED BY TAXATION.*

ARTICLE 40: To see if the Town will vote to abolish the Committee on Town Administration established under Article 47 of the Annual Town Meeting of 1962, or act on anything relative thereto.

Abolish
Committee
on Town
Adminis-
tration Submitted by Petition.

Petition

Finance Committee Report: It is felt that there is a continuing need to study and evaluate how the Town should administer itself and make recommendations to the Town Meeting. Recommend Disapproval.

Board of Selectmen Position: The Board does not support this article.

Mr. John C. Powers, one of the petitioners, was recognized and stated as follows: In the interests of moving the meeting and in the hopes that a message has been given, the proponents move Indefinite Postponement.

VOTED: INDEFINITE POSTPONEMENT.

April 30, 1979

ARTICLE 41: To see if the Town will vote to amend its vote under Article 11 of the 1978 Annual Town Meeting concerning the reconstruction of Landham Road, as amended by its vote under Article 1 of the June 7, 1978 Special Town Meeting, to provide that Landham Road shall be constructed at a width of 30 feet; and to see if the funds appropriated thereunder shall be raised by borrowing or otherwise; or act on anything relative thereto.

Landham
Road
Recon-
struction
Petition

Submitted by Petition.

Mr. J. Eric Johnson, one of the petitioners, moved that the Town amend its vote under Article 11 of the 1978 Annual Town Meeting concerning the reconstruction of Landham Road, as amended by its vote under Article 1 of the June 7, 1978 Special Town Meeting, to provide that Landham Road shall be constructed at a width of 30 feet.

Petitioners' Report: (Mr. Johnson)

I've been a little bit perturbed. It seems that a few people with their own personal, selfish interests want a narrow road going by their house.

Landham Road to me is a road for all people of the Town of Sudbury from north Sudbury, west Sudbury, east Sudbury or anywhere else who wish to go to Framingham. To make a 24-foot road to carry anywhere from 7,000 cars up to possibly 8,000 or 9,000 now with the Lechmere Sales open on Route 30 and all of that area over there is kind of ridiculous from my point of view.

I'd like to go back a few years to about 1967 when the Town finally voted to get the wooden bridge out of there. It was a railroad bridge, and it took a vote of the people to get it away from the railroad. They built a bridge 30 feet in anticipation of a 30-foot road going the rest of the way to Framingham. They went down the base of the hill at 30 feet. Then, a year or two later, after it was built, they started to take the tax money of the people who were living there at that time. They built up a fund of almost \$300,000 for the construction of Landham Road. All this time, it was anticipated and was told to us that it was going to be a 30-foot road.

If someone hadn't come up with the bright idea that they wanted a 24-foot road, it would have been voted in 1977. We would have a 30-foot road built there now, and it would be a decent road to handle the amount of traffic that is going.

The first cry was, in 1977, "Let's save the trees." Well, I've lived on Landham Road for a long time, and I don't believe there are five trees between the foot of the hill and the Framingham line that are worth saving. 90% of them are dead. They've got big holes in them.

I also know some of the people in favor of the 24-foot road are now begging the Town to cut the two elms in front of their house because they're dead. They have been dead for the last ten years, but they didn't want to lose them when they started to talk about a 24-foot road. It seems funny that after getting the vote through for the 24-foot road that all of a sudden, the trees aren't of that much importance. The continual cry of the trees is ridiculous. So, they've given up that little cry.

Now they're going along with a new one. They are accusing the pro 30-footers for the delay in the road. The road would not have been delayed if they hadn't come up with the 24-foot deal in 1977. So they're the ones that delayed this road. It wasn't the 30-footers.

The old timers that have lived on the road for years and years and years are looking to go forward. We realize this is a time of the automobile when you have to have roads to drive on. It would be something if all of these other towns decided that they didn't want us in their town and they all started making small roads.

I came to a meeting of the Selectmen one night trying to get this put on the ballot to get a broader scan of the thing, and I was amazed at some of the remarks that were made. One fellow said that we should make an 18-foot road and that way we wouldn't have the cars. I got up and said, "Well, better still, let's remove the paving and make it a sand and gravel road." He said, "I'm all for that." I also made the remark, "Let's make it a horse and buggy, no automobiles allowed." He said, "I'm all for that, too." I came back with a snide remark, "50% of you people wouldn't be able to drive a horse and wagon."

Also, they're selfish. They don't want to allow 2½ ton trucks over the road. This is a county road. This road does not belong to the people that live on the street. If it did, I must own 90% of it because I'm one of the oldest residents on the street.

April 30, 1979

These new people that come in pay taxes for a couple of years and they're complaining. I know it's going to be a delay, but also when they went for the 24-foot, our engineers had to spend in the vicinity of \$10,000 to re-design the road to 24 feet. Now they say that the State does not have an engineer to put on the job as Clerk of the Works, so now we're going to have to spend the money of our Town Engineer's to see that this job is engineered properly. I'm not saying that it's not laid out properly, but they're going to have to have somebody that'll watch the contractor. So now we're going to pay possibly another \$5,000 to our Engineering Department to do this.

This is also going to cost us somewhere in the vicinity of \$125,000 to \$150,000 that the State will not reimburse. Being a county road in the beginning, the State was agreeable to pay all costs. The county did the engineering. The engineering was done for a 30-foot road. They had to scrap it because a few people came into Town and swayed a few votes.

Now, I don't know if they've swayed any votes tonight, but I would sure like to have the people from the other parts of Town that would like to use that road by my house have a chance to get a road that's suitable to drive on.

I want to go one step further. Last night, about a quarter past nine, a rap came on my door. A gentleman asked me if he could use the telephone because he just lost a muffler out in front of my house. Well, I went out, and I risked my life, and I mean I risked it. But we tied that muffler up so the gentleman could get home without paying \$25 to a tow truck. He stood there with a flashlight every second that I was lying down on the ground tying a rope around the muffler and hanging it through his back doors to get the muffler up high enough so that he could drive home to Wayland. He is very appreciative, I'm sure. I'm sure he realized the risk I took because there was no place to move that car off the paved road which is now 23 to 24 feet.

I hope that enough of you here will vote for a 30-foot road. Otherwise, I'm going to suffer with it for the next forty years that I hope to live there added to the sixty I've already been there, which means one hundred. I think I'll be around then. Before that time happens, I guarantee the road will be undersized, and they'll be out to rebuild it again at a cost of not \$400,000 but a cost of about \$800,000 because they'll have to do the drainage all over again.

Finance Committee Report: (Mrs. Glass)

We had originally supported the 30-foot road. We supported it wide. However, to come before you at this time and say that we still support a 30-foot road when this Town has voted very, very clearly that they want a 24-foot road would not only waste everybody's time, but it would also mean that this road would not get built until a year from now. The State cannot build it until then at the 30-foot level.

The road is awful. I was on it last Saturday, and it's full of potholes. It's very dangerous. It needs to be fixed and repaved. This Town has decided to go ahead. They voted very clearly that this should be done, and therefore I recommend disapproval of this article.

Board of Selectmen Report: (Mr. Murray)

LANDHAM ROAD RECONSTRUCTION - CHRONOLOGY OF ACTION

August 1971	Petition by Highway Commission to County for reconstruction.	
November 1971 & December 1972	Public hearings re construction fund, (no plans at this time).	
January 1975 & March 1975	Public hearings with County plan.	
July 1975	Orders of taking filed.	
August 1975	Land damages paid by County.	
June 1977	Special Town Meeting appropriation for reimbursement to County for land damages:	\$41,750.05
August 1977	Selectmen appointed Landham Road Advisory Committee.	
September 1977	Public hearing held by Landham Road Advisory Committee.	

(continued next page)

1970	Appropriation for Landham Road Bridge reconstruction:	191,072.13
1971	Balance	47,491.47
1971-1976	Town appropriated funds annually for reconstruction of Landham Road, bringing balance to:	248,796.49
April 1978	Annual Town Meeting appropriated \$400,000 for construction of 24' road.	
June 1978	Special Town Meeting appropriated: \$248,796.49 from Highway 420-63 240,000.00 by borrowing 2,003.51 by taxation	490,800.00
- - -		
March 1979	Design finalized by Town Engineer.	
March 27, 1979	Bids advertised.	
April 10, 1979	Bids opened.	

This chart shows the chronology of what has taken place over the years on this road. The Selectmen have traditionally been for a 30-foot road. We based our opinion on two things: safety first and financial.

I think it's come down to the point where we cannot support this article based on the letter from the Commonwealth of Massachusetts, Department of Public Works, in regard to a query we sent to them on getting this road built this year to a 30-foot width. The letter is as follows:

"Dear Mr. Thompson:

This letter is to acknowledge your letter of March 21, 1979, and to answer your questions of reconstruction of Landham Road within the 1979 construction period.

When the Town of Sudbury notified the Department of Public Works they intended to reconstruct Landham Road under their own specifications, letter dated June 5, 1978, our Projects Department terminated work on the Landham Road and assigned our design engineers to other projects. I'm informed by the District Project Section that they cannot reactivate the Landham Road Project in time to allow construction to a 30-foot width during the 1979 construction season."

For this reason, we oppose the article.

Planning Board Report: (Mr. William R. Firth)

The Planning Board has considered the proposed article in view of its projected safety factor and has determined, as a result of opinions submitted to it by its agents on previous occasions, that Landham Road would better serve the inhabitants of the Town of Sudbury at a width of 30 feet.

Mr. Johnson's motion was defeated.

VOTED: TO DISSOLVE THIS ANNUAL TOWN MEETING.

The meeting adjourned at 9:20 P.M.

(Attendance: 383)

A True Record, Attest: *Betsey M. Powers*
Betsey M. Powers
Town Clerk

PROCEEDINGS
SPECIAL TOWN MEETING

June 11, 1979

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.

He recognized the Rev. Stanley G. Russell of the Memorial Congregational Church for the invocation, after which he led the citizens in the pledge of allegiance to the flag.

He announced that the amount of free cash available was \$107,450.11.

He stated that he had examined the call of the Special Town Meeting, the officer's return of service and the Town Clerk's return of mailing and had found each of them in order.

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

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.

ARTICLE 1: 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:

"1979 - 1980"
SCHEDULE A - CLASSIFICATION PLAN
AND
SCHEDULE B - SALARY PLAN

CLASSIFICATION	HRS PER						
	WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM	
<u>CLERICAL</u>							
<u>ANNUALLY RATED</u>							
Clerk I	35	\$ 7,449	\$ 7,747	\$ 8,057	\$ 8,379	\$ 8,672	
Clerk II	35	8,193	8,522	8,862	9,217	9,539	
Account Clerk	35	8,193	8,522	8,862	9,217	9,539	
Administrative Aide	35	8,193	8,522	8,862	9,217	9,539	
Clerk Stenographer	35	8,766	9,117	9,483	9,862	10,206	
Sr. Account Clerk	35	8,766	9,117	9,483	9,862	10,206	
Secretary	35	9,293	9,664	10,051	10,453	10,818	
Office Supervisor	35	10,129	10,534	10,956	11,394	11,793	
Account Office Supervisor	35	10,129	10,534	10,956	11,394	11,793	
Assistant Town Clerk	35	10,535	10,956	11,395	11,850	12,265	
Administrative Secretary	35	10,535	10,956	11,395	11,850	12,265	
Assistant Town Treasurer	35	10,535	10,956	11,395	11,850	12,265	
<u>FIRE DEPARTMENT</u>							
<u>ANNUALLY RATED</u>							
Fire Chief		INDIVIDUALLY RATED - MAXIMUM				\$28,300	
Fire Captain	42	\$16,332	\$16,709	\$17,096	\$17,475	17,886	
Fire Fighter	42	13,277	13,584	13,899	14,207	14,541	
Fire Fighter/EMT	42	13,277	13,584	13,899	14,207	14,541	
<u>SINGLE RATED</u>							
Call Fire Fighter		\$63.99	per year and \$6.16			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 - STATE LAW -					\$28,248
Sergeant	37 1/3	16,495.50	16,879.80	17,275.65	17,664.15	18,016.95	
Patrolman	37 1/3	13,746.60	14,065.80	14,396.55	14,719.95	15,012.90	
Reserve Patrolman	37 1/3	13,746.60					
Provisional Patrolman		11,099.55	11,787.30				

June 11, 1979

CLASSIFICATION	HRS PER					
	WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<u>POLICE DEPARTMENT</u>						
<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)		\$50.19	per week			
Police Matron		\$ 5.54	per hour			
<u>HIGHWAY DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Asst. Highway Surveyor			INDIVIDUALLY RATED - MAXIMUM		\$19,425	
Operations Assistant			INDIVIDUALLY RATED - MAXIMUM		\$15,750	
Foreman - Highway	40	\$13,370	\$13,692	\$14,016	\$14,362	\$14,685
Foreman - Tree & Cemetery	40	13,370	13,692	14,016	14,362	14,685
<u>HOURLY RATED</u>						
Mechanic	40	5.75	6.00	6.25	6.52	6.74
Heavy Equipment Operator	40	5.31	5.53	5.74	5.90	6.14
Tree Surgeon	40	5.31	5.53	5.74	5.90	6.14
Truck and/or Light						
Equipment Operator	40	4.92	5.09	5.27	5.46	5.60
Tree Climber	40	4.92	5.09	5.27	5.46	5.60
Laborer (Heavy)	40	4.57	4.70	4.88	5.03	5.20
Laborer (Light)	40	4.01	4.14	4.29	4.43	4.60
Temporary Laborer	40	3.28	3.40	3.53	3.64	3.80
<u>LIBRARY</u>						
<u>ANNUALLY RATED</u>						
Library Director	35		INDIVIDUALLY RATED - MAXIMUM		\$18,900	
Asst. Library Director	35	\$11,269	\$11,741	\$12,309	\$12,932	\$13,582
Children's Librarian	35	11,269	11,741	12,309	12,932	13,582
Staff-Asst. Child. Lib.	35	9,451	9,870	10,310	10,884	11,341
Staff-Reference Lib.	35	9,451	9,870	10,310	10,884	11,341
Staff-Cataloger	35	9,451	9,870	10,310	10,884	11,341
Librarian Assistant	35	8,421	8,685	9,052	9,245	9,525
<u>HOURLY RATED</u>						
Library Page		2.78	2.89	2.99		
<u>PARK AND RECREATION DEPARTMENT</u>						
<u>ANNUALLY RATED</u>						
Maintenance Foreman			INDIVIDUALLY RATED - MAXIMUM		\$15,750	
Recreation Director, Part-time		\$ 5,910	\$ 5,753	\$ 5,852	\$ 6,354	\$ 6,671
Maintenance Asst./						
Equip. Operator		10,046	10,483	10,899	11,357	11,752
Laborer (Light)		7,842	8,154	8,528	8,802	9,214
<u>SEASONALLY RATED</u>						
Swimming Director		1,532	1,593	1,672	1,758	1,844
Playground Supervisor		1,181	1,229	1,290	1,355	1,424
Arts and Crafts Supervisor		1,181	1,229	1,290	1,355	1,424
Laborer (Heavy)		4.39	to	5.08		
Swimming Instructor		3.95	to	4.62		
Laborer (Light)		3.77	to	4.43		
Playground Instructor		3.53	to	4.07		
Temporary Laborer		3.14	to	3.68		
Assistant Swim Instructor		3.14	to	3.68		
Monitors (Tennis & Skating)		3.14	to	3.68		
<u>TOWN ADMINISTRATION</u>						
<u>ANNUALLY RATED</u>						
Executive Secretary			INDIVIDUALLY RATED - MAXIMUM		\$32,550	
Town Accountant			INDIVIDUALLY RATED - MAXIMUM		\$23,100	
Town Engineer			INDIVIDUALLY RATED - MAXIMUM		\$25,725	
Building Inspector &						
Zoning Enforcement Agent			INDIVIDUALLY RATED - MAXIMUM		\$22,050	
Director of Health			INDIVIDUALLY RATED - MAXIMUM		\$22,050	
Junior Civil Engineer		\$14,060	\$15,201	\$15,807	\$16,447	\$17,112
Building Services Coord.		12,548	12,865	13,186	13,505	13,842
Assistant Dog Officer		9,319	9,601	9,939	10,188	10,470

June 11, 1979

CLASSIFICATION	HRS PER					MAXIMUM
	WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	
<u>TOWN ADMINISTRATION</u>						
<u>HOURLY RATED</u>						
Senior Engineering Aide		5.66	5.90	6.12	6.37	6.63
Junior Engineering Aide		4.73	4.65	4.84	5.02	5.23
Student Engineering Aide		3.54	3.66	3.82	3.98	4.14
Custodian		4.29	4.44	4.62	4.78	4.97
<u>SINGLE RATED SCHEDULE</u>						
Veteran's 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					

No employee of the Town at the time of amendment of the Salary Plan shall suffer a reduction of pay by virtue of such amendment.

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 Town employees, except individually rated positions, having served continuously as an employee of the Town as follows: after six (6) years, an additional two percent (2%); after ten (10) years, an additional one percent (1%); and after fifteen (15) years, an additional one percent (1%).";

or act on anything relative thereto.

Submitted by the Personnel Board.

Personnel Board Report: (Mr. Lawrence S. Faye)

This article revises the current salary and classification plan by adjusting upward the allowable pay rates for eleven individually-rated positions and two library administrative positions and reclassifies thirty-three clerical positions.

Individually-rated salary maximums are adjusted upward rather conservatively by 5%. The Police Chief's salary, of course, is adjusted by 5.3% according to state law. We are instituting a performance review procedure to encourage sound personnel administration and so that raises for individually-rated positions are not just automatic.

Clerical positions are being reclassified to better relate pay scales to job responsibilities including some supervisory relationships. The principal changes are the establishment of six grade levels instead of four, a change in pay differential between the grades and steps, and job titles that more adequately reflect responsibility.

Also, it adjusts the pay rates of the permanent part-time positions to be consistent with the applicable rates for the permanent full-time positions.

Finance Committee Report: (Mr. Edward L. Glazer)

The Finance Committee recommends approval of this article. I would like to very briefly expand upon the financial impact of this article and how Article 1 and Article 2 interact.

Article 1 sets forth the annual rate of pay for various categories of non-union Town employees at various steps. When the Town Meeting votes the salary line items contained in the budget, it is implicitly approving the placement of various Town employees in particular categories and, in the case of part-time employees, the number of hours to be worked.

Article 2 confirms the decisions made at the 1979 Annual Town Meeting at the higher salary rates contained and proposed in Article 1.

June 11, 1979

In the case of so-called individually-rated Town employees, Article 1 sets forth the maximum amount that cannot be exceeded, and in Article 2 you will be asked to appropriate amounts which cannot be greater than the maximum, but which, in many cases, are below the maximum.

The financial impact of approving Article 1 for the up-coming fiscal year is \$39,735. The overall percentage increase for the 34 line items listed in Article 2 over the aggregate 1978-79 appropriations for these items is 7.1%. Some increases are below 7.1%, some are above. Almost all of the larger percentage increases represent the up-grade of the salaries of part-time clerical employees. Such increases are intended as a catch-up to bring these part-time employees up to the same hourly rate as full-time employees.

If Article 1 is defeated, the salary amounts voted at the 1979 Annual Town Meeting will stand. The overall percentage increase for these 34 line items as voted at the 1979 Annual Town Meeting, over the 1978-79 amounts, is 1.1%.

I believe last year's Finance Committee earned the reputation as being frugal with the Town's money. Last year's Finance Committee firmly believed, however, that cost saving should not be achieved by penalizing one group of Town employees, our non-union employees, and this Finance Committee agrees. We believe that the salary plan contained in this article is a fair one. It represents a major step forward in accomplishing equity in our clerical salary structure.

We urge your support of this article.

Board of Selectmen Report: (Mr. John E. Murray)

The Selectmen and the Personnel Board made a serious mistake in the Annual Town Meeting by not responding to the motion of Indefinite Postponement and again publicly apologize for same. The consequence of that lack of action should not be to the detriment of 27 full-time and 48 part-time employees not protected by union contracts.

We would first like to make some general comments relative to the proposed Classification and Salary Plan. There are inequities now in job descriptions and classifications which must be addressed. Not to do so is administratively irresponsible.

This article, and indeed any article, is not presented to the Town Meeting for a simple acceptance or rejection. It is presented as a working document for acceptance or amendment. This Town Meeting may amend the plan as it sees fit. Remember that any figure or classification within the plan may be amended.

If it is desired to lower the appropriation involved, a percentage cut can be made without throwing out the whole Classification and Salary Plan. However, we do support the article as presented.

Note that a person does not move to another classification unless a job is reclassified or a person's job is changed. The increased number of classifications as proposed allows flexibility to classify appropriately within the departments and, in some cases, will enable jobs to be down-graded due to the fact that the present Plan has no intermediate categories. Thus monies can be saved in this instance in the long run.

The Town department heads are having a difficult time in hiring competent help. Present salaries are not competitive. This Plan has the support of nearly every Town official. In addition, both regional and local school committees have indicated a desire to implement similar or identical plans. We must remember the schools are separate autonomous bodies, but from the beginning, especially from the local schools, we have had nothing but complete and total cooperation.

The clerical study did evaluate salaries of Town and school personnel, but its main purpose or objective was to address the inequities in the Town clerical job descriptions to classifications, which this study has done. Long hours were spent in considering the various options before determining the final classification and pay plan for clericals and every single department and employee was involved in the decision-making process.

Also, a comparative evaluation of school vs. Town clerical studies was conducted; one, two years ago; one, a year ago and updated as recently as April of this year. We could not compare the school's clerical classification because no such official plan exists. However, the local school superintendent's office has supplied us with an updated list of clerical employees and their related salaries and job descriptions. Since the Annual Town Meeting, the local school superintendent's office has been supplied with copies of the Town's clerical evaluation form to be used for school clerical employees in the same manner as the Town if they desire to do so.

June 11, 1979

Now, turning to the specifics dealing with the clerical and other salaries: The proposed salaries in the clerical section of the Plan do have varying ranges or percentages of increase. However, the following should be pointed out. The large percentage increases are for part-time employees who have been underpaid for years. Part-time salaries are being upgraded to the same hourly rate as full-time employees to recognize that people should be paid equal pay for equal work. Part-time people are now being paid 63¢ less per hour than full-time people at the Junior Clerk level.

Clerical Town employees have not been paid anywhere near the cost of living over the last five years. A February 6, 1979, article in the Boston Globe quotes the U.S. Labor Department study that shows clerical pay in New England is the lowest in the United States but New England has the highest cost of living in any area in the mainland United States.

The salary increases are within the Presidential guidelines by employee group as the federal guidelines and regulations dictate. This can be verified by the Town Accountant and the Town Counsel.

A negative vote of this article will mean no salary increases next fiscal year for the 27 full-time and 48 part-time employees including clerical, individually-rated, library, custodial, engineering and park and recreation.

The 1979 Annual Town Meeting has already voted salary increases for police, with the exception of clerical; fire, with the exception of clerical and the Chief; highway employees, with the exception of clerical, Assistant Surveyor and Operations Assistant; and elected officials. The foregoing includes 78 Town union employees with built-in salary increases covered by contracts.

In addition, the 1979 Town Meeting voted salary increases for 476 employees: teachers, clerical, administrators and maintenance personnel.

All Town employees should be treated fairly and uniformly. We should not single out one employee group unprotected by fiscal autonomy and union contract. We urge that you give all our comments serious thought and support passage of this article.

Town Counsel Opinion: It is the opinion of Town Counsel that, if the Bylaw amendment proposed in Article 1 in the Warrant for the June 11, 1979, Special Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

VOTED: THAT THE TOWN VOTE TO AMEND THE CLASSIFICATION PLAN AND SALARY PLAN, SCHEDULES A & B IN ARTICLE XI OF THE TOWN BYLAWS, BY SUBSTITUTING THEREFOR NEW SCHEDULES A & B AS SET FORTH IN ARTICLE 1 OF THE WARRANT FOR THIS MEETING.

The Moderator declared that the motion carried by much greater than two-thirds.

ARTICLE 2: To see if the Town will vote to appropriate the following sums, or any other sums, as additions to the line item appropriations in Article 5 voted at the 1979 Annual Town Meeting:

LINE ITEM	APPROPRIATED 1978 - 1979	VOTED 1979 ATM	TOTAL RECOMMENDED	RECOMMENDED
				OVER 1979 ATM VOTE
310-10 Fire Chief Salary	\$26,000	\$27,000	\$27,820	\$ 820
310-13 Fire Clerical	9,157	7,846	8,555	709
320-13 Police Clerical	10,316	10,417	11,089	672
340-10 Building Inspector Salary	20,000	21,000	21,400	400
340-13 Building Clerical	15,311	14,566	16,050	1,484
340-15 Building Custodial	22,442	22,535	23,657	1,122
350-11 Deputy Dog Officer	10,173	10,271	10,680	409
360-13 Conservation Clerical	2,937	3,238	3,323	85
370-13 Board of Appeals Clerical	2,500	2,500	2,809	309
385-13 Sign Review Clerical	602	647	803	156
410-11 Asst. Highway Surveyor Salary	18,000	18,500	19,425	925
410-12 Highway Operations Asst. Salary	14,700	15,000	15,750	750
410-13 Highway Clerical	18,847	19,271	20,101	830

June 11, 1979

LINE ITEM	APPROPRIATED	VOTED	TOTAL	RECOMMENDED
	1978 - 1979	1979 ATM	RECOMMENDED	OVER 1979 ATM VOTE
501-10 Executive Secretary Salary	\$31,000	\$31,000	\$32,550	\$ 1,550
501-13 Selectmen Clerical	34,294	35,439	37,790	2,351
502-10 Town Engineer Salary	24,500	24,500	25,725	1,225
502-11 Engineering Salaries	75,484	76,000	79,775	3,775
502-13 Engineering Clerical	10,116	10,316	11,034	718
504-13 Assessor Clerical	27,820	27,820	28,754	934
505-13 Collector Clerical	16,472	16,472	18,599	2,127
506-13 Town Clerk Clerical	29,132	29,176	31,596	2,420
507-13 Treasurer Clerical	7,480	7,480	9,212	1,732
511-13 Personnel Board Clerical	1,926	2,000	2,085	85
512-13 Planning Board Clerical	2,140	2,250	2,772	522
514-13 Historic Districts Clerical	112	200	233	33
521-10 Town Accountant Salary	21,000	22,000	22,470	470
521-13 Accounting Clerical	25,357	24,150	27,820	3,670
600-10 Library Director Salary	17,000	18,000	18,200	200
600-11 Library Salaries	97,206	99,472	103,090	3,618
600-15 Library Custodial	3,906	4,919	5,165	246
700-10 Park & Rec. Maint. Foreman	14,000	15,000	15,750	750
700-15 Park & Rec. Salaries	59,345	59,345	62,282	2,937
800-10 Health Director Salary	20,500	21,000	22,000	1,000
800-13 Health Clerical	7,490	7,490	8,191	701
				<u>\$39,735</u>

or act on anything realtive thereto.

Submitted by the Finance Committee.

Finance Committee Report: (Mr. Glazer)

Article 2 implements your action on Article 1. The amounts you see in the Warrant for this Special Town Meeting in column "Recommended Over 1979 ATM Vote" totalling \$39,735 represent the additional amounts to be appropriated by this Special Town Meeting if you follow the Finance Committee recommendations. The column "Total Recommended" reflects the rates contained in the Salary Plan you just voted, the amount of hours for part-time employees recommended by the Finance Committee and supported by the 1979 Annual Town Meeting, and the Finance Committee recommendations with respect to the individually-rated employees.

The amounts contained in the "Total Recommended" column are identical to the amounts originally recommended by the Finance Committee in your Warrant for the 1979 Annual Town Meeting with two exceptions. Line item 600-11 has been increased to reflect the decision of the 1979 Annual Town Meeting to keep the Library open additional hours. The recommended amount for line item 700-10, which represents the salary of Park and Recreation Maintenance Foreman, has been increased.

After the Warrant for the 1979 Annual Town Meeting was printed, the Park and Recreation Commission asked the Finance Committee to reconsider its recommendation with respect to this salary and to compare the Park and Recreation Maintenance Foreman's salary and responsibilities to those of the Assistant Highway Surveyor and Highway Operations Assistant. The Finance Committee did reconsider this and concluded that Park and Recreation Maintenance Foreman was being underpaid and would have recommended an increase in his salary to \$15,750 at the 1979 Annual Town Meeting if the Classification and Salary Plan had not been Indefinitely Postponed.

The increases in the individually-rated salaries fall into the following categories: 5% increase for the Executive Secretary and Town Engineer, bringing each up to his maximum under the Classification and Salary Plan; around 7% for the Fire Chief, the Building Inspector, the Highway Operations Assistant, the Town Accountant, Library Director and Health Director; 7.9% for the Assistant Highway Surveyor, which is the amount requested by Mr. Noyes, the Highway Surveyor; 12.5% for the Park and Recreation Maintenance Foreman, which is a special case as I have already explained.

ESTIMATED SUDBURY 1979-80 TAX RATE

	<u>ACTUAL</u> <u>1978-79</u>	<u>ESTIMATED</u> <u>1979-80</u>
ATM Departmental Appropriations	\$ 12,428,879	\$ 12,207,134
Recommended STM Appropriation	---	11,235
Special Articles & Assessments	<u>1,674,681</u>	<u>1,198,553</u>
Gross Appropriation	14,103,560	13,516,922
Less Offsets	<u>- 3,525,409</u>	<u>- 2,933,030</u>
Total to be Raised by Taxation	10,578,151	10,583,892
Assessed Valuation	\$179,290,700	\$182,500,000
Tax Rate	\$ 59.00	\$ 58.00

This chart shows you where we think we are in terms of the up-coming tax rate. We appropriated \$12,207,134 at the Annual Town Meeting with respect to all the budget items. The recommended Special Town Meeting appropriation is \$111,235: the sum of \$39,735 in this article, \$66,000 for the schools, and \$5,500 for the Board of Health vehicle.

The next item represents the amounts we appropriated at the Annual Town Meeting for special articles and estimated assessments. The offset column of \$2,933,030 is the estimated figure. At this point in time, we don't have any better feel than we had at the Annual Town Meeting of what we are going to be receiving from the State and that is the same number we used at that time. Assuming that is the number, the total amount to be raised by taxation is \$10,583,892, and assuming an increase in the assessed valuation, the tax rate would go down by a dollar.

VOTED: THAT THE TOWN APPROPRIATE THE SUMS SET FORTH IN ARTICLE 2 OF THE WARRANT FOR THIS MEETING AS ADDITONS TO THE LINE ITEM APPROPRIATIONS IN ARTICLE 5 VOTED AT THE 1979 ANNUAL TOWN MEETING.

The Moderator announced that a motion to adjourn the Special Town Meeting so that the Emergency Special Town Meeting could be convened would be in order. Upon a motion made by the Board of Selectmen, it was

VOTED: TO ADJOURN THIS SPECIAL TOWN MEETING UNTIL COMPLETION OF THE BUSINESS, WHETHER BY DISSOLUTION OR CONCLUSION, OF THE EMERGENCY SPECIAL TOWN MEETING.

The Emergency Special Town Meeting was then convened. [See pages 155-156 for action taken.]

Following dissolution of the Emergency Special Town Meeting, the Moderator called the Special Town Meeting to order again at 9:37 P.M.

ARTICLE 3: To see if the Town will vote to authorize the Town Accountant to carry forward into fiscal year 1979-80 \$10,000 from Account 350-51 Dog Pound Funds which was appropriated at the 1978 Annual Town Meeting and that this account remain open until such time as the Dog Pound facility is completed or the funds are expended; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: The purpose of this article is to allow more time for construction of the new Dog Pound facility without further Town Meeting appropriation. If this article is approved, it will allow us to carry forward the \$10,000 appropriated under Line Item 350-51 in the Dog Control budget until completion of the Dog Pound facility. This request is made necessary because of the difficulty in locating a Dog Pound facility site that was agreeable to all parties concerned. Likewise, once the site was selected at the Town Sanitary Landfill and agreed upon this spring, it was learned that to construct a municipal building the specifications and bidding process were much more complicated than anticipated.

We solicit your support and approval of this article in order that we might complete the new Dog Pound facility sanctioned by a previous Town Meeting. The Board of Selectmen unanimously supports this article.

June 11, 1979

Mr. William J. Cossart further reported to the meeting for the Board of Selectmen as follows:

The Town of Sudbury voted a Dog Control Bylaw in 1971, and at that time we had in the neighborhood of 100 dogs a year that were being picked up. The estimate this year is that if we enforce our dog control law that we would be confronted with about 1,000 dog arrests.

In 1978, the money for this Dog Pound, which is needed to continue with the Dog Control Law, was approved. The money has never been expended, mainly because of the difficulties in getting the site. The site is now at the Sanitary Landfill. It's the ideal place for this facility. We all agree to that. We would like to carry the money forward to fiscal '80 so that this facility can be built.

Finance Committee Report: (Mr. Glazer)

The Finance Committee recommends approval of this article.

VOTED: THAT THE TOWN AUTHORIZE THE TOWN ACCOUNTANT TO CARRY FORWARD INTO FISCAL YEAR 1979-80 \$10,000 FROM ACCOUNT 350-51, WHICH WAS APPROPRIATED AT THE 1978 ANNUAL TOWN MEETING AND THAT THIS ACCOUNT REMAIN OPEN UNTIL SUCH TIME AS THE DOG POUND FACILITY IS COMPLETED OR THE FUNDS ARE EXPENDED.

The Moderator declared that the motion carried by more than two-thirds.

ARTICLE 4: To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$5,500, or any other sum, to be expended under the direction of the Board of Health for the purchase of a vehicle to be used by the Director of Public Health; or act on anything relative thereto.

Submitted by the Board of Health.

Board of Health Report: The Board of Health is requesting these funds to purchase a vehicle for the Director. The present system of mileage reimbursement is inadequate and grossly unfair to an employee who travels the amount of miles, for the Town, that the Director does each year. Out-of-pocket expenses for Mr. Sullivan range in the area of \$1,000 per year. Following is a listing of a variety of justifications for this request. We request your approval.

The Director traveled 9,100 miles in calendar 1978. (Building Inspector - approximately 10,000 miles; Police Chief/Safety Officer - approximately 10,000 miles; Town Engineer - approximately 12,000 miles; Highway Surveyor - approximately 1,100 miles per month; Fire Chief - approximately 12,000 miles.)

The Director makes various inspections all over Town:

- | | |
|--------------------------------|-------------------------|
| a. septic system installations | e. school cafeterias |
| b. retail food establishments | f. day care centers |
| c. restaurants | g. nuisance complaints. |
| d. nursing homes | |

The Director also must:

- a. transport and pick up water samples
- b. attend Health Officers' meetings
- c. attend mosquito commissioners' meetings
- d. transport specimens to the Jamaica Plain laboratory
- e. attend Board of Health meetings
- f. attend any other meetings necessary to his office.

Mr. E. Lawrence Gogolin further reported to the meeting for the Board of Health as follows:

The Board of Health is basically asking for \$5,500 to purchase a vehicle for our Director, John Sullivan. Up until March of this year, Mr. Sullivan has been driving his own car and was reimbursed the typical 14¢ per mile for the Town business that he used the car for.

Mr. Sullivan no longer needs or wants, nor can afford a car. His present car died about the month of March, and he has been without one since then. Yet the Town has facilities that require health inspections, must continue to be inspected and the business that the Board of Health Director takes on has to continue.

June 11, 1979

In March of this year, as a stopgap measure, we began to rent a car for \$110 a week and continued that until we found a surplus vehicle in the Highway Department which we have been borrowing until the present time. That car is a 1971 vehicle with about 91,000 miles on it, and it is in very tough shape.

Our proposal is to buy an intermediate car as soon as possible. One of the questions you might ask is, "What will that cost the Town?" I will try to answer that question. Under the present system that has been used, we estimate that approximately 10,000 are driven per year by the Director. The reimbursement of 14¢ per mile works out to be \$1,400, which comes from our line item in the budget for transportation of \$1,500.

We have looked a little bit into the cost of our official driving a car on Town business. It has been estimated that it really costs in the area approximately 24¢ per mile for a car. If one does some calculation, you come up with \$2,400. The difference of \$1,400 in paying Mr. Sullivan for the use of his car is about \$1,000, which one might postulate comes out of his pocket. Therefore, he is paying the Town in order to do the Town a service.

The proposal which we are making takes the \$5,500 estimated cost of a new car, subtracts some of that as trade-in value five years hence, for a cost to the Town of \$5,000 over five years. This means we have \$1,000 average cost per year. The gas we estimate at 10,000 gallons, 80¢ per gallon, 20 miles per gallon, \$400 per year. Estimated maintenance is \$300. The insurance, which is paid out of the Town fund rather than the Board of Health line item, is \$214, and there are no taxes. Therefore, the annual cost is estimated to be about \$1,914.

If we subtract the original estimated price of \$1,400, the actual annual increased cost to the Town is \$514 for this type of transportation reimbursement.

We request your support on this article.

Finance Committee Report: (Mr. Michael J. Cronin)

The Finance Committee recommends approval of this article.

After discussion, it was

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$5,500, TO BE EXPENDED UNDER THE DIRECTION OF THE BOARD OF HEALTH, FOR THE PURCHASE OF A VEHICLE TO BE USED BY THE DIRECTOR OF PUBLIC HEALTH, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5: To see if the Town will vote to accept and approve an amendment to the agreement establishing the Minuteman Regional Vocational Technical School District ("Minuteman") as proposed by the Minuteman School Committee by vote adopted on February 20, 1979, as set forth below and incorporated herein by reference; or act on anything relative thereto.

Amend
MMRVTSID
Agreement

Amendment No. 2 to the Agreement
Establishing the Minuteman Regional
Vocational Technical School District

The Agreement among the Towns of Acton, Arlington, Belmont, Boxborough, Carlisle, Concord, Lexington, Lincoln, Stow, Sudbury, Wayland and Weston entitled "Agreement with Respect to the Establishment of a Technical and Vocational Regional School District", as heretofore amended (the "Agreement") is hereby further amended as follows:

A. Subsection I(C) of the Agreement is amended by deleting the second sentence thereof and substituting in its place the following three sentences:

"The Moderator of each town that shall be admitted to the district pursuant to Section VIII of this agreement shall, prior to the date on which such admission takes effect, appoint one member to serve on the Committee beginning on such date for a term of three years, measured from the April 1 next preceding such date, or for such shorter term, measured from such April 1, as may be necessary to retain symmetry of terms on the Committee as a whole. Prior to

June 11, 1979

ARTICLE 5:
(continued)

the date on which the admission of one or more new member towns is to become effective, the Committee shall determine (by lot, if there is more than one such town) the initial term of the member appointed by the Moderator of each such town, unless such initial term is specified in this agreement. In every year in which the term of office of a member expires, the Moderators of the respective member towns shall each appoint one member to serve for a term of three years."

B. Section VIII of the Agreement is amended to read:

"By an amendment of this agreement adopted under and in accordance with Section VII above, any other town or towns may be admitted to the Regional School District. The effective date for the admission of each such new member town shall be the July 1 following the adoption by the District of such an amendment and the acceptance by the town of this agreement as so amended. Such admission also shall be subject to compliance with such provisions of law as may be applicable and such terms as may be set forth in such amendment."

C. Section IV of the Agreement is amended by adding at the end thereof the following additional subsection:

"(H) Apportionment of Cost to New Member Towns. Except as otherwise provided in this subsection, capital costs and operating costs shall be apportioned in accordance with subsections IV(D), (E) and (F) to towns admitted to the District pursuant to the provisions of Section VIII. In the first fiscal year in which the admission of a new member town is effective, the Town shall pay as its share of the capital costs and operating costs for such fiscal year, an amount equal to what the town would pay if the pupils from the town enrolled in the Regional District School were tuition pupils. After the first fiscal year in which the admission of a new member town is effective, the town's share of capital costs and operating costs shall be determined in accordance with Section IV of this Agreement except that such share shall not include any capital costs on account of the bonds issued by the District dated March 1, 1973 and March 1, 1974. However, commencing in the second fiscal year in which such town is a member and continuing through the eleventh such fiscal year, in lieu of such capital costs and as partial reimbursement to the other member towns for their payment of capital costs on account of the original Regional District School building, such town shall pay as part of its share of capital costs an annual surcharge of \$400 per pupil enrolled from such town in the Regional District School on October 1 of the next preceding fiscal year. If on such October 1, there is an enrollment of less than five pupils from such town in the Regional District School, such member town shall be deemed to have an enrollment of five pupils in the Regional District School. The Committee shall determine the amount necessary to meet the annual operating and maintenance budget and shall allocate such amount among the member towns without taking such surcharge into account. After making such allocation, the Committee shall apply the amount of such surcharge to reduce the shares of capital and operating costs of the member towns which are not then required to pay such surcharge, in the same proportion as capital costs are allocable among such towns pursuant to Section IV of this Agreement. For the purposes of Section IX of this Agreement, if a new member town shall withdraw from the District prior to the twelfth year of its membership, such surcharge shall be deemed to be part of the town's share of the indebtedness of the District outstanding at the time of its withdrawal."

D. Subsection V(C) of the Agreement is amended by adding thereto the following sentence:

"If the amount necessary to meet the annual operating and maintenance budget for a fiscal year in which the admission of one or more new member towns becomes or is to become

June 11, 1979

ARTICLE 5:
(continued)

effective, shall have been determined and apportioned without regard to the payments to be received from any such member town as its share of the capital and operating costs of the District, the Committee may reopen the budget, may redetermine the amounts necessary to meet the budget taking account of such payments, and may reapportion such amounts among the other member towns in accordance with the provisions of Section IV; provided, however, that the shares of such amounts reapportioned to the member towns (other than such new member towns) shall be less than the amounts previously apportioned to such towns."

E. Section VI of the Agreement is amended by adding at the end thereof the following sentence:

"During the first fiscal year in which the admission pursuant to Section VIII of a new member town is effective, such town shall be responsible for providing school transportation for pupils from the town enrolled in the Regional District School and for paying the costs of such transportation."

F. The first sentence of the Agreement is amended to read:

"This Agreement is entered into pursuant to Chapter 71 of the General Laws of Massachusetts, as amended, among the towns of Acton, Arlington, Belmont, Boxborough, Carlisle, Concord, Lexington, Lincoln, Stow, Sudbury, Wayland and Weston and, in accordance with the provisions of Section VIII, such of the towns of Bolton, Dover, Lancaster and Needham as shall accept this Agreement, hereinafter referred to as member towns."

G. Effective Date of Amendment No. 2. Amendment No. 2 to the Agreement, proposed by vote of the Committee adopted on February 20, 1979, shall take effect upon its acceptance by the member towns and upon the acceptance of the Agreement, as heretofore amended and as further amended by this Amendment No. 2, on or before June 30, 1981 by any one or more of the towns of Bolton, Dover, Lancaster and Needham; provided, however, that the admission of any such town shall not be effective prior to July 1, 1980.

Submitted by the Board of Selectmen.

Board of Selectmen Report: The amendment provides for the admission of new member towns generally and the Towns of Bolton, Dover, Lancaster and Needham specifically. The amendment specifies (a) that any new member town will have one member of the School Committee appointed by the Moderator of the town for a three-year term, or for a shorter initial term in order to retain symmetry of terms on the Minuteman School Committee as a whole; (b) that for the first year of its membership a new member town will contribute as its entire share of the operating costs and capital costs of Minuteman for such year an amount equal to what it would pay if the students from the new town enrolled in Minuteman were tuition students, and the new member town will also be responsible for all the transportation costs of those students.

After its first year of membership a new town will pay its share of operating costs and capital costs apportioned in accordance with Section IV of the Agreement, except that such new member town shall not pay any capital costs in accordance with said Section IV on account of debt service on Minuteman's bonds dated March 1, 1973 and March 1, 1974, but in lieu thereof and as partial reimbursement to the members of Minuteman for their payments of capital costs on Minuteman's original school building, each new member town will pay to Minuteman for a period of ten years, commencing with the second year of the new town's membership and ending on the eleventh year of such membership, an annual surcharge of \$400 per pupil enrolled on October 1st of the prior year; (c) that the effective date for the admission of a new member town will be July 1st following its acceptance of the amended Minuteman Agreement and the acceptance by each of the existing member towns of the amendment admitting the new town. The amendment provides further for the admission of such of the Towns of Bolton, Dover, Lancaster and Needham as accept and for their admission not earlier than July 1, 1980, in accordance with the Minuteman Agreement amended as described above. Copies of the Minuteman Agreement as amended and as proposed to be amended, as described in this article, are available for inspection at the office of the Town Clerk. The Board of Selectmen unanimously supports this article.

June 11, 1979

Sudbury Member of the Minuteman School Committee Report: Several member towns have already accepted this amendment in their town meetings.

The Minuteman School Committee vote of February 20, 1979 was too late for Sudbury's Annual Town Meeting Warrant, so we seek Sudbury's approval now.

Everyone knows about the decline in school populations. As enrollment from the twelve original Minuteman towns decreased, tuition students from outside the District have kept our enrollment nearly constant, at a tuition rate approved by the State each year. Without such enrollment we could expect higher school costs and an inadequate enrollment base for an effective range of vocational exposure and training. Expansion of the region will better assure the minimum necessary regular enrollment from member towns, and spread the tax load over a wider area. The capital surcharge of \$400 per student from new member towns will further reduce our school costs as the new towns buy their share of our costs of original construction and equipment.

One of the four towns currently considered in expansion plans has already voted to join Minuteman. I recommend approval of the amendment as an improvement in Sudbury's vocational high school, with full financial and political safeguards.

Sudbury Member of the Minuteman Expansion Planning Committee Report:
(Mr. Karl E. Clough)

I would like to review briefly the background of this proposed amendment. Approximately one year ago, the Regional School Committee reviewed the school and its directions. Dr. Fitzgerald, the Superintendent, prepared a five-year plan for this review, and this plan covered enrollment, business education and management, curriculum and teaching, general management planning. He provided recommendations in each category.

This type of planning is a must for any successful business operation, and Minuteman certainly fits into the category of a corporation with a six million dollar plus yearly budget.

The area of enrollment is very important as it provides the input of students who have to be trained in careers and graduated with skills to meet their particular vocational needs. A review of the future potential school population from member towns showed exactly what we, here in Sudbury, are very cognizant of. In our own elementary and regional high systems, the birth rate in each of these towns has been constantly decreasing.

Taking 1978-79 as a base year at Minuteman, the first year of a normal size senior class, the projected day school enrollment through 1984 shows a 22% decrease. These figures are based on current statistics of school population in member towns and assume a 6.5% factor of the proposed eighth grade enrollment for each school year.

Minuteman is designed to serve 1,400 students, 1,500 with some crowding. Hence, to have an adequate program of vocational training at a per student cost effective level, the School Committee considered two approaches on enrollment: one to expand the District membership and also aggressively seek a higher percentage of students from member towns; or to cut the training options and the curriculum and staff beginning with the 1979-80 budget discussions.

The second option is not in the best interest of the twelve member towns. It would decrease the technical training opportunity for our students leading possibly to even lower student registration, and as a result, the cost per pupil would climb if the enrollment base followed a downhill curve.

Therefore, the Committee voted unanimously to explore the possibility of expanding the District. It established the five-member subcommittee which contained the nucleus of an Expansion Planning Committee. The Board of Selectmen of each town appointed a member, and the Superintendent contacted school districts in the area to determine their interest in joining the region if the opportunity was offered to them. Bolton, Dover, Lancaster and Needham indicated serious interest in meetings with the Expansion Committee in serious discussions on possible expansion.

The proposed amendment now before you as Article 5 for consideration and, hopefully, approval, is the result of this Expansion Committee's work with the final recommendation of the School Committee who approved it on February 20, 1979.

What is involved? What are the advantages?

June 11, 1979

The amendment really sets up a procedure for new member towns joining the Minuteman Vocational Technical School District. It provides also for the acceptance by the current member towns of four towns into the Region, namely Bolton, Dover, Lancaster and Needham, if those towns vote to accept membership into the Region. They cannot join prior to July 1, 1980, however, strictly for reasons of getting everything into action by the budget year.

Dover decided to become a member of the Tri-County Regional which was much closer physically and required less bus travel time. Bolton, Lancaster and Needham, however, have voted to join.

The potential added student base for these three towns will be close to 40-45 pupils per grade level. This number, plus the addition of tuition students from non-member towns, which total 91 this year, plus adult education, will permit an adequate base for cost-efficient operation with present staff and facilities while maintaining the current career exploration opportunities.

If the member towns' pupil population increases unforeseeably, judicious restrictions on tuition student registration will maintain the operation balance of staff and facilities.

The third advantage to the current members towns is a capital investment return which will be achieved through the \$400 per pupil, with a minimum of five pupils, charged. This charge would be paid by each new member town over a period of ten years in addition to the regular yearly operational per pupil assessment. This is in lieu of an apportionment of the cost of the original construction and equipping of the building and the new access road. A surcharge collected will be used to reduce a yearly assessment to the original twelve member towns.

Each town will maintain its membership on the School Committee on a one member per town basis. This arrangement has proven very effective to date in that it permits equal sensitivity to the needs of all youngsters from all towns regardless of the size of the town.

The comments of Mr. Donald Bishop, Sudbury's representative on the Minuteman Vocational School Committee were printed in the Warrant. Don joins with me, your representative on the Expansion Committee, in urging you to approve this article so that Sudbury will join with Acton and Belmont who already voted their approval in town meetings.

Finance Committee Report: (Mrs. Susan Smith)

The Finance Committee recommends approval.

VOTED: THAT THE TOWN ACCEPT AND APPROVE AN AMENDMENT TO THE AGREEMENT ESTABLISHING THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT, CALLED "MINUTEMAN", AS PROPOSED BY THE MINUTEMAN SCHOOL COMMITTEE BY VOTE ADOPTED ON FEBRUARY 20, 1979, AS SET FORTH IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING.

ARTICLE 6: To see if the Town will vote to approve a tax levy for fiscal year 1980 in a specific amount, which amount is greater than 104% of the tax levy for fiscal year 1979; or act on anything relative thereto.

Levy
Limit

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article has been inserted by the Board of Selectmen to reach compliance, if necessary, with tax cap legislation. The Board of Selectmen will make further report at the Special Town Meeting.

After moving Indefinite Postponement of Article 6, Mr. Murray, Chairman of the Board of Selectmen, stated that he planned to move Indefinite Postponement of Article 7 as well and asked that the Town Accountant be recognized for an explanation of his motion.

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

The reasons that both of these articles are being Indefinitely Postponed is that each article calls for a vote of a specific amount over the levy limit or the appropriation limit. As of this date, including the Annual Town Meeting and the Special Town Meeting, Sudbury in each case is below the appropriation limit and the levy limit as established by the Commonwealth under the present legislation.

VOTED: INDEFINITE POSTPONEMENT.

June 11, 1979

ARTICLE 7: To see if the Town will vote to approve appropriations for fiscal year 1980 in a specific amount, which amount is greater than 104% of the appropriations for fiscal year 1979; or act on anything relative thereto.

Appropriations
Limit

Submitted by the Board of Selectmen.

Board of Selectmen Report: See report under Article 6.

Upon a motion made by Mr. Murray, it was

VOTED: INDEFINITE POSTPONEMENT.

ARTICLE 8: To see if the Town will vote to exempt the amount of \$100,000, or any other amount, of free cash, which may be available at the close of fiscal year 1979, from being used to reduce the property tax levy for fiscal year 1980; or act on anything relative thereto.

Use of
Free
Cash

Submitted by the Board of Selectmen.

After making the motion under the article, Mr. Murray deferred to the Town Accountant.

Town Accountant Report: (Mr. Wilson)

I recommended to the Selectmen and the Finance Committee that any free cash, or up to \$100,000, that we currently have available, be exempted from use this year. There are a couple of reasons.

We have a very small amount of free cash at this time compared to other years, and the Town is also in a relatively tight position concerning cash flow. This means the less money we have available, the earlier we have to borrow each year. So, I recommend that we not use what little free cash we have presently available and begin a new fiscal year in a slightly better cash flow situation.

Additionally, when I close up the books at the end of this year and we take into account all of the accounts receivable that we have outstanding, we will probably be in a free cash deficit going into the new fiscal year 1979-80.

Finance Committee Report: (Mr. Slomski)

The Finance Committee recommends approval.

UNANIMOUSLY VOTED: THAT THE TOWN VOTE TO EXEMPT THE AMOUNT OF \$100,000 OF FREE CASH, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 12A OF CHAPTER 151 OF THE ACTS OF 1979, AND THAT SUCH FREE CASH NOT BE UTILIZED FOR THE PURPOSE OF REDUCING THE PROPERTY TAX LEVY FOR FISCAL 1980.

ARTICLE 9: To see if the Town will vote to amend Section 3 of Article V of the Town Bylaws, entitled, "Public Safety", by deleting the last sentence of the second paragraph entitled, "Control of Dogs", which reads: "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.", and substituting therefor the following:

Amend
Bylaws

Art. V
Sec. 3

Dog
Fines

"The owner or keeper of a dog who violates this bylaw shall be punished by a penalty according to the following schedule of fines: for the first offense in any calendar year, ten dollars; for the second such offense, fifteen dollars; and for the third or subsequent such offense, twenty-five dollars.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article, inserted by the Board of Selectmen, has the concurrence of the Dog Officer. In our opinion, approval of this bylaw change will make the job of the Dog Officer and the Assistant Dog Officer easier. This new fine structure geared toward "repeaters", dogs that are picked up over and over again by the Dog Officer, should make the owners more responsible in controlling their animals by incurring a stiffer penalty or fine and places the burden for payment on the responsible parties. Our intended purpose is to curtail the

June 11, 1979

constant picking up and boarding of the same dogs over and over, thus allowing the Dog Officer to perform other duties that are necessary and required. The Board of Selectmen unanimously approves this article and urges your support.

Mr. Cossart further reported to the meeting for the Board of Selectmen as follows:

This article was obviously designed in response to the very high number of complaints we get in this area. One of the unfortunate things about dog complaints is that 20-30% of these complaints are repeat offenders, and there is obviously a general feeling among people that the owners of these dogs are not being sufficiently punished to take the action appropriate to give them the relief that they need.

It was the hope of the Board of Selectmen in putting this article together that we could approach the entire dog control law in a business-like manner. It is also our hope that under this system that if we were to take the income from licenses, add to it the County reimbursements and fines collected, we could look forward to a time when that income would match the expenses associated with the salary and the vehicle and the care of these dogs. So, the system of progressive fines is intended to put it on a more fiscally responsible plane.

Town Counsel Opinion: It is the opinion of Town Counsel, that, if the Bylaw amendment proposed in Article 9 in the Warrant for the June 11, 1979 Special Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

VOTED: THAT THE TOWN AMEND SECTION 3 OF ARTICLE V OF THE TOWN BYLAWS, ENTITLED, "PUBLIC SAFETY", BY DELETING THE LAST SENTENCE OF THE SECOND PARAGRAPH ENTITLED, "CONTROL OF DOGS", WHICH READS: "THAT 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.", AND SUBSTITUTING THEREFOR THE FOLLOWING:

"THE OWNER OR KEEPER OF A DOG WHO VIOLATES THIS BYLAW SHALL BE PUNISHED BY A PENALTY ACCORDING TO THE FOLLOWING SCHEDULE OF FINES: FOR THE FIRST OFFENSE IN ANY CALENDAR YEAR, TEN DOLLARS; FOR THE SECOND SUCH OFFENSE, FIFTEEN DOLLARS; AND FOR THE THIRD OR SUBSEQUENT SUCH OFFENSE, TWENTY-FIVE DOLLARS.

ARTICLE 10: To see if the Town will vote to amend Article IX, Section I, Paragraph B, of the Zoning Bylaw entitled, "Basic Requirements", by adding in the second sentence immediately following the words, "for elderly persons of low income", the words, "or low-income physically disabled persons";

Amend
Bylaws

Art. IX,
I, B

Basic
Require-
ments

Exempt
SHA

Housing
for
Disabled

or act on anything relative thereto.

Submitted by the Sudbury Housing Authority.

Note: Printed below is Section I, Paragraph B, of Article IX, as the proposed Bylaw will read. The words to be added have been underlined.

"B. BASIC REQUIREMENTS

No parcel of land in any district shall be used for any purpose other than that for which the district is established by this bylaw and the uses shall be subject to the other restrictions required by this bylaw except for any municipal purposes or exemption from other restrictions when and as authorized by a vote of the Town. The use of land in any district by the Sudbury Housing Authority for housing for elderly persons of low-income or low-income physically disabled persons shall be exempt from all of the provisions of this zoning bylaw when and as authorized by a two-thirds vote of the Town. The use, construction, alteration, height and area of buildings and the use of premises in the aforementioned districts shall be regulated and restricted as hereinafter provided. No lot, nor the building or structure, shall be changed in size, or use so as to violate the provisions of this bylaw."

Mr. Dallas T. Hayes of the Sudbury Housing Authority moved *Indefinite Postponement*.

June 11, 1979

Sudbury Housing Authority Report: (Mr. Hayes)

When the Housing Authority considered whether it should ask you to reconsider Article 27 of the 1979 Annual Town Meeting, which is the case by our having submitted Article 10, we felt we would only submit this under the one circumstance-- that we had a new site to present to you so that you could see what you were voting on if you granted us this added authority of the municipal use exemption. We made this clear to all the boards with which we met. If we did not have an option on an alternate site at the time of this Special Town Meeting, we would move Indefinite Postponement.

We have a site which we feel as far as location is concerned is ideal. But, we have not reached the stage of negotiation with the owner where if he were to offer us an option we would wish to accept it. Therefore, we are moving Indefinite Postponement.

We are still continuing to consider this site and possible other sites. If one should come that we feel is ideal, we will come before a subsequent town meeting and resubmit this article for reconsideration.

VOTED: INDEFINITE POSTPONEMENT.

VOTED: TO DISSOLVE THIS SPECIAL TOWN MEETING.

The meeting dissolved at 10:16 P.M.

(Attendance - 358)

A True Record, Attest: *Betsy M. Powers*
Betsy M. Powers
Town Clerk

PROCEEDINGS

EMERGENCY SPECIAL TOWN MEETING

June 11, 1979

The Moderator called the meeting to order at 9:04 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

The Moderator stated that he had examined the call of the Emergency Special Town Meeting, the officer's return of service, and the Town Clerk's return of mailing and had found each of them in order. He had also announced that the amount of free cash available was \$107,450.11.

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

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

ARTICLE 1: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$66,000.00, or any other sum, in addition to the funds voted under Article 5 of the 1979 Annual Town Meeting for Account 110 - Sudbury Public Schools, to be expended under the direction and control of the Sudbury School Committee; or act on anything relative thereto.

Sudbury
Schools
Budget

Submitted by the Sudbury School Committee.

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

We are not going to have to look at the whole budget as presented at the Annual Town Meeting. What I am going to concentrate on tonight, independent of the \$66,000 cut and having little to do with it, is two items: \$254,588 projected and bid at that time for transportation and \$239,500 at that time entered for "Other", fuel, utilities, electricity, telephone, gas, water, etc.

I am going to elaborate on these items tonight to show you why we are in the situation we are in.

In April, we had asked for \$254,588 for transportation. That was the sum that was bid at the time. The \$239,000 under "Other" has components consisting of \$84,000 for electricity, \$5,000 for gas, \$1,000 for water, \$27,000 for telephone, and \$122,000 for fuel.

The \$122,000 fuel amount was based on the December price of \$17.50 a barrel. We have recently joined a purchasing consortium of about fifteen towns because, for the past year, they have averaged \$1.50 to \$2.00 less per barrel than we have been paying. Their purchasing agent is estimating that the cost for fuel next year will be \$28.00 per barrel. That is not unreasonable because the homeowner is now paying \$25 plus a barrel. We are less than that now. We stay less than the homeowner, but it is getting worse and worse. So it is a reasonable estimate.

Based upon those numbers, compared with the \$17.40 we had in the budget at the time we presented it to Town Meeting, we have a \$74,200 shortfall. Also, 30% of the electricity bill, as I think most of us are aware, is a fuel adjustment. Applying the same percentage increase to that, we have to look at an additional \$15,372 shortfall. Adding the two numbers together, we see that our fuel and utilities is underbudgeted by \$89,572.

At Town Meeting we were very hopeful. We thought that fuel would go to \$25. It's already there. That was a little naive and short-sighted, even in April, but we were very hopeful that the bus contract when re-specified and re-bid would save us sufficient monies to offset what we knew to be a shortage in fuel.

Why did we do that? Because we really attempted to give the Town a 4% budgetary increase to stay within the Finance Committee's cap and ultimately, it turned out, to stay beneath the Governor's cap. We thought we could get away with it.

Now, as it turns out, we have re-bid the contract for transportation. We have received new bids on last Friday, the eighth. The low bid for used buses for five years for the Sudbury school system is \$230,360. Our savings there is only \$24,228. That's very, very disappointing to us.

Therefore, based on these items alone, the Sudbury School Committee needs the \$89,572 shortfall in the fuel account minus the \$24,228 that we managed to save in the bus bid. We are, therefore, \$65,344 in the hole.

All of the money that we are short is to be applied to the fuel account. We therefore propose that we change those two single items in the accounting and end up with a total increase of \$66,000. The addition is all applied to fuel and utilities.

Finance Committee Report: (Mrs. Carol McKinley)

The Finance Committee recommends approval of the School Committee's request for an additional appropriation of \$66,000 for the 1979-80 Sudbury School budget. We understand this money will be applied to the fuel account.

Both the Finance Committee and the School Committee, back at the time we had our budget hearings and at the Annual Town Meeting in April, were aware of the probable shortfall created in the fuel budget. We did expect to make up monies on a new bus contract.

Tonight we have new information, that being the increased amount of the cost of fuel in addition to a new amount on the bus contract.

Since the Finance Committee only allowed for an overall 15% fuel cost increase in all budgets for next year, we can be facing many transfer requests for various other funds. Our Reserve Fund only has \$100,000 in it at the beginning of the fiscal year, and we do not feel that this fund would be able to cover the Sudbury School's needs in addition to all the other requests we will receive throughout the year.

We recommend your approval of this article.

Board of Selectmen Report: (Mr. Robert J. Hotch)

On the subject of the pending litigation or taxpayers' suit in Middlesex Superior Court dealing with the \$66,000 cut from the school budget at the 1979 Annual Town Meeting, it has been and is the position of the Selectmen that we are bound by the Town Meeting vote under Article 5 and will make every effort to defend such action in court and be responsible to that Town Meeting vote.

However, we unanimously support this article, not from the standpoint of restoring the School Committee funds cut by the 1979 Annual Town Meeting but because of new information and data given to us on the school budget from meetings with the School Committee on two separate occasions since the Annual Town Meeting.

We have learned that the School Committee's budget falls drastically short in meeting the expected costs for fuel originally projected at \$8 to \$10 a barrel less than current and anticipated costs. Thus, it is apparent to us that the schools cannot make it through the next fiscal year without this additional appropriation.

The local School Committee has informed us that these funds will not be used for new programs, but will be transferred to the school fuel account.

We urge your support to vote favorably on this article as a supplementary appropriation to the School Committee budget to meet unanticipated fuel costs.

After discussion, Mrs. Marion Harris moved to amend the motion before the floor by changing the figure of \$66,000 to \$132,000.

The question was then moved and received the required two-thirds vote.

The motion to amend was defeated. In favor - 134; Opposed - 196. (Total - 329)

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$66,000, IN ADDITION TO THE FUNDS VOTED UNDER ARTICLE 5 OF THE 1979 ANNUAL TOWN MEETING FOR ACCOUNT 110, SUDBURY PUBLIC SCHOOLS, TO BE EXPENDED UNDER THE DIRECTION AND CONTROL OF THE SUDBURY SCHOOL COMMITTEE, SAID SUM TO BE RAISED BY TAXATION.

The Moderator declared that the motion carried by more than two-thirds.

VOTED: TO DISSOLVE THE EMERGENCY SPECIAL TOWN MEETING.

The meeting dissolved at 9:36 P.M.

(Attendance - 358)

A True Record, Attest:

Betsey M. Powers
Betsey M. Powers
Town Clerk