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DF Defeated
 IP Indefinitely Postponed
 WD Withdrawn

PRESIDENTIAL PRIMARY ELECTION

March 13, 1984

The Presidential Primary Election was held at the Peter Noyes School with the polls open from 7:00 AM to 8:00 PM. There were 276 Republican ballots cast including 24 absent ballots; there were 1845 Democratic ballots cast including 62 absent ballots; a total of 2121 ballots were cast. Twenty-three voting machines were used. The results announced by Town Clerk Jean MacKenzie at 11:00 PM were as follows:

DEMOCRATIC BALLOT

Presidential Preference

Jesse Jackson	63
Gary Hart	746
Reubin Askew	0
George McGovern	559
Walter F. Mondale	278
Ernest F. Hollings	3
Alan Cranston	4
John Glenn	163
No Preference	6
Write-in	8
Scattering	0
Blanks	15

State Committee Man

Chester G. Atkins	1188
Scattering	0
Blanks	657

State Committee Woman

Barbara H. Rowe	825
Scattering	0
Blanks	1020

Town Committee

Maurice J. Fitzgerald	1017
Maureen G. Wiles	928
JoAnn Savoy	971
Winifred C. Fitzgerald	981
Virginia M. Allan	1088
Helga Andrews	885
Margaret Burns Surwilo	907
Jeanne M. Maloney	952
Carole S. Johnson	871
Maxine J. Yarbrough	1005
Mary E. Farry	871
Stuart Johnson	847
Helen J. McNally	921
Henry P. Sorett	835
Mary M. Monroe	870
Mary Pat Regan	870
Hestor M. Lewis	865
Robert D. Abrams	936
Cheryl A. Rogers	876
John F. Walsh, Jr.	849
Lawrence A. Ovian	958
Mary J. Long	837
Willie L. Hoover	885
Stuart E. Wiles	928
David L. Levington	958
Jeremy M. Glass	910
Frederick J. Gumbs	812
Carmine L. Gentile	840
Irvin Leav	809
Marilyn Hartke	872
John C. Powers	947
Christine L. Gardiner	852
Homer A. Goddard, III	872
Charles J. Bowser, Jr.	896
William S. Farrell	806

REPUBLICAN BALLOT

Presidential Preference

Ronald W. Reagan	244
No Preference	17
Write-in	2
Scattering	0
Blanks	13

State Committee Man

James H. Stossel	130
Terry L. Page	43
Samuel J. Phillips	56
Scattering	0
Blanks	47

State Committee Woman

Karen D. Brown	94
Mary-Lee King	116
Scattering	0
Blanks	66

Town Committee

Nicholas S. Polio	180
Edith L. Hull	192
Louis H. Morrison	187
John C. Naatz	175
Robert R. Wood, Jr.	180
Wallace MacGregor	178
Dorothy I. Polio	177
Anne N. Lehr	189
William R. Duckett	194
William H. Zirkel	171
Frederick J. Dotzler	172
Theodore A. Barten	176
Susan Bistany	175
Ann Beckett	189
F. Daniel Buttner	180
Robert A. Gardiner Cerul	177
Robert Holzwasser	173
Alice S. Morrison	186
Shirley L. MacGregor	180
Richard C. Rubin	174
Clifford A. Card	188
Lois Y. Fink	190
Edwin P. Tringham	179
Dorothy L. Tringham	177
Grace B. LeBart	177
Leonard L. Sanders	181
Elizabeth W. Newton	183
Martha J. Coe	184
Fred H. Hitchcock, Jr.	187
Philip M. St. Germain	185
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Scott E. Cockrell	171
Alan P. Thayer	173
Marvin W. Schenk	173
Catherine A. Schenk	173

A true copy, Attest

Jean M. MacKenzie
Jean M. MacKenzie
Town Clerk

PRESIDENTIAL PRIMARY ELECTION

RECOUNT

March 15, 1984

Pursuant to a certificate of the Town Clerk issued under the provisions of Chapter 54, Section 135A, of the General Laws, a recount of the Presidential Primary ballots was held March 15, 1984 at 7:30 PM at the Peter Noyes School. The results were as follows:

DEMOCRATIC BALLOT

Presidential Preference	
Jesse Jackson	63
Gary Hart	746
Reubin Askew	0
George McGovern	559
Walter F. Mondale	278
Ernest F. Hollings	3
Alan Cranston	4
John Glenn	163
No Preference	6
Write-in	8
Scattering	0
Blanks	15

State Committee Man	
Chester G. Atkins	1188
Scattering	0
Blanks	657

State Committee Woman	
Barbara H. Rowe	825
Scattering	0
Blanks	1020

Town Committee	
Maurice J. Fitzgerald	1017
Maureen G. Wiles	928
JoAnn Savoy	971
Winifred C. Fitzgerald	981
Virginia M. Allan	1088
Helga Andrews	885
Margaret Burns Surwilo	907
Jeanne M. Maloney	952
Carole S. Johnson	871
Maxine J. Yarbrough	1005
Mary E. Farry	871
Stuart Johnson	847
Helen J. McNally	921
Henry P. Sorett	835
Mary M. Monroe	870
Mary Pat Regan	870
Hector M. Lewis	865
Robert D. Abrams	936
Cheryl A. Rogers	876
John F. Walsh, Jr.	849
Lawrence A. Ovian	958
Mary J. Long	837
Willie L. Hoover	885
Stuart E. Wiles	928
David L. Levington	958
Jeremy M. Glass	910
Frederick J. Gumbs	812
Carmine L. Gentile	840
Irvin Leav	809
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John C. Powers	947
Christine L. Gardiner	852
Homer A. Goddard, III	872
Charles J. Bowser, Jr.	896
William S. Farrell	806

REPUBLICAN BALLOT

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Ronald W. Reagan	244
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Terry L. Page	43
Samuel J. Phillips	56
Scattering	0
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State Committee Woman	
Karen D. Brown	94
Mary-Lee King	116
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Town Committee	
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Louis H. Morrison	187
John C. Naatz	175
Robert R. Wood, Jr.	180
Wallace MacGregor	178
Dorothy I. Polio	177
Anne N. Lehr	189
William R. Duckett	194
William H. Zirkel	171
Frederick J. Dotzler	172
Theodore A. Barten	176
Susan Bistany	175
Ann Beckett	189
F. Daniel Buttner	180
Robertta Gardiner Cerul	177
Robert Holzwasser	173
Alice S. Morrison	186
Shirley L. MacGregor	180
Richard C. Rubin	174
Clifford A. Card	188
Lois Y. Fink	190
Edwin P. Tringham	179
Dorothy L. Tringham	177
Grace B. LeBart	177
Leonard L. Sanders	181
Elizabeth W. Newton	183
Martha J. Coe	184
Fred H. Hitchcock, Jr.	187
Philip M. St. Germain	185
Russell G. Johnson	175
Scott E. Cockrell	171
Alan P. Thayer	173
Marvin W. Schenk	173
Catherine A. Schenk	173

A true copy, Attest:

Jean M. MacKenzie
 Jean M. MacKenzie
 Town Clerk

ANNUAL TOWN ELECTION

March 26, 1984

The Annual Town Election was held at the Peter Noyes School with the polls open from 7:00 AM to 8:00 PM. There were 1721 votes cast, including 36 absentee ballots. Sixteen voting machines were used. The results were announced by Town Clerk, Jean M. MacKenzie at 10:30 PM.

MODERATOR: For One Year

J. Owen Todd	1375
Scattering	0
Blanks	346

SELECTMAN: For Three Years

Joseph A. Clark	671
Josiah F. Frost	939
Scattering	1
Blanks	110

ASSESSOR: For Two Years

Patrick J. Delaney, III	1081
Scattering	1
Blanks	639

ASSESSOR: For Three Years

Theodore G. Cameron	1015
Scattering	0
Blanks	706

CONSTABLE: For Three Years

Vincent E. Seymour	1074
Scattering	0
Blanks	647

GOODNOW LIBRARY TRUSTEE:

For Three Years	
Martha Clough	1218
George D. Max	1077
Scattering	0
Blanks	1147

BOARD OF HEALTH:

For Three Years	
Richard Grant	1202
Scattering	0
Blanks	519

Highway Surveyor:

For One Year	
Robert A. Noyes	1297
Scattering	2
Blanks	422

PARK AND RECREATION COMMISSIONERS:

For Three Years	
Robert J. Meyers, Jr.	1273
Scattering	0
Blanks	448

PLANNING BOARD: For One Year

Karl E. Clough	627
John C. Drobinski	846
Scattering	0
Blanks	248

PLANNING BOARD:

For Three Years	
Donald R. James	496
Thomas W. H. Phelps	780
Scattering	0
Blanks	445

PLANNING BOARD: For Five Years

James J. Hannoosh	842
Stephen R. Murphy	556
Scattering	0
Blanks	323

SUDBURY HOUSING AUTHORITY:

For Five Years	
Richard M. Passalacqua	
(Write-in)	31
Scattering	7
Blanks	1683

SUDBURY SCHOOL COMMITTEE:

For Three Years (Vote for Two)	
Susan F. Abrams	896
Stephen L. Bober	355
James L. Kates	609
David S. Pettit	1129
Scattering	0
Blanks	453

TREE WARDEN: For One Year

William M. Waldsmith	1194
Scattering	0
Blanks	527

LINCOLN-SUDBURY REGIONAL SCHOOL

DISTRICT SCHOOL COMMITTEE:	
For Three Years (Vote for Two)	
Raymond P. Clark	1178
Alan H. Grathwohl	991
Scattering	0
Blanks	1273

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

A True record, Attest:

Jean M. MacKenzie
Jean M. MacKenzie, Town Clerk

1984 FINANCE COMMITTEE REPORT

The fiscal year 84/85 budget recommendations of the Finance Committee are the result of extensive committee meetings, public budget hearings and the review and analysis of many fiscal options for the town. As in the past, the FinCom budget recommendations represent a balance of priorities given the following constraints:

1. The year to year tax levy increase cap dictated by Proposition 2½.
2. The fast approaching maximum tax rate of \$25.00 per \$1,000.00 also dictated by Proposition 2½.
3. The Finance Committee's objective of maintaining essential town services in the areas of public safety, schools, highways and health.
4. Recognition of the ever-increasing and complex workload being shouldered by the town's volunteer and part-time committees.
5. The yet-to-be determined costs resulting from the collective bargaining process that covers contracts for Fire, Police, Highway, Sudbury Schools and LSRHS, all of which expire June 30, 1984.

The last point requires some elaboration. Approximately 75% of the total town spending is for salaries and fringe benefits. During a budget year such as this when collective bargaining is in process, the Finance Committee calculates and sets aside one lump sum to pay for salary increases. It is budgeted in a line item called the salary adjustment account. The amount is calculated as a lump sum because specific details of the final contracts are not known. Once contracts have been ratified, each employee's salary is individually calculated and transfers are officially made to the proper departmental line item by the Finance Committee at public hearings.

In an effort to determine a reasonable amount for salary adjustments this year, the Committee researched back to 1979 and compared the year-by-year and cumulative salary increase granted with the Boston-based consumer price index (CPI). We determined that in every situation, settlements had kept up with inflation. Accordingly, we established a 1984/85 salary adjustment budget of 3.8% which was equal to last year's Boston-based CPI. It is clear from our projections of the overall town budget for FY85/86 that settlements above 3.8% will result in the elimination of positions.

It is important for each voter to take the time to read and understand the individual Finance Committee recommendations following each budget or warrant article. In most cases, the Finance Committee has recommended approval of the budgets or articles because they (1) fall within our spending guidelines, (2) stood up to rigorous financial analysis and planning criteria, (3) were supported by well thought out plans, and (4) had formal input from town citizens and/or town counsel.

However, in a number of cases, the Finance Committee voted to recommend disapproval in whole or at some reduced amount in accordance with the constraints and criteria previously mentioned. Again, the Finance Committee urges you to study these situations so you can vote on an informed basis at the Town Meeting.

The FY84/85 budget calls for increased total expenditures of some \$1.4 million, which are offset by increases in state aid of \$.1 million, new borrowing of \$.2 million, use of free cash of \$.3 million, use of the stabilization fund of \$.1 million, for a net increase to the amount to be raised by the tax levy of \$.7 million or 5.7%.

The Proposition 2½ cap on tax increases limits the amount by which we can increase taxes to \$.4 million on old property and \$.2 million on new construction. This leaves us with a gap in the budget of \$.1 million. Between the time of printing this report and the Town Meeting, the Finance Committee will be examining further fiscal alternatives in order to close the gap and balance the budget.

The Finance Committee wants to point out that our projections for fiscal 85/86 call for an ever-increasing gap as Proposition 2½ progressively squeezes town spending. Although increased state aid, new construction, tough spending guidelines and increased property valuations and assessments will help this situation, it is quite likely that the town will have to vote an override to 2½ to balance the budget.

The Finance Committee is most appreciative of the cooperation, openness and willingness to negotiate demonstrated by the town's committees, boards and departments. For the most part, the managers and boards have done a fine job at maintaining town services while meeting the budget requirements.

Please note that tables and amounts are subject to change before the Town Meeting.

Respectfully submitted,

FINANCE COMMITTEE

James A. Pitts, Chairman
Bettie Crawford
Thomas G. Dignan, Jr.
William Gervais
John T. Hannan
Lindalee A. Lawrence
William H. Maurhoff
Walter H. Stowell
Marjorie R. Wallace

TOWN OF SUDBURY
REVENUE & EXPENDITURE FORECAST
(\$000)

Account	FY84 Approp.	FY85 Fin Com	% Change	\$ Change	FY86 Project.	% Change	\$ Change
Sudbury Schools	5,579	5,716	2.45	137	5,965	4.37	250
Community Use	12	12	0.00	0	12	0.00	0
Summer School	5	4	-22.17	-1	5	26.58	1
Regional High School	3,961	4,373	10.40	412	4,724	8.02	351
Vocational High School	255	309	21.30	54	371	20.00	62
Total School Budget	9,812	10,414	6.13	602	11,077	6.37	663
Debt	330	370	12.10	40	425	14.87	55
Protection	2,045	2,187	6.95	142	2,234	2.14	47
Highway	1,092	993	-9.07	-97	1,013	1.79	18
General Government	670	794	18.44	124	826	4.03	32
Library	227	237	4.68	11	253	6.81	16
Parks & Recreation	142	146	2.67	4	153	5.27	8
Health	206	238	15.35	32	236	-0.51	-1
Veterans	15	11	-26.38	-4	11	2.16	0
Unclassified	1,130	1,279	13.15	149	1,394	9.03	115
Salary Adj. Town	15	118		103	15	-87.26	-103
Salary Adj. Schools	0	171		171	0	-100.00	-171
Total Unclass.	1,145	1,568	36.92	423	1,409	-10.13	-159
Total Town Budget	5,872	6,543	11.43	673	6,560	0.23	15
Total Operations Budget	15,684	16,957	8.12	1,275	17,637	4.00	678
A.T.M. Articles	433	549	26.56	115	300	-45.32	-249
S.T.M. Articles	41	0	-100.00	-41	0		0
Total Articles	474	549	15.67	74	300	-45.32	-249
Total Budget	16,158	17,506	8.34	1,350	17,937	2.45	429
Cherry Sheet Charges	564	578	2.54	14	578	0.00	0
Cherry Sheet Offsets	186	186	0.00	0	186	0.00	0
Recap Charges	3	0	-100.00	-3	0		0
Total Charges	753	764	1.49	11	764	0.00	0
Overlay	369	370	0.20	1	370	0.00	0
Total Expenses	17,280	18,640	7.87	1,362	19,071	2.30	429
Cherry Sheet Receipts	2,864	2,972	3.77	108	2,972	0.00	0
Local Receipts	500	525	5.00	25	525	0.00	0
Revenue Sharing	180	140	-22.22	-40	100	-28.57	-40
Motor Vehicle Excise	480	500	4.17	20	500	0.00	0
Overlay Surplus	100	80	-20.00	-20	80	0.00	0
Available Funds	151	158	4.79	7	50	-68.33	-108
Borrowing	140	450	221.43	310	100	-77.78	-350
Free Cash	133	350	162.17	217	300	-14.29	-50
Total Expense Offsets	4,548	5,175	13.78	627	4,627	-10.59	-548
Tax Levy	12,732	13,465	5.76	733	14,444	7.25	977
Previous Levy + 2.5%	12,630	13,050	3.33	421	13,658	4.66	608
New Construction	187	275	46.76	88	275	0.00	0
Yr. to Yr. Levy Limit	12,817	13,325	3.97	508	13,933	4.56	608
\$25 Max. Tax Rate Limit	13,157	13,500	2.60	343	14,000	3.70	500
Total Property Value	526,294	540,000	2.60	13,706	560,000	3.70	20,000
Under/Over(-)Levy Limit	85	-140	N/A	N/A	-511	N/A	N/A
100% Tax Rate	24.19	24.94	3.10	0.75	25.79	3.42	0.85
Residential Rate	22.49	23.18	3.07	0.69	23.97	3.42	0.79
Commercial Rate	36.00	37.11	3.08	1.11	38.38	3.42	1.27

PROCEEDINGS
ANNUAL TOWN MEETING
April 2, 1984

The three hundred and forty-seventh consecutive session of the Town of Sudbury's Annual Town Meeting was called to order by J. Owen Todd, the Town Moderator, at 8:14 P.M. at the Lincoln-Sudbury Regional High School Auditorium. A quorum was declared present.

The Reverend Robert Trache of St. Elizabeth's Episcopal Church presented the invocation, which was followed by Miss Annie Giobbe, Miss Sudbury, leading the Pledge of Allegiance to the Flag.

The Moderator then announced that the Town Accountant had certified the amount of Free Cash to be \$361,717. He then announced that he had examined the call of the Annual Town Meeting, the officer's return of service and the Town Clerk's return of mailing and found each of them to be in order.

Upon a motion made by Selectman Anne W. Donald, it was

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

Several announcements were made by the Moderator as to Town Meeting procedure then he introduced the various town officials and members of town boards sitting on the stage, and the four students visiting Sudbury on the Foreign Student Exchange Program.

Selectman Donald then made the following resolution in memory of those citizens of the town who had passed away during this past year.

RESOLUTION

WHEREAS: A TOWN IS A FAMILY, COMPOSED OF ALL OF THE GENERATIONS WHICH LIVE WITHIN ITS BORDERS. THE PERSONALITIES AND GIFTS OF ITS CITIZENS AND EMPLOYEES, AND ABOVE ALL, THE CHARACTER AND DEDICATION WHICH THEY CONTRIBUTE TO THAT "FAMILY" DEFINE ITS HONOR, ITS STANDARDS, ITS ACCOMPLISHMENTS AND ITS CHARACTER; AND

WHEREAS: THE PAST YEAR HAS SEEN SOME VERY SPECIAL MEMBERS OF THE SUDBURY COMMUNITY PASS FROM LIFE, AND A GRATEFUL TOWN WISHES TO ACKNOWLEDGE THEIR GIFTS:

NOW, THEREFORE, BE IT

RESOLVED: THAT THE TOWN OF SUDBURY, IN TOWN MEETING ASSEMBLED, HEREBY EXPRESSES ITS APPRECIATION FOR THE SPECIAL SERVICES AND GIFTS OF:

<i>THEODORE R. DAVISON</i>	<i>1914-1983, MOVED TO SUDBURY</i>	<i>1944</i>
	<i>BUILDING SERVICES COORDINATOR:</i>	<i>1971-1983</i>
	<i>VOTING MACHINE CUSTODIAN:</i>	<i>1972-1983</i>
<i>RICHARD C. GLEASON</i>	<i>1932-1983</i>	
	<i>SEALER OF WEIGHTS AND MEASURES:</i>	<i>1981-1983</i>
<i>MARION HRINIAK</i>	<i>1908-1983, MOVED TO SUDBURY</i>	<i>1931</i>
	<i>ELECTION OFFICER:</i>	<i>1959-1981</i>
<i>HELEN E. NADEAU</i>	<i>1927-1983, MOVED TO SUDBURY</i>	<i>1972</i>
	<i>POLICEMATRON/CROSSING GUARD:</i>	<i>1976-1983</i>
<i>MARY E. QUINN</i>	<i>1899-1984, MOVED TO SUDBURY</i>	<i>1923</i>
	<i>CLERK OF ALL BOARDS:</i>	<i>1951-1954</i>
	<i>CHIEF CLERK</i>	<i>1955-1960</i>
	<i>VETERANS' AGENT & DIRECTOR OF</i>	<i>1954-1955</i>
	<i>VETERANS' SERVICES:</i>	<i>1957-1961</i>
	<i>ASSISTANT TOWN ACCOUNTANT:</i>	<i>1953-1961</i>
	<i>ELECTION OFFICER:</i>	<i>1959-1966</i>
<i>ROBERT S. RHODES</i>	<i>1915-1983, MOVED TO SUDBURY</i>	<i>1956</i>
	<i>JUVENILE RESTITUTION PROGRAM</i>	
	<i>COMMITTEE:</i>	<i>1980-1983</i>

April 2, 1984

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, 1984, 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 or anything relative thereto.

Temporary
Borrowing

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article provides for short-term borrowing in anticipation of tax revenue receipts. The Board supports 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 and Salary Plan, Schedules A & B of Article XI of the Sudbury Bylaws, by deleting it in its entirety and substituting the following:

Personnel
Bylaw

Class. &
Salary Plan

"1984 - 1985

Art. XI

SCHEDULE A - CLASSIFICATION PLAN

AND

SCHEDULE B - SALARY PLAN

CLASSIFICATION	HRS/ WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
CLERICAL						
ANNUALLY RATED						
CLERK I	35	9,947	10,345	10,759	11,191	11,581
CLERK II	35	10,941	11,381	11,835	12,308	12,739
ACCOUNT CLERK	35	10,941	11,381	11,835	12,308	12,739
ADMIN. AIDE	35	10,941	11,381	11,835	12,308	12,739
CLERK STENO.	35	11,707	12,175	12,664	13,170	13,629
SR. ACCOUNT CLERK	35	11,707	12,175	12,664	13,170	13,629
SECRETARY	35	12,410	12,905	13,423	13,959	14,446
CONSERV.COORD.	35	12,410	12,905	13,423	13,959	14,446
OFFICE SUPER.	35	13,527	14,067	14,632	15,216	15,749
ACCOUNT OFFICE SUPER	35	13,527	14,067	14,632	15,216	15,749
ADMIN. SECRETARY	35	14,068	14,632	15,218	15,825	16,379
ASST.TOWN ACCT.	35	14,068	14,632	15,218	15,825	16,379
ASST. TOWN CLERK	35	14,068	14,632	15,218	15,825	16,379
ASST. TOWN TREAS.	35	14,068	14,632	15,218	15,825	16,379

FIRE DEPARTMENT ANNUALLY RATED

FIRE CHIEF	IND. RATED	MAX. 34,039				
FIRE CAPT.	42	21,810	22,314	22,831	23,337	23,885
FIREFIGHTER	42	17,729	18,140	18,561	18,971	19,418
FIREFIGHTER/EMT	42	17,729	18,140	18,561	18,971	19,418
CIVILIAN DISP.	42	11,131	11,579	12,041	12,522	12,960

SINGLE RATED

CALL FIREFIGHTER	85.45/YR.	8.22/HR.
FIRE PREV. OFFICER	600/YR.	
FIRE ALARM SUPER.	600/YR.	
MASTER MECHANIC	600/YR.	
TRAINING OFFICER	600/YR.	

CLASSIFICATION	HRS/ WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
POLICE DEPARTMENT						
ANNUALLY RATED						
POLICE CHIEF	IND. RATED	MAX.	36,086			
SERGEANT	37.33	22,030	22,541	23,069	23,589	24,058
PATROLMAN	37.33	18,358	18,783	19,225	19,657	20,048
RES. PATROLMAN	37.33	18,358				
PROV. PATROLMAN		14,823	15,741			
SINGLE RATED						
ADMIN. ASST.		1000/YR.				
FINGERPRINT OFF.		600/YR.				
JUVENILE OFF.		600/YR.				
SAFETY OFF.		600/YR.				
DETECTIVE		600/YR.				
MATRON		6.91/HR.				
HIGHWAY DEPARTMENT						
ANNUALLY RATED						
FOREMAN-HIGHWAY	40	17,869	18,249	18,629	19,037	19,417
FOREMAN-TREE & CEM.	40	17,869	18,249	18,629	19,037	19,417
HOURLY RATED						
MECHANIC	40	7.79	8.08	8.39	8.70	8.96
HEAVY EQ. OPER.	40	7.28	7.53	7.78	7.97	8.26
TREE SURGEON	40	7.28	7.53	7.78	7.97	8.26
TRUCK/LT. EQ. OPER.	40	6.81	7.02	7.23	7.45	7.62
TREE CLIMBER	40	6.81	7.02	7.23	7.45	7.62
LABORER-HEAVY	40	6.40	6.55	6.77	6.94	7.15
LABORER-LIGHT	40	5.74	5.90	6.08	6.24	6.43
TEMP. LABORER	40	4.38	4.53	4.70	4.85	5.08
SINGLE RATED						
LEAD FOREMAN		1,050/YR.				
MECHANIC FOREMAN		1,000/YR.				
LIBRARY						
ANNUALLY RATED						
SR. LIBR.	35	16,465	17,124	17,809	18,521	19,169
STAFF LIBR.	35	14,924	15,521	16,142	16,788	17,376
ASSOC. LIBR.	35	13,537	14,067	14,632	15,216	15,749
LIBR. TECH.	35	12,410	12,905	13,423	13,959	14,446
LIBR. CLERK	35	11,707	12,175	12,664	13,170	13,629
HOURLY RATED						
LIB. PAGE		3.70	3.86	3.99		
PARK & REC. DEPT.						
ANNUALLY RATED						
REC. DIR. P.T.		7,387	7,683	8,065	8,486	8,909
MAINT. ASST./EQ.OP.		13,415	13,999	14,554	15,166	15,693
HOURLY RATED						
LABORER-HEAVY		6.10	6.27	6.52	6.72	6.94
LABORER-LIGHT		5.36	5.53	5.72	5.92	6.13
SEASONALLY RATED						
SWIM. DIR.		2,046	2,128	2,232	2,348	2,462
PLAYGRD. SUPER.		1,577	1,642	1,723	1,810	1,902
ARTS & CRAFTS SUPER.		1,577	1,642	1,723	1,810	1,902
SWIM. INSTR.		5.28-6.17				
PLAYGRD. INSTR.		4.70-5.42				
TEMP. LABORER		4.20-4.92				
ASST. SWIM INSTR.		4.20-4.92				
MONITORS (TEN. & SKA.)		4.20-4.92				

In response to a question by Russell McLeod of Victoria Road on the Executive Secretary's Salary and "Deferred Compensation" as printed in the Warrant, it was explained that the Selectmen entered into a contract with the Executive Secretary that is binding on the Town. The figures in the Warrant are determined by the Selectmen. The Deferred Compensation is part of an executive compensation package. The only way the Town has control over that line item is by not appropriating sufficient funds to pay it.

VOTED: THAT THE TOWN VOTE TO AMEND SCHEDULE A, CLASSIFICATION PLAN, AND SCHEDULE B, SALARY PLAN, OF ARTICLE XI OF THE SUDBURY BYLAWS BY DELETING IT IN ITS ENTIRETY AND SUBSTITUTING THE SCHEDULES SET OUT IN THE WARRANT.

ARTICLE 4. Withdrawn by Personnel Board

Personnel
Admin. Plan

Art. XI

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, 1984 through June 30, 1985, inclusive, in accordance with the following schedule, which is incorporated herein by reference; or act on anything related thereto.

Submitted by the Finance Committee.

NOTE: FY83 Expenditures: Line items include Reserve Fund and Line Item Transfers.

FY84 Appropriations: Line items do not include Reserve Fund and Line Item Transfers. They do include transfers from 950-101 Salary Adjustment.

Reserve Fund Transfers and Line Item Transfers are listed following the Budget article.

Prior to deliberation on the Budget, a hearing was conducted to receive public comment on the use of Revenue Sharing Funds as offsets to the total Fiscal year 1984-85 Budget. (See pages 23 and 24.)

100 EDUCATION: 110 SUBURY PUBLIC SCHOOLS

BUDGET SUMMARY

	1982-83 Budget	1983-84 Budget	1984-85 Proposed & Recommended
A Account - Salaries	\$ 4,222,388	\$ 4,495,999	\$ 4,583,860
B Account - Supplies & Services	644,538	622,724	667,510
B'Account - Energy Related	589,074	546,767	553,195
C Account - Equipment	18,860	18,626	19,028
TOTAL	\$ 5,474,860	\$ 5,684,116	\$ 5,823,593
OFFSETS:			
METCO	36,575	36,575	36,575
METCO	30,000	20,000	20,000
PL 94-142	54,735	47,040	49,060
PL 89-313	4,500	1,875	2,450
TOTAL	\$ 125,810	\$ 105,490	\$ 108,085
NET BUDGET	\$ 5,349,050	\$ 5,578,626	\$ 5,715,508
(Pupils)	(2,069)	(1,933)	(1,810)

<u>STAFF/PUPIL SUMMARY</u>	<u>1982/83</u>	<u>1983/84</u>	<u>1984/85</u>
Number of Pupils	2,069	1,933	1,810
Teaching Staff	128.7	126.32	122.92
Other Staff	53.4	52.76	52.01
Ratio of Teaching to Other Staff	2.4/1	2.4/1	2.4/1
Cost per Pupil	\$2,585	\$2,885	\$3,158

A ACCOUNT - SALARIES

Program	1983-84 Staffing				1984-85 Staffing			
	Adm.	Tchrs.	Support	Budget	Adm.	Tchrs.	Support	Budget
Contract & Adm.	-	-	-	\$ 120,143	-	-	-	\$ 155,457
Elem/Gr. 6	-	10.0	-	279,809	-	10.0	-	285,394
Elem/Gr. 1-5	-	42.0	-	1,223,833	-	40.0	-	1,175,565
Kindergarten	-	4.0	-	116,104	-	4.0	-	116,104
Art	-	2.8	-	78,505	-	2.8	-	78,505
Music	-	4.4	-	111,892	-	4.4	-	113,667
Physical Ed.	-	6.0	-	168,294	-	6.0	-	168,294
Communicat. Arts	-	5.5	-	150,317	-	5.0	-	152,291
Reading	-	5.0	1.0	150,422	-	5.0	1.0	154,520
Science	-	5.5	1.0	166,413	-	5.0	1.0	166,908
Mathematics	-	5.5	-	158,522	-	5.0	-	159,016
Social Studies	-	5.5	-	155,741	-	5.0	-	157,381
Typing/Keyboard	-	1.4	-	33,808	-	2.0	-	56,421
Foreign Language	-	2.0	-	50,832	-	2.0	-	54,781
Home Economics	-	1.72	-	43,660	-	1.72	-	46,127
Industrial Arts	-	2.0	-	59,692	-	2.0	-	60,342
Library Media	-	2.0	7.0	107,424	-	2.0	7.0	119,410
Guidance	-	4.0	1.0	136,748	-	4.0	1.0	136,748
Special Ed.	.5	14.0	5.57	417,739	.5	14.0	5.57	439,853
School Mgt.	5.0	-	8.71	293,142	4.0	-	8.71	279,713
Central Mgt.	2.5	-	6.38	167,050	2.75	-	6.38	180,924
Catalyst	-	3.0	-	76,900	-	3.0	-	78,874
Custodial	-	-	11.0	165,741	-	-	11.0	181,682
Maintenance	-	-	3.1	63,268	-	-	3.1	65,883
TOTALS	8.0	126.32	44.76	\$4,495,999	7.25	122.92	44.76	\$4,583,860

B ACCOUNTS - SUPPLIES, CONTRACTED SERVICES, TEXTS, ENERGY

	<u>1982-83</u>	<u>1983-84</u>	<u>1984-85</u>
	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>
Textbooks	\$ 44,553	\$ 57,636	\$ 63,146
School Supplies	114,285	120,519	128,261
School Contracted Services	5,300	5,400	5,310
Library Supplies & Contr'd Services	32,200	37,400	42,943
Special Education & Contr'd Services	56,304	29,750	60,200
Pupil Personnel	13,997	13,990	12,000
Pupil Tuition	93,797	104,386	95,000
School Equip. - Maint. & Repair	16,689	18,100	18,400
Sudbury Public Health Nursing Assoc.	48,309	50,006	50,000
Regular Transportation	273,670	261,798	281,240
School Lunch	5,280	-	-
Central Office & School Mgmt.	70,688**	70,165**	80,050**
Custodial Supplies & Services	22,956	21,922	22,500
Roof Maintenance	30,515	2,500	-
Bldg. & Equip. - Repairs & Maint.	34,150	45,800	46,400
Heat	189,290	150,000	137,000
Electricity	91,945	96,759	92,720
Gas	3,769	4,170	5,175

<u>B ACCOUNTS Continued</u>	<u>1982-83 Budget</u>	<u>1983-84 Budget</u>	<u>1984-85 Budget</u>
Water	\$ 1,400	\$ 2,040	\$ 2,060
Telephone	29,000	32,000	35,000
Tuition Reimbursement	24,000	15,000	12,000
Other	5,850	2,950	-
School Comm., Staff and Legal	25,665	27,200	31,300
TOTAL	\$1,233,612	\$1,169,491	\$1,220,705

**Includes Shared Services Salaries

<u>C ACCOUNT - EQUIPMENT</u>	<u>1982-83 Budget</u>	<u>1983-84 Budget</u>	<u>1984-85 Budget</u>
New & Replacement Equipment	\$ 18,860	\$ 18,826	19,028

Finance Committee Report: The budget is only 2½ over last year's budget and reflects the continued effort of the School Committee and the Superintendent to provide quality education on a cost-effective basis. The average increase in the overall budget for the five-year period 1980/81 - 1984/85 is 1.3% or 5.3% overall. It is also true that the per pupil cost has increased approximately 38.5% during this period, but the Finance Committee is satisfied that this is not the proper measure on which to judge cost effectiveness because costs simply do not vary directly with pupil population in the field of education. Recommend approval.

	<u>1982-83 Budget</u>	<u>1983-84 Budget</u>	<u>1984-85 Budget</u>
120 Community Use of Schools	\$ 12,000	\$ 12,000	\$ 12,000
125 Summer School	5,980	5,075	5,365*

(*To be transferred from the Summer School Reserve for Appropriation Account)

Finance Committee Reports:

120 COMMUNITY USE OF SCHOOLS: Recommend approval.

125 SUMMER SCHOOL: Recommend approval.

School Committee Report: (Judith C. Torian)

The Sudbury School Committee is looking forward to another year of working to refine and improve the Sudbury Schools and increasingly provide the best possible quality of education. During the past year, we've seen a deluge of studies on educational reform by business, state, and federal agencies, and private foundations. Why? Why now? Do the recommendations of these studies apply to us? The answer is "Yes". We've been working on most of the recommendations for the past few years. It is my opinion that the Sudbury Public Schools are excellent public schools in many ways and are getting better yearly. We are entering an era when the quantity of new information and the speed of its dissemination from the Weekly Reader to professional journals is being speeded up due to technology. This speed-up of information magnifies and brings almost to a crisis level the old problems of lack of individualization, lack of quality, comprehensive, core curriculum; lack of integration and emphasis of thinking skills which go beyond memorization and simple applications. This necessitates new solutions -- solutions on which Sudbury has been working for the past couple of years. Studies mentioned have expounded on the need for improvement in the quality of basic skills, well-defined curriculum, and to go beyond this, to the development of thinking skills, analytical, creative, problem-solving skills, skills for independence in learning throughout life, group process skills, research and study skills and computer literacy appropriate to each age and grade. We want students in the Sudbury Schools to leave our K-8 system well prepared for the future and in command, to the degree possible, of the information explosion. The School Committee and the Administration are well aware of many of the future needs of our students and are in the process of implementing many needed changes.

I'll quickly review some of the changes that we have been going through in the last few years. When Dr. LoPresti took office, under his able leadership, we did a financial overhauling from 1979 - 1981, through fiscal analysis, organizational analysis, implementing a testing program and an administrative analysis. Then in 1981, when Proposition 2½ was implemented the '81-'82 school year, we had a school consolidation, a grade reorganization to K-5 and 6-8 school system, staff consolidation and restructuring, and curriculum renewal was initiated in science. We introduced the catalyst program in grade 4 and the computer program in grade 5. Then in the '82-'83 school year, we initiated curriculum renewal in social studies. The reading program was strengthened at K-5 levels. The catalyst program was expanded to grade 5 and the computer program was expanded to grade 6. During the past year and the current school year, we've restructured the grade 7 teaching configuration at the Curtis Middle School to 3-teacher teaming. We have strengthened the remedial reading program in grades 6-8, the catalyst program was expanded to grade 6, the computer program expanded to laboratories for word processing and programming for grades 7 and 8, and programs are being piloted in writing and mathematics. During the '84-'85 school year, which the proposed budget will be addressing, we plan to extend the catalyst program through grade 7, extend the computer program at the Middle School to include the instructional application to the core curriculum, increase in-service opportunities for all staff members, enter the second year of a three-year program on critical and creative thinking in the regular classroom, and initiate curriculum renewal in math.

For these reasons, we ask your support for the Fiscal '85 School Budget

SUDBURY PUBLIC SCHOOLS
FIVE-YEAR BUDGET COMPARISON

LISTED BELOW IS A FIVE-YEAR BUDGET COMPARISON FOR THE SUDBURY PUBLIC SCHOOLS, USING THE FISCAL YEARS 1981, 1982, 1983, 1984 AND AN ESTIMATE FOR 1985.

<u>YEAR</u>	<u>BUDGET</u>	<u>% CHANGE</u>
1980-81	\$5,427,166	
1981-82	5,242,000	- 3.4%
1982-83	5,349,050	+ 2 %
1983-84	5,578,626	+ 4.3%
1984-85	5,715,508	+ 2.5%

THE DIFFERENCE BETWEEN THE ESTIMATED 1984-85 BUDGET AND THE 1983-84 BUDGET IS \$136,882*, WHICH REPRESENTS A 2.5% INCREASE DURING THE FIVE-YEAR PERIOD OF TIME THE AVERAGE INCREASE IS 1.3%

*NOT INCLUDING SALARY ADJUSTMENT

Finance Committee Report: The Finance Committee recommends approval and in so doing refers the members of the Town Meeting to page 9 of the Warrant where the Committee reported. In the opinion of the Finance Committee, the School Committee and the Administration have done a marvelous job at bringing this budget in at 2½. It represents a great deal of work and we thoroughly endorse and recommend approval of this budget

Board of Selectmen Report: Recommend approval.

UNANIMOUSLY VOTED: TO APPROPRIATE THE SUM OF \$5,715,508 FOR THE SUPPORT OF THE SUDBURY PUBLIC SCHOOLS, TO BE EXPENDED UNDER THE DIRECTION AND CONTROL OF THE SUDBURY SCHOOL COMMITTEE, SAID SUM TO BE RAISED BY TAXATION; AND APPROPRIATE THE SUM OF \$12,000 FOR ACCOUNT 120, COMMUNITY USE OF SCHOOLS, SAID SUM TO BE RAISED BY TAXATION; AND APPROPRIATE THE SUM OF \$5,365 FOR ACCOUNT 125, SUMMER SCHOOL, SAID SUM TO BE RAISED BY TRANSFER FROM THE SUMMER SCHOOL RESERVE FOR APPROPRIATION ACCOUNT.

100 EDUCATION: 130 LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

	1982-83 Actual Expenditures	1983-84 Budget	1984-85 Proposed & Recommended
(Pupils)	(1,403)	(1,307)	(1,340)
I. INSTRUCTION			
Art	\$ 7,874	\$ 8,500	\$ 6,350
Business	14,638	15,070	13,850
Computer	42,898	48,900	52,500
English	10,859	10,300	10,750
Foreign Language	5,350	2,800	5,000
History	4,875	7,500	8,550
Home Economics	5,905	5,720	4,720
LS West	4,778	2,100	3,050
Math	2,686	6,900	4,550
Music	6,300	6,705	9,000
Physical Education	6,080	8,250	8,525
Science	17,110	15,800	14,150
Technology	14,264	15,980	15,300
Work Experience	1,322	1,045	1,145
Miscellaneous	5,873	3,425	4,875
General	26,765	30,000	27,000
	\$ 177,577	\$ 188,995	\$ 189,315
II. EDUCATIONAL SUPPORT			
Hall Services	\$ 14,406	\$ 8,000	\$ 8,000
Student Services	31,032	33,471	31,850
Special Needs	501,855	482,750	479,711
Audio-Visual	19,180	19,216	19,100
Library	14,410	13,300	13,300
Student Activities	5,085		
Athletics	50,248	55,993	61,250
Transportation	222,198	220,162	241,177
Development	7,966	6,000	
	\$ 866,380	\$ 838,892	\$ 854,388
III. BUILDING OPERATIONS			
Custodial	\$ 28,608	\$ 26,600	\$ 33,814
Maintenance	97,839	72,300	60,000
Grounds	3,456	8,965	12,400
Debt Service	380,313	150,563	140,588
Community Service	16	100	100
Utilities	235,254	297,050	306,300
Insurance	27,146	28,700	29,600
	\$ 772,632	\$ 584,278	\$ 582,802
IV. DISTRICT SERVICES			
School Committee	\$ 8,302	\$ 18,201	\$ 18,201
Administration	10,640	10,980	15,680
Business Office	5,135	4,550	4,550
Central Office	3,983	8,000	11,519
Employee Benefits	308,352	403,455	474,374
Contingency			25,000
	\$ 336,412	\$ 445,186	\$ 549,324
V. NON-UNION SALARIES			
Administration	209,454	228,962	232,091
Para-Professional	147,880	149,271	178,185
Secretarial	224,848	249,603	258,220
Maintenance	305,463	322,605	347,365
	\$ 887,645	\$ 950,441	\$ 1,015,861
VI. PROFESSIONAL SALARIES			
Professional Staff	\$ 2,946,456	\$ 3,184,815	\$ 3,086,890
Athletics	80,855	84,393	90,034
Allowance for collective bargaining			106,386
	\$ 3,027,311	\$ 3,269,208	\$ 3,283,310
TOTAL EXPENDED	\$ 6,067,957		
TOTAL OPERATIONS BUDGET	\$ 6,069,000	\$ 6,277,000	\$ 6,475,000
CAPITAL PROJECTS BUDGET			180,000
TOTAL BUDGET	\$ 6,069,000	\$ 6,277,000	\$ 6,655,000

	1982-83 Actual Expenditures \$	1983-84 Budget \$	1984-85 Proposed & Recommended \$
OFFSETS:			
Chapter 70	707,774	707,774	566,220
Chapter 71	292,225	305,000	396,389
Transportation	158,000	170,000	225,000
Residential Tuition	55,000	55,000	50,000
Construction Aid	285,798	85,064	85,064
STATE AID Sub-total	\$1,498,797	\$1,322,838	\$1,322,673
Adj. for Prior Years	196,656.53	241,874.94	170,596.80
TOTAL OFFSETS	\$1,695,453.53	\$1,564,712.94	\$1,493,269.80
TOTAL ASSESMENT	\$4,373,546.47	\$4,712,287.06	\$5,161,730.20
SUDBURY ASSESSMENT	\$3,765,723.87	\$3,961,292.30	\$4,373,089.66
FINANCE COMMITTEE RECOMMENDED ASSESSMENT			\$4,373,089.66

Lincoln-Sudbury Regional District School Committee Report: (Mr. Alan Grathwohl)

I find myself in an unusual position. For the past 8 years I have been connected with the Regional School Budget in some form or another, either through the Finance Committee or on the School Committee. For the first time in eight years I find that the figures in the Warrant are absolutely correct and in agreement between the Finance Committee and the School Committee, with one exception. The latest projected figure for pupils in fiscal '84-'85 is an estimated 1,351 and not 1,340, an increase of 4%, which would also adjust the per pupil cost from \$4,802 to \$4,793.

Finance Committee Report: The requested assessment to Sudbury by the High School is \$4,373,089.66, representing an increase of 10.4% over last year's assessment. The total requested budget is \$6,655,000, an increase of 6.0% over last year. This inconsistency in growth rates is due to movement in state aid and a change in the proportionate mix of students between Lincoln and Sudbury.

The increases in the budget assume a collectively bargained salary increase of 3.8% and other inflationary increases, specifically in the areas of health insurance and special needs tuition funding. Also included in this requested budget is \$180,000 for Capital Projects. Although the original goal for capital spending was \$205,000, other budget necessities forced this number to \$180,000.

Throughout the budget process, the School Committee has cooperated in sharing the assumptions behind the plan and has assured the clarity of the actual budget detail. The School Committee has also agreed to accept the funding of future necessary capital projects as an ongoing issue.

Accordingly the Finance Committee recommends approval.

At this time, at the request of James Vanar, the Town Accountant and with the consent of the hall, the budget was amended to \$4,373,090, so as to round off the 66¢ in the original figure to the nearest dollar.

UNANIMOUSLY VOTED: TO APPROPRIATE THE SUM OF \$4,373,090 FOR THE SUPPORT OF THE LINCOLN-SUDBURY REGIONAL HIGH SCHOOL TO BE EXPENDED UNDER THE DIRECTION AND CONTROL OF THE LINCOLN-SUDBURY REGIONAL HIGH SCHOOL DISTRICT SCHOOL COMMITTEE, SAID SUM TO BE RAISED BY TAXATION.

100 EDUCATION: 140 MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

(Pupils)	Program Amount 1983-84 (1,467)	Proposed & Recommended 1984-85 (1,442)	Difference	%
<u>VOCATION PROGRAMS</u>	\$	\$	\$	
01 Building Trades	50,300	52,815	2,515	
02 Commercial Servies w/D.E.	27,873	29,223	1,350	
03 Electronics	34,838	36,579	1,741	
04 Graphics	96,625	93,270	- 3,355	
05 Health Instruction w/Child Care	22,371	21,835	- 536	
06 Metal Fabrication	42,459	46,449	3,990	
07 Power Mechanics	35,897	34,705	- 1,192	
08 Technology	18,210	18,685	475	
09 Afternoon Program/Summer Prog.	15,801	13,801	- 2,000	
10 Regional Occupational Program	14,918	11,285	- 3,633	
<u>ACADEMIC PROGRAMS</u>				
20 Reserve Officer (ROTC)	2,990	2,990	0	
21 Communications	9,000	9,400	400	
22 Human Relations	2,300	2,800	500	
28 Foreign Language	400	400	0	
29 Art	11,115	11,815	700	
30 Music	1,025	0	- 1,025	
23 Mathematics	10,575	10,000	- 575	
24 Science	17,910	22,147	4,237	
25 Physical Education	10,525	10,725	200	
26 Athletics w/o coach salaries	59,945	61,430	1,485	
27 Business Instruction	3,432	3,350	- 82	
31 Driver Education	0	500	500	
<u>SUPPORT PROGRAMS</u>				
51 Instructional Resources	40,275	40,275	0	
52 Pupil Support	40,016	36,998	- 3,018	
71 Principal	56,162	56,162	0	
79 Transportation	667,000	673,635	6,635	
72 Vocational Coord.	7,875	8,100	225	
73 Computer Services	74,995	72,300	- 2,695	
74 Dean	2,230	2,230	0	
75 School Committee	31,624	31,624	0	
76 Superintendent	5,150	5,150	0	
77 Planning & Academics	7,360	7,360	0	
78 Business Office	491,150	500,700	9,550	
80 Cafeteria	7,360	7,360	0	
<u>OTHER</u>				
82 Debt Management & Equipment	104,246	116,555	12,309	
81 Operations/Maintenance	609,492	705,542	96,050	
N/A Salaries	4,192,641	4,459,557	266,916	
FINAL TOTAL	\$ 6,826,085	\$ 7,217,752	+ 391,667	+5.7%
REVENUE AID, and/or BALANCES to be used to reduce assessments (estimated)	\$ 3,373,614	\$ 3,470,873	+ 97,259	+2.8%
TOTAL TO ALL MEMBER TOWNS (16)	\$ 3,452,471	\$ 3,746,879	+ 294,408	+8.5%
SUDBURY ASSESSMENT	254,928	\$ 309,218*	+ 54,290	+21.3%

DISTRICT APPORTIONMENT - 1984-85

I. OPERATING BUDGET:

Total Operating Budget	\$ 7,104,550	
Aid/Revenue	-3,420,873	
Operating Budget Apportionment		\$ 3,683,677

II. SPECIAL OPERATING:

Special Operating Costs	81,647	
Credits	- 50,000	
Special Costs Apportionment		31,647

III. CAPITAL BUDGET:

Capital Payments:	New Town's Surcharges	64,800	
	- Original Town's Credits -	64,800	
	Debt Service	<u>31,555</u>	
Apportionment, net			<u>31,555</u>
TOTAL APPORTIONMENT			<u>\$ 3,746,879</u>

*Apportionment formula:

% of Students	Operating + Special Operating + Capital = Apportionment
Sudbury: 8.442	\$310,976 +\$2,103 -\$3,861 = \$309,218

Minuteman Regional Vocational Technical High School Committee Report:(Mr. James Kates)

There has been a change in the budget from what is printed in your Warrant. Due to some lobbying by the Regional School Committee Association, the School Committee was able to receive approximately \$150,000 in additional revenues from the State this year. This basically represents a reduction for Sudbury of \$12,000 over what was printed in your Warrant. The budget for the year went up 5.7%. The enrollment decreased approximately 5% and the cost per student went up approximately 9.4%. The total assessment to the Town has gone up due to the fact that our enrollment has gone from 79 students, at the period we count, which is in November, to 84 students in November of '83 and our assessment has gone up to \$296,840 from \$254,928. The overall budget is up 5.7%. The two biggest increments in that budget are \$90,000 for a new roof and \$30,000 for an assessment for some land taking when the school was originally built about 6 or 7 years ago. On top of that we have the increase in salary costs for the teachers.

BUDGET REVISIONS

FINAL TOTAL	\$ 6,826,085	\$ 7,217,752	+ 391,667	+5.7%
REVENUE AID, and/or BALANCES to be used to reduce assessments (estimated)	\$ 3,373,614	\$ 3,617,502	243,888	7.2%
TOTAL TO ALL MEMBER TOWNS (16)	3,452,471	3,600,249	147,778	4.3%
SUDBURY ASSESSMENT	254,928	296,840	41,912	16.4%

DISTRICT APPORTIONMENT - 1984-85

I. OPERATING BUDGET:

Total Operating Budget	7,104,550
Aid/Revenue	<u>-3,617,502</u>
Operating Budget Apportionment	\$ 3,487,048

II. SPECIAL OPERATING:

Special Operating Costs	81,647
Credits	<u>-50,000</u>
Special Costs Apportionment	31,647

III. CAPITAL BUDGET:

Capital Payments:	New Towns' Surcharges	64,800	
	Original Towns' Credits	-64,800	
	Debt Service	<u>31,555</u>	
Apportionment, net			<u>31,555</u>
TOTAL APPORTIONMENT			<u>\$3,600,250</u>

*Apportionment formula:

% of students	Operating + Special Operating + Capital = Apportionment
Sudbury: 8.442	\$298,598 +\$2,103 -\$3,861 = \$296,839

Finance Committee Report: (The following is the report on page 13 of the Warrant, printed prior to the receipt of the additional \$150,000 State revenues.)

The proposed assessment to Sudbury of \$309,218 represents a 21.3% increase over 1983/84. The increase is caused by two factors: an increase in Sudbury's student enrollment, and a decrease in the total number of students at the school. The average increase of cost per pupil for the sixteen member towns is 14.2%.

Minuteman operating expenses increased 5.7%. The School Committee feels that with a cut of $1\frac{1}{2}$ teaching positions and a careful consideration of all programs, the costs have been kept as low as possible. All regional schools were compared and the staff and salaries at Minuteman were in line with other technical schools.

Recommend approval of \$309,218

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$296,839 FOR THE SUPPORT OF THE MINUTEMAN REGIONAL VOCATIONAL HIGH SCHOOL DISTRICT, TO BE EXPENDED UNDER THE DIRECTION AND CONTROL OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT SCHOOL COMMITTEE, SAID SUM TO BE RAISED BY TAXATION.

Before proceeding further with the Budget, the Moderator explained that the Warrant, as presented, places the town at the full $2\frac{1}{2}$ % tax levy limit. To increase the tax levy beyond the $2\frac{1}{2}$ % would require a General Election. Therefore, the Bourne Rule would prevail for the balance of Town Meeting. If anyone wants to move to increase any line item, he will have to tell where the money is to come from--another line item, raise it by taxation if the Town votes by 2/3rds at a General Election to override Proposition $2\frac{1}{2}$ %, the use of Free Cash, or the use of the Stabilization Fund, if the expenditure(s) qualifies. The Moderator pointed out that one line item may be decreased to increase another line item. The Finance Committee noted that there was approximately \$11,000 remaining in Free Cash.

ARTICLE 5. 200 DEBT SERVICE

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
201 Temp. Loan Int.	77,091.04	100,500	100,000	100,000
202 School Bond Int.	2,175.00	---	0	0
203 Other Bond Int.	62,732.50	69,563	51,712	57,488
204 Principal, Schools	75,000.00	---		
205 Principal, Others	105,000.00	195,000	190,000	212,500
200 TOTAL	321,998.54	365,063	341,712	369,988

Finance Committee Report: The Debt Service represents the third of five interest and principal payments for the Police Station bonds; the second of five interest and principal payments for the Curtis Junior High and Peter Noyes School roofs; the initial principal and interest payments for Septage Disposal debt; and short-term borrowing interest for Tax Anticipation Notes. Recommend approval.

In response to a question posed by Mr. Richard Sasiela as to whether or not a town may delay paying off the principal on outstanding bonds so as to use the money for other budgetary line items, Chester Hamilton, the Town Treasurer noted that we are not required to pay it off. However, when the Town issues bonds and they are outstanding, the moral credit of the Town stands behind them. If we do not pay them off, our municipal bond rating would drop from the present day to "0". We would be unable to borrow short term money as no one would trust our credit, and we would in effect bankrupt the Town.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY 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, EXCEPT 204 AND 205, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THE SUM OF \$0 FOR ACCOUNT 204, PRINCIPAL SCHOOLS.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$212,500 FOR ACCOUNT 205, PRINCIPAL, OTHERS, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5. 300 PROTECTION OF PERSONS AND PROPERTY310 FIRE DEPARTMENT

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
310-10 Chief's Salary	34,490.17	34,039	34,039	34,039
310-11 Salaries	640,978.82	680,062	687,865	687,865
310-12 Overtime	82,067.41	78,182	78,182	78,182
310-13 Clerical	11,408.11	12,738	12,670	12,670
310-14 Dispatchers	0.00	25,920	25,920	25,920
310-21 General Expense	9,873.62	10,080	9,880	9,880
310-31 Maintenance	41,637.19	35,750	30,600	30,600
310-42 O.O.S. Travel	0.00	600	600	600
310-51 Equipment	5,849.14	16,150	132,250	132,250
310-62 Alarm Maintenance	2,495.75	2,500	3,000	3,000
310-71 Uniforms	9,307.87	8,905	9,160	9,160
310-81 Tuition	1,504.60	2,500	2,500	2,500
310-15 Sick Buy Back	0.00	0	4,481	4,481
310 TOTAL	839,612.68	907,426	1,031,147	1,031,147
REVENUE SHARING	100,000.00	90,000	70,000	70,000
NET BUDGET	N/A	817,426	961,147	961,147

Finance Committee Report: All of the requested line items in the Fire Department budget reflect a 1% increase except for Personnel Services which were being negotiated at the time the Warrant went to press and Capital Expenditures. The -51 account would also be 1% except that the Fire Chief has requested \$115,000 to replace a 1957 pumper. For nine years the equipment has been repeatedly repaired and the expected 20-year life has been extended by 25%. Because parts are unavailable, an open cab makes it impractical for use during the winter months and \$21,000 in repair costs since 1980, the Finance Committee recommends that a new pumper be purchased this year, with the knowledge that in the next two or three years similar requests for obsolete equipment will be made. The Finance Committee recommends approval of all line items in Account 310.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 310, FIRE DEPARTMENT, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 310-11, 310-14, 310-51, AND 310-15, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$687,865 FOR ACCOUNT 310-11, FIRE SALARIES, SAID SUM TO BE RAISED BY TRANSFER OF \$70,000 FROM PUBLIC LAW 92-512, FEDERAL REVENUE SHARING ACCOUNT, AND THE BALANCE TO BE RAISED BY TAXATION.

Michael Dunne, Fire Chief, explained the \$115,000 of the requested money for Fire Equipment was for the purchase of a new fire engine and the balance would be for capital equipment used during the year.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$132,250 FOR ACCOUNT 310-51, FIRE EQUIPMENT, SAID SUM TO BE RAISED BY TRANSFER OF \$115,000 FROM THE STABILIZATION FUND, AND THE BALANCE TO BE RAISED BY TAXATION.

Mr. Peter Feudo, 8 New Bridge Road, asked for an explanation of the Dispatcher position as this line item didn't occur in the previous 1983 expenditures and there was no decrease in the salaries, either regular or clerical this year, to accommodate a dispatcher's position.

Chief Dunne reported that the Dispatcher positions were created at the Special Town Meeting of October 1982. They are there to reduce the Fire Department overtime. Their main function in the department is to dispatch fire apparatus, free up a firefighter and help reduce the overtime cost of the department. Mr. Feudo commented that there was no decrease in the request of overtime. Chief Dunne noted that the overtime hasn't decreased, but it hasn't increased either.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$25,920 FOR ACCOUNT 310-14, DISPATCHERS, SAID SUM TO BE RAISED BY TAXATION.

Chief Dunn, at the request of the Moderator, explained the Sick Buy Back Account, as a provision in the Firefighter's contract that allows a certain number of sick days - 50% of those accumulated - to be paid to firefighters when they retire from the Town.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$4,481 FOR ACCOUNT 310-15 SICK BUY BACK, SAID SUM TO BE RAISED BY TAXATION.

320 POLICE DEPARTMENT

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
320-10 Chief's Salary	34,960.00	36,086	36,086	36,086
320-11 Salaries	573,353.05	657,218	652,244	652,292
320-12 Overtime	93,037.31	105,876	105,876	105,876
320-13 Clerical	13,779.00	14,916	15,024	15,024
320-21 General Expense	14,825.67	16,450	18,370	18,370
320-31 Maintenance	33,589.10	11,995	14,134	14,134
320-41 Travel	121.25	500	500	500
320-51 Equipment	8,349.35	39,424	48,575	48,575
320-71 Uniforms	9,472.37	10,150	10,150	10,150
320-81 Tuition	3,952.14	5,000	9,000	9,000
TOTAL	785,439.24	897,615	889,959	910,007
REVENUE SHARING	100,000.00	90,000	70,000	70,000
NET BUDGET	N/A	807,615	819,959	840,007

Finance Committee Report: The total increase in the Police Department budget is \$40,000 which represents a 4.7% increase. However, an anticipated \$20,000 increase in income from licenses, permits, fees and fines may reduce that request to 2.4%. The increases are in three line items:

- 21: In prior years the Town carried insurance for work-related doctor and hospital bills; the departments now request monies for this expense within the general expense account.
- 31: The maintenance account reflects a \$2,000 increase for vehicle maintenance on three cars which will be a year older.
- 51: The capital request is for replacement of equipment more than 15-years old and for cruiser replacement in accordance with an established, financially sound program.

The Finance Committee recommends approval of all line items in Account 320.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 320, POLICE DEPARTMENT, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 320-11 AND 320-12, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$652,292 FOR ACCOUNT 320-11, POLICE SALARIES, SAID SUM TO BE RAISED BY TRANSFER OF \$70,000 FROM PUBLIC LAW 92-512, FEDERAL REVENUE SHARING ACCOUNT, AND THE BALANCE TO BE RAISED BY TAXATION.

Mr. James Kates questioned the police overtime request at being 17%. Last year I received a very specific answer that the town was taking steps to address this overtime and we wouldn't see this reoccurring in the future. This year the requested amount is 17%. The recommended amount is 16% and it seems by continuing to pay 16% of total salaries in overtime every year, it is becoming an expected level for the policemen and part of their base pay. I'm just wondering what changes have been made in the year and what changes are being projected for the future to avoid paying 16% of the total police salaries in overtime pay.

Acting Chief Lembo noted that the department had been undermanned by three or four men for the last couple of years. Some of the money is required for training. Each member of the Police Department must have 40 hours of training each year. Money for court time is also included in this account. This is the bare minimum that we can operate with. I've cut back recently on the overtime, but with sickness and injuries, we still need this amount of money to cover.

Mr. Kates retorted that looking at the Chief's salary schedule, this is almost the equivalent of four officers, even paying time and a half. Don't you think that is excessive? Acting Chief Lembo stated "No, not at all."

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$105,876 FOR ACCOUNT 320-12, POLICE OVERTIME, SAID SUM TO BE RAISED BY TAXATION.

April 2, 1984

340 BUILDING INSPECTOR

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
340-10 Inspector's Salary	26,875.00	29,481	29,481	29,481
340-12 Overtime	2,503.80	2,000	2,000	2,000
340-13 Clerical	12,890.35	14,458	15,025	15,025
340-14 Deputy Inspector	850.00	1,200	1,200	1,200
340-15 Custodial	45,414.20	49,182	47,323	47,323
340-16 Plumbing	4,200.00	3,000	7,500	7,500
340-17 Retainer	2,000.00	2,000	2,000	2,000
340-18 Sealer	1,000.00	1,000	1,000	1,000
340-19 Wiring Inspector	5,200.00	5,200	5,200	5,200
340-21 General Expense	956.08	1,020	770	770
340-31 Vehicle Maint.	1,245.49	475	500	500
340-32 Town Bldg. Maint.	90,776.58	57,970	60,270	60,270
340-33 Excess Bldgs.	0.00	35,000	26,200	26,200
340-41 Travel	373.69	400	400	400
340-51 Equip.	0.00	0	7,000	7,000
TOTAL	194,185.19	202,386	205,869	205,869

Finance Committee Report: Recommend approval.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 340, BUILDING INSPECTOR, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 340-14, 340-15, 340-19, SAID SUMS TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$1,440 FOR ACCOUNT 340-14, BUILDING, DEPUTY INSPECTOR, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$48,492 FOR ACCOUNT 340-15, BUILDING CUSTODIAL, SAID SUM TO BE RAISED BY TAXATION.

As a motion was made for line item 340-19, Wiring Inspector, Mr. Alexander Zampieron of Dutton Road reminded the Moderator that he had earlier indicated that whenever there is an increase in a line item, such as the previous two votes on line items 340-14 and 340-15, it must be indicated where these additional monies are to be taken.

The Chairman of the Finance Committee responded that he believed that these three line items of the Building Department had already been taken into consideration in the calculation of Free Cash at the beginning of the meeting.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$6,240 FOR BUILDING ACCOUNT 340-19, WIRING INSPECTOR, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$7,000 FOR BUILDING ACCOUNT 340-51, EQUIPMENT, SAID SUM TO BE RAISED BY TAXATION.

350 DOG OFFICER

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
350-10 Dog Officer Salary	13,235.20	14,402	14,402	14,402
350-12 O.T. & Ext.Hire	911.00	966	966	966
350-21 General Expense	3,087.21	2,934	3,007	3,007
350-31 Vehicle Maintenance	330.15	250	345	345
350 TOTAL	17,563.56	18,552	18,720	18,720

Finance Committee Report: Recommend approval.

VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL LINE ITEMS IN ACCOUNT 350, DOG OFFICER, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, SAID SUMS TO BE RAISED BY TAXATION.

360 CONSERVATION COMMISSION

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
360-13 Clerical	5,155.72	4,685	12,480	11,060
360-21 General Expense	3,360.32	2,000	3,000	3,000
360-31 Maintenance	0.00	2,000	2,000	2,000
360-41 Travel	24.42	100	100	100
360-51 Conservation Fund	65,000.00	12,500	12,500	0
360 TOTAL	73,540.46	21,285	30,080	16,160

Finance Committee Report:

The large increase in line item -13 is due to the reclassification and increased hours of the clerical position to a Commission Coordinator. The Commission feels it is necessary to have a Coordinator to keep up with an ever-increasing work load, much of which is mandated by the Wetlands Protection Act.

The zero amount for the Conservation Fund, line item -51, is recommended by the Finance Committee and agreed to by the Conservation Commission, since that Fund now has \$100,000 which is an adequate amount to provide the Commission with resources to continue its program of land acquisition.

Recommend approval of \$16,160.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 360, CONSERVATION, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 360-51, SAID AMOUNTS TO BE RAISED BY TAXATION.

Jeffrey Moore, Conservation Commissioner, *moved to postpone action on line item 360-51, Conservation Fund, until after action is taken on Article 31.*

Mr. Moore explained that Article 31, the Stone Tavern Farm Development Rights Purchase, may impact the Conservation Fund, therefore they would like to reserve a possibility of modifying the "0" dollar line item amount until the outcome of that vote.

UNANIMOUSLY VOTED: TO POSTPONE ACTION ON LINE ITEM 360-51, CONSERVATION FUND, UNTIL AFTER ACTION IS TAKEN ON ARTICLE 31.

(For the vote on line item 360-51, see page 117.)

370 BOARD OF APPEALS

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
370-13 Clerical	1,887.93	3,822	3,822	3,982
370-21 General Expense	355.73	800	800	800
370 TOTAL	2,243.66	4,622	4,622	4,782

Finance Committee Report: Recommend approval.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 370, BOARD OF APPEALS AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, SAID SUMS TO BE RAISED BY TAXATION.

385 SIGN REVIEW BOARD

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
385-13 Clerical	0.00	250	400	250
385-21 General Expense	0.00	50	50	50
385 TOTAL	0.00	300	450	300

Finance Committee Report: The Finance Committee recommends approval of \$300 which represents no increase from last year's budget.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 385, SIGN REVIEW BOARD, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, SAID SUMS TO BE RAISED BY TAXATION.

400 HIGHWAY DEPARTMENT

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
410-10 Surveyor's Salary	31,723.00	34,261	34,261	36,300
410-11 Asst. Surv. Sal.	26,130.00	27,829	27,829	27,829
410-12 Oper. Asst. Sal.	17,680.00	19,820	20,414	20,414
410-13 Clerical	11,245.00	12,590	12,739	12,739
410-14 Tree Warden	600.00	651	651	651
410-21 General Expense	6,988.61	4,500	4,500	4,500
410-31 Maintenance	4,038.73	4,500	6,000	6,000
410-32 Utilities	15,650.00	17,500	17,500	17,500
410-41 Travel	93.44	100	100	100
410-42 O.O.S: Travel	0.00	500	500	500
410-71 Uniforms	5,193.45	5,000	5,000	5,000
410 SUM	119,342.23	127,251	129,494	131,533
420-11 Operating Salary	269,986.94	314,196	316,876	316,876
420-12 Extra Hire	16,047.11	14,352	17,000	17,000
420-13 Overtime	6,029.57	5,100	6,000	6,000
420-10 SUM	292,063.62	333,648	339,876	339,876
420-20 Road Work				
420-21 Oper. Materials	15,850.00	16,000	8,000	8,000
420-23 Hired Equipment	8,975.97	9,000	9,000	9,000
420-24 Street Seal	60,000.00	60,000	0	0
420-25 Signs & Markings	7,999.23	10,000	10,000	10,000
420-26 Street Maint.	34,469.63	34,500	108,500	108,500
420-28 Sweeping	13,994.75	20,000	20,000	20,000
420-20 SUM	141,289.58	149,500	155,500	155,500
420-30 Trees				
420-31 Tree Materials	2,994.49	3,000	3,000	3,000
420-34 Contractors	6,000.00	7,000	10,000	10,000
420-30 SUM	8,994.49	10,000	13,000	13,000
420-40 Landfill				
420-41 Materials	0.00	1,000	1,000	1,000
420-43 Hired Equipment	931.83	1,000	1,000	1,000
420-44 Utilities	459.43	1,000	1,000	1,000
420-45 Maintenance	437.25	500	500	500
420-40 SUM	1,828.51	3,500	3,500	3,500
420-50 Cemeteries				
420-51 Materials	2,618.81	2,920	3,000	3,000
420-53 Hired Equipment	0.00	2,000	2,000	2,000
420-50 SUM	2,618.81	4,920	5,000	5,000
420-62 Chap. 90 Maint.	6,000.00	6,000	0	0
420-60 SUM	6,000.00	6,000	0	0
430 Machinery				
430-20 Fuels & Lubr.	50,969.93	51,000	51,000	51,000
430-30 Parts & Repairs	70,269.72	70,000	70,000	70,000
430-40 Equipment	35,765.00	187,800	71,000	71,000
430 SUM	157,004.65	308,800	192,000	192,000
460 Snow & Ice				
460-12 Overtime	23,647.27	25,713	25,713	25,713
460-30 Materials	46,093.69	44,415	44,415	44,415
460-40 Equipment	7,683.94	7,696	9,451	9,451
460-50 Contractors	9,818.57	18,000	18,000	18,000
460 SUM	87,243.47	95,824	97,579	97,579

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	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
470 Street Lighting				
470-20 Street Lighting	49,150.00	53,000	55,000	55,000
470 SUM	49,150.00	53,000	55,000	55,000
400 TOTAL	865,535.36	1,092,443	990,949	992,988
OFFSETS:				
CEMETERIES				
Sale of Lots	15,000.00	5,000	2,550	2,550
Mt. Wadsworth	3,000.00	2,000	1,795	1,795
North Sudbury	2,000.00	3,000	480	480
Mt. Pleasant	2,000.00	2,500	2,169	2,169
New Town	5,000.00	4,000	3,386	3,386
Old Town	600.00	1,000	2,048	2,048
Landham Road	20,502.00	0	0	0
So. Annex	0.00	30,000	0	0
Horse Pond	0.00	20,000	0	0
Total Offsets	48,102.00	67,500	12,428	12,428
NET BUDGET (400)	N/A	1,024,943	978,521	980,560

Finance Committee Report:

The Highway Department's recommended budget is \$992,988 (9.1% less than their 1984 budget). The entire reduction is the result of a lower expenditure for the replacement of capital equipment. The Finance Committee is satisfied that through a strong maintenance program and an equipment replacement plan covering at least the next six years, the lower 1985 equipment expenditure is adequate and is not being achieved at the expense of another future year. Recommend approval.

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 420-11, 420-31, 430-40 AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: TO APPROPRIATE THE SUM OF \$316,876 FOR ACCOUNT 420-11, HIGHWAY OPERATING SALARY, SAID SUM TO BE RAISED BY TRANSFER OF \$2,550 FROM SALE OF CEMETERY LOTS, 1,795 FROM MT. WADSWORTH CEMETERY PERPETUAL CARE ACCOUNT, 2,169 FROM MT. PLEASANT CEMETERY PERPETUAL CARE ACCOUNT, 480 FROM THE NORTH SUDBURY CEMETERY PERPETUAL CARE ACCOUNT, 3,386 FROM THE NEW TOWN CEMETERY PERPETUAL CARE ACCOUNT, 2,048 FROM THE OLD TOWN CEMETERY PERPETUAL CARE ACCOUNT, AND THE BALANCE TO BE RAISED BY TAXATION.

Dr. Richard Stevens of the Board of Health *moved* to amend line item 420-31, *Tree Materials* from \$3,000 to \$12,000, the difference to be taken from line item 430-40, *Equipment*.

Dr. Stevens in support of his amendment stated: We've already heard and will continue to hear, over the remaining meeting, from every department in town wanting more of your money, and they'll probably get to carry out those programs which they feel are most worthy of your support. I submit to you though that the money proposed in this line item for planting new trees in Sudbury is woefully inadequate. According to the Town Report, the Highway Department only planted 24 new trees in the Town last year. However, each year more and more trees along our roads have been cut down both to make the way for new development and to eliminate those old trees that are heavily diseased. In the last storm alone I doubt whether there was a single major road in Sudbury that did not have irreversible damage to less than 24 trees. Like many of you, I chose to live in Sudbury because of its rural charm. In the past five years that my family and I have lived here, it is my opinion that this town has lost much of its natural beauty that I found so appealing. Although the Town has forced developers to meet more stringent standards on landscaping, the town itself must also share a greater responsibility in maintaining the rural setting along its roads. On the fact of it \$12,000 seems like a lot of money, but actually it only represents 1% of the Highway Budget, therefore I urge you to support this amendment as some token attempt to maintain some of the rural beauty of the town.

The Finance Committee stated it had not heard of this amendment until now, so they hadn't caucused on it, but did comment that they were relatively indifferent to the request and probably might support it, but they would have difficulty taking the money out of the Equipment Account in order to fund it. Perhaps there might be another source to consider.

Robert Noyes, Highway Surveyor, stated that the three pieces of equipment that are being requested this year are on the long-range capital expenditures report, so they are not new. They would just be replacements of present equipment that need to be replaced. In fact, the larger truck is quite often used in Mr. Steven's area for plowing snow.

Dr. Steven's motion to amend failed.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$3,000 FOR LINE ITEM 420-31, TREE MATERIALS, SAID SUM TO BE RAISED BY TAXATION.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$71,000 FOR LINE ITEM 430-40, EQUIPMENT, SAID SUM TO BE RAISED BY TAXATION.

ARTICLE 5. 500 GENERAL GOVERNMENT

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
500 GENERAL GOVERNMENT				
501 SELECTMEN				
501-10 Exec. Sec. Salary	41,376.00	46,027.00	46,027.00	46,027.00
501-12 Overtime	549.97	600.00	500.00	500.00
501-13 Clerical Salary	48,014.28	52,358.00	52,304.00	52,304.00
501-14 Selectmen's Salary	3,200.00	3,200.00	3,200.00	3,200.00
501-21 General Expense	4,849.07	4,000.00	5,000.00	5,000.00
501-31 Maintenance	261.30	400.00	1,950.00	1,950.00
501-32 Water Lines	11,610.52	0.00	0.00	0.00
501-41 Travel	1,272.05	1,500.00	1,500.00	1,500.00
501-42 O.O.S. Travel	596.45	600.00	600.00	600.00
501-51 Equipment	0.00	0.00	300.00	300.00
501-81 Surveys & Studies	225.60	400.00	1,000.00	1,000.00
501 TOTAL	111,955.14	109,085.00	112,381.00	112,381.00
502 ENGINEERING				
502-10 Town Engineer Sal.	33,943.00	36,149.00	36,504.00	36,504.00
502-11 Salaries	96,250.07	107,375.00	107,904.00	107,904.00
502-12 Overtime	453.53	1,000.00	1,000.00	1,000.00
502-13 Clerical Salary	14,978.13	12,925.00	13,959.00	13,959.00
502-21 General Expense	5,551.02	5,700.00	5,850.00	5,850.00
502-31 Maint. & Repair Veh.	3,039.99	1,400.00	1,400.00	1,400.00
502-51 Equipment	14,994.76	8,000.00	7,500.00	7,500.00
502 TOTAL	169,210.50	172,549.00	174,117.00	174,117.00
503 LAW				
503-10 Retainer	16,178.00	18,000.00	18,000.00	18,000.00
503-11 Asst. Counsel Sal.	12,630.00	14,000.00	14,000.00	14,000.00
503-21 General Expense	13,640.25	18,250.00	17,250.00	17,250.00
503-51 Equip.	0.00	0.00	500.00	500.00
503 TOTAL	42,448.25	50,250.00	49,750.00	49,750.00
504 ASSESSORS				
504-10 Asst. Assessor Sal.	0.00	26,000.00	24,000.00	24,000.00
504-12 Overtime	1,459.99	2,300.00	2,300.00	2,300.00
504-13 Clerical Salary	34,679.50	37,484.00	37,514.00	37,514.00
504-14 Assessors' Salary	2,366.74	2,500.00	2,500.00	2,500.00
504-21 General Expense	14,686.92	20,300.00	21,290.00	21,290.00
504-31 Maintenance	143.10	175.00	175.00	175.00
504-41 Travel	96.74	100.00	2,100.00	2,100.00
504-51 Equipment	0.00	225.00	1,200.00	1,200.00
504-81 Tuition	0.00	0.00	500.00	500.00
504 TOTAL	53,432.99	89,084.00	91,579.00	91,579.00

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	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
505 TAX COLLECTOR				
505-10 Collector's Salary	15,285.00	16,508.00	16,508.00	17,200.00
505-12 Overtime	897.77	2,000.00	1,000.00	1,000.00
505-13 Clerical Salary	23,986.47	25,911.00	26,417.00	26,417.00
505-14 Attorney's Salary	1,500.00	0.00	3,500.00	3,500.00
505-21 General Expense	1,317.70	1,915.00	2,555.00	2,555.00
505-31 Maintenance	47.70	100.00	100.00	100.00
505-41 Travel	100.00	150.00	150.00	150.00
505-45 Petty Cash	0.00	10.00	0.00	0.00
505-51 Equipment	494.29	0.00	500.00	500.00
505-52 Service Bureau	0.00	0.00	14,700.00	14,700.00
505 TOTAL	43,628.93	46,594.00	65,430.00	66,122.00
506 TOWN CLERK & REGISTRARS				
506-10 Town Clerk's Sal.	17,876.00	19,306.00	19,306.00	19,500.00
506-13 Clerical Salary	37,165.01	44,115.00	42,464.00	42,464.00
506-14 Registrars	900.00	600.00	600.00	600.00
506-21 General Expense	6,082.11	6,225.00	7,960.00	7,960.00
506-31 Maintenance	190.80	355.00	1,099.00	1,099.00
506-41 Travel	353.03	450.00	450.00	450.00
506-42 O.O.S. Travel	300.00	0.00	348.00	348.00
506-51 Equipment	0.00	0.00	750.00	750.00
506-61 Elections	7,162.05	3,855.00	12,935.00	12,185.00
506 TOTAL	70,029.00	74,906.00	85,912.00	85,356.00
507 TREASURER				
507-10 Treasurer's Salary	9,900.00	10,692.00	10,692.00	11,200.00
507-13 Clerical Salary	13,235.80	14,461.00	14,461.00	14,461.00
507-21 General Expense	987.28	1,100.00	1,200.00	1,200.00
507-31 Maintenance	0.00	100.00	100.00	100.00
507-41 Travel	635.33	900.00	900.00	900.00
507-61 Tax Title Expense	3,010.00	3,000.00	3,000.00	3,000.00
507-71 Bond & Note Issue	7,694.70	1,000.00	1,000.00	2,000.00
507-81 Tuitions	0.00	250.00	250.00	250.00
507 TOTAL	35,463.11	31,503.00	31,603.00	33,111.00
508 FINANCE COMMITTEE				
508-13 Clerical Salary	2,890.88	3,202.00	3,571.00	3,571.00
508-21 General Expense	170.36	180.00	180.00	180.00
508 TOTAL	3,061.24	3,382.00	3,751.00	3,751.00
509 MODERATOR				
509-10 Salary	50.00	160.00	160.00	160.00
509-21 General Expense	33.00	0.00	0.00	0.00
509 TOTAL	83.00	160.00	160.00	160.00
510 PERM. BLDG. COMMITTEE				
510-13 Clerical Salary	213.26	755.00	675.00	675.00
510-21 General Expense	0.00	110.00	110.00	110.00
510 TOTAL	213.26	865.00	785.00	785.00
511 PERSONNEL BOARD				
511-13 Clerical Salary	1,538.66	2,000.00	2,000.00	2,000.00
511-21 General Expense	0.00	200.00	200.00	200.00
511 TOTAL	1,538.66	2,200.00	2,200.00	2,200.00

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	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
512 PLANNING BOARD				
512-10 Town Planner	0.00	0.00	25,000.00	25,000.00
512-13 Clerical Salary	3,418.74	3,800.00	9,194.00	9,194.00
512-21 General Expense	466.67	650.00	800.00	800.00
512-31 Maintenance	60.00	75.00	90.00	90.00
512-41 Travel	0.00	50.00	50.00	50.00
512-51 Equipment	0.00	0.00	1,000.00	1,000.00
512-61 Special Studies	0.00	4,500.00	0.00	0.00
512 TOTAL	3,945.41	9,075.00	36,134.00	36,134.00
513 ANCIENT DOCUMENTS COMM.				
513-21 General Expense	985.65	1,600.00	1,600.00	1,600.00
514 HISTORIC DIST. COMM.				
514-13 Clerical Salary	31.24	120.00	120.00	120.00
514-21 General Expense	72.86	80.00	85.00	85.00
514 TOTAL	104.10	200.00	205.00	205.00
515 HISTORICAL COMM.				
515-13 Clerical Salary	0.00	76.00	176.00	176.00
515-21 General Expense	262.65	800.00	820.00	820.00
515 TOTAL	262.65	876.00	996.00	996.00
518 COUNCIL ON AGING				
518-10 Director's Salary	6,010.00	6,490.00	7,139.00	7,139.00
518-11 Driver's Salary	4,120.00	4,450.00	7,780.00	7,780.00
518-12 Outreach	0.00	0.00	2,000.00	2,000.00
518-21 General Expense	3,380.00	3,240.00	3,546.00	3,546.00
518-31 Utilities/Maint.	2,268.76	3,800.00	3,860.00	3,860.00
518-51 Equip. Purchase	50.00	50.00	50.00	50.00
518-61 Sr. Cit. Program	250.00	250.00	250.00	250.00
518-62 Trans. Program	600.00	1,050.00	1,250.00	1,250.00
518 TOTAL	16,678.76	19,330.00	25,875.00	25,875.00
519 TALENT SEARCH COM.				
519-21 General Expense	88.20	89.00	89.00	89.00
521 ACCOUNTING				
521-10 Acct./DFA Salary	28,080.00	30,933.00	30,933.00	30,933.00
521-12 Overtime	500.00	500.00	500.00	500.00
521-13 Clerical Salary	27,339.05	31,352.00	29,413.00	29,413.00
521-21 General Expense	1,079.89	1,000.00	1,025.00	1,025.00
521-22 Computer	0.00	2,490.00	47,000.00	47,000.00
521-31 Maintenance	4,067.78	245.00	250.00	250.00
521-41 Travel	290.36	350.00	560.00	560.00
521-42 O.O.S. Travel	0.00	200.00	0.00	0.00
521-51 Equip. Purchase	553.75	700.00	700.00	700.00
521 TOTAL	61,910.83	67,770.00	110,381.00	110,381.00
500 NET BUDGET	615,039.68	670,063.00	792,948.00	793,592.00

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUMS OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ARTICLE 500, GENERAL GOVERNMENT, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING, EXCEPT 501-10, 501-13, 505-52, 506-10, 507-71, 512-13, 521-22, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

Mr. Joseph Clark of Meadow Drive asked if all town employees would be accorded a 3.8% salary increase, as reported in the Warrant. It looks like the Executive Secretary's salary has a \$5,000 raise, and over the last three years I've noticed it's about a \$12,000 raise. I'm curious how that happens.

The Chairman of the Finance Committee explained as follows. The column that we're talking about affecting with the 3.8% would be the Recommended FY85 column and that's what should be compared to the Appropriated Column which is what was approved last year, FY 84. A lump sum is calculated taking the base of all the salaries times 3.8% and put into a Salary Adjustment Account, that is in the 900 series of accounts, and beyond the settlement of the contracts, the individual salaries are recalculated and the 3.8% would be distributed to whichever department or line items are the appropriate ones for that salary increase.

The Moderator commented to the Finance Chairman that he had answered about everybody in the Town, but he was asked about the Executive Secretary's salary, whether it represents a \$5,000 raise.

Mr. Dignan, a member of the Finance Committee remarked that the \$46,027 does not represent an increase.

Mr. Charles Fosgate of Saxony Drive pointed out that the 1983 Proceedings showed that the actual appropriation for the Executive Secretary's salary was \$42,617. He then asked how did it all of a sudden get up to \$46,000?

As no one from the FinCom or the Board of Selectmen offered to respond the Executive Secretary stated that when the Board of Selectmen negotiated with all town employees, the salary of the Executive Secretary was increased from \$42,000 to \$46,000, an 8% increase.

Mr. James Kates of Ford Road made the following observation. Apparently the increment for 1985 is contained within the salary adjustment account. My recommendation would be that the Selectmen negotiate the Executive Secretary's salary before the Warrant is printed next year, so that we can see it spelled out in the Warrant and that way we could end this confusion that we bring along every year. It would simplify it and would give the Town Meeting members a chance to see what next year's salary is going to be for the Executive Secretary before it is granted, rather than after the fact, as we currently do.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$46,027 FOR LINE ITEM 501-10, EXECUTIVE SECRETARY SALARY, AND THAT SAID SUM BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$52,304 FOR LINE ITEM 501-13, CLERICAL SALARY, AND THAT SAID SUM BE RAISED BY TAXATION.

Before a vote was taken on line item 505-52, Service Bureau, Mr. Peter Anderson of Landham Road questioned what was being purchased for this \$14,700 and why it was needed now. The explanation was that this is a software system for automating the billing and collection processes for personal property, motor vehicle and real estate tax receivables which will reduce the overtime and interest costs paid by the Town on its short-term borrowings.

Mr. Russell Kirby of Boston Post Road pointed out that there are two line items in two separate sections of the budget that are very closely related--one is for service bureau support for the accounting activities in the town and the other is the spending of \$47,000 to purchase a computer. I find it very difficult to reconcile in my own mind these two items as they seem to be going in opposite directions. We're spending money to purchase equipment so we can reduce our cost, yet at the same time we're going out and spending money to buy similar services from an outside concern.

The Finance Committee explained their support for these two line items by stating the Service Bureau was specifically for the Tax Department, which is a software program. The Computer, is the purchase of hardware and software for the Accounting Department, which is to take care of the Town's financial records. They are two different areas.

To this Mr. Kirby retorted that a computer should be able to handle numbers that pertain to tax receipts just as well as it can handle numbers pertaining to any other financial account. I consider tax records to be financial records of the town. Am I mistaken in that regard? I believe these are all related.

I received at the Board of Selectmen's meeting last week, a copy of a section of the Auditor's report regarding the financial records of the Town, and it also includes mention of the tax records. I don't know whether it's generally known to the people in this hall, but that report from the Auditors was extremely

uncomplimentary to understate the situation. There is a wide fluctuation in the expenses within the accounting area over the past several years and it seems to coincide with this audit report. I'd like some explanation from the Finance Committee as to why there are these wide fluctuations and is it a direct result of poor financial records? Also, is this the way we're going to go about solving it by splitting up the control and sending some of it out-of-house, and doing some of it in-house?

To these questions, Mr. Dignan of the Finance Committee responded, "We're buying the software package. It's in house."

Mr. Kirby ended his comments by saying that he has been in the computer business for thirty years, and I have never, never heard the term "service bureau" used in relation to a software vendor. It is a facility that provides a service to a user. You send him your data, and he sends back your results. You buy a package, you don't go to a Service Bureau.

Mr. James Vanar, Town Accountant gave the following explanation to the Hall: About a year and a half ago, the Executive Secretary, the Selectmen and myself took a careful look at the data processing needs of the Town. Over that period of time it was decided to approach it from a distributed standpoint, i.e., we decided we did not want a \$250,000 computer system with a data processing manager and a data processing department. We have some particularly unique problems in the Tax Office and that is why, at this time, you see a request for these two receivables packages to go with the Service Bureau. It is indeed a Service Bureau. There is nothing in-house. We are doing business with Programs and Analysis in Burlington. We felt to put hardware into the Tax Office at this time would not be a good idea. The Service Bureau costs now act as an offset for bringing it in-house, of that operation in the near future, but we do not feel now is the time. Actually it is a \$32,000 package. There is a \$40,000 request. The computer and software is about \$32,000 and then there's support, site preparation, etc. That is purely for the payroll, general ledger, and the appropriation control in the accounting operation. We are not proposing, at this time, an overall strategy. There are a number of things still evolving. The Board of Assessors is really the biggest piece of the action and right now the status of the software availability for the Board of Assessors is still evolving. We really are 1. proposing to sort of walk before we run into the Tax Office. That money acts as an offset to be used in future years to purchase equipment and software. If there was no money in the Tax Office and we were intending to put the entire operation on my computer, approximately that amount of money would have been added to that \$40,000 line item to purchase terminals and additional software for the tax office.

Mr. Peter Berkel of Surrey Lane observed that the software for line item 505-52 seems to be related to the purchase of a computer. He then suggested that the computer first be considered before there is the obvious problem of what does the software run on. Before purchasing a computer, he asked if the Town had considered running some of its programs on a time-sharing basis with the high school who enjoys the capability of a very high-powered PDP-1160 or 1170.

Mr. Vanar stated the main problem with the town financial operation is software. There is very little software available, in my opinion, that will do the job for the Town. It is not an easy task to find software to run on a PDP or to find software to run on any particular hardware. The job is to seek out the software first and then the hardware is really not the big problem. There is software available, but it's more or less a subjective evaluation on my part as to what kind of a job it will do for the town.

Asked if the software that he was considering would run on the school computer, Mr. Vanar stated it would not.

Mr. Robert Koetke of Pokonoket Avenue commented as follows: I know a little bit about computers and software and hardware and it would seem to me that for probably about one-third of this \$14,700 you could get a software package that could do anything with taxes and/or accounting. If you haven't been able to find one yet, I don't think you've been looking very hard. Secondly, before we vote on this I would love to know what type of computer we are buying for \$47,000 because I think the software is there for whatever kind you're buying.

Mr. Peter Feudo of New Bridge Road noted that Mr. Dignan of the Finance Committee suggested that the Service Bureau expenditure of \$14,700 would be returned to us in both the overtime account and in the temporary loan interest. I calculate those to be savings of \$1,500 by the budget that I have in my hand, and I would suggest that an expenditure of \$14,700 to save \$1,500 is not exactly prudent.

Chester Hamilton, Town Treasurer, claiming to be the only person in the room who knew absolutely nothing about computers, suggested, in his judgment, this to be a very appropriate article and it should be for the time being kept totally separate from the computer article. The computer is a down-the-road kind of thing as far as this activity in the Tax Collector's Office is concerned. This particular line item, and I am awfully sorry it didn't come up tomorrow--yes, as all of you will have the pleasure of seeing the output of what this program is able to do because you will have your tax bills tomorrow--involves not only the program which we do not own, it's a Service Bureau contract. They have the skill to know how to do what we are doing right now. Take a good look at your bill tomorrow and see the kind of job they're doing. It also involves the cost of their actually printing the bill, delivering the bill, bursting the bills, taking those bills and then reconciling them and producing a Commitment Book which is finally printed out instead of having to be handwritten. There is a great deal more involved in that \$14,700 than merely the Service Bureau work of using their program to do some of our work. It is a very worthwhile expenditure, in my strong judgment, having seen the problems of trying to do this by hand. We must move into the 20th Century somewhere, and out of the 18th. The Tax Collector has been able to do a phenomenal job by hand, and it is a laborious, time-consuming, dreadful thing. This will certainly expedite the activity and I would strongly recommend you support this. Separate it for the time being from the computer article which comes up later.

Mr. James Kates of Ford Road made the following observation. Apparently the town already has a contract with the Service Bureau and are using it. When I look at the Transfer Account, line item 505-52, and the transfers which immediately follow this section, I see no transfers of funds to pay for Service Bureau. I'm kind of curious about that. Apparently we are using it right now and we've already contracted.

The Executive Secretary responded that it was a carry-forward amount from last year. However, every contract the town enters into is subject to town meeting appropriation.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$14,700 FOR LINE ITEM 505-52, SERVICE BUREAU, AND THAT SAID SUM BE RAISED BY TAXATION.

Jean MacKenzie, Town Clerk moved to amend line item 506-10, Town Clerk's Salary, from \$19,500 to \$22,000.

After indicating that the proposed additional monies should come from the 950 Account, Salary Adjustment 101, Mrs. MacKenzie made the following presentation.

This evening, I come before you reluctantly to speak relative to the pay scale of the Town Clerk in relation to the duties and operations of that office. I believe the situation necessitates that I bring my concern directly to you, the voters. After working for 4 years as the Assistant Town Clerk and this past year as the Town Clerk, it has become clear to me that the scope of the programs, services and responsibilities of this office are not familiar to many of you. The salary level and the recommended annual increases over the years in no way reflect the work involved.

It is not possible tonight to adequately explain the myriad of duties and functions of the Town Clerk's office, almost all of which are required by the Massachusetts General Laws and the Town Bylaws. These are some of the programs, and I will attempt to just capsule on a few of them:

TOWN CLERK
DUTIES --- PROGRAMS --- RESPONSIBILITIES --- SERVICES

Clerk to the Board of Registrars
Clerk to the Ancient Documents Committee
Town Meeting
Annual Town Elections
State Elections
Voter Registration
Annual Town Census
Licensing and Granting of Permits
Vital Records
Custodian of all Town Records
Filing and Recording of all Town Documents
Manager - Microfilming Program for all Town Departments
Directs Records Management Program for all Town Offices
Maintains Records Center
Genealogies
General Information Center for Citizenry
Publisher of Town Proceedings

The Town Clerk is the clerk to and a member of the Board of Registrars. The Town Clerk is also, by statute, clerk to the Ancient Documents Committee. For both of these boards, the Town Clerk assists in setting the agenda, calling and attending the meetings and producing the minutes for each of the meetings. It is the duty of the Town Clerk to assist the Ancient Documents Committee in fulfilling their responsibilities. Therefore, the Town Clerk manages the following programs: 1. the Microfilming Program for all town departments; 2. the Records Management Program for which Sudbury is unique. We are the only municipality at this time that has a truly comprehensive program; 3. the Records Center, which is located in the Flynn Building. The Town Clerk is also responsible for the disposition of records approved by this Committee.

At Town Meeting, it is the responsibility of the Town Clerk to provide all the necessary materials and arrange for the checking of voters in the outer lobby, to tape the minutes of the meeting, and transcribe the tape records. From these tapes the Town Clerk prepares, publishes and distributes the Town Proceedings, which I'm sure many of you are familiar with. The Town Clerk also must prepare and certify and issue copies of all the votes to the various town offices, boards, and committees, as well as to the various state and county offices. The Town Clerk's office is responsible for preparing and submitting to the Attorney General all bylaw amendments for his approval. She must update and distribute all bylaws and annotated bylaws.

As far as town elections and state elections are concerned, it is the Town Clerk who prepares all the information and materials for local candidates relative to nomination papers, campaign finance forms and candidate's checkers. She prepares the election warrant. She is responsible for the servicing and the protection of the voting machines, and also for the programming of each machine for each election as well as setting up the polls. I do the hiring and I do the scheduling of the election officers. When it's necessary, I conduct workshops for the election officers to prepare them for each election. Also, it is the responsibility of the Town Clerk to update all of the election officers' manuals. That is required by the General Laws. I must supervise the entire election day operations right straight through from early morning until the close of the doors at night. Of course after the elections you always have the various duties involved such as vote certificates and reporting to the various governmental bodies.

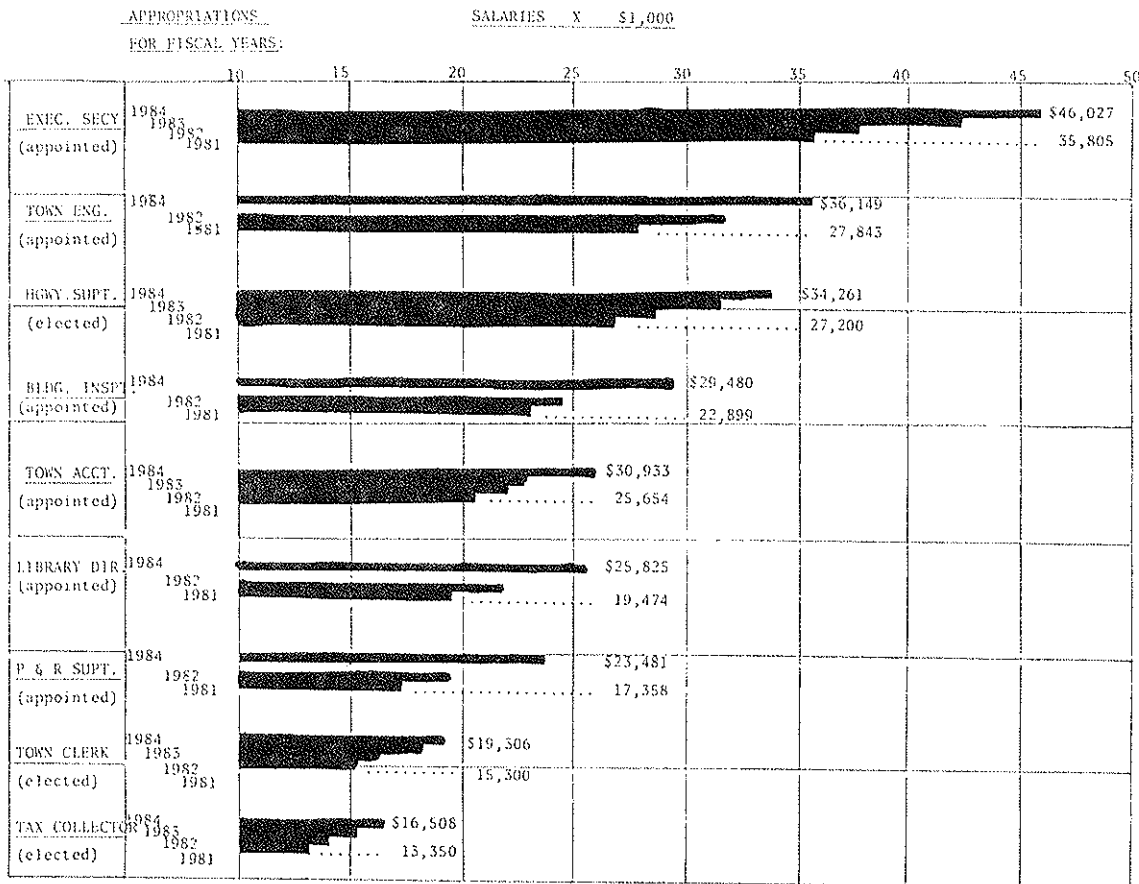
Annual Town Census. All census data is processed and keypunched in the Town Clerk's office before it is sent to a data processing company. This means that in my office over 15,000 IBM cards are updated, changed or corrected each year. This year, a re-built keypunch machine was purchased to replace two desk-top manual models. This has streamlined the process somewhat. My expectations are much higher than that. I really need something better than a re-built keypunch machine, and I know we should have better. Census information is updated all year long and as the records indicate, the staff of the Town Clerk's office is very efficient and our accurate records are evidence.

The Annual List of Persons is another publication that comes from the Town Clerk's office. We do much licensing and issuing of permits of which I'm sure you are aware. We receive, record and index all certificates of births, marriages, and deaths relating to town residents and as well as for those that occur in Sudbury.

The Town Clerk's office also maintains innumerable files, such as Site Plans, Subdivisions, Business Certificates, Chattel Mortgages (better known as UCC's), Pole Locations granted by the Selectmen, Minutes of Meetings of various boards and committees, as well as Appointments and Resignations and so on...many more. The Town Clerk, being the Custodian of all Town Records, maintains a Documentary File which consists of over 5,000 documents that are cross indexed just as books are in a library. These documents are indexed numerically, by subject, by individuals involved, and by map and parcel numbers, where applicable. This indexing assures a high degree of quick accessibility of records. The magnitude and value of this documentary file system cannot be fully grasped or appreciated in a forum such as this.

As for myself, both the immediate past Town Clerk and your present Town Clerk, have brought to this office excellent credentials and experience. I am a graduate of Emmanuel College. Prior to my marriage, I was the New England Director for CARE. Following my husband's death, I taught in the Sudbury Public School System as a Special Needs Teacher and I continued my graduate studies at Framingham College. This past August, I enrolled in the New England Municipal Clerk's Institute at Salve Regina for courses sponsored by the Massachusetts Town Clerk's Association.

At this time, let me explain why I have come before you tonight. As I consider the responsibilities involved with the Town Clerk's office and the salary received, I believe that there is a substantial inequity in the salary of those elected officials with supervisory responsibilities from those that are appointed. To be more specific, let me show you this chart.



It's factual. This chart was put together to show you how dramatically the range of salaries goes. You can see who the bottom two are. It has taken not only the Town Clerk, but the Tax Collector as well, almost 16 years to reach these paylevels. For each appointed department head there is a salary range established or a maximum salary which is adjusted upward just about every year. Consequently when there is a recommended salary adjustment, such as this year of 3.8%, it is based on the figure in the new salary range. Resultantly, the salaries for the appointed department heads better reflect the positions held. For each of the three elected department heads -- the Highway Surveyor, the Tax Collector and the Town Clerk -- there is no such thing as a salary range. Any increase is based on the salary figure of the previous year, and the percentage of increase usually recommended for the Town Clerk and the Tax Collector -- the only two elected women officials -- is lower than that recommended for the appointed officials and the one elected male official, the Highway Surveyor. It has taken 16 years for the office of the Town Clerk to reach the salary level it presently is at. Yet, this year, once again, the office of the Town Clerk has been recommended for an increase below that of all other town officials in a supervisory capacity, and also below the 3.8%. This is not a salary adjustment. It appears to be discrimination. I think it's unconscionable!

It has been stated by a former Finance Committee member that it's not possible for the Finance Committee who makes these recommendations to know or understand in detail the operations of all the town offices. They truly do not know what the proper salary should be. But then how could they -- there has not been a liaison person from the Finance Committee that has been to the Town Clerk's office in over 4 years. It is not possible for anyone, not associated with the office, to fully comprehend all that the Town Clerk's position involves or what the time commitment really is over and above the regular office hours and the usual meetings with other boards and committees. I am more than willing to spend as much time as necessary to fulfill my obligations as your Town Clerk. As the Assistant Town Clerk for three years and the Town Clerk for this past year, I can report to you that I have served you well and at all times with integrity and the interests of the Town will continue to be first and foremost. I am a professional and I believe I am entitled to receive compensation for my performance the same as all others in town government. I hope you agree with me that the position of the Town Clerk should be financially upgraded. The Town Clerk's Office is a most important and essential part of our town government and it should be treated accordingly. I thank you.

The Chairman of the Finance Committee made the following comments. I'd like to divide our response really into two parts because we did not know that this item was being held. I may not have all of the points in the best order. Number 1, the history of the Town Clerk's salary, starting in 1979, has gone from \$13,500 a year to this year's recommended amount of \$19,500, approximately a 50% increase during the five year period. The Finance Committee has the comparable pay of towns of comparable size. We spent time, first of all, satisfying ourselves that the various salaries of the town officials in fact do reflect the value of the job based on what is being paid by comparable-sized towns. For example, the town of Concord pays \$21,487, the town of Amherst pays \$20,000. As to the specific increase that was recommended this year, one of the responsibilities of the Finance Committee is to take a look at the salaries of each of the elected officials each year, that includes the Highway Surveyor, the Town Clerk, the Tax Collector, and the Treasurer. In going through this year's deliberations, and I will quote you from the minutes of our committee meeting. "The main thrust of the conversation revolved around the view that the salaries in and of themselves are consistent with the relative value of the job." The question for discussion was whether or not the Finance Committee wished to deviate from the straight 3.8% figure. It was the consensus that any amount above or below the Finance Committee guideline of 3.8% should be viewed as a function of merit rather than a cost of living increase or rather than the relative value of the job. With regard to this specific discussion on Town Clerk's salary, it was discussed that the Town Clerk had been newly elected to that position. It was mentioned although the Town Clerk has exhibited an eagerness to learn her job skills with training, she has shown some difficulty in dealing with town boards, specifically in the movement of town hall offices. Secondly, the issue regarding the voting machines, and finally the fact that in presenting the Town Clerk's budget it was necessary for her to come before the Finance Committee three different times in order to get the numbers straight. The Town Clerk's office, in our view, is such an important, precise part of our town government that it would seem proper to be more than sure of the facts and figures before these are presented to other boards. At no time was any difference of opinion on the board regarding the matter that has been brought up of discrimination or male vs. female. I might further indicate in the area of performance that as a result of the improper custody of the town's voting machines during the last year the Finance Committee was asked to transfer \$3,200 to repair the damage to those machines because they had not been properly taken care of. (Correct amount of transfer: \$2,200; charges for servicing voter machines: \$2,333.77 actual cost to Town: \$1,133.77; savings to Town: \$1,066.23, this was a direct result of the voting machine custodians and the Town Clerk working directly with the serviceman for over 96 hours, without compensation.)

As a point of personal privilege, Mrs. MacKenzie, the Town Clerk clarified the following statements of Mr. Pitts. First of all, in relation to other towns and comparable salaries, may I say that you may go to many other cities, not cities, towns, I will speak to towns directly, and you will not find a Town Clerk in the office Monday through Friday, 9 to 5. It's very difficult. They have 2-days off. They have half-days. They're not there full time. Number one. Number two. They do not provide the services that you are receiving and you are accustomed to receiving. There is no such thing as having records such as we provide. It's an entirely different operation. We can give to you the same services that you find in some of these other communities. I'm sure that's not what you would like. I would like to continue on as it has been, and I know that's what you would prefer too. But, if you don't wish to have it, that is your choice. But, let me say these other towns do not operate full time. As far as the budget is concerned. I did prepare my budget. I prepared a 32-page program budget, as requested. I had never prepared one before. I amended it, yes, prior to the meeting, to reduce it. I don't think that's such a bad thing. When I went to the meeting, I was prepared to sit down and answer any and all questions. I was asked for the total. I had neglected, out of 32 pages, not to put the total on the top sheet. All the other pages of the budget were accurate, the numbers were accurate. Sitting down with my little hand computer, as did Mr. Dignan, with his computer, I tried to come up with a total for my numbers for the front page, while the others waited. Inadvertently, I left out \$1,200 on the Clerical Account. The numbers were correct on the pages. Therefore I had to ask them if they would kindly amend their vote and re-vote it with the \$1,200 included. I don't admit to being perfect. I'm a human being. I do make errors, and I readily admit it.

As far as the voting machines are concerned, I would like to put this to rest once and for all. I would like to hear some honesty on this. I am tired of it. Dr. LoPresti, two years ago this past summer, when I was the Assistant Town Clerk, came to the Clerk's office and was pressuring Mrs. Powers, at that time, to remove the machines -- no reason, just to get them out of the school. These machines are stored in the custodian's room that is locked. They are also in an ell off the custodian's room, so they are not visible even if you were to walk straight into the custodian's room. I thought Mrs. Powers had this resolved myself. A year went by. Two years. Dr. LoPresti came in to see me this summer.

Very first thing, how about getting rid of those machines? I explained to him that it would be very difficult to move the machines. They had been stored in this same place going on thirteen years. The building had been planned for that particular storage of the machines. I explained to move these machines frequently would cut short the life of the machines and cost the town tremendous money. They're extremely delicate. They're very large, but they're very delicate. To move them about from building to building was not the thing to do. I went into detail in a long letter to Dr. LoPresti. He didn't acknowledge it in the same terms that it was written. He sent me a note saying anytime you want a permanent place for them at Nixon School, I'll be ready. Needless to say, I didn't like that, but I just decided we'll let this thing lie. I went to the Noyes School, I'm really not sure of the month, but it was in the fall, when I was preparing my budget, as I needed to know the number of supplies needed for the voting machines for the coming elections, as we have four this year. I have a key to open up the custodian's room. I heard the custodian say to me, "Oh, you're trying to get in to see the machines?" I said, "Yes." He said, "Oh, they're not there any more." And I said, "They're not? Where are they?" I had already been over earlier in the summer just to check everything over and they had been there then, but now they were gone. I went in to see what was in that room, and I couldn't believe my eyes. From ceiling to floor there were children's desks and chairs and tables just piled high, no order, and I'm thinking to myself, "Where are the machines?" I found them. The custodian showed me. They had been stored in a room that was cold and damp. Then he said to me, "Of course you know this room flooded." I'm saying, "You folks never even told me you moved the machines. Now you're telling me the room flooded and no one has had the courtesy to contact me." Upon that, I did check around to see first of all, what shall I do about servicing. Is there damage to these machines or not? I contacted Dr. LoPresti. I don't wish to drag this on any further, but the fact remains I find it very difficult for the Finance Committee to say "clearly an error on my part" because I was not sitting with my machines Monday through Friday, to be sure that nobody moved them. Now I think that's kind of silly.

However, I must tell you, I contacted Mr. Pitts when this recommendation for my salary was first announced. The Finance Committee did not have the courtesy to tell me directly. They had Mr. Vanar do it. I called Mr. Pitts. I tried to have a meeting with the Finance Committee, two months ago. I never received acknowledgement of it. I also asked for the minutes of the meeting. This morning, I found an envelope outside my office door with the minutes of the meeting.

Following these comments, the Finance Committee Chairman responded that the committee remained unconvinced that a 14% increase was warranted.

Mr. Sorett, Chairman of the Personnel Board, remarked that this was the first time he had heard this issue and felt that many of the things the Town Clerk said had merit. He commented that the argument that women should be paid for positions of responsibility at the same rate that men are paid for similar responsibility has merit. To this the Moderator quipped "It also has the charm of being law." Mr. Sorett expressed a desire to have the opportunity to study the question of respective responsibilities of the Highway Surveyor, Town Clerk and other town official positions.

Mr. Robert Coe asked if it were possible to vote the increase, but have the money spent or not depending on the outcome of the Personnel Board's investigation. Town Counsel responded in the negative.

Mary Jane Sanders of the League of Women Voters asked about the sex of town clerks in other communities whose salaries are approximately on the same level as Sudbury's Town Clerk. The response given was "Almost all female."

Mr. Russell Kirby, Chairman of the Ancient Documents Committee made the following comment: "I've been on the Ancient Documents Committee for a number of years. I was on the committee when the Records Management Program was first proposed by the previous Town Clerk. The program has been put together. It has been endorsed by the State Supervisor of Public Records as the finest Records Management Program in the state. When the program was put together, it was done by a professional who was also a resident of this town. It cost the town nothing. In his original proposal, he suggested that the Town, when this system was fully implemented, which it now is, hire a full time Records Manager at a salary of \$40,000 a year. Consider that! It's a small portion of the job which the Town Clerk has been doing for some years, the present Town Clerk and the previous Town Clerk. Think about it.

Mr. Joseph Clark of Meadow Drive asked Mr. Pitts of the Finance Committee as he had the salaries of employees of other towns, why did he refer only to the

Town Clerk? What about the appointed officials compared to the elected, as was addressed by the Town Clerk? Mr. Pitts remarked the salaries he had were strictly elected, to which Mr. Clark commented "Well, that's convenient!" Mr. Clark further requested an explanation from the Finance Committee as to the inequities of the elected to the appointed officials' salaries as shown in the graph.

Mr. Pitts stated that he didn't have a copy of the graph and hadn't seen it before this evening. The Moderator asked the Finance Committee if they cared to comment on salaries appearing on the chart, between the elected and the appointed? After a period of waiting, the Moderator asked again if anyone was going to comment on it, or we'll move along. At this point, Mr. Pitts stated the only observation that he could make is inherently, he expected, that there would be differences in the appointed vs. the elected in the sense that the people that are appointed quite often renew their contracts on an annual basis. If they're not satisfied with the level of employment, they can go elsewhere as opposed to the elected officials, who in fact, know what the salaries of the position are when they run for it. It's public information and therefore take the job given that publicly-known figure.

Mr. George Sharkey from Haynes Road spoke at this time. I'm not much on the battle of the sexes, whether women are paid less than men, but I do know I've just spent about half an hour listening to a lady that has more guts than half the people in here. It must have taken a lot of gumption to stand up against the Finance Committee. Now, we also just spent \$14,700 for software, and that lady is not soft. So, if I could urge the audience to vote in favor of giving her a \$2,500 raise, even though she may be a little inefficient, and she may not get along with committees and she probably didn't know what happened to \$3,000 worth of damage to machines. I mean I think it's ridiculous to hold her responsible for those machines when in Boston every election day they are out of order.

Mr. Fred Ross of Clark Lane followed those comments with this observation. The Finance Committee mentioned something about comparable sized towns. They said Concord and Amherst had salaries just a little bit more than our Town Clerk. I remember, I think either last year or the year before, we talked about the Executive Secretary's salary. At that point there were several people who complained that his salary was in the high 30's. The people on the Finance Committee or Town Selectmen, I forget where, said well the City of Cambridge was paying their executive secretary about the same amount of money. The people said well what about Stow and Acton, towns of our size in our area? The City of Cambridge has a manpower of about 4, 5, 6 to 8 times of what we have, and they were comparing the Executive Secretary of Sudbury to the Executive Secretary of Cambridge. Why don't we compare the Town Clerk of Boston or of Cambridge to Sudbury and see what the lady should be earning? I certainly vote in favor of a \$2,500 increase, even though it's 14%, as Mr. Pitts pointed out. It's on such a low base that it's not going to look like a tremendous amount. Fourteen percent is a lot, but when you're paid peanuts, 14% is nothing.

The question was asked by the Chairman of the Personnel Board if the hall votes "No" on this amendment, and the Personnel Board subsequently wishes to ask that the salary be up-graded, does the Personnel Board have the right to recommend that subject to transfer of funds, where the position is not set out in the Salary and Classification Plan? Town Counsel stated the Personnel Board would not have this right, not for the reason mentioned, but because the statutes require that all elected officials salaries be set by vote of the Town.

There being no further discussion, the hall voted to amend line item 506-10, and increase the amount from \$19,500 to \$22,000.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$22,000 FOR LINE ITEM 506-10, TOWN CLERK'S SALARY, \$19,500 BE RAISED BY TAXATION AND \$2,500 BE RAISED BY TRANSFER FROM 950-101.

In accordance with the bylaws, a motion to adjourn the meeting to 8:00 P.M. on April 3, 1984 was received, seconded and VOTED. The meeting was adjourned at 11:38 P.M.

Attendance: 583

April 3, 1984

The Moderator called the meeting to order at 8:25 P.M. at the Lincoln-Sudbury Regional High School Auditorium. After announcing that a quorum was present, he informed the voters that there had been a notice filed, an intention to move for reconsideration of line item #505-10, Tax Collector's Salary, which would be taken up as the first order of business the following night.

This first adjourned session of the Annual Town Meeting began with Mr. Pitts, Chairman of the Finance Committee reviewing the status of the Town's Free Cash. The Annual Town Meeting began with \$361,717 certified as Free Cash. A composite of the Finance Committee recommendations consumed \$350,516 of the Free Cash. Therefore at the beginning of the Town Meeting only \$11,201 was available. In upwardly adjusting line item 506-10, Town Clerk's salary, this left line item 950-101, Salary Adjustment Account, short of the 3.8% guideline, as the motion called for the line item 506-10 increase to come from the Salary Adjustment Account. It was explained that when line item 950-101 is brought up for a vote all but \$2,500 of it will be raised by taxation and the \$2,500 will be raised by a transfer from Free Cash. Therefore, Free Cash available this evening is \$8,701.

Mr. John Taft of Moore Road, a former Finance Committee member and chairman, made the following comment. The Finance Committee has told us we have already decided to go with \$350,516 of Free Cash. Apparently that's in their recommendations. We haven't voted it yet. I don't think we've voted any of it that I know of. It would help the town meeting a great deal if we knew what amounts they are applying against which articles because in many of the articles it says "Report will be made at the meeting." I for one would like to know what's in the \$350,516. Where do we apply it? In which articles? Or, where have they applied it, so we have a better understanding? Maybe some of us in the town meeting don't think we're going to vote some of those things, and we do have more than \$8,700 left. Maybe we don't! I think we have to know where they're coming from and I wish Mr. Pitts would tell us.

Mr. Pitts responded by saying the Finance Committee does not specify the use of Free Cash in any given article. It is only when an article or a budget is changed that we would resort to the use of Free Cash. As to the use of taxation vs. Free Cash, we don't draw that distinction, until we get all the way around to the Wrap-up Article. The Wrap-up Article, because there are other monied articles to follow it, is held until the very end.

Mr. Taft followed with the comment "I seem to be having trouble here. I don't think it's a difficult thing to understand. I understand what Mr. Pitts just said, but it has nothing to do with my question. We've been told that we're at the 'tax cap'. We've been told we're going to spend \$350,516 of our \$361,717 Free Cash. Last night we voted another \$2,500. I still want to know where they are going to recommend those articles, later on in the meeting that have money in them, that have caused us to hit the 'Cap' and caused us to use the \$350,000. I think we've got to know this to intelligently approach individual items. I don't think we can continue to take individual items one at a time without knowing where this came from. What's behind it? Can you give us a quick synopsis? Take us through the thing and say 'We're going to recommend so much on this one and so much on that one, on down the line.' Then we'll know where we are."

The Finance Committee Chairman said this couldn't be done as the budget preparation and presentation process weren't done that way.

The Moderator asked Mr. Pitts if it would be a fair statement to say that the funds to be raised by taxation will be raised by taxation but the Finance Committee is looking to raise \$350,000 less from taxation by applying that much money (Free Cash) to the items that require money?

Mr. Pitts agreed and tried further to explain that they could go through, as they do each individual line item, and tally up an amount, less the offsets, and hit a magic point where they'd go over the amount that can be raised by taxation. But what this says is the ordering of the line items is some particular indication of what we think should be raised by taxation as opposed to Free Cash. It really isn't the rationale for how the budget is constructed.

Mr. Dignan of the Finance Committee *moved to postpone action on line item 507-71, Treasurer Bond and Note Issue, until after action is taken on Article 31 for this town meeting.*

This motion was *VOTED*.

(See page 117 for the vote on line item 507-71.)

Mr. Dignan of the Finance Committee *moved* that the town appropriate the sum of \$25,000 for line item 512-10, Town Planner, said sum is to be raised by taxation.

In support of this motion, Mr. Theodore Theodores, Chairman of the Planning Board gave the following presentation: Thank you for coming tonight and thank you for having expressed a strong interest in not only the Planning Administrator but also the many issues of planning which face this Town Meeting. The \$25,000 requested & recommended for line item 512-10 will provide funding for the new-established position of Planning Administrator which you saw and approved in the Personnel Classification Plan last night. This is a full-time professional planning position. \$25,000 is a lot of money. You should expect the responsible justification of this proposal from your boards and officials, as I know you do. I would like to present what I believe to be a crucial and necessary step in the restoration of the Sudbury planning process and indeed in the definition of Sudbury's future character and welfare of our own residents. Sudbury is presently in a planning crisis and has been for a number of years, probably 6, 8, or 10 years. For 25 years, our process for planning could at best be characterized as "inconsistent", at worst "non-existent." Sudbury's Master Plan was drafted in 1962. It should have been revised in 1972 and in 1982, as well as revised during interim periods when important conditions changed, as they have and will. The Plan contains some very excellent work, some of which was implemented primarily to meet the education and tax base requirements of a rapidly growing community. Other elements of the Plan were pursued out-of-context in a kind of a knee-jerk reaction to planning. The Plan contains much work which was never implemented.

Most importantly, the Plan and the Town's Bylaws contain some out-dated and irrelevant objectives, which, if allowed to be implemented now would drastically alter Sudbury's character and seriously affect the town government's ability to provide adequate safety, health and other services to the residents. Right now, there exists a very meaningful groundswell of interest in restoring the planning process. The Planning Board has discussed this topic for a number of months in dozens of meetings and has heard from nearly all boards and officials in town as well as a group of businessmen and hundreds of you who strongly support a very aggressive approach to planning. Clearly the center of opinion on issues of town development, identifies planning as an area requiring investment of time, energy and money.

Let's discuss how a professional planner fits into the picture. We haven't had a planner for 8 years and even then he was a part-time consultant. While that has been a good effort in many towns, it certainly does not argue for consistency. If you combine consultant work annually with the rotation of seats in an elected board, you'd have what we have and that's inconsistency. The original Master Plan was done in 1962 and has really never been revised, and many of its important features have never been implemented. Topics, such as zoning, housing, open space, water, traffic, hazardous materials, etc. need regular update. Many nearby towns have Town Planners. I'd like to show you a list of those towns.

LIST OF TOWNS

	<u>TITLE</u>	<u>SINCE</u>
Acton	Town Planner	1973
Arlington	Planner	1972
Canton	Planner	1969
Concord	Town Planner	1973
Framingham	Planning Director	
Holden	Planning & Research Assistant	1973
Lexington	Town Planner	1964
Marlboro	Community Development Director	1980*
Maynard	Planner (Temp)	1979
Needham	Town Planner	1971
Plymouth	Planner	1973
Stoughton	Planning Board Engineer	1977
Wayland	Planner (Temp)	1983
Wellesley	Planning Administrator	1940

Salary Range \$21,000 - \$29,000

* Salary \$35,000

I call your attention to the salary range for these towns. (See note at the bottom.) I believe the true range is a little lower than \$21,000, if you include Holden, who was down around \$16,000. The masses of salaries are in the \$21,000 to \$29,000 range with the exceptions of Holden and Marlboro. Marlboro, being a city, has a Community Development Director who does the planning with a very large department. The Director receives a salary of \$35,000. As you can see the idea of a Town Planner

is not a new idea. It has occurred in other towns. Comments from Wellesley were "We've had a Planning Administrator since the early 40's and we couldn't live without him." Framingham has a Planning Director with a staff of 6 who work for him. The Town of Wayland has had a Planning Consultant on a temporary basis for about a year. Their town meeting is also making the same proposal that we are. Three towns in the local area do not have planners. They are Lincoln, Stow and Hudson. They are not on this list. Lincoln has a Planning Board. They spend a great deal of money annually on consulting services and they have a very fine plan. Stow has been trying for three or four years to put in a planner and I believe they're also going to their Town Meeting as well. Hudson has nothing.

The key benefit of having a Planner in Sudbury would be the addressing of the many issues which have been heard by the Planning Board and the Board of Selectmen. I'd like to just run down the list quickly.

- Maintain an ongoing communication with the community. I can envision some creative things such as having a planning hotline that you might dial and get information on today's topics.

- Collect and maintain a file on data about the town's development. We frequently find ourselves in the position of not being able to make a decision rationally because we don't have data. We will be presenting some things that are partially based on information and partially based on intuition at this town meeting. We would much rather base our decisions on data.

- Inter-board coordination. The job description for this position clearly defines the responsibility for this individual as inter-board. Continuity I have mentioned. As the members of the Planning Board and other boards rotate through elections, the continuity would be provided by that position.

- Obtain Federal or State funding - a very important item. Sudbury is a town that does not participate in much of the funding that's granted for planning in towns because we simply do not have a professional who knows that those funds are being granted or even how to apply for them. We've been very fortunate in the last couple of months to be able to get one grant because Ed Thompson has a background in planning. It was a matter of luck that we got \$15,000 this year.

- Full-time program management. We simply don't do that as a matter of course with a part-time elected board.

- Up-to-date with planning matters in other towns. These people are in very close contact with each other.

- Frequent detailed revisions of the rules. We don't do that.

- Professional advisory services to boards. An obvious input.

As I mentioned Town Planners are professionals. They have academic degrees. You can read the long list in the Bachelor level, the Master level, and even in the Doctorate. They belong to associations and they receive certification by the American Institute of Certified Planners, just the same way architects, surveyors, and professional engineers do. They receive their certifications in the exact same way with experience and with academic work.

PLANNING ADMINISTRATOR

TOWN OF SUDBURY

GENERAL DESCRIPTION:

THIS POSITION PROVIDES BROAD-SCOPE ADMINISTRATIVE AND COORDINATIVE TASKS WHICH ARE RELATED DIRECTLY TO PLANNING ACTIVITIES OF THE TOWN AS DESCRIBED IN THE ZONING ACT (M.G.L. 40A AND 41). THE ZONING BYLAW (ARTICLE IX), PLANNING BOARD RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND AND THE SITE PLAN RULES AND REGULATIONS.

THE PLANNING ADMINISTRATOR WORKS UNDER THE GENERAL POLICY DIRECTION OF THE PLANNING BOARD PERFORMING SPECIFIC FUNCTIONS ASSIGNED BY THE PLANNING BOARD, AND IN ADDITION, ACTS IN A COORDINATIVE CAPACITY WITH OTHER BOARDS AND OFFICIALS ON MATTERS OF PLANNING.

FOR DAY-TO-DAY DIRECTION ON SPECIFIC ISSUES WHICH MAY ARISE DURING TIMES WHEN PLANNING BOARD MEMBERS ARE NOT AVAILABLE, THE PLANNING ADMINISTRATOR IS TO CONSULT WITH THE EXECUTIVE SECRETARY.

DESCRIPTION OF FUNCTION (CONTINUED):GENERAL DUTIES:

WORKS UNDER THE POLICY DIRECTION OF THE PLANNING BOARD. KEEPS ALL TOWN BOARDS AND OFFICIALS INFORMED AS TO STATUS OF PROJECTS WHICH ARE UNDERTAKEN BY DIRECTIVE OF OR WITH THE APPROVAL OF THE BOARD.

RENDERS PROFESSIONAL ADVICE TO THE PLANNING BOARD ON THE ADMINISTRATION OF SUBDIVISION RULES AND REGULATIONS AND ENDORSEMENT OF SUBDIVISION PLANS; THE REVISION OR AMENDMENTS TO THE ZONING BYLAW; THE PROGRAMMING OF SPECIAL STUDIES AND PREPARATION OF PLANS RELATING TO VARIOUS AREAS OF COMMUNITY DEVELOPMENT.

DIRECTS PROGRAM PLANNING WITHIN THE JURISDICTION OF THE PLANNING BOARD AND SUPERVISES PROGRAM EXECUTION; MONITORS TECHNICAL APPLICATION OF RECOGNIZED PLANNING PROCEDURES AND THE INTERPRETATION OF DATA, COMMUNITY ATTITUDES, REGIONAL DEVELOPMENTS OR ENABLING LEGISLATION WHICH COULD RESULT IN BOARD RECOMMENDATIONS AND TOWN MEETING DECISIONS AFFECTING COMMUNITY DEVELOPMENT.

MAINTAINS CONTACT WITH DEVELOPERS, APPLICANTS AND LAND OWNERS AND THEIR LEGAL AND ENGINEERING REPRESENTATIVES.

WORKS INDEPENDENTLY WITHIN THE SCOPE OF ESTABLISHED PLANNING BOARD POLICIES AND GOALS, PARTICULARLY DURING DAYTIME WORK HOURS WITH PROBLEMS REFERRED TO THE PLANNING BOARD WHERE CLARIFICATION OF OPERATING POLICIES AND PROCEDURES MAY BE REQUIRED.

DUTIES INVOLVE REGULAR ASSOCIATION WITH CIVIC LEADERS, LOCAL GROUPS, TOWN COMMITTEES, AND A VARIETY OF STATE AND REGIONAL OFFICES WHICH IMPACT PLANNING POLICY; POSITION REQUIRES TACT, PATIENCE, AND FORESIGHT AND THE ABILITY TO INTERPRET A VARIETY OF LOCAL NEEDS; EXERCISES BROAD RESPONSIBILITY COORDINATING DEPARTMENT EFFORTS WITH OTHER DEPARTMENTS IN THE TOWN AS WELL AS OTHER LOCAL AND STATE AGENCIES.

INVESTIGATES AND OBTAINS FUNDING, INCLUDING FEDERAL AND STATE GRANTS, IN SUPPORT OF COMMUNITY DEVELOPMENT AND STUDY PROGRAMS.

PROVIDES ASSISTANCE IN PLANNING AND COMMUNITY DEVELOPMENT MATTERS TO THE SELECTMEN, CONSERVATION COMMISSION, HISTORICAL COMMISSION, HOUSING AUTHORITY, CAPITAL BUDGET COMMITTEE, ZONING BOARD OF APPEALS, BOARD OF HEALTH AND OTHER ELECTED AND APPOINTED BOARDS AND COMMITTEES.

This is the detailed description of the job. It has been reviewed in detail by all boards and officials & I've distributed copies to as many people as I could get input on it.

I believe that Sudbury needs a Master Plan and we need it now. It must involve your opinions and your perceptions of what Sudbury should be or what you want Sudbury to be. It must be a continuous process which will perpetuate, in spite of the turnover of elected officials, and it must be our best shot. I believe that professional planning along with our own hard work is our best shot.

It was noted by the Finance Committee that the request for a Town Planner goes back as far as 1976. For two years there was a Planner who worked as a consultant rather than a Planner. Through his efforts \$30,000 came to Sudbury through HUD for the beginning of the development of the Haskell Land and another \$30,000 for a Home Rehabilitation Program which provided Sudbury farms with the means for much needed repairs. To complete the required forms to get these funds, requires a great deal of expertise and people who are going to do the follow-up.

Board of Selectmen Report: Mr. Myron Fox

The Board of Selectmen strongly supports this line item. Our Master Plan has not been updated for over 20 years, as you have heard. The Planning Board does not have the time for even short term planning due to a large amount of day-to-day work with residential subdivisions and commercial site plans. Our current problems with unplanned growth is due in large part to a lack of a paid planning administrator. We urge your support.

Finance Committee Report: Lindalee Lawrence

The Finance Committee agrees with the Board of Selectmen. Having considered this article independently, we feel that the Town Planner is essential.

At this time, Mr. Russell Kirby moved that line item 512-10 and 512-13 be held until after action on Article 47 has been completed.

Mr. Kirby supported his motion by saying that the topic to be discussed in Article 47 (Commercial Development Moratorium) should present both sides of the case very clearly as to whether or not there is a need for a Planner and if so, if we are going in the right direction. The nature of the article is such that I think all sides of the planning issue in this town should come out on this floor. With such discussion the people can make a much more objective judgment as to the need of a town planner.

Mr. Kirby's motion was defeated.

Mr. George Hamm of Mossman Road expressed support for a Town Planner. He stated he would much rather the Planning Board hire consultants who are skilled than to hire a \$25,000 a year employee right out of college. We heard a very dramatic presentation last night about what the Town should get for \$25,000 and even the Town Clerk should be getting \$46,000 or \$35,000 and I kind of agreed with them. You get a technician for \$25,000 and you give him a fancy title. You'll get exactly what you got the last time you had a Town Planner. The Willis Road project was opposed by the town because they didn't conform to the town plan which wanted to put ranch houses on 3/4 acre lots there. The Selectmen didn't get their way, so they proposed abandoning Willis Road. A master planner came in to solve the problem by building them on bigger lots. We've made a lot of mistakes and we've also done a lot of things right. The things we have done right weren't necessarily planned. I would rather have an article here for \$75,000 to hire a good planner to come in and solve our present problems than to have a \$25,000 someone to come in with a crystal ball and tell us what we should do.

In response to a request by Mr. Joseph Gumlak of Peakham Road, Mr. Theodores provided the following as criteria established for this new position.

- Bachelor's degree in municipal planning or closely related technical field
- Graduate degree desirable
- Five years of first-hand experience in municipal or community planning and development
- General knowledge and familiarity with engineering standards, architectural and construction principles, legal factors, water conservation and ecology, safety, and the public sector work environment
- Thorough knowledge of state and local zoning legislation, procedures, codes and standards
- Skills in verbal, written and graphic presentation

Mr. Alan Grathwohl of Stubtoe Lane made reference to when he was on the Finance Committee, and the Planning Board recommended a town planner. The Finance Committee at that time opposed the continuation of the Town Planner and Town Meeting action voted not to have the position. I have a strange feeling tonight of deja vu. I have heard nothing tonight that I did not hear in 1977 and 1978. I have yet to hear from the Planning Board exactly what a town planner is going to do for you. Everyone of you has a lot of expectations that the Town Planner is suddenly going to resolve all the issues in the Town of Sudbury. I don't think he will. I don't think that the Planning Board can even tell you what the Town Planner is going to do. They couldn't in 1978 and I don't think they can today. I don't believe anyone, looking at the Master Plan of town government, can tell you what adding an employee at \$25,000 in one year, as we rapidly approach the "tax cap" is going to do for us. I have a little concern that the planning and leadership in town government should be in authorized positions of the town and not in adding employees piecemeal, as we have done in the last three years. This will happen again in this town meeting when you see another addition to staff and we are at a tax rate of \$23.80 and \$25 is tops. I urge you to carefully consider what a planner is going to do for you. If you believe he is going to solve these problems, vote for him.

Mrs. Jayne Chace of Dutton Road made the observation that if Natick, Framingham and Marlboro have town planners, maybe we better think twice if we want the same type of situations to happen in Sudbury.

Mrs. Helen Casey, President of the League of Women Voters of Sudbury, spoke in support of the Town Planner noting that a competent planner should certainly

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be able to help in some of the areas where clear gaps are presently evident, such as better inter-board communications, monitoring and tracking of proposed town development. We should note the hiring of a planner does not alter the mandates of the Planning Board or of the Selectmen.

Mr. Ray Clark of Balcom Road injected a bit of levity into the evening by saying, "I think that being a planner would be one of the greatest jobs in the world. You could go home at night and your kids would say 'What did you do all day today, Daddy?' 'I planned today. Today I planned Route 20.' It's amazing to me that we have to hire for \$25,000 a planner to drive down Route 20 to say 'This really looks ugly.' I'm a little confused as to what he'd do about it if he did. Planners tend to work in the future. I happened to talk to the person responsible for one of my favorite buildings on Route 20 and he said to me that I was kind of hard on his building in the piece I wrote. He said, 'You know if anybody had ever told me to build a beautiful building, I would have been happy to build a beautiful building.' But nobody ever talked to him about the design of it. I think a planner is probably superfluous for Sudbury."

Mrs. Joyce Fantasia of Willard Grant Road also expressed support for the Town Planner by stating if the town had a full time planner maybe there would be some consistency in the way the town uses its land and the way it looks. If there had been a planner in the past, maybe we could have developed an attractive retail district that would be more like a village, rather than having the Planning Board approve projects as they come up a piece at a time. We end up with parking lots and malls sprawled all along the length of Route 20. It surely doesn't enhance the charm and character of Sudbury. In terms of residential buildings, she expressed belief that there is room for great improvement in the way we approve building lots and the way we allow housing to be built. In her opinion, a town planner would offer expertise in many interrelated areas such as land usage, ecology, water contamination, etc. We all care about Sudbury. It's a beautiful town. I'd like to see it saved. We deserve a full-time town planner.

The motion under line item 512-10, Town Planner was *VOTED*.

John Hannan of the Finance Committee *moved that the town appropriate the sum of \$9,194 for line item 512-13, Planning Board Clerical Salary, said sum is to be raised by taxation.*

By way of explanation the Finance Committee specifically detailed this requested appropriation as follows: \$2,788 for a clerk-typist to work on a part-time basis for the Planning Administrator; \$6,406 for a Clerk-stenographer for the Planning Board who is also on a part-time basis.

The motion under line item 512-13, Planning Board Clerical Salary was *VOTED*.

Mr. Hannan of the Finance Committee *moved that the town appropriate the sum of \$47,000 for line item 521-22, Accounting Department Computer, said sum is to be raised by taxation.*

The Finance Committee gave the following breakdown for the requested appropriation of \$47,000: \$7,400 is for software and \$32,600 is for the hardware, adding up to \$40,000, which is the replacement of our 7-year old Burrough's machine. This machine is used for payroll processing, accounts payable, appropriation control, and the general ledger of the town. \$7,000 is requested for computer support. This consists of \$3,000 which is the maintenance on the new piece of equipment, \$500 for a DEC VT-100, \$1,000 for service calls on the present Burrough's machine and \$2,500 for computer supplies and site preparation of the new computer.

Responding to a question of Mark Sacks as to what kind of computer was being purchased Mr. Vanar, the Town Accountant, stated there currently was a bid awarded by the Board of Selectmen for Altos Equipment; however, they were looking at the possibility of other equipment. Munis will be awarded the Software package.

Mr. Vanar further explained that the Burrough's B700 had no maintenance contract carried on it this fiscal year as it cost \$8,000. In anticipation of replacing it, no money was appropriated. During fiscal '84 about \$1,500 was spent on servicing and parts which are becoming very difficult to get. There is retrofit activity on this machine which is expensive. Only one person in the accounting department knows how to operate the machine. In the event of her leaving, there would be no support for the machine. There is no training available on the hardware or on the software. With this machine we do the payrolls for both the town and the local schools, pay the bills for the town, the Sudbury Schools and the

Regional High plus the appropriation control activity and the General Ledger. Our sister town or support town of Acton, is the only community that has this system and they will be throwing it out on July 1st.

It was suggested by Pat Mullen of North Road that if one of the reasons for ceasing to use the old accounting/computer machine is that the vendor is abandoning the product and not providing training resources, then we should consider one of the two or three main computer manufacturers, not a small West Coast company, if we are looking at another product, thereby protecting the investment that we'll be voting on tonight.

Asked if consideration had been given to leasing in lieu of purchasing to facilitate upgrading as the town's needs grow, it was stated that the Long Range Capital Planning Committee did not recommend leasing arrangements, as it would cost the town approximately \$17,000 more than an outright purchase.

Mr. Vanar responded that the Accounting office would be moving to the Nixon building, where there would be a consolidation with the schools of their financial operations. If the move doesn't occur, plans are to use the machine strictly for the accounting operation. The Tax Collector's operation will be brought in-house when the time is right.

Mr. Sacks of Pratts Mill Road suggested that purchasing a system no one knows very much about and for which there might not be much technical support in this area, is not saving money, and asked if anyone had really studied this machine (Altos).

Mr. Thompson replied that Mr. Vanar had visited a site where this particular machine was in operation and that the capacity for the communities in that area was incredible. He further pointed out that the Board of Selectmen did award or made a gesture of award, which was official, but not the final word. Since that time, Mr. Vanar and he had met with another company. There are some minor concerns, but there are no reservations about re-bidding the whole package.

Mr. Ted Cameron, Town Assessor, made the following remark. "I'm not against the basic motion, but I think it's too narrow in its objectives. We have a community of professionals, outstanding people here in Sudbury, who could make a very significant contribution to taking advantage of computer power for better government here in Sudbury. Many of the problems could be expedited very significantly. I would suggest consideration of an alternative--creating a panel of citizens from this community who would look at, not just the problem of the Town Accountant but the total broad issue. They would come up with a recommendation, not for just this specific problem but the broader issue, and present it to town meeting. This would have longer term benefits, much larger than the specific issue we have at hand."

Mr. Thompson urged the voters to have some credibility with Mr. Vanar and himself and not delay action on this computer purchase, as there had been an in-depth study of computers 6 or 7 years ago.

To this comment, Mr. Jesse Clark noted that there has been a lot of improvement in the technology in computers, not only in the last three years, but just in the last year. He suggested that what was being proposed was no better than what the town already has. He added, "You're talking about Town Planners, we'd better plan our computers and office technology in this town. We better look at a computer that's got capacity. Whenever you talk about the difference of \$20,000, you're looking at a lot more capacity. I understand that the high school has a DEC computer. I think it's a PDP-70 or something like that with all kinds of capacity and I would ask why do we have to use a computer in the accounting department to do the school's accounting for them. What is the position of the accountant at the school going to do? Are they going to reimburse the town for this? I think there's a lot of questions that should be addressed and I agree this issue probably should be delayed and an overall plan or study be made on it."

The Moderator clarified the point that the high school computer, as mentioned the previous evening, could not be used.

Mr. Hal Olsen of Goodman's Hill Road suggested that it would waste more time and money thinking about this issue, than buying it now and getting some work done with it.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$47,000 FOR LINE ITEM 521-22, ACCOUNTING DEPARTMENT COMPUTER, SAID SUM IS TO BE RAISED BY TAXATION.

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
<u>600 GOODNOW LIBRARY</u>				
600-10 Library Dir. Sal.	23,271.35	25,825.00	25,825.00	25,825.00
600-11 Salaries	119,392.98	131,894.00	136,088.00	136,088.00
600-12 Overtime	1,707.66	1,730.00	1,730.00	1,730.00
600-15 Custodial	6,439.92	7,021.00	6,947.00	6,947.00
600-21 General Expense	5,102.00	5,280.00	5,000.00	5,000.00
600-31 Maintenance	18,420.20	15,650.00	16,070.00	16,070.00
600-41 Travel	75.00	75.00	75.00	75.00
600-51 Equip. Purchase	1,100.00	0.00	0.00	0.00
600-52 Books	33,715.80	39,162.00	41,450.00	41,450.00
600-62 Automation	0.00	0.00	4,067.00	4,067.00
600 TOTAL	209,224.91	226,637.00	237,252.00	237,252.00
OFFSETS:				
State Aid	7,013.00	1,400.00	11,080.00	11,080.00
Dog Licenses	3,490.42	2,274.00	2,408.00	2,408.00
600 NET BUDGET	N/A	222,963.00	223,764.00	223,764.00

Finance Committee Report: The positions at the Library are being reclassified to bring the salaries in line with the rest of the Town employees. The budget represents a 4.7% increase; however, with the offsets from State aid and dog licenses, the budget increase is 3%. Recommend approval.

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, AND THAT THE EXCEPTED ITEM BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$41,450 FOR ACCOUNT 600-52, LIBRARY BOOKS, SAID SUM TO BE RAISED BY TRANSFER OF \$2,408 FROM THE COUNTY DOG LICENSE REFUND ACCOUNT, TRANSFER OF \$11,080 FROM THE LIBRARY STATE AID ACCOUNT, AND THE BALANCE TO BE RAISED BY TAXATION.

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
<u>700 PARK & RECREATION</u>				
700-10 Supervisor's Sal.	21,405.00	23,481.00	23,481.00	23,481.00
700-12 Overtime	474.05	700.00	700.00	700.00
700-13 Clerical Salary	2,344.42	2,500.00	5,500.00	3,000.00
700-15 Salaries	68,136.80	68,274.00	88,081.00	67,581.00
700-21 General Expense	757.08	1,600.00	16,450.00	1,850.00
700-31 Maintenance	26,835.61	27,525.00	50,660.00	24,060.00
700-41 Travel	658.73	660.00	660.00	660.00
700-51 Equip. Purchase	900.00	4,150.00	12,500.00	12,500.00
700-61 Spec. Programs	9,724.68	9,450.00	16,000.00	9,800.00
700-62 Teen Center	0.00	3,000.00	1,500.00	1,500.00
700-71 Uniforms	416.15	450.00	450.00	450.00
700 TOTAL	131,652.52	141,790.00	215,982.00	145,582.00

Finance Committee Report: The requested budget represents a 52% increase over 1983/84. Some \$70,000 of this increase would be to help finance the conversion of Fairbank School into a Community Center. It should be noted that there are other facilities in the Town which can be used for some of the activities proposed for the Community Center. The Finance Committee recommends that no part of the \$70,000 for the Community Center conversion be approved at this time.

While the concept of the Center has merit, it is recommended that a survey be taken to determine what kind of support could be given to the Center. The FinCom feels that such an expenditure would not be financially sound before determining the ultimate cost of the project and finding out just how responsive the Town would be to the Center. The FinCom believes that the Center programs would have to be self-supporting through some schedule of fees. The FinCom recommends approval of \$145,582 which is sufficient to carry out all of the other programs and activities of the Park and Recreation Department.

Upon a motion by Mrs. Crawford of the Finance Committee it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNT 700, PARK AND RECREATION, AS PRINTED IN THE WARRANT FOR THIS MEETING, EXCEPT 700-13, 700-15, 700-21, 700-31, 700-61, AND 700-62, AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

Mrs. Jane Neuhauser, Chairman of the Park and Recreation Commission, noting that it was the intention of the Commission to amend each of the held line items, requested that the Finance Committee make all the motions at one time, thus allowing her the opportunity to discuss them all together in her presentation.

With the Moderator's approval, Mrs. Crawford of the Finance Committee made the following motions each of which were properly seconded:

Move that the town appropriate the sum of money set forth in the recommended column for 700-15, said sum to be raised by taxation.

Move that the town appropriate the sum of money set forth in the recommended column for 700-21, said sum to be raised by taxation.

Move that the town appropriate the sum of money set forth in the recommended column for 700-31, said sum to be raised by taxation.

Move that the town appropriate the sum of money set forth in the recommended column for 700-61, said sum to be raised by taxation.

Move that the town appropriate the sum of money set forth in the recommended column for 700-62, said sum to be raised by taxation.

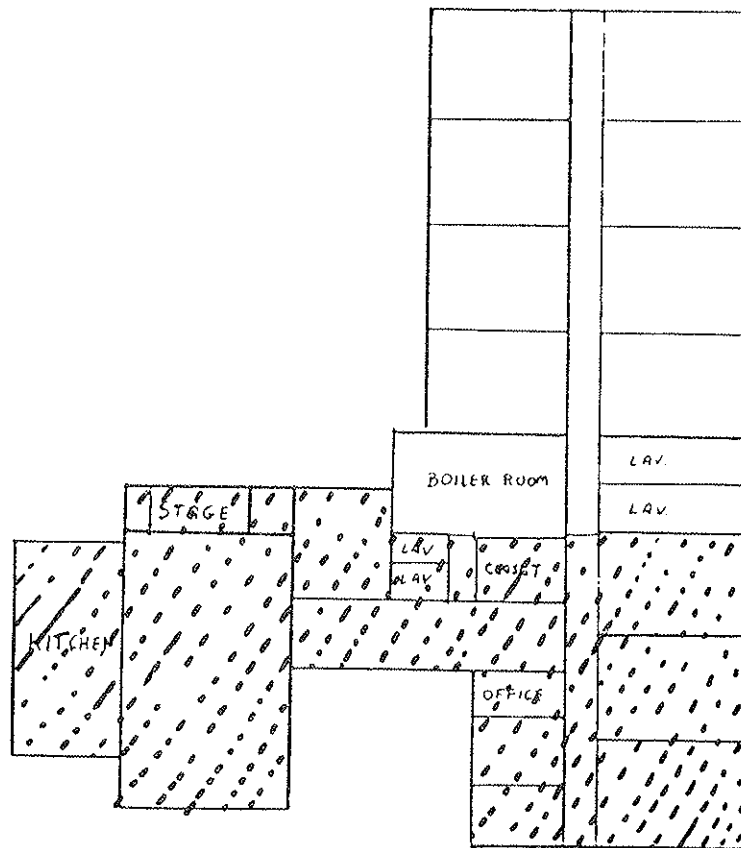
Mrs. Neuhauser was then recognized and moved to amend the Park and Recreation budget as follows: line item #700-31, Clerical Salary, \$5,500; line item #700-15, Salaries, \$91,081; line item #700-21, General Expense, \$4,150; line item #700-31, Maintenance, \$33,260; line item #700-61, Special Programs, \$16,000; the resulting \$43,700 to be appropriated as follows: \$8,700 from available Free Cash and \$35,000 from the Finance Committee recommended sums for warrant Article #30 for Haskell Redevelopment.

By way of explanation, Mrs. Neuhauser noted that the Commission has anticipated being able to count on \$10,000 available Free Cash, but tonight we find that it is slightly less.

The 1983 Annual Town Meeting voted to demolish a portion of the former Fairbanks School Building and renovate the remaining portion to be used as a Community Center. The Park and Recreation Commission has spent a good portion of the past year studying the feasibility of turning a part of that building into an active Community Center, a center of the type which would serve the townspeople by providing a central focus of town activity. Funding was included in the requested budget for Fiscal 1985, and we would like to give you the opportunity to choose how funds allocated to Park and Recreation may be spent.

The Finance Committee's priority was to work on the re-development and planning for Haskell Field. Park and Recreation's priority is to get an active Community Center going. An active Community Center would provide the town with three major advantages: first, the building would be open for use by town organizations; secondly, the community center staff would enable the Park and Recreation Commission to continue current programs and offer additional programs of a more varied nature; and third, a center of community activity would offer a central location for the organization of town activities, communication between groups and a permanent office for the Park and Recreation Department.

The total salary figure is an amended amount, it is not an increase. The total increase (\$43,700) proposed for these line items is directly related to and would be allocated towards the Community Center.



The demolition being completed, there remains approximately 19,630 sq. ft. of the former Fairbanks School building which is located at the junction of Fairbank and Hudson Road. This junction is well connected to walkway systems to Musketahquid Village, the Town Center, all the way down to Route 20 walkways, up to the high school, along Dutton Road and to Curtis Middle School. A portion of the building is the home of L/S West, an alternative educational environment for some 40 high school students. We propose the remainder of the building be refurbished, staffed, equipped and opened for use by townspeople as a Community Center. This section contains three large classroom-sized rooms, three smaller meeting/conference rooms, an office, a large functioning kitchen and a large multi-purpose hall with a stage. These rooms can provide space for a wide variety of activities. For example, senior citizens' parties and gatherings, arts and crafts or gardening workshops, town movies and dances, awards banquets and fund raising events for town organizations, adult exercise and sports programs, lecture series, regular meeting place for town organizations, equipment storage for town organizations, teen center, extended day program for grade-school students, youth, pre-school and toddler programs, and very importantly, an informal gathering place for townspeople. Several organizations in town have expressed an interest in using this community center.

TOWN ORGANIZATIONS INTERESTED IN USE OF THE COMMUNITY CENTER:

Boy Scouts	Girl Scouts
Campfire	Teen Center
Softball (Womens, Mens, Girls)	CYO Basketball
Sudbury Garden Club	Thursday Garden Club
Soccer Referee Clinic	Senior Citizen Drop-In-Center
Soccer (Womens, Mens, Girls, Boys)	Sudbury Food Co-op
Sudbury Swim Team	Womans Club
Little League	Art Association
League of Women Voters	Basketball (Mens, Boys, Girls)

The organizations listed would use the building just by virtue of the fact it would be open and very accessible to them. A staff would be hired to coordinate

and supervise the activities of the building and run programs and activities, as well as to generate ideas for new ones. A Park and Recreation survey which we had at the entrances tonight, showed an overwhelming majority of respondents favored both more activities for townspeople and support of the center. Of the towns surveyed, most have community centers or something which passes for a center. All of them have someone full time on staff. We have a part-time recreation director. We propose a full time community center and recreation director, and a part-time sports director.

Since our initial meetings with the Finance Committee and the Board of Selectmen we have reduced this request by some 30%. However, there exists a point below which we do not believe a program of quality can be made to exist. The essential cost related to the community center is concentrated in a few key areas...salaries--clerical, directors, & custodial, general expenses, maintenance and special programs. This figure has been amended, due to last night's vote, to \$43,700. We now have \$8,700 coming from Free Cash and \$35,000 which was allocated for your approval by the Finance Committee for Warrant Article #30. The Park and Recreation Commission views the Community Center and its staff as a higher priority than the immediate development of the Haskell Recreation Area. However, we still have enough money in that article for planning and development. Although we have the budget for \$43,700, it is important to note that Park and Recreation does anticipate some of these expenses will be offset by income in the form of user fees, donations, rentals, admissions, etc. This estimated income would be between \$5,000 and \$8,000 resulting in a net cost to the town of \$37,000 to \$40,000.

The Park and Recreation Commission submits that these modest expenditures provide the opportunity for the continued growth of our community. More importantly, this center holds the promise of drawing together townspeople of different ages and interests when other issues and events seem more likely to divide us.

Finance Committee Report: (Mrs. Bettie Crawford)

The requested budget represents a 52% increase over 1983/84. Some \$70,000 of this increase would be to help finance the conversion of Fairbank School into a Community Center. It should be noted that there are other facilities in the Town which can be used for some of the activities proposed for the Community Center. The Finance Committee recommends that no part of the \$70,000 for the Community Center conversion be approved at this time.

While the concept of the Center has merit, it is recommended that a survey be taken to determine what kind of support could be given to the Center. The FinCom feels that such an expenditure would not be financially sound before determining the ultimate cost of the project and finding out just how responsive the Town would be to the Center. The FinCom believes that the Center programs would have to be self-supporting through some schedule of fees. The FinCom recommends approval of \$145,582 which is sufficient to carry out all of the other programs and activities of the Park and Recreation Department.

Mrs. Crawford offered these additional remarks. In considering the money to be used for such a community center, there were two concerning thoughts: first, there are buildings in the town that could be used for many of the programs that are being suggested, and secondly, the Finance Committee did not know how supportive the townspeople would be of a community center. We recommended the Park and Recreation Commission conduct a survey, which they did. There were approximately 157 responses, which is a very small response. What the people asked for would not require a community center. For example, 133 people wanted out-door programs, i.e. hikes, outdoor concerts. Ninety-six people wanted a swimming pool. Seventy-three people wanted day or evening trips. None of these require a community center. Certainly this survey would not support a center.

In asking to take \$35,000 from the amount recommended for Haskell Field (\$45,000) it was felt the Haskell Field improvements were important. The field is in place and very much used. Park and Rec reported that it needed a lot of repairs, therefore the money to be appropriated for Haskell Field would be used to make the parking lot safer, which we understood was not at all safe, and try to improve the field so that it too would be a safe place where children could continue to have their activities. Although the amount of money requested has now been reduced, the Finance Committee does not feel money should be spent for a community center.

At this point, Mr. Joseph Adolph of Mossman Road said that he now had a major problem, which Mr. Taft had addressed earlier in the evening, and he

directed his concern to Paul Kenny, Town Counsel. Due to the imposition of this so-called Bourne Rule to the new budget management of the town, which this town never discussed and never voted on, where are we right now? Is it binding on the town if we vote this amended budget in that we have in fact voted on warrant article #30 at this time; therefore, we cannot go back to it and vote the full amount. I would like an explanation of the Bourne Rule.

This Rule has been imposed by the Finance Committee. It has been explained by the Moderator that we must say where the money is coming from in budget articles. This has never been done to my knowledge in this town before. We played a game, albeit a dangerous one, in the past few years, hoping that the bottom line in the budget came out within the limits of "2½" and we did not have to go to the election. This year, the game was changed without any warning. I don't understand how we're going to go on with the rest of the budget. If we vote this amended budget, is it de facto, that we've already voted out Article 30?

Town Counsel stated that the Bourne Rule is a procedure rule imposed by the Moderator. The Finance Committee has reported there are only a certain amount of funds available which have been allocated, in accordance with their deliberations, throughout the budget. Therefore, the Moderator has simply imposed a procedural rule which states if you wish to change any of these allocations you must indicate where you're going to change it. This would give someone, who was in favor of another article, the opportunity to oppose it at that time. When you reach the other article, if you want to appropriate the funds to fill that article, if there are any available, it would have to be indicated where you intend for these funds to come from. Supposedly, at some point in time, when there are no funds available under Proposition 2½ and the limitations of the town meeting, then there wouldn't be any funds available, as an example, say for the last article. That could happen regardless of the Bourne Rule.

Mr. Taft then asked why in this particular article doesn't it say 'the resulting increase of \$43,700 to be appropriated from available free cash'? How can we under the discussion of a budget article, decide we're going to take money from another article that we've never even voted? This leaves me completely puzzled. I still don't buy the argument that says \$350,000 has been spoken for. The town hasn't voted \$350,000 of free cash. It's up to the town to vote these things. If we choose to vote it here, and I'm not arguing for this article, but if we choose to vote it on this article, then we're not going to be able to vote it on another article. I understand that, and I hope everybody is responsible enough here to realize there's only so many bucks to go around. That is why I asked Mr. Pitts earlier where the \$350,000 was going to go. He gave me an explanation that it goes in one lump.

I'll try again. Under the FY85 FinCom Recommended column, as shown on page iii, it shows annual town meeting articles which the FinCom is going to recommend the total, \$549,000. Taking all of the FinCom's recommendations in total, including the annual town meeting articles, totalling \$549,000, they then say they need \$350,000 from Free Cash to make things balance and come out with the right tax rate. In order for the town meeting, who is spending their money, whether it's Free Cash or taxation, it's all our money, we're paying for it, to understand what we're doing, we have to know what's in the \$549,000 since that's a key ingredient of what makes up the \$350,000 or else we're going to sit here and spend the \$350,000 a drivel at a time, and maybe wake up three nights from now and find out we can't do something we wanted to do because we've run out of cash. Or, we will have to go back and reconsider! I went through the warrant articles and took all the FinCom recommendations and added them up. They totalled \$168,500. Somewhere there is \$380,500 of other recommendations, and I don't know what they are. I think we should be told.

The Finance Committee Chairman stated that the principal recommendation missing had to do with the Stone Farm and that was because the Warrant had been printed before a final number had been recommended.

Mr. Taft then requested a ruling from the Moderator that the motions be changed so the money would come from Free Cash, as money could not be taken from an article that has not even been considered.

The Moderator stated that he could not change somebody else's motion and secondly, money may be taken from another article. If money cannot be taken from taxation, and the Finance Committee says you can't take it from Free Cash, as it is all spoken for, there is no other place to take it but from some other article or other line item or require the town to hold a general election and ask two-thirds of the voters to vote to over-ride 2½.

Mr. Pitts explained that it was the intention of Park and Rec to reduce their request in Article #30 down to \$10,000. By reducing the amount from \$45,000 to \$10,000 they create the additional amount of money needed for the community center by adding it to the amount of Free Cash available at the beginning of this evening's session.

Mr. Powers then expressed puzzlement. He stated that one of the basic rules of town meeting is the power of town meeting to appropriate. It is the only organization that has this power. The Finance Committee is in the last analysis, simply a committee which makes recommendations. The difficulty with the procedure, as I've watched it, is that it inhibits anybody from disagreeing with the pre-arrangement of town funds made by the Finance Committee, to which we have not been a part. I watched a gentleman the other night simply try to get some money for some trees only to find out to his horror that he had to attack Bobby Noyes' snow plow. He not only had to carry his article, but he had to go around and try to knock down somebody else's article to do it. That, Mr. Moderator, has a terribly inhibiting effect on the rights of citizens to stand up, say why they think we ought to have some money and vote on it. These are recommendations not appropriations. It is extremely dangerous to the institution of democracy, and particularly to town meeting democracy, to get into this kind of an arrangement as it takes the power that is set up in the constitution and the rules of this hall, and we have one that is over three hundred some odd years around, and changes them without anybody voting, without any change in the law, without any change in the procedure, and without any change in the bylaws of the town. That's a very, very dangerous thing to do to the effectiveness of this town meeting. I hope all of those who have been involved in this will think about it very carefully because that is a more fundamental question than whether we get trees, or whether we do something for the folks at Park and Rec. It goes to the fundamentals of the institution itself.

Mr. Powers then requested a breakdown on the salary line item of \$91,081, as to whether this would be money for new positions or increases for old ones. This being a substantial increase he believed it would be helpful to see precisely how the money would be allocated.

The Moderator, J. Owen Todd, noted that when the Commonwealth passed Proposition 2½ and Sudbury overwhelmingly so, it imposed a restriction, or an inhibition, on the way cities and towns could spend money. The people in this hall have a right, just as the persons making motions, to increase line items and spend money which we may not have. The people in the hall have the right to be advised where this money is supposed to come from so they can intelligently make a guess. You talk about chaos and confusion. If we don't get this straight for all of us as to where this money is supposed to come from, if we can't raise it by taxation under "2½," and we don't have enough free cash, and we don't advise ourselves and one another where we're going to raise this money, we'll come out of the town meeting with an illegal budget. We just won't have any money to spend because we'll have had a budget, the passage of which, is violative of the law. That, I submit, is the definition of confusion. We won't know where this money is to come from until we have a General Election and we have the results of it, as to whether we are going to over-ride "2½" or not. If we do not over-ride "2½" we would have to come back here at another meeting and pass a new budget.

This is not the first time or the first town in which this Procedure has been followed. It's called the Bourne Rule as it was first followed in Bourne the year that "2½" was passed. It has been followed by more and more towns as they come up to the position that we have escaped, up to now. The Mass. Municipal Agency says that this is what you should do when you are in the position that we are in right now.

In response to Mr. Power's question on salaries, it was stated that the increase in the salary line item is actually \$23,500. The Park and Recreation Commission anticipate spending \$18,000 to hire a full time community center and recreation director and \$10,000 for custodial help. This comes to \$28,000. The offset of \$4,500 is because the Community Center and Recreation Director would be taking over the responsibilities of the Teen Center Supervisor, the Arts and Crafts Director for the summer playground and one playground supervisor. It would be a saving of \$4,500 from other salaried personnel who would be dropped. Deducting the \$4,500 from the \$28,000 there's an increase of \$23,500.

Asked as to how the salary of \$18,000 for the full time community center and recreation director was arrived at, it was explained that quite a bit of study had been undertaken comparing other towns. Park and Rec had been advised that \$14,000 would probably get someone fresh out of school--a new recruit. There is a large turnover among recreation directors, as salaries are not high enough to maintain one particular person for a period of time. The salary range is generally upwards of \$22,000. For \$18,000 a professional can be hired, which

means a degreed Recreation Director coming out of an accredited program who would have had one to possibly three years of experience as an Assistant Recreation Director.

Asked how this salary would relate to the salaries of present employees of the Park and Recreation Department, it was noted that the Superintendent is an appointed official of the Town, whose salary is \$23,481 and is subject this year to negotiation. There currently is a part-time Recreation Director, who is at maximum salary of \$9,176. His title and function will change to Sports Director. There is a maintenance assistant for \$16,025, a heavy laborer for \$14,652, and also various summer help.

Mrs. Neuhauser then, under advisement of her Commission, made the following motions to amend:

move that the town appropriate the sum of \$5,500 for line item 700-13, Clerical Salaries, said sum to be raised by taxation;

move that the town appropriate the sum of \$91,081 for line item 700-15, Salaries, said sum to be raised by taxation;

move that the town appropriate the sum of \$4,150 for line item 700-21, General Expense, said sum to be raised by taxation;

move that the town appropriate the sum of \$33,260 for line item 700-31, Maintenance, with the sum of \$8,700 to be raised by the use of Free Cash and the balance to be raised by taxation;

move that the town appropriate the sum of \$16,000 for line item 700-61, Special Programs, said sum to be raised by taxation.

(Each of the above amended amounts appeared in brackets on the original motion and were placed on the viewgraph.)

At this time, Mr. Alan Grathwohl commented that he too, like Mr. Taft and Mr. Powers was troubled. The very fact that Park and Rec wishes to lower the amount requested under Article #30 does not mean that this town meeting wishes to lower the amount under Article #30.

Mr. Michael Melnick of Lincoln Road expressed the belief that by voting on this Article 5, section 600, we wind up voting on Article #30 at the same time. There has been no motion to change the order of articles.

The Moderator noted that the Park and Recreation Commission were only indicating how they want to raise the money and their intention is not to ask for the full amount. It is only advisory and not binding on the town.

Mr. Sorett of the Personnel Board expressed concern that the entire procedure was illegal as new positions were being created that are not set forth in the Salary and Classification Plan, approved the previous evening. To this comment, town counsel stated that the Salary and Classification Plan has a provision that when a new position is created, the Personnel Board can tentatively add that position to the Classification and Salary Plan until the next annual town meeting.

The Moderator asked the hall if there were any objections to the technical fact of the Park and Rec amending their motion as it appeared on the viewgraph. There being none, the Moderator regarded the motions under each line item amended.

Mr. Grathwohl *moved* to appropriate the sum of \$33,260 for line item 700-31, to be raised by the use of Free Cash.

In support of his amendment, he stated that this town has the right to spend its Free Cash as it so chooses. In doing so, as we go through tonight and further nights of town meeting, we will not continue to say "said sums to be raised by taxation" but at some point in time, someone has to say "said sum to come from Free Cash." The Finance Committee, in its infinite wisdom in balancing the books as they see it, has used \$350,000 of Free Cash. This goes back to Mr. Taft's question "Where?" I don't know where, and until they can tell me, I'm telling you, I prefer to spend \$24,000 of it here. Now, maybe they'll tell me.

Mr. Vanar, the Town Accountant, explained that if you add up all the amounts recommended by the Finance Committee, and there was \$0 Free Cash available, we would be \$350,516 over the levy limit. The Finance Committee, at

its hearings, approve budget line items and articles. Just before town meeting, when these are all added up, if we had no free cash, we would have been \$350,000 over the levy limit. It was known that as of last July 1, 1983 we had \$361,000 certified, and the Finance Committee knew that amount was available. Based on the final adjustments to the budget, \$350,000 was used in one lump sum to offset the total expenditures, not any individual line item or individual article, but the total recommendations by the Finance Committee. After that Free Cash was applied, there was a small balance available at the beginning of the town meeting.

After some further clarification by the Moderator, the Town Treasurer, Chester Hamilton made the following statement. "I'm speaking as the Town Treasurer. Sometime before I retire for the second time or get unelected for the first time, I hope that I fully and thoroughly understand Free Cash. It is not a case of the Treasurer going back to his office and opening his safe and this money magically falls on the floor. To put it in the context of what we're discussing tonight and, although it is not totally accurate, relate it to a company. We are in effect spending the last nickel of our earned surplus and very few companies in their right minds survive very long when they do that. When you speak of Free Cash in the context we are tonight, it will wipe us out. We are going to be faced next year with what I hope you ought to all realize. We have nothing to fall back on. We have no more fat on the bones and the Treasurer's safe is empty.

Philosophically, I am also very concerned about what I knew someday would happen. It's happened tonight when the first person who gets at it wipes out the last of the Free Cash and destroys totally any other person's valid request for something they might very equally need, or desperately need, or think they do and has absolutely no chance to use that. I would ask the Park and Rec to think again before they, in this motion, totally wipe out anybody else's opportunity to use the last nickel of Free Cash. It's a very serious situation we find ourselves in. We are approaching--the word I use here tonight, "bankruptcy." We are wiping out the last of our earned surplus by spending as we are tonight. That may be what the town desires. I don't speak to that. I think you ought to be well aware of what we are doing and in what kind of a position we are going to find ourselves.

There being no further discussion on Mr. Grathwohl's motion to amend, it was defeated.

Mr. Robert Phillips of Peakham Road observed that in talking about a new position for \$18,000 are we not also asking ourselves to commit Blue Cross coverage, pension commitments and possibly other fringes when we take on a new position? Are we really not asking for enough money to cover that new position? To this comment, Mrs. Neuhauser advised that these fringes would be on top of the base salary of \$18,000.

Following, several citizens representing Boy Scouts, Girl Scouts and Sudbury Youth Soccer spoke to the merits of the Community Center.

Mr. Leslie Bellows commented that under line item 507-10, Treasurer's Salary, we pay a part-time person for doing one heck of a job \$10,692. We have a Town Clerk who basically has to beg for a raise. Yet we blindly just merrily go around looking to create an \$18,000 position. I just don't understand the logic!

Mrs. Neuhauser's motion to amend line items 700-13, 700-15, 700-21, 700-31, and 700-61 was defeated.

The main motion was VOTED.

Mrs. Neuhauser moved to amend line item 700-62, Teen Center, to the amount of \$3,000, said sum to be raised by Free Cash.

Finance Committee Report: Recommend approval.

Board of Selectmen Report: No position.

The motion to amend line item 700-62 was VOTED.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$3,000, TEEN CENTER, SAID SUM TO BE RAISED BY FREE CASH.

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
<u>800 BOARD OF HEALTH</u>				
800-10 Director's Salary	29,027.00	30,914.00	29,425.00	29,425.00
800-13 Clerical Salary	11,145.11	14,466.00	15,071.00	15,071.00
800-15 Animal Inspector	1,000.00	1,000.00	1,000.00	1,000.00
800-21 General Expense	1,147.73	1,000.00	1,200.00	1,200.00
800-31 Maintenance	1,219.14	310.00	350.00	350.00
800-32 Lab Expense	3,683.99	3,700.00	3,800.00	3,800.00
800-51 Equip. Purchase	150.00	800.00	10,200.00	6,550.00
800-61 SPHNA	27,750.00	29,924.00	32,172.00	32,172.00
800-71 Mosquito Control	16,000.00	15,000.00	15,000.00	15,000.00
800-75 Septage Cap. Exp.	7,871.47	5,000.00	25,000.00	25,000.00
800-76 Septage Op. Exp.	15,556.78	100,000.00	100,000.00	100,000.00
800-91 Mental Health	5,000.00	5,000.00	6,000.00	6,000.00
800-92 Hazard. Waste	0.00	0.00	2,000.00	2,000.00
800 TOTAL	119,551.22	207,114.00	241,218.00	237,568.00
OFFSETS				
SEPTAGE DISPOSAL	65,000.00			
800 NET BUDGET	N/A	207,114.00	241,218.00	237,568.00

Finance Committee Report:

The Board of Health is requesting a 1985 budget of \$241,218 which represents an increase of \$35,218 over its 1984 budget. In addition to a number of minor increases it seeks \$20,000 more for septage capital expenditures, \$2,000 for a Hazardous Waste Disposal Day, and \$1,500 to support half of the cost of a needs assessment performed by the Sudbury Public Health Nursing Association (SPHNA).

The septage capital expenditures are, in fact, the costs of servicing debt that has yet to be bonded.

The Finance Committee supports the replacement of the Health Inspector's automobile for a net cost of \$6,550, but recommends against the \$3,650 purchase of a micro-computer with word processing capability on the basis that, although the need may exist, there may well be sufficient unutilized capacity on other Town equipment to meet that need. This year's Hazardous Waste Day was a successful first effort and its continuation should be encouraged. SPHNA has not performed a needs assessment for many years, and we consider the \$1,500 to be a prudent expenditure toward optimizing the effectiveness of an organization that has served the Town so well for so long. Recommend approval of \$237,568.

Board of Selectmen's Report: No position.

Upon a motion made by Mr. William Maurhoff 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, SAID SUMS TO BE RAISED BY TAXATION.

	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
<u>900 VETERANS</u>				
900-10 Agents Salary	2,233.00	2,411.00	2,411.00	2,411.00
900-21 General Expense	3,493.55	750.00	750.00	750.00
900-61 Benefits	5,201.00	12,000.00	8,000.00	8,000.00
900 TOTAL	10,927.55	15,161.00	11,161.00	11,161.00

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	EXPENDITURES FY 83	APPROPRIATED FY 84	REQUESTED FY 85	RECOMMENDED FY 85
<u>950 UNCLASSIFIED</u>				
950-11 Blue Cross/Shield	308,829.37	419,157.00	482,000.00	482,000.00
980-12 Life Insurance	3,800.00	3,800.00	3,800.00	3,800.00
950-21 Fidelity Bonds	970.00	1,200.00	1,200.00	1,200.00
950-31 Casualty Insurance	112,588.63	110,000.00	100,000.00	100,000.00
950-41 Print Town Report	5,608.15	5,500.00	6,500.00	6,500.00
950-51 Memorial Day	830.69	950.00	1,000.00	1,000.00
950-61 Veterans' Graves	0.00	0.00	0.00	0.00
950-71 Fire Pension	1,500.00	1,500.00	1,500.00	1,500.00
950-81 Reserve Fund	99,999.87	100,000.00	150,000.00	150,000.00
950-89 School Tuition	0.00	2,000.00	2,000.00	2,000.00
950-92 Communications	4,600.00	3,500.00	3,500.00	3,500.00
950-93 Hydrant Rental	22,470.00	22,715.00	23,205.00	23,205.00
950-94 Copying Service	12,595.83	0.00	5,000.00	5,000.00
950-95 Word Processor	0.00	7,200.00	0.00	0.00
950-96 Retirement Fund	327,053.16	369,100.00	417,000.00	417,000.00
950-97 Town Meetings	6,632.81	9,500.00	9,500.00	9,500.00
950-98 Postage	11,415.81	12,100.00	12,400.00	12,400.00
950-99 Telephone	12,230.17	15,000.00	15,000.00	15,000.00
950-100 Unemployment	0.00	0.00	0.00	0.00
950-101 Salary Adj. Town	172,189.43	15,000.00	117,742.00	117,742.00
950-101A Sal.Adj.Schools	0.00	0.00	171,451.00	171,451.00
950-102 Gasoline	0.00	46,825.00	44,000.00	44,000.00
950-103 Non-Contr.Ret.	0.00	0.00	1,000.00	1,000.00
950 TOTAL	1,103,313.92	1,145,047.00	1,567,798.00	1,567,798.00
OVERLAY SURPLUS	100,000.00	100,000.00	80,000.00	80,000.00
950 NET BUDGET	N/A	1,045,047.00	1,487,798.00	1,487,798.00

Finance Committee Report (900 Account): Recommend approval.

Finance Committee Report (950 Account):

The Unclassified budget exceeds the 1984 appropriation by \$422,751, all of which is traceable to higher personnel costs for the Town. Blue Cross/Blue Shield costs rose dramatically in 1984 and are estimated to increase by another \$63,000 in 1985. The Retirement Fund must be increased by \$48,000. Since the contracts for all positions covered by collective bargaining expire this year, the Salary Adjustment account has been increased by \$274,000. Finally, in view of the foregoing, in addition to the growth of overall Town expenditures to \$18,650,000 and the fact that Town budgets have been held to a practical minimum in a determined effort to stay within the constraints of Proposition 2½, the Finance Committee believes it is only prudent to adjust the Reserve Fund to \$150,000 rather than the \$100,000 of recent years. Recommend approval.

Board of Selectmen's Report: No report for either account.

Upon a motion by Mr. Walter Stowell of the Finance Committee, it was

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE THE SUM OF MONEY SET FORTH IN THE RECOMMENDED COLUMN FOR ALL ITEMS IN ACCOUNTS 900 AND 950, AS PRINTED IN ARTICLE 5 OF THE WARRANT FOR THIS MEETING EXCEPT 950-11, 950-81, 950-96, 950-101, 950-101A AND THAT THE EXCEPTED ITEMS BE CONSIDERED INDIVIDUALLY, SAID SUMS TO BE RAISED BY TAXATION.

The Moderator announced that the five line items that were held would be taken up the following evening.

In accordance with the bylaws, a motion to adjourn to tomorrow, April 4, 1984, at 8:00 P.M. was received, seconded and VOTED. The meeting adjourned at 11:00 P.M.

Attendance: 581

ADJOURNED ANNUAL TOWN MEETING

April 4, 1984

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

The first item of business was the reconsideration of line item 505-10, Tax Collector's Salary. A notice of this intent having been duly filed by Jeanne Schultz, she *moved that line item 505-10 be brought up for reconsideration in order that the recommended salary for Tax Collector be raised from \$17,200 to \$20,000, an increase of \$2,800, and that the money come from the Unclassified Account, line item 950-101, Salary Adjustments.*

After the motion received a second, Mrs. Schultz remarked that the Town Meeting must proceed to bring the salary of the Tax Collector in line with all other town supervisory department heads, and hopefully provide a salary commensurate with the duties and responsibilities involved with this office. It is a sad commentary when the Tax Collector of our town is paid only \$2,798 more than our Dog Officer. The Tax Collector should be extended the same support extended to our Town Clerk. Furthermore, the salary comparisons displayed on Monday night clearly showed inequities in the salary planning of our elected vs. our appointed officials. Mrs. Stone is not an entry level worker. She has been working in the office of the Collector of Taxes since 1968, and has been the Collector of Taxes since 1972.

Finance Committee Report: (Mr. James Pitts)

The Finance Committee opposed reconsideration of this salary previously voted. Our concerns are that we are bargaining with the contract employees of the town, with a budget guideline of 3.8% for increases on a year to year basis. The salary previously voted was a 4.1% increase believed to be appropriate at that time. We should look at the real responsibility of the job before we make structural changes, as are being recommended. We need to understand the size of the budget controlled, the number of people supervised, the training required for the job and the overall impact of the operation on the town. If we are going to go through each of the individual salaries, where will it end?

When asked why this line item was being brought up for reconsideration, Mrs. Schultz explained that many things were brought out in Mrs. MacKenzie's presentation about the inequities of appointed vs. elected officials. When she went home and clearly checked the salary ranges herself, she felt she had an obligation to bring this up now.

Mr. Sorett of the Personnel Board commented as follows. Without regard to the merits of whether this position should receive an increase or not, we have a limited amount of money to spend and it seems to me that the process that we went through in developing the Salary and Classification Plan and trying to be as equitable as possible for the appointed employees ought to be applied to the elected officials. I would invite the question of the fair and appropriate salaries for the elected employees to be submitted to the Personnel Board for a careful study for the next town meeting. It may well be that there are inequities. The considerations articulated by Mr. Pitts are relevant. We need to look at the capability, experience, and contribution made by specific employees and I think we ought to include the salaries of the elected officials in the Salary and Classification Plan, next year, so that we can take a look and find out whether or not some of the allegations about unfairness are true. I would suggest to the hall that it is appropriate at this time to reject reconsideration. By taking that position, I in no way suggest that the merits of the argument are correct or not. A careful study of fair and adequate compensation ought to precede any decision by this hall to decide how to spend its meager spare reserves. It may be found that some people are overpaid and we may want to talk about reductions in salary and grade. It may be found that some people are underpaid and we may want to talk about increases. Equity is not only in one direction.

Mr. Russell Kirby of Boston Post Road noted that the Finance Committee had made a statement, many times, regarding an attempt to limit the increases in salaries to town employees. This evening it took me about 10 minutes to go back through the Town Reports. I went back to the year 79/80, so I'm talking about the years ending 81, 82, 83 and the present year. I selected just two individual salaries in the Town Report for Account 501-10 and 521-10 (Executive Secretary and Town Accountant). By taking the amounts appropriated plus the transfers, and in two cases there's a carry-forward, this is what I found. The salary of one of these individuals started out at \$32,500. That was at the beginning of fiscal year 80/81. During that year, it went up 10%, the following year 7%, the year

after that 11%, and the current year 14.2%. That says, that over the span of four years the salary has increased a total of 45%. You take the other account. It started out at \$22,470. The first year it went up 14%, the following year it went down 9%. The year after it went up 20%. This year it is up 10%. This is a total of 37% over a period of four years. We're talking about a net change in the amount of money expended by this town on these two individual salary accounts in a four year period. In one case it was \$14,718 and in the other case \$8,463. I'd like an explanation by the Finance Committee in light of the statements that they made a moment ago.

Mr. Pitts remarked that the Town Accountant's salary was in fact a change of the person in the job and at the time the changeover took place, a proposition was made in the budget hearing before the Finance Committee saying that, in our view, the requirements of the job had increased. The background and experience that the Selectmen and the Executive Secretary and the Finance Committee were looking for had increased, and the structure of the job had moved. That's how the amount was arrived at.

Mr. Clark of Meadow Drive asked the Finance Committee to respond to a question he asked Monday night, and which Mr. Kirby asked this evening, which still remained unanswered. Why are there employees who receive more than a 3.8%?

Mr. Pitts stated that the 3.8% is the amount put into the salary adjustment account for the 84/85 budget. It is placed there because the salaries of the people covered by collective bargaining are still being negotiated. This money is planning money, and the amount is arrived at by going back to the base year of 1979, going through and comparing the bargaining for salary increases by the Fire Department, the Police Department, Lincoln-Sudbury Regional High School, the town schools, and the Highway Department and other town employees, comparing that to the changes in the cost of living index since 1979 and concluding that each of these bargaining units had in fact kept pace with inflation. Therefore, the 3.8% which is the most recent increase in the Boston-based Consumer Price Index, seemed a reasonable and defensible amount to use to construct the budget for 84/85.

Mr. Clark and Mr. Pitts continued for a brief time with further exchanges of questions and responses until the Moderator commented that there was a little confusion and called upon Mr. Vanar, the Town Accountant for clarification.

Mr. Vanar noted that the only salary increases in the Warrant were the ones recommended by the Finance Committee for elected officials. All other salaries are level-funded in the recommended column.

Mrs. Schultz then stated that the salary for the Executive Secretary for 1983 was \$41,376. For fiscal year 1984, \$46,027 was appropriated and this was approximately a \$5,000 increase. During Monday night's discussion, it was noted that the Executive Secretary's salary will be adjusted after Town Meeting. "Is this a fact?" asked Mrs. Schultz.

It was affirmed by Mr. Pitts that the salary of the Executive Secretary would be set by the Board of Selectmen when his contract comes up at the end of the year.

Following, Mr. Sharkey of Haynes Road indicated his belief that the Tax Collector's salary should be adjusted now and supported the motion to reconsider.

Mrs. Isabelle Stone, the Tax Collector speaking in her own behalf, stated that she has been in the tax office for 16 years, 12 years of which she has been the Tax Collector. During these twelve years, her salary has gone from \$7,000 to \$16,000. She briefly described the duties of her office and her areas of responsibilities.

There being no further discussion the motion to reconsider line item 505-10, Tax Collector's Salary, was defeated.

At this point of the town meeting, the Moderator announced, on behalf of the Sudbury Planning Board, that a survey of citizen's perceptions and preferences on matters of planning in the town was being conducted, to update and revitalize the present approach to planning in Sudbury, and that the questionnaire was available in the lobby.

Mr. Pitts of the Finance Committee made the following motion under Article 5, for line item 950-11, Blue Cross/Blue Shield.

Move that the Town appropriate the sum of \$577,842 for Account 950-11, Blue Cross/Blue Shield, said sum to be raised by taxation.

The Chairman of the Finance Committee explained this line item was held as the amount printed in the Warrant was the cost prior to the time Blue Cross/Blue Shield had published the new rates for the year. This amount (\$577,842) represents the billing that will be coming to the Town for the year based on each of the coverages and the new rates published by Blue Cross/Blue Shield.

Mr. Joseph Gumlak of Peakham Road, while expressing support for Town employees receiving Blue Cross/Blue Shield benefits, wondered if certain aspects of health care cost containment had been looked into by the town boards. As part of the negotiation process, at contract time, individuals may be willing to accept a higher deductible in lieu of a higher premium. He suggested the town look at alternative plans for the forthcoming year.

The Executive Secretary explained that the Town presently provides six or seven HMO's to the employees, which cost less than Blue Cross/Blue Shield. Considering Blue Cross/Blue Shield's 48% increase last year and some 30% increase this year, it was his assumption that those remaining with Blue Cross/Blue Shield may go to an HMO that would be less costly for the Town.

The Moderator asked if the town had looked into coming up with a better medical benefit than what is presently offered, in terms of money. Mr. Thompson answered that the only other alternative the Town has is to go out to bid.

Mr. Joseph Clark asked where the \$95,000 was coming from, as required under the Bourne Rule.

The Finance Committee Chairman explained that as it is seen in the records of the motion, it is to be raised by taxation. All Finance Committee recommendations were tallied for the purposes of arriving at the total amount to be raised by taxation. Upon determining that figure, the amount in excess of what is allowed by Prop. 2½, the difference, is raised by Free Cash. There was a total of \$360,000 available Free Cash. The Finance Committee's recommendations consumed approximately \$350,000 of it. When the final wrap-up motion is made, after each monied article has been dealt with, the exact amount of Free Cash we need to balance the budget, will be picked up in Part "G" of the Wrap-up motion.

Dr. William Adelson of Newbridge Road asked for clarification of the mention of 6 or 7 HMO programs available that would be less expensive and the appropriation request not saying alternatives, but just Blue Cross/Blue Shield. It sounded, he thought, as though the most expensive alternative had been chosen, not allowing for a less expensive way. Such a large increase takes a big bite out of what cash is available for various other accounts.

It was explained this was coverage for all Health Maintenance Programs, not just Blue Cross/Blue Shield. The Town voted by ballot that the Town pay 75% and by statute we must pay 75% of the Blue Cross/Blue Shield premium. If anyone takes an HMO and the Blue Cross/Blue Shield is \$250, and the HMO is \$175, he actually ends up paying nothing.

Mr. James Kates of Ford Road made the following observation. When Mr. Thompson computed the percentage of increase, he said approximately 30%. The increase is closer to 40% than it is to 30%, by a long way. Following up on his statement that we pay 75% of the premium for the individual, and I assume we are paying 75% of the Blue Cross premium for the family. Unless you have HMO's coming in at a very low rate, you are not going to save significant money because by Federal law you have to pay the same amount for the HMO as you pay for the highest amount, which in this case is Blue Cross. In dollars, in true dollars, having six or ten or fifteen HMO's, you are not going to save any taxpayer dollars.

Following up on this comment, Mr. Thompson stated if an individual takes a lesser rate and the town is paying \$175 rather than \$250, there's a difference of \$75. So far we've saved \$18,000 because of the HMO's, according to Mr. Vanar.

Mr. Joseph Roller of Thunder Road, viewing the large percentage increase, asked if there were more people who are not being covered under the plan. He stated most organizations, business and otherwise, have faced larger medical expenditures under Blue Cross/Blue Shield. If we have more people covered, are there more benefits being given this year, or have the claims over last year caused such a large percentage increase?

April 4, 1984

Mr. Thompson said it was the large percentage increase as personnel has been reduced since Proposition 2½ was implemented. The schools are part of this cost package. This is not just for town employees, it is also for school employees and teachers. In bargaining, if an additional benefit is offered under the medical insurance to one group of employees, it must be offered to the whole town, including the schools. The only separate policy is the Regional High School's Blue Cross/Blue Shield which went up about 50% last year.

Going back to the question of Free Cash, Mr. Joseph Williams of Lafayette Drive commented I've spent a lot of time trying to understand page iii last night. Under the "Unclassified" account the total is \$1,568 million, including the Blue Cross. You are now asking for approximately a \$95,000 increase in the Blue Cross line item. How are you going to get that out of Free Cash when we have about \$8,000 left per the Bourne Rule?

The Finance Committee Chairman, Mr. Pitts answered that Town Meeting started with \$360,000 available Free Cash. Some \$350,000 of that has been consumed not on specific line items, but simply as a number that is arrived at to balance the budget. If this was the last item to be covered in the entire process, the whole amount would be raised by Free Cash. Free Cash is not associated with the specific Finance Committee recommendations. The only time Free Cash is associated with the particular line items is when they have been amended upward.

Mr. Williams then remarked that his question had not been answered. We went through this several times this past Monday and Tuesday evenings when you raised the FinCom's recommended amount. The amended amount is what you used to verify the fact that you had to take \$350,000 out of Free Cash, leaving about \$10,000, and now only \$8,000. Now you are raising your recommended amount by \$95,000 and there isn't that amount in Free Cash, according to your balance sheet on page iii.

It was further stated by the Finance Committee chairman that at the meeting on Monday evening, it was explained that the figures in the Financial Report in the Warrant had been superceded, as these calculations had already been taken into consideration. For example, on the bottom of the chart on page iii, even using \$350,000 of the Free Cash, we had a \$100,000 gap in the budget. The numbers shown on Monday night showed the final set of figures.

Selectman Anne Donald then noted that when the Warrant went to press in February the Blue Cross bill had not come in, therefore, that figure could not be included in the printed Warrant. Since then, the bill has been received and it was higher. The Finance Committee included it in the report presented to you Monday night. That is why the money, now proposed as a new amount to you, doesn't have to come from the \$10,000 in Free Cash. They've already included it.

"I guess I don't feel comfortable with this yet, and I guess I'd just like to have somebody give me an idea what would happen if we were to turn down this additional request?" queried Mr. Fran van de Kerkhove of Woodside Road. "What options would be looked at by the Finance Committee or the Selectmen?"

The response was that payments to Blue Cross/Blue Shield would continue until the money was depleted then a request to the Finance Committee for a transfer would be made. If that failed the unions (especially the MTA, the Police, the Fire and the Highway) would probably take the Town to arbitration for non-payment of medical insurance. Through that process, there would probably be some award made. The Town could go to court and there would be a direct levy upon the Town.

Mr. Donald Chauls of Blueberry Hill Lane, recognizing that in this area of medical insurance there seems to be 30%, 40%, 45% increases every year, asked if it were possible to get together with other towns and cities as a bargaining group, to approach Blue Cross/Blue Shield and through them the Medical profession, to reduce medical costs.

Such action was reported to have already been implemented by the towns of Peabody and Danvers.

VOTED: TO APPROPRIATE THE SUM OF \$577,842 FOR ACCOUNT 950-11, BLUE CROSS/BLUE SHIELD, SAID SUM TO BE RAISED BY TAXATION.

Mr. Pitts of the Finance Committee *moved* that the town appropriate the sum of \$120,000 for account 950-81, Reserve Fund, said sum to be raised by transfer of \$80,000 from the Overlay Surplus Account.

Mr. Ladd of Concord Road asked how one changes \$80,000 to \$120,000. When a motion is made to change something, I think our town committees have a certain responsibility to explain this to us.

Mr. Pitts remarked that the \$150,000 printed in the Warrant was reduced in the final setting of the budget by the Finance Committee to \$120,000. That was one of the last balancing items in the budget.

Dr. Adelson repeated the question. How does \$80,000 transferred become \$120,000? That was the question asked, and it hasn't been answered.

After asking Mr. Pitts if he understood the question, the Moderator, Owen Todd explained that of the \$120,000, \$80,000 is to be raised by a transfer from the Overlay Surplus Account and the balance to be raised by taxation.

There being no further discussion the motion was *VOTED*.

Mr. Pitts then *moved* that the town appropriate the sum of \$432,442 for Account 950-96, Retirement Fund, said sum to be raised by taxation.

The Moderator was asked to explain why it was that when the Finance Committee wants money they just say "to be raised by taxation" yet when Dr. Stevens made a proposal to purchase some trees, he didn't know where to get the money from?

In response, the Finance Committee Chairman, Mr. Pitts said, "I think that as I see it the process is that the Finance Committee, through its various hearings and deliberations, comes up with a recommended budget. The Finance Committee does in fact recommend what will be raised by taxation, what will be raised by free cash, what will be cut, what will be raised by transfers, etc. That's what the expectation is and that's what the charter is of the Finance Committee. It comes to the Town Meeting, prints in the Warrant article its recommendations, updates them on the opening night if changes have taken place, but does nothing more than make a recommendation to the Town Meeting, so that you in fact approve what will be raised by taxation, what will be raised by Free Cash, and that's the way I see it."

The Moderator added to this by saying, "More than that, the Commonwealth of Massachusetts when it allowed citizens to get together in cities and towns, in towns in particular, passed a law requiring the towns to set up Finance Committees charged with the duty of passing on, approving or disapproving every budget item in preparing budgets. It's their responsibility to prepare a budget in effect for the town to vote on and they know how much taxes, how much they can raise by taxes, they know how much Free Cash there is, and they can produce this budget. Now the Bourne Rule said that when you come in here and you want to change that budget by raising money, by raising appropriations, and there isn't apparently any money to pay for those increases, you have to say where you're going to get it from."

Mr. Russell Kirby then asked the Finance Committee for some explanation when there is a substantial change in any item in the budget. We have one figure which appears in the Warrant. It's up by \$15,000, which I don't consider to be completely insignificant. The presentation is made for just the motion and no other explanation whatsoever. We've had a computer that was slipped in here and it was on the Warrant to be sure. But there was no presentation, no explanation beforehand. We bought a \$100,000 fire engine Monday night and nobody even knows what color it's going to be or whether there's going to be ladders on it or what. I think the townspeople are entitled to know. We go through a great deal coming here night after night. We sit through all of this and we now find that where articles used to appear on the Warrant as separate items and the people could look at them, consider them beforehand and give them some thought, that isn't done anymore. We come in here and we find these things as line items in the budget or buried in among other things. I'd like to know why it's \$15,000 more tonight for the Retirement Fund than it was January 1st or February, whenever the Warrant went to press.

Mr. Pitts of the Finance Committee explained that this \$15,000 increase came about when the Finance Committee was actually preparing the estimated budget back in February, when they did not have the final rates or final projections for individual people covered by the pension, so that they could go through and calculate on an employee-by-employee basis what the amount should be. This is simply a more precise amount.

John Taft once again expressed the belief that it would help a great deal if the Finance Committee, or if they can't do it, the Town Accountant would take the column on page iii of the Warrant, the Recommended Column FY85 FINCOM, and re-do it, to match up with what they're now bringing to the Town Meeting. He said he had asked for it on Monday night. Mrs. Davison asked for it last night. Now somebody else is asking for it. We would be in a much better position to understand what is going on. We have probably lost in these three nights 2 or 3 hours

discussing this, and I would hope that Monday night when we arrive at this meeting they would hand us all a copy of that column and we'll know where we are. If they'll also give us all a list of the annual town meeting articles, exclusive from the budget, that they are going to recommend an amount on, vs. what was requested, we'll know how the whole thing was put together. We'll know where we are. That's the problem. We, the people, quite frankly, do not know where we are in this process and we need help.

Mr. Vanar, the Town Accountant said he would provide the information Mr. Taft requested for the next meeting.

Mr. Jim Kates observed that Article 7 requests \$20,000 for a Pension Retirement Fund in addition to line item 950-96. Two or three years ago, money was voted to pay for an actuarial study of the Retirement Fund. He asked what the results of that study were as he thought the study was to decide whether to make a recommendation to stay or not stay in the county. We're in a county retirement plan. Wasn't that the intent of the Study to see if there was a better vehicle for funding our retirement benefits for our town employees?

Mr. Thompson answered that the purpose of the Study was to determine what was our unfunded liability. He also noted that the study was available and on file in the Selectmen's office.

Mr. Robert Phillips of Peakham Road asked if the approved salary figure for the new position of Town Planner included that individual's contribution towards his pension. Mr. Thompson replied "No." He further stated that the new Town Planner would have to contribute 7% of his salary towards the retirement system. This being mandatory. Therefore, the costs to the town for the planner would not come until the Planner actually retires.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$432,442 FOR ACCOUNT 950-96, RETIREMENT FUND.

Mr. Pitts moved to appropriate the sum of \$117,742 for line item 950-101, Unclassified Salary Adjustment, said sum to be raised by use of \$2,500 for Free Cash and the balance to be raised by taxation.

By way of explanation for this motion, Mr. Pitts noted that the amount for this line item is the same, however \$2,500 of it is coming from Free Cash as a result of the motion made and passed on Monday night to increase the Town Clerk's salary. As collective bargaining is in process, the Finance Committee working with the Town Accountant goes through and takes the salary base and calculates what the cost would be of a 3.8% contract settlement with the individual unions involved and puts this amount of money in this account and the following account. When the collective bargaining is completed, the individual salary entitlements are re-calculated and in a posted public hearing of the Finance Committee, transfers are made from these accounts into the individual departments or line items.

Mr. John Taft stated he understood why the \$2,500 from Free Cash was placed in the motion. However, he didn't understand why Mr. Pitts didn't increase the \$117,742 by the same amount \$2,500. The \$117,742 is 3.8% of the people who are in the Salary Classification Plan, which does not include the Elected Officers. By taking \$2,500 out, you will not have the right amount needed to be raised by taxation.

It was explained that the \$2,500 was placed directly into the line item when it was voted. In other words, it has already been moved into the #500 account.

The motion for line item 950-101 was *VOTED*.

Mr. Pitts moved to appropriate the sum of \$171,451 for line item 950-101A, School Salary Adjustment, said sum to be raised by taxation.

Mr. Pitts explained this amount of money is set aside just for the school salaries. The School presentation, although it talked about various percent changes year to year, there was an asterisk and a footnote saying that those had been calculated without the benefit of the salary adjustment account.

Mr. Jim Kates, who asked for this line item to be held, commented that this money is a fund which is expected to cover the increase in Sudbury teachers' salaries negotiated in collective bargaining. The Lincoln-Sudbury budget contains a similar item in section 6 for \$106,386 and the Minuteman budget contains an anticipated settlement in their non-allocated salaries account. I do not object in any way to the amount or to its intended use, but I do object to the manner in which it has been placed in the Town Warrant. This money represents a very

real school expense. I feel the Sudbury School budget in the Warrant should have looked like this:

100 EDUCATION: 110 SUDBURY PUBLIC SCHOOLS

BUDGET SUMMARY

	1982-83 Budget	1983-84 Budget	1984-85 Proposed & Recommended
A Account - Salaries	\$ 4,222,388	\$ 4,495,999	\$ 4,583,860
B Account - Supplies & Services	644,538	622,724	667,510
B' Account - Energy Related	589,074	546,767	553,195
C Account - Equipment	18,860	18,626	19,028
	<u>\$ 5,474,860</u>	<u>\$ 5,684,116</u>	<u>\$ 5,823,593</u>
OFFSETS:			
METCO	36,575	36,575	36,575
METCO	30,000	20,000	20,000
PL 94-142	54,735	47,040	49,060
PL 89-313	4,500	1,875	2,450
TOTAL	<u>\$ 125,810</u>	<u>\$ 105,490</u>	<u>\$ 108,085</u>
NET BUDGET	<u>\$ 5,349,050</u>	<u>\$ 5,578,626</u>	<u>\$ 5,715,508 = 2.5%</u>
950-101-A			<u>= 171,451</u>
	<u>\$ 5,349,050</u>	<u>\$ 5,578,626</u>	<u>\$ 5,886,959 = 5.5%</u>
(Pupils)	(2,069)	(1,933)	(1,810) = 6.4%
<u>STAFF/PUPIL SUMMARY</u>			
	<u>1982/83</u>	<u>1983/84</u>	<u>1984/85</u>
Number of Pupils	2,069	1,933	1,810
Teaching Staff	128.7	126.32	122.92
Other Staff	53.4	52.76	52.01
Ratio of Teaching to Other Staff	2.4/1	2.4/1	2.4/1
Cost per Pupil	\$2,585	\$2,885	\$3,158 = 9.5%
			\$3,253 = 12.8%

The budget increase is 5.5%, not 2.5%. The cost per pupil as calculated here should have been \$3,253, not \$3,158, and the cost has gone up 12.8% not the 9.5%. I would like the Proceedings of the Town Meeting to show the correct amount and the Finance Committee report adjusted accordingly.

Mr. Pitts' motion for line item 950-101A was *VOTED*.

The following Wrap-up Motion was presented by Mr. Pitts:

- Move, A. That appropriations within departmental 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 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 expenditures purposes;*
- C. That all automobile mileage shall be paid at the rate of 18.5¢ per mile upon submission of a proper voucher;*
- D. That all appropriations under Article 5 are for the fiscal year July 1, 1984 to June 30, 1985;*
- E. 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 the certification of the Town Accountant;*
- F. That funds appropriated for the Salary Adjustment line items 950-101 and 950-101A are to be used for salary increases; such salary increases may be transferred to another line item with prior approval, in each instance, by the Finance Committee;*

G. To postpone action to use Free Cash as an offset to budgets and the tax rate until action is taken on Article 45 of this town meeting.

Mr. Pitts explained that the request to postpone action on "G" is only until that time when the last of the articles have been dealt with and there is no question as to the correct amount of Free Cash being used. The Wrap-up motion simply determines the various restrictions indicated in A through F for all amounts so approved.

Mr. Pitts' motion was *UNANIMOUSLY VOTED*.

(See page 139 for final action under paragraph G, the use of Free Cash.)

1982-83 TRANSFERS

Reserve Fund Appropriation

\$100,000.00

ACCOUNT NUMBER/NAME	TRANSFER NO.	AMOUNT
310-71 Fire Department, Uniforms	1087	\$ 1,800.00
320-31 Police Department, Maintenance	1097	3,600.00
320-51 Police Department, Equipment	1103	1,621.35
320-51 Police Department, Equipment	1073	1,566.00
320-71 Police Department, Uniforms	1068	2,900.00
320-81 Police Department, Tuition	1074	1,317.11
320-81 Police Department, Tuition	1095	2,135.03
350-21 Dog Officer, General Expense	1104	350.00
501-12 Selectmen, Overtime & Extra Hire	1117	126.34
501-21 Selectmen, General Expense	1076	700.00
501-32 Selectmen, Emergency Water Lines	1067	15,000.00
501-41 Selectmen, Travel	1106	72.05
504-21 Assessors, General Expense	1116	4,401.40
505-21 Tax Collector, General Expense	1111	4,250.00
506-14 Town Clerk, Registrars	1075	300.00
600-31 Library, Maintenance	1079	3,100.00
600-31 Library, Maintenance	1096	11,000.00
900-21 Veterans, General Expense	1072	2,743.55
800-61 Veterans, Benefits	1069	6,000.00
950-11 Unclassified, Blue Cross/Blue Shield	1109	13,992.28
950-31 Unclassified, Casualty Insurance	1121	7,293.45
950-41 Unclassified, Print Town Report	1077	608.15
950-92 Unclassified, Communications	1089	1,100.00
950-94 Unclassified, Copying Service	1083	10,159.00
950-94 Unclassified, Copying Service	1081	2,959.00
950-96 Unclassified, Retirement	1118	905.16
		<u>\$ 99,999.87</u>

Inter-Account Transfers

ACCOUNT NUMBER/NAME	TRANSFER NO.	AMOUNT
200-201 Treasurer, Loan Interest, Temporary	1094	\$ 14,155.00
310-12 Fire Department, Overtime	1098	2,551.35
310-12 Fire Department, Overtime	1112	923.06
340-12 Building, Overtime	1082	775.00
340-13 Building, Clerical	1119	70.35
340-16 Building, Plumbing	1099	1,200.00
340-21 Building, General Expense	1100	225.00
340-31 Building, Vehicle Maintenance	1120	45.49
360-13 Conservation Commission, Clerical	1084	500.00
360-21 Conservation Commission, General Expense	1085	750.00
410-21 Highway, General Expense	1090	2,500.00
410-32 Highway, Utilities	1090	1,000.00
420-12 Highway, Extra Hire	1070	1,832.00
420-13 Highway, Overtime	1090	1,500.00
430-30 Highway, Parts and Repair	1070	16,000.00
460-30 Highway, Snow & Ice Materials	1090	1,681.43
470-20 Highway, Street Lighting	1090	1,500.00
501-21 Selectmen, General Expense	1107	174.40
502-11 Engineering, Salaries	1108	988.43
502-13 Engineering, Clerical	1088	1,503.09
504-21 Assessors, General Expense	1115	840.01
506-42 Town Clerk, Out-of-State Travel	1101	329.60
521-31 Accounting, Maintenance	1122	242.78
600-11 Library, Salaries	1113	107.73
600-15 Library, Custodial	1105	163.92
700-31 Park & Recreation, Maintenance	1078	943.65
800-75 Board of Health, Septage Disposal	1091	7,000.00

1983-84 TRANSFERS

Reserve Fund Appropriation			\$100,000.00
<u>ACCOUNT NUMBER/NAME</u>	<u>TRANSFER NO.</u>		<u>AMOUNT</u>
310-21 Fire Department, General Expense	6	\$	2,500.00
501-31 Selectmen, Maintenance	11		512.00
505-12 Tax Collector, Overtime	17		1,000.00
506-21 Town Clerk, General Expense	1		804.00
506-31 Town Clerk, Maintenance	19		2,200.00
506-51 Town Clerk, Equipment	1		1,000.00
521-22 Accounting, Computer	18		892.17
521-22 Accounting, Computer	2		590.12
800-10 Health, Director's Salary	5		8,486.76
950-31 Unclassified, Casualty Insurance	15		12,000.00
950-95 Unclassified/Selectmen, Word Processor	10		2,640.00
ATM82/7 Audit	9		3,349.17
	TOTAL As of January 31, 1984	\$	35,974.22
	BALANCE	\$	64,025.78

Inter-Account Transfers

<u>ACCOUNT NUMBER/NAME</u>	<u>TRANSFER NO.</u>	<u>AMOUNT</u>
340-16 Building, Plumbing	12	\$ 4,500.00
340-21 Building, General Expense	13	815.00
385-13 Sign Review Board, Clerical	21	250.00
420-12 Highway, Extra Hire	8	4,000.00
504-41 Assessors, Travel	22	1,000.00
515-21 Historical, General Expense	14	76.00
521-81 Accounting, Tuition	4	450.00
950-95 Unclassified/Selectmen, Word Processor	16	315.00

ARTICLE 6. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to pay for any one or more of the following unpaid bills, incurred in prior fiscal years, totalling \$318.74:

Unpaid
Bills

- \$ 55.00 To pay Bentley's Stationers, Inc. for supplies (Council on Aging);
- 112.25 To pay Electronic Communications Corp. for equipment repair (Unclassified - Communications);
- 151.49 To pay Orthopaedic Associates of Marlboro, P.C., for medical bills of Daniel Fitzgerald (Police);

or act on anything relative thereto.

Submitted by the Town Accountant.

Town Accountant's Report:

Invoices that are submitted for payment after the close of the accounts at the end of a fiscal year or payables for which there are insufficient funds (and which were not submitted for a Reserve Fund Transfer) can only be paid by a vote of the Town Meeting, a Special Act of the Legislature, or a court judgment.

Finance Committee Report: Recommend approval.

Board of Selectmen Position: The Board supports this article.

UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE WITH THE SUM OF \$318.74 TO BE RAISED BY TAXATION.

ARTICLE 7. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$20,000, or any other sum, to be added to the Retirement Pension Fund established under Article 10 of the 1983 Annual Town Meeting, to be used from time to time, and subject to appropriation, for the purpose of offsetting the anticipated future cost of funding the contributory retirement system; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Mrs. Donald of the Board of Selectmen *moved in the words of the article with the sum of \$20,000 to be raised by taxation.*

Board of Selectmen Report:

The purpose of this fund is to stabilize the Town's pension appropriation by placing an additional annual appropriation in the special fund. In later years, money may be withdrawn from this fund by Town Meeting to offset increased pension costs. All interest earned by this fund will be added to it. The Board supports this article.

Finance Committee Report:

The Retirement Pension Fund was initially created at the 1983 Annual Town Meeting and was funded with \$20,000. As stated by the Finance Committee last year, "Without a program for funding, the pension liability will continue to increase as a larger and larger percentage of payroll." Assuming continued funding, after approximately fourteen more years of funding a program, the Town will reach a point where the annual cost becomes a level, and thus predictable, percentage of payroll. We believe the continued funding of this fund is in the best interests of the Town. Recommend approval.

Mr. James Vanar, Town Accountant reported that this article is a scaled down version of the recommendation of the Actuarial Study of 1981 to fund the unfunded liability for Sudbury.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE WITH THE SUM OF \$20,000 TO BE RAISED BY TAXATION

ARTICLE 8. To see if the Town will vote to approve the petition set forth herein exempting the Chief of Police from Civil Service laws and rules, 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:

Civil Service, "Commonwealth of Massachusetts

Police Chief In the year One Thousand Nine Hundred and Eighty-four. An act exempting the Chief of Police of the Town of Sudbury from Civil Service laws and rules.

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 office of Chief of Police of the Town of Sudbury shall be exempt from the provisions of Chapter Thirty-one of the General Laws.

Section 2. The provisions of Section One shall not impair the Civil Service status of any person holding said office on the effective date of this Act.

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

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Mrs. Donald of the Board of Selectmen *moved in the words of the article.*

Mr. Sorett of the Personnel Board then *moved to postpone consideration of Article 8 until after the town has considered and decided on Articles 43 and 44.*

In support of this motion, Mr. Sorett pointed out that there are three articles in the Town Warrant dealing with the question of how to handle the position of Chief of Police, which is presently vacant, being filled by an Acting Chief. Article 8 seeks to remove the position of Chief of Police from the requirements of Civil Service. Articles 43 and 44 deal with the way in which that position ought to be treated, if removed. By removing the position from Civil Service by means of Article 8, he believed it would simply provide the Selectmen with discretion without restriction. By dealing with Articles 43 and 44 first, there will be an opportunity

to determine the way in which the Chief of Police will be hired and his term of office. Articles 43 and 44 provide for a fair and open hiring process with the opportunity for citizen input, careful search with reference checks and certain minimum requirements of qualifications for the person to hold the office. The Personnel Board believes that it makes sense to consider all of the Police Chief matters at one time, not twice and for the town to know what it is buying, if it removes the position from Civil Service.

Anne Donald, Chairman of the Board of Selectmen, stated she could see no compelling reason to postpone this article. If Town Meeting chooses to remove the Police Chief from Civil Service, the Selectmen, who are by law the appointing authority, will have in place an appropriate and workable substitute for it, as proved by the Fire Department's past history. If the Town Meeting votes otherwise, the articles in question will be moot. She urged defeat of the motion to postpone.

Finance Committee Report: Recommend defeat of the motion to postpone.

John Harris, representing the Sudbury Police Union, spoke against the motion to postpone.

Mr. Sorett's motion to postpone was defeated.

Board of Selectmen's Report: (Anne Donald, Chairman)

The purpose of this article is to allow the Board the greatest flexibility possible in the appointment of a new Police Chief--which we believe to be in the best interests of the Town. The procedure in hiring a new Police Chief will be as recommended by the Executive Secretary in his communication to the Board of Selectmen dated March 26, 1984. The Police Chief must be appointed in accordance with the General Laws, Chapter 41, section 97a and the job description for the Chief of Police is contained in the Police Rules and Regulations dated January 29, 1975. If we seek appointment from within the Department, we would proceed in the same manner as was done in replacing the Fire Chief, which has happened twice over the past ten years, very successfully. We would limit it to the rank of Sergeant; we would solicit a written statement of interest; we would hold an interview; we would evaluate and we would appoint. If a candidate is not chosen under this procedure for any reason, we would seek an appointment from outside or within the department. We would advertise and seek candidates. It would be open to the Police Department personnel. Qualifications include 5 years experience in the rank of Sergeant or above, high school graduate and a degree in law enforcement preferred or the equivalent experience or education. Under either procedure the following would pertain: a physical exam required of a successful candidate, appointment for a one-year term, re-appointment in accordance with the Board of Selectmen's performance review policy, same as all other department heads. It would be at the Selectmen's discretion as to whether or not testing would be required for promotion from within or in hiring from outside the Department. If testing is part of either process, weighting should be written exam 60%, experience 20% and oral interview 20%.

Finance Committee Report: (Mr. Thomas Dignan)

The Finance Committee recommends approval as this will give our Selectmen a much wider choice of candidates than is presently available under the Civil Service System. The Civil Service Police Chief's examination is perhaps better suited for a selection process to obtain a chief for a large city. It is undoubtedly for this reason that so many small town officers have difficulty with the exam. The qualities which are deemed desirable, and perhaps essential for a rural town Police Chief are not necessarily the same as those deemed desirable in a large urban setting. The article would permit the passage of legislation which would give the Selectmen greater freedom to remove from office a Police Chief who is deemed unsatisfactory.

Personnel Board: (Mr. Hank Sorett, Chairman)

Civil Service was created to prevent the possibility of political influence in sensitive positions. There is no position in any government more sensitive than that of Chief of Police. The morale of the department and its ability to function as an independent, law-enforcement operation turns on professional independence. If the individual hired to fill the position of Chief of Police knows that every year he must go back to the Selectmen, what degree of professional independence are we likely to see? I submit none. I've been aware of Selectmen taking greater or lesser interest in Police functions. The Town is not well served by removing the position from Civil Service. One reason this article is here is that none of the sergeants in the Sudbury Police Force passed the examination. Whether or not they might pass a subsequent examination is a question that ought to remain open. We have an obligation to ourselves and to our community to make certain that the person hired to fill the position of Police Chief is the best we can get. Civil Service is not perfect. However, if a mistake is made in the hiring of someone in

the Civil Service system who is not competent, the Civil Service Commission, the statutes and regulations contain ample provision for removal. To sustain a removal, you need only to show just cause. Cases where local government has properly presented a case supporting a finding of just cause, local government has prevailed. Where they have been either sloppy, vindictive, or discriminatory, they have been over-ruled. The purpose of the Civil Service statutes is for the orderly administration of public employment.

If this article is adopted and the Legislature follow the paths suggested, the position of the Police Chief can be filled at an open meeting of the Selectmen which consists of no more than a nomination in open meeting that so and so be appointed Chief and that being voted without citizen input. The citizens of this town have a right and indeed a duty to be involved in the selection process. The references must be checked carefully and the history of the individual selected ought to be open to public scrutiny. The way in which we are proceeding, we are providing ourselves with no such guarantees. In the absence of such guarantees, the only rational system is the one which has been carefully developed over the past 100 years, as is set forth in the Civil Service statutes. There is an examination! The individual who seeks the position must meet certain minimum physical qualifications, mental qualifications, and academic qualifications. It seems most unwise for this body to consider removing this position from Civil Service given its sensitivity.

The position of Fire Chief is not subject to Civil Service and we've done well with our last several Fire Chiefs. However, the stresses placed upon the position of Fire Chief are far different than those placed upon the position of Chief of Police. The Police Chief is the one who is ultimately responsible for whether or not someone is arrested, charged or indicted. The pressures brought upon the prosecutorial process are far different and far more strenuous. I urge defeat of this article.

Acting Chief, Peter Lembo stated it would be in the best interests of the town of Sudbury to remove the position of Chief of Police from Civil Service. If it is not removed, the Board of Selectmen, the appointing authorities, will be confronted with the following problems:

1. The Board of Selectmen will have to appoint from a State Civil Service list which will consist of police officers from the cities of Somerville, Malden, Chelsea or Worcester. The newly appointed Police Chief will have a permanent status within the Police Department and will not be subject to a probationary period.
2. The present supervisory personnel of the Sudbury Police Department will not have the opportunity to advance to new positions or more favorable shift assignments. This would create a very serious morale problem amongst the management of the Police Department. A Non-civil Service Chief can be appointed annually or by a contract, depending upon what the Board of Selectmen decides is in the best interests of the Town.

The Sudbury Police Department presently operates under Chapter 41, section 97a also known as the Strong Chief's Law. This would stay even if the job were not Civil Service. This protects the Chief from any political interference within the Department and it prevents the Chief from being dismissed, except for just cause. Legislation is presently being proposed to protect Chiefs of Police without Civil Service, whereby only after judicial review can they be discharged.

There are two options. A. Civil Service. The Board of Selectmen will have to appoint from a State Civil Service List. There are five (5) candidates. The list presently consists of ranking officers from the largest cities who take exams annually, and, from my personal knowledge, lack any type of staff or administrative experience. The present officers on the Civil Service list are line officers and are mainly acting in a first-line supervisory capacity, i.e., a patrol supervisor, or a shift commander on from 4 - 12 or midnight to 8.

B. Non-civil Service. The town would have a larger selection from more qualified persons. They could go within the town, state-wide or nation-wide. They're not limited to five people on the Civil Service lists. There is more accountability from annual review and evaluation by the appointing authority. There is the ability to select a more qualified administrator rather than a professional exam taker. The towns of Lincoln, Weston, Wayland and Concord are cited as towns comparable to Sudbury who have been operating for a considerable time without any major difficulties and whose Chiefs are not on Civil Service.

John Harris, representing the Sudbury Police Union and speaking in opposition to this article, stated that the union agrees with the Personnel Board, with one exception. The union believes a test can be made up and given for a Chief

for towns. It can be made up specifically for towns rather than a test that was given, which the Police Chief and the Sergeants here in Sudbury took. It is true that no one from our town passed the test and certain persons did pass the test statewide.

The town has not had a problem with Civil Service. The town made a mistake when it asked for an open state Civil Service examination for Chief of Police.

We are of the opinion that they are trying to rectify this mistake by taking Civil Service away from the Chief. We don't believe that should happen.

As far as morale is concerned, we do not feel having the Chief's job on the line annually is going to improve our morale anywhere near the way it should be. It's going to lessen the morale if anything, as there would be a changeover every year. There would be certain factions that will be in and certain ones that will be out. If we have a Chief we know is going to be there for a period of time, whether you agree with him or his policies, you can learn to live with him and get along.

As for the Civil Service, if the people on the Civil Service List lack experience, or lack the knowledge necessary to become a Chief here in Sudbury, then they can be turned down by the Selectmen. They do not have to be selected. If they are only line supervisors, or if they're only shift commanders, they do not have to be hired. Just cause must be given to turn these people down and where there is just cause they should be turned down. There should be another examination for Chief of Police. If the Selectmen want to keep it in-town and give the exam to our five Sergeants, our Sergeants will pass it and pass it with flying colors. For these reasons we believe that Civil Service should stay for the Chief of Police here in Sudbury.

In response to a question by Joseph Clark of Meadow Drive, Selectman Frost commented that the Board of Selectmen is the appointing authority by statute, regardless of whether there is Civil Service or not. They are the ones that do the appointing. They are the ones that can accept four or five people from Civil Service and appoint from the list or they can accept applications and do it without Civil Service, if there is no Civil Service. They are the ones that make the decision, and this is by statute.

If we stay with Civil Service in the Police Department and we have to take the Civil Service exam for Chief which is given only once a year, this would mean we would have to call for an exam now that wouldn't be given until February of 1985, the results of which wouldn't be brought forward until probably the latter part of 1985. He further observed that if they were to look through the records, they would probably find that many of the people they may interview within the department may have come up through the Civil Service process to the point of management. He reminded the people that this is a management position, and urged the voters' support of this article.

Peter Feudo, of Newbridge Road, made the following statement. First of all, I find a bit of discomfort in this the Annual Town Meeting of 1984 and I am anxious about speaking to a Police issue. I'm concerned first of all that we've heard from the Board of Selectmen, who clearly do have some power to gain here. We've heard support from the Acting Chief, who would be the most likely candidate. We've heard support from retired Fire Chief Frost. We've also heard support from the Finance Committee, and I'm not even quite certain what the role of the Finance Committee is in speaking to this Civil Service issue. I'm also concerned and quite a bit bothered that some of my fellow citizens appear to be disregarding the recommendations of the Personnel Board. I would question the Board of Selectmen when they suggest that their support is to be able to have greater power in terminating the official that they would be appointing as to what criteria might they have that would be more stringent than the Civil Service. What reasons might they give us? I would suggest that we listen to the issue of morale from the Police Officers, the rank and file, rather than from the Fire Chief. With regard to Chief Frost's comments, he did indicate that this is a managerial position. I'm not certain I would want someone in a managerial position who has not passed the state exam or who has no administrative experience from within.

Paul Langner of Ames Road asked the Board of Selectmen if it had any mechanism in mind by which a Police Chief would be insulated from certain pressures.

Chairman Donald responded by referring to Chapter 97a, that was accepted many years ago by the town, as protection for the Police Chief.

Selectman Fox stated his belief that this is an absolute perfect time to remove the Chief's position from Civil Service due to the present vacancy. Guidelines are in place. The entire process of interviewing and getting to choose a candidate as a Police Chief is entirely open to the public. We cannot debate that

in private, and we do not debate such things in private. Our interviewing process has always been and is presently, in public sessions. We welcome the input of the public to that process, as well as to listening to the various candidates and giving us your ideas on who would be the best Police Chief.

The present Civil Service law is obsolete and archaic. The criteria under Civil Service for us to choose a Chief of Police is entirely who received the best score on the exam. We must choose one of the top three scorers in the exam. That is not necessarily the best person for the job. We appoint all our department heads on an annual basis, and there is absolutely no political interference with those people.

Following some further discussion, it was

VOTED: IN THE WORDS OF THE ARTICLE.

There being seven voters who disagreed with the call of the Moderator, a counted vote was requested. The motion passed: 292 in favor, 143 opposed.

ARTICLE 9. To see if the Town will vote to approve the petition set forth herein exempting the Police Force from Civil Service laws and rules, and
Special authorize and request the Board of Selectmen to petition the General
Act Court of the Commonwealth of Massachusetts to enact the Special Law set forth in said petition and without further submissions to a Town
Civil Meeting:
Service

"Commonwealth of Massachusetts

Police In the Year One Thousand Nine Hundred and Eighty-four. An Act
Force exempting the Police Force of the Town of Sudbury from Civil Service laws and rules.

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 Police Force of the Town of Sudbury shall be exempt from the provisions of Chapter Thirty-one of the General Laws.

Section 2. The Provisions of Section One shall not impair the Civil Service status of any person on said force on the effective date of this Act.

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

or act on anything relative thereto.

Submitted by the Board of Selectmen

Mrs. Donald of the Board of Selectmen moved to indefinitely postpone Article 9.

In support of her motion, Mrs. Donald stated that the Board wished to continue meeting with representatives of the Police Force to arrive at a consensus on the proposition to withdraw from Civil Service. She stated it was the intention of the Board to return to the next Special or Annual Town meeting with an article based upon the results of these talks.

Following a brief discussion, it was

VOTED: TO INDEFINITELY POSTPONE ARTICLE #9.

ARTICLE 10. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$13,000, or any other sum, to be expended under
Ambulance the direction of the Fire Chief, for the third year payment of the
Lease Lease Purchase Agreement, approved under Article 11 of the 1982 Annual
Purchase Town Meeting, for the ambulance and equipment; or act on anything relative thereto.

Submitted by the Fire Chief.

Fire Chief Report:

Article 11 of the 1982 Annual Town Meeting authorized the entering into a lease purchase agreement for a new ambulance, using monies from the Ambulance Reserve for Appropriation account.

The ambulance was purchased and is in service.. The first two payments have been made and this article authorizes the third payment to be made from this account. Therefore, it is not an appropriation to be dealt with in the tax levy.

Finance Committee Report: Recommend approval.

Board of Selectmen Report: The Board supports this article.

*UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE,
WITH THE SUM OF \$13,000 TO BE TRANSFERRED FROM THE AMBULANCE
RESERVE FOR APPROPRIATION ACCOUNT.*

ARTICLE 11. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$50,000, or any other sum, to be expended under the direction of the Highway Surveyor, as the Town's share of the costs for the design of a replacement bridge on Lincoln Road, over the Sudbury River, said costs to be shared equally by the Towns of Sudbury and Sherman's Wayland; and to determine whether said sum shall be raised by borrowing in accordance with the provisions of General Laws Chapter 44, or otherwise; or act on anything relative thereto. (Majority vote if bonded under Ch44,s6A; two-thirds vote required under section 7.)

Submitted by the Highway Surveyor.

Highway Surveyor Report:

Funds requested in this article will be used for the design of a new bridge over the Sudbury River. Since the bridge is jointly owned with Wayland, that town is also requesting matching funds at its Annual Town Meeting.

Reimbursement for the design money is anticipated under Chapter 90 fund agreements with the State Department of Public Works. It is our understanding that once the design is completed, there is a good chance that it will qualify for 100% federal money for the construction costs.

Finance Committee Report:

Hearings held on this article satisfied the Finance Committee that the future replacement of the Sherman's Bridge is appropriate and that the estimate for the design work of \$100,000 was reasonable. The Committee was concerned, however, that no funds be expended until a) the Town of Wayland had appropriated the necessary funds to carry its portion of the design costs and b) until the Town had received appropriate assurances from the State of reimbursement of these funds pursuant to G.L. c. 90A. Assuming the motion under the article contains language which will make the actual expenditure of funds contingent upon the prior occurrence of these two events, the Finance Committee recommends approval.

There being no discussion, it was

VOTED: TO APPROPRIATE \$50,000 TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY SURVEYOR AS THE TOWN'S SHARE OF THE COST FOR THE DESIGN TO REPAIR OR REPLACE THE BRIDGE ON LINCOLN ROAD OVER THE SUDBURY RIVER, SAID COST TO BE SHARED EQUALLY BY THE TOWNS OF SUDBURY AND WAYLAND, AND TO RAISE THIS APPROPRIATION THE TREASURER, WITH THE APPROVAL OF THE SELECTMEN, IS AUTHORIZED TO BORROW \$50,000 UNDER MASSACHUSETTS GENERAL LAWS CHAPTER 44, SECTION 6A.

ARTICLE 12. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$20,000, or any other sum, to be expended under the direction of the Board of Selectmen, to engage an environmental engineering consulting firm to conduct a hydrogeological investigation and prepare a detailed report of the land in and around the Sanitary Landfill off Boston Post Road; or act on anything relative thereto.

Landfill Site Submitted by the Board of Selectmen.

Mrs. Donald of the Board of Selectmen moved in the words of the article with the sum of \$20,000 to be raised by taxation.

Board of Selectmen Report:

This article is necessary so that the Landfill may continue to operate-- a requirement of the State. Otherwise the State may close the Landfill. The Board supports this article.

Finance Committee Report: Recommend approval.

In support of the article, Jim Merloni, Town Engineer gave the following presentation: The Sanitary Landfill, the dump as many of you call it, has all too often been taken for granted. It has existed for the past 10 years on the Boston Post Road, at the Sudbury/Wayland town line. Its location being one of the few, if not the only place in town acceptable to the many residents who frequent it on a weekly basis. The continued operation of this really successful and inexpensive means of solid waste disposal is now being threatened. This threat comes in the form of new regulations currently being adopted by the Commonwealth. The town operates and manages the landfill under an operational plan that must be approved by the State Department of Environmental Quality Engineering. When the town presented its latest operational plan to the state for approval, we were informed that a hydrogeological study would be a requirement for any future approvals. The purpose of this requirement, a hydrogeological study, is to warn us and future generations of any harmful pollutants being released by our landfill. Nearly all pollutants are soluble in water and could mix with rainfall to form a harmful leachate. This leachate could move through the landfill and the underlying soil into the groundwater table. Once into the water table it could be carried to our nearby wetlands and to the Sudbury River. At this point, our precious public water supply would be in jeopardy. The hydrogeological study would provide the town with an early warning system. The advance warning of a problem would give us the necessary time to take corrective measures. I can't give you too many of the technical details of the hydrogeological study itself, as that study is outside my field of expertise. I do know that as a result of the study a number of monitoring wells will be placed around the landfill. The exact number of monitoring wells, their depth, and a sampling of and testing schedule will be determined by the study. This article came about as a direct result of the new requirement of the State, but I think its successful passage would be in the town's best interests and I would recommend and urge your support of this article.

Milton Bartlett, a Commissioner for the Sudbury Water District, also spoke in support of this article by stating the leachate could leach into the Sudbury River and down to wells that we might put in the Pantry Brook area and toward the existing "117" well. These are remote possibilities, but on the other hand, the value of the water is such that the total value would justify any reasonable expense. In addition, the bedrock geological survey shows a fault which runs directly under that landfill. It's called the "Bloody Bluff Fault." It runs from the Sudbury Reservoir in Westboro, back of Nobscot Mountain, by the Nobscot Springs, within about 1,000 feet of our nearest well on the Raymond property, and under the landfill. A branch of it also runs under the Wayland dump, the old Wayland dump. The Raymond well site currently will produce 2 to 3 million gallons per day. It's targeted to produce 5 million gallons a day and if the town fully develops the Hop Brook Water Shed, of which these wells are the lower end of that watershed, it might be double that. The value of water is 2 to 3 dollars per gallon per day so the total value of this to the town and the economic input is in the ten to twenty million dollar range. Hence anything that jeopardizes the main water supply is of substantial interest.

There being no further discussion the motion made under Article 12 was

*VOTED: IN THE WORDS OF THE ARTICLE WITH THE SUM OF \$20,000 TO BE
RAISED BY TAXATION.*

ARTICLE 13.

Resurface	Withdrawn by the Board of Selectmen, as Federal Funding has been
Rt. 20	approved for this project.
RR Crossing	

ARTICLE 14. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$20,000, or any other sum, to be expended under the direction of the Sudbury Historical Commission, for the repair and renovation of the Hosmer House, said appropriation to be contingent upon the receipt of a reimbursement grant of \$20,000 through the Massachusetts Historical Commission from funds made available under a Federal Grant-in-Aid program awarded to the Town of Sudbury on July 1, 1983; or act on anything relative thereto.

Hosmer
House

Grant
Funds

Submitted by the Sudbury Historical Commission.

Mrs. Lynn MacLean of the Sudbury Historical Commission made the following motion under Article 14: *move to appropriate the sum of \$20,000 to be expended under the direction of the Sudbury Historical Commission for the repair and renovation of the Hosmer House, said appropriation to be contingent upon the receipt of a reimbursement grant of \$20,000 through the Massachusetts Historical Commission from funds made available under a Federal Grant-in-Aid Program awarded to the Town of Sudbury on July 1, 1983. No expenditure will be made under this appropriation until the Town is in receipt of the funds from the Mass. Historical Commission.*

The Moderator, at the request of the Town Clerk, asked Mrs. MacLean if she meant to have at the end of that motion "said sum to be raised by taxation." Mrs. MacLean replied "No."

Mrs. MacLean made the following presentation: We want to thank you, the people of Sudbury, who have helped us with your kind donations and support for Hosmer House. The Historical Commission has been honored to head up this long-time effort. You have both individually and through many organizations and clubs helped us with the yard sales and cup plate promotions to raise funds to preserve Hosmer House as an historical and architectural gem in Sudbury. This is, in every sense of the word, your project. We are not, I underline not, coming before you tonight for more tax money. You were more than generous with our one-time request in 1982. Based upon your 1982 appropriation and your private donations, we convinced Beacon Hill and the Federal Government to grant us an additional award of \$20,000 to complete the restoration of the old Ball Room upstairs so it can be used for business meetings and replace the floor in the old store. We did not have to put up a cent to obtain this grant. It was based on what we have already spent.

We need your approval of this article tonight. The grant, which we have pursued for six months, when it arrives will go into the Town's General Funds. In order for us to expend it on work at the Hosmer House you have to appropriate it for that use. Either Town Accountant Vanar or Town Counsel Kenny can confirm this. We don't plan to expend any money until the grant arrives. When this work is completed we plan, in addition to public use, to rent the rooms out for business meetings and small social events to help defray the cost of the upkeep. We also plan to continue selling our cup plates every Christmas to bring in more revenue. There are over 600 valuable paintings which we believe the public should have the opportunity to view at an art exhibit. Miss Helene Sherman is now in the process of restoring many of them. We would like your approval so any future grant requests made by Sudbury to the state and federal government will be looked upon favorably. We also believe a failure to pass this article will have a stifling effect on our fund-raising activities. We have made this home energy-efficient and are saving the Town money in the long run and we will continue our activities to raise funds to keep it in repair.

In summary, we remind you that we won't spend any money until it arrives and is placed in the appropriate account and, 2) there is no taxpayer cost involved. We urge your "Yes" vote on this article.

Finance Committee Report: (Lindalee A. Lawrence)

Assuming that the federal grant is forthcoming, this money will be entirely reimbursed to the Town. This article, as drafted, reflects our concern that funds not be expended prior to receipt and we appreciate and understand that the Commission will request no additional town funding. We recommend approval.

Mr. John Powers, Chairman of the Sudbury Historical Commission in response to a concern of Mr. Robert Coe about this reimbursement grant explained that Massachusetts received a small sum of grant availability for construction work, which actually came out of a liaison between the Department of Labor and the National Park Service. The Mass. Historical Commission had received about \$230,000 for the state for construction work. The Sudbury Historical Commission faced a rather difficult policy decision--to forego applying for the money or to delay the work

while processing the application in the hope of obtaining some of the funds. A delay would result in an erosion of funds due to the incessantly increasing materials and labor costs. On the other hand, it was felt that the SHC would be severely criticized if it didn't at least make an attempt to gain that grant, which in fact was based on money you people had already appropriated. It took about four months to comply with the grant standards which are considerably more involved than the state standards and it also required the approval of several federal agencies. With a great deal of help, we were successful in being awarded a \$20,000 grant.

While the \$20,000 grant money can be expended by the Town for any municipal need it wants, we believe it is reasonable to ask you to apply that grant to the project on the basis for which it was obtained. This is a reasonable and a cost-free application of the grant.

Selectman Myron Fox, speaking in opposition to this article, acknowledged that the Sudbury Historical Commission has done a very fine job and in particular the fundraisers who have aided the Commission have done a marvelous job in raising funds. He noted that Sudbury has since fiscal 82 and up to the present time, continues to pay for the upkeep of the Hosmer House. \$6,400 was spent in FY82, \$3,700 in FY83, and \$2,700 so far in FY84, and we shall continue to pay for the upkeep of the Hosmer House, that is in addition to the \$50,000 already appropriated for the repair of the Hosmer House. He pointed out that the Commission received the \$20,000 grant because the town had previously appropriated \$50,000 and spent most of it. This is a 50% reimbursement grant because approximately \$40,000 was spent. \$20,000 is coming back due to the fine work that the Commission did in filing for the grant. This grant will be received by the town from the State regardless of whether or not this article passes. This Town Meeting might want to think of whether it wants to spend this \$20,000 on the Hosmer House or for something else. I'm not suggesting we spend the \$20,000 in any other specific area but merely to save it for the rainy days to come when we might be forced to cut services.

Mrs. MacLean responded to Mr. Fox's comments by informing the hall that the Town has owned this house for 25 years and the costs stated by Mr. Fox were due to the fact the house was not energy efficient. There is now a furnace with 5-zone heating, full electricity, plumbing, and insulation. The costs mentioned by Mr. Fox should go down. The Commission is trying to stop the escalating cost on property that has not been taken care of.

After some discussion, the motion was

VOTED: TO APPROPRIATE THE SUM OF \$20,000 TO BE EXPENDED UNDER THE DIRECTION OF THE SUDBURY HISTORICAL COMMISSION, FOR THE REPAIR AND RENOVATION OF THE HOSMER HOUSE, SAID APPROPRIATION TO BE CONTINGENT UPON THE RECEIPT OF A REIMBURSEMENT GRANT OF \$20,000 THROUGH THE MASSACHUSETTS HISTORICAL COMMISSION FROM FUNDS MADE AVAILABLE UNDER A FEDERAL GRANT-IN-AID PROGRAM AWARDED TO THE TOWN OF SUDBURY ON JULY 1, 1983; NO EXPENDITURE WILL BE MADE UNDER THIS APPROPRIATION UNTIL THE TOWN IS IN RECEIPT OF THE FUNDS FROM THE MASSACHUSETTS HISTORICAL COMMISSION.

In accordance with the bylaws, a motion to adjourn until Monday, week next at 8:00 P.M. was received, seconded and *VOTED*. The meeting adjourned at 11:05 P.M.

Voters in attendance: 492

PROCEEDINGS
ADJOURNED ANNUAL TOWN MEETING

April 9, 1984

The Moderator called the meeting to order at 8:15 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

At the request of the voters at the previous two sessions, Mr. Pitts, Chairman of the Finance Committee presented the following table.

1	2	3	4	5	6
1 VANAR 4-9-84	FY84 ACTUAL	FY85 FINCOM	ARTS. REQUEST	ARTS.FIN COM	
2					
3 Sudbury Schools	5,578,626	5,715,508	Retirement		
4 Community Use	12,000	12,000	20,000	20,000	
5 Summer School	5,075	5,365			
6 Regional High School	3,961,292	4,373,090	Ambulance		
7 Vocational High School	254,928	296,839	13,000	13,000 Offset	
8 Total School Budget	9,811,921	10,402,802			
9			Landfill		
10 Debt	330,063	369,988	20,000	20,000	
11 Protection	2,044,954	2,189,434			
12 Highway	1,092,443	992,988	Hosmer Hse.		
13 General Government	670,063	797,092	20,000	20,000 Receipt	
14 Library	226,637	237,252			
15 Parks and Recreation	141,790	147,082	350 Anniv.		
16 Health	205,961	237,568	500	500	
17 Veterans	15,161	11,161			
18 Unclassified	1,130,047	1,359,889	Haskell		
19 Salary Adj. Town	15,000	117,742	72,000	45,000	
20 Salary Adj. Schools	0	171,451			
21 Total Unclass.	1,145,047	1,649,082	Stone Tavern		
22 Total Town Budget	5,872,119	6,631,647	332,950	332,950 Borrow Offset	
23					
24 Total Operations Budget	15,684,040	17,034,449	Unpaid Bills		
25			319	319	
26 A.T.M. Articles	433,468	501,869			
27 S.T.M. Articles	40,814	0	Sherman Bridge		
28 Total Articles	474,282	501,869	50,000	50,000 Borrow	
29					
30 Total Budget	16,158,322	17,536,318	Winter St.		
31			15,390	0	
32 Cherry Sheet Charges	563,676	565,154			
33 Cherry Sheet Offsets	185,789	196,365	Powder Mill Rd.		
34 Recap Charges	3,113	0	100	100	
35 Total Charges	752,578	761,519			
36			Total		
37 Overlay	369,271	270,000	544,259	501,869	
38					
39 Total Expenses	17,280,171	18,567,837			
40					
41 Cherry Sheet Receipts	2,863,949	2,969,874			
42 Local Receipts	500,000	545,000			
43 Revenue Sharing	180,000	140,000			
44 Motor Vehicle Excise	480,000	520,319			
45 Overlay Surplus	100,000	80,000			
46 Available Funds	150,649	196,670			
47 Borrowing	140,000	345,567			
48 Free Cash	133,499	354,516			
49					
50 Total Expense Offsets	4,548,097	5,151,946			
51					
52 Tax Levy	12,732,074	13,415,891			
53					
54 Previous Limit + 2.5%	12,629,690	13,140,891			
55 New Construction	187,376	275,000			
56 Levy Limit	12,817,066	13,415,891			
57 F.F.C.V. Limit	13,157,362	13,500,000			
58 Total Property Value	526,294,489	540,000,000			
59					
60 Under/Over(-)Levy Limit	84,992	0			
61 100% Tax Rate	24.19	24.84			
62 Residential Rate	22.49	23.10			
63 Commercial Rate	36.00	36.97			

	Certified Free Cash	\$ 361,717
line #56	<u>LEVY LIMIT</u>	<u>13,415,891</u>
24	Total Budget	17,034,449
28	Total Articles	501,869
35 & 37	Total Charges	<u>1,031,519</u>
39	Total Expenses	18,567,837
	Less Available Funds	(4,797,430)
48	Less Free Cash	<u>(354,516)</u>
50		(5,151,946)
56	Tax Levy	13,415,891
	Available Free Cash	7,201

It was explained that this was a recap of the budget as it presently stands. It was noted that a number of recommended changes took place after the Warrant had been printed, in addition to other changes due to the vote of Town Meeting. Column #3 is the Finance Committee's recommended budget with all of the adjustments from last week's town meeting action. Columns #4 and #5 are the money articles, with the amount requested on the left and the FinCom's recommendation on the right. Some recommendations were not in the Warrant, as the Finance Committee had not had hearings or formed opinions by the time the Warrant went to press. The Requested Amounts are \$544,259, and the Finance Committee Recommendations are \$501,869. Certified Free Cash, as of July 1, 1984 was \$361,717. The Levy Limit, line #56, is \$13,415,891, which is the maximum amount to be raised based on the calculations of Proposition 2½. The Total Departmental Budget, line #24, is \$17,034,449. The Total for All Articles, as recommended by the Finance Committee, line #28, is \$501,869. The Total Charges, lines #35 and #37, are the state and county assessments, and the Total Expenses, line #39, are \$14,567,837. Available Funds come from two sources: state and county reimbursements, known as the "Cherry Sheet", \$4,797,430 and Free Cash as recommended by the Finance Committee of \$354,516 for a total of \$4,151,946, which places the Tax Levy at \$13,415,891.

At the start of Town Meeting, Certified Free Cash was \$361,717. In the original recommended budget of the Finance Committee \$350,516 of the Free Cash was used, leaving \$11,201. By increasing line item #506-10 by \$2,500 and line item #700-62 by \$1,500, the present available balance is \$7,201.

ARTICLE 15. To see if the Town will vote to change the term of the members of the Planning Board from five years to three years, with this change to be effected by the election of successors to expired terms to three-year terms commencing with the next Annual Town Meeting; and to note this under Article VIII, Planning Board, of the Town of Sudbury bylaws; or to act on anything relative thereto.

Change
Term of
Planning
Board
Members

Submitted by the Board of Selectmen.

Board of Selectmen Report:

The Planning Board, at its meeting on January 30, voted to support this article, which would change the term of Planning Board members from five to three years. Five years seems too long a commitment for many candidates, as is verified over the last few years by the large turnover, resignation of members, and lack of candidates running for office. A three-year term may attract more candidates. The Board of Selectmen supports this article.

Finance Committee Report: Recommend approval.

Planning Board: (Theodore Theodores)

The Planning Board supports the article by the Selectmen and also appreciates the efforts by the Selectmen in recent months to help us re-organize our activities.

The only discussion on this article was from Mr. Robert Cooper, a former Planning Board member who expressed the belief a 5-year term was absolutely necessary, as it takes 3½ years to understand what you're doing and the last year and a half to become productive.

The motion under Article 15 was *VOTED*.

ARTICLE 16.

Planning WITHDRAWN BY PLANNING BOARD, AS MONEY FOR A PLANNING ADMINISTRATOR
 Administrator IS INCLUDED IN LINE ITEM 512-10, PLANNING BOARD BUDGET,
 ON PAGE 31.

ARTICLE 17.

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Art. IX,
 Amend II,C by deleting Industrial Park District #1 except for that portion
 Bylaw designated as Parcel 087 on Page K08 of the Town Property Map which is
 owned by Macot Realty Trust, Clement McIver Trustee; or act on
 Art.IX,II,C anything relative thereto.
 Delete Submitted by the Planning Board.
 IPD #1

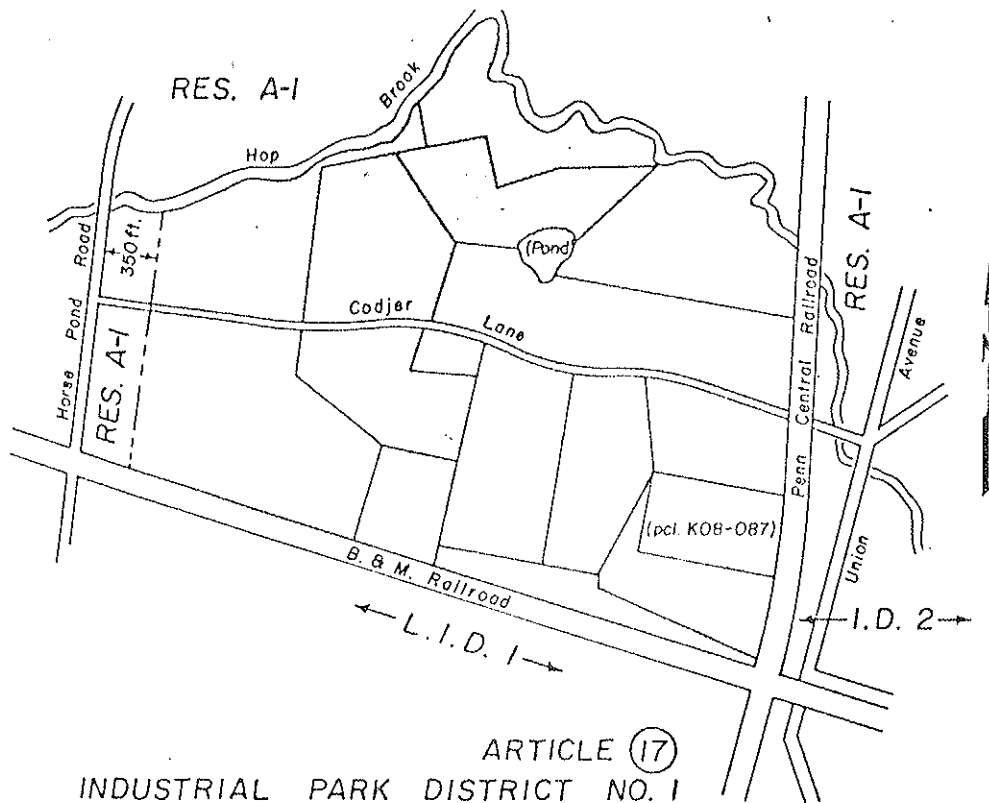
Mr. Hannoosh of the Planning Board moved Article #17 as printed in the
 Warrant.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Zoning Bylaw change set
 forth in Article 17 in the Warrant for the 1984 Annual Town Meeting is properly
 moved and seconded, reports are given by the Planning Board as required by law, and
 the motion 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. James Hannoosh)

This is one of the most important articles we face during this Annual
 Town Meeting. It is supported by the Planning Board and many of the town residents.
 It is to rezone the 235 acres of Industrial Park #1.



In the lower third of the map is Codjer Lane, which runs between Union
 Avenue and Horsepond Road. The Industrial Park lies to the north and south of
 Codjer Lane. It is bounded on the east by Union Avenue, on the west by Horsepond
 Road, on the north by Hop Brook and on the south by the railroad tracks. There
 are several parcels indicating different owners. That is what is known as Industrial
 Park #1.

Why do we want to do this? What is the reason to bring it before the town
 anyway? There are 3 concerns the Planning Board has--traffic increase and traffic

safety, water quality and general quality of life.

Traffic Safety - These 235 acres could support a significant industrial park, possibly 20 companies with 100 cars per company. That is a rough estimate I made. Using these figures you get about 4,000 car trips per day. Horsepond Road presently sees about 3,500 car trips per day and that is substantiated by a study that Stu Wecker did when he was attempting to get his site plan approved for his building. If 50% of the traffic exited in the Horsepond area and the other 50% at the Union Avenue end, you can see that the increase in traffic on Horsepond Road, which is already dangerous and over-travelled, would be increased by 50%. Fifty percent, in my opinion, is intolerable. Not being an expert in waterquality, I'll try to keep my comments brief and as quantitative as possible. This Industrial Park, by all maps that we have at our disposal, lies directly over the main aquifer recharge area for the Raymond Road well water field. Other towns, such as Dover, have chosen to protect their primary water supplies by not allowing industrial parks to be built on the aquifer recharge area. There is also a test well located just to the north of Hop Brook which would be affected if building was allowed to go on in this area. Finally, this would not be in keeping with the quality of life we demand.

In my opinion, this article is one of the hard issues here tonight. It is the heart of development in this town. Do you really want more development in this town? I say "NO." I don't think we do. I think this area is not needed. It has not been developed. It has been zoned as such for at least fifteen years, with little or no activity. I see little loss to the town by re-zoning it. Certainly there will be some loss in tax revenue if the area is re-zoned to residential but that would practically be off-set by the taxes generated by the residential area. I ask for your support.

Finance Committee Report: (Mr. Thomas Dignan)

The Finance Committee opposes the passage of this article. The Finance Committee, over the years, has not favored articles which amend the zoning law against the wishes of the residents of the zone affected, and have the effect of reducing their property values. We were informed at the hearings held on this article, that the owners, located in this area, do not favor the re-zoning to the residential mode. When a vote is to be taken to reduce somebody's property values in the Town of Sudbury, the straight forward way for the Town to do it is to make a taking by eminent domain rather than to decide to lower some of our citizen's property values in order to accomplish some granted, worthwhile goal that we all share.

The Finance Committee was mindful that the town probably would, indeed now has, funded a planner and the Committee is leery of removing from the rolls more commercially developable property without careful study. The tax rate in this town has been for the past two years, and probably will be in the future, split between residential and commercial property. As to water quality, you will find in other Finance Committee reports in the Warrant, that despite extensive hearings on various articles, we found no compelling evidence that this article would do anything to alleviate a water quality problem, because we were never given any hard evidence that there exists a problem. Even given hard evidence that a problem existed, this article was one that would not solve the problem.

The reasons I have decided to address this issue is because this is the first time in a town meeting water quality is being argued to you. The Finance Committee feels strongly that to say the water quality of a town is affected is a buzzword kind of argument. It's a very effective kind of argument, but one that should only be made when people have hard evidence that it is a good argument. The town should not be panicked into passing articles on unsubstantiated charges that there's a water quality problem out there.

Board of Selectmen Report: (Josiah Frost)

The Board of Selectmen unanimously voted to oppose Article #17. We agree with the Finance Committee. We also respect the wishes of the townspeople who voted originally to re-zone the land to an Industrial Park District as a result of the wishes of the landowners in an assembly such as we are here tonight. In light of the fiscal constraints of Proposition 2½, there is a need for orderly growth of industrial and business property so the tax burdens upon the residential section can be mitigated to some degree. There appears to be no other suitable land available for such a district, nor is it likely that town meeting will re-zone other land, if available, for such a district. Therefore the town should take advantage of what it has now.

It is questionable whether construction of residences would be allowed upon the portion of this property that was formerly used as a dump site. Relative to the traffic impact upon the Horsepond Road neighborhood, it is the Selectmen's

expressed intent to limit, as much as possible, the access and the egress from Codjer Lane onto Horsepond Road.

Board of Health: (Michael Guernsey, Chairman).

The Board of Health unanimously supports Article #17 as a means for better aquifer protection. A portion of the Industrial Park District lies within the aquifer protection zone. If the area were developed completely as an industrial park, the protection of wells becomes more difficult than if it were developed as a residential area. Although the well in this zone is not presently being used, the Water District is still interested in the area as an aquifer. Understanding that some financial consequences could be caused to the owners by re-zoning, the Board of Health feels aquifer protection is an over-riding need that affects the whole town.

Water District Report: (Mr. Milton Bartlett)

The Sudbury Water District opposes this article for a number of reasons. This area is part of the Hop Brook Watershed. The reason the aquifer protection zone was mentioned in Mott's Hydrology Study is because of the Old Lancaster well across the brook from it. Brooks normally cut off the flow of pollution from one side to the other. In this case, it is particularly relevant since the Old Lancaster field has a very steep gradient toward the brook. The land across the brook, which was part of a gravel pit- is currently undertest by the Sudbury Water District. The owner would sell to us if we wished to designate it a water supply. The Mott Report did not go into any detail on this area.

I am the Water District Representative on the Industrial Commission. When this Park was laid out, it started as a 1,000 foot deep strip along the B&M RR, up to Codjer Lane, then up to the brook. The reason for going to the brook was to put in a 200' strip along the brook. The original vote, as passed, had the language "No removing or excavating or filling or dumping is allowed in this area." That area, incidentally, extended across the western end along the drain to the brook. On the map in the Warrant, it is labelled as Hop Brook, but it really is Allowance Brook that runs into Hop Brook. It drains by the B&M RR. That is a wetland. The purpose of the wetland, as far as the Water District is concerned, is to clean pollution. Taking that out hinders us, it doesn't help us. There's some argument with people about flowing streams. The mechanism of cleaning pollution by biology is not what you think of as chemical cleaning. Today, people talk of organic lasers, where the pollution is pulled up selectively into the plant and into the leaves. The degree of selectivity depends on the microbiology in the root structure. It is now hit with photosynthesis. The energy level of each photon is far greater than the binding energy of any of the pollutants that you're used to, and that is how it cleans them. The kinds of plants and pollutants used are all under investigation now. That's the reason we wanted this land, which is along a brook and is watered. The wetlands group talks about trapping. We do not want trapping. When you trap, then overpump, it pulls it into the well. That's why we get bog-iron. I heard of this when Henry Ford was at the Inn and he bought all the land down from the Marlborough sewer beds and planted it up along the banks to clean up, as a cursory cleaning, the sewerage problem. The secondary treatment was filtration. After he died, they went to a lagoon system, which is a basic cleaning mechanism. Contrary to what you've been told, re-zoning this park would deprive us of that particular strip along the Park to do cleaning.

In addition, the matter of recharge from the brook is under study. At the present rate the wells are pumped, we have no recharge from that brook. If we pump them harder to meet the full development of the town from those wells, assuming we don't find others with clean water, we will get into recharge from the brook. A good example of this is the Wayland Water Supply which is fighting with the MDC because they're getting a 40% recharge rate out of the Sudbury River and they want the MDC to flush the river continuously.

We have a high-flow river, admittedly the upper end is fed by the output of a sewer bed, 4 million gallons a day, but we have an efficient and effective cleaning system. We do not like to have backwaters or eddies where things can get trapped. We do like to have the full oxygenation which is dependent upon the fall from the source. In the case of Hop Brook, it has one of the highest falls in New England. It falls 60 or 80 feet in about 5 miles, maybe closer to 10, winding around. So it is a pretty effective cleaner. A former Board of Health member, Dr. Marjorie Young, used to argue that pollution was building up. I finally proved to her that this valley would clean, in terms of animal manure, the equivalent of 100,000 people. It is important that the brook be kept in the shape that it is today, and also keep the present rate of water flow out of the Industrial Park into the brook. We oppose any mechanism of inducing recharge of polluted water into our aquifers. This area is not an aquifer. This may be designated an aquifer if a well was located there. Such a well would be about 1,000 feet north of the town dump, and we would have to be sure that it isn't leaking. There is a big pile of gravel there and there is also a pond, Blandford's Pond, which has

a lot of springs in the bottom. There's argument about what it is geologically. There is a great deal of data we have studied, on and off for thirty years. The man who bought the land from Ford, the former superintendent of the Water District, thought it would be a well site. There is no big clay ceiling layer there. If water were produced, it may have iron but it is not probably drinking quality as we presently view the situation.

I was Water District representative when the Industrial Park District was zoned. It started as full industry down by the tracks. The same density expanded to Codjer Lane and then the question of traffic and exit came up so that the thing was expanded to the brook. At the west end, the language "No filling, excavating, dumping, etc." was put in so they couldn't bring a road up to spec. Years later there was some controversy over this. I had written that language, but it was removed by the Planning Board without consulting any of the residents or any of the park members and it went through this meeting.

As to the economic impact, I bought a piece of this Industrial Park because it controlled drainage. When we used to interview companies, such as a nuclear fuel processing company, Dewey and Almy, and others, I didn't sell to them. Since we control the Park, that is why it stayed open. I have been off this Commission for some years. I have been willing to sell to people that are digitally controlled, and digitally affiliated. One there, as you may know, is Digital Machine Control Company, that puts digital equipment on the machines and drop ships most of the stuff. The one that's coming in, that you'll probably hear from, is a digital software company. The economic impact of this Park fully developed, based on present taxes from equivalent buildings on Union Avenue and the building that's now up, is between \$3 and \$10 million a year to the town. With that money you can do a very large number of things. You can build a road all the way to Route 20, if you wish, and if there is a traffic problem. You can take steps to get the B&M right-of-way assigned to the town for road purposes, temporarily. You can leave the Horsepond Road people completely alone and you can have your tax revenue. It will take some cooperation with the Selectmen. They have indicated to me that they are willing to do it. The traffic number is probably high for the class of business that we would get. The mechanism for doing this is to re-activate the Industrial Commission.

I have proposed that they go after computer-related companies. There are many around looking, that are clean, non-polluting, and they provide, most importantly, jobs which are high enough paying so people can afford to live in Sudbury.

Mr. Morton Brond of Marked Tree Road gave the following presentation. The residents of Horsepond Road are vitally concerned about the potential industrial growth and the attendant truck and employee vehicle traffic which will be added to a winding, curving Horsepond Road. This road is currently used, to a high degree, by children walking and bicycling, as a school bus route with several stops, by adults walking and jogging, and by many individuals living in adjacent towns as a pass-through to their place of employment. In 1968, the Town Meeting created the Industrial District #1, which encompasses the land surrounding Codjer Lane. As part of that approval, 16 years ago, the then Town Industrial Development Commission stated, "The Industrial Park will produce over a million dollars of tax revenue per year which will result, in five or ten years, in a reduction of the residential property tax in the order of 20%." I don't know about you, but so far, as a result of creating that Industrial Park District, I'm not aware of any 20% reduction in my tax rate. In point of fact, during the past 16 years there has been little or no organized development in this area, yet the residential growth in the Horsepond Road area has become a more firmly established rural residential area. Such roads as Bent, Austin, Curtis Circle, Hayden Circle, Hammond Circle, Axdell, Whispering Pines, Newton, Fox Run, Saddle Ridge, Colburn Circle, Meadowbrook Circle, and Robert Best have come to fruition. The character of the surrounding neighborhood has changed. The circumstances are different today than they were in 1968. Is it desirable for the town to allow a significant growth in industrial traffic in a residential area--Horsepond Road? There are approximately 235 acres in this Industrial Park which could equate to nearly 2,000 additional cars daily travelling the Horsepond route area. Safety is a primary concern to the residents of this area.

The point at which Codjer Lane intersects Horsepond Road is at a dangerous S-curve. The growth of the Codjer Lane area into a full industrial park with all of the industrial traffic dumping onto Horsepond Road will be a contributor towards blighting a pleasant residential area. In the 16 years this Industrial Park Zone has been in existence, the owners have never come forward with a comprehensive, integrated development plan which addresses such critical issues as traffic, water, sewage, and safety. Development in this area has been totally piecemeal. About a week ago, I took the opportunity to see what the actual traffic

hazard is by exiting Codjer Lane at the point where it intersects Horsepond Road. I drove my car to the edge of the road, stopped, and took a couple of photographs. (Mr. Brond showed these to the hall) Describing the view looking in the direction of Route 20, he said at that point, where the S-curve is extremely dangerous, he waited for a few moments for traffic to come by and it was very difficult to see cars coming from the left. The problem to the right was not quite so severe. There's about a 50-60' view to the right, but still you're looking up the road to a curve.

On March 12th this year, over a great deal of objection on the part of Horsepond Road area residents, the Selectmen approved a site plan for a 25,000 sq. foot building, Technology Concepts, to be located on the westerly end of Codjer Lane with their industrial traffic entering and exiting Codjer Lane via Horsepond Road. Ten days later a preliminary subdivision plan for another 34 acres of industrial development, also with traffic entering and exiting Codjer Lane via Horsepond Road, was submitted to the Planning Board. How many more subdivision plans are lying in the wings? It is my understanding that the owner of the Technology Concepts Development is in the process of preparing additional subdivision plans for submittal to the Planning Board. Technology Concepts' road was to stop at the end of their driveway, per site plan approval of the Selectmen, consistent with the resolution passed at the 1968 Town Meeting, which was to allow only emergency vehicle traffic to enter Codjer Lane from the Horsepond Road area. The creator of the new subdivision plan, the 34 acres previously mentioned, referred to as "The Oaks," got around the restriction placed by the Selectmen on Technology Concepts site plan, by creating a new road to intersect Codjer Lane west of Technology Concepts. A creative approach to circumventing the intent of the Selectmen.

Article #17 proposes to rezone Industrial Park District #1. Should this area become residential, it will be consistent with the adjacent residential areas and the rural character of Horsepond Road. We do not mean to imply that re-zoning will solve all of the traffic, safety, and potential blight problems of the Horsepond Road area, but it will be a first step towards controlling the growth in this area, consistent with the surrounding area and will clearly deliver a message to the Selectmen as to the desires of the town with respect to the use of this land. As you weigh your decision on this article, I would hope you would consider carefully searching your soul and mind and think "How would I vote if someone wanted to build an industrial park in my back yard?"

Mr. Stuart Wecker of Austin Road and President of Technology Concepts spoke next in opposition to the re-zoning of the Industrial Park area. He said that to some extent people get the wrong impression when you talk about an industrial park. People think of manufacturing facilities and trucks going in and out. At one time there was a site plan on the books for the piece of land that we're building on, that was going to be a home for a nursery company that was going to be doing large commercial plantings and have lots of heavy trucks going in and out. The plan actually had been approved by the Selectmen, but then the local residents went to court over the traffic issue.

What I, personally, would like to see in this area, is more of what I call a Technology Park, first class office buildings. For those of you that came to my site plan hearing and saw what we're planning to put up, it's an extremely attractive two-story building with very nice dark brick colonial contemporary kind of architecture, built into the gravel pit area, where one would never build a house. Not like the liquor store. It's so hidden, that nobody can see the building, but I'll tell you that it would definitely be an asset even on Route 20. We plan to have first class finishings inside the building--oak railings and all the usual amenities. We have absolutely no manufacturing.

The only trucks, to speak of, that will come in and out of our building will probably be the U.S. postal truck and maybe an occasional Federal Express truck. Outside of that, the only thing we'll have going in and out of our property will be strictly cars in the morning and the afternoon. In fact, our work hours are fairly staggered, so we're not going to have any kind of 5 o'clock rush hour. As far as things like water usage, I've spoken to Mr. Bartlett. His opinion is that the water usage from our building will probably be less severe than from an equivalent number of houses put on that site. We aren't going to have any dishwashers running. We don't do any laundry all day. We will use a couple of bathrooms, and maybe a couple of small sinks. That's about it. If you look at the Zoning bylaws, for this particular area, which I might urge some of you to do, you'll see that it has fairly severe restrictions, at the moment, on that particular area to begin with.

We have a 300' setback from the residential zone where we can put our building. That's the size of an entire football field. You actually cannot see our building from the residential houses on Horsepond Road. In addition, we have

a 200' setback from the wetland area from Hop Brook that we can't build on. The only thing you can put in that area right now are very limited industrial types of uses. I would personally support even making the restrictions a little bit tighter and making it strictly office-type use, even eliminate potentially light manufacturing which is allowed in there. I would even go as far as limiting the actual land coverage, so that we really turn it into a very nice looking, campus-type environment for industrial use. Any of you that have walked down to that area would see that it's a large gravel pit which Bessie Noyes owned at one time and had all the gravel removed. We're going to clean it up considerably. People dump garbage there now. Someday, if Mr. Cavicchio, who owns the pig farm ever sells out, we'll get rid of all the smelly pigs and maybe put another first class office building there as well.

The basic problem people are talking about seems to be one of traffic. We're not opposed to exiting on Union. If traffic is the problem, the answer is not to rezone the area. The answer is to solve the traffic problem. That can be solved by paving Codjer Lane from Union Avenue into our site. If the town would propose to spend some money to do that, or get some funding from the state, we'd be more than happy to discontinue the use of our exit on Horsepond Road and to use Codjer Lane going out onto Union Avenue, terminating the use on Horsepond completely. We can't do that ourselves, because we're talking about a 4,000' stretch of road on Codjer Lane, which would be prohibitive for my small company to fund. As it is, we're going to be paving about a 500' stretch of Codjer Lane from Horsepond Road inward. There are other ways to come out.

As far as the S-curve is concerned, even exiting onto Horsepond Road, it would be possible for us to alter our plans with the new subdivision and to come out by the railroad tracks with a fairly straight stretch of road. I think a lot can be done as to where we exit. We'd be more than happy to exit on to Union Avenue if that were available. Right now, it goes through a pig farm and its not paved.

As far as the 2,000 cars total that could be realized if the entire Industrial Park were completed, Codjer Lane would get paved and only a fraction of those cars would be exiting onto Horsepond Road.

To summarize, I think it will add to the tax base. Mr. Brond said that in the last 16 years all of that massive tax base has not materialized. Of course not! Nobody has built on the land. None of the traffic has materialized either. When the traffic materializes, so will the corresponding tax base. We're paying at a tax base that's about 50% higher than you pay in residential homes. I think a fairly low density use of the Industrial Park into first class office buildings will bring a substantial tax base to the town without bringing corresponding children to the school system and things of that nature. Residential houses don't really help you much as they put a burden on the town the same way they bring taxes into the town. An industrial property does just the opposite. It brings revenue to the town without putting a burden onto the system. Think of this as potentially turning into a Technology Park.

Following this presentation, Mr. Wecker made the following motion.

Move to amend Article #17 to omit parcel J06-023 from the re-zoning.

Clarification was requested as to what the zoning of this area was prior to the time it became Industrial Park #1.

Mr. Hannoosh of the Planning Board stated that south of Codjer Lane was zoned Industrial. The land to the north was Residential. It has been the intent of the Planning Board to re-zone all this land Residential, not to go back to what it was prior to making it an Industrial Park. It has been so recorded in the minutes of the public hearings of the Planning Board and in its communications with the Board of Selectmen.

In response to Mr. John Power's comment that the Planning Board hearings on this article were held on improper notices, Paul Kenny, Town Counsel, stated as follows: "The Zoning Bylaw provides that all land in the town is zoned Residential unless otherwise specified in the bylaw. When this land was re-zoned, the Industrial Zone was deleted and this was placed on it. So if the Industrial Park is removed from the bylaw, it becomes Residence A-1, as the rest of the town.

Mr. Wecker's motion to amend was defeated.

Upon questioning by Mr. Jim Binder of Marlboro Road, Selectman Fox explained that the permitted uses in Industrial Park Districts are office buildings, laboratories

for research and development, industrial and manufacturing use, including processing, fabrication, assembly and storage, accessory uses and that there also were prohibited uses.

Mr. Russell Kirby of the Boston Post Road made the following remarks. I've listened to a number of arguments on this article and I have problems with a number of them. We're talking about a parcel of land--235 acres. If it's rezoned for residential, Class A-1, then it would be possible to build under the limits of the zoning bylaw 235 homes on that land, less whatever space would be taken up for a roadway and access ways. I am not sure that if it were re-zoned, and if the owner were to turn around and develop it as residential property that that would eliminate any potential traffic hazards. It might change the nature of it and being a resident of the Boston Post Road, whatever traffic this thing attracts I'm impacted by it also. So I'm not speaking because it's in someone else's backyard.

There's another part of it that bothers me even more than that. In the Warrant, later on, there is an article to purchase a development right on 60 acres of land which is adjacent to this one, separated only by the railroad. It has been determined, which this town meeting has yet to agree to, but it has been established, in that article that the value of that land, the development rights on that piece of land, is \$600,000. The town's going to have to come up with half of it. That's perfectly justifiable. Here's an individual who owns a piece of land. The town bylaw says that this particular land can be developed for residential purposes. The town, by this other article, should they pass it, will deprive that owner of the opportunity to develop that land for the purpose provided under the bylaw. We're talking now about another piece of land that is four times that size, which is suitable for industrial development, testified by the fact that there are people today who are filing site plans with the intent of developing it for that purpose. A portion of that land was a town dump. I doubt that there is anybody in this hall who would purchase a piece of land to raise a family, knowing full well that under the dirt there was a dump at one time, and not knowing what in thunderation was put in it. My point is, if we are going to consider purchasing the development rights of one piece of land, and on the other hand, by action of the same town meeting deprive another property owner of his right to develop his land under the terms of the bylaw that applies, then I fail to see where the justice is here.

Some of you who are here tonight may be at Town Meeting for the very first time, maybe to your very first session of this town meeting. In any event, this town meeting was opened, as it always is, with the Pledge of Allegiance to the Flag and it ends with a phrase "...with liberty and justice for all." If we turn around and pass this article, and then we turn around and pass the other article, #31, I fail to see where there's any justice at all. People should think about this very, very carefully before they vote in favor of an article to change the zoning on any piece of property. There's no such thing as a free lunch. Someone's going to pay for it. If the town wants to do it, let the town pay for it, but do not go ahead and vote this and force the property owner to pay the bill.

Following a few additional remarks there was a motion to move the question, which was defeated.

Mrs. Jill Holden of Horsepond Road then addressed the hall. She said, "I had opted this evening not to speak and address you because this has been a very emotional issue for my husband and I now for three years. Many of you have been involved in this issue with us and have been behind us and supportive and I appreciate your coming this evening. But, I would like to very much take a few minutes and address a number of issues that have been brought up this evening. Number 1, we did support Stu Wecker. He was above board, we felt. He brought forth and involved many of the local residents to come and see his site plan. However, I would like to say something and I think I speak for many of you when I say this. We've only been in town for nine years. That happens to be a good percentage of my life and my forefathers did not come from this town, but when we opted to move here, we opted to do so because it was a rural community where we felt we could bring up our children in an area that was apart from the industrial areas where many of us work. If we had chosen to live closer to Route 128 in the industrial areas, we could have done so. I guess the issue tonight really is--and Stone Farm Tavern is one of them, the moratorium is another--do you want Sudbury to become an industrial community or do you want it to remain a residential community. That is really the issue.

Unfortunately these articles have been separated and everything is coming up piecemeal. Mr. Wecker suggested this evening that perhaps it would be very nice to have a "high-tech belt." I suggest to you this is not "Silicon Valley" nor is it Waltham. It is not "128." It is a rural community. Secondly, I think the Stone Farm Tavern is a legitimate issue. The Stone's would like to see that remain

an agricultural piece of land and I would like that clearly stated. I am not involved in that issue. But the point that I'd like to make is that there are many owners of this industrial property that we are talking about this evening. So in terms of hardship, I challenge anyone in here to show us, bottom line, how they are being deprived. Many of the people bought that land dirt cheap. It has been dead land for years because of the access problem and quite honestly, the reason that this issue is coming up is because the access is off of Horsepond Road. It was the intent of the Planning Board, and members have told us this that sat, back in 1968, at the annual meeting, that if this was ever developed to derive more revenue for the town, that the access be off of Union Avenue. And it slipped through, as usual, and access was approved to Mr. Wecker off of Horsepond Road, which is strictly a residential area. And many of you come from Pratts Mill, Peakham, Bent Road, and all of those areas.

I suggest to you that when Mr. Brond pointed out that within a matter of days another site plan was submitted for more industrial growth, that the access was not to be off of Union Avenue through Mr. Cavicchio's barns, it was to be off Codjer Lane onto Horsepond Road and 2,000 cars may not be much to you, but it sure as the devil is a lot to most of us. And I suggest that if 235 residents go into that property, which I find very hard to believe, looking at the residential development in Sudbury, then I suggest that as affluent as we have become, that if there are three cars in every family that is only 675 cars going out in the morning, not 2,000. And they may be coming in and they may be going out, but do you stay in your office to eat your meals? Most people do go out. And we talk about no trucks. Let me suggest to you, what do we do with the waste? Do we put it in the water, Mr. Bartlett? And I ask you about food? For some reason these issues when they are brought up at the Planning Board meetings and Selectmen's meetings are just passed aside and every time we sit at a meeting all they say is "It'll hold." "Don't worry about it." "Listen to what we say."

We listened to them in '68 and look what's happening to us. We are getting it, and you all know what I mean by that. This access problem is a major one. There is no control by the Selectmen or the Planning Board. They make their suggestions. Nobody stands by them. Nobody follows through. The planning is atrocious. Please support us and vote "Yes" on 17."

Following several other speakers, Selectman Josiah Frost commented to the hall that a number of years ago there was a group just like those present tonight, who listened to the Planning Board in their discussion of zoning this piece of property. The land, at that time, was zoned, at the request of the landowner and town vote, for industry. In 1968 the town meeting instructed the Selectmen, as a result of the Planning Board's recommendations and with much discussion, to vote this land into an Industrial Park type of zoning.

As you look through the areas that Mr. Brond mentioned, many of them are quite away from that particular location. When the people voted this in 1968, how many of the dwellings were close to this area? You say you wanted to come to Sudbury, a town that was rural. I've been here since 1931 and Sudbury has not been rural since 1955. It's not a rural town. It's a wonderful town to live in, but you can't say that it's a rural town any longer.

From the standpoint of finances, somewhere in Sudbury we've got to have some kind of an Industrial Park. Sometime and somewhere we have to balance the budget so you people can have the services that you're used to having and want continued. Financially, it is impossible to do it on a strictly residential area. We must have certain areas in Sudbury that are business. We must have certain areas in Sudbury that are industrial. We have a predominance of areas that are residential, and I hope it stays that way. You can't just shut off the supply of your income and depend on the state to support Sudbury and the services that Sudbury has been giving the townspeople. This is very important. This is going to set a trend tonight and what you people want. You know where we are financially in regards to "2½" and there's no way that it is going to be changed in the next four or five years. In the next two years, you're going to have some very very serious questions in regards to how you're going to pay for the services that you want and it's going to happen if we start re-zoning land into residential areas.

A few comments followed after which the Moderator, taking a standing vote of the hall, decided to count the hall, as a 2/3rds vote was required.

The motion to amend the zoning bylaw was *VOTED*. In favor - 377, opposed - 187. Total - 564.

Seven voters requested a recount, which was taken. The motion to amend was again *VOTED*. In favor - 393, opposed - 194. Total - 587.

ARTICLE 18. To see if the Town will vote to amend the Sudbury Zoning Bylaw:

Amend Bylaw A. Article IX, Section IV, A - By adding the following:

Art. IX, IV "5. Surface Coverage

Intensity Regulations The total non-percolating coverage of any lot in any district shall not exceed sixty percent (60%) of the total lot area. Non-percolating coverage is defined as buildings, pavement and any other surface treatment which will contain surface water. The use of cobble, brick, and cored block is encouraged. (See landscape bylaw for open space requirements).";

B. Article IX, Section IV, B. Schedule of Intensity Regulations, by changing maximum building coverage in Business Districts (BD-), Limited Business Districts (LBD-) and Industrial Districts (ID-) from "Sixty percent (60%)" to read "Forty percent (40)";

C. Article IX, Section IV, C. Modification and Exceptions 1.a., by adding the words "and lot coverage by non-percolating surfaces" after the word "structures" and change "seventy-five (75%)" to "Sixty percent (60%)" so that Article IX, Section IV, C.1.a. will read:

"In Business (BD-) and Limited Business (LBD-) Districts buildings and structures and lot coverage by non-percolating surfaces may not cover more than sixty percent (60%) of any corner lot.";

or act on anything relative thereto.

Submitted by the Planning Board.

Planning Board Report: (Theodore Theodores)

The purpose of this article is to limit the size of buildings and pavement, in three particular zones: business districts, limited business districts and industrial districts. It is the Planning Board's desire and, I think, the desire of a large number of people who have come in contact with the Planning Board in the past year, to retain green open space and buffers wherever possible. The Master Plan, which was written in 1962, strongly advised that green space and open land serve as buffers around industrial, commercial, and business development. The Planning Board, and others whom we contacted during this past year, have expressed a great deal of concern about drainage and effect on groundwater. In response to the Finance Committee's question as to how to quantify the effect of development on water, I guess it is very difficult for us to quantify what the effect of twenty factories might be over an aquifer.

Another intent of this article is to assure minimal encroachment of wet areas, and there are many, many wet areas, and many of them are contiguous with our business properties in town. This article has no intent to affect any residential development. A study conducted by the Town Engineer, indicates that it has minimal impact on present businesses and significant impact on the potential for future growth of businesses. In fact, that is why we're here.

There are three ways in which the size and coverage of a particular development is now controlled in this town. One is through the Wetland Protection Act. It's obvious that it is illegal to build on a wetland. Another is through the number of parking spaces which are required for a particular development and the third is through the building coverage allowed by the Town's Zoning Bylaw. The zones which exist in Sudbury are: Single Residence A and B, Business, Limited Business, Industry, Limited Industry, Research, and Industrial Park.

This article deals directly with three districts. The present maximum building coverage for Business, Limited Business and Industry is 60%. In other words, if you have a 40,000 sq. ft. lot, a building of 24,000 sq. ft. on one floor can be built. We propose to alter that 60% to 40%, reducing and restricting the size of the building that can be put on a lot. We propose adding a maximum non-percolating coverage. There would be no change in Residence Zones. We propose to limit the maximum coverage of a lot to 60% for Business, Limited Business and Industry and there would be no change in the three additional zones. The town at this point, in its total of 768 acres available for these zones, has only developed 267, leaving a little over 500 left to go, 65% more than twice what we currently have. The undeveloped land in Business, Limited Business and Industry is 28%, 11% and 29% respectively. So the effect of this article, if you pass it, will be to deal with that number

of acres of land which pretty much is all on Route 20 and pretty much all between the area of Concord and Landham Roads. A detailed study as to how this will impact current businesses in town has not been done. It would take an enormous amount of time. We actually worked on it through most of '83 to try to determine which businesses would specifically be impacted by this change. It appears that very few existing businesses would be impacted. However, their plans to expansion might be affected. I think that is the purpose of this proposed change in the bylaw. However, if some businesses are affected, there are a couple of alternatives and they aren't unreasonable alternatives: 1. continue operating under pre-existing non-conforming and allow the Zoning Board of Appeals to look at each change that's made in hopes of improving their conforming status; 2. improve the conforming status by reducing the amount of pavement that's covered with permeable parking lots. It is my strong belief that businesses would not be impacted heavily and those that are would be assisted through the Board of Appeals and they would find a way to continue to be operative without a great deal of strain on them.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in this article are properly moved and seconded, reports are given by the Planning Board as required by law, and the motion is adopted by a two-thirds vote in favor of this motion, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw after approval by the Attorney General.

Finance Committee Report: (Lindalee Lawrence)

Reviewing this article for both 1984 and 1985, we've stressed to the Planning Board the need for data and public hearings on the impact of these restrictions. Results of a sample survey were presented to us and we appreciate the efforts of the volunteer board in collecting the data and the supporting information on this article. We support the article in concept and feel our procedural requirements have been met to the extent possible. We recommend approval.

Board of Selectmen Report: (Anne W. Donald)

While the Board is in agreement with the concept expressed in the article, please note that passage would make many businesses non-conforming and in need of a variance if there ever was need to change or to modify them in any way. The Board would prefer to have professional advice, such as will be available through the hiring of a Town Planner, for construction of an article at another town meeting which would achieve the maximum good with the minimum of harm. We feel there may be other, more effective, approaches which should be considered, such as increased off-street parking requirements, and that further research is required. The Board of Selectmen unanimously opposes this article.

Sudbury Water District Report: (Milton Bartlett)

We oppose this article for the following reasons. This article arose out of the idea that we're short of water, so let's infuse more water into the aquifers. Water, generally, coming from parking areas is polluted. It is very apt to pollute the wells. Our position on all of these things is they should be drained and run into the brook. We have had big arguments with the entire Planning Board and Conservation Commission and we have made this position known to the other boards. I hope you'll defeat this article. It's an article that votes for pollution.

The motion to amend the Sudbury Zoning Bylaw under Article 18 was defeated. In favor - 267, opposed - 161. Total - 428.

ARTICLE 19. To see if the Town will vote to amend the Zoning Bylaw, Article IX, V, Special Regulations, by adding at the end thereof a new paragraph to be lettered by the Town Clerk, which shall read as follows:

Special
Regulations "Architectural Renderings

Architectural The Design Review Sub-committee of the Planning Board shall
Renderings review all proposed exterior features for all new or revised
subdivision or site plan structures.

Applicants shall submit to the Planning Board, along with other required application documents, accurate architectural renderings of the appearance of proposed new or altered structures, showing front and side features as they will appear from the public way or private access.";

or act on anything relative thereto.

Submitted by the Planning Board.

Planning Board Report: (Thomas W. H. Phelps)

There are two changes in this article from the wording printed in the Warrant: 1. the elimination of the word "subdivisions" which implicitly implied residential subdivisions, which was not the intent of the article. This is not meant to apply to residences at all. The phrase "site plans" refers to non-residential; 2. the second has to do with site plan approval being the responsibility of the Board of Selectmen. The technical change is simply to put the paragraph as part of Section A, Site Plan Approval, which is within the jurisdiction of the Board of Selectmen rather than as a separate section.

The purpose of the article is to insure that the town, the Board of Selectmen, and its various reviewing boards have an opportunity to see what a new or altered commercial building is going to look like. Prior to 1984, we have not had this requirement. We have only required plot plan drawings. It is felt by the board, and there have been numerous public comments in the press and in open hearings to support this feeling, that there have been isolated cases of commercial development which may be considered insensitive to the general welfare of the town. The Board of Selectmen is responsible for approving and disapproving all commercial site plan applications. It seems appropriate therefore to include architectural renderings as part of its overall review process. The voters in the hall should know that the Board of Selectmen has already taken an important first step in this direction. In January they amended their site plan approval rules and regulations to require applicants to submit "accurate architectural renderings of the appearance of the proposed new or altered structure showing front and side features. These renderings should be adequate for use by town boards and commissions in determining the suitability of any new or altered structures in terms of exterior design, relative to existing structures on adjacent lots and to the general character of the adjoining districts." That quote is a critical procedural requirement which now, happily, is in place. The proposed amendment to these bylaws is an attempt to strengthen that requirement by allowing the town to give its support to the concept through a town meeting vote here and to make it a formal part of our Zoning Bylaws. The Planning Board feels strongly that it is important to the town to make a clear statement now on a concern that affects the appearance of the town, on what the town actually looks like, by supporting the proposed amendment.

Finance Committee Report: (Lindalee Lawrence)

The Finance Committee recommends approval with the understanding that the final wording will exclude single family dwellings. We support the concept that the townspeople be able to see what town buildings will look like.

Board of Selectmen Report: (Myron Fox)

The Board of Selectmen strongly supports this article. This will not apply to single family homes. It will apply only to commercial structures. The Selectmen need this type of formal bylaw to more critically examine the architecture of proposed commercial structures.

Mr. Powers of Peakham Road pointed out that the present site plan bylaw or this amendment does not give the Board of Selectmen or anybody else authority to direct an alteration or a change in a building. The amendment would make it

mandatory for a site plan review of any structure and there are millions of structures, i.e. a sign, a flagpole, etc. which have nothing to do with major changes in a building, but have to do with structures that are not part of a building.

Town Counsel Opinion:

It is my opinion that as the amendment reads it would be a valid amendment to the Zoning Bylaw.

IT WAS UNANIMOUSLY VOTED WITH THREE ABSTENTIONS: TO AMEND THE ZONING BYLAW, ARTICLE 9, SECTION 5A, SITE PLAN APPROVAL, BY ADDING AT THE END OF THE FIRST PARAGRAPH TWO NEW SENTENCES WHICH SHALL READ AS FOLLOWS: "THE BOARD OF SELECTMEN SHALL REVIEW ALL PROPOSED EXTERIOR FEATURES OF STRUCTURES FOR ALL NEW OR REVISED SITE PLANS. APPLICANTS SHALL SUBMIT TO THE BOARD OF SELECTMEN ALONG WITH OTHER REQUIRED APPLICATION DOCUMENTS, ACCURATE ARCHITECTURAL RENDERINGS OF THE APPEARANCE OF PROPOSED NEW OR ALTERED STRUCTURES, SHOWING FRONT AND SIDE FEATURES AS THEY WILL APPEAR FROM THE PUBLIC WAY OR PRIVATE ACCESS."

ARTICLE 20. To see if the Town will vote to amend the Sudbury Zoning Bylaw, Article IX, I, by adding the following paragraph:

Amend Bylaw

"H. Environmental Impact Statements

Art. IX, I

Environ-
mental
Impact

All uses of land or buildings in any district, or any alterations thereof, shall be consistent with accepted safe, long-term practices and policies regarding effect and impact on the overall environment. Environmental impact statements showing the effect of any industrial or business development may be required by the Board of Selectmen. Such Environmental Impact Statements (EIS) may be required to establish the effect upon the ecology, environmental quality, aesthetics, human interests of the community, general property value, and preservation of local character. Guidelines for preparation and establishing the environmental impact are on file with the Board of Selectmen.";

or act on anything relative thereto.

Submitted by the Planning Board.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in this article are properly moved and seconded, reports are given by the Planning Board as required by law, and the motions are adopted by a two-thirds vote in favor of the motions, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw after approval by the Attorney General.

Planning Board Report: (Thomas W. H. Phelps)

This amendment is to insure that the reviewing boards and the Board of Selectmen who ultimately approve or disapprove site plans obtain adequate information on a proposed land use or building development in order to evaluate its impact on the environment. The amendment permits the Board of Selectmen to request additional environmental information in cases where there may be a question of the development's impact on key environmental areas. At the moment, all site plan applications require professional input from certified surveyors and engineers, no matter how large or small a development may be. In most cases, the information required for an environmental impact statement is available or could be made available with some small, additional effort. The Board does not feel that this amendment would impose a significant financial burden on the applicant. In fact, the Board feels that if a project would actually have an impact which is inconsistent with "accepted, safe, long-term practices and policies regarding effect and impact on the over-all environment" then in that case, some additional expenditures to evaluate the impact is certainly justified. As a procedural matter, with this bylaw in place, the board would propose the Site Plan Rules and Regulations call for a brief environmental notification form, similar to the ENF used at the state level, to be submitted with each application. This form would highlight, for the Selectmen, specific environmental areas which would be affected by the plan. This would enable the Selectmen to determine the scope of any environmental impact statement

limiting it to only the relevant and critical issues. At that point, we will have in place a process which provides all the key information for evaluating a commercial development. The guidelines referred to in the articles are another procedural step forward. It is a document on file with the Board, which will be placed on file with the Board of Selectmen. It is a summary of the format used by the Mass. Environmental Protection Agency. The Planning Board already has, as a part of its Residential Subdivision Approval Rules and Regulations, a provision which permits the Planning Board to require an environmental impact study for residential subdivisions. We feel such a provision should apply to commercial site plans as well, and that the town should lend its support to this concept.

Finance Committee Report: (Lindalee Lawrence)

The Finance Committee recommends disapproval of this article. The need for environmental impact statements above and beyond those currently required by Federal and State law has not been demonstrated to us. We are concerned that this requirement will put an undue burden on the town's small businesses while not offering manageable control over larger and potentially more influential offenders.

Board of Selectmen Report: (Myron Fox)

The Selectmen are not in favor of this particular bylaw. We are in favor of the concept of the criteria suggested but some of the criteria proposed we already receive as part of our site plan approval process from our own experts, namely the Board of Health, the Planning Board, the Town Engineer, the Fire Chief, and the Conservation Commission. Therefore, part of this bylaw would be overlapping with what we already require. The second problem I have with this bylaw is that it just states that the Board of Selectmen "may" require an environmental impact statement and I would prefer that someone put the particular burden on me to require it or not to require it. There are no guidelines that tell me when the Board has to require it and when the Board would not require it. There are no standards set forth. Finally, if it were uniformly applied across the board, it might impose a financial hardship on smaller businesses who are not proposing any large developments. It is for these reasons that we oppose Article 20 and ask that the matter be referred to the Town Planner for further study.

Sudbury Water District Report: (Milton Bartlett)

The Water District recommends disapproval at this time because some of the things we do is dig in the ground, put in water services, repair, relocate, etc. The way it's presently structured, it appears as though each time that's done for small businesses or in the public street or for any other reason, we would find ourselves running through the Environmental Impact Bylaw. I believe the existing regulations and procedures of both the Water District and the Selectmen's Site Review Procedures adequately cover this feature. If they want to be more specific as to what is to be done, I suggest they exempt all the water service activity--hydrant relocation and that type of service.

Mr. John Powers of Peakham Road spoke in opposition to this bylaw and suggested that this proposed bylaw was an exercise in the "vague" as it provided no guidance. He cited the words "Shall be consistent with accepted safe, long-term practices and policies regarding effect and impact on the over-all environment," then asked "Whose policies?" "Whose practices?" "What are they?"

The motion under Article #20 was defeated.

In accordance with the bylaws, a motion to adjourn until tomorrow, April 10, 1984 at 8:00 P.M. was received, seconded and *VOTED*. The meeting adjourned at 10:55 P.M.

Voters in attendance: 611.

PROCEEDINGS
ADJOURNED ANNUAL TOWN MEETING
April 10, 1984

The Moderator called the meeting to order at 8:31 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was present.

The Moderator also announced to the hall that a notice had been filed with the Town Clerk's Office to reconsider the action taken under Article #17 of the 1984 Annual Town Meeting Warrant on April 9th, signed by Russell Kirby, and that this would be taken up as the first order of business at the following evening's session.

ARTICLE 21. To see if the Town will vote to amend the Sudbury Zoning Bylaw:

Amend Bylaw A. Article IX, Section I, General, by adding a subsection H to read as follows:

Art. IX, I
General

"H. Aquifer and Water Supply Protection Districts

III
Permitted
Uses

Aquifer
Protection

The several areas shown as 'Existing Well Protection Area', 'Potential Aquifer Protection Area' and 'Potential Aquifer Protection Area (High Iron Content)' on Plate 9 of Hydrology and Ground Water Resources of Sudbury, Massachusetts by Ward S. Motts, dated February, 1977, are hereby deemed to be important to the groundwater resources of the town and in need of protection from overdevelopment, and each area shall be known as an aquifer and water supply protection district.;

and

B. Article IX, Section III, Permitted Uses, by adding a subsection F to read as follows:

"F. Aquifer and Water Supply Protection Districts

Section I

DEFINITIONS

Animal Feedlot: A plot of land on which 25 livestock or more per acre are kept for the purposes of feeding.

Aquifer: Geologic formation composed of rock or sand and gravel that contains significant amounts of potentially recoverable potable water.

Groundwater: All the water found beneath the surface of the ground. In this bylaw the term refers to the slowly moving subsurface water present in aquifers and recharge areas.

Impervious Surface: Material on the ground that does not allow surface water to penetrate into the soil.

Leachable wastes: Waste materials including solid wastes, sewage, sludge, and agricultural wastes that are capable of releasing water-borne contaminants to the surrounding environment.

Mining of Land: The removal or relocation of geologic materials such as topsoil, sand and gravel, metallic ores, or bedrock.

Recharge Areas: Areas composed of permeable stratified sand and gravel and certain wetlands that collect precipitation or surface water and carry it to aquifers.

Solid Wastes: Useless, unwanted, or discarded solid material with insufficient liquid content to be free flowing. This includes but is not limited to rubbish, garbage, scrap materials, junk, refuse, inert fill material and landscape refuse.

Section II

PURPOSE OF DISTRICTS

The purpose of these aquifer and water supply protection districts are:

- (A) To promote the health, safety, and general welfare of the community;
- (B) To protect, preserve and maintain the existing and potential groundwater supply and groundwater recharge areas within the town;
- (C) To preserve and protect present and potential sources of water supply for the public health and safety;
- (D) To conserve the natural resources of the town;
- (E) To prevent blight and the pollution of the environment.

Section III

SCOPE OF AUTHORITY

The Aquifer and Water Supply Protection District shall be considered as overlaying other zoning districts. No uses not permitted in the portions of the districts so overlaid shall be permitted in this district.

Section IV

ESTABLISHMENT AND DELINEATION OF AQUIFER AND WATER SUPPLY DISTRICTS

For the purposes of these districts, there are hereby established within the town certain aquifer and water supply protection areas, consisting of aquifers and/or aquifer recharge areas, which are delineated on a map at a scale of 1 inch equals 1,000 feet entitled 'Aquifer Protection Areas, Town of Sudbury, Mass.' (Based upon Plate 9 of Motts Hydrology and Ground Water Resources of Sudbury, Massachusetts (1977)). This map is hereby made a part of the town Zoning Bylaw and is on file in the Office of the Town Clerk. As delineated on the map, the aquifer and water supply protection districts comprise the following elements:

- A. Aquifers, together with:
 - 1. The surface of the land lying above them, and
 - 2. A surrounding protective strip up to approximately 250 feet in width.
- B. Recharge Areas, defined by the extent of permeable stratified sand and gravel and recharging wetlands within them that drain into the aquifer, together with:
 - 1. A surrounding protective strip, up to approximately 100 feet in width, and
 - 2. The shoreline, to seasonal highwater line, of any stream that flows into the recharge area.
- C. Existing or potential well sites, together with a surrounding protective area approximately 1,500 feet in radius.

Where the bounds as delineated are in doubt or in dispute, the burden of proof shall be upon the owner(s) of the land in question to show where they should properly be located. At the request of the owner(s) the town may engage a professional geologist or soil scientist to determine more accurately the location and extent of an aquifer or recharge area, and may share all or part of the cost of the investigation with the owner.

Section V

USE REGULATIONS

Within the Aquifer and Water Supply Protection Districts, these regulations shall apply:

- A. The following uses are permitted within the Aquifer and Water Supply Protection Districts, subject to Section B, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained.
1. Conservation of soil, water, plants and wildlife;
 2. Outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
 3. Foot, bicycle and/or horse paths and bridges;
 4. Normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
 5. Maintenance, repair (and enlargements) of any existing structure provided there is no increase in permeable pavement;
 6. Residential development, if permitted in the underlying district, provided that no more than ten percent (10%) of a building lot (including the portion of any new street abutting the lot) is rendered impervious. The use of pesticides and fertilizers in connection with these activities may be made subject to reasonable regulations. Larger parking areas, if required, must be constructed with permeable paving;
 7. Farming, gardening, nursery, conservation, forestry, harvesting, and grazing provided that fertilizers, herbicides, pesticides, manure and other leachable materials are not stored outdoors. The community may install test wells to monitor for contamination by herbicides, pesticides or fertilizers.
- B. The following uses are prohibited:
1. Disposal of solid wastes, other than brush and stumps;
 2. Storage of petroleum or other refined petroleum product except within buildings which it will heat;
 3. The disposal of liquid or leachable wastes, except one- or two-family residential subsurface waste disposal systems;
 4. The rendering impervious of more than ten percent (10%) of any lot;
 5. Industrial uses which discharge process wastewater on-site;
 6. Storage of road salt or other deicing chemicals; except at the Town of Sudbury Highway Department Garage under appropriate safeguards;
 7. Dumping of snow containing deicing chemicals which is brought in from outside the district;
 8. Animal feedlots;
 9. The storage of uncovered manure;
 10. Mining of land except as incidental to a permitted use;

April 10, 1984

11. The storage or disposal of hazardous wastes, as defined by the Hazardous Waste Regulations promulgated by the Hazardous Waste Board, the Water Resources Commission, and the Division of Water Pollution Control under the Provisions of Sections 27(8), 52, 57, and 58 of Chapter 21 of the General Laws.
 12. Automotive service and repair shops, junk and salvage yards. (Pre-existing uses may continue under non-conforming status.)
- C. The following uses are permitted by special permit, subject to the approval of the Zoning Board of Appeals (ZBA) under such conditions as they may require and also subject to Section B (The ZBA should establish regulations under this section to insure against contamination and loss of recharge by such means as water-tight sewer pipes, ban on road salt, erosion control, preservation of ground cover, permeable paving, maintenance of catch basin):
1. The application of pesticides for non-domestic or non-agricultural uses provided that all necessary precautions shall be taken to prevent hazardous concentrations of pesticides in the water and on the land within the Aquifer and Water Supply Protection District as a result of such application. Such precautions include, but are not limited to erosion control techniques, the control of runoff water (or the use of pesticides having low solubility in water), the prevention of volatilization and redeposition of pesticides and the lateral displacement (i.e., wind drift) of pesticides;
 2. The application of fertilizers for non-domestic or non-agricultural uses provided that such application shall be made in such a manner as to minimize adverse impacts on surface and groundwater due to nutrient transport and deposition and sedimentation;
 3. Those commercial and industrial activities permitted in the underlying district with a site plan review to prevent compaction and siltation, loss of recharge, exfiltration for sewer pipes and contamination by oil, chemicals, nutrients, etc.
- D. Procedures for Issuance of Special Permit
1. Each application for a special permit shall be filed with the Zoning Board of Appeals (ZBA) and shall be accompanied by required copies of the plan.
 2. Said application and plan shall be prepared in accordance with the data requirements of the proposed development (e.g., site plan review, erosion and sedimentation control plan, etc.).
 3. The ZBA shall refer copies of the application to the Board of Health, Planning Board, the Conservation Commission and Town Engineer/Department of Public Works, which shall review, either jointly or separately, the application and shall submit their recommendations to the ZBA. Failure to make recommendations within 35 days of the referral of the application shall be deemed lack of opposition.
 4. The ZBA shall hold a hearing, in conformity with the provisions of G.L. Ch. 40A, S. 9, within 65 days after the filing of the application and after the review by the town boards/departments.

Notice of the public hearing shall be given by publication and posting and by first-class mailings to 'parties in interest' as defined in G.L. Ch.40A, S. 11. The decision of the ZBA and any extension, modification or renewal thereof, shall be filed with the ZBA and Town Clerk within 90 days following the closing of the public hearing. Failure of the special permit granting authority to act within 90 days shall be deemed as a granting of the permit. However, no work shall commence until a certification is recorded as required by said S. 11.

5. After notice and public hearing, and after due consideration of the reports and recommendations of the boards/departments, the ZBA may grant such a special permit provided that it finds that the proposed use:
 - (a) Is in harmony with the purpose and intent of this bylaw and will promote the purposes of the Aquifer and Water Supply Protection Districts;
 - (b) Is appropriate to the natural topography, soils, and other characteristics of the site to be developed;
 - (c) Will not, during construction or thereafter, have an adverse environmental impact on the aquifer or recharge area; and
 - (d) Will not adversely affect an existing or potential water supply.";

or act on anything relative thereto.

Submitted by the Planning Board.

Town Council Opinion:

It is the opinion of Town Council that, if the Zoning Bylaw changes set forth in this article are properly moved and seconded, reports are given by the Planning Board as required by law, and the motions are adopted by a two-thirds vote in favor of the motions, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw after approval by the Attorney General.

Mr. Lael M. Meixsell of the Planning Board *moved to amend the Sudbury Zoning Bylaw, Article IX, Section I. General by adding a subsection entitled "H. Aquifer Water Supply Protection Districts" and to amend Article IX, Section III. Permitted Uses by adding a subsection entitled "F. Aquifer and Water Supply Protection Districts" as set forth in the handout under Article 21, entitled "Aquifer and Water Supply Protection" distributed at this town meeting.*

Planning Board Report: (Mr. Lael Meixsell and Mr. John Drobinski)

We are proposing ten aquifer and water supply protection areas. In the motion there are two words that differ from the article as printed in the Warrant. There are other changes but they are primarily for clarification. Section V, A, 6 and Section B, 4 both have a change from allowing 10% impermeable surface on a lot or site to 15%. The other change has to do with a site where the developer would want to have more than 15% impermeable surface, which would be allowed if he provides some mechanism for getting an equivalent amount of water infiltrating back into the soil on that lot. Otherwise the motion is essentially the same as printed in the Warrant. The substantive changes have been made with the intention of achieving the maximum amount of infiltration of rain and other precipitation into the soil with the minimum impact upon the typical homeowner.

The main purpose of this article is to re-charge the groundwater. A secondary benefit is the reduction of run-off onto the streets and onto our neighbors' properties. This article is based upon information provided by many participants during public meetings conducted by the League of Women Voters and official public hearings conducted by the Planning Board. The concerns voiced at these meetings and otherwise communicated to us included: "depriving property rights without compensation," "insufficient publicity," "more study required," "unnecessary, unenforceable and ineffective." We hope to address all these concerns.

In order to adequately protect Sudbury's aquifers and water supplies, the Planning Board proposes a combination of regulation and purchase of property rights, one complementing the other, not either alone. There is reason to believe that the adoption of reasonable protection bylaws can enhance our prospects of obtaining up to a half-million dollars in state grants next year for the purchase of aquifer land rights. Without such grants, we will have to finance such purchases entirely through property taxes and/or water deeds. Our reason for believing this, lies in the fact that the state grant program selects those towns to receive awards largely on the basis of the commitment which the town shows towards protecting its aquifers and water supplies. At present, the only specific aquifer protection provided by Sudbury is as follows: The Water District is directed by the state to protect 400 feet about existing wells. There's also some additional protection by land owned by the town. The Board of Health and the Fire Department have a mandate from the State to do things such as regulate the installation of gasoline tanks and regulate hazardous wastes, etc. The Conservation Commission has a mandate from the State to protect wetlands and a mandate from the town to protect flood plains but that is a limited mandate since only the main portion of Hop Brook and the Sudbury River are protected. There are many other streams which are not protected. The Selectmen and Planning Board have a mandate from the town to protect the floodplains. However, Town Meeting has never enacted any bylaws identifying the Town's aquifer areas nor authorizing and directing the town boards to take any specific actions to protect the aquifer and water supply areas. In other words, the Sudbury Town Meeting in the past has displayed little interest in the protection of its aquifers and water supplies. This article is being presented to allow town meeting to debate whether it wishes to initiate the first step in such a program of water supply protection. The Planning Board's newest member, John Drobinski, is a professional geologist and he will discuss the technical factors and the data evaluation leading to this article.

Mr. Drobinski stated that this article is the beginning of the process to protect our valuable and irreplaceable water supply against a real threat of contamination. Passage of this article does not guarantee complete aquifer protection, but it is the first step in a long planning process to protect the water resources. Clean and non-toxic water is always an issue. There are two things in Sudbury that are different this year. 1. There's a greater public awareness of groundwater contamination in surrounding communities, and 2. Through the League of Women Voters, public forums have been conducted to raise people's awareness of groundwater related issues. There are two reasons for your support of this article: Public Health--the need for clean and non-toxic drinking water now and in the future, and Financial--once our water supply is contaminated, our options are limited and costly. These options include pollutant clean-up, relocation of people and water supply, strict regulation and use control, and possible devaluation of the town's property. The question is "Does Sudbury need water protection?" The answer is "Yes!" Take a look at the potential sources of groundwater contamination.

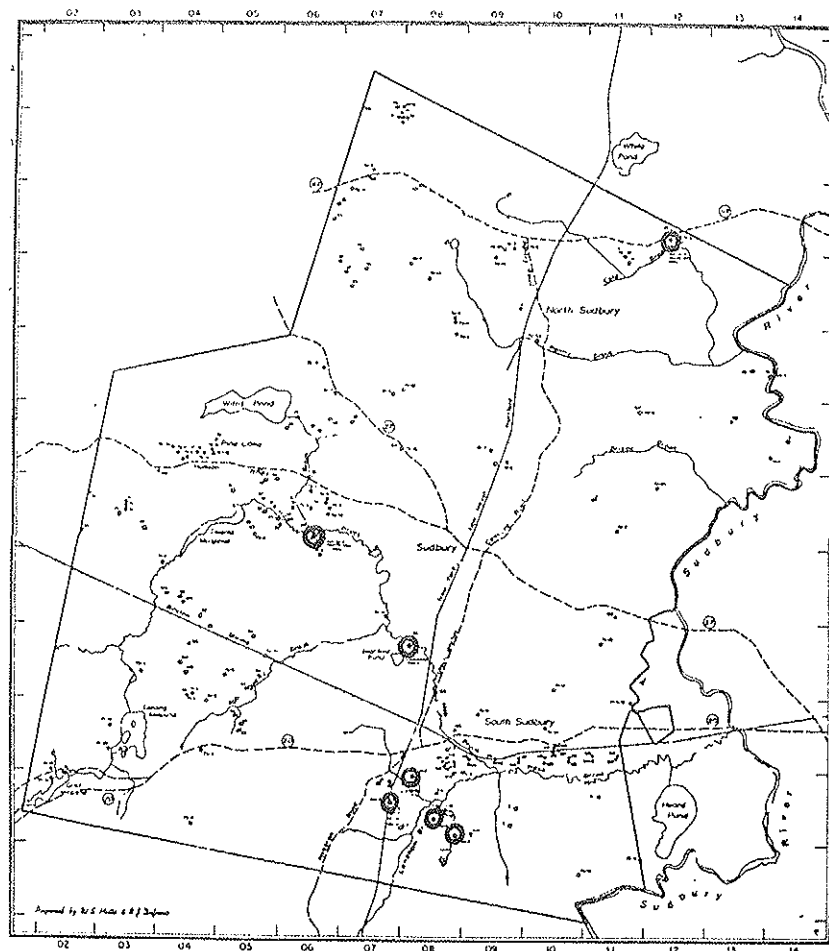
Table 1 Potential Sources of Groundwater Contamination	
* Landfills Municipal Industrial Illegal Dump sites	* Fuel Storage
Hazardous Waste Disposal sites	* Agricultural Operations - Animal Feedlots Fertilizer, Herbicide Pesticide Application Irrigation Return Flows
Surface Waste Impoundments	Mining
* Wastewater Disposal Subsurface Disposal Systems Sewers Land Application	Deep-Well Waste Injection
* Establishments Using Toxic Materials	* Transportation Accidents
	* Urban Runoff
	* De-Icing Activities

* Sudbury's Sources of Pollution

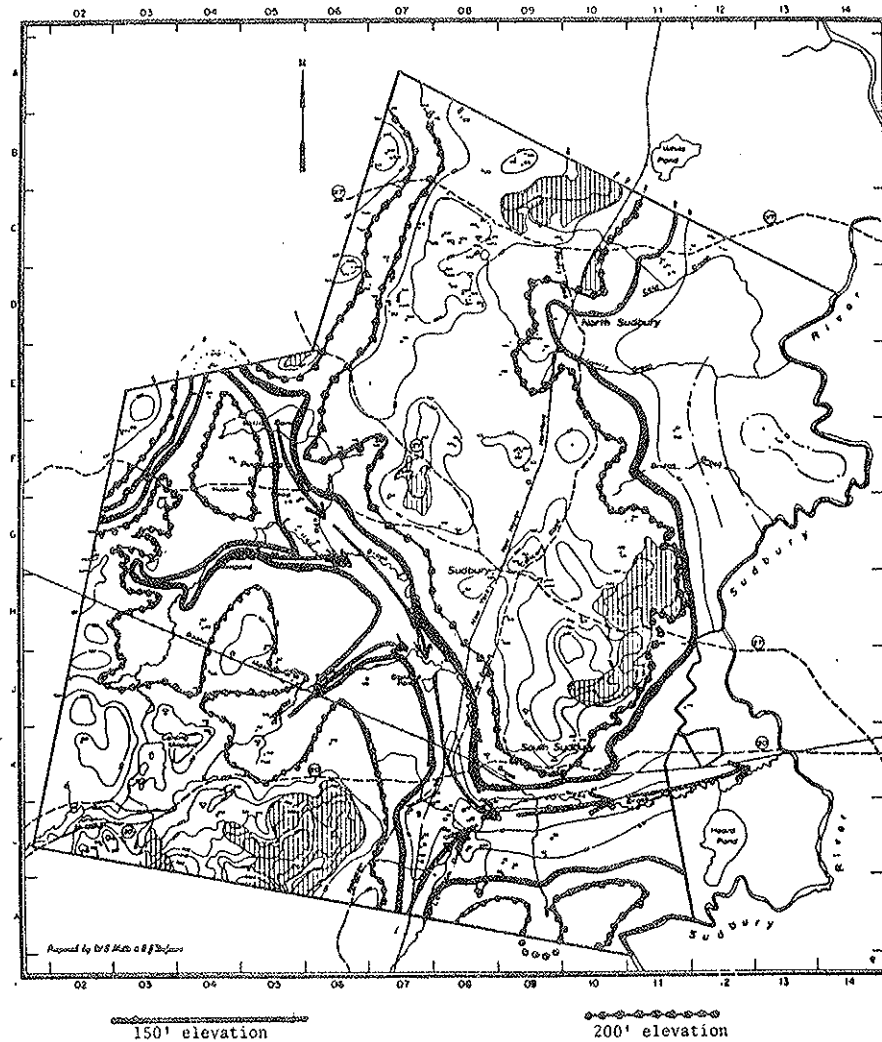
There are 12 major sources of pollution. Sudbury has 8 sources shown on this chart, upgradient from the presently existing Raymond Well field. These potential contaminants are currently permitted or not addressed under existing Zoning Bylaws. This article's intent is to restrict certain uses in these aquifer protection zones, first, in areas that could be developed as potential groundwater

or drinking water sources. The article's intent is to further protect the existing well fields. The basic data, with delineation and identification of the aquifer protection zones in the Mott's Report, prepared by Dr. Mott of the University of Massachusetts for the Planning Board in 1977, addresses critical issues of water quality, further areas for groundwater exploration and aquifer protection.

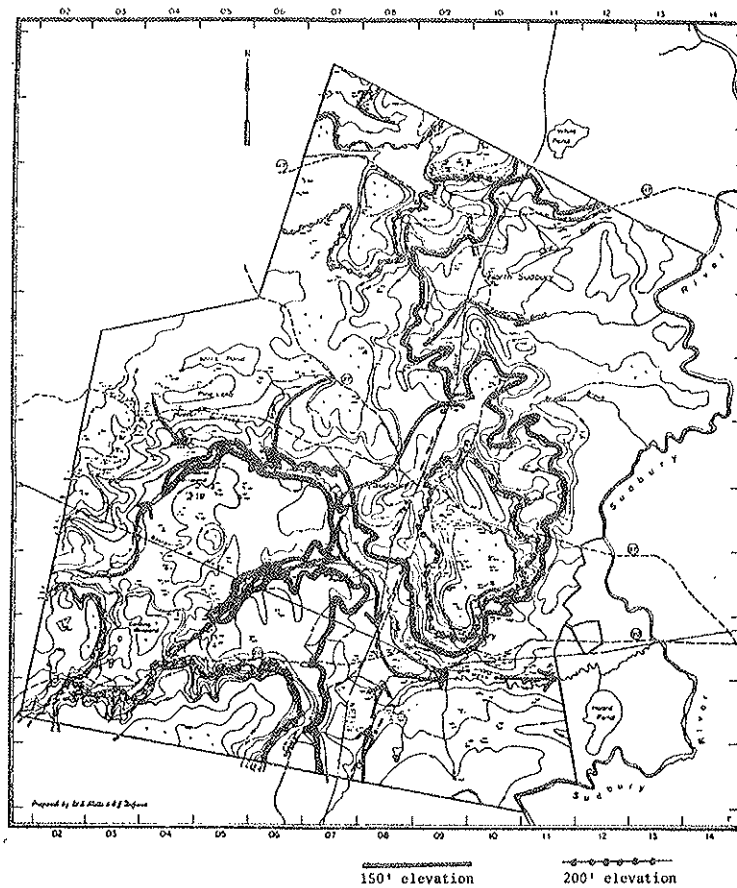
Briefly, these are some of the aspects of the Mott's Report.



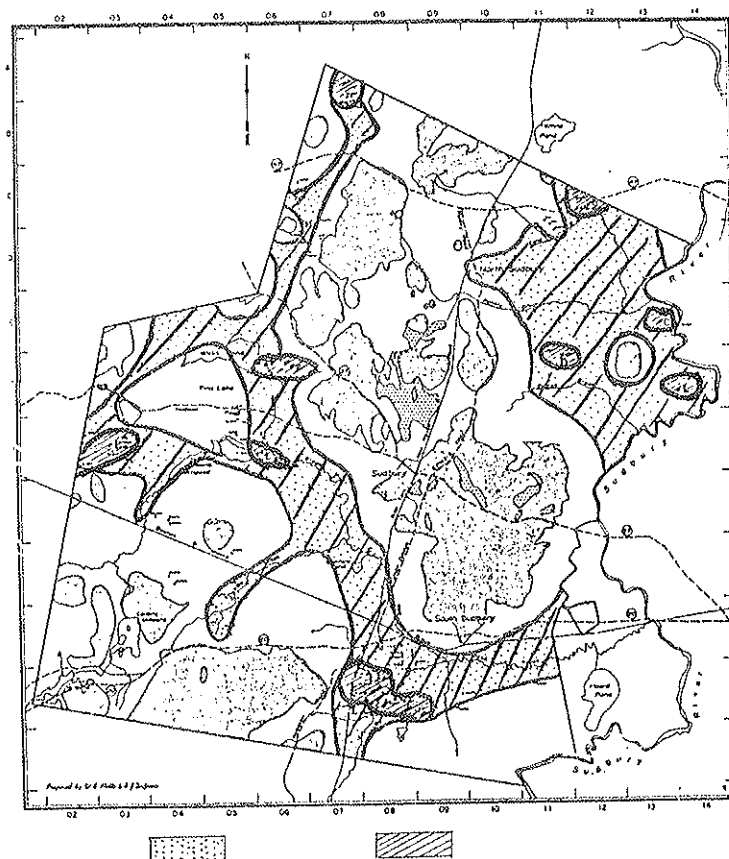
This map shows the basic data Dr. Mott used in his analysis. The circled dots are the existing well fields. The area in South Sudbury with four circles is the Raymond Well Field. Near Blandford Pond is the Lancaster Well Field, which is closed down because it is polluted with salt. To the west is the Pratt's Mill Well Field, which presently has high iron and manganese contents, and towards North Sudbury is the "117" Well Field which also requires treatment because of the high iron and manganese content. This chart also indicates the various bore holes and seismic data which Dr. Mott used in his study.



This map represents the top of the bedrock which essentially shows the pre-existing or paleo-bedrock channels, essentially the Hop Brook Valley. This paleo channel was actually a paleo river and the arrows, as indicated, show the paleo water flow. In glacial times, approximately 11,000 to 18,000 years ago, these bedrock valleys were backfilled with unconsolidated sands, gravels and silts of differing water-bearing characteristics. This shows the surface of the water table. The dotted contoured line is the 200' elevation, and the dark contoured line is the 150' elevation.



This figure essentially shows the subsurface flow pattern of the ground-water as shown by the arrows. It can be seen from this map, that the Hop Brook Water Shed contributes significantly to the water flow pattern towards the Raymond Well Field.



This shows the water-bearing characteristics of the unconsolidated materials in the Hop Brook Valley. This is based on drilling and seismic data. The dotted areas are zones of moderate favorability and are considered the major aquifers in Sudbury. Those striped sections are areas, based on drilling, seismic data and pump tests, to be zones of the highest groundwater favorability and thus the prime locations for future water well locations and thus protection. It must be noted that other areas not yet identified may occur in this zone. Dr. Motts recommended the protection of these areas of highest groundwater favorability, and we recommend this protection also.

It is imperative that you the townspeople think very carefully about our water resources because often the cliché "Out of sight, out of mind" is the philosophy when it comes to water-related issues. Aquifer protection is not a new concept. Thirty forward-thinking towns in Massachusetts already have similar legislation. Let us act now and have the foresight to protect our valuable water resources.

Finance Committee Report: (Lindalee Lawrence)

The Finance Committee recommends disapproval of the proposed article and the amendment. We are all committed to protecting the water supply, yet while we have heard many views regarding the dangers to the water supply and the need to protect area wells, we have heard little consensus among the various boards and departments responsible for protecting those wells. Before recommending the broad restrictions imposed by this article, we request a clearly reasoned, well-supported discussion of the article's objectives and their impact. We would like to understand why this article proves to be the most attractive alternative for reaching the town's objectives. We would like to understand why the specific amounts, the 10 or 15% limit on development, as proposed in the original and the amended article, are appropriate. Why, for example, should the street area be included in the non-permeable surface area. For those reasons we recommend disapproval.

Board of Selectmen Report: (Anne W. Donald)

The Board of Selectmen has not taken a board position, but will speak as individuals.

Sudbury Water District: (Milton Bartlett)

The Water District does not support this article for the following reasons. There is a conflict of opinions as to whether water should be discharged into the brooks when it is polluted due to salt or run-off from parking lots, or whether it be "put into the ground water" in aquifer zones. Much of the water that occurs around our well fields, particularly adjacent to Route 20 is, from our standpoint, polluted. To arbitrarily try to inject this into the aquifer, makes no sense at all. This is a pollution article. It creates more pollution than it prevents. We have discussed this with the Planning Board members at great length. Possibly, for the first time, you've heard that the Mott's Report is not complete. I have been preaching for years to the Planning Board and particularly to those people on streams that we must consider the watersheds. You will note that this is not a watershed protection article. It is called an Aquifer Protection Article. When you go to the state for money, they say we need an aquifer definition. There is no step for that. The surrounding towns have taken that position and defined the aquifer in terms of porosity and permeability. That in turn requires some engineering and exploration to determine which of these areas have those characteristics. We have done testing, and we know that very small specialized areas qualify as aquifers, if you use a reasonable definition of aquifer. It does not provide the protection. In fact, it attempts to force you into the urban water planning situation, such as Wellesley, which has de-chlorinated water. Some of these other great towns which you have heard about, are in fact to some degree polluted, because they either did not or would not consider the entire watershed.

When the Water District was first founded, Sudbury had the benefit of a geologist, Ralph Hahn, who was one of the founders of Fay, Spofford & Thorndike. The current geologist there, George Reese, gave the original presentation to the Water District pointing out the entire watersheds of the Hop Brook starting with the headwaters at the Wayside Inn fed by the Marlborough Sewer Beds, down to the wells along Hop Brook. He was the one who located the wells on the Raymond property. This was subsequently confirmed by the engineer, Cliff Mansfield, who essentially said the same thing. The critical point is that the water for the wells in Sudbury comes from a 10 sq. mile area--the Hop Brook area. To come down to small areas and to put restrictions and particularly to insist that we put polluted water into those aquifers is ridiculous. That is what this article would do.

April 10, 1984

This article picks out small areas, which Mott does, and says "Let's restrict those" and insists that we try to put water into the aquifers in those areas. We are going to end up polluting our aquifers, because there are places in those areas that we consider sources of pollution. Road salt is a primary one. As you may know, Weston lost its well to the road salt. For that reason, we have to insist on complete paving in certain areas with no infusion into the aquifer. There is no provision of this here. This has been pointed out to them. It resulted in the comment "But we have to consider the brooks. Do you want us to put polluted water into the brooks?" I say you have to choose. Do you want your drinking water polluted or do you want some water in the brooks to have some contaminants? The state permits a thousand times higher contamination levels in the brook water than in drinking water. In addition, as I pointed out last night, one of the features of Hop Brook is its fast-flowing characteristic. That means that the pollutants that flow down along Hop Brook are processed by vegetation along the sides. This is in contra-distinction to the trapping action in the bogs. We do not want bogs from the Water District standpoint but we do want protection along the Hop Brook shed, the Hop Brook periphery. If you remember, the Industrial Park District article had a 200' strip where you couldn't cut trees, build, etc. That contacting the rapidly flowing water of Hop Brook produces a condition in which pollution may be assimilated by the root structure and may be broken down even if they are the most carefully constructed chemicals. Somebody complained about that statement last night. It happens to be modern technology, the organic laser analysis has not caught up with the normal engineering goop in waterworks. It is practiced routinely by people who make money in that area, such as in greenhouses and in farming. The engineers doing your waterworks do not study those things. We want protection area along Hop Brook. It was voted down last night when you voted out the Industrial Park.

This is a valiant effort, but they are hiding the fact that they want to infuse into the aquifer water that should properly go into the brook. The way we protect the purity of the water is by diverting the polluted water into the brook. The man that installs most of the wells in Sudbury pointed out to me that as far as he knows, in this state, and he works all over New England, there is only one superhighway where they will take the polluted water from the highway, put it into processing basins, and then inject it into the aquifer. The normal procedure is get rid of the polluted water into the nearest brook or stream.

Let me give you an example, i.e., salt in the Hop Brook. In the spring, during the spring run-off, salt which they would like to inject into the aquifer if possible, does not raise the level of salt in the Hop Brook more than 5%. A solid Northeast storm does more. That is the way our system works. Because of the Hop Brook drop--nearly 70 feet in five miles--it is a much more efficient purifier of water than the Sudbury River. The River has problems. At Wayland it has to be re-charged. Wayland is struggling to get the MDC to flush the Sudbury River during the summer. What will happen I do not know. If we had to go to pumping from wells recharging from the Sudbury River, we would have problems. We might have to chlorinate. As it is, we will not, if we do not inject polluted water into the wells. Chlorine, as you know, is one of the hallogens, which in fact is a carcinogenic. They make a choice between "Do you want to get killed by bugs or by cancer?"

We currently have clean water. This article would create the possibility of destroying it. We do not object to coming up with an article that does in fact help in preventing pollution of the wells. We do quite a bit in that direction.

Mrs. Helen Casey, President of the League of Women Voters spoke in support of this article along with Mary Gumlak, Legislative Chairman of the League.

Following several lengthy discussions, John Powers *moved for Indefinite Postponement*. This received the support of Mrs. Anne Donald, Chairman of the Board of Selectmen. After further discussion, Chester Hamilton, Town Treasurer *moved the question*. This motion to terminate debate was VOTED. John Powers' motion to Indefinitely Postpone Article #21 was VOTED.

ARTICLE 22. To see if the Town will vote to raise the Town Clerk's fees allowed under Section 34 of Chapter 262 of the Massachusetts General Laws for the issuance and recording of the following documents by the Office of the Town Clerk by adding a new section 3 to Article XVII (Fees) of the bylaws as follows:

Amend
Bylaws
Art. XVII

Town
Clerk's
Fees

"Section 3. Town Clerk's Fees. The fees of the Town Clerk shall be as stated in General Laws Chapter 262, Section 34, except that the following fees shall be as stated below:

	<u>PRESENT FEE*</u>	<u>FEE</u>
(12) For correcting errors in a record of birth	\$ 2.00	\$ 5.00
(13) For furnishing Certificate of Birth	2.00	3.00
(13A) For furnishing an Abstract Copy of a Record of Birth	1.00	2.00
(14) For entering Delayed Record of Birth	2.00	5.00
(20) For filing Certificate of a person conducting business under any title other than his real name	1.00	10.00
(21) For the filing by a person conducting business under any title other than his real name of a statement of change of his residence, or of his discontinuance, retirement or withdrawal from such business, or of a change of location of such business	.50	5.00
(22) For furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such business, or of a change of location of such business	.50	5.00
(29) For correcting errors in a Record of Death	2.00	5.00
(30) For furnishing a Certificate of Death	2.00	3.00
(30A) For furnishing an abstract copy of a Record of Death	1.00	2.00
(42) For entering Notice of Intention of Marriage and Issuing Certificates thereof	4.00	10.00
(44) For issuing Certificate of Marriage	2.00	3.00
(44A) For furnishing an abstract Copy of a Record of Marriage	1.00	2.00
(45) For correcting errors in a Record of Marriage	2.00	5.00
(62) For recording order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof, and increase in number of wires and cable or attachments under the provisions of Section Twenty-two of Chapter One Hundred and Sixty-Six, and for each additional street or way included in such order	3.00 .50	25.00 5.00";

or act on anything relative thereto.

(* shown for voter information only; not to be a part of the bylaw)

Submitted by the Town Clerk.

The chairman of the Finance Committee moved in the words of the article.

Town Clerk's Report:

Increases in these fees, which go directly to the Town, are requested so that Sudbury may come in line with the surrounding communities. Presently, we

are the only community, out of eleven area towns and cities, whose fees are so low. With the fee changes, the additional revenue would reflect a 70%+ increase over what the town is presently receiving.

Finance Committee Report: (James Pitts)

A survey was done to compare the Sudbury Town Clerk's fees to neighboring towns and they were found in many cases to have fallen behind other fees that had been raised by neighboring towns. In 1983, we collected approximately \$13,000 in fees. The estimate for 1984 prepared at the time the budget hearing was held was \$13,300. These increases will increase the total amount of fees by approximately \$9,100 or 70% for a total of \$22,000 in fiscal '85. The Finance Committee recommends approval.

Board of Selectmen Report: (Anne W. Donald)

The Selectmen are unanimously in favor of this article.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Bylaw amendment proposed in this article 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: IN THE WORDS OF THE ARTICLE.

ARTICLE 23. To see if the Town will vote to amend the Sudbury Bylaws, Article V, Public Safety, by adding at the end thereof a new section, to be numbered by the Town Clerk, which shall read as follows:

Amend
Bylaws

Art. V "The Fire Chief may use the resources of his department to pump water from private buildings at the request of the owner or tenant thereof in an emergency and subject to the availability of such resources; provided that the owner or tenant shall be charged the following fee for such service rendered to the same building if in the opinion of the Fire Chief, the condition could have been avoided by remedial action, including the installation of a sump pump, on the part of the owner or tenant.

First Call	No Charge
Second Call	Twenty Dollars (\$20.00)
Third and Subsequent Calls	Fifty Dollars (\$50.00)

or act on anything relative thereto.

Submitted by the Fire Chief.

Fire Chief's Report:

The purpose of this bylaw is to reimburse the town for unnecessary requests for assistance in pumping water from flooded basements. The fire department pumped 71 flooded basements this past year, many the same basements we pumped last year and the years before.

This bylaw will not affect the homeowner who has a flooded basement due to circumstances beyond his control, however, it will cause the owner who knows his/her property is prone to flooding conditions to take appropriate corrective actions or pay for the town's service.

Finance Committee Report:

The Finance Committee believes passage of this article will serve the purpose of assuring that persons with chronic flooding problems do not unfairly shift the economic burden inherent in their property ownership to the taxpayers of the Town. Recommend approval.

Board of Selectmen Position: The Board supports this article.

Town Counsel Opinion:

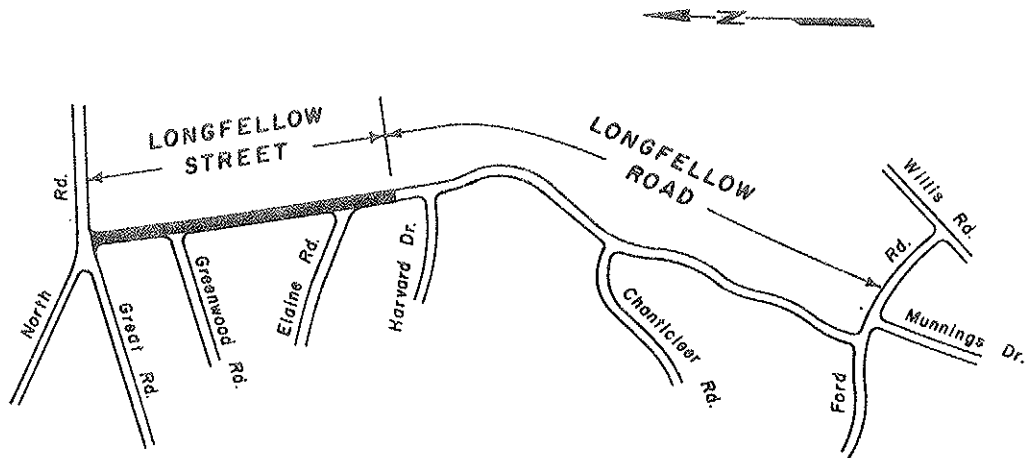
It is the opinion of Town Counsel that, if the Bylaw amendment proposed in this article is properly moved, seconded and adopted by a majority vote in favor of the motion, it will become a valid amendment to the Sudbury Bylaws.

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

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ARTICLE 24. To see if the Town will vote to change the name of Longfellow Street, a public way in the Town of Sudbury, to Longfellow Road; or act on anything relative thereto.

Change
Name of
Longfellow
Street Submitted by the Board of Selectmen.



Board of Selectmen Report:

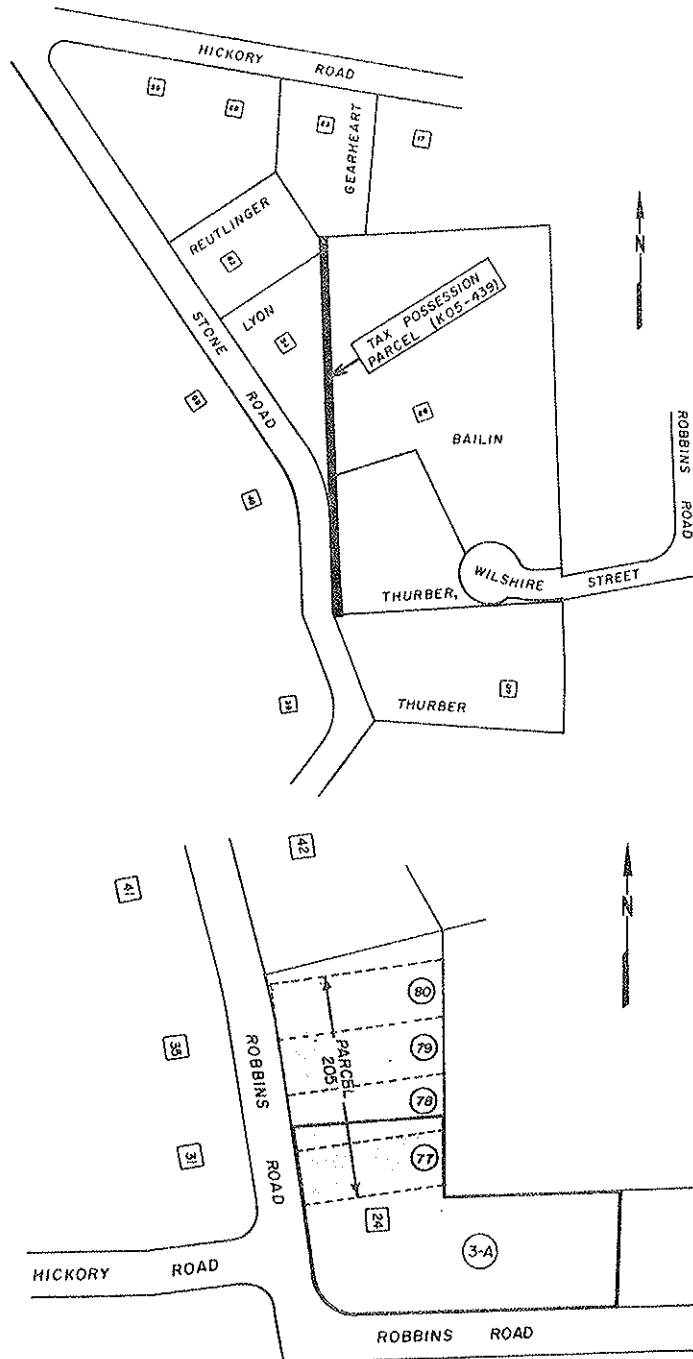
The public ways, Longfellow Road and Longfellow Street, are essentially one long public way which was accepted in two sections at different times under different names (Road and Street). In order to avoid confusion to the public, the Police and Fire services, and the Post Office, it is recommended that the commonly used designation of this way, Longfellow Road, be instituted for the entire length of the way. The Board supports this article.

Finance Committee Report: Recommend approval.

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

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- ARTICLE 25. To see if the Town will vote to authorize and empower the Board of Selectmen to sell and convey, upon such terms and conditions as it deems necessary or desirable, (A) Land in Sudbury off Stone Road shown as Tract 439 on Assessor's Map K-5 at private sale, and (B) Land in Sudbury on Robbins Road shown as Lots 77-80 on "Plan of Land in Sudbury, Massachusetts, 'Robinwood', July 1927, J. Francis Granger, Civil Engineer", a portion of which is shown as Tract 205 on Assessor's Map K-6, at private sale; and to determine the minimum amounts to be paid for each of said parcels; or act on anything relative thereto.
- A. Stone Road;
B. Robbins Road
- Submitted by the Board of Selectmen.



Mrs. Anne W. Donald, Chairman of the Board of Selectmen, made the following motion, under this article: *move to authorize and empower the Board of Selectmen to sell and convey at private sale (A) land in Sudbury off Stone Road shown as tract 439 on Assessor's map K-5 and to set the minimum price to be paid therefor at \$500 and (B) land in Sudbury on Robbins Road shown as lot 77-80 on "Plan of Land in Sudbury, Massachusetts, 'Robinwood,' July 1927, J. Francis Granger, Civil Engineer," a portion of which is shown as Tract 205 on Assessor's map K-6 and to set the minimum price to be paid therefor at \$10,000.*

After this was properly seconded, Mr. Joseph Klein of Stone Road moved to separate this article into two sections 25A and 25B as defined in the article and that each section be considered and voted on separately.

In support of this amendment, Mr. Klein stated that although superficially it appears these two sections are the same type of business deals that the town is engaging in, the two pieces of land in question have quite different circumstances and I would not like to think that the circumstances for one piece of land will affect the vote on the other.

Mr. Klein's motion to amend was VOTED.

Board of Selectmen's Report:

The Selectmen's policy with respect to the sale of tax possession lots has been to request Town Meeting approval of a private sale to an abutter, where possible. This serves the dual purpose of placing the property back on the tax rolls while avoiding their use as construction sites. Abutters have expressed interest in purchasing these parcels, and your approval is requested. Tract 439 contains about 6,098 square feet, and lots 77-80 contain about 29,000 square feet. The Board supports this article.

Mr. Klein moved to amend Part 25A so that the minimum sum shall be \$2,500.

In support of this amendment, Mr. Klein noted that what this 25A is talking about is a strip of land about one-seventh of an acre in size. At \$500 for 1/7th of an acre, we are selling land at \$3,500/acre. Three or four years ago when we decided to enlarge the Police Station, we had to buy an eighth of an acre of residential land for which we paid \$15,000. This means we buy land at \$120,000 and we sell it at \$3,500. Can you guess why the FinCom this past week has spent a lot of time saying "Where is the money?" Now somebody is going to get up and say "Well, we needed that particular piece of land that we paid \$15,000 for. The owner of that particular piece of land had us over a barrel." I'd like to suggest that the circumstances in this particular parcel are no different. If you'll look at the map in your Warrant, you will see there are two pieces of land which are labelled "Thurber". The upper piece labelled "Thurber" is the one that does not contain a house. I don't know who owns it now, but it was for sale this past fall. Apparently it sold, as somebody's erecting a house there. If you go and take a look at the land, you will find that the house is going to be situated close to the Stone Road part of the parcel. The circle there indicates an extension of Wilshire that does not exist. That apparently dates back to the days when the Planning Board was accommodating developers by authorizing paper streets. What is on the map as a big turnaround is actually a forest of trees. Access is from Stone Road. The plans for this house, at the Building Inspector's office, indicate that the garage is located towards the Stone Road end of the property. I would suggest to you that the driveway is going to exit at Stone Road, but if there is no frontage for this particular piece of property on Stone Road, there will be no driveway. I would also suggest, to whomever owns this property, that building a 250 foot driveway to Wilshire or a 45 foot road to Stone Road is well worth \$2,000. If nothing else, the plowing over the next 10 years would pay for it.

Mr. Klein also pointed out that the owner of this piece of land was listed as "unknown", yet in the Warrant it says "private sale." He suggested also that when a piece of land is to be sold, that the Board of Selectmen should notify all the abutters.

Mr. Vernon Gearheart of Hickory Road asked the Selectmen to give proof of ownership of this strip of land as the northern portion of this 10' strip is on his land and is proven by title. He noted that there was a cornerstone placed there in 1957 which is still in existence. This 10' strip exists because of an error of the surveyor. A plan was submitted in 1957 which called for 566' off the border of the property owners on Robbins Road. The surveyor's plan called for 556' off of this borderline. Mr. Gearheart said, "Since I own part of this strip and have an assessed value on it and have been paying taxes, I oppose this amendment and object to your selling the land."

The Executive Secretary for the Board of Selectmen noted that the cost for this strip was determined by the Town Counsel and himself in consultation with the Assessors. As far as procedure is concerned it has always been that a request from an abutter on tax possession property is brought to town meeting and voted.

Mr. Klein's motion to amend the minimum price from \$500 to \$2,500 was voted.

Mr. Gearheart reiterated his contention that the town does not own title to this land and therefore cannot sell it.

The Executive Secretary stated it was his opinion and that of the Town Engineer that this strip of land, as advertised in the Warrant, is correct according to their records. There is a problem with the back line, which also abuts Mr. Gearheart's property. This may be an east-west error, but not a north-south error, according to the Town Engineer. It was then suggested the Mr. Gearheart resolve this through some civil action or have the land re-surveyed.

Mr. Gearheart's final comment was that the Town Engineer indicated to him that Mr. Eisner, the builder, "filed properly, according to town laws, and filed properly according to state laws," but he did not say that the plan was correct.

There was no further discussion and the motion was defeated.

There was no discussion under Article 25B.

It was UNANIMOUSLY VOTED.

ARTICLE 26. To see if the Town will vote to amend Section 3 of Article V of the Town of Sudbury Bylaws, by deleting the first paragraph entitled Amend "Unlicensed Dogs" in its entirety and substituting therefor the Bylaw following:

Art. V, 3 "Unlicensed Dogs. All owners or keepers of dogs kept in the Town of Sudbury during the preceding six (6) months and who, on the first day of June of each year, have not licensed said dog or dogs, as Unlicensed Dogs prescribed by Section 173, Chapter 140 of the General Laws, shall be subject to a penalty of \$10 payable to the Town, in addition to the license fee, for each dog so unlicensed.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report:

The current late licensing fee is \$1. This article will provide conformance with G.L. C 140 s. 173, which allows a penalty of up to \$10 for licensing infractions. This amendment will enable the Town to recover some of the costs associated with late licensing, encourage timely licensing of dogs, and be in keeping with late licensing charges in surrounding communities. Recommend approval.

Finance Committee Report:

Passage of this article will encourage conformance with the licensing law and permit recovery of costs associated with enforcing the law where necessary. Recommend approval.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Bylaw amendment proposed in this article 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 27. To see if the Town will vote to amend the Town of Sudbury Bylaws, Article XV, Building Code, by deleting Section 1 thereof, and substituting therefor a new Section 1 to read:

Amend Bylaw "Section 1. Building Permit Fees. The fee to be paid upon the issuance of each building permit shall be five dollars (\$5.00) for each \$1,000 or portion thereof of the estimated cost of the construction, alteration, removal or demolition, and the minimum fee shall be ten dollars (\$10.00); provided that the fee to be paid upon the issuance of each building permit relating to such work initially commenced without benefit of a permit shall be ten dollars (\$10.00) for each \$1,000 or portion thereof of the estimated cost of such work, and the minimum fee shall be twenty dollars (\$20.00). No fee shall be charged for the issuance of any building permit to the town or for work upon any building owned by the Town.";

Art. XV - Building Permit Fees

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report:

Building permit fees have not been increased since 1981. The new fees proposed represent about the average of what the surrounding communities charge. The Board supports this article.

Finance Committee Report: Recommend approval.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Bylaw amendment proposed in this article 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 28. To see if the Town will vote to accept the provisions of Chapter 597 of the Acts of 1982, which provides that the Motor Vehicle Excise Tax imposed by General Laws Chapter 60A, Section 1, shall not apply to a motor vehicle owned and registered by a former Prisoner of War defined as any regularly appointed, enrolled, enlisted, or inducted member of the military forces of the United States who was captured, separated and incarcerated by an enemy of the United States during an armed conflict; or act on anything relative thereto.

Accept
Ch. 597 of
the Acts of
1982 -
POW Auto
Excise
Tax
Exemption

Submitted by the Selectmen.

Board of Selectmen Report:

The purpose of this article is to show in some small measure the Town's appreciation for the sacrifices made by certain members of our armed forces. The Selectmen support this article.

Finance Committee Report: Recommend approval.

UNANIMOUSLY VOTED IN THE WORDS OF THE ARTICLE.

ARTICLE 29. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$500, or any other sum, to be expended under the direction of the Board of Selectmen, to establish a Sudbury 350th Anniversary Celebration Fund to be used to prepare for a celebration in 1989 marking 350 years since Sudbury's incorporation in 1639; or act on anything relative thereto.

Sudbury
350th
Anniversary
Celebration
Fund

Submitted by the Selectmen.

Board of Selectmen Report: (Mrs. Anne W. Donald)

This town will be 350 years old in 1989 and it was my thought that at that time we may wish to celebrate the occasion. Proposition 2½ makes it difficult to raise significant sums of money for what we might call "fun and games" so I suggested we might put a little money away now and a little more next year and each year thereafter, and then we'll have something ready to celebrate our 350th birthday. I hope you'll go along with me.

Finance Committee Report: Recommend approval.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE WITH THE SUM OF \$500 TO BE RAISED BY TAXATION.

ARTICLE 30. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$72,000.00, or any other sum, to be expended under the direction of Park and Recreation Commission, for the development and improvement of the Haskell Recreation Area, or act on anything relative thereto.

Haskell
Recreation
Area
Development

Submitted by the Park and Recreation Commission.

Mr. Peter Berkel of the Park and Recreation Commission *moved that the town vote to raise and appropriate \$45,000, to be expended under the direction of the Park and Recreation Commission, for the development and improvement of the Haskell Recreation Area, said sum to be raised by taxation.*

Park and Recreation Report: (Peter Berkel)

This represents an adjustment downward from what was originally presented as a \$72,000 warrant. The revision basically recognizes the many demands that we face within the community, demands which are being placed on very limited funds.

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It also is a proposed level of funding as has been recommended by the Finance Committee. Some of the overall directions and planning the Commission is involved with are: care of lining fields, mowing of fields, summer programs, evening basketball program in the winter on Thursdays, and other activities of which you may not be aware. In addition to maintenance and operational issues, the Commission decided to begin setting some directions, some organized development for some of the activities, field, facilities and programs within the town.

As a modest start, we had suggested and proposed to develop a community center, which the Town did not see fit to support. We're also talking of developing something at Haskell Field and in years ahead at the other fields in town to improve and develop them. As an immediate issue, we need to address the situation at Haskell Field. It has little or no aesthetic value. The field is seriously deteriorating at a time when it is experiencing a good deal of increased use. The fall soccer program has registrations exceeding 700 and this spring will see the largest turnout of over 300 children. There is an enlarged baseball diamond which is now 90 feet. Tennis interest is regaining again and we also have golfers. We have picked up football, softball, kite flyers, frisbee players and a lot of just general recreation use. Haskell field must endure the abuse of snow machines, all terrain bikes, cars, vans, etc. Overall, it's a very popular and very heavily used field.

We are first looking to improve the parking facilities, and also provide some sort of a central facility for access to water and bathroom facilities. We would like to get some direction by engaging someone who can help us develop some architectural plans, something to re-landscape the area, to improve field drainage, and possibly add some additional fields, and also to develop some program to rotate the fields.

We have solicited two designs so far, one from the University of Massachusetts and one from the Graduate School of Landscape Design at Harvard, both of which are available to anybody who would like to look at them. These designs are directional, and we would like to begin the process.

The fields have been abused a lot and if we don't take some corrective action we feel we may have to curtail their use until we get them back into some proper shape. That would obviously have an impact on the programs we run. There is a reasonable community interest in this proposed article and the Park and Recreation Commission feels it is sensible, logical and productive, and we earnestly seek your support.

Finance Committee Report: (Crawford)

The Finance Committee recommends approval of the \$45,000. This amount would provide for funds to make the parking lots at Haskell and Fairbank safer and would provide for improvement in landscaping to the park land.

Board of Selectmen Report: (Josiah Frost)

The Selectmen recommend approval.

In response to a question as to an estimate of what the impact will be on future years' maintenance costs in the budget with the building of bathroom facilities, Mr. Berkel stated that the Commission did not have such an estimate.

Mr. Chauls of Blueberry Hill Lane asked for a clarification of just what the money would in fact be used for, as the Finance Committee and the P & R Commission are talking about different things. It was stated that the Finance Committee prefers to not have the money spent on bathroom facilities, but for the safety and improvement of the parking lot and fields.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE \$45,000 TO BE EXPENDED UNDER THE DIRECTION OF THE PARK AND RECREATION COMMISSION, FOR THE DEVELOPMENT AND IMPROVEMENT OF THE HASKELL RECREATION AREA, SAID SUM TO BE RAISED BY TAXATION.

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ARTICLE 31. To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize as an expenditure from the Conservation Fund, or any combination thereof, the sum of \$400,000, or any other sum, to be expended under the direction of the Conservation Commission, for the purchase, jointly with the Massachusetts Department of Food and Agriculture, of an agricultural preservation restriction in a portion of the Stone Tavern Farm, so-called, shown as Parcel 600 on Assessor's Plate K06, said portion containing fifty-seven acres more or less; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Purchase
Development
Rights -
Agricultural
Land
(Stone
Tavern
Farm)

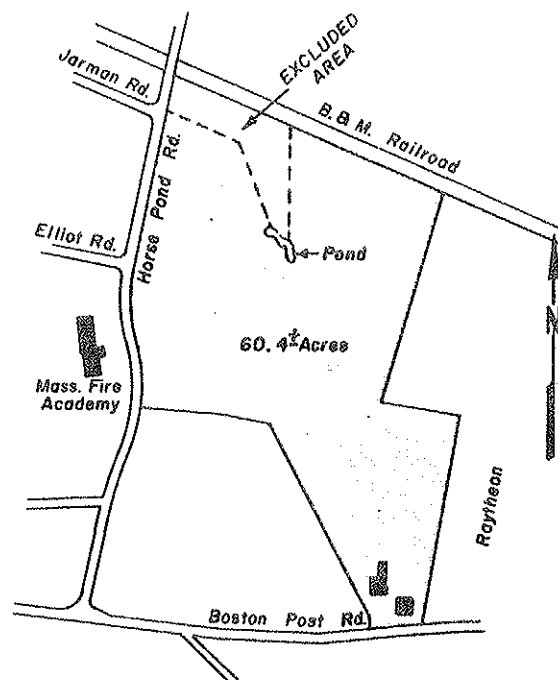
Submitted by the Conservation Commission.

Mr. Jeffrey W. Moore of the Conservation Commission moved that the town appropriate the sum of \$332,950 to be expended under the direction of the Conservation Commission, for the acquisition and purchase, jointly with the Massachusetts Department of Food and Agriculture, of an Agricultural Preservation Restriction on a portion of the Stone Tavern Farm, so called, shown as Parcel 600 on Assessor's plate K06-, said portion containing 56 acres more or less, said sum to be raised by the transfer of \$37,383 voted under Article 29 of the 1981 Annual Town Meeting and the Treasurer, with the approval of the Selectmen, is authorized to borrow the balance of \$295,567 under Mass. General Laws, Chapter 44, Sections 73, said borrowing to be accomplished by the Treasurer with the approval of the Selectmen, by bonding State House notes or deferred payment schedule with the seller.

Conservation Commission Report: (Jeffrey W. Moore)

We have a unique opportunity tonight. If we vote in favor of this article, we will have preserved a farm and a way of life, not only for the Stone's, the current owners of that farm, but for ourselves, our children, our children's children and beyond. We can preserve forever a farm nearly 60 acres in size on the Boston Post Road.

This article is an opportunity for the town to buy jointly with the State the development rights to Stone Tavern Farm. We would not be buying the land, only the rights to develop that land. An Agricultural Preservation Restriction (APR) will be placed on the land that rides with the deed of the land in perpetuity. The land must remain agriculture. The farm will remain in private ownership by the Stone Family with all the rights inherent in private land ownership, except that it may never be used for anything other than agriculture. It cannot be developed.



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The farm is located west of the Fire Station and Raytheon on Route #20. It is bounded on the west by Horse Pond Road, on the north by the Boston & Maine Railroad tracks, on the east by Raytheon and its southern border is Route #20. A 3-acre piece on the southern border is where the current house, barn and sheds are located. A northern piece on Horse Pond Road is being reserved for a house for the Stone's daughter. All the land, except these two pieces, will be included in this APR. A northeast, 8.5 acre piece, zoned limited Industrial will be included in the APR as all other areas residentially zoned. The total acreage included in the Agricultural Preservation Restriction is 55.81 acres.

The Stone Tavern Farm was originally purchased in colonial times by Ezechial Howe and the main house was used as a bakery and a tannery. In 1816, the farm was purchased by William Stone and converted to a tavern. Hence its present-day name, Stone Tavern Farm. Shortly afterwards, the property was converted to a farm and used for raising beef. The current Stone family is the seventh generation of Stone's and the third William Stone to own the farm, which is presently used for hay and horses.

Sudbury was once mostly farmland, now there is precious little of it. It is important to appreciate this heritage and understand precisely what it means. Closeness to the land is something that, unfortunately, few of us can fully appreciate. Preserving this farm is one way that we can preserve that opportunity. State-wide, 11,000 acres of farming land were lost each year during the 60's and 70's. People realized that by the year 2000 no farmland would be left, unless something was done. The State Department of Food and Agriculture APR Program was developed. Mass. is one of the few states in the nation that has a program of farmland preservation and protection. The APR program began in Mass. in 1977.

History of A.P.R. in Sudbury

Land	Acres	\$-State	\$-Sudbury
Barton 1	26	60,350	10,350
Barton 2	17	140,000	86,050
Caruso	23.6	205,000	11,800
Sperry Rand	12	57,750	0
Garber	84	134,000	42,135
MFCLT	39	101,000	18,600
TOTAL	201.6	698,100	168,935

The State has treated Sudbury very favorably in this program as can be seen from this chart. Not including the APR before us, we have received nearly \$700,000 from the State for farmland preservation. Sudbury has received more money from the State than any other town in the Commonwealth under this program. This land, at the same time, has cost more per acre than most any other town in the Commonwealth. The State has taken our view of commitment to farmland preservation very seriously. We certainly hope they will continue to do so.

Now, how much does it cost to buy development rights and how is this figure derived?

Development Rights Cost

675,000 - Fair Market Value
 - 63,000 - Agricultural Value
 612,000 - Development Rights Cost
 -279,050 - State Contribution
 332,950 - Town Contribution
 - 37,383 - From 1981 T.M. Article Fund
 295,567 - BALANCE to Town

\$675,000 is the number that was derived as the appraised fair market value of this land, based on the best use of it, which is a residential subdivision of 43 houses.

\$63,000 is the figure the State has placed on this land, as the agricultural value. The difference between these two values is the cost of the development rights, \$612,000. The State has offered to contribute \$5,000/acre for the purchase of this land. For 55.81 acres that is \$279,050, leaving a balance for the town of \$332,950. The Conservation Commission is proposing to contribute \$37,383 remaining from the development rights purchase of the Barton land, approved at the 1981 Town Meeting. The bottom line balance to us is \$295,567.

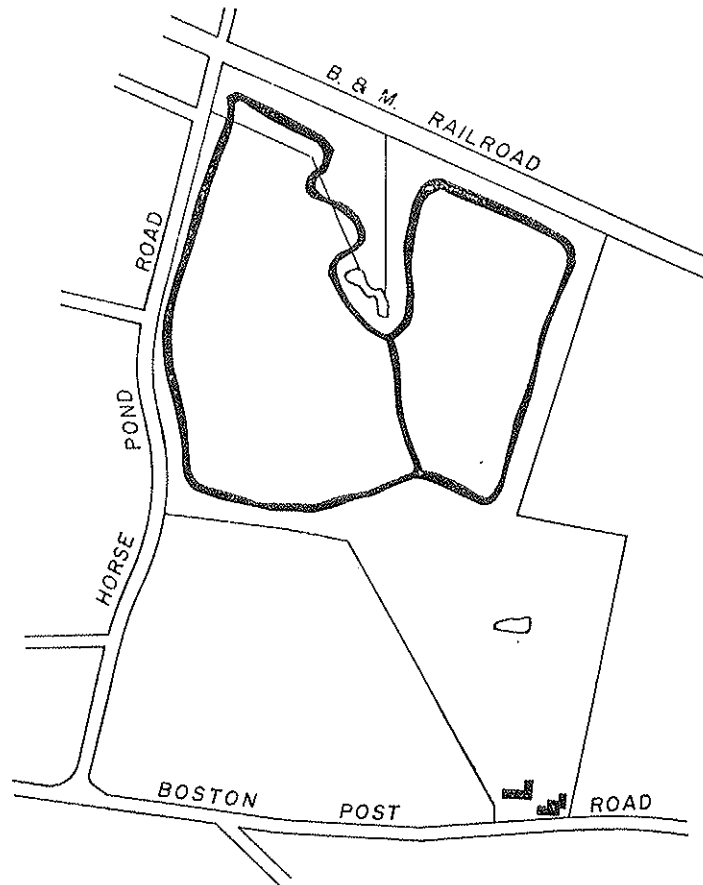
Payments for Town Contribution			
5 Years at 4.5 Percent			
FY	Principal-\$	Interest-\$	Total-\$
86	60,000	13,300	73,300
87	60,000	10,600	70,600
88	60,000	7,900	67,900
89	60,000	5,200	65,200
90	55,567	2,500	58,067
TOTALS	295,567	39,500	335,067
NO PAYMENTS IN FY'85			

The Stone's have generously offered to accept the Town's portion of the APR payment over a period of years, with interest of course. The arrangement we have worked out with the Town Treasurer and the Stone's is that over 5 years, there would be a payment each year of \$60,000 on the principle and the interest at 4½% will be amortized, with the first year at \$13,300 and the fifth year at \$2,000. Payments will start in July of 1985. The only financial impact this article will have this fiscal year is a nominal amount to be added to part of the Treasurer's budget to cover the cost of issuing the bond to the Stone's.

What does Sudbury gain from this? We have the preservation of the farm land and the open space associated with it. There are several other issues that are also important. In all probability, we will have the continued protection of other farmland in town, not related to this parcel. Parcels that are currently under a special tax assessment, called Chapter 61A. If this farm is lost to development, then other land could also be placed in jeopardy. This farm provides a buffer zone between Raytheon, the Limited Industrial Area and the residential areas in town. The Stone's are willing to grant a trail easement to the Town. All the details have not been worked out. It is not a promise, but I feel confident it will be accomplished.

The trail easement would be used for passive recreation, walking, hiking, jogging, cross-country skiing, etc. But, this is still not firm. The farm provides facilities that the schools and our children use for hayrides, riding lessons, cross-country skiing, etc. Many of the children in our town work on this farm after school. It provides facilities for the 4-H Club. It helps meet the one acre per person open land recommendation for the town water supply. The Stone's will continue to pay the same amount of taxes to the town that they now pay. This would not decrease or increase the tax base on this town. It is important to note a 43-house subdivision would not increase the tax base of this town. It would barely pay for itself.

The Conservation Commission enthusiastically supports this article. We urge your support in forever preserving one of the only remaining active farms in our town. Let us not forget our heritage and the value of this open farm land to the character of our town and to each and everyone of us.



Trail Easement

Finance Committee Report: (Crawford)

The Finance Committee recommends approval providing the debt incurred qualifies for exemption from the 2½ tax limitation.

Board of Selectmen Report: (Fox)

The bond interest in this article does not qualify for exemption under "2½." The only way to exempt it is if the town votes an over-ride, and it would be a majority vote over-ride. It's for that reason that the Board of Selectmen unanimously opposes this article. We are in favor of the idea of preservation of our open lands, but we oppose the dollar amount stated in this article. I think the Conservation Commission has done an absolutely marvelous job and an immense amount of homework putting all these facts and figures together. They are to be commended. They have come up with some very creative ways, with the help of the Stone family, of minimizing the expense to the town. However, you can only minimize it so much and sooner or later we're going to have to come up with the \$332,950, plus interest, to buy the development rights. This sum of money will not buy the land. It will just allow us to view it from Horse Pond Road or whatever other sections we have access to. Not to walk on the land! Not to ride on it or to do anything else on it, other than to look at it! It's at

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this time that town meeting should consider what it is choosing between. The Selectmen have made their decision. Town Meeting should make up its mind because we're going to be forced very shortly to choose between our safety, our education, our recreation, and the purchase of development rights. I say that because this bond goes out into the future when "2½" will become more and more difficult to deal with. The only way to exclude the bond interest from the Proposition 2½ limitations is to have an over-ride at the next annual election.

Sudbury Water District Report: (Milton Bartlett)

The Commissioners of the Water District unanimously support the purchase of this land. It is right in the middle of the Hop Brook Watershed and it is operated now and will be operated in accordance with the farm practices that produce a maximum cleaning of the water from the Watershed. The upper end of the land is the beginning of one of the springs that feeds across the railroad into a tributary of the Hop Brook. The Hop Brook is just above the Old Lancaster well. In addition, I might point out that while the public is not able to trample over the land, the owner does run it with a good deal of visitation.

Town Treasurer's Report: (Chester Hamilton)

The proposal you saw for the purchase of this land, the price that was set, the interest rate that was set, involves negotiation with the Stone's. I'm not sure how many of you would be totally satisfied to receive interest at the rate of 4½%, even though it's totally exempt from federal and state taxes. That represents a very major concession on their part. There is no question that this would impact the tax rate at some future date. Not in the forthcoming fiscal year, but certainly thereafter. The question of an over-ride is something to be considered. You might be aware of the experience of Wayland where they have turned down three over-ride questions this year. I wouldn't want to hold that out as an absolute hope to buy and that we could eliminate this from our tax levy. I would be glad to answer any questions of a financial nature.

After considerable discussion Mrs. Kaufman of Woodland Road moved the question.

Mrs. Kaufman's motion was VOTED.

VOTED: THAT THE TOWN APPROPRIATE THE SUM OF \$332,950 TO BE EXPENDED UNDER THE DIRECTION OF THE CONSERVATION COMMISSION FOR THE ACQUISITION AND PURCHASE, JOINTLY WITH THE MASSACHUSETTS DEPARTMENT OF FOOD AND AGRICULTURE, OF AN AGRICULTURAL PRESERVATION RESTRICTION ON A PORTION OF THE STONE TAVERN FARM, SO CALLED, SHOWN AS PARCEL 600 ON ASSESSOR'S PLATE K06, SAID PORTION CONTAINING 56 ACRES MORE OR LESS, SAID SUM TO BE RAISED BY THE TRANSFER OF \$37,383 VOTED UNDER ARTICLE 29 OF THE 1981 ANNUAL TOWN MEETING AND THE TREASURER, WITH THE APPROVAL OF THE SELECTMEN, IS AUTHORIZED TO BORROW THE BALANCE OF \$259,567 UNDER MASS. GENERAL LAWS, CHAPTER 44, SECTION 7(3), SAID BORROWING TO BE ACCOMPLISHED BY THE TREASURER WITH THE APPROVAL OF THE SELECTMEN, BY BONDING STATE HOUSE NOTES OR DEFERRED PAYMENT SCHEDULE WITH THE SELLER.

Those in favor: 373, those opposed: 85. Total 458

In accordance with the bylaws, a motion to adjourn to tomorrow, April 11, 1984 at 8:00 P.M. was received, seconded and VOTED. The meeting adjourned at 11:23 P.M.

Voters in attendance: 591.

PROCEEDINGS
ADJOURNED ANNUAL TOWN MEETING

114.

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The Moderator called the meeting to order at 8:15 P.M. at the Lincoln-Sudbury Regional High School auditorium. He declared a quorum was present.

The Moderator stated that the first order of business was to announce that another motion for reconsideration had been filed by Lael Meixsell at the Town Clerk's office on the action taken on Article 21, Aquifer Protection, and that this would be the first order of business at the next meeting, on April 23rd.

The next order of business for this evening is the motion to reconsider Article 17, filed by Russell Kirby.

Mr. Kirby moved that we reconsider the action taken last Monday evening on Article 17.

Speaking in support of his motion, Mr. Kirby stated he would first like to present his credentials, as that seems to be a factor in the deliberations at this year's town meeting. I'll tell you first what I am not, and this may come as a surprise to some people. I'm neither new in town nor am I a life-time resident. I'm neither a lawyer nor an engineer. I have no degrees in political science or government. I am not running for any office. In fact, I despise politics. I do not own, nor have I any interest in any property within the former Industrial Park.

At this point in the presentation a point of order was called challenging whether or not Mr. Kirby's comments were relevant to the subject of reconsideration. The Moderator approved and called for Mr. Kirby to continue.

In deference to the individual who raised the question, Mr. Kirby stated that he would not say what are his credentials. But, I'll tell you I'm here for three reasons. I'm angry. I'm frustrated and I'm disturbed. Now I'll tell you the reasons why I am moving the reconsideration of this article. It is because of matters of principle.

I have something here for everyone, I think. There are three very distinct reasons and I ask that people listen to these, give some thought to the reasons, and then listen to what I have to say afterwards. All I ask is that you listen and that you vote your conscience when I get through. I will accept the results, either way.

Item #1. Irregularities in voting procedures. Multiple cards, wrong-color cards, migratory voters, who I define as people who will stand in one row and are counted and then move to another row and are re-counted by other tellers. I have received input to the fact that this did indeed occur that evening by more than two tellers, who were involved in the process. The tellers have not been sworn. They are under no obligation, no compulsion other than their own consciences to record the vote accurately which is not the way the procedure has been for many years in this town. Non-voters have not been segregated until tonight. I'm delighted that the Moderator asked the non-voters to move into a separate section of the hall. The doors were not locked. One door was open and one individual left between the time the count was taken and the time the re-count took place. We know that one person left the hall and then came back.

At this point, the Moderator, on a point of personal privilege, stated that he does swear tellers, and if any teller, the other night, was not sworn, it was an oversight, as it is his practice to swear tellers.

Mr. Kirby said he brought this up because this is the information he received that night. I'm going to say a lot of things which are probably not going to sit well with a number of people. My purpose here is not to take any scalps. I'm trying to present some things as I saw them, and I believe that this town meeting needs to reconsider this article.

Item #2. Ambiguity in zoning status. A question was raised which I don't believe was satisfactorily settled. That is, what will the zoning of that piece of property be assuming that the Attorney General approves this article? The question is did it revert back to its former classification, which was Limited Industrial, or does it revert back to A-1 Residential? That question was raised and it was never settled. The people who voted for this may be surprised to find that their action is totally nullified and a simple amendment to that article would have taken care of it, if that indeed is what they want to do.

Item #3. I alluded to this before the vote was taken the other night, but I am going to state it in a slightly different fashion. Deprivation of property without due process. A governmental action took place in this hall, because the town meeting is in fact a legislative body of this town, and that action confiscated part of the wealth of selected individuals. If you don't think that depreciating the property of an individual is taking some of their wealth, just stop and think how you would feel if the town could dip into your bank account and take out part of the equity you have in your home. These are points to which I ask you to give some thought.

We share a privilege in this hall which is granted to few people on the face of this globe. That is we are in fact our government. Registered voters in this town make all of the legislative decisions, including the appropriation of funds. With that goes a responsibility to recognize the rights of others equally and to follow the rules. We have a situation in this town.

I see this town becoming a house divided. We have departments in this town at war with one another. We have citizens vs. officials. I have witnessed outbursts from people who are frustrated at meetings of the Board of Selectmen, where the chairman of the Board was forced twice to threaten to have the police eject the citizen from the meeting. I've seen that with my own eyes. That is all in preparation for this town meeting. Developers are at war with the property owners in this town. At another public gathering in this town within recent weeks, I heard an individual state that we should burn down old houses when someone complained over the fact that a piece of property adjacent to them might be re-zoned from Residential to Business. There was an uproar of laughter among many of the people who were at that meeting. These people were all members of an organization, who will remain nameless at the moment, but they were there as a lobbying group.

We have a group of people, with a particular interest, at war with individuals. The chairman of that particular committee did absolutely nothing to quell that disturbance or even to call attention to it. We have citizens vs. citizens and I think that's what I'm getting at right here. We have people in this town who are notably frustrated. They have a situation that they feel is totally untenable. I have deep sympathy for those people. I can recognize the problem that the people in the Horse Pond Road area have. I understand their concerns. I am a resident of the Boston Post Road. I am fully aware of the traffic problems in this town, but I would not advocate for one moment, and I don't believe that you people would either, if you stop and think carefully, that in order to relieve a traffic problem perhaps only temporarily, you would go ahead and take action that is going to deprive someone else of property that is rightfully theirs and an opportunity that the law provides to them. There are alternatives to this action. There are many alternatives to this action. We have a Planning Board. We have a Board of Selectmen. If the people in this town will see to it, those people who have sworn oaths to uphold the bylaws of this town, will follow those. If there are flaws in those laws, they will come before this town meeting, and they will point them out, and give the people in this town an opportunity to correct them. But govern this town by law, consistently. This action has to be described as mob rule. We have one mob of people going against another. We have a Special Town Meeting pending where there is another group of people who are totally frustrated. They feel they have no course of action but to move for re-zoning of a piece of property which is presently zoned as Business and they want that re-zoned to Residential. There are avenues that are open. We must consider the rights of others if we expect our own rights to be respected. This is the message that I'm trying to get across to you. I do not believe the people who voted for that article thought this out clearly. You've had a chance now to settle down after a few days, and that is the primary reason why I have called for this. The vote was so close, that in my mind and under the circumstances the vote was taken, there is a fair probability that there was an error of at least one vote. Does anyone in this hall think that you can count that many people without the chance of an error being made, particularly when the controls were not all in place? I believe that, of and by itself, warrants reconsideration of this article. I am not arguing for the zoning on that property. I am not arguing against the procedures that have been followed. I stood before this hall some years ago moving for reconsideration of another article for basically the same reason. If I sit here and observe that there is a breakdown in the process and that the rights of the people who come here are not being observed, then I'm going to be right back up here again with another motion for reconsideration. So you better think about it.

The people in this hall are the government in this town, and you're going to get the kind of government you deserve. Think about that. That's not an

original thought that comes from me. That's been around a long time. This town requires that of the people in this Town Hall and in this town meeting, gathered together in the numbers that they have tonight. If I'm responsible for the number of people that have shown up here tonight, I'm absolutely delighted and frankly, I don't care whether the motion for reconsideration passes or fails. If I've been instrumental in getting people here to take part in this process and to give thoughtful consideration to what is said, and who don't just go home afterwards and say they've done their job but instead say it has only just begun, then I have succeeded. We have people in this town who have been elected to office and some of them are not doing the kind of job that you think they're doing. You should get out to these meetings, and I'm not saying go in there as "shock troops." However, you've got to go and participate and observe what's going on. You have to do your homework. As I said the other night, there is no such thing as a free lunch! You've got to work at it. Somebody's going to win. Somebody's going to lose. Let's play by the rules. If you don't want to follow the rules, get out of the game.

The Moderator at this time read two letters into the record.

"Chairman Todd, Moderator.

Dear Mr. Todd:

Due to my inability to always hear correctly, I hesitate to speak in town meeting. This is the reason that I am writing to you as Moderator. I am the owner of about 15 acres of land in the Industrial Parcel No. 1 which I understand came under Article 14, Section F, and that a request for 'reconsideration' has been made. Reports which I have received on the action taken at last town meeting on this article are most confusing. I do not feel that I have received proper notice of the intentions the town proposes in this area and how they will affect my property rights. The town might be infringing on my rights. I trust that I will not be forced into a costly legal battle to find out.

Sincerely yours,

/s/ Forrest D. Bradshaw"

The second letter to the same effect read

"I've received no notice of what, if any, zoning applies to my land deleted from Industrial Park District #1 and I oppose any approval of this town meeting proceeding. The value of my land is greatly damaged by this action of the Town of Sudbury for many reasons, such as the present zoning, which certainly renders unlikely the practical use of my land for any purpose.

Respectfully yours,

/s/ Milton D. Bartlett"

The Moderator reported that he had received a letter from Attorney Herbert A. Novgroski, a non-resident, who, on behalf of Gittano, Rita, Louise, and Paul Cavicchio, the principal owners of land rezoned in Article #17, requesting permission to speak regarding the matter of re-zoning Industrial Park #1. The Moderator advised the hall that for a non-resident to speak at town meeting requires the unanimous consent of the hall. Permission was not granted.

Mr. James Hannoosh of the Planning Board expressed his belief that all issues had been discussed in significant detail on Monday evening. No new information has been presented tonight that would be cause for re-opening debate, and everyone, who wished to speak, had a chance to do so. Therefore he saw no reason to reconsider the article and asked the hall to defeat the issue.

Mr. Dignan of the Finance Committee commented that the Committee had opposed this article when it was first before town meeting. Despite that, the Committee unanimously opposes its reconsideration. 2/3rds of the citizens present and voting, voted for the article. No challenge was made on the basis of irregularity at the close of the vote. We suggest that if the town continues this business of having one of these reconsideration notices filed after each session, town meeting is going to go on until July 4th. Mr. Kirby was most eloquent and sincere, and indeed perhaps has done us a service by turning out the crowd he did tonight. I would like briefly to address the arguments he made.

In referring to possible voting irregularities, I suggest the short complete answer to that is, no challenge was made at the time. He suggested that

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there was an ambiguity in the article that was not cleared up. I suggest it was cleared up. An opinion was asked of the Town Counsel and I, at least, heard it clearly. He claims there was a deprivation of due process in this hall. To begin with, zoning is part of the law of the Commonwealth and it is part of our bylaws. One needs 2/3rds to amend the zoning article, not just a mere majority. I suggest to you that right, wrong or indifferent, the Constitution of this Commonwealth, the Constitution of the United States, the State Law and the Town Bylaws put every citizen at risk of zoning. This is the law. It's nothing new and it certainly is nothing unconstitutional. Certainly when a 2/3rds vote is required to do something, it can hardly be viewed as a deprivation of property without due process. We were told that the Town is becoming a house divided. I certainly hope that isn't true. I suggest to you, if you want to divide the town, all you have to do is have a group of citizens come, do battle on an article that means a lot to them, have a close but nevertheless satisfying victory, and have it taken away from them by a different group of citizens, two nights later. That's the way you divide the town.

I was told by Mr. Kirby that he wasn't sure his fellow citizens had thought it out. I don't have the temerity to suggest to the voters of this town that they don't think before they vote. I think people thought it out and finally there was a suggestion that there's something wrong with passing an article by one vote. To begin with, that was one vote over the 2/3rds required. Secondly, it is often said that we, in one way, have elected a President by one vote because supposedly a swing of one vote in each precinct in Cook County, Illinois and in southern Illinois could have changed the results of the election that produced John Fitzgerald Kennedy. I would dare say there's a heck of a lot bigger chance that there was a miscount of one vote in a precinct in Cook County, Illinois than there was in this hall the other night. On behalf of the FinCom, I urge your rejection of the motion for reconsideration.

The motion to reconsider was defeated.

Mr. Pitts of the Finance Committee moved to appropriate \$0 for line item 360-51, *Conservation Funds*. There was no discussion.

It was UNANIMOUSLY VOTED.

Mr. Pitts moved to appropriate the sum of \$2,000 for line item 507-71, *Treasurer Bond and Note Issue*, said sum to be raised by taxation.

It was explained that this line item was held because the original budget of the Town Treasurer did not have the cost necessary to go through the process of perfecting the bonds and the indebtedness on the Stone Farm property that was voted the previous evening, and this amount has been increased by \$1,000, which originally was included in the calculations of Free Cash. Now, the entire amount is being raised by taxation.

It was UNANIMOUSLY VOTED.

ARTICLE 32. To see if the Town will vote to accept the layout of

Street	Winter Street - from Summer Street to Spring Street, a distance
Acceptance	of 420 feet more or less,

Portion of Winter Street	as laid out by the Board of Selectmen in accordance with the description and plan on file in the Town Clerk's Office; to authorize the acquisition by purchase, by gift or by taking by eminent domain, in fee simple, of the property shown on said plans; and to raise and appropriate, or appropriate from available funds, \$15,390, or any other sum, therefor and all expenses in connection therewith, and the repair, construction or reconstruction thereof; or act on anything relative thereto.
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Submitted by the Board of Selectmen.

Josiah Frost, Selectman, moved indefinite postponement.

Mr. Frost explained that this change in the Board's position was due to the lack of funds. However, the Board intends to submit and recommend this article for the 1985 Annual Town Meeting.

It was UNANIMOUSLY VOTED TO INDEFINITELY POSTPONE.

ARTICLE 33. To see if the Town will vote to revoke its acceptance of General Laws Chapter 40, Section 8A, and thereby to abolish the Industrial Development Commission created under that statute; or act on anything relative thereto.
 Abolish
 Industrial
 Development
 Commission Submitted by the Committee on Town Administration.

Mrs. Anne Bigelow of the Committee on Town Administration moved *indefinite postponement*.

Mrs. Bigelow explained that due to the various zoning articles that are in the Town Warrant, more study is proper and needed to meet with the decisions of this legislative body at the end of this Annual Town Meeting.

It was *VOTED TO INDEFINITELY POSTPONE*.

ARTICLE 34. To see if the Town will vote to direct the Board of Selectmen, acting together with the Board of Selectmen of the Town of Wayland, to support a petition to the General Court on behalf of the Operational Review Committee of the Wayland/Sudbury Septage Disposal Facility for the enactment of legislation which, as to each city, town or sewerage district which subsequently accepts the same, would provide in effect: that if such city, town or sewerage district, in order to defray the costs of constructing, operating and maintaining facilities for the receipt and disposal of privy, cesspool and septic tank contents, assess a charge for such receipt and disposal directly upon the owner or tenant of real estate from which such contents have been collected and such charge is not paid on or before the due date thereof, then such charge, together with interest thereon and costs relative thereto, shall be a lien upon such real estate which shall take effect and be enforced substantitally in the same manner as provided for sewer liens and charges pursuant to Section 16B through 16F of Chapter 83 of the General Laws; or take any action relative thereto.
 Petition
 Legislature Review Committee of the Wayland/Sudbury Septage Disposal Facility for
 Septage sewerage district which subsequently accepts the same, would provide
 Facility in effect: that if such city, town or sewerage district, in order
 Billings to defray the costs of constructing, operating and maintaining
 facilities for the receipt and disposal of privy, cesspool and
 septic tank contents, assess a charge for such receipt and disposal
 directly upon the owner or tenant of real estate from which such
 contents have been collected and such charge is not paid on or before
 the due date thereof, then such charge, together with interest thereon
 and costs relative thereto, shall be a lien upon such real estate
 which shall take effect and be enforced substantitally in the
 same manner as provided for sewer liens and charges pursuant to
 Section 16B through 16F of Chapter 83 of the General Laws; or take
 any action relative thereto.

Submitted by the Operational Review Committee of the Wayland/Sudbury Septage Disposal Facility.

Mr. William W. Cooper of the Operational Review Committee moved *in the words of the article*.

Operational Review Committee Report: (Mr. William W. Cooper)

This article was originally on the consent calendar, but the report of the Operational Review Committee is printed in the Warrant. Basically it seeks a means for economically providing the town a way to collect the relatively small fees that would be due on the septage facilities if these bills should become past due. We expect these fees to be approximately \$35 per thousand gallons of septage pumped.

In explanation to questions from the floor, he stated there will be two bills. Each resident will pay the septage pumper for pumping and hauling the septage to the facility, and each resident will also pay the town the cost of treating the septage. Basically, we have taken the \$200,000 operating expense that we project for the two towns of Sudbury and Wayland, and have divided that by the gallonage that we expect to be able to process at the facility during the course of the year. This works out to be about 6½ million gallons. If you make that division, it comes out to be about \$30 per thousand gallons. That covers just the operating costs. The Finance Committee has asked that we try to recover the capital costs to the town over a period of time. Therefore we have added something to that strict operating cost so we'll have a capital cost recovery as well. The fees for pumping and hauling and disposing of septage right now in the towns of Wayland and Sudbury range from about \$75 to \$150 or even a little more than that. It is the Committee's hope, but we have no way of actually assuring it, that the existence of the facility in the towns will foster competition among the pumpers. As far as the pumpers are concerned, it will be a low cost dump and that will, over a period of time, result in lower fees overall to the citizens.

The agreement between Sudbury and Wayland provides that in the first year of operation, the costs will be split 50/50 between the two towns. After we have had some operating experience, we will make an adjustment to reflect the actual ratio of disposal of septage in the two towns. If there are towns in addition to Wayland and Sudbury that are brought in, they would also pay a proportionate share of the operating costs and the capital costs for the facility

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based on how much septage that they dispose of in the plant. We would continue to correct the amount of money charged to Wayland or Sudbury based on what we were taking in from outside communities.

Finance Committee Report:

Passage of this article will permit initiation of a process whereby unpaid septage disposal bills will become a lien on the property on which the septage was generated. Recommend approval.

Board of Selectmen Report: The Board supports this article.

It was *VOTED IN THE WORDS OF THE ARTICLE.*

ARTICLE 35. To see if the Town will vote to amend Article IX, Section VI, Sub-section C,5 of the Town of Sudbury Zoning Bylaw entitled, "Special Amend Permit Guidelines", by deleting Paragraph A.6 in its entirety; Bylaw or act on anything relative thereto.

Art. IX,VI, Submitted by the Board of Selectmen.
C,5-
Special
Permit Guidelines

Board of Selectmen Report:

Paragraph A.6 requires that an approved site plan be filed with the Board of Appeals with an application for a special permit (certain applications are exempted from this requirement). Since the site plan has no effect unless the special permit is obtained, and since the special permit procedure is less costly to the applicant than the preparation of a site plan, it is felt that the Bylaw places a significant burden and expense upon an applicant. This amendment would allow an applicant either to apply to the Board of Appeals concurrently with an application to the Board of Selectmen or to go to the Board of Appeals first. The Board supports this article.

NOTE: Printed below is paragraph A.6 of sub-section C.5 Section VI, Article IX, as it presently reads:

- "6. that a proper site plan has been filed with and approved by the Board of Selectmen, a copy of which must also be filed with the Board of Appeals along with the application for the special permit.
- a. The following are specifically exempted from this site plan requirement:
 - (1) applications for a customary home occupation and light industrial activity under Article IX, III, A, 1, b;
 - (2) applications for permits for raising of certain animals under Article IX, V, G;
 - (3) applications for permits relative to use of Flood Plain Districts under Article IX, III, E, 4; and
 - (4) applications for permits to extend or enlarge a pre-existing non-conforming building or use under Article IX, I, C, 3, as applied to residences only."

Finance Committee Report:

As the bylaw presently reads, a landowner is required to develop a site plan at considerable cost before a special permit application can be considered by the Board of Appeals. Abolition of this requirement would make the special permit application process less costly. Since a site plan must be filed and approved by the Board of Selectmen prior to any building permit issuing, Bylaw IX, V, A., the passage of this article will not lessen the protection afforded the Town by the site plan requirement. Recommend approval.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in this article are properly moved and seconded, reports are given by the Planning Board as required by law, and the motions are adopted by a two-thirds vote in favor of the motions, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw after approval by the Attorney General.

Planning Board Report: (Theodores)

The Planning Board sees the change as a simplification and a facilitation of a potentially costly administrative procedure for some developers and we unanimously support and recommend approval.

It was *UNANIMOUSLY VOTED*.

ARTICLE 36. To see if the Town will vote to amend the Sudbury Zoning Bylaw, Section III,B, Business Districts, as follows:

Amend Bylaw	1. By deleting at Subsection 1. "Limited Business Districts LDB-", Paragraph "h", the phrase ", if no mechanical or live entertainment is regularly furnished", so that the paragraph will read as permitting "restaurants or other eating places serving food only to persons seated at tables or counters."; and
Art. IX, III, B -	
Permitted Uses	2. By deleting Subsection 2. "Business Districts BD-", Paragraph "c", in its entirety; or act on anything relative thereto.
Business Districts	

Submitted by the Board of Selectmen.

Mrs. Donald, Chairman of the Board of Selectmen *moved to amend the Sudbury Zoning Bylaw, Article IX, Section III, B, Business Districts as set forth in Article 36 of the Warrant.*

Board of Selectmen Report:

The bylaw now permits restaurants in Limited Business Districts "if no mechanical or live entertainment is regularly furnished" and in a Business District where "mechanical or live entertainment" is furnished. The changes recommended above would remove the entertainment restrictions on restaurants in both districts. (Paragraph 2.a. allows restaurants in Business Districts by reference to paragraph 1.h so that the only effect of deleting paragraph 2.c is to remove the entertainment restriction.) The effect of the recommended changes, if approved, would be to allow entertainment, such as, background music or live entertainment, in a restaurant in either district, if desired by management, but, as in the past, only upon approval of an entertainment license by the Board of Selectmen. The Board supports this article.

Finance Committee Report:

Hearings revealed that no meaningful reason exists for the present differentiation between restaurants located in the two types of districts and the views of abutters in any particular case can be accommodated in licensing hearings before the Board of Selectmen. Recommend approval.

Planning Board Report: (Theodores)

The Planning Board recommends approval.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in this article are properly moved and seconded, reports are given by the Planning Board as required by law, and the motions are adopted by a two-thirds vote in favor of the motions, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw after approval by the Attorney General.

It was *UNANIMOUSLY VOTED TO AMEND THE SUDBURY ZONING BYLAW, ARTICLE IX, SECTION III,B, BUSINESS DISTRICTS AS SET FORTH IN ARTICLE 36 OF THE WARRANT.*

ARTICLE 37. To see if the Town will vote to amend the Zoning Bylaw, Section V,J, (Signs), as follows:

Amend
Bylaw

A. By deleting Subsection 4 (Administration and Enforcement) and substituting therefor the following:

Art. IX,
V,J -

"4. Administration and Enforcement

Signs

A building permit from the Building Inspector shall be required for the erection, construction or alteration of a sign. The application for a permit shall be submitted in such a form as he may prescribe and shall include such information as may be required for a complete understanding of the proposed work. In reviewing applications the Building Inspector shall apply the five standards itemized below. The Building Inspector may, but is not required to, refer any application to the Sign Review Board for its recommendation.

There is hereby created a Sign Review Board to consist of five residents of the Town appointed by the Board of Selectmen for three-year staggered terms. In reviewing application referred to it for recommendations, the Sign Review Board shall apply the following standards in each instance, as will the Building Inspector:

- (a) The sign will not cause visual confusion, glare, or offensive lighting in the neighborhood.
- (b) The sign will not be a detriment to the surrounding area.
- (c) The sign will not significantly alter the character of the zoning district.
- (d) The sign will not interfere with traffic safety in the area.
- (e) The sign will be consistent with the architecture of the building on the lot upon which the sign is to be located and of the surrounding area.

The Building Inspector and Zoning Enforcement Agent, who is charged with the enforcement of the Zoning Bylaw, shall, at reasonable times and upon presentation of appropriate credentials, have the power to enter upon the premises on which any sign is erected or maintained in order to inspect said sign.";

B. By deleting Subsection 5.a. (Signs) and substituting therefor the following:

"5. General Regulatory Provisions

a. Signs

Signs in Residence Districts shall not exceed one square foot in area.

Signs in all districts other than residence districts shall meet the following requirements:

The area of a sign, other than a sign attached to or part of the architectural design of a building, shall not exceed sixteen square feet. The area of a sign attached to, or part of the architectural design of, a building shall not exceed twenty-four square feet.

The height of a sign, measured from grade to the uppermost part of the sign, shall not exceed twenty feet, except that a sign attached to, or part of the architectural design of, a building shall not be higher than the top of the roof or ridge line of such building.

Not more than one sign shall be permitted for each separate and distinct enterprise on the premises.

The total area of all signs attached to the inside of a window may not cover more than 15% of the window area.

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All signs attached to the outside of a building shall be constructed of weatherproof materials. Paper, cardboard or similar materials signs shall not be used.

The above limitations, in the districts other than the residence districts, may be varied by application to, and the grant of a Special Permit from, the Board of Appeals. The Board of Appeals shall forward a copy of the application and its hearing notice to, and request a recommendation from, the Sign Review Board, and such recommendation if one is made, shall be entered into the record of the hearing.";

- C. By deleting Subsection 5.c.i) Special Signs (Real Estate) and substituting therefor the following:

"i) Real estate sale, rental and lease signs are permitted provided:

- a) The size of sign shall not exceed six square feet in residence districts and twenty square feet in all other districts.
- b) The sign advertises only the premises on which it is located.
- c) The sign is removed promptly after the completion of the sale, rental or lease, but in no event longer than sixty days.";

- D. By deleting Subsection 5.c.ii) Special Signs (Construction) and substituting therefor the following:

"ii) Construction signs are permitted provided:

- a) The size of sign shall not exceed six square feet in residence districts and twenty square feet in all other districts.
- b) The sign is to be maintained on premises during actual construction and must be removed within two days after issuance of Certificate of Occupancy or completion of construction, but in no event longer than sixty days.";

- E. By deleting in the second sentence of Subsection 6, Illuminated Signs, the words "without a permit issued by the Sign Review Board.", so that the sentence shall read:

"Self-illuminated signs shall not be permitted in any business, industrial, research or industrial park districts.";

- F. By deleting in the third sentence of Subsection 6, Illuminated Signs, the words "and no permit for a self-illuminated sign shall be granted.", so that the sentence shall read:

"No sign shall be illuminated and no non-illuminated sign shall be erected unless all of the following requirements are satisfied:....";

- G. By adding in Subsection 6, Illuminated Signs, requirement (e) as follows:

"(e) The sign will be consistent with the architecture of the building on the lot upon which the sign is to be located and of the surrounding area.";

- H. By deleting in Subsection 6, Illuminated Signs, (c) which allows Sign Review Board approval of the erection, use, modification or change of self-illuminated signs;

- I. By deleting the first paragraph of Subsection 7, Non-conforming Signs, and substituting therefor the following:

"Any non-conforming sign legally erected prior to the original adoption of Paragraph J. of this bylaw in 1974, may be continued to be maintained but shall not be enlarged, reworded, redesigned or altered in any way unless it is brought into conformity with the bylaw.";

or act on anything relative thereto.

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Submitted by the Board of Selectmen.

Mr. Fox of the Board of Selectmen moved to amend the Sudbury Zoning Bylaw, Article IX, Section V, J. (Signs) as set forth in Article 37 of the Warrant.

Board of Selectmen Report: (Fox)

The current Sign Bylaw conflicts with state statute in that only the Board of Selectmen, Board of Appeals, and Building Inspector may issue permits. The current Sign Review Board will become an advisory board to the Building Inspector. This article, if approved would make four major changes to the Sign Bylaw, and several minor changes.

The major changes are:

- 1) The permitted size of signs would be reduced. (See B)
- 2) No distinction would be made between temporary and permanent signs; all signs will require a building permit. (See A)
- 3) Variations from the Bylaw upon approval of the Sign Review Board would be eliminated. Any variation from the Bylaw would require a special permit from the Board of Appeals with a recommendation from the Sign Review Board.
- 4) Elimination of self-illuminated signs. (See E and F)

The minor changes are:

- 1) Consideration of surrounding architecture as affecting appropriateness of sign. (See A and F)
- 2) Clarification of real estate signs. (See C)
- 3) Clarification of construction signs. (See D)
- 4) Clarification of non-conforming signs. (See H)

The Board supports this article.

Finance Committee Report:

The effect of this article, if passed, would be to remove the sign permit authority from the Sign Review Board which would become advisory only. The Town has been advised that the present By-law which gives the Sign Review Board permitting authority is invalid; thus, the passage of this portion of the article is essentially mandated by law. Otherwise, a successful legal challenge could leave the Town with no sign review power. The balance of the Article would make more stringent the sign regulations. Recommend approval.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in this article are properly moved and seconded, reports are given by the Planning Board as required by law, and the motions are adopted by a two-thirds vote in favor of the motions, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw after approval by the Attorney General.

Planning Board Report: (Theodores)

The Planning Board agrees with the Selectmen that this is basically an administrative change. There are a few changes which are significant in that they deal directly with aesthetics. We very much support and recommend approval of that change.

Following a few questions and answers, it was

UNANIMOUSLY VOTED WITH SEVERAL ABSTENTIONS: TO AMEND THE SUDBURY ZONING BYLAW, ARTICLE IX, SECTION V, J. (SIGNS) AS SET FORTH IN ARTICLE 37 OF THE WARRANT.

ARTICLE 38. To see if the Town will vote to authorize the Selectmen, acting in the name of the Town, to execute a deed or deeds conveying the land, or a portion of the land, with building thereon known as the Loring School, upon such terms and conditions as the Selectmen shall consider proper and to determine the minimum price therefor; or to see what sum the Town will vote to contract for the demolition of said building or a portion thereof and/or to authorize the Selectmen, acting in the name of the Town, to execute a deed or deeds conveying the land or a portion thereof without the building thereon, and to determine the minimum price for the sale of said land, or to retain the land after demolition of the building; or act on anything relative thereto.

Submitted by the Selectmen.

Mr. Fox of the Board of Selectmen *moved to authorize the Selectmen, acting in the name of the town, to execute a deed conveying a portion of the land, with building thereon known as the Loring School, upon such terms and conditions as the Selectmen shall consider proper, for a price not less than \$170,000.*

The motion having received a second, Mr. Fox made the following presentation. The Article as you see it in the Warrant is very broad because at the time when it was printed the article was put in as a bookmark article, as we weren't sure if we would have a sufficient bid or whether we'd suggest that the building be demolished or whether we'd have a long term lease. Since then, we've had some bids, as late as a week ago, and the highest bidder, at that time, was \$170,000. That is why we're moving in the wording that we did, namely, to sell the building, reserving the ball field, for a price not less than \$170,000. We previously rejected an amount close to this, about 2 years ago, the reason being it was the then Board of Selectmen's first experience with an excess school and they were of the opinion, at that time, they could probably get more money. Since then, we have put it out to bid three more times and received no higher bid than that, up to this point. In addition, we have sold Horse Pond School, which is not in quite as good condition as Loring, but has more land, for a price of \$170,000. The Town Facilities Committee met for one year and spoke to different neighborhoods, including the Loring neighborhood, which had different opinions. The Committee met and studied the issue and its first recommendation to the Board of Selectmen was to sell the school. We, in selling it, will not give up the ball field. We intend to have parking rights so that the ball field can be used. Of course, Feeley Field is also, not too far away from here and that is available. I would be less than candid, not to tell you that all of the neighbors are not happy with this recommendation of the Board of Selectmen. There are some neighbors who believe we should demolish the building and their voice should be heard. There are other neighbors who believe we ought to sell this building to the high bidder and those neighbors have signed a petition to that effect. I'm sure there will be other people who wish to have a lease with the Community Arts Center or some other group. But after considering all these views and the recommendation of the Town Facilities Committee, we feel it is in the best interests of the entire town to sell this building for not less than \$170,000. We urge your support.

Finance Committee Report: (Pitts)

The Finance Committee recommends approval.

Sudbury Community Art Associates:(Mr. Hamill)

Thirteen months ago, a group of individuals joined together and decided to act on an idea that had been tossed around Sudbury for a long time - to have a building in Sudbury devoted to the enhancement of the arts, a building that could provide services similar to those provided by Arts/Wayland in a local school in Wayland, the Emerson Umbrella in Concord, or other organizations in many other Towns who have transformed former school buildings into arts-oriented community centers. The pressing stimulus for this move was the proposed demolition of the building formerly known as the Loring School. We felt, as did many townspeople, that the building, even with certain negative attributes, had many redeeming qualities. It was in a beautiful setting. It was in overall good condition, and it was, in fact, a community asset that had been going to waste for the previous two years. In 1982, the Town felt that the offers of around \$160,000 were too low, compared to the value of the building to the town. By 1983, no other organization suitable to the town had come forward with a better offer. We embarked on a project of which many people were skeptical. One Selectman said "Good luck, but I hope you do better than we did in finding tenants." Others said the heating bills would kill us. These sentiments all had good sense behind them and yet we plunged ahead. The previous two years

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the town's main job was to cut down on vandalism and stop kids from using the building as a place to have drinking parties. The building stayed lifeless and yet cost the town between \$10,000 and \$20,000, depending upon to whom you listen. In 1984, what do we see that's different from last year at this time? We see an alive, non-profit, service organization composed of Sudbury residents providing many services to the community. We see fall, winter and spring classes in art, cooking, aerobics, dance and related activities offered at the ex-Loring School. We see the New England Ballet, a non-profit organization, offering ballet classes for the kids of Sudbury and neighboring communities. We see the organization "Offspring" offering classes in birthing and similar subjects. We see the Longfellow School and the Framingham Children's Center providing day-care, pre-school and kindergarten to many children in locations convenient to many Sudbury residents. We see the auditorium used for non-profit groups, such as the New England Home for Little Wanderers, Lincoln Sudbury West, Longfellow School, Peter Noyes School Parent Organization and for such diverse activities as Western Dances. We see three Sudbury artists making "Studio 14" their living and an exhilarating place to do their art. We see the floors clean and shiny, the toilets fixed, the kitchen in operation, the building cleaned up, the walls in the hallways painted and the outside spiffed up as well. We see a capital asset of the Town of Sudbury in better condition than it was in June of 1983 and one that has appreciated in value. When we see all this, what did it cost the Town? Nothing! Every expense from heat, electricity, snowplowing, fixing the boiler for \$1,000, insurance to janitorial has been the responsibility of the Sudbury Community Arts Center. It has been paid for or will be paid by May 31, 1984. The projected financial statement of the Sudbury Community Arts Center for Fiscal Year 1984 shows a potential \$3,500 loss, mainly due to the problem of trying to lease space for a term of just one year or less. This possible loss will either be handled by fully-leased space next year or by extra fundraising activities by our organization. Next year with the tenants presently leasing space, and those who are interested, provided we have a long-term lease, we are projecting a positive cash figure we would put into capital improvements and a contingency fund in case of major repairs. Now, who could possibly be against this plan to support the arts and provide services? Just ask who could be against a recreation center at the Fairbanks School. If you would be opposed, except for the always big issue "Who pays for all this?", the Fairbanks proposal probably would have been accepted if it was self-sufficient, one that didn't cost the town anything. Well, this year's lease, in the proposal we are asking the town to recommend to the Selectmen, will cost the town exactly nothing. Zero! What we described is not the end of our vision. In fact, far too much of our time this year was spent getting organized, obtaining tenants, fundraising and dealing with the legal matters of leases, subleases, and incorporation. Now that we've got our feet on the ground, we plan the next few years to really zoom. We would like more classes offered and more classes attended and more artists renting studio space. We would like the New England Ballet and Sudbury Art Association to move their headquarters to our place and we would like to create a very nice conference room available for reasonable rent to the community. We would like to install potter's wheels, a kiln, and a darkroom for photography and create a space for regular showing of art and local artists. These are just a few of the ideas that we have and we are open to more and looking for involvement from other townspeople.

Now, some may say "But, you're not totally an arts center because you rent space to day-care centers." We say "Raising children is an art and a science and our job is also to rent the space to suitable, non-profit organizations who will help us insure financial stability." Others might say "Yes, the arts center's nice, but it's not worth \$170,000." Our response would be that it is not costing the town \$170,000. First, it is possible that the town could actually get more for the real estate on today's market. Secondly it could be viewed as a community asset just as the Stone Tavern Farm was viewed. Thirdly, the lease we are proposing is a ten-year lease which would put it back into the town's hands in ten years. At this time we would hope that the Arts Center would be of unquestionable value to the town. However, if at that time the town felt that the building was needed for another use, or that it should be sold, it would be available. Fourth, the building and land would continue to appreciate. Many people hold on to land, produce no revenue and just wait and watch while real estate appreciates to the level where they desire to sell it.

It was reported that we had come to an agreement to lease space from another organization in town who desired to purchase the building. We could not come to terms on the price of the lease and we are going forward as before. Therefore we urge the voters of Sudbury to support the arts. Get behind the center devoted to the arts in Sudbury, the Sudbury Community Arts Center and vote "NO" on Article #38. If we succeed in having Article #38 defeated or indefinitely postponed, we will then present a non-binding resolution.

In speaking against the selling of the land, Mr. Thomas Boak of Woodside Road stated that first off, is the subject of traffic. Woodside Road is very narrow. There's an especially dangerous corner right beyond the school which barely could have two cars pass. In addition, we are talking here of selling it to a house of worship. There are no houses of worship on roads this small anywhere in town. There are five on Concord Road, two on Landham, one on Route #27 and one on Route #117, and one on Hudson. I don't think that in any way, shape or form Woodside Road is like any of those roads. Parking is an additional problem. There is a parking lot sufficient for an arts center, and sufficient for a school with fourteen school rooms. It is certainly insufficient for any kind of congregation. The road is much too narrow for any kind of on-street parking. I recall a number of years ago, going to Back-to-School Night at that school and we walked, since we live on Woodside, but we were taking our lives in our hands with the cars all over the place. It's just impossible to think where they could put cars without paving a large portion of the land. The last point is the subject of zoning. I believe that houses of worship are indeed a legitimate use in a residential zone, and as such, can probably do most anything to the land that they wish. Therefore, I oppose this article and hope that you'll defeat it.

Raymond Middleton of Woodside Road moved for indefinite postponement of Article #38.

In support of this motion, he noted that the land for the Loring School was acquired in the late 1950's from two families, whose family members are still residing in the Loring neighborhood. Modest payments were rendered by the Town and an agreement existed at that time that the land would be used for educational purposes, that is, a school. Subsequently, construction began. Loring School was erected and it functioned as a grade school for approximately 20 years, until 1981. At that time, the school closed. The School Committee declared it excess to its needs and it then came under the jurisdiction of the Selectmen. In early 1982, the Selectmen advertised the property for sale and there were several interested parties. Saint Mark's Coptic Church gave a beginning offer of \$160,000. The Rehab Center - \$150,000. A private school - \$125,000 to \$150,000, prepared to go higher. There was a nursing home, three different developers and perhaps others. Regarding those bids, in a newspaper article, one Selectman stated that the highest offer was "no where near the real value of the land." He went on further to say that the town should keep the land in case it is needed in the future. During this time period, February/March 1982, the residents of Woodside Road held meetings in which they voted unanimously for the town to retain ownership of the Loring property. At the town meeting in 1982, the townspeople rejected an offer of \$307,000 for the Fairbanks School, far more than offered for Loring then or now. The Selectmen at that town meeting withdrew their article on Loring School. Why was the sale of the Loring property considered in the first place? The Selectmen gave three reasons:

1. The Loring property was excess as a school and was not needed by the town in the foreseeable future. Demographics, at that time, indicated that the school-age population was decreasing and that this was a national trend. New construction starts were at a minimum and there were no indications that these would change. Their second reason: The retention of an unoccupied building would lead to problems of vandalism as well as maintenance costs to the town. The third reason provided for the sale: The Selectmen felt obliged because of Proposition 2½ to consider the possibility of adding property to the tax rolls. In other words, consider Loring as residential development. This is really what Mr. Fox just talked to right now. I don't believe they have gone any further in their studies than what they were at in 1982. But, what has happened in the last two years? How have things changed? No. 1: Government analysts now indicate that the under-5 age group is one of the fastest growing segments of the population nationwide. No. 2: Officials in Wayland, our neighboring town, are now considering the possibility of opening schools that were previously closed. They're assuming that this will happen in the late 80's. No. 3: Housing starts are definitely up. We can see it all around us. The development right in the Loring area is quite a bit. We have developments down off of Pelham Island Road, Stockfarm Road, and land is becoming available for development right on Woodside Road. In addition, the potential development is immense. Across from Loring, we have better than 16 to 23 acres, behind Loring well in excess of 50 acres, and 100 plus acres down along Landham Road. This is all within a short walking distance of the Loring School. The houses that are being built are family housing. These are not retirement cottages. All this poses several questions in my mind as to whether the Loring property is really "excess." We should have a closer look at our future school needs. As to the second reason given by the Selectmen at the time - the unoccupied building problem was resolved, at least temporarily, with the tenancy of the Sudbury Community Arts Center. The

Arts Center was given a 1-year lease on July 1, 1983. It was for a dollar a year and they would take care of maintenance costs. The Loring neighborhood residents assumed that there would be an assessment of the tenants after the 1-year period this coming July and that the Loring residents could contribute to the input and the assessment. Instead, we get another proposal from the Selectmen to dispose of the property. How about the need to add property to the tax rolls? This does not jibe with the present proposal to sell to a tax-exempt organization. What is the present position of the Loring neighborhood community? A clear and decided majority of those people that we could contact in the last two nights in the immediate area of the school still maintain that the town should maintain ownership and control of the Loring property at the present time. I have a petition signed here by 60 people right in the immediate neighborhood. It says "We, as citizens of Sudbury and residents of the Loring School neighborhood, do hereby voice our opposition to any sale or relinquishing of the Loring School property. We recognize that this land constitutes a valuable community asset and as such should remain in its entirety in the public domain, i.e., under town ownership and control." As a gentleman observed last night with respect to Article #25, "Why does the town sell parcels of land for as little as \$500 and yet pay \$15,000 for 1/8 acre parcel, a \$120,000 per acre rate?" -- A good argument for not selling town property that may later be needed. There should be no give away of the town-owned Loring property. The January 1983 assessed value of the Loring School building alone was \$1,023,400.

There are still numerous questions to be resolved as to the use and usefulness of the Loring property. Let us have the time and opportunity to resolve them. The present sales proposal does not make good economic sense. It does not represent the value of the property. \$170,000 for a \$1,000,000 building. It is certainly not in the best interests of the town. The sale of the property at this time is a mistake. In the short run, it does not make good sense. In the long run, it could be catastrophic. Let us not make an irrevocable decision by selling the property at this time. Once the property is sold, it cannot be recovered. The property belongs to all of us. Why the rush to sell it? With the Arts Center as tenants, the property costs us nothing to keep. The land will not vaporize. The building will not fall down overnight. Let us be prudent! The prudent course of action is to retain ownership of the property at this time. The Loring community residents are intensely interested in the disposition of the Loring property but feel disenfranchised by the efforts to sell the property before all alternatives have been considered and the Loring residents can provide input. We had assumed this would occur in July. By voting for town retention at this time, the neighborhood community will have ample time to deal with all the relevant issues and return with a unified proposal for Loring, one that will reflect the best interests of all concerned and will derive the most benefit to the town. The Town of Sudbury just voted to spend \$300,000 for development rights to farmland in this town that we don't even own. Isn't it equally important to preserve the Loring property, especially at this time when it costs us nothing and has the potential of saving us countless expenditures in the future.

In response, Selectman Fox stated that the Selectmen would be interested in the resolution of the town meeting as to how they feel about a long-term lease. It is the opinion of the Board of Selectmen to sell the property. We specifically came back to town meeting, not necessarily because we have to, but because we want the town meeting as a whole to express what they want to do with the building. If they want to keep it, the Selectmen appreciate that and will do so. If it prefers a long-term lease, we'll do that. But, if the majority of the townsfolk, or in this case 2/3rds, would prefer a sale, then that's what we will do.

One problem that the Selectmen have with a long-term lease is that the roof and the heating system of Loring School are not in good shape and we feel that there will be major problems with it over a ten-year period of time. There's a real issue as to a community group in the school having the wherewithall financially to repair and replace an entire roof at Loring School and the heating system. In addition, I would like to state that the SCAC, the Community Arts Group, did work very hard and are to be commended for the work that they have done. They have freshened up Loring a great deal. I would also point out that by passing this article, voting against indefinite postponement and passing the sale article, does not necessarily mean the death of the SCAC group. There's a real possibility for further discussions between the SCAC group and any group that buys the Loring School. Secondly, there may well be some space for the SCAC group at the Fairbanks School. A couple of other questions that should be answered relative to the price--the article specifically says "For a minimum of \$170,000." That is the bid that was the highest we've received to date. The Selectmen would definitely be willing to continue discussions with the high bidder in an effort to get a higher sales price, but in addition would feel free to go out

to bid once again to see if we couldn't get a better price. As to the price and how it came about, I would suggest to you, that the gentleman who just spoke was correct. The building itself is assessed for well over \$1,000,000 but believe me you couldn't get anything close to that in selling it. We have asked our full-time assistant assessor, before even thinking of setting a price, as to what he thought the building and the land would bring for the highest and best use consistent with our zoning bylaw. He wrote us a rather lengthy letter with all sorts of attachments on how it would lay-out, and how it would sell, and what it would cost to demolish the building. His bottom-line figure was \$200,000. As to the gentleman who spoke about a house of worship, that was only the highest bidder at this last bid. That's not necessarily the person or the group to whom we would sell it. I would also suggest to you that if it does happen to be that group, it could only use the building and the land consistent with the use of a house of worship. I would also point out that the neighborhood is not unanimous. I think this gentleman may represent a fair number of neighbors, but we received a petition signed by a hundred people in the Town of Sudbury, many of whom live on Woodside Road, Alta Road and Landham Road who stated that they wished this building to be sold to the highest bidder. So, my only conclusion is that you've heard the Selectmen have a view and the neighborhood has a view. The neighborhood is somewhat divided. The Community Arts Group has a view. Let us let town meeting decide how they want to dispose of this land or to keep this land and the Selectmen will certainly abide by that.

For the purposes of clarification it was pointed out that the Loring School parcel is 11.71 acres. The purchase proposal is for 4.9 acres and the ball field and the woods, 6.77 acres, would be retained by the town.

To a question asked of the Finance Committee as to an estimate of the capital expenditures for this building over the next ten years, Mr. Pitts, the chairman replied that there is no present estimate. The annual operating costs--for which the town is still budgeting and still paying and still is not being reimbursed--is \$15,000 a year just for maintenance and upkeep. If we want to use the example, as a rough rule of thumb, of the \$1,000,000 assessment, it would not be unreasonable for a landlord that was trying to rent that out, as part of a commercial endeavor, to get 5% of that assessed value a year or \$50,000 a year rent, which would be sufficient to pay for a roof job, that could be \$200,000 or \$250,000, as well as the inevitable boiler and other utility repairs. Later on in the discussion, Mr. Pitts corrected himself by noting "When we originally started out, the town itself was paying the expenses directly and was being reimbursed by the Association. At some point in time during the year that changed, so that the Association was paying the bills themselves. So I was incorrect in saying that we were spending that money." He also stated that the sale of the property was the most effective way to deal with it and the Finance Committee recommended approval.

After much continued discussion Anne Bigelow of Curry Lane moved the question.

The question was *moved*.

VOTED: TO INDEFINITELY POSTPONE

In favor: 408 Those opposed: 245

Following the vote, Mr. Hamill of the Sudbury Community Arts Center placed a resolution before Town Meeting:

"The Sudbury Board of Selectmen are advised by the Sudbury Town Meeting that Town Meeting supports the Sudbury Community Arts Center and encourages the Selectmen to lease the building for ten years with similar terms as the present lease with the SCAC."

The Moderator called for a hand vote but did not make the call stating this was an informational vote.

ARTICLE 39. To see if the Town will vote to amend Article IX of the Sudbury Bylaws (Zoning Bylaw), Section II,C, by deleting Limited Industrial District #2 in its entirety, with the result that said area will come within the Residential Zone "A-1"; or act on anything relative thereto.

Amend District #2 in its entirety, with the result that said area will
Bylaw come within the Residential Zone "A-1"; or act on anything relative
Art. IX, thereto.
II,C - Submitted by Petition.
Rezone LID #2
to Residential

Mr. Hanna of the Finance Committee *moved to amend Article IX of Sudbury Zoning Bylaw, section II,C by deleting Limited Industrial District #2 in its entirety with the result that said area will come within the Residential Zone "A-1".*

After this was seconded, Mrs. Fantasia spoke to the article as follows. The parcel of land on Powder Mill Road previously owned by Project Management, Inc. has been sold to Joseph Maillet, a Sudbury resident and a builder here in town. In cooperation with Mr. Maillet, the Committee for the Safety of Our Streets is submitting this article to re-zone the parcel known as Limited Industrial District #2 to Residential. This will allow Mr. Maillet to
a) construct single family homes on his property, which is his desire;
b) afford the town the development potential of this land and c) spare the neighborhood the traffic and safety burden of an industrial park. This is an alternative that all parties concerned find agreeable. We therefore urge you to vote "Yes" on Article #39.

Finance Committee Report: (Hanna)

This article has resulted from a petition by the residents of Powder Mill and Powers Roads. The land in question has been sold to a developer of residential homes. Public notice of this zoning change has been given and no landowners in the affected district have objected to this zoning change. The Finance Committee recommends approval of this article.

Board of Selectmen Report: (Frost)

The Selectmen unanimously approve this article for the same reasons that the Finance Committee voiced their approval.

Town Counsel Opinion:

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in this article are properly moved and seconded, reports are given by the Planning Board as required by law, and the motions are adopted by a two-thirds vote in favor of the motions, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw after approval by the Attorney General.

Planning Board Report:

The Planning Board supports this article. In a review of the Town's Zoning Districts, it became evident that this Zone created over twenty years ago had not developed or benefitted Sudbury in the manner originally proposed. Development NOW of this area as a Limited Industrial area will impose detrimental effects on the residential area such as additional traffic problems. Industrial development could contaminate the ground water; this contamination could affect a Sudbury Water District well and a well in Concord's water supply to the North of this area. We urge you to vote YES on Article 39.

UNANIMOUSLY VOTED: TO AMEND ARTICLE IX OF THE SUDBURY ZONING BYLAW, SECTION II, C BY DELETING LIMITED INDUSTRIAL DISTRICT #2 IN ITS ENTIRETY WITH THE RESULT THAT SAID AREA WILL COME WITHIN THE RESIDENTIAL ZONE "A-1".

ARTICLE 40. To see if the Town will vote to accept the layout of

Street Acceptance Portion of Powder Mill Road	Powder Mill Road - A distance of approximately 300 feet more or less in both northerly and southerly directions (for a total of 600 feet more or less) at that point where it intersects the boundary between the Residential and Limited Industrial Zones as shown on the Town of Sudbury Zoning Map, being the same portion of Powder Mill Road discontinued as a public way under Article 25 of the 1983 Annual Town Meeting,
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as laid out by the Board of Selectmen in accordance with the description and plan 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 plan; and to raise and appropriate, or appropriate from available funds, \$100, or any other sum therefor and all expenses in connection therewith; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Josiah Frost of the Board of Selectmen moved in the words of the article.

In response to questions of Mr. Michael Guernsey of Silver Hill Road as to the present condition of the road and who is responsible for putting the road back into shape since it was torn up, the Executive Secretary noted that an overlay of asphalt had been placed on the road. There are still potholes, but not major ones throughout. He agreed that it does need attention. He noted also that it was about a 200-300' area that was torn up and estimates are that it will cost about \$1,500 to repair. Therefore, it was the recommendation of the Town Engineer and the Executive Secretary to the Board of Selectmen to proceed with the article and approach the developer of the land after it has been accepted again.

Finance Committee Report:

This article will rescind the vote of the 1983 Town Meeting to close the road. The town is presently in litigation over this road closing and the road is now open under court order. Passage of this article will open the road and end our present litigation. Funding contained in this article are for recording fees. The Finance Committee recommends approval.

In response to a question as to what the status of the litigation would be if this article was voted, town counsel stated it was his opinion that if there's an affirmative vote it would terminate litigation. If the vote was negative, the litigation would continue.

Mr. Fox of the Board of Selectmen pointed out there is an outstanding injunction against the town for closing the road. The major proponents of the closing of the road last year were the neighbors. This year, the neighbors are not opposed.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

ARTICLE 41. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to be added to the Stabilization Fund established under Article 12 of the October 7, 1982 Special Town Meeting pursuant to Massachusetts General Laws Chapter 40, Section 5B; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Mr. Fox of the Board of Selectmen moved to indefinitely postpone Article #41.

In explanation of this motion, Mr. Fox stated that there are no funds at this time being recommended for the Stabilization Fund. This article was placed in the Warrant in case there was a need, which we do not believe we have at this time.

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131.

Finance Committee Report: (Pitts)

Recommend indefinite postponement.

UNANIMOUSLY VOTED: TO INDEFINITELY POSTPONE ARTICLE #41.

Mrs. Donald, chairman of the Board of Selectmen, moved to adjourn until Monday, the 23rd of April at 8:00 o'clock, in this hall.

The motion to adjourn was VOTED.

Voters in attendance: 858

PROCEEDINGS
ADJOURNED ANNUAL TOWN MEETING

April 23, 1984

The Moderator called the meeting to order at 8:00 P.M. at the Lincoln-Sudbury Regional High School Auditorium. A quorum was declared present and an expression of appreciation was made to Kelly Keane, Keith Maurhoff and Margaret Maurhoff for managing the microphones during all the sessions of Annual Town Meeting.

The first order of business was a motion to reconsider the action taken under Article #21, Aquifer Protection. The notice was filed by Mr. Meixsell of the Planning Board.

Mr. Meixsell moved that the town meeting reconsider the vote on 7 April which indefinitely postponed Article 21, the Aquifer and Water Supply Protection Article.

In support of this motion Mr. Meixsell explained that John Drobinski of the Planning Board and he would present the Board's case for reconsideration. The Board was reluctant to move reconsideration because of the nature of other articles on the Warrant; however, during the past months the townspeople have repeatedly chastised town boards for failing to bring imminent problems to their attention until after a crisis situation had developed. We feel a situation exists which cannot be resolved by "postponing action to the next annual town meeting." We will attempt to explain the urgency underlying this motion to reconsider.

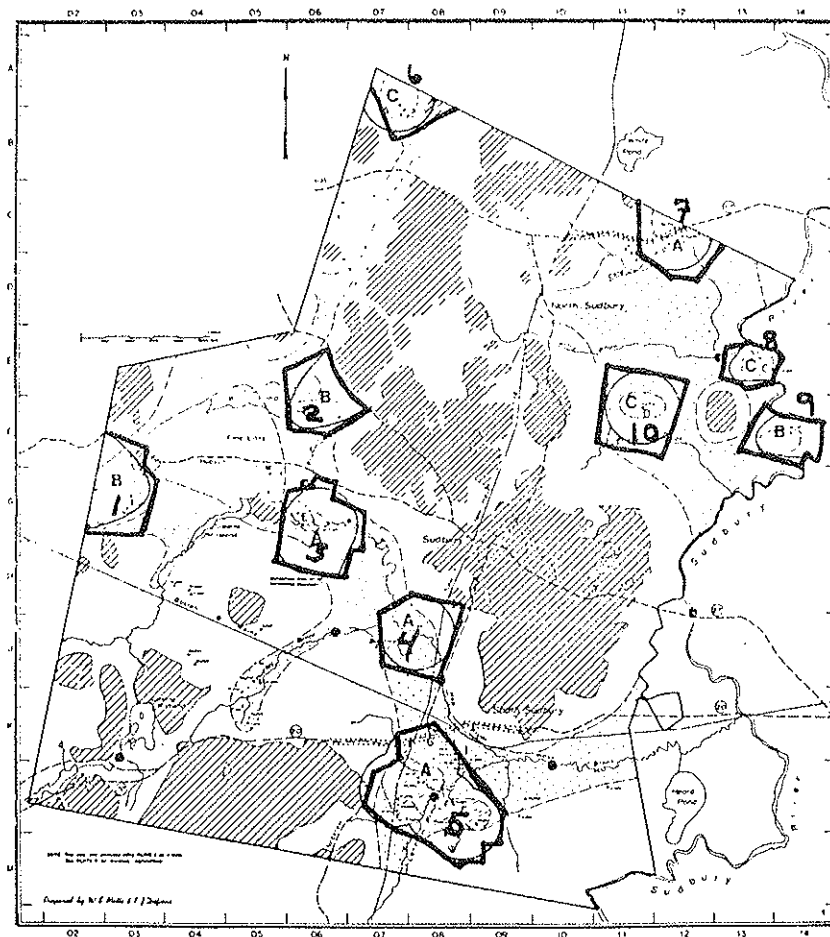
In contrast to other articles brought back for reconsideration, debate on this article was terminated prematurely. A number of prospective speakers felt that the sequence of events which took place prevented them from speaking, questioning or rebutting the claims of prior speakers. The following discussion is intended to present the case for reconsideration. The assumptions made by town meeting in voting indefinite postponement appear to be based upon 1) a belief that Sudbury will lose nothing by delaying action until our next Annual Town Meeting, 2) a belief that Sudbury will be able to fund the purchase of aquifer property rights without an acting protective bylaw and regulations, and 3) to show why indefinite postponement would result in irretrievable action and why we have to take action before next town meeting.

Mr. Drobinski continued the argument to support reconsideration by asking, "Is this reconsideration necessary or warranted?" Speaking as a professional geologist, I believe the hydrogeologic facts support the contention that it is. The prime reason for reconsideration is the initiation of a program to protect our valuable ground water supplies.

Sudbury has 7 wells from which we obtain our drinking water: four are the Raymond Well Field south of Route #20, one at the Highway Department, presently contaminated with salt, one off Pratt's Mill Road and one off Route 117, which when pumped heavily is contaminated with iron and manganese. Thus, Sudbury has only 7 wells from which to draw our public water supply. The wells at the Raymond Well Field, are less than 4,000 feet from the intersection of Route #20 and Union Avenue, down the hydrogeologic gradient from all this development. If something should possibly happen in this area, which no one can rule out, we would lose 4/5ths of our water pumping capacity. The density and intensity of development along this portion of Route #20, in conjunction with highway de-icing activities, excess of 200,000 gallons of underground storage of gasoline and industrial truck traffic--all contribute to this uncertainty.

The Mott's Report, commissioned by the town, indicated areas which we should protect. These areas we were not allowed to discuss openly. I would like to point out that if these areas are not protected, we will not have adequate water supplies.

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These are the ten areas outlined in the Mott's Report. The areas labelled "C" are suitable for drinking water only if treated for iron and manganese. The areas labelled "B" are prime areas for aquifer protection based on hydrogeologic investigations. These areas are not under pressure to be developed. The Beckett property on the Sudbury River presently is being developed. There is a proposed residential site plan for the Willis Pond area and the west Sudbury area in the Fort Devens's Military Reservation. The Town of Maynard presently has leased water rights in this area. Those areas labelled "A" are protection areas proposed for existing wells, which are also coming under increased pressure for residential, commercial and industrial development. Therefore, to insure our present high water quality standards, it is imperative that you give careful thought to reconsideration based on these hydrogeologic facts.

Mr. Meixsell, in summation, stated that in order to protect a well site, the Water District must purchase the 400 foot area about the well. Property rights should be purchased to about 1,500' to 2,000' or farther from the well. These additional property rights can cost the town in the vicinity of about one half million dollars for each location, a sum comparable to that which Town Meeting has just approved to purchase the development rights to Stone's Farm. Because of the importance of protecting the local water supplies, the state offers grants of up to one half million dollars for the purchase of property rights. In order to win a grant the town must implement a water supply protection process which will satisfy the state that the grant funds will not be wasted on the purchase of rights to well fields which are likely to be lost to contamination. This past year, out of 100 points, about 65 were required to win a grant. Half of the total possible points must be earned by a town to show it is committed to adequately protecting its well sites. The panel of professional experts who evaluate these proposals concluded that Sudbury's proposal for protection did not earn a single point. As a result, it was impossible for Sudbury to qualify for a grant, hence it is impossible for Sudbury to purchase property rights this year unless it's paid for directly by the townspeople through water fees or through local taxes.

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We should also note that the well field involved is the Raymond Well Field, which supplies 60% of Sudbury's water. As the Water District has arguments supporting their contention that the Raymond Wells can be protected, they should convince the state of this fact. If the Raymond Wells cannot be adequately protected, then the Water District should submit a grant proposal to protect more suitable well sites. It cannot be emphasized too strongly that if Sudbury wishes to qualify for funds to purchase aquifer land rights, then Sudbury must commit itself to adequately protecting its water supply through techniques including regulatory bylaws, such as that proposed under Article #21, which we are moving for reconsideration. No major bylaw will ever be perfect. All we can hope for is that we have a reasonable bylaw which is effective, if common sense is used in its interpretation and implementation. We believe that this bylaw, based upon guidelines already in use by many towns, is such a bylaw. We urge your support.

Finance Committee Report: (Dignan)

The Finance Committee opposes the motion for reconsideration. As indicated in prior debates of this kind, the Finance Committee rarely, if ever, agrees with the idea of reconsideration two nights later. The reasons for this are simple. We are now in the seventh night of town meeting. If this continues the town meeting will go on forever. Secondly, we are very concerned about a situation that develops where citizens interested in an article, come, debate it, finish with it, and then two nights later a different group of citizens comes back and takes away the result. We're not at all clear that that is a way for this town to operate in order for it to run in good order. With respect to the arguments that were made for reconsideration, I confess that most of what I heard dealt with the merits or de-merits of the article as opposed to reconsideration because debate supposedly was ended prematurely. The article on its merits required a 2/3rds vote to pass. It could not even muster a majority to defeat a motion to indefinitely postpone. It is hardly likely that further debate, assuming any was cut off, would have changed the result. Let us remember what happened that night. One of the more learned legal discussions I've ever heard in this forum was given by Mr. Powers, concerning the viability of this piece of legislation, should it pass. When he was through, as any good surgeon of the legal profession should leave it, the corpse was dead on the table! That's what the town voted on. To speculate what else was in the minds of the voters when they voted, is sheer nonsense. I respectfully suggest the motion for reconsideration should be defeated.

Board of Selectmen Report: (Anne W. Donald)

The Board of Selectmen is unanimously opposed to reconsideration for the reasons that have just been given.

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

ARTICLE 43. To see if the Town will vote to amend Article XI of the Town of Sudbury bylaws, referred to as the Personnel Administration Plan, by adding a new section to be numbered by the Town Clerk as follows:

Amend
Bylaw

"Police Chief Hiring Procedures and Qualifications

Art. XI

Police
Chief
Hiring
Procedures
&
Qualifications

1. In the event that the Town votes to remove either the Police Department or the position of Chief of Police from the provisions of the Civil Service Laws and in the event that the Legislature authorizes such a removal, the Town shall thereafter be governed by the provisions of this article in the hiring of its Chief of Police.
2. No person hired after the effective date of this article as Chief of Police shall be hired to fill said position unless said person:
 - A. Meets the educational and experience requirements set out in the Civil Service Statutes and Regulations promulgated by the Civil Service Commission for the position of Chief of Police which apply to said position at the time a vacancy for the position of Chief of Police exists in the town;
 - B. Meets the physical and health requirements set out in the Civil Service Statutes and Regulations promulgated by the Civil Service Commission for the position of Chief of Police which apply to said position at the time a vacancy for the position of Chief of Police exists in the town;

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- C. Has successfully completed and passed a Civil Service examination for the position of Sergeant, or an equivalent examination designated by the Personnel Board; and has had at least 3 years' experience at the grade of Police Sergeant or greater grade; and
 - D. Has had his/her application for said position reviewed by the Personnel Board and the Board of Selectmen under the procedures set out in Paragraph 3 of this article.
3. All persons who meet the qualifications set out above shall be entitled to an equal opportunity to apply for and be considered for the position of Chief of Police without regard to race, religion, national origin, sex or place of residence.
- 4(A) Whenever the position of Chief of Police becomes vacant, or whenever the town is notified by an incumbent Chief of Police that he/she intends either to resign or retire, the Board of Selectmen shall advertise the vacancy which either exists or is about to exist, and solicit applications for said position, by advertisements in at least five newspapers of general circulation including, but not limited to, The Boston Globe, the Boston Herald American, The Middlesex News and the Sudbury Town Crier, for four weeks prior to the commencement of the process of reviewing applications and interviewing applicants. The closing date for making applications shall be set out in the advertisements and shall be not earlier than one week after the publication of the last advertisement.
- 4(B) All applications received shall be collected by the Board of Selectmen and shall be available for review by both the Board of Selectmen and the Personnel Board for a period of two weeks. Thereafter, the Board of Selectmen shall meet with the Personnel Board for the purpose of reviewing the applications. The Board of Selectmen, after receipt of comment and advice from the Personnel Board, shall undertake to examine the qualifications of the applicants, verify their references and may, thereafter, reduce the number of applicants to such reasonable number as it deems appropriate. The Board of Selectmen shall then designate those applicants whom it believes to be qualified for the position of Chief of Police as finalists for that position.
- 4(C) After the finalists have been designated, the Board of Selectmen shall conduct a detailed public hearing or hearings, as it deems appropriate, for the purpose of interviewing the finalists. At such a hearing, the members of the public shall be entitled to address questions to the finalists.
- 4(D) After completion of the public hearings, the Board of Selectmen shall be open to receive comments, either in writing or verbally as it deems appropriate, and to investigate further the credentials, experience, reputation and skills of the finalists.
- 4(E) After a period of not less than one week following the completion of public hearings, the Selectmen shall meet to decide which, if any, of the finalists it wishes to select as Chief of Police. In the event that the Board of Selectmen is not satisfied that any of the applicants is suitable to fill the position of Chief of Police, it shall cause the hiring procedures set out herein to be repeated until a suitable candidate is found, appointed and installed in the position of Chief of Police."

or act on anything relative thereto.

Submitted by the Personnel Board.

Mr. Sorett of the Personnel Board moved in the words of the article as printed in the Warrant.

Personnel Board Report: (Mr. Sorett)

Article #43 and Article #44 were placed in the Warrant this year in the fear that the Town would vote to remove the position of Chief of Police from Civil Service, as it has done. If Article #43 is not adopted, the Selectmen will be

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free to hire a Police Chief merely by making a nomination of an individual in an open meeting and voting for him. That person would have the job, with no check on qualifications. In theory, they could appoint anyone off the street. We all have faith in the Selectmen and many of us voted for those people. History has a strange way of repeating itself. Those who know more about the history of this town than I, tell me that the position of Chief of Police was made subject to Civil Service for the very reasons that we oppose removing it from Civil Service; i.e. serious questions were raised about the degree of independence of the Department from the political process. We have now come about 270 degrees around the circle. The Personnel Board doesn't want to go the remaining 90 degrees, otherwise history will repeat itself and some future chairman of the Board of Selectmen or of the Personnel Board will, in the spirit of reform, come before this town asking that the position go back into Civil Service. That kind of circularity is not good for the town. The part of the Civil Service statutes that have been most onerous for the town is where the Civil Service Commission moves with the speed of molasses on a very cold Alaskan winter. It takes them about a year to do anything.

This article sets out requirements and conditions precedent to the job, essentially the same minimum qualifications that the Civil Service Commission sets out for applicants for the position of Chief of Police. There is remarkable symmetry between this article and the open competitive announcement for the exam for Chief of Police of Sudbury. We are asking the town to require that the individual hired as Chief of Police meet the educational and experience requirements set out in the Civil Service statutes: a minimum of five years experience in supervising a law enforcement operation, for which two years may be substituted by education, (this could be a Bachelor's Degree in Law Enforcement or a Law Degree), but you have to have three years of experience running a law enforcement operation, at least at the Sergeant's level. Is there anybody in this hall, who wants this town to have a Chief of Police who hasn't had hands-on experience in running a law-enforcement operation? Is there anybody in this hall who wants a Chief of Police who hasn't had the education in the legal requirements of criminal process? Do we want the search warrants issued and obtained by the Police Department of Sudbury to comply with the law or not? If we want the law to be properly obeyed, then we hire an individual with ample skills, training, and experience. The physical requirements for Chief of Police are essentially the same as those for officers, except they are more lenient in two respects. A Chief, because the law contemplates an older individual, may have hypertension so long as it is controlled by medication and the other exception is minor and not significant. The Selectmen oppose this article. They don't think that their discretion should be interfered with. If minimum qualifications are an interference with their discretion, we better well do that interfering. The Personnel Board wants the availability of the position to be widely advertised. It is going to cost the town about \$200 to advertise, as we talked about, but the town ought to be looking for the most competent, qualified people it can find with the widest possible search. Does that make sense? Do we want the best person we can find? The Personnel Board's article also calls for a screening of the applications with a very careful checking of the references. Is there anybody in this hall who doesn't want the applicant selected for the position of Chief of Police to be carefully screened? We talk about an open interviewing process for finalists. We suggest that the last couple of people, who are being considered as finalists, be placed before an open hearing and asked some questions, and be subjected to inquiry by the townspeople. You know it has not been long since the administration of an ill-fated former governor whose hiring processes were somewhat suspect. The townspeople recognizing the importance of this position will aid the process by scrutinizing the finalists. If there happens to be a serious problem with one of them, I'd rather find out about it before we've made the commitment to hire that individual and entrusted that individual with the operation of the department. Town Counsel believes that this article is illegal as it improperly interferes with the Selectmen's discretion under the statutes. Town Counsel and I disagree. We are both lawyers. I tell you I have searched the annotations under the relevant statute and there is no definitive case which decides the question. If Town Counsel is right and the town passes this article, then we have done no more than send a message to the Selectmen as to the process we think they ought to follow and the minimum qualifications we, as citizens, want for our Chief of Police. I certainly hope, if the town speaks, the Selectmen will listen. We need to have certain basic principles of fair procedure in the hiring. We need to have the process as open and as fair as possible. We need to set certain basic minimum qualifications for what is one of the most important positions in the town. For that reason, the Personnel Board urges this article be adopted.

Town Counsel's Opinion:

It is my opinion that this article as written, would be an invalid interference with the enabling statute for the appointment of Chief of Police in the Town of Sudbury.

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Finance Committee Report: (Dignan)

The Finance Committee opposes this article. The Personnel Board said they placed the article in the Warrant in fear of the passage of the prior article which removed the Police Chief from Civil Service. Those fears have been realized. The town did exactly that. They told us what bothers them is the Selectmen are free to select a Chief "without any check on qualifications." They went on to say that they certainly believe in the integrity of the present Selectmen, and so does the Finance Committee. We also believe in the ability of the town to consistently return to the office of Selectmen people of equal integrity who will do the job the way it ought to be done. We are told that the big problem with Civil Service is that it is slow, and that is what we really want to obviate and nothing else. In the debate on the article which removed the Police Chief from Civil Service, the point was made that one of the problems was that officers in smaller towns--rural towns--were having difficulty with the exam, the reason being that the Civil Service Exam is geared towards the selection of big city Police Chiefs. It is not really geared towards the kind of qualifications most small towns want in the Police Chief. If you go for the concept that there's got to be any number of years of hands-on training in the form of running a Police Department, you have made it impossible to promote from within in this town. Most of us who come to a small town want a Police Chief that we know, that we've come to know as a neighbor, as a fellow citizen, that we've heard from at town meeting, and seen around the street. I'm not sure many people are anxious to have some hot-shot from New York City come here, pass the exam and start being the Police Chief who will have the authority and the discretion on how an even is handled--say at the local high school when some kids get out of line. I, for one, would like a Police Chief who knows those kids.

Finally, Town Counsel believes this article is illegal, but we are told to disregard this as the head of the Personnel Board is also an attorney. Attorneys are free to differ, but I hold that we take the legal advice of Town Counsel who is very experienced and has served this town well over the years in that position. Whether one agrees with that or not, the concept to pass an article, to "send a message to the Selectmen" is appalling. Write them a letter or vote them out of office if you want to send a message to the Selectmen. Don't pass illegal articles because you're going to live with that illegal article later.

If you read the article carefully, you will find that for the first time, the Personnel Board of this town will be directly involved in the process of selecting an individual to fill a position as opposed to the traditional role, given under our bylaws, which is essentially to run the salary structure and to fill the line-up in the salary structure of the town. There is no other town official in which the Personnel Board is given a voice in the selection of the actual individual to fill the position. Why should the Police Chief be unique in this regard?

We question the wisdom of these massive hearing procedures written into this article. It's very easy to say it's wonderful to have a great big hearing, but is it wise to have the candidates for Police Chief essentially put up on a forum stage and let the citizenry, at large, shoot at will for an evening? This is the man who is going to occupy the chief law enforcement position of the town. Should such an individual be subjected to such a scene? More importantly, the disappointed candidate has a whole garden of legal arguments, after he loses, to go to court and say that the legal i's weren't dotted, the legal t's weren't crossed and we should throw out the selection finally made and have another go at it. This article is just one more amendment to the full employment bill for lawyers, and that's all this article is going to give you in the selection of a Police Chief. We should treat our ability to elect good people to the Board of Selectmen. We should trust their integrity and their discretion and I have no doubts that both the present Selectmen and any future group of Selectmen are going to fill this office only in an open process and give any townsman or woman a say in it.

Board of Selectmen Report: (Frost)

The Finance Committee report accurately expresses the reasons why this article should not be approved. This town meeting approved taking the Chief of Police out of Civil Service by a 2 to 1 vote, 292 to 143. Requiring a candidate to have Civil Service status as proposed under this article, limits us to only Civil Service applicants. This is restrictive and will not allow the Selectmen to seek and appoint the best person for the job. It should be noted that Civil Service has no educational requirements. Only five years experience in an administrative or supervisory capacity on the police force and the passing of a written exam are required. This article may be much ado about nothing because typically police chiefs in this area have lengthy tenure. This is borne out by Sudbury's experience. Chief McGovern serving approximately 20 years. Chief Lombardi over ten years. Chiefs in the surrounding towns have held the position as follows: Framingham 23 years, Natick 14 years, Weston 26 years and Lincoln 8 years. The Selectmen

intend to spend a lot of time and effort in picking the next police chief for Sudbury because we want that person to be the best person available and to stay with us for a long time too.

I would like to point out that the Fire Department used this process when I was appointed Fire Chief and recently when my successor was appointed. The method used, as described to the Police Department, and the results of this method, show that the Selectmen intend, whether it is this board or a future board, to properly handle their responsibilities to you people in the town to appoint a Police Chief that will do the job that he is supposed to be doing under Chapter 97A and still be a person we can be proud of. I think that the appointment procedure should stay as it is and this article should be defeated.

Acting Chief Peter Lembo:

I urge you to defeat this article and let the Selectmen appoint the Chief of Police not Henry Sorett of the Personnel Board.

In rebuttal, Mr. Sorett pointed out that the involvement of the Personnel Board in the hiring process would be limited to helping check out applications and the solicitation. The decision belongs to the Board of Selectmen. He noted there is no requirement under our bylaw that the person be hired from outside. A number of sergeants presently on the force have enough experience and qualifications to compete for the job, if it comes out of Civil Service. The article does not limit the applicants to people who are Civil Service qualified. There is a procedure set out for an individual to come in under a separate examination. That is not a difficult process. The examinations exist for all of the prior sergeants and chiefs of police at the Civil Service Commission and they have about 40 years of them. We need only pick one at random in order to solve that problem. What does the examination test?--Police Administration, Police Science, Criminal Law, Criminal Investigation, Criminal Procedures, Law of Arrest, Rights of Accused Persons. Do any of us want a Police Chief who doesn't know what those subjects mean?

In response to a question of Don Chauls of Blueberry Hill Lane as to what criteria the Board of Selectmen would use that would be different, it was explained that they would seek an appointment within the department and limit candidates to the rank of sergeant. Candidates must be high school graduates, preferably with a degree in law enforcement or equivalent experience or education. A written statement of interest would be solicited from the eligible candidates in the Police Department. The candidates would be interviewed and possibly written tests would be given and evaluated. A physical examination would be required for each successful candidate. The appointment would be for a one-year term and re-appointment would be in accordance with the Selectmen's current performance review or policy.

If an appointment from outside is sought or within the department, the same procedure would be used except to advertise in seeking candidates with five years experience in the rank of sergeant or above.

There was no further discussion, and Mr. Sorett's motion was defeated.

- ARTICLE 44. To see if the Town will vote to petition the Legislature to adopt a Special Act without further submissions to a town meeting with regard to the power of the Town to enter into an employment contract with its Chief of Police with the following terms and provisions:
- | | |
|---|--|
| Special
Act

Police
Chief

Employment
Contract | <ol style="list-style-type: none"> 1. In the event that the Legislature authorizes the Town of Sudbury to be removed from the requirement of the Civil Service laws, the Selectmen of the Town of Sudbury shall be authorized to enter into an employment contract with the person selected by it to fill the position of Chief of Police. This contract shall be of three years' duration and shall specify the rate of pay, fringe benefits, duties and all conditions of employment. It shall also specify that the Chief of Police shall not be removed or suspended during the term of this contract except for just cause and only after a full hearing before the Selectmen of the Town. 2. This contract shall provide that the authority of the Chief of Police shall be the same authority which would otherwise be conferred upon said Chief if the Town and position of Chief of Police was governed by G.L. C. 41 s. 97A. 3. This contract shall not, however, restrict the power of the Selectmen |
|---|--|

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to grant a salary increase to the Chief of Police during its term if sufficient funds are available.

or act on anything relative thereto.

Submitted by the Personnel Board.

Mr. Sorett of the Personnel Board moved in the words of the article.

Personnel Board Report: (Sorett)

In submitting this article, it was the view of the Board that it would be very difficult to have someone come from another community if he knew he had only a one-year contract, which is the minimum period the Selectmen are allowed to provide for under Section 97A. It was our view that no rational, career, law enforcement official from another community would give up a career Civil Service track for a one-year job. As we are now under a situation where the Selectmen will have unfettered discretion, I personally do not want to have more than a one-year contract because if a mistake is made, I want to be able to get rid of the mistake.

Finance Committee Report: (Dignan)

The Finance Committee recommends disapproval for the reasons already put forth by Mr. Sorett. The article would require the town to live with a mistake, if one was made, for a long period of time. We see nothing wrong with the situation whereby a new Chief will be in the short term granted on a period of probation. If it doesn't work out, the Selectmen can act quickly to rectify the mistake. Therefore we oppose this article.

Board of Selectmen Report: (Frost)

Mr. Sorett and the Finance Committee said it all. We would rather see this article defeated. It is in direct conflict with General Laws, Chapter 41, section 97A adopted by the 1965 Sudbury Annual Town Meeting, Article #10, which allows the Selectmen to appoint a Chief from one through three years.

The main motion of the Personnel Board was defeated.

ARTICLE 45. To see if the Town will vote to authorize the Selectmen to review and approve the 128 RESCO Service Agreement, a regional agreement to provide Regional a Resource Recovery System of solid waste disposal, for the Town of Sudbury, and to see what sum or sums shall be raised or appropriated Recovery for the implementation thereof; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Mrs. Donald, Chairman of the Board of Selectmen, moved to indefinitely postpone Article #45.

Board of Selectmen Report: (Donald)

This was an article we submitted in case we had some information on what we will do with our trash in the future. Luckily, we have a sanitary landfill that's going to last us a few years, thanks to our Engineer and our Highway Surveyor. However, the 128 Resource Recovery Council wrote us a letter which stated they had looked for cheaper ways of doing it than the original proposals they had received. They said, "Your steering committee concludes that the Council's effort to secure a better price has been ineffective. Your steering committee recommends that the Council cease its present efforts to obtain a better answer." They go on to say you will have to look elsewhere. We have nothing to propose to you at this time on the subject, and we'll have to start from scratch. I hope you will indefinitely postpone this article.

It was UNANIMOUSLY VOTED TO INDEFINITELY POSTPONE ARTICLE #45.

The Moderator recognized Mr. Maurhoff of the Finance Committee who moved to appropriate the sum of \$349,016 from Free Cash as an offset to the budget in determining and setting the Fiscal Year 1985 tax rate, if needed, to meet the requirements of Proposition 2½.

In response to a question of Mr. Ladd of Concord Road as to how much will be left in Free Cash, Mr. Maurhoff stated he believed there would be \$7,201.

The motion made by Mr. Maurhoff was

UNANIMOUSLY VOTED.

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ARTICLE 46. To see if the Town will vote to amend Article IX of the Sudbury Bylaws (Zoning Bylaw), Section II, C, by adding a Business District No. 17
 Amend consisting of a portion of Parcel No. 012 on Assessors Plate K10, more
 Bylaw fully described as follows:

Art. IX,II,C Beginning at the Northwesterly corner thereof at the intersection
 of the Boston Post Road and Landham Road; thence Northeasterly by
 Create the Southerly side of Boston Post Road 700 feet more or less to land
 BD #17 - now or formerly of Boston Edison Company; thence Southeasterly by
 Rt. 20 & said Boston Edison Company land 430 feet more or less to land now
 Landham Rd. or formerly of the Boston & Maine Railroad; thence Westerly along
Petition said Boston & Maine Railroad land 880 feet more or less to Landham
 Road; thence Northerly along said Landham Road 290 feet more or less
 to the point of beginning; or act on anything relative thereto.

Submitted by petition.

Mr. George Mercury, the petitioner, moved for indefinite postponement of Article #46.

In support of his motion, Mr. Mercury stated that the action of town meeting has provided an opportunity for a more detailed planning for the proposed use of this site. The addition of a Planner for the Planning Board will give me someone to work with in considering the future use of this parcel. The area is surrounded by non-residential uses--the Boston Post Road on the north, Boston Edison on the east, the railroad on the south and Landham Road with its business district on the west. We should be able to resolve whether this would be good zoning if residential. The parcel has an old "1700" farmhouse that I'd like to preserve in its present state or at some other location, and some deteriorating greenhouses that should be removed. I've lived on this site for 55 years. There is an additional 43 acres of residential-zoned land that will abut whatever development takes place on the 7-acres proposed for re-zoning. My permanent home and that of my brother, sister and relatives will remain in this area. I'd like to be sure that whatever happens will be something that we can live with comfortably and be proud of. I know all this land--the brooks, the streams, the wildlife. I remember the bridge over the brook, the antique spiral well, the traces of Indian artifacts and Sudbury colonial locations from the days of King Philip's Indian war. I urge your support of indefinite postponement without prejudice. This will provide time for me, working with the Planning Board and the Planner to consider the best use of this parcel. This will allow us to better describe the potential use with detailed consideration of the appropriate use of the land, the impact upon my home and that of my relatives, the long term planning for the town and the neighborhood. After owning and operating a wholesale flower business for 55 years and developing four U.S. patented flowers, it's not easy to give up or sell my business property.

Finance Committee Report: (Maurhoff)

The Finance Committee had no position on this article. We would support indefinite postponement.

Board of Selectmen Report: (Donald)

The Selectmen support indefinite postponement.

Mr. Mercury's motion to indefinitely postpone was

UNANIMOUSLY VOTED TO INDEFINITELY POSTPONE ARTICLE #46.

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ARTICLE 47. To see if the Town will vote to amend Article IX, the Zoning Bylaw, by adding at the end of Section V, Special Regulations, a new subsection Art. IX, V to be lettered by the Town Clerk to read as follows:

Commercial Development Moratorium Petition

1. This bylaw is adopted in order to enable an orderly process of review of commercial zoning regulations, and to maintain the status quo during such review.
2. No commercial building shall be erected or externally enlarged and no commercial use shall be expanded in ground area in any business district or limited business district.
3. This bylaw shall be effective for a period of twelve months commencing on the date of its adoption by town meeting.";

or act on anything relative thereto.

Submitted by petition.

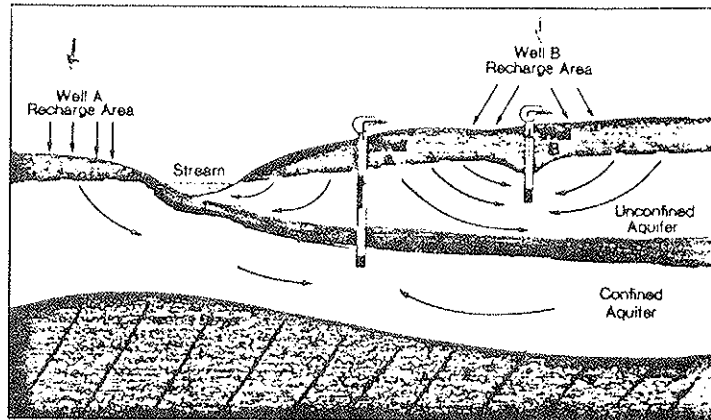
Mr. Leslie Bellows, one of the petitioners, *moved to amend Article IX, the Zoning Bylaw, by adding at the end of Section V, Special Regulations, a new subsection to be lettered by the Town Clerk entitled "Commercial Development Moratorium," as set forth in Article 47 of the Warrant for this meeting.*

Mr. Bellows gave the following presentation. When I first suggested a one-year pause in the development of Route #20, I had one specific thought in mind-- simply to get people to recognize and question what was happening along the Post Road and to ask the question "Is this really what we want?" We do not see the moratorium as an emotional issue, but rather as an opportunity to review options, as an opportunity to question and to improve overall development procedures and to analyze the impact of continued growth in the town's tax base. What you are now witnessing on Route 20 are the results of poor planning or the lack of it, the results of patchwork zoning, the results of lack of attention to warnings cited in prior town studies, the results of failure to update and maintain studies, and last but not least, poor coordination and communication between functional and operating departments. These results are really visible!

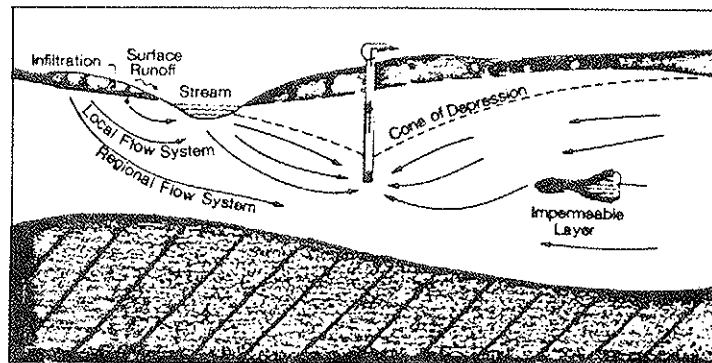
In the 60's a Master Plan was developed for the town which indicated that Limited Commercial Development was appropriate along Route #20. Unfortunately no one realized at that time that the prime aquifer would also be located in the same general area. No one since 1960 has attempted to revise the overall plan for the town. Rather, we have resorted to patchwork, or what I refer to, as strip zoning. On the westerly side of town along Route #20, we have businesses which operate in areas currently zoned A-1 Residential. We have a funeral home, medical offices, and a sporting goods store, just to name a few. All of these businesses operate under special permits allowing them to operate. This has been done over a period of years. On the easterly side we have seen pressure, as witnessed by this town meeting, to establish additional commercial property. Taken individually, the significance is not readily apparent. Yet, if you look at the overall picture, it becomes obvious that we've failed to recognize the potential problems and the inherent weaknesses in the way in which we have allowed development to proceed. Twenty years after our first overall Town Plan, we're being given a second chance to decide what we want for our town. Although the perception is that 90-95% of the available property along Route #20 is developed, the fact of the matter is what you see now can be easily doubled or even tripled. Thirty-nine percent of the business zone on the Boston Post Road is still undeveloped. We continuously witness an upward expansion of existing structures as evidenced by second floor additions-- the Amoco Station, the Bake shop/drug store complex. How many times have we seen a developer raze an existing building and replace it with one which over-whelmingly intensifies the use of that land. Is this what you want? What of the water and the sewage in these intensely-developed areas? Remember, this is the same area where the prime well fields are. I have asked on occasion, "How many septic systems can the area sustain before the charge areas fail?" Nobody knows. "How much development of the land can we permit before we need to develop water run-off systems? Again, nobody knows. Nobody has looked at it. "Why not an over-all environmental impact study, instead of burdening each small development with an impact study?" Again, we have no answers. What we need is time to examine these questions and other related questions. If we, as a town, vote for a moratorium, we provide the time to undertake the establishment of change, the time to attend the Planning Board meetings and the Selectmen's meetings, and the time to really make our feelings known. Let's vote for one year and make it a year to determine the direction for Sudbury's growth.

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John Hogan, another petitioner of this article, continued in support of this Moratorium by explaining that he would run through a little tutorial on how the water gets to our well fields.



An aquifer area is simply an area that's going to collect and hold water for us. Water coming on the ground in the form of rainfall or run-off will pass through the ground and be collected in the aquifer and move towards our wells. It also comes in from the streams. You can have run-off into the streams and they will eventually feed down into your well field. We can modify the water flow by pumping the wells as we currently do. The arrows indicate the direction of waterflow. Waterflow may flow from the aquifer area into the stream. If we pump, we can pull it into our own water in the well.

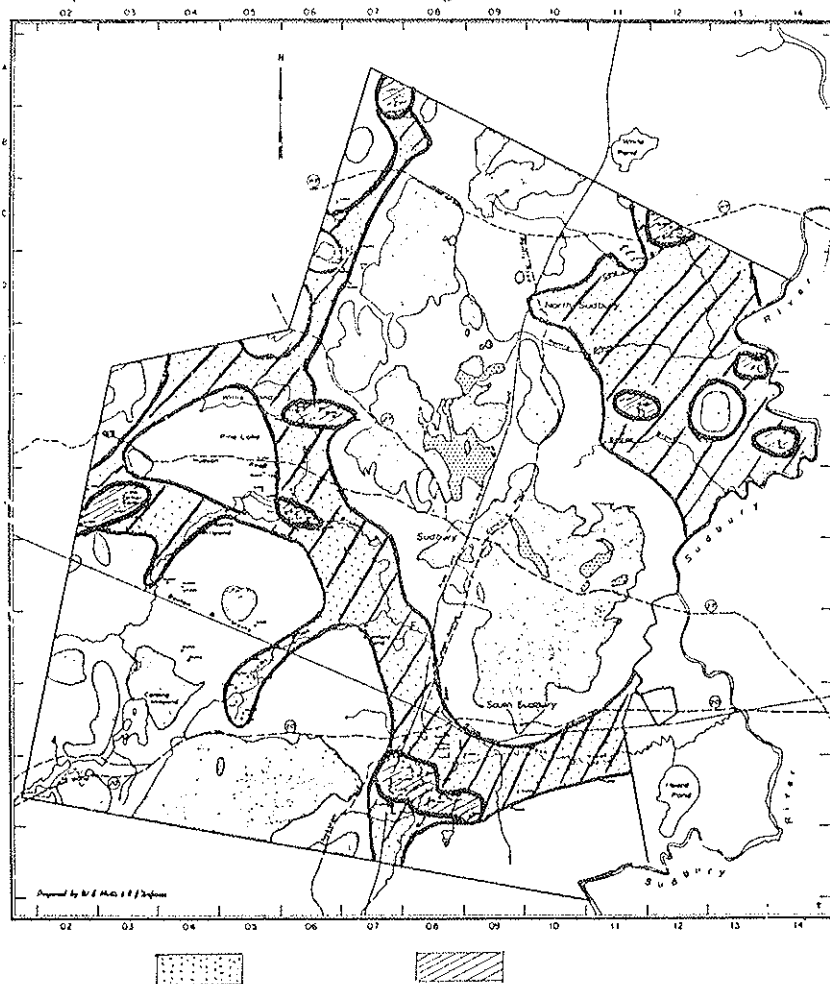


This indicates that other things besides water goes into the ground. You have leachate from the landfill. Fortunately our landfill is away from the primary aquifer. There is discharge from industrial plants, of which we only have a couple. Possibly, we have water from a polluted stream. A polluted stream could be water with salt in it. The water could come into the stream from run-off from paved areas. A key factor that is essential to the re-charge area is that we have sufficient open land for the water to percolate through the ground and into the aquifer. This was the basis for one of the articles in the past, limiting the amount of impermeable cover. We must make sure that we can get sufficient water into our well fields to meet our needs. There are other pollutants besides salt or leachate from the landfill. For example, you can have a transportation accident--an oil spill. It could be any kind of material that is liquid. It just has to run off and permeate the ground. Your septic systems, as we all know, from time to time fail. This is because the ground can no longer hold any more of the leachate and it backs up in our house. The leachate normally would go down into our water supply, or into the ground water and be carried into an aquifer.

From my point of view, some of the more pertinent, potential sources of ground water pollutants are: fuel storage, de-icing activities, urban run-off, transportation accidents along Route #20 and establishments using toxic materials.

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It's important to look at fuel storage.



The dotted areas are the re-charge areas. The lined areas are our current well fields. The dotted line going east and west is Route #20. Our re-charge area runs through Raytheon and Coatings Engineering. We have three gas stations sitting on top of our re-charge area. We have Raytheon which has 2,000 - 3,000 people working there with the ensuing septage from that area. My concerns are these. We have a water supply system that is very badly stressed. It has the potential for disaster. We have evidence. For example, Provincetown lost 40% of its wells because of a 3,500 gallon spill leakage from a gasoline storage tank. We have three of those gasoline storage tanks sitting on top of our aquifer. We have in towns a well, up by the Highway Department, that has been closed for twenty years because of run-off from salt stored there. My concern is that we are building helter-skelter along Route #20. We are not giving any real consideration, at the moment, as to what we have to do to properly protect our water supply. I don't have any easy answers as to what the proper protection is, but I think this is an excellent opportunity for us to sit down with the Planning Board and the Planning Administrator and say "What is it we need to do to protect our supply?" Were we to foul that supply, and it doesn't take very much, we don't really have any other large quantities of water available in town. We couldn't reasonably expect to get water again from those aquifers for 20-30 years. The well at the Highway Department has been shut down for 20 years and probably will be shut down some more.

We've heard discussions about the pollutants. We have good quality water. We have good quality water for what we test. We test for all of those normal things that were found 20 years ago in a rural town. We test for leakage from your septage fields. But, we don't test for things that don't taste bad in the water but are not good to drink. We don't test for gasoline. We don't test for organics. We don't test for heavy metals. By letting construction just go on Route 20 without any master plan to safeguard that area, we are choosing to bury our heads in the sand, and from my personal point of view, we are choosing to say good-bye to that water supply.

If we don't do something to protect the area and limit construction to things that are compatible with our water supply, it's just a question of "when"

our supply goes bad, not a question of "if." So I urge your support for this article so that we can examine the alternatives and determine what are the rational things to do.

Mrs. Morgan, another petitioner, continued the presentation by noting that the number of people in attendance this evening attests to the fact that we have a problem. For the first time in many years, we have soaring attendance at town meeting. The town is concerned and that's good. In the past when we were concerned, Sudbury enjoyed the status of being one of the ten most desirable communities in the state. That's no longer true. There are some who know what's right and what's wrong for the town. No more growth on the one hand to unlimited growth on the other. I personally don't fall into either category. I support the moratorium because like so many others I want to know about the traffic and what we call our "downtown" where most of our kids wander. I want to know what the impact will be of more cars coming from Wayland, Weston and Marlboro and the possibility of a four-lane highway running through the town. I want to know what the impact will be on property values. As the business community is concerned, so am I. A cessation of commercial development would allow these concerns to be addressed. Everyone already recognizes the problems of the Post Road. Even the Commonwealth of Massachusetts has acknowledged the dire need of short and long-range planning. Fifteen thousand dollars has just been awarded to us by the state in recognition of the critical condition of Route #20. Specifically, the money was granted to update the Master Plan as it pertains to Route #20 and I quote "to avoid possible catastrophic social and economic situations in the future." That study without protection from the Moratorium could become obsolete before it is even completed. Consider all the undeveloped commercial parcels of land and all those still subject to further expansion.

Another purpose of the Moratorium is to allow time for a review of our site plan approval process. There is now so little coordination between town boards that invariably things slip through the cracks. A perfect case in point as already mentioned, Colonial Spirits, which slipped through a very large crack.

A brief word about the scope of the Moratorium and why it is limited to Business and Limited Business Districts. This article, following review with legal counsel, town boards, and with the strictest adherence to the guidelines set forth by the Attorney General's office, was designed to temporarily halt new construction in only Business and Limited Business Zones--the areas of most significant concerns. Districts involved are those which have increased the density most intensely and most rapidly without any consideration of their overall impact. Sudbury won't be the first town to request a pause in commercial development. Many other towns using moratorium legislation as a tool to prevent problems are Bedford, Rockport, Barnstable, Burlington, Hanover, etc. You are probably going to hear tonight that this proposal is illegal. I want you to know that that simply is not true. It was reviewed with Town Counsel and with the Attorney General's office and has been successfully enacted in other towns. You're probably going to hear that the proposal is unfair. Unfair to whom? Unfair to all those who work or travel the Post Road in helter-skelter condition. We, the proponents, do not believe it's too late. At worst, the Moratorium will postpone new business construction. At best, it will provide a time when Selectmen, the Planning Board, the Town Planner, and concerned citizens rally together to create positive proposals for the Town Meeting to consider next year. We owe ourselves that year. We hope you agree.

Planning Board Report: (Hannoosh)

The Planning Board supports the Moratorium for several reasons. First, we feel that a traffic emergency currently exists on the Post Road. Secondly, a planning emergency exists also. Thirdly, we feel that a water quality emergency is imminent. The problems on the Post Road become more severe with the addition of each new commercial facility. Aggressive and dangerous driving patterns are emerging. Routine traffic control systems, such as stop signs, lights, one-way streets, speed bumps, have not been established or evaluated. Traffic volume is increasing along with the potential for serious accidents and inconvenience to residents. Some people will say "Well, the solution to that is widening the road." I argue that is not the solution. That's only a solution to one of the symptoms of the problem. A planning emergency exists in that the only Sudbury Master Plan completed was in 1962. Provisions should have been made in 1972 and 1982, but weren't. The plan contains outdated and irrelevant objectives which if allowed to be implemented would drastically alter Sudbury's character and seriously affect the town government's ability to provide adequate safety, health, and other services to the residents.

The water quality issue has been belabored and I won't get into that any more. I think we've heard quite enough about what the problems are with the aquifer

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that lies in that area but the Planning Board remains very concerned about the problem and it is our opinion that the Sudbury Water District has not taken adequate steps to protect the available water sources.

The Board regrets that this action may have a costly impact on some businesses in the town. Obviously it will. The long-term welfare of the town and its residents, including the existing business community, would be best served by applying a fully-dedicated one-year planning effort, unencumbered by the administration of development projects to establish the desired direction of Sudbury's growth. What we'd like to really do is take the time to do the planning properly. It's going to cost some of our town residents and their businesses some money and I think we have to be cognizant of that fact. If the Planning Board and the Board of Selectmen commit themselves to a year's worth of work, culminating at this time next year, to have in place a plan for orderly growth, I think everybody in the hall, and thus everybody in the town will benefit. I hope you'll support the Planning Board and the proponents of this article and vote in favor of it.

Finance Committee Report: (Marge Wallace)

The Finance Committee heard three major arguments in support of the Moratorium: 1. The moratorium would enable the town boards to evaluate the town's needs, update the Master Plan and review the long and short-term effects of the current building boom; 2. The Moratorium would arrest, at least temporarily, the intense growth on Route 20; and 3. The Moratorium would assist in assuring the protection of the town's water supply.

While the committee found merit for the first two reasons, the majority of the members were not convinced of the dangers or potential dangers to the town's water supply or if the moratorium passed, that the moratorium would have a positive effect. The Planning Board and the Water District have had difficulty agreeing on the need, or the solution, to correct that need. While the Water District did not support the Aquifer Protection Zone Article, in its own Annual Town Meeting, it requested funds to purchase development rights within a 1000-foot radius of the Raymond Road well, just south of Route 20. If water supply were the only reason for the moratorium, it is doubtful that the Finance Committee would have supported the article. The other two reasons did deserve our serious consideration. The Master Plan is more than twenty years old and needs updating but the boards and committees who would be involved in that process simply have not had time to review the Master Plan as they're so busy reviewing site plans. The Moratorium would allow the planning administrator, the Planning Board, the Board of Selectmen, the Police and Fire Chiefs and other concerned parties to look at what needs to be done to preserve the character, assess the environmental effects of the current growth spurt and provide public safety.

Traffic on Route 20 poses a threat to public safety and although the Chief cannot say that a Moratorium will improve safety while it is in effect, the traffic should be studied as a very real problem and a potential threat to people using Route 20. There is still talk of the state widening the road. The last report said an additional 20 feet would be needed. Until the road is widened and laid out, we should not be approving new construction until we know how that construction might interfere with the widening project which is sorely needed. A frequently heard argument of the opponents of the moratorium is that it is too late. Something should have been done five years ago. Five years ago people said "It's too late." Probably five years before that people said the same thing. These same people also say five years ago they never imagined Route 20 would look as it does today. It is much more difficult to take rear-guard action but some action is better than no action.

Some members of the business community have questioned how the Finance Committee could support a Moratorium because of the financial impact of requests for abatements. It is true that some people may file for an abatement and it is true that an abatement may be granted but it is also true that each year a sum of money, called Overlay Reserve, is set aside for abatements and this year is no exception. The Finance Committee did not look at this article as being 'pro' or 'con' the few businesses which might be affected during the year the Moratorium would be in effect. The committee reviewed the article in terms of the entire town and its effect on all of us. For a long time Sudbury has been in need of a Planner and this year's town meeting has recognized that need. For a long time, Sudbury has been in need of an updated Master Plan and for a long time Sudbury has been in need of taking a hard look at the town, where it is and where it is going. The Finance Committee hopes the Moratorium will enable us, the citizens of Sudbury, to do that. We urge your support.

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Board of Selectmen Report: (Anne Donald)

The Selectmen are in agreement that passage of this moratorium article would only defer construction for one year in commercial zones and not affect other zones at all, such as Raytheon. This article prevents beautification projects to existing buildings in commercial zones, which is certainly not the real intent of the article. We point out that other attempts have been started to control growth in town--the establishment of the position of Planning Administrator, the recent application and award of the \$15,000 state grant to update the town's Master Plan, in the hopes town meeting will accept it this time, as they did not do before. Under Article 19 an architectural review process is put in place for the approval of site plans. The Board is concerned about the financial impact to the town with the passage of this article and suggests that financial loss to commercial property owners through rising construction costs and interest rates in a year's time could result in a more shoddy type of construction. I think you may have been somewhat misled by the numbers that have been given to you about how much land there is left to be developed. At the present time the land that is zoned for Business and Limited Business amounts to 2/10ths out of a total of 8/10ths of one percent of the land. There is not much business area that has not yet been developed. The Board opposes this article and urges you to do the same.

Town Counsel Opinion:

If this motion receives a 2/3rds vote, it will become a valid amendment to the Zoning Bylaw.

Mr. Collins of the Board of Assessors expressed concern that if this article should pass, the valuation of the affected properties may have to be significantly adjusted and possibly the application of a split tax rate. Each case would have to be considered individually. Consequently there was no way to estimate the impact. Another consideration would be that with the passage of this article two fiscal years may be affected as the valuation date is January 1 of each year.

Mrs. Judy Cope of Plympton Road moved that the town meeting vote on this article by secret ballot.

In support of her motion Mrs. Cope stated that this is "the" most important article and a critical issue for the town. This proposal of a "Moratorium" has raised strong feelings on both sides. Controversial issues are setting neighbor against neighbor, town board against town board and the object of the motion is to avoid that kind of divisiveness. The need is to have the Moratorium fully discussed then voted on by secret ballot. Let the chips fall where they may, win or lose, have neighbors and townspeople go away and continue to all work together and cooperate for the good of the town.

After several people spoke in opposition to this motion, it was defeated.

Mr. Edward Kreitsek of Dudley Road made the following presentation in opposition to the Moratorium. Some of the public hearings by the Planning Board and some newspaper articles have addressed at length the character of Sudbury being preserved, and the Moratorium being one step, one method of preserving the rural character. Thirty years ago, Sudbury was a town with a population of less than 3,000. The total town appropriation in 1953 was \$381,000, not all to be raised by taxation--that was before the Cherry Sheet reduced the amount. This year we have appropriated almost that amount just to pay the debt service--the interest on our notes. Take a look at the rural of today. Here are a few contrasts.

The high school graduated 29 students; today we graduated 350. We had no supermarkets in town. We had no banks in town. Today, we have seven. We had almost as many dairy cattle and swine in town as we had residents. The piggeries were very active and part of the rural character of the town. One of the most gracious residential subdivision developments on Peakham Road was a piggery at one time. The total count of swine and cattle was just about equal to the population. Sounds like Vermont. Route #20 was then, as it is now, and has been for 300 years, a commercial road. The nature of Route 20 was established when the Boston Post Road wended its way from Boston to the western and southern destinations. It has been a commercial road. It is a commercial road. It will be a commercial road. Before the Mass. Turnpike and before Route #9, those of us who lived in South Sudbury can well remember hearing in the summertime the heavy trucks shifting down at 2, 3, 4 o'clock in the morning as they tried to make the S-turn by the Kaffestuga. It was the only road between Boston and New York. That is rural Sudbury.

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On the Boston Post Road where we now have the Commonwealth Bank we had a fill gas distributor--large tanks with stored fill gas and parking for the many trucks that used to deliver the fill gas. Periodically a valve would leak and one of the tanks would get on fire and the then very limited Fire Department, a volunteer one, would come down to put out the fire on the fill gas tanks. That was rural! Getting fill gas delivered was the rural way to live. Things have changed since then. What happened to lead to the changes? Route #128 became highly commercially developed. The golden crescent with many plants and laboratories and their descent was coming into "128." The population explosion of post-World War II led to families maturing and looking for new job opportunities and homes. For ten years, Sudbury was percentage-wise the fastest growing population of any city or town in the Commonwealth. We also had the fortune of having a higher percentage of school-age children in our population than any other city or town in the Commonwealth. Sudbury had forces exerted upon it that led to this type of growth. In one seven-year period, we built five elementary schools, one junior high school, two fire substations and a police station. That was the largest single cycle of growth.

These schools were built in anticipation of new residents who were going to be coming into town the next year, or the year after, and the years after. Sudbury tried to prepare for this type of growth but the growth came much too fast. The fastest growing percentage-wise community in the Commonwealth and the highest percentage of school age children of any city or town in the Commonwealth. This rural town saw about 4,000 acres of its woodlands, its fields and meadows, cut into to build houses. Those of us that knew a rural town saw 4,000 acres of it go for foundations and driveways. We felt this was justified and provisions were made.

With new residents came business and business opportunities. I assure you no business growth would take place in this town unless there were patrons who would subscribe to the businesses. Therefore, the cause and effect relationship. We had growth. We had this growth develop business opportunities and therefore business came into town. You can't have 12,000 people move into a town, such as Sudbury was at that time, with each one proclaiming "I'm coming here to keep it rural." It doesn't work. Pogo was right. "We have met the enemy and he is us!"

Sudbury is now a suburban town. It is not a rural town. I think we can better handle our problems if we reluctantly abandon the wish and the hope and the myth that Sudbury is a rural town. It is a suburban town. We're between Routes 128 and 495. We're between the Turnpike and Route #2. We are in the middle of the MetroWest area that had 8 hundred million dollars, almost a billion dollars of high tech government contracts brought into this area last year. We're on the fringes of the second largest computer manufacturer and designer in the country. We are at the focal point of high tech in New England. Many of the people here in this hall are in Sudbury because we have the good fortune of being in the center of the high tech development area. Sudbury cannot be an island of isolation in the midst of these forces. Sudbury will grow and it will evolve and it will change. We can't stop the growth. We can direct it somewhat. The outburst of development on Route #20 in the past year and a half came from understandable reasons. This occurred all over the country. There was a backlog of things just waiting to happen. The recession and the intolerably high interest rates had delayed things that had been on the planning board for a long long time. There have been more building starts in the U. S. in the first half of this year than since 1946, when the avalanche of building, right after World War II, broke through. Sudbury had its share of it. Sudbury cannot be isolated from that. The increase in resulting population justifies the investment in the businesses. I conclude that the development and the growth and the evolution is going to occur. How can it be managed in such a manner that it will not occur objectionably? It will not happen with town dollars. The types of things that we'd like to see on the Post Road, the target of this Moratorium, will not be done with town dollars. The town is not going to spend the money for the landscaping. The town is not going to spend the money for architectural changes. Right now, my guess is that there's about 20 million dollars, a lot of it mortgaged, being spent on the various projects existing or planned on the Boston Post Road. That is a very rich thing for us to try to influence if we can work with the town and the developers to take full advantage of the economic assets that can be used to improve the Boston Post Road. We have at this town meeting approved a town planner. We have added the architectural review provision. The enhancement of the developments can occur if we work with these two advantages in the next year. It is good business for the business community to cooperate. Nobody is going to put an investment in this town with the intent of alienating the potential clients and customers. It is good business for the people who are going to spend this 20 million dollars in this town to try to spend it in such a manner that they will

continue to be a good part of the community. I am convinced that the Moratorium is the wrong solution to the wrongly-stated problem. If I thought the Moratorium would be a state of limbo where nothing would happen, I would go along with those who say "Let us try it." I am convinced that if we pass the Moratorium, we are going to re-establish our reputation as the most litigious community in the Commonwealth. There will be lawsuits. No one has asked me to say this, and I don't say it as a threat. It is just my personal forecast. There will be litigation. There will be the question of the legality of the emergency status that led to this being a proposed bylaw. There will be violation of rights and economic losses for which the town may be held responsible. There will certainly be a flood of abatement requests. There are developments under way that will be very, very seriously inhibited. The foundations are in the ground and the roofs are up and the people developing them are beginning to find that long term tenants are going to wait to see what happens. Some of these things are being done with mortgage considerations. If we have these developments financially strapped and handicapped for a year's time, you'll see a type of waste and desolation that will be much much worse than if these things were completed with guidance and attempts to make them as attractive as they can be, once we reluctantly admit development and growth will occur. The Moratorium would be a period of stress and polarization, when we are very close to an opportunity for cooperation between development and the town boards and committees. The business community is available and eager and willing to cooperate. I think if the town passes a Moratorium it would create an alienation, a polarization, that will be so negative that I urge you to vote in opposition to this Moratorium.

Mr. Joseph Klein of Stone Road, speaking in support of the Moratorium, asked "How does the town of Lincoln which lies between Routes 128 and 495 and Route 2 and Route 9 avoid commercial over-building and Sudbury doesn't? How does the town of Wayland not get lined store, cheek by jowl, with another store on Route 20?" The big problem here is mostly the past public apathy and partially the problem is with our Selectmen. Every article at this town meeting that proposed some limitation on growth has been opposed by the Selectmen, usually with the phrase "We're for this in principle but we're against this article." They argue that they are bound by law to approve all these things. If they want to keep something out, they can. Any of you in town when the Wendy's came in? They managed to keep that out quite effectively. You can find reasons for keeping it out. They choose not to. They say "Yes, it will create traffic but we will widen the road one of these days." That is one of the main problems we have in this town and the Moratorium that we vote is going to have to solve. I'd like to address some of the remarks that the Selectmen made in defense of their position on this article. We heard that this town meeting has passed some safeguards. We voted for a Planner. We voted for an architectural review. No where did they mention that either one can prevent the development. All they can do is voice an opinion whether they like it or not. There were no safeguards passed at this meeting. I would also like to point out that every parcel in town is a potential commercial development. It does not have to be zoned commercially. There are a lot of businesses along the west part of town that are there by variance. They're there by variance not by permit. The more commercial development we have on Route #20 the greater the pressure on the people whose land is zoned residential. In some cases they, literally, cannot sell it as residential property. In other cases, we have the equivalent of urban block-busting in this town. When brokers find land on Route 20 or property on Route 20 is up for sale, they approach the owner, convince him they can get far more to sell it as commercial property and they all trot down to the Board of Appeals claiming "We have tried for two years to sell this." At four times its assessed value which they don't mention. The properties that Mr. Bellows mentioned, many of them received their variances this way. You do not have to be zoned commercially to have a commercial occupancy. I hope you will pass this Moratorium just to give us time to think about these things.

After further discussion, Mr. Chester Hamilton of Morse Road moved the question.

Mr. Hamilton's motion was VOTED.

The main motion requiring a 2/3rds vote was defeated.

In favor: 378 Opposed: 283 Total: 661

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149.

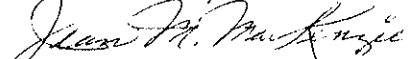
A motion to dissolve the Annual Town Meeting was received and seconded.

VOTED: TO DISSOLVE THE ANNUAL TOWN MEETING.

The meeting was dissolved at 11:08 P.M.

Attendance: 710

A true record, Attest:


Jean M. MacKenzie, Town Clerk

PROCEEDINGS
EMERGENCY SPECIAL TOWN MEETING

May 23, 1984

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

The Revered Allan Moore of Framingham, presently serving at the Sudbury United Methodist Church was recognized for the purpose of presenting the invocation, following which the Moderator led the citizens in the Pledge of Allegiance to the Flag.

The Moderator announced that the Town Accountant had certified the amount of Free Cash as being \$42,201. He also announced 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 found each of them to be in order.

The Moderator asked the Chairman of the Board of Selectmen for a motion to dispense with a reading of the call of the meeting and the officers return of service and the notice of the meeting and to waive the reading of the separate articles of the Warrant.

Mrs. Anne W. Donald, Chairman of the Board of Selectmen so moved.

It was UNANIMOUSLY VOTED:

ARTICLE 1. To see if the Town will vote to appropriate the sum of \$500, or any other sum, for the processing of parking tickets, such sum to be offset in full from estimated receipts in the amount of \$500; or act on anything relative thereto.

Process
Parking
Tickets

Submitted by the Parking Clerk.

Mrs. Donald moved to appropriate the sum of \$500 for the processing of parking tickets, such sum to be offset in full from estimated receipts from parking violation fines, pursuant to the provisions of Mass. General Laws, Chapter 44, Section 53E.

Board of Selectmen Report: (Mrs. Donald)

This article is to set up an account so that we may enter into a contract to process parking tickets, with the emphasis on collection. Currently this is being handled by the staff of the Selectmen's Office under the Parking Clerk, who is also the Assistant Town Counsel. We presently have a backlog of 600 tickets for collectibles of approximately \$5,500 going back to 1981. Our 1983 experience indicates that approximately 150 are issued per year. The funds to offset this appropriation will accrue from funds received commencing July 1, 1984, which will be placed in an annual revolving account, therefore, no further appropriation will be required against the tax rate. Presently, some 65 cities and towns have joined the Mass. Municipal Association Ticket Processing Service, called "VAX," Violation Control System, which we anticipate joining, based upon the bidding process completed today. Their bid for the contract is \$1.05 per ticket plus postage for notification. Parking fines are \$5 or \$10, most being \$10. We urge your support of this article which will be a cost effective method of obtaining additional revenues for the town.

Finance Committee Report: (Mrs. Wallace)

The Finance Committee recommends approval.

After a brief discussion, the motion was

VOTED: TO APPROPRIATE THE SUM OF \$500 FOR THE PROCESSING OF PARKING TICKETS SUCH SUM TO BE OFFSET IN FULL FROM ESTIMATED RECEIPTS FROM PARKING VIOLATION FINES, PURSUANT TO THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 44 SECTION 53E.

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ARTICLE 2. To see if the Town will vote to raise and appropriate from available funds, \$38,000, or any other sum, as an addition to Line Item 950-11, FY Budget Blue Cross/Blue Shield, Unclassified Budget, voted by the 1983 Annual Adjustment Town Meeting under Article 5 for Fiscal Year 1984, or act on Blue Cross/ anything relative thereto.
Blue Shield

Submitted by the Board of Selectmen.

Josiah Frost of the Board of Selectmen moved to appropriate \$38,000 as an addition to line item 950-11, Blue Cross/Blue Shield, Unclassified Budget, voted by the 1983 Annual Town Meeting under Article 5 for Fiscal Year 1984; said sum to be raised by transfer from Free Cash.

Board of Selectmen Report: (Josiah Frost)

The monies for this article are needed to pay for the increased costs of Blue Cross/Blue Shield for the months of May and June for this current fiscal year. It should be understood that these costs relate to Blue Cross/Blue Shield and other Health Maintenance Programs Insurance costs for the whole town, including local schools, but not the high school. At the 1984 Annual Town Meeting the Selectmen stated one of the biggest future unknowns is health insurance. Last year Blue Cross/Blue Shield increased 48%. This year with the addition of this \$38,000 the increase is 50.5%. One of our top priorities for next year must be to find a way to lessen the impact of this cost for health insurance on our more and more valuable town dollars. We hope that you will support us in approving this article and trust that we will make every effort in the ensuing year to attempt to find a means to reduce this spiralling expenditure. Please be assured that the Selectmen have already taken action on this matter. Meetings have been held with representatives of Blue Cross/Blue Shield to review causes for escalating employee medical insurance costs and to reduce the same in the future. Progress is being made, but we already know solutions will be hard to come by. This is not a Sudbury problem, but a local, state and national problem. We hope you will support this article.

Finance Committee Report: (John Hannan)

The Finance Committee recommends approval of this article. Since the town health plan coverage date is from May 10, 1984 to May 9, 1985, the Finance Committee is recommending that we consider the alternative of changing the plan date from May 10 to July 1, to coincide with our fiscal year date. This will preclude the event of having a special article in the future.

The Town Treasurer, Mr. Chester Hamilton, then made the following comment. One of the last things I did before coming to the meeting tonight was to open the vault. It appeared to be just as empty tonight as it was in early April. There were a great many people raising a great many questions during the Annual Town Meeting about Free Cash. Over and over and over again we were told that there was about \$7,000. Now, I'm presumed to know, how we've gone from \$7,000 to \$42,201, but as a matter of courtesy to the townspeople, it seems to me the Finance Committee ought to explain how we mysteriously and suddenly found \$35,000 more Free Cash and also perhaps direct their attention to whether there might be another \$200, or \$100 or \$50 or \$35 or whatever. I am somewhat surprised that nobody else has raised this question. I am presumed to know the answer, but I think it is a matter of courtesy to the townspeople here assembled, there ought to be some explanation given.

The Finance Committee did not respond to this request and instead the Executive Secretary made the following statement: "I'm surprised that Mr. Hamilton thinks that we operate mysteriously. He operates and he works right next to Mr. Vanar's office and I plead that we're very very open. What happened is that at the time the Finance Committee was doing their calculations to make their budget recommendations it was up to the Town Accountant to receive certification from the state that we had available funds to carry out those recommendations that we knew were going to Town Meeting at that time. And, that's what was done. We had a certification in July of 1983 that said that we had so much funds available in Free Cash. Therefore when the Finance Committee was done with all their recommendations there was no need to go for re-certification because there was ample free cash to carry those recommendations to fruition at a town meeting. Once the Annual Town Meeting came to a close and we knew that there was going to be a special, that it was actually petitioned, and we knew that we had a bill outstanding of 30 some

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thousand dollars and there wasn't enough in the Finance Committee to pay that obligation, we recommended to the Selectmen to be put into the special. At that time, Mr. Vanar then went to the State with a new balance sheet and asked for re-certification again for the specific purpose and they re-certified our Free Cash for that amount only and that's all they would do it. This is a practice that the State Department of Revenue is using and not the towns. They're very, very stringent in how they certify Free Cash now. As some of you may know that in a lot of Proposition 2½ and other legislation, there's been attachments to these bills requiring that you use all your Free Cash. And once before we had to specify how much Free Cash we wanted to say. But that has not been written into the later laws dealing with Proposition 2½. We are under the guidance of the Department of Revenue in how we operate. I hope that answers it."

Douglas Zanzot of Barton Drive asked if his understanding that this will cover a shortfall for fiscal '84 was correct, and if anything had been done to insure there would be enough funds to cover next fiscal year.

The Executive Secretary stated, "At the present time we can only estimate as we did for you at the Annual Town Meeting. We do not have any idea what our Blue Cross/Blue Shield figure will be next May. There's a good possibility if things run the way they have that we can expect another shortfall for those two months. But as stated, we're trying to get back on the fiscal year. I've indicated that we are doing work on it. I have met continuously, and I've been doing it weekly. We have a serious problem. The Selectmen have voted to authorize me to proceed with the Mass. Municipal Association to get some help in legislation to take some pitfalls out of the program, and we're working on that. But as was stated in the Selectmen's comments, it's not going to be easy. This is not just a Sudbury problem. As was stated in the press, it's based upon our group and we've had bad experience over the last three or four years and now it's come to fruition. There is no reason why if our experience maintains at a good rate or level now that it should not decrease. It's not something that should just keep going up and up. If we have a good experience it should decrease and maybe proportionately so. We have four employees that were seriously ill. I mean major ills."

Jim Kates noted that the Town pays 75% of the Blue Cross costs. In reality then looking at the \$38,000 number, what we've received as an increase in cost for a month and 2/3rds, is not \$38,000, but \$50,000. You've passed the \$12,000 difference through to the employees. Basically, you're taking that out of employees' paychecks right now. That makes the number even more astronomical because then you're looking at almost a \$600,000 or \$500,000 increase in your Blue Cross costs for next year for the full year. When you roll this forward between July 1, 1984 through June 30, 1985, it's almost \$30,000 a month, so that is \$360,000 more that you're taking out that you're going to be paying. Is that in the budget for next year?

Mr. Thompson answered, "That's close. I don't know what the exact figure is, but that's close."

Mr. Joseph Williams of Lafayette Drive stated that the Exec. Secretary's answer to the Town Treasurer's question had left him even more puzzled. Where did the \$38,000 come from? Was it miraculously found by the State in our balance sheet for '83, or did you take it out of our '84? Where did the money come from?

The Exec. Secretary replied, "Free Cash changes practically every day. If I can explain July 1, maybe it's easier. On July 1 when we certify Free Cash there's a whole host of things that go into it and I believe Mr. Hamilton explained it at one time that it's a paper thing. He's stated here many times that we don't have that money sitting around somewhere in the bank idly. He's made that a very strong point. But on July 1 we have to deduct all the taxes that are owing and after all the other things that we put together and what that amount is that's Free Cash and that's certified by the State after they check all of our work. Now after July 1... Several years ago our Free Cash we like--\$200,000 once on July 1. But from July 1 like to March, when town meetings come up around April, a lot of people have paid those taxes that are in arrear so we can, you know, readjust that and then the Free Cash starts growing. Before the Town Accountant used to be able to certify Free Cash right prior to a town meeting. He cannot do that anymore. He must go to the State and they must approve his certification. So in between the Annual and this meeting Mr. Vanar did go to the State, gave a balance sheet which showed

that we could assume an additional whatever the figures were, \$30 some thousand dollars or forth and still not be in the red in our certification presentation. I hope that helps."

For further clarification, the Moderator remarked that as he understood what the Exec. Secretary was stating, there is an accounting adjustment representing the difference between the hypothetical tax collections and the hypothetical expenditures at a certain point in time.

The Exec. Secretary further commented with "Yes. We could go and do another calculation, however, and show maybe a projection. We know that the state is about ready to process a payment for Horse Pond School and we can put that...I don't know Jim will have to correct me. But we know that we have certain monies coming in so we can project an estimated balance sheet into next fiscal year. But I do not believe, and I can be corrected by anybody, that the State would certify that. We have to have some good reason--good reasoned accounting principles on which we're making those estimates. So it's just not done haphazardly. I assume there is some more gap there. What it is I don't know. We'd have to go through the whole calculation again!"

VOTED: TO APPROPRIATE \$38,000, AS AN ADDITION TO LINE ITEM 950-11, BLUE CROSS/BLUE SHIELD, UNCLASSIFIED BUDGET, VOTED BY THE 1983 ANNUAL TOWN MEETING UNDER ARTICLE 5 FOR FISCAL YEAR 1984: SAID SUM TO BE RAISED BY TRANSFER FROM FREE CASH.

Terrance F. Keeney of Blueberry Hill Lane offered a resolution at this time to the voters for their determination. He first explained that he is the Chairperson for the Sudbury Committee for Nuclear Weapons Freeze, which would like to present this Sister City Resolution, which was started by a group called "Ground Zero," a non-partisan, non-advocacy organization which exists to provide information about a range of nuclear war issues and to involve citizens in the effort to prevent nuclear war.

"RESOLUTION

Whereas a group of Sudbury residents is going to visit Russia in June of 1984 to perform a concert.

Whereas "Ground Zero" has designated the city of STROGINO in the USSR to be Sudbury's sister city.

Whereas Sudbury is a Nuclear Freeze Town be it therefore resolved on this 23rd day of May, 1984, that the town of Sudbury of the Commonwealth of Massachusetts, of these United States of America, wishes to extend warm greetings to its sister town, Strogino, of the United Soviet Socialist Republic, and that the people of these two great nations can live together in peace.

EXTENDING OUR HAND OF FRIENDSHIP

On this 23rd day of May, 1984, let it be resolved that the town of Sudbury of the Commonwealth of Massachusetts, of these United States of America, wishes to extend warm greetings to its sister town, Strogino, of the United Soviet Socialist Republic, and that the people of these two great nations can live together in peace."

The following comments and questions were raised by the voters:

"Could somebody tell me when Sudbury became a Nuclear Freeze Town?"

"What do you mean when you refer to these two great nations? I know the United States is a great nation, but I'm not quite sure what you mean when you refer to the Soviet Union as a great nation."

"I call your attention to the translation of the Russian term "Souj Sovietski Socialistiki Republic." It certainly is not "United Soviet

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Socialist Republic." Who put this thing together anyway, and why is it being sprung on us at a Town Meeting without any warning?"

"The question about when Sudbury became a Nuclear Freeze Town was very important because there probably weren't ten people in this hall that knew we were and that is the weight and the importance and the consideration that this sort of resolution is given."

"I'd like to know the words of the resolution that made Sudbury a Nuclear Freeze Town."

"I'd like to know how you came about picking that particular town in the Soviet Union? Just where is it located? Do we know anything about it? I'd feel totally uncomfortable voting on something that I don't even know where they are."

"I think this resolution should be defeated. It's pretty well known that a handful of people run the Soviet Union and you mention a bilateral working between our town and their town. I know that we can vote but I don't think the people in Russia can vote and make any kind of change."

The resolution was defeated.

ARTICLE 3. To see if the Town will vote to amend the Sudbury Zoning Bylaw, Article IX, II, C, by rezoning to residential zoning C-1 parcels 26 and 27 of Business District #15 on Assessor's property map K06, or act on anything relative thereto.
Amend
Bylaw
Art. IX, II, C
Rezoned
Portion
BD#15 to
Res. C-1
Submitted by petition.

David C. Portney, the petitioner, moved to amend the Sudbury Zoning Bylaw, Article IX, II, C by rezoning to residential zoning C-1 parcels 26 and 27 of Business District #15 on Assessor's property map K06.

In support of his motion, Mr. Portney gave the following presentation on behalf of more than 250 Sudbury residents who had signed the petition. The land we seek to rezone is immediately to the west of, on Route 20, the Barnstead Shoppes. Immediately behind the property to the south are two existing homes which abut the land. Directly across Route 20 to the north side is the Sudbury Medical Center. Down Route 20, about a hundred yards to the west is the new Longfellow Glen Housing Development and immediately to the east and west of this land respectively are Dudley Road and Horse Pond Road, two of the most dangerous intersections in Sudbury. The petitioners believe that the land we are asking to rezone is totally inappropriate for business development and we recommend that the town vote to rezone this property to Residential C-1 for the following five reasons:

1. Traffic. It is noted that both Dudley Road and Horse Pond Road are treacherous intersections just hundreds of feet from each other on Route 20. As a matter of fact this short section of Route 20, less than 250 yards long, already accounts for the most accidents of any area of Sudbury, and this statement of fact is based upon statistics covering the past three years provided by Sudbury Safety Officer, William Carroll. Business development of the property in question would substantially increase the in and out and cross-over traffic right in between these two intersections. This would represent considerably greater hazard to public safety, greater likelihood of more accidents, and considerable increased disruption of what already is a serious problem area for traffic. The volume and pattern of traffic in this relatively short section of Route 20 already is severely impacted by four major factors: a. the tremendous number of cars using Dudley Road as a cut-through from Route 20 to and from the Framingham area, b. the tremendous number of cars that use Horse Pond Road as access to and from Route 20 in various areas of Sudbury north of Route 20, including the substantial in and out traffic from the Sudbury Medical Center located at the corner of Horse Pond Road and Route 20, c. the high volume of in and out traffic at the Barnstead Shoppes on Route 20 directly across from the end of Horse Pond Road, and d. the considerable volume of additional in and out traffic which is being introduced to this area due to the Longfellow Glen Housing Development nearby on Route 20.

2. Proximity to Private Homes. As we noted the property in question is one small, narrow strip of land in a huge land area on the south side of Route 20 which otherwise is zoned Residential C-1. Parcels 26 and 27 should have been rezoned residential once the homes were built on Adams Road. Now any business development of that land, currently undeveloped, would seriously jeopardize the daily quality of life as well as the property values of direct abutters and other existing homes in the immediate area. There is no room for a buffer zone in between. Business development of that property could have the noise of cars and shoppers seven days a week and evenings just a few feet away from residents' picnic tables and barbecue grills in their backyards rendering the recreational use of the land as virtually useless.

3. Groundwater. Any business development of this land will increase the amount of water being put into the land while reducing the area of land able to accept run-off water. This land which lies at the base of the easterly side of Nobscot Hill already has a problem with excessive run-off water, as is evidenced by standing water on that land at times and abutting land as well. It even causes water in the basement of a resident's home on the east side of Dudley Road.

4. Environmental Impact. Business development of this property would have serious detrimental impact upon the immediate environment and aesthetics of the area and would further erode the preservation of the character of the town by continuing to extend the business development further west on the south side of Route 20. Do we want more development in this area of Route 20?

5. Inappropriate Use of Land. We readily acknowledge that the property in question has been zoned Business District for many years, since 1958. However, while remaining undeveloped much of the surrounding area has changed dramatically and thus it is no longer desirable, appropriate, or in the public interest or safety to have this land develop for business use. The traffic on this part of Route 20 has increased tremendously as has the traffic on Dudley and Horse Pond roads since the land was rezoned for business. A beautiful residential street has since been approved and developed immediately abutting the land in question. Especially for these reasons we believe that the business use of this land is totally inappropriate for this location as it is today and that is why we are petitioning to rezone it back to residential.

Jill McPhee of Woodland Road, also a petitioner, continued with the presentation. We believe that the vote on this article should be based on the merits of the case to rezone to residential and we hope that you, the voters will make your decision based on what you feel is in the best interests of the town as a whole and you as a resident. However, two side issues have been raised by opponents in anticipating that these objections will be raised again tonight. We would like to bring up these points now. First is the subdivision plan not requiring approval that has been filed by the property owner in an attempt to freeze the current zoning for three years. We have researched the Mass. General Laws. We have talked with counsel and we are not convinced that the attempt to use the subdivision control law to freeze the zoning of this particular parcel of land will stand up in a court of law. Just to give you a very quick look at the subdivision control law, I will read brief excerpts from Chapter 41, Section 81M of the Mass. General Laws, which states "The purpose of the subdivision control law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and towns in which it is or may hereafter be put in effect by regulating the layout and construction of ways in subdivisions and providing access to the several lots therein but which have not become public ways." Another section of the purpose of the subdivision control law sounds at the least ironic and at the most totally inconsistent with the owner's attempted use of the law. It talks about "ways that will be safe for travel, lessening congestion, and reducing danger to life and limb in the operation of motor vehicles." It is important for you to know that even if the owner's use of this law was upheld there are still very good reasons for us to rezone this property tonight.

1. It gives a clear signal to the Selectmen of the town's wishes and they have some latitude and much responsibility in making judgements within the law while reviewing site plans. Obviously they want to serve the town's best interests within the law. 2. If this land is developed commercially, the nature and extent of any further expansion or changes would be far more limited if it reverts to residential after three years than if it were to remain business zoned.

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The second issue which has been raised in opposition to rezoning is what some people have referred to as "taking money out of the property owner's pocket by devaluing the worth of the land." When the Finance Committee voted on how to recommend on this article, this seemed to be their prime consideration, though they expressed concern and sympathy with the position of the petitioners. Unfortunately, we had not completed our research of the Mass. General Laws by the time of the Finance Committee meeting but since then we feel and have discovered many very interesting findings from actual case law. We would like to share with you a few brief excerpts from Chapter 40A of the Mass. General Laws on Zoning and again I quote. "Where purely zoning considerations are involved the town has wide latitude in differentiating between uses. Promotion of public welfare is chief among purposes of enabling statutes with respect to zoning and the dominant purpose underlying zoning regulations is promotion of health, safety, convenience, morals, or welfare of the inhabitants of a municipality." Now for a few quotes from notes of the Mass. General Laws, which dispose of this non-issue of "taking money out of someone's pocket." "The fact that land is made less profitable by zoning bylaws does not invalidate a bylaw and financial advantage to owner from particular zoning is not the decisive test of validity of the ordinance. The fact that a property owner may be unable to put his land to its most profitable use is not sufficient reason to invalidate a zoning bylaw." Our research has also uncovered some other interesting facts. From the tax assessor's office, we learned that the land which this owner is attempting to sell to the developer for the published price of \$235,000 is in fact assessed for \$44,100. The property's owner is trying to sell 70,000 square feet of land for nearly 6 times its assessed value. From other city records we also learned that the owner of this property is the same person who already has profited from the sale of land to build all of the homes on Adams Road, which abut this property, the land for Longfellow Glen Housing Development, and more than 40 acres of additional property in this immediate area. So much for these non-issues. We the petitioners most want to emphasize to you, the voters, that when all the rhetoric is put aside, the single most important consideration is what you feel is in the best interests of you and your town. We hope you will agree that it is in our town's interest, its best interest to vote yes to approve the rezoning back to residential and we ask for your vote in favor of the article.

Town Counsel's Opinion:

The Moderator read the following letter from Town Counsel into the record:

"It is the opinion of Town Counsel that if the zoning change set forth in Article 3 of the Warrant for May 23rd, 1984, Emergency Special Town Meeting, is properly moved and seconded, report is given by the Planning Board as required by law, and the motion is adopted by a 2/3rds vote in favor of the motion, the proposed change would become a valid amendment to the Sudbury Zoning Bylaw after approval by the Attorney General."

Planning Board Report: (Thomas Phelps)

The purpose of the Zoning Act, enacted as part of Mass. General Laws in 1975, is to promote the health, safety, convenience and welfare of the inhabitants of a city or town. The Planning Board by law has the responsibility to all the inhabitants of the town of Sudbury. In the interests of less congestion in the streets, overcrowding of land, adequate provision for transportation, general safety and the general welfare of Sudbury, the Planning Board unanimously supports the passage of Article 3.

Board of Selectmen Report: (Myron Fox)

The Board of Selectmen unanimously oppose Article 3 to rezone part of Business District #15 at the junction of Route 20 and Dudley Road. Our main reason is that the town should not rezone property when it would result in substantial economic loss to an owner without just compensation. Petitioners have made a reasonable presentation for no development at all of this land, that is both residential and commercial, and I happen to agree with them but like the Stone Farm vote last month, we should pay for our desire to keep Sudbury less dense. The second speaker spoke this evening about whether we could rezone this parcel. That is not the issue. We can rezone this parcel. The issue is whether or not we should rezone it and that's for the citizens to decide.

Mr. Robert Caldwell of Peakham Road commented as follows: In the late 1940's and early 1950's this town went through some very great traumas. It had a zoning of 15,000 sq. ft. for house lots and 105 ft. frontage. Now, we went to work, formed a committee and upgraded the zoning substantially to what it is today. The town did not go the way Framingham, Natick and many other towns went. I think you can be proud of it. We met one afternoon at a home of a young fellow on Pratts Mill Road, named Bill Egerly, who is now the CEO and Chairman of the State Street Bank and Trust Co. He was interested in improving the zoning of this town. He opened the shade of his back window and looked out and said "Look at that! That's the panorama I like to see in the town of Sudbury." One of our associates, the late Bud Mahoney said "Bill, if that's what you want to see, buy it. Otherwise don't expect everybody else to pay for your view."

Now as far as the traffic condition is concerned, I want to make a point, because I have travelled this road for thirty-six years from the west side of Sudbury towards Boston. What we really need, more than this (article) is the Planning Board getting together some of the big business owners, like Raytheon, and Vana, and Mugar's, who had things going all their way for the last 35 or 40 years and let's get Route 20 straightened out so you can make a left turn without waiting for all the oncoming traffic for five minutes; so you can come out of Sudbury Farms without jeopardizing yourself. The problem at Dudley Road is not going to be cured by rezoning this to residential. This will only be straightened out when the Planning Board who are so adamantly in favor of this rezoning gets busy and straightens out the road and gets the Selectmen involved in it and gets these big business owners involved in it. I recommend strongly tonight that you vote against rezoning this property. It was business long before those homes were built just a couple, three years ago. It was on the books. There's no surprise here. There's no reason why a few people should come in and rezone your property every time they don't like the way you store.

A request was made of Town Counsel as to whether the filing of a plan as mentioned in the presentation of Mr. Portney has in fact frozen the use of that property in Counsel's opinion. Town Counsel opined: "If an approval not required plan has been filed with the Planning Board and notice has been given to the Town Clerk prior to the time that the vote is taken at this Town Meeting, then the use of that property is frozen for a period of three years."

Finance Committee Report: (Dignan)

The Finance Committee has voted to recommend disapproval of this article. We are not unsympathetic to the concerns that have been expressed to you by the petitioners. Several factors appeared to us to be persuasive against the passage of the article. To begin with, there is no question that the present nearby landowners were fully aware of the zoning of the parcel when they made their purchases of property. This zoning has been in effect for many years. We have been advised from the floor that there is a feeling that the law is that the filing of the plan we have just been discussing does not mean that the use is frozen. However, our Town Counsel has just opined to the contrary. As we indicated to the town at the Annual Town Meeting in a similar setting, it is our view that the town has been well served by Town Counsel and we should follow his advice as to what the law is and I do not believe it would be wise to let our vote be influenced by the fact that some people feel that our Town Counsel is wrong and that they may succeed in such a position in court when that has yet to be tested in court. We find arguments that say despite the fact that the law might be otherwise, go ahead and pass the article to send a signal to the Selectmen. Equally, unpersuasive. As we indicated at an earlier meeting, if you want to send a signal to the Selectmen, write them a letter, vote them out of office, go to their hearings. Don't go around passing useless bylaws that will have no effect and will be on the books until 2/3rds of the town votes to take them off.

One should remember that the issue here isn't whether this zoning bylaw, if it passes, would be upheld. We have to decide if it is right and if it is fair to pass this law. Whichever way we go, the courts are going to uphold us. The FinCom has consistently taken the position that the town should not use the zoning power to work what amounts to a taking of property without compensation.

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Mr. Joseph Klein of Stone Road addressed the voters and remarked that he had heard a lot of strange arguments on this issue, some of which he could throw back in the face of the people who proposed them. I prefer to argue on a different sort of plane. Several weeks ago we had an article on the town warrant proposing a moratorium on all commercial building. That article carried 60% of the vote of the over 650 people who were on this town meeting floor. Unfortunately it needed 67%. If a President of the United States got 60% of the vote, it's called a landslide. I think if those 650+ people were a fair sample of the sentiment of Sudbury, I think it's safe to say that we feel that the quality of life in Sudbury and in particular in South Sudbury has deteriorated markedly in the last five years. At least most of the people living in South Sudbury want to call a halt to this.

There are several ways in which this can be stopped. People propose that we buy this land and certainly that is a possible route, although not a practical one. If nothing else, the history of this town buying land usually finds that we are paying exorbitant prices for what we intend to buy. Secondly as the FinCom reminded us during Town Meeting, as a result of 2½ we do not have any extra money to spend. The other alternative is for the Selectmen to disapprove these site plans. They have shown in the past unwillingness to do this. They argue they can't do this. There are people like myself, who say "It isn't that they can't--they won't. We've seen the example here tonight. Again, they're in sympathy with the article but they're against the article. Now, there is only one practical way to stop further commercial development on Route 20 and that is to rezone the commercial land. Admittedly people are hurt in this. People are hurt every time we pass any sort of law here. If nothing else we increase the tax rate which hurts everybody. Now, it does not hurt them to the extent that it might hurt the current landowners but frankly I have no sympathy for people who buy land with the idea to see how much they can sell it for at some future date. They have the right to do this, but I don't think I owe them a dime. I did not see any people whose land 10, 12 years ago in what was the First National, when they got rezoned from residential to commercial, volunteering to give their excess profits tax to the town at large. I feel that regardless of the individual cases that we have in this particular piece of land, the only way we can stop commercial development on Route 20, and if you're against it, we have to rezone. That is the only viable way we have. No man is an island, but I would suggest to the FinCom that they should consider the rest of the population too. Two or three people may be hurt very severely in this, but what about all the rest of us that have to get on Route 20? What about all the rest of us that live within a quarter mile of Route 20 and have to smell the polluted air, or hear the traffic noises, or the squeal of the brakes? We deserve something too!

Mr. Fred Ross of Clark Lane asked if this motion to rezone back to residential passed, would it be possible for the store to be erected in this space during the ensuing legal debate and then the establishment would be a pre-existing non-conforming structure.

The Town Counsel replied "That's precisely what would happen."

Mr. Harold Jacobi of Newbridge Road addressed the following issues. One is the particular location and the question of traffic and safety. The store that plans to go in there, the retail store, Astro Paint, is presently in Sudbury on Route 20. Whatever traffic it is attracting at the present time, will continue to be attracted on Route 20 at this particular location. It is not going to create any more of a traffic flow during its business hours which are the same as most of the businesses right now at the Star Market Plaza. Of the people who frequent that store from statistics available, 75% of them live or work in Sudbury. This is a store catering to the needs of the citizens of the town. It is not catering to the needs of the citizens of the town of Marlboro or Framingham, or Hudson or Maynard, or Waltham or Wayland. We're not looking to cater to those particular citizens. The fact of the matter is this store, when it was originally planned, was to house only Astro Paint and two offices. This is commercial office space for business office use not retail space.

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Originally when Astro Paint went before the Planning Board and the Selectmen, a number of citizens appeared at those hearings and impressed their will upon the Planning Board and the Board of Selectmen. The process worked. In fact, what happened, was the architect and engineers had to go back to the drawing table. They had to reduce the size of the building. What you don't know, is that the first day Mr. Portney and his wife and the other abuttors of this property saw the plans that had been developed by Paul Sandler and his brother, Harris, they looked at them and said "Boy, this is exactly the type of building that Sudbury should be proud of and should have--a colonial type building." Mr. Portney came to the Planning Board and stated that he had no problems with the development. The Sandler's had, in fact, made a nice presentation to him and had developed architecturally a nice-looking building. His concern was with traffic and whether a restaurant would be going into that particular facility. He was also concerned whether there was going to be 8 to 10 retail stores at that particular location. We assured Mr. Portney and the other abuttors that in fact there are not going to be 8 to 10 retail stores, and there is not going to be a restaurant. The only retail store in there, planned right now, is Astro Paint. The only space available within the building is 3,600--I'll repeat that--three thousand, six hundred square feet of retail space. Astro Paint now uses approximately 2,400 sq. ft. of space. They plan to house approximately 2,500 of that 3,600 sq. ft. of space and perhaps will lease the other 1,200 sq. ft. of space to one other retail business. The additional 8,000 sq. ft. of space on the left and right of the Astro Paint Store as planned, is going to house office space, business space not retail properties. We are not anticipating a great deal of traffic as a result of that.

Look at the stores directly in the neighborhood. Opposite this location on Route 20 from Dudley Street, on the corner of Dudley Street and Route 20, is the Outdoor Trading Company. Directly across from Dudley Street are two commercial locations. One is the Sudbury Animal Hospital and the other further up right at the corner of Horse Pond Road is the Sudbury Medical Center. To the left as you're going west on Route 20, you have a number of other commercial properties. One of which houses a minimum of four retail stores, the Barnstead Shoppes, the Sudbury Variety, and Circle Gallery. That piece of property abuts directly on Mr. Portney's property. When he bought that property 3½ years ago he bought it knowing full well that he was 25 yards away from the Barnstead Shoppes and that he was 25 yards away from another piece of property that was also commercially zoned. He stated at another hearing, that when he purchased the home the broker did inform him that the property was commercially zoned that we are talking about tonight. Further west, you have commercial use of that area. You have Duckett's Funeral Home and a very large complex of housing, the Long-fellow Glen Estate. Now 3,600 sq. ft. of retail space would present a traffic problem if it were built the way the Barnstead Shoppes, Circle Gallery and Sudbury Variety front on Route 20. As you pull off of Route 20, you have less than 15 feet of space before you hit the building. The Sandler's, in anticipation of the purchase from Mrs. Piona, the owner of the property, have asked the architects and engineers to set this property back, much like Casual Male, approximately 35 feet from Route 20, so there will be plenty of space to turn around and clearance as far as looking left and right to Horse Pond Road and to Dudley Road. From the entrance, which has been modified as a result of the Selectmen's hearings, we are approximately 87 yards, almost a full football field length, away from the entrance to Dudley Road and likewise the entrance to Horse Pond Road. I, too, went to the Police and Fire Chief. I looked at the roadway and I found that in fact the number 1 area is not this particular location that is between Dudley Street and Horse Pond Road, rather it is the area from the fire station across from Star Market all the way down to the Mill Village area on Route 20. The system, ladies and gentlemen, works.

Had we been to the Planning Board and the Selectmen's meetings for projects such as an 82,000 sq. ft. facility--retail facility known as Sudbury Crossing, perhaps we could have changed the impact that the traffic flow will have on us. We're talking about major commercial stores which will attract business from towns such as Marlboro, Hudson, Maynard, and Framingham. We're not talking about businesses which are geared to 14,000 people here in Sudbury. That's 82,000 sq. ft. of retail space. That's more than 20 times the size of the retail space that we are considering relative to the use of this particular lot. In fact, that 82,000 sq. ft. exceeds by 12,000 the 70,000 sq. ft. of space available at this land. The Mugar Company is developing 25,000 sq. ft. of retail space. As we've seen in the past several weeks, we do in fact have a voice. We do count and we can control what happens to our town if we're going to take advantage of it at the appropriate committee level. In the last six weeks, three different

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projects have come before the Planning Board and the Selectmen. The property which is going to take the place of the Sudbury House is approximately 15,000 sq. ft. of retail space, retail stores. That space was originally planned to be almost twice that size but because of the townspeople's interests in participating at the Planning Board and Selectmen's meetings and having their concerns voiced, those plans had to be re-changed and modified down. Our traffic people, our police, our Fire Chief, spoke to the issues relative to traffic there. Interestingly they never raised the issue relative to the safety of traffic. They did propose a light opposite Sudbury Crossing. The same is true with the motel or hotel further down on Route 20. The plan called for many more rooms than was finally approved. Why? Because we as townspeople became concerned. We expressed our concern at the board meetings, and the boards responded to that expressed concern. I would suggest to you that this is not the appropriate way to address this particular issue--to rezone because two abutters to the property are concerned as to what they are going to be looking out on. One of them, the Portney's actually do look out directly across to the Barnstead and see that directly. From their kitchen window they'd be able to see this particular colonial building, but they were aware of that 3½ years ago when they purchased their property.

Relative to the issue of ground water, the engineers have stated and made clear to the Planning Board and to the Selectmen in previous hearings that all of the water will be accounted for and caught on this particular property through appropriate catch basins. In fact, the Town Engineer has passed on that particular issue. The environmental impact which Mr. Portney addressed is only going to affect those limited property owners who abut this particular property and I would suggest for your consideration the fact that these property owners knew when they purchased the property 3½ years to 5 years ago, that this property could be developed commercially. They also knew when they purchased the property that there were at least 10 or 12 different commercial sites left and right of this particular property, so I would respectfully ask you to vote no as to this particular article.

Mr. Robert Johnson of Whispering Pine Road expressed his belief that the issue here was being lost. There's a big economic impact whether you're a homeowner or whether you have commercial property. The EPA did that a number of years ago when they declared watersheds and a lot of people lost a great deal of money on what they thought were economic gains. I think the town has made a big mistake here. They have not taken care of its townspeople by controlling Route 20. We have a safety hazard here and I wonder what it's going to cost for the first life that's lost between Horse Pond Road and Route 20. We're going to have the same thing on Landham Road and the same thing down where Goodman Hill Road meets Route 20. When you leave the fire station going out of Sudbury towards Marlboro, people step on the gas and get up to 50. When they're coming into town they don't slow down until they see the fire station. The same thing is true on the other end. Regardless of who's going to lose, it's going to be somebody's life. Until the town recommends and comes up with a proposal for traffic control on Route 20, I recommend we vote to have this land rezoned.

In response to Mr. Jacobi's comments, Mrs. Portney of Adams Road stated, when continuing to refer to the Portney's, I'd like to remind you and the assemblage here that over 260 people signed the petition, it wasn't just the abutters. Secondly, the development on Route 20 that you were so detailed about, I see and I think the rest of us see it as all the more reason for us to stop the development now. There is enough. There has been enough and we don't need any further development particularly in this very treacherous area. Many of us who use Horse Pond and Dudley know how difficult it is to get out of those roads now and to try to accelerate onto Route 20 with traffic coming both ways. If there was a retail business establishment between those two areas, it would be virtually impossible at times to get out and accelerate safely onto Route 20 and I'd like everyone to consider that. You talked about the Astro Paint moving from one part of town to another. Of course right now Astro Paint is in a shopping development where there are many cars going in and coming out all of the time. We're talking

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about it moving to not only a residential area, but also to an area in town where we have two main roads coming onto Route 20 and would add to that problem. When the plan was first presented to us, and it was a 250-foot long building, we were told then that there was a potential development for 8 to 10 retail and office establishments in that building. The center of the building is one story and can be divided into Astro Paint and another large retail establishment. The two side buildings are two-story buildings. We were told by the potential developers that each could be divided into four retail or office spaces. They would like it to be office space but of course they couldn't guarantee who could come to them for leases and so that it could be retail.

I would like to mention that this property was originally residential. We're talking about our taking the property and rezoning it. This property was residential. The property owner knew that it was residential and changed it to commercial themselves. -- Obviously, just as we knew when we bought the property that we had commercial property abutting us, the owner when she bought this property was well aware, since she changed the zoning herself, that the zoning could be changed again. I don't think that should come as a surprise to the property owner.

Last point, when we went to the Selectmen's meeting and offered our concerns to them, we were very clearly told that as long as this property was zoned commercially, the Selectmen could not refuse commercial development on that property. They could send it back to be revised but if it was zoned commercial then they, in good faith, had to allow commercial development. The Selectmen suggested that perhaps the only way to prevent development was to rezone the property to residential.

Mr. Peter Piona of Brewster Road then addressed the hall. My wife, Mary, is the owner of this property. This parcel of land is part of her homestead. She has been living in Sudbury for 30 years and has been an honest law-abiding citizen. She didn't ask for this land to be rezoned. The Planning Board rezoned it. It has been that way for almost 30 years. I don't think it is fair for a group of newcomers to town to suddenly take over and run the town.

Mr. Portney is an excellent speaker, a great organizer, and I take my hat off to him. He's done a great job of rallying up all these people. A little fact that all his constituents don't know is that Mr. Portney has about 2,000 feet of his lawn on my wife's property, and he would like to keep it that way. We haven't bothered him, as it was of no consequence to use at the time. By some strange miracle a property bound was moved 30 feet back onto my wife's property. Maybe he'd like us to landscape all of it for him also.

Let me point out something as to the Sandler Brothers. They are two honest, hard-working people. They've been in Sudbury 15 years and have an excellent name and an excellent reputation. They've put up their life savings to buy this land and to develop it. I don't think it's fair to them or to my wife to rezone.

Mary Piona expressed concern that she was being discriminated against as there are large supermarkets on Route 20 that are going to cause much traffic, and not that "little thing on the corner of Dudley Road." She also commented that the Portney's knew when they bought their property that the land next to it was commercially zoned.

At this point in the discussion, a motion was received and seconded to move the question.

VOTED: TO MOVE THE QUESTION

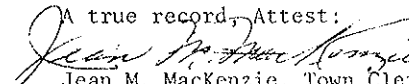
The motion to amend the Sudbury Zoning Bylaw, Article IX, II, C, by rezoning to residential zoning C-1 parcels 26 and 27 of Business District #15 on Assessors' property map K06 was defeated.

In favor: 174 Opposed: 160 Required vote (2/3rds): 223
Total Vote: 334

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A motion to dissolve the Special Town Meeting was received, seconded and *VOTED*. The meeting was dissolved at 10:08 P.M.

Attendance: 360

A true record, Attest:

Jean M. MacKenzie, Town Clerk

STATE PRIMARY

September 18, 1984

The State Primary Election was held at the Peter Noyes School with the polls open from 7:00 AM to 8:00 PM. There were 1467 Republican ballots cast including 50 absentee ballots; there were 1600 Democratic ballots cast including 79 absentee ballots; a total of 3067 votes were cast. Twenty-three voting machines were used. The results were announced by Town Clerk, Jean M. MacKenzie at 10:20 PM as follows:

DEMOCRATIC BALLOT

U. S. Senator

David M. Bartley	61
Michael Joseph Connolly	82
John F. Kerry	419
James M. Shannon	1011
Scattering	0
Blanks	27

Representative in Congress

Chester G. Atkins	1369
Philip L. Shea	195
Scattering	0
Blanks	36

Councillor

Herbert L. Connolly	848
Raymond P. McKeon	235
Scattering	0
Blanks	517

Senator in General Court

Michael P. Hogan	181
Joseph W. Mullin	629
John E. Zion	631
Scattering	1
Blanks	158

Representative in General Court

Scattering	4
Blanks	1596

Register of Probate

Paul J. Cavanaugh	873
Scattering	0
Blanks	727

County Commissioner

Thomas J. Larkin	748
Michael E. McLaughlin	480
Robert W. Keough	173
Albert Joseph Onessimo	76
Anthony D. Pini	143
Scattering	0
Blanks	1580

Treasurer

William J. Gustus	336
Rocco J. Antonelli	135
Daniel H. Ballou, Jr.	143
Thomas F. Coughlin	122
Leo F. Henebury, Jr.	40
Joseph E. LeBlanc	33
Vincent A. LoPresti	266
Scattering	0
Blanks	525

REPUELICAN BALLOT

U. S. Senator

Elliot L. Richardson	664
Raymond Shamie	799
Scattering	0
Blanks	4

Representative in Congress

Gregory S. Hyatt	446
Thomas P. Tierney	810
Scattering	0
Blanks	211

Councillor

Scattering	0
Blanks	1467

Senator in General Court

Argeo Paul Cellucci	929
Scattering	0
Blanks	538

Representative in General Court

Lucile 'Cile' P. Hicks	1147
Scattering	0
Blanks	320

Register of Probate

Scattering	0
Blanks	1467

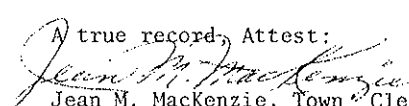
County Commissioner
(Vote for Two)

Nicholas S. Polio	1077
Scattering	0
Blanks	1857

Treasurer

Edward Young (Write-in)	5
Scattering	0
Blanks	1462

A true record, Attest:



Jean M. MacKenzie, Town Clerk

PRESIDENTIAL ELECTION

November 6, 1984

The State Election was held in the Peter Noyes School with the polls open from 6:00 AM to 8:00 PM. There were 7,901 votes cast including 545 absentee ballots (Precinct 1 - 144; Precinct 2 - 109; Precinct 3 - 142; Precinct 4 - 150). Twenty-five voting machines were used. The Precinct results were announced by the precinct clerks at 11:09 PM.

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>TOTAL</u>
PRESIDENT AND VICE PRESIDENT					
Mondale and Ferraro	740	824	755	923	3242
Reagan and Bush	1123	1065	1190	1233	4611
Serrette and Ross	3	4	2	4	13
Scattering	1	2	2	6	11
Blanks	7	4	4	9	24

SENATOR IN CONGRESS

John F. Kerry	843	968	875	1027	3713
Raymond Shamie	1003	901	1049	1113	4066
Scattering	1	1	0	5	7
Blanks	27	29	29	30	115

REPRESENTATIVE IN CONGRESS

Chester G. Atkins	963	1067	1001	1156	4187
Gregory S. Hyatt	863	759	888	952	3462
Scattering	0	1	0	0	1
Blanks	48	72	64	67	251

COUNCILOR

Herbert L. Connolly	1049	1135	1064	1180	4428
Scattering	1	0	0	1	2
Blanks	824	764	889	994	3471

SENATOR IN GENERAL COURT

Argeo Paul Cellucci	886	890	899	1022	3697
Joseph W. Mullin	881	885	897	1017	3680
Scattering	0	0	1	0	1
Blanks	107	124	156	136	523

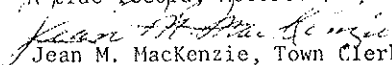
REPRESENTATIVE IN GENERAL COURT

Lucile 'Cile' P. Hicks	1427	1376	1399	1614	5816
Scattering	1	1	0	2	4
Blanks	446	519	557	559	2081

REGISTER OF PROBATE (Middlesex County)

Paul L. Cavanaugh	1008	1087	1039	1149	4283
Scattering	1	0	0	1	2
Blanks	865	812	914	1025	3616

	<u>Pct. 1</u>	<u>Pct. 2</u>	<u>Pct. 3</u>	<u>Pct. 4</u>	<u>TOTAL</u>
COUNTY COMMISSIONER (Middlesex County)					
(Vote for Two)					
Thomas J. Larkin	639	668	679	753	2739
Michael E. McLaughlin	469	475	470	533	1947
Nicholas S. Polio	1147	1066	1155	1249	4617
Scattering	2	0	0	1	3
Blanks	1491	1589	1602	1814	6496
TREASURER (Middlesex County)					
William J. Gustus	1064	1140	1072	1171	4447
Scattering	1	0	0	1	2
Blanks	809	759	881	1003	3452
QUESTION 1 (Exempting from provisions of Proposition 2 1/2 bonding for acquisition of development rights to Stone Tavern Farm as voted under 1984 Annual Town Meeting, Article 31.)					
Yes	658	672	673	801	2804
No	828	908	898	979	3613
Blanks	388	319	382	395	1484

A true record, Attest:

 Jean M. MacKenzie, Town Clerk

