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DF Defeated
 IP Indefinitely Postponed
 WD Withdrawn
 PO Passed Over
 REF Referred for further study

ANNUAL TOWN ELECTION

MARCH 25, 1985

The Annual Town Election was held at the Peter Noyes School with the polls opening at 7:00 A.M. to 8:00 P.M. There were 1,856 votes cast, including 40 absentee ballots. Twenty voting machines were used. The results were announced by Town Clerk, Jean M. MacKenzie.

MODERATOR: For One Year

Robert K. Coe	435
Thomas Dignan	881
Henry P. Sorett	456
Scattering	1
Blanks	83

SELECTMAN: For Three Years

Anne W. Donald	983
Joseph Clark	783
Scattering	0
Blanks	90

ASSESSOR: For Three Years

Linda Z. Buxbaum	1256
Scattering	8
Blanks	592

ASSESSOR: For Two Years

William B. Galvin	80
(write-in)	
Michele T. Singer	53
(write-in)	
Scattering	11
Blanks	1712

CONSTABLE: For Three Years

Michael P. Jennette	1171
Scattering	2
Blanks	683

GOODNOW LIBRARY TRUSTEE:

For Three Years	
Robert E. Mitchell, Jr.	1327
Ivan H. Lubash	818
Scattering	0
Blanks	1567

BOARD OF HEALTH:

For Three Years	
Michael W. Guernsey	1294
Scattering	0
Blanks	562

HIGHWAY SURVEYOR: For One Year

Robert A. Noyes	1278
J. Eric Johnson	401
Scattering	0
Blanks	177

BOARD OF PARK AND RECREATION COMMISSIONERS:

For Three Years:

Jane A. Neuhauser	1273
Donald Soule	1106
Scattering	0
Blanks	1333

PLANNING BOARD: For Three Years

John C. Drobinski	1233
Scattering	0
Blanks	623

PLANNING BOARD: For One Year

Morton L. Brond	1186
Scattering	0
Blanks	670

SUDBURY HOUSING AUTHORITY: For Two Years

Clifford Azkinazi	1159
Scattering	0
Blanks	697

SUDBURY SCHOOL COMMITTEE: For Three Years

(Vote for one)	
Judith C. Torian	992
Stephen L. Bober	1082
James L. Kates	734
Scattering	0
Blanks	904

TREE WARDEN: For One Year

William M. Waldsmith	1267
Scattering	0
Blanks	589

LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

SCHOOL COMMITTEE: For Three Years

Lynn B. Donaldson	1123
Cornelius S. Hickey, Jr.	1138
Scattering	1
Blanks	1450

A True Record, Attest:

Jean M. MacKenzie
 Jean M. MacKenzie
 Town Clerk

1985 FINANCE COMMITTEE REPORT

The recommendations which appear in this Warrant and which you will hear us elaborate on in the sessions of Town Meeting are the Finance Committee's best effort at dividing up a limited amount of available dollars. In the years prior to Proposition 2½, the Finance Committee made recommendations to Town Meeting and indicated that if the recommendations were voted the tax rate would be \$x; if the Town voted to spend in excess of those recommendations, then the tax rate would be \$x plus. Those days and calculations are behind us. The 351 cities and towns of our Commonwealth now operate under Proposition 2½. A levy limit is set based upon the prior year's levy limit plus 2½% and an estimate of new construction. This is the maximum amount that we can spend in a given year without an override or debt exemption. In addition, there is a \$25 tax rate limit which cannot be exceeded under any circumstances. Municipal financing is quite similar to your personal finances; you have income (both earned and unearned) which is available to you in a given year. We must budget our expenditures based on that income. The real difference between personal finances and municipal finances is that with the latter we have no "plastic" at our disposal. The Finance Committee is giving you its recommendations based on the bottom line (tax levy limit). An appropriate analogy to the task at hand would be to view the budgeting process as similar to the cutting up of a 10" pie. The Finance Committee suggests that the pie be cut into 12 pieces: some 3" wedges and some 2" wedges. If you feel that the pie should be cut into pieces all the same size then you should cut the pieces that way. Whether you cut the pieces in equal sizes or the way we suggested, the size of the pie will not change. Thus, it is essential to keep in mind that the total you recommend must be the same total we recommend; the only difference can be in the way the total is reached. Therefore, if your priority is to fund a line item or article that the Finance Committee did not, the funds need to come from a source for which we recommend funding (you rob Peter to pay Paul).

The budget and Warrant article recommendations which are contained in the following pages are the result of numerous Finance Committee meetings, sessions with the Town boards and committees and groups of petitioners who submitted articles. After everyone talked with us, the Finance Committee analyzed the financial picture of the Town: how much money was being requested and how much money we anticipated from available funds, plus State, Federal, and County reimbursements. As has been the situation in the past several years there are restrictions imposed upon our spending (Proposition 2½ determines the maximum which can be spent, also known as the tax levy limit, and the \$25 tax rate ceiling). We then determined our list of priorities to recommend to you, the voters, who ultimately decide how to spend our tax dollars!

This year we have a clearer picture of the total monies needed for FY86 because there is no collective bargaining pending for the Police, Fire, Highway and Schools. The Finance Committee met with the Board of Selectmen and the Personnel Board to discuss the process of setting salaries for individually-rated personnel. In a year when collective bargaining is on-going, it is imprudent to set salaries for these employees because the percentages would then become the starting point for collective bargaining. Since negotiations often do not conclude until the Fall, the salaries of individually-rated personnel are not discussed until that time.

In a year when salaries are not negotiated, the individually-rated salaries could be set before Town Meeting but they would then be based on approximately three months' performance. After discussing the pros and cons of alternative methods it was decided that the present system made the most sense at this time, and therefore, a small sum of money has been recommended for the Salary Adjustment Account in the Unclassified budget. Therefore, the line items for the individually-rated personnel under the jurisdiction of the Selectmen (Police and Fire Chiefs, Town Accountant, Town Counsel, Assistant Town Counsel and Executive Secretary) are at the same level as the 1985 rate.

It is important that you familiarize yourself with the requests of the Town departments and boards and the recommendations of the Finance Committee before Town Meeting. We asked that all budgets stay at least within the 2½ guidelines for non-salary accounts and at 6% for personal services to cover contractual obligations and step increases. The amount the tax levy can increase this year over last year is only \$921,149 of which \$500,000 is committed for salaries unless we reduce personnel. The Finance Committee chose not to recommend that course.

Instead, we have carefully reviewed the requests and set priorities. The priorities we set represented our best effort (and only that) in ranking the services provided by the Town. (We are fully aware that in some cases despite careful consideration we may have misread the attitude of the voters.) Town Meeting is the place to question our assessment of the Town's priorities. The Finance Committee does not believe it is omniscient and invites your comments. On the basis of these priorities, in many instances we asked departments to tighten their belts. Many departments did their own prioritizing and we are recommending reduced amounts accordingly.

** The FY86 requests are:	Budget	\$18,184,261
	Articles	349,267
	Cherry Sheet	787,033
	Overlay	300,000
	TOTAL REQUESTS	\$19,620,561

** The FY86 estimated receipts are:	Cherry Sheet	\$ 3,108,683
	Local Receipts	625,000
	Revenue Sharing	130,000
	Motor Vehicle Excise	520,000
	Overlay Surplus	80,000
	Available Funds	97,193
	Free Cash	300,000
	TOTAL RECEIPTS	\$ 4,860,876

** The numbers used here were the actual numbers available as of February 7, 1985; by Town Meeting the estimated receipt figures should be more firm and we will reflect that in a handout.

Based on the foregoing numbers, if all of the budget requests and articles proposed were to be fully funded, the tax levy required would be \$14,759,685. Unfortunately, the levy limit for Sudbury for FY86 is \$14,299,044. This is comprised of \$13,849,044 (the previous limit plus 2½%) plus an estimated \$450,000 derived from eligible new construction. When we subtracted the levy limit from the tax levy it became apparent that the Finance Committee needed to recommend cutting expenditures by \$460,641. The Finance Committee's recommendations are based on these figures.

This year is difficult and next year will be tougher. We have been fortunate that we have not needed an override even though failure of the Stone Farm debt exemption eliminated \$70,000 of relief for FY86. It is extremely probable that next year or the year after an override will be essential if current service levels are to be maintained. We are grateful to everyone who has been involved with this process for their cooperation.

Appended to this report are explanations of several terms which are used during Town Meeting which the Finance Committee thought might be useful.

Respectfully submitted,

FINANCE COMMITTEE

Marjorie R. Wallace, Chairman
 Thomas G. Dignan, Jr.
 Gerald M. Orris
 Stephen D. Ellis
 William Gervais
 John T. Hannan
 Christopher F. Baum
 Carmine L. Gentile
 Daniel A. Wren

BUDGET TERMS/DEFINITIONS

FREE CASH:	Represents the amount of money remaining after deducting from surplus revenue all uncollected taxes for prior years. Free Cash is certified annually by the State Bureau of Accounts and may be used to defray Town costs by a vote of the Town Meeting.
AVAILABLE FUNDS:	Free Cash plus reserved and unexpended balances available for appropriation.
OVERLAY:	Amount set by the Assessors to create a fund to cover abatements of real and personal tax assessments for the current year, and raised on the tax levy.
OVERLAY SURPLUS:	This is the accumulated amount of the Overlay for previous years which was not used or which was not required to be used in the Overlay Account. This fund may be used by vote of the Town Meeting for extraordinary or unforeseen purposes or voted into the Reserve Fund.
RESERVE FUND:	Amount appropriated for emergency or unforeseen purposes, controlled exclusively by the Finance Committee.
CHERRY SHEET:	Details of State and County charges and reimbursements used in determining the tax rate. Name derives from the color of the paper used.
BOURNE RULE:	A procedure initiated by the Town of Bourne which may be used when making motions involving appropriations that exceed the recommendation of the Finance Committee. If a motion is made to increase a line item or article over the amount recommended by the Finance Committee, the motion must include the source of the funds needed to fund the overage -- either from available funds or by reducing another budget or article below the Finance Committee recommendation. This recommendation is for the guidance of the Town Meeting and cannot be acted upon until the budget or article in question comes up for consideration.

REVENUE AND EXPENDITURE FORECAST

ANALYSIS 8 VANAR 2-25-85	FY 84 LEVY	FY 85 LEVY	FY86 REQUEST	FY86 FINCOM
SUDBURY SCHOOLS	5,578,626	5,715,508	6,451,014	6,426,014
COMMUNITY USE	12,000	12,000	12,000	12,000
SUMMER SCHOOL	5,075	5,365	5,735	5,735
REGIONAL HIGH SCHOOL	3,961,292	4,373,090	4,414,869	4,373,090
VOCATIONAL HIGH SCHOOL	254,928	296,839	308,491	308,493
TOTAL SCHOOL BUDGET	9,811,921	10,402,802	11,192,109	11,125,332
DEBT	330,063	369,988	422,403	422,403
PROTECTION	2,044,954	2,189,434	2,383,121	2,328,841
HIGHWAY	1,092,443	992,988	1,073,455	1,072,293
GENERAL GOVERNMENT	670,063	797,092	857,376	846,200
LIBRARY	226,637	237,252	268,774	266,859
PARKS AND RECREATION	141,790	147,082	191,846	151,846
HEALTH	205,961	237,568	239,507	189,507
VETERANS	15,161	11,161	11,459	7,459
UNCLASSIFIED	1,130,047	1,359,889	1,528,710	1,576,710
SALARY ADJ. TOWN	15,000	117,742	15,500	15,500
SALARY ADJ. SCHOOLS	0	171,451	0	0
TOTAL UNCLASS.	1,145,047	1,649,082	1,544,210	1,592,210
TOTAL TOWN BUDGET	5,872,119	6,631,647	6,992,151	6,877,618
TOTAL OPERATIONS BUDGET	15,684,040	17,034,449	18,184,260	18,002,950
A.T.M. ARTICLES	433,468	501,869	349,267	104,107
S.T.M. ARTICLES	40,814	38,500	0	0
TOTAL ARTICLES	474,282	540,369	349,267	104,107
TOTAL BUDGET	16,158,322	17,574,818	18,533,527	18,107,057
CHERRY SHEET CHARGES	563,676	572,601	572,601	572,601
CHERRY SHEET OFFSETS	185,789	214,432	214,432	214,432
RECAP CHARGES	3,113	1,250	0	0
TOTAL CHARGES	752,578	788,283	787,033	787,033
OVERLAY	369,271	268,424	300,000	300,000
TOTAL EXPENSES	17,280,171	18,631,525	19,620,560	19,194,090
CHERRY SHEET RECEIPTS	2,863,949	3,008,683	3,108,683	3,108,683
LOCAL RECEIPTS	500,000	589,700	625,000	625,000
REVENUE SHARING	180,000	140,000	130,000	130,000
MOTOR VEHICLE EXCISE	480,000	500,000	520,000	520,000
OVERLAY SURPLUS	100,000	80,000	80,000	80,000
AVAILABLE FUNDS	150,649	196,664	112,193	133,947
BORROWING	140,000	345,567	0	0
FREE CASH	133,499	392,516	300,000	300,000
OFFSET RECEIPTS	0	500	0	0
TOTAL EXPENSE OFFSETS	4,548,097	5,253,630	4,875,876	4,897,630
TAX LEVY	12,732,074	13,377,895	14,744,684	14,296,460
PREVIOUS LIMIT + 2.5%	12,633,001	13,140,891	13,849,044	13,849,044
NEW CONSTRUCTION	187,376	370,371	450,000	450,000
LEVY LIMIT	12,820,381	13,511,262	14,299,044	14,299,044
F.F.C.V. LIMIT	13,157,362	13,540,969	17,500,000	17,500,000
TOTAL PROPERTY VALUE	526,294,489	541,638,759	700,000,000	700,000,000
UNDER/OVER(-)LEVY LIMIT	88,307	133,367	-445,640	2,584
100% TAX RATE	24.19	24.70	21.06	20.42
RESIDENTIAL RATE	22.49	23.06		
COMMERCIAL RATE	36.00	36.56		

ANNUAL TOWN MEETING

April 1, 1985

The Annual Town Meeting of the Town of Sudbury was called to order by Thomas G. Dignan, Jr., the Town Moderator at 8:09 P.M. at the Lincoln-Sudbury Regional High School Auditorium. A quorum was declared present.

The Reverend Stanley G. Russell of the Memorial Congregational Church delivered the invocation, which was followed by Miss Shawn Walker, 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 \$324,774. 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 Fox, it was

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

The Moderator then introduced the various town officials and members of town boards present and the students visiting Sudbury on the Foreign Student Exchange Program.

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

RESOLUTION

WHEREAS: THE TOWN OF SUDBURY HAS ENJOYED THE BLESSING OF THOSE IN THE COMMUNITY WHO GAVE OF THEIR TIME AND TALENT TO ENRICH THE QUALITY OF LIFE IN THE TOWN; AND

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

NOW, THEREFORE, BE IT

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

<i>FRANCES M. HILL</i>	<i>1911-1984, MOVED TO SUDBURY CHARTER MEMBER OF SUDBURY PUBLIC HEALTH NURSING ASSOCIATION AS OF MEMBER OF THE NURSING COMMITTEE OF THE SPHNA BOARD FROM PRESIDENT, SPHNA BOARD OF DIRECTORS SERVED ON THE BOARD OF HEALTH ELECTION OFFICER</i>	<i>1935 1937 1938-1943 1954-1955 1945-1951 1983-1984</i>
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<i>PHILLIPS B. HUNT</i>	<i>1928-1985, MOVED TO SUDBURY SERVED ON THE FINANCE COMMITTEE</i>	<i>1962 1968-1971</i>
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April 1, 1985

<i>W. JAMES LYONS</i>	<i>1904-1984, MOVED TO SUDBURY SERVED ON THE ANCIENT DOCUMENTS COMMITTEE</i>	<i>1973 1979-1981</i>
<i>DONALD MARCH</i>	<i>1919-1984, LINCOLN-SUDBURY REGIONAL HIGH SCHOOL DIRECTOR OF MUSIC</i>	<i>1969-1977</i>
<i>GEORGE P. OVIATT</i>	<i>1906-1984, LIFETIME SUDBURY RESIDENT TREE WARDEN SUPERINTENDENT OF GYPSY AND BROWN TAIL MOTH PLANNING BOARD</i>	<i>1944-1946 1944-1945 1946-1952</i>
<i>PRISCILLA RAFUS</i>	<i>1924-1984, LINCOLN-SUDBURY REGIONAL SCHOOL BUILDINGS AND GROUNDS DEPARTMENT MATRON</i>	<i>1973-1981</i>
<i>PHYLLIS STAPEL</i>	<i>1926-1984, LINCOLN-SUDBURY REGIONAL HIGH SCHOOL CAFETERIA WORKER</i>	<i>1968-1982</i>

*AND BE IT FURTHER RESOLVED: THAT THE TOWN OF SUDBURY
IN TOWN MEETING ASSEMBLED, RECORD FOR POSTERITY IN THE
MINUTES OF THIS MEETING, ITS RECOGNITION AND APPRECIATION
FOR THEIR SPECIAL GIFTS AND SERVICES TO THE TOWN.*

The Moderator announced that following the vote on Article 1, the Annual Town Meeting will be recessed. A Special Town Meeting will be convened, completed, and dissolved, then the Annual Town Meeting will be resumed.

As required by the Federal Revenue Sharing regulations, a hearing was conducted to consider the use of Federal Revenue Sharing Funds as an offset to the total Town Budget for Fiscal Year 1986. The Chairman of the Board of Selectmen explained that the Town's gross estimated budget is \$1,187,247, and that Federal Revenue Sharing Funds, in the amount of \$130,000, are proposed to be applied to the Fire Department and the Police Department salaries. There being no questions regarding the use of the Federal Revenue Sharing Funds, it was

*UNANIMOUSLY VOTED: THAT THE TOWN USE GENERAL REVENUE SHARING FUNDS
RECEIVED FROM THE FEDERAL GOVERNMENT DURING FISCAL YEAR 1986
IN CONJUNCTION WITH THE VOTES TAKEN UNDER ARTICLE 6, ENTITLED:
BUDGET, TO BE APPLIED TO THE FIRE AND POLICE BUDGETS.*

Board of Selectmen Report: (M. Fox)

This year the financial state of the Town continues to be good, thanks in large part to a prudent Finance Committee and the staff work of Town Accountant, Jim Vanar, and our Executive Secretary, Ed Thompson. Town and school budgets have only increased an average of 4.7% annually over the last ten years and tax increases have been moderate. The budgets presented to this Town Meeting have been reviewed very carefully and in our opinion, there are no frills. After departmental review and reductions, the Finance Committee is making further recommended cuts, close to a half a million dollars. Many requests and projects had to be denied because of the uncertainty of available funds. The so-called Cherry Sheet, showing state charges and local aid, arrived in early March. Our net gain for town and local schools was \$136,000 over last year. Again, this year, however, the Cherry Sheet showed a substantial decrease in local school aid but this was offset by major gains in the areas of lottery receipts and local assistance monies. The Regional High School and Minuteman School received very minor increases in state aid. The budgets and articles recommended to this Town Meeting by the Finance Committee and the Selectmen use up most of the funds allowed Proposition 2 1/2. The level of funding recommended in the Warrant will maintain essential levels of service without creating any real hardships. The major reasons we're able to live within Proposition 2 1/2 is

April 1, 1985

due to two factors. One, the use of Free Cash, certified by the State as shown on the handout, entitled: 1985 Annual Town Meeting Finances. The other reason is that new construction, as of January 1, 1985, as provided under Proposition 2 1/2, allows an increase of \$450,000 in the levy which will be paid through taxes by the owners of those new properties. There are other funds available which are listed on the handout, Certified Free Cash in the amount of \$62,490, and Miscellaneous Balances, totalling \$41,293, which is a compilation of several of the figures on that handout. Also, there are restricted funds which consist of the Stabilization Fund, \$40,642, the Horse Pond Rental Account \$35,700, Sale of Town Buildings Account \$30,193, and Overlay Surplus, 23,323. I won't go over an explanation of each one of those items because they're all spelled out in the handout. The Selectmen will recommend towards the close of Town Meeting and after consideration of all monied articles in the budgets, that the \$170,000 which resulted from the sale of the Horse Pond School be appropriated for Article 34, Stabilization Fund. The Board of Selectmen strongly recommends that we do not use, but instead hold in reserve all of the restricted funds and as much as possible of the Free Cash and Miscellaneous Balances for next year or later years for use in extraordinary or unforeseen circumstances and also for offsets to a future year's tax rate. We have been able to maintain the posture we have in both schools and town government because of our planning ahead and wise use of town funds.

1985 ANNUAL TOWN MEETING FINANCES

I. LEVY LIMIT \$14,299,044

	<u>FinCom Recommendation</u>
Operating Budgets	\$ 17,908,279
Articles	+ <u>298,407</u>
TOTAL BUDGET	\$ 18,206,686
Charges (State, County, and Overlay)	+ <u>1,017,882</u>
TOTAL EXPENSES	\$ 19,244,568
Less Estimated Receipts and Aid	- 4,221,433
Less Federal Revenue Sharing (FRS)	- 130,000
Less Available Funds (AF)	- 253,947
Less Overlay Surplus (OS)	- 80,000
Less Free Cash (FC)	- <u>240,144</u>
TOTAL EXPENSE OFFSETS	- 4,925,524

RECOMMENDED TAX LEVY \$14,299,044

100% Tax Rate = \$20.43

Amount above or below levy limit -0-

II. At the Town's disposal are the following unrestricted funds not being recommended by the Finance Committee for use at this time:

A. Free Cash (certified by the State)	\$	62,490
B. Miscellaneous balances unspent from prior Town Meeting Articles:		
1. 82 ATM Article 14, Dutton Road		14,000
2. 83 ATM Article 23, Union Avenue		9,000
3. 82 STM Article 3, Boundary Change		3,994

Note: The Board of Selectmen will be recommending use of \$14,299 in available funds (\$6,344 from 80 ATM Article 19, Surface Drains, and \$7,955 from 81 STM Article 2, Traffic Control Devices) which are in addition to those listed above, for Article 15.

III. At the Town's disposal are the following restricted funds not being recommended by the Finance Committee for use at this time:

A. Stabilization Fund (requires 2/3 vote to use and must be for purposes for which the town can borrow money)	\$ 240,642
B. Horse Pond School Rental Reserve for Appropriation Account	35,700
C. Sale of Town Buildings Account (can use for purposes for which the town can borrow for 5 years)	30,193
D. Overlay Surplus (may be used at ATM for Reserve Fund or for extraordinary or unforeseen purposes)	23,323

IV. Town Funds not certified by the State and therefore unavailable at this time: \$ 395,141

Prepared by the Office of the Board of Selectmen and the Finance Committee on 4/1/85.

BUDGET DETAIL FY86

	<u>Request</u>	<u>FinCom Rec.</u>	<u>(Offset)</u>	<u>ATM Voted</u>	<u>(Offset)</u>
Operating Budgets					
110 S. Schools	\$ 6,336,204	\$ 6,311,204	(36,000)AF		
120 Commun. Use	12,000	12,000			
125 Summer Sch.	5,735	5,735	(5,735)AF		
130 Reg. High	4,414,869	4,373,090			
140 Voc. Reg.	308,491	308,493			
200 Debt	422,403	422,403			
300 Protection	2,383,121	2,328,841	(130,000)FRS		
400 Highway	1,073,455	1,072,293	(91,886)AF		
500 Gen. Gov.	857,376	841,339			
600 Library	268,774	266,859	(13,426)AF		
700 Park & Rec	191,846	151,846			
800 Health	239,507	189,507			
900 Veterans	11,459	7,459			
950 Unclassified	1,544,210	1,617,210	(80,000)OS		
Total Operating Budget	\$18,069,450	\$17,908,279	(357,047) (240,144)Free Cash (597,191)		

Articles

7 Unpaid Bills	\$ 607	\$ 607			
8 Winter Street	16,160	0			
9 Ambulance	13,000	13,000	(13,000)AF		
13 Telephones	65,893	65,000	(65,000)AF		
15 Intersections	15,000	0			
16 Haskell	50,000	40,000	(28,900)AF		
31 Peakham WWay	100,000	4,300			
32 Raymond WWay	104,000	5,000			
33 350th Celebr.	500	500			
34 Stabilz. Fund	170,000	170,000			
Total Articles	535,160	298,407	(106,900)		
TOTAL BUDGET	\$18,418,717	\$18,206,686	(704,091)		

Finance Committee Report: (M. Wallace)

A verbal report to the meeting was presented that was substantially the same as the Finance Committee Report printed in the Warrant except for those changes noted in the handout sheet listed above (see page 2).

ARTICLE 1. To see if the Town will vote to hear, consider and accept the reports of the town boards, commissions, officers, and committees as printed in the 1984 Town Report or as otherwise presented, or act on anything relative thereto.

Hear
Reports

Submitted by the Board of Selectmen.

Board of Selectmen Position: The Board supports this article.

Finance Committee Report: Recommend approval.

Upon a motion made by J. Owen Todd, the recently retired Moderator for the Town, it was

UNANIMOUSLY VOTED: TO HEAR, CONSIDER AND ACCEPT THE REPORTS OF THE TOWN BOARDS, COMMISSIONS, OFFICES AND COMMITTEES AS PRINTED IN THE 1984 TOWN REPORT OR AS OTHERWISE PRESENTED OR ACT ON ANYTHING RELATIVE THERETO, SUBJECT TO THE CORRECTION OF ERRORS, IF ANY, WHERE FOUND.

The next order of business was the voting of the Consent Calendar. The Moderator explained the procedure to be used and read the number of each article which had been placed on the Calendar. Under Article #33, he noted that the funds would be raised by Taxation and not from Available Funds, as printed in the Warrant. The following articles were held and removed from the Consent Calendar: Articles 5, 12, 17, and 28.

UNANIMOUSLY VOTED: TO TAKE OUT OF ORDER AND TOGETHER AT THIS TIME ARTICLES 2, 7, 9, 11, 18, 19, 20, AND 33.

UNANIMOUSLY VOTED: IN THE WORDS OF THE CONSENT CALENDAR MOTIONS AS PRESENTED IN THE WARRANT AND INCLUDING THE CORRECTION PROVIDED BY THE MODERATOR UNDER ARTICLE 33 FOR ARTICLES 2, 7, 9, 11, 18, 19, 20 AND 33.

(See individual articles for reports and motions voted.)

At this time there was a motion to recess the Annual Town Meeting and to reconvene it at the dissolution or adjournment of the Special Town Meeting. This motion was seconded and *VOTED*.

The Annual Town Meeting was recessed at 8:46 P.M.

SPECIAL TOWN MEETING

April 1, 1985

The Special Town Meeting of April 1, 1985, was called to order at 8:46 P.M. Mr. Thomas Dignan, the Moderator, declared a quorum was present. He announced the Free Cash available, as certified by the Town Accountant, to be the sum of \$324,774. He then announced he had examined the Call of the Special Meeting, the Officer's Return of Service, the Town Clerk's return of mailing and found each to be in order.

The Chairman of the Board of Selectmen then made a motion which was

UNANIMOUSLY VOTED: TO DISPENSE WITH THE READING OF THE CALL OF THE MEETING THE OFFICER'S RETURN OF SERVICE, AND THE TOWN CLERK'S RETURN OF MAILING TO EACH HOUSEHOLD IN THE TOWN, AND TO WAIVE THE READING OF THE ARTICLES IN THE WARRANT OF THE SPECIAL TOWN MEETING OF APRIL 1, 1985.

ARTICLE 1. To see if the Town will vote to appropriate from available funds \$40,000, or any other sum, as an addition to line item 950-101, Salary Adjustment, FY Budget Unclassified Budget, voted by the 1984 Annual Town Meeting under article Adjustment for Fiscal Year 1985, or act on anything relative thereto.

Salary Submitted by the Board of Selectmen.
Adjustment

Board of Selectmen Report: This request is made to supplement the FY 85 Account 950-101 budget, as voted at the 1984 Annual Town Meeting, to accommodate the contractual pay increases which have resulted from collective bargaining negotiations completed in FY 85 and non-union salary increases. The Board supports this article.

Finance Committee Report: These funds are necessary to comply with already negotiated agreements for salary increases. Recommend approval.

The Chairman of the Board of Selectmen *moved in the words of the Article with the sum of \$6,140 to be raised by transfer from Free Cash.*

There was no discussion on this article.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE WITH THE SUM OF \$6,140 TO BE RAISED BY TRANSFER FROM FREE CASH.

ARTICLE 2. To see if the Town will vote to appropriate from available funds \$35,000, or any other sum, as an addition to line item 950-11, FY85 Budget Blue Cross/Blue Shield, Unclassified Budget, voted by the 1984 Adjustment Annual Town Meeting under Article 5 for Fiscal Year 1985, or act on anything relative thereto.

Blue Cross/
Blue Shield Submitted by the Board of Selectmen.

Board of Selectmen Report: This request is made to supplement FY 85 Account 950-11 to pay for unanticipated increases in rates and usage of health insurance. Blue Cross/Blue Shield new premium schedules will go into effect as of May 10, 1985, and will affect the town payments for both the BC/BS and HMO plans. The amount requested must be paid this budget year prior to June 30, 1985. We urge your approval of this article.

The Chairman of the Board of Selectmen *moved in the words of the Article with the sum of \$16,000 to be raised by transfer from Free Cash.*

April 1, 1985

Mr. James Vanar, the Town Accountant, explained this sum of money represents the activity due to the Anniversary Date of May 10th - the activity between May 10th and June 30th of this year. Basically, the request takes into consideration a premium increase in the Blue Cross/Blue Shield plans, as well as the HMO plans. It includes plan shifts by the various employees. It also includes fifteen (15) new members into the plans. The April payment, under the old rates, was \$46,740. The May and June payment will be \$54,921 per month. The current balance in the account is \$141,090; \$15,492 less than what is needed. \$16,000 is requested.

Finance Committee Report: (C. Baum)

The amount requested is needed to pay the bills due before the end of the current fiscal year. We recognize the cost of health insurance has been increasing at an alarming rate, yet no sudden changes in coverage are feasible. The benefits are spelled out in current union contracts and other arrangements with the town's employees. Efforts are underway to identify methods of cost containment in this area. The Finance Committee recommends approval of \$16,000.

Mr. Peter Anderson of Landham Road made the following observations. With this supplemental appropriation, the total FY 85 appropriations for this line item will be roughly \$594,000, or a 30% increase over the expenditures for FY 84. FY 84 had a 48% increase. The total health insurance cost for the town has nearly doubled in two (2) years.

He quoted the Town Accountant's report in the Warrant - "We are currently looking into the cost containment programs and alternative funding methods which we hope will lower costs". Then he noted the Finance Committee just reiterated that this is in the works. Similar words about "review of existing health insurance held by Sudbury" are contained in the Insurance Advisory Committee's report in the 1984 Town Report. The Board of Selectmen wrote in that same report that health insurance benefits had received much of their attention this year because of their escalating costs. I like the sounds of all these words. They prompt me to ask the following three (3) questions:

1. Who has the responsibility for completing this review?
2. When will it be completed?
3. What are your goals in terms of cost reduction that you feel can realistically be met?

Mr. Vanar responded that the Board of Selectmen had recently constituted a statutory committee to look at the Blue Cross/Blue Shield situation, and this committee will be asked to look at the Master Health Plus Program that Blue Cross/Blue Shield has presented. This committee, new to the Town, has not yet met to formulate any timetables or goals.

Mr. Thompson offered the following comment. "The Selectmen's Office did initiate some action right after the last Annual Town Meeting and one was to...We met on two occasions with Blue Cross/Blue Shield representatives discussing our options and second we requested our claims record. We just received our claims record approximately one month ago from Blue Cross/Blue Shield. It took that long. We did discuss and ask proposals from three insurance consultants to evaluate that when we received it. However, by statute the Board of Selectmen must appoint the Group Insurance Employees Advisory Committee and so the Board of Selectmen did that approximately a month ago. They have not met yet because we just have the full committee organized as to membership only. The Selectmen have already referred two proposals to that committee and right after Town Meeting they will probably be looking into it. The main proposal that's been presented to the Committee that we also just received recently from Blue Cross/Blue Shield is Health Plus. This is

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the first thing we want them to evaluate. They can actually evaluate anything they want, and they're only advisory. They make an advisory recommendation to the Selectmen. But it's our hope that with the cooperation of this Committee and the final decision of the Board that we will be able to make some reductions in the Blue Cross/Blue Shield. To give you an example, we know what cost reductions are and how they can be obtainable. One is through Health Plus. And I believe it's a \$40,000 to \$50,000 savings. Jim? In that area, if we were to accept that. In addition, we have people, as I pointed out last year, that have group insurance coverage with the town and their spouse also has it. Double coverage is the word I use and that costs the town somewhere in the magnitude of \$50,000. If we could eliminate that and I have done research on it. I did go to the Legislature this summer and discussed it with the Committee on Insurance who gave me a copy of a bill that's been filed this year from a western Massachusetts community - I think it was a regional high school - that would eliminate the double coverage within a governmental unit. It isn't broad enough to solve our whole problem, but it is a beginning and it has not been heard yet and we will be following that bill and the Board of Selectmen have reviewed it and discussed it and have not voted but have agreed to consider amending that sponsored amendment to the Mass. Municipal Association."

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE WITH THE SUM OF \$16,000 TO BE RAISED BY TRANSFER FROM FREE CASH.

ARTICLE 3. To see if the Town will vote to appropriate from available funds \$25,000, or any other sum, as an addition to line item 950-31, FY85 Budget Casualty Insurance, Unclassified Budget, voted by the 1984 Annual Adjustment Town Meeting under Article 5 for Fiscal Year 1985, or act on anything relative thereto.

Casualty
Insurance Submitted by the Board of Selectmen.

Board of Selectmen Report: This request is made to supplement FY 85 Account 950-31 to cover a shortfall due to a higher than expected premium audit adjustment and additional coverage obtained under the current insurer. The Selectmen support this article.

The Chairman of the Board of Selectmen moved to indefinitely postpone *Special Town Meeting Article 3.*

Finance Committee Report: (J. Hannon)

Insurance is one of the most important areas in which we're having a serious inflationary increase. It's an area which takes a decent amount of time to get a cost containment program underway. Our Casualty Insurance costs for the past four fiscal years were: FY 81 - \$104,900, FY 82 - \$108,845, FY 83 - \$113,743. In FY 81, the Town became concerned with the high cost of insurance and started the idea of going out for bid. The actual bid process didn't occur until this present fiscal year - FY 85. In the interim, we had FY 84 and the cost escalated to \$125,096. When we appropriated funds last year, it was for \$100,000.

We are moving for indefinite postponement. What actually happened? What was the actual expenditure - it was \$132,090. Did the Town actually save money by going out to bid? Yes, for the following reasons. Although the expenditures have increased by \$6,146, it includes the following expenses:

- a. \$1,435 - for the use of an insurance consultant, a professional who gave us the advice as to what the bids were and how valid the various eight (8) brokers were who came in and made the bids.
- b. \$12,000 for a new lease Professional Liability Policy
- c. Increased umbrella liability limits for the Town
- d. Workers Compensation Policy, which makes up almost half of this policy expenditure, is in the vicinity of \$55,000. This was awarded to American Mutual

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because of its high dividend possibility. This dividend will come into effect next year. There is also a well designed Loss Control Program and an excellent Claims Handling Service. The dividend earned on this year's Workers Compensation Program will mitigate the dramatic increase in insurance costs for FY 86, as we have already gone out and requested what the increase will be for next year. The actual increase is 30%. We are projecting for next year an increase in our budget of \$8,000. Since our FY 85 appropriation totals \$100,000, and we have a total expenditure of \$132,090, the difference was funded by a Reserve Fund Transfer, as this was an unexpected increase.

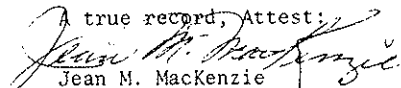
Back in November 1983, the Town was advised by experienced insurance brokers that the costs would be no higher than \$100,000. The Insurance Program has dramatically changed in five (5) months and came back at a higher cost than when we went out to bid.

If we did not use our Reserve Fund Balance, which we do have an adequate balance for this fiscal year, we would dramatically decrease the available funds for this year's budget. Through the use of a Reserve Fund Transfer we will have enough Free Cash to take care of this year's budget.

*UNANIMOUSLY VOTED: TO INDEFINITELY POSTPOSE SPECIAL TOWN MEETING
ARTICLE 3.*

A motion was made to dissolve the Special Town Meeting. This received a second and was *UNANIMOUSLY VOTED*.

The Special Town Meeting was dissolved at 9:04 P.M.

A true record, Attest:

Jean M. MacKenzie
Town Clerk

ANNUAL TOWN MEETING

April 1, 1985

The Moderator called the recessed Annual Town Meeting back to order at 9:04 P.M.

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, 1985, 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 as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17; or act on anything relative thereto.

Temporary Borrowing

Submitted by the Board of Selectmen.

Board of Selectmen Report: This annual 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 Art. XI

"1985 - 1986

Class. & Salary Plan

SCHEDULE A - CLASSIFICATION PLAN
AND
SCHEDULE B - SALARY PLAN

CLASSIFICATION	HRS/WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<u>CLERICAL</u>						
ANNUALLY RATED						
CLERK I	35	11,177	11,624	12,089	12,574	13,013
CLERK II	35	12,293	12,788	13,298	13,829	14,313
ACCOUNT CLERK	35	12,293	12,788	13,298	13,829	14,313
ADMIN. AIDE	35	12,293	12,788	13,298	13,829	14,313
CLERK STENO	35	13,154	13,680	14,229	14,798	15,314
SR. ACCOUNT CLERK	35	13,154	13,680	14,229	14,798	15,314
SECRETARY	35	13,944	14,500	15,082	15,685	16,232
CONSERVATION COORDINATOR	35	13,944	14,500	15,082	15,685	16,232
BD. OF HEALTH COORDINATOR	35	13,944	14,500	15,082	15,685	16,232
OFFICE SUPERVISOR	35	15,199	15,806	16,441	17,097	17,696
ACCOUNT OFFICE SUPERVISOR	35	15,199	15,806	16,441	17,097	17,696
ADMINISTRATIVE SECRETARY	35	15,807	16,441	17,099	17,782	18,404
ASST. TOWN ACCOUNTANT	35	15,807	16,441	17,099	17,782	18,404
ASST. TOWN CLERK	35	15,807	16,441	17,099	17,782	18,404
ASST. TOWN TREASURER	35	15,807	16,441	17,099	17,782	18,404

CLASSIFICATION	HRS/WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<u>FIRE DEPARTMENT</u>						
FIRE CHIEF		INDIVIDUALLY RATED - MAXIMUM 37,171				
ANNUALLY RATED						
FIRE CAPTAIN	42	24,046	24,602	25,172	25,729	26,333
LIEUTENANT	42	21,794	22,299	22,816	23,321	23,870
FIREFIGHTER	42	19,546	19,999	20,463	20,916	21,408
FIREFIGHTER/EMT	42	19,546	19,999	20,463	20,916	21,408
CIVILIAN DISPATCHER	42	12,507	13,010	13,529	14,069	14,562
SINGLE RATED						
CALL FIREFIGHTER		94.21/YR	9.06/HR			
FIRE PREVENTION OFFICER		600/YR				
FIRE ALARM SUPERVISOR		600/YR				
MASTER MECHANIC		600/YR				
TRAINING OFFICER		600/YR				
EMT COORDINATOR		600/YR				
FIRE ALARM FOREMAN		300/YR				
<u>POLICE DEPARTMENT</u>						
POLICE CHIEF		INDIVIDUALLY RATED - MAXIMUM 37,440				
ANNUALLY RATED						
SERGEANT	37	24,289	24,851	25,433	26,006	26,524
PATROLMAN	37	20,240	20,708	21,195	21,672	22,103
RESERVE PATROLMAN	37	20,240				
SINGLE RATED						
ADMIN. ASSISTANT		1,000/YR				
PHOTO/FINGERPRINT OFF.		700/YR				
JUVENILE OFF.		700/YR				
SAFETY OFF.		700/YR				
DETECTIVE		700/YR				
TRAINING OFF.		700/YR				
PARKING CLERK		700/YR				
MECHANIC		700/YR				
MATRON		7.76/HR				
<u>HIGHWAY DEPARTMENT</u>						
ANNUALLY RATED						
FOREMAN - HIGHWAY	40	19,700	20,119	20,538	20,988	21,407
FOREMAN - TREE & CEM.	40	19,700	20,119	20,538	20,988	21,407
HOURLY RATED						
MECHANIC	40	8.79	9.08	9.39	9.70	9.96
HEAVY EQUIPMENT OP.	40	8.28	8.53	8.78	8.97	9.26
TREE SURGEON	40	8.28	8.53	8.78	8.97	9.26
TRUCK/LT. EQUIP. OP.	40	7.81	8.02	8.23	8.45	8.62
TREE CLIMBER	40	7.81	8.02	8.23	8.45	8.62
LABORER - HEAVY	40	7.40	7.55	7.77	7.94	8.15
LABORER - LIGHT	40	6.74	6.90	7.08	7.24	7.43
LABORER - TEMP.	40	5.38	5.53	5.70	5.85	6.08
SINGLE RATED						
LEAD FOREMAN		1,050/YR				
MECHANIC FOREMAN		1,000/YR				
LANDFILL MONITOR		12,720/YR				(newly created position)
<u>LIBRARY</u>						
ANNUALLY RATED						
SR. LIBRARIAN	35	18,500	19,240	20,011	20,810	21,538
STAFF LIBRARIAN	35	16,768	17,439	18,138	18,863	19,524
ASSOC. LIBRARIAN	35	15,199	15,806	16,441	17,097	17,696
LIBR. TECH.	35	13,944	14,500	15,082	15,685	16,232
LIBR. CLERK	35	13,154	13,680	14,229	14,798	15,314

CLASSIFICATION	HRS/WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
HOURLY RATED						
LIB. PAGE		4.16	4.34	4.48		
<u>PARK & RECREATION DEPT</u>						
ANNUALLY RATED						
RECREATION DIRECTOR P/T		8,300	8,633	9,062	9,535	10,011
MAINT. ASST./EQUIP. OP.		15,073	15,729	16,353	17,041	17,633
HOURLY RATED						
LABORER - HEAVY		7.40	7.55	7.77	7.94	8.15
LABORER - LIGHT		6.74	6.90	7.08	7.24	7.43
SEASONALLY RATED						
SWIM DIRECTOR		2,299	2,391	2,508	2,638	2,767
PLAYGROUND SUPERVISOR		1,772	1,845	1,936	2,034	2,137
ARTS & CRAFTS SUPERVISOR		1,772	1,845	1,936	2,034	2,137
SWIM INSTRUCTOR		5.94 - 6.93				
PLAYGROUND INSTRUCTOR		5.28 - 6.10				
TEMP. LABORER		4.72 - 5.53				
ASST. SWIM INSTRUCTOR		4.72 - 5.53				
MONITORS (TEN. & SKATING)		4.72 - 5.53				
TEEN CENTER COORDINATOR		8.00 - 12.00				

TOWN ADMINISTRATION

ANNUALLY RATED	
EXECUTIVE SECRETARY	INDIVIDUALLY RATED - MAXIMUM 48,328, DEF. COMP. 1,450
TOWN ACCOUNTANT/DFA	INDIVIDUALLY RATED - MAXIMUM 34,026
ASST. ASSESSOR	INDIVIDUALLY RATED 24,000 - 30,000
PLANNING ADMINISTRATOR	INDIVIDUALLY RATED - MAXIMUM 25,000

CLASSIFICATION	HRS/WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
ANNUALLY RATED						
SUPERV. OF TOWN BLDGS.		21,629	22,472	23,315	24,157	25,281
DOG OFFICER		13,982	14,405	14,912	15,286	15,710
HOURLY RATED						
CUSTODIAN		7.34	7.61	7.91	8.18	8.51
SINGLE RATED						
DIR. SR. CIT. CTR.		8,021/YR				
VETS. AGENT & DIR.		2,709/YR				
ANIMAL INSP.		1,194/YR				
CUST. - VOTING MACH.		6.92/HR				
DRIVER/MAINT. - SR. CIT.		6.02/HR				
CENSUS TAKER		5.26/HR*				
ELECT. WARDEN		5.26/HR*				
ELECT. CLERK		5.26/HR*				
DEP. ELECT. WARDEN		5.26/HR*				
DEP. ELECT. CLERK		5.26/HR*				
ELECT. OFF. & TELL.		4.99/HR*				
PLUMBING INSP.		FEES				
OUTREACH WORKER (TEMP.)		5.62/HR				
TOWN COUNSEL**						
ASST. TOWN COUNSEL**						

* 6% increase in FY85; no increase in FY86

** Town Counsel (retainer \$19,500/yr) and Asst. Town Counsel (contract \$15,200/yr). Rates of pay are for informational purposes only.

NOTE: Superintendent of Schools, \$60,000/yr.
Headmaster, Lincoln-Sudbury Regional High School, \$52,500/yr.

<u>SUDBURY SUPER. ASSOC.</u>	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
LIBRARY DIRECTOR	26,056	26,838	27,643	28,472	29,325	30,205
HEALTH DIRECTOR	30,580	31,496	32,441	33,414	34,417	35,449
TOWN ENGINEER	35,757	36,829	37,935	39,073	40,244	41,452
SUPERV. OF PARKS	23,923	24,641	25,380	26,141	26,926	27,734
ASST. HIGHWAY SURV.	26,998	27,807	28,643	29,501	30,386	31,297
HIGHWAY OPS. ASST.	20,759	21,382	22,024	22,684	23,365	24,066
BUILDING INSP.	29,744	30,636	31,556	32,502	33,477	34,481

<u>ENGINEERING ASSOC.</u>	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
E-1 ENGINEER. AIDE I	13,323	13,722	14,135	14,559	14,997	15,449
E-2 ENGINEER. AIDE II	15,322	15,782	16,255	16,743	17,245	17,764
E-3 ENGINEER. AIDE III	17,621	18,149	18,694	19,255	19,832	20,427
E-4 JR. CIVIL ENG.	20,263	20,873	21,498	22,143	22,806	23,491
E-5 CIVIL ENG.	22,798	23,481	24,186	24,911	25,661	26,429
E-6 SR. CIVIL ENG.	25,647	26,417	27,210	28,027	28,867	29,732
E-7 ASST. TOWN ENG.	28,853	29,720	30,610	31,530	32,475	33,450

OVERTIME FOR NON-UNIONIZED EMPLOYEES SHALL BE PAID AT THE RATE OF TIME AND ONE-HALF IN EXCESS OF 40 HOURS IN ANY WORK WEEK, WHEN SUCH ADDITIONAL WORK TIME IS DIRECTED BY THE DEPARTMENT SUPERVISOR. THE OVERTIME RATE OF TIME AND ONE-HALF SHALL BE COMPUTED UPON THE EMPLOYEE'S BASE SALARY, WHICH BASE SALARY SHALL NOT INCLUDE LONGEVITY, CAREER INCENTIVE, OVERTIME OR ANY OTHER BENEFIT.

LONGEVITY SHALL BE PAID TO ALL PRESENT PERMANENT EMPLOYEES, EXCEPT INDIVIDUALLY-RATED POSITIONS, HAVING SERVED CONTINUOUSLY AS AN EMPLOYEE OF THE TOWN AS FOLLOWS: AFTER SIX (6) YEARS, AN ADDITIONAL TWO PERCENT (2%); AFTER TEN (10) YEARS, AND ADDITIONAL ONE PERCENT (1%); AND AFTER FIFTEEN (15) YEARS, AN ADDITIONAL ONE PERCENT (1%).

PERMANENT EMPLOYEES HIRED SUBSEQUENT TO JUNE 30, 1983, EXCEPT INDIVIDUALLY-RATED POSITIONS, HAVING SERVED CONTINUOUSLY AS AN EMPLOYEE OF THE TOWN, SHALL BE PAID LONGEVITY AS FOLLOWS: AFTER FIVE (5) YEARS, \$200; AFTER TEN (10) YEARS, AN ADDITIONAL \$100; AFTER FIFTEEN (15) YEARS, AN ADDITIONAL \$100. LONGEVITY SHALL BE PAID AS A LUMP SUM ON THE ANNIVERSARY OF THE EMPLOYEE'S DATE OF HIRE.

PERMANENT EMPLOYEES HIRED BEFORE JULY 1, 1983, WHO HAVE ELECTED TO RECEIVE LONGEVITY UNDER THE NEW PLAN, SHALL RECEIVE IN ADDITION TO THE LUMP SUM PAYMENT, ONE (1) EXTRA VACATION DAY AFTER SIX (6) YEARS, AN ADDITIONAL EXTRA DAY AFTER TEN (10) YEARS, AND AN ADDITIONAL EXTRA DAY AFTER FIFTEEN (15) YEARS.

POSITIONS SET FORTH IN THE SALARY & CLASSIFICATION PLAN, SCHEDULES A & B, WHICH ARE CURRENTLY IN A CERTIFIED OR RECOGNIZED COLLECTIVE BARGAINING UNIT SHALL ONLY BE SUBJECT TO THE SALARY & CLASSIFICATION PLAN, SCHEDULES A & B PORTION OF THE PERSONNEL BYLAWS, AND ONLY TO THE EXTENT THAT IT IS NOT INCONSISTENT WITH A VALID CURRENT COLLECTIVE BARGAINING AGREEMENT.";

OR ACT ON ANYTHING RELATIVE THERETO.

Submitted by the Personnel Board.

Chairman Sorett of the Personnel Board moved in the words of the article to see if the town will vote to amend the Classification and Salary Plan as set forth in the warrant.

Personnel Board Report: (H. Sorett)

The Classification and Salary Plan is a fairly technical document and the Board would like to explain the changes, which are in several categories,

resulting from collective bargaining. Set out in the report are the changes in last year's and also in this year's union contracts with a comparison schedule. The salary of the non-union clericals has been represented as a 6% increase. The salaries of the Individually Rated Employees for Fiscal Year '86 are shown at the same rate as Fiscal Year '85. The Personnel Board decided to accept the position advocated by the Selectmen to represent these salaries as they were for Fiscal Year '85. When you look at the budget, you will see a Salary Adjustment Account (950-101). The Selectmen will recommend to the Personnel Board changes in those salaries of the Individually Rated Employees based on the performance of the individuals in question and will come before the Personnel Board asking for changes, increases or decreases where appropriate.

It was the position of the Selectmen that one of the things they wanted to evaluate was the performance of those individually rated people at Town Meeting. The Personnel Board has agreed to accept that for this year. There is discussion but no decision about changing that procedure in the future.

The Personnel Board inserted the position of Teen Center Supervisor in the Warrant. It is understood there will be a motion from the Park and Recreation Commission to delete the Teen Center Supervisor from the Salary and Classification Plan as they wish to handle it in a different way. The Personnel Board inserted the position because of the status of the negotiations as they existed at that time. The Park and Recreation Commission believe they have a better way to solve the problem than by doing it by a salary and the Personnel Board will accept that recommendation.

As to the salary of the elected officials, we did a tremendously detailed survey and we owe a great debt of thanks to Sue Anderson, our Secretary, who compiled all that data. It was extraordinarily difficult data to obtain. It now exists and is in the hands of the FinCom and it shows not only a wide variety of salaries but a wide variety of classifications. We found it very hard to compare apples and oranges, as in many communities one person fills two jobs or jobs are consolidated or jobs are set out very differently. We could have very mechanically set out titles and salaries but that would not have been particularly meaningful because the jobs are so different. The report that we've given the FinCom will give them an opportunity to make recommendations in the future that may include perhaps realigning our positions in the way that some other towns have done.

Looking at the Classification and Salary Plan there are certain salaries upon which the Town has the right to act. Those are the Town's employees who are not the subject of collective bargaining. The Town may vote to increase or decrease those salaries here in Town Meeting and those votes are controlling. The other category of salaries are those that are set by collective bargaining. The Town may change the amount of money it wishes to spend but the Town may not change the dollar amount per hour or per week that those employees are paid, because that is a matter of collective bargaining statute. If you disagree with the salaries for the union employees, you may only deal with that when we come to the budget, because were we to vote these down at this time, the unions would be able to prevail in a lawsuit against the Town.

The last salary is that of the Executive Secretary. A year and a half ago, the Legislature adopted a statute permitting Selectmen to enter into contracts with their Town Managers and Executive Secretaries. Our Executive Secretary has such a contract between himself and the Town so that this line item cannot affect the salary paid the Executive Secretary. However, when you get to the budget you can debate it and decide to fund or not fund it because it is a fiscal year contract

Finance Committee Report: (S. Ellis)

The Finance Committee has looked at the Classification and Salary Plan and have seen several things that are included in the current plan that cause us some concern. There is a position that is new to the Town of Sudbury - Fire Lieutenant. It is subject to union negotiations. It is not subject to our setting a salary. The negotiations have not taken place yet and we do not feel it should be included in the Salary and Classification Plan until we have set the salary through negotiations.

There is also some confusion on the Park and Recreation Department Teen Center Coordinator. It has been our understanding that the Park and Recreation Department did not support this going into the Classification Plan because it entails other considerations beyond just merely setting the salary. It tends to solidify the position and it may entail fringe benefits and insurance coverage and a number of other things we were not interested in getting into at this time nor was the Park and Recreation Department. Subject to those two exceptions, we would recommend adoption of the Classification and Salary Plan.

Board of Selectmen Report: Recommend Approval.

Park and Recreation Commission: (P. Berkel)

Mr. Berkel *moved to delete the line item for the Teen Center Coordinator from Article 3 as it presently stands.*

This motion was seconded and *VOTED.*

In response to questions from Mr. Russell McLeod of Victoria Road regarding the salary of the Executive Secretary, Mr. Sorett of the Personnel Board stated that this salary cannot be changed within the Classification and Salary Plan. Within the budget, there's a line item for the Executive Secretary's salary and it is there a change can be made. We can vote less money for that item than the Selectmen have requested. If we do so, there will be less money than they want to spend and they can't spend more than we appropriate.

Responding to the question of salary increases for Department Heads, Mr. Sorett noted that for the last several years the salaries of these Department Heads have been handled by causing the salaries to be reflected in the Warrant at the prior year's rate. We are doing just that again this year. What then happens is money is put into a Salary Adjustment Account and that money is then available for use by the Selectmen for the purposes of providing salary increases based on their view of merit subject to the review of the Personnel Board. It has been the view of the Selectmen as expressed to the Personnel Board after long debate, some of which was quite sharp and some of which proceeded on some of the lines that you've articulated, that the prior practice should be continued for this year. Speaking for the Personnel Board, we as a majority voted to continue the prior practice. I must say that I was the dissenting vote on the Personnel Board. It was my personal view that the salaries of the senior executives in town ought to be set by the hall because these individuals are the people who must be most accountable to the people. My view did not prevail. The Personnel Board as a majority, accepted the position articulated by Selectmen Donald when she attended our meeting and we decided to adhere to the prior practice. There is a limit on the amount of increases that can be provided to these individuals and that limit is set out in the Salary Adjustment Account. If you feel that there should be no raises for these individuals, the way for you to express your position is to move to delete the funds in the Salary Adjustment Account. Were that to be done, there would be no funds with which to pay increases. If you feel as a hall that the increases ought to be lower than that which the Selectmen and the Personnel Board would vote, then you should move to reduce the amount of money available in that account.

Mr. George Hamm of Mossman Road noted that the Finance Committee did not approve of having the Lieutenant's position, a new position, in the Classification and Salary Plan, yet there was no motion from the FinCom to take it out.

To this observation, Chairman Wallace of the Finance Committee stated it was a mistake on the part of the FinCom when it spoke on this. The Fire Lieutenant issue had already been settled. The issue that has not been settled is the question of the Police Lieutenant.

It was further stated that the Finance Committee shares the concern of many of the voters about the salaries of individually rated town personnel. The Finance Committee requested a meeting with the Board of Selectmen to discuss this issue and to try to come up with a more equitable way of dealing with the individually rated salaries as the voters felt that they did not know in advance what they were voting on. The salaries in question are those of the Executive Secretary, Town Accountant, Police Chief, Fire Chief, Town Counsel and Assistant Town Counsel. All other salaries are either set by the Finance Committee, in the case of the elected officials or they're set by union negotiations or in the case of clerical help personnel in town, it is set after the union negotiations. The Finance Committee was concerned that there was no equitable way of doing the salaries of individually rated personnel at Town Meeting. It was the opinion of the Chairman that in a year of negotiations for the FinCom to come to Town Meeting and recommend a 3% - 5% increase for individually rated personnel, would be setting a bottom limit, or a starting point, for negotiations, and that would not be a good way to negotiate. In a year when there is no negotiating, the individually

rated people would be rated after three months. The Board of Selectmen feel strongly that they want a longer period of time. One of the real things they like to rate people on is performance through the entire budget process and Town Meeting. For lack of a better way at this point, the Finance Committee recommends that we continue the practice we are currently using.

VOTED: *IN THE WORDS OF THE ARTICLE TO SEE IF THE TOWN WILL VOTE TO AMEND THE CLASSIFICATION AND SALARY PLAN AS SET FORTH IN THE WARRANT AND AS AMENDED BY DELETING THE TEEN CENTER COORDINATOR.*

ARTICLE 4. To see if the Town will vote to amend the Sudbury Bylaws, Article XI, the Personnel Administration Plan, by adding a new section as follows:

Amend Personnel Bylaw, Art. XI "Section 10. Superior Performance Awards

Performance Awards There shall be, in addition to all other provisions pertaining to salary, a Superior Performance Incentive Program defined and operating as set forth below:

- (1) ELIGIBILITY: THIS SECTION SHALL APPLY TO ALL NON-UNION HOURLY AND SALARIED EMPLOYEES OF THE TOWN, OTHER THAN INDIVIDUALLY RATED EMPLOYEES PAID MORE THAN \$30,000 (THIRTY THOUSAND DOLLARS) PER YEAR WHO (A) HAVE ATTAINED MAXIMUM STEP IN THEIR GRADE AND HAVE BEEN IN THAT STEP FOR MORE THAN ONE YEAR, OR, (B) HAVE BEEN EMPLOYED BY THE TOWN FOR MORE THAN SEVEN YEARS IN A PERMANENT CAPACITY. THIS SECTION APPLIES TO ALL PERMANENT EMPLOYEES WHO ARE EMPLOYED EITHER FULL TIME OR PART TIME.
- (2) STANDARDS:
 - (A) MERIT PAY SHALL BE PAID TO EMPLOYEES OF THE TOWN AS A REWARD FOR EXCELLENCE IN PERFORMANCE OF THEIR DUTIES. IN DETERMINING EXCELLENCE, ALL SUPERVISORS OF ELIGIBLE EMPLOYEES, AND THE PERSONNEL BOARD, SHALL CONSIDER CONSISTENCY OF PERFORMANCE, PERFORMANCE WHICH SUBSTANTIALLY AND CONSISTENTLY EXCEEDS REQUIRED JOB REQUIREMENTS, ATTENTIVENESS AND DILIGENCE IN EXCESS OF JOB REQUIREMENTS AS WELL AS ALL OTHER ASPECTS OF PERFORMANCE WHICH SUBSTANTIALLY EXCEED THAT REQUIRED TO CONFORM TO THE STANDARDS OF ADEQUACY OF JOB PERFORMANCE. THE SUPERVISORS AND THE PERSONNEL BOARD MAY ALSO DETERMINE THE SIZE OF A SPECIFIC EMPLOYEE'S SUPERIOR PERFORMANCE AWARD BASED ON THE DURATION AND CONSISTENCY OF AN EMPLOYEE'S EXCELLENCE.
 - (B) SUPERIOR PERFORMANCE AWARD DETERMINATIONS SHALL NOT BE BASED UPON ANY CONSIDERATION OTHER THAN SUPERIOR PERFORMANCE.
- (3) PROCEDURE:
 - (A) ON OR BEFORE JUNE 1 OF EACH YEAR, EACH ELIGIBLE EMPLOYEE'S SUPERVISOR SHALL COMPLETE A PERSONNEL EVALUATION FOR EACH ELIGIBLE EMPLOYEE, TOGETHER WITH A RECOMMENDATION FOR A SUPERIOR PERFORMANCE AWARD OF NOT LESS THAN ZERO PERCENT NOR MORE THAN FIVE PERCENT. SAID PERFORMANCE APPRAISALS SHALL BE SUBMITTED TO THE PERSONNEL BOARD ON OR BEFORE JUNE 15 OF EACH YEAR.
 - (B) EACH SUPERVISOR SEEKING A MERIT PAY INCREASE FOR AN ELIGIBLE EMPLOYEE, SHALL, PRIOR TO SUBMITTING IT TO THE PERSONNEL BOARD, MAKE CERTAIN THAT THERE ARE SUFFICIENT FUNDS AVAILABLE. THESE FUNDS MAY BE OBTAINED EITHER DIRECTLY FROM THAT SUPERVISOR'S BUDGET OR BY SUCH TRANSFER OF FUNDS AS THE FINANCE COMMITTEE, IN ITS DISCRETION, MAY APPROVE. NO MERIT PAY INCREASE SHALL BE AWARDED TO ANY ELIGIBLE EMPLOYEE UNLESS FUNDS SUFFICIENT TO PAY IT FOR THE ENTIRE NEXT FISCAL YEAR ARE ACTUALLY AVAILABLE.

- (C) BETWEEN JUNE 15 AND JULY 15 OF EACH YEAR, THE PERSONNEL BOARD SHALL REVIEW THE PERFORMANCE APPRAISALS FOR ALL ELIGIBLE EMPLOYEES AND SHALL DETERMINE AND DECIDE WHAT, IF ANY, MERIT PAY INCREASES SHALL BE AWARDED. THE DETERMINATION OF THE PERSONNEL BOARD ON THE ISSUE OF MERIT PAY INCREASES SHALL BE FINAL EXCEPT THAT ANY AGGRIEVED EMPLOYEE MAY GRIEVE AN ADVERSE DETERMINATION UNDER THE TERMS AND PROVISIONS OF THE GRIEVANCE SECTION OF THE PERSONNEL BYLAW.
- (D) IN MAKING ITS DETERMINATION, THE PERSONNEL BOARD SHALL CONSIDER:
- (a) THE RECOMMENDATION OF THE ELIGIBLE EMPLOYEE'S SUPERVISOR;
 - (b) THE RESPONSE, IF ANY, OF THE ELIGIBLE EMPLOYEE TO HIS/HER EVALUATION;
 - (c) SUCH OTHER INFORMATION AS MAY HAVE COME TO THE BOARD'S ATTENTION CONCERNING EACH ELIGIBLE EMPLOYEE;
 - (d) THE FUNDS AVAILABLE AND APPROPRIATED FOR THE FUNDING OF MERIT PAY INCREASES.
- (4) NON VESTING: THE DETERMINATION TO PAY MERIT PAY TO AN ELIGIBLE EMPLOYEE IN ANY ONE FISCAL YEAR SHALL NOT AUTOMATICALLY, OR OTHERWISE, ENTITLE AN ELIGIBLE EMPLOYEE TO A CONTINUATION OF MERIT PAY IN ANY SUCCESSIVE FISCAL YEAR. THE DETERMINATION OF WHETHER ANY EMPLOYEE OUGHT RECEIVE MERIT PAY, AND THE AMOUNT THEREOF, SHALL BE MADE DE NOVO IN EACH YEAR.";

OR ACT ON ANYTHING RELATIVE THERETO.

Submitted by the Personnel Board.

Mr. Patti of the Personnel Board *moved in the words of the Article to see if the Town will vote to amend the Sudbury Bylaws, Article XI, the Personnel Administration Plan by adding a new section, Section 10, Superior Performance Awards.*

Personnel Board Report:(J.Patti)

This article has its origin in a petition submitted to the Personnel Board by 16 clerical, non-union employees representing the clerical, non-union employees in the Town's employ as of September 1984. In that petition the employees expressed their concern that the Classification and Salary Plan does not provide incentive for long time employees in that there is no way for their extra contributions of superior performance to be recognized. The Town has just voted on a Classification and Salary Plan for those employees that provides a system of pay that recognizes both their level of work and the length of time that employees perform acceptable work. Their salaries are based on both the type of work that they do and the amount of time they've spent on those jobs. The Salary Plan provides for a minimum or start step, Step 1, 2, 3, and a maximum rate. Step 1, after 6 months of acceptable performance on the job. Step 2 after one year of acceptable performance on the job. Step 3 after 2 additional years, and the max after 3 additional years. So, six and a half years in the one position and the employees would reach the maximum of that range. The Town is fortunate to have a core of loyal employees. We don't have a lot of turnover in clerical jobs. Of the 30 employees in the clerical, non-union work force, both full-time and part-time, 19 are at the maximum of their step. Sixty-three percent (63%) of the employees have no where to go in the pay range and the only incentive to them is the cost of living increase that they and everyone else gets, no matter what their performance is, providing it is acceptable. The employees, in their petition, asked that the number of steps be expanded so that they would provide additional steps for them to progress into.

The Personnel Board received a letter from the Board of Selectmen unanimously recognizing the employee's petition and they voted to recommend to the Personnel Board that it give serious consideration to the petition with specific attention to those non-union personnel who have been at the maximum step for a number of years and that an article be prepared for the next Annual Town Meeting to address the same.

The Personnel Board has undertaken a study of the Classification and Salary Plan and we hope that by next Town Meeting we will have completed that study and be able to make recommendations to the Town for any needed amendments in the Classification and Salary Plan.

The Personnel Board felt that extending the steps was not an appropriate way to address the concern of the employees who were at the maximum. We would only be postponing or putting off the problem for a number of years. The Board has designed this Performance Pay mechanism that would provide the supervisors a way of recognizing the superior performance of those employees of long time employ who have reached the maximum step. The plan would operate very simply. Each year employees would be evaluated by their supervisors. Those supervisors who felt that the performance of employees merited special recognition, could propose a Superior Performance or Merit Pay up to 5% of their salary for the following year. Those recommendations would come to the Personnel Board. The Personnel Board would review all of them for consistency to see that they were reasonable and well documented and if the Personnel Board had any problem with those, would discuss them with the supervisors and work them out. If the Personnel Board should decide that a pay recommendation is not merited, it can disapprove that. The employee has the right to grieve that decision and under the grievance procedure would be reviewed by the Personnel Board once more and the final determination would be made by the Board of Selectmen. The Personnel Board feels that the proposed article is a good way to address the concern of the non-union employees to give supervisors a tool to recognize employees for their superior performance and to give them a motivation to do their best job.

Finance Committee Report: (S. Ellis)

The Finance Committee is very much in sympathy with the idea of merit pay increases. We have several problems with this article. The first concern is that this gave the Personnel Board a little bit too much final authority rather than the supervisor himself. Whereas the supervisor is directly over the employee, we felt that the final authority for whether this employee should or should not get a merit payment should be left to the supervisor himself and not have to be put through the Personnel Board.

Of more concern to us as a Finance Committee was how the awards would be funded. It has been suggested that they could not be given unless there were sufficient funds available in the budget. The timing of these awards comes right at the end of the fiscal year which would mean that you would have to anticipate who was going to get a meritorious increase in pay before the year was ever started in order to have the funds in the budget. You would be budgeting a year and a half in advance of the event in order to make sure that the funds were there at the end of the year to be paid out. The Finance Committee looks very lowly at things like this because it tends to loosen up the budget. It tends to make, if you want to call it, a "padded" budget. I suppose that is not a bad term to put on it, but it would be at best a guesstimate and a completely off-the-wall guesstimate as to how much you would have to have to reward good employees. Or you would have to plan a whole year and a half in advance how good they were going to be. The second funding option suggests that the funds could be made available by a transfer from the Reserve Fund by the Finance Committee. Again, this is a bit of a technicality, but such a transfer is not possible. The Reserve Fund is limited to unforeseen emergencies. There is nothing unforeseen or of an emergency nature about a merit award.

The final point is an administrative one. As a committee, we were concerned that once the idea of the merit performance awards goes in, it will be treated just as if it were another fringe benefit and the people that get them one year, will tend to expect them as a mark of continuing favor. That is specifically addressed in the latter part of the article where they say that they shall not automatically be continued and there is a denobled provision in the article as it stands. The Finance Committee felt that with the pressures on the department heads because of these awards, the department heads would annually feel a certain amount of pressure to propose certain employees for the awards whether they really felt they deserved them or not. Again, this is simply a small budgetary item perhaps in individual items, but it can add up pretty quickly and we're a little concerned about it, particularly the funding mechanism. The Finance Committee recommends disapproval of this article.

Board of Selectmen: (A. Donald)

The Board of Selectmen has all of the misgivings that Mr. Ellis has just enumerated for you. We feel very strongly that the department head who works every day with the employee should be the one to make the decision not a Personnel Board who meets two or three times a month and does not see these people in action.

George Hamm of Mossman Road stated that last year we had a situation in Town Meeting where two of the town employees asked the Town Meeting for raises. Now this was done because they have not been able to get merit raises. It's obvious now that there are 16 town employees that also feel that they don't have any way of receiving merit raises. There is a problem here. The Finance Committee and the Selectmen have just said there is no solution, so let's wait. Waiting isn't going to help! Waiting is going to mean that there will be more and more town meetings where employees come in and ask for a raise. Do you really know whether an employee should get a raise? No!! I don't. You don't. Some of the employees are a little bit haughty. Some of them are very pleasant. We'd give all the pleasant ones raises and all the haughty ones that work fifty hours a week cuts. I think they need a way.

One thing that disturbs me intensely here is that every year the Personnel Board comes in and makes recommendations and just about every other committee in the town jumps on them. The Personnel Board doesn't seem to have any authority. I think it's time we considered giving it to them.

As to the argument that the supervisor knows best, that's exactly what this article says. The supervisor will make a recommendation. What they're quibbling over is whether the Selectmen or the Personnel Board gives the final opinion. As to the argument of whether funds can be transferred or not, the article says very plainly if there are not sufficient funds, prior to submitting it to the Personnel Board, the supervisor shall make sure there are sufficient funds available and these funds may be obtained either directly from that supervisor's budget or by such transfer of funds as the Finance Committee in its discretion may approve. The Finance Committee just told us that in general they don't know how to do it, so they will not approve it. If there aren't any funds, the raise will not be given. Last year one employee got a raise and one equally deserving employee did not get a raise and that was not a fair equitable bit of justice. I think it is time we did something. I don't know whether this is the best way of doing it but it is a way. It has been obvious for years that there is not a way. It's time we had one.

Mr. Hal Olsen of Goodman's Hill Road speaking for the article stated that we've heard both the Selectmen and the Finance Committee argue against this proposal but on the other hand we've reached a point where we have experienced employees with no where to go. Incentive and pay raises may be an unworkable solution but the alternative to that is for them to find other jobs. The Computer Industry happens to make a habit of that and people turn over every two years or less, creating as most of you know, training and personnel problems. Town government faces the same kind of problems if that happens. Basically, I'm disappointed in the Selectmen and the Finance Committee that they can all get up there, find the same faults in the Personnel Board's plan and not come up with something suitable, especially since this is a problem we've faced for the last couple of years in town meeting. It seems to me somebody can come up with a workable plan since we argue about this every year.

Mr. Ellis of the Finance Committee commented that the Finance Committee had to vote against this article on a funding basis, not on the article itself. The committee does not know of a reasonable way of funding it at this point in time.

Chester Hamilton, Town Treasurer, identifying himself as one of the employers of these people under consideration, stated that speaking in support of this article places him in a particularly difficult spot, because ultimately the judgment will come down upon him, if this article is passed. However, he believes there's got to be some financial recognition given to this article. These are some of the people who help keep this town running. It's been suggested that there's no way to fund this. I may be wrong, but I'd like to at least suggest for consideration that (if this article should pass,) there be an increase in the Salary Adjustment Account from funds which can be made available to make these raises possible.

The vote of the hall followed.

April 1, 1985

The Moderator believed the vote was too close to call, therefore a counted vote was taken.

Those in favor: 94 those opposed: 132 Total: 226

The Motion under Article 4 was defeated.

ARTICLE 5. To see if the Town will vote to amend the Sudbury Bylaws, Article XI, The Personnel Administration Plan, Section 7 (2), Paragraph 7, (Sick Leave Bank), by adding in the first sentence after "Permanent Full-Time Employees" the words "and Permanent Part-time Employees with regularly scheduled working hours - normally scheduled work day"; and by adding a new final sentence to said paragraph to read, "the contribution of, and grant to, a Permanent Part-time employee shall be appropriately pro-rated."; or act on anything relative thereto.

Amend Personnel Bylaw, Art. XI Sick Leave Bank

Submitted by Petition.

Mrs. Maryanne Courtemanche of Goodman's Hill Road moved Article 5 in the words of the article as printed in the warrant.

Finance Committee Report: (S. Ellis)

There is no fundamental policy problem here. The Fin Com was concerned with what is the definition of a "permanent full-time employee." Does that mean the part-time employees who serve on boards are not full-time employees? We are not sure. "Part-time employees with regularly scheduled working hours", what are regularly scheduled working hours? Is that 9 to 5, or is it that you have several hours a week or a month that you do work on a regular basis? It was our belief that there was going to be some revision of the article, but this still appears in the same initial form. We do not have a fundamental problem with it. It's a question of whether we would understand the law once it were passed.

Board of Selectmen: (A. Donald)

The Selectmen support this article.

Personnel Board: (H. Sorett)

This article deals with a very narrow question. We maintain a sick leave bank for the town's employees, which works this way. The employees contribute a certain number of hours out of their annual allotment to a bank. If there exists a catastrophic illness that affects an employee and all of the available sick leave that that employee has accrued for him/herself is exhausted, he/she can borrow time from the bank. It is used for things like major surgery, cancer, or a major catastrophic accident. The petitioners seek to add part-timers who work at least 20 hours a week to the Sick Bank. That would allow those individuals who work at least 20 hours a week to borrow from the Sick Bank in the event they suffered catastrophic illness. We have a number of employees in the town who fall into this category who are long-time employees. It means the expenditure of no money by the town. It means a sharing by the employees of their available sick leave in the event of a catastrophic illness. The Personnel Board respects the work that these employees have contributed, and we support the article.

Mr. Peter Anderson of Landham Road noted that the Finance Committee, in its report in the warrant said that this article, as worded, does not correctly state the present wording of the bylaw. He then asked the Fin Com inasmuch as this is an amendment to the bylaw, then what is the incorrect wording? He also pointed out that the Town Counsel's opinion was printed in the warrant, therefore it could be assumed he had passed on this as being a valid amendment.

Mr. Ellis of the Finance Committee explained that it was a technical point and it did get a good deal of consideration at the Finance Committee hearings. He believed it was simply the wording of this article when it appeared before the Committee. It did not conform in wording so that it could replace what it was meant to replace. The general trend of the discussion was just the vagueness of the wording. We felt that it would get the town into some potential problems on having many, many employees claiming many benefits for which they may or may not be eligible.

In response to a question on the difference between "Sick-leave Buy-back", and "Sick-Leave Bank" Mr. Sorett explained that employees voluntarily contribute to the Sick Leave Bank. There is a buy-back for union employees only when the hours in question have been retained and not contributed to the bank. Once hours are contributed to the bank, they cannot be bought back.

Following further discussion as to the definition of a "part-time employee" town counsel gave the following definition: "Any employee who works less than 35 hours during the regularly-scheduled work week." Mr. James Kates of Ford Road then stated that he now had no idea as to how the town determines what part-time employees are entitled to fringe benefits, including the Blue Cross/Blue Shield Health Insurance, which had been discussed as being so expensive. He queried, "You're telling me that there's no way to know which part-time employee is entitled to it, which one is not entitled to it?"

Mr. Thompson replied, "Well, on group insurance, now you get involved in the state statute. By state statute anybody that works 20 hours or more is entitled to it. So generally as what we do in applying or interpreting the bylaw is, that we use that. That anybody that works 20 hours or more is a permanent part-time employee."

Following a few more comments, it was

VOTED: TO SEE IF THE TOWN WILL VOTE TO AMEND THE SUDBURY BYLAWS, ARTICLE XI, THE PERSONNEL ADMINISTRATION PLAN, SECTION 7 (2), PARAGRAPH 7, (SICK LEAVE BANK), BY ADDING IN THE FIRST SENTENCE AFTER "PERMANENT FULL-TIME EMPLOYEES" THE WORDS "AND PERMANENT PART-TIME EMPLOYEES WITH REGULARLY SCHEDULED WORKING HOURS - NORMALLY SCHEDULED WORK DAY"; AND BY ADDING A NEW FINAL SENTENCE TO SAID PARAGRAPH TO READ, "THE CONTRIBUTION OF, AND GRANT TO, A PERMANENT PART-TIME EMPLOYEE SHALL BE APPROPRIATELY PRO-RATED."; OR ACT ON ANYTHING RELATIVE THERETO.

Before receiving a motion on Article 6, the Budget, the Moderator provided the following information to the hall. There are a number of sources of funds available to Sudbury other than those raised by taxation. Any amounts we appropriate beyond the monies to be had from these sources, must be raised by taxation. Proposition 2-1/2 limits the amount to be raised by taxation to \$14,299,044. The Town Accountant has advised that the total amount available from other sources is \$5,015,014 which gives us a total of just over \$19,000,000 to work with. This can be viewed by us as the "piggy-bank" from which we can draw. If you vote to adopt the recommended budgets, and only those monied articles requiring funding to the extent recommended by the Finance Committee, I am advised by the Town Accountant that a total of \$19,224,568 would be used up, leaving a total of some \$89,490 in what I have referred to as the "piggy-bank". Obviously, that amount of money is available to fund additional appropriations. What you should keep in mind is that if by the end of the Annual Town Meeting we have appropriated funds in excess of the total originally in the "piggy-bank", we are then in a position where a property tax levy in excess of that permitted under "2-1/2" would be necessary. This means a special election to override Proposition 2-1/2. If that fails, it means a Special Town Meeting must be called to reduce appropriations to fit within the "2-1/2" limitations. As you deliberate on these matters, you might wish to recall and consider the results of the attempt to work a relatively minor exemption from Prop. 2-1/2 in last November's election.

Now there has been much discussion in town over whether the so-called "Bourne Rule" should be invoked at this Town Meeting. It is the prerogative of

April 1, 1985

the Moderator to do so if he deems it desirable. In various versions the Bourne Rule requires that a citizen desiring to increase a funding recommendation of the Finance Committee must include in the motion a source of funding, which source must be one that may properly be drawn upon at that time. The Mass. Finance Committee Handbook refers to this as "playing hardball with the voter." Since the passage of "2½", the Bourne Rule has been increasingly used as a device to assure that overall budgets do not exceed FinCom recommendations. A version of it was invoked last year during consideration of a portion of the budget at the Annual Town Meeting. As late as the Warrant Review Meeting, March 27, 1985, I was prepared to invoke the rule. The problem is that the rule has no real affect if it is applied only to the budget. To be sure, it will perhaps operate to keep the overall budget at the FinCom recommended level, but unless it can be applied to monied articles also, it does little to check the total spending of the Town. As a result, I was prepared at that time to impose the rule across the entire Warrant.

One problem with imposing the Bourne Rule on the entire warrant is that unlike most towns and unlike the rule in our basic parliamentary manual, Town Meeting Time, we have in Sudbury a specific bylaw which requires a 4/5th or 80% vote to advance an article to be considered out of order. The wisdom or unwisdom of such a bylaw, which essentially locks the town into the order of articles selected by the Selectmen when the warrant is made up, is not a subject for discussion tonight. Assuming invocation of the Bourne Rule across the whole warrant, the 4/5th rule essentially deprives a citizen of a chance to get at funds recommended by the FinCom in later articles. This is so because the Bourne Rule would require the Moderator to rule out of order a motion based upon the availability of these funds unless a 4/5th vote could be obtained to advance the article, debate and defeat it, before appropriating the funds elsewhere. Setting aside that difficulty, it is a fact that invocation of the Bourne Rule across the Warrant would mean that the Moderator, by himself and on his own, would deprive the voters of their statutory right, if they choose, to simply work their will, exceed "2½" and try for an override. Even if one believes as I personally do, that an override in Sudbury presently has about two chances, slim and none, and slim left town, the single citizen who happens to be Moderator has no right, even if he has the power, to decide such an important question by himself through the invocation of procedural rules. I therefore, concluded that the Bourne Rule should not be imposed across the Warrant. Having so decided, it followed that it would serve no real purpose to impose it on the budget alone. Further, I am fully aware after reviewing the transcript of last year's report of Town Meeting, that a number of voters feel unduly restricted by formal imposition of the Bourne Rule. For all of these reasons, the Bourne Rule will not be in effect in its formal sense in this Town Meeting.

However, it is a legitimate concern to all of us, that we not unwittingly exceed "2½" limits. For this reason, we will operate under the following procedure. When anyone makes a motion to increase a FinCom recommended line item in the budget, increase an appropriation under an article beyond the amount, if any, recommended by the FinCom, or seeks any funding for an article as to which the FinCom has recommended disapproval, he or she should include in the presentation in support of the motion a statement as to where he or she expects this funding to come from. In the event no such statement is included, I will entertain a question from a FinCom member or any other voter directed to the proponent of the increase to ascertain the source of funds he or she is relying on. No one has to answer that question and no rule will be invoked requiring the answering of the question at the peril of having the motion to increase ruled out of order. But, the voters present will be able to take into account the failure to answer the question in deciding how to vote.

My one goal on this article and the monied articles is to be sure that to the greatest extent possible everyone fully understands what money is available, who has it, where it's going, and whether there's enough of it. I think that the procedure I have outlined will do this without the formalities and heartburn occasioned by the procedure involved last year.

Mr. Russell Kirby of Boston Post Road recognizing the lateness of the hour and the fact that the quorum was running dangerously thin, moved to adjourn this session tonight until tomorrow night at 8:00 P.M.

This motion was *VOTED*. The meeting was adjourned at 10:31 P.M.

Attendance: 287

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 2, 1985

The Moderator called the meeting to order at 8:15 P.M. at the Lincoln-Sudbury Regional High School Auditorium. After announcing that a quorum was present he presented to the hall the procedures to be followed with respect to Article 6, the Budget, and all monied articles. He further stated that the Bourne Rule would not be imposed and that there would be one main motion for the entire budget, a copy of which was made available to the voters in a handout.

The new amount of funds available in the "Proposition 2-1/2 Surplus Fund" was stated as \$89,484.

ARTICLE 6. 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, 1985 through June 30, 1986, inclusive, in accordance with the following schedule, which is incorporated herein by reference; or act on anything relative thereto.

Budget

Submitted by the Finance Committee.

NOTE: FY84 Expenditures: Line items include Reserve Fund and Line item Transfers.

FY85 Appropriated: Line items do NOT include Reserve Fund and Line Item Transfers. They DO include transfers from 950-101 Salary Adjustment.

Transfers are listed following the Budget article.

FEDERAL REVENUE SHARING HEARING: Prior to deliberation on the Budget, a hearing will be conducted to receive public comment on the use of Revenue Sharing Funds as offsets to the total Fiscal Year 1985-6 Budget.

<u>100 EDUCATION:</u>	<u>110 SUDBURY PUBLIC SCHOOLS</u>			
<u>BUDGET SUMMARY 110</u>	<u>Appropriated FY85</u>	<u>Adjusted FY85</u>	<u>Requested FY86</u>	<u>Recommended FY86</u>
A Account - Salaries	\$ 4,583,860	\$ 4,788,416	\$ 5,149,106	
B Account - Supplies/Services	667,510	667,510	713,577	
B' Account - Energy Related	553,195	553,195	551,596	
C Account - Equipment	19,028	19,028	36,735	
	<u>\$ 5,823,593</u>	<u>\$ 6,028,149</u>	<u>\$ 6,451,014</u>	<u>\$ 6,426,014</u>
<u>Offsets:</u>				
METCO	36,575	36,575	36,575	
METCO	20,000	20,000	20,000	
PL 94-142	49,060	45,100	55,610	
PL 89-313	2,450	1,512	2,625	
Total Offsets	(108,085)	(103,187)	(114,810)	(114,810)

April 2, 1985

(100 EDUCATION: 110 SUDBURY PUBLIC SCHOOLS)

	Appropriated FY85	Adjusted FY85	Requested FY86	Recommended FY86
NET BUDGET	\$ 5,715,508	\$ 5,924,962	\$ 6,336,204	\$ 6,311,204
Salary Adjustment	171,451			
TOTAL SCHOOL APPROPRIATION	\$ 5,886,959	***		

***At a July, 1984 meeting between the School Committee and the Finance Committee, it was agreed that the 1984-85 Net Budget should have been \$5,924,962, as a result of the collective bargaining agreement concluded after Town Meeting. Therefore, the School Committee built its 1985-86 budget proposal on a Net Budget Base of \$5,924,962, instead of the actual 1984-85 School Appropriation of \$5,886,959.

A ACCOUNT - SALARIES

Program	1984-85 Staffing				1985-86 Staffing			
	Adm.	Tchrs.	Support	Budget	Adm.	Tchrs.	Support	Budget
Contract & Adm.	-	-	-	\$ 154,308	-	-	-	164,597
Elem/Gr. 6	-	10.00	-	301,069	-	10.00	-	319,848
Elem/Gr. 1-5	-	40.00	-	1,244,926	-	40.00	-	1,318,483
Kindergarten	-	5.00	-	121,802	-	5.00	-	160,469
Art	-	2.80	-	81,449	-	2.80	-	86,335
Music	-	4.40	-	118,523	-	4.40	-	127,173
Physical Ed.	-	6.00	-	168,294	-	6.00	-	189,654
Comm./Arts	-	5.00	-	147,587	-	5.00	-	158,267
Reading	-	5.00	1.00	162,668	-	5.00	1.00	174,253
Science	-	5.00	1.00	165,259	-	5.00	1.00	178,569
Mathematics	-	5.00	-	156,934	-	5.00	-	156,792
Social Studies	-	5.00	-	150,714	-	5.00	-	161,587
Typing/Keyboard	-	2.00	-	59,524	-	2.00	-	62,713
Foreign Language	-	2.00	-	54,668	-	2.00	-	59,052
Home Economics	-	1.70	-	48,085	-	1.70	-	48,651
Industrial Arts	-	2.00	-	64,348	-	2.00	-	68,208
Library Media	-	2.00	7.00	132,980	-	2.00	7.00	143,268
Guidance	-	4.00	1.00	146,906	-	4.00	1.00	155,599
Special Ed.	0.5	15.00	5.40	484,633	0.5	15.00	6.40	539,968
School Mgmt.	4.0	-	8.71	273,510	4.0	-	8.71	289,592
Central Mgmt.	2.75	-	6.20	191,567	2.75	-	6.20	200,727
Catalyst	-	4.00	-	111,754	-	4.00	-	120,661
Custodial	-	-	11.00	175,866	-	-	11.00	190,744
Maintenance	-	-	3.10	71,042	-	-	3.10	73,896
TOTALS	7.25	125.90	44.41	\$4,788,416	7.25	125.90	45.41	\$5,149,106

STAFF/PUPIL SUMMARY

	1984-85	1985-86
Number of Pupils	1,847	1,784*
Teaching Staff	125.90	125.90
Other Staff	51.66	52.66
Ratio of Teaching to Other Staff	2.4/1	2.4/1
Cost Per Pupil	\$3,288	\$3,552

*Projected

April 2, 1985

B ACCOUNTS - SUPPLIES, CONTRACTED SERVICES, TEXTS, ENERGY

	<u>1983-84</u> Budget	<u>1984-85</u> Budget	<u>1985-86</u> Budget
Textbooks	\$ 57,636	\$ 63,146	\$ 53,494
School Supplies	120,519	128,261	137,142
School Contracted Services	5,400	5,310	8,618
Library Supplies & Contracted Services	37,400	42,943	43,510
Special Education & Contracted Services	29,750	60,200	63,200
Pupil Personnel	13,990	12,000	13,000
Pupil Tuition	104,386	95,000	110,000
School Equipment - Maint. & Repair	18,100	18,400	23,800
Sudbury Visiting Nurse Association	50,006	50,000	58,620
Regular Transportation	261,798	281,240	277,096
School Lunch	-	-	-
Central Office & School Management	70,165**	80,050**	83,493**
Custodial Supplies & Services	21,922	22,500	26,000
Roof Maintenance	2,500	-	-
Bldg. & Equipment - Repairs & Maint.	45,800	46,400	59,400
Heat	150,000	137,000	129,500
Electricity	96,759	92,720	100,000
Gas	4,170	5,175	5,000
Water	2,040	2,060	2,000
Telephone	32,000	35,000	38,000
Tuition Reimbursement	15,000	12,000	11,000
Other	2,950	-	-
School Committee, Staff & Legal	27,200	31,300	22,300
TOTAL	\$1,169,491	\$1,220,705	\$1,265,173

**Includes Shared Services Salaries

C ACCOUNT - EQUIPMENT

	<u>1983-84</u> Budget	<u>1984-85</u> Budget	<u>1985-86</u> Budget
New & Replacement Equipment	\$ 18,826	\$ 19,028	\$ 36,735

<u>120/125</u>	<u>Budget</u> FY84	<u>Budget</u> FY85	<u>Requested</u> FY86	<u>Recommended</u> FY86
120 Community Use of Schools	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000
125 Summer School	\$ 5,075	\$ 5,365	\$ 5,735*	\$ 5,735

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

100 EDUCATION: 130 LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

	<u>1983-84 Actual</u> <u>Expenditures</u>	<u>1984-85</u> <u>Budget</u>	<u>1985-86 Proposed</u> <u>& Recommended</u>
(Pupils)	(1341)	(1340)	(1334)

April 2, 1985

(100 EDUCATION: 130 LINCOLN-SUBBURY REGIONAL SCHOOL DISTRICT)

	<u>1983-84 Actual</u> <u>Expenditures</u>	<u>1984-85</u> <u>Budget</u>	<u>1985-86 Proposed</u> <u>& Recommended</u>
I. INSTRUCTION			
American Crafts	\$ 554	\$ 1,450	\$ 1,450
Art	7,300	6,350	6,350
Business	22,134	13,850	24,829
Competency	101	350	0
Computer	37,947	52,500	62,500
English	7,725	10,750	15,000
Foreign Language	4,538	5,000	11,700
History	7,248	8,550	9,650
Home Economics	5,456	4,720	5,220
LS West	2,190	3,050	4,200
Mathematics	18,187	4,550	8,175
Music	8,350	9,000	11,694
Physical Education	7,955	8,525	9,225
Science	13,805	14,150	15,400
Technology	14,165	15,300	18,375
Work Experience	575	1,145	1,145
Heys Seminar	710	700	1,000
Human Relations		2,375	3,375
General Supplies	<u>23,104</u>	<u>27,000</u>	<u>32,000</u>
	\$ 182,044	\$ 189,315	\$ 241,288
II. EDUCATIONAL SUPPORT			
House Services	\$ 9,505	8,000	\$ 11,000
Student Services	35,177	36,850	38,360
Special Needs	550,871	479,711	494,326
Audio Visual	19,713	19,100	20,650
Library	13,071	13,300	13,900
Student Activities	0	0	7,500
Athletics	58,421	61,250	76,053
Transportation	224,378	241,177	250,000
Development	<u>7,062</u>	<u>0</u>	<u>5,000</u>
	\$ 918,198	\$ 859,388	\$ 916,789
III. OPERATIONS			
Custodial	29,590	33,814	34,700
Grounds	7,193	12,400	17,310
Maintenance	78,270	60,000	113,389
Community Service	0	100	0
Utilities	246,001	306,300	289,500
Insurance	<u>26,224</u>	<u>29,600</u>	<u>33,125</u>
	\$ 387,278	\$ 442,214	\$ 488,024
IV. DISTRICT SERVICES			
School Committee	21,876	18,201	12,331
Administration	9,697	10,680	13,000
Business Office	13,011	4,550	7,550
Central Office	8,162	11,519	12,941
Benefits	394,371	474,374	471,000
Contingency	<u>0</u>	<u>25,000</u>	<u>25,000</u>
	\$ 447,117	\$ 544,324	\$ 541,822

	<u>1983-84 Actual</u> <u>Expenditures</u>	<u>1984-85</u> <u>Budget</u>	<u>1985-86 Proposed</u> <u>& Recommended</u>
V. SALARIES			
Administration	\$ 358,360	\$ 411,688	\$ 447,456
Professional Staff	3,043,132	3,054,691	3,271,238
Educational Support	134,925	149,072	153,064
Athletics & Extra Curricular	104,826	103,752	114,000
Clerical	225,242	232,603	251,037
Maintenance	<u>322,980</u>	<u>347,365</u>	<u>388,504</u>
	\$ 4,189,465	\$ 4,299,171	\$ 4,625,299
VI. DEBT AND CAPITAL			
Building Debt	150,563	140,588	21,200
Roof Debt	0	87,750	76,275
Capital Projects	<u>0</u>	<u>92,250</u>	<u>194,200</u>
	\$ 150,563	\$ 320,588	\$ 291,675
TOTAL EXPENDED	\$ 6,274,665		
TOTAL BUDGET	\$ 6,277,000	\$ 6,655,000	\$ 7,104,897
OFFSETS:			
Chapter 70	\$ 707,774	\$ 566,220	\$ 636,997
Chapter 71	305,000	396,389	489,217
Transportation	170,000	225,000	230,000
Residential Tuition	55,000	50,000	115,000
Construction Aid	<u>85,064</u>	<u>85,064</u>	<u>0</u>
STATE AID sub-total	\$ 1,322,838	\$ 1,322,673	\$ 1,471,214
Adjustment for prior years	<u>241,874.94</u>	<u>170,596.80</u>	<u>436,992.04</u>
TOTAL OFF-SETS	\$ 1,564,712.94	\$ 1,493,269.80	\$ 1,908,206.04
TOTAL ASSESSMENT	\$ 4,712,287.06	\$ 5,161,730.20	\$ 5,196,690.96
SUDBURY ASSESSMENT	\$ 3,961,292.30	\$ 4,373,089.66	\$ 4,373,089.49
FINANCE COMMITTEE RECOMMENDED ASSESSMENT			\$ 4,373,089.49

100 EDUCATION: 140 MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

	Program Amount FY85	Requested & Recommended FY86	Diff.	%
<u>VOCATIONAL</u>				
Building Trades	\$ 52,815	\$ 56,950	\$ 4,135	
Commercial Services w/D.E.	29,223	27,403	-1,820	
Electronics	36,579	37,752	1,173	
Graphics	93,270	93,150	- 120	
Health Instruction with Child Care	21,835	27,130	5,295	
Metal Fabrication	46,449	41,850	- 4,599	
Power Mechanics	34,705	28,315	- 6,390	
Technology	18,685	17,100	- 1,585	
Afternoon Program/Summer Prog.	13,801	13,801	0	
Regional Occupational Prog.	11,285	11,285	0	
<u>ACADEMIC</u>				
Reserve Officer (ROTC)	2,990	2,990	0	
Communications	9,400	11,100	1,700	
Human Relations	2,800	3,600	800	
Foreign Language	400	1,100	700	
Art	11,815	12,325	510	
Music	0	0	0	
Mathematics	10,000	11,800	1,800	
Science	22,147	22,800	653	
Physical Education	10,725	11,825	1,100	
Athletics w/o Coach Salaries	61,430	66,680	5,250	
Business Instruction	3,350	3,350	0	
Driver Education	500	500	0	
<u>SUPPORT</u>				
Instructional Resources	40,275	47,375	7,100	
Pupil Support	36,998	38,433	1,435	
Principal	56,162	59,160	2,998	
Transportation	673,635	692,572	18,937	
Vocational Coordinator	8,100	8,750	650	
Computer Services	72,300	71,600	- 700	
Dean	2,230	2,500	270	
Superintendent	5,150	6,150	1,000	
Planning and Academics	7,360	8,360	1,000	
Cafeteria	7,360	7,850	490	
<u>OTHER</u>				
District Programs	2,540	2,540	0	
Legal Fees	20,084	20,084	0	
Audit Fees	9,000	5,000	- 4,000	
Business Office	20,350	20,550	200	
Risk Insurance	45,801	48,100	2,299	
Retirement/Employment Benefits	434,549	455,000	20,451	
Debt Management	31,555	216,150	184,595	
Equipment	130,000	110,398	- 19,602	
Operations/Maintenance	705,542	703,601	- 1,941	
Salaries	4,414,557	4,738,618	324,061	
FINAL TOTAL	\$ 7,217,752	\$ 7,765,597	\$ 547,845*	
				**+7.6%

April 2, 1985

34.

	Program Amount FY85	Requested & Recommended FY86
FINAL TOTAL BUDGET (brought forward)	\$7,217,752	\$7,765,597
Revenue Aid/Balances used to reduce assessments (estimated)	(3,617,502)	(3,824,412)
TOTAL ASSESSMENT TO THE 16 MEMBER TOWNS	\$3,600,250	\$3,941,185
<u>SUDBURY ASSESSMENT</u>	<u>\$ 296,839</u>	<u>\$ 308,493</u>

DISTRICT APPORTIONMENT: 1985-1986

I. OPERATING BUDGET

Total Operating Budget	\$7,553,900	
Aid/Revenue	<u>(3,774,412)</u>	
Operating Budget Apportionment		\$3,779,488

II. SPECIAL OPERATING

Special Operating Costs	80,547	
Credits	<u>(50,000)</u>	
Special Costs Apportionment		30,547

III. CAPITAL BUDGET

Capital Payments - New Towns'		
Surcharges	60,400	
Original Towns' Credits	(60,400)	
Debt Service	<u>131,150</u>	
Apportionment, net		131,150

TOTAL APPORTIONMENT \$3,941,185

Apportionment Formula:

	% of Students	Operating	+	Spec. Operating	+	Capital	=	Apportionment
SUDBURY:	7.956	\$300,712	+	\$3,108	+	\$4,673	=	\$308,493

200 DEBT SERVICE

	EXPENDITURES FY84	APPROPRIATED FY85	REQUESTED FY86	RECOMMENDED FY86
201 Temp. Loan Int.	\$ 118,534	\$ 100,000	\$ 100,000	\$ 100,000
202 School Bond Int.	0	0	0	0
203 Other Bond Int.	69,563	57,488	50,336	50,336
204 Principal, Schools	0	0	0	0
205 Principal, Others	195,000	212,500	272,067	272,067
200 TOTAL	\$ 383,097	\$ 369,988	\$ 422,403	\$ 422,403

April 2, 1985

300 PROTECTION310 FIRE DEPARTMENT

	EXPENDITURES FY84	APPROPRIATED FY85	REQUESTED FY86	RECOMMENDED FY86
310-10 Chief's Salary	\$ 34,039	\$ 37,171	\$ 37,171	\$ 37,171
310-11 Salaries	674,806	722,259	768,253	768,253
310-12 Overtime	80,198	78,182	86,200	86,200
310-13 Clerical	12,529	13,430	14,388	14,388
310-14 Dispatchers	25,920	27,475	29,126	29,126
310-21 General Expense	11,605	9,880	10,130	10,130
310-31 Maintenance	34,607	30,600	34,330	30,550
310-42 O. O. S. Travel	528	600	600	600
310-51 Equipment	15,981	132,250	12,250	12,250
310-62 Alarm Maintenance	2,385	3,000	2,500	2,500
310-71 Uniforms	8,896	9,160	10,475	10,475
310-81 Tuition	2,201	2,500	2,500	2,500
310-15 Sick Buy Back	0	4,481	9,768	9,768
 310 TOTAL	 \$ 903,695	 \$ 1,070,988	 \$ 1,017,691	 \$ 1,013,911
 Revenue Sharing	 90,000	 70,000	 65,000	 65,000
 NET BUDGET	 \$ N/A	 \$ 1,000,988	 \$ 952,691	 \$ 948,911

320 POLICE DEPARTMENT

320-10 Chief's Salary	\$ 24,289	\$ 37,440	\$ 37,440	\$ 37,440
320-11 Salaries	644,481	684,907	720,244	720,244
320-12 Overtime	110,225	105,876	160,436	140,436
320-13 Clerical	14,916	15,925	16,881	16,881
320-15 Sick Buy Back	0	0	1,100	1,100
320-21 General Expense	16,448	18,370	23,489	23,489
320-31 Maintenance	11,981	14,134	14,765	14,765
320-41 Travel	587	500	2,800	2,800
320-42 O. O. S. Travel	0	0	700	700
320-51 Equipment	42,947	48,575	58,710	58,710
320-71 Uniforms	9,206	10,150	13,050	13,050
320-81 Tuition	8,512	9,000	9,000	9,000
 TOTAL	 \$ 883,592	 \$ 944,877	 \$ 1,058,615	 \$ 1,038,615
 Revenue Sharing	 90,000	 70,000	 65,000	 65,000
 NET BUDGET	 \$ N/A	 \$ 874,877	 \$ 993,615	 \$ 973,615

April 2, 1985

<u>340 BUILDING INSPECTOR</u>	SPENT FY84	APPROP. FY85	REQUEST FY86	RECOMM. FY86
340-10 Inspector's Salary	\$ 29,481	\$ 31,883	\$ 34,711	\$ 34,711
340-12 Overtime	2,388	2,000	2,000	2,000
340-13 Clerical	14,426	15,927	17,497	17,497
340-14 Deputy Inspector	1,180	1,526	1,800	1,800
340-15 Custodial	53,266	51,402	55,499	55,499
340-16 Plumbing	7,500	7,950	7,500	7,500
340-17 Retainer	2,000	2,120	2,000	2,000
340-18 Sealer	348	1,060	1,000	1,500
340-19 Wiring Inspector	5,370	6,614	6,240	6,240
340-21 General Expense	1,826	770	800	800
340-31 Vehicle Maint.	726	500	750	500
340-32 Town Bldg. Maint.	61,916	60,270	83,700	80,500
340-33 Excess Bldgs.	25,465	26,200	11,700	11,700
340-41 Travel	395	400	500	500
340-51 Equip.	0	7,000	0	0
 TOTAL	 \$ 206,287	 \$ 215,622	 \$ 225,697	 \$ 222,747

350 Dog Officer

350-10 Dog Officer Salary	\$ 14,402	\$ 15,266	\$ 16,182	\$ 16,182
350-12 O.T. & Ext. Hire	966	966	1,085	1,085
350-21 General Expense	3,405	3,007	3,082	3,082
350-31 Vehicle Maintenance	235	345	200	200
350-51 Equipment	0	0	9,000	9,000
 350 TOTAL	 \$ 19,008	 \$ 19,584	 \$ 29,549	 \$ 29,549

360 CONSERVATION

360-13 Clerical	\$ 7,151	\$ 11,724	\$ 12,927	\$ 12,927
360-21 General Expense	2,355	3,000	3,075	3,075
360-31 Maintenance	0	2,000	2,050	2,000
360-41 Travel	94	100	125	125
360-51 Conservation Fund	12,500	0	27,500	0
 360 TOTAL	 \$ 22,100	 \$ 16,824	 \$ 45,677	 \$ 18,127

370 BOARD OF APPEALS

370-13 Clerical	\$ 2,943	\$ 4,221	\$ 4,792	\$ 4,792
370-21 General Expense	793	800	800	1,000
 370 TOTAL	 \$ 3,736	 \$ 5,021	 \$ 5,592	 \$ 5,792

April 2, 1985

<u>385 SIGN REVIEW BOARD</u>	SPENT FY84	APPROP. FY85	REQUEST FY86	RECOMM. FY86
385-13 Clerical	\$ 0	\$ 265	\$ 250	\$ 80
385-21 General Expense	0	50	50	20
 385 TOTAL	 \$ 0	 \$ 315	 \$ 300	 \$ 100
 TOTAL BUDGET (300)	 \$2,038,418	 \$ 2,273,231	 \$ 2,383,121	 \$ 2,328,841
OFFSETS	180,000	140,000	130,000	130,000
NET BUDGET (300)	\$1,858,418	\$ 2,133,231	\$ 2,253,121	\$ 2,198,841

400 HIGHWAY DEPARTMENT

410-10 Surveyor's Salary	\$ 34,261	\$ 36,300	\$ 39,640	\$ 38,478
410-11 Asst. Surv. Sal.	27,829	29,221	31,602	31,602
410-12 Oper. Asst. Sal.	19,397	21,435	23,832	23,832
410-13 Clerical	12,590	13,503	15,314	15,314
410-14 Tree Warden	651	690	670	670
420-11 Operating Salary	280,927	335,596	365,931	365,931
420-12 Extra Hire	17,702	18,960	20,000	20,000
420-13 Overtime	7,217	6,000	6,750	6,750
 Snow & Ice Overtime	 38,155	 25,713	 27,000	 27,000
 TOTAL PERSONAL SERVICES	 438,729	 487,418	 530,739	 529,577
410-21 General Expense	4,406	4,500	4,500	4,500
410-31 Building Maintenance	6,144	6,000	6,150	6,150
410-32 Utilities	17,362	17,500	18,700	18,700
410-41 Travel	100	100	75	75
410-42 O. O.'S	500	500	500	500
410-71 Uniforms	4,948	5,000	7,150	7,150
 420-20 Road Work	 117,950	 156,500	 155,500	 155,500
420-30 Trees	9,991	13,000	13,000	13,000
420-40 Landfill	3,405	2,500	3,500	3,500
420-50 Cemeteries	4,829	5,000	5,000	5,000
430-10 Machinery	120,015	121,000	121,000	121,000
460-10 Snow & Ice	68,473	62,415	62,415	62,415
470-20 Street Lighting	57,263	55,000	63,000	63,000
 TOTAL EXPENSES	 415,386	 449,015	 460,490	 460,490
430-40 Equipment	176,760	71,000	72,775	72,775
460-40 Snow & Ice Equipment	7,695	9,451	9,451	9,451
 TOTAL EQUIPMENT	 184,455	 80,451	 82,226	 82,226
 TOTAL BUDGET	 1,038,570	 1,016,884	 1,073,455	 1,072,293

April 2, 1985

<u>(HIGHWAY DEPARTMENT)</u>	SPENT FY84	APPROP. FY85	REQUEST FY86	RECOMM. FY86
Sale of Lots	\$ 5,000	\$ 2,550	\$ 2,412	\$ 2,412
Mt. Wadsworth	2,000	1,795	2,109	2,109
North Sudbury	3,000	480	2,057	2,057
Mt. Pleasant	2,500	2,169	2,515	2,515
New Town	4,000	3,386	5,801	5,801
Old Town	100	2,048	83	83
South Annex	30,000	0	0	0
Horse Pond	20,000	0	0	0
Fish & Wildlife	0	0	7,900	7,900
TOTAL OFFSETS	66,600	12,428	22,877	22,877
NET BUDGET	\$ N/A	\$ N/A	\$ 1,050,578	\$ 1,049,416

GENERAL GOVERNMENT

501 SELECTMEN

501-10 Exec. Sec. Salary	\$ 46,027	\$ 49,778	\$ 49,778	\$ 49,778
501-12 Overtime	900	500	3,000	1,850
501-13 Clerical Salary	53,857	55,642	61,194	61,194
501-14 Selectmen's Salary	3,200	3,200	3,200	3,200
501-21 General Expense	6,096	5,000	5,125	5,125
501-31 Maintenance	585	1,950	2,000	2,000
501-32 Water Lines	0	0	0	0
501-41 Travel	1,539	1,500	1,600	1,600
501-42 O. O. S. Travel	600	600	600	600
501-51 Equipment	0	300	850	0
501-81 Survey and Studies	85	1,000	0	0
501 TOTAL	\$ 112,889	\$ 119,470	\$ 127,347	\$ 125,347

502 ENGINEERING

502-10 Town Engineer Salary	\$ 36,149	\$ 39,478	\$ 42,696	\$ 42,696
502-11 Salaries	103,961	113,299	122,199	122,199
502-12 Overtime	43	1,000	1,000	1,000
502-13 Clerical	12,955	14,797	15,082	15,082
502-21 General Expense	5,692	5,850	6,000	6,000
502-31 Maint. & Repair Veh.	1,120	1,400	1,435	1,435
502-41 Travel	0	0	100	100
502-51 Equipment	7,905	7,500	7,500	6,400
502 TOTAL	\$ 167,825	\$ 183,324	196,012	194,912

503 LAW

503-10 Retainer	\$ 18,000	\$ 19,500	\$ 19,500	\$ 19,500
503-11 Asst. Counsel Salary	14,000	15,200	15,200	15,200
503-21 General Expense	23,451	17,250	17,250	17,250
503-51 Equipment	0	500	0	0
503 TOTAL	\$ 55,451	52,450	51,950	51,950

April 2, 1985

<u>504 ASSESSORS</u>	SPENT FY84	APPROP. FY85	REQUEST FY86	RECOMM. FY86
504-10 Asst. Assessor Sal.	\$ 10,985	\$ 25,020	\$ 28,020	\$ 26,520
504-12 Overtime	2,286	2,300	2,300	2,300
504-13 Clerical Salary	37,247	39,765	42,526	42,526
504-14 Assessors' Salary	2,367	2,500	2,500	2,500
504-21 General Expense	10,382	21,290	21,990	21,290
504-31 Maintenance	143	175	175	175
504-41 Travel	394	2,100	1,200	1,200
504-51 Equipment	182	1,200	500	500
504-81 Tuition	0	500	800	800
504 TOTAL	\$ 63,986	\$ 94,850	100,011	\$ 97,811

505 TAX COLLECTOR

505-10 Collector's Salary	\$ 16,508	\$ 17,200	\$ 18,232	\$ 18,232
505-12 Overtime	2,998	1,000	1,000	1,000
505-13 Clerical Salary	25,660	28,902	31,381	31,381
505-14 Attorney's Salary	0	3,500	0	0
505-21 General Expense	776	2,555	1,915	1,500
505-31 Maintenance	48	100	100	100
505-41 Travel	141	150	200	150
505-45 Petty Cash	0	0	0	0
505-51 Equipment	0	500	0	0
505-52 Service Bureau	0	14,700	15,068	15,068
505 TOTAL	\$ 46,131	\$ 68,607	\$ 67,896	\$ 67,431

506 TOWN CLERK & REGISTRARS

506-10 Town Clerk's Sal.	\$ 19,306	\$ 22,000	\$ 24,000	\$ 23,320
506-13 Clerical Salary	40,117	45,012	46,232	46,232
506-12 Overtime	0	0	1,500	1,500
506-14 Registrars	600	636	600	600
506-21 General Expense	5,754	7,960	8,755	7,960
506-31 Maintenance	2,363	1,099	1,099	1,099
506-41 Travel	450	450	450	225
506-42 O. O. S. Travel	0	348	450	225
506-51 Equipment	1,000	750	0	0
506-61 Elections	5,146	12,185	3,887	3,887
506 TOTAL	\$ 74,736	90,440	86,973	85,048

507 TREASURER

507-10 Treasurer's Salary	\$ 10,692	\$ 11,200	\$ 11,872	\$ 11,872
507-13 Clerical Salary	14,457	15,329	16,248	16,248
507-21 General Expense	1,066	1,200	1,300	1,300
507-31 Maintenance	0	100	100	100
507-41 Travel	819	900	1,000	900
507-61 Tax Title Expense	147	3,000	3,000	3,000
507-71 Bond & Note Issue	1,030	2,000	1,000	1,000
507-81 Tuitions	250	250	250	250
507 TOTAL	\$ 28,461	\$ 33,979	\$ 34,770	\$ 34,670

April 2, 1985

<u>508 FINANCE COMMITTEE</u>	SPENT FY84	APPROP. FY85	REQUEST FY86	RECOMM. FY86
508-13 Clerical Salary	\$ 3,183	\$ 3,785	\$ 3,571	\$ 3,571
508-21 General Expense	175	180	180	180
508 TOTAL	\$ 3,358	\$ 3,965	\$ 3,751	\$ 3,751
<u>509 MODERATOR</u>				
509-10 Salary	\$ 0	\$ 160	\$ 100	\$ 100
509-21 General Expense	70	0	60	60
509 TOTAL	\$ 70	\$ 160	\$ 160	\$ 160
<u>510 PERM. BLD. COMMITTEE</u>				
510-13 Clerical Salary	\$ 162	\$ 716	\$ 520	\$ 90
510-21 General Expense	0	110	110	10
510 TOTAL	\$ 162	\$ 826	\$ 630	\$ 100
<u>511 PERSONNEL BOARD</u>				
511-13 Clerical Salary	\$ 1,134	\$ 2,120	\$ 2,000	\$ 1,800
511-21 General Expense	55	200	200	200
511 TOTAL	\$ 1,189	\$ 2,320	\$ 2,200	\$ 2,000
<u>512 PLANNING BOARD</u>				
512-10 Town Planner	\$ 0	\$ 25,000	\$ 27,500	\$ 26,500
512-13 Clerical Salary	4,292	9,746	13,440	12,935
512-21 General Expense	936	800	2,390	2,390
512-31 Maintenance	74	90	90	90
512-41 Travel	0	50	650	650
512-51 Equipment	0	1,000	390	390
512-61 Special Studies	3,813	0	15,000	0
512 TOTAL	\$ 9,115	\$ 36,686	\$ 59,460	\$ 42,955
<u>513 ANCIENT DOCUMENTS COMMITTEE</u>				
513-21 General Expense	\$ 1,184	\$ 1,600	\$ 1,600	\$ 1,600

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<u>514 HISTORIC DIST. COMM.</u>	SPENT FY84	APPROP. FY85	REQUEST FY86	RECOMM. FY86
514-13 Clerical Salary	\$ 15	\$ 127	\$ 120	\$ 75
514-21 General Expense	51	85	85	50
514 TOTAL	\$ 66	\$ 212	\$ 205	\$ 125
 <u>515 HISTORICAL COMMISSION</u>				
515-13 Clerical Salary	\$ 0	\$ 187	\$ 176	\$ 176
515-21 General Expense	527	820	841	841
515 TOTAL	\$ 527	\$ 1,007	\$ 1,017	\$ 1,017
 <u>518 COUNCIL ON AGING</u>				
518-10 Director's Salary	\$ 6,490	\$ 7,567	\$ 8,021	\$ 8,021
518-11 Driver's Salary	4,359	8,247	8,766	8,766
518-12 Outreach	0	2,000	2,248	2,248
518-21 General Expense	3,523	3,546	4,223	4,223
518-31 Utilities/Maint.	2,471	3,860	3,460	3,460
518-51 Equip. Purchase	0	50	350	350
518-61 Sr. Cit. Program	0	250	250	250
518-62 Trans. Program	858	1,250	1,250	1,250
518 TOTAL	\$ 17,701	\$ 26,770	\$ 28,568	\$ 28,568
 <u>519 TALENT SEARCH COMMISSION</u>				
519-21 General Expense	\$ 0	\$ 89	\$ 89	\$ 89
 <u>521 ACCOUNTING</u>				
521-10 Acct./DFA Salary	\$ 30,933	\$ 34,026	\$ 34,026	\$ 34,026
521-12 Overtime	499	500	562	562
521-13 Clerical Salary	33,974	31,178	34,089	34,089
521-21 General Expense	750	1,025	15,051	15,051
521-22 Computer	2,651	47,000	9,229	9,229
521-23 Outstd. Rec'ables	0	0	0	14,229
521-31 Maintenance	150	250	256	256
521-41 Travel	513	560	574	574
521-42 O. O. S. Travel	0	0	0	0
521-51 Equip. Purchase	149	700	700	400
521-81 Tuition	225	0	250	250
521 TOTAL	\$ 69,844	\$ 115,239	\$ 94,737	\$ 108,666
500 NET BUDGET	\$ 652,695	\$ 831,994	\$ 857,376	\$ 846,200

April 2, 1985

<u>600 GOODNOW LIBRARY</u>		SPENT FY84	APPROP. FY85	REQUEST FY86	RECOMM. FY86
600-10	Library Dir. Sal.	\$ 25,726	\$ 27,929	\$ 30,205	\$ 30,205
600-11	Salaries	131,894	144,253	159,168	159,168
600-12	Overtime	1,729	1,730	2,000	1,780
600-15	Custodial	6,348	7,364	9,072	9,072
600-21	General Expense	5,280	5,000	5,800	5,185
600-31	Maintenance	15,650	16,070	16,520	16,070
600-41	Travel	75	75	75	75
600-51	Equip. Purchase	0	0	600	600
600-52	Books	39,161	41,450	45,334	44,704
600-62	Automation	0	4,067	0	0
600 TOTAL		\$ 225,863	\$ 247,938	\$ 268,774	\$ 266,859
OFFSETS					
STATE AID		\$ 1,400	\$ 11,080	\$ 11,081	\$ 11,081
DOG LICENSES		\$ 2,274	\$ 2,408	2,345	\$ 2,345
600 NET BUDGET		\$ N/A	\$ 234,450	\$ 255,348	\$ 253,433
<u>700 PARK & RECREATION</u>					
700-10	Supervisor's Salary	\$ 23,481	\$ 25,395	\$ 28,566	\$ 28,566
700-12	Overtime	608	700	750	750
700-13	Clerical Salary	2,498	3,180	3,759	3,759
700-15	Salaries	67,118	70,636	77,086	77,086
700-21	General Expense	1,588	1,850	1,850	1,850
700-31	Maintenance	27,520	24,060	64,125	24,125
700-41	Travel	659	660	660	660
700-51	Equip. Purchase	4,898	12,500	0	0
700-61	Spec. Programs	8,640	9,800	9,200	9,200
700-62	Teen Center	2,223	3,000	5,000	5,000
700-71	Uniforms	294	450	850	850
700 TOTAL		\$ 139,527	\$ 152,231	\$ 191,846	\$ 151,846
<u>800 BOARD OF HEALTH</u>					
800-10	Director's Salary	\$ 39,401	\$ 30,897	\$ 33,414	\$ 33,414
800-12	Overtime	0	0	2,000	2,000
800-13	Clerical Salary	14,466	15,975	16,962	16,962
800-15	Animal Inspector	1,062	1,060	1,193	1,193
800-21	General Expense	1,048	1,200	1,400	1,400
800-31	Maintenance	310	350	400	400
800-32	Lab Expense	3,640	3,800	4,000	4,000
800-51	Equip. Purchase	800	6,550	500	500
800-61	SPHNA	29,924	32,172	31,438	31,438
800-71	Mosquito Control	15,000	15,000	15,000	15,000
800-75	Septage Cap. Exp.	3,307	25,000	25,000	25,000
800-76	Septage Op. Exp.	69,322	100,000	100,000	50,000
800-91	Mental Health	5,000	6,000	6,000	6,000
800-92	Hazard. Waste	0	2,000	2,200	2,200
800 TOTAL		\$ 183,280	\$ 240,004	\$ 239,507	\$ 189,507

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<u>900 VETERANS</u>	SPENT FY84	APPROP. FY85	REQUEST FY86	RECOMM. FY86
900-10 Agent's Salary	\$ 2,411	\$ 2,556	\$ 2,709	\$ 2,709
900-21 General Expense	151	750	750	750
900-61 Benefits	714	8,000	8,000	4,000
900 TOTAL	\$ 3,276	\$ 11,306	\$ 11,459	\$ 7,459
<u>950 UNCLASSIFIED</u>				
950-11 Blue Cross/Shield	\$ 457,157	\$ 577,842	\$ 663,000	\$ 713,000
950-12 Life Insurance	3,615	3,800	3,800	3,800
950-21 Fidelity Bonds	1,060	1,200	1,200	1,200
950-31 Casualty Insurance	121,221	100,000	115,000	115,000
950-41 Print Town Report	5,954	6,500	7,000	7,000
950-51 Memorial Day	928	1,000	1,025	1,025
950-61 Veteran's Graves	0	0	0	0
950-71 Fire Pension	1,500	1,500	1,500	1,500
950-81 Reserve Fund	87,595	120,000	100,000	100,000
950-89 School Tuition	1,907	2,000	2,000	2,000
950-92 Communications	3,712	3,500	3,500	3,500
950-93 Hydrant Rental	22,714	23,205	23,485	23,485
950-94 Copying Service	0	5,000	8,000	8,000
950-95 Word Processor	10,155	0	0	0
950-96 Retirement Fund	370,006	432,442	492,000	492,000
950-97 Town Meetings	9,280	9,500	10,500	10,500
950-98 Postage	12,100	12,400	13,700	13,700
950-99 Telephone	13,202	15,000	15,000	15,000
950-100 Unemployment	0	0	0	0
950-101 Salary Adj. Town	14,794	117,742	15,500	15,500
950-101-A Salary Adj.Sch.	0	171,451	0	0
950-102 Gasoline	44,661	44,000	46,000	44,000
950-103 Non-Contr. Ret.	0	1,000	2,000	2,000
950-104 Pension Liab. Fund	0	0	20,000	20,000
950 TOTAL	\$1,181,561	\$ 1,649,082	\$ 1,544,210	\$ 1,592,210
OVERLAY SURPLUS	\$ 100,000	\$ 100,000	\$ 80,000	\$ 80,000
950 NET BUDGET	\$ N/A	\$ 1,549,082	\$ 1,464,210	\$ 1,512,210

1983-84 RESERVE FUND TRANSFERS

Reserve Fund Appropriation: \$ 100,000.00

<u>ACCOUNT NUMBER/NAME</u>	<u>TRANSFER NO.</u>	<u>AMOUNT</u>
200-201 Debt Service, Temp. Loan Int.	28	\$ 17,000.00
200-201 Debt Service, Temp. Loan Int.	46	1,050.00
310-21 Fire Dept., General Expense	6	2,500.00
320-81 Police Dept., Tuition	25	4,000.00
340-12 Building Dept., Overtime	56	387.58
340-13 Building Dept., Clerical	54	1,039.00
340-15 Building Dept., Custodial	38	6,708.77
350-21 Dog Officer, General Expense	50	800.00
360-13 Conservation, Clerical	55	966.37
360-31 Conservation, Maintenance	44	600.00
410-31 Highway Dept., Maintenance	35	1,750.00
501-12 Selectmen, Overtime	30	300.00
501-13 Selectmen, Clerical	48	1,500.00

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(ACCOUNT NUMBER/NAME)	TRANSFER NO.	AMOUNT)
501-21 Selectmen, General Expense	33	\$ 2,100.00
501-31 Selectmen, Maintenance	11	512.00
503-21 Law Dept., General Expense	69	5,800.00
505-12 Tax Collector, General Expense	17	1,000.00
506-31 Town Clerk, Maintenance	19	2,200.00
506-31 Town Clerk, Maintenance	1	804.00
506-51 Town Clerk, Equipment	1	1,000.00
508-13 Finance Committee, Clerical	70	267.30
512-13 Planning Board, Clerical	41	500.00
521-13 Accounting Dept., Clerical	34	2,259.00
521-22 Accounting Dept., Computer	18	892.17
521-22 Accounting Dept., Computer	2	590.12
521-22 Accounting Dept., Computer	60	794.69
521-22 Accounting Dept., Computer	71	475.00
800-10 Health Dept., Director's Salary	5	8,486.76
950-31 Unclassified, Casualty Insurance	15	12,000.00
950-41 Unclassified, Town Report	32	454.34
950-92 Unclassified, Communications	68	212.48
950-94CF Unclassified, Copying Service	37	1,750.00
950-95 Unclassified, Word Processor	10	2,640.00
950-96 Unclassified, Retirement Fund	23	754.54
950-96 Unclassified, Retirement Fund	53	151.75
ATM82/7 Town Audit	9	3,349.17
TOTAL EXPENDED		\$ 87,595.04

1984-85 TRANSFERS

ACCOUNT NUMBER/NAME	TRANSFER NO.	AMOUNT
Reserve Fund Appropriation		\$ 120,000.00
Reserve Fund Transfers		
320-41 Police Dept., Travel	3	\$ 2,300.00
320-51 Police Dept., Equipment	23	1,500.00
320-71 Police Dept., Uniforms	6	1,450.00
340-31 Building Dept., Vehicle Maintenance	11	4,000.00
370-21 Board of Appeals, General Expense	21	400.00
420-40 Highway Department, Landfill	8	6,000.00
501-12 Selectmen, Overtime	4	300.00
501-13 Selectmen, Clerical	15	200.00
505-13 Tax Collector, Clerical	9	900.00
700-62 Park & Recreation, Teen Center	5	1,000.00
950-94 Unclassified, Copying Service	16	2,000.00
950-103 Unclassified, Non-Contrib. Retirement	22	285.79
TOTAL as of January 31, 1985		\$ 20,335.79
BALANCE		\$ 99,664.21

Inter-Account Transfers

ACCOUNTS	TRANSFER NO.	AMOUNT
320-10 Chief's Salary TO 320-12 Overtime/Police	7	\$ 10,704.80
340-33 Excess Bldgs. TO 340-32 Tn. Bldgs. Mtn.	30	5,000.00
420-11 Oper. Sal TO 420-40 Landfill - Highway	8	6,000.00
420-11 Oper. Sal TO 410-71 Uniforms - Highway	17	2,193.00
420-11 Oper. Sal TO 420-12 Extra Hire - Highway	24	5,000.00
700-15 Salaries TO 700-62 Teen Center - P & R	4	1,000.00

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FINANCE COMMITTEE BUDGET REPORTS: (Where a report is not given on a particular line item, the Finance Committee recommends approval of the amount given in the Recommended column.)

110 SUDBURY PUBLIC SCHOOLS: The School Committee requested a total of \$6,451,014 this year. Although this exceeded the Finance Committee guidelines, the Finance Committee was satisfied that the School Committee had made every effort to keep the request at or close to the minimum. Nevertheless, in this year of extreme "belt-tightening" the Finance Committee voted to cut \$25,000 from the School's budget in order to fairly distribute the burdens of Proposition 2½. The Finance Committee did this on a "bottom line" basis leaving completely to the School Committee's judgment the question of where and how the necessary cuts in particular line items will be made. Recommend approval of \$6,426,014 only.

120 COMMUNITY USE OF SCHOOLS: This is level funded at \$12,000. Recommend approval.

125 SUMMER SCHOOL: Recommend approval.

130 LINCOLN SUDBURY REGIONAL SCHOOL DISTRICT: The requested assessment to Sudbury by the High School is \$4,373,089.49 representing level funding with last year's assessment. Total requested budget is \$7,104,897.00, an increase of 6.8% over last year. This inconsistency in growth rate is due to the movement of in-state aid and a change in the proportion of mix of students between Lincoln and Sudbury.

Some of the increases in the spending budget are the result of the collectively bargained salary agreement and other inflationary increases, specifically in the area of health insurance and special needs tuition funding. Also included in this requested budget is \$194,200.00 for capital projects. Although the original goal for capital spending was \$200,000, other budget necessities forced this number to \$194,200.

Throughout the budget process, the School Committee has cooperated in sharing the assumptions behind the plan and has assured the clarity of 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.

140 MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL: The proposed assessment to Sudbury of \$308,493 is an \$11,654 increase (3.9%) over the FY85 adjusted appropriation. This modest increase is the result of several factors: Salaries, which represent 61% of the budget, increased 7.3% after completion of union negotiations; Other, non-capital, operating expenses increased 2.2%; Capital spending increased 102% due to the initial payment of principal and interest on the school roof bond. These increases were reduced by a 5.7% increase in revenue aid. Recommend approval of \$308,493.

200 Debt Service: The Debt Service represents the fourth of five principal and interest payments for the Police Station bonds, the third of five principal and interest payments for the Curtis and Noyes School Roofs, the second principal and interest payment for Septage Disposal Facility debt, and the first of five annual payments for the Stone Tavern Farm development rights purchase. This fiscal year's installment of the Stone Tavern Farm principal and interest totals \$71,390. The Debt Service also includes a provision for \$100,000 of short-term Tax Anticipation Note interest. Recommend approval.

310 FIRE DEPARTMENT: The Fire Department budget request for this fiscal year represents a 5% reduction from the adjusted request of fiscal year 1985. Personnel services increased by 7% reflecting the impact of contract settlement and changes in longevity and career incentive reimbursements. Other operating expenses have been slightly increased by 1.8%. Capital expenses reflect a 90.7% decrease. A new fire engine was purchased last year and a similar request to replace obsolete equipment can probably be expected in the next year or two. This year's request which includes a small computer for billing and information purposes more accurately reflects the on-going capital requirements of the Fire Department. The Finance Committee recommends approval of all line items in Account 310.

320 POLICE DEPARTMENT: The Police Department budget request this year represents an increase of \$93,000 or 9.9% over last year's adjusted appropriation. The increase can be broken down into three distinct areas:

- 1) Personnel Services: Expenses in this area increased 8.6% or \$72,000. This is the result of salary and related increases consistent with the contract settlement. The Overtime Account has been increased by \$35,000 and reflects a manpower shortage, increased vacation time coverage, and increased protection dictated by continued commercial and residential expansion in the Town;
- 2) Operating Expenses: Uniform allowances and travel reimbursement for education required by contract account for nearly half of the \$11,000 increase in this area. Telephone and teleprocessing requirements represent a \$2,000 increase. Cell camera repairs and calibration and maintenance of other equipment accounts for the balance; and
- 3) Capital Expenses: The increase in capital expenses reflects the need to replace the Police Chief's 1978 car which presently has over 80,000 miles.

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

340 BUILDING DEPARTMENT: The overall budget has increased \$8,610 or 5.4% and is attributable to increased personnel costs resulting from the 1984 wage settlement contract. A decrease of \$14,500 in the Excess Buildings Account - utilities and heating costs for the Loring School - and a decrease of \$7,000 in the Equipment Account were offset by an increase of \$20,230 in the Town Building Maintenance Account. This increase is due to increased fuel and utility costs - \$4,030; painting of Town Buildings - \$10,000; rebuilding the Flynn Building chimney - \$2,200; and Revenue Sharing Handicapped Revisions - \$2,500. Recommend approval of \$222,747.

350 DOG OFFICER: The Dog Officer's budget this year represents a 50.4% increase over the 1985 appropriation. The major portion of this increase is to replace the 1976 Dodge pickup which is currently being used by the Dog Officer, but which is badly in need of major repairs. Recommend approval.

360 CONSERVATION: The need for an additional \$27,500 for the Conservation Fund was not established. This fund currently has \$82,500 to acquire land. Any substantial purchase would seem to minimally require several hundred thousand dollars of Town funds. The Finance Committee also recommends level funding for the Maintenance budget at the FY85 level. Recommend approval of \$18,127.

370 BOARD OF APPEALS: The substantial increase in hearings held during FY85 warrant an increase in the General Expense Account. Recommend approval.

400 HIGHWAY: The Highway Department's recommended budget reflects an overall increase of 4.85% over last year. This increase is weighted heavily by personal services being increased 7.37% while all other expenses reflect the requested 2.5% increase. Recommend approval.

501 SELECTMEN: The overall budget has increased \$5,193 or 4.3% and is attributable to increased personnel costs resulting from the 1984 wage settlement contract. Recommend approval of \$125,347.

502 ENGINEERING: The Engineering Department budget requests a 12.57% increase over last year. The majority of this increase reflects higher personnel costs to the Town. The Finance Committee supports the entire budget with the exception of a \$1,100 request in the -51 Equipment Account. Recommend approval of \$194,912.

504 ASSESSORS: The recommended FY86 budget represents an increase of 2.9% over the salary-adjusted FY85 budget. During the present fiscal year, the Assistant Assessor was granted an 8.5% salary increase. The recommended budget includes a 6% salary increase over the average FY85 salary for that position. The Finance Committee also recommends level funding the General Expense budget at the FY85 level. Recommend approval of \$97,811.

505 TAX COLLECTOR: Expenditure patterns during FY84 and FY85 do not warrant the requested General Expense amount. Recommend level funding of travel at FY85 level. Recommend approval of \$67,431.

506 TOWN CLERK: The recommended Town Clerk's salary is 6% higher than the FY85 level, in line with recommendations for other elected officials' salaries. The need for the requested 10% increase in General Expense was not established; the recommendation provides for level funding in that account at the FY85 appropriation which was a very substantial increase over the FY84 funding levels. The Finance Committee recommends reduction of the requests for travel funds in this and several other departmental budgets. Recommend approval of \$85,048.

507 TREASURER: Recommend level funding of travel at FY85 level. Recommend approval of \$34,670.

512 PLANNING BOARD: The recommended Town Planner's salary is 6% higher than the FY85 level, in line with salary increases for other Town employees exclusive of longevity or other add-ons. Under the exigencies of Proposition 2½, the need for vacation coverage and a comprehensive computer model of traffic flow throughout Town (Special Studies) was not established. Recommend approval of \$42,955.

521 ACCOUNTING: The -21 General Expense account contains a request for \$14,000 for an outside audit of the Town's financial records. This audit has previously been performed every three fiscal years; however, an annual audit is now mandated by the Office of Revenue Sharing. Since this is now an annual expense, it appears in the Accounting Department budget. The remainder of the General Expense budget has increased 2.5% over FY85.

The June 30, 1984 Balance Sheet of the Town indicates that there are very sizeable Accounts Receivable of uncollected Real Estate and Personal Property Taxes -- \$809,018 from FY83 and earlier levies, and \$860,163 from the FY84 levy. This degree of delinquency seriously impacts the Town's free cash position for this Town Meeting and adversely affects the Town's ability to operate within the limits imposed by Proposition 2½. Thus, the Finance Committee recommends the creation of a temporary line in the Accounting budget -23 Outstanding Receivables to be funded at \$14,229 for FY86 only. A portion of these funds would be used to hire a temporary employee, at the level of Senior Account Clerk under the Supervision of the Accountant, to perform the accounting, legal, data processing, and communications tasks involved with collection of these outstanding taxes. The remainder would be used to cover the associated costs of supplies, telephone, postage, legal assistance, etc. The recommended expenditure, if approved, should result in the collection of many times its cost in back taxes. Recommend approval of \$108,666.

600 GOODNOW LIBRARY: The recommended FY86 budget includes an 8.0% increase in non-capital spending over the FY85 budget. This operating budget includes a 9.9% increase in salary items and 5.5% increase in other expense categories.

Capital spending for automation included in the FY85 budget is not required. Budget request was for an 8.7% increase in other expense categories. Recommend approval of \$266,859.

700 PARK AND RECREATION: The requested budget represents a 30% increase over last year's appropriation. The principal part of the increase is targeted for a \$40,000 resurfacing of two Featherland Park tennis courts.

Park and Recreation is also requesting via Article 16, Haskell Recreation, an additional \$50,000.

The Finance Committee, with the obvious constraints in force this year, cannot support to the full extent both the budget requests and Article 16. A review of the requests, in conjunction with input from the Park and Recreation Commission, brings support for total appropriations equalling the original budget request.

Our recommendation keeps the Park and Recreation budget intact with the transfer of \$40,000 from the 700-31 Maintenance account to our recommendation for Article 16. Recommend approval of \$151,846.

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800 BOARD OF HEALTH: The Board of Health originally requested a 1986 budget of \$239,507. More recent developments have allowed the Board of Health to utilize a carry-forward from the 1985 budget in the -76 Septage Operation Expense account. This carry-forward will amount to \$50,000 from a combination of offsets from Wayland's use of the facility and some overage in the account in 1985.

The Board of Health and the Finance Committee agree that the \$100,000 figure is correct for the -76 account and will be needed this year and in the future. This year, 1986, the funding for this account will be partially offset in the above-mentioned carry-forward and thus the budget recommendation of the Finance Committee will be to approve \$189,507.

900 VETERANS: In view of recent expense history, the Finance Committee felt that the FY86 budget for Benefits should be funded at \$4,000. These benefits are mandated, and should unanticipated expenditures be required they can be transferred from the Reserve Fund.

950 UNCLASSIFIED:

- 11 BLUE CROSS/BLUE SHIELD. An increase of \$100,158 is recommended over the FY85 appropriation of \$577,842 and a Special Town Meeting FY85 appropriation of \$35,000. This line item amount will be adjusted at the Town Meeting and will reflect the actual premium rates for the period May 10, 1985 to May 9, 1986.
- 31 CASUALTY INSURANCE. A decrease of \$10,000 is recommended over the FY85 appropriation of \$100,000 and a Special Town Meeting appropriation of \$25,000. Although renewal rates have increased for this fiscal year, it is anticipated that the dividend earned in FY85 will result in a net decrease of \$10,000.
- 81 RESERVE FUND. A decrease of \$20,000 is recommended.
- 94 COPYING SERVICE. An increase of \$1,000 is recommended over the FY85 appropriation of \$5,000 and a Reserve Fund transfer of \$2,000. The expenditure is for three maintenance contracts and office supplies. The copy machines are located in the Flynn Building, Town Hall, and Loring Parsonage. A copy machine study is presently being conducted by the Selectmen to determine best utilization of these machines.
- 96 RETIREMENT FUND. An increase of \$75,000 is recommended.
- 101 SALARY ADJUSTMENT - TOWN. A decrease of \$102,242 is recommended. The line item amount of \$15,500 could be sufficient to fund increases for six individuals: Fire Chief, Police Chief, Town Accountant, Executive Secretary, Town Counsel and Assistant Town Counsel.

The Chairman of the Finance Committee moved that the Town appropriate the sums of money set forth in the recommended column for all line items in the Budget, Article 6, except line items 502-11 and 950-31 for which the sums appropriated shall be \$117,338 for line item 502-11, Engineering Salaries; and \$140,000 for line item 950-31, Casualty Insurance, all of said sums to be raised by taxation except \$36,000 of line item 110, Sudbury Schools, for "C" Account, Equipment, which is to be raised by transfer from the Sale of Town Buildings Account; \$5,735 of line item 125, Summer School, which is to be raised by transfer from the Summer School Reserve for Appropriation Account; \$65,000 of line item 310-11, Fire Salaries, which is to be raised by transfer from Public Law 92-512, Federal Revenue Sharing; \$65,000 of line item 320-11, Police Salaries, which is to be raised by transfer from Public Law 92-512, Federal Revenue Sharing; \$2,412 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from sale of cemetery lots; \$2,109 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from Mt. Wadsworth Cemetery Perpetual Care Account; \$2,057 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from North Sudbury Cemetery Perpetual Care Account; \$2,515 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from Mt. Pleasant Cemetery Perpetual Care Account; \$5,801 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from New Town Cemetery Perpetual Care Account; \$83 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from Old Town Cemetery Perpetual Care

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Account; \$7,909 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from the U.S. Fish and Wildlife Service payment in lieu of taxes under Public Law 88-523; \$69,000 of line item 430-40, Highway Equipment, which is to be raised by transfer from the Sale of Town Buildings Account; \$2,345 of line item 600-52, Library Books, which is to be raised by transfer from the County Dog License Refund Account; \$11,081 of line item 600-52, Library Books, which is to be raised by transfer from the Library State Aid Account; and \$80,000 of line item 950-81, Reserve Fund, which is to be raised by transfer from Overlay Surplus Account.

In support of this motion, the Chairman noted that money was tight and that the boards and committees in town did a tremendous job coming in with extremely reasonable budgets this year. A special note of appreciation was voiced to the Sudbury Public Schools who reduced their budget by \$25,000 and the Lincoln-Sudbury Regional High School who reduced their budget by \$41,000. Also, the Police Department Overtime Account was reduced by \$20,000. It was stated that the Conservation Commission had requested monies for the Conservation Fund. When the Commission reported that the Stone Farm was an extremely high priority for them a year ago, the Finance Committee recommended the Farm be purchased with the understanding that the Town would go to the polls in November and vote to exempt the bond issue, as the Finance Committee did not consider the exemption an override. However, that issue failed and the voters of Sudbury said "We don't want to exempt anything. We want to live within 2½." Until the bond issue is paid off at approximately \$70,000 a year, the Finance Committee recommends no money should be put in the Conservation Fund, as paying off the debt on the Stone Tavern Farm is the equivalent of giving the Commission money for their Fund.

The Blue Cross/Blue Shield Account is up to \$713,000. Although the Chairman stated this was a large increase, she felt this could be substantiated in that over the past several years at the Annual Town Meetings the town has been funding Blue Cross/Blue Shield for only 10 months as opposed to 12 months. By having \$713,000, the amount presently in the line item, it was believed that the voters were getting a full picture and would understand that they would not be asked to come back next April to appropriate more money.

Several areas possibly presenting problems next year were mentioned as the Lincoln Sudbury Regional High School, as they have an extra \$140,000 to offset their budget this year that they will not have next year. The County Retirement Fund is of serious concern because of the unfunded liability. If the County decides to enforce funding the unfunded liability, it could mean owing them \$500,000.

The Finance Committee altered their procedure in voting the budgets this year. Nothing was voted until the FinCom heard what all the boards, committees, the petitioners, et al had to say. The Committee then sat down and set a list of priorities which their recommendations reflected. The one area the Committee felt it was not able to be effective was in their recommendations of salaries for the elected officials, as the results of a study undertaken by the Personnel Board came to the Committee when there was not sufficient time to make valid recommendations. Therefore a 6% increase for all elected officials was recommended as well as for non-union people such as the Planner, the Assistant Assessor and all those not in the category of "Individually Rated." It was stated that the "bottom line" was \$14,299,000 and it was hoped that the FinCom's recommendations would be supported as the Committee felt it had studied the issues carefully, and had done the best that they could. The Chairman noted that "The only fat is the \$89,484 in the "Proposition 2½ Surplus Fund" and it was hoped that most of it could be saved for next year when money will be considerably tighter."

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Sudbury School Committee Report (David S. Pettit)

This year's goal has been very similar to that of previous school committees concerning the budget. The Committee attempted to provide the best quality education within the limited financial resources available to us and made a policy decision to concentrate as many of those funds as possible on teaching, classroom teaching, and curriculum, rather than plant and administration. Over the past 5 or 6 years, the expense for plant and administration has dropped much more significantly than that spent on classroom teaching and curriculum development. To accomplish this goal, the professional educators and administrators were so instructed. It was believed they have done an excellent job again this year although the task becomes more difficult with each year. The budget has been carefully prepared by the administrators under the guidance of the Committee and with the advice and assistance and careful eye of the Finance Committee. The original request was for \$6,336,204, but this has been reduced by \$25,000 and the School Committee feels reasonably confident it can come in under the wire during the coming fiscal year. This budget assumes that the Committee will be able to handle any adverse developments that may arise during the year, such as an increase in student population, unusual medical leaves, special education expenses that we haven't foreseen, a harsh winter or problems with the physical plant. Good management can solve any adverse developments that face us during the year but we can't guarantee it. Looking at the budget, roughly 80% of it is in the "A" Account, the Salary Account, and the reason for the increase there is primarily a 6% contractual increase negotiated last year. The energy part of the "B" Account is basically the same as last year. Increases in that area are primarily in the category of contracted expenses and some increase in maintenance which has been deferred for a number of years. In the "C" Account, the majority of the increase is due to the purchase of a new vehicle which is needed to transport special education students as well as injured students, an obligation the Committee has and there's really no alternative aside from contracting with private transportation which would be prohibitively expensive.

Planning Board Report (Thomas Phelps)

The Planning Board had proposed to amend line item 512-61, Special Studies, by increasing it from \$0 to \$15,000, the money to be used to purchase computer software which would allow the Planning Board and other boards and committees in the town to simulate traffic patterns throughout the town. The amount was based on the cost for a similar simulation study undertaken by the town of Lincoln. The Planning Board considers the traffic on Route 20 and also passing through our secondary roads currently a No. 1 issue for Sudbury and its residents.

Presently the Board does not have a method for determining the overall traffic implications in new development in town, commercial or residential. We need a state of the art planning tool if we are to succeed. This money that we had proposed was not for more data collection, more traffic counts, or for other consultant reports, but for providing the capability of collecting all the data in one place and analyzing it as needed. A traffic simulation model will do this, and give us an ongoing capability which can be updated each year to show how the town is growing and changing. The need for this capability is critical.

The Town Opinion Survey highlighted Route 20 and its traffic as a major problem. Consultants looking at Route 20's Master Plan have recommended traffic loops and a variety of access roads leading to and from the retail areas downtown. The specific issues of access to Sudbury Crossing from Raymond and Nobscot Roads is in front of us at this meeting. The impact of Sudbury Crossing is now being felt by all of us. Dudley Square and Sudbury Inn Marketplace are close to opening. Raytheon, Chiswick and Stanmar all have plans to expand their properties. The need is now for this simulation, not later.

We recognize the decisions regarding the allocation of limited funds are going to be difficult tonight, and we support the Finance Committee's recommendation to eliminate the Special Studies request from our budget. We feel it is important to let the Town Meeting know why we had made the original request. We will do everything we can to raise these funds through alternate sources, prior to the 1985/86 Fiscal year so that we can respond to this critical town issue in a timely and professional manner with no impact on the town's budget.

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The Moderator continued to call each town department by its budgetary line item numbers. Mr. James Kates of Ford Road questioned the Overtime Budgets of the Fire Department and the Police Department, remarking that each year at Town Meeting he addresses this line item, which this year represented at least a 20% increase in the standard work week of these two departments, and he would like to see the town, either the Selectmen or the Finance Committee or some group come up with a way to avoid this amount of overtime which is being paid at time and a half. At straight time, it represents approximately five (5) fulltime policemen. He believes there must be a more effective and efficient way the town can spend its money than paying overtime. Last year he questioned this and Mr. Thompson said he was going to look at it and work on this problem, to see how it can be avoided.

Mr. Thompson responded. "One way we've kept the overtime in the Fire Department at the level it is, is because we've hired civilian dispatchers, and that has been working, sort of breaking even. It really hasn't been producing as much savings as we'd hoped. So we have looked into it from that standpoint. As far as the police is concerned, over the last 13 years we've done various things, and to cut overtime you have to hire more people and we did put people on, on a split shift. We hired cover people, and if you had a budget book in front of you, you would see an offset under overtime in the police. We offset the overtime in the Police Department by \$50,000 for cover...I did tell you what we've tried to do to eliminate it there (Fire). When you see overtime in the Police and the Fire that's not all hiring somebody to cover."

Mr. Kates responded by asking "What is it?" In other departments you list them as temporary employees. If you go to the Highway Department when you bring in somebody who's not normally on the payroll, instead of listing them as overtime, I think you have them as additional called-in employees.

Mr. Thompson further explained, "Let me give you an example. The make-up of the Police overtime is that we budget to cover for the lieutenants. Based on experience and based on facts, they have so many weeks of vacation which we have to cover, and this is unusual to the Police and Fire. In most other departments or all the other departments, we do not cover, but for Police and Fire we do have to cover for vacations for lieutenants, sergeants and patrolmen. In addition we have to budget for sick leave. We have so much sick leave during the year so we have to budget for that. Within this overtime account is also training, night differential, first responder to CPR training, firearm qualifications, then extra hire for Memorial Day, July 4th, court appearances, \$12,000...."

To this explanation, Mr. Kates recommended that next year if there are these miscellaneous items such as court appearances and vacations and sick time why don't you break them out of your overtime account and put them in "Additional Hire Account," like the other departments do. He also remarked that he was curious as to the overtime cost incurred by other communities with the same size police and fire departments.

Mr. Thompson noted "We have done all that comparison analysis. I don't have it here with me tonight, but both chiefs have been asked to do that on numerous occasions over the years. I might just let you know of one thing that we have done just recently. We've asked all of our...the police and the fire department to give us the actual cost of a fireman or policeman. We've had the fire report for a couple of months and we just got the police report. It's a very interesting study if you'd like to come in and get a copy."

Following this discussion, Mr. Henry Sorett of the Personnel Board *moved to reduce the amount of the appropriation in line item 320-11, Police Salaries, by the sum of \$3,000 and to transfer said funds to the Unallocated Available Fund, said funds to be held there and available for transfer to fund petition articles Nos. 31 and 32, said funds being those allocated by the Finance Committee to fund the creation of position of lieutenant in the Police Department.*

The Moderator declared the motion was not in order as funds may not be allocated for a specific article in the Warrant that has not yet come before the Town Meeting. Mr. Sorett then amended his motion. He *moved to reduce line item 320-11 by the sum of \$3,000 and to cause said funds then to become unallocated and available.*

To support this motion he made the following presentation. There's a front door way to do things and then there's a back door way to do things. By going in the front door, a board seeking to create a new position, sets it out and asks the Personnel Board to set it out in the Salary and Classification Plan. It then comes before the Hall to be debated on its merits. The back door way to create a position is to put money in the budget book that does not get distributed with the Warrant, having decided to go to Civil Service and enter into a collective bargaining process by which a new position is actually created. What the FinCom and the Selectmen seek to do is to take the five sergeants jobs that now exist and cause there to be one lieutenant and four sergeants, the approximate differential cost of that for next year is \$3,000. It may be appropriate for this hall to decide that a priority of the town is the creation of a police lieutenantancy. If you think that the creation of a police lieutenantancy is more important than other things we can spend money on, then defeat my motion. However, if you think we should not have additional fixed overhead, going into a year where we know we're going to be strapped, then you should adopt this motion. Whenever we create a command structure change by raising the profile of command, we buy an additional long-term fixed overhead cost. If we create the position of lieutenant, we have that position essentially for an eternity, unless the town decides at some future time to re-structure the command of a department. That hasn't happened in my memory and I doubt it will happen in the future.

It has long been my view that Town Meeting needs to have all of the necessary information before it to decide each article. This town was not told in the Warrant of the Selectmen's and FinCom's intention to create the position of police lieutenant. It seems that that is not fair to the voters who must come here to pass upon the Warrant. We need to know what all of the information is. The hall may accept the argument made in support of the creation of a lieutenantancy. The best argument they have is that Chief Lembo feels he needs a second in command, someone clearly being above the sergeants. That argument has some validity.

I object to two things.--First, going in the back door to do it, and not coming before the hall and telling their intentions up front. Second, adding on additional fixed overhead where there are other things that the town could seriously consider spending its money on this year which would give us something that we could use that would not add to our fixed overhead in the future. If you agree with the position I advance, then adopt the article. If you think that their undisclosed intent, now being disclosed to you is correct, then defeat my motion.

The Chairman of the Finance Committee responded by saying that the Committee views the Police Department and protection of this town as extremely high priority. As to the creation of the lieutenant position, this was not a back door way of doing it. The Personnel Board had no objections to the Fire Department creating four lieutenants without coming to the Town Meeting. The position of Police Lieutenant would create a much better organization for the town. For three years, because of the prior Chief's illness, no one was really in charge. Mr. Lembo was Acting Chief. He was really the Administrative Assistant and it was extremely difficult for three years to run the department being at the same level as four other men on a temporary basis that really went on for a long time. It is not good organization and it is much better to have somebody second in command. Three thousand dollars is a very small sum of money for the protection of the Town of Sudbury.

Myron Fox, Chairman of the Board of Selectmen, urged the voters to defeat this amendment. He objected to Mr. Sorett's insinuations and noted the Town Counsel's written opinion that according to state law it is within the sole authority of the Board of Selectmen and not the Personnel Board or Town Meeting to establish this lieutenant's position in the Police Department. It is the Town Meeting that decides how much they wish to pay this person, and if the voters disagree with an action of the Selectmen, they're free to vote zero for this position.

Mr. George Hamm of Mossman Road commented that if Mr. Sorett had not spoken up the voters would not have known about this newly created position. He believed the creation of a new job was sufficiently important that the Finance

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Committee should have informed the voters, since they were telling how much they cut out of the budget and where \$3,000 had been spent in other accounts. To the Selectmen he reiterated his comment that the voters would not have known about this if Mr. Sorett had not seen fit to tell us, and a vote of thanks was owed him.

Mr. William Walker of Virginia Ridge Road made the following comment. "I just arrived in Sudbury within the past six months. Ladies and gentlemen, I have to tell you from the bottom of my heart that I am appalled at the feeling of having the wool pulled over my eyes that I've been getting the last two nights. I do not feel that you are dealing honestly with each other, much less with me. Now to hear the chairman of the Board of Selectmen tell me that I could vote zero for this proposition. Good God! I don't even know what's going on here. How would I vote zero? Tell me honestly. Through a very complicated process as far as I can see. Now I do think the creation of a police lieutenant in this town, which has no lieutenants and probably needs one, is a matter that should be brought before the citizenry so that they can vote "Yes, we do need it." I would vote "Yes." But I ask let us speak honestly with each other and let's end the tricks, and get this matter brought to an honest conclusion."

Mr. John Taft of Moore Road asked Chairman Fox if the Personnel Bylaw, as passed under Article 2, doesn't include a Lieutenant's position? Can we assume that a position will be established with the appropriate rates, job description, etc. before someone is appointed to it?

Mr. Thompson answered for the Chairman of the Board of Selectmen by commenting, "As has been stated, this position has been recommended for funding last year and this year it was in the budget. The reason you don't see it in the Personnel Classification Plan is that we are just in the process of going through the preliminaries of discussing it with the Police Union. We've only notified themwe've only come to a consensus with the Selectmen say in the past four months. As to the job description etc., we've requested the Civil Service test. Then after that stage we notify the Police Union what we're doing. We have not been on it. If we had placed that position in the Personnel Classification Plan they would have filed an unfair labor practice against the Board of Selectmen. I might state for your information that this is not going to be an easy, short process and I've even told the Selectmen we were just informed today that the test that we thought would be scheduled for April has been postponed to October."

Following further discussion, the vote was taken and the motion failed.

Mr. Sorett presented a second motion. He moved to reduce the amount of the appropriation in line item 320-41, Travel, from \$2,800 to \$587.

In support of this motion, Mr. Sorett noted that this would reduce the amount of money to that expended in fiscal '85. He noted that the reason given for this additional travel money was to attend additional conferences. He noted that his concern was in part coming from a Boston Globe Spotlight Team article on the Quinn Bill, which this hall voted to have Sudbury come under the jurisdiction thereof last year. Although these conferences are purportedly educational, there was a major expose on the poor quality of education provided in the Quinn Bill. Now we are stuck with the Quinn Bill. Now we are asked to buy into travel expenses for conferences, the merit of which is as yet unclear. This seems to be a frill that ought not to be endorsed.

Chairman Wallace of the FinCom pointed out that the travel account of the Police Dept. was to pay for the police officers to appear in court to testify, and to pay for them to go to school, which is now mandated by the state, and for the Chief to attend Association meetings. She added that "It does not do

the town any good to have the men out arresting people who are breaking the law and then having the Police Department of Sudbury not appear in court to make sure that justice is done."

Chief Lembo pointed out that the increase was necessary as there was a new 40-hour training program at the Northeast Regional Training Institute in Tewksbury, now mandated by the Mass. Training Council for officers to participate in various courses. Additionally there are other schools he is required to send his men to for training that are mandated by the State.

Mr. Hamm of Mossman Road asked the Chairman of the Finance Committee if she knew of any instance when the travel budget was \$500 that the police were not paid for going to court, as she had explained it was needed for police to attend court. She responded that she did not know of any such instance, however it is required to train the police, and that is the bulk of the \$2,800. Mr. Hamm retorted that the Chairman specifically stated it was not for training before, but now the Chief said it was for training, and he, Mr. Hamm, did not like the coverup.

Mr. David Grunebaum of Normandy Drive raised the point that state-mandated programs which have come in recently under Proposition 2½ and have a cost impact, require reimbursement from the legislature.

Mr. Thompson remarked that Mr. Grunebaum was correct. "This is reimburseable state-mandated costs. I don't know how far we've gone along on it with the Chief, but you're perfectly correct. The bottom line is 'What's reimburseable?' Total cost, if the auditor's office and I just met with them today, agrees that it's a state mandate. It has to go through a procedure. There's about 14 rulings that they're holding up and this is just one of them."

Mr. Jim Kates of Ford Road pointed out also that in the Warrant there's a Reserve Fund Transfer from last year of \$2,300 into the Police Department travel account, #320-41, which would bring last year's expenditures to basically the same amount that's been asked this year, which was of concern to him.

There being no further discussion, the motion was put to a vote and failed.

Mr. Jeff Moore, Vice-Chairman of the Conservation Commission moved to increase line item 360-51 the sum of \$12,500 and to reduce Free Cash by the sum of \$12,500.

In support of this motion he stated the Conservation Commission and the Finance Committee have been on very good negotiating terms this year. We've negotiated what we feel is a relatively fair budget with one exception. Our sense of priorities on what is important for this town to do and the Finance Committee's sense of priorities are not in concurrence this year. We feel that continual support of the Conservation Fund for the purchase of land or interests in land is an important precedent not to break. Last year there was no contribution made to this fund primarily because we put all of our efforts and intentions into the Stone Tavern Farm article. This year we would like to see us get back on track and start the contributions once again. We need these funds for three reasons. One, to help offset funds that are given to us by the state for purchase of land. When negotiating for a piece of land, quite often the state will give us up to 80% matching funds. We have to provide 20%. Traditionally, a portion of that or all of that has come from the Conservation Fund. Two, when a parcel comes up

for sale and we feel it is environmentally desirable or desirable for preservation of the character of the town, or protection of water supplies, wetlands, all of the other things that the Conservation Commission cares about, we need money to hold lands in an option agreement. Currently, we have roughly \$72,000 in our Fund which is not quite enough to meet our goals for this coming year. We know of two parcels which will be coming on the market for which we need option money. We need matching money for the state for three other parcels in a subdivision.

If you feel the priorities of this town are such that we need to continue to contribute to the Conservation Fund for the purchase of open space land, please support this motion. If, on the other hand, you agree this is not a priority, by all means defeat it.

By way of a point of order, it was explained that if this motion passed, line item 360-51, Conservation Fund, would be funded by the "2½ Budget Surplus Fund" and not from Free Cash.

Mr. Ellis explained the position of the Finance Committee as follows. This year there is a limited number of dollars, as there will be for a number of years due to funding the purchase of the agricultural restriction rights of the Stone Farm Tavern. The town did not choose to override the "2½" limitation in the November election, therefore the paying of the bond must come out of our current budget. The FinCom has accepted the vote to not override as an indication on the part of the town that they were less likely to be interested in buying more land until the Stone Tavern Farm was taken care of. The FinCom generally felt that if monies are to be voted then they must be voted on the Town floor. We could not in conscience recommend money here when we're still paying off the Stone Tavern Farm.

Board of Selectmen supported the position of the Finance Committee.

Mrs. Helen Casey of Pokonoket Avenue asked the FinCom for clarification of their position as she did not recall the Hall being told when the Stone Farm was being discussed last year that there would be no money placed in the Conservation Fund. She expressed confusion with the rationale given by the FinCom.

Following the discussion of several voters who spoke in support as well as in opposition to this motion to amend the Conservation Fund, the motion was *VOTED*.

Mr. Hendrik Tober of Ames Road called for a point of order as he didn't agree with the call of the Moderator, and challenged the vote. The Hall was then counted.

Those in favor: 105. Those opposed: 118. Total: 223. The motion *failed*.

Mr. Tober then *moved to strike all funds from the Conservation Budget except those set forth in 360-13*. The motion *failed* as it did not receive a second.

The next motion to amend the budget was made by Jean MacKenzie, the Town Clerk. She *moved to amend line item 506-41, Travel, to \$500, said sum to be appropriated from Free Cash*.

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In support of this motion she explained that these monies are used to cover her attendance at meetings of the Mass. Town Clerk's Association and the Middlesex Clerk's Association. It also includes the travel expense for posting town bylaws, special registration notices, voting lists, monthly state employment notices, and state job examinations, all of which are required by law. The money is also used to cover trips to the printers and to the data processing company, all of which are related to the Annual Town Census, town elections, town meeting proceedings and the microfilming of town records. This year there is a proposed increase on the automobile mileage from 18½¢ to 20½¢ which would cut back on mileage. Lastly, this line item has not been increased in over six years yet costs have increased. The Town Clerk's office has always used its money well and in many situations the staff does not put in for the costs that they do incur for the benefit of the town.

Mr. Baum of the Finance Committee expressed puzzlement of this request to increase the line item \$50 more than the original request. He stated that the FinCom had voted a reduction in a number of travel budgets which were printed in the Warrant, as they felt this was one of the most flexible items or the most optional items in the budget of a municipal office. If it came down to providing the necessary service in the office or providing for travel, then travel was one of the things that should be cut. The FinCom finds itself in a position of finding about half a million dollars and every \$275 helps. It was made clear in the budgetary discussions that many of the travel budgets in other departments involved some sharing of the cost of a trip, be it in-state or out-of-state, between the official and the town, recognizing the benefit to the individual involved. The Town Clerk indicated to the FinCom that this out-of-state travel money was meant to cover the full cost of the Institute at Newport College and not to have any further personal out-of-pocket costs.

Mrs. MacKenzie called for a point of order as the discussion was centered on line item 506-42 and not on the motion to amend 506-41.

To this Mr. Baum said he realized he was discussing 506-42, however the FinCom had originally proposed to reduce line item 506-42 to zero and leave line item 506-41 alone, and he felt the FinCom would not put up much opposition if there was a request to move the funds around between these two lines. When he proposed evenly funding the two lines, it was felt that this was in line with their general strategy of trying to cut costs wherever possible and provide the maximum level of service from every department. He claimed that this was by no means an isolated instance of trying to find a few dollars within the budget.

Mrs. MacKenzie remarked that she too had looked over the Warrant and it once again indicated that the elected officials have been the ones who have had their travel budgets reduced. This is not the proper way to go. If we're going to curtail and make changes and adjustments, then all of the travel budgets should reflect the same reductions. She noted that a long discussion had just been completed regarding the \$2,300 increase in the Police Department travel budget. Checking the Warrant, all departments have been recommended for increases. This request is merely to cover the Town Clerk's office expenses.

Mr. Dan Claff of Dutton Road stood up in support of the Town Clerk's motion to amend and pointed out that there was not a penny cut from the travel accounts of the Accounting Department, the Planning Board, the Park and Rec, Assessors, Engineering, Selectmen, only to mention a few and yet all this discussion over \$275.

The motion to amend line item 506-41 was *VOTED*, followed by applause.

Mrs. MacKenzie then *moved to amend line item 506-42, Out-of-State Travel to \$412, said sum to be raised from Free Cash.*

Mrs. MacKenzie explained that this motion to amend line item 506-42 was to cover the cost of her tuition at the New England Institute for Municipal Clerks at Salve Regina in Rhode Island this coming August, this being her third and final session of intensive study for one week. Due to growing increases in population changes, intensive social and legislative changes that have incurred and the increased municipal responsibilities, this Institute had been developed. It is to the full benefit of the town when its employees are willing to undergo such training so that they may better perform their duties in the best interest of the town. The first two years, insufficient funds resulted in personal costs

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of over \$50, which was due to changes in the program and a tuition increase that came about after the appropriation. This year's request of \$412 reflects these changes that have already occurred. The recommended figure of \$225 of the FinCom is obviously inadequate. The town pays the tuition and expenses for virtually every department in town. The adjustment being requested is a matter of \$187, which is a small investment for the benefits derived.

Mr. Baum of the FinCom recommended disapproval.

The question was asked as to why tuition costs came out of a travel account. Mrs. MacKenzie explained that her predecessor's tuition for three years as well as hers for the past two years were always in this line item and no one ever questioned it.

Mr. Thompson made the following comment: "Yes, I think that there is a statute that pertains to out-of-state travel and to my knowledge, and I just can't cite it off the top of my head, but I recall from being in another community, that we were told then by the counsel that this must be voted by separate line item. All out-of-state travel and all expenses related thereto. On the question of tuition and registration, I'm not certain."

Mrs. MacKenzie pointed out that if that were the case, then these past two years she had been receiving her money inappropriately. She also pointed out that at her budget hearing there was never one word of discussion relative to the travel accounts. The first she knew of any concern was when she read the warrant. Therefore, she did not understand the position of the FinCom or the Board of Selectmen and would appreciate having their reasons presented to the hall as well as to herself.

Mrs. Bette Sidlo of Newton Road said that she could appreciate the position of Mrs. MacKenzie. She had quite frequently over the past year received a great deal of assistance from this office and that it is in the interests of all that the Town Clerk be well informed on what the state requirements are and she didn't understand why any expenses to keep herself well informed should come out of her own pocket, and asked that the hall give her their full support.

Mr. Baum of the FinCom continued to express disapproval by stating that many people like himself are employed by those who concern themselves with the betterment of the professionals who work for them, yet many of us find ourselves paying some out-of-pocket costs, whether we work for a university, or for high tech firms or whomever. It is not clear to me that we are in a position as a town to be more generous with our employees necessarily than Digital Equipment, or Boston College, or Harvard University. For one thing, those latter three institutions do not suffer from something called Prop. 2½. We do. Although I accept that it would be much nicer to be able to say to any employee that they would be fully reimbursed, we made this change, we made this recommendation because we felt that this was one area where a few dollars could be found and saved for some purpose which we concerned ourselves with as a higher priority item.

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

Mr. Chester Hamilton, Town Treasurer, *moved to increase line item 507-41, Travel, from \$900 to \$1,000, the additional \$100 to be raised by a transfer from Free Cash.*

To this motion, he noted that this budget for travel covered both his assistant and himself. The purpose of it is two-fold: one to improve, to keep current, to keep aware of, to keep up with developments in the state. The sessions with the state and county are invaluable. I came into this business with a fair knowledge of what a treasurer was, but didn't know what a municipal treasurer was and our budget has been extremely helpful not only to me but the proven record can show the town what I have been able to do based on the knowledge I have obtained at these meetings. The recommendation I made for the budget submission time was for an increase of \$100 and the reason for that was essentially to continue to be able to attend the meetings, recognizing that the Finance Committee was in fact recommending raising the proposed mileage allowance. I felt it is important, very important to make 3 or 4 trips every week to the banks to make deposits of withholding, which must be done timely, to make deposits, to take the payroll down, these kinds of things which are not only part of my job, but a demanding part, that must be done.

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In the next two months, my office will be moved again, and I shall be approximately 2 miles further removed from where I am now. The mere cost of that additional mileage, if you want these trips to be made, and I think they should, comes to a best guesstimate of \$63.96. It takes that much because we make several trips a week. There being 52 weeks, you can figure out what it adds up to. I would urge, and I would hope in line with the prior discussions, that this travel budget be increased for the outstanding sum of \$100.

The Chairman of the Finance Committee commented that in response to the will of the town meeting, the Finance Committee recommended approval. To this comment the Hall expressed its attitude by hissing, which the Moderator noted was out-of-place.

The motion to amend 507-41 to the sum of \$1,000 was *VOTED*.

As an aside, the Moderator then asked the Finance Committee if they wished to leave town.

Mr. John Taft of Moore Road then asked for clarification of the new line item 521-23 in the amount of \$14,229, which had not been requested.

Town Accountant, Jim Vanar, stated that this money will be used to coordinate activities with respect to the large outstanding personal property and real estate receivables. Software will be installed on the computer sometime in the fall, to put the Tax Collector's receivables on the system, and identifying the delinquencies. This appropriation will be for contractual services to pay for data entry, probably on an hourly basis, to do the research work with the Tax Collector in her office to gather this information. It will also be used for some legal expenses in terms of getting advice as to how we should proceed.

Mr. Robert E. Mitchell, Chairman of the Board of Trustees of the Goodnow Library *moved to increase line item 600-12, Overtime, to the sum of \$2,000, said sum to be taken from Free Cash.*

Mr. Mitchell explained that this amount represents extra hours for employees substituting for one another, as well as overtime, and it takes into consideration the added cost of salary increases.

Mr. Ellis of the Finance Committee stated that in looking at this budget it was believed that certain areas in which they felt monies could be reduced without a cut in personal service, which was of big concern this year, was this overtime account, even though these were relatively minor dollars.

It was also pointed out that there would be motions to amend each line item of the library budget where a reduction had been recommended by the FinCom, which would bring the total amended requests up to approximately \$1,915.

Mr. Fox of the Board of Selectmen stated that the Selectmen unanimously concurred with the Finance Committee.

The motion to amend line item 600-12 *failed*.

Mr. Mitchell then *moved that line item 600-21, General Expense, be increased to the sum of \$5,800.*

In support of this motion, Mr. Mitchell noted that this amount represents the total monies spent the previous year, which also included a transfer of \$800. The amount represents a realistic estimate as to what the general costs are to operate the library.

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Mr. Ellis of the FinCom, working without his notes, stated that he believed this expense account had increased by 6%. The effort was to hold all operating budgets to a 2½% increase, but not all department heads were aware of that.

The motion to amend failed.

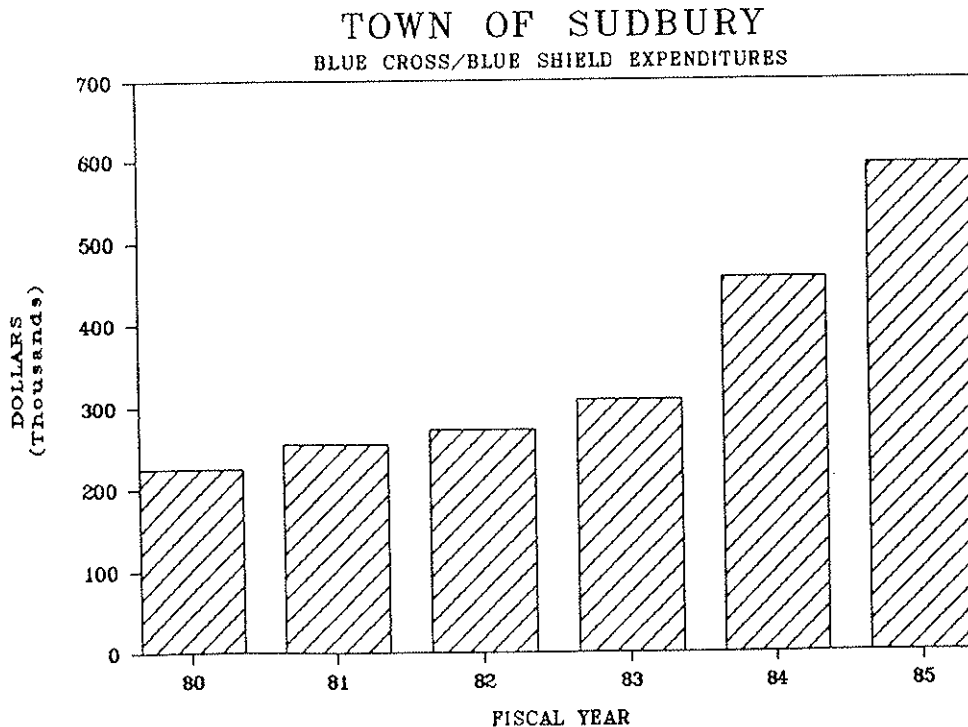
There were no further amendments to the budget until the 950 account, Unclassified.

Mr. Jim Kates of Ford Road asked for clarification of the 15 additional people Mr. Thompson mentioned were on the health insurance plan. Were these people new employees who are now on the plan or 15 more employees who have signed up to the plan? Are these 15 new positions that have been added since last year?

Mr. Vanar, the Town Accountant, explained these were 15 new enrollees, new members of the plan. Two of them are new employees.

Mr. Peter Anderson of Landham Road moved to reduce the recommended amount under line item 950-11, Blue Cross/Blue Shield to the sum of \$613,000.

In explanation of this motion, he stated that Sudbury has a problem. This amendment provides a vehicle for us to discuss what should or should not be done to address the problem. The problem is the explosive growth and expenditures for providing health insurance benefits to our town employees. These costs have gone from a little over \$224,000 in 1980 to \$594,000 for the fiscal year ending this June. The Finance Committee's recommended amount for next fiscal year is over \$700,000, which would be off the top of the scale on the graph.



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It is not only the absolute dollar amount increase that should concern you, but the Blue Cross/Blue Shield budget as a percent of Sudbury's total tax levy.

TOWN OF SUDBURY

BC/BS EXPENDITURES AS A PERCENT OF TAX LEVY

2.0%	2.3%	2.6%	3.6%	4.4%	4.9%
FY81	FY82	FY83	FY84	FY85	FY86

This effectively normalizes over the steadily increasing cost of town government including changes in the number of employees. It shows that the proportion of your tax dollars for this line item have increased from 2% in 1981 to 4.9% in the coming fiscal year, if the Finance Committee's recommendation is voted. It means that an ever increasing share of your tax dollars are going to provide health care benefits to town employees with a smaller share going towards maintaining or increasing services. Sudbury is not unique in having this problem.

COMPARISON WITH CONSUMER INDEXES

YEAR*	PERCENT INCREASE		
	CPI	MCI	BC/BS
1980	13.5%	10.9%	13.3%
1981	10.4%	10.8%	7.0%
1982	6.1%	11.6%	13.6%
1983	3.2%	8.7%	48.0%
1984	4.2%	6.4%	30.0%

*CY for CPI & MCI, 1980-83

FY for Sudbury BC/BS

This chart compared the year to year percentage increase in consumer indexes with Sudbury's experience. With the exception of 1980, the medical care index, which is indicated by MCI column, has increased by a larger percentage than the consumer price index, labelled CPI, and that latter index includes the medical care index as one of its components. Note that with the exception of 1981, Sudbury's Blue Cross/Blue Shield expenditures increased at a rate significantly above even the national medical care index. In fact, the increases in the last two years have been a shocking 48% and 30%, indicating that the situation is out of control.

What is unique is our town's inability to do anything about this problem. It does not do any good to try to blame it on anyone. It certainly does not rest with our town employees or even the providers of medical care. Both are simply operating within the rules and the incentives of the plan that we have provided them. If anyone is to blame, it is you and I who have attended town meeting and let the appropriations for this line item get out of control with little dissent. Our inaction is in sharp contrast to an increasing number of employers which have

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moved to do something about the problem.

COST CONTAINMENT MEASURES

- INCREASED DEDUCTIBLES
- SECOND OPINIONS
- CO-INSURANCE
- ALTERNATE PROVIDERS

Here's a short list of some of the most common cost containment measures being taken by employers across the country. Many of you are already aware of them, but might not know the provisions of Sudbury's plan.

The issue of deductibles. The Sudbury Blue Cross/Blue Shield Master Medical Plan has no deductible for almost all hospitalized treatment including some dental surgery. Full coverage is also available for hospital out-patient department or emergency room charges. Extended benefits provide 80% coverage of all other health services, including routine office visits after satisfaction of just a \$50 deductible. Such low deductibles are becoming a thing of the past as more and more employers deal with their health insurance problem.

Second opinions. Many insurance carriers provide incentives for seeking second, and sometimes third opinions, for non-emergency surgery. The insurance company pays for the additional opinions. The patient is free to choose surgery or not, irrespective of what the additional opinions are. This feature provides the patient a free source of additional information on which to make an informed decision for non-emergency surgery. To provide an incentive for its use, the plan typically provides full coverage of surgery after a second opinion is obtained whether or not the two opinions agree. A reduced benefit applies for elective surgery when a second opinion is not obtained. Sudbury's plan does not include a second opinion program.

Co-insurance. Co-insurance typically provides a cost sharing arrangement whereby the employees pay 20% after a deductible is satisfied, up to an out-of-pocket maximum. Above the out-of-pocket maximum costs are 100% covered by the insurance company. Sudbury's plan provides an 80-20 cost sharing arrangement in an extended benefit package, but it does not apply to hospitalization. Hospitalization is almost always covered at the 100% level as I noted earlier.

Alternate providers. Everyone may be thinking HMO's. Alternate providers do not necessarily mean HMO's. Their focus on preventative care is the right philosophy, but they are not a panacea. This is because the HMO rates are based on Sudbury's Blue Cross/Blue Shield premiums and until we do something about that benefit plan, we won't realize any significant savings. One example, alternate provider that can reduce costs is the use of Walk-In Health Center in place of the much more expensive hospital emergency room treatment. Emergency rooms are too often used simply because a doctor can't be reached at odd hours. Modern health insurance plans now provide incentives to use the walk-in facilities. Sudbury's Master Medical Plan tends to do the opposite by providing full coverage for emergency room treatment regardless of the seriousness of the problems. A common feature of these and other cost containment measures is that they in no way diminish the protection against catastrophic financial loss due to illness or injury. In some instances, the savings realized have allowed insurers to strengthen their major medical coverage. We should not lose sight that this must remain the primary purpose of health insurance. Sudbury needs a new approach to providing a health insurance benefit to its employees. What we've been doing is selecting a Master Medical Plan that has little or no modern cost containment incentives and letting Blue Cross/Blue Shield tell us the price tag through an experience rated contract. We should consider setting a budget and asking Blue Cross/Blue Shield or any other responsible carrier to design a protection and health care plan to meet this target cost. Inputs from the town can and should be used

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to tailor specific plan benefits within the budget constraint. Deductibles and out-of-pocket maximums should be indexed to salary level or inflation to prevent us having this problem year after year. I know many town employees recognize the need for trimming our exploding health care costs. Minor revisions to the existing plan can yield significant savings. If some changes are not made now, the town may well have to face future measures that could cut into the heart of this benefit. I'm opposed to that. My intent here has been to head off such a possibility. You will no doubt hear many reasons why this amendment should be defeated. Please listen to the opponents' arguments carefully. Many of their points will be valid and I will have no argument with them.

I would take issue with only two basic points. First, you may hear that since the anniversary date of the Blue Cross/Blue Shield contract is May 10, there is not enough time to make any change in the coverage. My only answer is that this argument can be used every single year preventing reforms from ever being made. Second, it may be suggested that we should give the newly appointed statutory advisory committee a chance to study the problem and make recommendations. In response to my question Monday night, we learned that this committee has not yet met. We also learned that they have been given no timetable and no cost reduction goals to strive for. We have no guarantee that we will see any results even by next year's town meeting. We've had an existing Insurance Advisory Committee for several years and the health insurance problem has certainly been recognized for several years. I believe it was Mr. Kates who sounded the alarm on the impending health insurance problem at the 1981 Annual Town Meeting. Each year following, I've watched expecting to see some follow-up action. It hasn't happened. What's been missing is someone willing to assume the leadership required to deal with the hard choices we must all face. Town Meeting must assume a leadership role in this issue. There's no real incentive for any other group to do so.

In summary, I'd like to make just five basic points. First, Sudbury's health insurance costs are out of control and our Blue Cross/Blue Shield plan is out of step with cost containment measures being adopted across the country. Second, town employees deserve the best plan that we can reasonably afford to provide. Third, the key ingredient is protection against catastrophic loss. Fourth, we can provide this protection at significantly less cost. And fifth, until Town Meeting demonstrates its concern, there will be little incentive to change. Please let your feelings be known by voting for this amendment.

Mr. John Hannon of the Finance Committee followed this presentation by stating that when the Finance Committee drew up the budget for FY86, it looked at the contractual obligation of the town to its employees and that is exactly what we strived to give you in the budget. This is exactly the point the petitioner has just made -- the fact that we do want our employees to be fairly paid and we want to give them a quality dollar for a quality day's work. When looking at this appropriation, and the area of Retirement Fund, these are the most serious aspects that we have to address because it's going to seriously worsen Proposition 2½. We're not going to be able to have much Free Cash if we do not address the problem. One of the points that I mentioned, following the Town Meeting, was the fact of the Casualty Insurance. For the last couple of years we've had Special Town Meetings covering the expenses of Casualty Insurance and the Blue Cross/Blue Shield. What we've tried to do this year is to fully fund both of them. Now the Casualty Insurance program was addressed a couple of years ago but the full resolution of this problem so that we could have a cost containment program that we could have a moderate increase, started back in '81. It wasn't fully implemented until this year. It's the same thing that's happening right now. I think we all realize that this is a very serious budgetary problem and it's something that has to be resolved in the immediate year because if it doesn't we're going to have a catastrophic occurrence and it is something the Selectmen have to provide the leadership on, and I'm sure that they will.

Now the second point I want to make is the fact that we have a contractual obligation to these town employees and for us to take the approach of slashing \$100,000 in an irresponsible manner, we're not going to be able to fund this. These individuals are entitled to that coverage. In fact, the petitioner has stated that he wants the town employees to have the best possible coverage. That best possible coverage at the present time can only be taken

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care of by Blue Cross/Blue Shield. For that reason and for that reason alone, I recommend disapproval of this motion to amend.

Mr. Thompson, the Executive Secretary made the following comment. "I would just like to point out that our experience in the prior years up to about 3 years ago was excellent. We had one of the best ratings state-wide. However the last three (3) years we had bad experiences. We had a small group of employees who had very serious illnesses. This is the last year that Blue Cross/Blue Shield can charge for that. Also, you should understand and that loss to Blue Cross/Blue Shield so far is about a quarter of a million dollars. You should also understand that this includes not only town employees, but school employees and in using the Consumer Index, I think it's a little unfair...Our group, you should understand, is based upon its own experience retrospective. As far as the containment measures are concerned, I tried to address that last night. What we are doing and just...if you weren't here...I said that the Selectmen have appointed this employees group which they have to by statute. It's an advisory group. I'll go on record now and state that I strongly support and would recommend to the Board of Selectmen at a minimum by next year at this time that we use every effort we can to at least implement Blue Cross/Blue Shield Plus which would be a savings to the town in the neighborhood of \$40,000 to \$50,000. So I think we are making strides. This is not something that you can just turn around over night and conquer this problem. It's not a local problem. It's a Sudbury problem, a state problem and a national problem.

Mr. Ivan Lubash of Barbara Road spoke in favor of the amendment by stating that the voters want to give the town the best that we can afford. Most of us in industry have found that company insurance plans have done those five points that were mentioned by the previous speaker (Mr. Anderson) and I think at this point it may take time and it may take other steps, but I think as an announcement to the town we should vote for the amendment.

Mr. John Taft of Moore Road also spoke in favor of the motion to amend by noting that this was the most important and significant item that has come up during this session of town meeting. He remarked that Mr. Anderson has done an outstanding job for the town of Sudbury. I'm disappointed that the Finance Committee didn't hear what he had to say. He said we are the only ones that can give the message.--We are the only ones that can say "This is the goal you've got to shoot for." It's not a big deal. It's a 14% reduction from what we're being asked. That happens to be very close to what was done in my company this year on health costs. That kind of a goal was set and the employees themselves went to work and figured out how to come up with the right coverage for themselves which would save that kind of money. They did it. They not only did the kinds of things Mr. Anderson listed, but they did other things in addition. The same thing can be done by the town employees of Sudbury. Apparently the town management isn't able to do it. These are collective bargaining items. Let's do it together. We can do it together. It's up to the town meeting to say "You've got to go do it together." We've been listening to this subject. We've all been moaning and groaning the increase of Blue Cross/Blue Shield every year for the last five years. It's time we did something. Put \$613,000 there. Get the message that that's the number. Let's go to work and make it happen. The town employees will get good coverage, good medical insurance, and we'll be in a much better shape for this year, and for all future years. If worse comes to worse, and we don't make it, we can fall back on that old tried and true system called a Special Town Meeting next April. Let's hope we don't have to. The Hall indicated their support with applause.

As to where the town stood with labor contracts and agreements, Paul Kenney, Town Counsel stated that if in fact the town does not provide for the

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health insurance then it'll be in violation of the collective bargaining agreements because this would be a unilateral change. At the point in time that we reduce the coverage because we don't have the money to fund it, the labor unions would be able to either file for arbitration for a prohibited practice at the Labor Relations Commission and it was the opinion of Town Counsel that the labor unions would prevail.

Asked if the town found the same coverage through a commercial insurance company, would the town be at liberty to change from Blue Cross/Blue Shield and the HMO's to a John Hancock or private insurance company, the response from Town Counsel was that the town would have to receive approval and negotiate.

Myron Fox, Chairman of the Board of Selectmen, presented the position of the Board in noting that Mr. Anderson's comments were appreciated, but given Town Counsel's opinion on collective bargaining, he did not feel that town meeting was the place to reduce the budget by \$100,000. Whether this motion to amend passes or not, he assured the hall that the Selectmen received the message loud and clear and they will work immediately with the unions to set goals and to negotiate the highest reduction possible.

There being no further discussion the motion to amend line item 950-11, Blue Cross/Blue Shield was *VOTED*.

As there appeared to be some doubt in the hall as to the vote, the Moderator had the hall counted.

Those in favor: 71. Those opposed: 67. Total vote: 138

At this time a motion to adjourn was placed before the hall by Mr. Henry Sorett that was defeated.

Mr. Russell Kirby of Boston Post Road asked for an explanation of the requested appropriations for line items 950-101, Salary Adjustment Town, and 950-101A, Salary Adjustment Schools, in that they were about a quarter of a million dollars less than last year's recommendations.

The explanation was that the amount of money in the Salary Adjustment Account (950-101) was for the salaries of the individually-rated personnel. This not being a year for negotiations for either the town or the school personnel, salaries are set for the forthcoming year.

There being no further amendments or questions on Article 6, the Budget, the Moderator read the original motion with the amended motions as voted:

Move that the town appropriate the sums of money set forth in the recommended column for all line items in the Budget, Article 6; except line items 502-11, 506-41, 506-42, 507-41, 950-11, and 950-31, for which the sums appropriated shall be \$117,338 for line item 502-11, Engineering Salaries, \$500 for line item 506-41, Town Clerk Travel, \$412 for line item 506-42, Town Clerk O.O.S. Travel, \$1,000 for line item 507-41, Treasurer Travel, \$613,000 for line item 950-11, Blue Cross/Blue Shield, and \$140,000 for line item 950-31, Casualty Insurance; all of said sums to be raised by taxation except:

\$36,000 of line item 110, Sudbury Schools, for "C Account Equipment" which is to be raised by transfer from the sale of town buildings account;

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- \$5,735 of line item 125, Summer School, which is to be raised by transfer from the Summer School reserve for appropriation account;
- \$65,000 of line item 310-11, Fire Salaries, which is to be raised by transfer from Public Law 92-512, Federal Revenue Sharing account;
- \$65,000 of line item 320-11, Police Salaries, which is to be raised by transfer from Public Law 92-512, Federal Revenue Sharing account;
- \$2,412 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from sale of cemetery lots;
- \$2,109 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from Mt. Wadsworth Cemetery perpetual care account;
- \$2,057 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from North Sudbury Cemetery perpetual care account;
- \$2,515 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from Mt. Pleasant Cemetery perpetual care account;
- \$5,801 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from New Town Cemetery perpetual care account;
- \$83 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from Old Town Cemetery perpetual care account;
- \$7,909 of line item 420-11, Highway Operating Salary, which is to be raised by transfer from the U.S. Fish and Wildlife Service Payment in lieu of taxes under Public Law 88-523;
- \$69,000 of line item 430-40, Highway Equipment, which is to be raised by transfer from the Sale of Town Buildings Account;
- \$275 of line item 506-41, Town Clerk Travel, which is to be raised by transfer from Free Cash;
- \$187 of line item 506-42, Town Clerk Out-of-State Travel, which is to be raised by transfer from Free Cash;
- \$100 of line item 507-41, Treasurer's Travel, which is to be raised by transfer from Free Cash;
- \$2,345 of line item 600-52, Library Books, which is to be raised by transfer from the County Dog License Refund Account;
- \$11,081 of line item 600-52, Library Books, which is to be raised by transfer from the Library State Aid Account;
- \$613,000 of line item 950-11, Blue Cross/Blue Shield, which is to be raised by taxation;
- \$80,000 of line item 950-81, Reserve Fund, which is to be raised by transfer from Overlay Surplus Account.

There being no further discussion on Article 6, the Budget, the main motion as amended was VOTED.

A motion to adjourn was received and seconded. The meeting was adjourned to the next night at 8:00 P.M.

See page 144 for the Wrap-up Motion.

Attendance: 267

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

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The second adjourned session of the Annual Town Meeting was called to order at 8:10 P.M. at the Lincoln-Sudbury Regional High School Auditorium. Following a few announcements and a review of town meeting procedures by the Moderator, an update was given of the "Proposition 2½ Surplus Fund " by the FinCom Chairman.

PROPOSITION 2½ SURPLUS FUND

\$ 89,484	Certified Free Cash & \$27,000 unexpended appropriated funds of previous Town Meeting Articles - available 4/1/85
- 562	Budget increases voted 4/2/85
+ 100,000	Budget decrease voted 4/2/85, line item 950-11
<hr/>	
\$188,922	

Free Cash was stated as having been \$61,928 at the start of Town Meeting, but it was presently at \$161,922, due to the vote on line item 950-11, Blue Cross/Blue Shield. A request was made that all motions to use any monies from this "Fund" should clearly indicate whether the money is to be taken from the "unspent articles" money as an offset or from the "Proposition 2½ Surplus Free Cash."

Mr. Fox of the Board of Selectmen briefly addressed the hall stating that the message of the voters in reducing the Blue Cross/Blue Shield line item by \$100,000 came across "very loudly and very clearly" to both the Board and the Finance Committee. Every effort will be made to comply with that vote. However, if despite the best of efforts, compliance with the vote cannot be met, due to circumstances beyond their control, such as state statutes, etc., this issue would have to be brought back to the voters at a Special Town Meeting. He advised the voters not to spend the \$100,000 by which they reduced the Blue Cross/Blue Shield line item.

ARTICLE 7. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money for payment of the following bills, or any other such bills which hereafter may be presented:

Unpaid Bills

\$ 40.00	To pay BBI Medical Group for medical bill of Robert I. Chaffee (Police Department)
\$340.63	To pay Marlborough Hospital for medical bills of Daniel Fitzgerald (Police Department)
\$ 80.00	To pay Neurological Associates of Natick, P.C., for medical bills of Vincent Patruno (Police Department)
\$ 33.00	To pay Framingham Union Hospital for medical bills of Thomas S. Miller (Police Department)
\$112.44	To pay the <u>Sudbury Town Crier</u> (Personnel Board)

or act on anything relative thereto.

Submitted by the Town Accountant.

(Four-fifths vote required.)

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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 judgement.

Finance Committee Report:

The unpaid bills constitute obligations of the Town which appear to be reasonable and should be honored on that basis. Recommend approval.

Board of Selectmen Position: The Board supports this article.

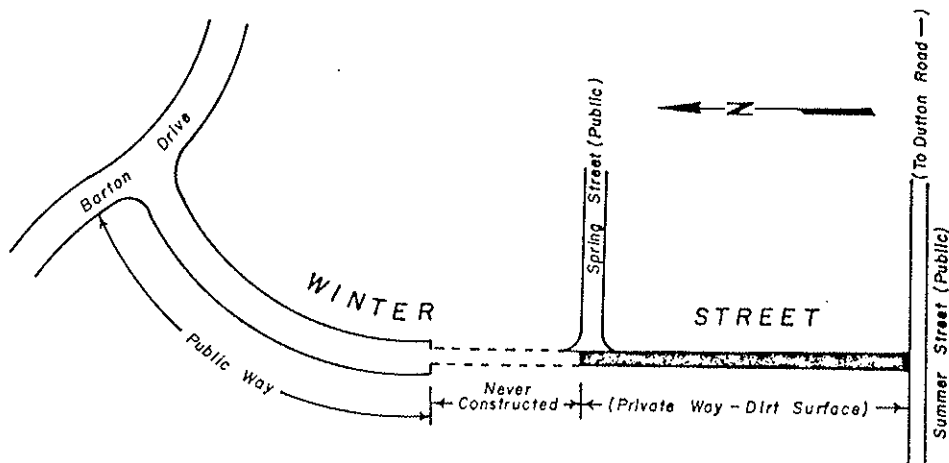
UNANIMOUSLY VOTED: (CONSENT CALENDAR) IN THE WORDS OF THE ARTICLE WITH THE SUM OF \$607 TO BE RAISED BY TAXATION.

ARTICLE 8. To see if the Town will vote to accept the layout of

Street Winter Street - from Summer Street to Spring Street, a distance 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, \$16,160, or any other sum, therefor and for all expenses in connection therewith and the repair, construction, or reconstruction thereof; or act on anything relative thereto.

Submitted by the Board of Selectmen. (Two-thirds vote required.)



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Mr. Josiah Frost *moved in the words of the article with the sum of \$16,160 to be raised by transfer from Free Cash.*

Board of Selectmen Report: (J. Frost)

This article, petitioned by the residents of Winter Street, was before Town Meeting last year and was indefinitely postponed, due to lack of funds. The Selectmen this year unanimously support acceptance and funding of this article, the funds to come from available Free Cash as verified at the start of the Town Meeting. This article is strongly supported by the Town Engineer and Highway Surveyor. There has been some discussion throughout the review process as to the practice of accepting public ways. Prior to Proposition 2½, there was not much question in doing so. Similar acceptances were taken in 1977 at the Annual Town Meeting -- Article #30 accepted Elsbeth Road and appropriated \$7,500. The 1979 Annual Town Meeting, under Article 10, accepted New Bridge Road and appropriated \$16,400. The other streets in and around Spring and Summer Streets were at one time accepted by the Town because at that time there were more homes on them than there are on Spring Street. The Board of Selectmen feel these people deserve the same consideration as the people on the other streets that were part and parcel of the original development many years back.

Finance Committee Report: (C. Gentile)

While the Finance Committee sympathizes with the Winter Street residents, we cannot endorse this article. When this street was constructed, the developer chose not to construct an adequate way. Hopefully the home buyers purchase prices ought and probably did reflect this fact in lowered prices. We're living in financially difficult times and we ought to consider whether or not we wish to exhaust what little remains in our surplus Free Cash.

Planning Board Report: (J. Hannoosh)

The Planning Board opposes the article for the reasons given by the Finance Committee.

Mr. Leon Lataille of Summer Street, speaking on behalf of all the residents of Winter Street, asked for the hall's support in passing this Article. He pointed out that Winter Street is an unpaved private way, that many people use as a through way in town. Trucks and school busses use it on a regular basis. Such heavy usage has left the street with many ruts and large puddles whenever it rains. Drivers trying to avoid these puddles drive around the road and onto the properties. The residents have tried to prevent this situation by maintaining it on their own, but haven't had much luck. The heavy usage has been too much for their resources. The past practice in Sudbury of accepting similar roads should apply to Winter Street because of the use that it gets. Paving Winter Street would help to maintain the roads connecting it. Summer Street, for example, has become undermined by the erosion that occurs on Winter Street. The Town is being asked to spend money to provide a street of sound standards, something that is a basic service not any kind of special treatment or advantage.

For the record, Mr. Jim Merloni, the Town Engineer, cleared up the present status of Winter Street by stating that the street was not built by developers. The area pre-dates the sub-division control law and it also pre-dates the Planning Board. It was built by individuals and there were no construction standards for anyone to follow at that time.

The motion under this article was *UNANIMOUSLY VOTED.*

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ARTICLE 9. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$13,000, or any other sum, to be expended under the direction of the Fire Chief, for the fourth year payment of the lease purchase agreement, approved under Article 11 of the 1982 Annual 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 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 three payments have been made and this article authorizes the fourth and final payment to be made from this account. Therefore, it is not an appropriation to be dealt with in the tax levy.

Finance Committee Report:

This money is due under a lease and comes from the ambulance reserve. It does not require additional taxes or other funding. 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 \$13,000 TO BE TRANSFERRED FROM THE AMBULANCE RESERVE FOR APPROPRIATION ACCOUNT.

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ARTICLE 10. To see if the Town will vote to accept Section 26E, as amended, of Chapter 148 of the General Laws, which reads as follows:

Residential
Smoke
Detectors

Accept
Sec. 26E
of Ch.148

Section 26E. In any city or town which accepts this section, buildings or structures occupied in whole or in part for residential purposes, and not regulated by Sections Twenty-six A, Twenty-six B, or Twenty-six C shall, within one year of the date of such acceptance, be equipped with an approved monitored battery power smoke detector or an approved primary power smoke detector. For buildings or structures occupied in whole or in part for residential purposes and containing a maximum of two dwelling units, either an approved monitored battery power smoke detector or an approved primary power smoke detector shall be installed on each level of habitation and on the basement level; provided, however, that the head of the Fire Department shall allow the installation of approved monitored battery power smoke detectors. Such approved monitored battery power smoke detector or approved primary power smoke detector shall be installed in the following manner: An approved monitored battery power smoke detector or an approved primary power smoke detector shall be installed on the ceiling of each stairway leading to the floor above, near the base of, but not within each stairway and an approved monitored battery power smoke detector or an approved primary power smoke detector shall be installed outside of each separate sleeping area. For buildings or structures occupied in whole or in part for residential purposes and containing not less than three nor more than five dwelling units, either an approved monitored battery power smoke detector or an approved primary power smoke detector shall be installed in each dwelling unit outside each separate sleeping area; provided, however, that the head of the Fire Department shall allow the installation of approved monitored battery power smoke detectors; and provided further, that in all common hallways of said residential buildings or structures a series of interconnected approved primary power smoke detectors shall be installed. The head of the Fire Department shall enforce the provisions of this section. The provisions of Section Thirty shall not apply to this section; or act on anything relative thereto.

Submitted by the Fire Chief.

Chief Dunne moved Article 10 in the words of the Article.

Fire Chief Report:

I am requesting the town to accept a state statute that will require all residential property to be equipped with smoke detectors. At the present time all homes constructed since 1975 would comply with this statute and all homes that have been purchased or re-financed since January 1982 would comply. The wording in the Warrant is the wording of the statute. It sounds complex, but in simple terms it says there must be one smoke detector per floor, including the cellar, and the Fire Chief must approve battery operated smoke detectors. In buildings containing 3 to 5 dwelling units, the common hallways must have hard wired electrically operated smoke detectors. The units could have battery operated ones. Therefore most homes in Sudbury will be in compliance if two or three smoke detectors are installed. The cost would be \$20 to \$30 per home. It's a proven fact that where early warning of fire is given to the occupants, their chances to escape from fire is greatly increased. It is also a fact that fires that are discovered in their early stages are much more easily controlled, preventing large loss for the owner and placing less of a burden on the municipal fire department. The acceptance of this law will, I hope, make Sudbury a safer community and I request your support.

Finance Committee Report:

The Finance Committee was advised at the hearing on this article that under the present law all new construction in Sudbury must have smoke detectors and that at any time a house is sold, law requires that smoke detectors be installed and inspected prior to the sale taking place. Acceptance of this statute, which has been accepted by many other towns, would assure that smoke detectors are put into all residential buildings in Sudbury. There would appear to be a uniformity of

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opinion among experts in the field that these devices are responsible for saving lives. Given the relatively small cost of modern devices of this nature, compared with the safety benefit that results from their installation, it is the view of the Finance Committee that this article is in the best interest of the Town as a whole. Recommend approval.

Board of Selectmen: (J. Frost)

The Selectmen support this article. As a former Fire Chief, I can't emphasize the fact too strongly that of all the things that have happened in the last twenty years to save lives, the use of the smoke detector, properly placed, has done more since the Federal Government started to study the reason for the extreme loss of life in the U. S. The smoke detector has done that. The figures prove that the smoke detectors are saving lives. So, let's make Sudbury as safe as the rest of the country.

Mr. Chester Hamilton of Morse Road noted that this exact article had been brought up five years ago, at which time there was a great hue and cry on the floor of Town Meeting, in which he happened to agree both then and now. I guess this falls in the category of trying to tell me what's good for me, much like the seat belt law. I wear seat belts and I happen to have smoke detectors in my home. What I'm saying is that I hate to have people telling me what I must do. If I get killed by smoke it seems like that's my own damn business. I also wonder how the Fire Chief plans to enforce this? What are the penalties? What can I expect if I get a call at night to find one of my detectors are not in the proper spot. I know what's good for me, but I don't like a law telling me I must do something I've already done, which I think is unenforceable, and which I think is ill defined. Mr. Hamilton also questioned the wording of the article as to the placement of the smoke detectors "inside each stairway and in the base."

Chief Dunne explained that the detectors have to be on the ceiling before you come up any set of stairs. There has to be a smoke detector in the bedroom area, which means the hallway, usually on the second floor where the bedrooms are located. Most homes would have a smoke detector on the ceiling at the base of the cellar stairs, on the ceiling at the base of the stair going up to the second floor and another smoke detector in the hallway where the bedrooms are located on the second floor. The Fire Department will be happy to go to people's homes and show them where to put the smoke detectors. We have a policy in town, established two years ago, to install smoke detectors for the senior citizens of Sudbury. We found many of them weren't buying the detectors because they couldn't put them up themselves. Any person over 60 years of age or older, we would be glad to assist with the installing of the detectors.

The enforcement of this law is covered under Section 30 of Chapter 148, where a \$50 fine may be imposed if anyone is taken to Court. It is not my intention to be going to people's homes to see if they have done this or not. I would use it though if I was going out to do an inspection for something else and I noticed it wasn't there. I would advise the resident very strongly that he was in violation and he should get the detector.

Mr. Bill Johnson of Phillips Road had two legal/insurance questions. One, if this is adopted what is the implication if you have a fire and you're found to be in violation? Would there be any implications with the insurance companies? The other question is what if you have a fire and you do not have this device and say a fire fighter is injured or someone is injured, would there be any legal or insurance implications?

Paul Kenny, Town Counsel, responded as follows: "With respect to the insurance it's my belief that an insurance company would utilize the lack of the smoke detectors in processing a claim. To what extent I can't be certain. With respect to liability, there certainly is a potential that if you don't have a smoke detector when you're required as a matter of law to have one, that it would... that you wouldn't be liable necessarily but it would be what they call 'evidence of negligence' ".

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VOTED: TO ACCEPT SECTION 26E, AS AMENDED, OF CHAPTER 148 OF THE GENERAL LAWS, WHICH READS AS FOLLOWS:

SECTION 26E. IN ANY CITY OR TOWN WHICH ACCEPTS THIS SECTION, BUILDINGS OR STRUCTURES OCCUPIED IN WHOLE OR IN PART FOR RESIDENTIAL PURPOSES, AND NOT REGULATED BY SECTIONS TWENTY-SIX A, TWENTY-SIX B, OR TWENTY-SIX C SHALL, WITHIN ONE YEAR OF THE DATE OF SUCH ACCEPTANCE, BE EQUIPPED WITH AN APPROVED MONITORED BATTERY POWER SMOKE DETECTOR OR AN APPROVED PRIMARY POWER SMOKE DETECTOR. FOR BUILDINGS OR STRUCTURES OCCUPIED IN WHOLE OR IN PART FOR RESIDENTIAL PURPOSES AND CONTAINING A MAXIMUM OF TWO DWELLING UNITS, EITHER AN APPROVED MONITORED BATTERY POWER SMOKE DETECTOR OR AN APPROVED PRIMARY POWER SMOKE DETECTOR SHALL BE INSTALLED ON EACH LEVEL OF HABITATION AND ON THE BASEMENT LEVEL; PROVIDED, HOWEVER, THAT THE HEAD OF THE FIRE DEPARTMENT SHALL ALLOW THE INSTALLATION OF APPROVED MONITORED BATTERY POWER SMOKE DETECTORS. SUCH APPROVED MONITORED BATTERY POWER SMOKE DETECTOR OR APPROVED PRIMARY POWER SMOKE DETECTOR SHALL BE INSTALLED IN THE FOLLOWING MANNER; AN APPROVED MONITORED BATTERY POWER SMOKE DETECTOR OR AN APPROVED PRIMARY POWER SMOKE DETECTOR SHALL BE INSTALLED ON THE CEILING OF EACH STAIRWAY LEADING TO THE FLOOR ABOVE, NEAR THE BASE OF, BUT NOT WITHIN EACH STAIRWAY AND AN APPROVED MONITORED BATTERY POWER SMOKE DETECTOR OR AN APPROVED PRIMARY POWER SMOKE DETECTOR SHALL BE INSTALLED OUTSIDE OF EACH SEPARATE SLEEPING AREA. FOR BUILDINGS OR STRUCTURES OCCUPIED IN WHOLE OR IN PART FOR RESIDENTIAL PURPOSES AND CONTAINING NOT LESS THAN THREE NOR MORE THAN FIVE DWELLING UNITS, EITHER AN APPROVED MONITORED BATTERY POWER SMOKE DETECTOR OR AN APPROVED PRIMARY POWER SMOKE DETECTOR SHALL BE INSTALLED IN EACH DWELLING UNIT OUTSIDE EACH SEPARATE SLEEPING AREA; PROVIDED, HOWEVER, THAT THE HEAD OF THE FIRE DEPARTMENT SHALL ALLOW THE INSTALLATION OF APPROVED MONITORED BATTERY POWER SMOKE DETECTORS; AND PROVIDED FURTHER, THAT IN ALL COMMON HALLWAYS OF SAID RESIDENTIAL BUILDINGS OR STRUCTURES A SERIES OF INTERCONNECTED APPROVED PRIMARY POWER SMOKE DETECTORS SHALL BE INSTALLED. THE HEAD OF THE FIRE DEPARTMENT SHALL ENFORCE THE PROVISIONS OF THIS SECTION. THE PROVISIONS OF SECTION THIRTY SHALL NOT APPLY TO THIS SECTION.

ARTICLE 11. To see if the Town will vote to set the Board of Health fees for permits/licenses as follows:

Board of Health Fees	Milk & Cream License (Ch. 94, Sec. 41)	\$10 per year
	Camp/Motel Permit (Ch. 140, Sec. 32B)	\$50 per year
	Stable Permit (Ch. 111, Sec. 155)	\$10 per 2 years

or act on anything relative thereto.

Submitted by the Board of Health.

Board of Health Report:

With the constraints of Proposition 2½, the Board of Health has endeavored to establish a fee schedule that better reflects the cost of the services rendered. The fees for services offered by the Board of Health that are used by a vast majority of the residents have been kept at a minimum. Although our entire fee schedule has been revised, the only increases that need Town Meeting approval are the aforementioned permits.

Finance Committee Report:

The purpose of this article is to raise certain Board of Health fees which can only be raised by vote of Town Meeting. The hearing before the Finance Committee revealed that the present fees charged for the services involved do not actually cover the cost of issuing the necessary permits. Recommend approval.

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Board of Selectmen Position: The Board supports this article.

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

ARTICLE 12. To see if the Town will vote to accept that section of the Massachusetts General Laws making unpaid charges for the use of facilities for the receipt and disposal of privy, cesspool and septic tank contents a lien upon the real estate from which such contents have been collected, or act on anything relative thereto.

Accept
Legislation
Liens:
Septage
Billings

Submitted by the Board of Selectmen/Operational Review Committee

Mr. Michael Guernsey, member of the Operational Review Committee *moved to postpone consideration of Article 12, Accept Legislation, Liens: Septage Billings until the time when the meeting has considered and disposed of Article 38.*

In support of this motion, Mr. Guernsey stated that the Town Meeting of 1984 had authorized the Selectmen to file for legislation amending the Mass. General Laws to allow the placing of liens on property for unpaid septage processing bills. The legislation has been filed but it has not been acted upon yet. This Article 12 was placed in the Warrant in hopes that we would be able to accept this provision in the General Laws. Since the legislation has not been acted upon, we are unable to accept it. Therefore postponement was requested with the hope that the legislature would have taken action by the end of the Warrant articles.

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

(See page 151 for the vote on Article 12.)

ARTICLE 13. To see what sum the town will vote to raise and appropriate, or appropriate from available funds, to pay for a new town and Sudbury Schools central telephone system including, but not limited to, lines/equipment and installation, or act on anything relative thereto.

Telephone
System

Submitted by the Board of Selectmen.

Mr. J. Frost of the Board of Selectmen *moved that the Town appropriate \$65,000 to pay for a new Town and Sudbury School's Central Telephone System, including, but not limited to lines, equipment and installation, said sum to be raised by transfer from the Sale of Town Buildings Account.*

Finance Committee Report: (J. Hannon)

At the end of 1984, the Town and the Sudbury Public Schools agreed to engage a communications specialist and jointly share the costs, totalling \$9,000. The consultant reviewed our present telephone bills after conducting an inventory of the telephone equipment to ascertain the accuracy of our present billings, and recover any overcharges resulting from billing errors. The review has been completed and approximately \$10,000 was found in overcharges based upon our current rates. The next phase was to determine the telecommunication requirements

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for the town after meeting with key management personnel to determine departmental functions, operations and objectives. A review of the town's present traffic patterns was made in order to establish the most efficient and cost effective combination of lines and services. Based upon the data collected, the consultant developed equipment specifications designed to meet:

1. present needs and allow the capacity for expansion;
2. incorporate the state-of-the-art communicative features; and
3. compatibility and integration with computer systems.

Based upon the system parameters and establishment of specifications, a request for proposals was sent to ten vendors. Of these ten, we have received nine bids. Our present telephone system is a Western Electric's Series 300-801A PBX and is approximately 12 years old. It was evaluated by the consultant as being in fair working condition. The series is no longer manufactured and obtaining parts and services will become increasingly difficult. Interviews with the system operator and users disclose the following:

A. The system has difficulty with misdialing. There is poor transmission quality and it is difficult to communicate with off-premise locations within the system.

B. We need a system that is less complex in placing long-distance calls, toll calls and foreign exchange calls.

C. We need a call transfer system that facilitates efficient transfers of calls. The present system doesn't transfer all of the calls, all of the time.

The present telephone system services the Allan Flynn Building, the Curtis School, the Nixon School, the Noyes School, the Haynes School, the Town Hall, Loring Parsonage, and line extensions to the bus lot trailer, the Highway Department and the Police Department.

The total monthly equipment cost is \$2,104. This article requests \$65,000 be appropriated to fund the purchase of a new telephone system. The total cost for the telephone system is \$85,000. \$20,000 is being provided by the Sudbury Public Schools from their present FY85 budget, not the School budget for FY86, which was approved last night.

Why should this article be funded? You should vote to fund this article as it is the most efficient use of your tax dollars for the next decade. To retain the present system and use a rate increase of 5% for each succeeding year, the projected five-year cost is \$139,512. The projected ten-years cost is \$317,569. To purchase a new telephone system at an equipment cost of \$75,500, assuming no maintenance charges for the first year, a maintenance cost of \$5,088 the second year, and a 10% increase in this cost for each succeeding year, the projected 5-year cost is \$99,114, a savings of \$40,398.

The projected 10-year cost is \$144,594. This is a savings of \$172,000. An improved telephone system for the town and public school system was deemed to be essential by the Finance Committee and is actually a capital project. In addition to an improved communication system, this new system will permit greater control of unauthorized calls, as well as providing the least cost routing for long distance and toll calls. This alone will result in an additional savings of \$100 per month. For each of these reasons, the Finance Committee recommends approval of this article.

Mr. Thompson, the Executive Secretary, made one correction, the School's portion, agreed to as of this day, would be \$15,000, not \$20,000.

Mr. John Taft of Moore Road asked if the system of the PBX being considered would include or have provisions for putting data traffic on the lines, as it is not too far away in time when the town will want to be doing data communications between some of these facilities. It would be nice if it was either in when the equipment is bought or at least could be added in the future.

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Mr. Thompson assured him that "it has been considered."

VOTED: TO APPROPRIATE \$65,000 TO PAY FOR A NEW TOWN AND SUDBURY SCHOOL'S CENTRAL TELEPHONE SYSTEM, INCLUDING, BUT NOT LIMITED TO LINES, EQUIPMENT AND INSTALLATION, SAID SUM TO BE RAISED BY TRANSFER FROM THE SALE OF TOWN BUILDINGS ACCOUNT.

ARTICLE 14. Withdrawn by Board of Selectmen, as study was authorized to be undertaken by Water District (Article 6, Water District Annual Meeting).
Aquifer
Study

ARTICLE 15. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$15,000, or any other sum, to be expended under the direction of the Highway Surveyor, to improve and upgrade the following intersections:
Inter-
section
Improve-
ments

1. Concord Road/Pantry Road
2. Horse Pond Road/Peakham Road/Pratt's Mill Road
3. Horse Pond Road/Boston Post Road
4. Pratt's Mill Road/Willow Road
5. Fairbank Road/Hudson Road

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Mrs. Donald of the Board of Selectmen moved to appropriate the sum of \$14,299 to be expended under the direction of the Highway Surveyor to improve and upgrade the following intersections: Concord Road at Pantry Road, Horsepond Road at Peakham and Pratt's Mill, Horsepond Road at Boston Post Road, Pratt's Mill Road at Willow Road, and Fairbank Road at Hudson Road, said sum to be raised by transfer of \$6,344 from Article 19 of the 1980 Annual Town Meeting and \$7,955 from Article 2 of the 1981 Special Town Meeting.

Board of Selectmen Report:

The Board of Selectmen, working with the Highway Surveyor, Town Engineer, and Police Safety Officer, propose this article as the first in an annual program to improve the safety and traffic flow of several intersections in Sudbury. Depending on the requirements of each intersection, improvements may include posting of signs, installation of lighting, pavement markings, brush and tree removal and construction of islands. No land-taking is anticipated for these improvements. The Board supports this article.

Town Engineer Report: (J. Merloni)

The five street intersections listed under Article 15 are part of a list of over 50 intersections that have been identified as potentially dangerous or hazardous in nature. The list was compiled as a joint effort by the Police Safety Officer, Bill Carroll, the Highway Surveyor, Bob Noyes and myself. It is our opinion that the five intersections are among the worst and most dangerous. I am sure that many of you could add to this list and even come up with your own list of five that you think are dangerous. That would only underscore the desperate need for highway improvements in our town. The \$15,000 for the five intersections is only less than \$3,000 per intersection and that is very little money in terms of construction improvements.

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Let me explain what the project is not. It is not a major reconstruction program. There are no anticipated land takings required or necessary. There will be no disruption of traffic during the improvement period and hopefully no inconveniences suffered by the motoring public. What we intend to do is improve the safety of those intersections by some rather simple means.

1. Signing. Regulatory signs such as stop signs, warning signs, dangerous intersection signs, etc. We do not intend to over-proliferate the area with signs, but to add enough to regulate and warn the motorist.
2. Pavement markings or line stripings. Lane/gutter markings, stop line markings together with stop signs, center line markings and markings of curbing at traffic islands are examples of much needed pavement markings.
3. Street lighting. Not to be confused with traffic signals. We simply mean to improve overhead street pole lighting where appropriate. This could mean a change from an incandescent lamp to a mercury vapor or the use of light shades to better control the displacement of light.
4. Island improvements. We mean to delineate the traffic islands by raising them through the use of curbing, bituminous concrete curbing being the most cost effective, under this program. The curbing will be painted for better visibility, especially at night.
5. The removal of earth banking that hinders line of sight, especially at intersection approaches. This will be done within the town's right of way, and will not require land takings.

This approach or method of improvement is the most cost effective way that much needed highway improvements can be made under the guidelines of Proposition 2½. The appropriation of \$15,000 is a very small sum, if in some way it helps to prevent even one serious accident. I would hope that you would agree with me and approve this article.

Finance Committee Report: (D. Wren)

The Finance Committee has reconsidered its recommendation for Article 15. Having met with the Board of Selectmen, the Highway Department, Engineering and the Safety Officer, the committee feels that the improvements that are brought forth in this article are necessary for town safety, they will indeed reduce the high risk at these particular intersections, and will reduce the loss of life, limb and property damage and are very necessary for safety. We recommend approval.

Mrs. Bette Sidlo of Newton Road, while being in sympathy with any efforts to improve the safety of the town's roads, made the following statement. I get the sense that this \$15,000 is not a lot of money,--\$3,000 per intersection when spread over 5 different intersections. I don't see that there is a lot of concrete alterations that will be made to these intersections. Much of it is painting islands, raising islands, improving lighting, and signs, much of which sound to me as if it belongs under General Road Work and there is a line item in our budget now for road work. In fact, when I looked in the 1984 Town Report, I saw that three items under that General Road Work item, which is #420, three items including 420-21, Operating Materials, 420-24, Street Seal, and 420-28, Sweeping ended up with a total of \$37,548, that was turned back into the town monies at the end of FY84. Now the town budget for FY85 road work is \$155,500, which is just \$1,000 less than it was for FY84. As I understand it, much of this work is general road work and maintenance and it should fall in fact under this Road Work Budget. I believe there must be enough money to do that work there. I don't understand why this is a special article for our consideration tonight.

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Mr. Merloni explained that in discussions with the Finance Committee, it was decided this would be a "pilot program," something that we're going to try. The possibility of putting this under the Highway Department Budget was discussed, but it was the concensus of the Finance Committee and the Board of Selectmen that we'd try it this way this year and then put it under the Highway's budget next year. This work is in addition to the normal maintenance work done by the Highway Department.

Mr. Noyes, the Highway Surveyor, noted that under the present budget there are no funds set aside for any of these intersections, so that this \$15,000 will be in addition to his department's budget. The programs they presently have are seal programs and others, but not intersection improvements.

Several brief discussions followed, then the motion under Article 15 was *VOTED*.

ARTICLE 16. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$50,000, or any other sum, to be expended under the direction of the Park and Recreation Commission, for the continued development and improvement of the Haskell Recreation Area, or act on anything relative thereto.

Haskell
Recreation
Area

Submitted by the Park and Recreation Commission.

Mr. Peter Berkel of the Park and Recreation Commission *moved in the words of the article as it now appears before Town Meeting.*

Park and Recreation Commission: (P. Berkel)

Town Meeting last year appropriated \$45,000 to initiate some improvements and developments at Haskell Field. The presentation made then was directed towards improving the parking lots. There were a number of issues involved in terms of cleanliness, the fact it had no organization to it, etc. There was talk about putting in bathroom facilities and to begin developing the field into something that addressed much more in a contemporary fashion the developing needs of a town. Accounting for the \$45,000 spent, Mr. Berkel showed that \$6,600 was used to run water from Fairbanks Road, across to the adjacent tennis courts, and on to the middle of the playing field. This will allow us the ability to then hook up to the plumbing for the bathrooms. Septic tanks were installed in September which will take care of the drainage from the bathrooms. The parking lot we had hoped to put in wound up costing much more than originally anticipated. Unfortunately we were working against a very short timetable and with architect's drawings. We did not have the benefit of detailed engineering drawings, state requirements, etc. With the help of the Town Engineer, we were able to develop drawings and go forward to find out exactly what the entire project would cost. The total cost of the lots is \$55,267. \$38,000 will be spent out of this year's budget (FY85), by the Commission by June 30th, to take care of the majority of the work. Excavation has already begun and the driveway area is in. The top soil has been taken up from the area where the two parking lots will be. Catch basins, drains, etc. will be put in and the area will be developed right to the first layer of asphalt. The problem is a second layer of asphalt is needed and then the linings, otherwise driving would be on a very weak parking lot which would eventually give way to the weight of the traffic. Bids were received and the Commission awarded the lowest bid at \$55,267. They ran quite a range, up to \$81,000 with the average being \$70,000, and Mr. Merloni won the prize for coming very close to what the lowest estimate would be.

(At this point in his presentation, Mr. Berkel showed the hall slides of Haskell Field as it is presently.)

Looking at the total picture, we broke down Phase I and Phase II of the parking lots, the bathrooms, the plumbing, the concrete base which will support

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the field house which we will have there, and divided it between the FY85 budget and next year's (FY86) budget. The total project will be \$85,000. This is a little bit more than the \$72,000 we had originally requested at last year's town meeting. We adjusted that down, on the Finance Committee's recommendation, to \$45,000 realizing that we couldn't get the whole job done, but committed to try to do the parking first. We simply decided we had to make this a two-year project. The company doing the work is quite cooperative. If town meeting approves our request under Article 16, they will complete the entire job within the next 7 - 10 working days, 100% done, billing us only for the balance in our FY85 budget. A bill for the remainder, \$16,000, will be submitted after July 1st.

The Commission has been fairly economical in its management of many of the town programs. It has a lot of self-supporting recreational programs. We've shared equipment or entered into joint purchases with other departments, sometimes the high school. We've helped the soccer program with the Teen Center. We've done a lot of cooperative development. There's a new 90 foot baseball diamond that will be used at Haskell for the first time this year and Park and Rec and Little League pooled their funds to make that possible. We also were involved in the initiation this year of the Friends of Park and Rec, which is a non-profit charitable organization in town. You're all invited May 6th to the opening dedication ceremonies and the first evening baseball game in Feeley Park under the lights. It will be the envy of communities around and it did not cost the taxpayers anything. It was raised through charitable activities. We shall look to the Friends to help us possibly with other projects.

In terms of the number of self-supporting projects, I singled those out because one of the things we really need in the town are the facilities, such as the parking lots and the field house, etc., that Haskell will give us. The programs follow from facilities. There were over 750 kids involved in the Fall Soccer Program. Park and Rec provided scheduling, maintenance of the field, etc., but we had nothing to do with funding it, except for helping out with some of the nets, etc. We couldn't staff that kind of a function. Volunteerism makes a lot of these things happen. We've got to start with the facilities first.

In summary, there are a number of benefits to the Haskell Field--controlled parking and traffic flow, the entrance will move the traffic in and out of one entrance and exit, and it will be closer to the tennis courts. This eliminates the dust bowl and the mud mess and as you look further down the road, it really protects our investment, gives us something to build upon for the future, add some other facilities, host programs with other communities, soccer tournaments, things of that nature. We look for your support.

Finance Committee Report: (D. Wren)

The Finance Committee believes that the Park and Recreation has done an outstanding job of keeping their budget in line. Their budget as approved last evening is below 1985 appropriations. These people have done their homework and this article is fiscally responsible. For the safety, convenience, and comfort of the citizenry of the town, the Finance Committee recommends approval of this article.

Board of Selectmen: (M. Fox)

Originally the Board of Selectmen opposed this proposal due to unforeseen cost increases over last year's appropriations with respect to the paving. We learned from Park and Rec that they had committed last year's funds just recently and that those might be lost if we did not support this request. The Board of Selectmen therefore now recommends approval of this proposal.

The motion under Article 16 was *VOTED*.

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ARTICLE 17. To see if the Town will vote to amend the Sudbury Bylaws, Article V(A), "Removal of Earth", by deleting Sections 1 through 4 and inserting the following five sections in their place, and renumbering current Sections 5 through 10 to 6 through 11:

Amend
Bylaws,
Art. V(A)

Removal
of
Earth

"Article V(A)

Removal of Earth

Section 1. The Earth Removal Board is hereby established and shall consist of five registered voters of the Town, to be annually appointed by the Selectmen for a term of one year. Appointments to the Earth Removal Board may be made contingent on the member holding another office or membership on another board or committee, in which case removal or resignation from such other office, board or committee shall be deemed removal or resignation from the Earth Removal Board. Vacancies shall be filled by appointment for the remaining portion of the term. The Earth Removal Board can proceed or act only when a quorum of four or more members are present. A majority vote in favor of the issuance of a removal permit shall be required for the issuance of a removal permit.

Section 2. No person, firm or corporation shall remove any soil, loam, sand, gravel, stone, or other earth material from any land in the Town not in public use without first obtaining a permit, hereinafter called a removal permit, therefor from the Earth Removal Board, as provided in the following sections.

Section 3. Without restricting the generality of the previous sentence, a removal permit shall be required under this bylaw for the removal of soil, loam, sand, gravel, stone, or other earth material in the course of excavation incidental to the construction of a business, industrial, research or commercial building or facility of any kind for which a building permit is required. This requirement for a removal permit extends also to any material removed for the installation of walks, driveways, parking lots, and similar appurtenances to said commercial building or facility.

Section 4. A removal permit shall not be required under this bylaw for the removal of soil, loam, sand, gravel, stone, or other earth material in the course of excavation incidental to the construction of a single family residential building for which a building permit is required and to the installation of walks, driveways, and similar appurtenances to said building, provided that the quantity of material removed does not exceed that displaced by the portion of building, walk, driveway, or similar appurtenance below finished grade, or in the course of customary use of land for a farm, garden, or nursery. This exemption does not cover removal of earth from the premises involving topographical changes or soil-stripping or loam-stripping activities, nor shall tentative or final approval of a subdivision plan be construed as authorization for the removal of earth material from streets shown on the subdivision plan.

Section 5. An application for an Earth Removal Permit shall be in writing and, among other things as required by the Earth Removal Board, shall contain an accurate description of the portion of land from which earth is to be removed, shall state fully the purposes for the removal thereof, and shall include plans of the land involved in such form as the Board may require. The Board may charge reasonable fees for making an application for earth removal. Upon receipt of an Application for a Removal Permit for removal of earth from any land, the Board shall appoint a time and place for a public hearing, notice of which shall be mailed to the applicant and abutters and published in a newspaper having a circulation in the Town at least seven (7) days before such hearing.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

The Chairman of the Board of Selectmen moved in the words of the article as printed in the Warrant.

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Board of Selectmen Report:

The Earth Removal Bylaw has been redrafted to clarify its application by rearranging and restating former sections 1, 2 and 3 into the first four sections stated above. Additionally, notice to abutters and reduction of notice time from 21 days to 7 days have been incorporated. Former sections 5 through 10 remain unchanged but will be renumbered 6 through 11. The Earth Removal Board and the Board of Selectmen support this article.

Finance Committee Report:

The major purpose of this bylaw is to speed up the hearing process for citizens desiring permits to engage in earth removal activities on their land. In addition, it will change the term of the members. This latter provision has been requested, we are advised, by the Earth Removal Board members themselves. Recommend approval.

Town Counsel Opinion:

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

Mr. Henry Sorett spoke to the reduction of the notice period from 21 days to 7 in the Article. With all too great frequency in the past two years, development, often unwanted by the community, has come on us extraordinarily rapidly. If the 21 day period were retained as it exists today, abutters and those who read the paper, will have an opportunity to go in and protect their rights. When earth is to be removed in the kind of quantity that would trip this article, the likelihood of disruptive effect on the neighborhood is substantial. It seems to me that if we do anything about notice requirements, we ought to increase them, not decrease them. It is only when the citizenry is aware that harm or change is about to occur in the community and that awareness is made absolutely clear, that the community can protect itself.

Following additional comments from the hall, Mr. Sorett moved that the term 7 days be amended to 21 days.

This motion to amend Article 17 was *VOTED*.

Mr. Robert Phillips of Peakham Road brought up the question of who is responsible for enforcing this bylaw.

Mr. Thompson stated, "My telephone number is 443-3971. And the last time this happened, I was called over two different weekends and I agree that some persons do try to haul at various hours when we're sleeping or not awake. However, we cannot declare martial law, but I do everytime we get the complaint, call Mr. Scammon. I have him talk to the developer, etc. The big pressure that we have, not that we're bringing to bear, is that we've told Mr. Scammon informally that if they persist in doing this, to hold the Certificates of Occupancy and that has brought many people back into compliance. And that's our latest approach. Mr. Kates' comment that he called the Selectmen's office and somebody said it's not enforceable. I'd like to know who he spoke to because he did not speak to the Selectmen's office."

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Mrs. Gerry Nogelo, Chairman of the Earth Removal Board, noted that there is a state statute that the fine for a first offense is \$50 and \$100 for a second offense, which she believed to be absolutely ridiculous. Enforcement is a big problem in town. We are very helpless. She also commented that she didn't believe the 21 days just voted is going to help. Three hearings were held in four years and residents came to one of those hearings.

There being no further discussion, the main motion under Article 17 as amended was *VOTED*.

ARTICLE 18. To see if the Town will vote to amend Section III,C,2, "Industrial Districts ID-", paragraph e, of the Sudbury Zoning Bylaw, by deleting the word "and" in two places and substituting therefor the word "or", so that the paragraph shall read:

Amend
Bylaws,
Art. IX, III,
C, 2
Technical
Correction

"e. Garages for the sale or repair of new or used motor vehicles if a permit therefor is granted by the Board of Appeals.";

or act on anything relative thereto.

Submitted by the Board of Selectmen. (Two-thirds vote required)

Board of Selectmen Report:

This change is proposed to the language of the bylaw to clarify its application to all commercial motor vehicle garages. The Board supports this article.

Finance Committee Report:

The purpose of this article is to bring the language of Section III,C,2, paragraph e, of Article IX into conformity with what was the intent of the Town when it was originally added to the zoning bylaw. As the bylaw currently reads, it might be argued that a garage which engages in the sale or repair (but not both activities) or new or used vehicles (but not both types of vehicles) would not be permitted in an industrial district. 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.

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

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ARTICLE 19. To see if the Town will vote to amend the Zoning Bylaw, Article IX,V,A, Site Plan Approval, by adding at the end thereof the following paragraph:

Amend
Zoning
Bylaws,
Art.IX,V,A

Site
Plan
Approval-
Design
Standards

"In reviewing architectural renderings under this section, approval shall be based on consideration of whether the architecture, scale, and color and type of surface material of the proposed structure relate harmoniously to the surrounding landscape, are appropriate to existing buildings in the vicinity and have a functional or visual relationship to those existing buildings.";

or act on anything relative thereto.

Submitted by the Board of Selectmen. (Two-thirds vote required)

Board of Selectmen Report:

The 1984 Town Meeting added to the Site Plan Approval bylaw a requirement that the Selectmen review exterior features as shown by architectural renderings. The article prepared above would give the Selectmen certain guidelines and standards to apply in its consideration of the architectural renderings. The Board supports this article.

Finance Committee Report:

The purpose of this article is to add to the zoning bylaw specific standards which shall guide the appropriate Town officials in reviewing architectural renderings submitted with applications for site plan approvals. 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.

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

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ARTICLE 20. To see if the Town will vote to amend the Sudbury Bylaws, Article XI(A), Council on Aging, by deleting from Section 1 the third sentence which reads, "The majority of the members shall be over sixty (60) years of age.", and substituting therefor the following sentence:

Amend
Bylaws,
Art. XI(A)

"No less than two of the members shall be over sixty (60) years of age.";

Council
on Aging

so that Section 1 shall read as follows:

Section 1. The Board of Selectmen shall appoint a Council on Aging to consist of seven (7) residents of the Town. Appointments shall be for three (3) year terms, except for original appointments. No less than two of the members shall be over sixty (60) years of age. The original appointments shall be as follows-- three (3) members shall be appointed for three (3) years, two (2) for two (2) years, and two (2) for one (1) year. Thereafter, all terms shall be for three (3) years. Members can be reappointed for concurrent terms.;

or act on anything relative thereto.

Submitted by the Council on Aging.

Council on Aging Report:

Experience has dictated that it has been at times difficult to recruit senior citizens who have the time and the inclination to serve on the Council. This proposed amendment would eliminate that difficulty.

Board of Selectmen Position: The Board supports this article.

Finance Committee Report:

The purpose of this article is to amend the bylaw to reduce the number of persons over sixty who must be appointed to the Council on Aging. Passage of this article has been requested by the Council itself because of the difficulty that has existed at times in recruiting senior citizens to serve on the Council. Past experience has shown this to be a very real problem. 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.

April 3, 1985

ARTICLE 21. To see if the Town, acting under the provisions of Article II of the Amendments to the Constitution of the Commonwealth of Massachusetts, commonly called the Home Rule Amendment, and under the Amend Bylaws, Art. V Police powers granted to it by the General Laws of the Commonwealth, will vote to amend the Sudbury Bylaws, Article V, Public Safety, by adding a new Section 28 regarding commercial agents, selling agents, solicitors, and canvassers who do business door-to-door in the town, as follows:

Door-to-Door Salesmen

"Section 28. Door-to-Door Salesmen

- (a) The practice of going in and upon private residences of the town by commercial agents, selling agents, solicitors and canvassers, transient vendors and itinerant merchants for the purpose of soliciting orders for services or for the sale of goods, wares, and merchandise by means of samples, lists, catalogues, or otherwise, without having been requested or invited to do so by the owner or occupant of said private residences, is prohibited and hereby declared a nuisance.
- (b) The provisions of this bylaw shall not apply to officers or employees of the town, county, state or federal governments; hawkers and peddlers registered by the state and the town under appropriate laws and regulations; candidates for public office or political parties recognized by the Commonwealth; religious organizations, but not for the purpose of selling or soliciting; and non-profit, charitable organizations upon registration by the president or treasurer with the Chief of Police. All such registrations must be renewed yearly.
- (c) Violations of this bylaw shall be punishable by a fine of not more than fifty dollars for each offense.";

or act on anything relative thereto.

Submitted by the Chief of Police.

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

Police Chief Report: (Peter Lembo)

During the summer the town has about 15-20 outside salesmen that come from other states and at certain times we have 50-60 salesmen around town knocking on doors at 6 or 7 o'clock at night harassing the local residents, intimidating them. This is why I'd like to have this article accepted. Essentially this is to limit the people that we have coming into town. The only ones that I'm going to let come in are the ones that the President or the Treasurer of the company comes in to see me personally. I would hope that this will be adopted.

Finance Committee Report:

The purpose of this article is to curb the increased practice of groups coming into the Town especially during the summer months and soliciting citizens in their home for the sale of various articles. At the hearing on this article, the Finance Committee was advised that activities of this nature have resulted in numerous harassment complaints being filed with the Police Department. In addition, last summer one extremely unfortunate incident involving physical assault occurred. The Finance Committee was further advised that the text of this article was taken from the text of a similar article which has been passed in the Town of Concord and which has received the approval of the Attorney General. The article would not affect legitimate solicitations by licensed solicitors, non-profit, or charitable organizations, nor would it in any way affect the right of religious or political groups to go door-to-door to make their views known. Recommend approval.

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Mr. Henry Sorett *moved to delete the words in paragraph (b) "recognized by the Commonwealth" immediately following the words "political parties."*

In support of this motion, Mr. Sorett stated that the article as drafted would only permit political parties recognized by the Commonwealth of Mass. to solicit door-to-door. Perhaps I'm a child of the 60's, but I remember campaigning in the South against the laws which favored segregation. I remember campaigning long and hard against the war in Vietnam on behalf of and as part of political organizations that were not recognized by government and in fact which were scorned by government. I remember being in Grant Park in 1968 being stormed by storm troopers maintained by the then mayor of Chicago. We can amply protect the Town of Sudbury without trampling upon the Civil Liberties of those who would seek to change our minds about issues of public importance. The motion would permit the Chief to control people who are out to commit commercial scams. If we delete the language that I believe offends the right of those who dissent to come to seek to change our minds, we do no violence to his stated goal. Instead we preserve the First Amendment rights of those who seek to persuade.

The motion to amend was *VOTED*.

Mr. Chester Hamilton of Morse Road inquired if the people who are approved by the Police Chief will have I.D. cards indicating they have been approved to solicit door-to-door.

The Chief explained that the only thing this article does is to make the President or the Treasurer come to the Police Station to see him. Certainly the officers of companies from states far away will not be coming in, therefore this article will limit the number of salesmen coming into the town.

Asked if the Police Chief had any control over the frequency with which these salesmen may come, after they have registered with him, the response was in the negative.

A question as to whether the town would face any problem by denying one group over another to solicit their merchandise in town, was answered by Town Counsel Paul Kenny who stated that "the town is allowed to make reasonable regulations and restrictions on door-to-door canvasses.

As to how the Chief of Police will be able to know if a person coming to him is the President or Treasurer of an organization, was clearly indicated by the Chief as going to be difficult. However, he would contact the Chief of Police of the community from where this individual may come for further information.

Mr. A. Grathwohl of Stubtoe Lane asked town counsel if it is perfectly legal for the Chief to issue some sort of identification to anybody in the town who solicits. Town Counsel answered "Yes." Asked if he, the Chief of Police, would issue such identification, Peter Lembo responded affirmatively, adding it would be no problem.

Following further discussion the motion under Article 21, as amended, was *VOTED*.

ARTICLE 22A. To see if the Town will vote to amend the Town of Sudbury Bylaws by adding a new article V(B), entitled "Signs", to read as follows:

Amend
Bylaws,
Art.V(B) -
Signs

"ARTICLE V(B)
SIGNS

Section 1. Purposes The provisions of Article V(B) are adopted for the regulation and restriction of billboards, signs and other advertising devices within the Town of Sudbury on public ways or on private property within public view of a public way, public park, reservation or public property and property to which the public has access, in order to protect and enhance the visual environment of the Town of Sudbury and the safety, convenience and welfare of its residents.

Section 2. Authority and Interpretation The provisions of this article are hereby adopted pursuant to Article 89, Sec. 6 of the Amendments to the Constitution of the Commonwealth (Home Rule Amendment) and General Laws, Chapter 43B, Sec. 13 (Home Rule Procedures Act).

Section 3. Definitions In construing Article V(B), the following words shall have meanings herein given, unless a contrary intention clearly appears:

Sign: Any privately owned permanent or temporary structure, billboard, device, letter, word, medal, banner, pennant, insignia, trade flag, or representation used as, or which is in the nature of, an advertisement, announcement, or direction which is on a public way, or on private property within public view of a public way, a private way open to public use, property to which the public has access, a public park or reservation.

Temporary Sign: Any sign intended to be maintained for a continuous period of not more than thirty (30) days.

Area of Sign:

(a) The area of a sign shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any "cutouts" or extensions, but shall not include any supporting structure or bracing.

(b) The area of a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window, shall be considered to be that of the smallest rectangle or triangle which encompasses all of the letters or symbols.

(c) The area of a sign consisting of a three-dimensional object shall be considered to be the area of the largest vertical cross-section of that object.

(d) Only one side shall be counted in computing the area of a double-faced sign.

Exterior Line of Street: The edge of the street right of way (layout) nearest the property in question.

Erect: Any constructing, relettering, extending, altering or changing of a sign other than repainting, repairing and maintaining.

Lighting or Illumination, Self: Illumination of any type coming from within a sign, or from lights or tubes which comprise any part of the design or lettering of a sign, or which originates behind a sign so as to create an affect of originating within the sign.

Lighting or Illumination, Direct: Illumination of a sign by light sources outside the sign and shining against the face of the sign.

Section 4. Administration and Enforcement

A. Application

A sign permit from the Sign Review Board shall be required for the erection, construction or alteration of a sign. All

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ARTICLE 22A. (Continued)A. Application (continued)

applications for signs requiring a sign permit shall be filed with the Building Inspector and shall include at least: (1) The location, by street number, of the proposed sign; (2) The name and address of the sign owner and the owner of the premises where the sign is to be located, if other than the sign owner; (3) a scale drawing showing the proposed construction, method of installation or support, colors, dimensions, location of proposed sign on site, location of existing signs and method of illumination; (4) The application must be signed by the owner of the sign and the owner of the premises where the sign is to be located; and (5) such other pertinent information as the Building Inspector may require to ensure compliance with the bylaw and any other applicable laws. The Building Inspector shall have the authority to reject any sign permit application which is not complete when submitted. The Building Inspector shall refer all applications to the Sign Review Board.

B. Sign Review Board

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, which shall review sign applications referred by the Building Inspector.

The Sign Review Board shall fix a reasonable time for the public hearing of any application referred to it and shall cause the notice of the time and place of such public hearing thereof and the subject matter, sufficient for identification, to be posted by the Town Clerk, to be mailed or delivered to the Board of Selectmen, the Planning Board, the Building Inspector and the applicant and abutters. The Sign Review Board shall forward its decision to the Building Inspector and the applicant no less than forty-five (45) days from the receipt of the referral from the Building Inspector.

C. Standards and Guidelines

The Sign Review Board shall apply the following standards in review of applications:

- (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 surrounding area.
- (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.

In addition, the Sign Review Board shall determine whether or not the proposed sign(s) reasonably comply with the following guidelines:

- (a) Efficient Communication
 1. Sign letter size should be related to the reader's distance and speed.
 2. Signs should not contain selling slogans or other advertising which is not an integral part of the name or other identification of the enterprise.
 3. Nonverbal devices ought to be considered since they can provide rapid and effective communication.
 4. Signs should be simple, neat, and avoid distracting elements, so that contents can be quickly and easily read.

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ARTICLE 22A. (Continued)

- (b) Environmental Relationship
1. Sign design should take into consideration the scale of the street to which the sign is oriented, and the size, brightness, style, height, and colors of other signs in the vicinity.
 2. Sign brightness should not be excessive in relation to background lighting levels, e.g., averaging not in excess of 100-foot lamberts in the commercial districts or similarly bright areas, and not in excess of 20-foot lamberts in unlighted outlying areas.
- (c) Building Relationship
1. Signs should be sized and located so as not to interrupt, obscure, or hide the continuity of columns, cornices, roof eaves, sill lines, or other elements of building structure, and where possible, should reflect and emphasize structural form.
 2. Sign materials, colors, and lettering should be reflective of the character of the building to which the sign relates just as sign size should be related to building size.
 3. Clutter should be avoided by not using support brackets extending above the sign or buy wires and turn-buckles.

D. Time Limitations

The Sign Review Board shall approve or disapprove any application for a sign permit with sixty (60) days of receipt of the application. If the Sign Review Board should fail to approve or disapprove an application for a sign permit within such sixty (60) day period, the application shall be deemed to be approved.

E. Fees

The Sign Review Board shall establish from time to time a Sign Permit Fee which it shall review on an annual basis.

F. Inspection

The Building Inspector and Sign Review Board 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.

Section 5. General Regulatory ProvisionsA. 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.
- The total area of all signs attached to the inside of a window may not cover more than 15% of the window area.
- All signs attached to the outside of a building shall be constructed of weatherproof materials. Signs of paper, cardboard, or similar materials shall not be used.

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ARTICLE 22A. (Continued)

- Secondary Signs: If a business has a direct entrance into the business in a wall other than the front wall, there may be a secondary sign affixed to such wall providing however, that no business shall have more than two secondary signs. In any event the sign area of any secondary sign shall not exceed six square feet.

- Directory Signs: One exterior sign listing the name and location of the occupants of the premises may be erected on the exterior wall of a building at each entrance or other appropriate locations.

- Directional Signs: Directional signs may be erected near a street driveway or parking area if necessary for the safety and direction of vehicular or pedestrian traffic. The sign area of each directional sign shall not exceed two square feet and no directional sign shall be located more than six feet above ground level if mounted on a wall or building or more than three and one-half feet above ground if free standing. Directional signs shall not advertise, identify or promote any product, person, premises or activity but may identify the street name/number and provide traffic directions.

The above limitations, in the districts other than residence districts, may be varied by the Sign Review Board where it finds that such variation is required to avoid a safety hazard or traffic congestion caused by uncertainty or confusion to the public.

B. Temporary Signs

Paper and other temporary type signs which describe a special situation or event are permitted without a permit under Section 4, provided:

1. The temporary sign attached to the inside of a window may not cover more than 30% of the window area.
2. All temporary signs attached to the outside of a building may not exceed 5% of the two dimensional elevation of the buildings.
3. A single free-standing temporary sign may be maintained for not more than thirty (30) days in any twelve month period. Such sign shall not exceed sixteen square feet (total of all faces).
4. Such sign shall comply with the five standards listed in Section 4.
5. The owner of such sign shall notify the Building Inspector in writing within twenty-four (24) hours of erecting the sign, indicating the date of placement and the size, material, location and wording of the sign.

C. Special Signs

1. Real estate sale, rental and lease signs are permitted without a permit 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.
2. Construction signs are permitted without a permit 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.

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ARTICLE 22A. (Continued)

3. The following signs are permitted without a permit subject to the stated limitations:

(a) Resident Identification Sign - For single family residential uses in any district, one identification sign upon a lot identifying the occupants of the dwelling. All such signs not to exceed one square foot of sign area and if lighted, to use direct white light only.

(b) Governmental Signs - Signs erected and maintained by the Town of Sudbury, the Sudbury Water District, the Commonwealth of Massachusetts, or the Federal Government on any land, building or structure used by such agencies and any other signs at any location required by such agencies for public health or safety purposes.

(c) Religious Organization Signs - Signs erected by a church or religious organization on property used for such purpose which identifies the church, organization or activity on the property to which the sign pertains.

D. Parking Signs

In all districts, other than the residence districts, signs limited solely to directing traffic within or setting out restrictions on the use of parking areas and not exceeding two square feet in area, are permitted without a permit.

E. Relevance of Sign

Except for special and parking signs, no sign shall be permitted which does not relate to the identity or business of the owner or legal occupant of the premises upon which it is located.

F. Location of Signs

No sign which is not within, attached to or part of the architectural design of a building shall be nearer to the exterior line of the street than 75% of the distance from such line to the nearest building to which the sign relates, unless the Sign Review Board finds that owing to special conditions of the premises or the use of the premises a location closer to such line is required to avoid a safety hazard or traffic congestion caused by uncertainty or confusion to the public.

Section 6. Illuminated Signs

A. Self-illuminated signs are prohibited.

B. Beacons, rotating or flashing signs are prohibited.

C. A sign otherwise permitted by this bylaw may be illuminated by a fixture directed at the sign, or by concealed silhouette lighting, upon approval by the Sign Review Board.

D. No sign shall be attached to a radio, television or water tower, utility pole, lighting structure or similar tower, pole or structure.

Section 7. Non-Conforming Signs Any non-conforming sign legally erected prior to the adoption of this bylaw 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.

The exemption herein granted shall terminate with respect to any sign which: 1) shall have been abandoned; 2) advertises or calls attention to any products, business or activities which are no longer carried on or sold, whether generally or at the particular premises; or 3) shall not have been repaired or properly maintained within sixty (60) days after notice to that effect has been given by the Building Inspector.

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ARTICLE 22A. (Concluded)

Section 8. Billboards Billboards and similar signs are specifically prohibited in the Town of Sudbury. The only signs allowed in the Town of Sudbury are signs that advertise, call attention to, or indicate the person occupying the premises on which the sign is erected or maintained, or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent, and which contains no other matter.";

or act on anything relative thereto.

Submitted by the Board of Selectmen. (Two-thirds vote required.)

Mr. Fox of the Board of Selectmen moved to refer Article 22A to the Planning Board for further study.

Board of Selectmen Report:

In explanation of this motion, Mr. Fox said that up until this evening he thought this Article was going to be voted upon. The problem has been getting together with the Planning Board, the Zoning Board and the Sign Review Board to agree on the language. With new members on some of these boards, there were also some new points of view that hadn't been brought up before. Therefore it was the consensus of all boards involved to postpone consideration of this article until next year, thus providing the Planning Board to review it with the Zoning Board of Appeals and the Sign Review Board and to re-write the entire sign process.

Finance Committee Report:

The Finance Committee supports the motion to refer.

Mr. Roger Davis of Lands End Lane spoke in opposition to the motion to refer, remarking he had heard some language last night about a "back door" and "pulling the wool over your eyes." There are 5 or 6 pages of this proposed article and no where does it tell us in there that if we were to pass this, we would lose the statutory rights that we now have. I think it was incumbent upon the Selectmen to have set that forth in the Town Warrant and they haven't done so. I have a question, "Why not?" The bylaw and the attempt to refer it to the Planning Board avoids the main issue. There are two issues. 1. Do we want to give our rights away to a board of so-called sign experts? We would not have the right to appeal to the Superior Court the way we do now. 2. Do we really need this and should we defeat the attempt to refer it to the Planning Board and meet this article squarely on its merits? The reasons for his opposition to the referral was the belief that the Town does not need another group of experts to help govern the administration of signs. Mr. Davis stated he was satisfied with the present situation with his rights before the Board of Appeals, but a little concerned about what the experts have done in Sudbury in recent years. Looking around you can see what has happened to Route 20...the stall and crawl of traffic, gasoline alley. What they have done is turn Route 20 from a small town into a mall town. Appoint a group of sign review experts and I suggest that we will then have Route 20 turned into a neon city. Mr. Davis suggested that this article be dealt with on its merits and the motion to refer be defeated.

Mr. Larry Blacker of Country Village Lane, a member of the Zoning Board of Appeals, supported referral of this article, believing that a Sign Review Board could do a much better job.

The motion to refer Article 22A to the Planning Board for further study was VOTED.

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ARTICLE 22B. To see if the Town will vote to amend the Town of Sudbury Zoning Bylaws, Article IX, by deleting in its entirety Section V.J., entitled "Signs"; or act on anything relative thereto.

Amend
Bylaws
Art. IX Submitted by the Board of Selectmen. (Two-thirds vote required.)
V, J
Signs

Chairman Fox of the Board of Selectmen *moved* to refer Article 22B to the Planning Board for further study.

Mr. Fox stated the reason for this motion was the same as for the previous one under Article 22A.

Finance Committee Report: See report under Article 22A.

Planning Board Report: No report.

The motion to refer Article 22B to the Planning Board for further study was *VOTED*.

ARTICLE 23. 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, land in Sudbury off Pratt's Mill Road shown as Tract 006 on Assessor's Map H06 at private sale, and to determine the minimum amount to be paid for such parcel; or act on anything relative thereto.

Sell Land
Off
Pratt's
Mill Road

Submitted by Petition. (Two-thirds vote required.)

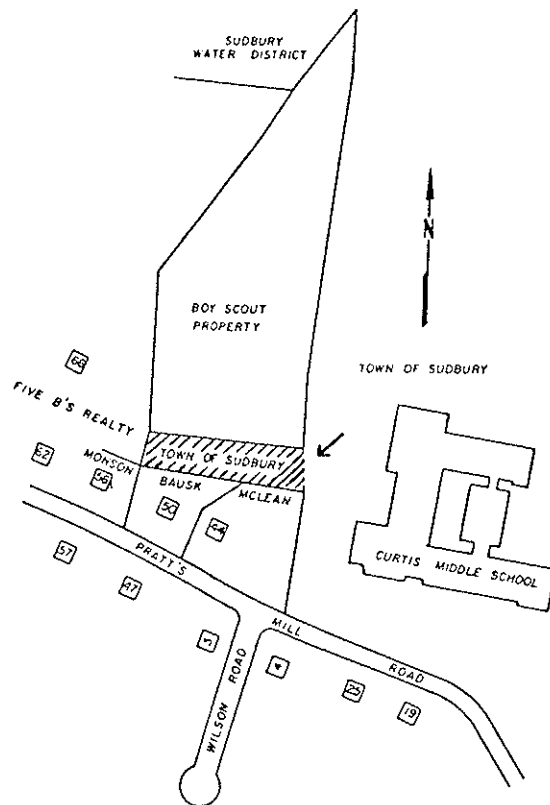
Mr. Michael Guernsey of Silver Hill Road *moved* to authorize and empower the Board of Selectmen to sell and convey, upon such terms and conditions as it deems necessary or desirable, land in Sudbury off Pratt's Mill Road shown as tract 006 on Assessor's map H06, at private sale, and to direct that the minimum amount to be paid for such parcel shall be \$15,000.

Mr. Guernsey explained that he made this motion on behalf of the Algonquin Council, Boy Scouts of America, owners of a land-locked parcel adjacent to the land owned by the town. He then asked the consent of the hall to allow Mr. Bob Denlinger, Council Executive of the Algonquin Council and a resident of Holliston, to address this meeting relative to the reasons this article had been presented.

With the approval of the hall, Mr. Denlinger made the following presentation. The Boy Scout Council, Algonquin Council, has requested this possibility of land sale for the purpose of making the parcel that the Boy Scouts have owned since 1938 a more valuable piece of real estate with which we could try to enter into negotiations for its possible sale. The Scout property is approximately 5.6 acres and landlocked. The Town of Sudbury owns a piece of land, which if the sale thereof could be negotiated with the Selectmen and the Boy Scouts, would allow us the opportunity to enter into negotiations and finalize accessibility to the property, and therefore make it a saleable piece of property. The Scouts' reason for wanting to dispose of their 5.6 acres is that it does not allow much of an opportunity to provide programming and the sale of it could be turned into a dollar asset that could be invested into the Council's Trust Fund or Endowment Fund, which would generate income. Such income would allow the Scouts to provide

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money in developing programming for the youth of Sudbury as well as the Algonquin Council. Such income would be perpetuated throughout scouting's history in that the Scouts would be selling an asset and putting it into an asset as opposed to spending it and allowing it to go out of existence.



Mr. Guernsey placed on the viewgraph a view of the lot of land in question, indicating it was .72 acres and under present zoning unbuildable. As to the value of it, he stated that there were two values, one intrinsic, the other beneficial. The Town Assessors placed the intrinsic value at approximately \$3,000. The beneficial value is to be determined by putting a price on its impact to the surrounding areas. To the Algonquin Council, this value is certainly more than \$3,000.

The Council's property of 5.6 acres is bounded on the west by a parcel owned by Five B's Realty Trust, which has access to Pratt's Mill Road by a 50-foot strip. The Town's parcel blocks any negotiation of an access to the south. The Council would like to maximize the value of their parcel. This can be done by authorizing the Board of Selectmen to negotiate a sale.

As to the benefits derived by the town, Mr. Guernsey believed the better question was "Why should the town not sell this land?" Not selling the land will not stop the eventual development of the Council land. The land has no practical value to the town as open space or otherwise. The land contributes nothing to the tax base. Once the Council's property is developed through some other access, the likelihood of anyone ever wanting to buy the Town land is nil. The land would probably remain off the tax base forever. In these times of municipal cash shortfalls, this sale would add a small amount of cash that could be put to better use. The town parcel has no impact on the number of buildable lots that could be created in the Council's parcel.

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There remains one last issue. The Sudbury Water District, which is a separate entity, is interested in acquiring the northern tip of the Council land by gift. They would like this so they would be able to maintain the required 400 foot radius from a potential third well in the area. Algonquin Council is willing to consider donating the land if everything else can come together. If the land is sold to some other interested party, there are no guarantees that someone would be willing to consider the Water District request. Although this Town Meeting has nothing to do with the Water District, most of us belong to the District. What happens to that small piece of land does impact us as residents.

This leaves us with setting the minimum price for the town land. Considering the cost of the purchase of a piece of land to the south and the gift to the Water District of a small piece, we have arrived at \$15,000 as a minimum. To set it higher could handicap any negotiations in determining a final price. I hope you will agree with those of us who petition for this article, to give Algonquin Council an opportunity to better provide programs to the area Boy Scouts by voting "Yes."

Finance Committee Report:

The purpose of this article is to permit the Town to sell certain land which is adjacent to land owned by the Nobscot Council of the Boy Scouts. It is the desire of the Boy Scouts to sell this landlocked parcel and it will, if joined with the land now owned by the Town, be readily saleable to a developer on the assumption that access to Pratt's Mill Road can be arranged. The land is of little value to the Town at present, being a landlocked parcel, and it was pointed out by advocates of the Article that, assuming a sale can be arranged between the Town and the Boy Scouts, the sale will serve the additional public purpose of facilitating the raising of money for the Boy Scouts. Recommend approval.

Board of Selectmen Report: (J. Frost)

The Selectmen support the sale of this land to the Algonquin Council. We have met with the Council, the Planning Board, Conservation and the Water District. We feel there is interest on a piece of property that at the present time has really no value. There is a value as explained before, that can benefit the Conservation, can benefit the Town and can benefit the Water District, if we negotiate a fair market value. We are using \$15,000 as a minimum and you can be assured that the Selectmen in negotiating the final market value for this property will take into consideration the Water District's desires, the Conservation and appraised figures as a piece of property that would be added to other property to make an intrinsic value for the Algonquin Council, as well as the town of Sudbury.

Planning Board Report: (T. Phelps)

The Planning Board voted not to support this article as it was originally worded. Our strong feeling is that the town has an excellent opportunity to help influence the future use of this small existing town land when it is combined with the Boy Scouts' property. We're very much in favor of working with the Boy Scouts to maximize the economic return on the land and to give the town, as a whole, a well-planned, fairly large subdivision next to Curtis School. It is our understanding that the Board of Selectmen basically agrees with us and will work with us in its discussions with the Boy Scouts. We feel that the Town will realize more than the minimum which is set by this article. It allows the Selectmen to move forward with these discussions with the cooperation of the other boards in Town. Therefore, the Planning Board does support this article now and looks forward to participating in its implementation.

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Conservation Commission: (J. Moore)

The commission has voted by majority vote to support this article with a proviso that the funds from the sale of this land will eventually be placed into the Conservation Fund. We understand from the Selectmen that they will be supporting us in that kind of activity. This land is potentially very valuable because it does "un-landlock" the Boy Scout land and we hope for a fair market value to be ascertained from this.

The Board of Selectmen were asked at this time what mechanism they planned to use to insure that a fair market value is obtained.

Selectman Fox responded by saying that they are not experts in the field, however their intention is to call upon the assessors to give an exact figure, and if they are uncomfortable doing that, experts will be hired for their advice.

The question was asked if it was the intention of the Board of Selectmen to sell this land to the Algonquin Council so that the Council may make a profit on the combined package or to cooperate with the Council on the sale of both parcels to a single developer.

Mr. Fox replied "The former and we intend to get a piece of the action."

Mr. John Powers commented as follows. The ultimate beneficiary of this sale of town land, which incidentally was given to the town, is going to be presumably the developer. If the land is only worth a small amount of money, why is it worth \$15,000 to the middle man? Are you not saying that you want to dispose of this piece of town-owned land by selling it to a developer through a straw? I don't think I ever recall this kind of proposition coming before this floor. While I'm glad that everybody will profit along the way, money being in short supply, I am curious what it's going to do to anybody that would like to think of giving some land to the town in the future. I'm a little curious how it sits with the two house owners, Bausk and McLean, where this is in back of them. Do I understand that there's some reason why the developer, should he buy just the Boy Scout Land, can't develop that lot? What is it he can't do without the piece of land from the town of Sudbury?

Mr. Fox explained that the Selectmen did not actively solicit bids for this land. The Boy Scouts approached the Board and asked them, candidly telling us that it was their intention to sell their land plus this piece owned by the Town of Sudbury to a developer, if we would sell it to them. We listened to their proposal and said that we would bring it before Town Meeting for the voters to decide whether or not they wanted to sell this piece of land. Town boards were contacted, such as the Water District, the Planning Board, the Conservation Commission, the Board of Health, the School Department, to see if anybody could use this. They all answered "No." We also checked with Town Counsel, who checked the deeds and saw that there were no restrictions, on the sale of this land. Finally, the Water District, agreed to our selling the land, but said they would be appreciative if the triangle at the top of the Boy Scout land, as part of the deal, could be transferred ultimately to the Water District to protect one of the wells in the area.

Mr. Powers repeated his questions. Why is it essential for the middle man, that is the Boy Scouts, to add that piece of town-owned property to the land that the middleman wants to sell to the developer? What is there about that particular piece of property that becomes so urgent and pressing that the middle man, the Boy Scouts, want to pay \$15,000 for it?

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Mr. Guernsey answered by stating that as the land sits right now, it does have a potential value to anybody who might own this piece and would be interested in developing a large parcel, having access through this 50-foot strip. The Boy Scouts are saying if they had the ability to negotiate access to the south, that it might increase the value of their parcel and allow them to realize a large cash value that they can put into their Endowment Funds. The Council's parcel has a potential access through the 50-foot strip owned by Five B's Realty Trust. Potentially they could have access to the south but the land the Town owns blocks any negotiation for any access to the south. The Council is asking the Town to authorize the Selectmen to enter into a negotiation for the sale of their piece of land so then the Algonquin Council could have an option of which way that land could be accessed from Pratt's Mill Road and they would be able to realize maximum value for their piece of land.

With further discussion, it was noted that the Boy Scouts had had discussions with Five B's Realty Trust and had actually had negotiations with the Trust in the form that there was an actual offer to purchase the Scout's property in 1984. The options in the original purchase offer expired in December of 1984 and there had been no negotiations or discussion with them since the original offer. Mr. Denlinger stated he was not aware of any current subdivision plan by the Trust to enter into negotiations with the Scouts, or any previous one either. The scouts tried to negotiate a whole package deal to generate some discussion on the entire parcel with the whole group of property owners, but at that point, Five B's Realty Trust was not interested in selling or developing its land.

Mr. Donald Oasis of Willis Road commented that it appeared odd the Algonquin Council was willing to invest \$15,000 in land speculation in Sudbury without having made a deal with Mr. McLean or Mr. Bausk, as the land will still be land-locked unless one of these two families sell access rights.

Mr. Guernsey noted that Counsel has talked to the McLeans, who are willing to negotiate for the possible sale of an access to Pratt's Mill Road if the Algonquin Council can buy the Town land. However, that is another separate negotiation.

Mr. Taft of Moore Road, in response to a question as to why this land was given to the Town, noted that Alton Clark's mother donated the land about 12 years ago. The reason being there was no use for the land and it was thought it might be of use to the town at the school location for perhaps tennis courts, or something like that. That was the intention, but it wasn't given to the School Department, as such. It was given to the Town. Mr. Taft stated that it was hard to believe the Boy Scouts are going to put up \$15,000, unless they're going to have a deal at the other end, to get out of it that says they're going to sell it. It's going to be some kind of a contingency arrangement. It's not going to be a cash deal. They're not in the business of speculating on land any more than we are. It seems that if you're going to sell this, a far fairer way to do it is to do it on some proportional shared basis, depending on for whatever the final value is when the properties are sold together. The Town should get some share that's agreed upon up front, instead of a number. I don't consider \$15,000 a good number. He noted .72 acres is the better part of a building lot. One other point he brought up was before the Town Meeting could even vote on a piece of land in the town, a vote is required by the Poard that has responsibility for it, saying they've released it. He then asked if the Selectmen, who are responsible for this piece of property, had in fact released it.

The Moderator asked Town Counsel if there has to be a release by the Board of Selectmen before this land could be sold and if the answer to that question is affirmative, does that release have to be done by formal action of the Board Selectmen prior to Town Meeting. Town Counsel answered in the affirmative to both of these questions.

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The Moderator then asked Chairman Fox of the Board of Selectmen if a formal vote had been taken to release the land, to which he responded, "I think it would be fair to assume that if we voted to concur in supporting this article, that we're also releasing our interest in..." In light of Town Counsel's opinion, the Moderator repeated his question to which Mr. Fox replied "No."

Town Counsel was then asked by the Moderator if this article was legally before the town meeting in light of his rendered opinions. Mr. Kenny replied, "Yes, I believe it is."

Mr. Taft then commented that everything had made sense up until then. It seems that we haven't followed the procedures specified by statute. The statute is pretty clear on this. If the vote hasn't been taken, then I think it's kind of moot to sit and discuss it. There's an awful lot of work to be done before they get to making a real set of transactions here, and I think we just ought to send it back to the Board and let them work on it with the Boy Scouts and make sense. It makes sense if it's done properly. Let's do it properly!

Paul Kenny, Town Counsel explained there are two specific statutes which relate to the transfer of land and the actual sale of land. The first one with respect to the transfer of land refers to land acquired for a specific purpose. In order to transfer that land, not only to someone else, but to even another town board, it requires a vote of the Board who acquired that land or it was in their control, to vote that it is no longer needed for the purpose for which it was acquired. He noted that Mr. Taft opined that the land was just given to the town because the people no longer wanted it or needed it, so there was no specific purpose. Therefore, that specific vote was not required. The other vote that is required is by the Board who is in control of the land, but it is no longer needed for that municipal purpose. Mr. Kenny then stated that it was his opinion that when the Selectmen voted to put an article in the Warrant to sell the land to the Algonquin Council that they in fact voted to sell that land and since it was in their control it is properly before the Town Meeting.

As a point of order, Mr. Taft noted that the Article was in the Warrant by petition and not by the Board of Selectmen. To this Mr. Kenny noted that the article was put in by petition but the Selectmen were approached by the Algonquin Council to, in fact, support the sale of the land and to sell the land. On March 11, 1985, they voted at the request of the Algonquin Council to support the sale of the land off Pratt's Mill Road.

The Moderator stated at this time that as the Town did not receive the land for any specific purpose, only a majority vote would be required to approve this sale, and not a 2/3rds vote, as printed in the Warrant.

Mr. Fairbanks of the Water District Commission noted that the triangular piece of land the Commission was interested in was of questionable value. It is the only land in the area which is good for prospecting. However, it is a very small area that could be used to prospect for another well. In order to place a well, the Water District would have to have a 400 foot circle. The reasons for the value of that diamond is that it actually cuts into that prospectable area by about 25%. It just reduces the amount of land where we could possibly put another well. Whether we do it, is questionable.

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Mr. Grathwohl of Stubtoe Lane expressed concern about hearsay information and thought that if the Board of Selectmen twelve years ago accepted this property, somewhere in their minutes it would say whether this property was accepted and whether or not there were any conditions under which it was accepted, thereby clearly indicating to the voters whether this action required a majority or a 2/3rds vote.

Mr. Grathwohl moved to table this article.

This motion received a second and was *VOTED*.

In accordance with the bylaws, a motion to adjourn to 8 o'clock p.m. on April 8th was received, seconded and *VOTED*.

Attendance: 248

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 8, 1985

The third adjourned session of the 1985 Annual Town Meeting was called to order by the Moderator at 8:10 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared a quorum was present. After a few preliminary announcements, the Moderator also announced his appointments to the Finance Committee whose terms would commence upon the dissolution of the Annual Town Meeting. The five appointees were: Helen Marie Casey, Stephen D. Ellis, John B. Hepting, Marjorie Wallace, and David Wilson.

Following, Mr. Michael Guernsey of Silver Hill Road made the motion to move to take from the table the motion under Article 23.

This motion, not being debatable, was placed before the voters and the Moderator declared it was *VOTED*.

A challenge was made on the Moderator's call of the vote and the hall was counted.

178 in the affirmative 92 in the negative Total vote: 270

The motion carried and the matter of Article 23 was taken from the table.

In an effort to clear up any confusion on this article that may have been caused at the previous session, Mr. Guernsey stated that he would like to briefly review some of the facts. At the Selectmen's meeting on March 11, 1985, the Selectmen voted to support Article 23. Town Counsel's opinion is that that vote of March 11th properly brings this article before this Town Meeting.

The Algonquin Council receives the majority of its operating funds from charitable contributions of individuals and foundations, a small endowment fund and area United Ways. The past several years have witnessed increasing demands by charitable organizations on the private sector as government support has steadily decreased. Algonquin Council has determined that in order to be able to better deliver Scouting programs to area youth it must seek to build up its own Endowment Funds and become more self-supporting. It is for this reason that Algonquin Council seeks to convert a small and non-productive parcel of land off Pratt's Mill Road into cash which would be placed in the Council's restricted Endowment Funds. The principal would remain in trust while the income would be used to support the Scouting programs of the Council.

The Algonquin Council has owned this piece of land, which it received as a gift, since 1939. Due to its small size, on 5.6 acres, the parcel is not useful for providing a Scouting program for Sudbury youth. In 1983 the Council investigated the possibility of selling the land and placing the proceeds in its Endowment Funds but was unable to secure any realistic offers. Unfortunately the Council's parcel is landlocked and the market value is significantly less, than would be the case, if an access to Pratt's Mill Road could be found. The town owns a parcel to the south that contains only .7 acres and under current zoning is a non-buildable lot. After reviewing this situation with its legal counsel and with neighboring landowners, the Algonquin Council decided it would like to enter into negotiations with the Town and other neighbors to see if an access to the south could be acquired and therefore maximizing the value of its parcel. The McLean's have indicated a willingness to enter into such negotiations. However, the town is not an individual and Town Counsel has informed the Algonquin Council that in order for the town to enter into any negotiations to sell town land, it is first necessary for Town Meeting to authorize the Selectmen to do so. Town Counsel stated further that it is necessary to establish a minimum price below which the Selectmen could not go. I ask you to look carefully at the wording of the article. It would authorize the town to "negotiate the sale". The sale by the Town is by no means a foregone conclusion. Should the parties be unable to come to an agreement, the Town would be under no obligation to sell the

parcel. "Authorized to negotiate" is not equivalent to "must sell".

There is no silent partner here. Although it has held discussions with more than one potential purchaser of its land, Algonquin Council has no agreement with any of them or with anyone else concerning the land. In no sense is the Council a straw, term used by one questioner in Wednesday's discussion. As we have clearly stated, the Algonquin Council's goal is to ultimately sell the land, but no agreements have been made to do so. The Algonquin Council feels that the intent of the original donor of the parcel was to benefit Scouting. The conversion to cash of this asset is providing the best means to accomplish this intent. By approving this article the Algonquin Council could benefit by improving the salability of its parcel, maximizing the return received for this asset.

The Town could benefit in much the same way, gaining maximum value for an otherwise miniscule and relatively useless piece of land. Given the size and location of the piece, this should be viewed by the Town as "found money" which could be put to a better purpose in some other way. The Water District could also benefit by obtaining through the negotiations, the small triangle at the north end of the Council's parcel.

In summary, this is a transaction in which the whole could be worth more than the sum of its parts to each of the parties involved and which requires the cooperation and participation of all. Recognizing this, Algonquin Council has been candid and open with all parties and is willing, and in fact enthusiastic, about using a cooperative effort to secure a result which will be favorable to all. I want to emphasize that no individual connected with the Algonquin Council has any personal financial stake in the outcome of these negotiations. Those of us who are involved as volunteers with the Scouts, feel that the Algonquin Council deserves support for these efforts. We ask you, as members of Town Meeting, many of whom have been associated with the Scouting movement as Scouts or parents of Scouts, to help us. In conclusion, I would ask only one question. If you individually owned the land and had no use for it, wouldn't you proceed in the same manner as Algonquin Council has? I am sure the answer must be "Yes."

Mr. Jeffrey Moore of the Conservation Commission noted that the Commission has re-addressed this article in light of these new facts and it still is unanimously in favor of it.

Considerable discussion on this article followed.

Mr. Fred Kobrick of Moran Circle commented that the only thing that disturbed him a little bit, in terms of the facts being brought out, is that part of the argument seems to be pitting the interests of the Boy Scouts against the interests of the Town. I would hope that we don't have to make it an either or situation. The Boy Scouts are a very deserving cause. On the other hand, there are things that the Town could be doing with the land and I don't want to see this end up being like motherhood and apple pie against all the bad guys who question the Boy Scouts. Maybe the Boy Scouts can realize the value of their land and still insure that in doing so none of the original values that people espouse for the town suffer deterioration. The basic question I have is if you transact the sale to the Boy Scouts, in the way that's proposed in this article, so that selling their land and giving them this money includes the town parcel and in doing that you involve the Three B's or McLean, for somebody who fronts on Pratt's Mill in this transaction, how easy is it to rezone or alter the zoning so that you can get stores or a gas station if McLean or Three B's wish to do that.

Mr. Kenny, Town Counsel, stated that no land can be rezoned within town without going to the Planning Board and having a public hearing and getting 2/3rds vote at town meeting. In addition, the Selectmen could also negotiate a restriction if the property was transferred so that property could never be used for a commercial purpose.

Selectman Frost stated that the Board of Selectmen have discussed this article several times since last Wednesday. It still supports the Scouts in their desire to get the best amount of money that they can for this piece of property. We realize that they will sell it one way or another. In order to make sure that the town is benefited and the town is protected in our negotiations, which start with a minimum of \$15,000, we will be discussing a restriction in the deed that this land remain residential. That should allay any fears you people have and I think it will protect the Boy Scouts, it will protect the neighbors, and it will protect the town.

Donald Oasis of Willis Road asked if someone would address the implications of when this land is sold or promised to the Scouts, who are the various boards in town who then will deal with this matter as to the giving of the McLean land and the giving back of the town's land or the Scout's land to the McLean's? Who will deal with this matter and what pressures will be brought to bear on them by the vote of this Town Meeting?

Mr. Kenny responded by saying that the two apparent boards having anything to do with this land after the vote of Town Meeting would be the Board of Selectmen, who would negotiate the terms and conditions of the sale, and the Planning Board under the Subdivision Control Law, who would regulate the subdivision as it was approved. If there are any wetlands, potentially, the Conservation Commission may also be involved. He was not able to tell from the plan presented if there were any wetlands involved.

The Moderator, for the benefit of those voters who were not present at the Wednesday session, explained that the vote required to carry this motion was a majority vote. The Town Counsel ruled that the 2/3rds vote stated in the Warrant is now "turned out", not that it was an error when put there, but because of the way the land was given to the town, it now only requires a majority vote to transfer it.

Mr. George Hamm of Mossman Road asked Town Counsel to clarify his statement that putting a road across the McLean property would be a matter between the Algonquin Council and McLean alone, and not a matter of the town. He asked how do you make a non-conforming lot out of a conforming residential lot without involving the town?

Mr. Kenny replied that he could not tell from the plan shown in the Warrant whether that would make a non-conforming lot or not. It has no dimensions so that it would be impossible to make that determination. What I have heard was that an easement would be requested across that lot. If an easement were requested, then ownership would remain with the McLean's and the property would not be non-conforming.

Mr. Hamm replied that he didn't believe the town would build a town street on an easement and then asked Town Counsel if he would state who did give these two pieces of property to the town.

It was noted by Town Counsel that the property the town owns was given by the Clark Family and the piece that the Algonquin Council has was given by the Parmenter family.

Joseph Bausk of Pratt's Mill Road speaking for his in-laws, the McLeans, and himself stated that they were in favor of this article. The Boy Scouts have done a great deal of good and they can realize a much better profit by having the access to Pratt's Mill Road from this property.

The motion under Article 23 was *VOTED*.

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At this time an update on the "2½ Surplus Fund" was presented by the Chairman of the Finance Committee. The amount in this Fund was stated as being \$172,762. This consisted of \$145,768 in Free Cash and \$26,994 from Unspent Articles. As for the Blue Cross/Blue Shield contract and Free Cash, a 1970 ballot question set the amount which the Town would contribute towards an employee's policy at 75%. Only a ballot question, not Town Meeting, can alter that percentage. Next year negotiations will take place with the Police, Fire and Highway Departments for a new contract effective July 1, 1986. It was hoped that a less costly health insurance contract could be negotiated, but the local schools do not negotiate until the following year, and this could be a very powerful negotiating tool for them. The Chairman commented that there was no way of knowing what, if anything, would have to be given up to achieve the health insurance package that the Finance Committee wanted. The Free Cash, on July 1, will be certified by the Town Accountant as \$319,000, plus those monies not spent from the "Prop 2½ Surplus Fund". It was stated that \$319,000 will be a very small amount of Free Cash for the next year, considering the anticipated loss of revenue, as follows:

1. Probable loss of Federal Revenue Sharing.
2. Much less new construction.
3. Lincoln Sudbury's \$140,000 windfall from the state this year.
4. Negotiations with three unions. If the town continues to negotiate 5 & 6% increases, we will have to make large reductions in other areas to meet the "2½" limit and obviously large reduction in services.
5. The possibility of a very large assessment from the county because of the town's unfunded Retirement Fund liability.
6. Repeated warnings from the State House that cities and towns should expect greatly reduced revenue from both the State and Federal Governments.

The Finance Committee does not believe it is in the best interest of the town to spend all of the Surplus Fund because of these uncertainties, coupled with the probability that we will need at least some of the \$100,000 which was cut from the Blue Cross/Blue Shield account to meet our contractual obligations.

ARTICLE 24. To see if the Town will vote to amend the Sudbury Zoning Bylaws, Section IX, V, B, Off-Street Parking, by deleting paragraph Amend by-laws numbered 1 thereof, and substituting therefor a new paragraph numbered 1, to read:

Art. IX, V, B, 1

Off-Street Parking "Retail stores, shops for custom work, consumer service establishments, offices, and banks --- at least one Off-Street Parking Space for each 180 square feet of gross floor area.";

or act on anything relative thereto.

Submitted by the Planning Board. (Two-thirds vote required)

Mr. Thomas Phelps of the Planning Board *moved in the words of the Article as printed in the Warrant.*

Planning Board Report: (T. Phelps)

During this past year, with the help of outside consultants and with the assistance of Lee Newman, Sudbury's new Planning Administrator, the Planning Board has had more time to face the major issues which we feel concern the town -- control of development, management of traffic and safety, and an approach to more complete town planning. The board has a renewed feeling that it's not really too late regarding the development of the town. The town has seen a surge in commercial development, that is not necessarily disastrous, if it is controlled. There are things we can do as a town to insure that controls are in place. The board will

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attempt during this year to review the full Zoning Bylaw, put controls in place and protect the best interests of the town. Meanwhile, several items have been identified which we feel deserve immediate attention. First, Article 24 requires that offstreet parking facilities be included with newly-erected and substantially altered buildings. The purpose of this is to meet immediate requirements and also to more adequately provide for future demand. Specifically, we are changing the first paragraph. Currently we require one off-street parking space for every 180 sq. ft. of gross floor area on the ground floor and one space for every 900 sq.ft. on floors above the ground floor. This article, if amended, will require one space for every 180 sq. ft. of gross floor area, including basement, second floor, and first floor. The current bylaw was enacted when the primary usable space in commercial buildings was located on the ground floor. The spirit of the bylaw is clear, it intends to assure that adequate off-street parking is provided on commercial sites. Recently we have seen a number of new buildings with totally unusable second floors and basements. We have seen one-storey buildings expanding into second floors. The effect is that inadequate parking is being provided. The intent of the bylaw is being circumvented. The effect on the town is that sites are being over-built and parking along with its related access and egress traffic snarls, is becoming a problem along Route 20. We're suggesting that the law be strengthened so that any new construction will provide adequate parking and therefore be more in keeping with the original intent of the bylaw. Since commercial development normally takes place to the maximum extent possible by law, this bylaw change will effectively decrease the amount of gross footage buildable on a site by ensuring that adequate parking is provided. We feel this is a step in the right direction and that it is in the best interests of the business people in the town as well as the residents who are their regular customers.

Finance Committee Report: The proposed article would assure adequate parking for patrons and employees of new commercial establishments. One parking space per 180 square feet of floor space is a recognized standard. Recommend approval.

Board of Selectmen: (A. Donald)

The Board of Selectmen unanimously supports this article.

UNANIMOUSLY VOTED: TO AMEND BYLAWS, ARTICLE IX, SECTION V, B, 1, OFF-STREET PARKING, BY DELETING PARAGRAPH NUMBERED 1 THEREOF, AND SUBSTITUTING THEREFOR A NEW PARAGRAPH NUMBERED 1 TO READ:

"RETAIL STORES, SHOPS FOR CUSTOM WORK, CONSUMER SERVICE ESTABLISHMENTS, OFFICES AND BANKS - AT LEAST ONE OFF-STREET PARKING SPACE FOR EACH 180 SQUARE FEET OF GROSS FLOOR AREA.";

ARTICLE 25. To see if the Town will vote to amend the Sudbury Zoning Bylaw, Amend bylaws Article IX, IV, Intensity Regulations, Section A, General Requirements, by adding at the end thereof the following paragraph to be numbered by the Town Clerk:

Art. IX, IV, A

Intensity Regulations

Lot Perimeter

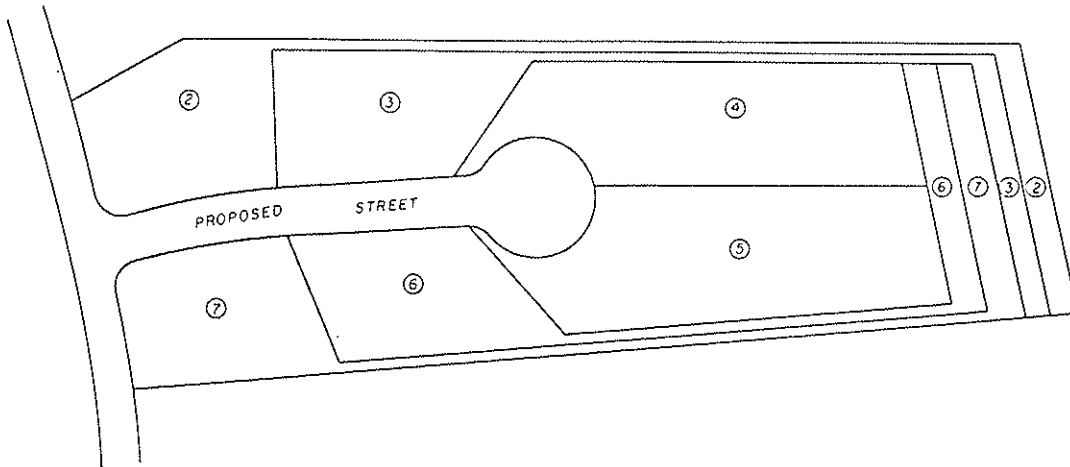
"Lot Perimeter

In all districts any lot created after the adoption of this bylaw shall have no more than one foot of perimeter for every 40 square feet of lot area and shall not be less than 50 feet in width in any location within the lot except in a portion of the lot where two lot lines meet at a point. Any lot created before adoption of this bylaw and conforming to then applicable requirements shall be considered a conforming lot for purposes of this zoning bylaw.";

or act on anything relative thereto.

Submitted by the Planning Board. (Two-thirds vote required)

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Mr. Hannoosh of the Planning Board moved to refer this article back to the Planning Board for further study.

In support of this motion, Mr. Hannoosh stated that the town faces a relatively serious situation in the development of residential property by developers who propose strange-shaped lots which really are not in the spirit of what we feel make good developments. We had proposed the bylaw and upon reasonably in-depth study it appeared that it was actually too restrictive to some of the developers who we feel are trying to do a reasonable job in the town. The definition as printed in the Warrant actually restricts some reasonable lots.

Because of the increasing development in the town, there is a scarcity of land, which pressures developers to be creative in the choice and design of their lot geometries. The present bylaw is extremely flexible. An abuse of the spirit of the law is really a regular occurrence. The Planning Board is charted to help control the development of the town. We are starting to see very strange looking lots being proposed in subdivisions. When people present these, we believe some further degree of control is necessary. To further explain, Mr. Hannoosh showed a group of lots that were made conforming, in terms of minimum area of the lots yet still giving them a frontage on the street, by providing them with small narrow paths on the back of everybody's lot down into another area which adds to the particular parcel involved. This problem is exacerbated by the 40,000 sq. ft. lot. For the larger lots, it isn't too much of a problem, but for the small lots, it's really a problem.

The Planning Board's approach was 1. Try to propose something that we considered reasonable; 2. Tighten the bylaw; 3. Restrict to some degree lot geometry; 4. Still allow the appeal process which is required by law; 5. Preclude any existing lots which might not be conforming; and 6. To write a bylaw so that any lot shape was allowed, in that it didn't have to be a standard shape, it could be a rectangle, triangle, or a multi-connected shape. This is a perimeter article. It relates the amount of square feet to the length of the perimeter.

Now, what's wrong with the Article? Several of the developers in town have pointed out that there are some conditions that are not allowed which make reasonable lots. The decision of the Planning Board, even up until tonight, was to maybe leave this in, but then it was decided, in fairness to the developers, to reconsider the lots, or the wording of the article, so that it treats people more fairly. For example, if you have a 300' sq. lot and put a little tail on it, it's probably a reasonable lot, but it is not conforming to the proposed bylaw, therefore

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requiring the developer to go through the Board of Appeals. It is these types of things with which the Board is trying to deal. As the Town Engineer, Jim Merloni, pointed out this evening, if you put a little corner on a lot, which is not an unacceptable lot, it just makes it not conforming with what we have. For these reasons, the Planning Board is going to refer this article for further study. It is very concerned about this article and the Board will most likely be back next year trying to propose something it considers fairer, but also tightens up what we think is a problem in the Town.

Finance Committee: (M. Wallace)

The Finance Committee agrees with the proposal to refer back.

Board of Selectmen: (M. Fox)

The Selectmen unanimously support the Planning Board in their desire to study this article further.

Mr. Joseph Klein of Stone Road commented that unfortunately by inserting this article in the Warrant and withdrawing it, the Planning Board has served notice to all developers "Hurry up and register before next year."

Mrs. Judy Cope of Plympton Road asked the Planning Board if they are obliged to approve a developer's plan, such as was shown on the viewgraph, or can it be turned down based on the intent of the Bylaw? Secondly, why do we keep coming to Town Meeting thinking we have a solution to the problems we are experiencing in town, only to have this type of article withdrawn because it has some quirk in it that doesn't work for everyone? Why aren't these things ironed out long before we get here?

Mr. Hannoosh explained that it bothered him also. As to the Planning Board's obligation, presently they must approve subdivisions such as depicted.

Mr. Sorett of Longfellow Road spoke in opposition to the motion to refer stating that for far too many years, this town has attempted to "close the barn door after the horse has gone out."

Mr. James Houston of Dutton Road speaking to defeat the motion to refer, stated that this particular article had received a great deal of attention in the press and in discussions in the town this past year. It is important that the issue be brought before the town to vote on, not the issue of referral. He further commented that the reason we have an Appeals Board is to deal with the very "unusual circumstance" when there is some minor variation to the requirement. It may take it out of the hands of the Planning Board, but there is still an Appeals Board.

Mrs. Joyce Fantasia of Willard Grant Road received an answer in the affirmative from the Moderator when she asked if the Planning Board could come up with another article next year to further clarify their position, as they're not totally happy with this article.

Mr. Hendrik Tober of Ames Road, speaking to defeat the motion to refer, commented that half a loaf now is better than the whole one next year.

After several others spoke to defeating the motion to refer, Mr. Hannoosh of the Planning Board moved to withdraw the motion to refer. This motion was VOTED.

Mr. Hannoosh then moved in the words of Warrant Article 25.

Planning Board Report:

Speaking for the Committee and in support of this motion, Mr. Hannoosh noted that this bylaw will prohibit many lots. You should realize that. It does allow many things also, such as pan-handle type lots. The Planning Board obviously has mixed feelings on this one and I request that you support it. It will give us some teeth.

John Powers of Peakham Road, who spoke earlier in support of referring this article, made the following comments. We've had a lot of humor tonight as we've stumbled forward in regard to an article which is zoning. It sounds marvelous and we hear about how all those nasty developers are going to do all those awful things to everybody and most of us who don't like that kind of developer nod and say "Well I couldn't care less about him." I understand that, but you're passing a zoning bylaw that affects a lot of property in this town that is not owned by developers, a great deal of it. If you will look at the motion on the board the first thing the Planning Board started out by doing was to change that from the way it appears in the Warrant. They started out by exempting Business, Limited Business, Industrial and everything else except the property that lies in the Residential District. Here we have a board that has an article so good that when they come up they make a major change in it without bothering to tell you why. That's significant. I think you should read your Warrant carefully and see what's happening. In my opinion, if anybody thinks this is going to create a big problem for developers with large amounts of land, they're wrong. Most developers with enough money, engineering, and space can generally work out what they want. So, who's really getting nailed here? It's the resident who now owns some extra land -- the family that has held onto that extra acre or acre and a half as an investment to help put the kids through college or to help in retirement. This proposal is a dagger aimed at their heart and their wallet. Land was created by God without the assistance of the Planning Board. Ledge, soil conditions, topography, all of these were His doing in the beginning. Lots or ownerships in terms of location and size were created by people who've lived here in Sudbury over the last 350 years almost. Original lots were tied into agricultural pursuits, farmland, pasture, and so on. That land has been bought, sold and traded by the legions before us. The concept of nice, tight, little square lots neatly two-dimensional has been suggested as the right way to overlay on the old tapestry of existing lots that you have in town. There are hundreds of property owners in this town who own the left over bits and pieces of irregularly bounded lots. These people paid for them, paid taxes on them and maintained them. I don't refer to those who own 50 acres or more. I refer to those who own that extra acre or two. This proposal is threatening these people. Anyone whose irregular lot which now complies with the hundreds of rules and regulations for zoning, health and otherwise and are otherwise saleable or buildable are threatened with their loss. This is not a small threat given the going price of \$70,000 per lot and up currently being paid in the town of Sudbury. In effect, what this bylaw would do is to change the minimum lot dimensions of the bylaws without any notice to anyone that such a thing was the case by creating a maximum lot perimeter. I saw the buzzword up there. It's called "lot geometry". Well, "lot geometry" makes a whole heck of a lot of sense when you've got a piece of land that has all of the required frontage, more than the required acreage and happens to be bounded by what used to be Farmer Brown's wall on one side, a ridge of land on the other, ledge on the other or a brook on the third. Now, everytime this sort of proposal is made, which threatens land values in this town, it creates instability, which in turn creates panic, which in turn creates land sales, which in turn creates building lots. So, instead of the land being held and slowly released, it gets dumped. We've been through this every single time in this town we've tried to do it. I've watched it for 30 years, and it never changes.

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Let me ask you. They have a nice name for these lots. They like to call them "rat-tail" lots. That's marvelous. "Dog-leg" lots. They have such unpleasant connotations. Let me ask you, whom am I hurting if I wished to establish an irregularly shaped piece of land on my property, intending to set aside a lot for myself, or my children, on the rear of the lot where the percolation is good, and I wish to have my private driveway located on a wooded neck of my lot? Is that not my business? My home will be where it is because of the geology of the lot and the Board of Health requirements not because of the geometry of the lot or its shape. There is absolutely no problem of public health and safety involved in this at all, and those are the bases upon which the Planning Board and all planning operates. Why must I minimize my lot size to conform with these preposterous perimeter requirements? Why must I torture the lot regardless of the topography and the natural beauty of the land itself? Why must I be forced to start thinking how to maximize my lot area by minimizing the perimeter? Heaven forbid that I start having to plan a circular lot to get the maximums. Whatever happened to common sense and whatever happened to fairness or concern as to what such a proposition would do to your neighbors, not to the big developer, but to the people I'm talking about - the hundred of them in this town? I doubt the Planning Board has even the slightest idea at this stage in the game how many ownerships in this town could be adversely affected by this atrocious proposal. I know that they gave very little notice to those whose property would be affected because you'd have to be a Philadelphia lawyer or a civil engineer to read the Warrant and figure out what it was going to do to you. I know from reading the Warrant that we don't have the Planning Board report until tonight and I don't think it was exactly glittering. Here we are now all of a sudden going to stumble backwards into it. That's why I was in favor of their withdrawing it, to go back and get some time so that they could iron something out so that you wouldn't affect this large number of people.

Let me ask you some of the fun questions? What happens to the Town Engineer and the Assessor's workload if this were passed. Lot lines were tightened and a thousand little bits and pieces of land left over appeared all over the town's surface? Or, if those thousand little bits and pieces were let go for tax title to grow up in scrub growth areas and sit as a fire hazard to anyone with a match. To whom would the town convert these into money once they came to them through the tax process, when no one would buy them for fear of rendering their lot illegal by adding perimeter to it? In the name of fairness and common sense, I urge the defeat of this article.

The Planning Board will look at it again next year if you defeat it. Let them have the time to devise the controls that will work without destroying the people I'm talking about. The spirit of the Zoning Bylaw of this town was never one that had a fetish about nice neat square little two-dimensional boxes. When zoning was passed in this town, when you brought such a proposition before the agricultural people that were here then, they would have laughed you out of the Town Hall. I submit that you sit there and just think about it. If you have a lot that has adequate frontage, but it's shaped like a gourd and at some point down the neck of that gourd it is 49 feet across instead of 50 feet across, even though you've got 4 times as much square footage as you need, you've just lost that lot. What happens if you're by a brook, as I am, or you have ridges or forests? Who takes care of these extra pieces of land that will be excessed as we force the creation of these nice neat little lots? Who takes care of maintaining the beauty of the land and the topography? Who's responsible for it? Think about your own lot. Wonder how many square feet you have. God didn't give us lots this way. They came down through the years. I pray that you send this article back to this committee.

Mr. Henry Sorett of Longfellow Road commented that the rate of development has gone too fast and there is a need to slow it down in order to control it. Although this article may not be perfect, it is a step in the right direction to start controlling the rate of development, if we are going to have anything to examine in the future. There is a need to close the barn door before all the horses are out. If there happens to be a specific parcel of land which is irregular because of some unusual circumstances of topography, that's why we have a Board of Appeals. It is designed to protect the very people whom Mr. Powers indicates exist in such great number. People with legitimate exceptions get their variances - that's what the variance procedure is all about. With this article we can make a clear statement to the town, to the administrators of the town and to ourselves that it is time to control the rate of development. It's time to take steps.

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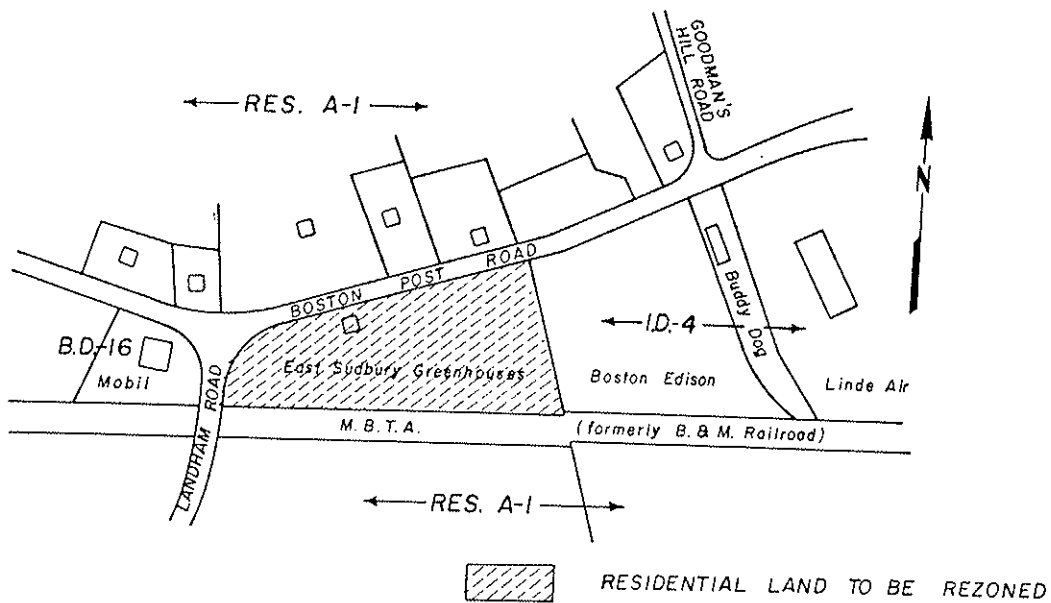
Following further discussion the vote was taken and the motion under Article 25 was *UNANIMOUSLY VOTED*.

ARTICLE 26. To see if the town will vote to amend Art. IX of the Sudbury Bylaws (Zoning Bylaw), Section II, C, by adding a Business District No. 17 consisting of a portion of Parcel No. 012 on Assessors Plate K10, more fully described as follows:

Amend Bylaws
Art. IX, II, C.
Create BD #17
(Route 20/
Landham Road

Beginning at the northwesterly corner thereof at the intersection of the Boston Post Road and Landham Road; thence northeasterly by the southerly side of Boston Post Road 700 feet more or less to land now or formerly of Boston Edison Company; thence southeasterly by said Boston Edison Company land 430 feet more or less to land now or formerly of the Boston & Maine Railroad; thence westerly along said Boston & Maine Railroad land 800 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. (Two-thirds vote required)

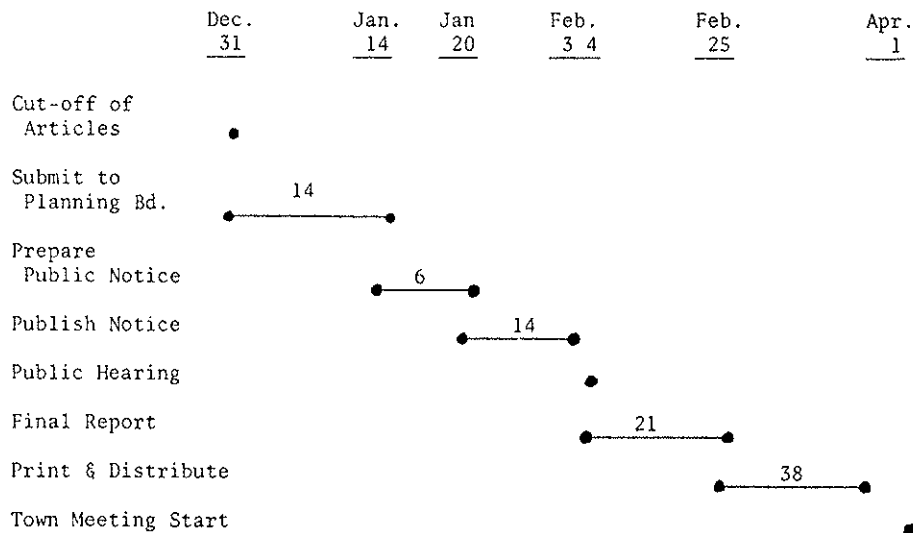


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The Moderator announced that he had been advised by Town Counsel that the General Laws, Chapter 40A, Section 5 precludes consideration of this article unless adoption of the proposed amendment to the Zoning Bylaw is recommended in the report of the Planning Board. There being no report by the Planning Board indicating a favorable recommendation, the Moderator ruled to pass over Article 26.

Mr. Russell Kirby of Boston Post Road, having previously requested time to speak on this article, made the following statement: The ruling of the Moderator not to consider Article 26 at this Town Meeting is certainly a proper one. Had the circumstances surrounding this article been generally understood by all interested parties, much frustration, some expense, and a great deal of effort might have been avoided. My reason for addressing this article now, is to call attention to the fact that continuation of the current procedures for preparing the Warrant invites a repeat of the same dilemma at some future time.

TOWN MEETING WARRANT PREPARATION
(Zoning Articles only)



April 8, 1985

Chapter 40A of the General Laws of the Commonwealth specifies several time requirements that must be observed from the time a zoning article is submitted until it is acted upon. It also requires the final report from the Planning Board recommending approval for a zoning article to be considered within two years after being unfavorably acted upon. This year the Warrant went to press on the day the Planning Board conducted its required public hearing on this article. This left the legal status of Article 26 unclear until tonight. It is my contention that a well-defined procedure for submission and review of all zoning articles, with appropriate time constraints clearly specified, should be incorporated into the town general bylaw without further delay. A December 31st cutoff, would have allowed each step in the review process to have been completed in sufficient time for the article to have been removed from the Warrant before it was printed. I therefore request that the Board of Selectmen and/or the Planning Board prepare such a bylaw to be acted upon at the next Town Meeting. I offer my assistance to either or both boards to revise the present procedure, and I ask for the support of the voters in this town, in advance, to enact such a bylaw when it is presented.

ARTICLE 27. To see if the town will vote to amend the Sudbury Bylaws Article V, Public Safety, by adding at the end thereof the following new section to be numbered by the Town Clerk:

Amend Bylaws

Art. V "Driveway location. No driveway or other access to a public street shall be constructed or altered at the point of intersection with such street unless a written permit is first obtained from the Town Engineer. No building permit shall be issued for the construction of a new building or structure unless such access permit has first been approved.";

Public Safety: Driveway Location

or act on anything relative thereto.

Submitted by the Planning Board.

John Dobrinski of the Planning Board *moved to amend the Sudbury Bylaws, Article V, Public Safety, by adding at the end thereof the following new section to be numbered by the Town Clerk:*

"Driveway Location. No new driveway or other new access to a way shall be constructed at the point of intersection with such way, unless a written permit is first obtained from the Town Engineer. No building permit shall be issued for the construction of a new building or structure unless such access permit has been first approved. The Town Engineer shall use the standards contained within the 'Highway Design Manual' by the Commonwealth of Massachusetts Department of Public Works and 'A Policy on Geometric Design of Rural Highways' by the American Association of State Highway Officials, when issuing said access permit. The Board of Selectmen shall adopt, and from time to time amend, rules and regulations not inconsistent with the provisions of this bylaw or the General Laws, and shall file a copy of said rules and regulations with the Town Clerk, said rules shall prescribe as a minimum the size, form, contents, style and number of copies of plans and the procedure for submission and approval of the access permit.

Planning Board Report: (J. Drobinski)

You'll notice the wording of the article has been changed. This came about subsequent to the printing of the Town Warrant to incorporate suggestions of the Finance Committee and additionally to clarify certain technical aspects of the article. The principal changes make the proposed bylaw only applicable to new construction. It allows the Selectmen to set out specific criteria for the approval process. The prime intent of this article is to promote public safety by controlling the location where driveways and town ways meet, and to allow the Town Engineer to eliminate any potential and unnecessary traffic hazards within the town. This article comes before you at the suggestion of the Town Engineer. Earlier in this town meeting you voted to fund intersection improvements to help eliminate certain traffic hazards. This article continues that process. The

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Planning Board feels that the point of intersection of a driveway should be sited by sound engineering principles which include adequate sight distances and not by chance. By so doing, traffic related problems will be reduced. (To emphasize this point, Mr. Drobinski presented to the voters several slides demonstrating this need.) The Planning Board strongly feels that approval of this article will help to eliminate one aspect of traffic hazard in Sudbury. This article is a reasonable request on the citizens of Sudbury to help minimize traffic problems. Article 27 applies only to new construction, and it allows the Town Engineer to issue driveway permits based on sound engineering practice and the rules and regulations as set forth and amended by the Selectmen.

Finance Committee Report: (C. Gentile)

As noted in the Warrant, the Finance Committee originally opposed this article. However, the Planning Board went back and amended it and removed objectionable aspects such as residents requirements to obtain a permit for repaving or even re-sealing their driveways. These sections have been removed and the Finance Committee is unanimously in favor of the article as amended.

Board of Selectmen: (A. Donald)

The Selectmen are in favor of this article.

The motion under Article 27 was *VOTED*.

ARTICLE 28. To see if the town will vote to amend Article IX, Section I, Sub-section E of the Town of Sudbury Zoning Bylaw entitled Amend Bylaws "Certain Open Space and Educational Uses", by deleting the first sentence of the first paragraph and substituting Art. IX, I therefor the following:

Certain Open Space &	"The use of land and buildings thereon for a playground, picnic ground, for educational purposes or recreation field, or for private nursery school/kindergarten or specialty school, shall be allowed in any zone of the town, provided that a permit has first been issued for such use by the Board of Appeals.";
Educational Uses	

or act on anything relative thereto.

Submitted by the Planning Board. (Two-thirds vote required.)

Planning Board Report: (M. Meixsell)

Mr. M. Meixsell of the Planning Board made the motion under Article 28. In support of this motion, he stated that this article proposes changes in the Zoning Bylaws, which address the uses allowed in various zoning districts and the techniques for implementing such uses. Prior to last year, the procedure specified for accomplishing these uses was: first obtain site plan approval from the Selectmen, then obtain a use permit from the Board of Appeals. Last year's Town Meeting changed the procedure so the applicant was allowed to decide which he would seek first, the site plan approval or the use permit. This was done, as the preparation of a site plan can, in some cases, be expensive. Therefore, it is to the applicant's advantage to seek a use permit. If that's rejected, then there's no point preparing a site plan. Since last year's Town Meeting, it has been discovered by the Board of Appeals that the original procedure is also required on an earlier section of the bylaws, "Certain Open Space and Educational Uses." Inadvertently, this latter section was not revised. In order to make the latter section consistent with the amended section, an equivalent revision is being proposed by this article. The proposed change will allow the applicant to decide which approval he wishes to seek first. The Planning Board supports this article and recommends its approval.

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Finance Committee Report: (C. Gentile)

The Finance Committee recommends approval of this article.

Board of Selectmen: (M. Fox)

The Board of Selectmen concurs with the Planning Board report.

The motion under Article 28 was *UNANIMOUSLY VOTED*.

ARTICLE 29. To see if the town will vote to amend the Zoning Bylaw, Article IX, II, C, by extending the southeasterly boundary of Limited Business District No. 6 to Raymond Road, as shown on a plan drawn by the Town of Sudbury Engineering Department, dated February 28, 1985, on file in the Town Clerk's Office, and described as follows:

Amend Bylaws
Art. IX, II, C

Extend LBD#6
Raymond Road
Access

Beginning at a point on the westerly sideline of Raymond Road, said point being the property corner between land of the Sudbury Water District and land N/F of Vana; thence southwesterly along Raymond Road 125 feet to a point; thence northwesterly, crossing land of the Sudbury Water District, 200 feet, more or less, to a point on the southerly property line of land N/F of Vana, said point being 200 feet distant from Raymond Road when measured along said property line; thence easterly along said property line 150 feet to a point, said point being the southeasterly corner of Limited Business District No. 6; thence northeasterly along the southeasterly boundary of Limited Business District No. 6, 100 feet to a point; thence southeasterly, crossing land N/F of Vana, 62 feet, more or less, to a point on the westerly sideline of Raymond Road; thence southwesterly along Raymond Road 75 feet to the point of beginning;

or act on anything relative thereto.

Submitted by the Board of Selectmen. (Two-thirds vote required.)

Mrs. Donald of the Board of Selectmen *moved* to refer Article 29 to the Planning Board for further study.

In support of this motion, Mrs. Donald stated that the Planning Board had not had enough time to study the implications of this article. The Selectmen agreed. Therefore they have asked that it go back to be looked at in the context of the entire Master Plan update of the Route 20 area.

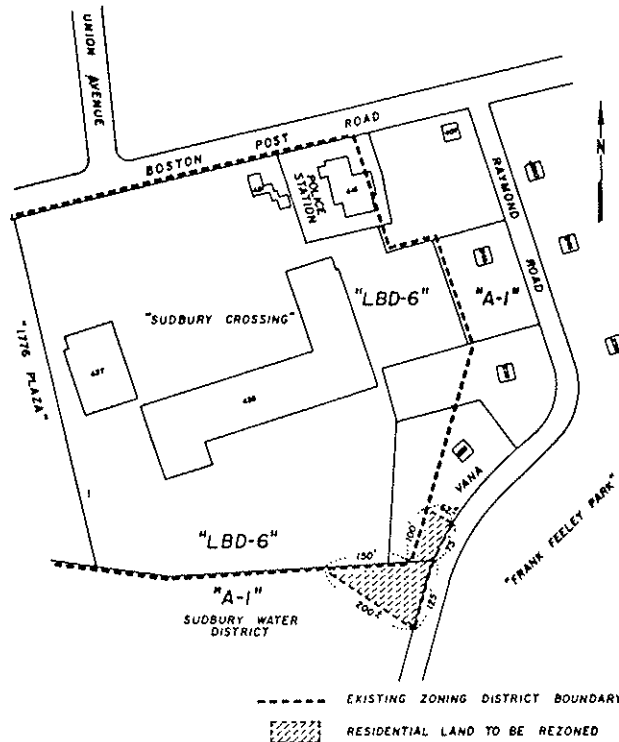
The Moderator at this time explained that a motion to refer a zoning article has the same effect of not being unfavorably acted upon by the town. It means that anyone may bring this article back next year, if it is merely referred. It also means that even if you defeat it with unfavorable action, the Planning Board, with a favorable report, could still bring it back next year. That is the law, as I am advised by Town Counsel.

Finance Committee: (G. Orris)

We've reviewed this article again and the motion to refer. We are opposed.

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Mr. Roger Davis of Lands End Lane addressed the hall to speak in opposition to this motion. Article 29 and all that has surfaced are eleven (11) years old. This problem arose eleven (11) years ago at a Town Meeting in 1974.



At that time we had on Route 20 the Bonnie Brae Golf Course, owned by Mr. Frank Vana. Prior to the Town Meeting of April 1974, he desired to rezone that from residential to limited business, meeting with some opposition at that time, because there was a proposed road from Nobscot Road to Raymond Road. In order to temper that opposition, he wrote his now famous, or infamous letter that I won't bother reading. To merely summarize, he represented to a number of the residents of South Sudbury and promised them, that he would take that small strip of land that you see on the plan next to the Sudbury Water District parcel, and create a conservation easement so that afterwards it would take, in his words, an act of God to run a road from Nobscot to Raymond Road. Not only did he write that letter, but he appeared before this Town Meeting of April 1974 and submitted a report orally and in writing. I am taking it right out of the minutes of the meeting: "In order to give added strength to my no road commitment I have re-drawn the original boundary line of the zoning request 50 feet in the westerly direction from its previous point of meeting at Raymond Road. I will extend the deeded Conservation Easement to the Town of Sudbury. This zone will keep the land involved in its natural state restricting all structures, roadways, parking lots, etc." We know now, having read the Middlesex News of January 22nd of this year, that this was never done. When this was called to our attention, the very next day, I called Mr. Thompson, the Executive Secretary, having read in the newspaper that the Selectmen had now proposed Article 29 to put in the access road through the prior conservation strip. I brought this to his attention. I sent him a copy of Mr. Vana's letter. We asked for and had a hearing early in February. We brought to the Selectmen a copy of the minutes of the meeting of 1974 and asked for their assistance. We asked them to withdraw these articles. We asked them to take such actions that are necessary to enforce these agreements of 1974. We had this meeting early in February with the Selectmen, the Town Counsel, and Mr. Thompson all present. In the ten weeks or so that has elapsed, we have yet to receive anything, not a word, not a phone call, not a letter. The Selectmen, Town Counsel, the Executive Secretary have never responded to us at all. Apart from everything else, I ask you as citizens and residents of the Town of Sudbury, is this what we should expect?

April 8, 1985

A point of order was called at this time however, it was not accepted by the Moderator.

Mr. Davis continued by saying that the people who go before the Selectmen should get some kind of response. We went before the Planning Board in early February. Mr. Vana also appeared and he spoke in support of these articles, as well as Mrs. Donald. She indicated at first that the Sudbury Master Plan update had some reference in the recommendation that in fact this access road was needed between Raymond Road and Nobscot Road. On page 60 of this report, the people who wrote it, referred to a 1962 Master Plan which eliminated the idea of putting a bypass south of Route 20 for three reasons: 1. It would be very costly; 2. it would get a low priority by the state; and 3. it would have environmental problems. I don't think that that idea came from the Master Plan update. Mrs. Donald also stated that this wasn't really a road, it's only a driveway. With all due respect, I didn't really accept that explanation, and I might suggest that according to the Sudbury Town Crier, Mr. Thompson says to the contrary. In the March 28th edition of the paper, "according to the Executive Secretary Ed Thompson, the proposed rezoning includes 200 feet of frontage along Raymond Road. While the access road would be only 40-50 feet wide." I'm not trying to be funny, but I don't know of too many driveways in this town that are 50' wide. Mr. Davis continued to quote the newspaper article. "For safety reasons, it would probably meet Raymond Road at the top of the hill." For safety reasons. Now, if you look at the plan, you'll see that where they want to put the road is where it intersects right across from Frank Feeley Park. A 50-foot wide road that is going to intersect Raymond Road at that location is going to be a safe road? I just don't buy it. That's where our kids play tennis, soccer, and baseball. If someone's concerned about safety I wonder if they are in fact really concerned about helping out the owners of Sudbury Crossing. They have, by the way, half a dozen vacant stores.

In any event, getting back to this motion, it is time to deal with it and I speak in opposition of the attempt to, in effect, sidetrack it. Some of you may know there has been legal action brought. When this particular matter was brought to the attention of Judge Zobel in the Superior Court he said "Perhaps the Selectmen sense which way the wind is blowing." Well, I think it's more than a breeze. There are a lot of people concerned about this. We don't want it put off for another year. We don't want it put off for another night. We want to deal with it tonight. The only way to deal with it is to defeat this motion. By defeating this motion we can deal with Article 29 and Article 30 and defeat them also.

The hall responded with applause.

Mr. Thompson, the Executive Secretary, replied that Mr. Davis had been notified by the Board of Selectmen's office, "I have a letter addressed to Mr. Davis, dated February 14th of the proceedings of the February 4th meeting of the Board of Selectmen. In addition there was a press release prepared for the Town Crier to explain the position of the Board of Selectmen. And also, I believe Mr. Vana and Mr. Davis was asked to prepare one. I was then notified that the paper was not going to run it because of the legal action brought by Mr. Davis and it was not run. And from that date forward, we did not disseminate any further information."

To this comment, Mr. Davis retorted that what Mr. Thompson sent by letter dated February 14th, was the minutes of the meeting, and that's all he received. Once again, the hall responded with applause.

The motion to refer was defeated.

Paul McNally of Evergreen Road moved for indefinite postponement.

The Moderator explained that this motion, if voted, would be unfavorable action on the article. It would mean that this zoning article cannot be reconsidered by Town Meeting for two years, unless the article receives a favorable report from the Planning Board. It is a motion of substance, therefore, if it is voted, it will be unfavorable action under the law.

Mr. Henry Sorett of the Personnel Board remarked that because of the two year unfavorable action rule, a vote in favor of a motion to indefinitely postpone has the same effect as a vote on the merits. If it's a negative vote, either a vote "No" on the merits of the motion or a vote "Aye" on a motion to indefinitely postpone, it's done for two years. It accomplished the result. It's the end of this. I think the sentiment of the hall is clear. We need to find a solution to the Route 20 problem but the solution is not by inflicting the traffic on the neighborhoods.

Tom Phelps speaking for the Planning Board explained how it had originally voted - unanimously voted to disapprove it. We have serious concerns about this rezoning and use of these access roads. We feel it is something that can come up in two years, three years, four years. It will continue to come up. At this particular time, we do not think this is the way to go.

In response to a request to clarify the merits of Indefinite Postponement as opposed to defeating the article itself, the Moderator gave the following explanation. If you vote to indefinitely postpone, that will be unfavorable action under our law which is the equivalent of defeating it on the merits. At that point, the statute will take over and it may not come back before the Town Meeting for two years, unless there's a favorable report of the Planning Board. They are substantially equivalent in terms of result. The question of whether you get to vote on it on the merits depends upon what the hall does with the motion to indefinitely postpone. If the motion to indefinitely postpone fails, then we would move to a vote on the merits.

Mr. Coe of Churchill Street pointed out that a motion for indefinite postponement doesn't require a counted vote, because it only requires a majority vote. Whereas, a motion on the merit would require a two-thirds vote.

Mr. Russell Kirby of Boston Post Road made the following observation. I addressed the hall a few moments ago regarding Article 26, which was brought before this hall last year. It's pretty obvious that a motion carried to indefinite postponement is exactly the same as defeating a zoning article. But I would like to repeat what I said before. In the procedures that are followed in this town and have been followed for many years this particular point has not been taken into account and there is nothing to prevent anyone from submitting this article next year regardless of whether we indefinitely postpone or whether we vote it and defeat it. It can be resubmitted. That is a possibility. Unless the procedures change, this article can appear on the Warrant at the next Annual Town Meeting, then we'll go through what we did moments ago with Article 26. The Moderator will rule that it is illegal and we will go on by it. Therefore, I would like to use this particular situation to emphasize the point I made a few moments ago -- we have to change the procedures whereby we prepare the Warrant. When decisive action is taken by this Town Meeting and an article is rendered illegal for two years, the procedures that are followed to prepare the Warrant take that into account. Unless there is a positive final report by the Planning Board at the appropriate time, the article will not find its way onto the Warrant. Thank you very much.

George Hamm of Mossman Road commented that the road is so preposterously bad, I urge you to defeat indefinite postponement and then defeat the bill. Let's tell the Selectmen how preposterous it really is. To this the hall responded with applause.

April 8, 1985

At this time, Paul McNally of Evergreen Road moved to withdraw the motion for indefinite postponement.

The motion to withdraw was VOTED.

Anne Donald, of the Board of Selectmen, moved in the words of the article.

There being no discussion on the main motion, the vote was taken. The main motion was defeated.

ARTICLE 30.

Amend Bylaws

Art. IX, II, C

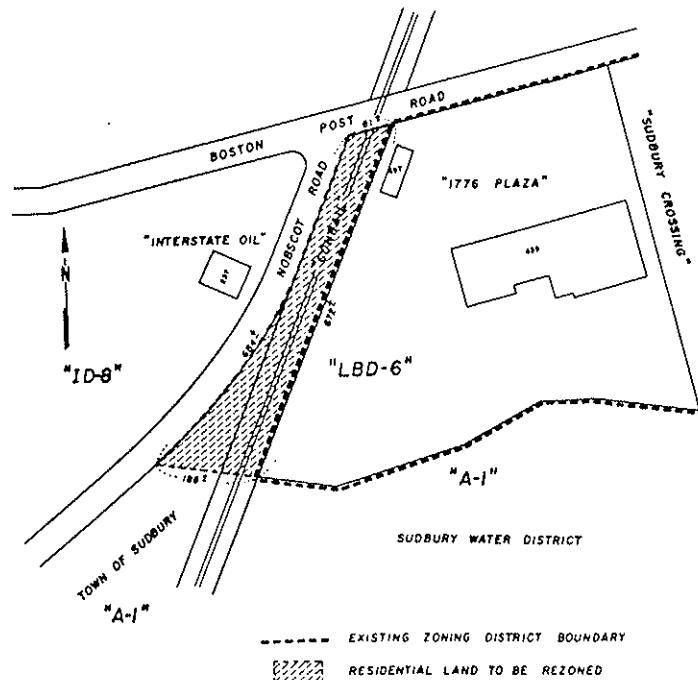
Extend LBD
No. 6

Nobscot Road
Access

To see if the town will vote to amend the Zoning Bylaw, Article IX, II, C, by extending the westerly boundary of Limited Business District No. 6 to Nobscot Road, as shown on a plan drawn by the Town of Sudbury Engineering Department, dated February 28, 1985, on file in the Town Clerk's office, and described as follows:

Beginning at a point on the southerly sideline of Boston Post Road at the easterly boundary of the Consolidated Rail Corporation; thence southwesterly along the easterly boundary of said Consolidated Rail Corporation 672 feet, more or less, to a point on the northerly property line of the Sudbury Water District; thence westerly, crossing land of the Consolidated Rail Corporation and the land of the Town of Sudbury 188 feet, more or less, to a point on the easterly sideline of Nobscot Road; thence northeasterly along Nobscot Road 684 feet, more or less, to Boston Post Road; thence easterly along Boston Post Road 81 feet, more or less to the point of beginning.

Submitted by the Board of Selectmen. (Two-thirds vote required.)



April 8, 1985

Anne Donald of the Board of Selectmen moved in the words of the Article.

Planning Board Report: (N. Brond)

The Planning Board recommends defeat.

There was no discussion under this article.

The main motion was defeated.

A motion to adjourn was *VOTED*. The meeting adjourned at 11:02 P.M. until tomorrow night at 8:00 P.M.

Those in attendance: 518

PROCEEDINGS

ANNUAL TOWN MEETING

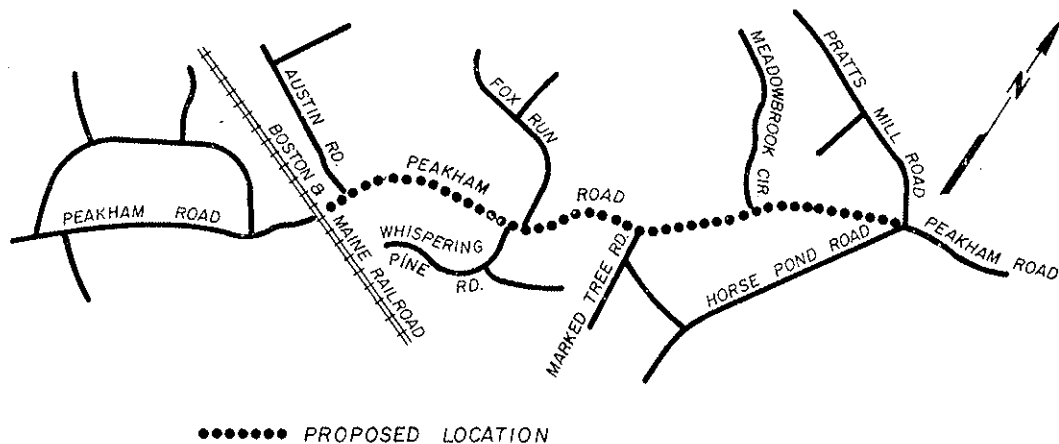
April 9, 1985

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

ARTICLE 31.Peakham Road
Walkway

To see if the town will vote to raise and appropriate, or appropriate from available funds, \$100,000, or any other sum, to be expended under the direction of the Board of Selectmen and/or Highway Surveyor, for the final engineering and construction of a walkway along Peakham Road from Horse Pond Road to the railroad crossing near Robert Best Road, or act on anything relative thereto.

Submitted by Petition.



Bette Sidlo of Newton Road *moved* to appropriate the sum of \$4,300 to be expended under the direction of the Town Engineer for the planning and engineering of a walkway along Peakham Road from Horse Pond Road to the railroad crossing near Robert Best Road, said sum to be raised by taxation and to appropriate the sum of \$55,700 to be expended under the direction of the Highway Surveyor for the construction of a walkway along Peakham Road from Horse Pond Road to Fox Run, Whispering Pines Road, said sum to be raised by transfer from Free Cash.

Geraldine Taylor of Cider Mill Road, petitioner for Article 32, Raymond Road Walkway, was recognized by the Moderator to note that these two articles, although separate, had a common goal - safety, and that Mrs. Sidlo, and herself recognizing the urgent need for these walkways, wholeheartedly express their individual support for both these articles.

Mrs. Sidlo made the following presentation. Both our groups have done extensive research on the walkways and we have presented our findings in detail to various committees, including the Planning Board and the Finance Committee. In response to their suggestions, we have provided them with additional information. We feel that all the data has been obtained and it is time for action.

April 9, 1985

I am before you tonight representing a group of petitioners, that is 100 people, who have initiated this Peakham Road Walkway article. Most of these people live along or adjacent to this section of Peakham Road and many of these people have waited for a walkway to be constructed along this section for nearly 10 years. Now we are acting, or I should say re-acting, because what has long been a dangerous road has become so much worse with all the changes in town over the last two years. Some of these changes have been to our disadvantage, as many of you know. We are aware that the new buildings in town have added much to our town tax coffers, more than \$400,000 added this year alone. We are also sure that some of that money is needed now to offset the problems resulting from so much growth. Problems from that growth are being felt all over town. Added traffic is certainly the most noticeable negative, the cause of the congestion along Route 20 that troubles all of us, residents and business people alike. It is also the most obvious source of the increasing number of cars travelling down Peakham today, an average of more than 1,700 cars per day, according to an official highway traffic count. For some time now, our road has been a favorite shortcut between Marlboro or west Framingham and Maynard for people on their way to work there. Within this community alone, Peakham is now serving as a detour for people who seldom used to drive down our road at all. That's what they tell me. Chief Dunne remarked that Peakham is sometimes used as an alternate emergency route for fire trucks when Route 20 is clogged with traffic. We're even seeing a tour bus come down this section every day at 4 P.M. - apparently avoiding the glut on Route 20 as well. It's also true that Peakham is a very scenic route, winding and tree lined, a road that we can all take pride in. Yet, every time we walk, jog or drive down that beautiful road, the curves and narrow width give us cause to worry. The worries increase with the dangers and detract from our appreciation of what we've got. We're here tonight seeking your support to finally do something about it. What we need is an appropriation to move ahead with the construction of a walkway along Peakham to make our road safer, more useful and even more valued by the town. This is not a new idea.

Though our appeal tonight is very much based on current needs and documented with facts and figures collected over the past year with the help of various town officials and committees, there is some historical background on the Peakham Road Walkway which I would like to fill you in on very briefly. It dates back to 1974 when money was originally appropriated through the Annual Town Meeting vote to fund initial planning and engineering for a walk that might stretch from the Horse Pond/Pratt's Mill intersection all the way south to Bent Road, more than 6,000 feet in length. In the year that followed, those plans were drawn up and it was decided that the initial construction of a walkway should reach just to the B & O Railroad track, roughly 4,300 feet as a beginning. Money was approved for that construction at the Annual Town Meeting of 1976. That was Article #13. This decision came as no surprise to the people living in Sudbury at the time.

For years, Sudbury's Planning Board had been supporting walkway construction as an on-going worthwhile capital improvement for this growing, but still relatively undeveloped town. From 1963, when the town's walkway program originally began, money was regularly recommended by the Long Range Capital Expenditures Committee and approved by the FinCom, as much as \$100,000 a year for this continuing construction of walkways. To date there are roughly 16 miles of walk in existence in town, thanks to that effort. Plans for the immediate future, as they were drawn up in 1977, are part of the long range walkway program. Every year the plan was revised and the priorities adjusted to create a solid network of walks that would link up one to another. The overall goal of the plan was to provide a means for residents of Sudbury to reach our schools, our recreation fields, our churches and shopping areas, in fact, all major public centers of town on foot or by bike and in safety.

Peakham Road and one section of Old Lancaster were at that time scheduled for construction with Mossman and Morse Roads. It was the regular adjustment of these priorities that apparently affected the plan for a walk along our section of Peakham, though in 1977 it was still being identified as a high priority need. In 1978, the need for a walk along Morse Road took the very top priority so money was transferred from Article 13, through a vote at Town Meeting, to cover the partial cost of that walkway, one that would stretch over more than 7,000 feet in distance. If you've ever driven down Morse Road, you'll remember it as a narrow road and one that very much needs its walkway. The people living along Peakham at that time, didn't fight against the Morse Road decision. They knew that their need for a walkway had already been recognized and felt sure their turn would come. Few of

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them realized at the time that the changing financial climate, the mounting tax pressures, the closing of schools in town and the push for "2½" would prevent it from happening until now. The point to be drawn from this history is not that we should come first because of what was decided in 1974, rather, it is that Peakham was considered in need of a walkway even back then. Today, the need for that walkway is greater than ever. Still the narrow roadway it was then, Peakham is much more thickly settled than ever before. In just the five years that I've lived here, I've seen a number of new houses go up, bringing the total to 45 households abutting this section of the road alone. In addition, residents on a number of roads directly adjacent to Peakham must use this section of road as their main, for some their only access to every other part of town. With the addition of the Fox Run development, there are now more than 100 houses on the streets directly off Peakham and more than 120 children under the driving age of 17, living on or just off this road. This does not include figures for those people further down Peakham, in either direction or on Horse Pond or Pratt's Mill, who no doubt use the road as well. Pointing to the section of Peakham Road near Whispering Pine Road, Mrs. Sidlo commented that those living in that general area have no choice but to take Peakham wherever they go, be it work, school, or school bus stops. Peakham also links these residents to the recreation programs like Little League Baseball at Curtis and the daily summer recreation activities scheduled on the grounds once again this year of Horse Pond. It is also the route to the Sudbury Swim and Tennis Club for so many and a link for their neighbors and friends just a block or two away. We drive down it many times but more of us are walking and jogging for health these days. Those of us who know the roadway by foot are some of the very least likely to allow our children the freedom to use this road on their own. This is not just a children's problem or a parent's problem for pedestrians alone, as it concerns the drivers as well who have a difficult time navigating the curves, avoiding traffic from the opposite direction, and facing the blinding sunlight that filters through the trees, especially in the early morning and late afternoon hours. Those are the times when traffic is heaviest of all with as many as four cars a minute tallied electronically already between the hours of 7 and 8 A.M. this year. These drivers don't need the added jeopardy of people in the road when they come around one of the curves or up and over one of the dips. Many of them are hurried commuters and a good percentage of them appear to be from outside the immediate neighborhood so we can't expect them to know our children, or be familiar with their habits or their need to be along the road waiting for busses or returning from Curtis after staying late for sports or to make up tests or delivering newspapers or finding their way home from the intersection of Pratt's Mill where the high school bus frequently drops them off just at dusk. It is a chilling scenario to see those kids obviously tired from their long day at school and hardly aware of the dangers as they amble down that narrow lane in the semi-dark. Very likely the drivers who don't know the neighborhood or the kids are the ones who so often take the curves a little too fast, pushing to get to work or to make it home at the earliest. The police agree that it is a tough problem. With the road as narrow as it is and with little room to pull a car over, they hesitate to try slowing people down for fear of further adding to an already serious situation.

That leaves us with little choice of a solution. So, we are coming to you now for help even though we know this is no small request and we are fully aware of the financial constraints being felt by the town at this time. We know too, that ours is not the only walkway being presented for your consideration. In light of that, we have reviewed our needs very carefully and have done our best to bring this request well within the bounds of the money now labelled "Available Free Cash." That is why our motion includes two parts. The first is a request for \$4,300 for final planning and engineering of a walkway from the Horse Pond/Pratt's Mill intersection to the railroad tracks, estimated by the Town Engineer to cost \$1/foot for that 4,300 foot length. This amount will bring the existing engineering plans up-to-date. This amount has also been approved by a number of town boards, including the FinCom, so the money has already been set aside for this use and need not come from the remaining Free Cash. We know too, that planning and engineering funds are not a guarantee that our walkway will ever become a reality. So we are asking for the sum of \$55,700 to actually get a walkway under construction. This is a reduced request from our original \$100,000 total. We've arrived at that figure by reducing the length of walkway we are now asking for. The new request is for construction along a 2,800 foot stretch from Horse Pond/Pratt's Mill to Fox Run on one side of the road or Whispering Pines on the other. This is roughly 60% of our original request and should provide us with a significant portion of walk that might even connect up with the walkways in existence already on Meadowbrook and Fox Run. It would also serve most of the roads that intersect with this section of Peakham and will protect us along most of the curves in this

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section. For everyone of those curves, there are numerous testimonials of the near misses we have already experienced. We can be thankful that's all they have been, just as I am thankful to be here making this presentation tonight because it was almost exactly one year ago that I had a near miss of my own. It happened one early morning last April on a bright sunny day that really invited me out of doors. It was a snowier winter than this year and I had given up my regular walks during the coldest months, but it was warmer on this day and most of the snow had melted, though there were occasional patches of ice along the roadside. However, that was OK. I'm an adult. I know how to be careful and I was in no particular rush that morning. When I came to the one big patch of ice that stretched right out to the middle of the lane on a curvy section of Peakham, I surveyed the situation pretty carefully. My choices were to step out in the road or move up onto a private drive to cross. When I slipped and fell, even as I edged my way across the drive, I slid right into the road. Had the approaching school bus forced closer to the edge because of oncoming traffic, I would no doubt have gone under those wheels. I did survive that near miss and I even finally stopped shaking, but from that moment I knew what had to be done about a Peakham Road walkway. I hope that you agree and will give us your support.

Peakham Road Walkway (Construction)

Length	:	2,800 Ft (Estimated)	
Cost Per Foot	:	<u>X \$19</u>	(Includes 10% per year inflation adjustment - 1982 - 1984)
		= \$ 53,200	
Plus Contingency 5%	:	<u>2,500</u>	
TOTAL COST	:	\$ 55,700	

NOTE: Dutton Road Walkway bid in 1982 - Same (+ or -) 2,800 ft. length - was \$61,000 (including engineering) but \$14,000 unspent and returned to Free Cash at this Town Meeting.

Gilbert Wright of Peakham Road speaking as one of the petitioners noted the two sections of the requested appropriations. The first section for \$4,300, for final planning and engineering, is to go from Horse Pond Road intersection down a 4,300 stretch to the railroad tracks. The preliminary engineering has already been done along this entire section. What is needed now is final engineering. The second section is for the construction. This is a 2,800 foot section, that goes from the intersection of Horse Pond and Pratt's Mill and along the roadway down to approximately Fox Run. This section has been measured by the lot lines and we do not know exactly what side the walkway would go on, so we averaged the two distances, approximately 2,800 feet. The first section is to be expended under the direction of the Town Engineer for the planning and engineering of a walkway along Peakham Road from Horse Pond Road to the railroad crossing near Robert Best Road. The second section, all part of the same motion, is to appropriate the sum of \$55,700 to be expended under the direction of the Highway Surveyor for the construction of the walkway along Peakham Road from Horse Pond Road down to the Fox Run Section. The \$4,300 is money which has been set aside by the FinCom to be appropriated and is not a sum which the Town Meeting will be asked to appropriate from what is either known as Free Cash of "2½ Surplus". There is actually \$145,000 in Free Cash, which is a balance from prior years' unexpended Town Meeting articles made available for this evening.

The second portion of our article is for construction funds. The estimated length is 2,800 feet and the cost per foot has been estimated by the Town Engineer at \$19/foot. This \$19/foot was arrived at by taking the estimate for the 1982 walkway for Dutton Roadway and adding 10% a year inflation adjustment, which brings

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us to \$53,200. A 5% contingency was added in bringing the total cost to \$55,700. The contingency is approximately 10% less than the Town Engineer suggested. We submit that the contingency and the \$55,000 is a very reasonable sum under the circumstances, especially based on Dutton Road. In 1982 the Dutton Road walkway bid was \$61,000 for the same number of feet - 2,800 - and \$14,000 of that was unspent and returned to the Town, in the form of available funds under Unexpended Prior Town Meeting Articles. Dutton Road could be constructed for perhaps 25% less than the actual estimate because of the good work of Bob Noyes and his highway crew. It's my understanding the \$55,700 will be a very reasonable figure. This issue has been studied very carefully. We have gone before all the town boards who have any jurisdiction over this matter and have received their support. We understand the \$4,300 will be for the planning and engineering, which the boards do support. It is the position of the petitioners for both walkway groups, and in particular the Peakham Road Walkway group- that this is a very reasonable sum. The groups have waited a long time. The money is available, and it is responsible for us to be able to go forward and ask for the total cost of both construction and engineering.

At this time, Mrs. Sidlo noted that at the end of the presentation, it will be requested that the motion under Article 31 be divided so the voters may vote separately on the planning money and the engineering money.

Once again the Finance Committee presented the status of the so-called "2½ Surplus Fund" for the benefit of the voters' understanding of the town's finances. The total in the fund is \$172,762, which the Finance Committee does not recommend for use at this Annual Town Meeting. Of this amount, \$26,994 is from Unexpended Articles, \$45,768 is Free Cash and \$100,000 is also in Free Cash due to the Town vote to reduce the Blue Cross/Blue Shield Account by that amount. Therefore, the total Free Cash is \$145,768. The articles are \$26,994.

Finance Committee Report: (C. Baum)

The citizens' movement to re-energize the town's walkway program has received considerable support, including the backing of the Finance Committee. We appreciate the work they've done in formulating a very well thought out proposal tonight. We agree with the proponents of the walkway articles on the need for walkways as a safety issue in these and other sections of the town. However, the Finance Committee emphatically does not support funding this article at the level proposed by the main motion. We have been on record for two weeks as supporting the funding of planning and engineering in the sum of \$4,300. Our position is based on two concerns. Let's first imagine a return to the good old days prior to Prop. 2½ when tax payers were free to increase the levy to fund projects they considered worthwhile and meet the consequences of doing so through higher taxes. Would we have recommended funding as a Committee of the full amount of \$60,000 under such a system in the absence of binding financial constraints. I think not. The proponents have mentioned the long history of the town's walkway program. One portion of that history which they failed to address tonight is the fact that during the many years of walkway construction, never did the voters of this town choose to fund both engineering and construction funds in the same fiscal year for the same walkway project. This was not a matter of fiscal stringency in the years prior to "2½," but rather the exercise of sound financial management and discretion. Let's consider a case in point. Last week the Park and Recreation Commission explained the circumstances under which their Haskell Field Project "unfortunately encountered significantly higher costs" amounting to an overrun of almost 100% because they proceeded to estimate the project cost "without the benefit of detailed engineering drawings," for the parking lot. Proceeding without up-to-date engineering caused them to return this year and plead for the funds to complete the project. Now I'm not criticizing them for that result. What's done is done. You'll see in the Warrant that the FinCom supported these additional funds from the beginning. But consider the precedent. If it's that difficult to foresee the cost of constructing a parking lot what might happen when we attempt to build a walkway along the extremely narrow, hilly and curvy Peakham Road. Do we wish to place the town in a similar position where the appropriation falls short of what is needed to complete the job? Do we wish to vote funds which are insufficient by the judgment of the Town Engineer to deal with the contingencies that may arise in the construction? I think not. Even in the absence of fiscal stringency, the Finance Committee supports continuation of many years' tradition in the walkway

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program - the expenditure of funds for proper planning and engineering of any walkway one year and the funds for construction in a later fiscal year. Any attempt to collapse those two phases of the program into one would not constitute a sound, far sighted approach to the expenditure of town funds, that is your and my tax dollars. Where are those tax dollars? We do happen to live in the world of Proposition 2½. A majority of the voters in this town seem to want to keep it that way.

What financial constraints does that mean we face? The so-called Prop. 2½ Surplus Fund stands at \$172,000. We heard last night a quite clear explanation of why \$100,000 of those dollars are not exactly Free Cash. This represents in large sum a commitment of the town. We were told by Town Counsel that any attempt to abrogate the conditions of certain contracts would no doubt bring a lawsuit and that the proponents of the lawsuit, be it the Firemen, the Police or the Highway Department would no doubt prevail. So, we do not view this as Free Cash. It is certainly not free. It is in a very real sense restricted and we should treat it with some respect for that very reason.

What about the rest? Whether or not you consider that \$100,000 in the Prop. 2½ Surplus Fund, the Surplus Fund is not properly viewed as a pot of money which has to be emptied before we're allowed to adjourn this Town Meeting. The Finance Committee recommends very strongly that not one cent of those funds be expended. Why do we take such a conservative approach? If you had been sitting here in my chair since early January, you would too. We started off the budget process with the necessity of locating \$460,000, almost half a million dollars to bring the budget and articles within the Prop. 2½ levy limit and propose a budget to the Town Meeting. The Chairman of our committee reiterated last night the many demands on next year's available funds which may unfavorably impact our Free Cash. The difficulty here is that we do not know how much these demands will cost or how much of the \$172,000 or \$72,000 may be needed to meet very real commitments. What are we facing? We face the probable loss of Federal Revenue Sharing. We face a much lower number for new construction. Face it, there just isn't that much of Route 20 left to be developed in time for next year's tax levy. We won't get \$140,000 in windfall from the high school budget, as we did this year. We do face negotiations with three unions, -- the fire, the police and the highway unions. We will have to deal with whatever demands they may have. If those demands exceed 2½ percent, and I am afraid they may, then we're going to have to find the dollars somewhere else, because "2½" is "2½". We face the possibility of a very large assessment from the county because of an unfunded retirement liability. We have heard repeated warnings from the State House that cities and towns should not expect the same amount of state aid next year, be it in school aid or aid to general government. I would remind you that we have our own little unfunded liability, in the form of Blue Cross, some of which is going to be used for the purpose for which it was originally intended. Taking all of this into account, the financial position of the town appears to be subject to a great deal of uncertainty. The Town Accountant informs us that he prefers to err on the side of black ink. I think we would agree with him.

Given all that gloom and doom, proponents of the main motion have argued that the amendment represents an attempt on our part to postpone funding to a date when funds will not be available, perhaps because the project doesn't enjoy sufficiently high priority with our committee or with the town. I disagree. I think our support of planning and engineering is very credible support of the need for walkways. We were all very impressed by their presentations at our budget hearing regarding the safety aspects of those walkways. They didn't really have to convince me. I live on Meadowbrook Road. I walk along that section sometimes with a baby stroller. I avoid doing so at an hour when the traffic is heavy for obvious reasons. I'd like a walkway there. I would personally benefit. As a responsible voter who has been subjected to many hours of education about the finances of the Town of Sudbury, I cannot in good faith support the expenditure of \$60,000 this fiscal year, let alone twice that amount, or whatever the proponents of the other article may be looking for in addition to this \$60,000.

One of the reasons for that stance lies in the hurried nature of this process. When the groups of walkway proponents first asked for our support in January, they had not yet developed a coordinated effort. Their efforts had not yet been brought under the coordination of the Planning Board which is the appropriate agency to supervise the process. Since then, that has been done. Their determination at that time of how many dollars would be involved was based upon very preliminary estimates. Perhaps most important, there was no clear understanding then or now, as far as I can see, of how this worthy task might be accomplished without full current fiscal

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year funding by the town. Are there state matching funds available? Are there federal funds available for walkway construction? Does this project qualify? Would it, if it were part of an on-going program of the town rather than a single walkway? Last year, we sat here and debated for quite a while to spend some money to hire a Town Planner and one of the things we were told is that the planner would help locate the answers to such questions and bring many times the salary as a benefit. I doubt sincerely if enough time has elapsed that all those avenues have been explored by the planner and the Planning Board in the very limited time since the Planning Board's Walkway Sub-committee has been established. Shouldn't you have the fully researched answers to those questions before voting funds for construction? Shouldn't we determine whether a walkway program, not merely this walkway or that walkway, might qualify for bonding as a capital project and at a much more bearable cost to the town to achieve the same goal? Why must we rush ahead in the absence of full information? The very real need for walkways will not diminish. The willingness of town boards, including this one, to evaluate those needs and place them ahead of less critical needs will not wane. If there are funds available for high priority projects, I am confident that walkways will receive support. So, let's lay it straight to the proponents of the article and undecided voters. If you vote the full amount of funds, you will cause an expenditure to occur. You may even get the job done. You may get the entire proposed walkway built to specifications for that sum of money. You may find that another \$20,000 or \$50,000 or \$100,000 is needed to do the job right. It may be that the Town Engineer has a reason for suggesting more than a 5% overrun for contingencies. I cannot say. By voting the sum of \$60,000, you will with absolute certainty help place the town in perilous financial health, susceptible to a mild cold, or a minor setback which would otherwise easily be weathered. If on the other hand, you vote the funds for planning and engineering, as the Finance Committee recommends, you will have an engineered route laid out in fiscal year '86 with a solid cost estimate. You will not be assured that construction monies will be found in fiscal year '87, but you'll have a much better case for acquiring those monies with solid cost estimates to work with. You'll surely have my support and I imagine the support of some of my colleagues for a project which should have a very high priority. In good faith, I'd like to strike that bargain and be able to meet the unforeseen expenses that could arise at any time due to federal, state or county action or lawsuit, or act of God. I'd like to walk out knowing that the voters in their wisdom are willing to balance off current high priority needs, such as this walkway, with the essential goal of long run fiscal stability, with the town able to continue providing the services and facilities which all of Sudbury's residents expect and pay their tax dollars for. We need to remove the very real spectre of possibly severe cuts in one or more of those services and facilities in fiscal year '86 and the years to come. Voting the funds in the construction amount of \$55,700 will not guarantee fiscal stability. Voting those funds will contribute to a very precarious financial position. You can vote tonight to preserve stability of our finances by leaving the Prop. 2½ Surplus Fund intact and supporting our position to fund engineering of this walkway.

Board of Selectmen Report: (J. Frost)

The Board of Selectmen support the engineering funds and basically we support it on the reasons that the Finance Committee has given. It is rather backward thinking to place a project like this on the floor to spend the money before you know exactly what it's going to cost. To have the engineering completed during this coming year so that we will know what the hidden obstacles and costs are going to be, is the proper way to handle a project of this size. The Selectmen do not support the \$55,700 for the construction this year. We will support the engineering funds

Planning Board Report: (M. Brond)

The Planning Board strongly supports the re-activation of the town's walkway program. In support of this, we have formed a formal Walkway Sub-committee composed of representatives of various town boards and departments, supported by citizens plus representation from the Planning Board. We expect from this process to develop a long range walkway program to hopefully be incrementally funded by the town meeting each year. As a minimum, the Planning Board believes at least the engineering work should be completed this year for Peakham Road. We leave it to the town meeting as to whether the town can afford to fully fund this project in the coming fiscal year.

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Richard Davison of Dutton Road noted that the walkway program in Sudbury is the better part of 20 years old and probably one of the more successful programs of the past 20 years. It is one of the few things that we do that truly contributes to our health, safety and certainly to the quality of our life. Over the years we have proceeded on various projects on a priority basis. This priority has been largely around the development in the population centers within the town and then particular safety issues. While I do not live, nor do I run or ride on Peakham Road, I am one of the 1700, if that's the correct number, that uses this section of road two or three days a week to commute to work. I believe clearly the time is now to move out on this section of road. I'd like to make a few comments relative to the statements made by the Finance Committee. Certainly the issue of whether we fund the final engineering and the construction in one year - that's a great excuse and I think a red herring to throw up when you're trying to convince yourself why you should only do part of a job. I suggest we've been doing walkways for the better part of 20 years. It isn't like we're building a school. It isn't like we have some huge difference in this than some others that we've done. I would suggest that if we had been methodically doing the walkway program over the last few years, like we should have, that we would indeed have a continuity and would be able to take a one year plan and then the next year do it. But, in this case, that's unnecessary and we ought to proceed.

Certainly I appreciate the job the Finance Committee has had to do in the last several years trying to walk us through the mine field of Prop. 2½. I appreciate their advice. That's their job and I think they've done a good job of it. While I respect their recommendations, I know that they will respect the will of town meeting if we feel that this is an amount of money that is appropriate to take and spend this year. I am happy to hear that the Planning Board has re-activated a Walkway-Sub-committee. Hopefully, that will allow us to get back on track and continue this program. I would urge this Town Meeting to vote "Yes" on both of these articles, both for the finalization of the engineering money and the construction funds for Peakham Road.

Chester Hamilton of Morse Road spoke in opposition to the walkway proposal. As a resident of one of the areas which had one of the last walkways built, he disagreed completely with Mr. Davison as to how the use of money for walkways has improved the quality of his life. He pointed out that the proponents of the walkway admitted that they did not know yet which side of the road the walkway would be built upon, which is a most important issue. Until that is determined and easements are obtained, you cannot build a walkway. In actuality, Mr. Hamilton did not oppose the concept of a walkway on Peakham Road, and stated in fact they are needed in a great many other places too. He strongly believes that the right step to be taken is the formation of a committee to study the issue of an overall walkway system for the Town. He expressed his support for the engineering money but no more until we know what can be done in this area.....Where will it be built? What are the problems? He stated problems will develop. The Morse Road Walkway was planned for one side of the road but was moved because of opposition. There were very significant changes because of rocks, curves, trees, etc. All these things make a great difference. Until the Peakham Road plans are updated, until the engineering has actually been developed and presented, you really can't build a sensible walkway or have any idea as to what it will cost. He urged the voters, somewhat against his judgment, to support the engineering money but to withhold other money, \$55,000, until the plans are fully developed, and we know where the walkway can sensibly be built.

Town Counsel, Paul Kenny, in response to a question as to the consequences of exceeding the "2½" requirement, stated that a special election would be required. In the event that the election failed to override, a special town meeting would be called to reduce the appropriation.

Joanne Gorfinkle of Land's End Lane commented that she did not understand why the Finance Committee waited until the fifth day of town meeting to make this plea instead of taking this issue up as the first order of business the previous week when the voters were deciding on the merits of the other monied articles. Possibly the votes would have been different and different priorities established.

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Lynn Stowell of Austin Road questioned whether the article had been amended as the presentation indicated the walkway going as far as Whispering Pine Road, yet she signed the petition for it to go up to the railroad tracks. It was explained that the engineering would be completed all the way to the railroad tracks so that in future years the walkway could be continued. The construction of the walkway at this time will end at Fox Run/Whispering Pines.

Fred Kobrick of Moran Circle, speaking in support of the motion, stated that it is debatable exactly what the financial stringency of the town might be. We are talking about what the Selectmen termed "unforeseen circumstances". After hearing what was said tonight, driving up and down Peakham and the other walkway issue on Raymond Road, I feel that there are two kinds of people here. There are those who have been up and down these roads and know the speeds, the narrowness and the dangers. There are the others who haven't been and they are listening and trying to understand how bad it really is. In terms of balancing all this out, the worst unforeseen thing to me that can happen in this town is the unforeseen circumstance that somebody gets killed on one of those roads. I wouldn't want to see any of these issues voted down because of some unforeseen financial circumstance and then the other thing happens. It seems that there's a good case to be made that the budget in this town will be balanced, and if the "slush fund" has money in it, that has to be for unforeseen circumstances. I'd like to see that as insurance against something tragic happening.

In terms of looking at this in the future, every year at town meeting, there is not enough money to go around. Who in here thinks that we're going to come in here some year and there's going to be enough money to go around? I mean who are we kidding? There's never going to be enough money to go around. We either do a walkway because we think it is really critical or this is the big kiss-off. None of this malarkey about you know some year we're going to have enough money. We all know enough about walkways to know that the worst thing that can happen, that the most imprudent thing that can happen, is that on one of these walkways, Peakham or Raymond, you hit some giant boulder and you don't have enough money. So, you don't finish the walkway. Half a walkway is better than none. You cut the risk to your kids in half. I'll take a half a walkway right now rather than wait for that magic year when you have enough dough to go around.

The hall supported these comments with applause.

Gilbert Wright of Peakham Road, speaking in support of this article, wished to comment on several items that had been touched upon by the Finance Committee. One, the \$55,700 is a very sound figure. This amount had been determined by an experienced individual in engineering walkways. The estimate was taken from a similar footage of another walkway on a curvy road, Dutton Road, and the experience at that point is very significant and real. He noted that whether the walkway is constructed on one side of Peakham or the other, the difference in footage is under twenty (20) feet. In short, \$55,700 is a very realistic figure, especially when the Dutton Road walkway was done for 25% less than that and a 10% per year inflation rate has already been factored in, in addition to a contingency.

The petitioners went door-to-door on Peakham Road and asked the individuals along there to sign the petition. On the portion of the road where construction is being requested, only 3 out of the 30 abutters did not sign the petition. Only one was reluctant to sign for personal reasons, and only one went on record as saying "No." We have solid support up and down the roadway and that should be no significant obstacle.

The procedure would be for the Town Engineer and the Town Surveyor to discuss the walkway with the town people along the roadway when it comes to pass. We are not trying to empty the Free Cash tonight and we would not if you go for this particular article to construct. The Finance Committee and this town meeting supported a variety of articles in the last couple of days relating to safety. One of them was the Winter Street extension for \$16,000. Another was \$15,000 for intersection improvements. The walkway group supported both of these as did most of the hall. There was an additional \$40,000 from Park and Recreation and that was supported to do paving in Haskell Field, and to put in a small house for storage and for restrooms. Again, this we supported. The preliminary engineering was completed many years ago and there is a good sense of what this will cost. For those reasons, we ask you to support the priority that we not only engineer but fund the construction of a solid portion of Peakham Road.

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Mr. Wright moved to divide the question.

The motion was *VOTED*.

The motion to appropriate the sum of \$4,300 to be expended under the direction of the Town Engineer for the planning and engineering of a walkway along Peakham Road from Horse Pond Road to the railroad crossing near Robert Best Road, said sum to be raised by taxation was *VOTED*.

The motion to appropriate the sum of \$55,700 to be expended under the direction of the Highway Surveyor for the construction of a walkway along Peakham Road from Horse Pond Road to Fox Run/Whispering Pines Road, said sum to be raised by transfer from Free Cash was *VOTED*.

The Finance Committee noted that at this point there was \$117,062 in the Proposition 2½ Surplus Fund.

ARTICLE 32.

Raymond Road
Walkway

To see if the town will vote to raise and appropriate, or appropriate from available funds, \$104,000, or any other sum, for the planning, engineering and construction of a walkway along Raymond Road, from Boston Post Road (Route 20) to Cider Mill Road, such funds to be expended in the following manner:

1. Planning and engineering funds as necessary to be expended under the direction of the Town Engineer; and
2. Construction funds as necessary to be expended under the direction of the Highway Surveyor;

or act on anything relative thereto.

Submitted by Petition.

Geraldine Taylor of Cider Mill Road moved to appropriate the sum of \$5,000 to be expended under the direction of the Town Engineer for the planning and engineering of a walkway along Raymond Road from the town of Sudbury Park and Recreation land just north of Warren Road and thence along Raymond Road by said Park and Recreation land, approximately 2,500 feet, to a point opposite the Sudbury Water District property near the southeasterly corner of the Sudbury Crossing Associates Realty Trust and to appropriate the sum of \$55,000 to be expended under the direction of the Highway Surveyor for the construction of said walkway along Raymond Road, said sum to be raised as follows: \$5,000 by taxation, and \$55,000 by transfer from Free Cash.

In support of her motion, Mrs. Taylor stated that she represented a group of Sudbury citizens who have always been worried about the safety on Raymond Road. Their concerns have become intensified due to the increased commercial development along Route 20. There are several new shopping centers within less than a year's time, two of which are right on Raymond Road's doorstep, causing a dramatic increase in traffic on Raymond Road. There has also been an increase in local use as well from Framingham. The results of a traffic count from the Highway Department indicate the average daily traffic is 1785 cars/day, which was much higher than expected. There are 1869 cars/weekday. This count was taken during a cold wintry week in January. A second count was taken last week and the average count was 2,000/day. A much higher count is projected once the spring, summer and fall activities get under way at Feeley Park.

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The second factor causing the concern is the fatal accident in which one of our townspeople was killed, just one year ago on Raymond Road. This accident involved two cars and peripherally a bicycle. The 1984 accident statistics indicate there were twice the number of accidents that year then in any of the previous four years. Many of us have seen or experienced near misses on Raymond Road where there's hardly enough room for two cars, let alone a pedestrian or a bicycle. For the purpose of emphasis, Mrs. Taylor showed the hall several slides indicating situations on Raymond Road that are hazardous for travelling by foot or otherwise.

The street is narrow and we've measured it as being between 15 and 17½ feet, which makes it one of the most narrow roads in town. Since it looks like a country road, people travel at excessive speeds, especially on the straight-away, not realizing the number of cars, pedestrians, or bike riders that use this road.

A third reason for concern is the recent installation of lights at Feeley Field, a field used most notably by the Lincoln-Sudbury Baseball Team, Little League, Babe Ruth and the future Sudbury American Legion Team, which should be in action this summer. Feeley Park includes other fields as well and has an average of 300-400 people present on any weekday night during the season for scheduled activities which include Girls' Softball, Little League, boys and girls soccer, Babe Ruth, adult soccer, and adult industrial softball. These go on through the summer and into the fall. This figure does not include the large number of spectators who usually turn out for legion games or activities at the tennis courts and basketball courts. We anticipate an increase in automobile traffic as well as pedestrian traffic, with the lighted fields.

Lastly, it is anticipated there will be an increase in traffic with the future residential development off Woodside Road. As of the 1983 census, we had 1830 residents in our area with 1453 over the age of 16, hence driver age. We also have approximately 300 children under the age of 15. The people who use Raymond Road encompass all ages from small children to senior citizens, from joggers to bike riders, to walkers who enjoy the Conservation Land along Raymond Road, from those who fish from Allowance Brook to those children and adults who use the town-owned tennis courts, basketball courts and ball fields, from those who would walk to the shops, bank, post office and library to drivers from all parts of town. I would like to re-emphasize here that Feeley Field and parks are used extensively by all residents in town not just those who live in adjacent neighborhoods.

The estimate for this walkway request was originally \$104,000 for 4950 feet. We have worked very hard to compromise and pare \$44,000 off that request to an amount of only \$60,000 for 2500 feet of walkway, the bare minimum that would provide some measure of safety for all. This plan would also require absolutely no easements from town's people, a process which is usually lengthy and difficult to say the least. We recognize and appreciate the difficult job the FinCom has had and all the work they've done discussing the merits of our articles. However, we do feel that we are in fact responsible voters and the Raymond Road walkway is a priority. We've done an incredible amount of research on this and we've tried very hard in the spirit of compromise to be flexible. We would like to see a walkway that is aesthetically pleasing and one that would provide some safety. We believe our need is urgent and we bring our case to you, our fellow citizens in Sudbury and ask your support on Article 32.

Finance Committee Report: (C. Baum)

For all of the same reasons I stated on the last article, the Finance Committee is on record as supporting the \$5,000 for planning and engineering of this walkway, but is not recommending the full \$60,000 cost. There was no difference in our budget hearing when we voted upon recommendation of funds for Peakham vs. Raymond. We did not feel that we were traffic engineers or safety experts or could judge that one was more worthy than the other of funding. But we do feel now that there is a difference. The difference is that one of them happened to come up as Article 31 and we're now on Article 32, and as we sit here on Article 32, the Proposition 2½ Surplus Fund, as it's called, contains \$117,000 and \$62 in change. Expenditure of \$5,000 already factored in, would not affect that \$117,000. Expenditure of an additional \$55,000 would most certainly affect that sum. The first \$17,062 are funds which we would hope to leave Town Meeting untouched. That may not be the case. What I would raise your concern about is going \$37,938 into the \$100,000 originally taken out of the Blue Cross budget. That is a situation where despite all the hopes and good intentions of all the town agencies there is no maneuvering room in this year's budget. If you think that we can go into Boston and say "Dear Mr. and Mrs.

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Blue Cross, wouldn't you like to lower your rates a little bit because we'd like to build a walkway, or a swimming pool, or any other worthy cause" I don't think we'll get very far. It's been suggested that we won't get very far opening the union contracts and asking them to pay by a reduced health benefit for what some people would like us to spend here tonight. If \$37,938 of that \$100,000 is spent, we will have a problem with Blue Cross. I will not try to regale you with the technical issues involved, but there will be a situation requiring in all likelihood a special town meeting at some significant cost to the town and a situation where once the tax rate is set there are very few degrees of freedom. We will have to use up funds which are not by any means slush funds to pay that amount. Once those funds are gone they are gone. They are not there for next year's budget. They are not there for the next group of citizens that come along and say "We too have a very high priority need, a safety need." They're not there when Mr. Lembo comes along and says that he doesn't have enough money to provide adequate safety along Raymond Road, or when Mr. Dunne tells us he needs a new fire engine, or when the schools come to us and say it's going to cost more to run the schools. We don't argue against the idea that this walkway and the one before it are both very high priority items. As I suggested I have no doubt that if funding was put off for a year, that we would recommend funding of this walkway above priorities given to many other projects that might be brought before us. But, I do think that we have to maintain a sense of perspective. We have to understand that there are a few other items on our list of priorities and I presume on everyone's that have to come above any worthy project - the maintenance of essential services of sufficient numbers of policemen, firemen, and school teachers have a great deal to do with why we're living here. As much as we might like to vote and give some of our fellow citizens the advantage of having a safer neighborhood, I don't think that this is a wise move because I don't think that we really want to face next year the consequences of doing so and of maneuvering in this way to take funds that really are not there to be spent and put them to this, albeit very worthy purpose.

Board of Selectmen Report: (J. Frost)

Our report on this article is the same as on Article 31. We support the engineering but not the construction. (See Article 31 for Selectmen's Report.)

Planning Board Report: (M. Brond)

Our position is the same as on Peakham Road. We support at least the minimum of engineering on the Raymond Road. (See Article 31 for Planning Board's Report.)

Mr. Jay Atlas of Raymond Road noted that the town made its point very clear on the last motion. We want walkways and the two walkways that are up for consideration this year are perhaps the most important ones that we have at this time. There is money available. It will not exceed the "2½" limit. I sat through the discussion on the intersections. I sat through the discussion on the Zoning law, and independent of the outcome or on which side you happened to be on, what I did hear was the intent of the town. The intent of the town as I read it was to be pro-active in getting out ahead of ourselves in determining what we need and I heard that safety is certainly at the forefront of that need. The intersections was for safety. The walkway was for safety. That's what we're talking about here on Raymond Road. All the logic that swayed you on Peakham exists for Raymond. There are a few other unique considerations that I'd like to bring to your attention.

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RAYMOND ROAD WALKWAY

Commercial Development on Route 20

- Sudbury Crossing/Regional Traffic
- Sudbury Marketplace
- Star Market Expansion

Increased Accidents/One Fatality

This Summer, Lights at Feeley Field

Increased Residential Development

WE NEED SAFETY FOR ALL SUDBURY RESIDENTSWalkers - Bicyclists - Joggers AND Drivers

Within the last twelve to eighteen months, we've had considerable change in the Raymond Road area. The commercialization of Route 20 is something we all are imminently aware of daily. The particular emphasis and specificity of the Sudbury Crossing change is something that those of us who live in that area have felt, perhaps more than others insofar as the draw for Sudbury Crossing is a regional draw. It's not a local draw of a local pharmacy or a local dress shop or a local restaurant but basically a larger regional chain that brings in traffic of considerable distance into the area. We feel that! I hope all of us, not only those that live in the southeast part of Sudbury feel it but the rest of the town. The accidents, fatalities, we've already heard about. The lights on Feeley Field. I think that there's at least two thoughts that have to be mentioned in regard to those lights. One, we are going to have all of our children and some of our adults in town being on that road who have never been there in the evening before coming to and from that area. For those of you who are familiar with it, the lighting on that road leaves something to be desired outside of the Feeley Field area itself. Those walking or on bikes are certainly in imminent danger everytime they set foot on that property. But more than that, I think the drivers here have to be really understood and considered. The stories we've heard about Peakham are certainly true about Raymond and the increased residential development in the area I think is also reasonably well known. In summary, I believe that the logic that prevailed at Town Meeting tonight in support of Peakham is equally true of Raymond with some other pressing issues that it should in fact sway some additional votes. I would hope that after discussion, I will also move to divide the question so we logically flow through it just like we did on Peakham and we can proceed to a good close in support of Raymond.

Bette Sidlo, presenter for the Peakham Road Walkway, made the following observation in support of the Raymond Road Walkway. She, Geraldine Taylor and the petitioner have as groups worked closely together, attended many of the same meetings, and gone before the same boards. We've heard each other's arguments and over a period of time have gradually been very convinced that one walkway is as significant a need as the other. We sat in front of the FinCom one evening and over the period of time we were there it became very apparent that the people who work on the FinCom work very hard at what they do. They have to seriously consider the needs this year and the needs for next year and the needs for the years to come. But one thing that struck me as a very important point was when the Planning Board went before them and requested \$15,000 to do what the FinCom considered a study on traffic. The FinCom denied that request on the basis that they were not willing to fund any more studies. They didn't want to wait for any more studies. They want action to be taken to repair some of the problems that we are facing now in town. Well, I'd like to tell you that you have your chance tonight to help us take some action for another walkway and a walkway that's very much needed. One other comment I'd like to make is that the FinCom has

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maintained that they do support walkways and I would really like to believe that. But, in looking through all the reports on walkways, the one that struck me most recently was the Dutton Road walkway. That was put in over the past year. I don't know how many of you have driven down and seen the repair to the road and seen the walkway. It's really a lovely way now. It's much safer and it's genuinely a treat to drive down it or ride on it on a bicycle or walk it. I did notice in looking over the history of that walkway, that the request for the appropriation for that walk was brought before the town meeting three times and the last time when it did pass, the FinCom still did not support or approve the money. So, I don't know how long it will take if we wait for the FinCom's approval. I have one question I'd also like to pose to the FinCom that deals with this concern for the money we're going to go out of here with or without tonight, remaining in the Available Free Cash. It's now down to \$117,000 but as I look in my warrant, I notice that Article 34 brings up another financial matter and that is whether we want to vote \$170,000 into a Stabilization Fund. The Stabilization Fund is one of those special funds that is sometimes used but can't be used by you or I and can seldom be used by the FinCom either. I'm not exactly sure what all the restrictions on it are, but this \$117,000 is sitting there right now in a state of limbo and if they're so concerned about not having enough money left over at the end of this Town Meeting, I'm wondering if it isn't possible for them to reconsider the amount of money that's decided to be voted into the Stabilization Fund so that some of that money can be left as a remainder for the Free Cash that we're so worried about tonight.

The Finance Committee responded to the above comment by stating that the Town voted to establish a Stabilization Fund in October 1982 at a Special Town Meeting. The purpose of this fund is to set aside money that can be used for any items which can be bonded. It is available to anybody in town if they come forward with an article which would qualify for bonding. Last year the Finance Committee used the Stabilization Fund to buy a sorely needed fire truck. Next year, we will have the same request. The money goes into the fund and the way that \$170,000 would have gone into the fund this year is from the sale of the Horse Pond School. The Horse Pond School was sold for \$170,000. However, because of a technicality, there was no way to take the money directly from the sale of the school and put into the fund. Therefore your warrant indicates that we are asking for that money to be appropriated by taxation. However, the sale of the Horse Pond School, \$170,000, has been used throughout the Warrant as an offset to the \$170,000 we are asking you to raise and it was used as follows: \$36,000 for Capital Items in the Sudbury School Budget and \$69,000 as an offset for Capital Equipment in the Highway Department Budget. In addition, another \$65,000 was used for a sorely needed telephone system which will be installed throughout the town and will benefit all of you.

John Taft of Moore Road addressed a concern to the Town Accountant at this time. When we passed the budget, we included a sum of money, \$14,229, under item 521-23 to do work on outstanding receivables. He then read from page 35 of the Warrant the following: "The June 30, 1984 Balance Sheet of the Town indicates that there are very sizeable Accounts Receivable of uncollected Real Estate and Personal Property Taxes - - \$809,018 from FY83 and earlier levies, and \$860,163 from FY84 levy. This degree of delinquency seriously impacts the Town's free cash position for this Town Meeting and adversely affects the Town's ability to operate within the limits imposed by Proposition 2½....." The Finance Committee agreed to give the Town Accountant a sum of money to work this almost \$1,700,000. If we were to have a special town meeting sometime in the spring, and at that time if somebody said we have to put some more money into any number of things, let's say Blue Cross/Blue Shield, since that seems to be the popular item of the evening, you would by then have recomputed Free Cash based on how much additional taxes had been collected and all the other things that go into it, would you not have done it at that time? We would have a different Free Cash position then that which we have tonight.

James Vanar, the Town Accountant stated that the benefits hoped to be realized from the \$14,000 effort probably will not be realized until July of 1986. We will commence the effort this July 1st. The Free Cash that will be certified this July will not have the benefit of that effort and that figure would be somewhere around \$314,000. We could possibly re-certify another sum sometime in the spring, based on collections between July 1st and the end of February, as we did this year. Re-certification, according to the Bureau of Accounts must be for a specific reason, depending upon the recommendations of the Finance Committee and the "normal" collections. They hopefully will be improved collections. But, basically, the full impact of that won't be until July of 1986.

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Chester Hamilton, the Town Treasurer, referring to himself as the custodian of a rapidly diminishing sum known as Free Cash, asked if someone could explain to him whether this motion is correct. He asked this question because the so-called "2½ Surplus Fund" was not made up fully and totally of Free Cash. It would be my impression that had we voted the \$100,000 extra for Blue Cross, it would have come from taxation. My question comes down to not arguing the correctness or incorrectness or for or against the motion, but only the source of funds. Is there in fact \$50,000 in Free Cash? The alternative obviously, if it's not there, would be for it to come from taxation.

Mr. Vanar, the Town Accountant, stated "The balance going into this article is \$90,068 in Free Cash."

Robert Coe of Churchill Street commented that the FinCom explained that money already had been allocated from the Stabilization Fund for various items in the budget and the \$170,000 in Article 34 would be an offset to replenish the amount to come from the sale of the Horse Pond School. Is there enough money in the Stabilization Fund to cover these amounts if the \$170,000 from Article 34 is not put into the Stabilization Fund?

The Finance Committee corrected Mr. Coe by stating that the offsets to the budget came from the sale of the Horse Pond School. The intention in setting up the Stabilization Fund was to take funds directly from the sale of town buildings or schools and put it into the fund. Town Counsel advised that we couldn't make the direct deposit that way, so we had to take a more circuitous route and use the sale of the building to offset other articles. For that reason we are asking to put \$170,000 in the Stabilization Fund from taxation.

To this explanation, Mr. Coe commented that maybe the only sensible way to fund the Raymond Road walkway is to defeat Article 34 (Stabilization Fund), and get us back into fiscal balance.

The Finance Committee reported that the amount recommended to go into the Stabilization Fund is for some very large capital items coming up. The Fire Chief has need of a new vehicle every two years, at a cost of \$118,000 or \$120,000, as part of a very long range plan. The Fire Chief also has need to buy equipment. Last year it was funded from the Stabilization Fund. The other large budget items which require capital equipment is the highway department. If we don't have those trucks on the road, we will not have our roads maintained. There is some money in the Fund now, that will only last another year or so at the rate we're going. It is not believed that in 2 or 3 years we will have sufficient funds to put into the Stabilization Fund, because we have sold the Horse Pond School and received the money this year. The Finance Committee feels it is critical that the money go into the Fund at this time. The other big item is the capital expenditures. Because of the sale of the school, we have asked to have the money put into the account at this time.

James Friedman of Moran Circle repeated the question raised by Mr. Coe and asked the Finance Committee whether or not the defeat of Article 34 (Stabilization Fund) would make available Free Cash for use to fund the Raymond Road Walkway.

Paul Kenny, Town Counsel responded by stating "The defeat of Article 34 would not make those funds available as Free Cash because those funds would be only there if they are appropriated from taxation and therefore the funds would have to be appropriated from taxation to be available in this tax year."

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Alan Grathwohl of Stubtoe Lane asked Town Counsel the following question. The levy limit of the town of Sudbury is \$14,299,044. We have in the process of this Town Meeting, assuming all articles as recommended by the Finance Committee will pass, a position where we are now approaching what I call the hundred thousand dollar issue. Our Free Cash was certified as \$240,144. Assuming that this article passes and assuming that the \$100,000 we cut from Blue Cross/Blue Shield cannot legally be cut, are we technically over the levy limit if this article passes?

Town Counsel, Paul Kenny, stated "If we're assuming that that can't be cut, which I don't think is a correct assumption, then we would not be over the levy limit until such time as the funds were voted under Article 34 and no further vote was taken on the \$100,000. He further added, "I believe what we have left is \$90,000 and some change in Free Cash. We have some additional funds, and I don't know what the total is, under 3 separate warrant articles, and we have available to the Town Meeting approximately \$170,000 under the tax levy to be spent."

Geraldine Taylor, the presenter of this article, stated that she had looked into many funds to find money for this walkway, and that is why the request was cut down by \$44,000, to be as cost efficient as possible. The Stabilization Fund was looked into, but unfortunately due to a technicality, the walkways cannot be bonded because of the materials from which they are made. I would like the Town Accountant to tell the town what the balance in the Stabilization Fund is now. I want everyone to know what the balance is now before the \$170,000 goes in.

Mr. Vanar said "\$240,642."

A motion to divide the question was made, seconded and *VOTED*.

In response to a question as to the length of the proposed walkway, Mrs. Taylor stated that it would come to the top of the hill opposite the Sudbury Crossing area. The Town Engineer felt that that would be a point where there eventually could be a crosswalk for people to walk to the shopping areas.

The motion to appropriate the sum of \$5,000 to be expended under the direction of the Town Engineer for the planning and engineering of a walkway along Raymond Road from the Town of Sudbury Park and Recreation land just north of Warren Road and thence along Raymond Road by said Park and Recreation Land approximately 2,500 feet to a point opposite the Sudbury Water District property near the southeasterly corner of the Sudbury Crossing Associates Realty Trust, said sum to be raised by taxation was *VOTED*.

The motion to appropriate the sum of \$55,000 to be expended under the direction of the Highway Surveyor for the construction of said walkway along Raymond Road, said sum to be raised by transfer from Free Cash was *VOTED*.

At this time, a point of order was called by Mr. George Hamm of Mossman Road, for a count of the vote.

The Moderator ruled that the motion had passed, and further stated that the doors have opened. People have left and it was clear to him that it passed.

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Mr. Hamm stated that he had requested a count as soon as the vote was over.

The Moderator requested seven voters to support the request for a counted vote. He then ruled that the request to count the hall was delayed, and the motion was out of order. The hall will not be counted. He further stated that it would not be fair since people have left to count the hall now.

The Moderator then provided the hall the opportunity to appeal his ruling if a point of order was appropriately made. Such an appeal was made and seconded. On the appeal from the Moderator's ruling the question put to the hall was "Shall the Moderator's ruling be reversed?" The appeal failed.

ARTICLE 33. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$500, or any other sum, to be added to the Sudbury 350th Anniversary Celebration Fund established by the 1984 Annual Town Meeting, 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 Board of Selectmen. (Two-thirds vote required.)

Board of Selectmen Report:

Last year we started a fund for Sudbury's 350th Anniversary Celebration. If we add a little each year, as proposed in this article, we will have seed money for this purpose in 1989.

Finance Committee Report: Recommend approval.

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

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ARTICLE 34. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$170,000, or any other sum, 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; said sum to be raised by transfer from the sale of town buildings account; or act on anything relative thereto.

Stabilization
Fund

Submitted by the Board of Selectmen.

Myron Fox, Chairman of the Board of Selectmen *moved to postpone to a time certain, namely after Article 36.*

In support of this motion, it was stated by Mr. Fox that due to the vote of the previous two articles, the Board had not had a chance to speak with the Town Accountant about the financial implication of the passage of these two articles. Town Counsel also had a question on some legal implications. Therefore, before going ahead and voting any money into the Stabilization Fund, a few minutes were needed to talk with the Town Accountant and the Town Counsel, while Articles 35 and 36 are being discussed. The Selectmen will be prepared after Article 36 to make a motion.

(See page 144 for final action under Article 34, Stabilization Fund.)

The motion to postpone under Article 34 was *VOTED*.

(See page 143 for continuation of Article 34.)

ARTICLE 35. To see if the Town will vote to amend the Sudbury Zoning Bylaw, as follows:

Amend Bylaws,
Art. IX,II,
III & IV

Regs: Open
Space
Districts

A. Article IX, Section II, Establishment of Districts, Part A, Types of Districts, by adding the following:

"9. Open Space Districts.";

B. Article IX, Section II, Establishment of Districts, Part C, Location of all other districts, by adding to the first paragraph references to Open Space Districts, so that said paragraph reads as follows:

"The Business Districts, Limited Business Districts, Industrial Districts, Limited Industrial Districts, Industrial Park Districts, Research Districts, and Open Space Districts shall be denoted on said Zoning Map by letters as follows: Business Districts, BD-; Limited Business Districts, LBD-; Industrial Districts, ID-; Limited Industrial Districts, LID-; Industrial Park Districts, IPD-; Research Districts, RD-; Open Space Districts, OSD-; and each such district as now established or as may hereafter be established with a description of the boundaries thereof shall be numbered consecutively in the order in which they were established or may hereafter be established; and written descriptions of the several districts as now constituted are as follows:"

C. Article IX, Section III, Permitted Uses, by adding the following new section:

"F. Open Space Districts

1. Purpose - The Open Space District is intended for the preservation and maintenance of the ground water table upon which the inhabitants of the town and other municipalities depend for water supply; for protection of the public health and safety of persons and property against the hazards of flood water inundation; for the protection of the community against the costs which may be incurred

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when unsuitable development occurs in swamps, marshes, along water courses, or in areas subject to floods; to preserve and increase the amenities of the Town; and to conserve natural conditions, wild life and open spaces for education, recreation and general welfare of the public.

2. Permitted uses within the Open Space District - The following uses are permitted within the Open Space District:
 - (A) Conservation of soil, water, plants and wildlife;
 - (B) Recreation including nature study, boating and fishing and hunting where otherwise legally permitted;
 - (C) Grazing and farming, including truck gardening and harvesting and storage of crops;
 - (D) Forestry;
 - (E) Proper operation and maintenance of dams and other water control devices including temporary alteration of the water level for emergency or maintenance purposes. An owner of a private dam may lower the water level to a point not below what was flooded prior to the erection of the dam;
 - (F) Any religious use or any educational use which is religious, sectarian, denominational or public as provided for by Section 2 of Chapter 40A, M.G.L.
 3. Uses permitted by special permit within the Open Space District - Upon the issuance of a special permit for an exception by the Board of Appeals, and subject to such other special conditions and safeguards as the Board of Appeals deems necessary to fulfill the purposes set forth in Para. 1, the following uses, structures and actions are permitted:
 - (A) Boat houses, duck walks, landings and small structures for non-commercial recreational uses;
 - (B) Municipal uses such as water works, pumping stations and parks;
 - (C) Temporary storage of materials or equipment but in no event to exceed three months;
 - (D) Dams, excavations or grading, consistent with the purposes of this section, to create ponds, pools or other changes in water courses, for swimming, fishing or other recreational uses, agricultural uses, scenic features, or drainage improvements.
 4. Restrictions - Except as provided above there shall be in the Open Space District:
 - (A) No land filling or dumping in any part of the district;
 - (B) No building or structure, except as provided in Section 3;
 - (C) No permanent storage of materials or equipment;"
- D. Article IX, Section IV,B, Schedule of Intensity Regulations by adding the following:

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B. SCHEDULE OF INTENSITY REGULATIONS
(All dimensions in feet unless otherwise noted)

Gen. Use	District Designation	Minimum Lot Dimensions		Maximum Building Coverage(1) Percent of lot	Minimum Required Yard Dimensions			Minimum Required Set Back Distance		Maximum Building Height(3)	
		Area Sq.Ft.	Frontage Any St. or Way		Front(2) (depth)	Side (width)	Rear (depth)	Street Center-line	Residence Zone Bound (side-rear)	Stories	Feet
Open Space	Open Space District	none	none	10%	40	40	40	70	100	2	35

or act on anything relative thereto.

Submitted by petition.

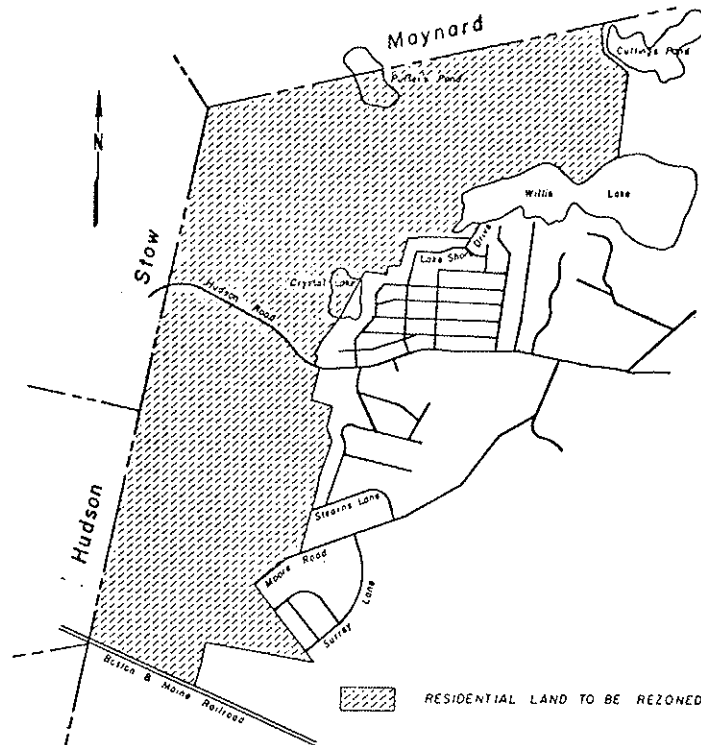
(Two-thirds vote required.)

Selectman Josiah Frost moved in the words of the article.

Planning Board Report: (M. Brond)

It is rare that the town is presented with an opportunity to take some positive action which can clearly influence and shape the future growth and life style of the community. Such an opportunity is before us tonight. Our presentation will consist of three parts. Representing the Planning Board, I will talk about the background and benefits to the Town of creating an Open Space District. Jeff Moore of the Conservation Commission will discuss how this property fits into the Commission's overall planning and the advantages to the town. Lastly, I will take you on a brief walking tour of the area with about 11 slides. Most everyone here tonight is aware of some piece of property which should have been saved for future public use, but which without warning was suddenly consumed for some other purpose. This was due to the town's inability to control the future use of the parcel prior to its sale. A lost opportunity. It is critical for a town to identify resource lands and take action that will preserve such land and allow the town over time to control, plan and direct the future use of such land. We have that opportunity tonight to prevent this lost opportunity by creating a valuable public resource and allowing the town to decide through future town meetings what would be the best use of this parcel at that time. The purpose of this proposed Open Space District includes preservation and maintenance of the ground water table, protection of the community from the costs which may be incurred when unsuitable development occurs in wetlands and floodplains, preservation encouragement of the town's amenities, conservation of natural conditions, wildlife and open spaces for education, and recreation and provide for control of development within this proposed area. The permitted uses within the district as stated in the Warrant include agriculture, recreation, forestry, conservation, boating, and fishing. Over time, as the town becomes more familiar with the full potential of the land, it will, by creating this district, be in a position to control and implement additional uses. The area of land being proposed as an open space district has been a part of the U. S. Military since World War II. The parcel was chosen as the site for Fort Devens due to its proximity to the existing railroad lines and Boston Harbor. Currently the U. S. Government is in the process of excessing an additional 289 acres on the south side of Hudson Road as shown in the dark area adjacent to the former Boston & Maine Railroad Line. This dark area is what we're referring to. Under existing government property management regulations, federal agencies are required to identify those lands that are not being fully utilized and report them excess to the General Services Administration for disposal. GSA, after accepting the report of excess, screens other federal agencies to ascertain whether they have a need for the property and if not, it may be made available to state or local governments for a variety of purposes, including public park and recreational use. Federal Surplus Property Disposal Regulations formerly provided for a 100% reduction in the assessed value of the property based upon its use for public park or recreation purposes. Those benefits under past administrations have amounted to as much as a 100% offset in the fair

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market price of the property. Having broken with tradition, the present administration has decided to sell the surplussed land at its fair market value with no price reduction for state or local governments, thereby making it a prime parcel for developers to bid on and thereby effectively pricing it out of the range of the state or town. The result will be a loss of 289 prime recreational acres and the addition of approximately 150 residential homes with their attendant traffic. Article 35 before you and subsequently Article 36, if 35 passes, will have two significant effects. The market value of the 791 acres, that's the total area being re-zoned from residential to open space, will be considerably reduced and the Town of Sudbury in the form of you, the voters, will be in a position to guide and control the future of this land without a current expenditure of funds.

Conservation Committee Report: (Jeffrey Moore)

Establishing an Open Space District will protect the area for recreational use while conserving the valuable resources of the site. In addition this parcel will serve as a major link between tracts of protected land in its north, south and east borders. The site is located mostly on high, dry ground making it ideal for passive recreational uses. The parcels to be rezoned in our town lie within a proposed network of parks and protected open spaces forming a horseshoe-shaped Green Belt, beginning on Plum Island, running southeast through Sudbury to Plainville, then east to Duxbury Beach, stretching through 50 suburban communities. This Bay Circuit Green Belt is an exciting recreational and environmental protection initiative being undertaken by the Mass. Department of Environmental Management. It was first envisioned in the 1920's by the same person who conceived the Appalachian Trail. The Green Belt is proposed to be a series of connecting parks and open spaces circling Metropolitan Boston, protecting irreplaceable natural resources and important views of typical New England landscapes. The Green Belt plan has been kept alive through the years and has repeatedly been endorsed by various environmental organizations and government leaders. Funding, however, was first provided in the state's 1983 Capital Outlay budget in the amount of 9.25 million dollars. Some of the 9.25 million will be used to purchase land that lies within the route but more often the DEM hopes to purchase development rights,

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use conservation easements, wetland restrictions, agricultural preservation designations, and local zoning to protect the Green Belt. The plan's emphasis is on local initiative and local control in determining the methods of preserving the character of individual communities. We have the opportunity right now to protect a large centrally located portion of this Green Belt without the expenditure of any funds on the part of the town or state. On a more local level you can see that the protected area surrounds this parcel and that other protected areas surround the parcel. Federal land previously excecised by the Federal Government and returned to the state at no cost under the former excecising policy lies to the north of the parcel. To the south is the Women's Federation Forest Land and to the east is the Hop Brook Conservation Land owned by the town. Many trails currently exist on the property that are ideal for bicycling, hiking, cross country skiing, nature walks, etc. These trails were formerly the sites of railroad spur tracks used during World War II to bring ammunition in on the Boston and Maine Railroad to the southern boundary of the parcel to the storage bunkers located on the military land on the north side of Hudson Road.

In summary, the Conservation Commission urges you to support Articles 35 and 36. It is not often that such a large parcel can be protected without the expenditure of large sums of money. Due to the timing of these articles, prior to the excecising of the land by the Federal Government, we can preserve an important part of a vision conceived as necessary as far back as 1920.

After showing the hall several slides taken from different sitings on the land, Mr. Brond concluded the presentation by saying that this parcel for open space will allow the town to decide for itself through future town meeting actions the destiny of these parcels and all the small but significant features contained here that we wish to preserve for future generations.

Finance Committee Report: (G. Orris)

The purpose of this article is to amend the Zoning Bylaws to permit the town to create open space districts. The driving force has been the parcel of land identified in Article 36. If the town does not take this action to create Open Space Districts and so zone the land, it will retain its present residential zoning status. It appears that the Federal Government has determined or shortly will determine that this land is surplus and intends to dispose of it. We have been advised that the Federal Government is bound, after offering the land to appropriate Federal and State agencies, to maximize the revenue to the government for any private sale of the land. If no Federal or State agency is able to demonstrate need for the property, it is possible that the Federal Government will place it on the open market. If that is done with the present residential zoning still in full force and effect, the maximum bidder for the property will almost certainly be a developer interested in developing the land further as residential property. On the other hand, if the land is zoned as Open Space, this will minimize the land's attractiveness to persons or entities desiring to develop the property and make it more likely that the town or some entity interested in preservation will be able to obtain the land for minimum payment. This Article 35 merely creates the concept of Open Space Districts in our Zoning Bylaw. Article 36 is the vehicle by which the land of immediate concern will be so zoned. We're all concerned about retaining the rural character of our town and protecting our environment. The adoption of these two articles will enable the town, at minimum expense, to address these concerns, and to preserve a substantial piece of property within the town as Open Space for the benefit of the entire town. We recommend approval of both articles.

Board of Selectmen Report: (J. Frost)

The Selectmen recommend approval of both these articles. There's many things that we could say about it, but in shortness of time, I think the Finance Committee has explained it.

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George Hamm of Mossman Road urged the hall to defeat this article, believing that this article will only generate a type of zoning that is going to wipe out personal fortunes. It is extremely dangerous. The town does not have the right to re-zone a man out of all of his money. This article gives it. It's very emotional when you talk about the particular piece of land that they're talking about. But, consider the next piece of land. A Barton Farm. They wouldn't have had to pay so much for Barton Farm, if they could have done this. Or the Stone Farm. What would they have paid for the Stone Farm if they had declared that an Open Space? This is a license to steal.

Harold Olson of Goodman's Hill Road commented that, under paragraph 2(B), in an area that's very close to a settled residential area, we are going to permit hunting. In an area as big as almost 300 acres, you could probably separate hunting and other recreational activities, but I'm not going to spend my time there. The people in Wayland have been complaining for the last few years about the duck hunters and other people on some of the Conservation property where hunting is permitted - waking up to gunfire; having shots rattle on their roofs and their windows and the like. I don't think we are too far off from permitting that again, and that's just shot shell firing not bullets from a long rifle or a pistol for small game or something else of that nature. What is intended here when we are going to mix hunting and recreation?

To this concern, Mr. Moore of the Conservation Commission replied that the Commission limits hunting on Conservation lands in town. It goes through a review process every year. Currently hunting is only allowed on Lincoln Meadows. Mr. Moore believed that this land will go into the pool of lands that we consider every year and if past history holds true, we will probably not be allowing hunting in those areas just as it is not allowed on Hop Brook Marsh and Nobscot Hill.

John Ackerman of Hammond Circle *moved to amend the motion under Article 35 by removing the words "and hunting" from paragraph 2(B) as set forth on page 68 of the Warrant.*

In support of his motion to amend, Mr. Ackerman stated that he thought the intent of this article is to provide an area for recreation where people can ski, bike, hike, etc. I don't believe it is very safe to have hunters on the same land at the same time, and I don't like leaving it up to chance by saying that it is limited to certain areas within the town and leaving it at that. It needs a little bit of tightening.

The motion to amend the motion under Article 35 by removing the words "and hunting" from paragraph 2(B) was *VOTED*.

The motion under Article #35, as amended, was *UNANIMOUSLY VOTED*

It being 11:00 P.M., the Moderator, after taking a sense of the hall, decided that at least 2/3rds of the people wished to finish the Warrant.

At this time a motion was made to adjourn the meeting which *failed*.

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ARTICLE 36.Amend Bylaws,
Art. IX,II,COpen Space
District #1

To see if the Town will vote to amend Article IX, Section II, Establishment of Districts, Part C, Location of all other districts, of the Sudbury Zoning Bylaw, by adding thereto the following Open Space District No. 1 comprising property belonging to the United States Military Reservation and the Commonwealth of Massachusetts (currently in Residential Zone A-1), said district bounded and described as follows:

"Open Space District No. 1

Beginning at a point being the boundary corner between the Towns of Sudbury, Maynard, and Stow;

Thence northeasterly along the Sudbury-Maynard town line 6050 feet, more or less, to a point on the easterly boundary of the United States Military Reservations, so called;

Thence southerly along said easterly boundary 2200 feet, more or less, to a point on the northerly shoreline of Willis Lake;

Thence in a counter-clockwise direction along the shoreline of Willis Lake 3950 feet, more or less, to a point on the westerly sideline of Lake Shore Drive;

Thence southwesterly along the easterly boundary of the United States Military Reservation 4100 feet, more or less, crossing Hudson Road, to a point on the southerly sideline of Hudson Road;

Thence easterly along Hudson Road 59 feet, more or less, to a point;

Thence southerly along the easterly boundary of the United States Military Reservation 3095 feet, more or less, to a point on the northerly sideline of Moore Road;

Thence westerly along Moore Road 899 feet, more or less, to a point;

Thence southeasterly along the easterly boundary of the United States Military Reservation 1448 feet, more or less, to a point at land of the Town of Sudbury Conservation Commission;

Thence westerly and southerly along said land of the Town of Sudbury Conservation Commission 2354 feet, more or less, to a point on the northerly sideline of the former Boston and Maine Railroad layout;

Thence westerly along said railroad layout 1700 feet, more or less, to a point on the Sudbury-Hudson town line;

Thence northeasterly along the Sudbury-Hudson town line 3500 feet, more or less, to the boundary corner between the towns of Sudbury, Hudson, and Stow;

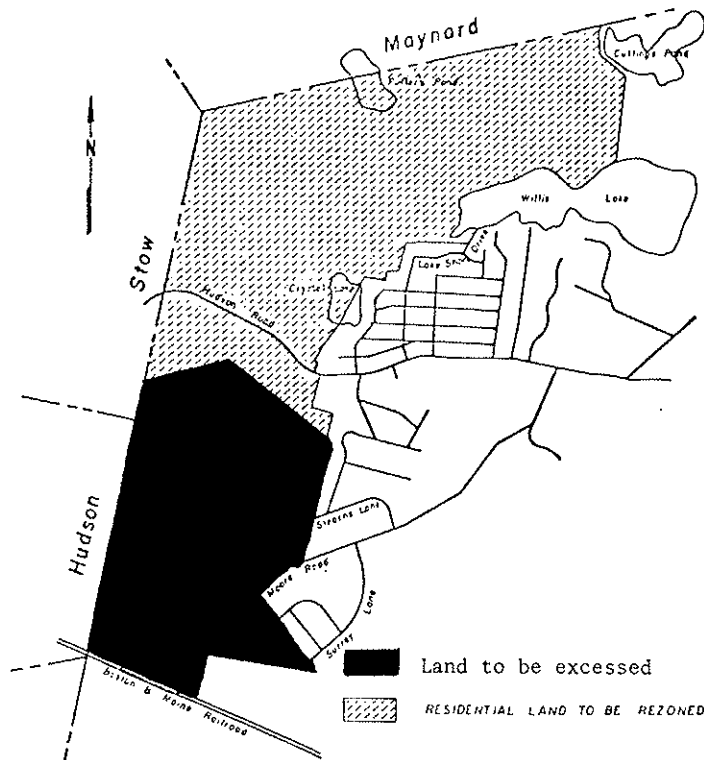
Thence northeasterly along the Sudbury-Stow town line 4665 feet, more or less, to the point of beginning.";

or act on anything relative thereto.

Submitted by petition.

(Two-thirds vote required.)

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Selectman J. Frost moved in the words of the article.

Board of Selectmen Report: (J. Frost)

The Selectmen support this article.

Planning Board Report: (M. Brond)

We strongly support this article.

After a lengthy presentation by George Hamm of Mossman Road in opposition to this article, the motion under Article 36 was *UNANIMOUSLY VOTED*.

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ARTICLE 34 (Continued).

The next order of business was Article 34, the Stabilization Fund, having been postponed earlier in the evening. Selectman Fox was recognized and he *moved to appropriate the sum of \$170,000 to be added to the Stabilization Fund established under Article 12 of the October 7, 1982 Special Town Meeting, pursuant to Mass. General Laws, Chapter 40, Section 5B, said sum to be raised by taxation.*

In support of this motion, Mr. Fox stated that the Town had received \$170,000 from the sale of the Horse Pond Road School, and in the Selectmen's report in the Warrant it is suggested that this sum of money be put into the Stabilization Fund for use in future years for capital expenditures, as has been done in previous years. During the brief recess, the Town Accountant requested that as a fiscally responsible measure, the \$170,000 be put in the Fund, knowing of the favorable town meeting votes on the walkways. This year, the Board of Selectmen with the assistance of the FinCom and the Town Accountant prepared and handed out the most comprehensive listing of town finances that's ever before been given to a town meeting. It was entitled "1985 Annual Town Meeting Finances" and showed the money that could be used, the monies that were restricted, and it showed the Stabilization Fund balance to be \$240,642. Please be aware that this large sum of money probably won't last beyond two or three years. The reason for that is we know of one request for \$110,000 from the Fire Chief next year in his normal budget for a new truck, and we also have requests for highway equipment. The Stabilization Fund may be used, after a 2/3rds vote of Town Meeting, for any item that can be bonded. If anybody is curious as to what that entails, I have a list of 49 items and I would be glad to itemize them.

Finance Committee Report: (M. Wallace)

The Finance Committee supports the appropriation of \$170,000 for the Stabilization Fund for all of the reasons the Selectmen have stated, and with the recognition of the money appropriated tonight for the walkways. We think it's a fiscally responsible position for the town to be taking at this time.

Robert Coe of Churchill Street commented after hearing these two reports, that he didn't understand where the money was going to be coming from. He said that he thought the Finance Committee had us all convinced a little while ago that we were headed for disaster because we were essentially spending ourselves into an almost an override situation with respect to Proposition 2½. He thought it would make more sense to find a way to leave this money in Free Cash for a while and then maybe at a Special Town Meeting later on, to put it in the Stabilization Fund. If you put it in the Stabilization Fund, you automatically restrict it. You make it so that you can't do anything with it except spend it on items for bonding. I would think that it would be better to keep our options open and not put the money in the Stabilization Fund now.

Paul Kenny, Town Counsel responded by saying, "The only way to get those funds right now is to put it in the Stabilization Fund. There are no remaining articles. The money cannot be put into Free Cash because it is money that will be raised by taxation. If you will recall when Article 32 was discussed, I had indicated that there were three areas where funds could be raised from. One was outstanding articles in the amount of approximately \$35,000. There was approximately \$90,000 in Free Cash, and there was this \$170,000 that could have been raised by taxation. This money that's raised by taxation can only be raised by taxation, and if it is not appropriated the town will lose whatever money is not appropriated under this article."

Mr. Coe suggested that a lesser amount be appropriated to put in the Stabilization Fund and then Article 32 should be reconsidered for the purpose of

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changing the funding method from transfer from Free Cash to taxation, so the town would end up with the same amount of taxation as would be if the \$170,000 was placed into the Stabilization Fund. However, you save the Free Cash that was put into the walkway.

John Taft of Moore Road asked if at the time the hall votes on the Wrap-up Motion, if adjustments in the amounts from Free Cash and the amounts to be raised by taxation could be made, to be sure we get up to the "2½" limit.

Town Counsel, Paul Kenny, noted that "There is presently nothing in the Wrap-up motion that talks about appropriating any funds. All of the funds that were appropriated on the budget have been voted on in the budget article, and I believe that would consist of a reconsideration of that budget motion." Mr. Taft referred to Section "G" of the Wrap-up motion, to which town counsel stated "That would have the same effect. What that would do would still...whatever monies were reduced under Article 34 there would be an offset by Free Cash, which would reduce the tax levy and that would result in a lessening of state reimbursements as is presently being threatened by the governor, if we don't maintain our tax levy."

Mr. Taft then asked the Town Accountant, James Vanar, if the \$170,000 for the Stabilization Fund would bring us up to the Prop 2½ limit that we are allowed to go to -- right to it and not some other number. To this the Town Accountant responded affirmatively.

The motion under Article 34, the Stabilization Fund, was *VOTED*.

The following Wrap-up Motion was presented by the Finance Committee Chairman:

- Move, A. That appropriations within Department Budgets are funded hereunder as integrated line items, provided, however, that the Departmental appropriation for one such line item cannot be used for another line item without the prior approval, in each instance, by the Finance Committee;
- B. That, with the exception of Account 100, Education and the integrated line items provided by this motion, all the line items in all other accounts have been voted in segregated line items for Accounting and expenditure purposes;
- C. That all automobile mileage shall be paid at the rate of 20.5¢ per mile upon submission of a proper voucher;
- D. That all appropriations under Article 6 are for the Fiscal Year July 1, 1985 to June 30, 1986;
- 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 certification of the Town Accountant;
- F. That funds appropriated for the salary adjustment line item, 950-101, 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;

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- G. Move to appropriate the sum of \$267,566 from Free Cash as an offset to the budget in determining and setting the Fiscal Year 1986 tax rate if needed to meet the requirements of Proposition 2½.

At the request of Mr. Hendrik Tober of Ames Road the following explanation of section G was given by the Chairman of the Finance Committee. At the beginning of this meeting we had certified a certain amount of Free Cash. We can spend up to that amount of Free Cash. This is slightly less than what was originally appropriated and it brings us up to the levy limit under the requirements of Prop. 2½.

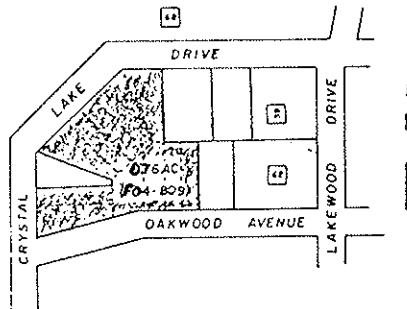
The Wrap-up Motion was *VOTED*.

ARTICLE 37. 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, land in Sudbury off Crystal Lake Drive, shown as Parcel 809 on Assessors' Map F04, at private sale and to determine the minimum amount to be paid therefor; or act on anything relative thereto.

Tax Posses-
sion Parcel
#189 - Off
Crystal
Lake Drive

Submitted by Petition

(Two-thirds vote required)



At the request of the petitioner, a Framingham resident, Mr. Fox of the Board of Selectmen made the motion under this article.

Move to authorize and empower the Board of Selectmen to sell and convey upon such terms and conditions as it deems necessary or desirable, land in Sudbury off Crystal Lake Drive shown as Parcel 809 on Assessors' Map F04 at private sale and to direct that the minimum amount to be paid for such parcel shall be \$30,000.

In explanation of this article, Mr. Fox stated that the petitioner, who lives in Framingham and works for the Sudbury Highway Department, has asked the town to sell him this tax possession land, that is land the Town of Sudbury acquired for non-payment of taxes. All town boards were asked if anybody was interested in having this land and they all said "No." The Selectmen support this article as it enables us to sell at fair market value a piece of land we own but do not use. The town's Assistant Assessor has told us that the fair market value of this piece of land is \$30,000, so we have used this figure in preparing the motion. If this article passes, it is the intention of the Board of Selectmen to request next year's town meeting to use these proceeds to

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purchase conservation land that will be better utilized by the town than this land we are talking about selling.

With the consent of the Hall, the petitioner Mr. Cournyn addressed the hall as follows: My name is Michael Cournyn. I am a Framingham resident and I work for the Sudbury Highway Department. I am an Emergency Medical Technician trying to get on the Sudbury Fire Department and I'd like very much to live in the town. I am not a developer and I am not out to try to make a fast buck. I am just looking for a home of my own. The lot itself is 3/4 of an acre, approximately a third of which is covered with up to 4 feet of tree limbs, stumps, leaves, building materials and other debris. It is my intention to clean it up, not by cutting the trees and flattening it out, but by removing the debris and keeping it as natural as I can. I would then build a small home for myself and my family. Thank you very much.

A concern was registered as to whether or not this lot conformed to the new standards set by town meeting. Selectman Fox responded that "Yes, this lot is what is called a legal non-conforming lot. It was in existence before the passage of this so-called rat-tail bylaw, so the bylaw would not apply to this lot."

The motion under Article 37 was *UNANIMOUSLY VOTED*.

ARTICLE 38. To see if the Town will vote to amend the Zoning Bylaw, Article IX, V,B, "Off-street Parking", by deleting the words "wherever possible" from the next to last paragraph; or act on anything relative thereto.
Amend By-laws, Art. IX,V,B Submitted by Petition. (Two-thirds vote required.)
Off-Street Parking (Location)

Mr. Russell Kirby, the petitioner, *moved in the words printed in the Warrant.*

In support of his motion, Mr. Kirby presented to the hall a few slides showing the present day COMFED Savings Bank on the Boston Post Road, which was originally the Suburban Propane Company office and appliance showroom, which he commented, was far from attractive and had large propane gas storage tanks located behind it. The property changed hands and the new owners refurbished the building, removed the tanks and landscaped the grounds. This metamorphosis took place not because there was any law which required it, but rather because it was good business sense to do so. In 1982, the Annual Town Meeting passed an amendment to the Zoning Bylaw which set both specific landscaping requirements and the stipulation that wherever possible, parking will be behind buildings. The property (the COMFED Savings Bank) you see could have been the model upon which that amendment was based. In any event, that amendment certainly encourages this type of development.

After this bylaw amendment became effective, a site plan was submitted to the Board of Selectmen for a piece of property that is separated from this one only by the ConRail right-of-way. There was much discussion of the proposed development plan and the proponents were asked to make several changes to make it more "colonial in appearance" and to add "a cupola if possible." What you see is what you got! (A slide of the Casual Male building was shown.) Notice the cupola and notice also the location of the parking lot. The most recent example of an approved site plan which does not conform to the "parking at the rear if possible" requirement is the one you see now. (Slide shown of Sudbury Inn Marketplace) The first public hearing conducted by the Board of Selectmen on this site plan was held on March 5, 1984. You may recall that the proposed building moratorium was a subject of much heated debate at that time and there

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was a public outcry against unchecked commercial development along the Boston Post Road. At that March 5th meeting, and at others, I reminded the Selectmen of the parking restriction stated in the bylaw. The following are direct quotations from the minutes of the March 5th Selectmen's meeting:

Selectman Fox, and these are all direct quotes, stated that he liked what the architect had done in terms of minimizing the mass of the building from the view of the road. On the other hand, the Selectmen had previously discussed their general preference that parking be confined to the rear. He referenced Article IX,V,A,S,b, which states that "wherever possible parking shall be located behind the buildings." The Building Inspector stated that with a town requirement of a 50-foot setback from the street and because of the wetlands in the rear of this particular site, that requirement would create limitations on the size of the building. The Building Inspector added that under the Town Bylaw for every 180 sq. ft. of building, one parking space is required. Also, responding to Selectman Fox who asked the Building Inspector to point out that section of the bylaw to all applicants, Mr. Scammon stated that most people already have their plans drawn before coming to the Building Department.

A second hearing was held on March 28th, and a similar exchange took place. A letter summarizing these meetings from the Selectmen's Office to Mr. Mullen signed by the Executive Secretary and dated April 3rd reads in part as follows: "Mr. Russell Kirby, 244 Boston Post Road questioned whether the Selectmen should compromise the provisions of a bylaw, specifically one which states that 'parking in the rear of the buildings wherever possible' in order to accommodate the applicant's desire to have a larger building by placing the parking in front on any site plan coming before the Selectmen for approval, and specifically the Mullen site plan, which is in an area described by the Planning Board as being over-developed. Mr. Kirby expressed his opinion that the intent of this bylaw is to control the development of property and protect the interests of all parties involved. Mr. Kirby further stated that the clause 'wherever possible' was irrelevant. Selectman Fox stated that this is one of the few bylaws that has that clause. Most are more specific and disagreed with Mr. Kirby stating that there must have been some reason for it being included, since it has been adopted by Town Meeting."

During all of this, the Sudbury Crossing Shopping Center emerged from the old golf driving range. The question of parking was discussed during the site plan approval process of that facility also. A letter from the Selectmen's office dated October 3, 1984, reads in part as follows:

"Mr. Vana stated that due to the reconfiguration of the site, it became necessary to relocate several parking spaces to the rear of the building. However, the site is still in compliance with the Sudbury Zoning Bylaw, Section V,B, Off-street Parking. Mr. Vana added his opinion that these two revisions will create an improved situation on the site and he explained the traffic configuration."

The conclusion I reached as a result of this experience is that

A. Strict imposition of the parking at the rear restriction, together with Fire Lane Access, landscaping and other limitations would further limit the space available for parking.

B. A reduction in the available parking space on a given site would automatically reduce the permissible size of a building.

C. A smaller building would accommodate fewer people. Therefore, strict enforcement of the present bylaws since 1982 would have 1) reduced the density of development; 2) reduced the number of cars that would be drawn to this area; and 3) reduced the interference with the flow of through traffic by local commercial activities. The bylaw amendment before you does not change the intent nor the meaning of the present bylaw as I understand it. Its sole effect is to clarify any misunderstanding that may presently exist as to whether the authority to take exception to restrictions in this bylaw rests with the Board of Selectmen or with the Zoning Board of Appeals.

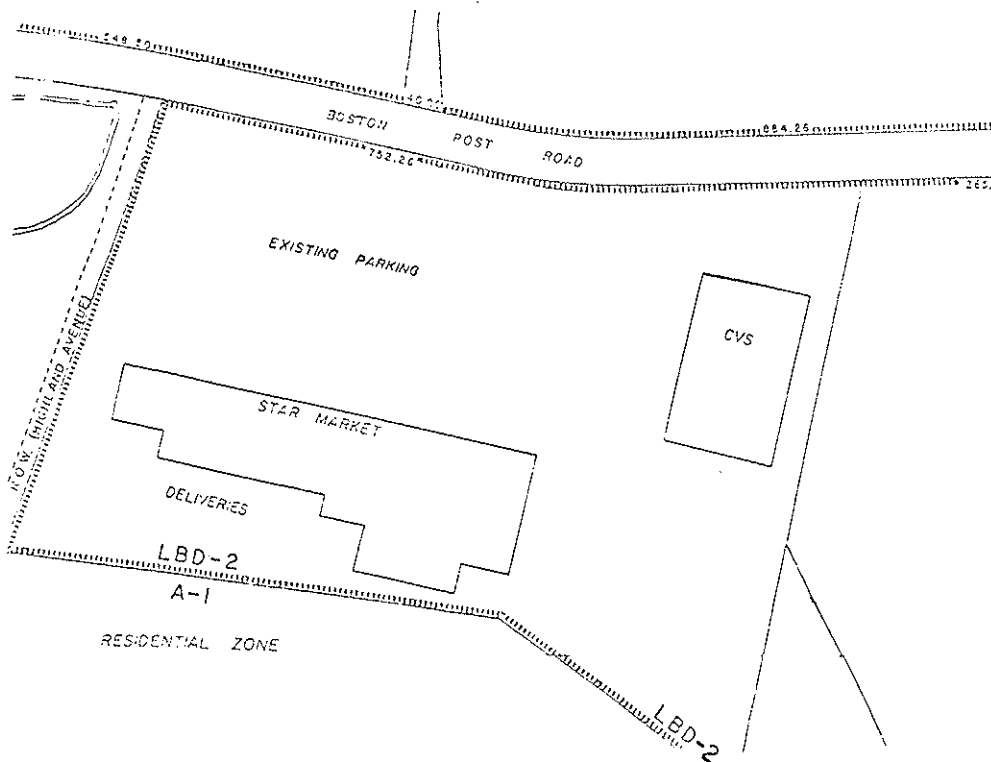
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Finance Committee Report: (C. Gentile)

At the hearing on this article, the Finance Committee was informed, as Mr. Kirby pointed out, that the present wording of the bylaw has uniformly been interpreted as being non-binding with respect to the location of parking lots and commercially zoned properties. The parking areas continue to be placed in front rather than in the rear of the buildings. The purpose of this amendment would be to make it clear beyond all doubt that the development of commercial property shall be done in such a way that the buildings on the property will lie between the parking area and the street or streets upon which the property fronts. This will have the effect of improving the aesthetics of the town as seen from the road. In many instances, the proposed change will have the effect of reducing the size of buildings in commercially zoned areas built in the future, although there may be instances where people wish to tunnel under the building or go through the middle, or what have you, and not necessarily reduce the size that much. For the reasons Mr. Kirby has stated and for the reasons I've just given, the Finance Committee recommends approval of the article.

Board of Selectmen Report: (A. Donald)

The Board of Selectmen do not support this article. We feel it is unnecessarily restrictive and in some cases will cause more harm than good. It is our opinion that it can cause hardship, not to the owner or developer of the parcel, who can always go to the Board of Appeals, but to the neighbors who can only go as abutters to protest someone doing what the bylaw requires. If the developer is agreeable to building according to this bylaw, there will not be a hearing before the Board of Appeals. The only forum then available to those abutters will be the site plan hearing itself. If this bylaw is in effect, the Selectmen will be required to approve parking in the rear as presented, regardless of the harm it might cause. Let me give you an example of what might have happened a few years ago if this had been in effect.



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At the top of the chart is the Boston Post Road. The two entrances are on either side of it, as you're well aware. The residential area A-1 is at the bottom. The building is now close to the street. The required setback is increased from the 20 feet that it was at the back of the lot to 35 feet, so the building has to move further into the lot, thus reducing the area available for parking. That might require the building to be smaller, which could be desirable. But, let's see what else happens. The parking is now in the rear, so all of the lights, and noise, and fumes from the automobiles are right under the windows of the residents. (Mrs. Donald pointed to the bottom area of the chart.) The front entrances of all the stores face the parking lot. Would you build it any other way? So what do we have facing the Post Road? The service entrances, loading docks, trash dumpsters, and large delivery trucks. I submit that this is not what the town has in mind. We already have required in the site plan approval process a preliminary meeting by any developer with the Building Inspector, Planning Director, Conservation Coordinator, Health Director and Town Engineer. At that time, before plans are engineered or applications have been made, the developer will be told of the town's determination to have parking in the rear when it does not cause hardship to abutters or interfere with health and sanitation laws or the protection of any wetlands. I hope you will give this system an opportunity to work and allow each lot to be evaluated on its own merits. I urge you to defeat this amendment tonight, so its implications can be further studied.

Planning Board Report: (T. Phelps)

The Planning Board very definitely supports this article.

Nancy Myer of Checkerberry Circle replied to Selectman Donald's comments by saying, "We did let the system work and Route 20 is the result." to which the hall applauded.

Fred Kobrick of Moran Circle asked what body in the town was making the judgements about the "wherever possible" on the present law for the parking to be in the rear. After being advised it is the Board of Selectmen, Mr. Kobrick made the following statement. "I don't know how many times we're going to be faced with the Star Market issue, but I think that there's a sense in the town that the body that's been making these decisions has really changed the character of this town for the negative and I think we have a chance to voice that opinion right here."

Selectman Donald in response to the two previous comments made the following remark: "I'd like to answer a couple of those statements. This system has not been in effect for very long. We just put in the preliminary meeting thing a few months ago. I'm sure it will work. I also would like to point out that the body who made the decisions to allow commercial building on Route 20 was this body -- the Town Meeting, who voted to make that land commercial a good many years ago."

In response to a question as to whether this amendment would make existing facilities non-conforming, Town Counsel, Paul Kenny replied in the affirmative.

Ray Lewtas of Juniper Road asked if the architect gets to say where the rear of a building is, or do you really mean the side away from the road, and do the bylaws cover that?

Town Counsel replied that this question was raised at a meeting recently and the bylaw is not sufficiently definitive to determine that. The building

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could be designed so that it would be questionable as to where the rear of the building was.

Mr. Kirby asked Town Counsel the following question. Whereas the Building Inspector and the Selectmen acknowledge that in the case I mentioned, parking was indeed possible at the rear of the building and where the Board of Selectmen did approve that site plan, did they not approve, under those circumstances, a non-conforming lot, a non-conforming site? The site plan did not conform to the bylaw by virtue of the fact that parking was possible at the rear and it was passed. So I submit, that the changing of this wording in the bylaw does not render anything as being non-conforming today that was not non-conforming at the time the site plan was approved.

Town Counsel replied as follows: "I'm not sure that I understand what is meant by 'parking was possible at the rear of the lot.' My understanding was, or at least the representation of the body was, that the rear of the building consisted of wetlands and under those circumstances I would guess that parking was not possible at the rear of the building."

Mr. Kirby repeated that it was acknowledged by the Building Inspector, and that he, Mr. Kirby, read directly from the minutes of the Selectmen's meeting of March the 5th, that parking behind the buildings was possible. Mr. Kirby cited the fact that at that time there was a building on the property and parking was indeed at the rear of that building. The building had been there for over a hundred years and this was also mentioned in the discussion at that meeting. So there was no question in my mind and no one challenged the conclusion that I reached that parking indeed was possible behind a building on that site. Now the particular rendition that was presented of course was not true.

Town Counsel remarked: "As Mr. Kirby says, the particular rendition that was proposed, it was not true that parking was possible behind the building. I would submit that of course you could always put a building on a site plan where that would be possible, depending on the size, but the bylaw also allows for a different size building so I don't think you can answer the question with a definitive "Yes" or "No", other than it's possible in some cases and not possible in others."

Mr. Kirby made one additional comment. Logic would tell me not to belabor this point any further, but logic would tell me that a similar argument might be raised for virtually any other provision of the Zoning Bylaw. The point was raised about the detrimental impact on a neighborhood by placing parking behind a building. There are also provisions in the bylaw which are enforceable to provide adequate visual screening and I would like to remind people that there is one shopping center in the town of Sudbury which is in Sudbury Center and all of the parking is at the rear of that and it abuts residential properties, and it is extremely well screened. So, I believe that is a situation which can be dealt with and if it turns out that the neighbors object to it that still leaves the option open of obtaining a variance through the Board of Appeals. The point I am raising is that it is a question of who it is that exercises the judgement to take the exception.

Roger Davis of Lands End Lane, final speaker on this article, stated, "May I respectfully suggest that a lot of people don't care whether there's any parking in the front of the buildings or in the back of the buildings because we don't want any more buildings." To this comment, the hall once again applauded.

The motion under Article 38 was *UNANIMOUSLY VOTED*.

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ARTICLE 12 (Continued).

At this time, Michael Guernsey of the Operational Review Committee moved to indefinitely postpone Article 12.

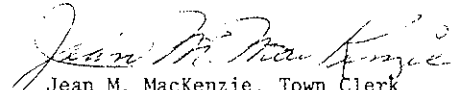
By way of explanation, Mr. Guernsey noted that the legislature had not acted on the lien legislation, which this article was dependent upon.

The motion under Article 12 to indefinitely postpone was *VOTED*.

A motion to dissolve the Annual Town Meeting was received, seconded and *VOTED*. The meeting was dissolved at 11:58 P.M.

Attendance: 425

A true record, Attest:


Jean M. MacKenzie, Town Clerk

SPECIAL TOWN MEETING

September 9, 1985

The Moderator called the meeting to order at 8:02 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared a quorum was present.

The Reverend John Parker of the Sudbury United Methodist Church was recognized for the purpose of presenting the invocation. Following, Myron Fox, the Chairman of the Board of Selectmen, led the citizens in the Pledge of Allegiance to the Flag.

The Moderator announced he was in receipt of a letter from James Vanar, Town Accountant which stated: "In accordance with General Laws Ch.59, Sec. 23 as amended, the amount of Free Cash available for the September 9, 1985 Special Town Meeting is a negative number of \$92,354." He also announced he had examined the Call of the Special Town Meeting, the officer's return of service and the Town Clerk 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 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.

The Chairman of the Board of Selectmen *so moved*.

The motion was *VOTED*.

Finance Committee Chairman Wallace then provided the following explanation of the town's finances. We are here tonight because at the Annual Town Meeting we, the town officials, made a mistake on the Free Cash number. I've been asked to explain how we have a negative Free Cash number. When we started the Annual Town Meeting last year, the Moderator announced to you that \$324,000 had been certified by the State as Free Cash. By the time the last session of town meeting was over and we voted the Wrap-up motion, the amount of Free Cash which we voted was \$417,000. That was \$92,000 over what was certified. Therefore, the amount of Free Cash used was not legal and we cannot set a tax rate until we rectify the problem. If we vote under Article 1 to modify or rescind, as the Warrant says, we will put ourselves in a positive position. However, this is not being done at the detriment of the walkway articles or any budget articles which were voted to be funded out of Free Cash. We came into Town Meeting last year recommending \$240,000. We went through the Warrant. Articles which the Finance Committee did not recommend, but were passed, specifically the two walkway articles and three or four small line items in the budget, were voted and they were being paid for out of Free Cash. When we got to the Wrap-up motion for the budget article, we put before you the number of \$267,000, which included the number we had already previously voted for the articles. Does anybody understand it? That is how we came up with the minus 92 and that's the number we want to correct. The Town Accountant and I went to the Board of Selectmen, explained what our predicament was with Free Cash, and therefore requested that there be a Special Town Meeting.

Once a Special Town Meeting is called, the Warrant is open and anybody is free to submit articles, so that articles come into a Warrant which you may not feel should be before a Special Town Meeting. However, that is the way the Town Meeting process works and the other articles are included at the request of petitioners. Once the Warrant is open, it is open for seven days at least. It is then closed and those articles are included. So, in addition to doing the one item that we need to do, correct Free Cash, you have before you several other articles that deal with insurance, some upwards, some downwards, a proposal by the Board of Selectmen to study some salaries, a few unpaid bills, a request for the

Hosmer House to be painted, and some legislation for the three different schools that serve Sudbury.

Anita Lewtas of Juniper Road, as a comment to the Finance Chairman, Marge Wallace, asked why wasn't someone keeping track at the Town Meeting of how much money was being spent? I was at the first few sessions and it seemed to me we were. How did you end up spending more money than we had in Free Cash? This is a big, expensive mistake.

Ms. Wallace's response was that we've always come to Town Meeting and given you a Free Cash number and used it all. This year, after the Finance Committee set its priorities and made its recommendations, and we looked at the new construction number and all of our other receipts, we had something that was called a Proposition 2½ Surplus Fund. It was money that was available to you the voters to spend any way you saw fit, but the Finance Committee did not recommend spending that surplus fund. Actually, what we were carrying was the Free Cash pool that we were recommending, which was the \$140,000 and then there was an additional amount of \$84,000 which was in the Surplus Fund. It's strictly a clerical mistake that we counted the Free Cash twice in the Wrap-up Motion. The \$84,000 that was left over was used to fund the walkways. When we got to the Wrap-up Motion, we forgot we had already appropriated it and therefore we apologize to you. But, we felt that it was incumbent upon us to come back and explain to you that we made the mistake and try to get it rectified.

ARTICLE 1. To see if the Town will vote to modify or rescind a prior appropriation of \$267,566 from Free Cash made under Article 6 of the 1985 Annual Town Meeting as an offset to the Budget for Fiscal Year 1986; or act on anything relative thereto.

Free Cash

Submitted by the Board of Selectmen.

Marge Wallace of the Finance Committee moved to rescind the prior appropriation of \$267,566 from Free Cash made under Article 6 of the 1985 Annual Town Meeting as an offset to the budget and tax levy for Fiscal Year 1986.

In support of this motion, Ms. Wallace stated that the Town was under by \$92,000. In the Warrant we suggested that we had to correct the mistake. If all we did was correct our prior mistake, we would be asking you to rescind \$127,000 of the \$267,000 that was voted in the Wrap-up Motion. However, just as when a Warrant opens, any articles can be submitted, since the time that this Warrant opened, it has come to our attention that our "new construction" estimate, instead of being \$450,000 is now \$813,000. This is not a mistake. It is not a miscalculation. The Assessors gave us at the time what they said was their best estimate of a new construction figure that we could use in the Warrant. It is always better to be conservative than to be over that amount. Now that they're ready to set the tax rate and they have finished doing the valuation of the town, the number is \$813,000 which gives us about \$400,000 more in new construction than we anticipated. Therefore, the financial situation of the town is somewhat stronger than it appeared in April. If we vote to rescind the \$267,000 instead of the \$127,000 which would be the legal amount, we would be saving \$140,000 in Free Cash to be used and be available to us at the next Annual Town Meeting. To be fiscally prudent, we ask you to rescind the full amount so that when April comes and there is no Federal Revenue Sharing available and other offsets that we had this year, we will have a little bit of extra money in our Free Cash pool in April. We urge your support of the rescission of \$267,566.

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Board of Selectmen Report: (M. Fox)

As the Chairman of the Finance Committee stated, the original purpose of this article was to correct an error made at the 1985 Annual Town Meeting. In the Selectmen's Report in the Special Town Meeting Warrant we were requesting that the Wrap-up vote appropriation of \$267,566 from Free Cash be reduced by \$127,422. However, since the writing of the Warrant, the Assessors have submitted significantly higher figures for new construction and valuation than was originally estimated. Therefore, we are asking you to rescind the entire Free Cash Wrap-up vote in the amount of \$267,566. By doing so, we will save \$140,144 in Free Cash to be available next year. In this motion we are dealing only with the 1985 Annual Town Meeting Wrap-up Motion and not with the use of Free Cash in the budget or in the walkway articles at the '85 Annual Town Meeting. Clearly, if we had known that new construction was to increase to over \$800,000 we would not have recommended the use of any Free Cash at the '85 Annual Town Meeting. We would not have needed it. It was the original intent of the Finance Committee, the Town Accountant, and the Board of Selectmen, at the '85 ATM that we vote the use of Free Cash as it is being recommended tonight. The Finance Committee Report in the '85 ATM Warrant so indicated, as did the Selectmen's handout entitled "1985 Town Meeting Finances" given to the voters at that time. A favorable vote on this article will continue the conservative posture in using Free Cash that has been recommended in the past and voted by previous town meetings.

Peter Anderson of Landham Road asked if someone would explain what the bottom line is with respect to the tax rate? In rescinding an offset to the tax rate, if we vote for this, are we increasing our taxes? If we are, is it possible to vote an amount lower than 127K, to reduce that tax rate increase?

Ms. Wallace stated that the best guess is that it will be about 17¢/\$1,000, but the tax rate hasn't been set yet. We are talking roughly of the difference between 127 and 267, which would be 17 cents on the tax rate. If we reduce the amount to \$127K, it goes down. If we don't rescind all the Free Cash and instead we use more of it this year and not have it available next year, we would be reducing our taxes by 17¢.

Paul McNally of Evergreen Road commented that if we rescind this article, we will in effect be taxing the town 17¢ additional taxes this year, whether we put it in Free Cash or we spend it or we do anything else with it. I wonder, can somebody really make that clear to me, because the answer I was just given was rather confusing. If we vote to rescind Article #1 by \$267,000, it seems to me, we are going to be increasing our taxes.

Town Counsel, Paul Kenny responded as follows: "The tax rate that would have resulted after the ATM based on the figures that were known at the time did not include approximately \$450,000 in additional new construction so that when the votes were taken at the ATM, if this is rescinded the tax rate will still be lower than it would have been at the time of the ATM. Of course, if you offset the tax rate at this time with monies that weren't there, there's going to be a difference in the tax rate. But as of the ATM, when the figures were voted, the tax rate will still be less if all of this is rescinded."

The Moderator uncertain that Mr. McNally's question had been answered, rephrased the question as follows: "Assuming the motion under consideration

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passes, will the town tax rate be higher or lower?" To this Town Counsel answered "It will be higher." Anticipating the next question would be "By how much?" the Moderator added that the FinCom's best estimate was 17¢.

To the question if there was a way the \$267,000 can be used to lower taxes, Town Counsel responded, "Yes, in future years it can be used to lower the tax rate. So that if it's not used this year, and it's used as an offset next year, then it will lower the tax rate next year."

William Cooper of Cedar Creek Road commented that this proposition really boils down to a matter of whether you want egg today or chicken tomorrow. Because of the limitations placed on the town by proposition 2½, we will be limited in the amount of tax revenue that we raise at the 1986 ATM. The proposal that the Finance Committee has made would effectively allow the town to put forward to 1986 some of the money that currently is in the till. If we spend it today, it will reduce our tax rates in 1985, that's true, but it will mean that there is less money for already pinched budgets for the 1986 fiscal year. I urge the hall to go along with the Finance Committee on this and then consider the matter as a whole at the 1986 ATM in making your general budget judgments.

Martin Crane of Maynard Road noted that in order to make a judgment on this, it was necessary to know how much Free Cash there really was available. He commented "We're saying \$257. I've heard \$140,000. Is the \$140,000 plus the \$257? What do we really have in Free Cash and what are we looking at? We keep saying we're going to need this for a rainy day. Every year we come up with more money and raise the tax rates rather than lowering them. If we really have this amount of Free Cash, I think it should go back to the town as a lower tax rate rather than keep waiting for this rainy day. I have not seen that many programs cut off by "2½" in this town, so what is the total value we have in Free Cash?"

The FinCom Chairman explained as follows: "We came into this meeting tonight with a minus \$92,000 in Free Cash. Last year we certified from the state \$324,000 in Free Cash and what we spent was \$417,000. We came to the \$417,000 because during the process of voting articles and budgets, we voted in articles and budgets \$149,000. The general practice is to have a Wrap-up motion at the end of the Warrant at which time we take Free Cash, which is one of our available funds, and use it to offset our total budget. Unfortunately, when we used that \$267,000 number we had already offset some articles and budgets with \$149,000. We're suggesting to you, because we're \$92,000 in the hole right now, that we rescind not only the \$92,000, but the full \$267,000 that was used in the Wrap-up motion, then we will have it available for next year. Again, this is caused in part by the new construction number being \$400,000 higher than we thought. The difference to you the taxpayer is 17 cents per thousand. We can't estimate at this time what the Free Cash number will be for next year. We need to send a letter to the state asking them to certify a number that will be available in April. But in order for us to set the 1986 tax rate we need to correct the Free Cash error at least. The choice you have before you is to rescind \$127,000 or to rescind the Finance Committee recommendation of \$267,000. Those are really the only two numbers before us.

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Peter Anderson of Landham Road *moved to rescind \$127,422 of the prior appropriation of \$267,566 from Free Cash made under Article 6 of the 1985 ATM as an offset to the budget and the tax levy for the Fiscal Year 1986.*

In support of this motion, Mr. Anderson stated that he believed that this is the only way that the hall has an opportunity to consider and vote on the other number. The \$127,422, as I understand it, is what is legally required to bring us into the balance that we thought we had at the end of the ATM. The hall deserves a chance to vote on that number. If the vote passes, then we will have the feeling of the hall. If the vote fails, then we will have an opportunity to vote.

Selectman Fox urged defeat of this amendment by saying he always looks at Free Cash as a "savings account." Trying to analogize that to the home budget situation, it seems to me it would be much better management that when you're budgeting at home that you spend from your income for your expenses and not from your savings account. The analogy to the town would be that our income is the tax revenues. We ought to use all of it before we start dipping into our savings account. Sooner or later Proposition 2½ is going to catch up to us. Our budgetary process has gone reasonably well over the last few years but in the next few years, we're going to get caught in that Proposition 2½ bind. By having as large a reserve as we can afford in the name of Free Cash will we be able to afford not to cut back services when that occurs. Believe me that rainy day is coming.

Theodore Cameron of Flintlock Lane pointed out that because of the change in assessment of the town, the average increases have been about 30% in assessed valuation for the property in the town, plus another \$800,000 in new construction. Therefore the bottom line is that the ceiling we're talking about, the "2½" is much larger than has generally been recognized. We have a substantial amount of room for increased taxes without hitting the "2½ limit" in the years to come. Therefore, I don't think this problem of a ceiling is near as valid as might be indicated otherwise.

Michael Guernsey of Silver Hill Road felt many people were losing sight of the fact that "2½" says that you can only increase the total appropriation by 2½%. It has nothing to do with the tax rate. It has to do with the total appropriation. To that you then add new construction. As to the 17¢ difference mentioned before, he noted that if you have a \$200,000 evaluation on your house, it makes a grand total of \$34 on your taxes and he didn't think \$34 will kill any of us. If you look at our budgets over the years, we are seeing increases in a lot of the budgets, mainly under salary of 6 and 7 percent, and if you're only allowed to increase your appropriation by 2½%, there's a shortfall there and by rescinding the full \$267,000, as opposed to the \$127,000, you are putting a little bit away so that the day our "2½" doesn't meet our 6% increases, then we have a little nest egg to try to feather our way through so we do not have to cut other parts of the budgets. You haven't got an awful lot left in the town budgets, when you look at them, that can be squirreled away to pay for some of these big increases that are locked into by contractual agreements and whatever. So I strongly urge that we defeat this motion to amend, take the full \$267,000 out of the appropriations and put it back into the savings accounts where it belongs.

Anita Lewtas of Juniper Road commented that she did not consider Free Cash a "savings account" when 1. it is a negative number and 2. the amount was held out to us at the ATM as something that could be spent. That is how everybody got on a roll of spending it and overspent it in the end. I am not threatened with a reduction in services, since we get so little now. To this comment there was laughter and applause.

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Selectman Donald urged the voters to defeat this amendment. She referred to Article 3. (Casualty Insurance Adjustment) and to the ATM in April when they had no conception of what the insurance bills were going to be. She noted that various towns in the Commonwealth had enormous percentage raises in Casualty Insurance which they had no notion of. Without a "savings account" we have no way to take care of those things when they suddenly arrive on our doorsteps.

Theodore Cameron of Flintlock Lane noted that the state law had been corrected so that we are not limited to a "2½% increase of the prior year's taxes." We are limited to "2½% of the assessed valuation of the town." Therefore we are not putting ourselves in a bind by not spending money. The ceiling is set by the valuation of the town, not what we spend in any given year.

Paul Kenny, Town Counsel noted that this was not correct. "We are bound by 2½ percent of the prior year's levy. What the gentleman is referring to is that we still cannot exceed 2½% of the value in town so that if the 2½% of the levy were to exceed 2½% of the value, we could only go up the percentage so that it did not exceed. For example, two percent rather than 2½."

Russell MacLeod of Victoria Road asked for an explanation of the new construction number, as it sounded like it was some kind of a large bonus.

Mr. Thompson, the Executive Secretary gave the following explanation: "Yes, the Town of Sudbury is in a boom situation as all of you know. And, we're very unusual, one of the few communities in the state that's probably having such a large new construction figure. The total value of all new homes in town is approximately \$22 million. Now you take last year's tax rate and multiply that times the value of the new construction. And somebody can explain that formula a little better, but that's basically what it is and in doing that you come out to a hard number like we have now, \$800 and some thousand dollars of new construction, that we can use in addition to 2½. Does that answer it?"

Mr. MacLeod commented "You have \$400,000 more than you thought you would have..." To this Mr. Thompson noted that, "Prior to town meeting, we asked the assessors to estimate what they thought new construction would be and they estimated \$450,000. However, just two weeks ago or a week and a half ago, based upon all the data that was in, the runs from the computer with all the new residential and the new commercial, which jumped much more than they expected, it was an additional \$400,000.

To this Mr. MacLeod noted that it looks like you have a lot more money than you actually need. To this Mr. Thompson replied that we still will be under 2½.

The motion to amend was defeated.

Addressing the main motion, Robert Coe of Churchill Street asked if the mandatory number in fact isn't \$92,354 that must be voted upon, as that's the amount that we're actually in deficit. If we wanted to bring it to zero, \$92,354 would do it, wouldn't it?

To this Paul Kenny, Town Counsel said that he believed this was correct but deferred to the Town Accountant for the actual figure.

James Vanar, the Town Accountant agreed that \$92,354 would get us down to the legal amount. He then went on to say that the error in the Free Cash was his error. He explained that he did in fact include the \$127,000 which was voted within the articles. The motions included words to the effect that it would be taken from Free Cash. I heard taxation. I added it to the Wrap-up Motion and it just makes good sense that we don't vote the number twice. To answer your question, \$92,354 is the amount that we would have to rescind to get back down to the legal number.

Jim Kates of Ford Road noted that next year and in this current year, the town is going to spend close to \$20 million on town operations, so whatever amount you put away for the next year or don't put away, is not going to make any material difference in the future or on the tax rate.

Following a few additional comments, the motion under Article 1 was *VOTED*.

ARTICLE 2. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$60,000, or any other sum, as an addition to line item 950-11, Blue Cross/Blue Shield, Unclassified Budget, voted by the 1985 Annual Town Meeting under Article 6 for Fiscal Year 1986, or act on anything relative thereto.

Submitted by the Board of Selectmen.

Daniel Wren of the Finance Committee *moved to appropriate the sum of \$60,000 as an addition to line item 950-11, Blue Cross/Blue Shield, Unclassified Budget, voted by the 1985 ATM under Article 6 for the Fiscal Year 1986, said sum to be raised by taxation.*

Finance Committee Report: (D. Wren)

The Finance Committee wants to make sure that the town realizes that a negotiated contract is in force between the town and its employees. At the 1985 April town meeting, \$100,000 was taken from this particular line item by the vote of the town. In order to fulfill the contractual obligations that the town has put forth and to pay for the health insurance costs as called for by the contracts, we believe that about \$60,000 is necessary to fulfill those obligations. Within this spectrum the Finance Committee recommends approval of this particular article.

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Board of Selectmen Report: (M. Fox)

The Board of Selectmen is obligated under MA General Laws, Chapter 32B, section 3 to notify the Assessors if the Town Meeting fails to appropriate the necessary funds to cover the cost of negotiated group health insurance premiums. The statute says that the Board of Selectmen shall certify said costs and the Assessors shall include the amount so certified in the determination of the tax rate of that year. The town's largest union has already notified the Selectmen and threatened litigation if their bargained-for rights are not restored by this Special Town Meeting and Town Counsel has explicitly advised us that they will prevail. On the recommendation of the Town Accountant and Town Counsel, we are bringing that budget item back to this Special Town Meeting in order that it may be properly funded. Based upon our best estimate, we will need an additional \$60,000.

The ATM voiced great concern that town action be taken to lower our group health insurance costs. That was a very clear message given to town officials who are in charge of that budget. What have we done since the ATM to try and lower those costs? Town Counsel, in a written opinion, has notified us, at our request, that those persons with HMO's having 100% of their health insurance covered may continue to do so because the town must pay 75% of the Blue Cross/Blue Shield rate which is higher than the HMO rates. However those employees who have double health coverage, namely that they have their own benefits here in town, and a spouse who's getting some form of double coverage, have been notified by us and requested to drop one of those coverages. That might result in a savings of \$50,000. We are now in the process of grievances and arbitration over that issue, so that further comment would be inappropriate. Secondly, collective bargaining, which is the main issue here, for fiscal year '87 begins this coming November. The major item being recommended by the Board of Selectmen is a town demand - substituting Blue Cross/Blue Shield Health Plus or a reasonable facsimile thereof in place of the current Blue Cross/Blue Shield, thereby implementing some of those ideas brought forth by Mr. Anderson at the '85 ATM. This must be negotiated because there are provisions in all major town contracts and in the teacher's contracts that require current Blue Cross/Blue Shield coverage, namely Master Medical, therefore, we must negotiate that issue. The third item that we have done is that immediately after the '84 ATM, the Selectmen formally established and appointed an Employee Group Insurance Advisory Committee as required by state statute prior to changing any health coverage. This is an advisory committee only, which makes a recommendation to the Board of Selectmen. This committee has met on several occasions already and reviewed various health insurance options. Hopefully, later this fall, it will be making its recommendations to the Board of Selectmen. As you can see, we are attempting to make serious efforts at reducing and containing our health costs. We ask you to vote favorably on this article so the town can pay its legal debts.

Peter Anderson of Landham Road noting that he understood the town must honor its commitments to the collective bargaining contracts, asked the Board of Selectmen if they had actively pursued changing the health insurance policy for the town's non-contract employees. Also, he noted that a new round of collective bargaining will be taking place this fall. The Executive Secretary plays a primary role in negotiating for the town. Despite his best intention he cannot be considered completely free of personal interest since he is also a recipient of the health insurance benefits. I don't think the town should ask Mr. Thompson - and I doubt that he wants to - be placed in a compromising or conflict of interest situation. My question is will the Selectmen themselves take an active role and assume prime responsibility for negotiating the health insurance clauses of all collective bargaining agreements.

Chairman Fox of the Board of Selectmen replied that the answer to the first question is that the Town cannot legally do it, the reason being it is a state law. As to the second question, the Selectmen always actively involve themselves in the negotiating. We have appointed Mr. Thompson as our agent and we have been informed by Town Counsel that it is not a conflict of interest.

Mr. Anderson noted that the current collective bargaining agreements have different wordings with regard to the latitude the town might have for changing health insurance coverage or carriers. He then asked the Selectmen if they will insure that all agreements reached this fall provide the town maximum room to maneuver when the health insurance comes up for renewal in May? To this Mr. Fox replied "We will certainly attempt to do that. Yes."

Mr. Anderson's final question was presented as follows. Chapter 32B, Section 12 of the MA General Laws permits towns to join together to gain leverage in negotiating and purchasing health insurance contracts. Does Sudbury do this now and if not, will the Selectmen actively pursue this option? Mr. Fox responded by stating that we are not currently in a regional plan. He would like very much to pursue this and will look into it.

Jim Kates of Ford Road wanted to know what assurances there were that the \$663,000, if it gets approved, would cover the total health insurance premiums that the town has to pay this year? For the last three or four years you've come back in April and asked for an additional amount. Are you overly optimistic in your estimate again this year? What changes have taken place that allow you to reduce your estimate by \$40,000.

Mr. Fox noted that Mr. Kates was correct. The last few years we've had to come back to Special Town Meeting to ask for an increase in the Blue Cross budget because of the premiums that we received that were retroactively increased by the Blue Cross. The Finance Committee recommended this year to fund the account fully, so that this wouldn't have to happen. It was their recommendation that we come up with that additional \$100,000. We now have five months experience since the April town meeting and it is our best estimate at this time that the \$60,000 will take care of it.

Mr. Kates continued by saying that in reading the Warrant and looking at last year's Warrant, column 2, the appropriated 1985 amount was \$557,842. He then asked what the actual expenditures were for 1985, because the number had been changed.

Jim Vanar, the Town Accountant, replied that we spent \$593,842 on the statement and that \$35,000 was appropriated at the Special for a total of \$628,842.

Mr. Kates then commented that if you spent basically \$630,000 I have a hard time understanding, even based on five months' performance, after you've spent \$630,000 in 1985, how you're going to get through 1986 with a \$30,000 increase in your total outlay for health insurance. You are talking about a 5% increase. I don't have all the numbers, and I didn't do my homework, and I didn't go back to the proceedings but it seems to me that the Blue Cross premium increase that we got last April for the last two months of the year, exceeded 5%. You are basically asking for 5% increase in your 1986 appropriation over actual spent in 1985, if I'm understanding correctly. Are we again going to come back in April and ask for more money? I'm not saying we shouldn't give the Blue Cross or the health insurance what has been bargained for. My question is are we getting honest answers?

Mr. Vanar stated that he was unable to check at this time as he needed a status in history, and unfortunately he had the year-end statement with him that does not provide this information. He said he thought that the \$35,00 was included in the expenditure at the Special, but he couldn't show it this evening.

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To this remark, Mr. Kates further commented as follows: So you're not sure then what your expenditures were for 1985 exactly, and you feel that you're not going to come back in April because you haven't underestimated your 1985 expenditures in asking for this \$663,000.

Mr. Vanar said that from his standpoint he asked Mr. Thompson or indicated to Mr. Thompson that he wouldn't want to say that they wouldn't be back in April, only because the last two months of the year is strictly a guess and basically the \$40,000 was arrived at because we had originally estimated a 20% premium increase. The policy year ends in April. We have May and June to accommodate. Right now we have a 10% increase plugged in there. That's how we reduced the appropriation based on our discussions with Blue Cross/Blue Shield. I would not like to say that we would not be back in April. It all depends. If the rates go up 15 or 20%, we'll have to come back in April.

Mr. Kates replied once more that he was having a hard time understanding this, if the Finance Committee, the Board of Selectmen and the Town Accountant are coming in asking for \$60,000 to finish off 1985/1986 and they're not basing it on historical numbers, saying the increase was a certain percentage. It seems to me that what you've paid last year is of primary importance in computing what you're going to pay this year and I am a little bit confused why you don't know what that number is and how 5% is going to carry us through next year. I hope the town remembers next year when you come back in April that we didn't get a good number again this time.

Mr. Thompson, the Executive Secretary replied as follows, "I wish we could give you a good number but at the ATM I tried to express that the only reason our group insurance escalated over the last two and three years was because of our group experience. We had some very serious illnesses. That's the only reason it did and now we're trying to combat that large appropriation. What Jim is saying is that in consultation with Blue Cross/Blue Shield, on a percentage basis, and on the assumption that we might get Health Plus, which I recommended last year to all the unions by the way - and I personally take Blue Cross/Blue Shield, the ten percent factor we feel is the best estimate. If something happens between now and then, there's nothing we can do about it. We will have to come back to town meeting and ask for more money."

Mr. Kates' final comment on this issue was, I am only addressing the validity of the number that you're giving us now to vote on. I'm not talking about next April. I'm talking about what your best estimate is and how you're putting it together. I feel you should be able to do a better job putting that number together every year and I think we're going to find that the \$700,000 that was in the Warrant last year may be a closer estimate.

There being no further discussion, the motion under Article 2, Blue Cross/Blue Shield, Budget Adjustment was *VOTED*.

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ARTICLE 3. To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$30,000, or any other sum, as an addition to line item 950-31, Casualty Insurance, FY86 Budget Adjustment, Unclassified Budget, voted by the 1985 Annual Town Meeting under Article 6 for Fiscal Year 1986, or act on anything relative thereto.

Casualty Insurance

Submitted by the Board of Selectmen.

David Wilson of the Finance Committee *moved to appropriate the sum of \$50,000 as an addition to line item 950-31, Casualty Insurance, Unclassified Budget, voted by the 1985 ATM under Article 6, Fiscal Year 1986, said sum to be raised by taxation.*

Finance Committee Report: (D. Wilson)

It is the opinion of the FinCom that this money is necessary for needed coverage. Some carriers have stopped writing this kind of insurance and some towns have been refused coverage. Sudbury fortunately was not cut off by the insurance industry. Without this insurance the town would have unlimited liability. The FinCom believes that it would be financially imprudent not to have this insurance. It is also our opinion that our premiums are fairly priced. Insurance rates for municipalities are up substantially nationwide and the town received forewarning from our agents that our rates were going up. Our insurance policies have been examined by an independent consultant and it is their opinion that our policies are fairly priced. In summary, we need the insurance and it is fairly priced. The FinCom recommends approval.

Board of Selectmen Report: (J. Frost)

<u>CASUALTY INSURANCE</u>	<u>FY85</u>	<u>FY86</u>	<u>%</u>
Property, Incl. Liability	\$ 31,340	\$ 66,414	+111.9
Umbrella	7,600	0	
Fleet	21,521	30,310	+ 40.8
Ambulance	1,040	1,857	+ 78.6
Boiler	1,016	1,479	+ 45.6
Public Officials Liability	2,075	2,153	+ 3.8
School Officials Liability	1,045	1,365	+ 30.6
Law Enforcement Liability	6,218	12,282	+ 97.5
Workman's Compensation	51,826	66,450	+ 28.2
Workman's Comp. Audit	10,821	0	
Consultant	1,435		
Adjustments	<u>(2,627)</u>	<u>7,690</u>	
TOTAL	\$133,310	190,000*	+ 42.5

*Dividends not included.

9/6/85

This chart shows a comparison of our fiscal year '85 and '86 Casualty Insurance costs. As you can see, our cost has increased by \$56,690. Now we realize that the Warrant that you received at home indicates that we were going to ask for \$30,000 tonight at this meeting. However, since the printing of that Warrant and receipt of additional quotes on the policies that are up for renewal, we find that we must ask for \$50,000. At the ATM we were aware that some costs would increase, that is why we increased this line item by \$25,000 at that time. However, none of us were aware of the sharp increases that are now being quoted to all municipalities throughout the state and the nation. In some instances, on expiration of policies, we were notified to accept the rates and sign off at a higher cost by a certain date or the policy would be cancelled. No negotiation. The insurance coverage that we will have for this fiscal year will not be the same as last year. We will be paying much higher premiums with some reduction of coverage. Compared to many cities and towns we are doing much better all around on our insurance package. Their costs are much more exorbitant and in some instances they are experiencing complete loss of coverage. For instance, the town of Marion's insurance increased 900%. Two years ago our town joined what is called the Mass. Interlocal Insurance Association sponsored by the Mass. Municipal Association. We believe that if we had not taken this action two years ago, in certain areas we'd have no coverage today. We have already taken steps to decrease our insurance costs by increasing our deductibles. We will continue to look for ways to reduce our insurance costs. We have already contacted an insurance management consultant and once all policies have been received, a consultant will be engaged to review our insurance program. Hopefully, we may find ways to reduce costs. This is our best estimate of today. We urge that you support increasing this line item and we will report further to you again at the Annual Town Meeting in April on this matter. As stated earlier, we have been hard hit on insurance costs, but our impact has been less than that suffered by many other communities.

Leslie Bellows of Juniper Road, noting that the police or the law protection liability doubled, asked if there was any particular reason for this.

Town Counsel, Paul Kenny responded that there was an increase in litigation against police departments.

There being no further discussion, the motion under Article #3 was *VOTED*.

<p><u>ARTICLE 4.</u></p> <p>FY86 Budget Adjustment</p> <p>Retirement Fund</p>	<p>To see if the Town will vote to reduce the sum of \$492,000 voted by the 1985 Annual Town Meeting under Article 6 for Fiscal Year 1986 for line item 950-96, Retirement Fund, Unclassified Budget, by the sum of \$40,339, thereby amending line item 950-96 to \$451,661, or act on anything relative thereto.</p> <p>Submitted by the Board of Selectmen.</p>
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Stephen Ellis of the Finance Committee *moved to reduce the appropriation of \$492,000 voted by the 1985 ATM under Article 6 for the Fiscal Year 1986, for line item 950-96, Retirement Fund, Unclassified Budget, by the sum of \$40,339, so that the appropriation under line item 950-96 will be \$451,661.*

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Finance Committee Report: (S. Ellis)

We are again in a situation where we have a little bit of hindsight where as last April we were trying to deal with foresight. We have received our appropriation from the county on the Retirement Fund and it is less than we had anticipated. We have a hard number now and we are just adjusting the budget to it.

Board of Selectmen Report:

As of the April 1985 Annual Town Meeting, the Middlesex County Advisory Board was still considering whether or not to apply 1984 excess earnings to the FY86 assessment calculation. We were advised to put the up-side figure of \$492,000 in the budget and adjust it later, if possible. In late June the actual assessment finally came in at \$451,661 - \$40,339 under the appropriated amount. We request that the \$492,000 appropriated for Account 950-96, Retirement Fund, be reduced by \$40,339 to \$451,661.

The motion under Article #4 was *VOTED*.

<u>ARTICLE 5.</u>	To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$5,000, or any other sum,
Study	to engage a consultant to perform a study of all non-union positions in the personnel classification plan including preparation of job descriptions and recommended salary ranges; or act on anything relative thereto.
Non-Union Positions	

Submitted by the Board of Selectmen and Personnel Board.

Selectman Donald *moved to appropriate the sum of \$5,000 to engage a consultant to perform a study of all non-union positions in the Personnel Classification Plan, including preparation of job descriptions and recommended salary ranges, said sum to be raised by taxation.*

Board of Selectmen Report: (A. Donald)

This article has been jointly submitted by the Board of Selectmen and the Personnel Board. We have been making efforts over the past few years to review and update our non-union employee positions in the Classification Plan. To date it has been an in-house effort which we have not been able to complete. This article asks for money to hire an outside consultant to help us finish the job. Considerable initial work has been done by the Personnel Board and now all the data and information must be put together, correlated and specific recommendations made for implementation. It has been eight years since we have addressed this problem in a comprehensive manner. We must especially make efforts to see that job descriptions match the actual work performed, and that pay levels are fair and equitable. A clear example of our problem has arisen from cooperative efforts of the Town and the Regional High School to combine all outdoor grounds maintenance work. An agreement has been reached that Park and Recreation will provide such services throughout the Town, including the Regional High School and the local schools. However, in the process of combining personnel of the Town and High School, we find there are dissimilar descriptions of some jobs and large salary differentials in certain instances. If we do not address this matter we would have employees performing the same function at drastically different rates. As I said, the Town Meeting eight years ago approved such a study and its results held up for a number of years. But, during this time, many changes in the working environment have resulted from Federal and State mandates, Proposition 2½, new data processing technology and other factors. It is time once again to make this effort, in fairness to our Town employees. If we put this vote off to the ATM, eighteen months would pass before any action could be taken by a town meeting on the results. We hope you concur with us and will vote accordingly.

Personnel Board Report: (J. Carroll)

The Personnel Board has submitted this article with the Board of Selectmen as we feel it is vitally important that a review of the Classification Plan be done as soon as possible. Town bylaws require such a review be done every three years. It has not been done for eight years. During the past year the Personnel Board has worked on studying job descriptions. The Board has also been asked to address the issue of long-time employees on maximum. The Board brought one alternative solution to the Town Meeting in April. The review process has been started by the Personnel Board. This Personnel Board is a new board and we're going through a period of re-organization. Each member brings to the board certain talents and a willingness to serve and carry out the responsibilities as set forth in the bylaws. However, we feel we need the help and the expertise of a professional to complete the task of reviewing the Classification Plan. The Personnel Board has put a moratorium on any request for re-classification until this study is completed. It is our intention to have the study completed as soon as possible so that we can come back to you at Town Meeting, give you a report and make recommendations. Our town employees deserve an accurate up-dated fair and equitable Classification Plan done by a professional. I urge your support.

Finance Committee Report: (C. Baum)

The town has an interest in assuring that the salaries paid to town employees are in line with those paid for comparable jobs in the public and private sectors. To the same, scrutiny of the job descriptions pertaining to the town's non-union employees and the salary ranges established for those job titles is clearly needed. The Finance Committee was sympathetic to concerns voiced last year by a number of non-union employees about the possibility for salary advancement under the current plan and members feel that a study might serve to address this and other important issues that have arisen and will arise in the area of employee compensation.

In response to a question as to whether the Personnel Board actually had a proposal from any responsible company to do this job for \$5,000, Mrs. Carroll reported that the Board had made some initial inquiries and did receive one proposal for that amount.

Mr. George Hamm of Mossman Road *moved* to amend the main motion by substituting the figure \$8,000 for the figure \$5,000.

In support of this amendment, Mr. Hamm commented that if the job is going to be done at all it should be done well and if a professional doesn't spend at least a month on it, we shouldn't do it. We're just kidding ourselves. We'll get a bad answer and we'll be subject to more arguments in the future.

The motion to amend was *defeated*.

Following there were a few brief discussions. Then the main motion under Article 5 was *VOTED*.

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ARTICLE 6.

Study

Department Head/
Managerial
Salaries

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$5,000, or any other sum, to engage a consultant to perform a salary study of Town of Sudbury Department Head and Managerial Positions including certain elected officials; or act on anything relative thereto.

Submitted by the Board of Selectmen and Personnel Board.

Selectmen Frost *moved* to appropriate the sum of \$5,000 to engage a consultant to perform a salary study of the Town of Sudbury department head and managerial positions, including certain elected officials, said sum to be raised by taxation.

Board of Selectmen Report: (J. Frost)

This article is similar in nature and purpose to the previous article with the exception that, to our knowledge, no such study has ever been made in Sudbury. Over the past few years the Town has attempted to address the question of fair and equitable pay for elected officials and department heads. These include the Fire Chief, the Police Chief, the Library Director, the Supervisor of Parks, the Executive Secretary, the Town Accountant, the Assistant Assessor, the Planning Administrator, the Health Director, the Town Engineer and the Building Inspector, as well as those elected officials considered department heads: the Town Clerk, the Tax Collector, the Highway Surveyor and the Town Treasurer. The number of these positions to be studied is limited; there are 15, including elected officials, department heads and individually rated personnel. Therefore, we feel that the amount of money requested is an appropriate sum. As stated in the Warrant report, if this article is approved, we intend to prepare a detailed scope of services and a Request for a Proposal that we may place for bid. The main function will be to evaluate the pay levels with those of other towns and private industry, if possible, and make recommendations accordingly. The job descriptions for these positions are for the most part up-to-date and many, if not all, incorporate, at least by reference, functions mandated by statute. Therefore, this will not add to the cost of the study. We believe this is a modest amount of money to solve a major problem. Much discussion has taken place at previous town meetings concerning equities and non-equities of department heads' and elected officials' salaries. Please allow us to address this problem so that we can report our findings based on an independent, third party recommendation.

Personnel Board Report: (J. Carroll)

The Personnel Board has submitted this article with the Board of Selectmen because we feel the study of the salaries of the department heads, the managerial positions and those elected officials that serve as department heads is needed. We think it is timely. We on the Personnel Board are frequently asked to address the question of the salaries of all the employees of the town and as you know, every town meeting we get people that debate and question the salaries of the officials and the department heads. The Personnel Board started this process last year by collecting data for the elected officials. We did it through contingent towns and towns comparable to the size of Sudbury. Again, it took a great deal of work, a great deal of time just to begin to get this information and now that part of the study needs to be correlated and recommendations come out of it. Again, I am going to repeat the positions that Mr. Frost mentioned so that there will be no question of whose salaries we are studying: Executive Secretary, Fire Chief, Police Chief, Library Director, Supervisor of Parks, Town Accountant, Assistant Assessor, the Planning Administrator, the Health Director, the Town Engineer, the Building Inspector, the Town Clerk, the Tax Collector, the Highway Surveyor and the Town Treasurer. The Personnel Board feels they need the help and the expertise of an outside professional to complete this task. The voters of this town have a right to know if the salaries we pay are fair, equitable, and appropriate for the job. We'd like this study done as soon as possible so that we can come back and report to you at town meeting and make recommendations. If it is left to the Personnel Board alone, we would never be able to complete it in time to come back at town meeting. I ask for your support.

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Finance Committee Report: (C. Baum)

The rationales for the Finance Committee support of Article 5 are equally appropriate for this article. The need for such a study is perhaps even greater with regard to the managerial positions as the provision of town services is largely dependent upon the competence and efficiency of its managers -- both appointed and elected. The town needs to maintain managerial salaries at reasonable levels to attract and retain good managers. Note however, that such a study would only result in a set of recommended salary levels for department heads. The Finance Committee would continue to recommend elected officials salaries to the Town Meeting taking the study's recommendations as well as any other relevant factors into account.

Peter Berkel of Surrey Lane asked for a clarification as to the role of the Personnel Board in reviewing the people listed by Mrs. Carroll. It is my understanding that some of these people, particularly the people on Park and Rec, are union and therefore it is a union contract and how would a recommendation and a vote at Town Meeting affect or not affect the union negotiated salaries? I think we all need to understand who falls under the Personnel Board's jurisdiction as a town employee and who does not.

Mr. Thompson, the Executive Secretary explained, "Yes, the town does have a Supervisory Association, and I can tell you who's in it. Of the ones that Mr. Frost mentioned, the Library Director, Supervisor of Parks, Health Director, Town Engineer, and Building Inspector, plus I think it's three other individually-rated positions - or two that are in the Highway Department. That's how large our Supervisory Association is."

Asked if they were union or non-union, he stated, "They're union. The ones that I named."

Mr. Berkel then inquired if they do or do not come under the jurisdiction of the Personnel Board, to which Mr. Thompson noted that they do not fall under the jurisdiction of the Personnel Board. "The ones I just named are under the jurisdiction of the Board of Selectmen. The elected officials are elected officials. The Finance Committee makes a recommendation to Town Meeting. The other officials are under the jurisdiction of the Personnel Board as far as their recommending a maximum salary."

Asked if these two studies could be combined as one \$10,000 contract, Mr. Thompson commented that "Yes and Mrs. Carroll and I have talked about this a couple of weeks ago and it is our intent to try to and I'm sure we can."

There being no further discussion, the motion under Article 6 was *VOTED*.

ARTICLE 7.
Unpaid Bills

To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money for the payment of certain unpaid bills incurred in previous fiscal years or which may be legally unenforceable due to the insufficiency of the appropriation in the years in which such bills were incurred; or act on anything relative thereto.

Submitted by the Town Accountant. (9/10 vote required)

Selectman Donald *moved* to appropriate the sum of \$226 for the payment of the following unpaid bills which were incurred in previous fiscal years or which may be legally unenforceable due to the insufficiency of the appropriation in the years in which such bills were incurred: \$91.35 to pay LHS Associates, Inc.; \$16.25 to pay Bentley Stationers, Inc.; \$118.13 to pay Sudbury Town Crier, said sum to be raised by taxation.

Town Accountant Report:

These are simply late billings. They were received beyond the end of the Fiscal Year therefore we could not charge it to the previous fiscal year. One of them is a really old bill, Fiscal '83, that just turned up. It is a legitimate obligation.

The motion under Article 7 was *UNANIMOUSLY VOTED*.

ARTICLE 8.
Accept
Legislation
Liens: Septage
Billings

To see if the Town will vote to accept the provisions of Chapter () of the Acts of 1985, making unpaid charges for the use of facilities for the receipt and disposal of privy, cesspool and septic tank contents a lien upon the real estate from which such contents have been collected, or act on anything relative thereto.

Submitted by the Board of Selectmen/Operational Review Committee.

Mr. Fox of the Board of Selectmen *moved Indefinite Postponement*.

Mr. Guernsey, Chairman of the Operational Review Committee stated that the State Senate had not finished their work on passing this legislation, therefore, we have no legislation to accept at this time.

The motion under Article 8 was *VOTED*.

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ARTICLE 9.

Ladder Truck

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$10,000, or any other sum, to be expended under the direction of the Fire Chief, for the purchase of a used ladder truck for the Fire Department, or act on anything relative thereto.

Submitted by the Fire Chief.

Chief Dunne moved to appropriate the sum of \$10,000 to be expended under the direction of the Fire Chief to be used for the purchase of a used ladder truck for the Fire Department, said sum to be raised by taxation.

In support of this motion, the Chief stated that the Fire Department is asking \$10,000 to enable us to present a bid for a 1963 Persh 85-foot ladder truck. The vehicle is presently in service in the Town of Maynard and will be sold by bid or traded in during November or December of this year. Although the vehicle is 22 years old, it has had much refurbishing work, including the hydraulic system, and it currently has 9,936 road miles on the odometer. In the warrant report I stated that a reduction in insurance rates may be possible by purchasing this ladder. According to Hall's Insurance Agency the rate difference between a Class 5-rated community, which Sudbury is now, and a Class 4-rated community, which we would go to if we bought the ladder truck, I believe, is between \$13 and \$21 of savings per \$100,000 of insurance. We missed the Class 4 rating by 2.3 points the last time we were evaluated. We received .21 points out of a possible 5 for the ladder service and with this vehicle we will most probably pick up that 2.3 points and lower our homeowner's fire insurance rates. My second and third points in the Warrant have to do with safety issues. One man can raise the ladder on a truck. It takes three men to raise a regular ladder from the ground. The longest ladder we now have is 35 feet in height. That's if you stood it up vertically. When you put it at an angle to lay it against a building, we have about a 28 foot reach. Twenty-eight feet will not reach the top of many of the buildings in town, included are churches, the Wayside Inn, Longfellow Glen, the Village Green, the Coach House Inn, and many houses. In the past we have relied on neighboring communities to send a ladder truck. This arrangement could continue but for \$10,000 I think we should be able to handle our own fires without mutual aid. I thank you for your support.

Finance Committee Report: (J. Hannon)

The Finance Committee recommends approval. The only other statistics I'd like to add to the presentation is the fact that the useful life of this piece of equipment is 5 to 6 years. If we were to buy a new ladder truck, it would cost us \$225,000. The other point that should be remembered is the fact that we would use this, based upon prior years' statistics, an average of six times a year. A good example of where we could have saved property in the use of this ladder would have been the fire that occurred at the Babe Ruth house on Dutton Road. When we look at the fact that we're talking about saving life, and also property value, for \$10,000 we are getting an excellent value and it is for these reasons that we recommend approval of this article.

Board of Selectmen: (J. Frost)

I think Fire Chief Dunne and the member of the Finance Committee have adequately stated the reason why we need this ladder truck. During the years I was on the service, Chief St. Germaine tried several times to obtain a ladder truck for the Town of Sudbury. I had it on my capital outlay program for the years that I was Chief. You must remember that there are many more dwellings and many more commercial pieces of property in the Town of Sudbury and the total number of men available immediately to respond is the same number of men that we had in 1969, with the exception of the dispatcher. If we want to continue to have the service that we're getting from these men, we've got to give them some mechanical help and this is a very inexpensive way to not only give them the mechanical help but also prevent injuries which is very costly to a municipality.

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Asked by Peter Anderson of Landham Road if there was an agreement with the Town of Maynard to sell this ladder truck to Sudbury for \$10,000, Chief Dunne responded as follows: "No, we do not. They are buying a brand new ladder truck and the way they wrote their specifications was they could put it out to bid themselves or they could accept a trade price from a dealer. They now know what the trade price is and the Chief in Maynard has indicated to me that \$10,000 would be a reasonable price to buy this truck. I don't know that we can get it for 10. Somebody may come in higher. I don't want to go any higher than that though."

Bill Cooper of Cedar Creek Road asked about the expected annual maintenance cost and where this truck will be garaged.

Chief Dunne reported that the Station on the Boston Post Road is big enough to house the truck and that is where most of the commercial properties are located and where the truck would get its most use. As to the estimated maintenance costs, Chief Dunne stated that it is hard to figure those on a vehicle like this. The hydraulic system which is the most expensive part of the truck has had some extensive work on it. It has passed aerial ladder testing by a national testing service in 1983, just about two years ago. That would be the most expensive thing if it were to go. Seeing how it is been all redone, I wouldn't expect it to go. It has less than 10,000 road miles on it, but we would figure at least twice that amount for engine hours, where it has been sitting idling and other things. I think 20,000 or maybe even 30,000 miles shouldn't mean that we're going to be doing an engine job on it. I wouldn't guess that we should spend more than a thousand or two thousand dollars maximum any year to keep it in service.

Jim Kates of Ford Road asked what would be the estimated cumulative savings to the town homeowners in their fire insurance costs, taking the money out of the fire insurance premiums and putting it onto the tax bills, which in the long run becomes deductible?

Chief Dunne reported that Mr. Hall stated approximately 50% of the insurance carriers used the rating of the insurance service organization so not everybody will see a reduction, as some companies don't go by that rating. Fifty percent do. Of the 50% who do, the rates vary. He checked the companies in his office that he represents, and the amounts went from \$13/100,000 to \$21/100,000. If you have a home, we have a \$15 savings on a hundred thousand dollar policy. If you have \$100,000 on your house, you'll save \$15. If you have a \$200,000 policy, you'll save \$30. There's 4,000 houses and half of that is 2,000. We're looking at a \$30,000 savings probably for people within the community.

Following a few more comments, the motion under Article 9 was *VOTED*.

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ARTICLE 10.Paint
Hosmer House

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$5,000, or any other sum, to be expended under the direction of the Sudbury Historical Commission, for painting the exterior of the Hosmer House, including, but not limited to, preparation, primer coat and final coat, or act on anything relative thereto.

Submitted by the Sudbury Historical Commission.

Mr. Powers of the Historical Commission moved for *Indefinite Postponement*.

Mr. Powers explained that at the scheduled time for the meeting between the Commission and the Finance Committee, he was unable to attend, therefore, there wasn't the opportunity to discuss this with the Finance Committee until very recently. They are very aware of the problem and the need for proper paint on the Hosmer House, and they are very sympathetic. They had some constructive suggestions and we've agreed to meet and discuss these matters and then we'll be back in April.

There being no further discussion on this motion to indefinitely postpone, it was *VOTED*.

ARTICLE 11.Accept Sec. 13 of
Chapter 188 of the
Acts of 1985

To see if the Town will vote to accept Section 13 of Chapter 188 of the Acts of 1985, the so-called Public School Improvement Act of 1985, or act on anything relative thereto.

Submitted by the Lincoln-Sudbury Regional School District Committee.

Selectmen Fox moved that the Town accept Section 13 of Chapter 188 of the Acts of 1985, the so-called Public School Improvement Act of 1985, but no other section thereof, and specifically excluding Section 16, which amends Chapter 71, Section 40 of the General Laws, on behalf of the local Sudbury Schools, the Lincoln-Sudbury Regional High School District, and the Minuteman Regional Vocational Technical School District.

Lincoln-Sudbury Regional High School District Report: (R. Brooks)

The Regional High School District Committee supports this motion under this article. The state has recently passed an almost like omnibus bill in the education of the youngsters in the state and there are a great many academic, reporting, administrative and financial provisions in this bill. Only one affects the Regional this year. There are others that will affect the Regional and other schools in future years. But, the one we're talking about tonight is a provision in the law which allows the school committees to vote an amount of \$650 additional per teacher and apply to the state to get this money for the school. Now, the money could be used in several ways. It could be used for special things which would require teacher's salaries; i.e., sabbaticals, sick leave, special projects, etc. But the amount that the town would receive, or the amount that the Regional High School District would receive this year would be \$650 times the number of teachers that we have in our building. One logical way to do this would be to simply give each of the teachers \$650 additional. You may very well ask what does that do to the existing contractual arrangements you have with your teachers.

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We have had some chance, not a lot, but some to discuss this matter with people internal to the school and also with the state people. The state assures us that it is their intention to support this in the future. In other words the \$650 this year, \$450 next year, that's all that the state law now provides. They are saying they are going to have additional monies for future years. What we are saying to our association is that our position will be to seek this authority by the town and then we will make application to the state. However, we will not consider this money part of your base salary when it comes to a negotiation. We will simply be saying "Your salary that we are starting from in negotiation does not include those monies. It's like bonus money." The reason we feel this money is out there and available to us is because of the Section 16 which is specifically excluded here, the \$18,000 minimum salary for teachers. The LS has no interest in the \$18,000 minimum because all of our teachers are paid more than \$18,000 minimum and that's why we don't need it to be part of this law or part of any action by this town meeting. We are not asking you tonight to increase the teacher's salaries or to make applications, but simply to allow the school committees to consider making applications if they can make the appropriate arrangements with the State and with the Teachers' Unions.

Sudbury Public School Report: (D. Pettit)

Essentially the feeling of the Sudbury School Committee is the same as the Regional Committee. We also have no interest in the salary minimum. It would only affect one teacher in our system and we do not want to raise our starting salary which is somewhat below \$18,000 up to the \$18,000 level, as we feel it would also raise the rest of our scale and that is something we would prefer to negotiate with the teachers and not do automatically. We have discussed it at length at our last meeting and it is the sense, the strong sense of our committee and also the understood and similar position by the Executive Committee of the Teachers Union that we will not use the money if we obtain it, to add to our current salary scales which are negotiated for the next several years. We will use it in a manner to be determined, as provided by law, in negotiation with the teachers' union but probably for something like a bonus system, but not to be automatically added on to the salary scale. If we lose state funding over the next several years, the town will not be locked into meeting these payments from taxation.

Minuteman Regional Vocational Technical School District: (Superintendent Ronald Fitzgerald)

Having received the consent of the hall to speak, Supt. Fitzgerald reported that the Minuteman School committee had already voted to accept this section. We are interested in using the approximately \$350-\$380/teacher that we will receive this year - it varies from district to district - to provide an addition to this year's salary schedule for teachers because we are approximately \$2,500 below the average for our 16 towns right now in the Mass. District. We had already reached an informal agreement with our Teachers' association for the next two years after this and we will simply - and they have agreed to this - incorporate the \$32,000 that we would receive next year to supporting what has already been negotiated. We would proceed whether or not the state money was available. This would reduce our assessments next year to our member towns. They will be approx. \$32,000 lower than they otherwise would be. We hope you will give our teachers that support.

	1985-86	Minuteman	Tech	Salaries
		16-Town Average		Minuteman Tech
BA Minimum		\$ 16,755		\$ 16,064 = - 691
BA Maximum		\$ 28,567		\$ 26,996 = -1571
MA Maximum		\$ 31,543		\$ 28,990 = -2553

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Finance Committee Report: (C. Baum)

The Finance Committee's position was not unanimous on this article since members felt that at the time of our meeting there had been little time to evaluate all of the possible consequences of the complex legislation before us. The appearance of state funds for teacher professional development could prove to be a mixed blessing, if those funds disappeared after two years and placed a new burden on the school budget. However, evaluation of those considerations and indeed negotiation of the provision of distribution of these funds are tasks that are properly left to the elected members of the Lincoln-Sudbury School Committee, the Sudbury Public School Committee, and the Minuteman School Committee. If the town accepts this act, those committees still have the necessary latitude to negotiate with their respective unions, apply for and accept the grant funds or not accept them as they see fit. Thus the Finance Committee believes that the town should give that choice to those school committees and therefore recommends approval.

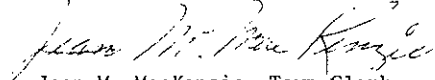
Anita Lewtas of Juniper of Juniper Road commented that one thing in this article she wondered about was the money, even though we don't have to vote on it, it is not included in our taxes this year, for Sudbury. It is a state tax. It is coming from us eventually. Once a state tax is enacted or a state fund is set up for some purpose it is very seldom eliminated. This has to be funded by the state on the state level because it has been voted for at the state level. But, it takes the control of giving teachers increases in salaries out of our hands.

Following one brief comment in support of this article, the motion to accept Section 13 of Chapter 188 of the Acts of 1985 was *VOTED*.

A motion to dissolve the Special Town Meeting was received, seconded, and *VOTED*. The meeting was dissolved at 10:19 P.M.

Attendance: 208

A true record, Attest:


Jean M. MacKenzie, Town Clerk

