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Def Defeated
 IP Indefinitely Postponed
 PO Passed Over
 REF Referred for further study
 W Withdrawn

ANNUAL TOWN ELECTION
MARCH 29, 1993

The 1993 Annual Town Election was held at the General John Nixon School. The polls were open from 7 a.m. to 8 p.m. There were 1,623 votes cast including 68 absentee ballots. The number of ballots cast represents sixteen percent of the Town's 9,992 registered voters. Twenty-three voting machines were used. The results were announced by Jean MacKenzie the Town Clerk at 11:35 p.m.

SELECTMEN: FOR THREE YEARS

John C. Drobinski	1,242
Scattering	-
Blanks	381

MODERATOR: FOR ONE YEAR

Thomas G. Dignan, Jr.	1,269
Scattering	-
Blanks	354

BOARD OF ASSESSORS: FOR THREE YEARS

Thomas H. Hillery	1,055
Scattering	-
Blanks	568

CONSTABLE: FOR THREE YEARS

James D. Conboy	642
Richard Fryatt	446
Scattering	-
Blanks	535

GOODNOW LIBRARY TRUSTEE: FOR THREE YEARS

(Vote for Two)

Richard Goldberg*	796
Howard N. Goldsmith	675
Hans J. Lopater	665
Scattering	-
Blanks	1,110

*candidate moved out of state after withdrawal deadline and before the election.

GOODNOW LIBRARY TRUSTEE: FOR ONE YEAR

Martha A. Clough	1,108
Scattering	-
Blanks	515

BOARD OF HEALTH: FOR THREE YEARS

Hugh Caspe	1,069
Scattering	-
Blanks	553

BOARD OF HEALTH: FOR ONE YEAR

Michelle Stakutis	1,029
Scattering	-
Blanks	594

SUDBURY HOUSING AUTH.: FOR FIVE YEARS

Virginia Howard	1,114
Scattering	-
Blanks	509

PARK & REC. COMM.: FOR THREE YEARS

Patricia H. Burkhardt	1,124
Scattering	-
Blanks	499

PARK & REC. COMM.: FOR TWO YEARS

Barbara W. Ryan	1,072
Scattering	-
Blanks	551

ANNUAL TOWN ELECTION

MARCH 29, 1993

PARK & RECREATION COMMISSIONERS: FOR ONE YEAR

Nancy K. Thompson	1,024
Scattering	-
Blanks	599

PLANNING BOARD: FOR THREE YEARS

Ursula Lyons	1,052
Scattering	-
Blanks	571

SUDBURY SCHOOL COMMITTEE: FOR THREE YEARS
(Vote for Two)

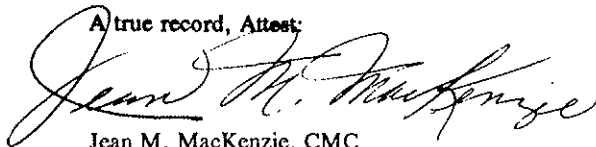
Edward S. Campbell	655
Bruce J. Biller	510
Andrew M. Schwarz	905
Kenneth Zito	836
Scattering	-
Blanks	340

LINCOLN-SUDBURY REGIONAL DISTRICT
SCHOOL COMMITTEE: FOR THREE YEARS
(Vote for Two)

Fred Pryor	1,161
Janet Miller	974
Scattering	1
Blanks	1,110

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

A true record, Attest:



Jean M. MacKenzie, CMC
Town Clerk

SPECIAL TOWN ELECTION

MAY 24, 1993

The Special Town Election was held at the General John Nixon School. The polls were open from 7 AM to 8 PM. Twenty-three voting machines were used. The number of votes cast were 3,760 including 153 Absentee Ballots. The results were announced by the Town Clerk, Jean M. MacKenzie at 9:45 PM. (37% of the town's registered voters cast ballots.)

QUESTION 1

Shall the Town of Sudbury be allowed to assess an additional \$185,042 in real estate and personal property taxes for the purposes of providing funds for the Sudbury Public Schools operating budget and School-related Unclassified Employee Benefits account to provide for staffing, administrative and other costs of the Nixon School for the fiscal year beginning July 1, 1993?

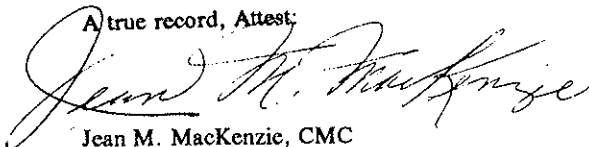
YES	1,594
NO	2,151
BLANKS	15

QUESTION 2

Shall the Town of Sudbury be allowed to assess an additional \$49,000 in real estate and personal property taxes for the purposes of constructing a walkway along Old Lancaster Road from Peakham Road to Hudson Road for the fiscal year beginning July 1, 1993?

YES	1,791
NO	1,937
BLANKS	32

A true record, Attest:



Jean M. MacKenzie, CMC
Town Clerk

TOWN OF SUDBURY
ANNUAL TOWN MEETING
PROCEEDINGS
APRIL 5, 1993

Pursuant to a Warrant issued by the Board of Selectmen, March 15, 1993, the following people, Moderator Thomas G. Dignan, Town Clerk Jean M. MacKenzie, residents Arthur Medici, Jan Silva and Ralph Tyler, were in attendance at the Lincoln-Sudbury Regional District High School auditorium for the first session of the 1993 Annual Town Meeting. This being the first day of the Jewish Holiday, Passover, a motion was offered by Mr. Tyler to adjourn the Town Meeting to Wednesday, April 7, 1993 at 7:30 PM. The motion was seconded by Arthur Medici and was **VOTED**.

The meeting was adjourned at 7:40 PM.

Attendance: 5

ADJOURNED ANNUAL TOWN MEETING

APRIL 7, 1993

Pursuant to a Warrant issued by the Board of Selectmen, March 15, 1993, the inhabitants of the Town of Sudbury, qualified to vote in Town affairs, met in the Lincoln-Sudbury Regional High School auditorium on Wednesday, April 7, 1993, for the second session of the Annual Town Meeting.

The meeting was called to order by the Moderator at 7:43 PM when a quorum was declared present. The Reverend Deborah Pope-Lance of the First Parish Church of Sudbury, gave the invocation which was followed by Meredith Ellavsky, an outstanding student in the senior class at Lincoln-Sudbury Regional High School, leading the hall in the Pledge of Allegiance to the Flag.

Free Cash available for the Town Meeting was certified at \$712,952. The call of the Meeting, the Officer's Return of Service and the Town Clerk's Return of Mailing were found to be all in order.

John Drobinski, Chairman of the Board of Selectmen moved 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 motion received a second and was VOTED.

Following, Chairman John Drobinski read a Resolution in memory of those citizens who had served the Town and had passed away this 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 AND 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:

MARION O. CLAUSEN - (1921-1992) MOVED TO SUDBURY IN 1959
SUDBURY SCHOOLS CAFETERIA HELPER: 1966-1969, 1973-1980

HELEN FLYNN - (1900-1993)
ART TEACHER, SUDBURY SCHOOLS: 1955-1961

CHESTER HAMILTON - (1922-1993) MOVED TO SUDBURY IN 1960
SCHOOL NEEDS COMMITTEE: 1964-1965
ELECTION OFFICER: 1965-1979
INDUSTRIAL DEVELOPMENT COMMISSION: 1968-1973
FINANCE COMMITTEE: 1978-1980
TREASURER: 1980-1989
TEMPORARY COLLECTOR OF TAXES: 1988-1989
FIRST TOWN TREASURER AND COLLECTOR: 1989-1991

APRIL 7, 1993

DOROTHY A. JENNINGS - (1921-1993) MOVED TO SUDBURY IN 1961
SECRETARY, SUDBURY SCHOOLS: 1966-1982

VIRGINIA K. KIRSHNER - (1921-1992) MOVED TO SUDBURY IN 1957
LINCOLN-SUDBURY REGIONAL SCHOOL COMMITTEE: 1963-1969
LINCOLN-SUDBURY REGIONAL HIGH SCHOOL TEACHER,
HALL DIRECTOR: 1973-1992
LOCAL ARTS COUNCIL: 1980-1986

EUGENIE C. MADER - (1908-1992) MOVED TO SUDBURY IN 1963
ELECTION OFFICER: 1975-1992

EDWARD K. MARTIN - (1930-1992)
LIGHT EQUIPMENT OPERATOR AT HIGHWAY DEPARTMENT: 1964-1986

GEORGE E. MILLS - (1895-1992) MOVED TO SUDBURY IN 1965
VOLUNTEER SCIENCE INSTRUCTOR, SUDBURY SCHOOLS: 1976-1992

ROBERT J. MYERS - (1928-1992) MOVED TO SUDBURY IN 1955
ELEMENTARY TEACHER: 1953-1989
PARK AND RECREATION COMMISSION: 1978-1987

ANGELINA OULTON - (1911-1993)
SCHOOL MATRON AT CURTIS SCHOOL: 1964-1974

EDNA M. SMITH - (1915-1992) MOVED TO SUDBURY IN 1963
ELECTION OFFICER: 1985-1992

ISABELLE K. STONE - (1916-1992)
JUNIOR CLERK IN TOWN HALL: 1968-1972
ACTING TAX COLLECTOR: 1972-1973
TAX COLLECTOR: 1973-1988

AND BE IT FURTHER

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

The Resolution was presented to the voters and UNANIMOUSLY VOTED.

The Moderator at this time noted to the Hall that in the event Article 10 should be reached this evening, it was his intention to postpone consideration of that article until the first order of business on the next night of Town Meeting.

Next, Chairman Drobinski addressed the Hall with the Board of Selectmen's State of the Town Address. "Compared to the last three years, the State of the Town is significantly better. The excellent financial report by the Finance Committee and staff appearing in the Warrant, presents a clear picture of the Town's current fiscal affairs. It shows some restoration of Town services,

APRIL 7, 1993

but not all those previously cut. It shows the Town's cash revenue picture improving for now, but we cannot become complacent. It shows future capital needs are known and are being addressed. The Warrant for this 1993 Annual Town Meeting is the product of hard work of all the Finance Committee staff and the Selectmen staff. We tried to address the concerns expressed by you at last Town Meeting. We believe a superb job has been done in preparing and presenting the Town's financial data to you. Also, this year we have tried to make a serious effort in addressing the needs of persons with disabilities attending Town Meeting. We will keep improving each year. So all this work will not go for naught, please take time if you can over the next few weeks and fill out the questionnaire on the Town Warrant near the end of the book. This will help us again for next year's preparation. We welcome your comments and suggestions.

This past February, strong support, state-wide, has been shown for the formation of the Sudbury coalition comprised of legislators and Town officials to meet once or twice a year so our voice may be heard louder on Capitol Hill. More and more aid is going to the cities and small towns and less to suburban towns. State aid to cities is approximately 38.6% of the total revenue. State aid to small towns is approximately 28% of the total revenue, and state aid to suburbs is only approximately 7% of the total revenue. The Mass. Municipal Association recently said that clearly the restoration of the \$180 million in school aid, the \$37 million in Chapter 90 Funds and the uncapping of the lottery aid is at the top of the AMA's agenda. Yet prevailing in these matters, while significant, would merely retain the status quo. The larger issue for local government is winning true revenue sharing. Passage and enforcement of a compact between localities and the State to share tax collections is essential to finally achieving lasting fiscal stability in city and town halls. This year, we especially draw your attention to Articles 13, 14, and 15. These articles deal with improving the infrastructure of the Town which will be costly, and if we neglect them any longer, it will be even more costly. We also ask you to look in the Warrant at the Initiatives for Change. (See page 13 for these Initiatives) The Finance Committee, took the lead in this, and the Selectmen started the process last year and some progress has already been made. Partial outgrowth of this change effort is a recommendation to Town Meeting that we do a study of Town Government Structure. The Finance Committee has recommended \$10,000 from the Selectmen's Operating Budget. We will seek help from the Sudbury Foundation for additional funding. We have already requested a Scope of Services from Tallisman, Inc., the firm that did the excellent study on the pool. Tallisman's proposed Scope of Services will in part look at the following things: Review all parts of Sudbury's town operations excluding education and seek savings opportunities through privatization, regionalization and better operating practices; similarly, detailed information will be collected from the following departments: Police, Assessors, Treasurer, Collector, Clerk, Building, Health, Library, Auditor and Accountant. In addition, as any of these departments can cooperatively increase school department efficiency, they will also be evaluated and considered.

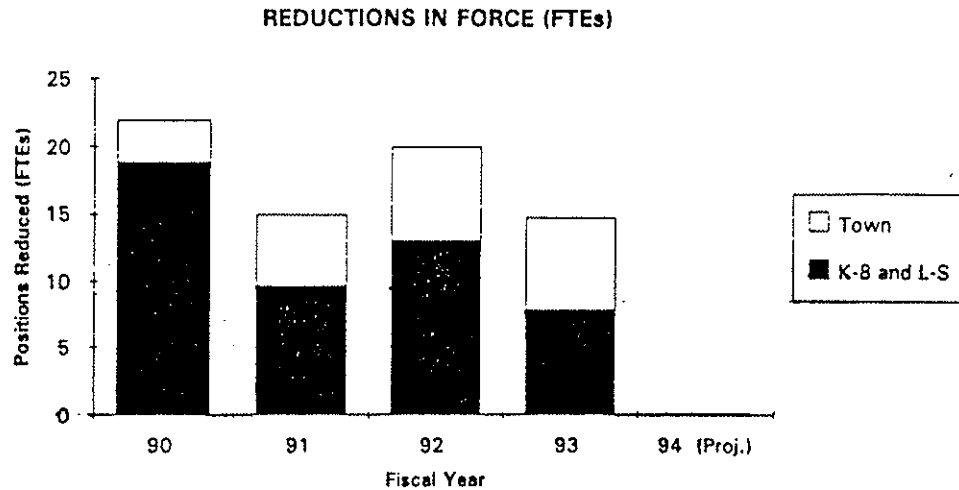
All the efforts over the past year are not to change the form of government in Sudbury but rather to improve it. To make it more efficient for all of us and to provide better service to the public. We hope that you agree that this is being accomplished."

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Jim Haughey, Chairman of the Finance Committee, then presented the 1993 Finance Committee Report, which was substantially the same as that printed in the Warrant.

1993 FINANCE COMMITTEE REPORT

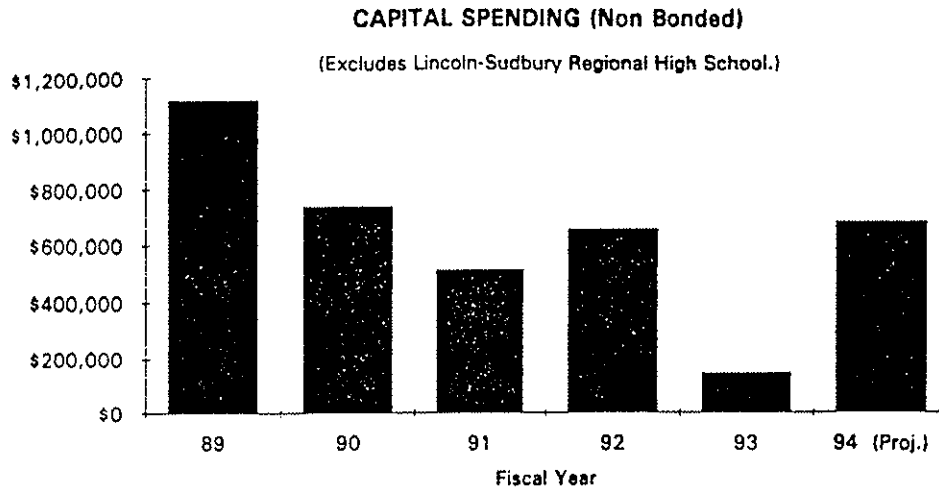
After three difficult financial years, when cuts in Town and school services had to be made, the FY94 Budget includes about \$1 million of restored services and capital spending over and above level staffing. Significant layoffs were required in each of the previous three years but no layoffs are projected for FY94. However, fire, police, highway, general government and school professional support staffs remain below their peak level of several years ago. Most non-salary items in the budget, such as the Goodnow Library book budget and educational materials budgets at the schools, have less purchasing power than several years ago.



The recommended budget does not include any new Town department employees, but several positions are restored or increased to full time from part time status. Seven new classrooms have been added for the schools, including Lincoln-Sudbury Regional High School, as well as several support positions. (Four classroom teachers will be added if the tax override is approved). Still, class sizes next year will be larger than several years ago.

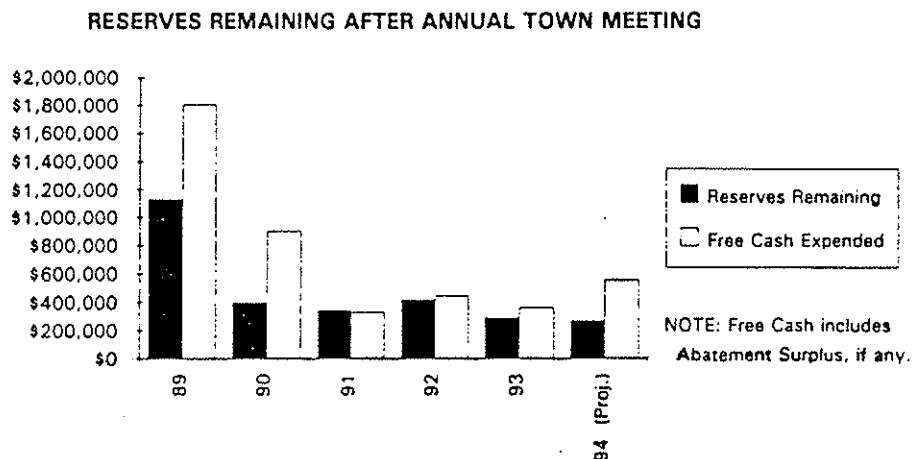
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Over \$300,000 is included for repairs to Town and K-8 school buildings, considerably more than last year. Lincoln-Sudbury Regional High School also will see some building improvements in the \$2.1 million bond issue passed in November 1992. No new facilities are included in the budget, except for a \$5,000 walkway needed for safety, now that K-8 busing has been reduced. The Finance Committee firmly believes that repair of existing facilities must come before new facilities. The Five Year Financial Planning Committee recommended that capital spending be 5% of the operating budget. The recommendation for FY94 is only about one-third of that amount.



The Finance Committee is not recommending spending any of the Stabilization Fund, which currently has a balance of \$270,000. This balance is very low and should be reserved for emergency capital needs. The failure of a boiler or a roof at one of the two school buildings where the boilers and roofs are past life expectancy, could instantly deplete this fund.

Operating Cash Reserves are adequate, with a Free Cash balance of \$300,000 expected after the recommended FY94 budget and articles are approved. This is the minimum we should keep to prevent expensive short term borrowing, allow for the often late payment of funds due from the state, and prevent a negative cash balance which would considerably restrict our flexibility in the following year.



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Revenue assumptions in the FY94 budget are conservative. An amount of \$425,000 has been included for the property tax on new construction; only about \$75,000 more than the previous year. The estimate of "local receipts", principally auto excise tax receipts, is set at the same level actually received in FY92. General State Aid is assumed to be unchanged next year, but the \$100 per student State School Aid payment received last summer (but not in the FY93 Budget), is included in the FY94 budget and assumed to be paid directly to the schools, so a town appropriation would not be required. Proposals to increase State School Aid are pending in the legislature, but are not included in the budget for next year.

Town and school services can be restored next year because of the following favorable changes in the Budget for the next year versus the current year:

1. Salary expenses were reduced about \$600,000 in FY93, when Town and school employee contracts were renegotiated and extended one year. This savings set a lower salary base cost to which the FY94 raises were applied.
2. Our assessment from Minuteman Regional Vocational Technical High School drops over \$80,000 because of fewer Sudbury students at Minuteman.
3. \$179,383 has been released by the Board of Assessors from the reserve they keep to pay tax abatements. No funds were released last year because of the high level of delinquent taxes, for which no tax liens had been obtained.
4. The property tax receipts from new construction rises to \$425,000 next year, up from the originally budgeted \$250,000 this year. In addition, taxes on new construction actually totaled almost \$350,000 in FY93, adding another \$100,000 to available money in FY94.
5. Employee Health Insurance costs are budgeted at the same amount as FY93, except for a small addition for new school employees.

SOURCES OF ADDITIONAL FUNDING OVER PREVIOUS YEAR

	<u>FY93</u>	<u>FY94</u>	<u>% CHANGE</u>
PROPERTY TAX REVENUE*	\$23,244,710	\$24,336,945	4.70%
STATE AID	\$ 2,093,538	\$2,103,538	0.48%
LOCAL RECEIPTS	\$2,122,577	\$2,166,577	2.07%
FREE CASH	\$361,536	\$376,000	4.36%
TRANSFER FROM PREVIOUS ARTICLES	\$0	\$338,532	N/A

Note: \$275,000 of State Aid was received directly by the schools in FY93 with a similar amount expected in FY94.

* Includes new construction and Prop. 2-1/2 exemptions.

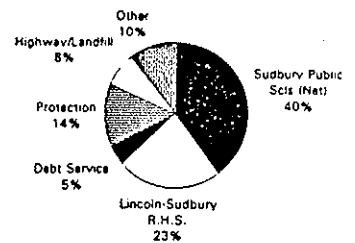
Beyond salary increases for existing staff, the recommended FY94 budget includes an increased focus in five areas: First, about \$650,000 for additional school enrollments, (plus an additional \$185,000 in the tax override). Second, about \$300,000 for Town and K-8 building repairs. Third, about \$75,000 for restoring or increasing part time positions to full time in various Town

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departments, particularly those impacted by the recent boom in new home construction. Fourth, \$36,000 was added for improving and cutting costs in Town operations. This included \$10,000 for a study of town organization and employee work rules, \$18,000 for a new accounting payroll and budget system for the Town and K-8 schools, and \$8,000 (plus \$8,000 from a previous Town Meeting Article for space planning), is for an architectural study to renovate the Flynn Building to be able to put all Town offices in one location and gain savings from shared staff and resources.

FY94: RECOMMENDED NEW SPENDING

	Approp.	Non Override	Add'l
	<u>FY93</u>	<u>FY94</u>	<u>Dollars</u>
Sudbury Public Scls (Net)(Non-Override)	\$ 9,041,366	\$ 9,738,706	\$ 697,340
Lincoln-Sudbury R.H.S.	\$ 6,539,191	\$ 6,942,562	\$ 403,371
Debt Service	\$ 1,073,835	\$ 1,156,017	\$ 82,182
Protection	\$ 3,137,903	\$ 3,380,316	\$ 242,413
Highway/Landfill	\$ 1,576,382	\$ 1,713,614	\$ 137,232
General Government	\$ 788,701	\$ 851,790	\$ 63,089
Finance	\$ 464,584	\$ 526,417	\$ 61,833
Library	\$ 363,529	\$ 402,730	\$ 39,201
Recreation	\$ 462,405	\$ 463,524	\$ 1,119
Health	\$ 186,397	\$ 201,547	\$ 15,150
Minuteman H.S. and Misc.	\$ 848,075	\$ 705,912	(\$142,163)
Employee Benefits	\$ 2,972,267	\$ 2,995,600	\$ 23,333
TOTAL *	\$27,454,635	\$29,078,735	\$1,624,100



*Approximately \$600,000 is due to salary increases for existing staff in FY94.

The Finance Committee asked each department to tell us how much they needed to do the job you expect of them. Many departments did and we did get some good ideas which had not surfaced in the recent, lean years. Each department was asked to relate their expenses to their objectives, so we could assess the value of each item requested. Each department was also asked to provide evidence of their productivity level and productivity improvements. Some made compelling cases for their requests.

Overall, Town and school operations are reasonably efficient. The dispersal of Town offices into numerous small and separate areas, and the often low level of use of computers is adding significantly to cost. Both of these will be addressed by the Finance Committee.

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Estimating revenue for the FY94 budget continues to be a difficult problem for the Finance Committee. State School Aid formulas are being completely revised, but final formulas have not yet been enacted. Accurate estimates for property taxes from new construction and auto excise tax receipts are complicated by lack of information. In FY93, receipts from State aid, property taxes on new construction and local receipts were underestimated by at least \$477,000. Had estimates been more accurate, the override vote last March would not have been necessary. The Finance Committee will work on this problem.

The Town's financial administration is good and has been improving, especially in tax collections and cash investment procedures. Major efforts are underway to upgrade the Town's accounting-payroll-purchasing-budgeting system with new computer hardware and software which we expect will produce savings in the Town and K-8 School budget for FY95.

As you consider the recommended budget for FY94, remember that there are several large expenditure requests that will likely be made in the next few years.

Capital Needs: The Haynes and Curtis schools may need new boilers and partial roof replacements, and both schools may need major renovation for energy efficiency. Park and Recreation facilities have deteriorated in the recent lean years and must be restored or abandoned. The Flynn building needs to be modernized to serve as the principal Town office building and the Town Hall is long overdue for maintenance. The Lincoln-Sudbury Regional High School presented plans for several million dollars of capital improvements at the last Town Meeting. These are in addition to the recent bond issue.

School Enrollment: Both schools are now experiencing enrollment increases at a total rate of five to seven classes per year. This is a marked change from recent years. Both School Committees believe it will continue for several more years. Even with the Nixon School open, more space will be needed soon to maintain class sizes in the K-8 schools.

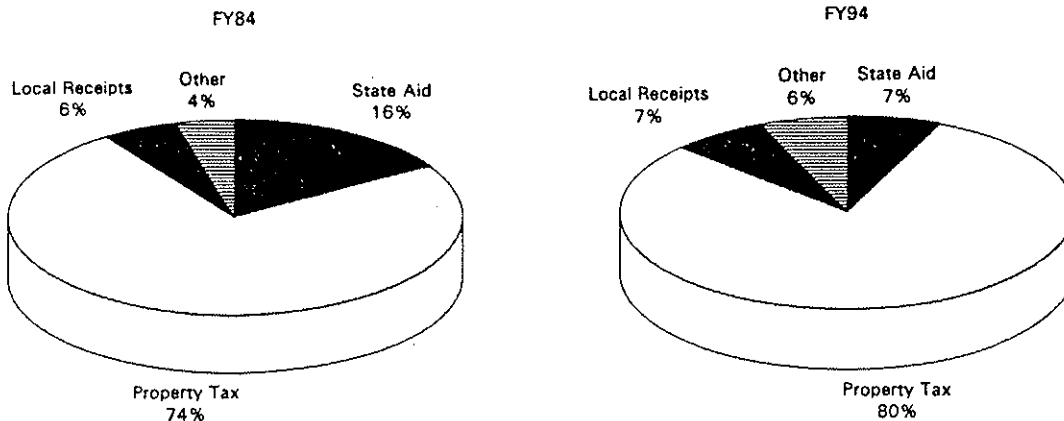
Landfill: We may be required by the State to close our landfill as early as next year, or it may remain open for several more years. When it closes, we will have to spend more than \$1,000,000 to cover the landfill and then build a transfer station.

You should also keep in mind two potential non-expenditure developments that may raise tax rates:

1. Delinquent taxes: Aggressive collection has reduced the amount from a high level of about \$2,000,000, far above neighboring towns of similar size. But a big problem remains. Do we get more aggressive in collections, or risk having the delinquent amount rise again in the next economic downturn? Tax rates rise to maintain spendable money when delinquent taxes are increasing.

2. State Aid: As State revenues increase, Sudbury is getting very little of the additional State aid. Our share declines each year, as more and more goes to cities and urban towns. In FY93, only about 45% of the additional State School Aid was distributed on a per pupil basis. About \$100 million was distributed through formulas that excluded Sudbury. For FY94, \$175 million of additional State School Aid may be added to the State Budget. The Finance Committee does not believe that Sudbury will receive any of it.

The following charts shown the shift in the percentage of revenue sources between FY84 and FY94.



APRIL 7, 1993

The Finance Committee expects that FY95 will again be a year of average increases in Town revenues. If we can manage health costs and salary increases at a reasonable level, we should not have a difficult budget problem for FY95

INITIATIVES FOR CHANGE

Recognizing that significant expense reductions could only be made with major structural changes in town government, the Finance Committee and the Board of Selectmen jointly appointed six groups to recommend changes. Here is a summary of their reports and recommendations. Their new ideas have already prompted some changes and others are expected soon. The Finance Committee will monitor these recommendations and report again next year.

CREATION OF PUBLIC WORKS DEPARTMENT

(John Drobinski, Robert Noyes)

This would be done by merging the Highway, Engineering, and part of the Park and Recreation Departments to reduce cost in design, construction and maintenance of non-building town facilities.

Recommendation: This is not feasible now because two of the three departments have elected officials. Wait until retirements occur.

VOLUNTEERS

(Judy Cope)

This is an ongoing effort to recruit residents to do work for which the Town would otherwise pay. Contacting people in the Town talent pool, and publicity, produced volunteers who worked in the Treasurer's, Tax Collector's Town Clerk's, and Engineering Departments and the Selectmen's Office. Both schools operate their own volunteer programs.

Recommendation: Continue to recruit volunteers. Interested people should contact the Selectmen's Office. No special skills are needed for many tasks.

PRIVATIZATION

(Roy Sanford, Lincoln Anderson)

Three possibilities for contracting services now done by Town employees were investigated to reduce costs: grounds maintenance, janitorial services, and school lunches.

Recommendation: (1) Grounds maintenance contracting needs to await a high enough volume, possible only with a public works department. (2) Janitorial services may offer cost savings. A joint bid request is being prepared by both schools, the Building Department and the Library. (3) School lunch contracting is still being considered.

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LOCAL REVENUE ENHANCEMENT

(Michael Fitzgerald, David Asheim, Robert Cusack, Joseph Klein, Betsy Nikula, Mary Ellen Normen Dunn)

Three areas of possible cost saving were identified: town fees, town tax collection procedures, and sale of surplus property.

Recommendations:

1. Town fees must be reviewed each year. Currently, they are similar to neighboring towns, some are a bit high. The Finance Committee will review fees each year during the department budget hearings, to be sure fees cover costs where permissible by law. The Building and Fire Departments are reviewing their fee schedules now.
2. Tax collection procedures must be adequate to insure timely collections and catch up on past late payments. Significant progress has been made this year with new hardware/software systems, volunteers, and aggressive pursuit of late payers. The recommended FY94 budget includes funds to make further improvements.
3. Surplus property should be turned to cash quickly. The Selectmen are reviewing a list of tax possession parcels and will auction any land not needed for recreation or water protection. Also, the former Loring School on Woodside Road (but not the playground), will be offered for sale soon, when an engineering study now underway is complete, so buyers will know the state of the building.

JOINT TOWN/SCHOOL SHARING OF ADMINISTRATIVE SERVICES

(Larry Blacker, Terri Ackerman, Mary Ellen Normen Dunn, Ed Campbell, David Wilson, Karen Palmer, Eric Elfman, John Wilson, Pauline Paste)

Twenty possible areas of additional sharing were considered, and four were selected where more cooperation was possible and expected to be cost effective: collective bargaining and personnel classification, payroll, libraries, and collection of user fees.

Shared services already exist in telephone systems, custodians (partial), grounds maintenance, snow plowing, mini vans (kindergarten transportation and senior citizen transportation), contract administration, engineering services, accounting services, energy purchases, and school transportation. A new joint town/school system for budgeting, payroll, personnel and purchasing is now being installed.

Recommendations:

1. Collective bargaining should be coordinated for fairness to employees, management cost savings and less expensive administration of contract terms. A Negotiating Advisory Committee, appointed by the Selectmen, will help coordinate the next bargaining, later this year.
2. Payroll costs can be reduced by putting all town and school employees on the same pay periods. Union objections mean that this recommendation must be deferred to the next round of collective bargaining.
3. Library cooperation already exists, especially for book selection for school reading assignments, but more is necessary on audio/visual resources and access to the Minuteman Library System. No specific plans yet.
4. Collection of user fees by the K-8 schools is being changed to reduce the number of people handling cash and get funds deposited quicker. More procedural changes are pending.

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CENTRALIZED/REGIONALIZED PURCHASING
(David Palmer, Cathy Minehan, Sidney Wittenberg)

Several areas where consolidated contracts may save expenses were identified: uniform, office supply and computer purchases; and copier, emergency generator and boiler maintenance. No results yet. Also, the committee identified other actions needed to cut costs of purchased materials and services.

Recommendations:

1. The town/school accounting and budgeting systems need to be upgraded and expanded to permit identifying common purchases. This task took the committee far too much time. A new accounting system is now being installed and the Finance Committee will restructure the budget if needed.
2. State contracts for many items are available to the Town, and even though they are difficult to use, we should make a better effort. Each department must learn to review state prices before buying.
3. The purchasing process needs to be improved with a purchasing bylaw setting standards for information on invoices and permitting "group" purchasing orders, and open accounts at low cost, local vendors.

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BUDGET SUMMARY

	Expens. FY 92 *	Approp FY 93 *	Dept Reque FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
Sudbury Pub. Schls.(Gross)	8,971,348	9,221,858	10,443,937	9,940,295	10,063,337
Sudbury Pub. Schls: Offsets	100,492	180,492	201,589	201,589	201,589
SUDBURY PUB. SCHLS. (Net)	8,870,856	9,041,366	10,242,348	9,738,706	9,861,748
L.S.R.H.S.(Assessment)	6,367,491	6,539,191	7,143,456	6,942,562	6,942,562
M.R.V.T.H.S.(Assessment)	357,370	381,446	300,448	300,448	300,448
TOTAL SCHOOLS	15,595,717	15,962,003	17,686,252	16,981,716	17,104,758
200: Debt Service	475,480	1,073,835	1,156,017	1,156,017	1,156,017
300: Protection	3,114,439	3,137,903	3,422,018	3,380,316	3,380,316
400: Highway/Landfill	1,545,112	1,576,382	1,756,074	1,713,614	1,713,614
500: General Govt.	804,617	788,701	906,144	851,790	851,790
560: Finance	435,673	464,584	531,467	526,417	526,417
600: Library	369,454	363,529	450,404	402,730	402,730
700: Recreation	469,911	462,405	483,524	463,524	463,524
800: Health	185,503	186,397	201,547	201,547	201,547
900: Veterans	13,598	7,363	18,818	17,651	17,651
950: Unclass./Transfer Accts.	2,840,318	3,431,533	3,394,925	3,383,413	3,445,413
TOTAL TOWN(inc. Unclassif.)	10,254,106	11,492,631	12,320,938	12,097,019	12,159,019
TOTAL OPERATING BUDGET	25,849,823	27,454,634	30,007,190	29,078,735	29,263,777
STM Articles	0	0	0	0	0
ATM Articles:	1,437,780	2,454,637	1,146,313	647,713	647,713
Borrowing	1,000,000	2,134,424	0	0	0
TOTAL ARTICLES	437,780	320,213	1,146,313	647,713	647,713
TOTAL APPROPRIATIONS	26,287,603	27,774,847	31,153,503	29,726,448	29,911,490
Cherry Sheet Chgs.& Underest.	347,160	360,050	360,050	360,050	360,050
Cherry Sheet Offsets	217,547	217,587	217,587	217,587	217,587
Recap, Snow&Ice & Oth. chgs	70,727	47,015	98,000	108,000	108,000
Abatements & Exemptions	394,184	350,979	300,000	300,000	300,000
TOTAL CHARGES	1,029,618	975,631	975,637	985,637	985,637
TOTAL TO BE RAISED	27,317,221	28,750,478	32,129,140	30,712,085	30,897,127
Cherry Sh.Receipts & Overest.	2,173,992	2,093,538	2,103,538	2,103,538	2,103,538
State Aid: \$100 Per Pupil, K-8		{GOES DIRECTLY TO S.P.S. \$198,000 in FY94}			
State Aid: \$100 Per Pupil, L-S		{GOES DIRECTLY TO L-S \$79,288 in FY94 (Sudbury Share) }			
Local Receipts	2,069,951	2,122,577	2,166,577	2,166,577	2,166,577
Enterprise Fund Receipts	671,312	790,688	778,300	778,300	778,300
Free Cash applied	300,527	361,536	361,536	376,000	376,000
Dog Licenses (& St Aid)	2,000	7,750	6,454	6,454	6,454
Wetlands Protection Fund	4,125	4,125	4,125	4,125	4,125
Abatement Surplus	175,000	0	179,383	179,383	179,383
Cemetery Fund	28,000	11,700	14,000	14,000	14,000
Stabilization Fund	180,000	0	0	0	0
Transfer from ATM 1987/14	30,000	0	0	0	0
Transf:ATM 82/14,STM 86/6	7,317	0	0	0	0

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	Expend. FY 92 *	Approp FY 93 *	NON OVERRIDE Dept Reque FY 94	Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
Transfer from STM 89/5			190,000	190,000	190,000
Transfer from ATM 87/14			8,532	8,532	8,532
Transfer from ATM 90/24			140,000	140,000	140,000
Transfer from STM 88/4			0		
Transport. Bond Offset	0	319,713	319,713	319,713	319,713
Ambulance Fund	25,000	50,000	75,000	90,000	90,000
TOTAL RECEIPTS & REVENUE	5,667,224	5,761,627	6,347,158	6,376,622	6,376,622
 REQUIRED TAX LEVY	 21,649,997	 22,988,851	 25,781,982	 24,335,463	 24,520,505
Previous Limit +2.5%	20,695,073	21,710,545	22,610,636	22,610,636	22,610,636
New Construction	170,948	348,612	400,000	425,000	425,000
Prop 2-1/2 Override	315,000	0	0	0	185,042
LEVY LIMIT	21,181,021	22,059,157	23,010,636	23,035,636	23,220,678
Prop 2-1/2 Exemptions	682,036	1,185,553	1,301,309	1,301,309	1,301,309
APPLICABLE LEVY LIMIT	21,863,057	23,244,710	24,311,945	24,336,945	24,521,987
UNDER LEVY LIMIT	213,060	255,859	0	1,482	1,482
OVER LEVY LIMIT		0	1,470,036	0	0

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OVERRIDE BUDGET

If the Override passes, only the following line items will change:

	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94	DIFFERENCE
SUDBURY PUBLIC SCHOOLS			
Salaries	7,991,085	7,991,085	
Expenses	1,740,210	1,740,210	
Equipment	67,000	67,000	
Open Nixon School	0	265,042	
Capital Expenditure	142,000	0	
	-----	-----	
Subtotal Sudbury Pub. Scls	9,940,295	10,063,337	
		0	
Offsets, including METCO	201,589	201,589	
 110 Net Sudbury Public Scls	 9,738,706	 9,861,748	 123,042
 -800 Health Insurance	 1,693,000	 1,733,000	 40,000
Town Share:	732,964	732,964	0
Scl Share:	960,036	1,000,036	40,000
 -813 Retirement Fund	 983,000	 988,000	 5,000
Town Share:	776,668	776,668	0
Scl Share:	206,332	211,332	5,000
 -821 Worker's Compensation	 190,000	 200,000	 10,000
Town Share:	128,231	128,231	0
Scl Share:	61,769	71,769	10,000
 -822 FICA/Medicare	 75,000	 82,000	 7,000
Town Share:	33,397	33,397	0
Scl Share:	41,603	48,603	7,000
 TOTAL OVERRIDE			 185,042

APRIL 7, 1993

Craig Blake of Old Lancaster Road, speaking for the Resource Recovery Committee, addressed the concerns of the Town's landfill, which is located off Route 20, on the Sudbury/Wayland line. Each week approximately 600 cubic yards of solid waste is placed in the landfill. This amount is comparable to the size of a four bedroom home filled with trash. The cost to dispose of the solid waste is \$12/cubic yard, which does not include any of the hidden costs, i.e. land costs. There will also be another cost just to close the landfill when it can no longer be used. There is a recycling center at the landfill, which Mr. Blake encouraged residents to use. At this time, Sudbury recycles about 14% of the trash it generates. Recycling is not a cost saving effort - the cost to the Town is about \$5 a cubic yard for everything that is placed in the recycling center. The cost to recycle is less than that to use the landfill, which is about \$12 a cubic yard, and at the same time it extends the life of the landfill and makes for a better environment for everyone to live in. Efforts are being made for greater savings by looking into a regional recycling consortium.

Mr. Blake noted that state law prohibits a great many items from going into a landfill...the latest being glass and metal cans. This latest ban will not go into effect for another 2-1/2 years. Current law also states that the landfill must be closed by January of 1994, the unlined portion of it, which is about 18 of the total 20 areas of the landfill. This regulation also will not be enforced until January of 1994. At the rate Sudbury fills its landfill, it will be all used up by 1995.

Alternatives presented included: 1) Request Wayland to allow Sudbury to use some of their valuable capacity, which they have shown some interest in doing, but there would be an added cost; 2) Go with a "curb-side" pick-up, on a weekly basis, and the trash would be taken to a regional incinerator; or 3) a "Transfer Station" - a large metal trash can, in which all rubbish would be placed, then it would be taken to an incinerator or a regional landfill. The cost of a "Transfer Station" could be in the range of half a million to a million dollars.

Mr. Blake noted that the more we recycle, the longer the Town can pay the \$12/cubic yard for trash, rather than the \$25 to \$30/cubic yard for trash, which it will be when the landfill closes down. He also pointed out that once the landfill is closed, it will be required of the Town to "cap" it so rain water and snow melt won't percolate down to the trash and pollute the ground water. The cost for the "cap" could be in the million dollar range.

ARTICLE 1. HEAR REPORTS

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 1992 Town Report or as otherwise presented; or act on anything relative thereto.

Submitted by the Board of Selectmen

David Wallace, former member of the Board of Selectmen, *moved to accept the reports of the town boards, commissions, officers and committees as printed in the 1992 Town Report or as otherwise presented, subject to the correction of errors, if any, where found.* The motion was seconded.

The motion under Article 1 was presented to the voters and was **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 2 AMEND BYLAWS, ART. XI. - PERSONNEL CLASSIFICATION AND SALARY PLAN

To see if the Town will vote to amend Article XI of the Town of Sudbury Bylaws, entitled, "The Personnel Administration Plan": by deleting the Classification and Salary Plan, Schedule A & B, in its entirety and substituting therefor the following:

TOWN OF SUDBURY FY 1994

**SCHEDULE A - CLASSIFICATION PLAN
AND SCHEDULE B - SALARY PLAN**

**GRADE 1
GRADE 2**

Clerk I
Switchboard Operator/Receptionist

GRADE 3

Clerk II/Senior Clerk
Library Clerk
Recording Secretary

GRADE 4

Fire Dispatcher (40 hrs/wk)
Library Technician
Secretary I
Van Driver, Senior Citizens Center
Senior Data Processing Clerk
Groundsperson (40 hrs/wk)
Maintenance Custodian(40 hrs./wk)

GRADE 5

Outreach Case Manager
Library Office Coordinator
Grounds Mechanic (40 hrs/wk)
Census and Documentation Coord.
Accounting Administrative Asst.
Part-Time Reference Librarian

GRADE 6

Assistant Tax Collector
Dog Officer
Police Dispatcher
Secretary/Legal Secretary
Secretary II/Office Supervisor
Grounds Foreman (40 hrs./wk)
Board of Health Coordinator

Title Change, Reclassification,
or New Position

GRADE 7

Assistant Assessor
Assistant Town Accountant
Assistant Town Clerk
Assistant Town Treasurer
Assistant Children's Librarian
Head of Circulation, Library
Head of Technical Services, Library

GRADE 8

Conservation Coordinator
Director, Council on Aging
Adult Services/Reference Librarian
Children's Librarian

GRADE 9

Administrative Asst. to Board of Selectmen
Assistant Library Dir. (Not filled FY93/94)

GRADE 10

Community Social Worker

GRADE 11

Budget & Personnel Officer

GRADE 12

GRADE 13

GRADE 14

Highway Surveyor (Elected)

GRADE 15

Fire Chief
Police Chief

GRADE 16

GRADE 17

Executive Secretary - Non Union - Contracted Position

Town Clerk - Non Union - Elected (Grade 10 for advisory purposes only)

The following are union positions:

Supervisor of Town Buildings
Assessor/Appraiser
Library Director
Supt. Parks and Grounds
Town Planner

Director of Public Health
Insptr. of Bldg./Zoning Enforcement Agent
Town Treasurer/Collector
Director of Finance/Town Accountant
Town Engineer

**TOWN OF SUDBURY
FY94 NON-UNION SALARY GRID
7/1/93 - 6/30/94**

	Minimum			Maximum			
	1	2	3	4	5	6	7
GRADE							
1	8.84	9.18	9.54	9.92	10.31	10.71	11.13
2	9.54	9.92	10.31	10.71	11.13	11.57	12.02
	334.00	347.10	360.72	374.87	389.57	404.86	420.74
	17,435	18,119	18,829	19,568	20,336	21,134	21,963
3	10.31	10.71	11.13	11.57	12.02	12.49	12.98
	360.72	374.87	389.58	404.86	420.74	437.25	454.40
	18,829	19,568	20,336	21,134	21,963	22,824	23,720
4	11.13	11.57	12.02	12.49	12.98	13.49	14.02
	389.58	404.86	420.74	437.25	454.40	472.23	490.75
	20,336	21,134	21,963	22,824	23,720	24,650	25,617
5	12.02	12.49	12.98	13.49	14.02	14.57	15.14
	420.74	437.25	454.40	472.23	490.75	510.00	530.01
	21,963	22,824	23,720	24,650	25,617	26,622	27,667
6	12.98	13.49	14.02	14.57	15.14	15.74	16.35
	454.40	472.23	490.75	510.00	530.01	550.80	572.41
	23,720	24,650	25,617	26,622	27,667	28,752	29,880
7	14.02	14.57	15.14	15.74	16.35	17.00	17.66
	490.76	510.01	530.02	550.81	572.41	594.87	618.21
	25,617	26,622	27,666	28,752	29,880	31,052	32,270
8	15.28	15.88	16.51	17.15	17.83	18.53	19.25
	534.91	555.91	577.70	600.36	623.92	648.41	673.84
	27,922	29,018	30,156	31,339	32,568	33,847	35,175
9	16.66	17.31	17.99	18.70	19.43	20.19	20.99
	583.05	605.94	629.69	654.40	680.07	706.76	734.49
	30,435	31,629	32,870	34,160	35,500	36,893	38,340
10	18.16	18.87	19.61	20.38	21.18	22.01	22.87
	635.52	660.47	686.37	713.29	741.27	770.37	800.59
	33,174	34,476	35,828	37,234	38,695	40,213	41,791

11	19.79 692.72 36,160	20.57 719.91 37,579	21.38 748.14 39,053	22.21 777.49 40,585	23.09 807.99 42,177	23.99 839.71 43,833	24.93 872.65 45,552
12	21.57 755.07 39,415	22.42 784.70 40,961	23.30 815.47 42,568	24.21 847.46 44,238	25.16 880.71 45,973	26.15 915.28 47,778	27.18 951.19 49,652
13	23.51 823.02 42,962	24.44 855.32 44,647	25.40 888.86 46,399	26.39 923.73 48,219	27.43 959.97 50,111	28.50 997.65 52,078	29.62 1036.79 54,121
14	25.63 897.10 46,828	26.64 932.30 48,665	27.68 968.86 50,575	28.77 1006.87 52,559	29.90 1046.37 54,621	31.07 1087.44 56,765	32.29 1130.10 58,991
15	27.94 977.83 51,043	29.03 1016.21 53,045	30.17 1056.06 55,126	31.36 1097.49 57,289	32.59 1140.54 59,536	33.87 1185.31 61,873	35.19 1231.81 64,301
16	30.45 1065.84 55,637	31.65 1107.66 57,819	32.89 1151.10 60,088	34.18 1196.26 62,445	35.52 1243.19 64,895	36.91 1291.99 67,442	38.36 1342.68 70,088
17	33.19 1161.76 60,644	34.50 1207.35 63,023	35.85 1254.70 65,496	37.26 1303.93 68,065	38.72 1355.08 70,735	40.24 1408.27 73,512	41.81 1463.52 76,396

NOTE: Full-time employees are normally scheduled to work 35 hours per week. Full-time employees who are denoted as normally scheduled to work 40 hours per week are paid for a week's work at 40 times the stated hourly rate. The annual rate is based on 52.2 weeks per year.

NON UNION EMPLOYEES
INDIVIDUALLY RATED - FY 94

<u>LIBRARY</u>	<u>MINIMUM</u>	<u>STEP 1</u>	<u>STEP 2</u>
●Library Page (Hourly)	\$ 6.12	\$ 6.39	\$ 6.59

PARK AND RECREATION

- Recreation Director - Annually Rated: \$33,000 - \$42,000 (Formerly Grade 10)

	<u>MINIMUM</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>MAXIMUM</u>
●Camp Supervisor (Seasonal - Part time)	\$2,385	\$2,484	\$2,605	\$2,737	\$2,877
●Teen Center Coordinator (Hourly):	\$ 11.76 - \$ 17.65				
●Temporary Laborer Hourly):	\$ 6.57 - \$ 8.03 (Park and Rec. and Highway Depts.)				

ATKINSON POOL

<u>POSITION</u>	<u>ANNUAL SALARY RANGE</u>	<u>CORRESPONDING GRADE CLASSIFICATION</u>
●Aquatic Director	\$30,435 - \$38,340	Grade 9
●Pool Sec.II/Off. Supervisor	\$23,720 - \$29,880	Grade 6
●Aquatic Coordinator	\$21,963 - \$27,667	Grade 5

<u>POSITION</u>	<u>HOURLY RATED SALARY RANGE</u>
●Lifeguard/Pool Receptionist	\$6.50 - \$ 8.89
●Childcare Helper/Water Safety Ins.	\$7.05 - \$9.60
●Receptionist/WSI Supervisor	\$8.23 - \$10.36

TOWN ADMINISTRATION

	Min.						Max.
	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>	<u>STEP 6</u>	<u>STEP 7</u>
●Custodian (Hrly - 40 hrs.)	\$10.37	\$10.76	\$11.19	\$11.63	\$12.07	\$12.54	\$13.06

SINGLE RATED:

●Veterans' Agent and Director	\$3,984/Year
●Animal Inspector	\$1,759/Year
●Census Taker	\$ 6.11/Hour
●Election Warden	\$ 6.11/Hour
●Election Clerk	\$ 6.11/Hour
●Deputy Election Warden	\$ 6.11/Hour
●Deputy Election Clerk	\$ 6.11/Hour
●Election Officer & Teller	\$ 5.80
●Plumbing Inspector	Fees
●Assistant Dog Officer	\$ 9.72/Hour

FIRE DEPARTMENT

	MIN	Step 1	Step 2	Step 3	MAX
Firefighter					
Annual	29,047	29,720	30,409	31,082	31,814
Hourly	13.25	13.56	13.87	14.18	14.51
Firefighter/EMT					
Annual	30,347	31,020	31,709	32,382	33,114
Hourly	13.84	14.15	14.46	14.77	15.10
Lieutenant					
Annual	32,387	33,138	33,906	34,657	35,473
Hourly	14.77	15.11	15.47	15.81	16.18
Lieutenant/EMT					
Annual	33,837	34,587	35,356	36,106	36,922
Hourly	15.43	15.78	16.13	16.47	16.84
Fire Captain					
Annual	36,112	36,949	37,805	38,642	39,552
Hourly	16.47	16.85	17.24	17.63	18.04
Fire Captain/EMT					
Annual	37,728	38,565	39,421	40,258	41,168
Hourly	17.21	17.59	17.98	18.36	18.78

SINGLE RATED:

● Call Firefighter	\$123.22/Year	\$11.86/Hour
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OTHER SINGLE RATED

● Fire Prevention Officer	\$700/year
● Fire Alarm Superintendent	700/year
● Master Mechanic	700/year
● Fire Dept. Training Officer	700/year
● Emergency Med. Tech. Coord.	700/year
● Fire Alarm Foreman	400/year

NOTE: Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 42 hours per week. Overtime pay is calculated by multiplying 1.5 times these hourly rates.

POLICE DEPARTMENT

	Hrs/Week	MIN	Step 1	Step 2	Step 3	MAX
Sergeant	37.33					
Hourly		18.52	18.96	19.39	19.83	20.23
Annual		36,095	36,931	37,795	38,645	39,416
Patrolman	37.33					
Hourly		15.43	15.79	16.17	16.53	16.85
Annual		30,078	30,772	31,497	32,206	32,845

SINGLE RATED:

●Matron	\$12.06/Hour
●Crime Prevention Officer	700/year
●Photo/Fingerprint Officer	700/year
●Juvenile Officer	700/year
●Safety Officer	700/year
●Detective	700/year
●Training Officer	700/year
●Parking Clerk	700/year
●Mechanic	700/year
●Fire Arms Instructor	700/year

NOTE: Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 37.33 hours per week. Overtime pay is calculated by multiplying 1.5 times these hourly rates.

SUDBURY SUPERVISORY ASSOCIATION

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Library Director	43,952	45,270	46,629	48,027	49,468	50,952
Director of Health	44,981	46,330	47,720	49,152	50,626	52,145
Town Engineer	54,174	55,799	57,473	59,197	60,973	62,803
Supt Parks/Grds Mgmt*	35,189	36,245	37,332	38,452	39,606	40,794
Asst Highway Surveyor	39,712	40,903	42,130	43,394	44,696	46,037
Highway Oper. Asst.	33,535	34,541	35,577	36,644	37,744	38,876
Building Inspector	43,751	45,064	46,416	47,808	49,243	50,720
Supv. of Town Bldgs.#	33,026	34,017	35,038	36,089	37,171	38,287
Assistant Assessor	43,753	45,065	46,417	47,810	49,244	50,721
Town Planner	46,621	48,019	49,460	50,944	52,472	54,046
Police Lt./Adm. Asst.	48,486	49,941	51,439	52,982	54,572	56,209
Dir. of Fin./Town Acct.	55,390	57,052	58,763	60,526	62,342	64,212
Treasurer/Collector	45,341	46,701	48,102	49,546	51,032	52,563

* This does not include salary paid by Lincoln-Sudbury Regional School District, if any.

This does not include \$10,440 per year as Wiring Inspector.

ENGINEERING DEPARTMENT

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
E1 Eng Aide I	20,791	21,416	22,060	22,725	23,407	24,110
E2 Eng Aide II	23,909	24,628	25,366	26,130	26,913	27,721
E3 Eng Aide III	27,497	28,324	29,172	30,047	30,947	31,877
E4 Jr Civil Eng	31,622	32,571	33,545	34,553	35,589	36,656
E5 Civil Eng	35,576	36,642	37,746	38,875	40,041	41,242
E6 Sr Civil Eng	37,726	38,858	40,025	41,225	42,463	43,733
E7 Asst Town Eng	44,373	45,703	47,073	48,486	49,941	51,440

Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 40 hours per week. Overtime pay is calculated by multiplying 1.5 times these hourly rates.

HIGHWAY DEPARTMENT

	<u>START</u>	<u>Step 1</u> After 6 mos.	<u>Step 2</u> After 1 yr.	<u>Step 3</u> After 2 yrs.	<u>Step 4</u> After 3 yrs.	<u>Step 5</u> After 4 yrs.	<u>Step 6</u> After 5 yrs.
Landfill Supervisor	30,187	31,094	32,026	32,987	33,976	34,996	36,046
Foreman, Hwy	29,594	30,210	30,871	31,487	32,117	32,757	33,739
Foreman, Tree/Cem	29,594	30,210	30,871	31,487	32,117	32,757	33,739
Master Mechanic	13.98	14.45	14.89	15.28	15.67	16.07	16.55
Asst. Mechanic	13.36	13.82	14.26	14.66	15.04	15.44	15.91
Hvy Equip Oper	12.55	12.91	13.19	13.62	14.06	14.51	14.95
Tree Surgeon	12.55	12.91	13.19	13.62	14.06	14.51	14.95
Truck or Lt Equip Oper	11.79	12.10	12.43	12.67	12.92	13.19	13.58
Tree Climber	11.79	12.10	12.43	12.67	12.92	13.19	13.58
Hvy Laborer	11.11	11.43	11.69	11.99	12.31	12.63	13.01
Lt Laborer	10.14	10.42	10.65	10.93	11.21	11.50	11.84
Landfill Monitor	9.48						

Hourly rates obtained by dividing the annual rates by 52.2 weeks and 40 hours per week. Overtime pay is calculated by multiplying 1.5 times these hourly rates.

or act on anything relative thereto.

Submitted by the Personnel Board

TITLE CHANGES - NO CHANGE IN GRADE OR JOB DESCRIPTIONS:

<u>FORMER TITLE</u>	<u>NEW TITLE</u>
Assistant Assessor	Assessor/Appraiser
Assessors Office Coordinator	Assistant Assessor
Staff Librarian	Assistant Children's Librarian
Staff Librarian	Head of Circulation
Staff Librarian	Head of Technical Services
Senior Librarian	Children's Librarian

RECLASSIFICATIONS:

Library - Head of Circulation from Grade 6 to Grade 7

NEW POSITIONS:

Community Social Worker

POSITIONS ELIMINATED:

Park and Recreation - Program Director

CHANGE IN STATUS:

Treasurer/Collector - From Non Union to Union Position

APRIL 7, 1993

David Mandel, Chairman of the Personnel Board, moved to amend Article XI of the Town of Sudbury bylaws, entitled, "The Personnel Plan, Schedules A & B, in its entirety, and substituting therefor plan entitled: "Town of Sudbury - FY94 Schedule A - Classification Plan Schedule B - Salary Plan", as set forth in the 1993 Annual Town Meeting Warrant under Article 2. The motion was seconded.

Finance Committee Report: (J. Ryan) Recommended approval.

Selectmen's Report: (J. Drobinski) Recommended approval.

Mary Jane Hillery, Veterans' Agent, moved to amend the main motion by changing the salary for the Veterans' Agent and Director from \$3,984/year to \$5,000/year. The motion was seconded.

Ms. Hillery stated the Veterans' Agent salary was not in compliance with State Law, whereupon Mr. Mandel stated that generally towns with Veterans' Agents do not receive annual salary increases, and nothing in State Law requires payment of \$5,000, therefore the Town is not out of compliance.

The motion to amend was presented to the voters and defeated by a hand vote.

The main motion under Article 2 was presented to the voters and **VOTED** by a hand vote.

ARTICLE 3. AMEND BYLAWS, ART. XI.7.(2) - PERSONNEL ADMINISTRATION PLAN

To see if the Town will vote to amend Article XI of the Town of Sudbury Bylaws, Personnel Administration Plan, by deleting the ninth paragraph of Section 7(2) and substituting therefor the following:

"In the case of an employee who is receiving weekly benefits under the Workers' Compensation Law, M.G.L. Chapter 152, the provisions of said Chapter 152 shall apply with respect to the use of sick leave."; or act on anything relative thereto

Submitted by the Personnel Board

David Mandel, Chairman of the Personnel Board, moved in the words of the Article. The motion was seconded.

The Personnel Board recommended the noted changes to the Personnel Bylaw so the Town would be in compliance with the State's current Workers' Compensation Law.

Finance Committee Report: (J. Ryan) Recommended approval.

Board of Selectmen's Report: (J. Drobinski) Recommended approval.

The motion under Article 3 was presented to the voters and **UNANIMOUSLY VOTED** by a hand vote.

APRIL 7, 1993

ARTICLE 4. AMEND BYLAWS, ARTICLE XI.9A - PERSONNEL ADMINISTRATION PLAN

To see if the Town will vote to amend Article XI of the Town of Sudbury Bylaws, Personnel Administration Plan, Section 9A, by:

1) deleting the fifth through seventh sentences of the first paragraph and substituting therefor the following:

"In the event that an employee claims to be out of work and disabled as a result of a work-related injury, the Town may require the employee, from time to time, to submit medical evidence concerning the nature of the injury, the degree of disability and the prognosis for recovery and to submit to medical examinations by physicians or other health care providers selected by the Town, to the extent permitted by M.G. L. Chapter 152.", and

2) deleting the second paragraph and substituting therefor the following:

"Employees may be required to return to work in accordance with the provisions of M.G.L. Chapter 152.";

or act on anything relative thereto.

Submitted by the Personnel Board

David Mandel, Chairman of the Personnel Board, *moved in the words of the Article*. The motion was seconded.

The Personnel Board recommended the noted changes so the Town's Personnel Administration Plan would be in compliance with recent amendments to the State Workers' Compensation Law.

Finance Committee Report: (J. Ryan) Recommended approval.

Board of Selectmen's Report: (J. Drobinski) Recommended approval.

The motion under Article 4 was presented to the voters and **UNANIMOUSLY VOTED** by a hand vote.

APRIL 7, 1993

ARTICLE 5. AMEND BYLAWS, ART. XI.9 - PERSONNEL ADMINISTRATION PLAN

To see if the Town will vote to amend Article XI of the Town of Sudbury Bylaws, the Personnel Administration Plan, Section 9, by deleting the first sentence thereof and substituting the following:

"The Town Board or Commission or department head of each department shall determine, from time to time, in accordance with applicable laws, the job categories for which physical examinations shall be required of successful applications for employment. Applicants who accept a conditional offer of employment for such a position shall, prior to the start of their employment, submit to a physical examination by a town Physician, appointed for such purpose by the Board of Selectmen. Said examination shall be for the purpose of determining whether the person is capable of performing the essential functions for the position offered.";

or act on anything relative thereto.

Submitted by the Personnel Board

David Mandel, Chairman of the Personnel Board, *moved in the words of the Article.* The motion was seconded.

The Personnel Board reported that the proposed amendment was designed to bring the Personnel Bylaw into compliance with the Federal Americans with Disabilities Act of 1990 with respect to physical examinations of new hires.

Finance Committee Report (J. Ryan) Recommended approval.

Board of Selectmen's Report (J. Drobinski) Recommended approval.

The motion under Article 5 was presented to the voters and was **VOTED** by a hand vote.

APRIL 7, 1993

ARTICLE 6. ACCEPT SECTION 48 OF CHAPTER 133 OF THE ACTS OF 1992 - RETIREMENT INCENTIVE

To see if the Town will vote to accept the provisions of Section 48 of Chapter 133 of the Acts of 1992, establishing a retirement incentive program for municipal employees, or the provisions of any amendment thereto or special or General Law, the acceptance of which is determined to be necessary to secure to employees of the Town of Sudbury the benefits set forth in said Section 48; or act on anything relative thereto.

Submitted by the Board of Selectmen

Judy Cope of the Board of Selectmen *moved to Indefinitely Postpone Article 6.* The motion was seconded.

The reason for the motion to postpone was that through study of the proposal, it was believed Early Retirement Incentives would be very costly to the Town.

Finance Committee Report: Recommended approval.

Long Range Planning Committee: (P. Ferrara) Recommended approval.

The motion to Indefinitely Postpone was presented to the voters and **VOTED** by a hand vote.

ARTICLE 7 FY93 BUDGET ADJUSTMENTS

To see if the Town will vote to amend the votes taken under Article 12 of the 1992 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds; or act on anything relative thereto.

Submitted by the Board of Selectmen

John Drobinski, Chairman of the Board of Selectmen, *moved to Indefinitely Postpone Article 7.* The motion was seconded.

Mr. Drobinski explained the motion by saying there were no budget adjustments to be made.

Finance Committee Report: Recommended approval.

The motion under Article 7 was presented to the voters and **VOTED** by a hand vote.

APRIL 7, 1993

ARTICLE 8 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

There being no unpaid bills, Selectman, John Drobinski, moved to Indefinitely Postpone Article 8. The motion was seconded.

Finance Committee Report: (J. Haughey) Recommended approval.

The motion under Article 8 was presented to the voters and **VOTED** by a hand vote.

APRIL 7, 1993

ARTICLE 9 GOODNOW LIBRARY REVOLVING FUND

To see if the Town will vote for Fiscal Year 94 the use of a revolving fund by the Goodnow Library for the maintenance and utility charges for the multi-purpose room, to be funded by all receipts from the room reservation charge policy for non-Town agencies and maintained as a separate account in accordance with Massachusetts General Laws Chapter 44, Section 53E 1/2 and to be expended under the direction of the Trustees of the Goodnow Library; or act on anything relative thereto.

Submitted by the Trustees of the Goodnow Library

Ivan Lubash, Chairman of the Library Trustees, *moved to authorize for fiscal year 1994 the use of a Revolving Fund by the Goodnow Library for maintenance and utility charges for the multi-purpose room, to be funded by all receipts from the room reservation charge policy for non-town agencies; said fund to be maintained as a separate account, in accordance with Massachusetts General Laws Chapter 44, Section 53E 1/2, and expended under the direction of the Trustees of the Goodnow Library; the amount to be expended therefrom shall not exceed the sum of \$1,200.* The motion was seconded.

Finance Committee Report: Recommended approval.

The motion under Article 9 was presented to the voters and **UNANIMOUSLY VOTED** by a hand vote.

Due to the lateness of the evening, the Moderator decided to proceed with Article 11 at this time, and take up Article 10, the Budget, first thing on Monday, April 12, 1993.

APRIL 7, 1993

ARTICLE 11 ACCEPT GENERAL LAWS CHAPTER 40, SECTION 8J
CREATE COMMISSION ON DISABILITY

To see if the Town will vote to accept Chapter 40, Section 8J of the Massachusetts General laws, which provides the authorization to cities and towns to establish a permanent Commission on Disability for the purpose of developing, coordinating or carrying out programs designed to meet the needs of persons with disabilities, in cooperation with the Massachusetts Office on Disability and Town agencies, and to raise and appropriate or transfer from available funds a sum of money for this purpose; or act on anything relative thereto.

Submitted by the Board of Selectmen and Town Clerk

John Drobinski of the Board of Selectmen *moved* to accept Chapter 40, Section 8J of the Massachusetts General Laws, which provides the authorization to cities and towns to establish a permanent commission on disability for the purpose of developing, coordinating or carrying out programs designed to meet the needs of persons with disabilities, in cooperation with the Massachusetts Office on Disability and Town Agencies. The motion was seconded.

Finance Committee Report: (J. Haughey) The Committee took no position on this article.

Irena P. Schmid of Austin Road, one of the two residents who originally presented the idea of a Sudbury Commission on Disability to the Board of Selectmen, addressed the Hall and noted the purpose of the Commission would be to act as a resource for the Town's disabled citizens as well as business community. The Commission would provide support services, referrals, disability awareness information and educational training programs. There are presently 135 active Commissions throughout the State. Ms Schmid having worked directly with the Acton Commission, spoke with first-hand knowledge as to many of the on-going accomplishments in that community.

Site visits are made to employers, upon request, to talk with them about compliance with the Americans Disability Act (ADA). A needs analysis was conducted to determine those residents in Acton who are disabled, so as to address their needs, many training programs have been sponsored by the Commission. Strikingly as it may sound, Ms. Schmid noted there are 43 million disabled Americans, which represents one out of every six individuals. As to how many there are in Sudbury, at this time there is no accurate figure, but it was certain Sudbury is well represented in those statistics. With the passage of the ADA of 1990, the "civil rights" of all individuals with disabilities has been assured, as the provisions of ADA prohibit discrimination in the areas of public accommodation, private sector employment, transportation, state and local government services and telecommunications. ADA is a very comprehensive piece of federal legislation.

As of July 26, 1992, all businesses with 25 or more employees are required to comply with the employment provisions of the ADA. Ms. Schmid pointed out that attitudes cannot be legislated no matter how good a piece of legislation may be. There are still many myths, stereotypes and fears which prevent disabled people from enjoying full participation in our society and our community. The breakdown of barriers, the dispelling of myths and the allaying of our fears take time and resources. Sudbury has already made strides and demonstrated its commitment to these issues through the work of the Sudbury Access Advisory Group, Bob Williams, Jack Hepting, Jean MacKenzie and the ADA Employment Task Force.

The Task Force reviewed all the employment practices and policies presently in place in the Town and the Schools. The Town, she reported, is in very good shape in many areas; however, there are some things that need to be fine tuned and worked upon.

Addressing the funding for the Commission, Ms. Schmid noted that she was under the impression this would initially come from handicapped parking violations here in Town, as well as donations in-kind from many local employers and companies. As many employers are very active in this area, she was confident they would donate some services.

APRIL 7, 1993

Otherwise, the Commission plans to be self-supporting. The benefits to be derived from the Commission, she observed, will impact all of us. The disabled of our community need a forum and a support network. For the most part, businesses want to comply with the provisions of ADA. However, many of them do not know where to start and they need referrals and resources. Sudbury's Commission on Disability would be where to find these referrals and resources.

After some discussion both in support and opposition, a motion to amend was presented to the voters by Thomas Hillery of Willow Road, move to add to end of the motion 'such Commission shall consist of five members.' The motion was seconded.

Selectmen Blacker spoke to the defeat of the motion to amend, but supported the main motion noting that such a Commission would reach a segment of the population that doesn't have anyone who is acting for them. He further noted there are other commissions, such as the Council on Aging, and they all work.

The motion to amend failed

The main motion under Article 11 was VOTED a hand vote.

APRIL 7, 1993

ARTICLE 12 PURCHASE VOTING EQUIPMENT

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$42,200, or any other sum, to be expended under the direction of the Town Clerk, for the purchase of an optical scan voting system, and voting booths to be used therewith; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Board of Selectmen and Town Clerk

John Drobinski, Chairman of the Board of Selectmen, *moved* to appropriate the sum of \$42,200 to be expended under the direction of the Town Clerk for the purchase of an optical scan voting system, and voting booths to be used therewith; said appropriation to be contingent upon approval of a Proposition 2-1/2 Capital Expenditure Exclusion of said appropriation in accordance with Massachusetts General Laws, Chapter 59, Section 21C. The motion received a second.

Selectmen Drobinski started to explain the motion was for a "lease-purchase" plan when the Chairman of the Finance Committee - *moved* to adjourn the meeting to Monday evening at 7:30 p.m.

As a motion to adjourn takes precedence over all other business, the Moderator requested a second, which was received.

The motion to adjourn was presented to the voters and **VOTED** by a hand vote. The Moderator declared there was a clear two-thirds, and the meeting was adjourned at 10:23 p.m. until the following Monday at 7:30 p.m.

Attendance: 246

ADJOURNED ANNUAL TOWN MEETING

APRIL 12, 1993

Pursuant to a Warrant issued by the Board of Selectmen, March 15, 1993, the inhabitants of the Town of Sudbury, qualified to vote in Town affairs, met in the Lincoln-Sudbury Regional High School auditorium on Monday, April 12, 1993, for the third session of the Annual Town Meeting.

The meeting was called to order by the Moderator at 7:41 p.m. when a quorum was declared present.

A prior motion, under Article 12, Purchase Voting Equipment, which had been placed before the voters at the previous session on April 7th, was withdrawn by Selectman John Drobinski.

ARTICLE 10. BUDGET

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 and other compensation of all elected officials and to provide for a Reserve Fund, all for the Fiscal Year July 1, 1993 through June 30, 1994, inclusive, in accordance with the following schedule, which is incorporated herein by reference; and to determine whether or not the appropriation for any of the items shall be raised by borrowing; and to further determine that appropriations within departmental budgets under Personal Services, Expenses, Capital Spending, Snow and Ice, Net Sudbury Public Schools, Sudbury Assessment (Schools), Total Debt Service, and Total Unclassified must be expended within those categories unless, in each instance, the Finance Committee grants prior approval; and that automobile mileage allowance rates shall be paid in accordance with Federal Internal Revenue Service mileage allowance regulations; or act on anything relative thereto.

Submitted by the Finance Committee

BUDGET NOTES:

- * Includes Reserve Fund and Line Item Transfers, as well as other financing uses.
- ** Does not include Reserve Fund and Line Item transfers for FY93 to date.
- *** Transfer accounts are appropriated to the 970 account and then transferred to other line items as needed. Thus for FY91 and FY92 this account is not included in the Total Operating Budget.
- o In accordance with Chapter 306 of the Acts of 1986, the Board of Selectmen recommends the Landfill and Pool Enterprise Fund Budgets for FY94 as set forth in the Finance Committee Recommended columns.

	Expend FY 92*	Approp. FY 93**	Dept. Reques FY 94	NON OVERRIDE Fin Com Rec FY94	OVERRIDE Fin Com Rec FY94
<u>100 EDUCATION</u>					
SUDBURY PUBLIC SCHOOLS					
Salaries	7,332,115	7,470,964	8,163,050	7,991,085	7,991,085
Expenses	1,578,688	1,698,619	1,877,421	1,740,210	1,740,210
Equipment	60,545	52,275	67,000	67,000	67,000
Open Nixon School			336,466	0	265,042
Capital Expenditure				142,000	
Subtot Sudbury Pub.Scls	8,971,348	9,221,858	10,443,937	9,940,295	10,063,337
Offsets, including METCO	100,492	180,492	201,589	201,589	0 201,589
110 Net Sudbury Public Scls	8,870,856	9,041,366	10,242,348	9,738,706	9,861,748
Insurance/Benefit Costs	1,173,370	1,318,456	1,389,435	1,327,435	1,389,435
True Cost S.P.S.	10,044,226	10,359,822	11,631,783	11,066,141	11,251,183
Note 1: Includes \$290,075 carried forward from FY91 to FY92 and expended. Includes \$325,489 carried forward from FY92 to FY93 and expended.					
Note 2: The Non-override budget recommendation includes \$142,000 for roof repairs. In the Override budget, the roof repair is deferred in favor of four additional teachers and the opening of Nixon School. The total cost including benefits is \$327,000 and therefore requires an override in the amount of \$185,000. A more detailed description is provided in the Finance Committee Budget Reports.					
L-S REGIONAL H.S.					
130 Sudbury Assessment	6,367,491	6,539,191	7,143,456	6,942,562	6,942,562
MINUTEMAN VOC. H.S.					
140 Sudbury Assessment	357,370	381,446	300,448	300,448	300,448
TOTAL 100 BUDGET	15,595,717	15,962,003	17,686,252	16,981,716	17,104,758
Offsets: Free Cash	0	0	0	0	0
NET 100 BUDGET	15,595,717	15,962,003	17,686,252	16,981,716	17,104,758
<u>200 DEBT SERVICE</u>					
-201 Temp. Loan Int.	1,809	38,641	20,000	20,000	20,000
-203 Other Bond Int.	195,081	355,194	366,017	366,017	366,017
-205 Other Bond Princ.	275,000	675,000	765,000	765,000	765,000
-440 Interest Refund	2,151	0	0	0	0
-711 Bond & Note Expense	1,439	5,000	5,000	5,000	5,000

	Expend. FY 92*	Approp. FY 93**	Dept Reques FY94	NON OVERRIDE Fin Com Rec FY94	OVERRIDE Fin Com Rec FY94
200 TOTAL DEBT SERVICE	475,480	1,073,835	1,156,017	1,156,017	1,156,017
(Fairbank/COA: P & I)	140,240	134,480	128,720	128,720	128,720
(Nixon/Noyes: P & I)	248,900	733,400	575,400	575,400	575,400
(Fire Station: P & I)	132,960	129,120	225,280	225,280	225,280
(Melone land:)	0	26,243	110,625	110,625	110,625
(Unisys land:)	0	26,406	106,108	106,108	106,108
Offsets, Carry forwards, etc.	52,019	26,362	15,116	15,116	15,116
TOTAL Princ & Int	470,081	1,023,287	1,131,017	1,131,017	1,131,017
 <u>300 PROTECTION</u>					
310 FIRE DEPT					
Personal Services	1,290,975	1,311,643	1,388,015	1,360,255	1,360,255
Expenses	76,045	96,530	100,490	100,290	100,290
Capital Spending	0	0	45,000	85,000	85,000
310 TOTAL	1,367,020	1,408,173	1,533,505	1,545,545	1,545,545
Offset: Ambulance Fund	25,000	50,000	75,000	90,000	90,000
Net Budget	1,342,020	1,358,173	1,458,505	1,455,545	1,455,545
320 POLICE DEPT					
Total Personal Services	1,231,840	1,266,394	1,324,831	1,298,334	1,298,334
Total Expenses	91,563	86,773	86,773	86,273	86,273
Total Capital Spending	65,490	15,000	65,000	50,000	50,000
320 TOTAL	1,388,893	1,368,167	1,476,604	1,434,607	1,434,607
340 BUILDING DEPT					
Personal Services	176,213	187,837	204,535	203,535	203,535
Expenses	121,610	112,152	129,105	124,220	124,220
340 TOTAL	297,823	299,989	333,640	327,755	327,755
Pool Ent.Fund Revenue	7,948	8,765	9,469	9,469	9,469
350 DOG OFFICER					
Personal Services	19,768	19,413	500	500	500
Expenses	1,153	1,089	20,795	20,002	20,002
350 TOTAL	20,921	20,502	21,295	20,502	20,502
Offset: Dog Licenses	2,000	7,750	6,454	6,454	6,454
Net Budget	18,921	12,752	14,841	14,048	14,048
360 CONSERVATION COMMISSION					
Personal Services	27,503	28,896	38,820	37,420	37,420
Expenses	2,951	2,687	4,200	2,687	2,687
360 TOTAL	30,454	31,583	43,020	40,107	40,107
Offset: Wetland Protect. Funds	4,125	4,125	4,125	4,125	4,125
Net Budget	26,329	27,458	38,895	35,982	35,982

	Expens. FY 92*	Approp. FY 93**	Dept. Reques FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
370 BOARD OF APPEALS					
Personal Services	8,786	8,659	13,154	11,000	11,000
Expenses	542	830	800	800	800
370 TOTAL	9,328	9,489	13,954	11,800	11,800
TOTAL 300 BUDGET					
Offsets	3,114,439	3,137,903	3,422,018	3,380,316	3,380,316
NET 300 BUDGET	3,114,439	3,137,903	3,422,018	3,380,316	3,380,316
	31,125	61,875	85,579	100,579	100,579
	3,083,314	3,076,028	3,336,439	3,279,737	3,279,737
 400 PUBLIC WORKS					
410 HIGHWAY DEPT					
Personal Services	565,841	578,567	615,958	603,498	603,498
Expenses	481,404	489,516	568,766	537,766	537,766
Capital Spending	70,000	0	65,000	65,000	65,000
Snow and Ice	100,275	136,457	136,457	136,457	136,457
410 TOTAL	1,217,520	1,204,540	1,386,181	1,342,721	1,342,721
Offset: Cemetery Fund	28,000	11,700	14,000	14,000	14,000
Offset:ATM82/14,STM86/6	7,317	0	0	0	0
Offset:Transf from Fire Station	0	0	0	23,400	23,400
Net Budget	1,182,203	1,192,840	1,372,181	1,305,321	1,305,321
 460 LANDFILL ENT. FUND					
Personal Services	172,578	187,976	168,565	168,565	168,565
Expenses	125,125	150,517	135,532	135,532	135,532
Capital Spending	29,889	33,349	65,796	66,796	66,796
460 TOT DIRECT COST (Approp)	327,592	371,842	369,893	370,893	370,893
 INDIRECT COST:(Not Approp)					
Engineering Dept. Service	35,334	31,767	35,032	34,032	34,032
Benefits/Insurance	38,604	38,579	39,475	39,475	39,475
Total Indirect Cost	73,938	70,346	74,507	73,507	73,507
TOTAL 460 BUDGET	401,530	442,188	444,400	444,400	444,400
 LANDFILL RECEIPTS	 381,783	 442,188	 444,400	 444,400	 444,400
RETAINED EARNINGS		54,310	0		
 TOTAL 400 BUDGET					
Offsets	1,545,112	1,576,382	1,756,074	1,713,614	1,713,614
NET 400 BUDGET	1,545,112	1,576,382	1,756,074	1,713,614	1,713,614
	35,317	11,700	14,000	37,400	37,400
	1,509,795	1,564,682	1,742,074	1,676,214	1,676,214

	Expend. FY 92*	Approp. FY 93**	Dept Reques FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
500 GENERAL GOVERNMENT					
501 SELECTMEN					
Personal Services	214,761	183,382	201,147	199,467	199,467
Expenses	8,774	12,336	28,986	23,986	23,986
501 TOTAL	223,535	195,718	230,133	223,453	223,453
502 ENGINEERING DEPT.					
Personal Services	209,594	194,966	251,642	218,679	218,679
Expenses	9,289	9,760	9,800	9,800	9,800
Capital Spending	0	6,000	0	0	0
502 TOTAL	218,883	210,726	261,442	228,479	228,479
Landfill Ent.Fund Revenue	35,334	31,767	39,158	34,032	34,032
503 LAW					
Personal Services	27,560	57,978	55,273	55,273	55,273
Expenses	90,487	63,679	66,384	66,384	66,384
503 TOTAL	118,047	121,657	121,657	121,657	121,657
506 TOWN CLERK & REGISTRARS					
Personal Services	117,519	122,187	135,396	131,234	131,234
Expenses	24,792	34,252	20,220	17,445	17,445
506 TOTAL	142,311	156,439	155,616	148,679	148,679
509 MODERATOR					
Personal Services	0	0	0	0	0
Expenses	0	0	0	0	0
509 TOTAL	0	0	0	0	0
510 PERMANENT BLDG. COM.					
Personal Services	652	1,175	500	500	500
Expenses	0	0	0	0	0
510 TOTAL	652	1,175	500	500	500
511 PERSONNEL BOARD					
Personal Services	3,341	4,438	4,308	4,308	4,308
Expenses	293	360	485	485	485
511 TOTAL	3,634	4,798	4,793	4,793	4,793
512 PLANNING BOARD					
Personal Services	39,572	38,488	49,611	49,611	49,611
Expenses	2,875	2,822	1,600	1,600	1,600
512 TOTAL	42,447	41,310	51,211	51,211	51,211

	Expend FY 92*	Approp. FY 93**	Dept Reques FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
513 ANCIENT DOCUMENTS COM.					
Expenses	1,578	1,600	1,600	1,600	1,600
513 TOTAL	1,578	1,600	1,600	1,600	1,600
514 HISTORIC DIST. COM.					
Personal Services	75	80	80	80	80
Expenses	75	85	85	85	85
514 TOTAL	150	165	165	165	165
515 HISTORICAL COMMISSION					
Expenses	1,649	1,625	1,600	1,600	1,600
515 TOTAL	1,649	1,625	1,600	1,600	1,600
516 CABLE TV COMMISSION					
Expenses	0	400	1,100	800	800
516 TOTAL	0	400	1,100	800	800
517 DESIGN REVIEW BOARD					
Personal Services	1,039	1,795	1,830	1,830	1,830
Expenses	16	616	200	200	200
517 TOTAL	1,055	2,411	2,030	2,030	2,030
518 COUNCIL ON AGING					
Personal Services	48,015	49,176	62,322	62,322	62,322
Expenses	2,662	1,501	11,975	4,501	4,501
518 TOTAL	50,677	50,677	74,297	66,823	66,823
TOTAL 500 BUDGET	804,617	788,701	906,144	851,790	851,790
<u>560 FINANCE</u>					
561 FINANCE DIRECTOR/ACCOUNT					
Personal Services	112,040	115,989	115,326	114,826	114,826
Expenses	21,900	12,577	25,665	25,665	25,665
Capital Spending	0	0	18,800	18,800	18,800
561 TOTAL	133,940	128,566	159,791	159,291	159,291
563 TREASURER/COLLECTOR					
Personal Services	111,662	119,295	136,925	136,925	136,925
Expenses	54,448	61,645	70,700	66,400	66,400
563 TOTAL	166,110	180,940	207,625	203,325	203,325

	Expend. FY 92*	Approp FY 93**	Dept Reques FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
564 ASSESSORS					
Personal Services	115,769	119,547	125,209	125,209	125,209
Expenses	13,415	29,053	31,860	31,610	31,610
Capital Spending	0	0	0	0	0
564 TOTAL	129,184	148,600	157,069	156,819	156,819
568 FINANCE COMMITTEE					
Personal Services	6,148	6,218	6,722	6,722	6,722
Expenses	291	260	260	260	260
568 TOTAL	6,439	6,478	6,982	6,982	6,982
TOTAL 560 BUDGET	435,673	464,584	531,467	526,417	526,417
 <u>600 GOODNOW LIBRARY</u>					
Personal Services	280,208	290,435	344,804	313,536	313,536
Expenses	89,246	73,094	105,600	89,194	89,194
600 TOTAL	369,454	363,529	450,404	402,730	402,730
 <u>700 PARK AND RECREATION</u>					
Personal Services	138,103	129,939	156,198	156,198	156,198
Expenses	33,801	23,082	14,790	14,790	14,790
Capital Spending	0	0	20,000	0	0
700 TOTAL	171,904	153,021	190,988	170,988	170,988
701 POOL ENTERPRISE FUND					
Personal Services	188,617	189,119	175,478	170,188	170,188
Expenses	108,263	118,665	112,665	112,665	112,665
Capital Spending	0	0	2,793	8,083	8,083
701 TOT DIRECT COST(Approp)	296,880	307,784	290,936	290,936	290,936
INDIRECT COST:(Not Approp)					
Benefits/Insurance	29,580	36,988	33,495	36,988	36,988
Custodial Services	7,948	8,765	9,469	9,469	9,469
Total Indirect Cost	37,528	45,753	42,964	42,964	42,964
TOTAL 701 BUDGET	334,408	353,537	333,900	333,900	333,900
POOL ENTERPRISE RECEIPTS	289,529	348,500	333,900	333,900	333,900
710 YOUTH COMMISSION					
Expenses	1,127	1,600	1,600	1,600	1,600
710 TOTAL	1,127	1,600	1,600	1,600	1,600
TOTAL 700 BUDGET	469,911	462,405	483,524	463,524	463,524

	Expend. FY 92 *	Approp. FY 93**	Dept Reques FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
<u>800 BOARD OF HEALTH</u>					
Personal Services	77,051	116,152	122,387	122,387	122,387
Expenses	108,452	70,245	79,160	79,160	79,160
Capital Spending	0	0	0	0	0
800 TOTAL	185,503	186,397	201,547	201,547	201,547
<u>900 VETERANS</u>					
Personal Services	3,613	3,613	5,000	3,983	3,983
Expenses	9,985	3,750	13,818	13,668	13,668
900 TOTAL	13,598	7,363	18,818	17,651	17,651
<u>950 UNCLASSIFIED</u>					
EMPLOYEE BENEFITS					
-800 Health Insurance	1,483,774	1,646,000	1,646,000	1,693,000	1,733,000
Town Share:	660,725	732,964	732,964	732,964	732,964
Scl Share:	823,049	913,036	913,036	960,036	1,000,036
-801 Life Insurance	4,472	4,600	4,600	4,600	4,600
Town Share:	1,991	2,048	2,048	2,048	2,048
Scl Share:	2,481	2,552	2,552	2,552	2,552
-813 Retirement Fund	848,889	951,667	983,000	983,000	988,000
Town Share:	670,707	751,912	776,668	776,668	776,668
Scl Share:	178,182	199,755	206,332	206,332	211,332
-821 Worker's Compensation	156,525	180,000	180,000	190,000	200,000
Town Share:	105,639	121,482	121,482	128,231	128,231
Scl Share:	50,886	58,518	58,518	61,769	71,769
-822 FICA/Medicare	82,365	100,000	100,000	75,000	82,000
Town Share:	36,677	44,530	44,530	33,397	33,397
Scl Share:	45,688	55,470	55,470	41,603	48,603
-825 Unemploy. Compensation	1,000	70,000	30,000	30,000	30,000
Town Share:	445	31,171	13,359	13,359	13,359
Scl Share:	555	38,829	16,641	16,641	16,641
-952 Pension Liab. Fund	20,000	20,000	100,000	20,000	20,000
Town Share:	15,802	15,802	79,010	15,802	15,802
Scl Share:	4,198	4,198	20,990	4,198	4,198
TOTAL EMPLOYEE BENEFITS	2,597,025	2,972,267	3,043,600	2,995,600	3,057,600

	Expend FY 92 *	Approp. FY 93**	Dept Reque FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
OPERATING EXPENSES					
-510 Equipment	1,430	0	0		0
-803 Property/Liab. Insurance	169,722	215,000	160,000	160,000	160,000
Town Share:	101,391	168,902	125,695	125,695	125,695
Scl Share;	68,331	46,098	34,305	34,305	34,305
-804 Print Town Report	5,661	8,000	6,500	6,500	6,500
-805 Memorial Day	1,180	1,325	1,325	1,325	1,325
-814 Town Meetings	11,650	18,000	17,000	17,000	17,000
-815 Postage	29,993	30,000	30,000	30,000	30,000
-816 Telephone	20,551	43,000	29,000	29,000	29,000
-951 Copying	3,106	9,000	7,500	7,500	7,500
Total Operating Expenses	243,293	324,325	251,325	251,325	251,325
950 TOTAL UNCLASSIFIED	2,840,318	3,296,592	3,294,925	3,246,925	3,308,925
(Total Town Related)	1,666,948	1,978,136	1,987,081	1,919,489	1,919,489
(Total School Related)	1,173,370	1,318,456	1,307,844	1,327,435	1,389,435
Offset: Free Cash	132,947	361,536	361,536	376,000	376,000
Offset: Abatement Surplus	175,000	0	179,383	179,383	179,383
NET 950 BUDGET	2,532,371	2,935,056	2,754,006	2,691,542	2,753,542
Pool Ent. Fund Revenue	29,580	36,988	33,495	33,495	33,495
Landfill Ent. Fund Revenue	38,604	38,579	39,475	39,475	39,475
970 TRANSFER ACCOUNTS ***					
-110 Salary Adjustment Acct.	0	0	0	0	0
-807 Reserve Fund	100,000	100,000	100,000	100,000	100,000
-970 Town Salary Contingency		34,941		36,488	36,488
-971 Scl Salary Contingency		0		0	0
970 TOTAL TRANSFER ACCOUNTS	100,000	134,941	100,000	136,488	136,488
Offset: Abatement Surplus	0	0			
Offset: Free Cash	0	0			
NET 970 BUDGET	100,000	134,941	100,000	136,488	136,488
TOTAL OPERATING BUDGET	25,849,823	27,454,634	30,007,190	29,078,735	29,263,777
Total Offsets	241,442	73,575	278,962	317,362	317,362
Free Cash Applied	132,947	361,536	361,536	376,000	376,000
NET OPERATING BUDGET	25,475,434	27,019,523	29,366,692	28,385,373	28,570,415

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The Moderator read to the hall the procedures that would be in effect for the motions and any amendments presented under Article 10, the Budget. There were two proposed budgets, 1) the Non Override Budget and 2) a proposed Contingent Budget, (Override Budget), which if adopted, would require an override vote of the Town at an election to be held later in the Spring. A limited motion for the "Override Budget" would be first, which would be only a declaration from the hall to the overall limit on the budget. It was noted that support of this motion would not mean the distribution of the total amount, as indicated in the Warrant, has been voted. It would mean, the Town has decided to go to an override which will be presented to the voters.

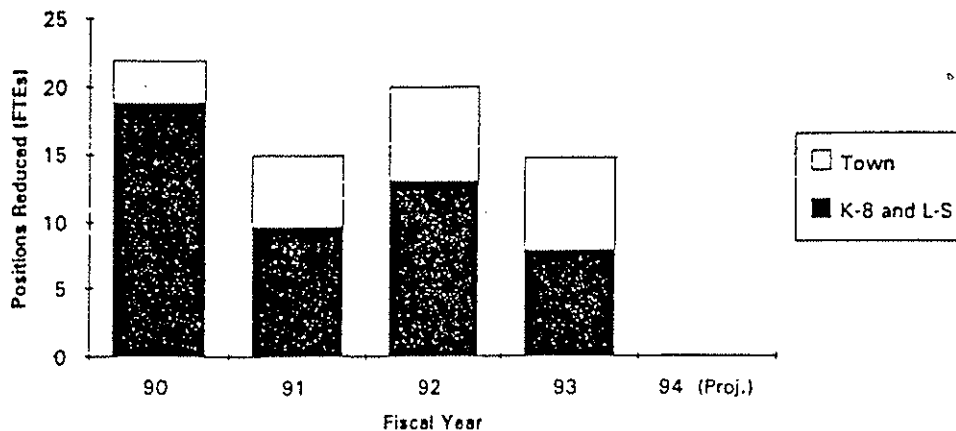
The "limiting motion" is the motion on which the override issue will be debated. By voting for it or against it, would not in any way affect the individual line items. Should the "limiting motion" on the "Override Budget" fail, then the "Non-Override Budget" will be taken up in the usual manner. Should the "Override Budget" receive support, then that budget will be immediately voted upon. Thereafter, the "Non Override Budget" will be voted upon. In the event the "Override Budget" failed at a Special Election, the "Non Override Budget" must be passed so the Town would have an operating budget come July 1st.

The Moderator further instructed the voters that any motion to amend a line item, which is the same as it was in the "Override Budget", and does not affect one of the matters that change because of moving from the "Override" to the "Non-Override" budget, will be viewed by the Chair as a motion to reconsider, and will require a 2/3rds vote.

Finance Committee Report J. Haughey, Chairman of the Finance Committee presented a general discussion of the Budget as presented by the Finance Committee. The presentation was substantially the same as that printed in the Warrant.

After three difficult financial years, when cuts in Town and school services had to be made, the FY94 Budget includes about \$1 million of restored services and capital spending over and above level staffing. Significant layoffs were required in each of the previous three years but no layoffs are projected for FY94. However, fire, police, highway, general government and school professional support staffs remain below their peak level of several years ago. Most non-salary items in the budget, such as the Goodnow Library book budget and educational materials budgets at the schools, have less purchasing power than several years ago.

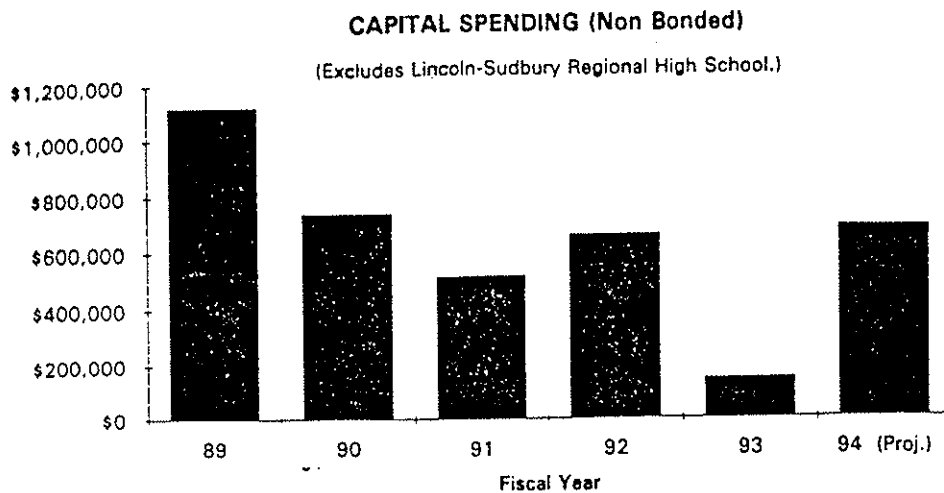
REDUCTIONS IN FORCE (FTEs)



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The recommended budget does not include any new Town department employees, but several positions are restored or increased to full time from part time status. Seven new classrooms have been added for the schools, including Lincoln-Sudbury Regional High School, as well as several support positions. (Four classroom teachers will be added if the tax override is approved). Still, class sizes next year will be larger than several years ago.

Over \$300,000 is included for repairs to Town and K-8 school buildings, considerably more than last year. Lincoln-Sudbury Regional High School also will see some building improvements in the \$2.1 million bond issue passed in November 1992. No new facilities are included in the budget, except for a \$5,000 walkway needed for safety, now that K-8 busing has been reduced. The Finance Committee firmly believes that repair of existing facilities must come before new facilities. The Five Year Financial Planning Committee recommended that capital spending be 5% of the operating budget. The recommendation for FY94 is only about one-third of that amount.

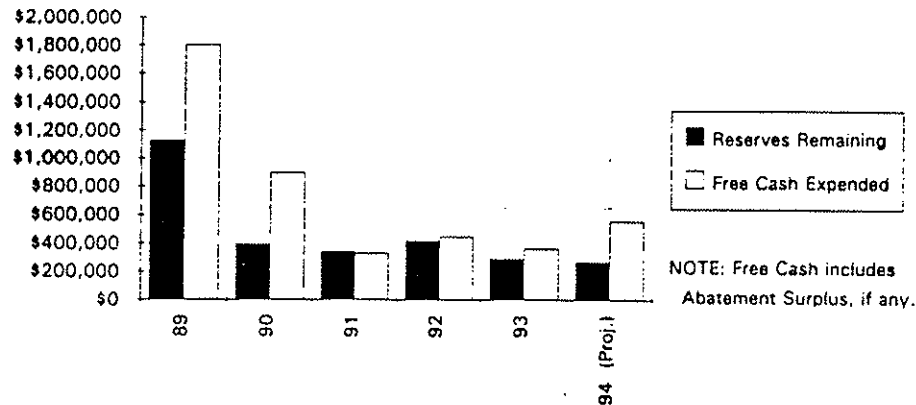


The Finance Committee is not recommending spending any of the Stabilization Fund, which currently has a balance of \$270,000. The balance is very low and should be reserved for emergency capital needs. The failure of a boiler or a roof at one of the two school buildings where the boilers and roofs are past life expectancy, could instantly deplete this fund.

Operating Cash Reserves are adequate, with a Free Cash balance of \$300,000 expected after the recommended FY94 budget and articles are approved. This is the minimum we should keep to prevent expensive short term borrowing, allow for the often late payment of funds due from the state, and prevent a negative cash balance which would considerably restrict our flexibility in the following year.

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RESERVES REMAINING AFTER ANNUAL TOWN MEETING



Revenue assumptions in the FY94 budget are conservative. An amount of \$425,000 has been included for the property tax on new construction; only about \$75,000 more than the previous year. The estimate of "local receipts", principally auto excise tax receipts, is set at the same level actually received in FY92. General State Aid is assumed to be unchanged next year, but the \$100 per student State School Aid payment received last summer (but not in the FY93 Budget), is included in the FY94 budget and assumed to be paid directly to the schools, so a town appropriation would not be required. Proposals to increase State School Aid are pending in the legislature, but are not included in the budget for next year.

Town and school services can be restored next year because of the following favorable changes in the Budget for the next year versus the current year:

1. Salary expenses were reduced about \$600,000 in FY93, when Town and school employee contracts were renegotiated and extended one year. This savings set a lower salary base cost to which the FY94 raises were applied.
2. Our assessment from Minuteman Regional Vocational Technical High School drops over \$80,000, because of fewer Sudbury students at Minuteman.
3. \$179,383 has been released by the Board of Assessors from the reserve they keep to pay tax abatements. No funds were released last year because of the high level of delinquent taxes, for which no tax liens had been obtained.
4. The property tax receipts from new construction rises to \$425,000 next year, up from the originally budgeted \$250,000 this year. In addition, taxes on new construction actually totaled almost \$350,000 in FY93, adding another \$100,000 to available money in FY94.
5. Employee Health Insurance costs are budgeted at the same amount as FY93, except for a small addition for new school employees.

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SOURCES OF ADDITIONAL FUNDING OVER PREVIOUS YEAR

	<u>FY93</u>	<u>FY94</u>	<u>% CHANGE</u>
PROPERTY TAX REVENUE*	\$23,244,710	\$24,336,945	4.70%
STATE AID	\$ 2,093,538	\$ 2,103,538	0.48%
LOCAL RECEIPTS	\$ 2,122,577	\$ 2,166,577	2.07%
FREE CASH	\$ 361,536	\$ 376,000	4.36%
TRANSFER FROM PREVIOUS ARTICLES	\$ 0	\$ 338,532	N/A

Note: \$275,000 of State Aid was received directly by the schools in FY93 with a similar amount expected in FY94.

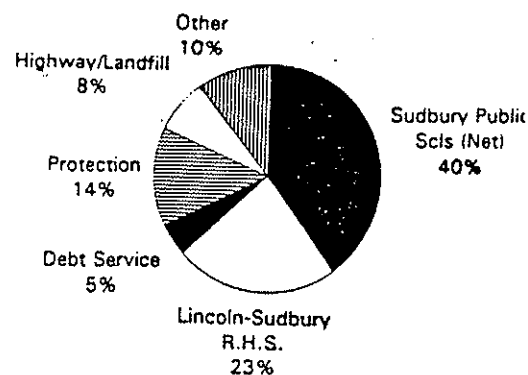
* Includes new construction and Prop. 2-1/2 exemptions.

Beyond salary increases for existing staff, the recommended FY94 budget includes an increased focus in five areas: First, about \$650,000 for additional school enrollments, (plus an additional \$185,000 in the tax override). Second, about \$300,000 for Town and K-8 building repairs. Third, about \$75,000 for restoring or increasing part time positions to full time in various Town departments, particularly those impacted by the recent boom in new home construction. Fourth, \$36,000 was added for improving and cutting costs in Town operations. This included \$10,000 for a study of town organization and employee work rules, \$18,000 for a new accounting payroll and budget system for the Town and K-8 schools, and \$8,000 (plus \$8,000 from a previous Town Meeting Article for space planning), for an architectural study to renovate the Flynn Building to be able to put all Town offices in one location and gain savings from shared staff and resources.

FY94: RECOMMENDED NEW SPENDING

	<u>Approp.</u> <u>FY93</u>	<u>NonOverride</u> <u>FY94</u>	<u>Add'l</u> <u>Dollars</u>
Sudbury Public Scs (Net)(Non-Override)	\$9,041,366	\$9,738,706	\$697,340
Lincoln-Sudbury R.H.S.	\$6,539,191	\$6,942,562	\$403,371
Debt Service	\$1,073,835	\$1,156,017	\$82,182
Protection	\$3,137,903	\$3,380,316	\$242,413
Highway/Landfill	\$1,576,382	\$1,713,614	\$137,232
General Government	\$788,701	\$851,790	\$63,089
Finance	\$464,584	\$526,417	\$61,833
Library	\$363,529	\$402,730	\$39,201
Recreation	\$462,405	\$463,524	\$1,119
Health	\$186,397	\$201,547	\$15,150
Minuteman H.S. and Misc.	\$848,075	\$705,912	(\$142,163)
Employee Benefits	\$2,972,267	\$2,995,600	\$23,333
TOTAL *	\$27,454,635	\$29,078,735	\$1,624,100

* Approximately \$600,000 is due to salary increases for existing staff in FY94.



APRIL 12, 1993

The Finance Committee asked each department to tell us how much they needed to do the job you expect of them. Many departments did and we did get some good ideas which had not surfaced in the recent, lean years. Each department was asked to relate their expenses to their objectives, so we could assess the value of each item requested. Each department was also asked to provide evidence of their productivity level and productivity improvements. Some made compelling cases for their requests.

Overall, Town and school operations are reasonably efficient. The dispersal of Town offices into numerous small and separate areas, and the often low level use of computers is adding significantly to cost. Both of these will be addressed by the Finance Committee.

Estimating revenue for the FY94 budget continues to be a difficult problem for the Finance Committee. State School Aid formulas are being completely revised, but final formulas have not yet been enacted. Accurate estimates for property taxes from new construction and auto excise tax receipts are complicated by lack of information. In FY93, receipts from State aid, property taxes on new construction and local receipts were underestimated by at least \$477,000. Had estimates been more accurate, the override vote last March would not have been necessary. The Finance Committee will work on this problem.

The Town's financial administration is good and has been improving, especially in tax collections and cash investment procedures. Major efforts are underway to upgrade the Town's accounting-payroll-purchasing-budgeting system with new computer hardware and software which we expect will produce savings in the Town and K-8 School budget for FY95.

As you consider the recommended budget for FY94, remember that there are several large expenditure requests that will likely be made in the next few years.

Capital Needs: The Haynes and Curtis schools may need new boilers and partial roof replacements, and both schools may need major renovation for energy efficiency. Park and Recreation facilities have deteriorated in the recent lean years and must be restored, or abandoned. The Flynn building needs to be modernized to serve as the principal Town office building and the Town Hall is much overdue for maintenance. The Lincoln Sudbury Regional High School presented plans for several million dollars of capital improvements at the last Town Meeting. These are in addition to the recent bond issue.

School Enrollment: Both schools are now experiencing enrollment increases at a total rate of five to seven classes per year. This is a marked change from recent years. Both School Committees believe it will continue for several more years. Even with the Nixon School opened, more space will be needed soon to maintain class sizes in the K-8 schools.

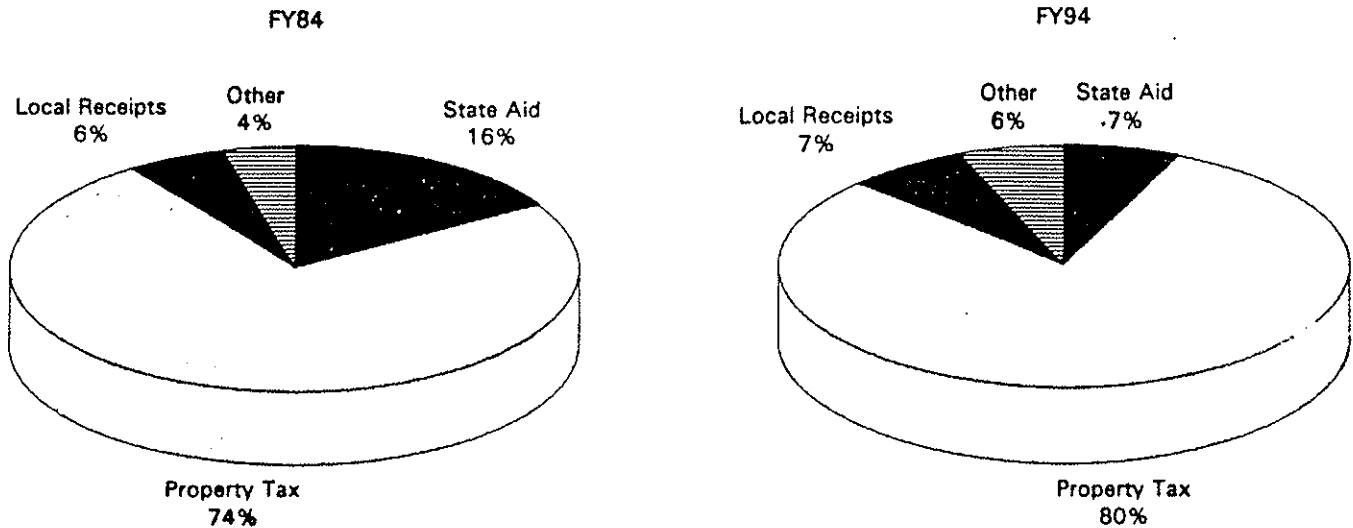
Landfill: We may be required by the State to close our landfill as early as next year, or it may remain open for several more years. When it closes, we will have to spend more than \$1,000,000 to cover the landfill and then build a transfer station.

You should also keep in mind two potential non-expenditure developments that may raise tax rates:

1. **Delinquent taxes:** Aggressive collection has reduced the amount from a high level of about \$2,000,000—far above neighboring towns of similar size. But a big problem remains. Do we get more aggressive in collections, or risk having the delinquent amount rise again the next economic downturn? Tax rates rise to maintain spendable money when delinquent taxes are increasing.
2. **State Aid:** As State revenues increase, Sudbury is getting very little of the additional State aid. Our share declines each year, as more and more goes to cities and urban towns. In FY93, only about 45% of the additional State School Aid was distributed on a per pupil basis. About \$100 million was distributed through formulas that excluded Sudbury. For FY94, \$175 million of additional State School Aid may be added to the State Budget. The Finance Committee does not believe that Sudbury will receive any of it.

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The following charts show the shift in the percentage of revenue sources between FY84 and FY94.



The Finance Committee expects that FY95 will again be a year of average increases in Town revenues. If we can manage health costs and salary increases at a reasonable level, we should not have a difficult budget problem for FY95.

INITIATIVES FOR CHANGE

Recognizing that significant expense reductions could only be made with major structural changes in town government, the Finance Committee and the Board of Selectmen jointly appointed six groups to recommend changes. Here is a summary of their reports and recommendations. Their new ideas have already prompted some changes and others are expected soon. The Finance Committee will monitor their recommendations and report again next year.

CREATION OF PUBLIC WORKS DEPARTMENT (John Drobinski, Robert Noyes)

This would be done by merging the Highway, Engineering, and part of the Park and Recreation Departments to reduce cost in design, construction and maintenance of non-building town facilities.

Recommendation: This is not feasible now because two of the three departments have elected officials. Wait until retirements occur.

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VOLUNTEERS

(Judy Cope)

This is an ongoing effort to recruit residents to do work for which the Town would otherwise pay. Contacting people in the town talent pool, and publicity, produced volunteers who worked in the Treasurer's, Tax Collector's, Town Clerk's, and Engineering Departments, and the Selectmen's Office. Both schools operate their own volunteer programs.

Recommendation: Continue to recruit volunteers. Interested people should contact the Selectmen's Office. No special skills are needed for many tasks.

PRIVATIZATION

(Roy Sanford, Lincoln Anderson)

Three possibilities for contracting services now done by Town employees were investigated to reduce costs: grounds maintenance, janitorial services, and school lunches.

Recommendation: (1) Grounds maintenance contracting needs to await a high enough volume, possible only with a public works department. (2) Janitorial services may offer cost savings. A joint bid request is being prepared by both schools, the Building Department and the Library. (3) School lunch contracting is still being considered.

LOCAL REVENUE ENHANCEMENT

(Michael Fitzgerald, David Asheim, Robert Cusack, Joseph Klein, Betsy Nikula, Mary Ellen Normen Dunn)

Three areas of possible cost saving were identified: town fees, town tax collection procedures, and sale of surplus property.

Recommendations:

1. Town fees must be reviewed each year. Currently, they are similar to neighboring towns, some are a bit high. The Finance Committee will review fees each year during the department budget hearings, to be sure fees cover costs where permissible by law. The Building and Fire Departments are reviewing their fee schedules now.
2. Tax collection procedures must be adequate to insure timely collections and catch up on past late payments. Significant progress has been made this year with new hardware/software systems, volunteers, and aggressive pursuit of late payers. The recommended FY94 budget includes funds to make further improvements.
3. Surplus property should be turned to cash quickly. The Selectmen are reviewing a list of tax possession parcels and will auction any not needed for recreation or water protection land. Also, the former Loring School on Woodside Road (but not the playground), will be offered for sale soon, when an engineering study now underway is complete, so buyers will know the state of the building.

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JOINT TOWN/SCHOOL SHARING OF ADMINISTRATIVE SERVICES

(Larry Blacker, Terri Ackerman, Mary Ellen Normen Dunn, Ed Campbell, David Wilson, Karen Palmer, Eric Elfman, John Wilson, Pauline Paste)

Twenty possible areas of additional sharing were considered, and four were selected where more cooperation was possible and expected to be cost effective: collective bargaining and personnel classification, payroll, libraries, and collection of user fees.

Shared services already exist in telephone systems, custodians (partial), grounds maintenance, snow plowing, mini vans (kindergarten transportation and senior citizen transportation), contract administration, engineering services, accounting services, energy purchases, and school transportation. A new joint town/school system for budgeting, payroll, personnel and purchasing is now being installed.

Recommendations:

1. Collective bargaining should be coordinated for fairness to employees, management cost savings and less expensive administration of contract terms. A Negotiating Advisory Committee, appointed by the Selectmen, will help coordinate the next bargaining, later this year.
2. Payroll costs can be reduced by putting all town and school employees on the same pay periods. Union objections mean that this recommendation must be deferred to the next round of collective bargaining.
3. Library cooperation already exists, especially for book selection for school reading assignments, but more is necessary on audio/visual resources and access to the Minuteman Library System. No specific plans yet.
4. Collection of user fees by the K-8 schools is being changed to reduce the number of people handling cash and get funds deposited quicker. More procedural changes are pending.

CENTRALIZED/REGIONALIZED PURCHASING

(David Palmer, Cathy Minehan, Sidney Wittenberg)

Several areas where consolidated contracts may save expenses were identified: uniform, office supply and computer purchases; and copier, emergency generator and boiler maintenance. No results yet. Also, the committee identified other actions needed to cut costs of purchased materials and services.

Recommendations:

1. The town/school accounting and budgeting systems need to be upgraded and expanded to permit identifying common purchases. This task took the committee far too much time. A new accounting system is now being installed and the Finance Committee will restructure the budget if needed.
2. State contracts for many items are available to the Town, and even though they are difficult to use, we should make a better effort. Each department must learn to review state prices before buying.
3. The purchasing process needs to be improved with a purchasing bylaw setting standards for information on invoices and permitting "group" purchasing orders, and open accounts at low cost, local vendors.

BUDGET SUMMARY

	Expend. FY 92*	Approp. FY 93*	Dept Reque FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
Sudbury Pub. Schls.(Gross)	8,971,348	9,221,858	10,443,937	9,940,295	10,063,337
Sudbury Pub. Schls: Offsets	100,492	180,492	201,589	201,589	201,589
SUDBURY PUB. SCHLS.(Net)	8,870,856	9,041,366	10,242,348	9,738,706	9,861,748
L.S.R.H.S.(Assessment)	6,367,491	6,539,191	7,143,456	6,942,562	6,942,562
M.R.V.T.H.S.(Assessment)	357,370	381,446	300,448	300,448	300,448
TOTAL SCHOOLS	15,595,717	15,962,003	17,686,252	16,981,716	17,104,758
200: Debt Service	475,480	1,073,835	1,156,017	1,156,017	1,156,017
300: Protection	3,114,439	3,137,903	3,422,018	3,380,316	3,380,316
400: Highway/Landfill	1,545,112	1,576,382	1,756,074	1,713,614	1,713,614
500: General Govt.	804,617	788,701	906,144	851,790	851,790
560: Finance	435,673	464,584	531,467	526,417	526,417
600: Library	369,454	363,529	450,404	402,730	402,730
700: Recreation	469,911	462,405	483,524	463,524	463,524
800: Health	185,503	186,397	201,547	201,547	201,547
900: Veterans	13,598	7,363	18,818	17,651	17,651
950: Unclass./Transfer Accts.	2,840,318	3,431,533	3,394,925	3,383,413	3,445,413
TOTAL TOWN (Inc. Unclassif.)	10,254,106	11,492,631	12,320,938	12,097,019	12,159,019
TOTAL OPERATING BUDGET	25,849,823	27,454,634	30,007,190	29,078,735	29,263,777
STM Articles:	0	0	0	0	0
ATM Articles:	1,437,780	2,454,637	1,146,313	647,713	647,713
Borrowing	1,000,000	2,134,424	0	0	0
TOTAL ARTICLES	437,780	320,213	1,146,313	647,713	647,713
TOTAL APPROPRIATIONS	26,287,603	27,774,847	31,153,503	29,726,448	29,911,490
Cherry Sheet Chgs.& Underest.	347,160	360,050	360,050	360,050	360,050
Cherry Sheet Offsets	217,547	217,587	217,587	217,587	217,587
Recap, Snow&Ice & Oth. chgs	70,727	47,015	98,000	108,000	108,000
Abatements & Exemptions	394,184	350,979	300,000	300,000	300,000
TOTAL CHARGES	1,029,618	975,631	975,637	985,637	985,637
TOTAL TO BE RAISED	27,317,221	28,750,478	32,129,140	30,712,085	30,897,127
Cherry Sh.Receipts & Overest.	2,173,992	2,093,538	2,103,538	2,103,538	2,103,538
State Aid: \$100 Per Pupil, K-8		{GOES DIRECTLY TO S.P.S. \$198,000 in FY94}			
State Aid: \$100 Per Pupil, L-S		{GOES DIRECTLY TO L-S: \$79,288 in FY94 (Sudbury Share)}			
Local Receipts	2,069,951	2,122,577	2,166,577	2,166,577	2,166,577
Enterprise Fund Receipts	671,312	790,688	778,300	778,300	778,300
Free Cash applied	300,527	361,536	361,536	376,000	376,000
Dog Licenses (& St Aid)	2,000	7,750	6,454	6,454	6,454
Wetlands Protection Fund	4,125	4,125	4,125	4,125	4,125
Abatement Surplus	175,000	0	179,383	179,383	179,383
Cemetery Fund	28,000	11,700	14,000	14,000	14,000
Stabilization Fund	180,000	0	0	0	0
Transfer from ATM 1987/14	30,000	0	0	0	0
Transf:ATM 82/14, STM 86/6	7,317	0	0	0	0

BUDGET SUMMARY (Continued)

	Expend. FY 92*	Approp FY 93*	Dept Reque FY 94	NON OVERRIDE Fin Com Rec FY 94	OVERRIDE Fin Com Rec FY 94
Transfer from STM 89/5			190,000	190,000	190,000
Transfer from ATM 87/14			8,532	8,532	8,532
Transf from ATM 90/24			140,000	140,000	140,000
Transfer from STM 88/4			0		
Transport. Bond Offset	0	319,713	319,713	319,713	319,713
Ambulance Fund	25,000	50,000	75,000	90,000	90,000
TOTAL RECEIPTS & REVENUE	5,667,224	5,761,627	6,347,158	6,376,622	6,376,622
 REQUIRED TAX LEVY	 21,649,997	 22,988,851	 25,781,982	 24,335,463	 24,520,505
Previous Limit +2.5%	20,695,073	21,710,545	22,610,636	22,610,636	22,610,636
New Construction	170,948	348,612	400,000	425,000	425,000
Prop 2-1/2 Override	315,000	0	0	0	185,042
LEVY LIMIT	21,181,021	22,059,157	23,010,636	23,035,636	23,220,678
Prop 2-1/2 Exemptions	682,036	1,185,553	1,301,309	1,301,309	1,301,309
APPLICABLE LEVY LIMIT	21,863,057	23,244,710	24,311,945	24,336,945	24,521,987
UNDER LEVY LIMIT	213,060	255,859	0	1,482	1,482
OVER LEVY LIMIT		0	1,470,036	0	0

OVERRIDE BUDGET

If the Override Passes, only the following line items will change:

	NON OVERRIDE	OVERRIDE	DIFFERENCE
	Fin Com Rec	Fin Com Rec	
	FY 94	FY 94	
SUDBURY PUBLIC SCHOOLS			
Salaries	7,991,085	7,991,085	
Expenses	1,740,210	1,740,210	
Equipment	67,000	67,000	
Open Nixon School	0	265,042	
Capital Expenditure	142,000	0	
Subtot Sudbury Pub. Scls	9,940,295	10,063,337	
		0	
Offsets, including METCO	201,589	201,589	
110 Net Sudbury Public Scls	9,738,706	9,861,748	123,042
-800 Health Insurance	1,693,000	1,733,000	40,000
Town Share:	732,964	732,964	0
Scl Share:	960,036	1,000,036	40,000
-813 Retirement Fund	983,000	988,000	5,000
Town Share:	776,668	776,668	0
Scl Share:	206,332	211,332	5,000
-821 Worker's Compensation	190,000	200,000	10,000
Town Share:	128,231	128,231	0
Scl Share:	61,769	71,769	10,000
-822 FICA/Medicare	75,000	82,000	7,000
Town Share:	33,397	33,397	0
Scl Share:	41,603	48,603	7,000
TOTAL OVERRIDE			185,042

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Lincoln-Sudbury Regional High School - D. Wilson of the L-S Committee pointed out the school's budget increases have been modest and its budget has been clear. The Committee's requests have been decreed by the Finance Committees of both towns to be reasonable. The total increase for the past four years, including fixed costs such as debt was estimated at 7.33%. Excluding the fixed costs the increase was reported to be only 2.38%. It was reported the FinCom supported a budget increase of 5.45%.

It was also noted an additional \$90,000 of State Aid would be available when the Education Reform Bill is approved. Without the enactment of this legislation, there would be a short fall of \$90,000 in the school budget. Sudbury's assessment for FY94 was stated to be \$6,942,562, an increase of 6%. As for enrollment, this was on the rise, and there were ninety more students in the past two years. Several factors attributed to the increase: the number of building permits was high and students were returning from private schools.

It was reported step one of the renovation program, supported by the debt exemption last year, was under way—the boiler projects. Phase two will include roofs, handicapped access and renovations to the auditorium. Mr. Wilson recognized those who have supported the school with private donations, the most significant benefactor being the Sudbury Foundation, which has contributed \$122,000. In addition, \$12,000 has been received from individual contributions while the Boosters Club has provided \$30,000 to the Athletic Dept. over the past four years. It was reported by the Superintendent, Matt King, that Lincoln-Sudbury had joined a health insurance consortium which saved approximately a quarter of a million dollars in health insurance. L-S participated in Boston Edison's Encore Program and realized a savings of \$25,000. Special needs students continue to be mainstreamed and the development of new programs has enabled the school to provide additional services while reducing overall costs.

Sudbury Schools - Supt. Henry DeRusha & Chrm. Ed Campbell

A review was presented of the accomplishments and the initiatives in the areas of curriculum review, technology, special education, volunteer training and community outreach that occurred during the past year. The schools have been working very closely with the Town to complete the first stage of a major central office computerization project which will permit better access to financial information in a format consistent with other communities.

Student enrollment was up more than the projections of a year ago. The school year began with 1980 students, while the projection had been for 1954—an increase of 26 students. Enrollment has continued to increase and there are presently 1993 students. Enrollment for next year was conservatively projected at 2068. Though the Finance Committee recommended the establishment of five new teaching positions in the "Non Override Budget", these positions are expected to cover the new children moving into Town. Additional teachers, as provided for in the "Override Budget" would address the current School Committee's guidelines on class size.

Mr. Campbell pointed out there have been significant program reductions in the schools for the past three years. Many programs and services reduced in recent years, are not expected to be included in next year's budget preparation. For example: two middle school catalyst teachers, one-and-a-half remedial reading teachers, Curtis homeroom/economic teacher, one clerical aid, a custodian at the Haynes-Noyes Schools, a half-time Science Curriculum Production Assistant, and a half-time Special Education Clerical Secretary. Restoration will be sought for the 1/3 decrease in Kindergarten aids, 1/5 music teacher, one elementary librarian, one remedial reading and two elementary catalyst teachers, 1/5 Industrial Arts teacher at the middle school, and a half time custodian at Noyes. Improvements to be sought are: sufficient staffing to meet established class size guidelines; adequate space to house increased student growth, and the equivalent of two full-time positions to meet special education and contractual obligations necessitated by increased enrollment. To accommodate these improvements, Mr. Campbell remarked the Nixon School would have to open in the fall, according to a two-phase plan voted by the School Committee, which he briefly outlined and enumerated the anticipated savings. He further noted, no matter what the outcome of the "Override Budget", the School Committee will immediately recommend the Permanent Building Committee to authorize repairs to the Haynes School flat roof, due to the emergency nature of the problem. Litigation income, related to the Nixon project, is also anticipated, and the School Committee is expected to recommend the Town use this to repair the arch room at Haynes. Mr. Campbell pointed out that should the "Override Budget" not succeed, the additional monies appropriated by the FinCom for the opening of the Nixon School would be applied to the roofing projects.

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Minuteman Regional Technical Vocational School Beverly Lydiard, Assistant Superintendent of the Minuteman Vocational School, addressed the hall and indicated no additional funds were being requested, to which the voters gave their applause. The reason being the school is serving a smaller enrollment. The number has gone from 37 to 25.7 this year. Fifty-nine percent, (59%), of Sudbury's enrollment are Special Needs Students. It was pointed out that were these students enrolled elsewhere it would be very expensive. MRTVS provides afternoon career exploration for students in grades 6-8 as well as some technical literacy programs. Sudbury's budget assessment this year is up 1.23, while the budget itself is up 3.28%. There had been no salary increases this past year for teachers or administrators.

Ms. Lydiard proudly noted that the school's Electro-mechanical Technology Manufacturing Program was named "The Most Outstanding High School Vocational Program in the Northeast Region of the U.S." by the U.S. Department of Education, while the adult Bio-technology Program was named a runner up as "The Most Outstanding Adult Program in the Northeast". In addition to this recognition, it was noted that the school has a very strong placement rate for skilled employment and college. Approximately 25-30% of the school's graduates attend college. In closing, Ms. Lydiard expressed her appreciation for the support given to MRVT these past years and informed the hall of the achievements of three of the school's recent graduates: Henry Thomas, who is enrolled at MIT's Physics Doctoral Program, Nancy Rorenti, who received her BS degree in Physical Therapy and presently is employed at the Spaulding Hospital and Kevin Cheney, a master electrician who has his own business.

Town Clerk Jean M. MacKenzie addressed the serious backlog of work in the Clerk's Department, caused solely by the almost total concentration of the staff on elections this past election year and the continuing absence of support by the FinCom for the past few years to replace obsolete computer software and hardware. Having followed the FinCom's suggestion to have the software modified by someone it recommended, far more serious problems developed placing the department in an extremely difficult situation where it cannot meet its statutory requirements.

Though the FinCom, as stated in the Warrant, was cognizant of other town departments serious workloads and recommended increases in those budgets, the backlog of work in the Clerk's department did not receive the same recognition and a cut-back in the Clerical account was recommended. The Town Clerk asked 1) Why has the Town Clerk's requested budget been rejected when all the requirements of the department are statutorily mandated? and 2) Why is it that virtually all other departments' budgets are being recommended as requested? It was further noted that of all the full-time department budgets, only the Town Clerk's is being recommended for reductions in the clerical, general expense and travel accounts. Though the recommended cutbacks are relatively small, it would appear that the Town Clerk has been singled out for these reductions. Whereupon she asked, "What is the real meaning behind these recommended reductions?" Describing herself as fiscally conservative, she did not view the small surplus in last year's budget of \$2,095, as over-appropriating, as did the Finance Committee, but rather as cost conscientiousness and good management—not a failing but an asset.

Goodnow Public Library Ivan Lubash, a library trustee, commented there would be no request for money this year, as the trustees were willing to live with the amount recommended even though it is not what was requested. It is the Trustees conviction that the Library is a lifelong center for learning, researching information and recreation. The library serves the entire community from pre-school age through retirement. Circulation has gone up only 4% over the past five years as there haven't been many new books. The purchasing power of the book budget is down 50% of what it was five years ago. Reference use is up about 45% and interlibrary loan is up 300%. Library hours are down 16% as there has been a significant reduction of staff. The Library Director takes his turn as a Research Librarian consequently he is not utilized to his greatest advantages. Comparing Sudbury's library with those in neighboring towns of similar size, appropriations per capita were down 33%; full-time employees are down on the average 25% and the library is open 53 hours in the winter and 43 in the summer which is 14-25% less than neighboring towns. The book budget is 369% per capita compared to an average of 820%. Mr. Lubash noted that circulation on the state level has been up 23%, however due to the decrease in the book account, Sudbury's circulation is up only 4%. Yet, this is the information age where people are relying more and more on their libraries for resources and services. The Friends of the Goodnow Library received enthusiastic recognition from Mr. Lubash for the tremendous assistance and support they have provided through ambitious volunteer programs, as did the staff for contributing extra time volunteering.

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Mr. Lubash stressed the need for a larger book budget. The library is currently below state requirements, particularly for funding and is insufficient to meet the basic needs of the residents of the Town, as is the current staffing.

At this time, Jim Haughey, Chairman of the FinCom presented the "Limited" motion under the "Override Budget". He moved that the amount appropriated under the "Override Budget" not exceed the sum of \$29,226,328.

The limited motion to the "Override Budget" received a second.

Briefly, Mr. Haughey explained it was important to place a limit at the beginning so the budget debate upon the various line items would occur on a "level playing field," as a practice that has been followed in recent years and one that he considered fair for a rational budget debate.

Board of Selectmen Chairman John Drobinski - Recommended approval.

Following there were many speakers both in support and opposition to the "Override Budget" which directly concerned the Sudbury Schools.

Arthur Medici of Wadsworth Road, using graphs, indicated an overall reduction in class size would not be achieved with the "Override Budget". In reference to the Nixon Task Force (NTF) work, he commented this committee concluded its work in 1990 and a great deal has changed since that time. However, the School Organization Committee, (SOC), formed after the NTF, has had no mention. It was the findings of SOC that the configuration of grades as proposed, K-2, 3-5, 6-8, was the least educationally sound as it separates Grade 3 from the other primary grades. According to a survey completed by SOC in the fall of 1991 which had 650 respondents, 70% preferred to have grades K-4 or K-5, not a configuration that is broken up. In addition, the proposed configuration would require three starting times. He further noted the Finance Committee was not in full agreement with the proposed configuration, as four of the nine members did not support it. Additionally, the Long Range Planning Committee was soundly against it.

Addressing the costs to open the Nixon School, Mr. Medici noted the Town should focus on ways to spend its money to really innovate and provide quality education and not focus on administrative costs and the related bureaucracy.

Elizabeth Bozler of Willard Grant Road, did not support the "Override Budget" for two reasons: the proposed configuration would not provide the educational environment where children could develop long-term relationships with their teachers in a mentoring fashion, but the proposed configuration would tear apart the wonderful educational system now in place in Sudbury. The second reason was that in her twenty-six years as an educator, she was convinced there were many educationally sound and very cost effective plans available that had not been explored in depth by the School Committee. She too agreed the Town's money should be used for direct education to the children and not for more administrative costs.

Mildred Solomon of Belcher Drive, who has developed teacher training programs and national curriculum projects used in school systems across the country for the past 18 years, spoke of several reasons why she could not support the "Override Budget": 1) The Nixon Task Force never asked the correct question, which should have been, "How can we maintain three K-5 schools in Sudbury?" nor has there been a detailed budget indicating the trade-offs that would have to be given. 2) The reasons for supporting the "Override" are not substantive, i.e. the Nixon School is too small, yet parents spend \$10,000 or more to send their children

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to private school that are almost always smaller than the Nixon School. 3) Though it has been stated there is sound educational research that backs up the proposed configuration of grades, Ms. Solomon through a series of conversations and library searches was unable to find any such research. In speaking with the National Association of State Boards of Educators, they stated they were unaware of any research on this because they believed it was so rare, and their only experience of school systems that had gone to this configuration were based on administrative or logistical reasons, not on educational reasons. 4) As family life has changed, there are greater needs for child care and schools ought to become more responsive to family needs. The proposed plan undermines family values and makes lives more difficult both for young children and their parents, particularly in families with two working parents. Ms. Solomon agreed with the previous speakers that a better plan could be developed.

Nita D'Innocenzo of Old Coach Road supported the opening of the Nixon School and the return of the fifth grade to the elementary level. However, she believed the proposed "Override Budget" failed to solve the long term space issues, as it has been acknowledged by the Superintendent that within 2 to 3 years of the Override Plan, both the Haynes & Nixon Schools would be "tight", and no adequate provisions have been made for this serious flaw other than to suggest adding on to the Nixon School at that time. The Override Plan does not take into consideration the bubble effect in enrollments which move on. Comparing a similar set of circumstances that occurred in Wayland, Ms. D'Innocenzo stated that town determined a K-5 configuration, even with only two classes per grade, as would be at Nixon, was preferable and more cost effective than a K-2, 3-5 configuration. She considered it irresponsible to accept a plan which would require a major reorganization of the entire elementary system within 2 or 3 years, knowing it would fail. She advocated the development of a five year plan which would resolve the long term space issue and insure the best possible education for all.

Barbara Fisher of Concord Road, a Sudbury School teacher, addressed the importance of class size and the fact that it does make a difference and urged support of the "Override Budget".

Kathleen Osborne of Firecut Lane, noted the "Override Budget" answers two problems facing the town: 1. overcrowding--the town has 2,000 students and three buildings that cannot accommodate them, therefore the solution is to open the building that was renovated with that purpose in mind, and 2. class sizes--the proposed override would solve both these problems in an economical and a politically realistic way and still not overburden the taxpayer. As for the sequential arrangement of classes, Ms. Osborne noted this same configuration was used in Boxford and Weston, with a very similar one in the Towns of Dover, Holliston and Southboro. She encouraged the voters to stop studying the problem and to act now in solving the problem.

Fred Taylor of Cider Mill Road noting the many issues raised concerning the "Override Budget", stated the most crucial issue was "class size", as it most directly affects the education of the children. As an educator he noted teaching today is different than what it was twenty years ago. Students today learn to think critically, to problem solve and to evaluate the relative importance of factors among varieties of data. As class size creeps up, teachers have less time for interaction and individual feedback which makes process based education feasible. Mr. Taylor pointed out private schools typically keep class size below twenty students, and sometimes often as low as fifteen. It was his observation that in many Massachusetts towns, limitations on class size remain paramount. Budget cuts and administration support services, building maintenance and even reduction and elimination of programs are made before class size is tampered with. He urged support of the "Override Budget".

David Castelline of DeMarco Road also expressed concern that class size remain small. As an elementary school principal he agreed the proposed reconfiguration of the schools would provide the interaction needed between a child and his teacher, as it would reduce class size in all three schools where overcrowding currently exists. It would also help to deal with further increases in enrollment, as projected, as well as allow for some new and creative programs at all the schools. In summary, he stated good teachers will make whatever plan is decided upon work, but parents are the first and most important teachers. Their values and attitudes are reflected in their children. Parents have an opportunity to support the "Override Plan" and teach a valuable lesson to their children that they support small class sizes and an equal education for all children.

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Lincoln Anderson of Goodmans Hill Road addressed the tax levy situation of the town, the high level of debt service, and the high percentage of individual employees' salary increases. He noted that over the last six years, the total tax levy has increased 50%, well above the rate of CPI inflation rate. The proposed FY94 "Override Budget" would increase the tax levy by 6.7% and without the "Override Budget" the increase would be 5.8%. Per capita the tax levy has gone up 55% over the last six years. It is now over \$1,600 per capita. He further pointed out there has been an "absolute explosion in debt", which leaped in '93 and will go even higher in 1994. In 1988 it was \$200,000 and it is proposed to be \$1,156,000 in FY94. As an economist, he viewed the Town's budget as one devised in Washington.....a tax and spend budget with no control over the deficit.

With the schools, he observed that for the past six years, the salary per staff employee has risen by 35% while the pupil-teacher ration has gone up by 19%. The Sudbury K-8 equipment budget, per pupil, is down by 64%. The K-8 budget reflects seriously misplaced priorities. Salaries have risen sharply forcing decreases in all other budget areas despite rising enrollment. Staff size has shrunk over the last six years but pay per K-8 employees has increased by 35%, not including health insurance and other benefits. It was Mr. Anderson's view that in general the children are coming last in priority behind administrative personnel and salaries, Cadillac health benefits, inefficient and inexpensive custodial and food services and a "rock bottom minimum school year." He expressed the need for tougher bargaining on wages and fringe benefits, a cut back in non-teacher staff and to eliminate the overblown increases in supervisors pay. He further pointed out that the "Override" was not necessary. The funds needed were attainable by reforming health insurance, privatizing appropriate services and eliminating unnecessary administrative positions. In summary, he recommended against the "Override Budget" and instead holding the Finance Committee, the Selectmen and the School Committee to a higher standard.

George Hamm of Mossman Road noted the uncertainty of the economy and that five years ago when the School Committee was discussing the Nixon School, their projections were 50% higher than what did occur. Further he asked if anyone didn't believe that the major layoff at Digital of over 2000 employees would result in fifty families moving out of Sudbury, resulting in a reduction in school enrollment larger than any increase in the past five years.

A motion was presented to move the question. It was seconded. The Moderator declared there was a clear 2/3rds hand vote and debate under the Limiting Motion for the Override Budget was terminated.

Beverly Bentley of Concord Road presented a motion to move for a secret ballot on the "Limiting Budget". The motion was seconded but it failed to pass by a hand vote.

The Limited Motion for the "Override Budget" was presented to the voters and declared by the Moderator to be a clear vote in support. Seven voters requested a counted vote. The motion was again presented to voters and carried by a count of hands. The counted vote was:

YES: 420 NO: 276 TOTAL: 696

The Limited Motion for the "Override Budget" was **VOTED** by a counted hand vote.

It being after 10:30 p.m., the Moderator accepted a motion from Selectman John Drobinski to adjourn to Tuesday evening, April 13 at 7:30 p.m. The motion received a second. The motion to adjourn was declared by the Moderator to be at least 2/3rds. The meeting was adjourned at 11:07 p.m.

Attendance: 760

ADJOURNED ANNUAL TOWN MEETING

APRIL 13, 1993

Pursuant to a Warrant issued by the Board of Selectmen, March 15, 1993, the inhabitants of the Town of Sudbury, qualified to vote in Town affairs, met in the Lincoln-Sudbury Regional High School auditorium on Tuesday, April 13, 1993, for the fourth session of the Annual Town Meeting.

The meeting was called to order at 7:50 p.m. as a quorum was declared present.

Before starting the formal business of the evening, the Moderator recognized Clay Allen, one of the Town's residents, for his recent donation and installation of lights in the lobby of the hall, to assist the people checking in voters. For many years, Mr. Allen has contributed his energy, enthusiasm, and talents to the Town, volunteering and performing many tasks, such as the lights, for the benefit of Sudbury's residents and at no cost to the Town.

ARTICLE 10 - BUDGET Continuing where the Budget was left off last evening, the Moderator called upon the Chairman of the FinCom to present the main motion for the "Override Budget".

J. Haughey *moved* to appropriate the sum of money set forth in the Warrant under Article 10 in the column, *Override FinCom Rec FY94*, except as follows: line item 460 in the "Override Budget" \$142,214; line item 460 Expenses, \$133,880; and line item 460 Capital Spending, \$57,350; and change line item 410-152 to zero dollars; line item 460-152 to zero dollars; and line item 506-152 to zero dollars. The following items to be raised as designated by transfer from available fund balances and interfund transfers: The Ambulance Reserve for Appropriations Account to line item 310, Fire Personal Services in the amount of \$25,000; from the Ambulance Reserve for Appropriations Account to 310, Fire Capital Spending, the amount of \$65,000; from the Wetlands Protection Account to line item 360, Conservation Department Personal Services, in the amount of \$4,125; from Cemetery Funds to 410 Highway Personal Services \$14,000; from Annual Town Meeting, 1990, Article 24, to Highway Department, Capital Spending, \$23,000; from Dog Licenses to 600 Library Expenses, \$6,454; from Free Cash to Account 950 Unclassified \$373,714; and from Abatement Surplus to 950 Unclassified, \$179,383; and further that appropriations within departmental budgets under personal services, expenses, capital spending, snow and ice, net Sudbury Schools, Sudbury Assessment for Schools, Total Debt Service and Total Unclassified must be expended within those categories unless in each instance the Finance Committee grants prior approval, and that the automobile mileage allowance rates shall be paid in accordance with Federal Internal Revenue Service mileage allowance regulations.

The motion received a second.

It was explained that if the motion was approved, the Finance Committee would be authorized to make line item transfers within departmental categories, and Town Meeting would reserve the right to make transfers of money between departments.

William Katz, Chairman of the Long Range Planning Committee *moved* to amend by striking the phrase, "unless in each instance the Finance Committee grants prior approval." The motion was seconded.

The motion was the result of concerns observed by the LRPC regarding spending on capital and anticipated expenses in the last two months of fiscal '92. Following the 1992 Town Meeting, nearly \$90,000 was expended in line item transfers, for items that should have been known or foreseen at the time of Town Meeting. The items included: \$26,000 for computers and a copier; \$36,000 for bridge repairs on Landham and Dutton Roads; \$4,000 for a Town Audit; \$8,000 fuel oil purchased at summer rates; \$8,000 health insurance to fund the anticipated increase in the first two months of the new contract and \$3,000 for the testing of toxins on the Unisys site in anticipation of its purchase. Though it was believed the items were necessary and Town Meeting would have approved of them, they were made after Town Meeting by way of line item transfers and Town Meeting did not have an opportunity to review them. In FY92 \$97,322 was expended in line item transfers, of these \$89,723 or 92% were made in May and June.

The proposed motion would prohibit line item transfers, as the majority of them are for funding projects not reviewed by Town Meeting or approved for the following fiscal year's budget. It was pointed out Town Meeting appropriates approximately

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\$100,000 each year in the Reserve Fund specifically for unforeseen expenses, such as those included in the line item transfers. With this motion, Town Meeting would be instructing all departments to return unexpended line-item funds, which in turn would be turned back to the Town as Free Cash.

Board of Selectmen - The Board did not support the motion to amend.

The motion to amend was presented to the voters and failed to receive the support of a majority of the voters.

Sue Bistany of Old Meadow Road moved that consideration of the FY94 Budget be postponed until cost to date through February and year end forecast data through June are provided.

The motion received a second.

At the request of the Moderator, Ms. Bistany accepted an amendment to her motion, so the amended motion read as follows:

move that consideration of the FY94 Budget be postponed until the first Monday the Town Meeting meets after tomorrow night, when cost to date through February and year end forecast data through June are provided.

In explanation for the motion to amend as presented to the voters, Ms. Bistany stated she had a problem reviewing the budget in its present state, as there was no detailed forecast through June of FY93 of expenditures versus appropriations. With this format, the Town would be voting on the budget for FY95 by the time the 1993 figures would be available, which creates an accountability gap. Two examples of her concern were: 1) Selectmen's Budget for FY92 where there was an appropriation of \$218.6 thousand dollars, but there was a total expenditure in that line item of \$223.5 thousand dollars; 2) the Accounting Department had an appropriation of \$128.6 thousand dollars in account 561 with an expenditure of \$133.9 thousand dollars. The difference between the appropriations and the expenditures for these two accounts was in excess of \$10,000. Ms. Bistany noted there was a need for both a 1992 Warrant for the appropriations as well as the 1993 Warrant for the expenditures to compare the figures. She inquired, "What were these expenditures for? What was the urgency? Where did the extra funding come from? As to the new Town telephone system, she wanted to know, What was the cost? Where did the funding come from? Why did we need it? What was the urgency? Why was it not discussed at Town Meeting? What was the School's share? How much came out of the General Budget? Will we ever see an accounting for this expenditure?"

Ms. Bistany expressed her concern that the Town should be accountable about the status of all accounts to date with a forecast through June. In her view, the Town's budget, as presented, would never be accepted in the private sector, and it shouldn't be accepted by the Town either.

Jim Haughey, FinCom Chairman, explained that the examples given happened due to several reasons: 1) Department managers have the authority to make changes within categories from overtime to salaries or from utilities to operating expenses to have flexibility and 2) transfers from the Reserve Fund. As to a forecast of 1993 total expenses, Mr. Haughey assured the hall that the Town will not spend all the money appropriated. Money will go unspent that was appropriated for some line items. Some expense accounts end up slightly short as expenses are not needed. He estimated there will be around \$100,000 over-appropriated in the FY93 Budget that will not be spent.

Board of Selectmen (J. Drobinski) The Board of Selectmen did not support the motion to amend.

The motion to amend was presented to the voters and failed to receive support.

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Russell Kirby of Boston Post Road presented the following motion to amend, *move to amend the motion under Article 10 by deleting the words "under Article 10 in column Override FinCom FY94 and substituting therefore on pages 76 to 93 of the "Override Budget".*

The motion received a second.

Mr. Kirby pointed out that last year was the first time a detailed line item budget failed to appear in the Warrant. A handout was provided by the FinCom giving the detail numbers. The figures in the handout were included in a motion of Mr. Kirby's so the people in the Hall would be able to consider the budget at the line-item level, even though the voting is taken at the account category level. It was Mr. Kirby's view during periods of fiscal restraint, such as the present time, more control is appropriate than in years when the Town is "flush", therefore to reduce the Budget Article to a category level of expenses would be a wrong move.

In the past, school budgets used to be line item budgets and were debated at some length year after year. One time a School Committee budget was turned back by Town Meeting with several recommendations. The School Committee considered the recommendations and returned with a reduced budget. Though the authority of Town Meeting was limited to voting on the bottom line of the School Budget, discussion of line items led the Committee to reconsider certain factors they had not considered previously. With a line item budget, voters are in a better position to exercise a rational judgement as to the merits of the budget, rather than just a three category budget.

Finance Committee - No position on the motion to amend.

Board of Selectmen - The Board did not support the motion to amend.

The motion to amend was presented to the voters and it **failed** to receive a majority support.

There being no further amendments to the main motion, the Moderator proceeded to go through the "Override Budget" on a line item basis for any additional amendments.

Robert Noyes, Highway Surveyor, *moved to amend line item 400-152, Highway Surveyor, sick leave buy back to zero and the \$1,269 for Sick Leave Buy Back be rolled into line item 400-100, Highway Surveyor salary - new amount to be \$55,485 for fiscal year 1994.*

The motion received a second.

Mr. Noyes, who has received Sick Leave Buy Back salary adjustments for many years, explained he was informed last night these monies would be "rolled into his salary" this year. However, a few minutes before this evening's session began, he was notified once more by the FinCom that the salary adjustment would be completely deleted. As an "elected official", under the law, he is not allowed to receive the salary adjustment. Because he has been receiving it, he requested it be rolled into his salary this year, then maybe next year he would initiate legislation for Town Meeting which would permit him to continue to receive salary adjustments the same as everyone else.

Finance Committee - The Chairman stated the practice the Finance Committee has followed for many years and Town Meeting has approved, has been "to give the Highway Surveyor whatever percentage increase has been negotiated for union employees and transferred through the Personnel Boards' articles as we did earlier in this meeting to non-union employees." Additionally, Mr. Noyes has been receiving an amount called "Sick Leave Buy Back", similar to what is in union contracts and the Personnel Board regulations, though the Chairman did not know how this happened. The amount in question being several thousand dollars for the Highway Surveyor. In the view of the FinCom, that to be perfectly legal and clearly recognizing the position of Highway Surveyor

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as an elected one, there should not be a line item reading "Sick Leave Buy Back" which would imply the position is the same as that of union and non-union employees.

For the benefit of the hall, the Moderator stated he understood the motion, as read, would take \$1,269 out of line item 410-152 and add it to 410-100. Therefore a correction of the motion was made, so the total figure was changed from \$55,485 to \$56,485.

Board of Selectmen - (J. Drobinski) The Board concurred with the FinCom on this issue and agreed the Town must adhere strictly to the law.

After considerable discussion, Mr. Noyes requested amending his motion by zeroing out line item 460-151 Landfill Sick Leave Buy Back and adding the \$141 to 460-100, Landfill Highway Salary. Upon consideration of the wording, the Moderator received the assent of the hall to present to the voters the following motion move to increase line item 460-100 by the sum of \$6,276.

The motion received a second.

An inquiry was made as to how this amendment, if approved, would impact future years and potential pension liability issues. FinCom Chairman, Jim Haughey, noted if the money is transferred from line 152 (Sick Leave Buy Back) to line 100 (Salary) it would have an impact on future pension liabilities, but in a very minor way as the amount of money involved is so small.

A motion was made to move the question. The Moderator declared there was a clear 2/3rds hand vote and debate was terminated.

The motion to amend was placed before the voters, move to increase Account 410-100 line item by \$1,269 to the sum of \$56,485 and to increase line item 460-100 by \$141 to the sum of \$6,276. The motion to amend was presented to the voters and failed to receive the support of a majority of voters.

Jean MacKenzie, Town Clerk, moved to increase line item 506-100, Town Clerk Salary, by \$1,017, for a total of \$46,102 for FY94.

The motion received a second.

Mrs. MacKenzie expressed reluctance in presenting the motion, yet it was necessary to provide additional background on the issue of "Sick Leave Buy Back", which the position of Town Clerk has never received. A year ago, at the request of the Finance Committee, the Town Clerk signed a statement that read "...in the spirit of treating elected officials the same as all other employees, we (the Finance Committee) agree that Jean MacKenzie will receive a 4% raise on 7/1/92 for a total of FY93 salary of \$42,517 including longevity." At the 1993 Town Meeting, town employees' salary increases ranged from 6% to 12%---which indicated a clear breach of the signed agreement initiated by the FinCom.

Last December, Bob Noyes and the Town Clerk met with Charles Swager of the Negotiating Advisory Committee for the purpose of seeing if there was any standard in the manner elected officials' salaries were determined each year. It was at this time the Town Clerk became fully aware that the other elected official, the Highway Surveyor, has been receiving, for more years than he could remember, an annual salary, recommended by the FinCom, which included the cost of living increase, longevity and sick leave buyback, the same as all other town employees, except for one---the Town Clerk. Over the years, several times, the Town Clerk has been placed in the unenviable position of having to request Town Meeting for just the cost of living increase, which the FinCom has recommended for all other employees. Longevity and sick leave buy back were options also never considered for the Town Clerk by the FinCom. Recognizing the inconsistency with which these two elected positions have been treated over the years, a revised Town Clerk's FY94 budget was prepared that included monies for longevity and sick leave buy back. The Finance Committee, after reviewing the records of FY93, recognized the Town Clerk had received the lowest salary increase of all Town Employees, and agreed to compute the difference in this year's recommendation. As for the longevity and sick leave buy back, under

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State Statute, these are not available to Elected Officials unless it is the determination of Town Meeting to so provide.

The Town Clerk made it clear her purpose in addressing the issue of salary and salary adjustments was so that the position of Town Clerk would be treated fairly and equitably and consistent with that of the other elected town official.

Board of Selectmen (J. Drobinski) In the interest of equity the Board did not support the motion to amend.

The motion to amend was presented to the voters and failed to receive the support of a majority of the voters.

There being no further amendments, the main motion on the Override Budget, was presented to the voters. There being some negative votes, the Moderator requested those voters abstain so a unanimous vote could be declared. The motion was presented a second time to the voters and the Moderator declared a **UNANIMOUS VOTE** by a hand vote.

The voters were informed that in the event the "Override Budget" did not receive approval at a Special Town Election, it would be necessary for the town to have in place on July 1, 1993, an operational budget, which would be the "Non-override Budget". The difference between the two was \$185,000 for the re-opening of the Nixon School.

J. Haughey, Chairman of the FinCom, presented to the voters the following limiting motion move that the amount appropriated under the "Non-override Budget" not exceed the sum of \$29,041,286. The motion received a second.

The limiting motion under the "Non-override Budget" was presented to the voters and **VOTED** by a hand vote.

Chairman Haughey presented to the voters the main motion under the Non-override Budget: move that the Town appropriate the sums of money set forth in the Warrant under Article 10 in the column "Non-override FinCom Rec FY94", except as follows: Department 460, Personal Services, \$142,214; Department 460, Expenses, \$133,880; Department 460, Landfill-Capital Spending, \$57,350 and line item 410-152 set to zero; line item 460-152 set to zero; line item 506-152 set to zero. The following items to be raised as designated by transfer from available fund balances and interfund transfers: from Ambulance Reserve for Appropriation Account to 310 Fire Department Personal Services, \$25,000; from the Ambulance Reserve for Appropriation Account to Fire Department, Capital Spending, \$65,000; from the Wetlands Protection Account to Department 360, Conservation Personal Services, \$4,125; from Cemetery Funds to Department 410 Highway Personal Services \$14,000; from Annual Town Meeting of 1990, Article 24 to 410 Highway, Capital Spending, \$23,400; from Dog Licenses to 600, Library Expenses, \$6,454; from Free Cash to Department 950, Unclassified, \$373,714; from Abatement Surplus to 950, Unclassified \$179,383; and further that appropriations within departmental budgets under Personal Services, Expenses, Capital Spending, Snow & Ice and Net Sudbury Schools, Sudbury Assessment-Schools, Total Debt Service and Total Unclassified must be expended within those categories unless in each instance the Finance Committee grants prior approval; and that automobile allowance rates shall be paid in accordance with Federal Internal Revenue Service mileage allowance regulations.

The motion received a second.

Board of Selectmen (J. Drobinski) Recommended approval.

Before going through the "Non override Budget" line item by line item, the Moderator reminded the hall any motion to amend which would seek to affect a line item that is unaffected by the change to the "Non override" and that is all it does, would be considered a "Motion for Reconsideration," and a two-thirds vote would be required. The following two motions to amend were presented to the voters.

Ralph Tyler of Deacon Lane moved to add to Account 100-110, Sudbury Schools, the amount of \$305,182; add to account 300-110, Fire Salaries, \$40,000; add to Account 340-322, Building Department for the purpose of securing the house on the Unisys Property and providing minimal access to Town citizens, the amount of \$20,000; add to Account 800-712, Board of Health, Mosquito

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Control, the amount of \$20,000; and add to 510, Permanent Building Committee, for the purpose of fixing the school roof, \$142,000 and fund these additions from a decrease in line item 130, Lincoln-Sudbury Regional High School, the Sudbury assessment, in the amount of \$527,182 in order that the cost per student be reduced to \$10,000/student/year.

The motion received a second.

In support of his motion, Mr. Tyler argued the motion to amend was an opportunity to make changes in terms of the overall budgeting process that made sense. It was his view the primary school system has been grossly underfunded. The cost/student at the high school being twice that of the elementary. Though there is justification for increased funding at higher levels, he believed a factor of two was too high to understand. His concern was the elementary school system having had a very tight budget, has been required to make cuts in valuable programs, i.e. the catalyst program for gifted children. Then he referenced the Regional budget with \$137,000 allocated for administrative expenses, \$476,981 for administrative salaries and other compensation; \$160,000 for administrative support and another \$400,000+ for clerical. He regarded \$10,647/student/year as private school education, when only \$5,300 is being spent on the elementary school students. Mr. Tyler estimated a reduction in the high school budget as he recommended would bring the cost per pupil to \$10,000 which in his mind was ample to provide a quality education. It was also Mr. Tyler's view that Town Meeting spends considerable time on appropriations of small amounts, \$1,000 or \$250, while passing over \$10,000 or \$6 million items without looking at all the details. He expressed his concern there were pressing needs in the elementary school system and monies should be reallocated so the youngest, most vulnerable children in Sudbury would receive the education they deserve.

A motion to move the question was forwarded. The motion received the required 2/3rds vote and debate was terminated.

The motion to amend the main motion under the "Non-override Budget" was presented to the voters and failed as it did not receive the support of a majority of the voters.

A second motion to amend the main motion under the "Non-override Budget" was placed before the voters by John Richardson of Coolidge Lane, move to augment line item 600-520, Goodnow Library, Books by the sum of \$2,286. The motion received a second.

In support of his motion, Mr. Richardson pointed out the book budget was below that of three years ago. There being a little extra money and the budget still being below the levy limit, he believed a good use for the money would be to purchase books.

Finance Committee (J. Haughey) The Committee took no position on the motion.

Board of Selectmen (J. Drobinski) The Board recommended approval.

As line item 600-520 was not affected by the change from the "Override" to the "Non-override" budget, it required a 2/3rds vote for passage. The motion to amend was presented to the voters and the Moderator declared it was **UNANIMOUSLY VOTED** by a hand vote.

The main motion under the "Non-override Budget", as amended, was presented to the voters and the Moderator declared it was **UNANIMOUSLY VOTED** by a hand vote.

This last action was the completion of Article 10, the Budget. It being 10:30 p.m. the Moderator declared the meeting adjourned until tomorrow evening at 7:30 p.m.

Attendance: 380

ADJOURNED ANNUAL TOWN MEETING

APRIL 14, 1993

Pursuant to a Warrant issued by the Board of Selectmen, March 15, 1993, the inhabitants of the Town of Sudbury, qualified to vote in Town affairs, met in the Lincoln-Sudbury Regional High School auditorium on Wednesday, April 14, 1993, for the fifth session of the Annual Town Meeting.

The meeting was called to order by the Moderator as a quorum was declared present.

It was announced a petition had been received before noon this day by the Town Clerk that read, "We, the undersigned, hereby petition the Town to reconsider Article 10 of the "Override Budget" exclusively for the purpose of increasing line item 600-520 by \$2,286." The Moderator informed the hall the vote for reconsideration would be taken up as the first order of business at the next session of Town Meeting, unless the Warrant was completed this evening. In that event, the vote would be considered tonight.

ARTICLE 12 PURCHASE VOTING EQUIPMENT

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$42,200, or any other sum, to be expended under the direction of the Town Clerk, for the purchase of an optical scan voting system, and voting booths to be used therewith; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Board of Selectmen and Town Clerk

Chairman Drobinski presented the following motion to the voters, *move to appropriate the sum of \$42,200 to be expended under the direction of the Town Clerk for the purchase of an optical scan voting system and voting booths to be used herewith, said appropriation to be contingent upon approval of a Proposition 2-1/2 Capital Expenditure Exclusion of said appropriation in accordance with Massachusetts General Laws, Chapter 59, Section 29C.*

The motion received a second.

Chairman Drobinski, noting discussion for replacing the present voting system had been on-going for the past four or five years, reminded the hall of the Town's experiences at the recent federal election at the Nixon School, which clearly indicated something was amiss with the way voting takes place in the Town---the main problem being the outdated, antiquated machines, which require a great deal of repair and upkeep. The proposed optical scan voting system would bring Sudbury voters into the 21st century and allow the Town to have precinct voting which would hopefully alleviate the massive traffic jams and voter tie-ups experienced at the Federal Election.

The proposed "debt exemption" would permit the Townspeople to decide what they wished to do, as a question would be placed on the ballot at the forthcoming "Special Election". Though there is very little money for capital expenditures and budgets are very tight, the Board of Selectmen firmly believed there was need for the new system and voting booths. For too long this purchase has been put off.

FINANCE COMMITTEE (D. Asheim) The FinCom did not recommend the purchase or lease of a new voting system, as the Board believed the voting machines had a far lower priority than other expenditures that will not be funded this year, which would either affect public safety or many Town residents throughout the entire year, i.e. general building maintenance, opening the North Sudbury Fire Station more than 50%, replacing five instead of four police cruisers or even restoring the Library book budget. Replacing voting machines would not provide additional services or improve the safety of the Town. It was the view of the FinCom the existing

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machines may cause inconveniences in the time it takes to vote in some major elections or in tallying votes, however major state and national elections occur once every two years and generally only on one day and not throughout the whole year.

LONG RANGE PLANNING COMMITTEE D. Palmer of Peakham Road, indicated the strong support of the LRPC. The issue being risk versus priority, he asked, "Can we hold off buying a new voting system for a few more years, without risking not being able to collect the vote during an election because of increasing unreliability of the present system?" Having done an in-depth study of the Town's present voting system, Mr. Palmer made the following observations. With a complete overhaul of the present voting machines in 1992, three of the twenty-three machines failed in the last election. Two of the five machines were in one precinct, which is 40% of one precinct. He inquired, "How many will fail in the next election?" This is the risk! The failure rate of the machines is increasing. The machines are nearing the end of their useful lives. He reminded everyone the machines were purchased thirty years ago, refurbished, not new. He referred to them as "museum pieces". Future needs such as providing handicap accessibility to public and school buildings, repairing high school roofs, closing the landfill, building a transfer station, continued repairs and renovations to Town buildings, mentioning several of the needs facing the town, will always command a higher priority than the purchase of a new voting system until a crisis arises in the use of the old one. Mr. Palmer urged the hall not to wait until a voting crisis arises before taking action, but to support the Selectmen's motion and put the problem behind us.

Selectmen Blacker remarked he thought the FinCom may have been mistaken in their remark, as the motion, as worded, is a "debt exemption", meaning it would be a one-time charge if approved. It would not affect the overall budget for over a period of time as it would be a one time cost of approximately \$6/family.

The motion under Article 12, Purchase Voting Machines, was presented to the voters but the Moderator was in doubt as to the hand vote. The Moderator called for a standing vote. The motion was again presented but it failed to pass by a standing vote.

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ARTICLE 13 FLYNN BUILDING & TOWN HALL ARCHITECTURAL SERVICES

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$16,000, or any other sum, to be expended under the direction of the Permanent Building Committee, for the purpose of obtaining professional, engineering, and architectural services, including preparation of preliminary design drawings and cost estimates, for remodeling and making extraordinary repairs to the Flynn Building, 278 Old Sudbury Road, and the Town Hall, 322 Concord Road; and to authorize the Permanent Building Committee to execute a contract or contracts therefor; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Board of Selectmen

Under Article 13, Selectmen J. Cope offered the following motion: *move to appropriate the sum of \$16,000 to be expended under the direction of the Permanent Building Committee for the purpose of obtaining professional, engineering and architectural services including preparation of preliminary design drawings and cost estimates for remodeling and making extraordinary repairs to the Flynn Building, 278 Old Sudbury Road and the Town Hall, 322 Concord Road and to authorize the Permanent Building Committee to execute a contract or contracts, therefore. Said sum to be raised by transfer of \$8,532 from the funds remaining under Article 14 of 1987 Annual Town Meeting and the balance figured to be \$76,468 to be raised by taxation.*

The motion received a second.

Selectman Cope addressed the hall, noting the Space Planning Group had been meeting for about a year. The Committee, with representation from the Flynn Building, the Town Hall, the Parsonage, the Selectmen's Office, Lincoln-Sudbury School Committee, Sudbury School Committee, Long Range Planning Committee, Access Advisory Group, Historical Society and the Finance Committee tried to determine the most reasonable reallocation of Town offices, to better serve the community. The recommended changes were an effort to be more efficient and cost effective, and most importantly to make town services handicapped accessible by July 1994, as Federal Law mandates. The Committee was in complete agreement, with the exception of the Town Clerk, on the feasibility of changes to the Flynn Building to accommodate most of the Town's administrative offices. The Building Inspector, Jack Hepting, estimated a saving of \$15,000 annually with the Town Clerk's Department located in the Flynn Building. It was the view of the Committee the Town Hall would be used limitedly for various community events and meetings. The Loring Parsonage would be transferred to the Historic Society for a Town Museum. The money requested in the motion was "design" money to more accurately delineate the Flynn Building Plan.

Finance Committee Report (J. Proud) The Committee recommended approval.

Long Range Planning Committee Report (W. Katz) The LRPC supported the Article and noted the funds being proposed for transfer are monies held by the LRPC. The Committee supported the plan as the only move to make to get the offices in the right building and be handicapped accessible.

There was considerable support and enthusiasm for the proposed consolidation and refurbishing of the Flynn Building. Upon inquiry as to how the figure of \$16,000 was determined, Jack Hepting, the Building Inspector provided the following explanation. Bob Cala, an architect and the representative member of the LRPC on the Committee and Jack Hepting himself, also a professional architect, independently came up with dollars applied to a minimum study which would utilize the current existing information, which consisted of data collected in the '80's and this past year, and sketches already done. With the hiring of a registered architect, much of the base data would not have to be collected as it is already done. The architect would have to go around to the various departments and measure up and do interviews etc. Mr. Hepting noted also they were talking primarily design sketches and in the area of \$16,000. \$11,000 for architectural studies for the Flynn Building, \$2,000 for a cost estimate as to the

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actual number and \$3,000 for design studies for the Town Hall. He referred to the study as a "fairly cursory" one, as they did not plan to go into detail design. An architect would ordinarily charge 5% or 6% of the total cost of construction to produce a set of construction documents, survey work and supervision of the actual construction. The proposed Flynn Building project, according to Jack Hepting, was definitely not that. It is "preliminary drawings and a preliminary design to test the feasibility of having a project at all."

The motion under Article 13 was presented and it was VOTED by a hand vote.

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ARTICLE 14 ACCESSIBILITY TO TOWN BUILDINGS FOR THE DISABLED

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$115,000, or any other sum, to be expended under the direction of the Building Department, for remodeling or making extraordinary repairs to Town buildings for the purpose of providing accessibility and toilet facilities for the disabled in four of the most heavily utilized town buildings, and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Building Inspector

Jack Hepting, Building Inspector, offered the following motion under Article 14: *move to appropriate the sum of \$55,000 to be expended under the direction of the Building Inspector for remodeling or making extraordinary repairs to Town Buildings for the purpose of providing accessibility and toilet facilities for the disabled, said sum to be raised by transfer from the funds remaining under Article 24 of the 1990 Annual Town Meeting.*

The motion received a second.

Mr. Hepting noted the motion was a modified version of one he requested 'Indefinitely Postponed' last year and also was somewhat modified in form as to that printed in this year's Warrant. Only item 1 and 3, Town Hall and Goodnow Library, would be addressed, as the other two buildings would be addressed by the previous article just approved.

He explained the only town building, with the exception of the schools, that is accessible to the disabled is the Fairbank Community Center. The Town Hall is not accessible therefore it is not used for public meetings. The Goodnow Library ramp to the lower level exceeds the allowable slope for access by the disabled. It needs to be replaced with a proper ramp at the correct grades to be in compliance with the State's Architectural Access Board and the American with Disabilities Act. A handicapped accessible toilet at the library's lower level will allow the lower level activity room be used for legal meetings of Town boards and committees. The same idea is planned also for the Town Hall.

Board of Selectmen (J. Cope) The Board recommended support.

Finance Committee (J. Proud) The Committee recommended support.

The motion under Article 14 was presented and it was **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 15 TOWN BUILDING REPAIRS

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 Building Department, for remodeling or making extraordinary repairs to town buildings, and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Building Inspector

Jack Hepting, Building Inspector, offered the following motion: *move to appropriate the sum of \$61,600 to be expended under the direction of the Building Inspector for remodeling or making extraordinary repairs to Town Buildings. Said sum to be raised by transfer from the funds remaining under Article 24 of the 1990 Annual Town Meeting.*

The motion received a second.

Mr. Hepting noted this motion, like that under Article 14, was modified from one he had 'Indefinitely Postponed' last year, and again it was modified from the one printed in the Warrant. Items 1, 5, 8 and 13 only were to be considered. The number of windows in item #8 would change from 18 to 11, adjusting the cost from \$12,000 to \$6,600. The change was a result of the Sudbury Foundation having renovated a large portion of the 3rd floor of the Flynn Building, putting in all new windows. The Credit Union also offered to fix a couple more windows. It was stated, the impact of Proposition 2-1/2 on the town has been the main cause for having deferred maintenance of the town's buildings over the past eight years. Article 15 represents an effort to seek a reasonable amount of money to upgrade some of the buildings--make the Town Hall a more attractive building to be used.

Mr. Hepting's closing remark was, "There is no magic here. Everybody has a car and everybody has a house and everybody knows that you have to maintain them and if you don't they fall apart. We aren't asking anything different here."

Board of Selectmen (J. Drobinski) The Board recommended approval.

Finance Committee (J. Proud) The FinCom recommended approval.

{Article 24 of the 1990 Annual Town Meeting, as referred to in Articles 14 and 15, was the construction of the new Fire Headquarters on Hudson Road.}

The motion under Article 15 was presented and **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 16 CURTIS AND HAYNES SCHOOL ROOFS

To see what sum the Town will vote to appropriate to be expended under the direction of the Permanent Building Committee for the purpose of making extraordinary repairs to and/or reconstructing the roofs at the Curtis Middle School and at the Haynes Elementary School and all expenses connected therewith, including professional engineering and architectural services, including plans, specifications, bidding documents and supervision of work; and to authorize the Permanent Building Committee to execute a contract or contracts therefor; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the School Committee

Cynthia Maloney of Stock Farm Road, member of the Sudbury School Committee offered the following motion under Article 16, move to Indefinitely Postpone.

The motion received a second.

Ms. Maloney explained there were several reasons for the motion, principal among them the Town had already voted and authorized the Permanent Building Committee to expend funds from the 1989 Nixon-Noyes Renovation Article for the purpose of repairing roofs at the Haynes and Curtis Middle Schools. Bids will be opened on April 27th for repairs to the flat section of the Haynes School which is in an emergency condition and requires immediate repairs. Monies hopefully anticipated from the Nixon-Noyes Renovation Article, upon settlement of legal matters dealing with the original renovation, would be used to repair the structure and roof replacement of the Haynes School gymnasium, cafeteria and auditorium. The most critical roofs are to be repaired this summer. In the near future the School Committee believes it will be seeking tax levy funding for the final phase of the Curtis Middle School roof repair program. However, at this time, the Committee believed the opening of the Nixon School was a higher priority.

Board of Selectmen (J. Drobinski) The Selectmen supported the motion to postpone.

Finance Committee (J. Fitzgerald) The FinCom supported the motion to postpone under Article 16.

Robert Weiskopf of Virginia Road, a member of the Sudbury Public School Committee read a portion of the School Committee's report which stated the need to replace and repair the Haynes and Curtis Middle School roofs was immediate and was one of the highest priority maintenance needs of the School Department. The Committee had discussed the maintenance Article several times and at all times, until last evening, when a three to two vote was taken, the roofing article was to go forward at this town meeting. He emphasized the urgency of repairing the two schools' roofs by reading excerpts from the Gale Engineering Study of 1992 prepared for the Permanent Building Committee, which described the roofs at both schools as being "...in an age deteriorated condition. Should prioritization be required, consideration should be given to deferring the slope-low slop roof areas."

Mr. Weiskopf expressed his concern that for a number of years this article has been brought forward, but each time it has been Indefinitely Postponed. The Committee should no longer "run away from the problem" and he urged the voters not to support the motion to Indefinitely Postpone.

A question was asked by Hale Lamont-Havers about the "Override Budget" if it did not pass, would the Curtis roof be repaired? Ed Campbell, retiring member of the School Committee responded, there was sufficient money to do both the Haynes flat roof and the one over the gymnasium should the "Override Budget" not succeed. If the "Override Budget" is successful, only the flat roof at Haynes will be repaired.

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Selectmen L. Blacker, who supported the "Override" and the Nixon School opening, on hearing the report of the serious condition of the roofs, suggested the motion to Indefinitely Postpone should be defeated and the roof issue should be placed on the ballot as a one-time debt issue, for the voters to decide.

Arthur Medici inquired of the \$142,000 in the School Committee's budget marked for the Haynes roof. His concern centered around the fact once a School Budget is voted, the Committee may spend its appropriation in any manner it deems appropriate. Therefore, there was no assuredness the money would be used to repair the Haynes roof.

Paul Kenny, Town Counsel, responded to Mr. Medici's concern saying, what was being debated tonight was the motion for Indefinite Postponement involving an article solely addressing the repairing of roofs. The money for the repair of the roofs has already been appropriated under a separate article for this purpose. The Permanent Building Committee has bids out, he believed, for doing some of the work. An article for the repair of the roofs was voted at a prior Town Meeting to be added to another article with respect to the Nixon and Noyes Schools so all could be under the same bonding issue. The School Committee cannot take those funds and use them for anything else but what they are voted for under the article, which is repairing roofs at either one of the two schools. The funds remaining under the former article for repairs to both the roofs, is not sufficient to do all of them but there is enough money to do what they are proposing to do tonight. It cannot be expended for anything else.

He further clarified the concern, by saying, the funds from the 1989 article to repair the Nixon and Noyes schools, must be used to complete that job as they are committed for that purpose. Any remaining balance can be transferred to this article for one of the stated purposes.

At this time, it was also noted by Ed Campbell, the retiring school committee member, that if the Nixon School does not open by September of 1994, there would be some jeopardy of losing part of the funding, which was expressed as approximately \$148,000/year for the next twenty years.

Lee Michaels of Horse Pond Road moved the question. The Moderator declared debate was terminated on the motion to postpone.

The main motion under Article 16 to Indefinitely Postpone was presented and **VOTED** by a hand vote.

There was considerable discussion under Article 16, the full text of which is available at the Town Clerk's office.

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ARTICLE 17 STREET ACCEPTANCES

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

Atkinson Lane	From Dutton Road to a dead end, a distance of 2,608 feet, more or less;
Babe Ruth Drive	From Hudson Road to Atkinson Lane, a distance of 1,301 feet, more or less;
Perry Circle	From Atkinson Lane to a dead end, a distance of 451 feet, more or less;
Petersen Circle	From Atkinson Lane to a dead end, a distance of 352 feet, more or less;
Whitetail Lane	From Sawmill Road to a dead end, a distance of 500 feet, more or less;
Run Brook Circle	From Fairbank Road to a dead end, a distance of 660 feet, more or less;
Stagecoach Drive	From Landham Road to a dead end, a distance of 276 feet, more or less;

as laid out by the Board of Selectmen in accordance with the descriptions and plans on file in the Town Clerk's Office; to authorize the acquisition by purchase, by gift or by a taking by eminent domain, in fee simple, of the property shown on said plans; and to raise and appropriate, or appropriate from available funds, \$400, or any other sum, therefor and all expenses in connection therewith; or act on anything relative thereto.

Submitted by the Board of Selectmen

Selectman J. Cope offered the following motion under Article 17, move to accept the layouts of the following ways:

<i>Whitetail Lane</i>	<i>From Sawmill Road to a dead end, a distance of 500 feet, more or less;</i>
<i>Run Brook Circle</i>	<i>From Fairbank Road to a dead end, a distance of 660 feet, more or less;</i>

as laid out by the Board of Selectmen in accordance with the description and plans on file in the Town Clerk's office and 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 appropriate \$400, therefor and all expenses in connection therewith.

The motion received a second.

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Selectman Cope advised the Hall the Planning Board and the Conservation Commission had serious concerns regarding the completion of work on these roads. The intent of the motion eliminating five of the roads listed in the Warrant, is to maintain a strong position with the developer in accomplishing completion of the Conservation Commission's order of conditions and the Planning Board's requirements, which protect the residents of the developments.

Finance Committee (J. Haughey) Recommended approval.

The motion under Article 17 was presented and it was **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 18 MASS. 1991 TRANSPORTATION BOND ISSUE

To see if the Town will vote to raise and appropriate the sum of \$319,713, or any other sum, to be expended under the direction of the Highway Surveyor, for the construction, reconstruction and maintenance projects of Town and County ways pursuant to Chapter 33 of the Acts of 1991, and to determine whether this sum shall be raised by transfer from 1991 Transportation Bond Issue of the Commonwealth, or act on anything relative thereto.

Submitted by the Highway Surveyor

Robert Noyes, Highway Surveyor, presented to the voters the following motion: *move to appropriate the sum of \$319,713 to be expended under the direction of the Highway Surveyor for the construction and reconstruction and maintenance projects of the Town and the County Way pursuant to Chapter 33 of the Acts of 1991. Said sum to be raised by transfer from the 1991 Transportation Bond Issue of the Commonwealth.*

The motion received a second.

Highway Surveyor's Report The anticipated revenue for this article is derived from the latest ten cent gas tax voted by the legislature. It will be combined with the first half voted last year to implement a pavement management program for our local roads.

Board of Selectmen Report (J. Cope) The Selectmen recommended approval.

Finance Committee Report (K. Anderson-Palmer) The committee recommended approval.

The motion under Article 18 was presented and **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 19 WALKWAY ENGINEERING AND CONSTRUCTION - RT. 117 AND HAYNES ROAD

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$5,000, or any other sum, for the engineering, and construction of a walkway, with such funds to be expended for construction, as necessary, under the direction of the Highway Surveyor for a walkway (approximately 360 feet) along Route 117 from Willard Grant Road to Haynes Road; and (approximately 100 feet) on Haynes Road along the southeast corner to 117; or act on anything relative thereto.

Submitted by Petition

Ms. Elizabeth Bozler of Willard Grant Road offered to the hall the following motion: *move to appropriate the sum of \$5,000 to be expended under the direction of the Highway Surveyor for the engineering and construction of a walkway along Route 117 from Willard Grant Road to Haynes Road.*

The motion received a second.

In support of the motion, Ms. Bozler explained how the school busing situation has changed and children now have an option to walk to school or pay a bus fee, if they live within two miles of the school they attend. As most of the side roads in North Sudbury are very safe, this article would place a walkway on the most dangerous, shortest section of Route 117 and no where else, to minimize the cost of any walkways. The proposed walkway would be an extension of an already pre-existing walkway on Haynes Road.

Ms. Bozler further explained the actual drawing in the Warrant was not correct, and the placement of the walkway would be beyond the curve on Rte. 117 so it would be more safely located.

Board of Selectmen (J. Drobinski) The Board recommended approval.

Finance Committee (K. Anderson-Palmer) The Finance Committee recommended approval.

Planning Board (R. Brooks) Recommended approval.

Long Range Planning Committee (W. Katz) Recommended approval.

The motion under Article 19 was presented and **VOTED** by a hand vote.

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ARTICLE 20 SPECIAL ACT - DRAKE CONSERVATION RESTRICTION

To see if the Town will vote to petition the General Court to pass legislation enabling the release of a certain portion of a Conservation Restriction not exceeding 11,690 square feet, in exchange for a grant of a Conservation Restriction on other land, not exceeding 12,127 square feet, such petition to be submitted as follows:

"An Act to Amend a Certain Conservation Restriction

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

Section 1. The Town of Sudbury, acting by its Board of Selectmen, is hereby authorized to release a certain parcel of LAND subject to the Conservation Restriction granted to the Town of Sudbury by Arden B. MacNeill, on June 13, 1984, and recorded at Middlesex South Registry of Deeds, Book 17249, Page 611, from said restriction. The parcel of land to be released is shown as Proposed Release of Conservation Restriction on a plan entitled Easement Plan of Land in Sudbury, MA, dated November 2, 1992 by Colburn Engineering, Inc. to be recorded with the Middlesex South District Registry of Deeds.

In consideration for the release of said Conservation Restriction, William C. Drake and Georg-Jean Drake, owners of said parcel of land, shall grant to the Town of Sudbury, a conservation restriction on the land shown as Lot 46 on said plan.

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

or act on anything relative thereto.

Submitted by Petition

Selectman J. Cope presented the following motion, move in the words of the article.

Cheryl Baggen of the Conservation Commission explained when Westway Hills Subdivision was developed, a drainage easement and conservation restriction area was set aside. On the Drake lot, there was an encroachment into the drainage easement and conservation restriction area because the bounds had not been set at that time. The Drake family has worked very closely with the Town to determine which area would be appropriate to swap, and the Town will receive a new restriction area that will be more in keeping with the intent of the original plan.

The motion was presented and **UNANIMOUSLY VOTED** by a hand vote.

It being close to 10:30 p.m., the official adjournment time, the Moderator accepted the following motion to adjourn from M. Wallace: move to adjourn until 7:30 p.m. Monday, April 26th.

The motion, which received a second, was presented to the voters and the Moderator declared it received a *clear 2/3rds vote*.

The meeting was adjourned at 10:23 p.m.

Attendance: 301

ADJOURNED ANNUAL TOWN MEETING

APRIL 26, 1993

Pursuant to a Warrant issued by the Board of Selectmen, March 15, 1993, the inhabitants of the Town of Sudbury, qualified to vote in Town affairs met in the Lincoln-Sudbury Regional High School auditorium on Monday, April 26, 1993, for the sixth session of the Annual Town Meeting. The meeting was called to order at 7:35 p.m. by the Moderator when a quorum was declared present.

ARTICLE 10 BUDGET - RECONSIDERATION

The Hall having been notified of a petition having been filed with the Town Clerk to reconsider Article 10, the Override Budget, for the purpose of increasing line item 600-520, Library Books, by the sum of \$2,286.

The following motion was presented by Hale Lamont-Havers: *move to reconsider the "Override Budget" under Article 10 exclusively for the purpose of increasing line item 600-520, Library Books, by \$2,286.* The motion received a second.

The Moderator explained the Library wished to bring the Override Budget in conformity with the "Non-override Budget", and the vote required was two-thirds.

The motion was presented to the voters and the Moderator declared the motion carried by a hand vote.

Ms. Lamont-Havers then *moved to increase line item 600-520, Library Books in the Override Budget by the sum of \$2,286 to the sum of \$52,810 making the expense category \$91,480.* The motion received a second.

It was explained Town Meeting had unanimously approved a \$2,286 increase to the Library's book budget in the "Non-override Budget". This motion would make the same adjustment to the "Override Budget", insuring the Library of an increase in line item 600-520, no matter which budget was approved.

Finance Committee Report Recommended approval.

Board of Selectmen Report Recommended approval.

The motion was presented to the voters and was **VOTED** by a hand vote.

APRIL 26, 1993

ARTICLE 21 AMEND ZONING BYLAW, ART. IX.VI.A - ADMINISTRATION/ENFORCEMENT

To see if the Town will vote to amend Article IX of the Town of Sudbury Bylaws, the Zoning Bylaw, Section VI.A, by deleting, in the third paragraph the words "Section VI, C, 4 of Article IX" and substituting therefor the words "M.G.L. Chapter 40A"; or act on anything relative thereto.

Submitted by the Board of Selectmen

Selectman Drobinski *moved in the words of the article.*

The motion received a second.

The proposed amendment was a correction of a legal reference under which an appeal is made of a ruling by the Inspector of Buildings.

Finance Committee The Committee took no position on this article.

Planning Board The Planning Board supported the motion.

The motion under Article 21, requiring a two-thirds vote, was presented to the voters and was **UNANIMOUSLY VOTED.**

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ARTICLE 22 AMEND ZONING BYLAW, ART. IX.I.D.4 -
SINGLE AND TWO-FAMILY RESIDENTIAL STRUCTURES

To see if the Town will vote to amend Section 1. General, Part D. Non-conforming Buildings and Uses, of Article IX of the Town of Sudbury Bylaws, the Zoning Bylaw, by inserting a new paragraph 4, as follows, and renumbering the remaining paragraph accordingly:

"4. Single and Two-family Residential Structures

In the following circumstances, alteration, reconstruction, extension or structural change (collectively "alteration") to a single or two-family residential structure shall not be considered an increase in the non-conforming nature of the structure and shall be permitted as of right:

- 1) alteration to a structure which complies with all current setback, yard, building coverage and building height requirements but is located on a lot with insufficient area, where the alteration will also comply with all of said current requirements;
- 2) alteration to a structure which complies with all current setback, yard, building coverage and building height requirements but is located on a lot with insufficient frontage, where the alteration will also comply with all of said current requirements;
- 3) alteration to a structure which encroaches upon one or more required yard or setback areas, where the alteration will comply with all current setback, yard, building coverage and building height requirements (the provisions of this clause 3) shall apply regardless of whether the lot complies with current area and frontage requirements);
- 4) alteration to the side or face of a structure which encroaches upon a required yard or setback area, where the alteration will not encroach upon such area to a distance greater than the existing structure (the provisions of this clause 4) shall apply regardless of whether the lot complies with current area and frontage requirements);
- 5) alteration to a non-conforming structure which will not increase the footprint of the existing structure provided that existing height restrictions shall not be exceeded.";

or act on anything relative thereto.

Submitted by the Board of Appeals

The Moderator noted a two-thirds vote was required.

T. Phelps, a member of the Board of Appeals, moved in the words of the Article. The motion received a second.

It was explained the motion under Article 22 would provide a lower cost and less time consuming method for owners of non-conforming buildings or building on non-conforming lots to obtain a building permit for alterations, additions or additional allowed structures (garages, pools, etc.). A recent court decision disallowed the practice of the Building Inspector issuing such a permit without a Board of Appeals determination, and now requires the Board of Appeals to hold a public hearing on all applications.

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Board of Selectmen Recommended approval.

Finance Committee Recommended approval.

Planning Board Recommended approval.

The motion under Article 22 was presented to the voters and was **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 23 AMEND THE ZONING BYLAW, ARTICLE IX.II.C -
DELETE PORTION OF BUSINESS DISTRICT 12

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Article IX.II.C, by deleting from Business District No. 12 and adding to Residential Zone A-1 the rectangular parcel of land currently forming the easternmost portion of Business District No. 12, described below:

Beginning at the Northwestern corner of Lot 14, Block W, as shown on "Plan of Pine Lakes, Sudbury, Mass.", dated April 1927, by Robert B. Bellamy, Surveyor, and recorded in the South Middlesex District Registry of Deeds, Cambridge, Massachusetts;

Thence running Easterly 50 feet, more or less, to land now or formerly of Lehr, said course being the Northerly boundary of Lots No. 14 and 13, Block W, as shown on the above mentioned plan;

Thence turning and running Northerly in a straight line 425 feet, more or less, by land now or formerly of Lehr to a corner at Lot No. 4, Block V, the last mentioned course being the Westerly boundary of Lot No. 37, Block W, the width of Maplewood Avenue, the Westerly boundary of Lot No. 20, Block V, and the Westerly boundary of that part of Lots No. 7, 6, 5, Block V, that is cut by said straight line;

Thence turning and running Westerly 25 feet, more or less, by Lot No. 4, Block V, as shown on the above mentioned plan, to land now or formerly of the U. S. Government;

Thence turning and running Southwesterly 35 feet, more or less, along land now or formerly of the U.S. Government to a concrete bound, said point being the Northeasterly boundary of the registered land shown on Commonwealth of Massachusetts Land Court Plan 33121A;

Thence turning and running Southerly 401 feet, more or less, along the Easterly boundary of the above mentioned registered land to the point of beginning;

or act on anything relative thereto.

Submitted by Petition

The Moderator noted a two-thirds vote was required.

Anne Lehr of Maplewood Avenue offered the following motion, *move in the words of the article*. The motion received a second.

The purpose of Article 23 was to rezone an approximate 50' strip of land, owned by the Lehr family, from commercial to residential use, which would then place the entire Lehr property entirely in a residential zone. The designated piece of land, it was noted, has always been used as residential.

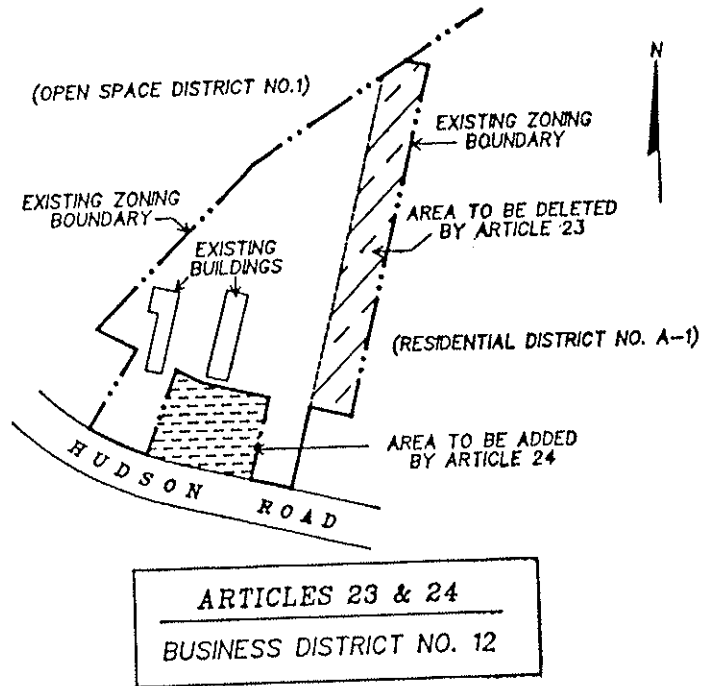
Board of Selectmen Recommended approval.

Planning Board Recommended approval.

Finance Committee The Committee took no position on the article.

The motion was presented to the voters and **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 24 AMEND ZONING BYLAW, ART. IX.II.C - ADD TO BUSINESS DISTRICT 12

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Article IX.II.C, by adding to Business District No. 12 the rectangular parcel of land currently zoned Residence A-1, bounded by said Business District No. 12 and Hudson Road and described below:

Beginning at a point on the Northerly sideline of Hudson Road, said point being the boundary between Lots No. 22 and 21, Block W, as shown on "Plan of Pine Lakes, Sudbury, Mass.", dated April 1927, by Robert B. Bellamy, Surveyor, and recorded in the South Middlesex District Registry of Deeds, Cambridge, Massachusetts;

Thence running Northerly 100 feet, more or less, along the Westerly boundary of Lot No. 21;

Thence turning and running Southeasterly 20 feet, more or less, along the Northeasterly boundary of Lot No. 21;

Thence turning and running Easterly 95 feet, more or less, said course being the Northerly boundary of Lots No. 20, 19, 18, 17, Block W, as shown on the above mentioned plan;

Thence turning and running Southerly 100 feet, more or less, along the Easterly boundary of Lot No. 17 to a point on the Northerly sideline of Hudson Road;

Thence turning and running Westerly along the above mentioned Hudson Road to the point of beginning;

or act on anything relative thereto.

Submitted by the Board of Selectmen

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The Moderator noted a two-thirds vote was required.

Explanation for the Article was, with the passage of Article 23, the Board of Selectmen viewed this as an appropriate time to make an adjustment to Business District #12, by adding to it a small piece of residential land which juts into the Business District along Hudson Road.

Planning Board Report (C. Gentile) The Planning Board at this time moved to refer Article 24 to the Planning Board for study and to report thereon at the next Annual Town Meeting. The motion received a second.

The Planning Board considered this spot zoning as the commercially zoned lot in question is surrounded by a very large residential area, and passage of Article 24 would allow a much more intensive development of the lot in question. Rather than oppose the article, as the Board had initially voted to do, it reconsidered its position and decided it hadn't received sufficient information to proceed in the most informed manner, therefore it would be best to study the matter further and report back next year

The Board of Selectmen took no position on the motion to refer.

The motion to refer was presented to the voters and was defeated by a hand vote.

Speaking to the main motion, two members of the Planning Board. C. Gentile and R. Brooks, spoke in opposition to Article 24 as the rezoning proposed would authenticate a much larger area of "spot zoning". It was also noted the area concerned abuts the very large Ft. Devens Annex, and no one knows how that land will be used in the future.

The main motion under Article 24 was presented to the voters and was defeated by a hand vote.

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ARTICLE 25 COMMITTEE FOR THE PRESERVATION AND MANAGEMENT OF TOWN DOCUMENTS

To see if the Town will vote to change the name of the permanent "Committee for the Preservation of Ancient Documents" to the "Committee for the Preservation and Management of Town Documents"; said Committee shall administer and maintain a records management program for protecting and preserving original documents, or facsimiles thereof, that are deemed valuable to the town and/or that may be required by law; and public access to all documents managed by this program shall be provided as required by the governing statutes of the Commonwealth of Massachusetts; or act on anything relative thereto.

Submitted by the Ancient Documents Committee

The motion under Article 25 was moved in the words of the article by Selectman Drobinski. The motion was seconded.

The following report, as printed in the Warrant, was provided by Russell P. Kirby, Chairman of the Ancient Documents Committee: The Special Town Meeting of October 25, 1956 established a "committee of seven persons, including the Town Clerk, to investigate the condition of all ancient records both public and private, as are in the custody of the Town and report to the next Annual Town Meeting with recommendations for their preservation." In 1964 the Annual Town Meeting "VOTED to establish the Ancient Documents Committee (ADC) as a permanent committee consisting of the Town Clerk and six other persons appointed by the Moderator to investigate the condition of all ancient records both public and private in custody of the Town and to develop procedures for acquisition and preservation of such documents as it may deem to be of historical importance".

In 1972 the Committee members recognized that the only difference between "ancient" and "contemporary" documents is the passage of time, and that the active files of today contain documents that may be of historical importance at sometime in the future. With this in mind, the Committee enlisted the voluntary services of Jesse Clark, a professional consultant specializing in municipal records management. By 1973 the Records Management Program was established. It met the needs of the Town, was endorsed by the State Supervisor of Public Records, and became a model for other communities in the Commonwealth.

Technology has marched on during the intervening years and the Committee is now engaged in an effort to upgrade the Records Management Program in order to take financial advantage of more modern data storage facilities, and to make public documents more accessible to the public. It therefore seems appropriate to change the name of the Committee to reflect more accurately the role that it has served for the past two decades."

Board of Selectmen Recommended approval.

Finance Committee Recommended approval.

The motion under Article 25 was presented to the voters and was **VOTED** by a hand vote.

APRIL 26, 1993

ARTICLE 26 SPECIAL ACT - VOTER INFORMATION

To see if the Town will vote to petition the General Court to pass legislation authorizing the Town to publish and distribute to registered voters information on ballot questions submitted solely to the voters of the Town; said petition to contain legislation in the following form:

"AN ACT authorizing the Town of Sudbury to send certain information to registered voters in the Town of Sudbury.

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

SECTION 1.

Notwithstanding the provisions of any general or special law to the contrary, the Board of Selectmen of the Town of Sudbury shall, for any town meeting or special town meeting, the warrant for which includes an article in connection with which a question is, or will be, submitted solely to without limitation, section twenty-one C of chapter fifty-nine, cause to be included in the warrant report distributed to the citizens of the town prior to commencement of said annual town meeting or special town meeting the full text of such question, a fair and concise summary of such question prepared by the Town Counsel of Sudbury and arguments for and against such question as provided in section 2.

SECTION 2.

The Board of Selectmen shall seek such arguments for and against a question to be submitted solely to the voters of Sudbury from the principal proponents and opponents of each such question, and such arguments shall be filed with said Board of Selectmen within such time as the board shall designate in a written notice to the principal proponents and opponents, at least fourteen days from the date of such written notice. No argument shall contain more than two hundred and fifty words. If no argument is received by said Board of Selectmen within the time allowed by this section, said Board of Selectmen shall prepare such argument. The Board of Selectmen shall include such arguments in the warrant report, as provided in section 1. All arguments filed with or prepared by said Board of Selectmen shall be open to public inspection at the office of the Clerk of said Town of Sudbury.

SECTION 3.

In the event a question unrelated to an article to be considered at an annual or special town meeting is to be submitted solely to the voters of Sudbury, the Board of Selectmen may, but shall not be required to, seek arguments for and against such question in the manner set forth in section 2. If the Board of Selectmen elects to seek such arguments, it shall cause such arguments, together with the full text of the question and a fair and concise summary of the question prepared by the Town Counsel of Sudbury, to be printed and distributed, by mail, to each residence of one or more voters whose names appear on the most recent voting list for said town, not less than seven (7) days prior to the election at which the question is to be considered.

SECTION 4.

For the purposes of this section, the principal proponents and opponents of any such question shall be those persons determined by said Board of Selectmen to be best able to present the arguments for and against such question. The principal proponents of such a question may include the first ten signers or a majority of the first ten signers of the petition initiating the placement of such question on the ballot. In determining the principal proponents and opponents of such a question, said Board of Selectmen shall contact each political committee, as defined in section one of chapter fifty-five of the General Laws, organized to influence the outcome of the vote on such question and whose statement of organization is on file with the Clerk of the Town of Sudbury.

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SECTION 5.

Notwithstanding any provisions of this Act to the contrary, the Town may disseminate the informational material as provided by the terms of this Act where the question presented involves the regional district of which the Town of Sudbury is a member or involves a joint undertaking by the Town of Sudbury and one or more cities or towns.

SECTION 6.

This act shall take effect upon its passage.";

or act on anything relative thereto.

Submitted by the Board of Selectmen

Selectmen Blacker *moved* in the words of the Article except that the following words shall be inserted after the third line of Section 1 at the end of page 32 of the Warrant: "The voters of the Town of Sudbury pursuant to any section of the General Laws including but". The motion received a second.

The purpose of the proposed legislation would be to allow the town to provide a clear, unbiased summary, pros and cons, as is done by the State on state-wide questions, to the voters for local ballot questions. It is intended to include such information in the Warrant also for local ballot questions relating to a town meeting article(s). The Town would also have the option of including an explanation in the Warrant on other local ballot questions or sending out an informational mailer when a Warrant mailing is not required, such as a local election.

L. Wallace of the League of Women Voters *moved* to amend the motion under Article 26 by adding after the last sentence in Section 4, the following: *In the event that there is no such organized political committee, the Selectmen shall solicit proponent and opponent arguments from Sudbury residents by publishing a call for the same in a regularly published local newspaper.* The motion to amend received a second.

It was explained the main motion appeared to limit the Selectmen to petition signers and political action committees when preparing arguments for and against a question. The amendment would give the Selectmen another means to obtain those viewpoints.

Board of Selectmen Recommended approval of motion to amend.

R. Coe of Churchill Street *moved* to amend the motion to amend to read as follows: *the Selectmen may, and in the event that there is no such organized political committee the Selectmen shall, solicit proponent and opponent arguments from Sudbury residents by publishing a call for same in a regularly published local newspaper.* The motion to amend the motion to amend the main motion received a second.

The motion to amend the motion to amend the main motion under Article 26 was presented to the voters and was **VOTED** by a hand vote.

As the cost of disseminating ballot information was a factor to be considered and the Finance Committee having taken no position on Article 26, a question was posed to the Finance Committee as to the financial impact on the Town. The FinCom stated an approximate mailing cost of \$600 - \$700 that was not considered a financial concern and one that could be easily dealt with through a Reserve Transfer.

The amended motion to amend the main motion under Article 26 was presented to the voters and was **VOTED** by a hand vote.

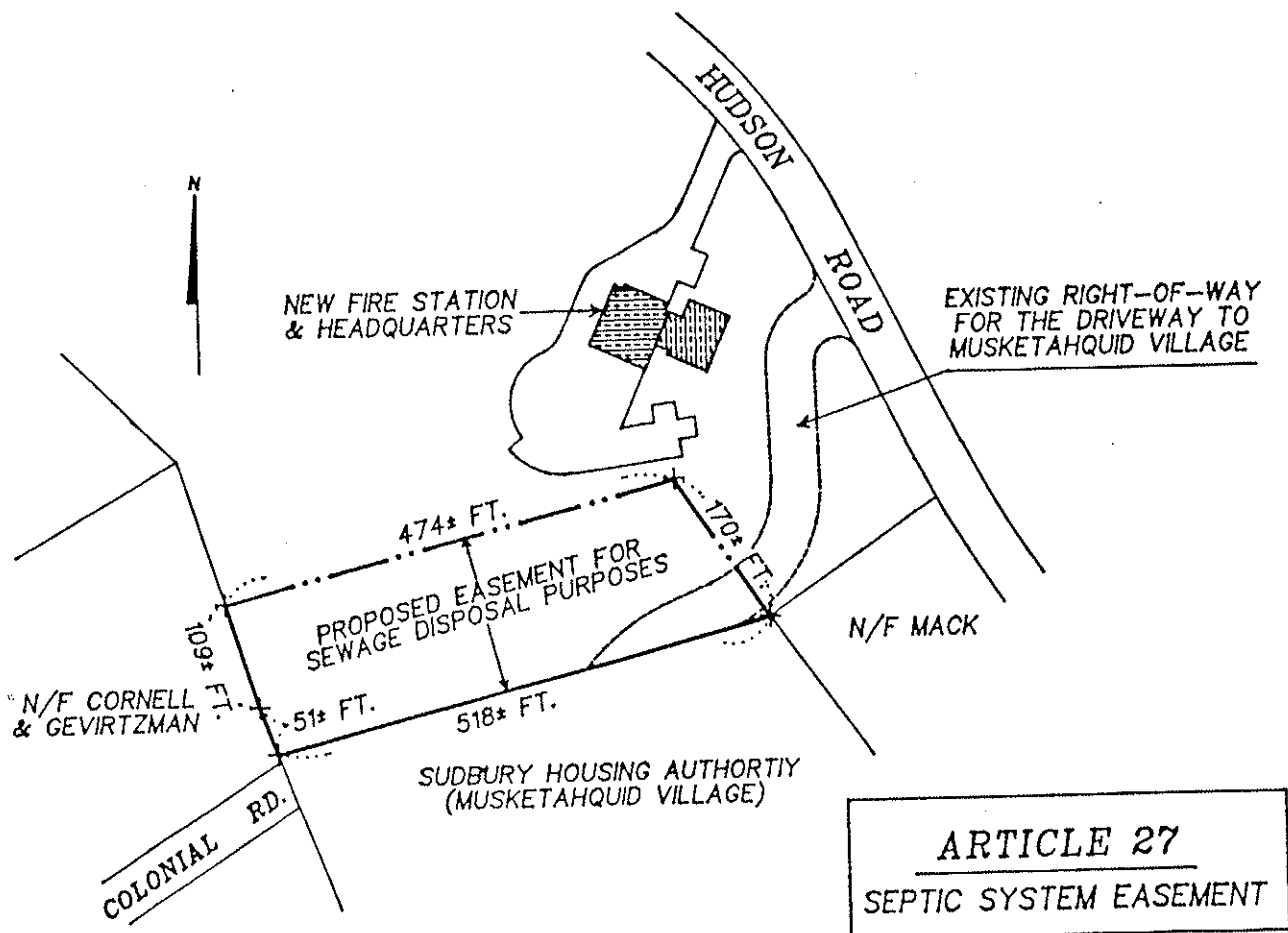
The main motion under Article 26, as amended, was presented to the voters and was **VOTED** by a hand vote

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ARTICLE 27 GRANT EASEMENT TO HOUSING AUTHORITY FOR SEPTIC SYSTEM

To see if the Town will vote to authorize the Board of Selectmen to execute a document or documents granting to the Sudbury Housing Authority an easement to locate all or a portion of a septic system for the Musketahquid Village housing facility on or in a portion of Town owned land located on Hudson Road, shown as Parcel 8 on Town Property Map G08, said portion as indicated on the sketch plan below and to be more particularly described in the handout to be distributed at Town Meeting; or act on anything relative thereto.

Submitted by the Sudbury Housing Authority



The Moderator indicated a two-thirds vote was required.

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S. Swanger, Chairman of the Sudbury Housing Authority moved that the Town authorize the Board of Selectmen to execute a document or documents granting to the Sudbury Housing Authority an easement to locate all or a portion of a septic system for the Musketahquid Village Housing facility on or in a portion of Town owned land located on Hudson Road shown as Parcel 8 on Town Property Map G08, said portion as indicated on the sketch plan on page 35 of the Warrant. The motion received a second.

The purpose of Article 27 is to have the town grant an easement to a portion of town-owned land between the new fire station and Colonial Road, for the construction of a new leaching field for a failed septic system. Frequent pumping of the septic tanks has been necessary throughout the winter to prevent overflow at Musketahquid Village, the Housing Authority's 64-unit apartment complex for elderly and disabled people. The Town Engineer and Board of Health Agent have determined there is no suitable place for new fields on Housing Authority property, therefore the request for the easement to use land immediately adjacent to the Village. Financing for the construction of the system will be from the Authority's own funds as well as a grant from the Mass. Executive Office of Communities and Development. It is expected that after a ten-year rest, the original system may be re-used if required.

Board of Selectmen Recommended approval.

Finance Committee The Committee took no position on Article 27.

Board of Health H. Caspe of the Board of Health inquired whether a septic system must be placed on property it is serving. Town Counsel, Paul Kenny, stated, "It is my understanding that you can use an easement for the purpose of constructing a septic system. In any event, there are provisions in the State Code for our variances."

Considerable discussion and questions relating to the ecological impact of placing such a system adjacent to a wetlands conservation region, destruction of aesthetic properties, workability of the plan and the ethical nature of such a plan followed, the full text of which are available at the Town Clerk's Office.

Bill Cooper of Cedar Creek Road, a member of the Board of Health when the original septic system was installed, commented that local regulations at that time required a 100% expansion area. Asked if the original plans had been viewed to see where this expansion area was located, Mr. Swanger admitted he didn't have the answer to that question. However later on in the discussion, Mr. Swanger was able to inform the hall the Executive Director of Musketahquid had checked the records and found when the facility was built there was no requirement for a reserve.

As to responsibility should the leaching field cause damage, Town Counsel stated the Housing Authority would be responsible for cleaning it up, whereupon Mr. Swanger stated the Housing Authority did have liability insurance.

A call was made to move the question and it was **VOTED**. A clear two-thirds vote was declared by the Moderator and debate was terminated.

The main motion under Article 27 was presented to the voters but the Moderator was unable to determine the vote by a show of hands. He then requested a standing vote, whereupon he stated there was a majority, but not a two-thirds vote, therefore the motion under Article 27 was declared defeated.

At the request of seven voters, a counted vote was undertaken.

The total number of votes was 209, requiring 140 for passage of the article.

YES: 143 NO: 66

The motion under Article 27 was declared **VOTED**.

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ARTICLE 28 AMEND ZONING BYLAW, ARTICLE IX.IV.E - INCENTIVE DEVELOPMENT

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Article IX, Section IV, entitled: "Intensity Regulations", by adding new Section E entitled: "Incentive Development", to read as follows:

"E. **INCENTIVE DEVELOPMENT** - The Planning Board may grant a Special Permit for an Incentive Development in Single Residence "A", Single Residence "C" and the Wayside Inn Historic Preservation Residential Zone Districts for single family detached dwellings and accessory structures, subject to the following:

1. **Purpose** - The purposes of the Special Permit for an Incentive Development are to:

- a. Encourage more affordable and diverse housing types;
- b. Provide housing opportunities to Sudbury residents, employees and low/moderate income persons within the town borders.

2. **Rules and Regulations** - The Planning Board shall adopt, and from time to time amend, Rules and Regulations consistent with the provisions of this bylaw, Chapter 40A of the General Laws and other applicable provisions of the General Laws, and shall file a copy of said Rules and Regulations with the Town Clerk.

3. **Definition/Applicability** - An Incentive Development means the development of residentially zoned property or a set of contiguous properties in common ownership into more than five (5) building lots, and for which the developer obtains an increase in the allowed density of development, in return for providing a percentage of affordable housing in the development. The increased density shall be in the form of modified dimensional requirements and additional building lots, as hereinafter set forth. The number of additional lots permitted and the number of affordable lots required is detailed in the following chart.

# Lots Under Conventional Development Plan	# Additional Lots (Market Rate)	# Affordable Units Required	Total # of Lots
6	1	1	8
7	1	1	9
8	1	1	10
9	1	2	12
10	1	2	13
11	1	2	14
12	1	2	16
13	1	3	17
14	1	3	18
15	1	3	19
16	2	3	21
17	2	3	22
18	2	3	23
19	2	4	25
20	2	4	26
21	2	4	27
22	2	4	29
23	2	5	30
24	2	5	31
25	2	5	32

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For developments larger than 25 lots, the density increase and number of affordable units required shall be calculated as follows:

Number of conventional lots x .30 = number of additional lots permitted (round number as described below).

Number of conventional lots + number of additional lots = maximum number of lots in Incentive Development.

Maximum number of lots permitted in Incentive Development x .15 = number of affordable units (round number as described below).

Number of additional lots permitted - number of affordable units = number of additional market rate lots.

Fractions of less than one-half (1/2) of a dwelling shall be rounded downward, and fractions one-half (1/2) or more shall be rounded upward in determining the number of dwellings subject to affordability limitations.

4. Affordability Provisions -

a. Definitions

- (1) "Affordable" shall mean having a purchase price within the capability of persons of low or moderate income under then prevailing mortgage underwriting guidelines, assuming a down payment of not more than five percent (5 %), as set forth in the then current income guidelines of the Local Initiative Program issued by the Massachusetts Executive Office of Communities and Development.
- (2) "Low Income" means up to fifty percent (50%) of the median income of the Boston Standard Metropolitan Statistical Area (SMSA).
- (3) "Moderate Income" means fifty-one to eighty percent (51% - 80%) of the median income of the Boston SMSA.

b. Development Guidelines

- (1) Affordable units shall be made available for sale to eligible persons of either low income or moderate income, or a combination of both. To the extent legally permissible, purchase prices for affordable units shall be permanently restricted, by way of deed restrictions, covenants or other appropriate mechanisms, so as to ensure long term affordability.
- (2) Affordable units shall be located within the development and dispersed throughout the development, and shall be compatible with and generally comparable to the development's market-rate units in terms of location, quality and character, external appearance and lot size. The placement of affordable units within the development shall be subject to the approval of the Planning Board.
- (3) In those instances where at least two (2) affordable units are required, a duplex structure {two (2) dwelling units per lot} shall be permitted. The lot and dwelling unit density of the development shall not be increased on account of the utilization of duplex structures.
- (4) As a condition of the special permit, the Planning Board may require the developer to grant the Town of Sudbury, or its designee, an option to purchase one (1) or more of the affordable units in the development, at a price equal to that for which the unit would otherwise be eligible for sale to persons of low income or moderate income.

c. Alternative Requirements

- (1) With the approval of the Planning Board, an applicant for an Incentive Development wishing to develop property without affordable units within the development may:

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- (a) Contribute to the Town of Sudbury a cash payment equal to no less than 125% of the value of an affordable unit (including the lot), within the development for each required affordable unit, toward (i) the purchase of affordable unit(s) elsewhere in the Town, or (ii) other use of the money which facilitates the creation of affordable housing in the Town, as approved by the Planning Board; or
- (b) Purchase and then donate to the Sudbury Housing Authority or other entity engaged in the provision of affordable housing to persons of low income or moderate income, as approved by the Planning Board, or sell to an income eligible household, an existing structure of a value equal to or greater than 125% of the value of an affordable unit (including the lot) within the development.

If the structure to be purchased requires renovation prior to its suitability for occupancy in accordance with applicable laws and regulations, and the requirements of the donee entity, the applicant shall either perform such renovations prior to conveying the structure or make a cash payment to the donee entity to cover the cost of such renovation, and the expenses so incurred by the applicant shall be included in calculating the 125% value amount.

- (2) For the purposes hereof, the value of an affordable unit within the development shall be determined in accordance with the definition of "affordable", and the value of an existing structure shall be its most recent assessed valuation, as set by the Sudbury Board of Assessors.

5. Dimensional Requirements

- a. The minimum area and frontage of building lots in an Incentive Development shall be as follows:

Single Residence "A" = 20,000 sq. ft. lot area/90 feet frontage

Single Residence "C" = 30,000 sq. ft. lot area/105 feet frontage

Wayside Inn Historic Preservation Residential Zone = 2 acres lot area/105 feet frontage

- b. Any lot in an Incentive Development which falls partially or entirely within any Water Resource Protection District Zone II must comply with the full lot area requirement of the underlying zone.

6. Procedures

- a. The Planning Board shall be the Special Permit Granting Authority for Incentive Developments.
- b. Prior to filing an application, the applicant shall meet with the Planning Board for an informational discussion to discuss the proposal and to determine whether the development meets the requirements of this Subsection E.
- c. Applicants for an Incentive Development Special Permit shall file with the Planning Board no less than three (3) copies of the following:
 - (1) A preliminary subdivision plan showing the development of the property under the applicable provisions of the Zoning Bylaw without regard to this subsection. Such plan shall conform to the provisions described in Section IV,B of the Planning Board's Rules and Regulations Governing the Subdivision of Land for a Preliminary Subdivision Plan. Such plan shall be accompanied by a report from the Board of Health stating which lots on said plan contain soil conditions suitable for sub-surface sewage disposal in accordance with the rules and regulations of the Town of Sudbury and applicable laws and regulations of the Commonwealth of Massachusetts. The plan shall also delineate the official wetland area boundaries, as accepted by the Sudbury Conservation Commission, within the development and abutting properties.

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- (2) An "Incentive Development Site Plan" showing, at a minimum, all of the information required for a definitive subdivision plan, as specified in the Planning Board's Subdivision Rules and Regulations Governing the Subdivision of Land, and including the proposed location of affordable units.
 - (3) Any additional information determined necessary by the Planning Board to make the determinations and assessments cited in paragraphs 3 and 4 above.
- d. In order to facilitate the creation of affordable housing units in Sudbury which will count toward the ten percent (10%) statutory goal (Massachusetts General Laws Chapter 40B, Section 20), all applicants for a special permit shall be furnished with copies of the regulations and guidelines of the Massachusetts Executive Office of Communities and Development for approval of the development's affordable units as affordable housing units for purposes of the statutory goal. Such regulations and guidelines shall include those of the local Initiative Program and any other program designed to promote the creation of certifiable affordable housing units. After issuance of a Special Permit for an Incentive Development in which the affordable units are to be occupied and operated in accordance with any of such programs, the Board of Selectmen shall make application to the Executive Office of Communities and Development for certification of the units as affordable housing units includable in the Town's inventory of low and moderate income housing for the purposes of Chapter 40B of the Massachusetts General Laws. Such application may, at the discretion of the Board of Selectmen, be made prior to actual issuance of the Special Permit.
- e. All deed restrictions, covenants, and other documents necessary to ensure compliance with this subsection shall be executed and approved by the Planning Board prior to, and as a condition of, (i) release of any lots from the covenant required under section IV, C of the Planning Board's Rules and Regulations Governing the Subdivision of Land, or (ii) the issuance of a building permit for any lot, whichever first arises.
- f. No certificate of occupancy shall be issued for any market-rate units in an Incentive Development until:
- (1) all of the required affordable units have obtained a certificate of occupancy or unless bonding or other arrangements have been made to ensure the provision of such units;
 - (2) any required cash payment to the Town has been made;
 - (3) any land required to be conveyed or donated to the Town, the Sudbury Housing Authority or other eligible grantee has been conveyed.
7. Decision - The Planning Board may approve, or approve with conditions, a Special Permit for an Incentive Development provided that: the plan is beneficial to the Town based upon compliance with the provisions of paragraph 3 above, and the granting of such permit would not result in detriment to the health, safety or welfare of the neighborhood or Town.

The granting of an Incentive Development Special Permit shall in no case be construed as an approval under the Subdivision Control Law.

At the request of the applicant and subsequent to granting of a Special Permit, the Planning Board may permit, without initiating a new Special Permit proceeding, the relocation of lot lines within the development. Any change in any other conditions stated in the original Special Permit shall require written approval of the Planning Board. The Planning Board may require a new Special Permit if it finds that the proposed changes substantially deviate from the conditions upon which the original Special Permit application was based, and/or impact public health or safety in a manner different, or to a greater degree than the development originally approved.

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8. Severability - The invalidity of any portion or provision of this subsection E, Incentive Development, shall not invalidate any other portion or provision thereof, nor shall it invalidate any special permit previously issued thereunder.";

or act on anything relative thereto.

Submitted by the Inclusionary Zoning Study Committee

Amy Lepak of Jarman Road moved in the words of the handout, entitled, "Handout 1993, Town Meeting, Article 28", Amend Zoning Bylaw, Article IX, Section IV.E - Incentive Development dated April 14th, 1993. The motion received a second.

Before presenting the purpose of the Article, Ms. Lepak explained the differences/changes between the handout and Article 28 as printed in the Warrant, that had been recommended during the Planning Board's public hearing. By agreeing to the changes, the IDSC believed they would remove any uncertainty that may arise during the approval process.

The proposed changes would limit the discretion of the Planning Board in issuing a Special Permit for Incentive Development and they would tighten up requirements should a developer select an alternative to building affordable units within the development. The final change made it clear the bylaw, if approved, would be optional for the developer.

It was believed that "Incentive Development" would provide affordable housing to the Town without cost to the taxpayers, and at the same time permit moderate income people to move into Sudbury. Affordable housing would be spread throughout the Town and would gradually increase the percentage of affordable housing. The benefit of Incentive Development is the creation of affordable housing without direct public subsidies. Developers of large parcels would be given an extra lot or lots for market rate development in return for providing the Town with one or more affordable units. The extra lots would be produced by reducing the average lot size, however no lot would be permitted to be smaller than half an acre.

As to the need for additional affordable housing, it was stated children usually can't stay in Sudbury once they are on their own. Town employees cannot afford to live here. In addition, many residents could not buy back their own homes today even with a minimum down payment. The people targeted for Incentive Development housing would be those families earning \$25,000 to \$40,000 a year.

Board of Selectmen (J. Cope) Recommended approval

Finance Committee No position was taken on Article 28.

Planning Board (R. Brooks) Recommended approval. (The Planning Board's full report is available at the Town Clerk's office)

Questions were posed concerning any financial penalty for the Town; the need for at least one acre of land for proper leeching systems; the value of the moderate income homes upon resale.

Conservation Commission (G. Henley) The Commission stood in opposition to Incentive Development on the grounds it would provide a density bonus the Commission believed would be an environmentally inappropriate zoning mechanism with the potential for subdivisions larger than five lots to be considered for the automatic 30% density bonus. Lots closer together result in closer septic systems, with more impervious surfaces, more fertilizers, and more pesticides concentrated in a smaller area. The Commission viewed Incentive Development as giving the developer more benefits than the Town, and cautioned that much of the remaining land is marginal in many cases, being either adjacent to or physically in wetlands.

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After considerable discussion followed, Selectmen Blacker presented the following motion, move to amend Section IV.C.1 by reinserting the words, "with the approval of the Planning Board." The motion to amend received a second.

As the proponent of many of the changes made in the original article, Mr. Blacker indicated that by giving the Planning Board approval authorization, this would enable them to determine whether or not the money they'd receive in lieu of the housing would in fact bring about the desired housing.

The motion to amend was presented to the voters and was **VOTED** by a hand vote.

Further discussion continued. A second motion to amend was made as follows: move to delete Section 4, Affordability Provisions, paragraph c., subsection (1) a). The motion to delete received a second.

The motion was put forth as the proponent didn't see how it was possible that the "cash buy out" would contribute to the development of affordable units. It was seen instead as a very attractive way of adding additional units to a lot for a developer, and not having additional affordable housing.

The motion to delete was presented to the voters and was defeated.

Assessor Fred Haberstroh, speaking for his Board, said it had not come to a decision as to how to determine the fair market value of the surrounding properties, as there were so many unanswered questions, i.e. How to assess a duplex on a half acre? Would that be one or two houses to be assessed? Would the land be worth less because the footprint would be larger? He further noted Assessors must go on what a property is worth when it is bought and sold. There is no history with something like this Incentive Development. Properties in a neighborhood tend to prop up the value of their surrounding neighbors, therefore the properties of the low income nature would be approximately the same as the ones surrounding it.

A motion was received to move the question. The Moderator declared there was a two-thirds vote and debate was terminated on Article 28.

The main motion under Article 28, as amended, was presented to the voters and was defeated by a hand vote.

It being after 10:30 p.m., the Moderator declared the meeting adjourned until tomorrow evening at 7:30 p.m.

The meeting was adjourned at 10:33 p.m.

Attendance: 263

ADJOURNED ANNUAL TOWN MEETING

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Pursuant to a Warrant issued by the Board of Selectmen, March 15, 1993, the inhabitants of the Town of Sudbury qualified to vote in Town affairs met in the Lincoln-Sudbury Regional High School auditorium on Tuesday, April 27, 1993, for the seventh session of the Annual Town Meeting. The meeting was called to order when a quorum was declared present by the Moderator, Thomas G. Dignan, Jr.

ARTICLE 29 AMEND ZONING BYLAW, ART. IX. V.D - SIGNS AND ADVERTISING DEVICES

To see if the Town will vote to amend Section V.D of Article IX of the Town of Sudbury Bylaws, the Zoning Bylaw, as follows:

(A) By adding a new subsection 2.e (Definitions) as follows:

"e. Awning Sign - that part of a fabric-covered roof-like structure, projecting from a building and providing shelter from the weather, which serves as a sign or advertising device.";

(B) By changing the title of subsection 6.h (Signs Which do not Require a Sign Permit) from "Special Signs" to "Vehicle Signs"; and adding a new subsection 6.i as follows:

"i. Signs on Product Dispensing Devices - Signs integral to automated devices, not to include vehicles or gas pumps, which dispense one or more products, when the sign identifies the product(s) contained therein, provided the sign does not project beyond the device and is not self-illuminated. Signs which are affixed but not integral to the device are not allowed.";

(C) By revising Section 8 to read as follows:

"8. Projecting Signs - A projecting sign may be erected in lieu of an exterior sign only when such exterior sign is permitted under Section V.D.7.a, provided it does not exceed sixteen square feet, or in lieu of a secondary sign only when such secondary sign is permitted under Section V.D.7.b, provided it does not exceed six square feet. The projecting sign shall not extend beyond the top of the roof or ridge line of the building.";

(D) By adding a new Section 9 as follows:

"9. Awning Signs - An awning sign may be erected in lieu of an exterior sign only when such exterior sign is permitted under Section V.D.7.a, provided it does not exceed sixteen square feet, or in lieu of a secondary sign only when such secondary sign is permitted under Section V.D.7.b, provided it does not exceed six square feet. The sign shall be painted, sewn, or woven into the fabric of the awning. A sign which is affixed to an awning is not considered an awning sign and shall not be permitted. The awning sign shall comply with setback requirements delineated in Section IV.C.3.e of this bylaw. No business shall be permitted more than one awning sign."; and

(E) By renumbering following sections accordingly; or act on anything relative thereto.

Submitted by the Design Review Board

Frank Riepe, member of the Design Review Board, moved in the words of the article. The motion received a second.

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It was reported, the changes proposed in Article 29 would provide more flexibility to businesses, by allowing a choice of more types of signs by right. Awning and projecting signs may be approved without going to the Zoning Board of Appeals; however, a regular permit would still be required. Vending machines which identify dispensing products would be allowed without a permit under the proposed amendment. It was the DRB's position the proposed changes would encourage more voluntary compliance with the bylaw by removing the present approval requirements which involve considerable time and money.

Board of Selectmen (L. Blacker) The Board of Selectmen, though in agreement with most of the proposed tenets, offered the following amendment. *Move to amend the article as proposed by deleting the words, "and is not self-illuminating" as set forth in the new proposed section 6I.* " The motion received a second.

The proposed amendment would not make any type of vending machine illegal that happens to be illuminated with any of its products visibly displayed, therefore evaluation by the Design Review Board would not be necessary.

The motion to amend was **VOTED** by a hand vote.

Planning Board (U. Lyons) The Board not only supported Article 29, but commended the Design Review Board for its efforts in recognizing the need to review the Sign Bylaw so the business community people in non-residential districts would be relieved from burdensome procedures and restrictions.

The main motion as amended was presented to the voters and was **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 30 AMEND ZONING BYLAW, ART. IX.III.G - WATER RESOURCE PROTECTION DISTRICTS

To see if the Town will vote to amend Section III.G of Article IX of the Town of Sudbury Bylaws, the Zoning Bylaw, as follows:

A. By adding a new subsection 1.f (Purpose of Districts) as follows:

"f. To provide for monitoring of ground and surface water quality in areas of present and potential water supply sources to accomplish detection of potential contamination at an early stage, thereby minimizing damage to such sources.";

B. By adding new subsections 2.n and 2.p (Definitions) and renumbering the existing definitions accordingly, as follows:

"n. Special Permit Granting Authority (SPGA) - The Special Permit Granting Authority under this Section III.G shall be the Planning Board.";

"p. Zone 1 - the protective radius required around a public water supply well, measured as a 400 foot radius from the well."

C. By adding the following language to renumbered subsection 2.o (Definitions, "Toxic or Hazardous Materials"):

"o. and all substances defined as Toxic or Hazardous under Massachusetts General Laws (MGL) Chapter 21C and 21E and 310 CMR 30.00, and also include such products as solvents and thinners in quantities greater than normal household use.";

D. By inserting the following two sentences after the first sentence of subsection 3 (Scope of Authority):

"These overlay districts shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities or uses which fall within the Water Resource Protection Districts must comply with the requirements of these districts as well as those of the underlying zoning district.";

E. By revising subsection 4, paragraph 1 to read as follows:

"Delineation of Water Resource Protection Districts - Water Resource Protection Districts consist of well head areas (Zone I), aquifer contribution zones (Zone II) and aquifer recharge zones (Zone III). Zone I is delineated as that area within a 400 foot radius of the well head of each public water supply well. Zone II is that area of an aquifer which contributes water to a well under the most severe recharge and pumping conditions that can be realistically anticipated. It is scientifically determined by the groundwater divides which result from pumping the well and by the contact of the edge of the aquifer with less permeable material such as till and bedrock. For wells which have not been hydrogeologically mapped, a default Zone II shall be utilized and is delineated on the basis of topography, groundwater flow and surface water drainage, and includes that area within a one-half mile (2,640 feet) radius of the well head of each public water supply well. Zone III is the land area beyond the area of Zone II from which surface water and groundwater drain into Zone II as determined by topography and surface water and groundwater drainage characteristics. In locations where the surface and groundwater drainage are not coincident, Zone III shall consist of both the surface drainage and the groundwater drainage areas. It is delineated on the basis of topography and surface water drainage. The Water Resource Protection Districts are delineated on a map at a scale of 1 inch to 1,000 feet entitled: "Water Resource Protection Districts, Town of Sudbury". This map is hereby made a part of the Sudbury Zoning Bylaw and is on file in the Office of the Town Clerk.

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F. By adding a new Section 5.a.9), (Zone II Permitted Uses), as follows:

"9) Construction, maintenance, repair, and enlargement of drinking water supply facilities, such as, but not limited to, wells, pipelines, aqueducts and tunnels, but excluding underground storage tanks related to such facilities which are categorically not permitted.";

G. By revising and adding to those uses prohibited in Zone II, Section 5.b, so that Section 5.b reads as follows:

"b. The following uses are specifically prohibited within Water Resource Protection Districts. Zone II:

- 1) Solid waste disposal facilities, including, without limitation, landfills and junk and salvage yards that require a site assignment from the Board of Health under Massachusetts General Laws, Chapter 111, Section 150A (the landfill assignment law) and regulations adopted by the Department of Environmental Protection, 310 CMR 19.00; {No Change}
- 2) Storage of liquid petroleum products except the following: (a) normal household use, outdoor maintenance, and heating of a structure; (b) waste oil retention facilities required by statute, rule, or regulation; (c) emergency generators required by statute, rule, or regulation; (d) treatment works approved under 314 CMR 5.00 for treatment of ground or surface waters; {Revised}
- 3) Storage of road salt or deicing chemicals unless such storage, including loading areas, is within a structure demonstrated to prevent the generation and escape of contaminated runoff and leachate; {Revised}
- 4) Dumping of snow, containing road salt or other deicing chemicals, which is brought into any particular Zone II or Zone III from outside that particular district; {Revised}
- 5) Manufacture, generation, treatment, storage, or disposal of toxic or hazardous materials, except by the following: (a) very small quantity generators as defined under 310 CMR 30.00; (b) household hazardous waste collection centers and events under 310 CMR 30.390; (c) waste oil retention facilities required by MGL Chapter 21, s.52A; (d) water remediation treatment works approved under 314 CMR 5.00; {Revised}
- 6) Automobile graveyards and junkyards, as defined in Massachusetts General Laws, Chapter 140B, s.1; {New}
- 7) Disposal of liquid or leachable wastes, except by individual on-site domestic sewage disposal systems which serve one- or two-family residences or business, industrial, research or institutional uses, which discharge not more than 440 gallons per day per 40,000 square feet of lot area in compliance with Title V of the State Environmental Code. The replacement or repair of an existing system that will not result in an increase in design capacity above the previously approved design is not prohibited hereunder; {Revised}
- 8) Permanent removal, or regrading of the existing soil cover, except for excavations for building foundations, roads or utility works, resulting in a finished grade at a level less than eight (8) feet above the historical high groundwater average for the preceding five (5) years, as determined from the monitoring wells of, and the historical water table fluctuation data compiled by the United States Geological Survey (USGS), and Board of Health data and monitoring wells, whichever is higher. Said average shall be adjusted in accordance with accepted monitoring and measurement principles to reflect drought. Earth removal or earth moving shall be subject to the provisions of subsection 5.g (Earth Removal or Earth Moving Procedures and Conditions); {Revised}

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- 9) Boat or motor vehicle service or repair shops, animal feed lots, car washes, heliports, electronic manufacturing, metal plating, commercial or bacteriological laboratories, except as otherwise permitted in the Research District, and establishments conducting dry cleaning activities on the premises; {No Change}
- 10) Storage of animal manure within 100 feet of any water body or water course; {Revised}
- 11) Mining of land, except as incidental to a permitted use; {No Change}
- 12) Landfilling of sludge or septage as defined in 310 CMR 32.05: {New}
- 13) Storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31; {New}
- 14) Treatment works that are subject to 314 CMR 5.00 including privately owned sewage treatment facilities, except the following: (a) the replacement or repair of an existing treatment works that will not result in a design capacity greater than the design capacity of the existing treatment works; (b) the replacement of existing subsurface sewage disposal system(s) with wastewater works that will not result in a design capacity greater than the design capacity of the existing system(s); (c) treatment works approved by the Massachusetts Department of Environmental Protection design for the treatment of contaminated groundwater. In the Research District treatment works subject to 314 CMR 5.00 shall be permitted in accordance with Section III.G.5.a.8); {New}
- 15) Industrial and commercial uses which discharge process wastewater on-site; {Revised}
- 16) The use of septic system cleaners which contain toxic or hazardous materials."; {New}

H. By revising and adding to those uses permitted in Zone II by special permit, subsection 5.c, so that subsection 5.c reads as follows:

"c. The following uses and activities are permitted by special permit within the Water Resource Protection Districts, Zone II, subject to the approval of the Special Permit Granting Authority under such conditions as they may require and also subject to subsection 5.b:

- 1) Enlargement or alteration of existing uses that do not conform to the Water Resource Protection District; {New}
- 2) The application of pesticides, including herbicides, insecticides, fungicides, and rodenticides, for nondomestic or nonagricultural uses in accordance with state and federal standards. If applicable, the applicant shall provide documentation of compliance with a Yearly Operating Plan (YOP) for vegetation management operations under 333 CMR 11.00 or a Department of Food and Agriculture approved Pesticide Management Plan or Integrated Pest Management (IPM) program under 333 CMR 12.00; {Revised}
- 3) The application of fertilizers for nondomestic or nonagricultural uses. Such applications shall be made in a manner so as to minimize adverse impacts on groundwater due to nutrient transport, deposition, and sedimentation; {New}

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- 4) Except as otherwise permitted under Section III.D.g, those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use, permitted in the underlying zoning (except as prohibited under subsection b); {New}
- 5) With the exception of drainage improvements associated with permitted uses in the Research District, which shall be permitted, the construction of dams or other water control devices, ponds, pools or other changes in water bodies or courses, created for swimming, fishing, or other recreational uses, agricultural uses, or drainage improvements, provided such activities do not adversely affect water quality or quantity; {New}
- 6) Any use that will render impervious more than 15%, by less than 38%, or any lot, except as otherwise permitted in subsection 5.a.8) of this section iii.G. A system for groundwater recharge must be provided which does not degrade groundwater quality. For nonresidential uses, recharge shall be by stormwater infiltration basins or similar system covered with natural vegetation, and dry wells shall be used only where other methods are infeasible. For all nonresidential uses, all such basins and wells shall be preceded by oil, grease and sediment traps to accomplish removal of contamination. Any and all recharge areas shall be permanently maintained in full working order by the owner; {New}
- 7) Those business, industrial, research and institutional activities permitted in the underlying district with a site plan review to prevent any adverse impact on the Water Resource Protection District and the interests to be protected thereunder."; {No Change}
- 8) Storage of animal manure, except within 100 feet of any water body or water course, only when such storage is covered and contained within a structure demonstrated to prevent the generation and escape of contaminated runoff and leachage; {New}
- 9) Storage of liquid hazardous materials which are in a freestanding container within a building, or above ground with secondary containment adequate to contain a spill the size of the container's total storage capacity, or 10% of the total volume of liquid permitted to be stored, whichever is greater; {New} and
- 10) Storage of commercial fertilizers and soil conditioners, as defined in MGL, Chapter 128, Section 64, within a structure demonstrated to prevent the generation and escape of contaminated runoff and leachate." {New}

I. By adding new subsections 5.d.8) and 5.d.9), (Zone III Permitted Uses), as follows:

- 8) Maintenance, repair and enlargement of any existing structure, provided no more than fifteen percent (15%) of a building lot is rendered impervious; and
- 9) Construction, maintenance, repair and enlargement of drinking water supply facilities, such as, but not limited to, wells, pipelines, aqueducts and tunnels, but excluding underground storage tanks related to such facilities which are categorically not permitted.";

J. By revising and adding to those uses prohibited in Zone III, subsection 5.e so that subsection 5.e reads as follows:

"e. The following uses are specifically prohibited within Water Resource Protection Districts, Zone III:

- 1) Solid waste disposal facilities, including, without limitation, landfills and junk and salvage yards that require a site assignment from the Board of Health under Massachusetts General Laws, Chapter 111, Section 150A (the landfill assignment law) and regulations adopted by the Department of Environmental Protection, 310 CMR 19.00; {No Change}

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- 2) Storage of liquid petroleum products, except the following: (a) normal household use, outdoor maintenance, and heating of a structure; (b) waste oil retention facilities required by statute, rule, or regulation; (c) emergency generators required by statute, rule, or regulation; (d) treatment works approved under 314 CMR 5.00 for treatment of ground or surface waters; {Revised}
- 3) Manufacture, generation, treatment, storage, or disposal of toxic or hazardous materials, except by the following: (a) very small quantity generators as defined under 310 CMR 30.00; (b) household hazardous waste collection centers and events under 310 CMR 30.390; (c) waste oil retention facilities required by Massachusetts General Laws Chapter 21 s.52A; (d) water remediation treatment works approved under 314 CMR 5.00; {Revised}
- 4) Industrial and commercial uses which discharge process wastewater on-site; {Revised}
- 5) Disposal of liquid or leachable wastes, excepted by individual on-site domestic sewage disposal systems which serve one- or two-family residences or business, industrial, research, or institutional uses, which discharge not more than 440 gallons per day per 40,000 square feet of lot area in compliance with Title V of the State Environmental Code. The replacement or repair of an existing system that will not result in an increase in design capacity above the previously approved design is not prohibited hereunder; {Revised}
- 6) Boat or motor vehicle service or repair shops, animal feed lots, car washes, heliports, electronic manufacturing, metal plating, commercial or bacteriological laboratories, except as otherwise permitted in the Research District, and establishments conducting dry cleaning activities on the premises; {No Change}
- 7) Mining of land, except as incidental to a permitted use; {No Change}
- 8) Automobile graveyards and junkyards as defined in Massachusetts General Laws, Chapter 140B, s.1.; {New}
- 9) Permanent removal, or regrading of the existing soil cover, except for excavations for building foundations, roads or utility works, resulting in a finished grade at a level less than eight (8) feet above the historical high groundwater average for the preceding five (5) years, as determined from the monitoring wells of, and the historical water table fluctuation data compiled by the United States Geological Survey (USGS), and Board of Health data and monitoring wells, whichever is higher. Said average shall be adjusted in accordance with accepted monitoring and measurement principles to reflect drought. Earth removal or earth moving shall be subject to the provisions of subsection 5.g (Earth Removal or Earth Moving Procedures and Conditions); {Revised}
- 10) The use of septic system cleaners which contain toxic or hazardous materials; {New}
- 11) Landfilling of sludge or septage as defined in 310 CMR 32.05; {New}
- 12) Storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31; {New}
- 13) Treatment works that are subject to 314 CMR 5.00 including privately owned sewage treatment facilities, except the following: (a) the replacement or repair of an existing treatment works that will not result in a design capacity greater than the design capacity of the existing treatment works; (b) the replacement of existing subsurface sewage disposal system(s) with wastewater treatment works that will not result in a design capacity greater than the design capacity of the existing system(s); (c) treatment works approved by the Massachusetts Department of Environmental Protection designed for the

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treatment of contaminated groundwater. In the Research District treatment works subject to 314 CMR 5.00 shall be permitted in accordance with Section III.G.5.a.8); {New} and

14) Storage of animal manure within 100 feet of any water body or water course."; {New}

K. By revising and adding to those uses permitted in Zone III by special permit, subsection 5.f, so that the subsection 5.f reads as follows:

"f. The following uses are permitted by special permit within Water Resource Protection Districts Zone III, subject to the approval of the Special Permit Granting Authority under such conditions as they may require and also subject to subsection 5.e:

- 1) Enlargement or alteration of existing uses that do not conform to the Water Resource Protection District; {New}
- 2) The application of pesticides, including herbicides, insecticides, fungicides, and rodenticides, for nondomestic or nonagricultural uses in accordance with state and federal standards. If applicable, the applicant shall provide documentation of compliance with a Yearly Operating Plan (YOP) for vegetation management operations under 333 CMR 11.00 or a Department of Food and Agriculture approved Pesticide Management Plan or Integrated Pest Management (IPM) program under 333 CMR 12.00; {Revised}
- 3) The application of fertilizers for nondomestic or nonagricultural uses. Such application shall be made in a manner so as to minimize adverse impacts on groundwater due to nutrient transport, deposition, and sedimentation; {New}
- 4) Except as otherwise permitted under Section III.D.g, those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use, permitted in the underlying zoning (except as prohibited under subsection b); {New}
- 5) With the exception of drainage improvements associated with permitted uses in the Research District, which shall be permitted, the construction of dams or other water control devices, ponds, pools or other changes in water bodies or courses, created for swimming, fishing, or other recreational uses, agricultural uses, or drainage improvements, provided such activities do not adversely affect water quality or quantity; {Revised}
- 6) Any use that will render impervious more than 15% but less than 38% of any lot, except as otherwise permitted in subsection 5.a.8) of this Section III.G. A system for groundwater recharge must be provided which does not degrade groundwater quality. For nonresidential uses, recharge shall be by stormwater infiltration basins or similar system covered with natural vegetation, and dry wells shall be used only where other methods are infeasible. For all nonresidential uses, all such basins and wells shall be preceded by oil, grease, and sediment traps to facilitate removal of contamination. Any and all recharge areas shall be permanently maintained in full working order by the owner; {New}
- 7) Storage of uncovered manure, except within 100 feet from the average high-water line for the preceding five years of any bodies and courses within Water Resource Protection Districts as determined by the Planning Board, provided that such storage will not adversely affect the quantity or quality of water available in the Water Resource Protection District: {No Change}
- 8) Storage of road salt or other deicing chemicals in quantities greater than for normal individual household use; {No Change}

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- 9) Dumping of snow, containing road salt or other deicing chemicals, which is brought into any Zone II or Zone III from outside that particular district; {Revised}
- 10) Those business, industrial, research and institutional activities permitted in the underlying district with site plan review to prevent any adverse impact on the Water Resource Protection District and the interests to be protected thereunder; {No Change}
- 11) Storage of liquid hazardous materials which are in a freestanding container within a building or above ground with secondary containment adequate to contain a spill the size of the container's total storage capacity, or 10% of the total volume of liquid permitted to be stored, whichever is greater; {New} and
- 12) Storage of commercial fertilizers and soil conditioners, as defined in MGL, Chapter 128, Section 64, within a structure demonstrated to prevent the generation and escape of contaminated runoff and leachate."; {New}

L. By adding a new subsection 5.g, as follows:

"g. Earth Removal or Earth Moving Procedures and Conditions:

- 1) Plan Requirements - No special permit involving excavation shall be issued or renewed under this Section III.G until the applicant has submitted to the Special Permit Granting Authority a plan showing existing grades in the area from which material is to be removed, together with a plan showing the grades as they will be at the conclusion of the operation;
- 2) Groundwater Monitoring - The grading plans must indicate maximum groundwater elevation throughout the entire area proposed to be excavated. Maximum groundwater elevation shall be determined by means of monitoring wells, test pits and soil borings during the months of March, April or May. Such tests shall be conducted by a Massachusetts Registered Professional Engineer at the expense of the applicant and shall be observed by a representative of the Special Permit Granting Authority or its designee. Test results shall be submitted to the Special Permit Granting Authority;
- 3) Grading and Slopes - The plan showing the grades at the conclusion of the operation shall show no grades in excess of one foot of vertical rise in two feet of horizontal distance, 4:1 slopes are preferred.
- 4) Permit Conditions - Special permits granted under this Section III.G involving excavation must be made subject to the following conditions, said conditions to be written in the permit and made a part thereof:
 - a) That proper and reasonable surface drainage of land affected by earth removal operations be assured during and after the removal operation and further, that the quantity of runoff after removal operations are complete shall not exceed the quantity of runoff that left the site before excavation;
 - b) That areas that have been compacted by heavy machinery shall be scarified to a depth of at least 3 feet before topsoil is replaced;
 - c) That at the conclusion of the excavation operations, or of any substantial portion thereof, the whole area where excavation has taken place be covered with not less than eight inches of top soil and seeded with a suitable cover crop, except where ledge rock is exposed, and that all large stones and boulders which protrude above the finished grade are to be removed or buried;

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- d) That activities ancillary to the excavation, including but not limited to, equipment and vehicle maintenance and storage of lubricants, fuels, solvents, and other chemicals associated with earth removal operations will be prohibited in Zone II;
 - e) That the applicant post a bond with the Treasurer of the Town in an amount determined by the Special Permit Granting Authority as sufficient to guarantee conformity with the provisions or conditions of the permit, the amount of the bond to be not less than \$5,000 per acre of land from which earth is to be removed.";
- M. By adding the following paragraphs to subsection 6.d (Special Permit Application Contents) after paragraph 1) and renumbering the existing paragraphs accordingly:
- 2) The application shall contain a complete list of chemicals, pesticides, herbicides, fertilizers, fuels, and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use;
 - 3) For those activities using or storing such hazardous materials, a hazardous materials management plan shall be prepared and filed with the Town's Hazardous Materials Coordinator, Fire Chief, and Board of Health. The plan shall include: (a) provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage, or vandalism, including spill containment and clean-up procedures; (b) provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces; (c) evidence of compliance with the Massachusetts Hazardous Waste Regulations, 310 CMR 30.00, including an EPA identification number from the Massachusetts Department of Environmental Protection;
 - 4) The application shall include proposed locations for groundwater monitoring wells adequate to enable timely detection of potential contamination so as to prevent or minimize damage and remediation costs. The Special Permit Granting Authority may require periodic testing by the owner of the property and full disclosure of the test results from the laboratory directly to the appropriate Town boards and Sudbury Water District. The Special Permit Granting Authority may also impose requirements for reporting threats of contamination to appropriate Town agencies and the Water District.";
- N. By revising subsection 4 (2nd paragraph), subsection 6.c.1) and 6.c.2), and subsection 6.d.6) as renumbered, by inserting the words, "or other such consultant" after the words "Massachusetts engineer"; and by inserting the words, "or wastewater or toxic and hazardous waste" after the word "hydrogeology" wherever appearing therein;
- O. By revising paragraph 6) in subsection 6.d (Special Permit Application Contents), as renumbered, by adding the following to the end of the sentence beginning with "At a minimum...":
- "...and shall quantify the incremental effect of the proposed use upon surface and groundwater quality and quantity under the full range of potential wastewater discharge rates and groundwater flow and conditions, including the potential range of water supply withdrawal conditions and well pumping rates and durations.";
- P. By inserting the following new paragraph 1) in subsection 6.f (Special Permit Approval Criteria), renumbering the existing paragraphs accordingly and adding language to paragraph 4), as renumbered, so that they read as follows:
- "1) Will in no way, during construction or any time thereafter, adversely affect the existing or potential quality or quantity of water that is available in the Water Resource Protection District;"

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- 4) Is appropriate to the natural topography, soils, and other characteristics of the site to be developed, and is designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water related natural characteristics of the site to be developed;"

Q. By adding a new subsection 8, as follows, and renumbering the following subsection accordingly:

"8. VIOLATIONS AND ENFORCEMENT

- a. Written notice of any violation of this section shall be given by the Building Inspector to the responsible person as soon as possible after detection of a violation or a continuing violation. Notice to the assessed owner of the property shall be deemed notice to the responsible person. Such notice shall specify the requirement or restriction violated and the nature of the violation, and may also identify the actions necessary to remove or remedy the violations and preventive measures for avoiding future violations and a schedule of compliance. A copy of such notice shall be submitted to the Planning Board, Board of Health, Conservation Commission, Town Engineer, and Sudbury Water District. The cost of containment, clean-up, or other action of compliance shall be borne by the owner and operator of the premises.
- b. The owner and operator of any property for which a special permit has been issued hereunder shall notify the Building Inspector and the Board of Health of any known violation of the terms and conditions of such special permit. Such notification shall be given immediately (within 48 hours) after knowledge thereof, in person or by telephone, and shall be followed within two (2) weeks by written notice specifying the details of the violation. The owner and operator shall take all appropriate remedial action to cure such violation. Failure of the owner or operator to report a violation in a timely manner, or failure to take appropriate remedial action, or failure to otherwise comply with the terms and conditions of a special permit, or the requirements of the Building Inspector, shall be sufficient grounds for revocation of the special permit.";

or act on anything relative thereto.

Submitted by the Planning Board

M. Meixsell, Chairman of the Planning Board, *moved to refer Article 30, the Water Resources Protection Article back to the Planning Board and the Water District for further study and report back to the next Town Meeting.* The motion received a second.

Chairman Meixsell explained there were certain areas of information he wished to present which covered 1) threats to Sudbury's water resources; 2) Sudbury's options; 3) actions of Sudbury's boards and committees; and 4) their recommendations. The provisions in Article 30 which addressed contamination by sewage, according to Mr. Meixsell, could be refined by means of a nitrogen loading study, which the Water District will be undertaking later in the year. Therefore the Planning Board, along with the Board of Health and the Water District, recommended the Town Meeting refer Article 30 back to the Planning Board for incorporation of the forthcoming nitrogen loading study results.

Board of Selectmen - Recommended approval of the motion to refer.

Finance Committee - Committee took no position on the motion.

Board of Health - Recommended approval of the motion to refer.

Water District Commission - R. Sheldon one of the Commissioners of the Water District reported the Commission has been working very closely with the Planning Board in working out some of the details of Article 30, and supports the motion to refer so the article may be refined for a future annual or special town meeting.

The motion to refer was presented to the voters and was **VOTED** by a hand vote.

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ARTICLE 31 AMEND ZONING BYLAW, ART.IX.I.I - REVISE WATER RESOURCE PROTECTION DISTRICTS MAP

To see if the Town will vote to amend sections IX(I.I), IX(I.I.1) and IX(I.I.2) as follows:

1. By deleting from section IX(I.I) the title of the map and inserting the following title:

"Water Resources Protection Districts, Town of Sudbury, Amended February 19, 1993", a copy of which is on file in the Office of Town Clerk, and by adding at the end thereof the following:

- a. the boundaries of Zone II and Zone II for the Raymond Road well field (wells 2, 4, 6, 7 and 9) and for the Pratt's Mill Road well field (wells 3 and 8);
- b. the boundaries of Zone II and Zone III around the Powder Mill Road well; and
- c. the boundaries of Zone II and Zone III around well 5, the Route 117 well;

2. By deleting the present portions of the map set forth in IX(I.I.1), and IX(I.I.2) and substituting therefor the appropriate portion of the map referred to in section 1 of this article;

or act on anything relative thereto.

Submitted by the Planning Board

The Moderator noted the vote required under Article 31 was a 2/3rds vote.

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Ursula Lyons, Planning Board member moved in the words of the article. The motion received a second.

As the Sudbury Water District recently had completed their delineations of several active wells, Article 31 called for the revision of the official Water Resource Protection District Map to incorporate the scientific boundaries of Zone 2 and Zone 3 around both the Raymond Road wellfield and the Pratts Mill Road wellfield. The main objective of the article was to further protect Sudbury's present and future water supply using a hydrogeological, rather than a default basis, so Sudbury can continue to rely on its groundwater without the need to provide expensive treatment or connect to the Massachusetts Resources Authority or MWRA water supply. The Sudbury Water District, having complied with DEP requirements, received approval for the revised delineations. The new zones now need to be incorporated into the town's bylaw. Ms. Lyons noted that as further delineations are scientifically established, the map will be updated accordingly.

Board of Selectmen Recommended approval.

Sudbury Water District R. Sheldon noted a further delineation of Well #5 would be completed soon and an additional updating of the map will be in order. He also noted that the Water District is entirely dependent upon many other people and agencies to protect the Town's water. When something occurs, such as an oil spill, the SWD feels powerless, such an incident could have been prevented with some type of a Town bylaw.

The motion was presented to the voters and the Moderator declared it was **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 32 WATER RESOURCES PROTECTION COMMITTEE

To see if the Town will vote to establish a Water Resources Protection Committee, as follows:

A. Composition

The Water Resources Protection Committee (WRPC) shall be composed of Sudbury residents who are not Town staff employees, but who may be members of any appointed or elected board or committee.

B. Purpose

1. The general purpose of the WRPC is to provide an opportunity for interested persons to work with and assist Town boards and committees in the implementation and improvement of Sudbury's Water Resources Protection Programs and procedures. It is intended that the committee will reduce Town costs and maintain the quality of life by preventing unnecessary contamination and deleterious impact, thereby avoiding the costs of contamination remediation and of additional water supply treatment facilities.
2. The primary purpose of the WRPC is to address issues affecting the integrity and use of Sudbury's present and potential future sources of water supply. In particular, the WRPC shall have the following duties:

a. Evaluate Policies and Procedures -

The WRPC shall monitor and evaluate the ability of the present and anticipated future federal, state, and local laws, regulations, policies and procedures to protect Sudbury's water resources.

b. Report to the Townspeople -

The WRPC shall prepare an annual report to the Townspeople, and an abstract containing both majority and any minority opinions for inclusion in the Annual Town Report, and may submit copies thereof to the public media.

c. Advise and Assist Town Boards

The WRPC may advise and assist Town boards and the Sudbury Water District by reviewing applications for Water Resource Protection District and Site Plan special permits, subdivision approval and other activities and projects potentially affecting the Town's water resources.

d. Advise on Procurement of Consultant Services

The WRPC may assist town boards by identifying water related issues in those matters referred to in c. above which should be the subject of technical assistance to the Town by an independent consultant. The WRPC may recommend items to be included in the consultant's scope of work; review and evaluate a prospective consultant's service proposal or qualifications; and review any reports prepared by the consultant.

e. Advise on Approvals and Permits

The WRPC may recommend conditions, requirements, or restrictions to be placed upon Water Resource Protection District or Site Plan special permits and subdivision approvals for projects potentially affecting the Town's water resources.

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f. Submit Proposals to Town Meeting

The WRPC may submit, for inclusion on a Town Meeting Warrant, articles or resolutions to improve the effectiveness of the Town's water resources protection capability or to authorize a petition to state or federal agencies or legislatures to enact or revise policies or procedures relative to water resources protection.

C. Appointment Procedures

1. The WRPC shall consist of ten (10) members, two (2) each to be appointed by the Selectmen, Planning Board, Board of Health, Conservation Commission and the Sudbury Water District (the appointing authorities). Each appointing authority shall designate one appointee as a regular, voting member and the other as an associate member. Associate members may vote in the absence of a regular member.
2. Regular and associate members shall be appointed for terms of two (2) years commencing on May 1.
3. No later than March 15 the Planning Board shall solicit applications for appointments to the WRPC by placing a notice in at least two (2) local newspapers. The notice should summarize the purposes of the WRPC, identify the appointing authorities and indicate where further information and applications may be obtained.
4. Each appointing authority shall notify the Planning Board and the Selectmen of its appointees, in writing.

D. Organization

1. The WRPC shall elect a Chairman and Vice Chairman, or two (2) Co-Chairmen, and a Clerk.
2. The appointing authorities shall provide the WRPC with a meeting place, and administrative support. If necessary, the appointing authorities may submit an appropriation request to the Town meeting to fund the provision of such support.

E. Meetings

The WRPC shall meet at least quarterly to evaluate and review the effectiveness of water resources protection policies and procedures, and to prepare a report to the Townspeople. The WRPC may hold additional meetings to address the other tasks within its purview.

or act on anything relative thereto.

Submitted by the Planning Board

L. Meixsell of the Planning Board moved to refer Article 32 to the Planning Board and the Water District for further study. The motion received a second.

Explanation for the motion was the Article had not received strong support from the Board of Selectmen or the Finance Committee. Therefore, it was anticipated it would be advisable to have the SWD rather than the Town sponsor the joint committee, as it is important that the SWD and Town Boards cooperate with one another.

Board of Selectmen - Recommended approval of motion to refer.

Finance Committee - Recommended approval of motion to refer.

The motion to refer under Article 32 was presented to the voters and was **VOTED** by a hand vote.

APRIL 27, 1993

ARTICLE 33 RESOLUTION: ACCURATE AIDS PREVENTION MODEL AT
LINCOLN-SUDBURY REGIONAL HIGH SCHOOL

To see if the Town will vote to pass a resolution that Lincoln-Sudbury Regional High School discontinue condom availability on the campus, and develop instruction that will accurately promote safe sex by teaching students the skills necessary to postpone or discontinue sexual involvement and to understand such issues as character evaluation, developing sound relationships, self-empowerment, and setting personal goals; as stated in Massachusetts General Law Chapter 71, section 30, or act on anything relative thereto.

Submitted by Petition

A point of order was called before Julie Miller of Dutton Road, the presenter, began, stating Town Meeting had no lawful authority to pass bylaws which would impact on the management of the Schools and which would speak to matters which are entrusted to the School Committee. The point of order was overruled, reason being the proposed three resolutions were non-binding resolutions not proposed bylaws.

Ms. Miller *moved in the words of the Resolution of Article 33*. The Moderator then read the full wording of the Resolution which received a second.

Board of Selectmen - No position on Article 33.

Lincoln-Sudbury Regional High School - Urged defeat of Article 33.

Many people spoke both in support and in defeat of the Article of Resolution. [The full text of the discussion under Articles 33 - 35 are available at the Town Clerk's office.] There was a motion to move the question. The Moderator declared there was a clear 2/3rds vote and debate under Article 33 was terminated.

The motion under Resolution Article 33 was presented to the voters and was defeated by a hand vote.

APRIL 27, 1993

ARTICLE 34 RESOLUTION: APPROPRIATE COUNSELING OF STUDENTS
AT LINCOLN-SUDBURY REGIONAL HIGH SCHOOL

To see if the Town of Sudbury will vote to pass a resolution that the regional high school faculty, outside advisors, counselors, or guest speakers not actively teach or promote through the use of classroom materials student romantic same-sex relationships or encourage the same via counseling or by referral to gay, lesbian or bisexual individuals or organizations. Be it further resolved that no teacher, counselor, advisor, or speaker label or identify students as having other than heterosexual orientation, or counsel students extensively in areas of sexual orientation, clinical depression, or suicidal thoughts without written prior consent of a parent or guardian; or act on anything relative thereto.

Submitted by Petition

J. Miller of Dutton Road moved in the words of the Article as in the Warrant. The Moderator then read the full resolution to the voters. The motion received a second.

Following a rather lengthy and scientific presentation and explanation for Article 34, there was a request to move the question, which the Moderator accepted. The motion was presented to the voters and the Moderator declared there was a clear 2/3rds vote, therefore debate was terminated.

The motion under Article 34 was presented to the voters and was defeated by a hand vote.

APRIL 27, 1993

ARTICLE 35 RESOLUTION: APPROPRIATE EDUCATIONAL MATERIALS AT
LINCOLN-SUDBURY REGIONAL HIGH SCHOOL

To see if the Town will vote to pass a resolution that since sexual activity outside a faithful monogamous relationship involves multiple risks with or without a condom the regional high school will install a policy that prohibits the use of graphic sexual teaching materials or descriptions of explicit sexual behaviors in any classroom, assembly, or by any counselor or guest speaker on campus. Furthermore, be it resolved that no student be instructed to be, assumed to be for instructional purposes, or otherwise encouraged to be sexually active during the high school years, unless legally married; or act on anything relative thereto.

Submitted by Petition.

Ms. Miller *moved in the words of the Article*. The Moderator read the full text of the Resolution. The motion received a second.

After Ms. Miller's presentation, the motion was presented to the voters and was defeated by a hand vote.

Following, Mr. H. Sorett asked for a point of order to present a motion to advance Articles 36 - 50 for the purpose of simultaneous debate and referral of the same to the Board of Selectmen for study. The Moderator stated the articles were not treatable as a group, and denied the point of order.

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ARTICLE 36 SPECIAL ACT: GRUBER CONSERVATION RESTRICTION

To see if the Town will vote to petition the General Court to pass legislation enabling the release of a certain portion of a Conservation Restriction not exceeding 4,767 square feet, in exchange for a grant of a Conservation Restriction on other land, not exceeding 4,767 square feet; such petition to be submitted as follows:

"An Act to Amend a Certain Conservation Restriction. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

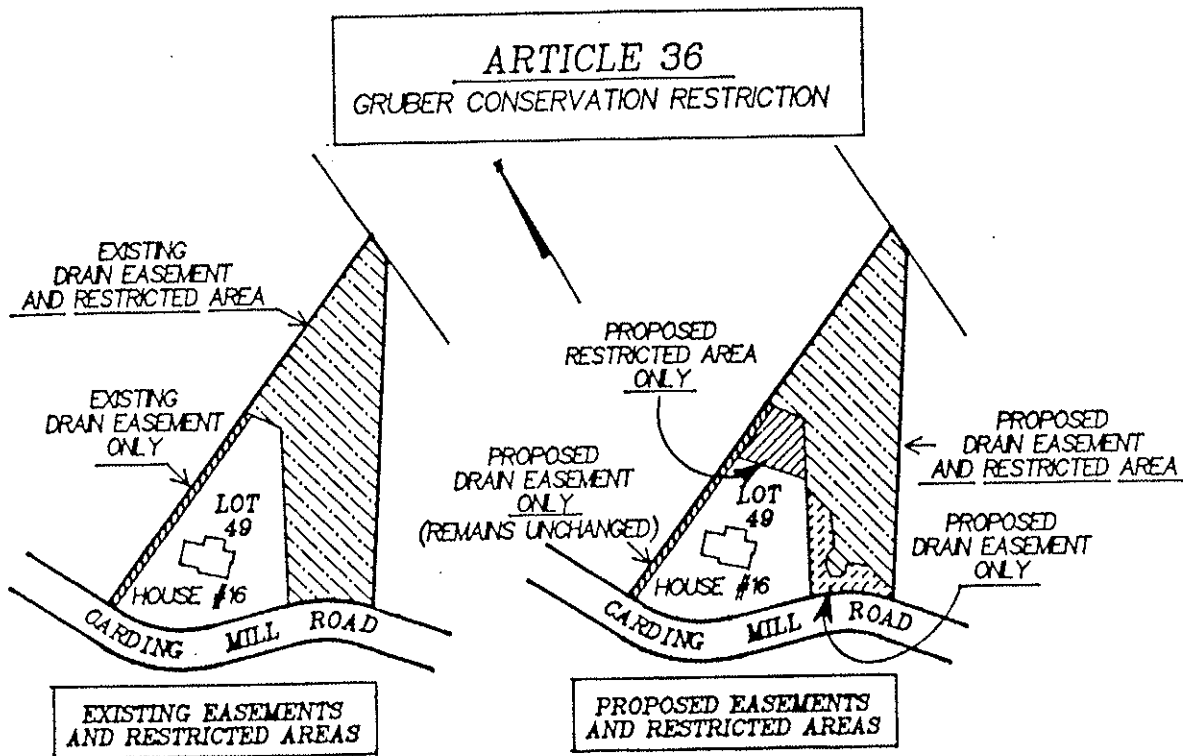
Section I. The Town of Sudbury, acting by its Board of Selectmen, is hereby authorized to release a certain parcel of LAND subject to the Conservation Restriction granted to the Town of Sudbury by Arden B. MacNeill, on June 13, 1984, and recorded at Middlesex South Registry of Deeds, Book 17249, Page 611, from said restriction. The parcel of land to be released is shown as Parcel "A" on a plan entitled "Easement Plan", dated January 27, 1993 by Schofield Brothers of New England, to be recorded with the Middlesex South District Registry of Deeds.

In consideration for the release of said Conservation Restriction, David Gruber and Joann Gruber, owners of said parcel of land, shall grant to the Town of Sudbury, a conservation restriction on the land shown as Parcel "B" on said plan.

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

or act on anything relative thereto.

Submitted by Petition



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Mrs. Gruber of Carding Mill Road moved *in the words of the Article*. The motion received a second.

The purpose of Article 36 was to release a portion of a Conservation Restriction on the Gruber property in exchange for a grant of a Conservation Restriction on another portion of their land. The original restriction area was not noted on the original plan and has since been altered and landscaped.

Board of Selectmen - Recommended support.

Conservation Commission - Recommended support.

The motion under Article 36 was presented to the voters and was **UNANIMOUSLY VOTED** by a hand vote.

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ARTICLE 37 STABILIZATION FUND ADDITION

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, to be added to the Stabilization Fund established under Article 12 of the October 7, 1982 Special Town Meeting, pursuant to Massachusetts General Laws Chapter 40, Section 5B; or act on anything relative thereto.

Submitted by Petition on behalf of the Finance Committee

J. Haughey, Chairman of the Finance Committee moved to Indefinitely Postpone Article 37. The motion received a second.

Explanation for the motion was that there was no money at this time to place in the Fund.

The motion under Article 37 was placed before the voters and it was **VOTED**.

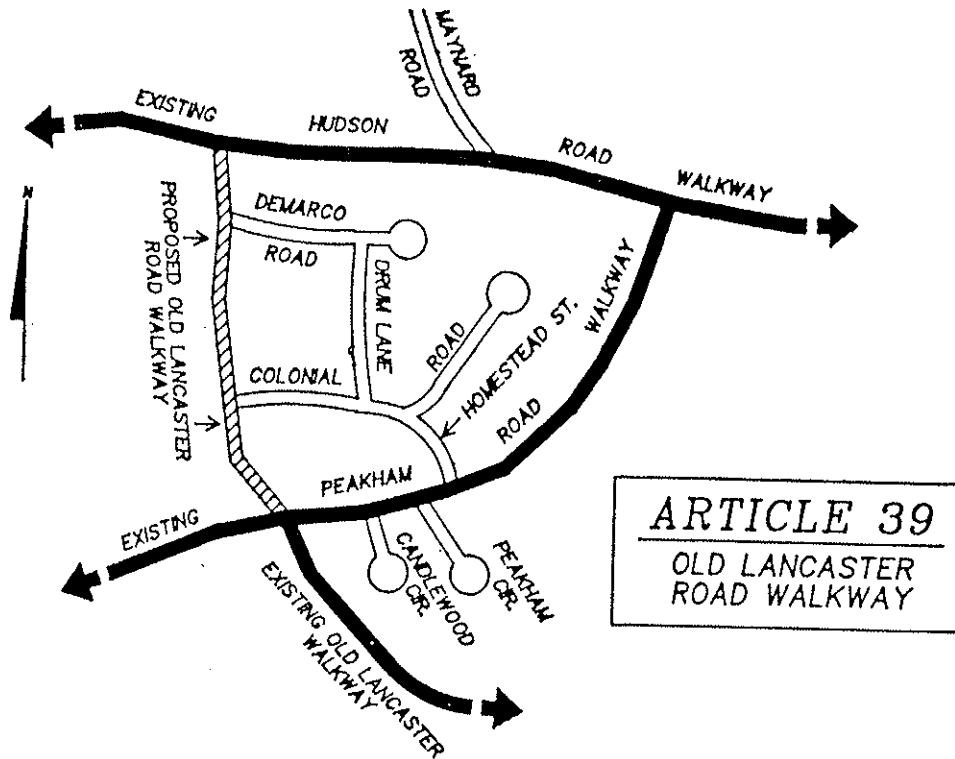
ARTICLE 38 WITHDRAWN

APRIL 27, 1993

ARTICLE 39 OLD LANCASTER ROAD WALKWAY

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$91,200, or any other sum, for the construction of a walkway, with such funds to be expended for construction, as necessary, under the direction of the Highway Surveyor for a walkway (approximately 3,000 feet) along Old Lancaster Road from Peakham Road to Hudson Road; or act on anything relative thereto.

Submitted by Petition



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Before the motion was presented under the Article, a voter inquired if a motion to adjourn would be accepted because of the hour and the fact walkway articles are usually a source of considerable debate. The Moderator left the decision up to the presenter, R. Wilsack of Old Lancaster Road, who decided to go forward with the Article.

He moved to appropriate the sum of \$49,000 to be expended under the direction of the Highway Surveyor for the construction of a walkway along Old Lancaster Road from Peakham Road to Hudson Road, said appropriation to be contingent upon approval of Proposition 2-1/2, capital expenditure exclusion of set appropriation in accordance with Massachusetts General Laws, Chapter 59, section 29C. The motion received a second.

Mr. Wilsack stated the prime motivation for the walkway is safety for all residents of all ages, especially since Old Lancaster Road has become a major cut through at commuter time, and the intersection of Old Lancaster and Peakham Road has the second highest vehicle accident rate in town.

Board of Selectmen - Recommended approval despite the lack of funds.

Finance Committee - The walkway program for the town has been tabled or delayed and deferred due to inadequate additional sources of funds within the operating budgets. Additionally, there has not been a desire to provide exclusions of capital or debt to fund the walkways. Therefore the FinCom suggested the question of walkways be studied in depth because of the major change that has occurred in the School's busing policy. A holistic rather than a piecemeal approach would be more constructive and should be taken. Defeat of Article 39 was recommended.

Planning Board - Recommended approval.

Conservation Commission - There being a wetland issue with the recommended walkway, and an outside chance the Conservation Commission may not grant a permit, it was suggested that issues should be worked out first with the Town Engineer and bring the Article back to a later town meeting.

The motion under Article 39 was presented to the voters. As the hand vote appeared close, the Moderator asked for a standing vote, whereupon he declared the motion **PASSED**. Seven voters requested a counted vote.

The counted vote was as follows: YES: 87 NO: 59 TOTAL: 146

The Moderator declared the motion under Article 39 **PASSED**.

It being after 10:30 p.m., the Moderator declared the meeting adjourned to tomorrow evening at 7:30 p.m. The Meeting was adjourned at 10:50 p.m.

Attendance: 362

ADJOURNED ANNUAL TOWN MEETING

APRIL 28, 1993

The Moderator called the eighth and final meeting of the 1993 Annual Town Meeting to order at 7:56 p.m. as a quorum was present. It was announced the Town Clerk had received a petition requesting reconsideration of the action that took place the previous night on Article 39. The Moderator noted the reconsideration would be brought up as the last order of business tonight, assuming the warrant is completed. Otherwise, it would be the first order of business at the next session of Town Meeting.

ARTICLE 40 JOINT FIRE/POLICE 911 DISPATCHING

To see if the Town will vote to request (not require) that by June 30, 1993, the Selectmen working with the Fire and Police Chiefs establish a joint Police/Fire 911 Dispatching Center for Sudbury and thereby improve service, improve productivity and use the resultant savings to enable the North Sudbury Fire Station to remain continuously open, or act on anything relative thereto.

Submitted by Petition

Article 40 was **PASSED OVER**.

ARTICLE 41A AMEND BYLAWS, ART. I, TOWN MEETING - COLLECTIVE BARGAINING

To see if the Town will vote to amend Article I of the Town of Sudbury Bylaws - Town Meetings, by adding a new section 5, as follows:

"5. The appropriation necessary to fund cost items included in each new Employee Collective Bargaining Agreement shall be presented to Town Meeting as a separate Article requiring approval of Town Meeting. Each such Article shall explicitly state that 'if Town Meeting duly rejects the appropriation necessary to fund the cost items, such cost items shall be returned to the parties for further bargaining in accordance with the provisions of MGL Chapter 150E, Section 7' when applicable.";

or act on anything relative thereto.

Submitted by Petition

R. Tyler of Deacon Lane, the petitioner, *moved in the words of the article*. The motion received a second.

Mr. Tyler explained the reason for Article 41A is the rapidly escalating taxes combined with drastic cuts in service, which can be directly traced to decentralized contract negotiations, negotiated behind closed doors without meaningful Town Meeting or taxpayer input. The process has resulted in salary and benefits costs which have increased far more rapidly than inflation while Town Meeting has only been presented with the resultant choice of raising taxes and/or slashing services. Article 41A insures Town Meeting is provided the explicit opportunity, permitted by Massachusetts Law, to give adequate consideration and make the final judgements as to the acceptability of the financial provisions of each new collective bargaining agreement. The mechanism would

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enable Town Meeting to make the appropriate tradeoffs between slashing services, maintaining services, restoring services, raising taxes or raising compensation through its power to reject the appropriation and force renegotiation when contract provisions are clearly out of line.

Finance Committee - Recommended disapproval for several reasons. The recommendations of Mr. Tyler would impact the five town unions. Should a separate article be created for each of the five unions' contracts, this would necessitate at least six budget articles at every Town Meeting when contracts come up. It was the view of the FinCom that the requested appropriation of fund items by Mr. Tyler was already available in the budgets themselves via the line items for the salaries. Therefore nothing new would be achieved except more complexity of the issue.

Board of Selectmen - Recommended disapproval. Mr. Blacker referred to Mr. Tyler's request as bringing micro-management to Sudbury by having Town Meeting in on every decision to be made. Consequently nothing would ever get done.

The motion was placed before the voters, and it was defeated by a hand vote.

ARTICLE 41B HOME RULE PETITION - COLLECTIVE BARGAINING

To see if the Town will vote to have the Selectmen petition the Massachusetts General Court to change the provisions of MGL Chapter 150E, Section 7, Paragraph b, as they apply to Sudbury as follows:

- "A. Add the word 'incremental' before the words 'cost items' throughout the paragraph.
- B. Delete the last sentence which exempts agreements reached by school committees.";

or act on anything relative thereto.

Submitted by Petition

R. Tyler of Deacon Lane, the petitioner, moved in the words of Article 41B. The motion received a second.

Mr. Tyler explained the purpose of the motion under Article 41B was to petition the State Legislature so Sudbury's Town Meeting could more effectively manage its budget by:

1. Enabling town meeting to vote a budget appropriation which does not fund incremental cost increases in a new collective bargaining agreement. Approval of a separate appropriation for the cost increases associated with the new contract would be necessary before the new collective bargaining agreement become effective. Failure to approve the incremental cost items would force renegotiation of unacceptable increased cost provisions.
2. Enabling town meeting to exercise the same control over collective bargaining agreements negotiated by school committees by providing a means to reopen negotiations for agreements town meeting finds clearly out of line.

Board of Selectmen - Recommended disapproval of Article 41B.

Finance Committee - Recommended disapproval of Article 41B.

The motion under Article 41B was defeated by a hand vote.

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ARTICLE 42 - AMEND BYLAWS, ARTICLE IV.7, 8 & 9 - FINANCE COMMITTEE

To see if the Town will vote to amend Article IV, the Town Bylaws, by adding the following sections to establish a formal role for the Finance Committee with respect to Employee Collective Bargaining Negotiations as follows:

"Section 7. Prior to the conclusion, and preferably before the start of Collective Bargaining Negotiations where the resultant financial provisions (cost items) of the Agreement are funded by appropriation of the Sudbury Town Meeting, the Finance Committee shall recommend a maximum increase in the 'cost items' for each year of the proposed contract based on their perspective of Sudbury's overall budget priorities and resources. The Finance Committee shall encourage the affected department, including the School Committee and LSRHS School Committee to meet with them in Executive Session to exchange information and perspectives on the upcoming negotiations.

Section 8. The Finance Committee shall utilize the maximum 'cost item' recommendations, developed in Section 7, in preparing the budget recommendations required in section 5 for the duration of these contracts and shall not include any amounts necessitated by negotiated increases which exceed these recommended maximums in their recommended budget unless such excess is identified as a separate line item in the budget and fully explained in their Warrant report.

Section 9. The Finance Committee shall report at Town Meeting on the appropriation necessary to fund the 'cost items' contained in each new collective bargaining agreement. This Report shall include specific reference to whether the negotiated Agreement was consistent with its recommendation described in section 7 and the impact approval of the appropriation (and thereby approval of the Agreement) will have on Sudbury's Budget and Services over the life of the Agreement.";

or act on anything relative thereto.

Submitted by Petition

The petitioner, R. Tyler of Deacon Lane, *moved in the words of the article.* The motion received a second.

Before discussion took place on this article, the Moderator requested the opinion of Paul Kenny, Town Counsel, as to the validity of the Article under consideration.

Mr. Kenny opined, "It is my opinion that if this article were passed at Town Meeting, section 7 and section 8 would not be valid amendments to the Bylaw but section 9 would be." Reason for this opinion was given as follows: "The General Laws of the Commonwealth provide that the Finance Committee is appointed to make recommendations to the Town Meeting. They are not appointed to make recommendations to other boards or committees and their initiation into the negotiation process would also put them in a conflict position with respect to the labor laws in that they may be forced if they are participating in the negotiating process to support something that they may want to recommend against at the Town Meeting. So the answer is two fold. One is that the Finance Committee is established to recommend to Town Meeting not to other boards and committees. Even though they may set parameters in their deliberations, they are not required to do so. Secondly, sections 7 & 8 would put them in the negotiating process which would be against their charge under the law."

Thereupon the Moderator informed the petitioner the motion under Article 42 would not be permitted to go forward in the form presented. He would accept it if it were amended to include only the material printed in section 9. Otherwise, the motion would have to be ruled "out-of-order."

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Mr. Tyler commented these three Articles had been reviewed by Town Counsel before they were finalized for the Warrant, and he was disappointed that this was the first time an opinion had been delivered by Town Counsel that there was a problem. Whereupon he decided he would amend the motion to include just section 9. After further consideration, it was the decision of the petitioner to **Withdraw** the motion and no further motion being made, the Article was **PASSED OVER**.

ARTICLE 43A REQUEST SELECTMEN TO EXCESS UNISYS LAND

To see if the Town will vote to request (not require) the Selectmen to vote that the recently acquired Unisys property is no longer required by the Selectmen to pave the way for transfer to the Park and Recreation Commission and the establishment of a Town Beach and Recreation Area in conjunction with the Town of Concord, or act on anything relative thereto.

Submitted by Petition

R. Tyler, the petitioner, moved in the words of the resolution: *Be it resolved that the Town Meeting assembled request the Selectmen to vote that the recently acquired Unisys property is no longer required by the Selectmen to pave the way for transfer to the Park and Recreation Commission and the establishment of a Town beach and recreation area in conjunction with the Town of Concord.* The motion for the resolution received a second.

Mr. Tyler's explanation for Article 43A was to request the Selectmen to formally vote to excess the land so it may be transferred to Park and Recreation, to assure the Townspeople this land will be reserved for years to come for recreation.

Board of Selectmen (J. Drobinski) It was the board's view to excess the property in question at this time would tie the Town's hands and limit its options to do something creative in the future. Once land has been transferred to Park & Recreation, it was Mr. Drobinski's understanding, it would require an act of the State Legislature to get the property back should the Town so desire. Therefore, the Board did not support the motion under Article 43A.

Finance Committee - The Committee had no position on Article 43A.

Conservation Commission - The Commission believed it was in the best interests of the Town and the long term management of the property to retain it for the present time under the management of the Board of Selectmen.

Planning Board - (J. Rhome) The Board unanimously was not in support of Article 43A for basically the same reason expressed by Selectman Drobinski, that once land is transferred to the Park and Recreation Commission it is placed beyond the Town's control. It was Mr. Rhome's opinion that the passing of land to Park and Recreation should not be done as a first step as other options need to be explored first.

Paul Kenny, Town Counsel, provided the following information for the purpose of clarification: As to easements having been negotiated between Concord and Sudbury for access to the Concord portion of the Unisys land, it was explained there were reciprocal easements so Concord could access their property and Sudbury could also access the Concord property. As for White Pond, Mr. Kenny stated it was essentially a "kettle hole", in that it does not replenish itself and Concord had determined if it was used extensively for swimming, it would deteriorate very quickly. Therefore they were not allowing anyone to use it, as it would be environmentally improper to allow it to be used for swimming.

Park & Recreation Commission - P. Burkhardt, speaking for the Commission supported the work of the Selectmen and the Conservation Commission and stated Park & Rec did not especially wish to have the land in question referred to it.

The motion under Article 43A was presented to the voters and was **defeated** by a hand vote.

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ARTICLE 43B TRANSFER FORMER UNISYS LAND TO PARK AND RECREATION

To see if the Town will vote to transfer the recently acquired Unisys property to the Park and Recreation Commission, and vote to have the Town Park and Recreation Commission in conjunction with the Selectman plan the establishment of a Town Beach and Recreation Area in conjunction with the Town of Concord, or act on anything relative thereto.

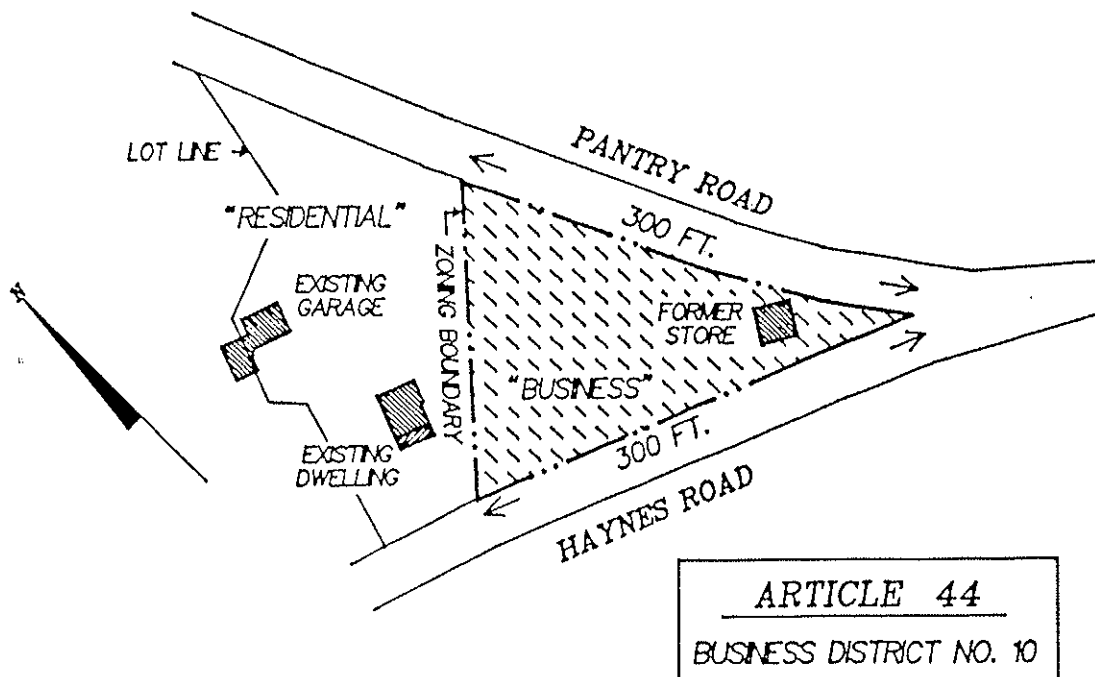
Submitted by Petition

With the failure of Article 43A, Article 43B was **PASSED OVER**.

ARTICLE 44 AMEND ZONING BYLAW - REZONE BUSINESS DISTRICT 10 TO RESIDENTIAL A-1

To see if the Town will vote to Amend the Zoning Bylaws by Deleting "Business District No. 10" at the intersection of Pantry and Haynes Roads and thereby cause the land to revert to its underlying Residential Zoning, or act on anything relative thereto.

Submitted by Petition



R. Tyler, the petitioner, moved in the words of the article. The motion received a second.

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The petitioner explained that retaining the intersection of Haynes and Pantry Roads as a Business District is no longer appropriate. It has remained unused for the past several decades. Traffic and limited parking in the district would make operation of a business undesirable. By deleting the Business District the land would revert to residential zoning.

Board of Selectmen (J. Cope) The Board of Selectmen supported the motion under Article 44, noting the parcel in question is the only business zoned property in a residential neighborhood in the town, which has been traditionally opposed to spot zoning.

Planning Board J. Rhome of the Planning Board *moved the issue under discussion be referred to the Planning Board for study, and that Board report thereon at the next Annual Town Meeting.* The motion to refer received a second.

Before any discussion took place on the motion to refer, the Moderator explained there was a procedural distinction between motions to refer and to defeat/postpone a zoning article. If referred back, an article can be brought back the following year freely. If the article is defeated or indefinitely postponed, it may not be brought back for two years except with a favorable report from the Planning Board.

The Planning Board agreed it had not given Article 44 sufficient consideration as there were many factors involved that needed to be addressed.

G. Hamm of Mossman Road inquired as to the term "revert" in this situation as he didn't believe the land was ever "residential". The Bowkers came in 1913 and the land has been used for business since 1913 when there was no zoning regulations.

Asked if the owners may use the land as it is presently zoned during the period the Planning Board studies the Article, Town Counsel, Paul Kenny, opined "Yes".

The motion to refer was presented to the voters and was defeated by a hand vote.

Barbara Reid of Fairbank Circle *moved to Indefinitely Postpone Article 44.* The motion received a second.

Explanation for the motion was that the original main motion of the petitioner was based upon insufficient, erroneous information concerning 1) no business having been conducted there for several years; 2) adverse effects on the environment in the area; and 3) traffic problems which would result due to insufficient parking. It was noted that the building and property in question have been in constant business use for several decades; there has been no adverse effects on the environment in the area--nor would the owner permit anything adverse to effect the area in which he lives; the traffic pattern has not been affected by the present business operations nor will it be affected by future endeavors--parking has not and will not become a problem. Ms. Reid then quoted a statement made at the 1983 Annual Town Meeting on rezoning, attributed to Russell P. Kirby, then a Planning Board member, ".....before anyone brings another article before Town Meeting to rezone a piece of property, they should present to the Town Meeting a financial impact study stating exactly what it is going to cost the owner of the property. When there is a change in someone's benefits, there is a corresponding loser. I think this is the aspect of rezoning that is totally ignored." Ms. Reid also quoted R. Hawes, another Planning Board member at that time, who stated, "When we found there was an active plan or a strong feeling on the part of the owners, we redrew that portion of the article and said 'Let's leave it the way it is.' We don't want to change against the wishes of the owners."

Following, the owner of the property, George Sharkey, addressed the Hall stating he had not been notified of the action under discussion, until he read of it in the Town Warrant. He urged the voters to allow him to continue to keep his property as it is zoned and use it as he has without any negative impact on the neighborhood for all the many years of his ownership.

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There was a motion to move the question. The Moderator declared there was a clear 2/3rds vote and debate on Article 44 ended.

The motion to Indefinitely Postpone Article 44 was placed before the voters and was **VOTED** by a hand vote. Article 44 was **INDEFINITELY POSTPONED**.

ARTICLE 45 AMEND BYLAWS, ART. 1.2 - START OF ANNUAL TOWN MEETING

To see if the Town will vote to amend Article 1, Section 2 of the Town of Sudbury Bylaws by inserting after the first sentence the following:

"The Selectmen, after a Public Hearing, may delay the start of the Annual Town Meeting for up to 7 days provided that they act no later than the January 31 preceding.";

or act on anything relative thereto.

Submitted by Petition

R. Tyler, the Petitioner, moved in the words of the article. The motion received a second.

It was explained the proposed amendment was designed to enable the Selectmen to vary the start of Town Meeting to accommodate conflicts created by a rigid First Monday of April start.

Board of Selectmen - (L. Blacker) The Board, needing more time to consider the proposed amendment, did not lend its support to Article 45.

Finance Committee - The Committee took no position on Article 45.

The motion was presented to the voters and it was **VOTED** by a hand vote.

APRIL 28, 1993

ARTICLE 46 AMEND BYLAWS, ART. VIII.2 - PLANNING BOARD ASSOCIATES

To see if the Town will vote to add a new section 2 to Article VIII of the Town of Sudbury Bylaws to read as follows:

"The Selectmen, with the advice of the Planning Board, shall appoint up to three Associate Members to the Planning Board, each for a term of one year. Associate Members shall serve only when the Planning Board is exercising its responsibilities as a "Special Permit Granting Authority";

Submitted by Petition

R. Tyler, the petitioner, *moved* that the town vote to add a new section to Article VIII of the Town of Sudbury Bylaws to read as follows: "The Selectmen, with the advice of the Planning Board, may appoint one Associate Member to the Planning Board for a term of up to one year. The Associate Member shall serve only when the Planning Board is exercising its responsibilities as a "Special Permit Granting Authority" and shall only be entitled to vote when one or more members of the Planning Board are unable to vote." The motion received a second.

Mr. Tyler reported that since the Planning Board has become a Special Permit Granting Authority, it needs Associate Members just as the Board of Appeals currently has Associate Members. By using Associate Members during Special Permit proceedings, Sudbury is insured that, even when there are conflicts, absences, or unexpected sicknesses, the Planning Board will have at least five persons who have attended all proceedings, public hearings and are capable of voting on the Special Permit application. Planning Boards are increasingly becoming Special Permit Granting Authorities. Sudbury's Planning Board grants permits for Water Resource Protection Districts, and Wastewater Treatment and someday they hope to have Incentive Development Special Permit Authority.

Board of Selectmen (L. Blacker) Recommended approval.

Finance Committee - The Committee took no position on Article 46.

Planning Board (J. Rhome) The Board opposed Article 46 as it was not necessary, especially since there has been only one Special Permit application filed in the last three years. Secondly, the Planning Board does not operate on the same time table as does the Board of Appeals, in that different aspects of different cases are discussed at various meetings, sometimes throughout a year, while the Board of Appeals hears a case and it is over and done with. Consequently, it would be most inconvenient for whoever was named an Associate. Lastly, it appeared to the Board there were defects in the motion itself, in that it states the Selectmen would appoint an Associate with the advice of the Planning Board. The Planning Board is opposed to the "advice of the Planning Board", as the Selectmen could appoint anyone, no matter whom the Planning Board recommended. Additionally, the Planning Board was not consulted about Article 46.

The motion under Article 46 was presented to the voters but the Moderator uncertain of the hand vote, asked for a standing vote. The Moderator believed the motion carried, but inquired if seven voters wished a counted vote. A counted vote was taken. The vote was as follows:

YES: 56

NO: 57

TOTAL: 113

The motion under Article 46 was defeated by a counted vote.

APRIL 28, 1993

ARTICLE 47 INDUSTRIAL DEVELOPMENT COMMISSION

To see if the Town will either vote to disband the Industrial Development Commission or request that the Selectmen appoint an active Industrial Development Commission, establish its mission, and provide periodic reporting to the Town on its progress and accomplishments, or act on anything relative thereto.

Submitted by Petition

R. Tyler, the Petitioner, moved that the Town disband the Industrial Development Commission. The motion received a second.

Mr. Tyler explained the Industrial Development Commission has been inactive for many years. Article 47 would provide the Selectmen and/or current members of the Industrial Development Commission an opportunity to communicate their role and goals. Passage of a motion under the Article would either formally disband or revitalize this inactive Commission.

Joseph Dudrick, Chairman of the Industrial Development Commission moved for Indefinite Postponement of Article 47. Mr. Dudrick stated the Commission exists at the request of the Selectmen to meet the needs of the Selectmen and it takes direction from the Selectmen. Therefore, he believed it was unnecessary to debate the role of the Commission at this time and that Indefinite Postponement would be appropriate.

Board of Selectmen (J. Cope) Recommended Indefinite Postponement.

The motion to Indefinitely Postpone was presented to the voters and was **VOTED** by a hand vote..

ARTICLE 48 RESOLUTION: SUDBURY VILLAGE

To ask the Planning Board to discuss their "Sudbury Village Concept" and/or other planned changes to Route 20 Zoning and then see if the Town will vote a Resolution which either endorses, modifies or rejects their proposals and directs the Town Planner to prepare appropriate rezoning recommendations for presentation at the Fall 1993 Special Town Meeting, or act on anything relative thereto.

Submitted by Petition

PASSED OVER

APRIL 28, 1993

ARTICLE 49 RESOLUTION: RT. 20 TRAFFIC IMPROVEMENTS

To ask the Planning Board, Traffic Management Committee and Town Engineer to discuss their "Route 20 Traffic Improvement/Management/Mitigation Plans" and then see if the Town will vote a Resolution which either endorses, modifies or rejects their proposals and directs the Town Engineer working with the Selectmen and Planning Board to develop appropriate implementation plans for presentation at the Fall 1993 Special Town Meeting, or act on anything relative thereto.

Submitted by Petition

PASSED OVER

ARTICLE 50 RESOLUTION: RT. 117 INTERSECTION IMPROVEMENTS

To ask the Traffic Management Committee, Town Engineer and Highway Surveyor to discuss Route 117 intersection improvements and then see if the Town will vote a Resolution which either endorses, modifies or rejects their proposals and directs the Town Engineer working with the Selectmen and Highway Surveyor to develop appropriate implementation plans for presentation at the Fall 1993 Special Town Meeting, or act on anything relative thereto.

Submitted by Petition

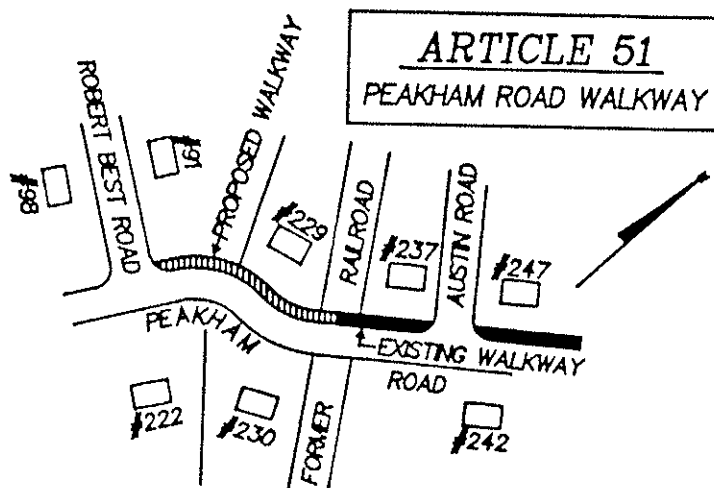
PASSED OVER

APRIL 28, 1993

ARTICLE 51 PEAKHAM ROAD WALKWAY

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$9,180, or any other sum, for the engineering, and construction of a walkway, with such funds to be expended for construction, as necessary, under the direction of the Highway Surveyor for a walkway approximately 485 feet along Peakham Road from the railroad tracks to Robert Best Road; or act on anything relative thereto.

Submitted by Petition



G. Heerwagen of Robert Best Road, the petitioner, moved to appropriate the sum of \$9,180 to be expended under the direction of the Highway Surveyor for the engineering and construction of a walkway along Peakham Road from the railroad tracks to Robert Best Road, said sum to be raised by transfer from Free Cash. The motion received a second.

APRIL 28, 1993

The petitioner reported that Peakham Road between Austin and Robert Best Roads has a very dangerous curve. It has an obstructed view plus no shoulder on one side. Most cars do not go the speed limit and many accidents have been reported at this spot. Many people walk the stretch, including students from Curtis, making driving and walking even more hazardous. If this small distance had a sidewalk it would greatly improve the safety of that portion of the roadway.

Board of Selectmen (J. Drobinski) The Board recommended approval of Article 51.

Finance Committee (K. Palmer and J. Haughey) Disapproved of Article 51 due to insufficient funds at this time.

Planning Board (R. Brooks) The Committee recommended approval of the walkway but was concerned about the method of funding--Free Cash, and preferred that the monies come from within the budget.

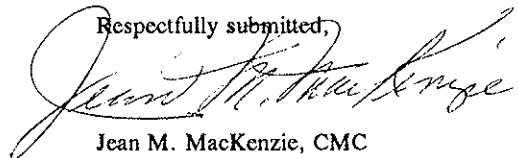
Long Range Planning Committee - Disapproved of Article 51.

The motion under Article 51 was presented to the voters and it was **VOTED** by a hand vote.

This concluding the Annual Town Warrant, the Moderator directed the Hall's attention to the petition to reconsider Article 39. The moderator asked to have the motion to reconsider Article 39 presented. As no one came forth with such a motion, the Moderator asked then for a motion to dissolve the Annual Town Meeting.

Mr. R. Thompson **SO MOVED**, it was seconded and **UNANIMOUSLY VOTED**. The meeting was dissolved at 11:48 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jean M. MacKenzie".

Jean M. MacKenzie, CMC
Town Clerk

Attendance: 152

TOWN COUNSEL OPINIONS

It is the opinion of Town counsel that, if the Bylaw amendments proposed in the following articles in the Warrant for the 1993 Annual Town Meeting are properly moved, seconded and adopted by a majority vote in favor of the motion, the proposed changes will become valid amendments to the Sudbury Bylaws:

Art. 2	Amend Art. XI	Personnel Classification and Salary Plan
Art. 3	Amend Art. XI.7(2)	Personnel Administration Plan
Art. 4	Amend Art. XI.9A	Personnel Administration Plan
Art. 5	Amend Art. XI.9	Personnel Administration Plan
Art. 41A	Amend Art. 1	Town Meeting - Collective Bargaining
Art. 45	Amend Art. 1.2	Start of Annual Town Meeting

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in the following articles in the Warrant for the 1993 Annual Town Meeting 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:

Art. 21	Amend Art. IX.VI.A	Administration/Enforcement
Art. 22	Amend Art. IX.I.D.4	Single and Two-Family Residential Structures
Art. 23	Amend Art. IX.II.C	Delete Portion of Business District 12
Art. 24	Amend Art. IX.II.C	Add to Business District 12
Art. 28	Amend Art. IX.IV.E	Incentive Development
Art. 29	Amend Art. IX.V.D	Signs and Advertising Signs
Art. 30	Amend Art. IX.III.G	Water Resource Protection Districts
Art. 31	Amend Art. IX.I.I	Revise Water Resource Protection Districts Map
Art. 44	Amend Zoning Bylaw	Rezone Business District 10 to Residential A-1

SPECIAL TOWN MEETING

PROCEEDINGS

SEPTEMBER 27, 1993

A quorum being present, the meeting was called to order at 7:38 p.m. by Thomas Dignan, the moderator, at the Lincoln-Sudbury Regional High School Auditorium. Reverend Michael J. Doyle, of Our Lady of Fatima Roman Catholic Church delivered the invocation and Richard Thompson led the Hall in the Pledge of Allegiance to the Flag.

Judith Cope, Chairman of the Board of Selectmen *moved to dispense with the reading of the Call of the Meeting, the Officer's Return of Service, and the reading of the individual articles.* The motion received a second and was **VOTED**.

The Board of Selectmen and the Finance Committee had no opening statements or reports.

ARTICLE 1 FY94 BUDGET ADJUSTMENT - SCHOOLS

To see if the Town will vote to amend the vote taken under Article 10 of the 1993 Annual Town Meeting by adding to Account 100 Education, Sudbury Public Schools, FY94 Operating Budget, the sum of \$282,135, or any other sum, for School Department expense; and to determine whether said sum shall be raised by transfer from available funds or otherwise; or act on anything relative thereto.

Submitted by the Sudbury School Committee

Henry DeRusha, Superintendent of the Sudbury Public Schools, *moved to amend the vote taken under Article 10 of the 1993 Annual Town Meeting by adding the sum of \$282,135 to Account 100 Education, Sudbury Public Schools, FY94 Operating Budget, for school department expense.*

The motion received a second.

It was reported that as a result of the 1993 Commonwealth of Mass. Education Reform Act, a "Foundation Budget" has been established for each School District in the State. The "Foundation Budget" sets an amount each Town is required to raise for its local schools. The Education Reform Act provides for an additional \$282,135 to be distributed to the Town by way of local aid. Since the spending plan for the K-8 Sudbury Public Schools currently includes these anticipated funds, the School Committee is requesting, by way of Article 1, the allocation and transfer of \$282,135 from "available funds" to the School Department. It was stated this amount will not impact the tax rate.

Board of Selectmen (J. Cope) Recommended approval.

Finance Committee (M. Fitzgerald) It was noted the money requested comes to the Town through the Cherry Sheet. The Committee recommended approval.

The motion under Article 1 was presented to the voters and was **UNANIMOUSLY VOTED** by a hand vote.

SEPTEMBER 27, 1993

ARTICLE 2 FY94 BUDGET ADJUSTMENT - SCHOOLS

To see if the Town will vote to amend the vote taken under Article 10 of the 1993 Annual Town Meeting by adding to Account 100 Education, Sudbury Public Schools, FY94 Operating Budget, the sum of \$96,879, or any other sum, for School Department expense; and to determine whether said sum shall be raised by transfer from available funds or otherwise; or act on anything relative thereto.

Submitted by the Sudbury School Committee

Superintendent of Schools, Henry DeRusha moved to Indefinitely Postpone Article 2. The motion received a second.

In explanation, it was reported the Education Reform Bill establishes a Foundation Budget for each school district in the State. Sudbury's is \$96,879 more than the School Operating Budget voted at the 1993 Annual Town Meeting under Article 10. As the law is rather complicated, time is needed to fully understand the law and remain in compliance.

Finance Committee Report: (M. Fitzgerald) Mr. Fitzgerald remarked it was not possible at this time to determine with any degree of confidence the amount of money to be 'used and due' to the Schools, and the amount involved is not a "budget buster." Recommended Indefinite Postponement of Article 2.

The motion to Indefinitely Postpone under Article 2 was **VOTED** by a hand vote.

SEPTEMBER 27, 1993

ARTICLE 3 SALE OF FORMER LORING SCHOOL

To see if the Town will vote to authorize the Selectmen, acting in the name of the Town, to execute a deed or deeds conveying a portion of the land (3.79 acres, more or less) with building thereon known as the Loring School, located at 80 Woodside Road, for a sum no less than \$15,000 and upon such terms and conditions as the Selectmen shall consider proper, or act on anything relative thereto.

Submitted by the Board of Selectmen

Judith Cope, Chairman of the Board of Selectmen, moved to Indefinitely Postpone Article 3. The motion received a second.

In explanation of the motion, it was reported there had been a technical legal error in the vote of Article 1 of the Special Town Meeting of June 15, 1981, wherein a 2/3rds vote was required to transfer the Loring School to the Board of Selectmen and only a majority vote was received. Therefore, the Loring School still remains in the custody of the Sudbury School Committee. A corrective article would be presented at the forthcoming 1994 Annual Town Meeting, unless another Special Town Meeting should be called before that time.

Finance Committee: The Committee supported the motion to Indefinitely Postpone.

Norman Burke of Flintlock Lane remarked there was need to establish an independent committee to look into the options being considered in Article 3 as well as Articles 4 and 5. The present articles as written had too many loose ends.

Selectman Blacker moved to advance Articles 4 and 5 together with Article 3 for Indefinite Postponement. The motion received a second.

The motion to Indefinitely Postpone Articles 3, 4, and 5 was **VOTED** by a hand vote.

ARTICLE 4 DEMOLISH FORMER LORING SCHOOL

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, for the demolition of the former Loring School, located at 80 Woodside Road; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Board of Selectmen

(See Article 3 above for action taken under Article 4)

SEPTEMBER 27, 1993

ARTICLE 5 SECURE FORMER LORING SCHOOL FOR FUTURE DISPOSITION

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$30,000, or any other sum, to be expended under the direction of the Board of Selectmen, for the purpose of boarding up and otherwise securing the former Loring School, located at 80 Woodside Road; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Board of Selectmen

(See Article 3 above for action taken under Article 5)

ARTICLE 6 WORKER'S COMPENSATION FUND - ACCEPT MGL CH. 40. s.13A

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40, Section 13A, for the purpose of establishing a Worker's Compensation Fund, or act on anything relative thereto.

Submitted by the Board of Selectmen

Selectman Blacker *moved* to accept the provisions of Massachusetts General Laws Chapter 40, Section 13A for the purpose of establishing a Worker's Compensation Fund. The motion received a second.

WORKER'S COMPENSATION

POLICY PERIOD	PREMIUM	NUMBER OF CLAIMS	CLAIMS PAID OUT	CLAIMS ADMIN. & LOSS CONTROL	STOP LOSS INSURANCE	EXCESS OF PREMIUM OVER CLAIMS & COST	CUMUL. SAVINGS
07/01/87 TO 06/30/88	93,637	27	15,992	10,000	20,000	47,645	47,645
07/01/88 TO 06/30/89	105,127	20	14,005	10,000	20,000	61,122	108,767
07/01/89 TO 06/30/90	113,457	19	9,042	10,000	20,000	74,415	183,182
07/01/90 TO 06/30/91	131,808	33	12,875	12,500	22,000	84,433	267,615
07/01/91 TO 06/30/92	162,441	19	8,014	12,500	22,000	119,927	387,542
07/01/92 TO 06/30/93	161,823	18	32,561	12,500	22,000	94,292	481,834
TOTAL	767,823	136	92,489	67,500	126,000	481,834	

SEPTEMBER 27, 1993

Using the chart above, (only figures in first four columns are "actual", those in last four columns are "hypothetical") it was noted the Town has paid outrageous premiums for the number of Workers' Compensation claims it has had over the last six years. Looking at alternatives to reduce this substantial cost, it seemed a reasonable risk for the Town to "self-insure". Chapter 40, Section 13A of M.G.L. permits municipalities to establish a Workers' Compensation Fund (WCF), to be funded by Town meeting, and from which premiums, claims and other costs are paid out. The WCF would be for all town employees, except those in the Police and Fire Department, who are governed by special law.

The Town requested information from a number of insurers and claim administrators to see what they would charge to administer the Town's claims, viewing its past 6-year history: the Town has paid \$767,823 in premiums for \$92,489 claims. With self-insuring, according to the chart, the Town could have possibly realized approximately a \$25,000 savings in administrative costs during that same period of time.

The Stop Loss Insurance, according to Mr. Blacker, was considered, for without it, the Town could pay astronomical claims with no limit on the high side. The quote received for this coverage was \$22,000. Stop Loss Insurance will pay any claim for each accident, not individuals, over \$325,000/accident and will pay any claims the Town pays over \$750,000 in total. For example, if there was one accident of \$325,000 worth of claims, the town would pay first then the insurance would take over. If there is another similar claim, the Town would pay the first \$325,000 then the insurance would take over. Should some additional claims be filed, the Town would pay the first \$115,000 and then the insurance company would pay everything over that amount. History indicates the Town does not have these type of claims and the likelihood of having them in the future appear minimal.

On the recommendation of an actuary who viewed the Town's history, \$30,000 was considered a comfortable figure to fund the Workers' Compensation Fund; however, the Town's proposal was to fund this with the amount of money normally appropriated to fund Workers' Compensation each year, \$190,000. It is expected to request this amount for each of the next two years also, and see what the town's experience will have been over those three years. The monies in the Fund may be used for Workers' Compensation expenses and beyond the claims, the management of the fund itself. It is anticipated savings would be anywhere from \$50,000 to \$100,000/year based upon the Town's history.

At this time, there was no necessity to seek funding, as the FY94 Town Budget, as voted in April, already appropriated \$190,000 for Workers' Compensation.

Finance Committee (M. Fitzgerald) The Committee supported the establishing of a WCF and believed there was a strong financial argument to support self-insuring. The Stop Loss Insurance or high deductible insurance, would protect the Town against catastrophic loss. Assuming self-insuring goes into effect on July 1, 1994, and everything is level funded from that point forward, there would be approximately \$262,000 available in fiscal 1995 to offset the maximum per accident claim of \$325,000. The \$262,000 would come from a small carryover as a result of the FY93 Budget, a small carryover the Town would have budgeted vs actual amount for FY94, and some substantial savings in FY95 vs what the premiums would be. It was noted claims are paid over a period of time, and not all at once, therefore interest would accrue on the balance which would be used to help offset the maximum per accident claim.

The motion under Article 6 was presented to the voters and was **UNANIMOUSLY VOTED** by a hand vote.

SEPTEMBER 27, 1993

ARTICLE 7. WORKER'S COMPENSATION FUND - APPROPRIATION

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, for the Worker's Compensation Fund; or act on anything relative thereto.

Submitted by the Board of Selectmen

Selectman L. Blacker, moved to Indefinitely Postpone Article 7.

The original purpose of the article was to provide sufficient monies for the Fund should the Town accept Chapter 40, Section 13A of M.G.L. After consulting with an actuary, it was determined that no additional funds were needed, therefor the motion for Indefinite Postponement.

Neither the Board of Selectmen or the Finance Committee reported on the motion to Indefinitely Postpone.

The motion under Article 7 to Indefinitely Postpone was **VOTED** by a hand vote.

SEPTEMBER 27, 1993

ARTICLE 8. BUDGET ADJUSTMENT - FIRE DEPARTMENT

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$3,500 or any other sum, for a new Line Item 310-255, Fire Contracted Services, to be added to the Fire Department Budget voted by the 1993 Annual Town Meeting under Article 10, Budget, for Fiscal Year 1994; or act on anything relative thereto.

Submitted by the Fire Chief

Chief Dunne *moved* to appropriate the sum of \$3,500, for a new line item 310-255, Fire Contracted Services, to be added to the Fire Department Budget voted by the 1993 Annual Town Meeting under Article 10, Budget, for fiscal year 1994; said sum to be raised by transfer from the Ambulance Reserve for Appropriation Account. The motion received a second.

Explanation for Article 8 and the motion was the Department has moved to privatizing the collection of ambulance bills and it is now necessary to pay for the collection company's services. The cost is 10% of the fees collected. The Ambulance Reserve for Appropriation Account is funded solely by ambulance fees.

Finance Committee Report The Committee supported the motion under Article 8.

The motion under Article 8 was **UNANIMOUSLY VOTED** by a hand vote.

SEPTEMBER 27, 1993

ARTICLE 9. STABILIZATION FUND ADDITION

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, to be added to the Stabilization Fund established under Article 12 of the October 7, 1982 Special Town Meeting, pursuant to Massachusetts General Laws Chapter 40, Section 5B; or act on anything relative thereto.

Submitted by the Board of Selectmen and Finance Committee

Chairman Fitzgerald of the Finance Committee *moved to appropriate the sum of \$100,000 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 Free Cash.*

The motion received a second.

Explanation for the motion was that local receipts in 1993 were up by approximately \$250 to \$275,000 dollars. The Stabilization Fund is the Town's savings account. The law now permits the funds in this account to be used for non-capital items, as well as capital items without the approval of the Finance Committee. However, the required 2/3rds vote of Town Meeting remains. Mr. Fitzgerald reported the present balance in the Stabilization Account to be \$278,118.

Board of Selectmen: (J. Cope) Recommended approval.

Long Range Planning Board: (W. Katz) Recommended approval.

Robert Coe of Churchill Street inquired why the total "windfall" wasn't being appropriated for the Stabilization Fund.

The Finance Committee reported the balance will become Free Cash, as the FinCom was a little unsure regarding the forthcoming 1994 Annual Town Meeting and its budget requests, etc. The \$100,000 figure was stated to be a "proper addition and it could be considered 'symbolic' if nothing else."

The motion under Article 9 was **UNANIMOUSLY VOTED** by a hand vote.

SEPTEMBER 27, 1993

ARTICLE 10 AMEND ZONING BYLAW ARTICLE IX.III.D - RESEARCH DISTRICT

To see if the Town will vote to amend Section IX(III.D) of the Zoning Bylaw by adding thereto the following permitted uses:

- "g. Nursing homes.
- h. Congregate elderly housing for persons age fifty-five (55) and older.
- i. Housing for the elderly (age 55 and older)
- j. Uses accessory to those permitted in sections g, h and i above.
- k. Notwithstanding any other provisions of this Bylaw, the height limitation for uses permitted in sections g, h and i above shall be 45' without limitation as to the number of stories;"

and to direct the Town Clerk to reletter the last item in the permitted use section to "1"; or act on anything relative thereto.

Submitted by the Board of Selectmen

The Moderator inquired of the Planning Board if they had a report on Article 10. J. Rhome, Planning Board member stated there was no report. Therefore, under state law, the Moderator advised the voters Article 10 could not be brought before the Hall.

Further explanation of this action was provided by Mr. Rhome when he informed the Hall the first notice the Planning Board had of Article 10 was when it received the Warrant. Due to the time frame stipulated by Massachusetts General Law, the Planning Board was only able to place the required notices in the Middlesex News for the required public hearing rather than in the local newspapers, as is usually the custom. Due to the statutory requirements, the public hearing itself couldn't take place until 6:30 p.m. this very evening, one hour before the start of the Special Town Meeting. At the hearing, objections were heard from the Board of Appeals and others as to the manner in which this amendment to the Zoning Article was handled.

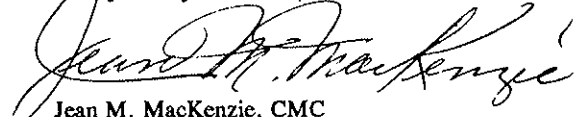
State law requires the Planning Board to report its recommendations within 21 days of its public hearing. It was the decision of the Board not to present a report. Therefore, Article 10 could not be presented to the voters to be acted upon.

Russell Kirby of the Boston Post Road, expressing his concern for the poorly prepared Special Town Meeting and its outcome, inquired as to the cost incurred by the Town. The Chairman of the Finance Committee stated it as somewhere between \$4,000 and \$6,000.

Selectman Cope moved to dissolve the September 27, 1993 Special Town Meeting. The motion received a second and was VOTED.

The meeting was dissolved at 8:39 p.m.

Respectfully submitted,


Jean M. MacKenzie, CMC
Town Clerk

Attendance: 366

