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ANNUAL TOWN MEETING, APRIL 5, 1999

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ANNUAL TOWN ELECTION
MARCH 29, 1999

The Annual Town Election was held at two locations. Precincts 1 & 2 voted at the Fairbank Community Center on Fairbank Road and Precincts 3 & 4 voted at the Peter Noyes School at 280 Old Sudbury Road. The polls were open from 7:00 am to 8:00 pm. There were 2,034 votes cast, including 96 absentee ballots, representing 20% of the town's 10,404 registered voters. There were 6 contested races. The final tabulation of votes was done at the Peter Noyes School.

	PRECINCT				TOTAL
	1	2	3	4	
BOARD OF SELECTMEN (1): FOR THREE YEARS					
JOHN C. DROBINSKI	360	416	359	381	1516
MARK D. RICHTER	67	74	65	64	270
WRITE-INS	1	3	3	2	9
BLANKS	54	69	58	58	239
TOTAL	482	562	485	505	2034
BOARD OF ASSESSORS (1): FOR THREE YEARS					
JOSEPH H. NUGENT, JR.	319	378	306	329	1332
WRITE-INS	1	5	2	0	8
BLANKS	162	179	177	176	694
TOTAL	482	562	485	505	2034
BOARD OF HEALTH (1): FOR THREE YEARS					
HUGH CASPE	195	200	168	190	753
LAWRENCE L. BLACKER	262	327	275	291	1155
WRITE-INS	2		1		3
BLANKS	23	35	41	24	123
TOTAL	482	562	485	505	2034
MODERATOR (1): FOR ONE YEAR					
THOMAS G. DIGNAN, JR.	355	423	331	372	1481
WRITE-INS	5	4	3	2	14
BLANKS	122	135	151	131	539
TOTAL	482	562	485	505	2034
PARK & RECREATION COMMISSIONERS (2): FOR THREE YEARS					
GEOFFREY O. FILKER	320	365	291	302	1278
WRITE-INS	1	2	0	3	6
BLANKS	161	195	194	200	750
TOTAL	482	562	485	505	2034

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	PRECINCT				TOTAL
	1	2	3	4	
PLANNING BOARD (2): FOR THREE YEARS					
LAWRENCE W. O'BRIEN	289	357	292	316	1254
JAMES R. LLOYD	106	113	93	104	416
WRITE-INS			1	3	4
BLANKS	87	92	99	82	360
TOTAL	482	562	485	505	2034

SUDBURY HOUSING AUTHORITY (1): FOR FIVE YEARS

BETTIE H. KORNEGAY	332	401	316	355	1404
WRITE-INS	1	1	5	1	8
BLANKS	149	160	164	149	622
TOTAL	482	562	485	505	2034

SUDBURY SCHOOL COMMITTEE (2): FOR THREE YEARS

WILLIAM C. BRAUN	302	347	305	294	1248
RICHARD J. ROBINSON	310	334	288	282	1214
JOHN E. BROWN	110	133	111	130	484
WRITE-INS			1	2	3
BLANKS	242	310	265	302	1119
TOTAL	964	1124	970	1010	4068

LINCOLN-SUDBURY REGIONAL DISTRICT SCHOOL COMMITTEE (2): FOR THREE YEARS

STEPHEN SILVERMAN	273	295	238	251	1057
RAGNHILD FREDRIKSEN	149	158	132	145	584
LESTER HOLTZBLATT	93	124	116	131	464
LAURI B. WISHNER	301	372	298	290	1261
WRITE-INS			2		2
BLANKS	148	175	184	193	700
TOTAL	964	1124	970	1010	4068

(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 are those cast in Sudbury only.)

BALLOT QUESTION-1

Shall the Town of Sudbury accept section 2D of Chapter 59 of the General Laws, which provides for taxing certain improved real property based on its value at the time an occupancy permit is issued?	YES	357	376	334	343	1410
	NO	78	104	83	115	380
	BLANKS	47	82	68	47	244
	TOTAL	482	562	485	505	2034

BALLOT QUESTION-2

Shall the Town of Sudbury be allowed to assess

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an additional \$782,500 in real estate and
personal property taxes for the purposes of
purchasing a Quint ladder truck (\$485,000)

for the Fire Department, purchasing a roadside
mower (\$57,500) and a street sweeper
(\$100,000) for the Department of Public Works
and renovating and painting the Flynn Building
at 278 Old Sudbury Road (\$140,000), for the
Fiscal year beginning July first nineteen hundred and ninety-nine?

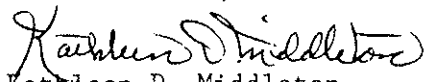
YES	336	355	325	309	1325
NO	132	175	133	173	613
BLANKS	14	32	27	23	96
TOTAL	482	562	485	505	2034

BALLOT QUESTION-3

Shall the Town of Sudbury be allowed to exempt from
the provisions of proposition two and one-half, so-
called, the amounts required to pay for the bond
issued in order to purchase or take by eminent domain
land known as the Second Meachen-Meggs
Parcel, being the land shown as a portion of Parcel
600 on Town Property Map E08, other than that
portion to be acquired by the Town pursuant to
Massachusetts General Laws Chapter 61A and
located on the northerly side of Marlboro Road
extending to Willis Road?

YES	281	264	225	228	998
NO	169	248	215	247	879
BLANKS	32	50	45	30	157
TOTAL	482	562	485	505	2034

A true record, Attest:


Kathleen D. Middleton
Town Clerk

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PROCEEDINGS

ANNUAL TOWN MEETING

(The full text and discussion on all articles is available on tape at the Town Clerk's office)

Pursuant to a Warrant issued by the Board of Selectmen, March 12, 1999, and a quorum being present, the meeting was called to order at 7:45 PM by Thomas Dignan, the Moderator, at the Lincoln-Sudbury Regional High School Auditorium. Reverend Katie Lee Crane, from the 1st Parish Unitarian Universalist Church, delivered the invocation and Meghan Edwards, an outstanding student from Lincoln-Sudbury Regional High School led the Hall in the Pledge of Allegiance to the Flag.

The Moderator announced that he was in possession of a letter from the Town Accountant indicating that the certified Free Cash for the Town Meeting was \$1,758,117. He has examined and found in order the Call of the Meeting, the Officer's Return of Service and the Town Clerk's Return of Mailing.

Upon a motion by John Drobinski, Chairman of the Board of Selectmen, which was seconded, it was

VOTED: To dispense with the Reading of the Call, Returns Notice and the reading of the individual articles.

Various town officials, committee and board members present were introduced to the voters. The Moderator then introduced the Foreign Exchange Students: Sakis Bratellis from Greece, Moa Ohlsson from Sweden, Darya Popiv from Ukraine and Akari Nakamura from Japan.

Selectman Maryann Clark was recognized to read the following resolution in memory of those citizens who have served the town and have passed away during the last year.

RESOLUTION

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

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

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NOW, THEREFORE, BE IT

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

BARBARA B. BORTLE (1935-1998)

Moved to Sudbury: 1948

Election Officer: 1959-1967; 1987-1988

Council on Aging: 1980-1981

Director, Senior Citizen Drop-in Center: 1980-1987

HOWARD W. EMMONS (1912-1998)

Sudbury resident: 1941-1994

Board of Appeals Associates: 1947-1948

Sudbury School Committee: 1948-1952

Elementary School Building Committee: 1949-1951

L-S Regional High School Building Committee: 1954-1955

Lincoln-Sudbury Regional School District Committee: 1955-1966

Board of Selectmen: 1969-1972

Fence Viewer: 1969-1972

Representative, Sudbury Public Health Nursing Assn.: 1971-1972

Hop Brook Study Committee: 1970-1972

WALTER L. GRAHN (1939-1998)

Moved to Sudbury: 1966

Auxiliary Police Officer: 1974-1976

KATE ALDEN HOUGH (1917-1999)

Board of Health: 1951-1957

JAMES H. JACKSON (1940-1998)

Moved to Sudbury: 1965

Firefighter: 1967-1968, 1969-1993

Part-time Police Officer: 1967-1968

Police Officer: 1968-1969

HOWARD C. KELLEY (1917-1998)

Moved to Sudbury: 1949

Special Police Officer: 1952-1954

Police Officer: 1954-1955

Call Firefighter: 1953-1958

Firefighter: 1958-1963

Fire Lieutenant: 1963-1967

Fire Captain: 1967-1982

Gas Inspector: 1962-1970

Plumbing Inspector: 1962-1970

Civil Defense Radio Operator: 1965-1978

ARTHUR C. MORGELLO (1928-1998)

Moved to Sudbury: 1975

Police Officer: 1954-1963; 1965-1968

Special Police Officer: 1963-1965

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HARRIET ROGERS (1910-1998)
Lincoln-Sudbury Regional High School Drama Teacher: 1965-1978

JOSEPH SABELLA (1920-1998)
Lincoln-Sudbury Regional High School Custodian: 1969-1982

HERBERT WEINSTEIN (1918-1998)
Moved to Sudbury: 1959
Long Range Capital Expenditures Committee: 1969-1973

The Resolution was seconded and **UNANIMOUSLY VOTED.**

Mr. Dignan said the Moderator normally goes through procedural matters but that it was not necessary this year as they are referenced in the warrant on page "i" but stated he would address any procedural questions anyone would like to ask.

The Moderator recognized Selectman John Drobinski for any remarks that the Selectmen might have at this time.

John Drobinski welcomed all to the Annual Town Meeting. He said, as many of you know, Sudbury's Town Meeting is the longest continuously running Town Meeting in the Commonwealth. He felt privileged to give his brief address and wanted to discuss the well being of our community. Sudbury, this past year has faced many challenges.

- The fire at Mill Village saw Sudbury come solidly together as a community, providing support in offerings varying from coffee to dollars. We should recognize here the tremendous contribution, dedication and hard work of Police Chief Lembo and his department and Chief Mike Dunne and his firefighters for their extraordinary efforts regarding this disaster.
- We debated MCAS, but are improving our educational infrastructure. Our neighborhood issues provided us an opportunity to pro-actively seek alternate solutions.
- We will open a new library and we straightforwardly faced the Y2K issue in a timely and forward-thinking manner.

We are a community in transition as are most of Sudbury's neighbors. These transitions provide an opportunity to collectively and pro-actively resolve the many challenges we face today and in the future. Many of the articles on this Town Meeting Warrant will begin to address these challenges—from assessing community needs, to whether we have ice cream trucks in Sudbury, from school construction to open space.

Our Town is strong and vital. We combine a tremendous sense of dedication to preserving the good things we have, with a willingness to improve where we need to. Volunteerism is on the rise with newer residents committing to participation, from our religious institutions, to our concern for the natural systems around us as well as focusing on future needs.

In summary, the state of Sudbury is quite positive. We do face challenges—challenges we should be willing to address, not only to maintain a viable economic base but also to define who and what we are and what we choose to become as a community. These major challenges and some approaches to address them are:

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MAINTAIN EDUCATIONAL EXCELLENCE

- To meet this challenge, Sudbury needs to provide the funding and broad-based community support for our children's education
- Continue dialogue with our legislators about issues such as education reform, its unfunded mandates and funding formula, to ensure equity.

PROVIDE FOR OUR SENIORS

- Continue to develop senior tax relief solutions and provide for (in process) alternative housing options.

MAINTAIN A VIABLE COMMERCIAL SECTOR

- We have established an Economic Development Committee to review and address our commercial sector issues.

DEVELOP APPROPRIATE GROWTH MANAGEMENT INITIATIVES/SOLUTIONS

- Continue to receive support from the Strategic Planning Committee
- In process of developing a Town-wide Master Plan
- Streamlining permitting process
- Codifying the Town Bylaws
- Naming a Land Use Priorities Committee

MAINTAIN OUR FINANCIAL STRENGTH

- Examine new sources of revenue
- Support alternatives to single-family residential zoning

PROTECT OUR NATURAL RESOURCES AND PROMOTE COMMUNITY AESTHETICS

- Purchase open space
- Examine wastewater options
- Formed Land Use Priorities Committee

Sudbury will work to find positive solutions to these challenges. The process will involve debate, discussion and, of course, ultimately additional Town Meeting articles. This process has served Sudbury for more than 300 years.

The Board of Selectmen is deeply committed to serving Sudbury and its citizens. As we approach the new century, the Board welcomes—no, strongly encourages—your involvement.

The Moderator recognized the Chairman of the Finance Committee for any comments at this time.

The Finance Committee had no input at this time

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The Moderator recognized Mr. Michael E. Melnick who has been a resident from 1969. Mr. Melnick was the citizen honored to present the first article of this year's Town Meeting. Mr. Dignan spoke of his contributions to the Town and read many accolades.

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 1998 Town Report or as otherwise presented; or act on anything relative thereto.

Submitted by the Board of Selectmen

Mr. Melnick moved to accept reports of the Town Boards, Commissions, Officers and Committees as printed in the 1998 Town Report or as otherwise presented subject to the correction of errors, if any, where found.

The motion was seconded and UNANIMOUSLY VOTED.

CONSENT CALENDAR

The consent calendar was the next business taken up. The Moderator explained the procedure to be used and read the number of each article which had been placed on the calendar.

ARTICLES-3,20,21,22,23,24,25,26,27,30 (HELD), 31,32,33,41(HOLD)

The Moderator explained that Article 41cc(held), page 28 of warrant – held because actions have taken place at the State House which do away with the need for it. He said there was an error in the warrant and the motion will not include Article 51. The Moderator removed Article 30 from the motion.

A motion was made and seconded and it was,

UNANIMOUSLY VOTED TO TAKE ARTICLES 3,20,21,22,23,24,25,26,27,31,32,33 OUT OF ORDER AND CONSIDER THEM TOGETHER AT THIS TIME.

The motion was received, seconded and

UNANIMOUSLY VOTED IN THE WORDS OF THE CONSENT CALENDAR MOTIONS AS PRINTED IN THE WARRANT FOR ARTICLES 3,20,21,22,23,24,25,26,27,31,32,33.

(See individual articles for reports and motions voted)

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ARTICLE 2 FY 99 Budget Adjustment

To see if the Town will vote to amend the votes taken under Article 4A, FY99 Budget, of the 1998 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

Chairman John Drobinski Moved to amend the votes taken under Article 4, FY99 budget, of the 1998 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds, as follows:

<u>AMOUNT</u>	<u>TO</u>	<u>FROM</u>
\$30,000	621 POOL ENTERPRISE FUND	RETAINED EARNINGS FROM POOL ENTERPRISE FUND
\$20,000	RESERVE FUND	FREE CASH

The motion received a second.

Mr. Steve Ledoux, Town Manager, addressed the motion. He said this Article does two things; the first thing this does is transfer \$30,000 from the pool enterprise fund retained earnings into their operational budget to fund the repair of the HVAC system at the pool. There has been some concerns about air quality and \$30,000 will be adequate to repair that equipment. The second piece is the \$20,000 that is going into the reserve funds which the Finance Committee has care and custody of. He stated that this fiscal year has been an unusual one in terms of demands on the reserve funds. The Finance Committee has had a lot of issues in front of it. We still have some major issues to deal with such as a potential of \$33,000 reserve fund for overtime in the fire department and this \$20,000 will give them a little cushion to see the Finance Committee through the remainder of the fiscal year.

FINANCE COMMITTEE: The Committee supports this motion.

The motion under Article 2 was presented to the voters and was **UNANIMOUSLY VOTED.**

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ARTICLE 3. SUDBURY SCHOOLS FY99 BUDGET ADJUSTMENT (Consent Calendar)

Move to appropriate \$67,000, to be added to the Sudbury School Department Budget for Fiscal Year 1999 for educational purposes; said sum to be raised by funding from the Foundation Reserve Program of the Department of Education.

SUDBURY SCHOOL COMMITTEE REPORT: The Superintendent of Schools submitted a grant application on behalf of the Sudbury Public Schools to the Department of Education requesting \$99,000. The request was made because the Sudbury Public Schools student population has increased by 4.5% over the last year. This grant is part of the Foundation Reserve Program voted by the State Legislature for FY98. Notice has been received of an award in the amount of \$67,000, which will be used to fund some combination of software site licenses and curriculum materials.

BOARD OF SELECTMEN: The Board of Selectmen supports this article.

FINANCE COMMITTEE: The Finance Committee recommends approval of this article

The motion under Article 3 was UNANIMOUSLY VOTED. (Consent Calendar)

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ARTICLE 4. 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.

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

BOARD OF SELECTMEN: Chairman Drobinski Moved to Indefinitely Postpone this article. Chairman Drobinski said all the bills are paid.

The motion received a second.

The motion to Indefinitely Postpone was VOTED.

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ARTICLE 5. FY00 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 to provide for a Reserve Fund, all for the Fiscal Year July 1, 1999 through June 30, 2000, 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 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.

Submitted by the Finance Committee.

(Majority vote required)

	Expend FY97	Expend FY98	Approp. FY99	Scl Com Rec FY00	Fin Com Rec FY00
Sudbury Pub Schls (Gross)	13,681,836	15,453,962	16,017,268	18,090,596	17,740,596
Sudbury Pub. Schls: Offsets	464,354	676,515	449,345	495,588	495,588
SUDBURY PUB. SCHLS (Net)	13,217,482	14,777,447	15,567,923	17,595,008	17,245,008
L.S.R.H.S.(Assessment)	8,115,051	8,298,619	8,701,424	9,679,937	9,570,937
M.R.V.T.H.S.(Assessment)	352,839	318,681	357,252	235,589	235,589
TOTAL SCHOOLS	21,685,372	23,394,747	24,626,599	27,510,534	27,051,534

	Expend FY97	Expend FY98	Approp. FY99	Tn Mgr. Rec FY00	Fin Com Rec FY00
100 General Govt.	1,232,395	1,386,374	1,472,957	1,586,520	1,577,520
200 Public Safety	3,866,304	4,258,203	4,089,283	4,354,158	4,350,158
400 Public Works	2,208,514	2,168,976	2,123,351	2,261,316	2,241,316
500 Human Services	334,762	352,823	383,509	517,489	499,889
600 Culture & Rec	843,141	854,459	917,964	1,056,327	1,056,327
SUBTOTAL TOWN SERVICES	8,485,116	9,020,835	8,987,065	9,775,810	9,725,210
700 Debt Service	1,695,583	3,341,080	3,050,326	4,488,133	4,488,133
900 Unclassified/Transfer Acct	2,969,180	3,008,345	3,816,196	4,094,102	4,039,102
TOTAL TOWN	13,149,879	15,370,260	15,853,587	18,358,045	18,252,445
TOTAL OPERATING BUDGET	34,835,252	38,765,007	40,480,186	45,868,579	45,303,979

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The Moderator explained the procedures to follow and he than introduced The Finance Committee Chairman, Emil Ragonese:

Chairman Ragonese Moved that the Town appropriate the sums of money set forth in the Warrant under Article 5 in the column "Finance Committee Recommended FY00" for Fiscal Year 2000 except as follows:

<u>CATEGORY</u>	<u>BUDGET</u>
400 PUBLIC WORKS	\$1,967,207
600 CULTURE & RECREATION	\$ 721,399
900 UNCLASSIFIED/TRANSFER ACCOUNTS	\$3,968,102

The following items to be raised as designated, by transfer from available fund balances and inter-fund transfers:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
1997 ATM ART. 4	100 GEN GOV'T	\$ 282.00
1988 ATM Art. 18	100 GEN GOV'T	\$ 1,000.00
1993 ATM Art. 17	100 GEN GOV'T	\$ 300.00
AMBULANCE RESERVE FOR APPROPRIATION ACCT	200 PUBLIC SAFETY	\$75,319.00
FREE CASH	900 UNCLASSIFIED	\$1,738,117.00
ABATEMENT SURPLUS	900 UNCLASSIFIED	\$ 360,276.00
RETIREMENT TRUST FUND	900 UNCLASSIFIED	\$ 22,734.00

and that automobile mileage allowance rates shall be paid in accordance with federal internal revenue service mileage allowance regulations.

The motion received a second.

Chairman Ragonese reported that the Finance Committee had a difficult task this year. We are continually strapped with expenditures exceeding revenues coupled with the fact that we have a major school building program going on and we had to find funds to open the Loring elementary school. So we had some real challenges. Article 5 asks you to approve a total of \$44,623,492 which is an 11.8% increase over FY99. I think if you take a look at that in the overhead you can see Sudbury schools increased by 10.8%. The FinCom provided them sufficient funds so that we could continue to operate both K-8 and L-S with the staff for the growing student enrollment and, at the same time, open the Loring school. What happens is that K-8 gets about a 10.8% increase and the high school got a 10% increase. That provided enough funds for them to continue with their current programs that were in place at both schools as well as handle the growing student enrollment. The town's growing population has also put demands on various services. They include public safety, public works, human services, culture, recreation and general government. Many members of the FinCom believe we need to continue to make investments in the town's infrastructure to handle its growth as well as the demand for services. The one number of concern to many members of the Finance Committee is debt service. That number went up 47.1% and that number will continue to increase in the foreseeable future.

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We are going to be spending a lot of money tonight; that includes the Capital Budget Article, Article 8, which has been approved at the polls but we still have to vote it at Town Meeting. There is an Article to purchase some more open space, an Article for the L-S architectural fees, there is another Article for Wastewater Treatment Study for Route 20 and there are several Articles for walkways. I ask that as we go through this Town Meeting that you keep that in mind. When we vote for certain things that require us to fund those expenditures with debt, that is just going to add to what you see on the screen. The FinCom is very mindful of that, we are trying to manage our overall debt. We are also mindful that as we add debt that adds to everyone's tax base. Most substantially, all the debt in town is exempt from Proposition 2-1/2. Whatever we have to pay in any given year gets added to everybody's taxes for that year.

The average house in Sudbury is valued at \$330,000. In the year 2002 all of the debt will add over \$800 to everybody's tax bill. The spike year is 2002 and then it drops off. In the year 2009 there is a little spike again and that's when all the SPAB reimbursement from the State ends. We have tried to anticipate when that will come into the treasury as best we can. We are hopeful that the Governor will accelerate the reimbursement. If he does, that will mean that our taxes or debt services will be less for any given year. So with that, let us go on and debate this budget as well as the other articles on the warrant.

Mr. Dignan recognized Town officials and Town bodies who wished to speak to their own part of the budget.

Mr. Glen Nolan, 24 Saddle Ridge Road was the representative of the Minuteman Regional Vocational Technical High School. He gave a presentation favoring this motion. Sudbury's assessment went to \$235,000, down from a little over \$350,000 last year. The reduction is related to the shift in enrollment.

Dan Claff from Dutton Road gave his presentation on the Senior Community Work Program. He spoke regarding the Tax Work-off Program in it's forth year. It is for Sudbury Senior home owners ages 60 and over who agree to work at a town board, department, or commission for up to 100 hours in exchange for a property tax credit of \$500 maximum per household.

Mr. Steve Ledoux showed a slide regarding the budget changes over FY99 and FY00. The percentage areas that are changing are in the areas of dept and in capital. In 1999 we had no capital to speak of and, as Mr. Ragonees has pointed out, our debt, because of the school financing and land purchases, etc. is going to be peaking and we are going to be seeing the full impact in a couple more fiscal years. The capital will be taken up under Article 8, but I think it is important to note, as the Finance Committee has stated, we have been trying this fiscal year to take care of our infrastructure and start maintaining our fiscal resources. The General Government budget is up about 9%. The Town has some difficulty keeping up with demand for services and growth. We are in a position in FY00 to address some of these growth pressures that some of the General Town Government has been facing. Growth on the Town side manifests itself differently than on the school side. With the increase in population we have more traffic, more building permits, and things like that to deal with. He detailed the additions in personnel that are needed at all levels of Town Government and the need to enhance our use of technology and networking along with the development of a Web page. He also presented the needs of the Fire Department and Police Department. The Public Works department, Assessors, Accounting, Board of Health, Council on Aging and Park & Recreation department's requirements regarding this budget were also discussed. The Goodnow Library, because of a new and bigger library, have increased operating costs, which include utilities for a bigger building,

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maintenance and cleaning and more staff hours. Lastly, the benefits for 26 SPS employees and six town employees who are eligible for benefits in FY00 which cost \$5,000 per employee. He thanked the Finance Committee for their support and he urged the voters support of this budget.

William Hurley, Superintendent Sudbury Public School, presented the financial status and the impact of the growth in town. He gave details with regard to the K through 8 budget request. He covered the budget history going back to 1996 and showed the rate of increase. Mr. Hurley discussed the four items that are driving this budget increase. These are the highlights — the base budget increases and that includes salaries, enrollment growth, the opening of the new Loring school and the cost for the expansion of the Haynes school. Three percent of the entire budget goes to the increases for salaries. He showed the increase in students from 1992 through 1998. The average increase over those years is five percent. We are growing at a much more rapid rate than the average rate of the schools throughout the state. It's for this reason that Article 3 asks you to accept the \$67,000 which we received from the state in the form of a grant. Although I was advised by the Department of Education not even to apply for it, because the monies were going to urban areas, we made our best pitch based on this information. Because of the rate of growth, we did get the \$67,000. He presented in depth the expenditures that are driving the budget. He thanked the hard-working members of the Permanent Building Committee for their support in these ongoing projects.

Steve Silverman, Chairman Lincoln- Sudbury High School, thanked Janet Miller who is retiring from the L-S School Committee after six years. Her service towards the school was excellent in all aspects. He discussed how the School Committee arrives at its budget and what factors play into it. He said that Dr. Ritchie would talk about what this means to the school. He urged the audience to support the school with their vote to approve the Sudbury assessment of the L-S budget.

Dr. John Ritchie, Superintendent/Principal of the Lincoln-Sudbury Regional High School had a few words to say about what this budget means to the school. He read the opening comment given to them in March by the visiting committee of the New England Association of Schools and Colleges, which conducted their ten-year accreditation over the course of the last year. At the beginning of the report this is what is written "Lincoln-Sudbury is a very special place, cherished by those who work, learn, share, think and create together there. The community possesses a fierce pride in the programs offered at the school as well as in the accomplishments of its students. The climate of the school is one of acceptance and respect. Students and parents are enthusiastic in their praise of the faculty's effort to establish supportive and personal relationships with their students. The climate of the school urges exploration and divergent thinking, while emphasizing the importance of respect for others and appreciation of diversity. The faculty works in a supportive atmosphere that fosters these same values and leads to creativity in curriculum and instructional practice."

He elaborated on the enrollment increases. He said the problems created by those increases over these past year are real challenges and will continue to present challenges to Sudbury and to the school if the school is to maintain this level of excellence.

Charles Schwager, Ridge Hill Road, member of the School Committee spoke of Steve Silverman, who will end his term on the School Committee after this Town Meeting. He served as Chairperson this past year, a year of difficult decisions, decisions which will effect us for many years in the future. He was a voice of calm and compromise during some stormy sessions, but never compromise over what was important for education. His humor, his leadership and compassion will be missed. On behalf of the School Committee, Mr. Schwager asked the Hall to recognize Steve for his commitment, personal integrity and love of education.

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Ann Lynch, Concord Road, newly appointed Co-chairman of the Youth Commission did some advocacy with regard to the youth in support of their budget. They were asking for an increase to provide for a full-time youth coordinator. She encouraged the voters to support the increase.

The Moderator asked if any other board or committee wished to be heard on the budget. There were none. He said it was now in order to go down through the items to see if anyone has any motions to amend or questions to ask.

He started with the line items on the schools and asked if anyone had a question or motion in respect to the schools.

100	General Government
200	Public Safety
400	Public Works
500	Human Services
600	Culture & Recreation
700	Dept Service
900	Unclassified

There were no motions to amend. The Moderator stated that brings the main motion in order at this time and asked if anyone wished to speak to the main motion?

The motion under Article 5 was UNANIMOUSLY VOTED.

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ARTICLE 6 – SOLID WASTE DISPOSAL ENTERPRISE FUND FY00 BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY00 budget of the Solid Waste Disposal Enterprise, to be included in the tax levy and offset by the funds of the enterprise; or act on anything relative thereto

Submitted by the Finance Committee

	Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
<u>Solid Waste Enterprise Fund</u>					
Total Direct Costs (Appropriated)	346,637	247,432	240,381	220,709	220,709
Total Indirect Costs (Not Appropriated)	49,080	15,199	31,283	26,060	26,060
Total	395,717	262,631	271,664	246,769	246,769
SOLID WASTE RECEIPTS	227,731	290,935	250,686	246,769	246,769
RETAINED EARNINGS USED	167,986		20,978		

Ms. Peggy Wilks, Finance Committee member, Moved to appropriate the sum of \$220,709 for the Solid Waste Enterprise Fund for Fiscal Year 2000. Such sum to be raised by receipts from the Enterprise Fund; and further to authorize use of an additional \$26,060 of Enterprise Fund Receipts for Indirect Costs.

The motion received a second.

Ms. Wilks explained that this is an Enterprise Fund therefore it's self-funding. The total request for FY00 is approximately \$25,000 less than what was appropriated for FY99.

FINANCE COMMITTEE: Recommended approval of this Article.

BOARD OF SELECTMEN: The Board supported this Article.

The motion under Article 6 was UNANIMOUSLY VOTED.

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ARTICLE 7 – POOL ENTERPRISE FUND FY00 BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY00 budget of the Pool Enterprise, to be included in the tax levy and offset by the funds of the enterprise; or act on anything relative thereto.

Submitted by the Finance Committee

	Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
<u>Pool Enterprise Fund</u>					
Total Direct Costs (Appropriated)	296,678	302,303	316,408	340,928	340,928
Total Indirect Costs (Not Appropriated)	24,242	25,361	28,888	30,119	30,119
Total	320,920	327,664	345,296	371,047	371,047
POOL ENTER. RECEIPTS RETAIN. EARNINGS USED	331,571	356,819	345,296 20,000	371,047	371,047

Mr. Miles Nogelo, Finance Committee, Moved to appropriate the sum of \$340,928 for the Pool Enterprise fund for Fiscal Year 2000, such sum to be raised from receipts of the Enterprise Fund; and further to authorize use of an additional \$30,119 of enterprise fund receipts for indirect costs.

The motion received a second.

FINANCE COMMITTEE: Recommended approval of this Article.

BOARD OF SELECTMEN: The Board approved this Article.

The motion under Article 7 was **UNANIMOUSLY VOTED.**

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ARTICLE 8 – CAPITAL BUDGET

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, for the purchase or acquisition of capital items including, but not limited to, capital equipment, construction, and land acquisition; and to determine whether this sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Town Manager

The vote on the main motion will only require a majority vote.

Mr. John Drobinski, Chairman Board of Selectmen, Moved to appropriate the sums set forth herein for the purchase of the following capital equipment;

Roadside mower (Highway)	\$ 57,500
Street Sweeper (Highway)	\$100,000
Quint Ladder truck (Fire Depart.)	\$485,000

And \$140,000 for the purpose of renovating, remodeling, or making extraordinary repairs to the Flynn Building and all expenses connected therewith, including expenses incurred for professional, engineering and architectural professional, engineering and architectural services and expenses for the preparation of plan, specifications and bidding documents;

Said sums to be raised by taxation.

The motion received a second.

Mr. Ledoux addressed the Article. He explained that the monies had already been approved at the ballot box. He spoke about the equipment needs and the four different issues that are involved. First there are two different pieces of highway equipment; one is a roadside mower and the other is a street sweeper. The roadside mower is designed to maintain drainage ditches along the road, improve visibility, and also help us maintain some of the drainage swells in new subdivisions. He explained by Sudbury having their own street sweeper it will enable the town to maintain the roads better. The Quint Ladder fire truck is something that was recommended to the town by the Mass Municipal Association when they looked at the town organization back in 1994. It's a multifaceted piece of equipment. Not only is it a ladder truck designed to reach some of the higher buildings in town, but it also has pumping capability and other features. Finally, we have a need to renovate the Flynn Building. This money is for a bare bones renovation but it will allow all town offices to be together. This will also bring the building up to being ADA compliant.

Mr. Ragonees, Finance Committee, spoke about the list presented to them for \$1.8M. The list included some walkways and other articles to be discussed later in town meeting. These three capital items (roadside mower, street sweeper and Quint Ladder Truck) stood out as things that the Committee thought that the Town needed. The Committee did not want to go for an operating budget override.

FINANCE COMMITTEE: Recommended approval of these capital items.

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The Moderator recognized Mr. Robert Coe, Churchill Street. He had two questions regarding the override factor of this budget. (1) Although this is portrayed as a capital budget override it doesn't seem to have been raised in the form of a debt exemption. So while the FinCom can say it's probably more prudent just to have an override for one year doesn't this, in fact, add to the base from which subsequent overrides are calculated just as any operational budget override would?

Mr. Ledoux addressed this issue. He told Mr. Coe that it was voted as a Capital Exclusion. He explained that with a Capital Exclusion the money is raised for that one fiscal year and in essence it's a blip and then it goes back down and does not get added to the base.

The second question Mr. Coe had was with regard to the FinCom's report about the existing ladder truck and the fact that it is not capable of accessing the third story of several new residential and commercial buildings creating a public safety risk. His recollection is that the town's Zoning Bylaws used to be very specific in that building heights were mandated to be no higher than the fire ladder trucks were able to reach. He wanted to know when there was a change in these bylaws.

Mr. Drobinski said there was not a change in the Zoning Bylaws. Each district has certain height requirements on the type of architecture allowed.

Mr. Coe wanted to know what a half-story is since it talks about the truck is not capable of accessing the third story of several new residential and commercial buildings?

Chief Dunn addressed the question. He referenced the Wingate Nursing Home, the new NorthWoods construction, and the new Orchard Hill on Route 20. There is also an addition going onto Sudbury Farms. He said that the present ladder truck is simply a ladder truck and so we don't run it out of the station. It's the 1962 truck that we bought from the Town of Maynard back in the early 80s. It runs in reserve because it is so old. This new truck would run all the time out of the new central station and be available to go all over town.

The motion under Article 8 was UNANIMOUSLY VOTED.

With the completion of the budget articles Mr. Dignan thanked the Finance Committee particularly Chairman Ragonees and three people who have taken re-appointments. They were Peggy Wilks, Becky Corkin and Jim Carlton. He wanted to thank them for their hard work on the budget and for staying on. He said we owe them all a great deal of thanks.

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**ARTICLE 9. AMEND THE BYLAWS, ARTICLE II, 11 – TOWN MEETING
TIME LIMIT ON SPEECHES**

To see if the Town will vote to amend article II of the Town of Sudbury Bylaws by deleting the second sentence of Section 11 thereof and substituting therefor the following:

"The initial presentation by the proponent(s) of an article may not exceed ten minutes in length, and no other speech may exceed five minutes in length unless consent is given by a majority of those present and voting." or act on anything relative thereto.

Submitted by Petition/ League of Women Voters.

Marty Landrigan, 12 Brookdale Road, moved in the Words of the Article. The motion received a second.

Ms. Landrigan said that the study for this petition started two years. She shared the Leagues extensive secondary research. There were three primary efforts; first they interviewed town clerks in Sudbury and in ten neighboring towns that have open town meeting form of government; secondly, they conducted a random telephone survey of 100 registered voters which is statistically projectable to the Town of Sudbury within plus or minus ten percent. Lastly, they distributed a self-administered questionnaire during the first night of last year's Annual Town Meeting. The duration of Sudbury's Annual Town Meeting turned out to be the major barrier for many citizens. One of the reasons for not attending Town Meeting that generated the most consensus was that Town Meeting lasted for too many nights. Approximately two out of every three survey respondent's agreed with this statement. The average length of Sudbury's Town Meeting is six days and the average length of our neighboring Town Meeting is 2.7 days. She presented the obstacles involved in the lengthy Town Meeting. Only 14% of the random sample told them that they attend most sessions of Town Meeting. Less than one-half of those attending last year's Town Meeting plan to attend most sessions. People only attend Town Meeting when there are special interests to them being presented at one particular meeting. She said shortening the length of individual speeches was the most popular proposed change of procedures. Close to ¾ of those surveyed had a positive reaction to this suggestion. At fifteen minutes, the limit at Sudbury's Town Meeting is the longest among the ten towns that were sampled who had established limits and is rumored to be the longest in the state. None of the towns allowed more than five minutes on all other follow-up speeches. The League's proposal limits an article presenter to ten minutes and all follow-up speeches to five minutes. She suggested proponents and opponents educate citizens before Town Meeting through forums and informational campaigns. By limiting speaking time some or all of the following will be enabled:

- More concise speakers
- A more varied group of speakers
- Better debate and more chance for both sides to air its views
- And perhaps a shorter Town Meeting that attracts more participants or at least allows the regulars to go home sooner

Opponents of this article will tell you that we will be taking the first step on the slippery slope of eliminating our cherished Open Town Meeting. This is not true. Sudbury wants to keep Town Meeting. Most of us want it to create less of an upheaval in our lives. Opponents of this Article will stand up and say we have been able to take the time to come to Town Meeting. If those other folks cared enough to discharge their civic obligation they could manage to do so. This attitude is elitist and does not recognize that times have changed. If we open Town Meeting up to more parents with small children, and to more Boston business commuters and to more two career couples juggling work and family obligations we will make our Town Meeting a truly representative democratic

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institution. Passage of this article would be a step towards recognizing the reality of twenty-first century lifestyles without sacrificing our noble 18th century ideals. We ask for your support of this article.

FINANCE COMMITTEE: The Committee had no position on this matter.

BOARD OF SELECTMEN: The members of the Board of Selectmen had different opinions on this Article and will speak separately.

Maryann Clark was the first to address the Article. She believes in equal time for the proponent and equal time for the opponent. Ten minutes for the proposer and five minutes for the opposer is not fair. That's not equal time. Secondly, ten minutes is really inadequate time to either present or oppose an intricate article. A full fifteen minutes or more is often needed to present complex articles such as our existing Cluster Zone bylaw. She doesn't think forums would be attended, as people are so busy. She said our Water Protection Bylaw is very complex as well as our Wastewater Facilities Bylaw. They are highly detailed Bylaws requiring more than ten minutes to present. We would be making a big mistake to shorten that time because we would be running the risk of not getting all the information that we need in order to make intelligent decisions. The Town Meeting is a way of expressing the democratic hope that those who are governed will be able to reach those who govern them; that they will be able to make their voices heard and be recognized as persons in an efficient machine. Restore an honest debate; bring back an even playing field. Committees are making decisions by consensus. She believes that decision by consensus stifles honest debate and it's from honest debate that we get new ideas. She would like to keep a balanced and adequate time for debate.

Mr. Drobinski spoke very briefly and said he believes Town Meeting belongs to the citizens and as a Selectmen he had no comment but only spoke as a citizen. He agrees with MaryAnn for different reasons; he thinks that they should have open debate and is not in favor of this.

Kirsten Roopenien spoke and said reducing speech time should not be an affront to our sense of democracy rather it is mindful of the repeated requests by residents of Sudbury to try to make Town Meeting less difficult to attend. When residence cannot participate in the democratic process known as Town Meeting due to a series of barriers as mentioned are we not denying them their rights. Life in the next century will probably become increasingly busy, if that's possible. Having said that we should be sensitive to the value of people's time. We should also try to become more efficient. Respecting and considering that, along with repeated requests for reduction in speech time, she supports the article and urges others to support it.

Mr. Hank Tober, Ames Road, spoke against this change. He also spoke about Article 10. He said who are "They" to presume to tell Tom Dignan how to run a Town Meeting.

Mr. Mike Meixsell, 34 Barton Drive, elaborated what the previous speaker had already said and urged a No vote on Article 9.

George Sharkey, 16 Haynes Road, asked for extra time and was given a total of 15 minutes. The first thing he wanted to do was to thank the League of Women Voters for submitting this Article because he thinks this has accomplished something which has too long been missing from Town Meetings. The missing eliminate he was referring to is that it has caused this body to think and consider Articles that do not relate to money. He could not remember when the last time they discussed an Article that in some form or other did not involve money. His understanding of a Town Meeting is more than just trying to solve problems relating to money or voting the expenditures of money as a solution to all our problems. He wishes to go on record as thanking the League of

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Women Voters for a job well done. His first thought was this is an Article to stifle freedom of speech at one of the oldest forums in the country. He said that he, and the Moderator would attest to this, he is not one to be denied his right to speak. He is also not one to allow my neighbor to be denied his right to speak. Your right as a voter to speak on issues that concern the welfare of the people of the town is the most important right that we have and under no circumstances should this right be surrendered. When we consider limiting a voter's right to speak we come very close to surrendering that right. He is well aware of the numerous, repetitious, agonizing speeches, which have been endured. His feeling is to let them speak. He said the key element is the consent of the Town Meeting members. He had a question as to the requirements of the Moderator, "Are you required to honor a request for an extension of time by calling for a vote of the members present or is that a courtesy that you have graciously extended to us over the years? If the answer is that you are not required to call for a vote of those present than I wish to make a motion to make this a requirement of the Town Moderator as a means of preserving free speech and giving relief to the Town Meeting members. If the answer is that you are required than he would vote for Article 9 and suggest that you all do the same." He said his prolonged speech should have taken a shorter period and apologized for using so much of the members time and posed his question to the Moderator.

Mr. Dignan said he understands the question to be "If people seek extra time is he required to put it to the vote of the Hall before granting it?" The answer to that question is "Yes". What he generally does is look out at the Hall and asks, "Is there any objection?" If he doesn't see any objection he just grants the time but if, on the other hand, a voter stood up and said "Mr. Moderator I wish that put to a vote." It would have to be put to a vote. As a practical matter he does not do it every time because usually the Hall does not object to a brief extension of remarks. As a matter of law, should a voter insist that he inquire of the Town on a vote before that is granted, a voter could so insist and the Moderator would have to put it to them before the voter were allowed to go further.

Mr. Sharkey said "Then the answer is Yes." He stated he felt confident that there are adequate safeguards so that this bill may be passed.

Mr. Coe expressed his opinion and said this was an unnecessary Article and tends to take away freedom to speak. He said the meeting is long because of large number of Articles on the Warrant. He said in recent years the Town Meeting has been quite short. He urges defeat of this Article.

Ms. Marg Wallace, Nobscot Road, asked the Moderator his opinion on this Article. The Moderator wanted everyone to understand what the Article would and would not do. He said as a practical effect the Article would shorten Town Meeting to some extent. Simply shortening speech time does not do away with what the Bylaws provide which is essentially unlimited debate. The only way debate can be cut off in Sudbury is by a 2/3 vote on a motion for the question or the Moderator does have the power to cut off debate if in his judgement the debate should be stopped. He has never exercised it nor had his predecessor exercised this option. So as a practical matter it might shorten things up. To shorten up debate in Sudbury what you have to do is change the Bylaws to eliminate what is now unlimited debate. You have to say that a person can only talk twice on an Article. The other thing that will shorten things up will be if a few of our fellow citizens would not always feel that the town has to have the benefit of their personal wisdom on every Article. There is nothing that can be done about that so he is not at all clear that framing the debate is going to take away rights or is not going to shorten Town Meeting is absolutely correct because you still have unlimited debate. Instead of making one 15 minute speech you can make three 5 minute speeches. The only limit on it is, after you have spoken twice, everyone else has to be heard before you can speak again that is what our Bylaw provides. Understanding what the framework really is will help, as it's not as absolute as has been suggested by various people on either side.

As no one else wished to be heard on the motion, the motion was presented to the voters.

The motion under Article 9 was VOTED.

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**ARTICLE 10. AMEND BYLAWS, ART. II. 11,12,16 – TOWN MEETING
ELIMINATE ADVANCE RECOGNITION**

To see if the Town will vote to amend article II of the Town of Sudbury Bylaws as follows:

In Section 11, by deleting therefrom the words, "and speaking in an order recognized in advance of the meeting by the Moderator";

In section 12, by deleting the last sentence; and

By adding a new section 16 to read as follows:

"All persons speaking on any article may be recognized by the Moderator after the presentation by the proponent(s) of the article, if any, but no speaker may be recognized in accordance with any pre-arranged speaking order. Notwithstanding the foregoing, in the event there is no speaker identified as the proponent, the moderator may recognize speakers after the motion on the floor has been seconded."

Or act on anything relative thereto.

Submitted by Petition/ League of Women Voters

The Moderator recognized Linda Wallace from the League of Women Voters.

Linda Wallace, 15 Hill Top Road, Co President of the League of Women Voters of Sudbury. If passed this article would add a paragraph to our Bylaws specifically prohibiting the practice of advanced recognition and removing the two references to it currently contained in them. Advanced recognition is a way for people to speak on an Article before the general debate from the floor begins. Anyone wishing to do so notifies the Moderator who adds your name to a list of speakers. He does so without knowing whether you will speak in favor of or in opposition to a particular Article. You would then be called on to speak in the order that he was notified. Advanced recognition is not a right provided for in the Bylaws, it is a custom with an unclear origin. In speaking with J. Owen Todd the Town's Moderator for ten years before Mr. Dignan was elected in the mid 1980s the League learned that the tradition was alive and well during his tenure. Mr. Todd believed that the practice was begun at least two Moderators before him as a way to move the meeting along. He said his practice was to allow two speakers from each side of the issue to speak in advance of the debate. Presently, there is no limit to the number of speakers. Because advanced recognition is a custom it would probably be possible for the Moderator to merely announce that he will no longer entertain telephone calls from people seeking this privilege. However, given the intractability of a decades old tradition the League believes such a casual way of ending it would not be prudent and that a specific, formal end to the practice should be made. It has become clear the original intent of moving the meeting along is no longer the reality; there are no statistics to give in support of the League's belief because written records on advance recognition have not been maintained. Mr. Dignan did tell them that the longest list he remembers had twenty names. She gave a few examples of reason for eliminating advance recognition. She reiterated the only reason the League is offering this Article is in response to what three-quarters of the Town wanted the most, a way to shorten the Town Meeting.

FINANCE COMMITTEE: The Committee had no position on the Article.

BOARD OF SELECTMEN: MaryAnn Clark said that the Selectmen have different opinions on the Article and she led with her discussion. She referenced the former Moderator and Judge The Honorable J. Owen Todd who was quoted recently in the Town Crier and Tab as saying: "Advanced recognition allows balance discussion". Ms. Clark agrees with that statement. First, when a person calls a Moderator for a time to speak no order of speaking is known by anyone other than the

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proponent petitioner who speaks first. The order of speaking is run by the Moderator who can balance the order of speaking with a pro speaker and then a speaker who is not in favor of the Article. The powers and duties of the Moderator are to preside at and regulate the proceeding, decide all questions of order and make public declaration of all votes. Secondly, Town Meetings like all other assemblies need rules of procedure for two reasons: the first is simple efficiency, the business of the meeting can be accomplished more accurately with fewer errors and with less waste of time if it is taken up and considered in an orderly, systematic way. The second reason is more important. It is the protection of the rights of individuals and minorities against illegal encroachment unintentional or otherwise by the majority. She quoted Thomas Jefferson: "As it is always in the power of the majority by their numbers, to stop any improper measures proposed on the part of their opponent the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceedings which have been adopted." Our Federal and State Legislators, as well as our trial court, all have advanced recognition of speakers and witnesses. It is very material that order, decency and regularity be preserved in a public body by having advanced recognition of speakers. Third, with no advanced speaking recognition a motion to move the question can be made which robs those who want to speak the opportunity to do so just because they did not have advanced recognition. Give those who have taken the time to call the Moderator to let him know they want to speak, give them the chance to speak. This is democracy after all. Keep advanced recognition it assures your opportunity to speak when you need to do so.

Mr. Drobinski did not have a statement.

Ms. Roopenian supports elimination of advanced recognition. We need to consider all town meeting attendees and she feels strongly that advanced recognition too often diminishes the ability to have spontaneous and vigorous debate. On that basis and additionally the paragraph in your Warrant relative to one-sided debate and prevailing sense of the Hall she urged elimination of advanced recognition.

Mr. Meixsell, 34 Barton Drive, said that a previous speaker had made many of his points. He thinks the elimination of advance recognition gives an advantage to organized groups of citizens, since they can increase the probability of being allowed to speak merely through their numbers at Town Meeting. He gave examples of this thinking. He would like to encourage participation by the average citizen by guaranteeing them an opportunity to make their presentation. To do this he suggested a No vote on Article 10.

Mr. Robert Coe, Churchill Street, spoke and expressed his unhappiness on eliminating advanced recognition. He used an example of what happened when another Moderator routinely decided how long debate would be because he had a person in the Hall who he would call on that was guaranteed to move the question so it was a very controlled debate. That Moderator was defeated for re-election at that time. Most people thought it was because he had become less than objective with regard to whom he called on. The current Moderator is perceived as being very fair with respect to who gets called on but there will be other Moderators and not all Moderators are going to be as fair as the current Moderator. The only way to protect the rights of the minority is to keep the pre-arranged speaking order. He said please don't vote yes on this Article.

Kelly Ann Dignan, 8 Saddle Ridge Road, spoke and with a unique view as she lives in the same household as the Moderator. She gets to answer quite a few of the phone calls that come to their household. She shared her experience from answering these calls. She said that many of them often come from the same people year after year; wanting to speak on the same issues year after year. Some people are concerned ordinary citizens will not have a chance to speak because they won't be able to prepare speeches; she said that you can still research an Article, prepare and come. There is no need to be calling the Moderator's house. It's the same people doing this year after year, it's not something the whole town is taking advantage of.

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Johathan Gossels, Spiller Circle, had two comments. The first one is that he thinks the key issue is balancing the debate. It's not a problem to have advance recognition but what we all disagree with, and have a problem with, is the times we remember when there were five, six, seven speakers in a row all repeating the same things and taking up the time for other people to get their two cents in and have a balanced debate. He thinks what we heard that this tradition started where the Moderator would select before the general debate two people; two pro and two cons so it started out with balance. He thinks we should return to that sense of balance. If we are going to keep advanced recognition and he thinks we should because that in certain parts of an Articles it's very hard to prepare to make comment. We all depend on our fellow citizens to do that advanced preparation. That's only going to happen if people know they are going to get a chance to present their findings to the Hall. He thinks we should keep advance recognition but make sure that when someone calls the Moderator they identify what they are going to be speaking about. Are they going to be pro or con and we balance the debate. So that any time when the question is called we have heard a balanced debate.

Mavis Lopater, 43 Winsor Road, agreed with the last speaker said in the beginning about it not being a balanced debate when you get people who prepare their speech, call for advanced recognition and they all come and say the same thing one after the other. But she did not agree with the rest of what he said and urged to abolish advanced recognition so that you can have a debate; people listen to what somebody has to say and than can come up and answer it. There is no debate if everyone comes with a speech and just reads it off.

Bridget Hanson, 19 Brewster Road expressed her concerns with regard to advanced recognition. She thinks this controls the debate, and finds that when that is done, anyone else is too embarrassed to get up and say anything else and she would prefer not to have it.

Hale Lamont-Havers, 173 Morse Road, spoke of a passed meeting that had gone on and on and asked to get rid of advanced recognition – it is time.

The motion under Article 10 was presented to the voters and was VOTED.

At 10:30 PM the Moderator declared the meeting adjourned until tomorrow night at 7:30 PM.

Attendance: 269

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PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

APRIL 6, 1999

(The full text and discussion on all articles is available on tape at the Town Clerk's office)

Pursuant to a Warrant issued by the Board of Selectmen, March 12, 1999, 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 6, 1999 for the second session of the Annual Town Meeting.

The meeting was called to order at 7:50 PM when a quorum was present.

The Moderator stated we are now to Article 11. The vote required on a main motion under this article, which will authorize borrowing, be a two-thirds vote.

ARTICLE 11. PURCHASE SECOND MEACHEN-MEGGS PARCEL

To see if the Town will vote to raise and appropriate the sum of \$310,000, or any other sum, for the purchase or taking by eminent domain of land known as the Second Meachen-Meggs Parcel, being the land shown as a portion of Parcel 600 on Town Property Map E08, other than that portion to be acquired by the Town pursuant to Massachusetts General Laws Chapter 61A and located on the northerly side of Marlboro Road extending to Willis 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.

Selectmen Roopenian Moved to authorize the Selectmen, acting on behalf of the Town of Sudbury, to purchase or take by eminent domain, for conservation purposes, including passive recreation, land known as the second Meachen-Meggs parcel, being the land shown as a portion of parcel 600 on town property map E08, other than that portion to be acquired by the town pursuant to Massachusetts General Laws chapter 61A, and located on the northerly side of Marlboro Road extending to Willis Road adjacent to the property to be acquired pursuant to M.G.L. C. 61A and containing approximately 36.50 acres, more or less, and to appropriate the sum of \$315,000 therefor and for all expenses in connection therewith, including bond and note issuance expense; and to raise this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow \$315,000 under General Laws C.44,S.7.

The motion received a second.

BOARD OF SELECTMEN: Ms. Roopenian stated that recognizing the positive vote on March 29th the Board of Selectmen supports purchase of the remaining 36.5 acres. The purchase of this parcel would allow for a network of trails and wooded terrain with more opportunity for public education.

FINANCE COMMITTEE: Mr. Ragones spoke for the Finance Committee. He said that the Finance Committee does not want to incur additional debt. The Finance Committee is recommending that we do not approve this Article.

CONSERVATION COMMISSION: Mr. Steve Meyer, Chairman of the Conservation Commission, said the Commission unanimously supports this Article. Mr. Meyer gave examples as to why Town Meeting should support it. He said a year and a half-ago Town Meeting supported the purchase of the first part of the Meachen property, which consisted of roughly 18 areas of farm field and some

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woodlands around it. It was purchased for the purposes of preserving agriculture in town, farming and wildlife habitat. He said that now at a cost of \$310,000 we can purchase in basically 1970 prices another thirty-six and a half acres of land. You paid \$200,000 an acre in the first Meachen purchase. You're paying \$8,500 an acre in this. Together you end up with fifty-five acres of preserved open space and passive recreation land at a cost of \$75,000 per acre total. He understands the Finance Committee's position but explained that this purchase adds \$4.00 per year to your tax bill. It's a very small amount of money with a very big payoff. This will allow us to assemble a complex of woodlands, farm fields, wetlands and streams that harbor state listed endangered species, large owls, a number of wildlife that are critical to this town, we believe.

The Commission hopes to put hiking trails through here allowing for wildlife watching, cross country skiing and trails connecting different neighborhoods. Trails that we cannot put in without the purchase of this additional property. The farm fields alone that we have already purchased don't connect. We need this back land as well. There are great opportunities for education; we have been bringing school groups out and scout groups on to conservation property. The second purchase will add to the original purchase in a way that greatly multiplies the value of the land at a marginal cost. He explained why the cost factor was so cheap. Why are they going to sell us thirty-six acres for \$310,000 when they sold us nineteen acres the last time for \$3.8M? That's a good question he said and the answer is – in its present configuration the land is not developable, it's landlocked. You may ask " If that is the case why should we bother to develop it at all ?"— and the answer to that is twofold. First of all if it's still in private hands we don't have access to it; we can't provide recreational opportunities, the trail linkages, the connections. Second, with abutter's help either current abutters or future, frontage can be created and two to four house lots could be built through access to Thunder Road. We believe that for a price of \$4.00 per household, per year it is worth locking up this parcel, building it into the conservation network and helping to create this structure across town in an area that doesn't have such conservation. We'll never get a chance to buy land at this price again.

As no one else wished to be heard on the motion under Article 11, the Moderator stated we would now take a vote—a two-thirds vote is required. All those in favor please indicate by raising your cards; all those opposed—the motion carries.

The motion under Article 11 was VOTED. The Moderator declared it was a two-thirds vote.

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**ARTICLE 12. AMEND ZONING BYLAW, ART.IX.IV.E.3.b-
SENIOR RESIDENTIAL COMMUNITY, TRACT SIZE**

To see if the Town will vote to amend Article IX, the Zoning Bylaw, section IV,E.3.b (Senior Residential Community, Tract Qualifications), by replacing the number "35" with the number "20", so that section reads as follows:

"b. Tract Qualifications – At the time of granting a special permit by the Planning Board, the property under consideration for a SRC shall be located on one or more contiguous parcels, whether or not separated by a public or private way, with definite boundaries ascertainable from a recorded deed or recorded plan, having an area of at least 20 acres."; or act on anything relative thereto.

Submitted by the Planning Board

Mr. Lawrence O'Brien, Chairman of the Planning Board, Moved in the Words of the Article.

The motion received a second.

PLANNING BOARD: Mr. O'Brien spoke of the reasons for amending the bylaw. At the 1997 Town Meeting he presented the Senior Residential Community Bylaw. During that presentation he explained that the Planning Board fully expected to return to future Town Meetings and propose changes and modifications to the SRC Bylaws if the first version did not work or needed improvement. The future has arrived; this year the Planning Board will be presenting a total of four Articles that are designed to make our Senior Housing Bylaw more compatible with the current economic conditions that apply to land development in Sudbury. When the Planning Board presented the SRC Bylaw to Town Meeting we wanted to have an acceptable product that would create as little objection as possible. Since then every development plan that has fit the bylaw has been reviewed with the landowner for the possibility of constructing an SRC rather than the construction of additional single family homes. In every situation the landowner felt that the bylaw was not economically competitive with single family home construction. With this experience we have come to the conclusion that we probably wrote the original draft of the bylaw a little too conservatively. The bylaw that the Planning Board is looking to change calls for a thirty-five acre minimum parcel size. If we take a thirty-five acre parcel, and we know there are plenty of wetlands in Sudbury, and we know there are ten acres of wetlands, you would have twenty-five buildable lots. I use two examples \$650,000 and \$800,000 (prices for the homes to be built)—these are two numbers that are seen consistently as plans come before the Board. The gross sales for twenty-five homes would be either \$16M or \$20M. Under the bylaw that would allow for Senior Residential Communities using two numbers that we consistently hear for potential sale prices of \$350,000 or \$450,000 you can see that there is very little difference or any reason at all for a land owner to say 'Why don't I take a chance and build a Senior Residential Community. I would rather just stick with what I know and what my builder knows and build single family homes'. Another example has a twenty-five acre parcel same ten acres wet, fifteen buildable lots, and you can see that if you are to approve this bylaw tonight and we could go down to twenty-five acre parcel that financial numbers now make sense for developers to take a serious look and give real consideration to a Senior Residential Community. There is a financial incentive to give this serious thought. A third example, you would take a twenty acre parcel the same ten acres are wet and again you can see by approval of this modification to the bylaw this evening we could create the incentive for a developer to consider this. The potential taxes would be no more than \$16.40 per thousand and the tax that could be generated would be \$210,000 in example two and \$140,000 in example three. Since this is age restricted housing fifty-five and older, the potential for children being there is minimal and; therefore, this would be as I like to refer to it as unencumbered revenue. This is the type of revenue

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that the town currently needs and is the type of revenue that would help pay for things like walkways and open space and other municipal needs that we have as a community.

Over the past two years the number of available parcels has decreased due to the acquisition of land by the town. We have just heard tonight about the Meachen property and of course the Weisblatt property. Other parcels have been developed into single family subdivision type developments. We have determined that our other senior housing bylaw, the Incentive Senior Development Bylaw works best when it is applied to parcels between ten to twenty acres. In effect what we currently have at this moment is a gap between the SRC bylaw that has a minimum parcel size of thirty-five acres and ISD bylaw that works best between ten and twenty acres. So, therefore, the purpose of this Article is to close the gap and if you vote in support of Article 12 we will be able to accomplish that. By reducing the minimum parcel size to twenty acres you will increase the possibility that we may be able to actually build a few Senior Residential Communities.

Some points of information that you might be asking, this change only effects the minimum parcel size it has no other impact on the way the Article reads and the way the Article is currently on the books. This change in minimum parcel size will not change in any way the density calculations that we use to determine the number of units that can be constructed on a particular site and in no way will the maximum number of bedrooms that are allowed be changed in any way, shape or form. What will happen is that your Planning Board and the Town of Sudbury will have a viable option for developers to give serious consideration to as an alternative to the construction of single family home subdivisions. The Board urges you to vote yes on Article 12.

FINANCE COMMITTEE REPORT: The Finance Committee has no position on this Article.

BOARD OF SELECTMEN: Ms. Roopenian spoke and said the Selectmen unanimously support this Article due to the economic, environmental, and societal benefits Senior Residential Communities could bring to Sudbury. This Article increases the opportunities for potential development of Senior Housing while making no other changes to the Bylaw.

CONSERVATION COMMISSION: Bridget Hanson representing the Conservation Commission supported this Article. Not for the tax benefits nor the societal benefits but because it will provide better environmental benefit. The Commission is not particularly eager to see land developed in Sudbury but being realistic we know that unless we buy it, and we know there is a limit to what we can buy, it will be developed and this kind of development minimizes cutting everything up into little tiny pieces of spaces that are not usable to wildlife. The Commission urges you to support this Article.

Mr. Tober, Ames Road, spoke in opposition of this Article. He said everyone knows where he stands when it comes to condominiums in Sudbury. He said that he disagrees with this Article.

Mr. Dignan said that he was in error when he advised that the Finance Committee had no position on this Article and the Finance Committee wished to be heard.

FINANCE COMMITTEE: Mr. Ragonese spoke for the Finance Committee. He said the Finance Committee supports this Article given the fact that it will result, hopefully, in more housing for our Seniors Citizens, as well as, put no additional burden on the schools and allow some of our senior citizens to remain in town.

As no one else wished to be heard on the motion under Article 12, the Moderator called for a vote. He said a two-thirds vote is required.

The motion under Article 12 was VOTED. The Moderator declared it was a two-thirds vote.

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ARTICLE 13.

LSRHS DEBT - ARCHITECTURAL AND ENGINEERING FEES

To see if the Town will approve the amount of debt to be determined and to be authorized by the Lincoln-Sudbury Regional School Committee for the purpose of financing costs for the architectural and engineering fees for design services (including schematic design, design development, construction documents and bidding phases) for reconstructing, adding to, equipping, remodeling and making extraordinary repairs to the regional high school, including costs incidental and related thereto; or act on anything relative thereto.

Submitted by Lincoln-Sudbury Regional School Committee

Jack Ryan, Ford Road, L-S School Committee, Moved that the Town approve the amount of \$1,500,000 debt authorized on March 9, 1999, by the Lincoln-Sudbury Regional School Committee for the purpose of financing costs for the architectural and engineering fees for design services (including schematic design, design development, construction documents and bidding phases) for reconstructing, adding to, equipping, remodeling and making extraordinary repairs to the regional high school, including costs incidental and related thereto, provided however, that the aforesaid approvals be subject to passage by the Town of the Proposition 2 ½ debt exclusion respecting such borrowing.

The motion received a second.

The Moderator recognized Mr. Ryan in support of the Motion.

Mr. Ryan then recited a poem. He began with apologies to Sarah Hale and the Old Red Stone Schoolhouse. Mary had a little brother a youngster in the know. To every school that Mary went, her brother was sure to go. He followed her to L-S one day but alas there was no room. It made the students congested and dismayed to see the baby boom. So Mary said we need more space and through the force of will, she went to Boston with her plans for reimbursement from Beacon Hill; but to get the reimbursement of 62% L-S was told it must meet code from roof to basement. And so to keep L-S as good as it has always been we must rebuild the school to last to beyond 2010.

He reminded the audience that Superintendent Bill Hurley had spoken yesterday discussing students at the K to 8 level. The Lincoln-Sudbury School Committee discovered that there is a crisis in Sudbury. We have discovered that parents of those students are clothing them, feeding them, sheltering them and educating and they are growing up into high school students. The fact of the matter is those students are now arriving at Lincoln-Sudbury High School. The same students that created the Nixon School, the Haynes addition, the Loring School and a significant expansion of Curtis Middle School have now arrived at Lincoln-Sudbury. Recognizing this, the Lincoln-Sudbury School Committee created the Facilities Planning Committee to look at what we need to do with regard to that. That Facilities Planning Committee in turn hired Knight, Bagge & Anderson, the architects, to look at coordinating a demographic study and to look at what will have to happen to this school in order to accommodate students. The first thing that they coordinated was the demographic study. As was pointed out in the K-8 system, the students are growing in number. We currently have a little over 1100 students here at Lincoln-Sudbury. It's expected that within eight years that number will grow to about 1700. Depending on what study you use, it stays at about 1700 students with no obvious decline at that stage. The next question then became, how many students can the school hold. For those of you who were here twenty-five years ago, there were in excess of 1900 students in this school. The question arises why can't the school hold 1900 students now? A couple of things have changed. First, the average class size at Lincoln-Sudbury High School twenty-five years ago was thirty-five. That was average, that means you had some classes with forty students in them. In addition, the students at LSHS spent approximately 780 hours in class twenty-five years ago. Right now the state requires that students be in class (that's in a classroom with a teacher) 990

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hours, that's in excess of a 25% increase. Now that's real classroom space. Twenty-five percent more time in the classroom with the same number of students. Twenty-five years ago L-S was open campus for all four grades. There was a comment made at the Lincoln Town Meeting, which I think was unfortunately incorrect, which I'd like to correct that now. The speaker, a very eloquent architect said that Lincoln-Sudbury was known as Harvard Square West. It's not true, Harvard Square was known as Lincoln-Sudbury East. Another change that has occurred is the advent of technology and special education. The importance of special education means that there are going to be some smaller classrooms --that is class sizes. Your class average is going to have to be skewed somewhat because you are going to have some classes which by their very nature are going to have to be smaller. All of those factors combined mean that you just plain can't fit 1900 students in this building under current educational requirements. The Facilities Committee and the School Committee looked at curriculum, scheduling and believe me I do not want to look at another high school schedule again. When you give students the opportunity to select classes and decide where they want to go it can create a scheduling nightmare. However, I'll be perfectly honest with you, it works very effectively for our students. The most we can fit in working with all that data and all the classrooms, the scheduling problems, the classroom problems, the program problems, is 1400 students. That is a number we feel very confident with. That means we are going to have 300 students more than the school can fit and we will reach 1400 in about two or three years. The next question is than what needs to be done to the building to accommodate 1700 students. One of the most important factors here is the SBA; School Building Assistance. Lincoln -Sudbury because it's a regional has a reimbursement formula that is a combination of the Lincoln formula and the Sudbury formula. The bottom line is the figure is 62%. What Knight, Bagge & Anderson were able to do with their work was immediately start working with the SBA and we got lucky. One of the people on the SBA who was responsible for viewing this project, or will be, happens to be a soccer referee whose response when we appeared before them was; "I've been refereeing games on your fields for years. I was wondering when you people were going to show up. He said that school needs work." We have received site approval from the SBA already. That means that the SBA has said that if you design your changes to this school in accordance with SBA guidelines, we know what they are, we know how to fit within them, the SBA will approve the funding. That is a major step forward. All we have to do is make sure we comply with what the SBA is going to be looking for and they said once you do that, this is an approved site. However, here's the problem; the SBA has two distinct areas of requirements. One, educational standards, that's classroom space per student, art and music space per student, administration space per student, guidance counselor space per student and the big one, cafeteria. We have to add-on to all that but that's only half the problem. The other problem is that if we spend one dollar of SBA money on this school the entire building must be brought up to building and life safety code and must be made entirely ADA compliant. The building is forty-five years old in its central core. I'll now tell you the building is out of code. It violates building codes, it violates health safety codes and it violates the ADA. To give you an example, if you could take a look at the ceiling which is quite lovely you can see that there are no sprinklers. There are none here in the auditorium or in the entire school. Check for fire alarms; no fire alarms, no fire alarms that meet code. The air quality in the corridors doesn't meet code. That would have to be increased. This is not an issue of maintenance, this is an issue of there were no sprinklers in the first place because they weren't required when the school was built. Unfortunately, Knight, Bagge & Anderson told us to bring the building up to code would require approximately \$16M to \$17M. That's an estimate but that's what they estimated based on the feasibility study they did. To bring the building up to educational standards, classroom space, cafeteria space, art, music, guidance, athletic fields would have to be added onto and changed would require another \$10M to \$11M. This is a total of somewhere in the area based on the feasibility study of an estimate of \$26M to \$28M. Key word, estimate, if this passes and we come back a year from now to look at construction costs I don't want anyone saying it's going to be \$26M to \$28M. That is an estimate. That's what we hope, that's based on a very short feasibility study. We had to start somewhere and the reason we had to start somewhere is that we had to start with architectural fees. Architectural fees are a percentage of the total construction cost. It's seven percent of the total construction cost and the architects spend approximately 80% of that in their preliminary work of schematics, design development, construction, and documents. If you do the arithmetic seven percent divided by \$27M multiplied by 80% it's approximately \$1.5M. Now the good news, at least from Lincoln-Sudbury's prospective, is

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that at its Town Meeting the Town of Lincoln approved this Article unanimously. In addition, the Town of Lincoln has already voted the debt exemption. Now Lincoln only pays 16% of this at the present time but Lincoln has already approved this and the SBA says it's an approved site for reimbursement. Unfortunately, we have to do all these code things but we should do them anyway and this is an excellent opportunity while there is SBA money. They have told us they have more money now than they have ever had before. They don't know when they'll have this much again. They don't want to see Lincoln-Sudbury again in ten or fifteen years. What you do to this school, they have told us, do so it's going to last for ten, fifteen or even twenty years. Make it work, do it soup to nuts. This is a chance where the need for this school coincides with the opportunity available with respect to state funding. We urge you would vote yes on Article 13.

FINANCE COMMITTEE: Mr. Hurstak asked for a report from one of the architects with regard to the building's need for conformity and structure and why we should go ahead and try to redo this building.

Dan Bradford from Knight, Bagge & Anderson was present but since he is not a resident of Sudbury the Moderator asked if there was any objection from the audience for him to speak. There were no objections.

Mr. Bradford presented a strong case regarding the need to support this Article.

FINANCE COMMITTEE: Mr. Hurstak stated that he was one of the persons that started on the Facilities Planning Committee back in November 1998 as a representative of the Finance Committee. There were approximately ten people on this Committee both from Sudbury and Lincoln. They met with the architects and the engineers and they presented the condition of the building that you have just heard. Jack Ryan and many of the committee met with the Finance Committee on March 30th and presented the need for the renovations and updating of L-S. With the reimbursement of the 62% that we would get from SBA we feel that the Committee did due diligence with this and the Finance Committee supports this Article. I also want you to understand that if we do support this Article we also will have to make a commitment to support the cost of whatever it's going to be when the architect comes in with their final price. This is not the end of the story the—\$1.5M. We think due diligence has been done and we favor this.

BOARD OF SELECTMEN: Ms. Roopenian spoke and said that the Selectmen have also heard the Lincoln-Sudbury proposal at a recent Selectmen's meeting. She said this Article is consistent with the Board's goals to support educational initiatives including growth solutions. This Article demonstrates a community-centered initiative to serve all L-S students. The Board of Selectmen unanimously supports this Article.

As no one else wished to be heard on the motion under Article 13, the Moderator stated we would now take a vote. All those in favor please indicate by raising your cards; all those opposed—the motion carries.

The motion under Article 13 VOTED.

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ARTICLE 14. FIRE-POLICE DISPATCH CENTER

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, to be expended under the direction of the Town Manager, for the purpose of establishing a combined Fire-Police Emergency Dispatch Center, including all expenses connected therewith, including professional services, radio and fire alarm transfers, radio frequency coordination, radio and console equipment, furnishings, training and expenses associated therewith; or act on anything relative thereto.

Submitted by the Fire Chief

Mr. Ledoux, Town Manager, Moved to Indefinitely Postpone Article 14.

Mr. Ledoux explained that they went out to bid for a consultant to study the joint dispatch back in December. The consultants did not complete their draft report until after the Warrant was printed and the Committee hadn't had time to digest the report. He said this will probably be seen at a future Town Meeting.

As no one else wished to be heard on the motion to Indefinitely Postpone, the Moderator called for a vote. All those in favor please indicate by raising your cards; all those opposed--the motion carries.

The motion to Indefinitely Postpone Article 14 was VOTED.

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ARTICLE 15. WASTEWATER NEEDS ASSESSMENT – ROUTE 20 BUSINESS DISTRICTS

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$42,000, or any other sum, for the purpose of retaining professional services to prepare a needs assessment for disposal of wastewater along the Route 20 business district, in accordance with Massachusetts Department of Environmental Protection guidelines; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by Strategic Planning Committee

Marianne D'Angelo, Strategic Planning Committee, ~~Move~~ to appropriate the sum of \$42,000, for the purpose of retaining professional services to prepare a needs assessment for disposal of wastewater along the Route 20 business district, in accordance with Massachusetts Department of Environmental Protection guidelines; said appropriation to be raised by taxation.

The motion received a second.

The Moderator said it would be a majority vote that would be required.

Marianne D'Angelo, 102 Belcher Drive, speaking on behalf of the Strategic Planning Committee presented the value of a Needs Assessment to be done for this Article. She explained what a Needs Assessment would do. It would address the issues of environment and development over a 20-year time span. In doing a Needs Assessment you develop a community profile. You study natural conditions such a geology, ground water, fresh water, wetlands, flood plains, open space, existing water supply, water use, current land use, existing wastewater flows and loadings, treatment and disposals systems, future growth and economic development, population projections and future land use, future water supplies, projected wastewater flows and loadings. You identify community concerns, regulatory considerations from there you go on to identify areas of concern and establish wastewater needs. You identify areas with existing water quality and public health problems; environmentally sensitive areas, areas with severe limitations to on site systems and growth and development areas. All of that is done in a twenty-year time frame. She pointed out where the Needs Assessment would fit into the Comprehensive Wastewater Management Planning as advocated by the DEP. It is the first step in examining this issue. If the assessment determines that there is no need to go any further the process ends there. If it determines that there is a need the process continues with Phase 2 and 3 where you go on to develop possible alternatives. You begin doing an environmental impact report. You narrow those alternatives down to the most likely options to be feasible for Sudbury and you finish your evaluation and environmental impact report. From Phase 3, if you decide to go on, Phase 4 would be actual construction. That's when the bulldozers would show up, not in a Needs Assessment. The entire process is based on the identification of need. That is what the SPC is asking the Town to do, assess the need for wastewater disposal options in the Route 20 Commercial Districts. Have we done this to date in Sudbury? The answer is Yes, in 1977 and No in 1995. In 1977 the Town commissioned a study by Motts. The conclusions of that study were based on zoning changes which have never been made and the materials gathered in that study have been seriously outdated considering the development that has occurred over the last 22 years. The report done in 1995 relied heavily on the Motts report and never addressed the issue of future need. The twenty-year time frame that was discussed under the Needs Assessment, which is required by DEP. Also, the estimate of cost of maintaining existing on site septic systems and cesspools was greatly underestimated in 1995 as the experience of the ensuing three years has shown. One example would be 1776 Plaza; they have spent \$400,000 to replace their septic system. What have they gotten from this expense, only the ability to continue to operate on that site. No increased capacity, no ability to expand. Star Market Plaza has also spent between \$400K and \$500K to replace their

systems since 1995. These are two of the most egregious examples of underestimated costs; however, they are symptomatic of what is occurring on Route 20. Why do we need to do a Needs Assessment? What do we get out of it? One, it addresses protection of the water supply. The commercial district is located largely in Zone II. The aquifer recharge area for the wellfield that provides approximately 80% of our town's water. Additionally this area has poor soils and a high water table; both of which make it more difficult to maintain properly functioning cesspools and septic systems. On top of this we rely on a naturally occurring clay silk barrier to protect the aquifer. The problem with this is that we have no way of testing the impermeability of that layer without taking numerous borings each of which would be a breach of the presumed barrier. Also, there is evidence that layer is not as reliable a barrier as was assumed. According to W&C in 1995 TCE has already been found in trace amounts in one of the town's wells. Clearly it had gotten there either through or around the clay silk barrier. As far as development; yes we do desire economic development. The Board of Selectman, the Planning Board, and the SPC have all stated this. Does this mean construction of Malls and Industrial Complexes along Route 20? No! According to the buildout analysis done for the town in 1997 we could have up to 1000 additional homes built under current zoning. At the same time, the assessor's office determined that we had a total of 17.7 areas of as yet undeveloped, developable property that is zoned commercial. That's 17 areas in the entire Town. It is clear that if we seek economic development it will have to be for finding ways to encourage the revitalization of already developed property. What does the Town get out of the Business District, why should we support this? Think of it this way; where do you go to get a hair cut, buy groceries, get your teeth cleaned, deposit your paycheck, buy stamps, get a birthday card, buy a new dress? She made note of the need for the Route 20 Business District. She pointed out that the Town relies on this sector to offset the expenses generated from the residential sector. We are all aware of this fact and that most residential property cost the Town more in services than they generate in property taxes. We rely on the commercial properties to make up the difference but the value of commercial properties in Sudbury has not kept pace with that of residential property. The SPC has identified that the lack of septic capacity as the business districts single most limiting factor in seeking economic development. A needs assessment would test those findings and provide the Town with a framework for addressing the issue. For \$42,000 we could fund a study of whether the existing septic systems and cesspools in the Business District can support our business sector and protect our water supply over the next 20 year. Who supports this Article; The Board of Selectmen, the Planning Board, the Conservation Commission, the Finance Committee, the Sudbury School Committee, the Sudbury Housing Authority, the Capital Improvements Planning Committee, the Strategic Planning Committee, the Chamber of Commerce and the League of Women Voters. She urged the audience to support this Article and take steps towards assuring the town of a secure, protected water supply, the development that we seek to fund things that we need, such as, an expanded High School, expanded K-8 schools, open space, all the things that we seek as a town. At the same time, we can impose a limit of control on the rate that the property taxes will rise by assuring a viable commercial district to offset the expenses that we residents incur.

FINANCE COMMITTEE: Ms. Stewart added that it is necessary and important at this time to support a study that will assess the need for wastewater disposal and consider the benefits of various technological alternatives in the Route 20 Business District. The Committee considers support of this Article to be prudent fiscal planning and an investment in caring for our infrastructure. It is important to insure that our commercial district and our water supply can successfully co-exist. The Finance Committee recommends support of this Article.

BOARD OF SELECTMEN: Ms. Roopenian gave the majority report. She read a letter from John Drobinski who was unable to be at the meeting. "Article 15 begins the process of understanding the potential need for alternative wastewater disposal options in Sudbury's commercial district. We stress this is only a study to access options not a contract to bring in heavy equipment. Before the town would proceed with any alternative wastewater options, these options would need to be compliance with local bylaws and regulations. You will hear statements tonight that this study is not needed, a study has already been completed and so on but please do not be swayed. This is only a

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study. A study that is critically needed to understand and examine potential disposal options, not only to make the commercial district viable but to ensure both the long term and short term viability of our water supply. The critical issues that need to be addressed include not only septic issues but storm water runoff, as to the Boston Post Road drainage. It is my John C. Drobinski's, professional opinion that implementation of this study will not, could not, compromise Sudbury's water quality; however, by doing nothing or keeping the status quo in the commercial district I feel I cannot make the same statement. Our environment and public health are paramount. This study begins the process to solidify our commitment to this cause."

Ms. Roopenian stated she is in support of this Article for several reasons. First, Sudbury needs to recharge its economic batteries. We need to determine what we have to work with in our Business District and then allow the Master Plan and our own initiatives to drive what we would like to see for additional revenue producing business. The Business District is at risk.

The majority of the Board of Selectmen strongly urges your support of this Article.

Ms. Clark gave her minority position. While she doesn't disagree that we need economic improvement in town, she does disagree as to the location of this study. It's limited only to the Central Business District. Despite all the clamor that we have for sewers in this district, our drinking water is still pure. Something is working, and she gave her opinion of what that is.

Back in the 1960's, everyone was talking about changing the residential zoning to ¼ acre. As you can imagine, there's not much room on a 10,000-sq. ft. lot to place a septic system. So the Board of Health recommended sewerage to accommodate such small lots. We are the beneficiaries of that failure to pass ¼ acre zoning.

In 1988 efforts were renewed to save our town wells. This is an Article appearing on April 1, 1988 in the Fence Viewer, one of Sudbury's newspapers back at that time. It talks of limiting development around the Town's major wellfields. It says surface and groundwater flows, in these areas have been determined to effect the water quality of the wells. According to then Town Planner, Lee Newman, business now operating within the Zone II would be protected from the proposed regulations because of the grandfather clause. She goes on and says it does make people aware that they're in a special zone designated to protect water quality. In 1989 Sudbury adopted a bylaw known as the Wastewater Treatment Facilities Bylaw. It is very detailed and establishes among other things a restricted zone and this restricted zone is defined as areas underlain by groundwater, favorable for potable water supply, that are scientifically determined by the presence of stratified drift deposits 40 feet thick or more, which areas are delineated on Plate 5 of the Report by Ward S. Motts (1977) entitled "Hydrogeology and Groundwater Resources of Sudbury". By this Bylaw the landowner has the right and burden of proving his area does not have the characteristics of that restricted Zone by scientific evidence produced by a professional hydrologist. In other words, it's a refutable presumption. By this bylaw no wastewater treatment facility shall be permitted in any Restricted Zone except if its characteristics are proven to be outside of the restricted zone.

Each application to the Planning Board for a Special Permit shall contain among other things an environmental, fiscal and public services impact report identifying the projected impact of the facility on the environment and natural resources and public services on the town. In 1994 we adopted another bylaw. It's entitled "Water Resources Protection Districts". This is the town's aquifer protection bylaw, which enhances groundwater protection by restricting development activities and septic system size in its Contribution Zone II. Zone II is defined as the Aquifer Contribution Zone, being that area which contributes water to a well. In other words, it contributes water from day to day to your drinking water supply, rather than just occasionally recharging it. This is a very extensive bylaw. It has 17 pages of fine print. It describes permitted uses, it describes prohibited uses. Title 5 of the State Environmental Code was amended in 1994 and it allows towns to adopt local regulations that are more restrictive than Title 5. Local towns that have adopted more stringent regulations than Title 5 are Acton, Boxborough, Carlisle, Concord, Littleton

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and Stow. Hudson has not; they have 73% sewers. Maynard has not; they have 95% sewers. Sudbury has more stringent bylaws and regulations than Title 5.

In 1994 the Leagues of Women Voters and the current Town Planner came to the Selectmen and requested a sewer option study be done and a grant be applied for and this was done. An independent consultant, Woodard & Curran, was hired and the Town Planner's intern collected the data for them from the Board of Health records, water usage from the Water District, and septic pumping records from the Septage Plan. The Woodard & Curran report lists costs for sewers extending to the Landfill site, as well as costs for septic repair and replacements and I think everyone knows that a cost of \$5,000 in 1994 to repair a system is probably in the nature of \$20,000 in today's costs and that's just a residential system. The bottom line of the Woodard & Curran report was that existing systems do not pose a threat to our town wells over the next twenty years with one proviso and that proviso is that business owners pump and maintain their systems at least once per year. Residential users must pump and maintain once every three years.

Since today's requested study will be using the same secondary data compiled for the Woodard & Curran Report of 1995 and the prior reports by Motts, Dr. Chaing & others, no new data will be used. The physical nature of the hydrology of Zone II is a permanent characteristic of this sensitive area. The Motts study is not outdated; it's based on scientific determinations. More is not better in this sensitive area of Route 20. As we all know, development follows where infrastructures are built. I'm very concerned with the big flip-flop that took place between 1994 and today. In 1994 centralized sewers were requested or were proposed. In 1999 decentralized systems are being requested. If we had listened to the proponents of centralized sewers in 1994, we'd have done something harmful for the health of our wells. Just five years later the state frowns on centralized sewers, which is piping of sewage into another location outside the contribution zone of the wells. Reliance on the State leaves me very uncomfortable when they can change their policy from centralized to decentralized sewers in so short a time period. This has a very large impact on our wells, character of our town – a number of things. I believe economic sustainability must be within the environmental limits of the area – just as our Wastewater Facilities Bylaw and our Water Protection Zone Bylaw both express.

Well, that leaves us with a question – what can we do for our businesses whose systems cannot pass Title 5 and they want to sell their property? They may be eligible for variances issued by DEP, or above ground mounded systems or other on site new technology. How are towns like Cohasset, which is sitting on a huge ledge deposit able to accomplish their business needs without sewers or treatment plants? Our recently appointed Economic Development Committee can certainly find better business solutions than by putting our drinking water at risk, by more development in Zone II. Once those wells are lost – they cannot be restored. They're lost forever. MWRA may or may not even have water for us – and if they do, it'll be at a premium price.

We see on Route 20 that Community National Bank is coming in. They are coming in because they learned that a traffic light is coming in at that location and the septic system there is not a problem for them. The former Sousa Gas Station and the Mobil Gas Station, both have contaminated soils, which will delay any new uses far into the future on those properties. That leaves the vacant Casual Male shop, which is an eye sore, and that will more than likely have a tenant when the Route 20 traffic light goes in. Access is a problem there.

No business owner is entitled to a Trump Tower in Sudbury. The objective should be to distract, not attract more development in this environmentally sensitive area of Zone II. Water quality and quantity will be impacted by the storm water runoff with its gas, oil and hydrocarbon drippings and pollutants from the additional motor vehicles.

We had no choice where our wells are located, but we have a choice in protecting them and directing business development outside of Zone II.

After Town Meeting in Weston rejected them twice, nine businesses in Weston installed a Solar-Aquatic System (the latest state of the art) with the installation and maintenance cost paid by these businesses. This was a last resort for these nine businesses. Weston, however, is on MWRA water. They have no wells to worry about ... but they do have the smell to worry about. Weston's Town Meeting rejected the discharge location of their wastewater on two different occasions.

In summary, Sudbury's Wastewater Facilities Bylaw covers most every concern that the proposed study is requesting and I ask you to make your choice wisely – it will affect your life.

PLANNING BOARD: Bill Cossart, 419 Concord Road, member of the Planning Board. The Planning Board unanimously supports this Article. I want to remind everybody that this Article is a request for a study it is not a request for any specific action until the study is complete. However, he couldn't resist the opportunity to speak about the three most frequently asked questions, which should be addressed in the event that the study should indicate that something should go forward. The first question has to do with the quantity. Would sewers conduct water away from the recharge area resulting in a future depletion of our water supply? It's a very serious question and creates a lot of concern but the answer is absolutely not; the local treatment stations would be installed which would return treated water to the same area so there would be absolutely no depletion of water as a result of sewerage because we are (if we are to go forward) not going to be conducting water out of town. Certainly MWRA would not want us and we would not want them either. If anything were to be done it would be done locally. That answer gives rise to the second question; if we're going to discharge the effluent within town would that not result in the deterioration of the water quality? Absolutely not! DEP prefers that this type of treatment be done; it is far superior to what we're currently doing by way of septic systems. In fact, the quality would be substantially higher and in many aspects would be discharging an effluent which would meet drinking water standards. The third question that has been presented is that if we were to sewer the commercial area won't we experience undesirable companies that pollute moving in? The answer there is this really can't happen. We should be calmed by the fact that we have very strong zoning requirements in town. Zoning that prohibits businesses which would be undesirable from the standpoint of being pollutants. We learned our lessons several years ago with Coatings Engineering. Many people remember when they were in town; they're out and with the Bylaws we have today there is no way we would have companies of that nature back within our community. In addition, the area that we are talking about is an overlay zone that we, not only have the protection of the zoning which the Planning Board is responsible for, but there's the overlay zoning as a Zone II Water Resource District. A Zone II Water Resource District specifically prohibits activity such as additional gas stations, auto repair businesses, dry cleaners, photo processing, car washes, in fact any use of what could be classified as a hazardous material. We are quite comfortable that the study should go forward.

CONSERVATION COMMISSION: Steve Meyer, Firecut Lane, the Conservation Commission supports this Article. It is important to note that the support is based on concerns of the environmental issues on Route 20. Route 20 is in fact a sensitive area. The Conservation Commission has no position on the economic issues that have been raised or the tax issues and they take no position on whether sewers ultimately would be a good thing or a bad thing. We do have questions; what is the extent of the current problem with septic disposal systems on Route 20. There are problems, he was a member of the Study Committee back in 1995 and no new data were generated. The report was based on lots of statements and assumptions about what would and wouldn't be done including a statement by a member of the Board of Health who said "none of the septic systems in the Commercial District on Route 20 will fail because the Board of Health won't fail them". Now, I am unaware of septic system technology by decree but that was a very disconcerting thought. He believes we need to know with hard data what the status of those systems are and what it is likely to be in ten and twenty years forgetting build out, just the existing systems there now and what they are going to look like in ten or twenty years.

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Second question – what options do we have if they do fail? We can't simply declare them not failing because there is a question about the access of wastewater to the aquifer. The theoretical clay layer that exists is built also on many assumptions. Assumptions we don't know the answers to. The third question is – are there better systems, better technology available for treating wastewater and protecting the aquifer resources? We don't know the answers to these questions. We don't feel that a study that attempts to answer them threatens the Town. I can tell you, as an academic, most studies never lead to any action whatsoever. So in fact, if you're opposed to sewers you might actually support this as an alternative to anything ever happening. We do need answers to these questions and it's time that the Town took a serious look at these things and collected new information. Only then does it make sense to make a decision, do we have to sewer or not. We cannot pretend by not knowing the answers to these questions somehow it will just go away and we'll be fine. Because if the aquifer does become contaminated in some future date and septic systems fail and magic words don't make it go away, then the cost to the town will be far more tremendous than \$42,000 to investigate the problem. The Conservation Commission urges you to support this on environmental grounds if no other.

Mr. Hank Tober, Ames Road. He said he opposes spending public money for private interest. We all would like to be hooked into Municipal Sewering and this Article plays smartly to that sentiment. They want you to say this is the first step in the right direction but this Article will not bring sewerage one inch closer to your property. It is only a study; it's only \$42K, but the true significance of this Article lies in the ramifications. They speak of revitalizing. They speak of re-development. Re-developing an area with four and one-half shopping centers, which is already overdeveloped. They want sewerage, well we always did just fine without. We are talking Sudbury mall here. Keep up with the Jones in Chestnut Hill, in Natick, in Burlington, in Marlboro – Hudson, in Watertown, in Fitchburg, in Westminster. Wake up folks! Wake up you small store operators. Wake up you homeowners on Raymond Road and Maple Avenue. Wake up all of you who will have to make way for a monstrosity made of glass and concrete half a mile long. Wake up! I have no crystal ball but I have attended town meetings for forty years and I have learned to listen carefully to what they are not saying. Did anybody say the Mall will not happen here? You say it folks, loud and clear please.

Mr. Mike Meixsell, 34 Barton Drive, made a motion to amend.

Move to amend the motion under Article 15 by replacing the phrase "Massachusetts Department of Environmental Protection Guidelines" with the phrase "Federal Environmental Protection Agency Massachusetts Department of Environmental Protection Sudbury Water District, and Local Regulations and Guidelines".

This received a second and Mr. Meixsell was recognized in support of his Motion to amend.

The prior speakers have touched on some of the concerns of which this Amendment attempts to address. He is a member of the Strategic Planning Committee as some of the prior speakers are and of the Water Resources Protection Committee. However, he is speaking as a private citizen tonight. It may be and hopefully it will be that this Amendment provides only technical clarification from some of the comments particularly some of the comments made by the Planning Board. That may be the case. For background, several of us are concerned about the wording and the meaning of Article 15. We are concerned because several important Town Meeting Articles during recent years have turned out to mean something different from what they had appeared to mean when we voted for them. For example, it was only recently that we discovered what our Assisted Living Bylaw really meant. Namely, the Article allowed luxury apartments for Senior Citizens to qualify as assisted living as long as they contained an office for a nurse from the Wayland Health Center. I don't believe it's an over exaggeration that when some of us voted for that Article we did not believe that was what we were voting for. We do not want similar misconceptions

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to exist relative to Article 15, to the motion under Article 15. This Article could eventually determine Sudbury's decisions regarding the future of Route 20. Therefore, it is important that we understand tonight what Article 15 does mean and what Article 15 does not mean. In regard to the Committee Report on which the Article was based, Article 15 was based on a report prepared from the Route 20 Business Sub Committee. The official name might be slightly different. They did a commendable job although there are some shortcomings such as one; they did not include comment by Sudbury's Water Resources Protection Committee and two they did not address Sudbury's Wastewater Bylaws and Water Resources Protection Bylaws, which have been mentioned by previous speakers. Nevertheless the report represents considerable time, effort and diligence and will be important to Sudbury's future planning. Although the report is very commendable, some of the committee's recommendations, which are crucial to future planning, do not appear to be reflected in Article 15.

Two questions which we should clarify here tonight are: One, should the study address the implications of Federal and Environmental Protection Agency, Sudbury Water District and town regulations and guidelines or should the study address only the State Department of Environmental Protection Guidelines? The second question, if this proposed study were to address only the State Department of Environmental Protection Guidelines, then will Sudbury be conducting a subsequent study to assess the implications of the remaining regulations and guidelines? The danger is that we could perform a partial study and then use it as the bases for future planning. This issue must be clarified now before we take a vote. Anyone who raises this issue after tonight's vote risks being regarded as an obstructionist. In regard to the DEP requirements, are they adequate to protect Sudbury's water supplies? It would be unfortunate for us to rely solely on DEP's requirements, State requirements to protect our water supply. These requirements normally represent only minimum requirements. Sudbury's experience has been that the DEP cannot protect our groundwater aquifers, our water supply or our surface waters. We have the examples, some of which have been mentioned earlier of contamination in Sudbury's well number five on Route 117 and well number two near Route 20. We have the example of pollution near the Hop Brook Ponds in the Wayside Inn area, the Coatings Engineering contamination at Chiswick, Sunrise Cleaners contamination at Star Market, the petroleum spill on Nobscott Road and many others. DEP did not protect us. In response to these experiences, Sudbury Town Meeting has enacted its' own Wastewater Bylaws and Water Resource Protection Bylaws and these bylaws supplement DEP requirements and should be considered in any planning for Route 20.

In conclusion, the purpose of the Amendment is to determine whether the proposed study should address the implications of Sudbury's Bylaws as well as the DEP guidelines. His initial reaction when they were discussing this issue at the Strategic Planning Committee and elsewhere, was that the study should include the implications of Sudbury's Bylaws and of any other standards or guidelines; however, he is interested in hearing other opinions. Whatever we do, whether or not we support this amendment we have to remember as has been emphasized earlier, that this study will be an important part of Sudbury's planning.

Lisa Eggelston, 55 Old Coach Road, member of the Planning Board and also of the Sewer Study Committee, spoke on behalf of the Sewer Study Committee and said she would like to oppose this amendment. She said it is basically not necessary, the language of the Article refers to conducting a needs assessment in accordance with the DEP guidelines. These other agencies that are listed in the amendments while they do have pertinent rules and regulations, do not outline guidelines for the conduct of a wastewater needs assessment. Part of the DEP guidelines are to address the implications of a wastewater management plan relative to all pertinent rules and regulations of EPA, and local Water District and Board of Health regulations. So these would all be covered by the existing language and the amendment is not needed. We urge defeat of the Amendment and support of the Article.

The Moderator asked if anyone else wished to be heard on the Motion to Amend?

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Larry O'Brien, Planning Board Chairman spoke in reference to the motion to amend. He wanted to include the fact that Ms. Eggelston, a member of the Planning Board, is a professional engineer who specializes in Wastewater and Groundwater technology issues and the treatment of those situations. She speaks from professional experience that she practices every day as her livelihood.

Ms. Clark pointed out that the Town of Sudbury is involved with a problem with Marlboro Wastewater Treatment Plant and it's the Federal EPA that has jurisdiction over that Easterly Wastewater Treatment Plant.

Bill Cooper, Cedar Brook Road, pointed out that the wording of the Article seems to be a bit ambiguous. That is, is this an assessment in accordance with the Massachusetts Environment Protection Guidelines or is it for disposal in accordance with the Massachusetts Environment Protection Guidelines and given that ambiguity in the wording of the motion and what those phrases really refer to, he urges all to support Mr. Meixsell's amendment.

Ursula Lyons, Wayside Inn Road, spoke and said part of the Needs Assessment does say Regulatory Considerations and nowhere does it say anything about local or EPA or Sudbury Water District. If it's not needed then maybe we can just put it in as a safeguard and if it's not needed fine, and if it is, we put it in.

Ms. Roopenian spoke regarding the motion to amend. She said part of the problem the Hop Brook Association and the Town of Sudbury have been having with the City of Marlboro relative to the Marlboro Easterly Wastewater Treatment Plant is that they have vacillated from EPA standards to DEP standards and, as she understands it, these are the same words used by the Mayor of Marlboro when she attended a meeting. The scope of the study and the inadequate DEP requirements lead them to vacillate once again on their position. She urges defeat of this amendment.

Mr. Meixsell gave a point of information and said that he has been working on the Hop Brook problem for over a decade. The Marlboro facility does meet the DEP and the EPA requirements. There is no problem in whether or not they meet the requirements. The problem is that the requirements are not sufficiently stringent. Apparently, we have managed to persuade the EPA to issue a permit, which is sufficiently stringent to protect the Hop Brook Ponds. What is holding up that permit is that the DEP is refusing to certify the permit. It may go through anyhow because, as has been said previously, the EPA is responsible for issuing the permits but the State DEP is requested to certify the permits which the EPA is issuing.

Mr. Cossart, 419 Concord Road, said the Hop Brook and Marlboro discharge are clearly Federal EPA projects. They have nothing to do with the study. Our study is under the control of the Massachusetts DEP. He said let's go forward with the Article as it was presented.

Marianne D'Angelo, 102 Belcher Drive, reiterated Lisa Eggelston's statement earlier that it's irrelevant to require Sudbury Board of Health or Sudbury Water District guidelines. We wish they had guidelines for a Needs Assessment Study. They do not have guidelines; they have not even considered this subject. The only guidelines that we know of that are in existence as doing a Needs Assessment Study in Sudbury today are DEP guidelines. Using DEP guidelines further allows a community if they should go forward with a project to be eligible for the State Revolving Loan Fund. If you do not follow DEP guidelines from the beginning of a project, which means from the Needs Assessment forward, you would never be eligible for those funds. Regardless of how you feel about going forward with this there are no guidelines existent in the Town of Sudbury.

The Moderator asked if anyone else wanted to heard on the Motion to Amend. There was no one. He than asked all those in favor of the Motion to Amend to raise their cards, all those opposed. **THE MOTION TO AMEND WAS DEFEATED** and the Moderator said we are back on the main motion as it was made.

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Richard Vanderslice, 96 Dudley Road, Moved to Amend the Article by adding at the end, these words; "This assessment study shall be directed by a five to seven member Wastewater Disposal Committee to be established by the Board of Selectmen with members appointed from the Board of Health, Water Resource Protection Committee, Planning Board, Conservation Commission and Water District, which committee shall draft the request for proposal and select the independent consultant."

The motion received a second.

Mr. Vanderslice was recognized in support of his motion to amend. He said he offered this amendment in the interest of clarity. Article 15 does not spell out exactly how the assessment will be managed and the amendment assigns responsibility very clearly. Article 15 seeks to answer a very critical question. Can we increase density in the central business district on top of their main wells safely? I ask that we don't be lulled into complacency by the small amount of money. The issue has enormous cost implications if not done correctly. You can buy a little insurance by passing this amendment.

Mr. Meixsell believes that this motion is much more important than the prior amendment. The worth of this study depends on its credibility; and its credibility depends on how the contract is managed, who establishes the charter for the committee which manages the contract, who recruits, who prepares the request for proposal, scope of work and who recruits the consultant who is going to do this study. This goes to the credibility of the study. Consequently, he believes it is a very important amendment.

Mr. Cossart said it's a good idea. Actually, there should be some acknowledged group that is responsible for the administration. It's his understanding that it is Mr. Ledoux's responsibility. We have hired a Town Manager and it's in situations like that that he is the one who appoints that committee. He thinks it should be done and certainly Mr. Ledoux should consider that. The error is in the passion of Town Meeting and the moment we make these kind of decisions; we hamstring our Town Manager. Clearly, we have not acknowledged the Business Community in that, and very likely there should be some members of the Business Community in there. I am sure Mr. Ledoux will handle it properly.

Marianne D'Angelo, 102 Belcher Drive, wanted to once again remind the Hall that we chose the verbiage "DEP Approved Guidelines" because DEP requires that you appoint a citizen's advisory committee and a Technical Task Force in implementing such a study. These suggestions have all been addressed by DEP already and we urge you not to put further limitations on this study because they already have been addressed.

The Moderator asked if anyone else wished to be heard on this motion to amend. He saw no one.

The Motion to Amend FAILED and we went back to the main motion.

Bob Sheldon, 60 Saxony Drive, had a few comments regarding the proposed study of sewage along Route 20. He hoped people realized what is being considered and that they vote based upon a realistic viewpoint. He wanted to make sure everyone knew what was going on. He had nine issues that he wished to mention briefly;

- Sewer systems work very well and sewage treatment works well if designed, operated and maintained properly. He knows since he designs them and oversees construction of them, as he is a Professional Engineer. He helps with trouble shooting when the systems have problems. He has no argument with the statement that they can provide superior treatment of domestic

wastewater and industrial wastewater if they are designed to treat the wastewater constituents that are required to be removed.

- Issue number two -- the so-called ongoing risk to the Water District's Raymond Road well field mentioned in the Article is an issue that goes well beyond domestic wastewater alone. It's more of a concern in terms of what has conventionally been termed hazardous waste, which was mentioned earlier. Those waste have already been generated in the Route 20 area from dry cleaning, oil deposit and manufacturing facilities, perhaps there are other contributing factors as well. It is pointed out in the application for a recent business establishment's Water Resources Protection Permit by that establishment's engineer, there are groundwater and soils that contain petroleum compounds, metals and volatile organic in the area. Sewering Route 20 is not going to make that situation go away. Furthermore, any new business establishment that considers construction along Route 20 has to consider the potential of disturbing soils and water containing those waste as part of construction, excavation, de-watering and to take every precaution to avoid discharge that leads to the District's well fields. A study of these ongoing risks ought to take this in consideration as well.
- Issue number three -- the observation of TCE, in Well Number 2 again mentioned in the Article is now being treated by the way in Well Number 2. It really doesn't have anything to do with sewerage Route 20. Discharge of this solvent is most likely out the back door, onto the lawn or onto the driveway rather than down the drain. The concern about the clay layer as a barrier is a valid concern. The connection between the observation of TCE and the need for sewers he thinks is a little bit of a stretch. He also wanted to point out the issue that was brought up earlier about the clay barrier and how TCE getting into Well Number 2 is probably an indication that the clay barrier is not working too well. He thinks some potential sources of TCE were found on the other side of the clay barrier or at least parent compounds of TCE that might turn into TCE.
- Issue number four -- there may indeed be a need for more advanced treatment systems in the areas where water tables are high and the available land area is unavailable for expansion or replacement of a septic systems. However, the implication that the septic systems do not provide any treatment really is incorrect. It's a bit of an exaggeration.
- Issue number five -- we must face the water quality concerns associated with the use of sewers and the discharge of treated wastewater within Zone II. First of all, a treatment system will not treat everything it sees. That's a bit idealistic. Therefore, we have to be aware of a sewer mentality sort of an out of sight, out of mind philosophy that can happen once sewers are in place. Some of the stuff that we could dump down the drain will pass right through and into Zone II if we have a disposal area in that area. Other things could be lethal to the microbiological community that provides the treatment in a centralized biological wastewater treatment plant. All you have to do is read the warranty of a package wastewater treatment plant manufacturer and you'll see that there's a whole host of elements, compounds, which if are discharged through the treatment facility, invalidate the warranty. You may be able to increase capacity by increasing sewers but we can't be careless with disposal down the drain of facilities benefiting from the sewers.
- Issue number six -- he would like to see a pay back period included in this study and this very well may be the case. There's a large cost associated with sewers and sewer treatment facilities, both from capital and operating and maintenance prospective. The Town will have to shoulder that cost with the idea of gaining the benefit from revenues some time in the future and we should know when that point in time will be.
- Issue number seven -- He hopes that this plan clearly identifies the boundaries of the sewer area. If the intent is to evaluate the entire town than it should be clear. If the intent is to evaluate only a portion of Route 20 than that should be clear as well. In other words, we should not be deceived in any way that the sewer system might benefit us directly unless our area is included in the sewer area.
- Issue number eight -- The discharge area ought to be identified early on. It will be difficult to find sufficient land area in just the right location, we talking about recharging the existing well field which means you have to find sufficient land area within the influence of Zone II of those well fields. This is what I'm hearing tonight. Without land application if we get stuck and can't apply it there we loose the recharge of the groundwater aquifer which I agree is an important

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part of this and, by the way, if we do have to discharge outside of our basin area than we get into a whole host of problems like inter basin transfer which is going to influence a whole lot of things; getting additional water wells and so forth. That would be the case if we were to say tie into the MWRA system, which discharges into the Atlantic Ocean.

- Issue number nine – He's quite concerned about the dollar amount presented here. He would be more comfortable if we could get a well-rounded study of all necessary elements if the amount were doubled. He's not proposing it but he was just saying this. For a major environmental engineering firm the cost for the proposal, he was guessing, would be about \$3K minimum depending upon how much homework is done by that firm. The profit on this project would probably be in the order of about \$5K to a firm. This means the firm is probably going to net after new business expenses about \$2K. This project has the signs of a lost leader. A project that serves as a foot in the door for bigger things to come. The danger of any lost leader is inadvertent bias towards a solution that leads to more work and that's something that he is a little bit concerned about. He said let's keep in mind that we should get from this study an understanding and, maybe this goes on in some of phase two and three. However, he thinks we should get an understanding of the sewer needs, the selection of a treatment and disposal area, the cost of sewerage and the cost of pumping, remember, water has that distressing tendency to flow downhill and we are going to have to pump in areas, some of the areas around here, the potential environmental impact of treatment and disposal facilities, identification of permits required for the project, a technical analysis of the sewer route and the disposal areas where businesses would have to be tying into the sewer system, the expense of connecting to a sewer system, the proposed means of paying for the facilities, who will operate the facility. He's not against the study. He has reservations about its' limitations, especially given the dollar amount that is presented. He hopes that the study is unbiased, clear, and all encompassing.

Ursula Lyons, Wayside Inn Road, a member of the Strategic Planning Committee, spoke and thanked all the people who worked to present this Article. She said this Article got its roots in the 1994 League of Women Voters Sewer Study which lead to the \$10,000 1995 Route 20 Wastewater Option Study by Woodard and Curran. In fact, some of the same people who wrote the League Study also spearheaded this Article. It's always easier to review something already written than actually to write a report. She said when she first read this latest Route 20 Sewer Study Report she was puzzled by some of the data, or lack of it, also, some of the conclusions. She felt that she could not support the study in its' present form. Other residents with whom she spoke had similar concerns and questions, not about the merits of the intent of the report but mostly about the cost, the criteria, and the use of data. You have heard the previous speaker with his concerns. It was very surprising to them that the other Boards did not attempt to scrutinize this report before the Town spent \$42,000. Maybe the Board of Health and the Water District did scrutinize it more because their names were not on the support list.

You have already heard that most of the contamination was not caused by septic. The survey sent out to the businesses had a very low response so far. Some businesses have already upgraded since 1995. She just found out that the Chamber of Commerce has been working diligently with local businesses and other concerned people in Town and do plan to have a beautification project in the very near future. Let's do it right this time. Instead of letting the DEP tell us what to do, let's tell an independent consultant what we're looking for. Let's find the answers to the questions first. Maybe we can set up a fund to help local businesses meet Title 5 requirements. She urged the audience to vote against spending \$42,000.

No one else wished to be heard on Article 15. The Moderator said a majority vote was needed.

The Motion under Article 15 was VOTED.

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ARTICLE 16. UNION AVENUE WALKWAY

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$65,000, or any other sum, for the planning, engineering and construction of a walkway along Union Ave, from Concord Road to Codjer Lane; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by Petition.

The Moderator asked if there was a Petitioner who wished to present the Motion under Article 16. He saw no one.

The Article was Passed Over.

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ARTICLE 17. WILLIS ROAD WALKWAY (BRIANT DRIVE TO MOSSMAN ROAD)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$111,000, or any other sum, to be expended under the direction of the Director of Public Works, for the construction of a walkway (approximately 4,440 feet) along Willis Road, from Briant Drive to Mossman Road; and to determine whether such sum shall be raised by borrowing or otherwise; or to act on anything relative thereto.

Submitted by Petition

Stephen Murphy, Willis Road, Moved to appropriate the sum of \$116,000, for the construction of a walkway (approximately 4,440 feet) along Willis Road, from Briant Drive to Mossman Road, and all expenses connected therewith, including planning and engineering; and to raise this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow \$116,000 under General Laws, C.44, S.7; all appropriation hereunder to be contingent upon the approval of a Proposition 2 ½ debt exclusion in accordance with General Laws, C.59,S.21C.

This received a second. Mr. Dignan said this would require a two-thirds vote to pass.

Mr. Murphy was recognized in support of his motion. He said Willis Road has become a major thoroughfare widely used by commuters as well as large commercial vehicles travelling in excess well over the 25 mile per hour posted speed limit. According to the Town Engineering Department, which conducted a traffic study of Willis Road in September of 1998, approximately 68 cars and 18 trucks use Willis Road during the morning rush hour. This is one vehicle every 45 seconds. By no means is Willis Road a quiet, country lane. Traffic on Willis Road has increased dramatically in recent years as a result of a substantial amount of residential development, which has occurred along and nearby Willis Road. Willis Road is a major feeder road to neighborhoods, which have added dozens and dozens of new homes in just the last five years with plans or proposals for dozens more in the near future. These neighborhoods often populated by households with three or more cars use Willis Road to access both Route 27 and Route 117. All this on a narrow and windy road with no safe accommodations for pedestrians or bicyclist. This possess a major safety concern; not only for drivers and pedestrians but also for our Town.

This proposal has received the support of both the Town Engineer and the Town Safety Officer both of whom recognize the lack of a sidewalk jeopardizes the safety of many. Not just those who live along Willis Road but all the joggers, walkers, children on bicycles, children in strollers, the young, the old virtually all the people we see every day attempting to negotiate that road. The proposed scope of this sidewalk has another benefit; as it serves to fill a gap in an extensive network of sidewalks that are either existing or under construction or planned. By completing this network, this section serves to enhance the value of the investment the Town has already chosen to make in its infrastructure and increases safe access for hundreds of households. By completing this network it will allow pedestrians to travel to and from the Haynes School, the Nixon School, the Noyes School, the Curtis Middle School, Fairbanks Community Center, the High School all safely separated from vehicular traffic. A review of deeds by the Town Engineer has determined that all property along the proposed route of this stretch of sidewalk have easements allowing the Town to construct such a sidewalk. Furthermore, as part of developing this Article, support via a petition was received from 23 property owners along the proposed route as well as adjacent neighborhoods of both the Bowker and Willis Hills. He strongly urges approval of this motion.

FINANCE COMMITTEE: Ms. Wilkes spoke and said in the interest of efficient use of time for the evening she would have her comments apply to this and the other walkway issues that will follow. She thanked all of those who put in so much time and energy preparing the Articles for walkways in Town. The data is impressive; the information presented is clear and concise and in fact really makes a compelling case for these walkways. However, as a gentleman who addressed this body last evening and said "it's too bad that so much of our discussion has to be about money". The FINCOM

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is about money that's our business. In fact the Finance Committee is charged with submitting to you a budget that is within our levy limit and this year it was a challenge to cover even our operating expenses. This is one of four walkways; the total cost is \$377,000. These aren't the only walkways we need in this town. In fact she has been told that the Planning Board and the Town Engineer have a list of approximately twenty walkways that need to be built and we know there are going to be more in the future. It doesn't seem to be financially responsible to deal with these in piecemeal basis. We need a more broader prospective. The Finance Committee seriously considered including these walkways on their capital item request. However, after discussion and review and exchange they determined that it just wasn't fiscally responsible for them to do so. She wanted you to recall the discussion the night before about the escalating debt and where the Town is going to be in the year 2002. While the Finance Committee finds it really disheartening that there are no better alternatives for funding these walkways, she knows that the Town Manager has been investigating a betterment program along with the Planning Board, Selectmen, the Assistant Town Manager and the Town Engineer and they are going to continue to do that. Given the financial constraints at this time, the Finance Committee cannot support this Article and recommend disapproval.

SELECTMEN: Ms. Clark was recognized. She agrees that the Petitioner makes a very good argument for walkways. However, the reality of the situation is that there are no funds in the walkway account.

Kirsten Vandijk, 37 Landham Road, was recognized by the Moderator. She said she lives on a main road and there are many more main roads than there were ten or fifteen years ago. That is something that needs to be addressed. She agrees with FinCom that it's a broader problem but every Town Meeting she has attended where sidewalk issues have been raised it has been pushed aside. Sudbury has to become more user friendly, so that people can be walking the streets they live on without worrying about traffic. She said she personally chooses not to vote on this issue at this meeting because she strongly believes it would be irresponsible to do so in a piecemeal fashion.

Sahag Dakesian, 335 Willis Road, said he has been a resident on the road for over thirty years. He urges defeat of this Article and gave several reasons.

- The traffic study that was made in September of 1998 and the conclusions that are stated in this Article are no longer valid. The reason he made that statement is that he made his own traffic study on 3/25, 3/26 and 3/31. This is what he found out. There is no where near eighteen trucks using Willis Road from 7:00 to 9:00 a.m. In fact, he only saw one construction truck at the corner of Ruddock and Willis discharging soil for the construction site.
- On the three days that he made his traffic study, the only children he saw when he was doing his study were two children on the corner of Ruddock Road and Willis waiting for a school bus. There were no children walking in the streets or parents with strollers, none on the three days. Walkers and joggers, yes there was a variation from about eight to thirteen joggers and walkers on Willis Road. They were walking for the most part freely and some of them were walking in the middle of the road with no fear of impediment from the traffic. Calling Willis Road a major thoroughfare is subject to discussion.
- Also the Article proposes a walkway from Briant Drive to Mossman Road and as he stated earlier his traffic study was conducted at the intersection of Ruddock and Willis Road and it refutes the statements made in this Article. Another point to be considered which is not mentioned in this Article; several of his neighbors would be effected by this walkway. One of them has an underground sprinkler system in front of his yard, which would be disrupted and would have to be removed and paid for. He has a semi-circular driveway, which would be disrupted, and abutting the semi-circular driveway is his leaching field and that would be disrupted. These are added costs that would have to be taken into consideration. A third neighbor's home is situated below the level of Willis Road where it ascends towards Mossman Road, that neighbor would be subject to pedestrian walkers peering into her kitchen or her living room. He recommended defeat of this Article.

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Maryanne Olsen, 138 Ford Road, spoke and said she has lived in the Bower area about fifteen years and lived in Town about nineteen. She said Willis Road is an accident waiting to happen. She said we need this sidewalk. A lot of people do walk it, there are parents with strollers, and there are people who walk with their dogs and kids. The traffic has increased unbelievably over the years and she feels that this walkway has been turned aside too many years in a row now. She asked the Hall for support.

Several other residents spoke in support this article.

The Moderator asked if anyone else wished to be heard on the motion under Article 17. Seeing no one, the Moderator stated this Article would require a two-thirds vote to pass.

The motion under Article 17 was DEFEATED.

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ARTICLE 18. WILLIS ROAD WALKWAY (MARLBORO ROAD TO WILLIS ROAD WETLANDS)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$26,130, or any other sum, to be expended under the direction of the Director of Public Works, for the construction of a walkway (approximately 1,011 feet) along Willis Road, from Marlboro Road to Willis Road wetlands (1,629 feet from Briant Road); and to determine whether said sum shall be raised by borrowing or otherwise; or to act on anything relative thereto.

Submitted by Petition

The Moderator said that the Chair had been advised that someone called the Selectmen's Office to indicate that they could not be here this evening on this Article and he hated to see people loose out. Therefore, the Chair would deem it to be in order if someone wished to make a motion to postpone the consideration of Article 18 to be the last business in the Warrant in order to protect this citizen's right to have their Article heard. He asked if there was such a Motion. It was so moved. Is there a second? The Moderator asked if anyone wished to be heard on the Motion.

He recognized Donald Oasis, 325 Willis Road, he said Mr. Moderator although it's very nice of you to try to be accommodating but that this Article is being postponed has in effect been decided by the previous vote. You didn't do this with the Union Avenue walkway and he doesn't think there is anyone in the Hall that would compare the need for a walkway on Willis Road with a need for a walkway on Union Avenue. He thinks that this should not be postponed until the last meeting. He thinks that is most unfair. We have already decided this.

Mr. Dignan responded and said he wanted them to understand the reason he let Union be Passed Over was that he was advised of no Petitioner saying they couldn't be here. There was no effort made to come to the Selectmen or anyone else. He didn't want them to think he was treating them differently. In this case, the citizen involved came to the Selectmen's Office or called the Selectmen's Office, apprised them of the problem and asked if anything could be done. Mr. Dignan, through the Selectmen, advised them that they could ask if a Motion to Postpone would be amenable to the Town. There is no intent to treat them differently. He said he understood someone called the Selectmen's office. There was much discussion over how Mr. Dignan was handling this situation.

Mr. Coe spoke and said if the Article has so little support that the absence of the one proponent from the Hall is sufficient to require it to be postponed than he thinks that it's pretty clear that the Article is going to be defeated anyway. Furthermore, he doesn't understand why prearranged speaking orders are bad but postponing an Article, because one person can't be here, is good.

Janice Ryan, 6 Canterbury Drive, said Mrs. Greenwood is a neighbor and friend of hers. Her boss summoned her to New Jersey with about eight hours of notice and that's why she couldn't be here tonight. Unfortunately, she couldn't connect with her to get all her necessary statistics about accidents and injuries and things. She did know a portion of the sidewalk is being funded by a developer as an agreement with the Planning Board. She urged the Hall to support this motion to delay this until the end of the Warrant because there are facts that would cause a positive vote.

The motion to Postpone the consideration of Article 18 to the end of the warrant was VOTED. Article 18 was moved to the end of the Warrant and will be taken up as the last order of business at the end of Town Meeting.

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ARTICLE 19. STABILIZATION FUND

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

Ms. Roopenian Moved to appropriate the sum of \$455,000 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 taxation.

The Motion received a second.

Mr. Ledoux said the Stabilization Fund is the Town's rainy day fund that can be used for capital projects, etc. The Town approved the borrowing for the school projects, after the money was borrowed there was some opportunity to invest that money in some interest bearing accounts until it was time to pay off some short term borrowing. He said we have generated a large amount of money in terms of that borrowing which is represented in this Article. You may recall when the school borrowing of \$43M was discussed a couple of years ago and the School Committee and others talked about the payback schedule and how we would offset some of the impact of that borrowing and that we would use some interest earned to offset the borrowing cost. The intent of this money being placed in the Stabilization Fund is to use these funds in future years. During Mr. Ragones' presentation last night he showed the impact of the debt. It will be hitting us in 2002 and 2003. The primary purpose of this Article is so we will have these funds available to offset the bonding costs at that time.

FINANCE COMMITTEE: Mr. Ragones said we are earning about \$355,000 on a fund that we borrowed in anticipation of expenditures on the schools. When we voted the \$43M, the intent was to go this route and use the income to reduce the debt when it comes due and the first spike is in 2002. Tonight you voted some additional monies to be spent on L-S architectural studies and the Meachen Land and so that number has gotten a little bit bigger as opposed to smaller so he would urge all to vote to put this money in this Stabilization Fund. As Mr. Ledoux said it is a rainy day fund and he thinks we'll all be happier citizens when 2002 comes and we have the monies in the fund to reduce our overall debt service so he urges all to support this transfer of money to the Stabilization Fund.

Mr. Hank Tober said he is all in favor of saving. Saving is a virtue but this is the famous piggy bank saving for a rainy day. Whose rainy day? When you look at the school's side the rainy day is when the population of the school's students stops growing. The Unions have seen the handwriting on the wall. He didn't know that the Article would come in this somewhat failed language. What we have here is just another pretext for an override as we have seen them so far. When will people admit to themselves that revenue is other people's money? Any dollars accidentally not spent should be returned to the taxpayer, not re-budgeted.

The Moderator asked if anyone else wished to be heard under Article 19. He saw no one.

The Motion under Article 19 was VOTED.

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ARTICLE 20 COUNCIL ON AGING REVOLVING FUND

(Consent Calendar)

Move to authorize for Fiscal Year 2000, the use of a revolving fund by the Council on Aging for Senior Center classes and programs, to be funded by user fees collected; said fund to be maintained as a separate account, in accordance with Massachusetts General Laws, Chapter 44, Section 53E1/2/, and expended under the direction of the Council on Aging; the amount to be expended therefrom shall not exceed the sum of \$10,000.

Submitted by the Council on Aging.

COUNCIL ON AGING REPORT: Classes and programs at the Fairbank Senior Center are self-funding. The Council on Aging requests Town Meeting approval for FY00 to continue using a revolving account to receive fees and pay expenses related to classes and programs.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

The motion under Article 20 was Unanimously Voted on the Consent Calendar.

ARTICLE 21 SUDBURY SCHOOLS – EARLY CHILDHOOD REVOLVING FUND

(Consent Calendar)

Move to authorize for Fiscal Year 2000, the use of a revolving fund by the Sudbury Schools for the purpose of providing additional or supplemental early childhood instruction to be funded by tuition collection; said fund to be maintained as a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2, and expended under the direction of the Sudbury School Committee; the amount to be expended therefrom shall not exceed the sum of \$20,000.

Submitted by the Sudbury School Committee.

SCHOOL COMMITTEE REPORT: Over the past several years, the School Department has been receiving payments from the students to offset the cost of early childhood instruction. The amount offset has been shown each year in the warrant as part of the School Department's budget. In order to continue to use the offset funds, Town Counsel advises that a revolving fund must be authorized each year at the Annual Town Meeting. Passage of this article achieves that purpose.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

The motion under Article 21 was Unanimously Voted on the Consent Calendar.

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ARTICLE 22. SUDBURY SCHOOLS - BUS REVOLVING FUND: (Consent Calendar)

Move to authorize for Fiscal Year 2000, the use of a revolving fund by the Sudbury Schools for the purpose of providing additional or supplemental school transportation to be funded by user fee collection; said fund to be maintained as a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2, and expended under the direction of the Sudbury School Committee; the amount to be expended therefrom shall not exceed the sum of \$85,000.

Submitted by the Sudbury School Committee

SCHOOL COMMITTEE REPORT: Since September 1991, the School Department has been receiving payments from the students to offset the cost of school bus transportation. The amount offset has been shown each year in the warrant as part of the School Department's budget. In order to continue to use the offset funds, Town Counsel advises that a revolving fund must be authorized each year at the Annual Town Meeting. Passage of this article achieves that purpose.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

The motion under Article 22 was Unanimously Voted on the Consent Calendar

ARTICLE 23 TOWN CLERK – DOG REVOLVING FUND (Consent Calendar)

Move to authorize for Fiscal Year 2000, the use of a revolving fund by the Town Clerk for the purpose of making any purchases or paying any expenses related to Sudbury Bylaw Article V.3, Regulation of Dogs, or any costs required by the Massachusetts General Laws related to the regulation of dogs, to be funded by all fees, fines, charges, penalties or other like monies imposed under said Bylaw; said fund to be maintained as separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53 ½, and expended under the direction of the Town Clerk; the amount to be expended therefrom shall not exceed the sum of \$20,000.

Submitted by the Town Clerk.

TOWN CLERK REPORT: Receipts from dog fees and fines are allocated to this fund and deposited in a special account by the Treasurer-Collector. Expenditures charged against this fund, subject to the approval by the Town Clerk, shall be limited to available funds. Expenses to maintain the program are small; the remaining funds will be used to offset the dog officer's salary. State law requires that a revolving fund must be authorized each year at an Annual Town Meeting.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

The motion under Article 23 was Unanimously Voted on the Consent Calendar.

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ARTICLE 24 GOODNOW LIBRARY REVOLVING FUND

(Consent Calendar)

Move to authorize for Fiscal Year 2000, 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, pursuant to Massachusetts General Laws, Chapter 44, Section 53 ½, and expended under the direction of the Trustees of the Goodnow Library; the amount to be expended therefrom shall not exceed the sum of \$2,500.

Submitted by the Trustees of the Goodnow Library

TRUSTEES OF THE GOODNOW LIBRARY REPORT: State law requires that Town Meeting approve this fund annually. The revolving fund was initiated in FY92, and has been approved each subsequent year. It provides additional funds for Goodnow's Building Maintenance budget. Given the anticipated increase in use of the new Library, particularly its meeting space, this additional source of funding for maintaining the facility will be helpful. Since the Library has been operating out of Town Hall, it has not generated any funds for FY99.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

The motion under Article 24 was Unanimously Voted on the Consent Calendar.

ARTICLE 25. LIBRARY PRESERVATION RESTRICTION

(Consent Calendar)

To see if the Town will vote to authorize and direct the Board of Selectmen to grant a Historical Preservation Restriction, in perpetuity, on the buildings constituting the Goodnow Library, 21 Concord Road, including the Civil War Memorial Statue located on the Library property, to the Massachusetts Historical Commission; or act on anything relative thereto.

Submitted by Petition/Trustees of the Goodnow Library

GOODNOW LIBRARY TRUSTEES' REPORT: The Massachusetts Historical Commission has made a \$90,000 grant to the Goodnow Library. These funds are to be used to partially fund the renovation and restoration of the historic portions of Goodnow. In order to collect these funds, the State requires that Town Meeting approve a preservation restriction on the exterior of the building being restored. There will be no additional cost to the Town over and above the funds already appropriated for the building program.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

The motion under Article 25 was Unanimously Voted on the Consent Calendar.

April 6, 1999

ARTICLE 26 CHAPTER 90 HIGHWAY FUNDING

(Consent Calendar)

To see if the Town will vote to authorize the Town Manager to accept and to enter into a contract for the expenditure of any funds allotted or to be allotted by the Commonwealth, to be expended under the direction of the Town Manager for the construction, reconstruction and maintenance projects of Town ways pursuant to Chapter 90 funding; and to authorize the Treasurer to borrow such amounts in anticipation of reimbursement by the commonwealth; or act on anything relative thereto.

Submitted by the Director of Public Works.

DIRECTOR OF PUBLIC WORKS REPORT: Each year the legislature allocates funds to cities and towns for the improvement of their infrastructure, to be expended under the Chapter 90 guidelines. The current plans are to continue the implementation of our pavement management program.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

The motion under Article 26 was Unanimously Voted in the Words of the Article. (Consent Calendar)

ARTICLE 27 AMEND ZONING BYLAW, ART. IX.IH.4 – FLOOD PLAINS (Consent Calendar)

To see if the Town will vote to amend Article IX, Section H, subsection 4, of the Zoning Bylaw to reflect the most recent update to the FEMA Flood Boundary & Floodway Map, by substituting the current date of November 20, 1998 for the previous date of June 1, 1982; or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: Per the request of the Town of Sudbury, the Federal Emergency Management Agency performed a hydrologic and hydraulic analyses of various tributaries to Cold Brook, Dudley Brook, Mineway Brook and Hop Brook not previously studied in 1981. This Flood Insurance Study supercedes the original study dated December 1, 1981, and the resulting map, dated November 20, 1998, supercedes the previous map.

Failure to adopt this change to the Town Bylaws will cause the community to be suspended from participation in the National Flood Insurance program.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

PLANNING BOARD REPORT: The Planning Board supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee takes no position on this article.

The motion under Article 27 was Unanimously Voted in the Words of the Article. (Consent Calendar)

It was now past 10:30 p.m. and the meeting was adjourned. The Moderator said we would start tomorrow night with Article 28.

Attendance: 265

April 7, 1999

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

APRIL 7, 1999

(The full text and discussion on all articles is available on tape at the Town Clerk's office)

Pursuant to a Warrant issued by the Board of Selectmen, March 12, 1999, and a quorum being present, the third session of the Annual Town Meeting was called to order at 7:45 PM by Thomas Dignan, the Moderator, at the Lincoln-Sudbury Regional High School Auditorium. The Moderator reviewed the procedures to be followed.

The first order of the business for the night was to put off Article 28 in order to correct an error when Article 10 came before the Hall on the first night of Town Meeting. He explained the problem and how it would be fixed. When Article 10 came before the Hall two nights ago, the Article that removed the practice of advanced recognition, the moving party, Ms. Wallace, after being recognized simply went into the speech in support of the motion, which she never actually made. The procedural omission was picked up when the tape was checked and apparently no Motion had been made. The Town Counsel, acting under Section 15 of Article 2 of the Bylaws, informed the Moderator that a legal error had occurred. Now we will go through the process to correct the legal error. The way it would be corrected in order to assure that the Clerk can certify the Vote is this; he would ask Chairman Drobinski to make a motion to reconsider Article 10, we would vote that and it would only require a majority vote. We are acting under that special Article of our Bylaws. After that is done Ms. Wallace will come up and simply make the motion, which is in the Words of the Article, he would take a second and we would vote on it again. He didn't see any need for a lot of debate or discussion on the matter but he was open to be persuaded otherwise. He said we would go forward and correct it in that manner in a straight, forward fashion.

Mr. Drobinski was recognized and Moved that Article 10 be reconsidered. The Moderator asked if that received a second. It did receive a second. That Motion carried Unanimously.

Ms. Linda Wallace Moved in the Words of Article 10. The Moderator asked if that received a second, it did. He asked if anyone cared to be heard; no one came forward.

The motion under Article 10 was VOTED.

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**ARTICLE 28 – SPECIAL ACT – AMEND CHAPTER 40, SECTION 4, OF THE ACTS OF 1963
HISTORIC DISTRICTS COMMISSION**

To see if the Town will vote to authorize and direct the Board of Selectmen to petition the Great and General Court of the Commonwealth of Massachusetts to enact legislation to amend Chapter 40 of the Acts of 1963, to eliminate the membership requirement of an architect to serve on the Historic Districts Commission, by deleting the following words from the first sentence in 'SECTION 4. Creation and Organization of Historic District Commission': "a registered architect, or, in the event that none is available to serve," said legislation to take effect without further submissions to a town meeting; or act on anything relative thereto.

Submitted by the Board of Selectmen

Ms. Clark was recognized and she Moved in the Words of the Article. The motion received a second.

Ms. Clark was recognized in support of her motion. She said this is a situation that arose with the Historic Commission have difficulty finding an architect to replace Burton Holmes who left the Board. The Commission found someone with a lot of experience in the building trade and very qualified and would like the Section 4 amended by deleting the requirement for a registered architect. The Selectmen support it.

FINANCE COMMITTEE: The Committee had no position on this matter.

The Moderator asked if anyone else wished to be heard under Article 28.

Martha Coe, 14 Churchill Street, Moved to amend the main motion by replacing the words; "one member shall be appointed from among the voters of the Historic District" with the words "one member shall be appointed among the voters of each Historic District". The Moderator sought clarity so he said the motion to amend was to replace the word "the" with the word "each". Since it is in the words of the Article the Moderator wanted to be sure that the audience had their Warrant in front of them so that they would understand the Motion. The Moderator asked if the motion received a second, it did.

Martha Coe discussed her reasoning for this amendment. She explained that when we first accepted the Historic District Commission Act, we had one Historic District; now we have three. She said that the main motion is a request for a Special Act of the legislature. She said since we have to go through this process anyway, this amendment clarifies that a voter from each of our three Historic Districts should be members of the Historic Districts Commission. The Act does not say how many members should serve on the Commission but the Amendment will assure that voters who live in each Historic District will have a representative on the Historic Districts Commission as they do today.

The Moderator had a problem with this because he said if you do what you want to do the Commission would be raised from five to seven. These are required appointments. He said we would have to make it seven to get the three. The Moderator said the Article is in the Warrant as strictly for the purpose of getting rid of the requirement of a registered architect. Now we are doing more with this section than was contemplated by the notice in the Warrant. She agreed with the Moderator that the wording in the Warrant called for the Commission to consist of five. That was the problem. That five has to be changed from five to seven. The Moderator suggested that the Selectmen bring this issue out at the next meeting because he agreed that Ms. Coe pointed out a very real problem. We say "the Historic District" and as Ms. Coe pointed out we now have three Historic Districts. He was wondering if we could defer Ms. Coe motion to the Selectmen to consider for a future Town Meeting. Ms. Coe Moved to commit this to the Selectmen.

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Ms. Clark, Selectmen, had one query; if instead of saying "each Historic District" we said "the Historic Districts". She asked Mr. Dignan if he would say if this were outside of the four corners of the Article to add an "s". Would that resolve Ms. Coe's problem? She said it would. The Moderator asked if she wished to withdraw her Motion to Amend. Ms. Coe withdrew her Motion and let Ms. Clark make her Motion to Amend. Ms. Clark's motion was to add an "s" to the word District. The Moderator addressed Ms. Clark's motion to amend and asked if that received a second. It did. The Motion to Amend was VOTED.

We were now back to the main motion under the Article as amended.

Frank Riepe, King Philip Road, identified himself as an architect and spoke in regard to amending the Motion. He said he would hate to see this Charter change. He didn't know that there was such an acute need. He said it should be obvious to anyone that the Historic Districts Commission should have an architect serving because it is about architecture. He didn't think it served the town to change the Charter so he volunteered to serve on the Committee in order to not have it changed. He asked that the Hall please vote against the Article.

Lee Swanson, 14 Muskette Lane, also opposed this Amendment because he thought there should be an architect on this particular board in the future. He said that the offer that was just made should be taken up.

The Moderator asked if anyone else wished to be heard. He saw no one.

The Motion under Article 28 FAILED.

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ARTICLE 29 – AMEND BYLAWS, ART. V.2 – ALLOW ICE CREAM TRUCKS

To see if the Town will vote to amend Article V, Section 2, of the Town of Sudbury Bylaws, by adding at the end of the first sentence the following words: "except that the vehicles may be used in any district for the sale of ice cream products between the hours of 12:30 p.m. - 4:30 p.m., and 6:30 p.m. - dark"; or act on anything relative thereto.

Submitted by Petition

Linda Hench-Gentile, 33 Surrey Lane, Moved to amend Article V, Section 2, of the Town of Sudbury Bylaws, by adding at the end of the first sentence the following words: "Except that the vehicles may be used in any district for the sale of ice cream products between the hours of 12:30 p.m. – 4:30 p.m., and 6:30 p.m. – dark."

The Motion received a second.

Ms. Hench-Gentile was recognized in support of the motion. She asked the Hall if her daughter, Sarah Gentile who is twelve years old and who has lived in Sudbury all of her life, could speak on behalf of this Motion. She is the author of the Motion and the moving force behind the Article. The Moderator saw no objection. Sarah was introduced.

Sarah Gentile, 33 Surrey Lane, said that last summer she was with her family at a lake in Hudson swimming and having fun when the ice cream truck came along as it had before on almost every summer weekend afternoon when they visited there. Later, when her brother and she were finishing their ice cream she asked her parents why she never saw any ice cream trucks in Sudbury. They explained to her that ice cream trucks were not allowed in Sudbury. Her father explained to her that Sudbury Town Meeting makes the bylaws for our town and this is where she would have to come if she wanted the rules to change and allow ice cream trucks back in town. This motion is very simple and direct. It allows ice cream trucks to operate in Sudbury but restricts their hours of operation so that they don't interfere with lunch and dinner. While preparing her presentation for the evening she wrote to Town Clerks and Police Chiefs in cities and towns where she had learned that ice cream trucks had operated; Stow, Acton, Milford, Marlborough, Northboro and Hudson. She had asked the Town Clerks to send copies of their ice cream truck bylaws if they had any and she asked the Police Chiefs to tell if there had been any injuries or crimes caused by the ice cream truck drivers. All of the Police Chiefs or their representatives responded. She was pleased to inform the hall that none of the them reported any instances of drug dealing, child abuse or personal injury. She was curious and concerned about this because some of these concerns had been raised at Town Meeting last year and others in a letter to the Town Crier months ago. Last year when a similar Article was considered the Park and Recreation Commission expressed concern about having ice cream trucks near recreational land and took a position against the Article. She said these types of facilities would have large groups of children congregate and are the main places where ice cream trucks would stop and sell their treats. Park and Rec. voiced concern for public safety. More recently her Dad and she received a certified letter last Saturday from the Park and Recreation telling them that they did not want any ice cream trucks to stop within a thousand feet of any playground or recreational facilities. A phone call last week was the first word she heard from the Commission. They thought about it and decided that it would not be fair or safe to have an ice cream truck stay 1,000 feet away from the places where most kids expect to find them. It would be a lot safer and easier to walk over to a truck parked at a field or lot next to a field than to have kids running 1,000 feet to one. Last year when she became interested in this she wanted to know if any child or adults had been harmed at a playground or anywhere else in towns and cities where ice cream trucks have operated. Chief George Robinson in the Town of Acton wrote her a note saying there were no problems of any kind with these trucks. They had no reports of drug dealing or child abuse by ice cream truck drivers. There were no children hit by cars while running after the trucks. Protecting children is one of the most important things a Police Department can do for a town and Chief Robinson said that they take this part of their jobs very seriously. If they felt that ice cream trucks were dangerous to kids in Acton they would do everything they could to keep them away. Detective James R. Auld from the Waltham Police Department wrote; "We have not had any problematic instances specifically related to ice cream trucks or their operator. She also read a positive report from Richard A. Bragger, Jr. the Police Chief in Hudson. He wrote of his experiences with ice cream

truck drivers and he thought most ice cream truck drivers are cognoscente of children running to the ice trucks and do their best to prevent any tragedies. He said he had not had any negatives experiences in Hudson with regard to ice cream truck drivers. Another letter was read from the Town Clerk in Stow. It stated that Stow had enjoyed positive experiences from having the ice cream trucks in their town. The Town Clerk in Hudson wrote to say that while Hudson did not have any Bylaw regulating an ice cream truck, Massachusetts laws Chapter 101, Sections 17 and 18 allows persons wishing to obtain a license to obtain a Hawkers and Peddlers license and also comply with Section 16A of Chapter 101. In Hudson the Board of Selectmen grants the license and charge \$10.00 for it. The cities of Waltham and Marlboro allow ice cream trucks but do not have any special bylaws governing their operation. They do issue permits under the State statue. Other towns which enjoy ice cream such as Acton and Northboro do not have a specific bylaw but do follow the standards in 105 Code of Massachusetts Regulations CMR 590.029 entitled Mobile Food Units and Push Carts. The Safety Officer in Sudbury also spoke with her about safety issues and he agrees with Sarah about having ice cream trucks in Sudbury. She shared copies of Bylaws from several towns around the country. She shared the verbiage from the Massachusetts General Laws regarding this issue and established the fact that the Massachusetts Laws offer necessary protection. She wanted people to remember their fondness of having an ice cream truck around on a hot summer day. She urged that people vote yes and let all the kids in Sudbury enjoy ice cream this summer.

FINANCE COMMITTEE: The Committee had no position on this matter

BOARD OF SELECTMEN: Ms. Clark spoke and said that the Selectmen totally endorse and support this Article.

Patricia Savage, Park and Recreation Director presented an amendment to the Article. Moved to amend the main motion by adding the following words after the word dark; "but not within a 1,000 feet of any Park and Recreation property, area or facility". The Motion received a second.

Ms. Savage was recognized in support of her motion and proceeded with the concerns of the Commission. She spoke of all the major recreation areas, which include a lot of traffic. It is a public safety issue. She based her amendment on the precedent set by other communities with regard to public park and recreation properties. She gave an example from the city of Newton; no hawker or peddler shall sell within the private or public educational institutions or grounds, near playgrounds, parks within the city limits within certain hours within 1,500 feet of several areas. So they have a range of 500 to 1,500 feet and as a result of that information the Commission decided 1,000 feet. She noted the hazards of the traffic coming and going and the possibility of children running into the heavy flow of traffic. She asked that the amendment be accepted and stated that they did ask the petitioners to accept this as a friendly amendment and did not hear a response from them. The Commission is indeed concerned with the public safety issue and asked that the Hall support this Amendment that ice cream trucks not be allows within 1,000 feet of Park and Recreation properties, areas and facilities and she urged support of this amendment. The amendment would now read, assuming that the main motion is passed, the town bylaw Article V, Section 2, Sale of goods on Highways; "no person shall erect or maintain a stand or otherwise display or sell any articles within the limits of any highway except that the vehicles may be used in any district for the sale of ice cream products between the hours of 12:30 p.m. and 4:30 p.m., and 6:30 p.m. till dark but not within 1,000 feet of any Park and Recreation property, area or facility" and the additional fine which is associated with the violation of that bylaw. She urged support of the Amendment.

Bill Duckett, Boston Post Road, was recognized and asked if this amendment would mean that the children on Butler Road and Raymond Road would not be able to get ice cream because they are close to the soccer field. Any street or byway within 1,000 feet of these recreation areas would be effected and it would be pretty tough to enforce this – he stated that he was opposed to the Amendment.

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Mr. Coe spoke and said he was opposed to the amendment as well. He acknowledged the difficulty the Park and Rec. Director must have had to come up and propose this amendment. He did say that he thought that the proponents Article was much more sensible. If you park the truck 1,000 feet from the recreation facility that shows that the kid is going to run 1,000 feet to the truck. He saw no sense in this. If they want to make it as safe as possible why not let the truck park on the grounds of the facility? Then the child won't have to cross the street at all.

Frank Reipe spoke and said he was opposed to this Amendment. He said it would seem inconsistent to accept that but than acknowledge that an ice cream truck could come to Lincoln- Sudbury if there's a baseball game or a softball game. He said that would not make any sense not being able to serve a soccer squad at Haskel or elsewhere so he would vote against this Amendment.

John Brown, 655 Boston Post Road, said he was opposed to this amendment. He complimented Sarah on doing such a great job on reaching out and finding all the statistics involved in ice cream trucks in different areas. He asked if there was going to be a process where Peddlers license will be sought and what does the Park and Rec. Director intend to do, since nothing was heard from her, for the child that goes the 1,000 feet to that ice cream truck and may get in trouble.

Roberta Glass, 523 Hudson Road, was at soccer field in Arlington recently and the ice cream truck arrived and a child who was eight years old bolted from the field straight into the parking lot. She said there were lots of cars coming in and going out and no one on the team could catch him. The coach, the parents could not catch him. Parking lots are a dangerous place to have an ice cream truck and accidents do happen. She thinks it's a bad idea to have the trucks anywhere near a park or a school.

John Nikula, 25 Marlboro Road, he has been on every soccer field from Central Massachusetts to here. He said a place like Haskell is totally different from fields in the other towns mentioned. They are single fields or maybe double. You don't have the multiplicity appeal at one location, the tremendous traffic of kids going in an out that you will find at Haskell. That is Park and Recreation's position because there's too much traffic, too many children as opposed to a single field. Therefore, he supports the amendment.

Bill Keller, 31 Churchill Street a member of the Planning Board and speaking on behalf of the Planning Board. He said they have reviewed this Article in motion. As is known, the Planning Board is involved in laying out streets and ways in the town when reviewing subdivision plans and they are satisfied that there is not the public safety issue that the Park and Rec. is raising tonight. They are voting in favor of the original Motion and he urged people to vote against the amendment as they don't feel it's necessary.

Pat Burkheart on the Park and Recreation Commission spoke and complimented Sarah in doing a great job in presenting very clearly all of the issues about having the ice cream trucks in Sudbury. She wanted to make a few points. She said that at the sports field, some groups do sell food, the money earned is put back into the teams for their programming. Her point was that there is food available at the facilities. She said the ice cream trucks would not be allowed to come into the parking lot. She said that her thinking was the way the bylaws read they would just be on the road outside Haskel field. She said there are people running back and forth and people parking on the grass, there isn't enough parking space, you can't see where you are going. She had to disagree with the Planning Board. Maybe the residential streets in Sudbury are fine but the sports field and Davis are very hazardous coming in and out of. It's very crowded. She wanted to present those two points of clarification.

Jennifer Grasso was allowed to speak even though she is not a registered voter in the Town. Actually she was one of Sarah's supporters. She disagreed with the Amendment that Park and Rec. Commission is trying to pass. As had been said, if we had ice cream trucks 1,000 feet away from any Park and Recreation property, don't you think children would run that 1,000 feet and would have more of a risk of getting lost or hit? After soccer games kids would enjoy having an ice cream cone and not have to walk 1,000 feet in order to get to the nearest ice cream truck.

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Sarah Gentile expressed her disagreement with this amendment and repeated what she had said earlier with regard to the amendment. She elaborated her case with a slide showing status regarding accidents and dog bites that required emergency room visits that have occurred relating to children. She showed the equation of the status of the mentioned above and how small of a percentage that ice cream trucks had been involved in any of these incidences/accidents.

Spencer Goldstein, Indian Ridge Road, spoke and said he felt a reasonable compromise could be achieved in the Park and Rec. Commission's proposal. Perhaps they might better serve the people that they wish to serve, the children of Sudbury, if they were to allocate a spot within sports facilities and in the various locations identified such that the ice cream truck can be brought in and parked there and there be no danger to the children. This would immolate the problem and therefore, the children would have the opportunity as well as the adults, to enjoy the ice cream truck and it would be safe for all.

Steve Meyer, Firecut Lane, said he opposed the amendment. Many people probably don't know this but the Park and Rec. Department owns many small parcels scattered throughout town without any other purpose other than it's there. This Amendment would ban ice cream trucks within 1,000 feet of all those parcels including the ones on your street near your house. Therefore, he suggested that the Hall should oppose this Amendment.

The Moderator asked for a vote to be taken on the motion to amend.

The motion to Amend FAILED.

We were now back to the main motion. Mr. Dignan asked if anyone else wished to be heard on the main motion? Two other proponents of the motions spoke, both being young supporters.

The Moderator asked if all those in favor of the main motion under Article 29 to raise their cards; all those opposed.

The Motion under Article 29 was VOTED.

The Moderator complimented Sarah on her preparation in presenting this motion. The Hall agreed!

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ARTICLE 30 AMEND BYLAWS, ART. V. 3 – REGULATION OF DOGS, FINES

To see if the Town will vote to amend part (A) of subsection 3-24, VIOLATIONS, in Article V, Section 3, Regulation of Dogs, to increase the schedule of fines, by deleting the words “according to the following schedule of fines: for the first offense in any calendar year – twenty-five dollars; and for the second or subsequent such offense – fifty dollars”, and substituting therefor the words “by a fine of fifty dollars for each offense”; or act on anything relative thereto.

Submitted by the Board of Selectmen.

Ms. Roopenian Moved in the Words of the Article. It received a second.

She said the reason that the Selectmen submitted the Article for the fine increase was to try to act as a deterrent to those dog owners who are acting irresponsibly and thereby putting the public safety at risk. She urged that the Article be passed.

FINANCE COMMITTEE: Recommended approval.

Martha Coe, 14 Churchill Street. Although she does not own a dog, she was opposed to this Article. She thought that the fine was too costly especially for Senior Citizens. She was not against having a fine schedule that discourages people in violations of the dog law. She does quarrel with having a stiff fine for a first offense because even well behaved dogs of law-abiding citizens get into circumstances beyond the owner's control. Therefore, she asked to have this Article voted against to keep the fine for a first offense at \$25.00.

The Moderator asked if anyone else wished to be heard. No one did. The Motion was presented to the Hall.

The Motion under Article 30 was VOTED.

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ARTICLE 31. REAL ESTATE TAX EXEMPTION (Consent Calendar)

To see if the Town will vote pursuant to Chapter 73, Section 4, of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, to allow for an increase of up to 100% of the current exemption amounts under Clauses 41C, 37A, 22, and 17D of Chapter 59, Section 5, for fiscal years 1999 and 2000; or act on anything relative thereto.

Submitted by Petition/Board of Assessors.

BOARD OF ASSESSORS' REPORT: At a Special Town Meeting held in November of 1997, voters unanimously approved a local option which provides for an increase in exemptions for elderly, blind, veterans and others up to 100% of the statutory amounts allowable under chapter 59, Section 5, clauses 17D, 22, 37A, and 41C of the General Laws. At that time, it was interpreted that a vote in favor of the additional exemption would allow for the increase annually. It was discovered, however, that Chapter 73, Section 4, of the Acts of 1986 requires annual acceptance by Town Meeting vote

The overlay accounts for Fiscal Years 1999 and 2000 have been budgeted for this provision. The proposed increase is estimated to cost \$22,500 based on the actual cost of this provision in Fiscal Year 1998.

A brief description of each of the affected exemptions is listed below:

CLAUSE 41c - Applicant must be over 70 and yearly income from all sources cannot exceed \$19,000 for a married couple or \$15,900 for a single person. Value of applicant's estate (excluding the house) cannot exceed \$30,000 for a married couple or \$28,000 for a single. Current benefit is \$500 which would increase over time to a maximum of \$1,000.

CLAUSE 37A - Applicant must be legally blind as certified by the Commission of the Blind. Current benefit is \$500, which would increase over time to a maximum of \$1,000.

CLAUSE 22 - Applicant must be a veteran with a service-related disability rating of \$10% or more. The current benefit of \$250 would increase over time to a maximum of \$500.

CLAUSE 17D - Applicant must be a surviving spouse of any age or 70 or older and the value of the applicant's estate (excluding the house) cannot exceed \$40,000. Current benefit is \$185.30, which would increase over time to a maximum of \$370.60.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of this article.

The motion under Article 31 was UNANIMOUSLY VOTED on the Consent Calendar.

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**ARTICLE 32 ACCEPT M.G.L.c. 148, s.26H – AUTOMATIC SPRINKLER SYSTEMS IN LODGING
OR BOARDING HOUSES (Consent Calendar)**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 148, Section 26H, lodging or boarding houses; automatic sprinkler systems; or act on anything relative thereto.

Submitted by Petition/Fire Chief.

FIRE CHIEF'S REPORT: Acceptance of this section of M.G. L. Chapter 148 will require all lodging or boarding houses to install automatic fire protection sprinklers. Lodging and boarding houses are defined in the statute as "a house where lodgings are let to six or more persons not within the second degree of kindred to the person conducting it, but shall not include fraternity houses or dormitories, rest homes or group residences licensed or regulated by agencies of the Commonwealth."

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article

FINANCE COMMITTEE REPORT: The Finance Committee takes no position on this article.

The motion under Article 32 was UNANIMOUSLY VOTED on the Consent Calendar.

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**ARTICLE 33 ACCEPT M.G.L. C. 148, S.261 – AUTOMATIC SPRINKLER SYSTEMS IN
MULTIPLE DWELLING UNITS, NEW CONSTRUCTION** (Consent Calendar)

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 148, Section 261, multiple dwelling units; new construction; automatic sprinkler systems; or act on anything relative thereto.

Submitted by Petition/Fire Chief.

PETITIONERS' REPORT: Acceptance of this section of Massachusetts General Laws Chapter 148 will require all new or substantially rehabilitated dwelling units of four or more units including, but not limited to lodging houses, boarding houses, fraternity houses, dormitories, apartments, town houses, condominiums, hotels, motels and group residences, to install automatic fire protection sprinklers.

BOARD OF SELECTMEN POSITION: The Board of Selectmen supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee takes no position on this article.

The motion under Article 33 was UNANIMOUSLY VOTED on the Consent Calendar.

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ARTICLE 34 AMEND ZONING BYLAW, ART.IX.I.F – CERTAIN OPEN SPACE AND EDUCATION USES

To see if the Town will vote to amend Article IX, the Sudbury Zoning Bylaw, by adding to Section I.F a new paragraph number two, as follows:

“2. The use of land and/or buildings for religious, non-profit educational, or child care facilities or other exempt uses provided for in M.G.L. c.40A, s.3, shall be reviewed by the Inspector of Buildings for compliance with reasonable bulk and height of structures, yard sizes, lot area, setbacks, open space, parking, and building coverage requirements and other requirements as permitted under state or federal law, in conjunction with the issuance of a Building Permit.”

and to number the existing paragraph as number “1”, and to change the heading on this section to include the words “recreational, religious and child care”;

or act on anything relative thereto.

Submitted by the Board of Selectmen. The vote required is a 2/3rds vote.

Mr. Drobinski Moved in the Words of the Article. It received a second.

Mr. Drobinski was recognized in support of the Motion. He said the approval of this Amendment would give the Building Inspector specific overview relative to the construction of religious, non-profit educational and childcare facilities. The purpose of this provision is to afford the Town control over such building projects and to insure compliance with the Town of Sudbury zoning bylaws and to address the Dover amendment issues that the Town has been dealing with this year. The Board urges support of this Article.

FINANCE COMMITTEE: The Finance Committee takes no position on this article.

PLANNING BOARD: Lisa Eggleston spoke on behalf of the Planning Board. She said the Planning Board supports this Article. She said, as many people are aware the Zoning Bylaws are in the process of being re-codified. The Planning Board believes that these issues will be addressed in that process but that this Amendment as it's proposed will help to provide additional protection in the interim.

Mr. Robert Coe said he needed an explanation as to exactly what this Article does. His understanding is that the particular institutions that are sited here are exempt from normal building permit requirements or at least some of them. He said it is not clear to him that this overview that the Building Inspector gets with this Article actually does anything in particular. Can the Building Inspector withhold a building permit? From all that he has read in the paper that doesn't seem to be the case. What is it that the Building Inspector can do? The Moderator tried to clarify this question. He understood the question to be “If the Building Inspector found something he didn't like can he actually do anything about it or does state law just override it anyway? It's a useless act.”

Mr. Drobinski spoke of the two step process. One is giving the initial building permit, which the Building Inspector can evaluate and hold back. Secondly, if he gives a permit and then finds out something is not appropriate than he can hold back the occupancy permit. This give the town some control over some of the non-exempt uses and that the uses would be in conformance with the bylaw to the extent that the state statue allows us.

As no one else wished to be heard on the motion, the Moderator presented it to the Hall.

The Motion under Article 34 was VOTED.

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ARTICLE 35 DESIGNATE SURREY LANE PARCEL AS CONSERVATION LAND

To see if the Town will vote to designate a parcel of land on Surrey Lane, identified as Parcel 625, Lot 25, on Town Property Map H03, as Conservation Land; or act on anything relative thereto.

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

Mr. Drobinski MOVED to designate a parcel of land on Surrey Lane, identified as Parcel 625, Lot 25, on Town Property Map H03, as Conservation Land.

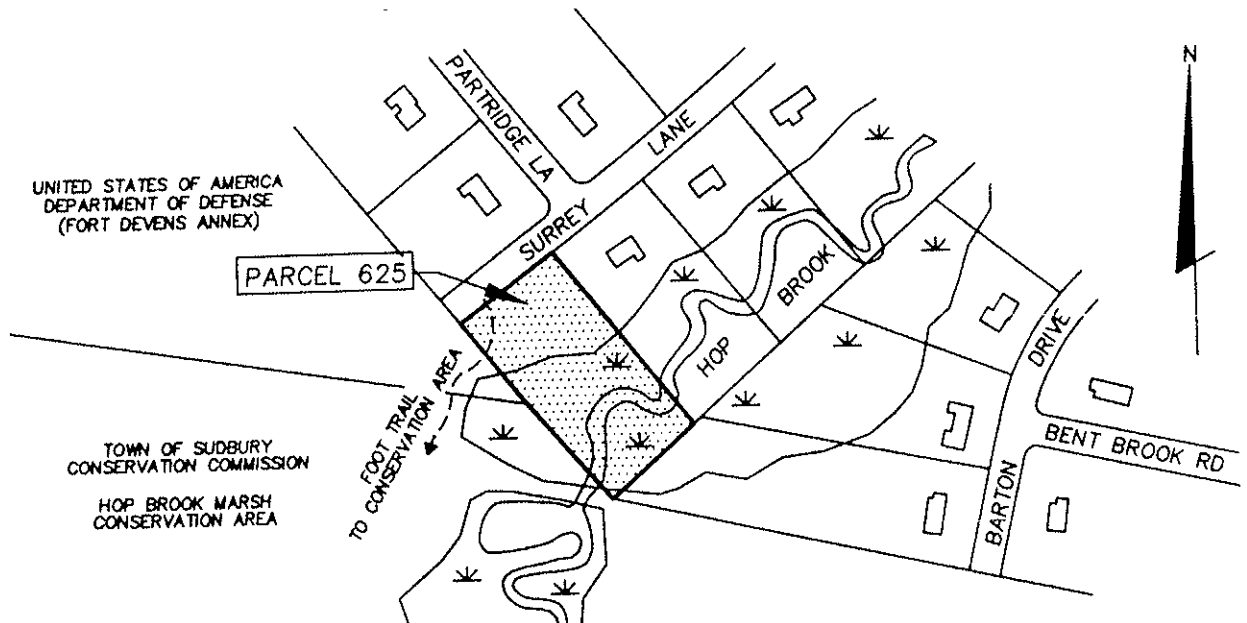
The motion received a second.

Mr. Drobinski said all this Article does is to codify the Selectman's vote of May 18, 1998. This parcel has been in Conservation use since 1981 and all they are doing is asking Town Meeting approval to make sure this parcel stays in Conservation use.

CONSERVATION COMMISSION: Debbie Dineen the Town's Conservation Coordinator spoke. She said you might be wondering why if this parcel has been in Conservation use since 1981 that all of sudden in 1999 we want it designated as Conservation Land. She wanted to make it clear that this requires no money. It's simply a change in the designation of a parcel. Right now the Town owns it and they want it to be owned by the Town for conservation purposes. The parcel is not buildable, there are substantial wetlands on the parcel and with the Wetland's Protection Act, the Wetlands Bylaw, the Rivers Act, Title V and Board of Health Regulations, it is definitely not a buildable parcel. So, there is no loss of tax revenue with this parcel being designated. You might say why now because the Commission has been managing the parcel since 1981. She presented four major reasons to the Hall. She urged the Hall for vote for this Article.

As no one else wished to be heard on the motion under Article 35, the Moderator presented the motion to the Hall.

The Motion under Article 35 was UNANIMOUSLY VOTED.



ARTICLE 36 AMEND ZONING BYLAW, ART. IX.IV.E.5.b – SR. RESIDENTIAL COMMUNITY,
MINIMUM OPEN SPACE

To see if the Town will vote to amend Article IX, the Zoning Bylaw, section IV.E.5.b (Senior Residential Community, Minimum Open Space) by deleting the entire section and substituting it with the following:

“b. Minimum Open Space – At least 25% of the upland area of the parcel shall be Open Space. No development, including clearing, primary or accessory structures, parking, wastewater disposal or storm water management, shall take place within the 100-foot buffer area of any jurisdictional wetland, unless authorized by the Conservation Commission. Upon approval of the Conservation Commission, the buffer area may be reconfigured to provide better protection of resources on the site if such reconfiguration achieves a similar goal of resource protection; however, in no event shall the total area of the 100-foot buffer be reduced without compensation in an equal amount elsewhere on the site.

The open space areas shall be selected to maximize the value of wildlife habitat, shall be contiguous to the extent required to preserve significant habitat, and shall be configured to minimize the perimeter to surface area ratio in order to preserve large blocks of undisturbed land. The open space shall be left in an undisturbed, natural state. Landscape plantings shall not be permitted, except in areas where revegetation may be necessary to increase buffering, as determined by the Planning Board. If revegetation of any area is within the jurisdiction of the Conservation Commission, the Commission shall determine the type and extent of plantings, to be compatible with the values and functions of the wetland and upland resources of the site”; or act on anything relative thereto.

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

PLANNING BOARD: Mr. O'Brien Moved in the Words of the Article. That received a second.

Mr. O'Brien spoke on behalf of the Planning Board. He said Article 36 is the result of two of the Planning Boards' primary goals for 1999 that have come together. One is that they were enthusiastically looking forward to having an SRC or an ISD at least be under development sometime during this year. They have been unable to accomplish that goal so far and that goal will carry over to next year's goals and objectives for the Planning Board. Second, they look to improve communications and work in closer fashion with other boards and committees. As he said last night, the Planning Board has come to the conclusion that the original SRC Bylaw was written too conservatively. The current Bylaws for SRCs calls for 50% of the parcel to be committed to open space after the wetland and the wetland buffer zone has been recalculated and removed. The net result was that on a 35-acre parcel you would have somewhere upward of 60% to 65% of the land designated not available for construction, thus creating a parcel that was too small and too tightly constricted for enough units to be built to make the bylaw economically viable for a developer to give serious consideration to. As he mentioned last night when Article 12 was being discussed, there would be a total of four Articles that addressed the concerns the Planning Board has about making these Articles economically viable so that they can receive serious consideration by developers and can act as a viable alternative to single family home construction. He said the Planning Board has worked closely with the Conservation Commission to rework the open space requirements so that wetlands and wildlife habitat will receive maximum protection while simultaneously allowing a little more flexibility for a developer in laying out a Senior Housing Community. This can be accomplished by allowing for some of the wetlands area to be counted in the open space calculation. The specific area that would be included in this calculation would be the area that is consumed by the 100-foot buffer that surrounds all wetlands. If you have a wetland area that has been designated you take a tape measurer and you measure back 100 feet from that. He said 100-foot buffer in some areas is inadequate. In other areas no buffer can be of any benefit because nothing can be accomplished in preserving the habitat in that particular area. With that in mind, the Board has attempted to change the Bylaw so that the Conservation Commission can actually decide where the buffering area would be most beneficial to preserving the wildlife habitat and that when a developer comes in front of the Conservation Commission they will be able to take that area and relocate it to the area where it will do the

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most good. Simultaneously we will allow the developer to count that space as part of their open space calculation. He said support of this Article, along with the approval of Article 12 last night, will allow for the Planning Board to actively promote Senior Residential Communities as a viable option to single family homes when the developers bring plans for land development before the Planning Board for approval. The Planning Board urges the Halls support.

FINANCE COMMITTEE: Recommends approval of this Article because it favors Senior Residential development, which is the most economic development for this Town.

BOARD OF SELECTMEN: Ms. Roopenian spoke and said the Selectmen unanimously supports this Article.

CONSERVATION COMMISSION: Ms. Dineen said the Conservation Commission unanimously supports this Article. It actually gives the Commission more flexibility to protect outside of their jurisdiction. Right now there is a 100-foot jurisdiction area from the edge of wetlands in this case because 100-foot buffer as it's known can be reconfigured it gives us the ability to protect more of the most critical areas of the site. In addition, the Commission wants to encourage the development of Senior Residential Communities because in all cases a Senior Residential Community will have less of a footprint of a disturbance on the land than a normal conventional subdivision. They support it unanimously and urged that the Hall do so as well.

The Moderator again announced this would require a two-thirds vote.

The Motion under Article 36 was VOTED.

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ARTICLE 37 **AMEND ZONING BYLAW, ART. IX.F.5.b – INCENTIVE SENIOR DEVELOPMENT, MINIMUM OPEN SPACE**

To see if the Town will vote to amend Article IX, the Zoning Bylaw, section IV.F.5.b (Incentive Senior Development, Minimum Open Space) by replacing the current wording of that subsection entirely with the following:

“b. Minimum Open Space – Open Space requirements shall be set forth according to the acreage of the parcel, as follows:

10-15 acres (total parcel size):	17.5% of the upland area
16-20 acres (total parcel size):	20% of the upland area
21-25 acres (total parcel size):	22.5% of the upland area
over 25 acres:	25% of the upland area

No development, including clearing, primary or accessory structures, parking, wastewater disposal or storm water management, shall take place within the 100-foot buffer area of any jurisdictional wetland, unless authorized by the Conservation Commission. Upon approval of the Conservation Commission, the buffer area may be reconfigured to provide better protection of resources on the site if such reconfiguration achieves a similar goal of resource protection; however, in no event shall the total area of the 100-foot buffer be reduced without compensation in an equal amount elsewhere on the site.

The open space areas shall be selected to maximize the value of wildlife habitat, shall be contiguous to the extent required to preserve significant habitat, and shall be configured to minimize the perimeter to surface area ratio in order to preserve large blocks of undisturbed land. The open space shall be left in an undisturbed, natural state. Landscape plantings shall not be permitted, except in areas where revegetation may be necessary to increase buffering, as determined by the Planning Board. If revegetation of any area is within the jurisdiction of the Conservation Commission, the Commission shall determine the type and extent of plantings, to be compatible with the values and functions of the wetland and upland resources of the site”; or act on anything relative thereto.

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

Mr. Lawrence O'Brien, Chairman of Planning Board, Moved in the Words of the Article.
The motion received a second.

Mr. O'Brien spoke and said this Article is identical to Article 36 and its' intent. The only difference is that this Article applies to our second or other Senior Housing Bylaw and that is referred to as the ISD or the Incentive Senior Development Bylaw. The ISD Bylaw has a sliding scale for open space that is applicable to parcels beginning at ten acres and up. The sliding scale for open space requirements in this Article will adjust that scale to the percentages, which you see shown above. As in Article 36 that you just approved, the wetland buffer zone will be used in the open space calculations and the Conservation Commission will have the authority to reconfigure the buffer and open space to provide the greatest amount of wildlife habitat protection. Once again the Planning Board urges your support of this minor adjustment to the ISD Bylaw.

FINANCE COMMITTEE: The Finance Committee is in favor of this Article.

BOARD OF SELECTMEN: The Board of Selectmen enthusiastically supports this Article.

CONSERVATION COMMISSION: Ms. Dineen said the Conservation Commission supports this Article for the exact same reasons she outlined for the previous Article.

As no one else wished to be heard, the Moderator called for a vote. He stated a two-thirds vote is required.

The Motion under Article 37 was VOTED.

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**ARTICLE 38 AMEND ZONING BYLAW, ART.IX.IV.E.7.e – SENIOR RESIDENTIAL COMMUNITY,
ADDITIONAL PHYSICAL REQUIREMENTS**

To see if the Town will vote to amend Article IX, the Zoning Bylaw, section IV.E.7.e (Senior Residential Community, Additional Physical Requirements) by substituting the following for that subsection:

“e. Wastewater Disposal – in every development wastewater disposal shall comply with the regulations of the Sudbury Board of Health, the Sudbury Water Resource Protection District and Wastewater Treatment Facilities Bylaws, and applicable Department of Environmental Protection regulations; or act on anything relative thereto.

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

Mr. Larry O’Brien, Chairman of the Planning Board, Moved in the Words of the Article.
The motion received a second.

Mr. O’Brien was recognized in support of the Motion. He said this is the last of the four Articles mentioned last evening and they are all revisions and adjustments to our Senior Housing Bylaws. When the SRC Bylaw was being written in 1997 the Planning Board wrote the article with a limitation on how wastewater could be disposed of. We specifically limited the options to only septic systems. In 1998 when we wrote the ISD Bylaw, we used the language that you see on page 25 of your Warrant. Your approval of this article will make the wastewater treatment requirements the same for both of the Town's Senior Housing Bylaws. It will allow for developers to consider the best available technologies and solutions for wastewater treatment when proposing an SRC development plan. The Planning Board urges support of this Article.

FINANCE COMMITTEE: The Finance Committee does support this Article.

BOARD OF SELECTMEN: The Selectmen unanimously support this Article.

Hank Tober, Ames Road, spoke and said the proposed Amendment may allow alternative disposal but it does not say that explicitly. He wanted to know just what is alternative disposal? He expressed his concerns and said that this was not economically feasible.

The Moderator asked if anyone wished to be heard regarding this Article. He saw no one.

The Moderator stated this would require a two-thirds vote.

The motion under Article 38 was VOTED.

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ARTICLE 39 AMEND ZONING BYLAW, ART.IX.V.C.9.d – DESIGN REQUIREMENTS,
COMMERCIAL PARKING FACILITIES

To see if the Town will vote to amend section V.C.9.d (Design Requirements for Parking Facilities) of Article IX, the Zoning Bylaw, by replacing the words "behind buildings" with the words "to the rear or side of the building"; _

Or act on anything relative thereto.

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

Jody Kablack Moved in the Words of the Article. The motion received a second.

Jody Kablack, Town Planner, spoke on behalf of the Planning Board. She said the purpose of this Article is to clarify the requirement on the location of parking in commercial districts. There has been confusion and many debates over this issue on recent site plan applications. The Planning Board is trying to reconcile these issues so those future site plans are able to effectively respond to the desires of the Town. Currently the Bylaw requires parking for commercial sites to be located behind buildings. This requirement which was adopted in 1986 attempted to address negative esthetic impacts of large parking lots along Route 20 by moving the parking to the rear of the site. This Amendment will continue to prohibit parking lots along the street frontage of commercial buildings but will give businesses more opportunity to locate critical parking spaces along the sides of the building close to the front door of the business. Given the predominance of retail establishments in our business districts it is felt that this type of parking configurations provides necessary convenience that business owners and customers want and allows site flexibility without sacrificing esthetics. The Planning Board urges support of this Article.

THE FINANCE COMMITTEE: Mr. Hertack said the Finance Committee recommends support of this Article since it removes one obstacle from the commercial development of property in Sudbury which is economically beneficial.

THE BOARD OF SELECTMEN: Ms. Roopenian said the Selectmen unanimously support this Article.

Jim Gish, 35 Rolling Lane, said he was a little confused by the Article. He knew what to a rear of a building means, but in the case of an irregular shaped building, such as an "L" where the foot is inward on the lot, he was not sure what side means. Does that mean it has to be outside of the confines of a regular polygon drawn around the thing?

Jody Kablack from the Planning Board addressed this issue. She said the first thing she wanted to address was something that had come up several times during the Town Meeting. That was that the Town Zoning Bylaw is currently being codified by a very renowned Land Use Attorney in Massachusetts. This is one of the provisions that they grappled with but they thought that it did need a little bit of fixing in the interim. She said the interpretation of parking behind buildings right now is interpreted by the Building Inspector as behind the front line of the building, not necessarily behind the building. This Amendment basically clarifies that behind the building means behind or to the side of it. They did want to look into a more precise definition of where the parking would be located when they codify the bylaw.

Frank Reipe, member of the Design Review Board, said he supports this Article. This comes up in their review of site plans and this is not a liberalization of the bylaw but rather a clarification of the bylaw and deserves support.

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CONSERVATION COMMISSION: Steve Meyer, Firecut Lane, supports this Article because it does give some flexibility that didn't exist before. He said it's important to understand that almost the entire commercial district is already built out so what they're really talking about here are regulations that will apply to renovations. This kind of change is important because for example, the Osco Drug situation, occurred in part because they couldn't put parking all in the back; in part because they were going to create a large park for the town, a wildlife area and a strolling park as well as trail-ways and it couldn't be done at the same time they had to put a septic system in and all the parking in the rear. So, the ability to interpret more clearly what the intent of the town is, is important here and again 99% of the parking in Town is already in front and it's always going to be there. So what is being talked about here is only a marginal renovation. He supports this Article and hopes that the Hall will as well.

Mr. Robert Coe said if this clarifies the intent of the Town it certainly isn't clear to him that it does. His understanding is that they are now saying that flexibility is a good thing. They now want be able to have parking on the sides and so on. A couple of years ago it's been, no we don't want flexibility, we want some kind of a village atmosphere where all of the buildings are lined up along the street and parking is behind and we want it to look like Concord Center. There was a great deal of effort to try and maneuver our current downtown area into looking that way. Is this still the objective? And if it is the objective why do things that seem to contradict that objective. If this is not the case why not say so and that we were wrong before. If anyone can keep track of what the Planning Board thinks it wants for the look of downtown Sudbury, he wishes that they would find a way to explain it.

The Moderator asked if anyone else wished to be heard on this Article. He saw no one. The Moderator reminded the Hall a two-thirds vote was required.

The motion under Article 39 was VOTED.

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ARTICLE 40 – UNISYS PROPERTY – TRANSFER 35 A. FOR SENIOR HOUSING

To see if the Town will vote to transfer no more than thirty-five (35) acres of the former Unisys Property, shown on Town Property Map C11, as Parcel 301, to the Board of Selectmen for the purpose of sale, lease, rental or other use or disposition consistent with the establishment of senior housing under Sudbury's Bylaws and to authorize the Selectmen to execute a deed or deeds therefor, and to determine the minimum price therefor; or act on anything relative thereto.

Submitted by the Selectmen

(Two-thirds vote required)

Ms. Roopenian, Selectmen, Moved "to authorize the Selectmen to execute a deed or deeds transferring no more than 35 acres of the former Unisys property, shown as Parcel 301 on Town Property Map C11, for a sum no less than \$1.00 and upon such terms and conditions as the Selectmen may direct; and to transfer the custody and control of this property to the Selectmen for this purpose."

The Motion received a second.

Mr. Dignan expressed his understanding that Ms. Roopenian and another member would address the Selectmen's presentation. He asked if extra time was needed and Ms. Roopenian asked for an extra five minutes. The Selectmen were recognized for twenty minutes. The Moderator asked if there were any objections. There were none and the Selectmen were recognized for twenty minutes.

Ms. Roopenian reported that in 1991 the Town purchased the property on Route 117 known as the Unisys/Sperry property for \$1,050,000. Until 1998 there was no activity concerning that site. That year a Town Meeting vote allowed a portion of the land to be transferred to the Conservation Commission. At the same time the Housing Task Force, a part of the Strategic Planning Committee, came to Town Meeting and asked for permission to pursue housing for seniors on the remaining upland portion of that site. It presented a unique opportunity to develop moderately priced senior housing and met the criteria set forth by the Housing Task Force that would satisfy repeated requests by seniors who ask for alternatives to current housing. Town Meeting overwhelmingly supported this initiative. Tonight you will hear the details of your vote.

In the past several years Sudbury has met the challenge of change. We have met growth versus capacity issues at both the High School and K - 8 schools. We have accepted initiatives to purchase land for open space and this year's Town Meeting has approved a wastewater assessment for our Business District. What we need to focus on now are the repeated requests by seniors for the alternatives housing options so they may remain in Sudbury. We have begun that process with Nursing Homes, Assisted Living Quarters, and a Bylaw that provides for Senior Condominiums. We have yet to make that a reality; but tonight, by endorsing this Article, we will begin work towards just that. This sets the stage for the Selectmen to negotiate an agreeable contract. What is in front of you now is a request by the Selectmen on behalf of the Housing Task Force to transfer the portion of the property on Route 117 to the Selectmen so the negotiations for developing this parcel may begin. The contract with the Selectmen will include payment to the Town for the land by the developer, a \$350K to \$400K payment to the Town for the land by the developer. A price guarantee on all units, age, price and resale restrictions, a bond to guarantee construction within a reasonable timeframe and site plan details as agreed to. This sets the stage for the Selectmen to negotiate an agreeable contract and nothing will proceed until this contract is solidified. You will hear from other members of this Task Force tonight about the specifics shortly. You will have many of your questions answered about what it will look like and how much it will cost and the benefit to the Town. The Selectmen have heard the specifics of this proposal. I have been on the Committee to select the developer and can say that the process thus far has been methodical, careful, and inclusive and the work that has been done by the Housing Task Force is commendable. A tremendous amount of time, energy and diligence has been lent to this project. The Board of Selectmen would like to thank each and every individual participating. The Selectmen unanimously support this Article and we would appreciate yours. Dan Claff will give you the specifics of this project.

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The Moderator expressed concern about this motion to Ms. Roopenian. He asked her if a correction would be in order. The Motion was put up on the view graph and he pointed out that the Motion ends up "To the Selectmen for this purpose" but there is no purpose stated in the Motion itself. He was wondering if the intent was that the words "For the purpose of Senior Housing" should be inserted after the words "Map C11". He asked Ms. Roopenian if she would accept that amendment. He asked the audience if anyone would object to that amendment being made in the main motion. He saw no objection so the main motion would now read as follows:

"Move to authorize the Selectmen to execute a deed or deeds transferring no more than 35 acres of the former Unisys property, shown as parcel 301 on Town property Map C11 for the purpose of Senior Housing for a sum no less than \$1.00 and upon such terms and conditions as the Selectmen may direct; and to transfer the custody and control of this property to the Selectmen for this purpose."

That is now the motion does that receive a second – it does – that is the motion before us and now Mr. Claff is recognized.

Dan Claff, Dutton Road spoke. He is a member of the Housing Task Force. At last year's Town Meeting the Housing Task Force offered an Article asking if you wished the Task Force to develop a plan, a very specific plan for moderately priced senior housing on the former Unisys land. Town Meeting voted unanimously in the affirmative and the Task Force went to work for a second year. It took us one year to get to last year's Town Meeting. We are here tonight to bring you the results of two year's work.

Last December a request for proposal, an RFP, was sent out to twenty-five developers who had expressed interest. The proposal contained the following requirements among others. Five proposals were received from established, quality development groups. A proposal review and selection committee was suggested by the Task Force and appointed by the Selectmen. I don't think I've ever served on a better committee. I would call to your attention that a very wide representation was most welcomed in trying to review the proposals by developers. There were a number of disciplines among the committee members. It served us well.

The Selection Committee reviewed the proposals in very great depth. Looking very carefully at such factors as the site plan, the unit design, the unit costs, the unit features, the financial capabilities and references of the developer, the quality of materials to be used, great attention to environmental sensitivities, land payment and more. Following this review and interviews with the leading proposers, in March the committee selected Bay Avery Associates of Boston as project developers. Bay Avery has more than twelve years experience.

Now to the proposed development itself. Dan gave a description to explain the slides as they were shown. He showed two different floor plans that are going to be offered. All the units will have two bedrooms and two baths. There will be a one car attached garage, half will have a walkout basement and half will have an attic. In both cases reached by a full stairway. Where the basements will be done is where the topography is on a slant and a walkout basement below the central living level will be a natural consequence. There is not a great deal of difference between the two. Some is because of the topography. All units will have a screen porch; they will all be heated by forced air and cooled by air conditioning. The units will sell for either \$170,000 or \$180,000 depending upon the style selected. There will only be a few added cost options. That's on purpose, the base model comes well equipped.

He moved on to the project costs and some of the values achieved. He showed three land purchases; two of them recent and one of them the Unisys land purchase in 1991. He directed the audience's attention to the cost per acres column on the slide. It showed how much land costs have sky-rocked in the past nine years. The parcel bought was 76 acres but the Senior Housing will take approximately 17; Conservation will gain the other 59 acres. The Senior Housing accounts for \$234,600 of the parcels' costs. We have been asked a number of times will this project return any money to the Town. Here's your answer; on the \$234,600 cost the Town will get forty units of affordable Senior Housing, \$117,000 yearly in property taxes from the forty units. My arithmetic says in two years the cost of the project is repaid to the Town. We will receive up to \$400,000 from the developer. The reason we say up to \$400,000 is that the agreement to be made with the

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developer will be \$10,000 per unit. We hope to build forty units – until all the testing is done we can't be positive of that so we leave a little bit of room. We purposely drew plans to leave the Frost FarmHouse with a conforming lot and conforming access and one-acre. This will enable the Town to sell or use later. The value will be approximately \$400,000.

These past weeks we have been frequently asked, "Who will be eligible to buy?" The Task Force has been working on eligibility criteria and has a way to go yet. We are happy to share some general information with you tonight. At least one owner occupant will be age 62 or older. Sudbury residents present and past will have preference, for whatever a legally acceptable period of time is. The income and assets limits will be generous enough to assure a large pool of potential buyers. We have forty units we don't want to be so foolish as to qualify thirty-nine buyers. We would rather qualify eighty buyers and figure out who the forty lucky winners are. Seniors of more moderate income and asset levels will be favored. Deed restrictions will limit resale profits to prohibit windfall profit taking. Moderate pricing should exist for future buyers as well as first-time buyers and those buyers in turn will have to meet eligibility criteria also.

In summary, specific eligibility criteria are still being developed; it is a work in progress. They do not exist at present no matter what rumor you may hear. The same applies to a buyer waiting list. None exists at this time. Ample advanced notice will be given through the senior newsletter and the local newspapers. We want to be sure you know when the housing will be available. Someone asked would I be able to afford it? If the unit is assessed at \$170,000 average at our present tax rate of \$16.30 taxes will be \$2,850, permit a couple of dollars rounding off. The condo fee has been computed for an average of six years earlier in the first few years and higher in the later years. The average over a six year span is \$242 a month coming to a total of \$2,900 combined total \$5,750 which represents a little over 14% of a forty thousand dollar retirement income. Please remember there will be no exterior maintenance, no lawn, no tree care, no snow removal and the appliances, the utilities systems and the interior are all brand new. Feedback that we get says that that's quite reasonable. At this point I'd like to turn the presentation over to Larry O'Brien, the Planning Board Chairman, and a key contributor to the project that we set forth to you tonight.

FINANCE COMMITTEE – Emil J. Ragones spoke and said The Finance Committee supports this Article due to the need for Senior Housing. It is a great project and we recommend everyone's support.

PLANNING BOARD – Larry O'Brien was recognized and spoke on behalf of the Planning Board and also as a member of the Bid Review Committee.

The sole purpose of this article tonight, Article 40, is to transfer the parcel of land know as the Unisys property to the Selectmen so that when an acceptable contract has been negotiated the land may then be transferred to the developer so that the permitting and testing process can begin. What should be kept in mind, is that only after all the acceptable permitting has been completed will any constructions begin. The developer will need to receive approval from the following boards and committees; the Planning Board, the Conservation Commission, the Board of Health, the Design Review Committee, the Massachusetts Department of Environmental Protection, the Fire Chief and also the Water District.

The Planning Board, the Conservation Commission and the Board of Health will all conduct open public hearings as part of the approval process. The reason that I have raised these specific items, is that as the bid review committee has been updating and reviewing the progress of this project with various town boards we have had many questions presented to us that hopefully we will be able to answer over the next few minutes. Some of the questions that have been asked are the following:

Will the development have an age restriction placed on potential owners? The answer is YES. Currently it looks like the project will be developed under the ISD bylaw and that each unit will need to be owner occupied by at least one person age 62 or older. How many units will be constructed? Forty will be the maximum depending on soil and land conditions and what will be permitted on the parcel itself.

Will the trails to White's Pond in Concord remain accessible? YES, along with some improvements that will be done as part of the project to both the parking area and to the specific trails themselves. How will the requirements and restrictions of the ISD bylaw and the master deed be enforced? A Condo association will

be created and one of the Board members will be the Chairperson of the Planning Board. The Board will be responsible for the management and maintenance of the overall community as well as regulation and enforcement of the association's bylaws. Some other questions that have been asked are in relation to environmental issues. How much open space will the development have? We estimate that it will represent 20-25% and be in compliance with the open space requirements that you just recently approved concerning ISD developments; as well as the fact that 58 acres of surrounding land that is part of the total parcel will be protected and watched out for by the Conservation Commission. In addition there has been some talk and discussion and questions raised about the history of the site. Specifically there have been questions asked about the history of any contamination that may exist on the site. Keep in mind that right now when we reference the site we reference a site that in its entirety represents 76 acres of land. What we are looking to be developing on is 17 acres, the portion that will developed will be at the upper portion closest to the Concord town line.

There is some contamination on the site – this was caused by the Unisys septic system due to contaminants that had been poured down sinks and toilets. First, you must keep in mind, that this project cannot be initiated without a septic system for this project for the area to be developed for the senior project. The project cannot be initiated without the septic system being approved by the state DEP and this will only happen after the site has been reviewed and the DEP issues a letter of no concern. Second, the town Health Director, Bob Leupold, has said as recently as yesterday, "that all previous studies have indicated that no hazardous waste has been found within the proposed project area". Third, as part of the approval process, a flow analysis will be done to determine what direction the septic system will leach and the best place to locate the septic system. Fourth, the State Department of Environmental Protection recently de-listed the portion of the site that is being developed as the Northwoods Condominiums shown on this graphic and it has been de-listed from the State list for contaminated sites. We believe that this site will proceed the same way and will successfully be de-listed as well.

The site is located in an aquifer recharge area known as Zone 2 and this happens to be land coincidental to both Sudbury and Concord. The question has been asked will this have any effect on the project? All State and local bylaws have been reviewed and the project can and will comply with all requirements of Zone 2 regulations. In addition, all wastewater disposals will comply with Title 5 state regulations. Furthermore, all storm water management and runoff will comply with both local and state requirements. It should also be known, that currently, located within the Cummings building, formerly known as the Unisys building, is a Montessori day care, preschool, which has been licensed and operating for the last few years with permission and licenses granted by the Board of Health. This parcel will have to pass a very stringent list of requirements to receive all of the required permits and releases from the previously mentioned boards. If for some reason the permits and releases cannot be obtained, the land will remain in its current state – open and idle. The Committee has been asked about what some alternative to this project might be such as, "Why don't we just keep the land as open space and do nothing to address the need for senior housing?" Another question has been raised is; "Why don't we sell the land for commercial development and reap a large profit that the town could use elsewhere for other needs?" The response is very simple. We as a community have a unique opportunity to take advantage of a situation that exists and do something good for our fellow citizens and for the overall good of the town. By supporting this Article with a Yes vote we can take a parcel of non-revenue producing land and generate tax dollars while filling a need for our seniors that wish to maintain the deep roots they have established in this community and stem the tide of seniors that elect to leave Sudbury due to overwhelming tax burdens and lack of housing options for empty nesters. Simply stated, this is without a doubt in my mind, the right thing to do.

Last overhead, shows what the finished product will accomplish if and when all the permitting and all the releases and all the review and all the engineering work and all the testing has been successfully completed and construction has been finished. We will have approximately 20 acres of land developed; we will have approximately 56 acres preserved in perpetuity as open space. Conservation trails and parking will remain and be enhanced, there will be retention of 40 Sudbury senior households. Tax revenue will be generated of approximately \$117,000 per year based on the current tax rate of \$16.40. We all know that that will be going up so revenues will be going up as well. Ten thousand dollars per unit contribution will be made to the town and that could result to a maximum of \$400,000 in funds to the town. Future use and sale of the farmhouse is a possibility, and that will be determined at a later time since that will be established on its own lot that will

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be in compliance with current zoning and what the town decided to do with that. This is good for Sudbury, thank you for your support of senior housing.

CONSERVATION COMMISSION – Dick Bell, of Hudson Road, introduced himself and said he is on the Selection Committee and the Conservation Commission. He said the Conservation Commission supports this Article. Many reasons presented in the previous presentation were the reasons but he reiterated a few. Approximately 18 areas of the total thirty-five will be preserved as open space. These are contiguous with the other forty acres of Frost Farm conservation land and thus will be easily integrated. This open space that will be preserved is really the best in terms of wildlife habitat and protection of the wetlands. Public access such as the trails north of Concord and White Pond to the west will still be available although some relocation will have to be made to some of the trails. The trailhead parking will not be removed and the developer is willing to work closely with the Commission on the trail development and also reconstructing the possible vernal pool. Basically it's a good deal for the environment. It's a good deal for Sudbury Seniors and good for the town.

Mr. Verrill was acknowledged. He is a resident of Concord and the Moderator asked if he could be recognized, as he needed the leave of the Hall. He asked the Hall if there was any objection to Mr. Verrill speaking; he saw none so Mr. Verrill was recognized.

Stephen Verrill is from Concord right over the line. He said his wife and he have farmed there as well as on one hundred acres across from the property being discussed on 117 and that is his concern tonight. He has 100 acres immediately adjacent to Unisys and portions of his land have had underwater contamination resulting from Unisys's site. He has not harvested crops from these areas for the last few years. This contamination on his land was not discovered until many years after the contamination had been discovered in Sudbury's Town well and in the process of trying to track the path of that down they located very high sources on his property that came from the Unisys site and still haven't been dealt with. The site is high on a hill. It's a beautiful setting for housing, picnics and many other things; however, it's on top of impervious ledge. That's the reason Sperry built there in the first place. They needed a rock solid foundation for the plant so as not to have any minor vibrations on the sensitive equipment thus the plant was built on a big ledge they were able to find that was an ideal site. In fact, the hill is basically a large rock formation with a few feet of gravel with soil on top. Not the best place to perk. In some of the testing that was done in the monitor wells to determine where the pollution lies on the hill, in addition to the pollutants, it was accurate monitoring of the water levels and many of these wells that were located fifty feet or more above the wetlands showed the water level in the well within ten feet of the surface. In one of the wells it was within two one hundreds of an inch of the top of the casing which actually stuck up above the ground. The point being that most of this area does not have good drainage and certainly won't support a leaching system, he doesn't believe. He feels that it would be irresponsible and reckless to build on this site while there is an unresolved pollution problem, which there definitely is and adding to the flow of the water on this site could move the contaminants and carry the additional ones further on to his property or other neighboring properties and indeed more to the town well.

Senior housing is a very important and worthy goal. I think it's a good project for the Town and needs to be addressed. It should, however, be well thought out and planned as a park; not just plunked on a polluted site with poor drainage. It was mentioned that the test wells have showed the pollution improved, I don't think you could say eliminated but diminished on the site. If you actually looked at the area and the number of wells, and the area that would be encompassed by what is sucked into one well, I would estimate that probably five or ten percent of the whole property has been accurately evaluated. There are a lot of questions and there needs to be a lot more work in that regard.

This project has been pulled together in haste; in so much haste, that this Article in fact is illegal. It contains no dollar amount, it does not specify accurate acreage, doesn't specify the number of units nor does it reference an accurate property plan thus the voters were not given legal notice. The Town has purchased a piece of the Unisys pollution puzzle. The Town of Sudbury currently is negligent in its responsibilities under Chapter 61E in not monitoring the wells that have been put into test for pollution on my property and others around. These wells haven't been monitored in three years. It's supposed to be done on a frequent, regular basis.

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Don't build on a hill where the pollution runs down. It was mentioned earlier that the testing defined which way the septic flow would go. I always understood that on a good site the septic flow should go down. I don't think that's possible on this site and it's been demonstrated that it goes a great distance along the ledge to other properties along this location. Don't drain any more water on to our land or the pollutants that it carries. Creating drainage problems and causing the flow of pollutants will leave the Town very vulnerable. I hope to defeat this motion please take time to plan a legal one, on a safe site, with good drainage.

Mr. Tober, Ames Road, was recognized. He stated that this corner of town is a real gold mine for developers. The egregious company has done very well. They are the first ones allowed to build large apartment complexes and credit Town owned land to the correct acreage requirements and that way these darlings of the officials of Sudbury have had favors worth ten million dollars, as he once computed and published. It's doubtful whether the price even here would be really affordable but it's all done for the seniors and very intricate maneuvers that accomplish that but its not quite clear to him entirely as how that would work. It's all so complex. It should be very simple to subsidize seniors. When he read this proposal he could not believe his eyes. This is very simple too, actually someone is proposing that we do not subsidize the seniors we actually subsidize a developer here. It's a shame; it's a scandal.

Bill Wagner, 36 North Road, stated he has lived at this address for about thirty years. As such he knows the topology and knows all the errors and problems of that area. He takes issue with a number of things that have been said or have been done. He is well aware of the amount of contamination that is there; he has a long record of such in his well. He is well aware of Steve Verrill's problems. He has contamination in his area to the extent of 500 parts per billion, which is one half of the thousand parts per billion of the original ponds. What you should realize is the DEP regulations twenty years ago were not the same as those today and that is the reason perhaps there is some slide off here by the DEP as to responsibility. Valerie Thompson who is the Project Director and has been such for the last five years has told me personally there is no question in her mind that the intense contamination which has been experienced by Steve Verrill has occurred as a result of water coming off of the ledge which Steve refers to. The whole area is ledge, far from the area to the right, which is all gravel, which is being mined by the town. Bear in mind that the Town is mining gravel there and has designed two hundred thousand yards of withdrawal of material. Now on the other side the Town is designing additional flow of water for forty units here another sixty units with Northwoods. You are adding a great deal of water, which will flow necessarily to Steve Verrill's property, and you are withdrawing the area by which it can be absorbed. I think you're in a minefield and no one seems to care or pay much attention to this and this should have been addressed before anything in the project has gotten this far. Certainly you people should recognize the people of Concord should have something to say about this. Obviously the whole project is tucked right against the line. Recently the Town of Sudbury got into some trouble because it withdrew some 14 or 17 acres of land or one hundred-foot tree over on the line in Concord and now has to replace those. The Town of Concord was upset and rightfully so because there was no consideration of a neighbor being apprised. Now Mr. O'Brien has been quite thorough; however, he hasn't spoken to the Concord authorities or much better the White Pond Association. There is a great deal of work to be done here and he can see there are various committees willing to undertake this but you have to recognize there is a fundamental problem here which has to be solved before any and all others and that is the justification of allowing continuance of water which is contaminated to flow on Mr. Verrill's land. In this case the Town is very liable, it absorbs the same liability in which the Unisys people have accepted. They have accepted this because 1,000 feet away or better at his house or better still another 1,500 feet to the Water District there was a suit and which was won by the Water District and now you see a scrubber there. That's 1,000 feet away; Mr. Verrill's property which is contaminated is 1,000 feet away; now you're planning to put forty houses immediately on top of the two ponds that have existed there for a long time. I frankly am shaking my head at the intelligence of this town that it should allow the project to get this far without undertaking these particular answers to these fundamental questions. The answer must be addressed to Mr. Verrill because he certainly has been placed in jeopardy in the past and this Town is going to be placed in legal jeopardy if that isn't satisfied in addition to Unisys. I have much more to say regarding many other things but I'll let it stand at that point.

Kevin Muse, 52 Ruddock Road had a question. He understands that there are transfer restrictions down the road that ownership could only be sold to a couple or a family with one person over the age of 62. Are there assurances that the same restrictions apply for the transfers for no considerations, for example, gifts? If someone dies and leaves the property to their children in their will are there assurance that – could the children live there? The Moderator said his understanding is that there were no criteria yet firmly in place. The Moderator explained that what Mr. Claff was trying to give you was some of the criteria being considered at this time.

Mr. Muse's question was not what the specific criteria will be but whether sufficient thought will be given to make sure there aren't ways to abuse the system and find ways to get around it?

Mr. Claff answered one piece of the question. He said certainly the matter will be attended to and watched over and he thanked Mr. Muse for the suggestion. He said even if the property is left to an heir if the heir is not age 62 or over they cannot be an owner occupant.

Mr. O'Brien gave his answer to the question regarding inheritability, transferability, gifting, etc. He said it has been addressed. It is part of our current bylaws for both the SRC and the ISD bylaw. As he had mentioned earlier, most likely the ISD bylaw will be the one that will apply to this development. When he says most likely it is in reference to what is most suitable to the land and the parcel and the amount of open space that will be required. Either the ISD or the SRC Bylaw will be utilized and both of those have the same provisions within the bylaw to answer all those questions. Secondly, all of those issues are simultaneously addressed in duplicate in the master deed and that becomes a legal issue whenever properties would be transferred from one owner to another.

Tom Hillary, 66 Willow Road, first of all he wanted to tell every one in the Hall that as far as he is concerned that anytime land is transferred to the Town of Sudbury he would love to see it become either park land or become land slated for development for senior housing. He loves the seniors and the more of them we can keep in Town the better off we are. He also stated that he has spoken to three different Selectmen on three different occasions on other issues and he has full confidence and respect for their abilities and their integrity. However, as he is reading the overhead it looks to him like we're authorizing the Selectmen to take thirty-five areas of land for which we paid little under a million bucks and transfer it to a developer for as little as a dollar. He stated that if he is incorrect please tell him so as he doesn't think they should have that kind of latitude selling this large a portion of land. He considers this a bit disquieting and he would be happy to hear a response to that.

John Drobinski, Selectman, addressed that issue. He said that is basically statutory language that we have to put into the Article to indicate that there would be a set price and set acreage. To answer Mr. Verrill's question the Board has committed to a price of \$10,000 per unit which if there's forty units will be \$400,000 to the Town. We are committed to that number and we won't change in that.

On the issue of contamination, I find that a red herring and I think the people that know the geology and contaminant chemistry of that area – shame on you for bringing that up. Mr. Verrill, you do have problems on your property, but the development of this parcel will not impact your property. The liability is strict to Unisys – it's 21E not 61E. The department's in charge. I don't see any issue here with contamination. Before anything gets developed a developer will have to look at the parcel from contamination issue to get funding. To raise that issue now, at this date, this site has been very well studied, very well understood and to raise at this forum – I'm just flabbergasted that people would do that.

Ed Kreitsek, 59 Dudley Road, wanted to speak to a little bit of confusion in semantics. Several Town Meetings back there was a question about "radiation". One word has two dramatically different meanings and here tonight we're talking about contamination. When he moved into this town forty-six years ago the Water District served ten percent or less of the town. Ninety percent of the population of the Town lived on lots and the lot size at that time was twenty thousand square feet. Each lot contained a sanitary wastewater treatment system and a private well. The private wells were tested periodically at the option of the owner and at the recommendation of the Water District and the Board of Health. The sanitary wastewater treatment

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process has nothing to do with hazardous, toxic waste contamination. They are two entirely different things. Ninety percent of the Town lived on twenty thousand square foot lots with wells and sanitary wastewater treatment plants on the same lot. He thinks we should be careful about mixing the problems. Not that there are not problems. Mr. Verrill has evidence of contamination on some of his land because of prior introduction into the soil of some hazardous material by the previous owner Unisys, Sperry Rand. Back in early mid 80's as facilities Manager of Raytheon he looked at the Sperry Rand site as possible purchase by Raytheon for site of another engineering building which subsequently ended up in Marlboro for entirely different reasons. He visited the Sperry Rand site intimately. He walked into every laboratory, into every room. Some of what he is hearing suggests that we are talking about massive contamination sources. The material that was used in that research (not manufacturing facility) was in pint jars and gallon jugs perhaps some handled carelessly but no 55-gallon drums, no W.R. Grace of Woburn. So he thinks we should try to be realistic about it. Sanitary wastewater treatment if properly done is what replenishes the water supply in this town. The water table is replenished constantly by the septic systems of this town if properly processing is being reused. Let's separate the difference between sanitary wastewater treatment, which would be necessary for the SRC and contamination by hazardous or toxic wastes. Mr. O'Brien has listed all of the approvals that must be granted to questions raised about whether there is good percolation, if we know where the flume runs, whether there is ledge and depth of soil exists. All of that must be answered before permits can be had by DEP or our Town Board of Health. So, caution indeed but let us not abandon an otherwise very desirable project because of the "chicken little" syndrome suggesting that indeed the sky is falling if we do this.

Steve Taylor, 63 Old Framingham Road. He is all for Senior Housing in Sudbury. He thinks it's great. If you loose your seniors, you loose your history of the town. He doesn't understand how the town is just becoming basically a general contractor. The poor gentleman from Concord obviously has an issue with contamination on his site. He thinks a large can of worms will be opened if you do end up developing it.

Hale Lamont-Havers, Morse Road, stated she has been a member of the Housing Task Force for two years. She saw what could happen to women who lost their men and had children or was alone and had no place to go. When she came to Sudbury she talked to a woman who said we have a real problem in this town with seniors. They cannot afford their homes; they have to leave. It's particularly hard on the single women. It stuck with her and has remained with her for a number of years. They got this idea about the Housing Task Force about two years ago and she wanted to serve on it because she felt this is a real need in this town to have senior housing and that it is a disgrace that we do not have it. We need it! It has been very exciting working on it and we know all about the contamination. She has spent the last year reading about the contamination and Ralph Tyler has been very interested in this property since 1989. He was up there and did 21 perk tests preformed at 21 sites on the Sudbury land and he deemed all but two successes with the exception of two sites, which found a glacier hill and ledge. We received very favorable results. Director of Public Health, Bob Leupold visited the site last Thursday and said the soil was favorable for sub surface disposal septic systems. Leupold observed the perk test and monitored them as water was being administered to the holes. You heard Larry O'Brien tonight, if you were listening, he said that the developer had to go through every Board. He would come to the Board and if they find out there is a contamination problem, a serious problem, nobody is going to go ahead with it. I wish people would trust; have a little faith. This is a place that we can go to; we picked this land because it was town owned land we could get a slight reduction because land is so terribly expensive in this town. By the way, we're only talking about 18 acres. We not talking about the original 76 acres that we paid \$1,050,000 for; we are talking about 18 acres, please believe me, I don't want contamination. That concerns me very much. If contamination is found on that property that is going to cause trouble then we will stop it. Have faith; let us go ahead, please.

The Moderator asked if anyone else wished to be heard on the motion under Article 40. Seeing no one, the Moderator declared it would require a two-thirds vote. All those in favor of the motion under Article 40 please indicate by raising your cards; all those opposed. The motion passes.

The motion under Article 40 was VOTED.

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ARTICLE 41 SPECIAL ACT – KAPLAN 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 370 square feet, in exchange for a grant of a Conservation Restriction on other land not exceeding 370 square feet; such petition to be submitted as follows:

“An Act to Amend a Certain Conservation Restriction not exceeding 370 square feet, in exchange for a grant of a Conservation Restriction on other land not exceeding 370 square feet; such petition to be submitted 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. MacNeil, on June 14, 1984, and recorded at Middlesex South Registry of Deeds, Book 15697, Page 022, from said restriction. The parcel of land to be released is shown as Parcel “A” on a plan entitled “(EASEMENT PLAN) PLAN OF LAND IN SUDBURY, MASS.” prepared for: George L. and Marjorie Corkin Kaplan, recorded at Middlesex South Registry of Deeds, Book 23418, Page 488, dated February 23, 1996, Zanca Land Surveyors Inc.

In consideration for the release of said Conservation Restriction, George L. and Marjorie Corkin Kaplan, 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.”;

And to authorize and request the Great and General Court of the Commonwealth of Massachusetts to include in such legislation correction of the reference to the Conservation Restriction at the Middlesex South Registry of Deeds in a prior act which was inserted incorrectly due to a scrivener’s error; or act on anything relative thereto.

Submitted by the Board of Selectmen.

The Moderator declared that Article 41 was Passed Over.

ARTICLE 42 SPECIAL ACT LAND BANK

To see if the Town will vote to petition the Massachusetts General Court to enact legislation authorizing the Town to collect a land-transfer fee to be deposited in a Land Bank Fund in the Town treasury, monies from which could be expended for acquiring land or interests in land for the furtherance of municipal goals, as set forth below; or act on anything relative thereto.

"A LAND BANK BILL FOR 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 – Purpose. The purpose of this act shall be to enable the Town of Sudbury to acquire, hold, manage and maintain land and interests in land, including buildings thereon, in order to achieve the following goals: (a) preserving the Town's natural resources, (b) maintaining the town's rural character with ample open space, (c) maintaining scenic views enjoyed from public areas and roads, (d) continuing to build and maintain the town's greenbelts and trail systems, (e) enhancing active and passive recreational opportunities available to residents of all ages, interests, and abilities, and (f) protecting and acquiring land for open space, recreation, and resource protection.

Section 2 – Definitions. For the purpose of this act, the following words and phrases shall have the following meanings:

"Collector" – The Sudbury Collector of Taxes.

"Fund" – The Land Bank Fund, defined in Section 3.

"Land Bank Board" – The board created by Section 4.

"Net Purchase Price" – The purchase price for a non-exempt transfer less \$100,000 for each existing dwelling unit contained within the transferred property. For this purpose, "dwelling unit" shall not include an accessory dwelling unit as defined in the zoning bylaws of the Town of Sudbury.

"Purchaser" – The transferee, grantee, or recipient of any real property interests.

"Purchase Price" – All consideration paid or transferred by or on behalf of a purchaser directly or indirectly to a seller or his/her nominee, or for his/her benefit, for the transfer of any real property interest, including, but not limited to: all cash or its equivalent so paid or transferred; all cash or other property given up by or on behalf of the purchaser to discharge or reduce any obligation of the seller; the principal amount of all notes or their equivalent, or other deferred payments, given or promised by or on behalf of the purchaser to the seller or his/her nominee; the outstanding balance of all obligations of the seller which are assumed by the purchaser or to which the real-property interest transferred remains subject after the transfer, determined at the time of the transfer; but than the fee established pursuant to Section 6 of this act, which are not overdue at the time of other transfer; and the fair-market value, at the time of transfer, of any other consideration or thing of value paid or transferred by or on behalf of the purchaser, including, but not limited to, any property, goods and services paid, transferred or rendered in exchange for such real property interest.

"Real Property Interest" – Any present or future legal or equitable interest in or to real property, and any beneficial interest therein, including the interest of any beneficiary in a trust which holds any real or equitable interest in real property, but which shall not include any interest which is limited to any or all of the following: the dominant estate in any easement or right of way, any estate at will or at sufferance, and any estate having a term of less than thirty years, the interest of a mortgagee or other secured party in any mortgage or security agreement, and the interest of a stockholder in a corporation, or a partner in a partnership, a member of a limited liability company, or other like ownership interest in an entity.

"Seller" – The transferor, grantor, or immediate former owner of any real property interest.

"Time of the Transfer" of any real property interest – The time at which such transfer is legally effective as between the parties thereto.

SECTION 3 – THE LAND BANK FUND. There is hereby established in the Town of Sudbury a separate fund known as the Land Bank Fund of which the Town Treasurer shall be custodian. The Town Treasurer shall invest and reinvest the assets of the Fund in investments, which are legally authorized for municipal funds, and all income therefrom shall be credited to the Fund. The Fund shall be used only for the purposes set forth in Sections 1 and 5. The Land Bank fund shall be set up as a revolving or sinking account to be funded by (a) a 1.0 per cent registration fee for certain transfers of real estate, (b) appropriations voted by the Town at Town Meeting such as back taxes returned to the town through rollbacks of agricultural or conservation easements, and (c) gifts made to the fund in cash or other negotiable securities.

SECTION 4 – THE LAND BANK BOARD.

- a. There is hereby established in the Town of Sudbury a Land Bank Board consisting of eight members, including one from the Board of Selectmen, one from the Planning Board, one from the Sudbury Water District, and four at-large members to be elected in general or special elections for staggered three-year terms except that in the first election, two members will be elected to serve a one-year term, one member will be elected to serve a two-year term, and one member will be elected to serve a three-year term, with all succeeding terms to be three years. The Town Manager shall serve *ex officio*. The Board of Selectmen shall appoint the initial four at-large members to serve from the effective date of this act until the first election of the regular members at the first regular or special town election following the effective date of this act. The Land Bank Board shall elect a chairman and a vice chairman from among its regular members; shall elect a secretary who need not be a member of the Land Bank Board; and shall adopt, after holding a public hearing and after requesting recommendations from the town boards and committees, rules and regulations for conducting its internal affairs and procedural guidelines for carrying out its responsibilities under this act.
- b. The Land Bank Board shall have all the rights, duties and responsibilities necessary to (i) purchase and dispose of fee and less than fee interest in lands, including any improvement thereon, (ii) to have borrowing authority on the future revenue stream of land bank fees, subject to the terms of paragraph (d) of this Section 4; (iii) to accept gifts of land in fee or less than fee, or funds, to further its purpose, and (iv) to hire such staff and professional services as are necessary in order to perform its duties. The Land Bank Board shall meet its financial obligations by drawing upon the Land Bank Fund. The Land Bank Board may accept gifts or bequests of funds or land or interests in land, including the beneficial rights to conservation easements or restrictions. The Land Bank Board shall use as guidelines the Sudbury open space and master plans, if any, and shall also adopt a management plan for managing each of its land interests.
- c. The Land Bank Board's annual operating budget and annual land acquisition expenditure budget including borrowing costs shall be subject to Finance Committee review and approval by Town Meeting.
- d. Borrowing of monies to be undertaken by the Land Bank Board shall be subject to Finance Committee review and approval by a majority vote at Town Meeting. The Land Bank Board shall not have the power to initiate any new borrowing in any year in which aggregate outstanding borrowings exceed seventy-five per cent (75%) of an amount equal to (i) fifty percent (50%) of the lowest annual Land Bank Fee revenues as determined from analysis of the actual non-exempt real estate transfers in each of the preceding ten fiscal years, multiplied by (ii) the number of years over which any of the amounts so borrowed shall be outstanding. No borrowing shall encumber any existing Town lands, including Land Bank lands. The Maturity Date of any borrowing shall not extend beyond June 30, 2012, or such later date as may have been approved from time to time by Town Meeting as provided for within Section 12 of this Article.

SECTION 5 – APPROPRIATIONS FROM THE LAND BANK FUND. The Land Bank Board may expend monies in the Fund to acquire, reclaim, hold, and manage land or interest in land, including buildings thereon, and to manage and maintain land, for any of the goals listed in Section 1. The Land Bank Board may participate in any transaction concurrently with any governmental or not-for-profit non-governmental organization whose mission is to own or manage and maintain lands devoted to open space or recreation and may contract with, and delegate to, any one or more of such organizations to perform administrative functions of the Land Bank Board. The Land Bank Board may join with other similar entities to contract for such services on a regional basis.

SECTION 6 – LAND BANK FEES. There is hereby established a fee on the transfer or conveyance of real property interests in the Town of Sudbury. Said fee shall be based on the net purchase price and shall be one percent of said net purchase price. The fee imposed by this section shall become effective only upon notice of said fee by registered or certified mail to the Middlesex South Registry of Deeds. Said fee shall be paid by the purchaser and shall be an encumbrance on the title of the purchaser for the purposes of section twenty-one of chapter one hundred and eighty-four of the General Laws and a tax assessed upon the land for the purposes of section thirty-seven of chapter sixty of the General Laws. Said fee shall be paid to the Collector who shall maintain a separate account for the purpose of this section. Any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser.

SECTION 7 – EXEMPT TRANSFERS. The following transfers of real property interests shall be exempt from the fee imposed by Section 6 of this act:

- a. Transfers to the government of the United States, the Commonwealth of Massachusetts, or any of their instrumentalities, agencies, or subdivisions;
- b. Transfers which, without additional consideration, confirm, correct modify or supplement a transfer previously made;
- c. Transfers made as gifts without consideration. In any proceedings to determine the amount of any fee due hereunder, it shall be presumed that any transfer for consideration less than fair market value of the real property interests transferred was made as a gift without consideration to the extent of the difference between the fair market value and the amount of the consideration claimed by the purchaser to have been paid or transferred, if the purchaser shall have been at the time of the transfer the spouse, lineal descendant, or lineal ancestor of the seller or the seller's spouse, by blood or adoption, and otherwise it shall be presumed that consideration was paid in an amount equal to the fair market value at the time of transfer.
- d. Transfers to the trustees of a trust in exchange for a beneficial interest received by the seller in such trust and distributions by the trustees of such a trust to the beneficiaries of the trust;
- e. Transfers by will or operation of law without actual consideration, including, but not limited to, transfers occurring by virtue of the death or bankruptcy of the owner of a real property interest;
- f. Transfers made in partition of land and improvements thereto under Chapter 241 of the General Laws;
- g. Transfers to the public any charitable organization as defined in Clause 3 of Section 5 of Chapter 59 of the General Laws, or any religious organization, provided that the real property interests so transferred will be held by the purchaser solely for its public, charitable or religious purposes;

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- h. Transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee, and transfers of the property subject to a mortgage in consideration of the forbearance of the mortgagee from foreclosing said mortgage;
- i. Transfers made by a corporation or partnership at the time of its formation, pursuant to which transfer no gain or loss is recognized under the provisions of Section 351 of the Internal Revenue Code of 1986, as amended;
- j. Transfers to a stockholder of a corporation in dissolution of that corporation in consideration of stock held by that stockholder, transfers made to a partner of a partnership in dissolution of the partnership, or to a member of a limited liability company, in each case in dissolution of such entity;
- k. Transfers consisting of the division of marital assets under the provisions of Section 34 of Chapter 208 or other provisions of the law; and
- l. Transfers of property consisting in part of real property interests situated in Sudbury and in part of other property interests, to the extent that the property transferred consists of property other than real property situated in Sudbury, provided that the purchaser or seller shall furnish the Collector such information as he shall require or request in support of the claim of exemption and manner of allocation of the consideration for such transfer.

SECTION 8 – COLLECTIONS. Fees payable under this Act shall be collectible against the purchaser and the property in accordance with Chapters 59 and 60 of the General Laws. The Collector shall have available all tax-collection remedies for the collection of said fees. The fee shall be paid to the Collector and shall be accompanied by a copy of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the pains and penalties of perjury by the purchaser or his legal representative, attesting to the true and complete purchase price and the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby. The collector shall promptly thereafter execute and issue a certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the exemption. The register of deeds for Middlesex County, and the assistant recorder for the registry district of Middlesex County, shall not record or register, or receive or accept for recording or registration, any deed, except a mortgage deed, to which has not been affixed such a certificate, executed by the Collector or his/her designee. Failure to comply with this requirement shall not affect the validity of any instrument. The fee imposed hereunder shall be due at the time of transfer of the property upon which the fee is imposed. The expenses incidental to collection of the fee shall be borne by the Land Bank Fund.

SECTION 9 – APPEALS. The Collector shall notify a purchaser by registered or certified mail of any failure to discharge in full the amount of the fee due under Section 6 and any penalty or interest assessed. The Town's board of assessors shall grant a hearing on the matter of the imposition of said fee, or of any penalty or interest assessed, if a petition requesting such hearing is received by said board within thirty days after the mailing of said notice by the Collector. The board shall notify the purchaser in writing by registered or certified mail of its determination concerning the deficiency, penalty or interest within fifteen days after said hearing. Any party aggrieved by a determination of the board concerning a deficiency may appeal to the district or superior court within three months after the mailing of notification of determination of the board. Upon failure to petition for a hearing or appeal within the time limits hereby established, the purchaser shall be bound by the terms of the notification, assessment or determination, as the case may be, and shall be barred from contesting the fee or interest or penalty determined by the board. All decisions of said courts shall be appealable. Every notice to be given under this section by the board shall be effective if mailed by certified or registered mail to the purchaser at the address stated in a recorded or registered instrument by virtue of which the purchaser holds any interest in land the transfer of which gives rise to the fee which is the subject of such notice; and if no such address is stated or if such transfer is not evidenced by an instrument recorded or registered in the public records of the Registry of Deeds for, or the Registry District of,

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Middlesex County, such notice shall be effective when so mailed to the purchaser in care of any person appearing of record to have fee interest in such land, at the address of such person as set forth in an instrument recorded or registered in said Registry or District. All fees, penalties and interest required to be paid pursuant to this act shall constitute a personal debt of the purchaser and may be recovered in an action of contract or in any other appropriate action, suit or proceeding brought by the Collector, and said action suit or proceeding shall be subject to the provisions of Chapter 260 of the General Laws.

SECTION 10 – Nothing in this Act shall affect the eligibility of the Town of Sudbury to receive funds under the program created under Section 11 of Chapter 132A of the General Laws or under any similar state program, or to receive state housing assistance.

SECTION 11 – After passage of this Act, the Act shall take effect upon its approval by a majority of those voters in the Town of Sudbury voting in a general or special election by secret ballot.

SECTION 12 – The collection of the Land Bank Fee shall cease at the end of the fiscal year ending June 30, 2012, (“Termination Date”) unless such Termination Date shall be extended by a majority vote of a Town meeting prior to that date. The Land Bank Board shall take all necessary steps to wind up its business within one (1) year of the Termination Date including, without limitation, provision for payment in full of all borrowing obligations incurred by the Land Bank Board, provision for the continued maintenance of Land Bank-owned properties, and transfers to the Town of all remaining Land Bank-owned properties and funds.”

Submitted by the Board of Selectmen.

Ms. Roopenian Moved to Indefinitely Postpone this Article.

The motion received a second.

Ms. Roopenian explained that the Selectman urge the postponement of this Article due to new enabling legislation that is, at this point, pending in both houses of legislature.

No one else wished to be heard with regard to Indefinitely Postponing this Article.

The motion under Article 42 to Indefinitely Postpone was VOTED.

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**ARTICLE 43 ACCEPT STATUTE OR CREATION SPECIAL ACT – COMMUNITY
PRESERVATION FUND (LAND BANK)**

To see if the Town will vote to accept the provisions of an Act when passed by the Great and General Court of the Commonwealth of Massachusetts to enable it to establish a Community Preservation Fund in accordance with the requirements of a General Law; and in the event that a General Law is not enacted, to authorize and direct the Selectmen to petition the Great and General Court for a Special Act authorizing the Town of Sudbury to establish a Community Preservation Fund generally as set forth in the report below; or act on anything relative thereto.

Submitted by Petition/Board of Selectmen.

Ms. Roopenian Moved for Indefinite Postponement of this Article. The motion received a second.

Ms. Roopenian explained why the Selectmen wanted to postpone this Article. She said once again the Community Preservation Act is the enabling Act that is going through both houses of the legislature at this point. She explained the Community Preservation Act to the Hall so that they would understand what the legislation is actually doing. If it is passed by the legislature, this Local Option Act will allow cities and towns to adopt by ballot vote a transfer tax of up to one percent on real estate purchases, a surcharge on property tax bills of up to three percent, or a combination of both for lesser percentages. An exemption from the tax to help first time homebuyers and those of modest means may be adopted. The money collected would go into a special community preservation fund and used in accordance with locally approved plans. This Act has flexible provisions that can be tailored to the special needs of each community that votes to adopt it. They are pending in the legislature and the primary issues here are the Governor has said he will not support the enabling legislature if it uses a surcharge. He wants it to be an across the board surcharge. He does not want the one- percent real estate purchase. We are waiting to hear from the legislature.

The Motion to Indefinitely Postpone Article 43 was VOTED.

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**ARTICLE 44 AMEND ZONING BYLAW, ART.IX.IV.D.3.C – DIMENSIONAL REQUIREMENTS
IN CLUSTER DEVELOPMENTS**

To see if the Town will vote to amend the Zoning Bylaw, Article IX, Section IV.D.3.c (Dimensional Requirements in Cluster Developments) by revising the first sentence in that section by substituting the words "subsections A and B" for "subsection B" after the words "Article IX, Section IV," so that sentence reads:

"c. Dimensional Requirements – Where the requirements of this section differ from or conflict with the requirements of Article IX, Section IV, subsections A and B, the requirements of this section shall prevail.";

and by adding a new section IV.D.3.c.7) to read as follows:

"7) Lot Perimeter: All lots created in a cluster development shall be not less than 50 feet in width in any location within the lot except in a portion of the lot where two lot lines meet at a point. The lot perimeter ratio requirement of section IV.A.5 of the Zoning Bylaw shall not apply in cluster development lots.";

or act on anything relative thereto.

Submitted by Petition/Planning Board.

(Two-thirds vote required)

Jody Kablack, Town Planner, Moved in the Words of the Article.

The motion received a second.

Ms. Kablack said she was speaking for the Planning Board. She said she was before the Hall again for yet another minor, technical correction to the Cluster Bylaw, as they attempt to continue to use this bylaw to protect open space at no cost to the town. The Cluster Development Bylaw has been modified several times in the past years in order to expand its use as an alternative to single family conventional subdivisions. Its expanded use and the corresponding preservation of over forty acres of open space in the past four years attests to the benefits of this Bylaw. The intent of the bylaw is to allow reduced lot sizes in subdivisions in exchange for the preservation of open space while not allowing any greater density than in a conventional way. The bylaw allows lots to reduce in size to approximately one-half of the typical zoning requirement in that district. The existing lot perimeter requirement, which is the basis for this amendment, renders the Cluster Bylaw useless on any lots that are less than 25,000 square feet. If you are in a typical 40,000 square foot zone and want to cluster your lots to 20,000 square feet you cannot do it with the use of the bylaw now and the lot perimeter ratio requirement. There is a concern in Sudbury right now over the scale of new homes being constructed and this amendment will allow the creation of smaller lots and hopefully a corresponding decrease in the size of the homes built. While most cluster developments have lots that are in excess of 30,000 square feet, the bylaw should not preclude the creation of smaller lots where a developer desires it.

The Planning Board urges passage of this important revision, technical correction to the bylaw and its subsequent preservation of open space at no cost to the town.

FINANCE COMMITTEE: Mr. Herstack said that the Finance Committee recommends approval of this Article.

BOARD OF SELECTMEN: Mrs. Roopenian said the Selectmen also support this Article.

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CONSERVATION COMMISSION: Dick Bell stated the Commission supports this because of the greater flexibility it gives to the cluster development.

Mr. Robert Coe, Churchill Street, Moved to amend the motion under Article 44 by striking the word "except in a portion of the lot where two lot lines meet at a point" and substituting the words "except within fifty feet of a point where two or more lot lines meet".

The motion to amend received a second.

Mr. Coe was recognized in support of his Motion to amend. He said the phrase "except in a portion of the lot where two lot lines meet" is entirely too vague. He said obviously the closer you get to that point the narrower the lot will be. He said within the perimeter of this you could have something like a whole bunch of pie slices that came together at a point. Where the definition of how far out the portion of the lot where two lot lines meet is entirely undefined. In other words, its how far out on the slice of the pie do you go before the lot has to be more than fifty feet wide? His fifty-foot number is entirely arbitrary, if someone thinks that a better number is seventy five feet or whatever than we can amend it to put that in but it seems to him that you have to have a definition of how far from the point you take that measurement of whether the lot is fifty feet wide or not.

Mr. O'Brien said that the Planning Board would urge defeat of this Amendment simply because at this late moment they have certainly not had a chance to review this. The immediate reaction is that this is language that is being lifted from their Intensity Regulations Bylaw and what is being dealt with here is the Cluster Subdivision Bylaw and lot perimeter calculations not distance between points. Certainly, as these bylaws are constantly reviewed each year they look to make them the most applicable and efficient and effective bylaws possible and he urged defeat of this last minute arrival.

The Motion to amend was DEFEATED.

The Moderator asked if anyone else wished to be heard on the main motion. There was no one.

The Motion under Article 44 was VOTED. A two-thirds vote.

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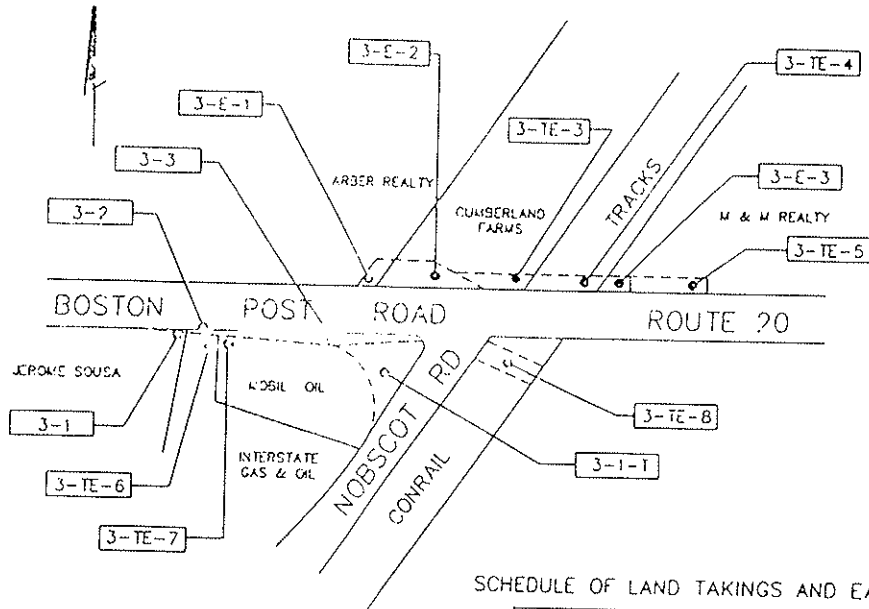
ARTICLE 45 RT. 20/NOBSCOTT ROAD INTERSECTION

To see if the Town will vote to acquire land, easements and other interests in, upon or over land situated at the intersection of Nobscot Road and route 20, also known as the Boston Post Road, for the redesign of this intersection, by purchase or taking by eminent domain, the property, easements and other interests to be acquired being shown and listed on the plan consisting of five pages entitle "The Commonwealth of Massachusetts Department of Highways Preliminary Right-of-Way Plans Boston Post Road (Route 20) in the Town of Sudbury Middlesex County", a copy of which is on file with the Town Engineer and the Office of the Town Clerk; and to determine whether sums to be appropriated for the acquisition shall be raised by borrowing or otherwise; and to vote to allow the immediate transfer of such properties, easements and other interests to the Commonwealth of Massachusetts; or act on anything relative thereto.

Submitted by Petition/Board of Selectmen.

Ms. Maryann Clark Moved to Indefinitely Postpone. That motion received a second.

Ms. Clark said the reason for this motion was that this Article was put in as a bookmark in case the State DPW was not going to cooperate. It appears they are; they have gone out for appraisals on all of the easement areas.



SCHEDULE OF LAND TAKINGS AND EASEMENTS

PARCEL NUMBER	LAND TAKING	EASEMENT TYPE
3-1	54 SQ.FT.	-
3-2	162 SQ.FT.	-
3-TE-6	-	TEMPORARY
3-3	2,831 SQ.FT.	-
3-1-1	2,670 SQ.FT.	-
3-TE-7	-	TEMPORARY
3-E-1	-	PERMANENT
3-E-2	-	PERMANENT
3-TE-3	-	TEMPORARY
3-TE-4	-	TEMPORARY
3-TE-5	-	TEMPORARY
3-E-3	-	PERMANENT
3-TE-8	-	TEMPORARY

As no one else wished to be heard, the motion under Article 45 to Indefinitely Postpone was presented to the Hall and VOTED.

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ARTICLE 46 MAYNARD ROAD WALKWAY

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$175,000, or any other sum, for the planning, engineering, and construction of a walkway along Maynard Road from Hudson Road to Fairbank Road, a distance of approximately 7,000 feet; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by Petition (two-thirds vote required)

Dennis Faucher, 307Maynard Road, Moved to appropriate the sum of \$180,000, for the planning, engineering and construction of a walkway along Maynard Road from Hudson Road to Fairbank Road, a distance of approximately 7,000 feet; and to raise this appropriation the Treasurer with the approval of the Selectmen, is authorized to borrow \$180,000 under General Laws, C.44, S.7; all appropriation hereunder to be contingent upon approval of a proposition 2 ½ debt exclusion in accordance with General Laws, C.59, S.21C.

The motion received a second.

Mr. Dennis Faucher said he would try to be brief but compelling in order to get everyone home. He asked that Article 46 be passed on two grounds; one for access and one for safety.

He addressed the issue using graphics on the overhead projector. He said this walkway would allow the people living in the surrounding area and streets to travel by walkway to town center, centers of worship, recreation, the senior center and the teen center. The recreation being at Fairbanks, the soccer fields, the toddler playground, the skate park, basketball, tennis and the swimming pools. In this area, and this is a conservative count because there are many more areas that could use this walkway which would connect to the walkways already on Hudson Road and Fairbank Road, there are 175 homes and more than 300 children in that area so it's a very well populated area that could use that walkway. On the safety concern this road, Maynard Road, is very unsafe to pedestrians. There is extremely heavy traffic. We heard about the Willis Way walkway, which is heavy with 68 vehicles in an hour. Believe it or not on Maynard Road there are over 1,000 vehicles an hour travelling down that roadway. It is one of the few residential areas in town with a 40 mile per hour speed limit, which is many times exceeded. Note the high police citations. Over two years there were 756 police citations. So, not only is it a high speed limit area, but people have been arrested for speeding over 700 times over two years. We also should be shocked to hear that there have been 24 accidents over two years. That's an accident a month. He also pointed out that this proposal for walkways is not just for the children. Even with a walkway I'm sure your won't let your children go out on a road that is so busy. This is to improve the life of all inhabitants along that area who would walk with their children, with their families to get to the places already mentioned. For example, his neighbor, who is a very active woman who unfortunately due to a skiing accident is confined to a wheelchair, has a motorized wheelchair to get around. She still travels to the senior center for activities, exercise and has to travel on Maynard Road with no walkway to get to the walkway on Fairbanks Road. Passing this article would keep such a dangerous activity from being necessary. In fact Laurie Loftus wrote a short two-sentence note that he read, as she could not make the meeting. "To whom it may concern, Maynard Road on which I have to travel to reach the senior center to join the exercise class or First Parish in the center is a highway for high speed. Since I am disabled I would have to use a small electric cart to motorize the wheelchair which I speak about a dangerous procedure. A walkway would be the obvious solution to keep me in this wonderful town for a few years longer. Thank you for voting yes." We voted numerous times tonight about how important our seniors are to us. Laurie would love to stay in her home which she owns. She is a very independent woman and appreciates the mobility the walkway would afford her. He said he thinks it's compelling. There are no records of anyone being hurt that the police could give out but he emphasized his point and said, "Please don't wait until someone is hurt to build this walkway."

FINANCE COMMITTEE: Ms. Wilkes said she didn't want to be repetitive but she did want to say that certainly the Finance Committee recognizes the value of walkways. That's really not the issue for the Finance Committee. She said that all of the arguments that were made last night in support of Article 17 would apply to this as well. Someone mentioned the lack of a sidewalk committee. They had tried to follow that loop and were told that the sidewalk committee no longer existed. When she talked to town officials about the 20 walkways that were needed in town she was told that they do have a prioritized list but tonight, as was heard from the task force on the Unisys property, she was really struck by the need to address sidewalks with the same kind of expertise and dedication to make sure we do have a program in this town for sidewalks and walkways. Rather than going after one sidewalk or walkway at a time, the money spent for this walkway would have paid for the two Willis Hill walkways. What is needed is some guidance from town management. Setting up that kind of a task force is not within the purview of the Finance Committee but she said they would welcome that kind of guidance and direction as the Finance Committee looks at preparing these budgets. Again the Finance Committee, given the constraints of this year, cannot recommend approval of this article.

THE BOARD OF SELECTMEN: Ms. Clark said the town has struggled with the issue of sidewalks for a number of years. She said we don't seem to plan the budget to include them. One idea the town has to look at it long and hard, is to bond, to figure out how many walkways are needed and what the overall price would be and then set out a five year or ten year plan similar to our capital plan just for sidewalks and then come back with a bond for that and get it done with. This has lagged on for so long it's irresponsible not to take care of it. We do not have funds for it and, even though we recognize the problems that failing to install sidewalks can create, our hands are tied at this time. Next year she thinks the town can get their act together and come back with a plan for sidewalks.

Jim Gish, 35 Rolling Lane, said he thinks this is the sixth year in a row he has heard, "next year, next year" let's take one small step tonight and get this thing started.

Elizabeth Kinney, 4 Marlboro Road, said she lives at the corner of Marlboro Road and Route 27 and has for the past 2 -1/2 years. Just in that amount of time there have been approximately five accidents bad enough at that intersection that they have not been able to use Route 27 to get work in the morning. It is definitely a major safety issue. She recognizes that there is need across the town for walkways but this one seems to benefit a very large number of people and she urges support for this article.

Sandy Vonstackelberg, 35 Crescent Lane, said his family lives within the 175 homes, he has two children part of the 300 children being spoken about. He thinks very seriously any time they go out biking doing the loop around the triangle taking them to Atkinson. He thinks it's a very dangerous road. He asked that both Committees please reconsider because this is not something to let stop and study and rethink about. Let's take action now.

Christine Faucher, 307 Maynard Road, said there has been much talk about how the town has been growing an expanding due to residential developments. One of the main issues she has heard while doing research for this article, is that we really need to work on improving the quality of life for all the residents that are in town. Most of the people that she has spoken with have said that they can't even get out on bicycles, not necessarily to go strolling along Maynard but to get off of Maynard Road so that they can get to a quieter street. It's wonderful that the developers are being asked to build sidewalks on the quieter streets and extend a little bit out on to the major roads but, if you don't start linking the separate developments, there's no where to go. She hopes that this article can be approved.

Mr. Coe said he thinks there are some misconceptions about the quality of the walkways in this town. He doesn't know of a single walkway on a major road in town that could be negotiated by an electric wheelchair. Certainly there are parts of the Hudson Road walkway that couldn't and parts of the Concord Road walkway that couldn't. If the idea is that this walkway is going to be built so that someone can use a motorized wheelchair to get to the senior center then it's going to have to be engineered to a much higher standard than walkways typically are in this town. Furthermore, most people won't ride bikes on the

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walkways. A lot of the walkways are littered with broken glass, they are not very often swept, it's comparatively rare to see a bicycle on the walkway and you never see a jogger on the walkways. He thinks that probably the amount of money that is envisioned for this article is for the typical walkway in this town, he thinks that the people who are proposing it have some unrealistic expectations.

Steve Brunner, 20 Concord Road, said he has used the walkway on Concord Road to jog and perhaps Mr. Coe hasn't seen him because it's quite early in the morning when he's out there. He really valued the walkway that they have in front of their house and he urges support of this motion. He thinks that it is a heavily traveled road and he thinks for safety reasons and all the reasons that Mr. Faucher mentioned this is a very worthwhile amendment.

Martha Coe, 14 Churchill Street, said a couple of years ago there were some walkways on the warrant and residents at Town Meeting were told that even if we passed the walkway articles we would have to wait five years to have them built. She took a look at it and said she didn't want to add to her tax bill if they couldn't build them. She was wondering what's the backlog, how many walkways have articles been passed for that haven't been built yet?

Jody Kablack, Planning Board, said there is no backlog right now. All of those previously funded walkways, Fairbank Road, Old Lancaster Road, Mossman Road and Goodman's Hill Road have all been completed.

Mr. Kenneth Faucher, 307 Maynard Road wanted to quickly respond to the idea that no one jogs or would take their motorized wheelchair on these sidewalks. The particular sidewalks that would be connected by the Maynard Road walkway, those on Fairbank and on Hudson are used by joggers; myself, I jog on the sidewalk and my neighbor, Laurie Loftus, does take her wheelchair on the new sidewalk on Fairbank.

Jo Travers, 11 Mossman Road, said she was all in favor of walkways and she uses the Morse Road one constantly but the fact is that there is no money for maintenance. In the summer you can't walk it because it's covered with poison ivy. There are huge chunks of sidewalk that are missing. There are layers of sand that are inches thick that you can't walk through that did not defrost in the winter. The plowing was limited. It's never cleaned. How can we add more of what we can't take care of what we have?

Peter Glass, 523 Hudson Road, said there are several aspects to this that maybe we could get a start on. He was not suggesting this particular but he knows in many towns there is actually an assessment if they put a sidewalk by your house. He did not recommend that particular thing but yet he heard no one on any of these sidewalks each household would be willing to pay \$500 or \$50 or \$100 or \$1,000 towards the cost of the sidewalk. But there is also the idea that there are many people in town that believe the idea of the sidewalks would be valuable; himself being included although he lives on Hudson Road which does have a sidewalk. If there were to be a fund established for the building of sidewalks he would contribute \$50 towards it. Maybe we could get some sidewalks built because there are a lot of people who feel that way.

As no one else wished to speak regarding Article 46, the Moderator took a vote.

The Moderator took a standing vote on this article. The motion was **DEFEATED**.

The Moderator said they are passed 10:30 p.m. and he asked for a sense from the hall as to whether they wanted to stay and finish the warrant this evening or continue the meeting on another evening.

Mr. Drobinski made a motion to continue until the end of the Warrant. It received a second. A vote was taken and the Moderator said he had the two-thirds needed.

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ARTICLE 47 AMEND ZONING BYLAW, ART. IX.V.J. – LIGHTING IN RESIDENTIAL DISTRICTS

To see if the Town will vote to amend Article IX.V.J. by adding thereto the following provision, “In all residential districts any exterior light shall be so arranged as to reflect the light away from adjoining properties”; or act on anything relative thereto.

Submitted by Petition

There was no motion given to the Moderator. He asked if the petitioner was present. He saw no one.

Article 47 was PASSED OVER.

ARTICLE 48 FY99 BUDGET ADJUSTMENT – CONSERVATION FUND

To see if the Town will vote to make adjustments to the Fiscal Year 1999 annual budget by transferring:

From: _____ \$ _____

To: Conservation Fund \$ _____;

Submitted by Petition/Conservation Commission

CONSERVATION COMMISSION: Deborah Dineen Moved to Indefinitely Postpone Article 48.
The motion received a second.

Ms. Dineen said at the time the Warrant had to be put together for Town Boards, which was December of 1998, we were not sure if we were going to have funding to cover operating expenses for the rest of this year. As it turns out there are other means other than coming to Town Meeting to fund their operating expenses for the small amount of time that is left this year.

No one else wished to be heard on the motion to Indefinitely Postpone.

The motion to Indefinitely Postpone Article 48 was VOTED.

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ARTICLE 49 AMEND BYLAWS, ART. XXII.4 – WETLANDS ADMINISTRATION

To see if the Town will vote to amend Section 4, Applications for Permits and Requests for Determination, of the Sudbury Wetland Administration Bylaw by the addition of a concluding paragraph to read as follows:

“All fees collected pursuant to this Bylaw shall be deposited in the Conservation Commission Revolving Fund, established pursuant to G.L. c.44, section 53E ½.”:

or act on anything relative thereto.

Submitted by Petition/Conservation Commission

Ms. Dineen, Conservation Commission, Moved in the Words of the Article. It received a second.

Ms. Dineen asked permission of the Moderator to address Articles 49, 50 and 51 altogether. The Moderator obliged her request.

She said Articles 49, 50 and 51 are all relative to the same issue. When the Wetlands Bylaw was passed in 1994 the Attorney General at the time allowed all the bylaw fees, the fees that are collected for permit applications under the bylaw, to go back to the Conservation Commission directly to be used to offset the administration of that law. There is a new Attorney General now, laws have changed, the Attorney's who are advising the Commission on this have recommended that they go back and that they actually change the bylaw so that the it is very clear where the fees are going. All this Article does is administratively allow them to continue to do what they have been doing all along which is to take the bylaw fees that are collected from the Wetlands Bylaw and put them into a fund they can draw from to pay for administration of that law.

Article 50 will establish a revolving fund for future years so they don't have to come back with an overall revolving fund. The town has already accepted a statute under this state law that allows a revolving fund to be set up. So, as other revolving funds are on the consent calendar generally, this would just be another consent calendar revolving fund account. It's just that this is new and all this Article does is establish the fund that allows the bylaw fees to be put into and drawn upon by the Commission. Again, she wanted to state as they have been doing for the last four years.

Article 51 and this is critical it says; “to transfer from available funds the sum of \$30,000”. She said she wanted to make it very clear that they are not asking for money. All that is (the \$30,000) is a cap on the amount of their own money that they can spend. The law requires that the money taken in be appropriated by Town Meeting. So, all this does is to allow them to spend their own fee money (which they have been doing all along) up to a maximum of \$30,000. They figured that is the maximum they would take in, so far this year they have taken in about \$12,000. Again, all this does is to amend the bylaw to set up a revolving fund. It sets up the revolving fund and then it appropriates money that they will collect themselves and use.

FINANCE COMMITTEE: The Finance Committee commented on all three articles in the same fashion. They don't represent any economic loss to the town so therefore they recommend approval.

BOARD OF SELECTMEN: The Selectmen supported all three articles as well.

Mr. Dignan asked if anyone else wished to be heard on Article 49. There was no one.

The Motion under Article 49 was VOTED.

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ARTICLE 50 ESTABLISH CONSERVATION COMMISSION REVOLVING FUND

To see if the Town will vote, pursuant to G.L. Ch.44, section 53E1/2, to establish the following revolving fund for the purpose of receiving fees and making disbursements in connection with the administration of the Sudbury Wetland Bylaw:

All fees received by the Conservation Commission, pursuant to the Sudbury Wetland Bylaw shall be deposited to this fund. The Conservation Commission or its designee shall be authorized to expend from this fund. No more than \$30,000 shall be expended from this fund during fiscal year 2000. Amounts credited to this fund shall be expended without further appropriation for the costs involved in the administration of the Sudbury Wetland Bylaw, including payment of wages, salaries, and fringe benefits of Commission employees; or act on anything relative thereto.

Submitted by Petition/Conservation Commission

Ms. Dineen Moved to authorize for Fiscal Year 2000 the use of a revolving fund by the Conservation Commission for the purpose of receiving fees and making disbursements in connection with the administration of Sudbury Wetland Bylaw; said fund to be maintained as a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, and expended under the direction of the Conservation Commission; the amount to be expended therefrom shall not exceed the sum of \$30,000.

The motion received a second.

As no one wished to speak to the motion under Article 50. The Moderator took a vote.

The motion under Article 50 was VOTED.

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ARTICLE 51 TRANSFER FUNDS TO CONSERVATION COMMISSION REVOLVING FUND

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$30,000^{to} by the Conservation Commission Revolving Fund for the purpose of administration of the Sudbury Wetland Bylaw; or act on anything relative thereto.

Submitted by Petition/Conservation Commission.

Ms. Dineen Moved in the Words of the Article. The motion received a second.

No one wished to be heard on the motion under Article 51.

The Motion under Article 51 was VOTED.*

*Letter from Town Counsel, Paul L. Kenny, dated September 28, 1999, stated the vote taken under Article 51 was invalid. M.G.L. C.44s. 53E 1/2 precludes such appropriation by its terms.

The Moderator went back to Article 18, which was postponed from the previous night.

ARTICLE 18 WILLIS ROAD WALKWAY (MARLBORO ROAD TO WILLIS ROAD WETLANDS

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$26,130, or any other sum, to be expended under the direction of the Director of Public Works, for the construction of a walkway (approximately 1,011 feet) along Willis Road, from Marlboro Road to Willis Road wetlands 1,629 feet from Briant Road); and to determine whether said sum shall be raised by borrowing or otherwise; or to act on anything relative thereto.

Submitted by Petition.

The Moderator asked if the Petitioner for Article 18 was in the hall. There appeared to be no one.

Article 18 was PASSED OVER.

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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 1999 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:

Article 9	Amend Art. II.11	Town Meeting - Time Limit on Speeches
Article 10	Amend Art. II.11,12,16	Town Meeting - Advance Speaking Order
Article 29	Amend Art. V.2	Allow Ice Cream Trucks
Article 30	Amend Art. V.3	Regulations of Dogs (Fines)

Town Counsel will report at Town Meeting on Article 49, Amend Art. XXII.4-Wetlands Administration.

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in the following articles in the Warrant for the 1999 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:

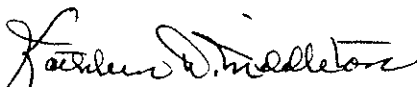
Article 12	Amend Art. IX.IV.E.3.b	Sr. Residential Community - Tract Size
Article 27	Amend Art. IX.I.H.4	Flood Plains
Article 34	Amend Art. IX.I.F	Certain Open Space & Educational Uses
Article 36	Amend Art. IX.IV.E.5.b	Sr. Residential Comm.-Min.Open Space
Article 37	Amend Art. IX.IV.F.5.b	Incentive Sr. Development-Min. Open space
Article 38	Amend Art. IX.IV.E.7.e	Sr.Residential Comm.-Physical Requirements
Article 39	Amend Art. IX.V.C.9.d	Commercial Parking Facilities
Article 44	Amend Art. IX.IV.D.3.c	Dimensional Requirements-Cluster Developments
Article 47	Amend Art. IX.V.J	Lighting in Residential Districts

There being no further business, a motion was received to dissolve the Town Meeting, it was seconded. The motion was VOTED.

The meeting was dissolved at 10:45 PM.

Attendance: 267

Respectfully submitted,


Kathleen D. Middleton
Town Clerk

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FY00 FINANCE COMMITTEE REPORT

The Finance Committee recommends an operating budget for FY00 of \$45,303,979 within the Levy Limit required by Proposition 2 ½, an increase of 12.0% over FY99. This recommended budget provides the necessary funds to address the increasing demand for Town Services due to our population growth, and provides the needed funding for student growth in Lincoln-Sudbury Regional High School and Sudbury Public Schools, including the opening of the new Loring School. This recommended budget does not include \$782,500 of capital items which will be considered at Town Meeting as a Capital Override (See Warrant Article 8) request. (At the time of printing of this Warrant, the Board of Selectman are considering requesting voter approval for this Capital Override on the March 1999 ballot.) The revenue sources in this non-override budget have been thoroughly investigated and are viewed to be at the legal maximum.

In reviewing the requests for spending, the Finance Committee challenged the various departments to ascertain that their requests reflected a reasonable investment in maintaining the infrastructure of the Town and individual department service levels. Over the last year, the Finance Committee has become increasingly concerned over the Town's infrastructure and the need to provide the sufficient funding to maintain it. The Finance Committee believes that this operating budget adequately addresses many of its concerns, however continued investments in this important area will be necessary in future years.

As experienced in FY99, our revenue increases have not kept up with the spending requests. Although free cash increased by \$497,581 over FY99, the lack of revenue sources beyond property taxes coupled with our growing population have significantly impacted the operating expenses of all departments.

Sudbury continues to maintain a positive reputation for financial stability. This reputation has contributed to our Aa credit rating and enabled Sudbury to receive favorable interest rates on capital borrowing. However, our outstanding debt has significantly increased as a result of our school construction program and the purchase of land for open space. This additional debt will increase the Town's annual debt service substantially for the foreseeable future. To reduce the impact of this anticipated increased debt service, the Finance Committee will report at Town Meeting about the possibility of adding \$355,000 to the Stabilization Fund to be used in FY02 for debt service, when the full impact of our \$43 million school construction program will impact our debt service. This amount is the projected FY00 investment income on the Town's unexpended short-term borrowings available during school construction.

The following summary outlines the process used this year to prepare the budget, an explanation of the revenue sources and amounts, and an overview of the recommended operating budget. Comments on individual budgets are with the line item detail.

FY00 FINANCE COMMITTEE REPORT

Operating Budget—Preparation Process

Members of the Finance Committee worked throughout the year with each of the departments to further the lines of communication and to gain a greater understanding of their operations and needs. In September, a Finance Summit Meeting was held for the three Town cost centers (i.e., Town, Lincoln-Sudbury High School and Sudbury Public Schools) to discuss the FY00 budget process, its inherent challenges and various financial policies being considered by the Finance Committee. Among those attending were the Town Manager, Selectmen, Superintendents, and School Committees. This meeting helped to establish realistic expectations for the upcoming budget process. The Finance Committee requested that the FY00 budgets be prepared using a level staff approach. This approach assumes the same staff level as the prior year but adjusted for step and salary increases and other known inflationary increases. The three cost centers submitted budgets using the requested level staff approach, as well as a budget that provided level services with consideration for growth. Budget hearings held during January and early February provided the Finance Committee the opportunity to perform more in-depth reviews of these budgets resulting in creation of the final non-override budget.

The Finance Committee's obligation is to recommend to Town meeting a budget within the limits of Proposition 2 ½. The FY 00 budget reflects a desire to equitably distribute the available revenue across all three Town cost centers giving consideration to maintaining quality service levels in a growing population. While the Finance Committee reviews budget requests in line item detail for all departments (Schools and Town Services), the recommended allocations for each cost center are managed by the Town Manager, Superintendents, and School Committees.

Revenue

The Revenue estimates are determined by Town Manager and the Finance Director. Revenues for FY00 show a projected increase of 11.3%.

Source of Revenue (in 000's)	FY99 Approp.	FY00 Approp.	\$ Incr.	% Incr.
Local Real Estate Taxes	\$29,727	31,070	1,343	4.5%
State Aid (net)	3,850	4,178	328	8.5%
Local Receipts	3,325	3,632	307	9.2%
Free Cash	763	1,761	998	130.8%
Miscellaneous	381	915	534	140.2%
Debt Exemption	2,703	3,868	1,165	43.1%
Subtotal	\$40,749	\$45,424	4,675	11.5%
Enterprise Fund Receipts	617	618	1	0.2%
TOTAL	\$41,366	\$46,042	\$4,676	11.3%

FY00 FINANCE COMMITTEE REPORT

Local Real Estate Taxes are the primary source of revenue for the Town that grow at the allowable 2 ½% plus adding taxes from new growth.

Local Receipts include primarily excise taxes, interest income, hotel occupancy tax, and building permit fees.

Free cash increased to its earlier highs of a few years ago which is above the 10 year average of \$673,975.

Miscellaneous includes \$355,000 in investment income and \$100,000 in Melone gravel sales, both of which we recommend placing into Stabilization Fund. Also includes is \$360,276 in Abatement Surplus, due in part to an unexpected revaluation of state regulated property.

Debt Exemption includes funds for capital items previously voted as Debt Exemption overrides, minus reimbursement from the School Building Assistance Bureau (SBAB).

Our anticipated revenue growth is 11.3% which compares to a 1.9% last year and 2.8% the previous year. Without new sources of funds, the increase in revenue for future years will continue to remain in a range that is somewhat below service requirements.

Recommended Operating Budget

The Finance Committee's recommended FY00 operating budget allocated the revenue resources available to the Town using the following approach:

- The Finance Committee used the estimated Melone Gravel Receipts of \$100,000 for an addition to the Stabilization Fund. Making an annual addition to the Stabilization Fund is considered sound fiscal policy by the Finance Committee.
- The Finance Committee allocated funds to the three Town cost centers starting with a level staff approach which assumes the same staff level as the prior year with adjustments for step and salary increases and other known inflationary increases. By excluding capital items of \$782,500 from the three operating budgets and funding these items through a Capital override, the Finance Committee was able to provide sufficient funding to all three cost centers.
- The Finance Committee met jointly with the Lincoln Finance Committee to discuss the Lincoln-Sudbury High School assessment. The Sudbury FinCom recommendation is greater than the Lincoln recommendation by \$129,000 which reflects Fin Com's desire to provide funding to accommodate the student growth at L-S.
- The Finance Committee met with the Sudbury Public Schools Committee and recognized the importance of providing SPS with sufficient funding for opening the Loring School and growing enrollment.

PUBLIC SAFETY

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
251	BUILDING DEPT.					
251-1-51100	Inspector's Salary	54,351	55,909	57,525	59,245	59,245
251-1-51105	Supv. of Town Bldgs.	36,858	38,918	41,259	43,772	43,772
251-1-51110	Asst. Bldg Inspector	0	0	0	19,327	19,327
251-1-51130	Clerical	30,682	26,711	29,842	33,259	33,259
251-1-51141	Extra Hire	1,775	1,011	2,500	0	0
251-1-51142	Deputy Inspector	2,598	2,248	2,640	2,640	2,640
251-1-51143	Zoning Enforcement Agent	5,133	5,467	5,809	6,220	6,220
251-1-51146	Plumbing Inspector Fees	29,328	36,290	25,000	25,000	25,000
251-1-51147	Retainer: Plumbing	2,301	2,300	2,300	2,300	2,300
251-1-51148	Sealer of Weights	1,650	1,650	1,650	1,650	1,650
251-1-51149	Wiring Inspector	10,440	10,440	10,440	13,050	13,050
251-1-51150	Custodial	87,701	91,847	97,361	101,661	101,661
251-1-51171	Retirement Sick Buy Back	5,459	0	0	0	0
251-1	Total Personal Services	268,276	272,791	276,326	308,124	308,124
251-2-52210	General Expense	1,727	2,115	1,640	2,500	2,500
251-2-52232	Town Bldg. Maint.	117,322	124,185	129,000	152,900	150,900
251-2-52233	Vehicle Maintenance	988	657	1,000	1,000	1,000
251-2-52245	Uniforms	994	1,099	1,100	1,100	1,100
251-2-52245	Equipment	0	0	1,950	0	0
251-2	Total Expenses	121,031	128,056	134,690	157,500	155,500
251-3-58850	Vehicle purchases	0	5,000	0	0	0
251-3-58890	Building Improvements	89,584	125,000	0	0	0
251-3	Total Capital Spending	89,584	130,000	0	0	0
251	Total Appropriation	478,891	530,847	411,016	465,624	463,624
292	DOG OFFICER					
292-1-51100	Dog Officer's Salary	22,854	23,425	7,104	7,833	7,833
292-1-51170	Sick Leave Buy Back		400	554	570	570
292-1	Total Personal Services	22,854	23,825	7,658	8,403	8,403
292-2-52210	General Expense	1,045	327	700	560	560
292-2-52233	Vehicle Maintenance	0	15	200	200	200
292-2-52255	Contracted Services	578	781	660	800	800
292-2	Total Expenses	1,623	1,123	1,560	1,560	1,560
292	Total	24,477	24,948	9,218	9,963	9,963
	TOTAL 200 BUDGET	3,866,304	4,258,203	4,089,283	4,354,158	4,350,158
	Offsets	74,226	111,778	233,063	75,319	75,319
	NET 200 BUDGET	3,792,078	4,146,425	3,856,220	4,278,839	4,274,839

PUBLIC WORKS

The Public Works cluster includes Engineering, Streets and Roads, Cemetery and Trees, Park and Recreation Maintenance, and the Solid Waste Disposal Enterprise Fund. The Solid Waste Disposal Enterprise Fund will be voted separately at Town Meeting.

A 1998 organizational study of DPW suggested several shifts in personnel from one department to another, but no net increase to personnel costs. The recommended FY00 budget reflects a 4.5% increase above FY99, after adjusting for Salary Contingency. The Finance Committee recommends approval of \$2,241,316 for Public Works.

The Solid Waste Disposal Enterprise Fund operates the solid waste transfer station, providing recycling, landfill monitoring, and the hauling and disposal of waste. The proposed budget is down 9.2% from FY99 due to decreased hours of operation, as well as reductions in recycling costs. The Town is seriously considering "Pay Per Throw" which would lower the annual sticker fee and charge a set amount for each bag of trash. This fee structure would be more equitable, encourage recycling, and bring down overall costs.

Line Item		Expend. FY97	Expend FY98	Approp FY99 Rec	Tn Mgr FY00 Rec	Fin Com FY00
<hr/>						
400	PUBLIC WORKS					
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410	ENGINEERING DEPT.					
410-1-51100	Dir. of Public Works Salary	69,107	75,811	78,012	80,170	80,170
410-1-51110	Salaries	137,784	142,332	146,882	153,304	153,304
410-1-51130	Clerical	19,977	20,460	21,060	23,696	23,696
410-1-51161	Summer Help	10,570	6,281	11,307	11,983	11,983
410-1-51170	Sick Leave Buy Back	2,210	2,210	2,303	2,399	2,399
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410-1	Total Personal Services	239,648	247,094	259,563	271,552	271,552
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410-2-52210	General Expense	6,951	7,676	8,000	8,000	8,000
410-2-52231	Maintenance	2,577	2,448	2,500	2,500	2,500
410-2-52241	Travel	97	68	100	100	100
410-2-52245	Uniforms	1,700	2,050	1,900	2,050	2,050
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410-2	Total Expenses	11,325	12,242	12,500	12,650	12,650
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410-3-58890	Capital Items	13,100	12,332	6,500	6,500	6,500
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410-3	Total Capital Spending	13,100	12,332	6,500	6,500	6,500
<hr/>						
410	Total Appropriation	264,073	271,668	278,563	290,702	290,702
	Solid Waste Ent. Revenue	15,103	15,199	8,311	1,532	1,532

PUBLIC WORKS

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
420 STREETS & ROADS						
420-1-51100	Asst. DPW Director Salary	39,481	40,468	69,403	0	0
420-1-51105	Asst. Surveyor's Sal.	51,306	52,588	54,113	66,137	66,137
420-1-51106	Operations Asst. Sal.	34,889	0	0	0	0
420-1-51110	Salaries	405,944	425,624	423,077	485,172	465,172
420-1-51120	Overtime	7,451	11,985	8,265	12,204	12,204
420-1-51130	Clerical	20,354	22,332	25,352	38,378	38,378
420-1-51161	Summer Temp. Labor	0	0	0	0	0
420-1-51170	Sick Leave Buy Back	2,685	3,581	2,576	3,102	3,102
420-1-51172	Hwy Surveyor Sick Buyback	120	0	0	0	0
420-1	Total Personal Services	562,230	556,579	582,786	604,994	584,994
420-2-52210	General Expense	5,060	5,907	14,000	10,000	10,000
420-2-52224	Gasoline	83,784	84,124	78,316	85,000	85,000
420-2-52225	Bldg. Maintenance	3,620	4,354	5,000	5,000	5,000
420-2-52232	Vehicle Maintenance	78,049	89,967	82,201	82,201	82,201
420-2-52233	Utilities	23,553	17,637	27,300	20,000	20,000
420-2-52234	Street Lighting	78,123	74,719	78,000	78,000	78,000
420-2-52241	Travel	141	125	100	100	100
420-2-52245	Uniforms	11,245	11,312	12,150	12,150	12,150
420-2-52246	Tuition	0	0	0	0	0
420-2-52249	Police detail	0	5,228	9,997	10,591	10,591
420-2-52271	Roadwork	233,783	177,296	233,375	233,375	233,375
420-2	Total Expenses	517,358	470,669	540,439	536,417	536,417
420-3-58890	Building Improvements	0	49,000	0	0	0
420-3-58850	Vehicle Leases/Purchases	35,000	104,347	37,457	25,000	25,000
420-3	Total Capital Spending	35,000	153,347	37,457	25,000	25,000
420-1-51121	Snow & Ice Overtime	73,249	63,114	46,473	56,799	56,799
420-2-52260	Snow & Ice Contractors	41,834	48,166	34,419	38,478	38,478
420-2-52221	Snow & Ice Materials	124,558	96,934	73,385	112,475	112,475
420-6	Total Snow and Ice	239,641	208,214	154,277	207,752	207,752
420 Total		1,354,229	1,388,809	1,314,959	1,374,163	1,354,163

PUBLIC WORKS

Line Item		Expend FY97	Expend FY98	Approp FY99	Tn Mgr Rec FY00	Fin Com Rec FY00
440 TREES & CEMETERY						
440-1-51100	Supervisor's Salaries	23,031	23,606	0	24,695	24,695
440-1-51110	Salaries	51,363	68,461	89,269	132,828	132,828
440-1-51120	Overtime	4,888	4,327	7,311	8,166	8,166
440-1-51130	Clerical	2,775	2,369	3,380	3,502	3,502
440-1-51172	Hwy Surveyor Sick Buyback	958	543	0	0	0
	Summer help				4,800	4,800
440-1-51183	Tree Warden	1,268	1,300	1,300	1,300	1,300
440-1	Total Personal Services	84,283	100,606	101,260	175,291	175,291
440-2-52224	Cemetery Materials	10,749	10,500	16,000	18,350	18,350
440-2-52258	Tree Contractors	17,723	17,910	22,673	30,718	30,718
440-2	Total Expenses	28,472	28,410	38,673	49,068	49,068
440 Total		112,755	129,016	139,933	224,359	224,359
450 PARKS & GROUNDS						
450-1-51000	Supervisor's Salaries	45,463	46,599	47,951	24,695	24,695
450-1-51100	Salaries	72,344	73,797	78,508	91,815	91,815
450-1-51120	Overtime	192	112	100	100	100
450-1-51130	Clerical			0	6,058	6,058
	Summer help				4,800	4,800
450-1-51170	Sick Leave Buy Back	1,045	1,071	2,026	996	996
450-1	Total Personal Services	119,044	121,579	128,585	128,464	128,464
450-2-52231	Maintenance	10,989	9,522	11,330	11,330	11,330
450-2-52245	Uniforms	787	949	1,300	2,150	2,150
450-2	Total Expenses	11,776	10,471	12,630	13,480	13,480
450-3-58850	Vehicle Purchase	0	0	8,300	9,438	9,438
450-3	Total Capital Spending	0	0	8,300	9,438	9,438
450 Total		130,820	132,050	149,515	151,382	151,382

PUBLIC WORKS

Line Item		Expend FY97	Expend FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
430 SOLID WASTE DISPOSAL ENT. FUND						
430-1-51100	Surveyor's Salary	3,290	3,389	0	0	0
430-1-51105	Operations Asst. Sal.	1,836	0	0	0	0
430-1-51110	Salaries	111,979	84,178	58,010	63,305	63,305
430-1-51120	Overtime	5,617	4,124	6,064	6,126	6,126
430-1-51130	Clerical	20,588	20,893	18,006	11,310	11,310
430-1-51170	Sick Buyback	613	984	565	599	599
430-1-51172	Highway Surveyor Sick Buyback	434	0	0	0	0
430-1	Total Personal Services	144,357	113,568	82,645	81,340	81,340
430-2-52210	General Expense	4,248	3,166	5,000	5,000	5,000
430-2-52238	Maintenance	57,915	28,015	21,200	21,200	21,200
430-2-52255	Hauling & Disposal	106,998	80,522	95,000	88,434	88,434
430-2-52272	Hazardous Waste	10,611	11,692	13,000	0	0
430-2-52277	Resource Recovery	22,508	10,469	3,536	3,536	3,536
430-2	Total Expenses	202,280	133,864	137,736	118,170	118,170
430-3-58895	Vehicle Lease	0	0	20,000	21,199	21,199
430-8	Total Capital Spending	0	0	20,000	21,199	21,199
	Total Direct Costs (Appropriated)	346,637	247,432	240,381	220,709	220,709
	INDIRECT COSTS: (Not Appropriated)					
	Engineering Dept. Service	15,104	15,199	8,311	1,532	1,532
	Benefits/Insurance	33,976	0	22,972	24,528	24,528
430-0	Total Indirect Costs	49,080	15,199	31,283	26,060	26,060
430	Total	395,717	282,631	271,664	246,769	246,769
	SOLID WASTE RECEIPTS	227,731	290,935	250,686	246,769	246,769
	RETAIN. EARNINGS USED	167,986		20,978		
	TOTAL 400 BUDGET	2,208,514	2,168,976	2,123,351	2,261,316	2,241,316

HUMAN SERVICES

The Human Services cluster includes the Board of Health, Council on Aging, Youth Commission, and Veterans' Affairs. The Board of Health budget of \$324,093 is an increase of \$71,338 (28.2%) over last year. The increase is primarily due to the following: an increase in contracted services of \$15,000 (to \$22,500) to meet increased requirements of Title 5 septic and building permits, reinstatement of a House Hazardous Waste Collection Day (\$15,000); a new Board of Health vehicle (\$21,000) to replace the 1989 vehicle with 165,000 mileage; an increase (\$10,700) in mental health budget to meet current needs; and increased mosquito control (\$4,197).

Council on Aging budget of \$134,814 increases \$29,156 (27.6%) over FY99, primarily due to an increase of clerical staff from half to full-time (\$11,400); an increase of outreach worker weekly hours from 14 to 18 (\$3,683); and an increase in the Tax Workoff Program (\$7,500).

Youth Commission budget of \$30,159 includes a full-time position (\$28,159) compared to a part-time position budgeted for FY99 (\$13,417).

The Veterans' Affairs budget of \$10,823 is up \$744 (7.4%) vs. FY99 budget. Recommend approval of \$499,889 budget for Human Services for FY00.

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
<hr/> 500 HUMAN SERVICES <hr/>						
510 BOARD OF HEALTH						
510-1-51100	Director's Salary	56,996	58,421	60,704	62,525	62,525
510-1-51110	Salaries	44,823	45,943	47,276	83,894	48,894
510-1-51130	Clerical	33,330	34,163	35,154	36,208	36,208
510-1-51170	Sick Buyback	0	589	606	624	624
510-1	Total Personal Services	135,149	139,116	143,740	183,251	148,251
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510-2-52210	General Expense	1,827	1,462	1,750	1,800	1,800
510-2-52231	Maintenance	409	0	500	100	100
510-2-52252	Mental Health	26,646	20,440	18,000	28,700	28,700
510-2-52253	Nursing Services	36,500	37,500	38,625	39,785	39,785
510-2-52255	Contracted Services	2,100	2,100	7,500	2,100	22,500
510-2-52257	Lab Expense	194	70	500	500	500
510-2-52272	Hazardous Waste		0	0	15,000	15,000
510-2-52259	Mosquito Control	26,900	28,245	29,940	34,137	34,137
510-2-52263	Animal/ Rabies Control	7,053	6,982	7,500	7,500	7,500
510-2-52264	Animal Inspector	1,034	1,301	1,200	1,320	1,320
510-2-52279	Community Outreach Prog	3,129	3,202	3,500	3,500	3,500
510-2	Total Expenses	105,792	101,302	109,015	134,442	154,842
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510-3-58850	Vehicle Purchases	0	0	0	21,000	21,000
510-3	Total Capital Spending	0	0	0	21,000	21,000
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510	TOTAL	240,941	240,418	252,755	338,693	324,093

HUMAN SERVICES

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com. Rec. FY00
541 COUNCIL ON AGING						
541-1-51100	Director's Salary	36,302	38,670	39,791	43,986	43,986
541-1-51110	Van Driver	19,977	20,466	21,047	21,674	21,674
541-1-51130	Clerical			10,651	22,800	22,800
541-1-51140	Outreach Worker	12,068	12,530	12,869	16,924	16,924
541-1	Total Personal Services	68,347	71,666	84,358	105,384	105,384
541-2-52210	General Expense	5,463	6,146	6,300	6,930	6,930
541-2-52231	Maintenance	0	0	0	2,000	0
541-2-522551	Tax Work-Off Program	4,845	15,000	15,000	22,500	22,500
541-2-52255	Contracted Services	6,498	7,000	0	0	0
541-2	Total Expenses	16,806	28,146	21,300	31,430	29,430
541 Total		85,153	99,812	105,658	136,814	134,814
542 YOUTH COMMISSION						
542-2-51110	Youth Coordinator	0	0	13,417	28,159	28,159
	Total Personal Services	0	0	13,417	28,159	28,159
542-2-52210	General Expense	100	1,538	100	1,500	500
542-2-52270	Community Programming	1,500	1,600	1,500	1,500	1,500
542-2	Total Expenses	1,600	3,138	1,600	3,000	2,000
542 Total		1,600	3,138	15,017	31,159	30,159
543 VETERANS AFFAIRS						
543-1-51100	Agent's Salary	6,386	7,900	8,329	8,573	8,573
543-1	Total Personal Services	6,386	7,900	8,329	8,573	8,573
543-2-52210	General Expense	682	1,211	900	1,400	1,400
543-2-52213	Computer	0	0	0	0	0
543-2-52226	Veteran's Grave Markers	0	344	850	850	850
543-2-52782	Veteran's Benefits	0	0	0	0	0
543-2	Total Expenses	682	1,555	1,750	2,250	2,250
543 Total		7,068	9,455	10,079	10,823	10,823
TOTAL 500 BUDGET		334,762	352,823	383,509	517,489	499,889

CULTURE AND RECREATION

The Culture and Recreation cluster includes the Goodnow Library, Recreation, the Pool Enterprise Fund, the Historical Commission, the Historic Districts Commission and the Cable TV Committee. The Pool Enterprise Fund will be voted separately at Town Meeting.

The FY00 budget reflects a full-year of operation at the new library. This \$645,035 budget increases \$128,352 (24.8%) vs. FY99 when the library operated out of temporary quarters at Town Hall. The new library is designed to be more user and staff friendly, and more efficient to operate. The budget increase includes \$69,870 for a full year of operation – heating, cooling and cleaning of the new library which is twice the size of the old library; \$32,500 for additional staffing (including an incremental 3 hours of operation per week) and \$10,047 for books, materials & automation. The Finance Committee urges the Library to investigate the revenue potential of the new library's meeting room as soon as practical.

The Recreation budget of \$66,971 increases \$4,397 (8.8%). Many of the Recreation Department's programs are self-funded through revolving accounts.

The Pool Enterprise Fund pays for the operation of the Atkinson Pool. The operating budget increases 7.1% to \$371,047 reflecting the cost of funding lifeguards in training, replacement carpeting, an increase in credit card fees and inflation's impact on operating costs. The FY99 budget will be adjusted to include \$20,000 for repair of pool equipment which will be funded from the Pool Enterprise Fund's retained earnings. FY98 was the second consecutive year that the pool revenues exceeded expenses.

The budgets for the Historical Commission (\$1,500), Historic Districts Commission (\$1,093), and Cable TV Committee (\$800) are essentially unchanged.

Recommend approval of \$1,056,327 FY00 budget for Culture and Recreation (including \$340,928 for Pool Enterprise Fund direct costs).

CULTURE AND RECREATION

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
600 CULTURE AND RECREATION						
610 GOODNOW LIBRARY						
610-1-51100	Director's Salary	55,692	57,084	59,316	61,094	61,094
610-1-51110	Salaries	288,511	291,658	295,271	335,865	335,865
610-1-51120	Overtime	4,528	4,879	9,432	9,942	9,942
610-1-51150	Custodial	9,274	0	0	5,720	5,720
610-1-51170	Sick Leave Buy Back	1,340	1,825	2,446	3,296	3,296
610-1	Total Personal Services	359,345	355,446	366,466	415,918	415,918
610-2-52210	General Expense	6,525	6,789	7,280	7,970	7,970
610-2-52215	Automation	22,719	23,091	27,440	31,000	31,000
610-2-52228	Books and Materials	71,209	75,294	78,442	88,942	88,942
610-2-52231	Maintenance	14,799	14,301	21,800	67,300	67,300
610-2-52241	Travel	213	248	250	250	250
610-2-52255	Contracted Services	15,061	15,748	15,005	33,655	33,655
610-2	Total Expenses	130,526	135,471	150,217	229,117	229,117
610 Total		489,871	490,917	516,683	645,035	645,035
	Offset: Dog Licenses	7,500	4,875	6,904	0	0
	Net Budget	482,371	486,042	509,779	645,035	645,035
620 RECREATION						
620-1-51000	Director's Salary	36,267	39,521	41,887	44,356	44,356
620-1-51100	Salaries	9,626	9,865	10,130	10,424	10,424
620-1-51130	Clerical	5,720	6,096	6,517	6,976	6,976
620-1	Total Personal Services	51,613	55,482	58,534	61,756	61,756
620-2-52210	General Expense	998	1,000	1,000	1,000	1,000
620-2-52241	Travel	0	100	100	100	100
620-2-52273	Teen Center	1,840	1,840	1,840	1,840	1,840
620-2-52213	Computer				2,175	2,175
620-2-52245	Uniforms	0	0	100	100	100
620-2	Total Expenses	2,838	2,940	3,040	5,215	5,215
620 Total		54,451	58,422	61,574	66,971	66,971

CULTURE AND RECREATION

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
621 POOL ENTERPRISE FUND						
621-1-51100	Department Head Salary	10,746	11,710	12,434	13,249	13,249
621-1-51110	Professional Salaries	59,082	73,638	90,837	97,242	97,242
621-1-51120	Overtime	1,000	293	1,000	1,000	1,000
621-1-51130	Clerical	12,111	12,899	13,800	14,771	14,771
621-1-51140	WSI/Lifeguards	19,949	12,321	6,658	6,913	6,913
621-1-51162	Receptionists	9,827	9,320	11,569	12,530	12,530
621-1-51163	Babysitters	7,839	7,592	9,118	8,662	8,662
621-1-51190	Fee for Service	51,689	52,373	45,267	50,051	50,051
621-1	Total Personal Services	172,243	180,146	190,683	204,418	204,418
621-2-52210	General Expense	20,334	20,627	21,700	22,450	22,450
621-2-52231	Maintenance	75,291	76,500	78,500	78,500	78,500
621-2-52241	Travel	275	275	275	275	275
621-2-52270	Programs	17,241	16,761	17,250	17,500	17,500
621-2-52213	Computer	0	0	0	2,282	2,282
621-2-52290	Equipment	3,446	3,994	4,000	4,000	4,000
621-2	Total Expenses	116,587	118,157	121,725	125,007	125,007
621-3-58825	Building improvements	7,848	4,000	24,000	11,503	11,503
621-3	Total Capital Spending	7,848	4,000	24,000	11,503	11,503
	Total Direct Costs (Appropriated)	296,678	302,303	336,408	340,928	340,928
INDIRECT COSTS: (Not Appropriated)						
	Insurance & Benefits	24,242	25,361	28,888	30,119	30,119
621-0	Total Indirect Costs	24,242	25,361	28,888	30,119	30,119
621	Total	320,920	327,664	365,296	371,047	371,047
	POOL ENTER. RECEIPTS	331,571	356,819	365,296	371,047	371,047
	RETAIN. EARNINGS USED			20,000		

CULTURE AND RECREATION

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr Rec. FY00	Fin Com Rec. FY00
650	HISTORICAL COMMISSION					
650-2-52210	Expenses (Gen. Exp.)	1,497	1,494	1,500	1,500	1,500
650	Total	1,497	1,494	1,500	1,500	1,500
651	HISTORIC DIST. COM.					
651-1-51130	Personal Services (Cler.)	431	693	764	818	818
651-2-52210	Expenses (Gen. Exp.)	132	45	235	275	275
651	Total	563	738	999	1,093	1,093
670	CABLE TV COMMISSION					
670-2-52210	Expenses (Gen. Exp.)	81	584	800	800	800
670	Total	81	584	800	800	800
	TOTAL 600 BUDGET	843,141	854,459	917,964	1,056,327	1,056,327
	Offsets	7,500	4,875	6,904	0	0
	NET 600 BUDGET	835,641	849,584	911,060	1,056,327	1,056,327

DEBT SERVICE

The Debt Service budget represents all authorized obligations affected by the sale of long-term and short-term bonds and notes. The debt budget reflects a major increase in expenses for short-term debt costs associated with the major bond authorization of recent years: the school construction projects. There is also a substantial increase in long-term debt costs. It is anticipated that long-term debt will be issued for purchasing the Weisblatt and Meachen/Meggs property. Recommend approval of \$4,488,133.

Line Item		Expend. FY97	Expend FY98	Approp. FY99	Tn Mgr Rec FY00	Fin Com Rec FY00
710 DEBT SERVICE						
710-7-57762	Temp. Loan Int.	69,037	63,524	90,000	1,290,000	1,290,000
710-7-57761	Long Term Bond Int.	406,426	680,158	585,326	1,051,633	1,051,633
710-7-57760	Long Term Bond Principal	1,215,000	2,590,000	2,365,000	2,135,000	2,135,000
710-2-52768	Interest Refund	134	1,387	3,000	3,000	3,000
710-2-52208	Bond & Note Expense	4,986	6,011	7,000	8,500	8,500
710	TOTAL DEBT SERVICE	1,695,583	3,341,080	3,050,326	4,488,133	4,488,133
<u>NON-EXEMPT DEBT SERVICE</u>						
	Temp. Loan Int.	34,519	31,762	40,000	40,000	40,000
	Interest Refund (Abatements)	134	1,387	3,000	3,000	3,000
	Note Expense	2,493	3,006	3,500	3,500	3,500
	SUBTOTAL	37,146	36,155	46,500	46,500	46,500
<u>EXEMPT DEBT SERVICE</u>						
	Temp. Loan Int.	34,519	31,762	50,000	1,250,000	1,250,000
	Long Term Bond Int.	406,426	680,158	585,326	1,051,633	1,051,633
	Long Term Bond Principal	1,215,000	2,590,000	2,365,000	2,135,000	2,135,000
	Bond & Note Expense	2,493	3,006	3,500	5,000	5,000
	SUBTOTAL	1,658,438	3,304,926	3,003,826	4,441,633	4,441,633

UNCLASSIFIED AND TRANSFER ACCOUNTS

The Unclassified budget contains *Employee Benefits* and *Operating Expenses*. Recommend approval of \$4,039,102.

Employee Benefits represent the cost of providing health and life insurance for Town and Sudbury School employees as well as Workers Compensation, Unemployment, Medicare Tax, and Sudbury's Assessment from the Middlesex Retirement Board. This budget is 10.8% higher than FY99; half of this increase represents the cost of hiring 32 new employees.

Operating Expenses includes expenses that do not fit precisely into other cost centers and are shared by many departments. Expenses include copiers, telephones, Town Report, Town Meeting, parades and property and liability insurance.

Transfer Accounts include \$100,000 for Reserve Fund. The Salary Contingency Program is being eliminated in FY00.

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
900 UNCLASSIFIED						
EMPLOYEE BENEFITS						
900-7-57701	Worker's Compensation	60,000	106,000	60,000	60,000	60,000
	Town Share:	40,200	71,020	40,200	40,200	40,200
	School Share:	19,800	34,980	19,800	19,800	19,800
900-7-57702	Unemploy. Compensation	30,000	20,000	20,000	20,000	20,000
	Town Share:	11,400	8,160	8,160	8,160	8,160
	School Share:	18,600	11,840	11,840	11,840	11,840
900-7-57704	Medicare Tax	116,494	136,500	152,800	192,900	189,600
	Town Share:	44,268	55,264	59,460	75,540	75,240
	School Share:	72,226	81,236	93,340	117,360	114,360
900-7-57705	Life Insurance	4,931	4,200	5,200	5,200	5,200
	Town Share:	1,874	1,714	2,122	2,122	2,122
	School Share:	3,057	2,486	3,078	3,078	3,078
900-7-57706	Medical Claims/ Insurance	1,663,463	1,664,091	2,133,111	2,483,731	2,444,131
	Town Share:	632,116	608,660	778,614	910,194	906,594
	School Share:	1,031,347	1,055,431	1,354,497	1,573,537	1,537,537
900-7-57707	Retirement Program	883,925	912,455	1,016,847	1,046,471	1,034,371
	Town Share:	698,301	750,355	793,628	802,355	801,255
	School Share:	185,624	195,700	223,219	244,116	233,116
900-7	Total Employee Benefits	2,758,813	2,843,246	3,387,958	3,808,302	3,753,302

UNCLASSIFIED AND TRANSFER ACCOUNTS

Line Item		Expend FY97	Expend FY98	Approp. FY99	Tn Mgr Rec. FY00	Fin Com Rec. FY00
OPERATING EXPENSES						
925-2-52217	Copiers: Supplies & Service	7,765	5,756	8,500	8,500	8,500
925-2-52218	Postage	35,680	33,967	37,800	39,300	39,300
925-2-52219	Telephone	12,735	8,369	17,000	19,500	19,500
925-2-57750	Property/Liab. Insurance	79,604	78,588	85,000	85,000	85,000
	Town Share:	60,499	59,727	64,600	64,600	64,600
	School Share:	19,105	18,861	20,400	20,400	20,400
925-2-52265	Print Town Report	6,935	5,782	8,000	8,000	8,000
925-2-52274	Town Meetings and Elections	30,205	19,278	20,000	20,000	20,000
925-2-52278	Memorial Day	1,500	1,498	1,500	1,500	1,500
925-2-52280	July 4th Celebration	3,000	3,000	3,000	4,000	4,000
925-2-52290	Equipment	32,943	8,861	0	0	0
	Total Operating Expenses	210,367	165,099	180,800	185,800	185,800
925-2	TOTAL UNCLASSIFIED	2,969,180	3,008,345	3,568,758	3,994,102	3,939,102
	(Total Town Related)	1,626,620	1,641,411	1,842,583	2,003,970	1,998,970
	(Total School Related)	1,342,560	1,400,534	1,726,175	1,990,131	1,940,131
	Offset: Free Cash	965,196	999,723	763,419	1,261,000	1,261,000
	Offset: Abatement Surplus	282,610	102,500	123,063	360,276	360,276
	Offset: Retirement Trust Fund	105,815	28,151	12,717	22,734	22,734
	NET BUDGET	1,615,559	1,877,971	2,669,559	2,350,092	2,295,092
	Pool Enterpr. Fund Revenue	24,242	25,361	28,888	30,119	30,119
	Solid Waste Enterpr. Revenue	33,976	0	22,972	24,528	24,528
950 TRANSFER ACCOUNTS						
950-7-57730	Reserve Fund	100,000	100,000	147,500	100,000	100,000
950-7-57731	Town Salary Contingency	91,253	93,016	99,938		
950-7-57732	Scl Salary Contingency	0	0	0		
950-7-57733	Salary Adjustment Acct.	0	0	0		
950-7	TOTAL TRANSFER ACCTS	191,253	193,016	247,438	100,000	100,000
	TOT OPERATING BUDGET	34,835,251	38,764,908	40,460,186	45,888,579	45,303,979
	Total Offsets	470,151	247,304	375,747	458,329	458,329
	Free Cash Applied	965,196	1,249,723	763,419	1,261,000	1,261,000
	NET OPERATING BUDGET	33,399,904	37,267,881	39,321,020	44,169,250	43,584,650

FY00 MONIED ARTICLES

Article	Total Dept Req FY00	Fin Com Rec. FY00
2. FY99 Budget Adjustment		Report at TM
3. Sudbury Schools Budget Adjustment	67,000	67,000
4. Unpaid Bills		Report at TM
8. Capital Plan Items (Details on next page)	1,109,237	782,500
11. Purchase 2nd Meachen-Meggs	310,000	0
13. LSRHS Architectural Fees		Report at TM
14. Fire-Police Dispatch		IP
15. Wastewater Needs Assessment	42,000	Report at TM
16. Union Ave. Walkway	65,000	0
17. Willis Rd Walkway: Briant-Mossman	111,000	0
18. Willis Rd Walkway: Marlboro to Wetlands	26,130	0
19. Stabiliz: Reduce Future Debt	355,000	Report at TM
19. Stabilization Fund Addition	100,000	Report at TM
26. Chapter 90 Highway Funding	Report at TM	Report at TM
46. Maynard Rd Walkway	175,000	Report at TM
Street Acceptances	(None)	(None)
TOTAL ARTICLES	2,293,367	782,500
Transport. Bond Offset	Report at TM	Report at TM
Capital Exclusion	786,000	782,500
Melone Gravel receipts	100,000	Report at TM
Reserved Investment Income	355,000	Report at TM
TOTAL OFFSETS	1,241,000	782,500
NET ARTICLES within Levy Limit	1,052,367	0

CAPITAL PLANNING COMMITTEE REPORT

The Capital Planning Committee has determined that presently it is too new to make detailed recommendations for capital improvement spending for the FY00 or thereafter. We recommend that the Town deposit the sum of \$100,000 in the Stabilization Fund out of the monies realized from the sale of the Melone property.

The Committee concurs with the Finance Committee on the capital exclusion.

Diane A. Albano

Ellen B. Goodman

David A. Wallace

Miner A. Crary

Alan S. Gale

Karen W. Smith

Maureen G. Valente

John Patrick Kinney

ARTICLE 8: DETAIL of FY00 CAPITAL BUDGET

Capital Item	Total Dept Req FY00	Fin Com Rec. FY00
<u>Small Ticket Capital Items</u>		
Postage Machine	15,000	0
Fire Captain Car	30,000	(in Oper. Budget)
Paint Fire Headquarters	15,000	(in Oper. Budget)
Board of Health Vehicle	21,000	(in Oper. Budget)
Atkinson HVAC Repair	20,000	(in Article 2)
Dog Officer Vehicle	20,000	0
TOTAL Small Capital items	121,000	0
<u>Large Capital Items</u>		
Haskell Rec Area	156,000	0
Nobscot Road Property	46,237	0
Highway Roadside Mower	57,500	57,500
Highway Street Sweeper	100,000	100,000
Flynn Renovation plus Paint	143,500	140,000
Quint Ladder Truck	485,000	485,000
TOTAL Large Capital items	988,237	782,500
Capital Exclusion	786,000	782,500
NET Large Capital items within Levy Limit	202,237	0
GRAND TOTAL Capital items	1,109,237	782,500
NET Capital Items within Levy Limit	202,237	0
Total Capital Exclusion	907,000	782,500

PERMANENT DEBT ISSUED

Date Authorized	Permanent Debt Issued, 6/30/98 Purpose	Total Authorized	Amount Issued	Paydown	Unissued 6/30/98	Date Issued	Maturity Date	Article Number
4/4/89	Fairbank Facility Asbestos Removal	55,000	55,000		0	6/15/90	6/15/99	89-10
4/4/89	Fairbank Facility - Senior Center Renovation	720,000	610,000		110,000	6/15/90	6/15/00	89-8
4/4/89	Fairbank Facility - Senior Center Addition		110,000		-110,000	6/15/90	6/15/99	89-8
4/4/89	Fairbank Facility Roof	100,000	100,000		0	6/15/90	6/15/99	89-9
10/17/89	Nixon/Noyes School Renov., Asbestos, Reloc.	3,651,000	3,100,000	1,000	550,000	9/15/91	9/15/01	89S-5
10/17/89	Nixon/Noyes School Renov., Asbestos, Reloc.		550,000		-550,000	9/15/91	9/15/99	89S-5
4/4/90	Construct Fire Headquarters	1,200,000	1,200,000		0	6/15/90	6/15/00	90-24
4/4/91	Melone Property Purchase	1,000,000	1,000,000		0	7/15/92	7/15/10	91-36
10/21/91	Unisys Property Purchase	1,050,000	1,010,000		40,000	7/15/92	7/15/10	91S-2
4/4/94	Unisys Property Purchase-Rescind of Authorization	-40,000			-40,000			94-21
4/12/94	Drainage Systems	50,000	45,000	5,000	0	7/15/97	7/15/07	94-38
4/12/94	Fairbank Community Center Parking Area	75,000	75,000		0	2/15/95	2/15/00	94-39
4/13/94	Feely Tennis Courts	85,000	70,000	11,000	4,000	2/15/95	2/15/02	94-40
4/13/94	Feely Tennis Courts	0	4,000		-4,000	7/15/97	7/15/07	
4/26/94	Curtis School Roof	240,000	200,000		40,000	2/15/95	2/15/05	94-61
4/26/94	Curtis School Roof	0	40,000		-40,000	7/15/97	7/15/07	94-61
4/26/94	Nixon School Addition and Repair	5,211,000	3,530,000		1,681,000	2/15/95	2/15/05	94-62
4/26/94	Nixon School Addition and Repair		1,681,000		-1,681,000	7/15/97	7/15/07	
4/27/94	Walkways: Old Lancaster, Mossman, Fairbank Rds	189,000		189,000	0		7/29/96	94-64
4/5/95	Goodnow Library	2,900,000	2,900,000		0	7/15/97	7/15/07	95-19
4/8/96	Curtis/Noyes School Repairs	2,650,000	2,650,000		0	7/15/97	7/15/07	96-31
2/24/97	Septic System Betterment Loan Program	200,000			200,000			97-27
2/24/97	Repair Fire Station #2, Boston Post Road	108,500			108,500			97-3
2/25/97	School Renovation & Renovation	43,604,000			43,604,000			97-4
4/8/97	Land Purchase for School -Woodside Road	550,000	550,000		0	7/15/97	7/15/07	97-5
11/17/97	Meachen/Meggs Land	3,248,000	0	0	3,248,000			97S-1
4/7/98	Weisblatt Land	4,950,000	0	0	4,950,000			98-8
Totals		71,796,500	19,480,000	206,000	52,110,500			

FC-43

IMPACT OF TOWN MEETING SPENDING ARTICLES ON YOUR FISCAL 2000 TAX BILL

Fiscal 2000 Property Assessment											
	\$100,000	\$150,000	\$200,000	\$250,000	\$300,000	\$350,000	\$400,000	\$450,000	\$500,000	\$550,000	\$600,000
Fiscal 1999 Tax	\$1,630	\$2,445	\$3,260	\$4,075	\$4,890	\$5,705	\$6,520	\$7,335	\$8,150	\$8,965	\$9,780
\$10,000	\$0.52	\$0.78	\$1.04	\$1.30	\$1.55	\$1.81	\$2.07	\$2.33	\$2.59	\$2.85	\$3.11
\$25,000	\$1.30	\$1.94	\$2.59	\$3.24	\$3.89	\$4.53	\$5.18	\$5.83	\$6.48	\$7.12	\$7.77
\$50,000	\$2.59	\$3.89	\$5.18	\$6.48	\$7.77	\$9.07	\$10.36	\$11.66	\$12.95	\$14.25	\$15.54
\$75,000	\$3.89	\$5.83	\$7.77	\$9.71	\$11.66	\$13.60	\$15.54	\$17.49	\$19.43	\$21.37	\$23.31
\$100,000	\$5.18	\$7.77	\$10.36	\$12.95	\$15.54	\$18.13	\$20.72	\$23.31	\$25.91	\$28.50	\$31.09
\$200,000	\$10.36	\$15.54	\$20.72	\$25.91	\$31.09	\$36.27	\$41.45	\$46.63	\$51.81	\$56.99	\$62.17
\$300,000	\$15.54	\$23.31	\$31.09	\$38.86	\$46.63	\$54.40	\$62.17	\$69.94	\$77.72	\$85.49	\$93.26
\$400,000	\$20.72	\$31.09	\$41.45	\$51.81	\$62.17	\$72.53	\$82.90	\$93.26	\$103.62	\$113.99	\$124.34
\$500,000	\$25.91	\$38.86	\$51.81	\$64.76	\$77.72	\$90.67	\$103.62	\$116.57	\$129.53	\$142.48	\$155.43
\$600,000	\$31.09	\$46.63	\$62.17	\$77.72	\$93.26	\$108.80	\$124.34	\$139.89	\$155.43	\$170.97	\$186.52
\$700,000	\$36.27	\$54.40	\$72.53	\$90.67	\$108.80	\$126.93	\$145.07	\$163.20	\$181.34	\$199.47	\$217.60
\$800,000	\$41.45	\$62.17	\$82.90	\$103.62	\$124.34	\$145.07	\$165.79	\$186.52	\$207.24	\$227.96	\$248.69
\$900,000	\$46.63	\$69.94	\$93.26	\$116.57	\$139.89	\$163.20	\$186.52	\$209.83	\$233.15	\$256.46	\$279.77
\$1,000,000	\$51.81	\$77.72	\$103.62	\$129.53	\$155.43	\$181.34	\$207.24	\$233.15	\$259.05	\$284.96	\$310.86

Note 1:

If the Budget article is approved by Town Meeting, the dollar amount shown is the increase in taxes from fiscal 1999 to fiscal 2000.

Note 2:

For bonded articles which require a debt exemption, the amount shown will be spread over multiple years in contrast to an override which is paid in a single year.

SPECIAL TOWN ELECTION
MAY 17, 1999

The Special Town Election was held at two locations. Precincts 1 & 2 voted at the Fairbank Community Center on Fairbank Road and Precincts 3 & 4 voted at the Town Hall on Concord Road. The voting place for Precincts 3 & 4 had been changed back to the Town Hall since the Goodnow Library has moved to their new location. The polls were open from 7:00 a.m. to 8:00 p.m. There were 1,481 votes cast, including 40 absentee ballots, representing 14% of the Town's 10,423 registered voters. The results were reported at 8:30 p.m. as follows:

BALLOT QUESTION

		PRECINCT				
		1	2	3	4	TOTAL
Shall the Town of Sudbury be allowed to	Blanks	0	0	0	0	0
exempt from the provisions of proposition	YES	296	280	215	226	1017
two and one-half, so called, the amounts	NO	<u>89</u>	<u>140</u>	<u>98</u>	<u>137</u>	<u>464</u>
required to pay for the town's apportioned share	TOTAL	385	420	313	363	<u>1481</u>
of the bonds issued by the Lincoln-Sudbury						
Regional School District in order to finance costs for the						
architectural and engineering fees for design services for						
reconstructing, adding to, equipping, remodeling and						
making extraordinary repairs to the regional high school?						

A true record, Attest;



Kathleen D. Middleton
Town Clerk

**SUDBURY PUBLIC SCHOOLS
FY00 BUDGET**

	FY 1997-98 Budget	FY 1998-99 Budget	FY 1999-00 Original Sch. Com. Bud. Req.	% Inc.	FY 1999-00 Finance Com. Budget	% Inc.
Summary - Salaries						
System Administration	\$676,022	\$749,893	\$795,445		\$795,445	
Elementary Instruction	\$5,019,739	\$5,520,410	\$6,518,454		\$6,354,015	
Middle School Instruction	\$2,643,335	\$3,039,973	\$3,168,214		\$3,157,189	
Curriculum, Instruction, Technology	\$183,919	\$231,666	\$351,678		\$261,678	
PS/Special Ed Instruction	\$1,779,409	\$1,980,455	\$2,123,257		\$2,105,257	
Health & Transportation	\$450,254	\$469,147	\$551,980		\$551,980	
Plant Maintenance	\$543,037	\$596,712	\$701,634		\$701,634	
Other	\$627,290	\$294,000	\$351,000		\$351,000	
Total Salaries:	\$11,923,005	\$12,882,256	\$14,561,662		\$14,278,198	
Salary Offsets:	(\$336,851)	(\$337,045)	(\$383,288)		(\$383,288)	
Net Salaries:	\$11,586,154	\$12,545,211	\$14,178,374		\$13,894,910	
Summary - Expenses						
System Administration	\$215,162	\$158,833	\$167,325		\$167,325	
Equipment	\$331,500	\$200,904	\$181,904		\$181,904	
Elementary Instruction	\$276,549	\$274,556	\$357,298		\$302,348	
Middle School Instruction	\$128,401	\$152,804	\$171,640		\$171,640	
Curriculum, Instruction, Technology	\$165,016	\$132,275	\$139,889		\$139,889	
PS/Special Ed Instruction	\$883,135	\$931,292	\$1,019,628		\$1,008,042	
Health & Transportation	\$599,785	\$653,088	\$709,694		\$709,694	
Utilities	\$413,000	\$407,342	\$546,442		\$546,442	
Plant Maintenance	\$219,568	\$223,918	\$235,114		\$235,114	
Total Expenses:	\$3,232,116	\$3,135,012	\$3,528,934		\$3,462,398	
Expense Offsets:	(\$339,663)	(\$112,300)	(\$112,300)		(\$112,300)	
Net Expenses:	\$2,892,453	\$3,022,712	\$3,416,634		\$3,350,098	
Grand Total: Expense + Salary:	\$15,155,121	\$16,017,268	\$18,090,596		\$17,740,596	
Less: Total Offsets	(\$676,514)	(\$449,345)	(\$495,588)		(\$495,588)	
Grand Total: Net School Spending:	\$14,478,607	\$15,567,923	\$17,595,008	13.0%	\$17,245,008	10.8%

LINCOLN-SUDBURY REGIONAL HIGH SCHOOL

Line Item	Expend. FY97	Expend. FY98	Approp. FY99	Scl Com. Rec. FY00.	Fin Com Rec. FY00
L-S REGIONAL H.S.					
301 Sudbury Assessment	8,115,051	8,298,619	8,701,424	9,679,937	9,570,937

Lincoln-Sudbury Regional High School is a grade 9-12 regional school district established pursuant to Chapter 71 of Massachusetts General Laws and operates in accordance with the Lincoln-Sudbury Regional Agreement. As a regional school district, Lincoln-Sudbury includes within its budget all costs associated with running the district. Such costs not commonly found in non regional school budgets, e.g., health, life, workers' compensation and property and casualty insurances; FICA; retirement assessments; and debt service are all included in the LSRSD budget and represent 11% of the total budget.

Chapter 71 State Aid and Regional Transportation aid are used to reduce the total budget. The amount left over after deducting receipts and other credits is then apportioned to Lincoln and Sudbury by a ratio based upon the enrollment of students from each town. The FY00 budget ratio for Sudbury is 84.09% and for Lincoln is 15.91%.

The enrollment at Lincoln-Sudbury Regional High School has increased 27% from FY95 (887) to FY99 (1,127), and projections indicate increasing by 60 additional students in FY00. In reviewing enrollments in both the Lincoln and Sudbury K-8 systems (current grades one through four enrollments combined are 1,598), we see that this trend will continue.

Key Issues

- FY00 budget voted by the Lincoln-Sudbury Regional School Committee represents a budget that will provide the same program currently offered as well as funds to accommodate the additional 60 students anticipated.
- In addition to the 60 new students, other driving forces affecting the FY00 budget include: salary increases of 2.75%; Special Education out-of-district tuitions increased by 17.5%; loss of building rental revenue from First Friends; loss of tuition revenue; health insurance premiums increasing by 10% (first premium increase in five years).
- The budget approved by the Finance Committee is less than the 8.77% Level Effort budget voted by the Lincoln-Sudbury Regional School Committee. As a result, a \$129,624 reduction will need to be made to the regional school budget (total from both towns) in order to meet the Finance Committee's recommendation.

The Finance Committee recommends approval of \$9,570,937.

LINCOLN-SADBURY REGIONAL SCHOOL DISTRICT

FY 2000 BUDGET

VOTED BY THE LINCOLN-SADBURY REGIONAL SCHOOL COMMITTEE
February 2, 1999

Administration:	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
School Committee	48,049	65,000	41,393	68,000	70,000
Administration	57,138	38,000	56,434	50,154	61,120
Business Office	16,186	18,500	10,104	20,200	18,200
Central Office	17,137	18,700	15,641	18,000	18,000
Administration Total	138,510	140,200	123,572	156,354	167,320

Instruction	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Art	24,070	26,589	29,540	23,107	29,666
Computer	81,436	73,700	123,979	79,550	88,950
Drama	3,871	4,550	4,550	5,400	5,940
English	23,110	31,850	14,349	34,700	38,600
World Language	21,806	30,735	23,980	36,050	39,550
History	16,467	21,750	21,300	24,300	30,600
Journalism	6,298	3,250	3,352	3,250	3,250
Mathematics	23,843	29,900	31,232	36,200	44,650
Music	20,929	20,725	16,385	21,460	23,055
Wellness	31,595	23,750	20,197	27,400	30,000
Science	25,224	35,288	37,324	33,124	37,224
Technology	10,629	12,485	12,967	13,385	14,575
Career Center	5,355	6,300	4,131	7,550	8,550
General Supplies	118,842	88,858	78,007	108,000	112,000
Instruction Total	413,475	409,730	421,294	453,476	506,610

Educational Support	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
House Services	34,937	27,800	24,271	47,500	33,500
Student Services	32,150	25,850	22,361	27,550	28,950
Audio-Visual	45,225	34,646	41,305	35,220	37,325
Library	21,551	27,074	25,908	26,106	27,146
Student Activities	13,760	16,150	13,593	18,150	18,150
Athletics	149,124	160,156	155,017	168,884	176,925
Transportation	194,260	205,500	187,072	214,000	222,502
Development	26,767	15,000	13,328	16,000	16,000
Ed Support Total	517,776	512,176	482,855	553,410	560,498

LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT
FY00 BUDGET

Operations	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Custodial	166,679	180,500	165,720	184,500	173,500
Grounds	41,945	33,400	32,660	33,400	23,900
Maintenance	225,489	197,500	198,568	203,000	206,000
Utilities	328,310	360,700	317,644	380,700	380,700
Operations Total	762,433	772,100	714,592	801,600	784,100

Special Education	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Local Services	44,553	68,650	37,391	60,750	65,894
Transportation	73,163	90,279	70,327	92,366	114,690
Out-of-District	662,717	772,881	747,392	851,267	1,000,296
Special Ed Total	780,434	931,810	855,110	1,004,383	1,180,880

Contingency	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Contingency	5,508	50,250	10,850	50,250	50,250
Contingency Total	5,508	50,250	10,850	50,250	50,250

Salaries & Other Compensation:	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Administration	528,670	551,502	551,500	572,058	642,910
Administrative Support	119,239	128,303	123,496	131,615	137,452
Professional Staff	4,969,660	5,667,819	5,666,067	6,113,127	6,675,453
Course Reimbursement	25,992	19,000	19,000	22,000	25,000
Curriculum Development	36,825	41,500	41,500	40,000	44,000
Extra Services	66,136	66,361	64,816	71,065	75,355
Educational Support	276,351	316,178	328,607	326,797	408,226
Substitutes	52,480	60,000	64,172	62,000	65,000
Clerical	434,139	417,773	413,319	439,609	481,130
Blg./Grds/Maint.	317,037	333,797	335,787	349,372	379,349
Coaches/Trainer	232,594	252,751	251,289	264,126	285,860
Unemployment	23,827	40,000	3,417	40,000	40,000
Salaries Total	7,082,951	7,894,984	7,862,970	8,431,769	9,259,735

LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

FY00 BUDGET

Regional Fixed Costs	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Insurance	31,764	45,000	32,401	47,000	47,000
Benefits	872,378	1,003,418	907,649	1,071,207	1,119,526
Fixed Costs Total	904,142	1,048,418	940,050	1,118,207	1,166,526
Debt/Stabilization	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Renovation Debt	0	0	0	0	0
Boiler/Short Term	0	0	0	0	0
Boiler et al Debt	278,500	271,300	271,300	263,706	255,775
Stabilization	45,875	52,875	52,875	60,469	68,400
Total Debt/Stabiliz.	324,175	324,175	324,175	324,175	324,175
SCHOOL CHOICE	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Tuition Assessment	12,909	10,010	19,205	27,500	27,500
Total School Choice	12,909	10,010	19,205	27,500	27,500
Other Equipment & Capital Projects	FY '97 Expenditure	FY '98 Budget	FY '98 Expenditure	FY '99 Budget	FY '00 Budget
Furniture	26,639	0	0	0	0
Telephone	75,529	0	0	0	0
Tractor	15,236	0	0	0	0
Pickup Truck	0	0	10,859	0	0
Mower	0	0	23,778	0	0
Capital Project Total	117,404	0	34,637	0	0
TOTAL BUDGET	11,059,716	12,093,853	11,789,312	12,921,124	14,027,594
Less Estimated Receipts:	0	(195,575)		(212,050)	(203,500)
NET BUDGET	11,059,716	11,898,278	11,789,312	12,709,074	13,824,094
STATE AID - REAPPORTIONMENT		(1,663,960.00) (464,572.20)		(1,749,528.00) (611,734.57)	(1,854,477.00) (453,203.62)
ASSESSMENT		9,769,745.80		10,347,811.68	11,516,413.38
LINCOLN ASSESSMENT		1,471,126.91		1,646,388.51	1,836,476.17
SUDBURY ASSESSMENT		8,298,618.89		8,701,423.17	9,679,937.21
TOTAL ASSESSMENT		9,769,745.80		10,347,811.68	11,516,413.38

MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

Line Item	Expend. FY97	Expend. FY98	Approp. FY99	Sci Com. Req. FY00	Fin Com Rec. FY00
MINUTEMAN VOC. H.S.					
302 Sudbury Assessment	352,839	318,681	357,252	235,589	235,589

Sudbury's total assessment of \$235,589, a decrease of \$121,663 (34.1%) vs. FY99, reflects the following: A change in the Minuteman assessment calculation which favorably affects Sudbury's assessment for the one fiscal year 2000; a slight reduction in enrollment from Sudbury; and a favorable mix in the Sudbury students who will attend Minuteman (fewer full-time students).

	Amount FY99	Proposed FY00	Difference
PROGRAM AREA			
Commercial	93,330	96,475	3,145
Technology	165,958	166,008	50
Trades	161,492	163,468	1,976
Academic	340,478	337,537	-2,941
Instructional Sub Total	761,258	763,488	2,230
SUPPORT			
Library	27,700	27,400	-300
Audio-Visual	6,125	6,125	0
Television	100	100	0
Microcomputer Service	34,780	45,780	11,000
Duplicating Service	56,167	56,167	0
Special Education	9,700	25,500	15,800
Psychological Service	3,100	3,100	0
Guidance Service	15,933	10,713	-5,220
Health Service	13,288	13,288	0
Principal's Office	106,500	106,100	-400
Transportation	851,443	934,791	83,348
Vocation Coordinator	7,650	7,650	0
Computer Service, Mini	34,882	32,800	-2,082
Dean's Office	4,120	4,120	0
District & Prof. Dev.	106,120	119,800	13,680
Superintendent's Office	3,549	3,549	0
Planning Office	47,000	47,000	0
Business Office	20,050	19,875	-175
Risk Insurance	144,877	145,400	523
Employee Benefits	932,988	1,019,569	86,581
Medicare/FICA	85,000	94,200	9,200
Maintenance	937,328	889,553	-47,775
Debt Management	0	0	0
Equipment/Capital	423,720	110,079	-313,641
Food Service	9,350	9,400	50
Support Sub-Total	3,881,470	3,732,059	-149,411
Salaries	8,481,098	8,853,419	372,321
TOTAL	13,123,826	13,348,966	225,140

Number of Sudbury Students = 32.51

Sudbury Assessment = 235,589

GENERAL GOVERNMENT

The General Government portion of the budget represents the Executive, General Administration Legal, and Quasi-Judicial functions of the Town. The expense level recommended by the Fin Com is \$1,577,520 versus an appropriated level of \$1,472,957 in FY99, an increase of 7.1%. Primary increase is in the area of supervisory and employee training, as well as an increase in hours for the Data Collector position and purchase of a laptop computer. Technology remains a top priority in Town government and, as a result, Information Systems cost center budget has increased by 35.1%. Recommend approval of \$1,577,520 for General Government.

Line Item		Expend FY97	Expend FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
100 GENERAL GOVERNMENT						
122 SELECTMEN						
122-1-51100	Town Manager Salary	84,000	86,100	88,597	91,255	91,255
122-1-51110	Admin. Salaries	42,767	44,151	45,107	46,461	46,461
122-1-51120	Overtime	1,345	1,321	1,166	1,200	1,200
122-1-51130	Clerical	30,223	33,418	36,061	38,783	38,783
122-1-51199	Employee Incentive Program		154	5,000	5,000	5,000
122-1-51170	Sick Leave Buy Back	737	672	778	802	802
122-1	Total Personal Services	159,072	165,816	176,709	183,501	183,501
122-2-52210	General Expense	10,116	9,051	8,000	8,500	8,500
122-2-52216	Computer Hardware	0	5,200	0	0	0
122-2-52217	Computer Software	0	1,580	0	0	0
122-2-52231	Maintenance	523	257	725	750	750
122-2-52241	Travel	2,998	2,414	2,700	2,700	2,700
122-2-52242	Out of State Travel	3,787	5,742	7,000	7,000	7,000
122-2-52254	Regional Plan. Assessment	10,931	5,389	5,389	9,248	9,248
122-2-52255	Contracted Services-Y2K	0	0	0	2,500	0
	Hop Brook weed program	0	0	0	2,500	2,500
122-2-52290	Equipment	3,239	0	0	0	0
122-2	Total Expenses	31,594	29,633	23,814	33,198	30,698
122	Total	190,666	195,449	200,523	216,699	214,199

GENERAL GOVERNMENT

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr Rec. FY00	Fin Com Rec. FY00
	BUDGET & PERSONNEL					
131-1-51100	Budget & Personnel Officer	49,207	54,257	58,528	62,657	62,657
131-1-51110	Benefits Coordinator	13,125	17,951	21,348	22,852	22,852
131-1-51130	Clerical	14,469	19,751	21,525	22,177	22,177
131-1	Total Personal Services	76,801	91,959	101,401	107,686	107,686
131-2-52210	General Expense	870	867	1,300	1,430	1,430
131-2-52217	Computer Software	0	1,185	0	0	0
131-2-52241	Travel	200	137	200	200	200
131-2-52255	Supervisory Training	0	0	1,000	2,000	2,000
131-2-52276	Employee Profess. Develop.	200	0	1,000	1,000	1,000
131-2	Total Expenses	1,270	2,189	3,500	4,630	4,630
131	Total	78,071	94,148	104,901	112,316	112,316
	151 LAW					
151-1-51100	Town Counsel Salary	30,743	31,512	32,426	34,953	34,953
151-1-51130	Clerical	25,465	27,292	30,184	32,313	32,313
151-1	Total Personal Services	56,208	58,804	62,610	67,266	67,266
151-2-52210	General Expense	5,210	4,656	4,500	5,300	5,300
151-2-52256	Legal Expense	69,353	69,621	63,935	64,953	64,953
151-2-52216	Computer Hardware		1,200	0	0	0
151-2-52770	Tax Title Legal Expense	0	0	0	0	0
151-2	Total Expenses	74,563	75,477	68,435	70,253	70,253
151	Total	130,771	134,281	131,045	137,519	137,519

GENERAL GOVERNMENT

Line Item		Expend FY97	Expend FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com. Rec. FY00
132 ACCOUNTING						
132-1-51100	Town Accountant Salary	19,081	27,621	54,566	57,877	57,877
132-1-51110	Salaries	65,283	70,472	88,832	94,031	94,031
132-1-51120	Overtime	5,091	10,062	1,000	1,000	1,000
132-1	Total Personal Services	89,455	108,155	144,398	152,908	152,908
132-2-52210	General Expense	4,072	5,513	6,600	6,600	6,600
132-2-52215	Computer	43,256	7,369	10,000	10,000	10,000
132-2-52231	Maintenance	247	2,207	2,510	1,819	1,819
132-2-52241	Travel	674	549	500	550	550
132-2-52255	Contracted Services	24,150	17,000	17,000	17,000	17,000
132-2	Total Expenses	72,399	32,638	36,610	35,969	35,969
132	Total	161,854	140,793	181,008	188,877	188,877
137 ASSESSORS						
137-1-51100	Assessor/Appraiser's Salary	55,983	65,435	54,366	58,009	58,009
137-1-51130	Clerical	77,929	85,776	96,593	104,144	104,144
137-1-51170	Sick Buy Back	620	0	0	436	436
137-1	Total Personal Services	134,532	151,211	150,959	162,589	162,589
137-2-52210	General Expense	6,541	8,875	11,000	11,000	11,000
137-2-52231	Maintenance	0	0	0	0	0
137-2-52246	Tuition	840	475	500	1,000	1,000
137-2-52255	Contracted Services	25,713	12,564	11,000	11,000	11,000
137-2-52290	Equipment	0	0	0	6,000	4,000
137-2	Total Expenses	33,094	21,914	22,500	29,000	27,000
137-3-58850	Vehicle Purchase	15,830	0	0	0	0
137-3	Total Capital Spending	15,830	0	0	0	0
137	Total	183,456	173,125	173,459	191,589	189,589

GENERAL GOVERNMENT

Line Item		Expend FY97	Expend FY98	Approp FY99	Tn Mgr Rec FY00	Fin Com Rec FY00
138 TREASURER/COLLECTOR						
138-1-51100	Collec/Treas. Salary	45,361	43,956	54,048	57,854	57,854
138-1-51120	Overtime		627		0	0
138-1-51130	Clerical	108,240	108,575	110,796	101,360	101,360
138-1-51180	Stipends		8,697	12,500	12,500	12,500
138-1	Total Personal Services	153,601	161,855	177,344	171,714	171,714
138-2-52210	General Expense	30,337	31,668	28,148	31,000	30,500
138-2-52231	Maintenance	7,906	7,871	10,000	9,000	9,000
138-2-52241	Travel	1,288	1,267	1,300	1,500	1,500
138-2-52251	Contracted Services	7,618	4,774	15,500	13,500	13,500
138-2-52290	Equipment	5,347	5,538	2,275	1,950	1,950
138-2-52770	Tax Title Expense	1,256	1,000	2,000	2,000	2,000
138-2	Total Expenses	53,752	52,118	59,223	58,950	58,450
138	Total	207,353	213,973	236,567	230,664	230,164
139 INFORMATION SYSTEMS						
139-1-51100	Technology Administrator		51,505	56,541	59,984	59,984
139-1-51151	Sick Leave Buy Back		1,226	1,300	1,379	1,379
139-1-51130	Summer Help		2,080	2,600	5,720	5,720
139-1	Total Personal Services		54,811	60,441	67,083	67,083
139-2-52210	General Expense		4,918	3,000	5,000	5,000
139-2-52310	Maintenance		492	1,000	6,000	6,000
139-2-52410	Travel		595	500	1,500	1,500
139-2-52255	Contracted Services		3,871	13,200	13,950	13,950
139-3-52290	Equipment		14,774	450	21,200	21,200
139-3-52276	Professional Development			650	2,950	2,950
139-3-52217	Software			15,108	21,425	18,425
139-3-52291	WAN/Telephone Connections			14,360	13,255	13,255
139-3-52292	Network			10,125	9,310	9,310
139-3-52218	Internet			100	2,000	2,000
139-2	Total Expenses		24,650	58,493	96,590	93,590
139-3-58845	Networking/Technology Plan		69,160	0	0	0
139-3	Total Capital Spending		69,160	0	0	0
139	Total		148,621	118,934	163,673	160,673

GENERAL GOVERNMENT

Line Item		Expend FY97	Expend FY98	Approp FY99 Rec	Tn Mgr FY00 Rec	Fin Com FY00
158	PERMANENT BLDG. COM.					
158-1-51130	Personal Services (Cler.)	0	54	500	500	500
158-2-52210	Expenses (Gen. Exp.)	0	0	0	0	0
158	Total	0	54	500	500	500
159	COM. FOR PRESERV./MANAGEMENT DOCS					
159-2-52210	Expenses (Gen. Exp.)	2,000	852	1,000	2,000	2,000
159	Total	2,000	852	1,000	2,000	2,000
161	TOWN CLERK & REGISTRARS					
161-1-51100	Town Clerk's Salary	41,727	46,938	49,827	52,231	52,231
161-1-51120	Overtime	3,209	1,349	2,395	1,868	1,868
161-1-51130	Clerical	80,312	82,379	90,419	94,297	94,297
161-1-51181	Registrars	650	650	650	650	650
161-1	Total Personal Services	125,898	131,316	143,291	149,046	149,046
161-2-52210	General Expense	6,485	6,344	9,003	9,544	9,544
161-2-52215	Computer	2,728	2,696	2,750	2,750	1,750
161-2-52231	Maintenance	69	0	300	200	200
161-2-52241	Travel	424	410	650	650	650
161-2-52246	Tuition	0	0	360	600	600
161-2-52275	Elections	19,519	13,439	17,000	11,810	11,810
161-2-52290	Equipment	455	365	500	500	500
161-2	Total Expenses	29,680	23,254	30,563	26,054	25,054
161	Total	155,578	154,570	173,854	175,100	174,100

GENERAL GOVERNMENT

Line Item		Expend FY97	Expend FY98	Approp FY99	Tn Mgr Rec FY00	Fin Com Rec FY00
171 CONSERVATION						
171-1-51100	Conservation Coordinator	32,688	35,895	39,919	41,139	41,139
171-1-51130	Clerical	5,456	6,268	6,107	6,638	6,638
171-1-51151	Sick Leave Buy Back	0	915	1,075	1,103	1,103
171-1	Total Personal Services	38,144	43,078	47,101	48,880	48,880
171-2-52210	General Expense	2,470	1,418	1,243	1,243	1,243
171-2-52213	Computer	322	0	0	0	0
171-2-52232	Building Maintenance	4,011	312	3,000	3,000	3,000
171-2-52237	Trail Maintenance	902	1,123	2,000	4,000	4,000
171-2-52241	Travel	374	1,261	500	500	500
171-2	Total Expenses	8,079	4,114	6,743	8,743	8,743
171 Total		46,223	47,192	53,844	57,623	57,623
172 PLANNING BOARD & Design Review Bd						
172-1-51100	Town Planner	46,799	50,685	61,285	63,117	63,117
172-1-51130	Clerical	16,076	17,272	21,648	22,285	22,285
172-1	Total Personal Services	62,875	67,957	82,933	85,402	85,402
172-2-52210	General Expense	1,557	1,883	1,450	2,950	2,950
172-2-52211	Contracted Services	0	0	0	0	0
172-2	Total Expenses	1,557	1,883	1,450	2,950	2,950
172 Total		64,432	69,840	84,383	88,352	88,352
173 BOARD OF APPEALS						
173-1-51130	Personal Services (Cler.)	10,987	12,451	11,590	17,259	17,259
173-2-52210	Expenses (Gen. Exp.)	1,005	1,025	1,350	4,350	4,350
173-3-58830	Total Capital Spending	0	0	0	0	0
173 Total		11,992	13,476	12,940	21,609	21,609
TOTAL 100 BUDGET		1,232,395	1,386,374	1,472,957	1,586,520	1,577,520

PUBLIC SAFETY

The Public Safety cluster covers Fire, Police, Building Inspection, and the Dog Officer. The total recommended budget is \$4,350,158, minus an offset of \$75,319, for a net total budget of \$4,274,839. This represents an increase of \$418,619, or 10.86% over the FY99 budget. The increase of \$418,619 is distributed as follows: Police, \$171,801; Fire, \$193,464; Building Department, \$52,608; Dog Officer, \$745. In addition to the normal and contractual requirements for increases, the following were the major source of additional monetary requirements: Police, replacement of five cruisers this year of an aging fleet that has had only three cruisers replaced in each of the last two budget cycles; Fire, \$45,000 in capital expenditures plus one-half of a new position to be shared with the Building Inspector, and a decrease in the ambulance fund offset; Building Department, the other half of the new position plus an increase in town building maintenance.

Line Item		Expend. FY97	Expend. FY98	Approp. FY99	Tn Mgr Rec. FY00	Fin Com Rec. FY00
200 PUBLIC SAFETY						
210 POLICE DEPT						
210-1-51100	Chief's Salary	85,518	87,656	90,198	92,903	92,903
210-1-51105	Lieutenant's Sal.	77,701	79,643	81,942	84,411	84,411
210-1-51110	Salaries	997,485	1,014,514	1,039,818	1,142,732	1,142,732
210-1-51114	Night Differential	16,560	17,358	17,500	17,500	17,500
210-1-51120	Overtime	105,379	109,538	110,303	113,612	113,612
210-1-51130	Clerical	57,236	58,658	60,349	62,979	62,979
210-1-51145	Dispatchers	117,197	119,468	126,744	131,210	131,210
210-1-51170	Sick Leave Buy Back	1,735	1,775	2,966	4,155	4,155
210-1-51177	Holiday Pay	13,248	11,075	10,000	10,300	10,300
210-1-51180	Stipend	4,900	7,100	9,400	10,600	10,600
210-1	Total Personal Services	1,476,959	1,506,785	1,549,220	1,670,402	1,670,402
210-2-52210	General Expense	32,269	31,161	28,058	30,008	30,008
210-2-52231	Maintenance	29,067	28,896	37,115	40,285	40,285
210-2-52241	Travel	1,976	2,246	2,500	2,500	2,500
210-2-52245	Uniforms	18,024	19,414	21,600	21,600	21,600
210-2-52246	Tuition	9,775	18,676	9,400	9,400	9,400
210-2-52290	Equipment	715	10,000	10,000	16,000	16,000
210-2	Total Expenses	91,826	110,393	108,673	119,793	119,793
210-3-58850	Police Cruisers	76,972	61,500	72,500	112,000	112,000
210-3	Total Capital Spending	76,972	61,500	72,500	112,000	112,000
210 Total		1,645,757	1,678,678	1,730,393	1,902,195	1,902,195

PUBLIC SAFETY

Line Item		Expend FY97	Expend FY98	Approp. FY99	Tn Mgr. Rec. FY00	Fin Com Rec. FY00
220	FIRE DEPT					
220-1-51100	Chief's Salary	76,905	78,828	81,216	83,652	83,652
220-1-51110	Salaries	1,250,683	1,282,623	1,284,322	1,367,737	1,367,737
220-1-51120	Overtime	173,923	193,274	198,863	256,900	256,900
220-1-51130	Clerical	22,390	24,615	18,691	19,858	19,858
220-1-51145	Dispatchers	46,828	47,254	55,365	57,739	57,739
220-1-51170	Sick Buyback	14,043	4,658	7,104	7,035	7,035
220-1	Total Personal Services	1,584,772	1,631,252	1,645,561	1,792,921	1,792,921
220-2-52210	General Expense	15,162	16,197	19,100	23,660	23,660
220-2-52231	Maintenance	62,775	67,752	61,650	62,650	62,650
220-2-52235	Alarm Maint.	224	1,051	1,000	1,000	1,000
220-2-52241	Travel, In State	257	758	500	500	500
220-2-52245	Uniforms	22,810	28,300	26,545	26,545	26,545
220-2-52246	Tuition	3,048	1,640	2,800	2,800	2,800
220-2-52255	Contracted Services	9,687	8,168	7,200	8,200	8,200
220-2-52290	Equipment	18,444	13,474	23,500	13,100	11,100
220-2	Total Expenses	132,407	137,340	142,295	138,455	136,455
220-3-58830	Capital Items	0	255,138	150,800	45,000	45,000
220-3	Total Capital Spending	0	255,138	150,800	45,000	45,000
220	Total	1,717,179	2,023,730	1,938,656	1,976,376	1,974,376
	Offset: Ambulance Fund	74,226	111,778	233,063	75,319	75,319
	Offset: Free Cash		250,000	0	0	0
	Net Budget	1,642,953	1,661,952	1,705,593	1,901,057	1,899,057

FY00 FINANCE COMMITTEE REPORT

FY00 OPERATING BUDGET

Cost Center	FY99 \$ Approp.*	FY00 \$ FinCom Rec.	\$ Inc.	% Inc.	% of Total
S.P.S. (Net)	\$15,567,923	\$17,245,008	\$1,677,085	10.8%	38.1%
LSRHS (Assessment)	\$8,701,424	\$9,570,937	\$869,513	10.0%	21.1%
Minuteman (Assessment)	\$357,252	\$235,589	(\$121,663)	-34.1%	0.5%
Town Services	\$8,410,276	\$9,163,573	\$753,297	9.0%	20.2%
Unclassified & Transfer	\$3,816,196	\$4,039,102	\$222,906	5.8%	8.9%
Debt Service	\$3,050,326	\$4,488,133	\$1,437,807	47.1%	9.9%
SUBTOTAL	\$39,903,397	\$44,742,342	\$4,838,945	12.1%	98.8%
Enterprise Funds (Direct Costs)	\$556,789	\$561,637	\$4,848	0.9%	1.2%
Total	\$40,460,186	\$45,303,979	\$4,843,793	12.0%	100.0%

Looking Ahead

The Town must continue to pursue and collect over \$1 million in outstanding back property taxes; a previous Town Meeting appropriated funds to do so. Additional revenue sources, other than residential real estate taxes, must be found, whether from commercial business, senior residential communities, gravel sales or other creative measures. Our growing population and construction of single family homes will continue to strain the Town's infrastructure and service levels as well as our ability to maintain them. Unfortunately, the funding provided by Proposition 2 ½ and other state aid is currently not adequate to address the Town's revenue needs.

Each cost center must continue to look at ways to do more together through shared services. Although some progress was made in this area during the past year, additional work needs to be done to achieve greater savings on the expense side. As our school construction continues for the next two years, the Town's debt service expenditures will significantly increase and continue at this level until the state construction grants are received. The Town must be mindful of the impact of this debt service on the tax rate and the ability of citizens on fixed incomes to afford these higher taxes.

The next several years will be financially challenging for the Town and its citizens. Only by working together can we hope to make the difficult choices between service cuts, increased taxes, and/or economic development.

FY00 FINANCE COMMITTEE REPORT

Acknowledgements

The Finance Committee expresses appreciation for the dedication and leadership demonstrated by the Town Manager, the Department Heads and School Superintendents, their staffs, and respective communities in working with the Committee in a cooperative and productive manner.

James Carlton
Rebecca Corkin
Robert Hurstak, Jr.,
Vice Chairman

John Nikula
Miles Nogelo
Emil Ragonas,
Chairman

Larry Rowe
Sheila Stewart
Peggy Wilks

TOWN MANAGER'S REPORT

The proposed Town Services budget is \$9,725,210, which includes \$561,637 for the two enterprise funds. Altogether the Town Services budget is an 8.2% increase over the 1998 (FY99) Annual Town Meeting appropriation.

We are experiencing two main types of increased service demand:

- 1) Population growth: more students, more building permits, more traffic, more field use, etc.
- 2) The increasing complexity in society is generating an increase in service demand for most Town departments; more litigation, more technology/networking, more strategic planning, more complex personnel/benefits management, more elaborate housing, more complicated land purchases, more specialized training.

This budget includes a proposal for the reorganization of the Department of Public Works, creates an Assistant Building Inspector position, continues the implementation of our technology master plan, increases the Town's resources for dealing with social problems by increasing mental health services, senior outreach, and increasing the Youth Coordinator's hours. The budget also requests the first full-year of operation of the "new" Goodnow Library and increases the hours for circulation and reference in order to keep up with service demands.

It should not be surprising that the Town's ability to meet growing demand has reached a critical juncture. I stand ready and willing to work with the citizens of Sudbury to make our Town the best it can be.

SUDBURY PUBLIC SCHOOLS SUPERINTENDENT'S REPORT

On December 16, 1998, the Sudbury School Committee voted a budget of \$17,595,008 for FY00, which represents an increase of 13% above the FY99 operating budget. That amount includes the positions needed to open the new Loring elementary school in September, 1999. In addition to the Loring positions, it includes five additional teachers for grades 1-5 and one additional kindergarten teacher. One additional classroom teaching position and a half-time special education teacher are budgeted for the Curtis Middle School. This budget request adds full-time reading teachers in every elementary school. Since we now have one reading/language arts teacher for all the elementary system, it means hiring three new reading/language arts teachers and assigning the system-wide teacher to one of the elementary schools.

In an effort to introduce world language studies at the elementary level, we have recommended reducing physical educational classes to one time a week at the elementary schools, thereby reducing the total number of elementary physical education positions. We will need to add only 2.25 additional positions in the budget to provide 3.8 total foreign language positions. The balance between the 3.8 needed and the 2.25 budgeted will come from the reduction in physical educational positions. Since the State will soon be testing students in world languages, it is important for us to begin instruction in foreign languages as soon as possible.

The total cost for all additional positions at Loring, including the reading specialist, is approximately \$481,000. You may recall that two years ago a Town Meeting member asked how much I anticipated it would cost us to open Loring with needed additional staff. At that time I estimated about \$500,000 in 1997 dollars. We have been able to stay within the originally estimated figure by transferring staff from other schools to Loring wherever possible.

The level service budget has increased by only 4.3%. This figure represents current staffing patterns with no additional staffing anywhere in the school system. It is driven by an anticipated increase of approximately 104 students next year. This year our student population increased from 2,551 to 2,666, a net increase of 115 students. The 4.3% meets contractual increases and step raises as we enter the last year of a three-year contract with our employees.

Although this budget does not represent all our needs, and requires reducing physical education in order to expand world language, it does enable us to continue to meet the growth needs of the system and to staff the Loring School.

LINCOLN-SUDBURY SUPERINTENDENT'S REPORT

The Lincoln-Sudbury Regional School Committee voted a budget for FY00 that includes an increase of 8.77% over the FY99 budget. The vote was taken after much discussion of the needs of the school, and our common commitment to maintaining a level of excellence that both Lincoln and Sudbury have come to expect and depend upon.

A primary driving force for the 8.77% increase is the enrollment increase of sixty students that we anticipate in the coming year, which is part of a steady increase we have experienced recently, and will continue to experience in coming years. Since FY95, our student population has grown by 27%. Sustaining an appropriate class size, and appropriate programs and support for a burgeoning population are critical challenges.

Beyond the enrollment increase, however, there are a number of other driving forces which affect our budget proposal. These include:

- a contractual salary increase of 2.75%
- an increase in SPED out of district costs of 17.5%
- loss of building rental income because of the departure of a pre-school program
- decreased tuition revenue because of fewer SPED out of district students at L-S
- an increase in health insurance costs of 10% (this is the first increase in five years).

Unlike Town departments, the Lincoln-Sudbury Regional School Budget includes health insurance, life insurance, property and casualty insurance, workers compensation, retirement assessments, and debt service (regional fixed costs) within the scope of its budget.

After much discussion, and careful scrutiny, it is my firm conviction that the budget voted by the School Committee will allow us to maintain appropriate levels of educational service to our students, though, unfortunately, it will not allow us to make any of the modest improvements which, ideally, we would like to be able to make.

FY00 BUDGET SUMMARY SHEET

	Expend FY97	Expend FY98	Approp FY99	Scl. Com Rec FY00	Fin Com Rec FY00
Sudbury Pub. Schls. (Gross)	13,681,836	15,453,962	16,017,268	18,090,596	17,740,596
Sudbury Pub. Schls: Offsets	464,354	676,515	449,345	495,588	495,588
SUDBURY PUB. SCHLS. (Net)	13,217,482	14,777,447	15,567,923	17,595,008	17,245,008
L.S.R.H.S.(Assessment)	8,115,051	8,298,619	8,701,424	9,679,937	9,570,937
M.R.V.T.H.S.(Assessment)	352,839	318,681	357,252	235,589	235,589
TOTAL SCHOOLS	21,685,372	23,394,747	24,626,599	27,510,534	27,051,534

	Expend FY97	Expend FY98	Approp FY99	Tn Mgr. Rec FY00	Fin Com Rec FY00
100: General Govt.	1,232,395	1,386,374	1,472,957	1,586,520	1,577,520
200: Public Safety	3,866,304	4,258,203	4,089,283	4,354,158	4,350,158
400: Public Works	2,208,514	2,168,976	2,123,351	2,261,316	2,241,316
500: Human Services	334,762	352,823	383,509	517,489	499,889
600: Culture & Rec	843,141	854,459	917,964	1,056,327	1,056,327
SUBTOTAL TOWN SERVICES	8,485,116	9,020,835	8,987,065	9,775,810	9,725,210
700: Debt Service	1,695,583	3,341,080	3,050,326	4,488,133	4,488,133
900: Unclassified/Transfer Acct.	2,969,180	3,008,345	3,816,196	4,094,102	4,039,102
TOTAL TOWN	13,149,879	15,370,260	15,853,587	18,358,045	18,252,445
TOTAL OPERATING BUDGET	34,835,252	38,765,007	40,480,186	45,868,579	45,303,979

ATM Articles (Non-Capital):			500	0	0
Large Capital Items (Article 8)	2,798,900	411,947	0	897,500	882,500
Add to Stabiliz. to Reduce Future Debt				355,000	325,000
Minus Borrowing / Capital Exclusion	2,650,000	169,000	0	625,000	782,500
TOTAL ARTICLES	148,900	242,947	500	627,500	425,000

TOTAL APPROPRIATIONS	34,984,152	39,007,954	40,480,686	46,496,079	45,728,979
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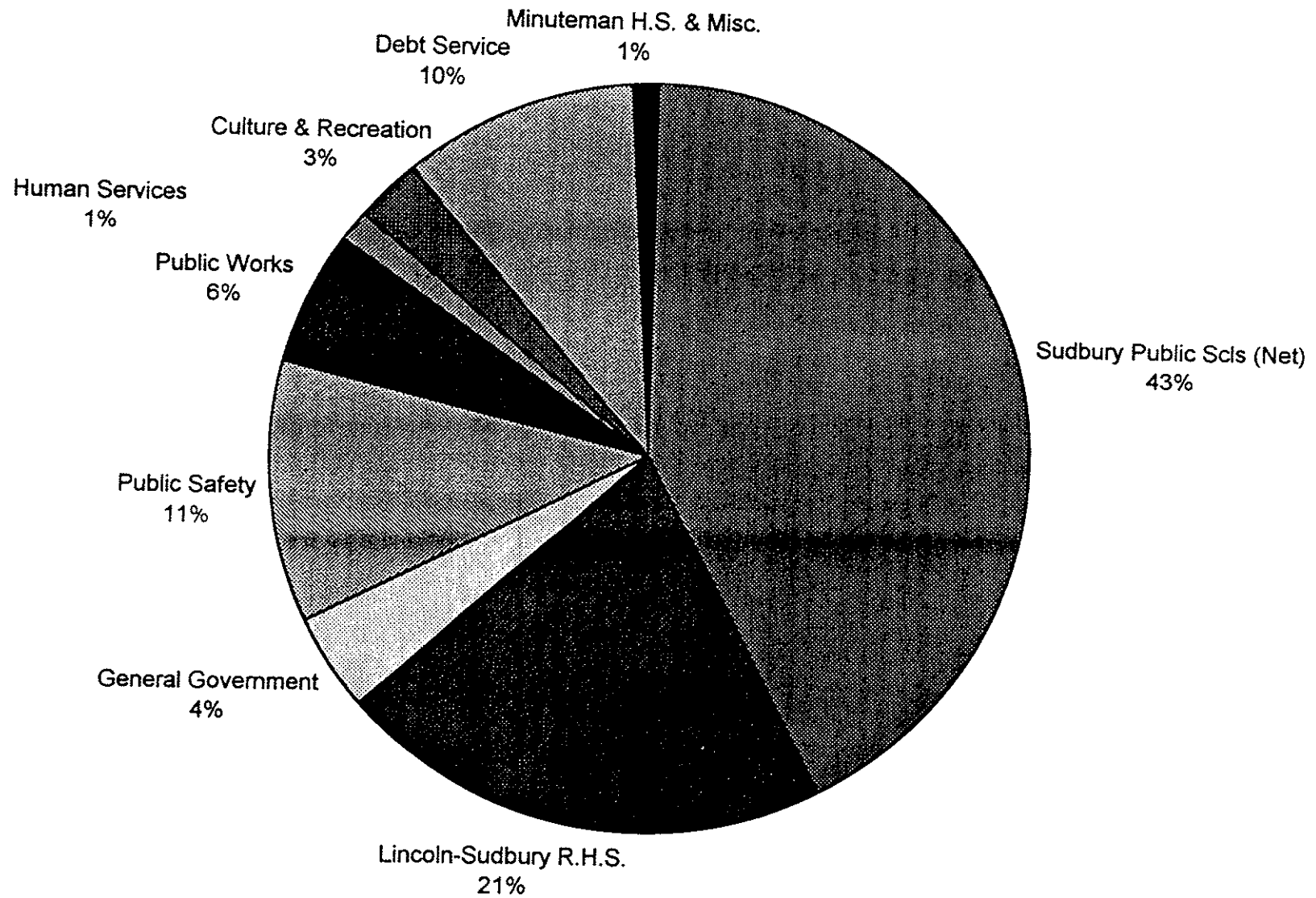
Cherry Sheet Chgs.& Underest.	400,110	389,598	405,403	405,403	405,403
Cherry Sheet Offsets	256,039	255,912	232,020	232,020	232,020
Recap, Snow&Ice & Oth. chgs.	363,678	99,010	348,050	60,000	60,000
Abatements & Exemptions	229,682	300,000	523,480	300,000	250,000
TOTAL CHARGES	1,249,509	1,044,520	1,508,953	997,423	947,423

TOTAL TO BE RAISED	36,233,661	40,052,474	41,989,639	47,493,502	46,676,402
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Cherry Sh.Receipts & Overest.	3,220,018	3,518,671	4,420,413	4,815,413	4,815,413
Foundation Reserve Program		118,000	67,000	0	0
Insurance Recovery		61,335	0	0	0
Local Receipts	3,074,749	3,063,000	3,325,000	3,456,000	3,632,000
Reserved Investment Income				355,000	355,000
Ent. Fund Receipts	727,288	647,754	616,960	617,816	617,816
Ent Funds Retained Earnings			20,000		
Free Cash applied	993,696	1,249,723	763,419	1,261,000	1,761,000
Dog Licenses (& St Aid)	7,500	4,875	6,904	0	0
Abatement Surplus	282,610	102,500	123,063	360,276	360,276
Transfer from ATM 88/18, 97/4, and 93/17			5,484	1,582	1,582
Add'l State Aid	77,219	55,861	66,926		
Retirement Trust Fund	105,815	37,481	12,717	22,734	22,734
State Aid: Septic Program		200,000			
Melone Gravel Receipts	0	0		100,000	100,000
Transport. Bond Offset	515,923	969,204			
Ambulance Fund	74,226	139,793	233,063	75,319	75,319
TOTAL RECEIPTS&REVENUE	9,079,044	10,168,197	9,660,949	11,065,140	11,741,140

REQUIRED TAX LEVY	27,154,617	29,884,277	32,328,690	36,428,362	34,935,262
Previous Limit +2.5%	25,993,561	27,187,138	28,413,100	30,469,976	30,469,976
New Growth	530,476	532,960	721,455	575,000	600,000
Prop 2 1/2 Override (Operating)			592,250		
LEVY LIMIT	26,524,037	27,720,098	29,726,805	31,044,976	31,069,976
Prop 2 1/2 Exemptions	1,721,679	3,384,725	2,703,126	3,868,018	3,868,018
APPLICABLE LEVY LIMIT	28,245,716	31,104,823	32,429,931	34,912,994	34,937,994
UNDER LEVY LIMIT				0	2,731
OVER LEVY LIMIT				1,515,369	

FY00 Town Spending



TOTAL OPERATING COSTS BY DEPARTMENT

(Including Employee Benefits)

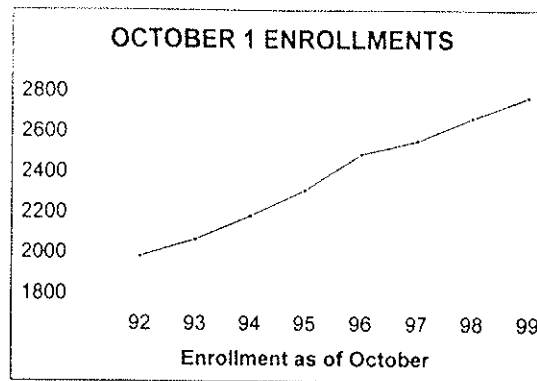
Cost Center	Approp. FY99	Employee Benefits	Total FY99 Spending	% of 99 Budget	Fin. Com. Rec. FY00	Employee Benefits	Total FY00 Spending	% of 00 Budget	% Change 99 to 00
Sudbury Public Scls (Net)	\$15,567,923	\$1,705,775	\$17,273,698	42.69%	\$17,245,008	\$1,919,731	\$19,164,739	42.30%	10.95%
Lincoln-Sudbury R.H.S. (Sudbury Share:)	\$8,701,424 (84.19 %)	\$901,849 (Included)	\$8,701,424	21.51%	\$9,570,937 (84.09 %)	\$941,409 (Included)	\$9,570,937	21.13%	9.99%
General Government	\$1,472,957	\$276,320	\$1,749,277	4.32%	\$1,577,520	\$297,422	\$1,874,942	4.14%	7.18%
Public Safety	\$4,089,283	\$767,132	\$4,856,415	12.00%	\$4,350,158	\$820,170	\$5,170,328	11.41%	6.46%
Public Works	\$2,123,351	\$398,332	\$2,521,683	6.23%	\$2,241,316	\$422,573	\$2,663,889	5.88%	5.64%
Human Services	\$383,509	\$71,945	\$455,454	1.13%	\$499,889	\$94,248	\$594,137	1.31%	30.45%
Culture & Recreation	\$897,964	\$168,454	\$1,066,418	2.64%	\$1,056,327	\$199,158	\$1,255,485	2.77%	17.73%
Debt Service **	\$3,050,326	N/A	\$3,050,326	7.54%	\$4,488,133	N/A	\$4,488,133	9.91%	47.14%
Minuteman H.S. & Misc.	\$785,490	N/A	\$785,490	1.94%	\$521,389	N/A	\$521,389	1.15%	-33.62%
TOTAL			\$40,460,185	100%			\$45,303,980	100%	11.97%

** FY00 long term exempt debt includes \$2,683,642 for Sudbury Public Schools (60.4%), \$679,023 for Town (15.3%), and \$1,078,968 for purchase of Land (24.3%) .

SUDBURY PUBLIC SCHOOLS

The schools continue to be affected by growth in student enrollment. Enrollment is projected to increase by 104 students to 2,770 from 2,666 by October 1, 1999. This is consistent with recent enrollment growth which has averaged 3.9% annually. The Haynes School expansion and the Loring School building projects are expected to be completed for opening in September 1999. The proposed 10.75% increase in the Sudbury Public Schools will cover the costs of the following:

- * Step and negotiated increases to existing staff.
- * New staff to address enrollment growth in the K-8 student population.
- * Opening the Loring School in September 1999.



Budget Recommendation

The Finance Committee has recommended a net Sudbury Public Schools budget for FY00 in the amount of \$17,245,008. This represents an increase of \$1,677,085 or 10.75% over the FY99 appropriation of \$15,567,923. The Finance Committee recommended budget allocation for the K-8 school system fully meets Sudbury's requirement for FY00 funding as set forth by the State Education Reform act. The Finance Committee recommends approval of \$17,245,008.

	Expend. FY97	Expend. FY98	Approp. FY99	Sci Com. Req. FY00	Fin Com Rec. FY00
EDUCATION					
SUDBURY PUBLIC SCHOOLS					
Salaries	10,976,813	11,585,935	12,882,256	14,561,662	14,278,198
Expenses	2,520,023	3,603,804	2,911,094	3,293,820	3,227,284
Equipment/ Maintenance	185,000	264,123	223,918	235,114	235,114
Subtot Sudbury Pub.Scls	13,681,836	15,453,862	16,017,268	18,090,596	17,740,596
Offsets, including METCO	464,354	676,514	449,345	495,588	495,588
Net Sudbury Public Scls	13,217,482	14,777,348	15,567,923	17,595,008	17,245,008
Insurance/Benefit Costs	1,342,560	1,400,534	1,726,175	1,771,378	1,940,131
Total Cost S.P.S.(Gross)	15,024,396	16,854,396	17,743,443	19,861,974	19,680,727

NOTE: An additional \$1,635,944 was carried forward from FY98 to FY99 and expended.

NOTE: An additional \$1,246,564 was carried forward from FY97 to FY98 and expended.