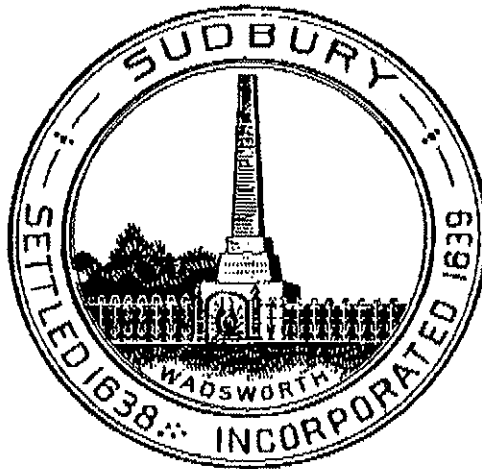


PROCEEDINGS

ANNUAL TOWN ELECTION, MARCH, 31, 2003
ANNUAL TOWN MEETING, APRIL 7, 2003
ADJOURNED ANNUAL TOWN MEETING
APRIL 8, 9, MAY 21, 2003



TOWN OF SUDBURY,
MASSACHUSETTS
2003

INDEX

ANNUAL TOWN ELECTION, MARCH 31, 2003

ANNUAL TOWN MEETING, APRIL 7, 2003

ADJOURNED ANNUAL TOWN MEETINGS

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Def - Defeated
IP - Indefinitely Postponed
PO - Passed Over

ANNUAL TOWN ELECTION

March 31, 2003

The Annual Town Election was held at two locations. Precincts 1,2 & 5 voted at the Fairbank Community Center, 40 Fairbank Road, and Precincts 3 & 4 voted at the Town Hall, 322 Concord Road. The polls were open from 7:00 a.m. to 8:00 p.m. There were 960 votes cast representing 9 percent of the Town's 10486 registered voters. The final tabulation of votes was done at the Town Hall.

| | <u>Pct 1</u> | <u>Pct 2</u> | <u>Pct3</u> | <u>Pct 4</u> | <u>Pct 5</u> | <u>TOTAL</u> |
|---|--------------|--------------|-------------|--------------|--------------|--------------|
| <u>BOARD OF SELECTMEN (1)</u> | | | | | | |
| LAWRENCE W. O'BRIEN | 138 | 173 | 157 | 147 | 165 | 780 |
| BLANKS | 35 | 34 | 30 | 33 | 33 | 165 |
| WRITE-INS | 1 | 6 | 0 | 4 | 4 | 15 |
| TOTAL | 174 | 213 | 187 | 184 | 202 | 960 |
| <u>BOARD OF ASSESSORS (1)</u> | | | | | | |
| DAVID G. BERRY | 123 | 161 | 141 | 133 | 149 | 707 |
| BLANKS | 51 | 51 | 45 | 50 | 53 | 250 |
| WRITE-INS | 0 | 1 | 1 | 1 | | 3 |
| TOTAL | 174 | 213 | 187 | 184 | 202 | 960 |
| <u>GOODNOW LIBRARY TRUSTEE (2)</u> | | | | | | |
| JILL W. BROWNE | 136 | 163 | 142 | 145 | 163 | 749 |
| LILY A. GORDON | 135 | 167 | 151 | 153 | 157 | 763 |
| BLANKS | 74 | 95 | 80 | 68 | 83 | 400 |
| WRITE-INS | 3 | 1 | 1 | 2 | 1 | 8 |
| TOTAL | 348 | 426 | 374 | 368 | 404 | 1920 |
| <u>SUDBURY HOUSING AUTHORITY (1)</u> | | | | | | |
| STEPHEN B. SHUGRUE | 114 | 158 | 138 | 136 | 149 | 695 |
| BLANKS | 58 | 55 | 49 | 48 | 53 | 263 |
| WRITE-INS | 2 | 0 | 0 | 0 | 0 | 2 |
| TOTAL | 174 | 213 | 187 | 184 | 202 | 960 |
| <u>BOARD OF HEALTH (1)</u> | | | | | | |
| CLAUDIA W. BUSER | 31 | 71 | 52 | 42 | 51 | 247 |
| LYNNE GEITZ | 82 | 91 | 81 | 97 | 101 | 452 |
| BLANKS | 61 | 51 | 51 | 45 | 49 | 257 |
| WRITE-INS | 0 | 0 | 3 | 0 | 1 | 4 |
| TOTAL | 174 | 213 | 187 | 184 | 202 | 960 |
| <u>MODERATOR (1)</u> | | | | | | |
| THOMAS G. DIGNAN, JR. | 136 | 173 | 142 | 144 | 166 | 761 |
| BLANKS | 35 | 38 | 44 | 38 | 36 | 191 |
| WRITE-INS | 3 | 2 | 1 | 2 | 0 | 8 |
| TOTAL | 174 | 213 | 187 | 184 | 202 | 960 |

Annual Town Election-March 31, 2003 (Continued)

| | <u>Pct 1</u> | <u>Pct 2</u> | <u>Pct 3</u> | <u>Pct 4</u> | <u>Pct 5</u> | <u>TOTAL</u> |
|---|--------------|--------------|--------------|--------------|--------------|--------------|
| <u>PARK & RECREATION COMMISSION (2)</u> | | | | | | |
| BETSEY B. FITZGERALD | 124 | 150 | 128 | 138 | 145 | 685 |
| THOMAS FRANCIS DOWEY | 61 | 78 | 55 | 69 | 75 | 338 |
| GREGORY W. HUNT | 96 | 97 | 119 | 99 | 100 | 511 |
| BLANKS | 66 | 101 | 72 | 62 | 82 | 383 |
| WRITE-INS | 1 | 0 | 0 | 0 | 2 | 3 |
| TOTAL | 348 | 426 | 374 | 368 | 404 | 1920 |
| <u>PLANNING BOARD (2)</u> | | | | | | |
| WILLIAM J. KELLER, JR. | 114 | 152 | 143 | 130 | 153 | 692 |
| CHRISTOPHER MORELY | 112 | 159 | 130 | 129 | 148 | 678 |
| BLANKS | 119 | 114 | 101 | 107 | 101 | 542 |
| WRITE-INS | 3 | 1 | | 2 | 2 | 8 |
| TOTAL | 348 | 426 | 374 | 368 | 404 | 1920 |
| <u>PLANNING BOARD (1)</u> | | | | | | |
| MICHAEL C. FEE | 100 | 134 | 104 | 102 | 118 | 558 |
| JOSEPH E. MARCKLINGER | 34 | 41 | 53 | 57 | 50 | 235 |
| BLANKS | 40 | 38 | 29 | 25 | 33 | 165 |
| WRITE-INS | | | 1 | | 1 | 2 |
| TOTAL | 174 | 213 | 187 | 184 | 202 | 960 |
| <u>SUDBURY SCHOOL COMMITTEE (2)</u> | | | | | | |
| SUSAN NICKLAUS IULIANO | 118 | 159 | 142 | 134 | 156 | 709 |
| ALEXANDRA S. CROWE | 114 | 159 | 127 | 129 | 148 | 677 |
| BLANKS | 112 | 107 | 105 | 105 | 99 | 528 |
| WRITE-INS | 4 | 1 | | | 1 | 6 |
| TOTAL | 348 | 426 | 374 | 368 | 404 | 1920 |
| <u>LINCOLN-SUDBURY REG.DIST.SCHOOL COMM. (2)</u> | | | | | | |
| MARK T. COLLINS | 143 | 172 | 147 | 136 | 163 | 761 |
| ERIC A. HARRIS | 96 | 111 | 93 | 104 | 94 | 498 |
| THEODORE H. FEDYNYSHYN | 54 | 89 | 77 | 74 | 88 | 382 |
| BLANKS | 55 | 54 | 57 | 54 | 57 | 277 |
| WRITE-INS | | | | | 2 | 2 |
| TOTAL | 348 | 426 | 374 | 368 | 404 | 1920 |

**PROCEEDINGS
APRIL 7, 2003
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 18, 2003, and a quorum being present, the meeting was called to order at 7:35 PM by Thomas Dignan, the Moderator, at the Lincoln-Sudbury Regional High School Auditorium. Father John Fitzpatrick, pastor of St. Anselm's Parish, delivered the invocation and Kumiko Tanaka, an outstanding student from Lincoln-Sudbury Regional High School led the Hall in the Pledge of Allegiance to the Flag.

Mr. Dignan recognized Selectman Roopenian who was presenting a special award. She first introduced a video representing the many volunteers who give so much time to the Town to make it a better place. She proceeded to honor Clay Allen for his extraordinary volunteerism and presented him with a commendation as a gesture of appreciation on behalf of the entire community.

The Moderator announced that he was advised that the certified Free Cash for the Town Meeting was \$944,818.00. 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 Larry O'Brien, 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 than introduced the Foreign Exchange Student: Milene Madrid Andersson from Spain. He also introduced Dr. John Bracket who will take over as K-8 Superintendent this year.

Selectman Kirsten Roopenian was recognized to read the following resolution in memory of those citizens who have served the Town and have passed away during the past 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;

**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:

**MARY ANDERSON (1906 - 2002)
Elementary School Teacher: 1958 - 1971**

**JOHN J. BAKER (1936 - 2003)
Accounting Department Clerk: 1978 - 1981**

**GEORGE H. BELL (1927 - 2003)
Moved to Sudbury: 1953
Board of Appeals Associate: 1955-1957**

**CARL ELLERY (1925 - 2002)
Elementary School Guidance Counselor: 1958 - 1987**

**PAUL F. HILL (1924 - 2002)
Moved to Sudbury: 1955
Park and Recreation Commission: 1959**

LOUIS H. HOUGH (1908 - 2002)
Moved to Sudbury: 1938
Union Health District Commission: 1951 - 1953
Water District Commission: 1957 - 1960
Board of Health: 1960 - 1972
Sub-standard Dwelling Study Committee: 1962 - 1963
Dog Leash Study Committee: 1963 - 1964
Historic Districts Commission: 1981 - 2001

MEDFORD HUNTLEY (1910 - 2002)
Lincoln-Sudbury Regional High School
Maintenance Dept.: 1970 - 1976

WILLIAM JOYCE (1905 - 2002)
Sudbury Public Schools Custodian: 1963 - 1976

JOSEPH A. KLEIN (1924 - 2003)
Moved to Sudbury: 1971
Board of Appeals: 1977 - 1983
Earth Removal Board: 1977 - 1978
Town Meeting Procedures Committee: 1987 - 1988
Town Reorganization Blue Ribbon Committee: 1994

E. LAURIE LOFTUS (1912 - 2002)
Moved to Sudbury: 1956
Elementary School Teacher: 1974 - 1980
Local Arts Council: 1988 - 1993

GRACE McMENIMAN (1918 - 2002)
Moved to Sudbury: 1959
Election Worker: 1961 - 1963

ALAN L. NEWTON (1930 - 2003)
Moved to Sudbury: 1945
Power and Light Committee: 1965 - 1970

GORDON C. PETERSEN (1929 - 2003)
Sudbury resident: 1943 - 1983
Police Officer: 1957 - 1963
Special Police Officer: 1963 - 1968

LEONARD L. SANDERS (1926 - 2002)
Sudbury resident: 1971 - 1996
Committee on Town Administration: 1971 - 1976

FRANK R. SHERMAN (1931 - 2002)
Sudbury resident: 1961 - 1995
Planning Board: 1963 - 1966
Town Moderator: 1968 - 1977
River Encroachment Com.: 1962 - 1965
Power and Light Committee: 1963 - 1965
Committee Opposing Overhead High-Tension Lines: 1962 - 1963
Committee on Town Administration: 1961 - 1962
Committee on Town Legislative Procedures: 1963 - 1964
Sewage and Drainage Study Committee: 1966 - 1967
Town Meeting Study Com.: 1972 - 1973

LESLIE B. SKOG (1946 - 2002)
Sudbury Schools Maintenance Assistant and SPED Driver: 1994 - 1997

ROBERT B. WILLIAMS (1935 - 2002)
Sudbury resident: 1970 - 1997
Employment Practices Task Force (ADA): 1992
Commission on Disability: 1993 - 1996

WESLEY M. WOODWARD (1933-2002)
Sudbury resident: 1957 - 1979
Police Officer: 1957 - 1973
Police Sergeant: 1973 - 1988
Special Police Officer: 1990 - 2002

**AND BE IT FURTHER
RESOLVED:**

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

2003 ANNUAL TOWN MEETING

The Resolution was seconded and UNANIMOUSLY VOTED.

The Moderator took a moment to explain the procedural matters of the meeting. He urged all in the Hall to review those procedures in the Warrant.

The Board of Selectmen was called on to give their State of the Town address. Chairman O'Brien was recognized.

Welcome to this year's Annual Town Meeting an exercise that has taken place for over 300 years here in Sudbury. To give a little historic prospective he read a little of what John Powers wrote in "Sudbury a Brief History".

"In 1638 the first white settlers came to Sudbury. As the settlement grew, Sudbury townsmen developed not merely a new community but a new concept; government with the consent of the governed. Sudbury's role in the development of the town meeting form of government and its insistence upon the direct right of the citizen to choose its governors and make himself heard upon any issue in open forum did much to lay the foundation of American democracy."

As we begin this year's Town Meeting, the opportunity to be heard on many issues and to make decisions concerning how to approach and deal with the challenges we face as a community will be plentiful.

As we have in the past, we will be faced with many challenges. This year some are new and some continue as part of the never ending dialogue concerning the town's future direction. Our challenges come from many different places this year; our Police and DPW Departments have been impacted by the call up to active duty of two of our Town's employees, Police dispatcher John Mitchell and DPW employee David Stevens. Other challenges that we will be confronted with this year will be the result of decisions made by our legislators and our governor with regard to reductions in local aid to cities and towns. These decisions being made on Beacon Hill will certainly factor into the discussion that we will have this evening when we take up Article 4. As part of that discussion we are going to ask you to support the continuation of Town Meeting to a date certain in May. The Board of Selectmen and Finance Committee have worked closely with all of the cost centers this year to deliver a balanced zero-growth budget. To accomplish this goal all budgets experienced reductions in total exceeded \$223,000. And yet, with all of the work that has been done so far, we are still very concerned that the budget detailed in the Warrant will not balance due to the uncertainty of the State's budget. The proposed cuts and changes in State aid formulas that have been made in the Governor's proposed budget would negatively impact Sudbury beyond the current amount set forth in the zero-growth budget. Simultaneously, work is currently underway on the House and Senate versions of the State budget with indications that cuts of 15% to 20% to existing local aid will be necessary to close the State budget gap. The additional time that is gained by continuing this meeting until May 21st allows for the school districts as well as the Town Manager to scrutinize their

budgets for ways to reduce expenses with the least amount of impact on the quality of services that will be delivered.

While the Board of Selectmen and Finance Committee voted unanimously for no override this year, we may be forced to reconsider our position after the budget picture begins to focus sometime around mid-May. Working with the cost centers we will have to decide what level of impact we are willing to allow the Governor and Legislature to have on the quality and quantity of services delivered by the Town and School Districts in relationship to our expectations. It is our intention to make the best decisions possible over the next six weeks by utilizing all of the information that will be made available by the House and Senate Budget Committees. When we return in May, we intend to present a budget for your approval that will not be a hollow house of cards.

Looking beyond the budget, the Board of Selectmen (working with the Town Manager, boards and committees as well as the professional staff in various departments) will address issues over the course of the next year that in some cases will be new endeavors and in others will be continuations of initiatives that are already underway. Articles 30 will provide budget and public safety efficiencies. Articles 50 and 51 work towards enhancing economic opportunities for property owners within our commercial districts and thus offer the potential of increased commercial tax receipts. These two articles are a small part of a broader vision that is being developed to revitalize the Rt. 20 commercial district to eventually have the look, feel and functionality as Sudbury's Main Street.

A new initiative for the Board of Selectmen has been to establish the Community Housing Committee; charged with looking at housing issues in the affordable to moderate price ranges and developing a plan that will ultimately create a spectrum of housing options from rental to home ownership from first time home buyers and town employees to empty nesters and seniors at assorted price points. In addition, a second committee will be formed to evaluate assorted town-owned land for its suitability to accommodate scattered site for affordable housing.

Other articles that you will be asked to support in this year's Warrant are continuations or next chapters of previous years' articles.

Article 32 is the result of the last year's decision by the Town to adopt the Community Preservation Act. The nine-member Community Preservation Committee has worked diligently to bring forth its first article that will ask for your approval of the committees spending suggestions for historic preservation, land conservation and the initial funding for the development of affordable rental housing.

Article 48 designates a number of roads as Scenic and helps to protect part of Sudbury's unique character; one of the stated goals and primary themes within the Master Plan

Article 49: A committee of four (representing the Zoning Board of Appeals, the Planning Board, Design Review Board and the Selectmen) has brought for your consideration a revision of the portion of the Zoning Bylaw pertaining to signs. This is a continuation of the effort of two years ago when the bulk of our Zoning Bylaw was re-codified and approved by this body.

In addition, the Board of Selectmen, working with the Town Manager and other department heads, continues to examine opportunities for enhancements to the Rt. 20 corridor. Work continues on promoting the creation of a Business Improvement District while two Town committees continue examining the options and feasibility of bringing wastewater treatment to Rt. 20.

Beyond Rt. 20, the Board and Town Manager are committed to working with the Park and Recreation Director and the Park and Recreation Commissioners to develop a plan that will provide long-term viability for the Atkinson Pool facility.

Moreover, the Board continues to study and evaluate options for balanced and equitable property tax relief for seniors. Article 54, sponsored by citizen petition, will provide a spirited debate that will touch on many issues and will require each of us to separate the emotional from the logical. The Board of Selectmen is willing to consider options that are the result of a thorough examination process that provides relief from the burden of property taxes for those seniors who truly need it as determined by fair and equitable means testing. We urge everyone to attend tomorrow evening and participate in this discussion of issues that are raised within Article 54.

While the challenges that I have outlined are great and the issues that we will undertake over the next few evenings are varied, we should take just a moment to appreciate all that we have accomplished in the past ten years. With all that we have accomplished in the path that we have chartered for our Town, the Town Manager, the School Administrators, and our very talented professional staff. Many of the tasks and goals that we have accomplished, and should be most proud of, our neighboring communities are just beginning to consider as objectives.

Over the past ten years we have adopted a Town Manager form of government; we built and expanded our K-8 school system; written a comprehensive master plan; preserved three significant land parcels for open space; adopted Bylaws that allow for age restricted housing to be developed. I am personally proud to say that both the Springhouse Pond project developed under the town's Senior Residential Community bylaw; as well as, the Frost Farm senior housing development that utilized the Incentive Senior Housing Bylaw are sold out.

At Frost Farm over 22 units are now occupied just 18 months after breaking ground while construction continues on the remaining homes.

We have also adopted the Community Preservation Act and re-codified the Zoning Bylaws in support of the construction of the new municipal office space and DPW garage facility. As you entered tonight, obviously you saw the development that is taking place with the construction of the new Lincoln-Sudbury Regional High School. With all these positive things that are underway within town government and throughout the town, and all that has been accomplished, our community's greatest asset may very well be our collective spirit of community. It is alive, vibrant and strong here in Sudbury. As spring begins to emerge from beneath this past frigid and very snowy winter, we can look back and remember a year that was filled with community spirit and made possible through the seemingly endless cadre of volunteers; volunteers who get involved cross a wide array of areas from sports leagues to community events, environmental concerns to town government.

While volunteer boards make up the bulk of our local government, now more than ever with the current budgetary constraints, we still need talented and dedicated people to work with the boards and commissions in all areas to address critical issues. Town government does not operate in a vacuum. Those ideas that are the most successful have been initiated not by the work or idea of one person but by working together for a common goal. This year's Warrant reflects this type of philosophy. Many articles are co-sponsored by multiple groups. Not that petition articles and single board articles are not important. But collaboration and the desire to address overlapping goals will ultimately provide the most benefits and best finished product for our community.

Some of the past year's highlights that were already reviewed and I'll just touch on briefly included:

Sudbury Day - A celebration of our community and our multicultural diversity that helped to earn Sudbury the designation of being a No Place for Hate Community.

The Hope Sudbury Telethon - An event and organization that was formed to offer a community-wide charitable response to the events of September 11, 2001

September 11 Memorial Garden -- currently under construction to remember the three victims that were members of our community.

School volunteers from parents that serve on PTO's and get involved in their children's classrooms to the Award winning Bridges program that is a collaboration between the Council on Aging and the K - 8 school system.

The Senior Center - in FY02 had 271 individuals of all ages volunteer more than 10,000 hours through programs such as; Stay In-touch Callers, Fish drivers, Meals

on Wheels and distributing medical equipment through the Loan Closet and many other service programs.

The list goes on to include the Boy Scouts and Girl Scouts through Community service projects, the annual town-wide roadside clean-up that draws more and more participants every year. The list is numerous, and we should appreciate the efforts of all the people involved; and encourage those who are not involved to join us and to put their skills and talents to work in positive, productive, collaborative ways that will add to our collective quality of life here in Sudbury.

Let us go forward in the tradition of Town Meetings past to address the issues and find solutions for the challenges that we face as a community.

The Moderator stated that for many years it has been a tradition at the Annual Town Meeting to honor one of our fellow citizens who has preformed valuable service to the town by asking him or her to make the motion under the first Article in the warrant. This year we honor Michael C. Dunne, our Fire Chief for the past 20 years. Mike was appointed an auxiliary firefighter in the town of Sudbury in 1966. Later that year he was appointed a call firefighter and was appointed as a full time firefighter the following year. Eight years later in 1975 he was promoted to the rank of Captain and about six weeks thereafter began a leave of absence caused by serious injuries sustained in an accident. He was reinstated as a firefighter in 1977 and the following year again assumed the rank of Captain. Four years later he was named Acting Assistant Chief of the Fire Department and on February 1, 1983, at the age of 35, he became the Chief of the Sudbury Fire Department. As Chief, Mike is also the Town Forest Warden and the Civil Defense Director. In addition, he has held a number of positions of substantial responsibility in the area of fire protection and emergency services. These include President and Director for the Central Massachusetts Fire Chiefs' Association, Fire District Fourteen Mutual Aid Coordinator, member of the Board of Directors of the Massachusetts Fire Preventions Association, member of the Fire Science Board of the Middlesex Community College, and member of the Executive Committee of the Greater Boston Emergency Medical Services Council. In addition, Chief Dunne serves as the director and officer of the Lincoln-Sudbury Town Employee Credit Union.

What was said so far pretty much sums up the statistics on Mike Dunne but the Moderator asked to take a minute to dwell on the very human Mike Dunne who through the years has been such a positive force in our community. Under his leadership for the past 20 years we have had and continue to have one of the finest fire services in the Commonwealth and indeed the country. Apart from the obvious duty of putting out fires, our Fire Department has superbly trained EMTs who many in this Town, including your Moderator, literally owe their lives. He has instituted programs which assure that elderly people living alone are checked on

regularly to be sure they are all right. He has organized and instituted fire education programs in our elementary schools and has been a leader in furthering new and imaginative fire fighting techniques and emergency systems.

Mike Dunne has set a high standard for his department both by training and example. Many years ago when my rambunctious two year old youngest daughter managed to lock herself in the bathroom, my wife did what most people do in this town in a panic situation, called the fire department. Not only was the response swift, but the responder was the Chief himself who quickly released the young tike from her self-imposed imprisonment.

In short, Mike Dunne is always there when we need help and has been there for some 37 years. It is my great personal honor and privilege to recognize the motion under Article 1 for this years Town Meeting, Michael C. Dunne.

Chief Dunne took a moment to thank the town and say it has been a great 37 years working for them, a great 20 years as the Fire Chief and this is a great town to work in.

ARTICLE 1. HEAR REPORTS

To see if the Town will vote to accept the reports of the Town boards, commissions, officers, and committees as printed in the 2002 Town Report or as otherwise presented, subject to the correction of errors, if any, where found.

Submitted by the Board of Selectmen.

(Majority vote required)

The motion received a second and was **UNANIMOUSLY VOTED.**

CONSENT CALENDAR

The Moderator said it was now in order to take up the Articles on the Consent Calendar. He would call out the Articles on the Consent Calendar one by one. If any voter has doubt about passing any motions or wishes an explanation of any subject on the Consent Calendar the voter should stand and say the word "hold" in a loud, clear voice when the number is called. He would then inquire as to whether the request to hold is for a question or a debate; if the purpose of the request is merely to ask a question, an attempt to obtain a satisfactory answer will be made and if that occurs the Article will remain on the Consent Calendar. If the purpose of the request is to hold the Article for debate, the Article will be removed from the Consent Calendar and restored to its original place in the Warrant to be

brought up and debated and voted on in the usual way. No voter should hesitate to exercise the right to remove matters from the Consent Calendar. It is the view of the voters as to the need for debate that is supreme not that of the Town Officials that put together the Consent Calendar. Having said that, Mr. Dignan said he does hope that voters will remove articles from the Consent Calendar only in cases of genuine concern. In passed years it has occasionally happened that articles were removed from the Consent Calendar and, when reached in the normal course, passed unanimously without debate or discussion thus indicating that the initial removal request was not fully considered before being exercised.

He then proceeded by reading the articles. Two were being held for technical reasons; Article 8 and Article 23 are being held by the Selectmen because of a technical change. On the Consent Calendar were Articles 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28.

Mr. Dignan said at this time it is in order to take a motion to take Articles 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28 out of order and consider them together at this time.

There was a motion made and seconded. The motion was UNANIMOUSLY VOTED.

It was now in order to take a motion in the words of the consent calendar motions as printed in the Warrant for the Articles 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, and 28.

There was a motion made and seconded. The motion was UNANIMOUSLY VOTED.

ARTICLE 2. FY03 BUDGET ADJUSTMENTS

To see if the Town will vote to amend the votes taken under Article 5, FY03 Operating Budget, of the 2002 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.

(Majority vote required)

The Moderator recognized Ms. Roopenian. She moved that consideration of Article 2 be postpone until after Article 4 has been disposed of.

The motion to postpone Article 2 received a second and was
UNANIMOUSLY VOTED.

ARTICLE 3. 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.

(Four-fifths vote required)

Sue Peterson, Town Account *moved* to appropriate \$1,934.56 for the payment of an unpaid bill incurred in a previous fiscal year, as follows: \$1,934.56 to pay Taylor Oil NE., Inc. (Public Works Department); said appropriation to be raised by transfer from Free Cash.

The motion received a second. Ms. Peterson said this represents an invoice submitted by a vendor after the close of the Fiscal Year in which the charges were incurred and under Massachusetts General Law with the Town Meeting approval we will be able to pay the vendor.

FINANCE COMMITTEE: Recommends approval of this Article

SELECTMEN: Recommend approval of this Article.

The motion under Article 3 was **UNANIMOUSLY VOTED.**

ARTICLE 4. FY04 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, 2003 through June 30, 2004, 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; or act on anything relative thereto.

Submitted by the Finance Committee.

(Majority vote required)

| | Appropriated FY 01 | Appropriated FY 02 | Appropriated FY 03 | School/Town Requested FY 04 | FinCom Recommended FY 04 |
|---|-----------------------|-----------------------|-----------------------|-----------------------------------|--------------------------------|
| Sudbury Public Schools: Gross | \$19,804,833 | \$21,639,831 | \$22,836,346 | \$23,823,514 | \$23,069,516 |
| Sudbury Public Schools: Offsets | \$581,860 | \$632,620 | \$717,980 | \$1,041,597 | \$1,041,597 |
| Sudbury Public Schools: Net | \$19,222,973 | \$21,007,211 | \$22,118,366 | \$22,781,917 | \$22,027,919 |
| SPS Employee Benefits* | \$2,160,140 | \$2,755,546 | \$3,356,073 | \$4,141,960 | \$4,119,180 |
| Sudbury Public Schools: Total | \$21,383,113 | \$23,762,757 | \$25,474,439 | \$26,923,877 | \$26,147,099 |
| LSRHS (Assessment) | \$10,336,492 | \$11,401,008 | \$12,206,692 | \$13,627,541 | \$13,166,224 |
| Minuteman Regional (Assessment) | \$256,112 | \$319,158 | \$378,971 | \$434,510 | \$357,315 |
| Total: Schools | \$31,975,717 | \$35,482,923 | \$38,060,102 | \$40,985,928 | \$39,670,638 |
| 100: General Government | \$1,657,764 | \$1,864,616 | \$1,912,207 | \$1,945,239 | \$1,929,658 |
| 200: Public Safety | \$4,565,283 | \$4,873,589 | \$5,126,282 | \$5,208,225 | \$5,133,565 |
| 400: Public Works | \$2,213,525 | \$2,368,938 | \$2,494,824 | \$2,600,646 | \$2,545,971 |
| 500: Human Services | \$476,077 | \$504,665 | \$506,555 | \$538,582 | \$482,261 |
| 600: Culture & Recreation | \$768,527 | \$801,036 | \$867,137 | \$894,159 | \$868,109 |
| 900: Town Employee Benefits | \$1,953,729 | \$2,033,379 | \$2,463,147 | \$2,706,697 | \$2,690,198 |
| 900: Unclassified & Transfer Accounts | | | | \$505,075 | \$396,880 |
| Total: Town Services | \$12,158,372 | \$12,876,803 | \$13,762,432 | \$14,398,623 | \$14,046,642 |
| Debt Service | \$4,206,637 | \$10,424,391 | \$9,834,201 | \$7,906,725 | \$7,906,725 |
| TOTAL: OPERATING BUDGET (not including Enterprise Funds) | \$48,340,726 | \$58,784,117 | \$61,656,735 | \$63,291,276 | \$61,624,005 |

* to be transferred to 900: Town Employee Benefits

The Moderator recognized Mr. Grosberg of the Finance Committee to read the motion.

Move to postpone consideration of Article 4 until May 21, 2003, at 7:30 p.m. in the Lincoln-Sudbury Regional High School auditorium. The motion received a second and Mr. Dignan recognized Mr. Grosberg in support of the motion.

He stated that the Finance Committee was moving to Postpone Article 4 because they believe, above all else, that an informed voter is essential to our Town's democracy.

He walked the Hall through a brief overview of their basis for recommending postponing Article 4. Mr. Grosberg went on to say that FinCom is the Legislative branch of our government mandated to advise Town Meeting on all financial matters. They do not make executive policy for management of Town operations or schools. Their role in the budget process is to develop and issue budget guidelines which was done this fall; review town and school budgets in the context of the town as a whole and insure a balanced budget. At the end of the year, the FinCom needs to report to you in the form of the FinCom report in the back of the Warrant. Above all else, the document needs to be clear and meaningful explaining all of the financial issues facing the town.

This fall in order to achieve the mandate they put forth four goals:

- Listen to voters
 - Facilitating views by talking to voters
 - Understanding financial issues that affect the citizens
- To communicate with town departments and schools
 - Facilitating the views and the prospective of voters to the town department and schools
 - Plus constructive communication between finance committee liaisons and the town departments and schools throughout the year
- To listen to the Town Departments and the Schools
 - During the Finance Committee budget hearings and through dialogue during the year between the FinCom liaisons and the Selectmen, Superintendents, Town Manager and the Department Heads to thoroughly understand the budget.
- To make recommendations regarding the overall budget within the framework of the town needs and revenues
 - To communicate back to voters.

He then showed another slide which showed the timeline schedule that was started in the fall. It started October 1st which was the kick-off doing the FinCom "Road Show". This is when they go out and talk to people early on in the year. In

January and into February they go into the hearing process that most of the residents are familiar with and the culmination of those efforts is putting together the budget package, together with the Town Managers office. Finally, coming together at Town Meeting and recommending the budget.

Some of the key issues for FY04 among many that were encountered are -

- the outcome of ongoing multi year contract negotiations which are currently being determined;
- increasing benefits costs in excess of 15% over the prior year;
- monitoring of major construction projects
- reduction in aid from the Commonwealth
- discussions of an override; revenues vs. operating needs

He gave an overview of some of the drivers and he would defer to the Town Manager and Representative Pope to talk about some of these in detail. The overview is that the budget printed in the Warrant represents zero percent increase in spending across the town and the schools. It excludes Capital Projects and other debt service and investments and it also contemplates a ten percent reduction in aid from the Commonwealth. This doesn't contemplate more reduction in State aid. Mr. Grosberg went on to tell the Hall how the State funding would affect Sudbury. He talked about what the revenue sources to the town and schools are from. A major revenue reduction from the State may affect towns that don't have the percentage of revenue coming from the property taxes, from you, the citizens vs. the State. In Sudbury, 76% of revenue comes from you through your property taxes and only 13% comes from the State. It still will have a significant impact if it does drop.

Current estimates indicate a further revenue shortfall of approximately \$1M which represents a 1.9% reduction in our budget. The question will become; "Can we enable sustaining services?" Final numbers from the Commonwealth may not be finalized before Fiscal Year begins. Override scenarios need to be examined and the outcome of collective bargaining needs to be studied.

We find ourselves at a historic moment. Many of you have already heard about this; we talked about three scenarios.

- The first scenario would be to vote on Article 4 that appears in the Warrant as it is. It would likely require a Special Town Meeting later to balance the budget because of what has already been discussed, that being the reduction in State Aid.
- Scenario B would be to choose a motion to lower the budget through an amendment and vote based on what we believe as a committee are unknown estimates and could be arbitrary.
- Scenario C is to postpone voting until the budget becomes clearer in May.

The Finance Committees' recommendation is to support a motion to postpone voting on the FY04 budget until May 21st in order to give the FinCom time to advise you on Local Aid numbers, the impact on town and school services through the hearing process and enabling the town and schools to still plan for the upcoming fiscal year. He noted that this requires two-thirds approval by Town Meeting. He then turned the meeting over to Maureen Valente, Town Manager.

Ms Valente wanted to explained why they believe that postponing until May 21st will really help in terms of trying to get a good budget in place for the town.

Some of the things she wanted to focus on are, "What happened to Local Aid" and "Why Local Aid is so Important this Year", - more important this year then in previous years for our ability to get to a balanced budget.

A year ago this time we had zero new revenues and huge increases in fixed costs as we started looking at budgeting. Whatever happened in State Aid was only going to be a small part of this bigger problem we had. This year when we started budgeting we had some new revenue; we had \$1.2M in new revenue and our fixed costs were not increasing as much as they had in the previous year. Once the Finance Committee looked at it and the Board of Selectman and she looked at it they saw an opportunity to be able to bring a budget that would not require an override to Town Meeting this year. It requires more precise revenue calculations then we have ever had to do in the past. One of the key ones to look at was what was going to happen to Local Aid. We discussed this with everyone we knew; with the Legislatures, other local officials, with the Mass Municipal Association, everything we could look at. The information available to us showed that 10% became a number that should be looked at in reducing Sudbury's Local Aid. We could have been more conservative and said 15% and assumed another \$300,000 or \$400,000 loss. That would have triggered us into a different situation. We felt this was the best way to go until we received the Governor's budget. When the Governor's budget was received, they were relieved at first hearing that no town is taking more then a 10.5% reduction. The feeling was that they had a budget; that the revenue was going to support it; we had a no override budget although it was a zero growth budget. It was still one that we could all live within.

When the Governor's budget was released it turned out that it was 10% plus. A number of other Grants, most specifically in school transportation, were also not funded. Just looking at what the Governor proposed in his budget we have a \$357,000 problem between being in balance. If that was the only problem, we could have rolled up our sleeves and gotten to work and still come with a balanced budget. We know the House and the Senate are going to be taking up the budget too. The word that we have been advised at and, Representative Sue Pope is here to tell about the timetable they'll work under, is that the cuts could be even more devastating; and to the Town of Sudbury not \$350,000, we could have a maximum of \$950,000 to \$1M loss over the State Aid number we used to balance our budget.

Another troubling aspect in terms of trying to get motions and appropriations right is that the Governor has proposed changing the destination of Chapter 70 money. Chapter 70 money is under Ed Reform and is the money that the towns and cities received to try to help the towns and the schools live with the mandates of the Ed Reform and support education. You keep hearing that "education in number one" - "we've got to support education". Not only was Chapter 70 to the Lincoln Regional Public High School and the Sudbury Public Schools cut significantly; 23% to the Sudbury Public Schools and something like 47% to the Regional High School, the Governor in his budget said let's give it to the town first and then the town will pass it on to regional high schools. Why does that matter; in your warrant you will see we voted an assessment to the high school. If the money goes to the high school first, they net that out of their approved budget and the assessment is the difference. If the money comes to us first, the assessment needs to be higher to allow us to pass that Chapter 70 money over to the regional high school. It's even worse at Minuteman.

We would like to be able to have an indication on where that Chapter 70 money is going to end up. Is it going to end up at the high school, is it going to end up at the town so that we can vote the right appropriation and the right assessment. To give you a sense of the impact for Lincoln-Sudbury Regional High School, it could be a swing of as much as \$1.8M.

We want to know what the long term picture is going to be. The Governor's budget, troubling enough, also brought us to 10.5% in his words with the use of something called transitional mitigation aid. \$1.8M of what we are going to receive under his scenario may not be there in FY05 or may start being stepped down. If the long term implications from the Commonwealth are that we have been living on \$1.8M too much money it changes our prospective. We need for sustainability and multi-year reasons to consider a new plan: however, if they go back to the old formulas and start looking again - that changes our prospective too. Insight in that will really help us as we try to finalize budget plans for FY04.

"What are some of the advantages that we see of postponement?"

- It allows time to get the appropriations amounts closer to the available revenue
- It allows time to get the assessments for the Regional High Schools in the right place; in the right amount
- It avoids Town Meeting taking votes right now on appropriations that are too high and can't be sustained
- It allows time to evaluate the options with better information

If you agree tonight to allow us to postpone until May 21st - "What will we be doing?" We will continue to plan for the worse case scenario. We will start planning immediately for that \$1M loss and how we would be able to deal with that. We would look at what sort of cuts are necessitated by that and across all of the cost

centers. Where and how we will do these cuts? It would allow you the residents and voters time to see the cuts and services from this worst case level. We would try to make it clear to you where we are reducing services and budget lines; how and what we're losing in doing that. It would allow us to wait for the news from the State Legislature in April.

If we don't have any postponement, what would happen? The Town would end up with an unbalanced budget and the Selectmen will be forced to call a Special Town Meeting so that we can do it.

When will we have that Special Town Meeting, perhaps May 21st because we have to get a balanced budget before June 30th. Whatever actions we take tonight we're almost guaranteed to have an unbalanced budget. Under that scenario if we don't postpone tonight our planning would still be the same - we still have to go forward assuming a \$1M cut, the Finance Committee still has to have a process to see how we do that, and we will still wait for late April news about what is happening.

Ms. Valente concluded addressing the date chosen, Why May 21st? Because that allows for the schedule of the State Legislature, as far as we can tell, to continue forward. The Moderator introduced Representative Susan Pope.

Before Representative Pope addressed the issue she stated she wanted to add her appreciation to Clay and June Allen. She said it was wonderful they received the award tonight and said it was a rare occasion when one rides through Sudbury and not see Clay and June either planting or at the Hosmer House doing something.

She went on to say that she did not have a lot of definitive answers to give the Hall tonight. She did want to tell the Hall that she is in support of postponing the budget part of Town Meeting until May. She continued to say on April 23rd the House Ways and Means budget comes out. As you know, you have the Governor's budget which we have received. We also have the House Ways and Means budget and the Senate Ways and Means budget coming out. The House comes out on the 23rd so does the Senate and you know that the Senate and the House will never agree on anything; it will then go to a conference committee. The House is prepared to debate the budget the first two weeks in May, starting May 5th; the Senate will get it the following week. We are committed to having our budgets in place before the Fiscal Year beginning on July 1st. That was all she could tell the Hall. They don't know exactly how the budgets are going to come out. She said she did know that from the rumblings from the Chairman of the Ways and Means, the House has said that he is going to ask for perhaps a 20% cut in local aid. That has had many ramifications among the members, no one is ready to add another 20% cut. She didn't know if they were being positioned to give the worst case scenario. She said she has been in contact with Maureen all through this budget cycle and with the Board of Selectmen so that they know where we are. The Town has been alerted

that the 20% cut is beyond comprehension; she doesn't believe it will be that bad. As a conservative she is going to put out the 20%, but they won't know anything until April 23rd when the budget comes out. She does agree, because of that timeframe, that the Hall is in a good position and they should be postponing the budget at Town Meeting until the 21st. She has been in contact with Senator Pam Resor who was unable to attend this meeting as she is speaking at her Town Meeting in Acton. Representative Pope was leaving our meeting to attend the Wayland Town Meeting and give this news to those residents. In conclusion, she said that she has never seen a year like this but they are determined to have a budget on time this year.

Mr. Grosberg concluded stating that if anyone has any questions now or in the future to please contact the FinCom.

The Moderator then addressed the Selectmen and Larry O'Brian spoke in support of this motion. He said that they have had meetings the last few weeks attended by representatives and in most cases the entire Boards of the L-S School Committee, the K-8 School Committee, the FinCom and the Board of Selectmen. There is unanimous support for the continuation of Town Meeting until May 21st. The mere fact that we will need to have another meeting; a gathering of this body to settle the budget be it by continuation of this meeting or by the calling of a Special Town Meeting. Either way we are not in a position to put a balanced budget forward this evening. He urged support for the motion that had been made by the FinCom.

Thomas Hollocher, 623 Concord Road, spoke against this motion. He did not want another Town Meeting, he did not want an override and he did not want another election that would be associated with an override. There is a time and place to consider the yearly budget and he felt that was now April 7th. He did not understand the position of the Finance Committee; it seemed to him that if the Hall passed a budget and the money was not there we just won't be able to spend it. You just have to tighten your belt. He didn't see why the budget could not be passed this evening and if the State gives up on us we would just have to tighten our belt. Times are hard everywhere; hard for business, hard for the State, hard for the Nation and it's hard for a lot of individuals in Sudbury. It seemed to him that we had to make do with what we have. If we have to go through a year when the growth is negative in our budget there is nothing wrong with that. It would be difficult but it is not catastrophic. Also, different people can make different recommendations about how to save money in the budget. For example, he stated that if interscholastic sports at the high school were entirely self-supporting; next year you could save in the order of \$350,000.

Mr. Robert Coe, 14 Churchill Street, supported the motion to postpone and with respect to what the previous speaker said he wanted to point out that if we pass a budget that turns out to be greater than the amount of revenue then where the

cuts get made to accommodate that lesser revenue is no longer in the control of the Town Meeting. He went on to say he thinks that if the previous speaker would think it over he might decide that it wasn't such a great idea.

Judy Deutch from Concord Road, said what she heard Representative Pope say was that on May 5th and May 12th the two Houses of the Legislature would begin debating the budget and that they didn't have to have the budget in till July 1st. She was wondering what would be done on May 21st when and if we come back together again and find that the State budget hasn't been decided upon. Are we going to postpone this again? What are your plans?

Maureen Valente, Town Manager, responded and said what they are going on is what Rep. Pope said. On April 23rd we would know the House budget and from everything we have been told that would be the worst case scenario; that the House budget will be as bad as it's going to get. All that will happen from there on out is that the House and Senate will debate, maybe it is less; maybe it's moved around. Again, from both Senators and Representatives and from the Massachusetts Municipal Association the Town belongs to, we were advised that given about the end of April we should have a sense of (1) how bad it's going to be and (2) if they are going back and adhere to the old formulas, where the money would come to the Regional High School instead of to the town. If we get to May 21st and it's not done, we will have gained six more weeks to try to figure out how to do these cuts for the worst case scenario for which we had very limited time from the time that the news came out for the Governor's budget. The immediate response from the State Legislature is that there is a lot that the Governor has proposed that we don't think is going to happen. If those saving aren't there we have to look elsewhere, we will look to Local Aid and we will reduce that further. She stated that at that time she thinks there will be more information. Ms. Valente wanted to clarify the appropriations question. When the tax rate is set the appropriations have to be right; we can't under spend our appropriation. She didn't know if the Hall was aware of this. It is done every year; reverting money back to the budget at the end of the year. It's the voted appropriations that have to be correct to move through the whole process. We can't just go and say let's just go vote and vote a real high number and spend less; we do have to have those legal caps at the right place.

Ivan Lubash, 25 Barbara Road, had what he called a rhetorical question known as passing the buck. Our Federal Government and State leaders take pride in announcing that they are reducing taxes. The Federal Government bounces into the State, the State bounces it down and unfortunately, we the residents have no one to bounce it to - is there any way we can bounce the cost back?

Mike Rubin, 45 Surrey Lane, wanted to know if we don't pass this budget, what would that mean to the subsequent articles that call for funding. Such as

things out of Public Works, Public Safety, the sewers, the street lights and things like that?

The Town Manager responded and said the other articles, for the most part, brought a separate set of funding with them. The only ones that would be affected by Article 4 is all in one and all the revenue that is needed to support all the appropriations are taken care of and balanced and are not used in any other part of it. We are encouraging that we just postpone taking up Article 4 and that all the rest of the financial articles, etc. can go forward because they have a separate set of revenue that doesn't depend on Article 4.

Terry Lynn, 164 Maynard Farm Road, asked what is the mechanism to communicate the results of further planning to the town in advance of the next meeting.

Mike Grosberg spoke on behalf of the Finance Committee and said they would be conducting hearings once again to determine the impact of any cut in state aid and looking at the town departments and the schools in the context of the town as a whole.

Mr. O'Brien added that, in addition to those comments to the gentleman who asked the question for the mechanism beyond public hearings, obviously the Board of Selectmen will be attendance. If the cuts are severe enough and the reductions are drastic enough that the decision becomes necessary for the consideration of an override, that decision is the responsibility of the Board of Selectmen and they will certainly be having discussions, meetings and hearings to that effect as well. All of this information can be tracked on the town's web site as well as meeting schedules that are posted when any meetings are going to be held by any of the various boards and committees in town.

The Moderator expressed concern that he thought the question was being over answered. He felt that maybe the inquiry was, "Is there any plan to mail out a mailing/warrant to people so when they arrive at Town Meeting they would be able to read the budget over or at least have a handout"? Mr. O'Brien said that is possible and that it would be a one or two page sheet summation.

James Gardner, 4 Longfellow Road, had a procedural question. If he understood correctly, at the end of this Town Meeting you would suspend the Town Meeting until May 21st if this motion is approved. If that is done and we meet back here on May 21st, what is the impact on other articles that are already in the warrant? For example: there are several articles that the Sudbury Housing Authority has said they are planning to Indefinitely Postpone. Could they come back on May 21st and move to reconsider those articles. Also, whatever the final night of this portion of Town Meeting is for articles to be considered, would there be an opportunity for motions to reconsider all of those articles also on May 21st?

The Moderator addressed the question. If a matter is Indefinitely Postponed under the condition in Sudbury which governs us as well as the manual, that issue is dead. With respect to reconsideration, our Reconsideration Bylaw is somewhat complicated but is essentially this; the only way things can be reconsidered in Sudbury is if the reconsideration motion is brought in the same session (that is the same evening) when the action was first taken. A two-thirds vote of the Hall can give you reconsideration. If you don't do it then and you decide to reconsider after the session is ended you have until noon of the day following the session to file with the Town Clerk, a written request for reconsideration which must be signed by 15 voters who were present at the meeting. That is given to the Moderator who announces it at the next session and the matter is then up for the question of whether it will be reconsidered at the following session or as the last order of business of that session if it was the final session. A two-thirds vote of the Hall would be required to pass it. The only other way you can get reconsideration of a matter decided at Town Meeting is the unanimous vote of the Hall. Mr. Gardner continued to ask, if the day after the meeting this week people by noon the next day put together the 15 signatures to reconsider, would there be a way to publish that in advance of May 21st? The Moderator said that he assumed if that happened the Town Crier would probably run an article. In any event, what would happen on May 21st, he would announce as a formal matter that it had taken place and that he was planning to take up the question of whether it would be reconsidered. We would vote on that as the last order of business on the 21st if we otherwise finish the Warrant or, as the first order of business the next night if we don't finish the Warrant. It would be handled in the same sequence but it would just be many days apart.

He asked if anyone else wanted to be heard on the motion to postpone. He saw no one. Mr. Dignan asked all those in favor of the motion to postpone Article 4 until May 21st to please indicate by raising their cards, all those opposed.

The Moderator declared a two-thirds vote. The motion to postpone Article 4 PASSED.

ARTICLE 5. FY04 SOLID WASTE DISPOSAL ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY04 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.

(Majority vote required)

| | Appropriated FY 01 | Appropriated FY 02 | Appropriated FY 03 | Town Mgr Requested FY 04 | FinCom Recommended FY 04 |
|--|-----------------------|-----------------------|-----------------------|--------------------------------|--------------------------------|
| Solid Waste Disposal Enterprise Fund | | | | | |
| Direct Costs (appropriated) | \$238,855 | \$239,536 | \$214,118 | \$214,459 | \$214,459 |
| Indirect Costs (Not appropriated) | | | | | \$21,791 |
| TOTAL: SOLID WASTE ENTERPRISE | \$265,558 | \$266,239 | \$233,877 | \$236,250 | \$236,250 |
| Solid Waste Receipts | \$271,737 | \$265,000 | \$271,733 | \$236,250 | \$236,250 |
| Retained Earnings | \$0 | \$0 | \$0 | \$0 | \$0 |

The Moderator recognized Ms. Billig to present the motion.

Move to appropriate the sum of \$214,459 for the Solid Waste Enterprise Fund for Fiscal Year 2004, and further to authorize use of an additional \$21,791 of Enterprise Fund receipts for Indirect Costs; such sums to be raised by \$236,250 in receipts of the Enterprise.

FINANCE COMMITTEE: Recommends approval of this motion.

BOARD OF SELECTMEN: Supports this Article.

No one else wished to be heard under Article 5. The Moderator proceeded to ask for a vote.

The motion under Article 5 was UNANIMOUSLY VOTED.

ARTICLE 6. FY04 POOL ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums set forth in the FY04 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.

(Majority vote required)

| | Appropriated FY 01 | Appropriated FY 02 | Appropriated FY 03 | Town Mgr Requested FY 04 | FinCom Recommended FY 04 |
|--|-----------------------|-----------------------|-----------------------|--------------------------------|--------------------------------|
| Atkinson Pool Enterprise Fund | | | | | |
| Direct Costs (appropriated) | \$370,080 | \$393,484 | \$391,887 | \$422,762 | \$395,375 |
| Indirect Costs (Not appropriated) | | | | | \$45,981 |
| TOTAL: ATKINSON POOL ENTERPRISE | \$405,289 | \$431,269 | \$432,277 | \$468,743 | \$441,356 |
| Pool Receipts | \$342,424 | \$407,468 | \$350,000 | \$441,356 | \$441,356 |
| Tax Levy | \$11,856 | \$0 | \$41,887 | \$27,297 | \$0 |
| Retained Earnings Used | \$15,800 | \$0 | \$0 | \$0 | \$0 |

BOARD OF SELECTMEN REPORT: The Board of Selectmen unanimously recommends the Pool Enterprise Fund FY04 Budget as presented by the Finance Committee.

Mr. Dignan called upon Ms. Billig for the motion.

Move to appropriate the sum of \$395,375 for the Pool Enterprise Fund for Fiscal Year 2004; and further to authorize use of an additional \$45,981 of Enterprise Fund receipts for Indirect Costs; such sums to be raised from \$441,356 in receipts of the Enterprise.

The motion received a second.

Thomas Hollocher, 623 Concord Road, wanted to know if this motion implied that the pool is still not self-supporting or is it in fact now self-supporting.

The Town Manager addressed the question and said that she believed the Park and Recreation Department has a presentation to support the motion. She thought it may help it explain some of the background financial issues.

Dennis Mannone from the Park and Recreation Commission spoke and said he would highlight some of the questions that have been coming up. He said there

was a statistical analysis done by the team to take a look at the whole picture of the pool. One of the things that they did right away was put a computer system together to track some of the financial and some of the admittance controls that they do have. He continued to display his slides.

- In July they tracked different admittances and it has been going up
 - They are exceeding last years projections of the admittances
- Based on the graph the calendar year which was 02 there were 37,126 units of service delivered at the Atkinson Pool
 - Calendar 2003 to date there were 19,501, so if you take a look at the Fiscal Year we actually have 45,308 units of service.
- Next, he showed a snap shot of all of the passes that they sell. He showed a breakout of who is using the pool and what they are paying for a daily pass.
 - A daily adult - there is 18%
 - A daily youth resident - there is 30%
 - Daily seniors - 2%
 - Daily adult non resident - 15%
 - Daily youth non resident - 19%
- Membership demographics
 - There are memberships and there are different ways of doing memberships
 - There are 395 memberships - that equates to 742 members
 - Family memberships are the most utilized and most profitable
- FY03 Budget
 - Main revenue sources
 - Swim team rental
 - Pool rental
 - Memberships
 - Daily passes
 - Swim lessons
 - Pool programming
 - Miscellaneous
 - Today the bench mark is \$350,000 for the FY03 budget
 - As of today's date we have \$255,000 in the books
 - By June 30th we need to come up with a little less then \$100,000

- We're on pace - we're on track to meet the goal for this year

Mr. Mannone said he has every confidence in himself and his staff that they will meet the goal for next year.

The Park and Recreation's ending thoughts were that they believe they are on a good path; Atkinson Pool is an asset to Sudbury used by quite a few people. The motion before the Hall plans for self-sufficiency without tax support. We urge you to support this Article for funding the Atkinson Pool.

A Dutton Road resident spoke and said the pool is used by tiny tots and senior citizens as indicated by many thousands of people. The town has seen fit to tear down the Curtis Middle School to established two baseball fields which have yet been used. The town has \$10M worth of land which is hardly used and the pool is widely used and it can be supported by this town. He sees no reason why tax dollars should not be used to maintain and support the pool.

Elaine Barnard Goldstein, 40 Indian Ridge Road, wanted to know the difference between an Enterprise Fund budget and a Revolving Fund.

Maureen Valente answered by stating that the Enterprise Funds are set up to almost mimic private sector businesses. They are supposed to be completely self supporting including all the costs; such as benefits to employees and all the maintenance and everything else associated with it. In theory they are suppose to do that; the activity within it - the benefits completely accrue to the user and not the community at large. Services that lend themselves to enterprise funds; trash pick-up, water, sewer and a variety of things where the user can choose the amount and the amount they choose depends on the amount of the service they consume. Revolving Funds on the other hand are added onto an existing operation. For instance, we have a recreation department that is supported, and there are activities that are meant to cover all the costs of what they do, but there can be multiple activities; you can run multiple programs and all the revenue comes into the Revolving Fund and they pay more or less the direct costs on that. It's just the differences of self-sufficiency that they are suppose to have and whether or not they add on to an entity that is already there. For instance, our Youth Coordinator is paid by tax money and she can run different activities and have a Revolving Fund to collect the fees to spend for a bus trip, a one time type of thing. It is not an ongoing activity that is suppose to support staff.

Mr. Grossberg added that if the Hall looked at page FC45 and FC46 of their Warrant so that they could see the definitions are in the glossary.

Melena Murphy, 261 Willis Road, spoke in support of the pool. They are family members and find the staff to be very good and said that the pool is an asset to the entire community.

Tom Hollocher, Concord Road, said his recollection is that the pool was expected to be self-supporting. If in the wisdom of the town it should not be self-supporting and should be supported by public funds, he would agree with that but wanted clarification to his initial question. Also, maybe a comment on the past history of this - is it still the intention that the pool become self-supporting?

The Town Manager responded and said she had been told the intention was to set it up as an Enterprise Fund. It was presented that way to the Town. They set up a plan to arrive at that and successfully did. Up until about 2001 the pool was in the black. They were adding to the retained earnings and things looked like the long-term planning was going well. At that time two major things started to happen, one had to do with the extraordinary cost increases in the cost of benefits. Because we pay the benefits for the individuals who work at the pool out of the pool's earnings, suddenly there were major expenses. As was stated earlier, our town revenues are going up maybe \$1M from the 2 ½ and benefits are going up that whole amount; that's the rate of increase in benefits right now. The other is that we had been charging all of the cost of utilities for Fairbank Center to the Pool Enterprise Fund. Perhaps that should not have been done. That was the way it was setup when she got here. Recently we found out that, due to a meter change, we had been paying double the amount for gas. Heating a pool and heating that operation is very expensive. We already know we have \$18,000 in credits coming from the smaller provider of utilities as this has been going on for the past year and half to two years. The long and the short of it is we are hopeful it can be brought back to fully self-supporting. What happened the last couple of years, although the plan was for it to be self-supporting at the end of the year, it ran a deficit and that raised the recap. That is, when we set the tax rate, we had to cover that deficit so it was unintentional. We didn't plan it to be covered by the taxes for the Town. What Dennis laid out for you is a plan, and we are monitoring it carefully to bring it back to self-sufficiency. If we can't, then our plan is to bring it back to the Town and ask, what level of support do you want to offer it from the levy. We think, since there are so many other demands on the levy, it makes sense if it can because the benefits do accrue to the users to keep it in the Enterprise Fund and keep supporting it that way. Should we not be able to get there, I think our intention is not to say that's the end of the pool but to bring it back to the Town and discuss again what we want to do with this wonderful asset in the Town. That is what our intention is over the next year or two, to bring that back to the Town should we not be able to get it back to being self-sufficient. Our intentions are that we can do that.

Peter Buxton, 19 Chanticleer Road, spoke and said in 1985 he was on the committee to put the pool together. History is only useful if it is instructive. When the budget was submitted to the town it was submitted with only the direct

operating costs as the budget. Everything was built around that; ie, no reservations for depreciation were ever included in that budget and that is a severe impairment still today. No indirect costs were put into that budget back then so those have been burdens all this time. In years 1997 the pool had a surplus of \$14,000 and was self sufficient that year; 1998 it was plus \$28,000; 1999 it was plus \$22,000 to accumulate \$64,000 in surplus. The heating and the air conditioning system failed after 12 years of use but no accumulation for depreciation which every normal business uses failed and it was \$44,000 in cost that was used so therefore \$64,000 in retained earnings went to \$20,000. The following year there was a deficit and that was paid for by the remainder of the retained earnings. Then came the last two years and there have been some deficits and they have been covered here as they are being voted on tonight by the tax levy. The Enterprise Fund is tricky. When you are plus \$64,000 in surplus it's tough to tell the members that we want to raise the fees. When all of a sudden you get a hit, you should have been raising fees during that time period ready for down turns and that was never done. Now there was a rush to increase the fees quickly and that depressed the membership. There are a number of things going on. As far as what has happened over time, this is the only thing in town that is under the Enterprise system other than the transfer station. If you took the Library and said let's put it into an Enterprise Fund, it would loose \$700,000 a year except for repayment of late fees. This is a terrific asset and it should be supported. This issue hasn't changed in 15 years and it should be fixed. He has every confidence that this will go well. It will not be easy but Dennis Mannone is the guy who can pull it together.

The Moderator asked if anyone else wished to be heard under Article 6. He saw no one and asked for a vote.

Mr. Dignan stated that the motion under Article 6 was UNANIMOUSLY VOTED.

ARTICLE 7. FY04 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 transfer from unexpended bond proceeds, borrowing, or otherwise; or act on anything relative thereto.

Submitted by the Capital Improvement Planning Committee.

(Majority vote required. Two-thirds vote required, if borrowed)

BOARD OF SELECTMEN POSITION: The Board unanimously supports this article.

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

David Wallace moved to appropriate the sum of \$40,000 for remodeling, reconstructing and making extraordinary repairs to Town fire stations, consisting of the installation of air exchange systems; said sum to be raised by transfer from unexpended proceeds from the Town's Municipal Purpose Loan of 1997 Bonds, such proceeds relating to the portion of such bonds issued pursuant to the vote of the Town passed April 4, 1995, under Article 19, for the purpose of constructing an addition and/or renovating and making extraordinary repairs to the Goodnow Library; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

The motion received a second.

Mr. Wallace stated that this is a fairly simple straight forward motion. The Capital Improvement Committee considered a lot of necessary expenses but as time has gone on they recognized that there just isn't much money around. It is important to spend your money on capital items not to let them deteriorate. We thought that this is more than just symbolism; this is something that is really needed. We do have the money. This article will fund the installation of point of source exhaust removal systems at stations number 2 and 3 to renovate or remove carcinogenic diesel exhaust from inside the buildings. This is a real hazard that has been going on for years. As people become more cognizant of indoor air pollution and the hazards thereof, Chief Dunn feels that this is a very important item. In fact, he said that this is his Number 1 priority this year. In addition, to do this is absolutely necessary. It is required by OSHA so we recommend this strongly.

The Moderator called for a vote as no one wished to be heard on the motion under Article 7. He called for those in favor to raise their cards; those opposed.

He declared the motion under Article 7 UNANIMOUSLY VOTED

ARTICLE 8. AMBULANCE PURCHASE

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$140,000, or any other sum, for the purchase of an ambulance for the Fire Department in Fiscal Year 2003; or act on anything relative thereto.

Submitted by the Fire Chief.

(Majority vote required)

Chief Dunn stated that this Article was previously on the Consent Calendar for \$140,000 and was taken off because we are lowering the amount.

Move to appropriate the sum of \$130,000 for the purchase of an ambulance for the Fire Department, said sum to be raised by transfer from the Ambulance Reserve for Appropriation Account.

The motion received a second.

FINANCE COMMITTEE: Supported this Article.

BOARD OF SELECTMEN: Urged support of this Article.

Several people spoke regarding the need for the equipment at this time, some in favor of the purchase and some against. The Chief addressed some of the concerns.

The Town Manager explained that the money is coming out of a fund that can only be used for this purpose or other purposes related to the ambulance. If we don't spend it this year in the name of austerity it will simply be there next year and we will have our primary ambulance continue to deteriorate and be in the shop and have repairs and things like that. Again, to clarify from Article 4, this is a separate set of money that is used for a separate purpose. If we don't use it for this purpose, it will sit there until next year.

The motion under Article 8 was VOTED.

ARTICLE 9. 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.

(Majority vote required)

Ms. Roopenian, Board of Selectmen, moved to Indefinitely Postpone Article 9.

The motion received a second.

Ms. Roopenian explained, that with the budget situation and given all the cuts that have already been made, the Board feels that it is in the Town's best interest to forgo putting money into this fund for this upcoming fiscal year. The Board hopes to resume placing money into this fund in the future. The presence of the Stabilization Fund was one very key element mentioned in our AAA rating.

FINANCE COMMITTEE: Supports this Article.

As no one else wished to be heard on the motion under Article 9. The Moderator asked for all those in favor of the motion to raise their cards, all those opposed.

The Moderator declared the motion under Article 9 was Indefinitely Postponed.

ARTICLE 10. STREET ACCEPTANCES

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

| | |
|---------------------------|--|
| Lettery Circle | From Woodside Road to a dead end, a distance of 945 feet, more or less; |
| South Meadow Drive | From Nobscot Road to a dead end, a distance of 508 feet, more or less; |

as laid out by the Board of Selectmen in accordance with the descriptions and plans on file in the Town Clerk's Office; to authorize the acquisition by purchase, by gift or by eminent domain, in fee simple, of the property shown on said plans; and to raise and appropriate, or appropriate from available funds, \$1,200, or any other sum, therefor and all expenses in connection therewith; or act on anything relative thereto.

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

Ms. Roopenian moved to accept the layout of the following ways:

| | |
|---------------------------|--|
| Lettery Circle | From Woodside Road to a dead end, a distance of 945 feet, more or less; |
| South Meadow Drive | From Nobscot Road to a dead end, a distance of 508 feet, more or less; |

as laid out by the Board of Selectmen in accordance with the descriptions and plans on file in the Town Clerk's Office; to authorize the acquisition by purchase, by gift or by a taking by eminent domain, in fee simple, of the property shown on said plans; and to appropriate the sum of \$1,200, for expenses in connection therewith.

The motion received a second.

Ms. Roopenian stated the Board has 120 days to finalize our street acceptances and we are accessing every potential acceptance to be sure they comply with all the town's standards for acceptance. The Board feels it is important for the Board to do this so the Town does not accept a street with problems or defects that the town would then have to fix with your tax dollars. Occasionally the Board will find that some proposed streets still has some aspect to it that is not up to standards and expectations of the Board. In that case, the Board will not finalize the

acceptance but rather will not act on it in that particular year. In which case the process must start over again the next year. In this case, the town staff will continue to work with the developer to bring the street into compliance with all town standards.

FINANCE COMMITTEE: Recommends approval of this Article.

As no one else wished to be heard on the motion Article 10. The Moderator asked all those in favor of the motion to please raise their cards; all opposed.

The motion under Article 10 was UNANIMOUSLY VOTED.

ARTICLE 11. 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 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. (Majority vote required)

ARTICLE 12. COUNCIL ON AGING REVOLVING FUND (Consent Calendar)

Move to authorize for Fiscal Year 2004 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 53E 1/2; the amount to be expended therefrom shall not exceed the sum of \$15,000.

Submitted by the Council on Aging. (Majority vote required)

ARTICLE 13. GOODNOW LIBRARY REVOLVING FUND (Consent Calendar)

Move to authorize for Fiscal Year 2004 the use of a revolving fund by the Goodnow Library for maintenance and utility charges for the Library's meeting rooms, 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 53E 1/2; the amount to be expended therefrom shall not exceed the sum of \$8,000.

Submitted by the Trustees of the Goodnow Library. (Majority vote required)

ARTICLE 14. BUS REVOLVING FUND (Consent Calendar)

Move to authorize for Fiscal Year 2004 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 53E1/2, and expended under the direction of the Sudbury School Committee; the amounts to be expended therefrom shall not exceed the sum of \$300,000.

Submitted by the Sudbury School Committee. (Majority vote required)

ARTICLE 15. EARLY CHILDHOOD REVOLVING FUND (Consent Calendar)

Move to authorize for Fiscal Year 2004 the use of a revolving fund by the Sudbury Schools for the purpose of providing additional or supplemental school 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 53E1/2, and expended under the direction of the Sudbury School Committee; the amount to be expended therefrom shall not exceed the sum of \$125,000.

Submitted by the Sudbury School Committee. (Majority vote required)

ARTICLE 16. INSTRUMENTAL MUSIC REVOLVING FUND

(Consent Calendar)

Move to establish and authorize for Fiscal Year 2004 the use of a revolving fund by the Sudbury Schools for the purpose of providing additional or supplemental instrumental music lessons after school hours, 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 \$50,000.

Submitted by the Sudbury School Committee.

(Majority vote required)

ARTICLE 17. YOUTH COMMISSION REVOLVING FUND

(Consent Calendar)

Move to authorize for Fiscal Year 2004 the use of a revolving fund by the Youth Commission for youth programs and activities, to be funded by fees collected; said fund to be maintained as a separate account, in accordance with Massachusetts General Laws, Chapter 44, Section 53E 1/2; the amount to be expended therefrom shall not exceed the sum of \$15,000.

Submitted by Petition on behalf of the Youth Commission

(Majority vote required)

ARTICLE 18. RECREATION PROGRAMS REVOLVING FUND

(Consent Calendar)

Move to authorize for Fiscal Year 2004 the use of a revolving fund by the Park and Recreation Commission for recreation programs and activities, to be funded by fees collected; said fund to be maintained as a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2; the amount to be expended therefrom shall not exceed the sum of \$400,000.

Submitted by the Park and Recreation Commission.

(Majority vote required)

ARTICLE 19. TEEN CENTER REVOLVING FUND
{Consent Calendar}

Move to authorize for Fiscal Year 2004 the use of a revolving fund by the Park and Recreation Commission for teen center programs and activities, to be funded by fees collected; said fund to be maintained as a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2; the amount to be expended therefrom shall not exceed the sum of \$30,000.

Submitted by the Park and Recreation Commission. (Majority vote required)

ARTICLE 20. CABLE TELEVISION REVOLVING FUND
(Consent Calendar)

Move to authorize for Fiscal Year 2004 the use of a revolving fund by the Town Manager for local access services and Town institutional network (I-Net), to be funded by fees and other income collected with regard to the implementation, use, establishment or maintenance of cable television; said fund to be maintained as a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E1/2; the amount to be expended therefrom shall not exceed the sum of \$25,000.

Submitted by the Cable Television Committee. (Majority vote required)

ARTICLE 21. CONSERVATION REVOLVING FUND
(Consent Calendar)

Move to authorize for Fiscal Year 2004 the use of a revolving fund by the Conservation Commission for the administration of the Wetlands Administration Bylaw, to be funded by application fees collected; said funds to be maintained as a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2; the amount to be expended therefrom shall not exceed the sum of \$30,000.

Submitted by the Conservation Commission. (Majority vote required)

ARTICLE 22. DOG REVOLVING FUND (Consent Calendar)

Move to authorize for Fiscal Year 2004 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 a separate account, pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2, and expended with the approval of the Town Clerk; the amount to be expended therefrom shall not exceed the sum of \$25,000.

Submitted by the Town Clerk.

(Majority vote required)

ARTICLE 23. DPW MINING REVOLVING FUND

To see if the Town will vote to authorize for FY2004 a revolving fund for use by the Department of Public Works for the operation of a mining operation on Town property located off North Road, the former Melone property, to include payment for all costs associated therewith, including salaries and other benefits, purchase and maintenance of capital equipment, reclamation of the property, and \$100,000 to be deposited into the General Fund to offset the tax rate, to be funded by income from the sale of gravel or other materials, said fund to be maintained in a separate account in accordance with Massachusetts General Laws, Chapter 44, Section 53E 1/2; or act on anything relative thereto.

Submitted by the Director of Public Works.

(Majority vote required)

Mr. Bill Place moved to authorize for Fiscal Year 2004 the use of a revolving fund by the Department of Public Works for the operation of a mining operation on Town property located off North Road, the former Melone property, to include payments for all costs associated therewith, including salaries and other benefits, purchase and maintenance of capital equipment, reclamation of the property, and \$100,000 to be deposited into the General Fund to offset the tax rate, to be funded by income from the sale of gravel or other materials; said fund to be maintained as a separate account, pursuant to Massachusetts General Laws Chapter 44, Section 53E ½; the amount to be expended therefrom shall not exceed the sum of \$300,000.

The motion received a second.

Mr. Place explained that this was basically the reauthorization of the mining revolving fund that was approved at the April 2002 Town Meeting.

BOARD OF SELECTMEN POSITION: The Board unanimously supports this article.

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

The motion under Article 23 was VOTED.

ARTICLE 24. REAL ESTATE 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 17E, 22, 37A, and 41D of Chapter 59, Section 5, for fiscal year 2004; or act on anything relative thereto.

Submitted by the Board of Assessors. (Majority vote required)

ARTICLE 25. FROST FARM UTILITY EASEMENTS (Consent Calendar)

To see if the Town will vote to grant utility easements at a location approved by the Board of Selectmen for the installation of utilities, including but not limited to water, electricity, natural gas, and telecommunications, to service the properties located in the Frost Farm Village development; or act on anything relative thereto.

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

ARTICLE 26. SPRINT CELL TOWER UTILITY EASEMENTS
(Consent Calendar)

To see if the Town will vote to grant utility easements at a location approved by the Board of Selectmen for the installation of utilities, including but not limited to water, electricity, natural gas, and telecommunications, to service the Sprint Spectrum cell tower on the former Melone property, being shown as Lot 100 on Town Property Map C12, or act on anything relative thereto.

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

ARTICLE 27. DRAINAGE EASEMENT - REVERE STREET, LOT 13
(Consent Calendar)

To see if the Town will vote to release the existing drainage easement on Lot 13, Revere Street, in return for the grant of a new drainage easement on said Lot 13 at a location approved by the Board of Selectmen, to provide access to maintain the existing constructed drainage area, or act on anything relative thereto.

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

ARTICLE 28. ABANDON EASEMENTS – HAMPSHIRE STREET
(Consent Calendar)

To see if the Town will vote to abandon right-of-way easements located on Hampshire Street, on Sudbury Property Map parcels E08-132 and E08-133, or act on anything relative thereto.

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

The motions under Articles 11,12,13,14,15,16,17,18,19,20,21,22,24,25,26,27 and 28 were Unanimously Voted on the Consent Calendar.

ARTICLE 29. STORM WATER DRAINAGE IMPROVEMENTS

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, for the purpose of making storm water drainage improvements as required or authorized by the Environmental Protection Agency under the Phase II Final Rule promulgated under the Clean Water Act; 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. (Two-thirds vote required, if borrowed)

Mr. John Drobinski moved to Indefinitely Postpone Article 29.

The motion received a second.

Mr. Drobinski stated that the EPA has postponed the promulgation of the Phase II Regulations. Until we find out exactly what those regulations will look like it is not worth the expenditure right now so we urge you to support the motion to Indefinitely Postpone.

FINANCE COMMITTEE: Supports the motion.

The motion to Indefinitely Postpone was VOTED.

ARTICLE 30. PURCHASE STREET LIGHTING

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$55,000, or any other sum, for the purchase of street lighting; 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. (Two-thirds vote required)

Ms. Roopenian moved to appropriate the sum of \$55,000 for the purchase of street lighting and all expenses connected therewith including bond and note issuance expense; and to raise this appropriation to the Treasurer with the approval of the Selectmen is authorized to borrow \$55,000 under General Laws Chapter 44, Section 7.

The motion received a second.

Ms. Valente addressed the Hall. She stated that they were asking for an unusual Article. The unusual aspects are first: they are asking for borrowing authorization "just in case". The hope is that they won't need it and will never end up borrowing the money. But if we do have to borrow, the source of the debt repayment is already in a departmental line item. We will not be asking for any additional funds to pay for the debt. In reality, what we are proposing here is not to spend any more money, but we are planning to save money. Let me explain how. Our proposal is to purchase the fixtures, the street light fixtures, not the poles. There may be a few exceptions to that. There may be some single dedicated poles that only are for the street lights, in which case we would have to buy the pole as well. Most of the poles in town have multiple utilities on them. They have NStar, Verizon, cable TV and even some fire alarm boxes. Why would we want to do this? Because we would like to improve the level of service and the control we have over the street lighting we have in town and also to reduce the cost of our street lights. We have 599 street lights in town that would be eligible for purchase by the town. The restructuring act of 1997 first permitted towns to purchase the street light equipment. At least 20 to 30 other towns have done this when they don't have their own municipal light plant and they have NStar or other utilities in town that own these light fixtures. Where would savings come from? Right now we have a line item in the budget that allocates \$81,300 for our street lighting expenses. This payment includes the cost of the electricity and delivery of it as well as the cost of maintaining the street lights. Our consultant has estimated that approximately \$44,000 of that \$81,000 is what we are paying for this maintenance function. That's where we see some potential savings in terms of this maintenance cost. What would be the cost of owning our own street lights? The consultant estimated that we could hire a third party to maintain them for us for about \$10,000 annually. However, we would also incur some costs if we did it ourselves. We would have to pay the police details when a light is being replaced, fixed or adjusted. We estimated \$1,500 for the police details, we would have to pay \$500 for coordination with NStar. We would now have to insure these new fixtures, that would be about \$1,000. A \$3,000 contingency in case we lost multiple or more than we thought we would have to replace or some other problem comes up. This would be a total annual cost of \$16,000. So again, on an annual basis \$44,000 now if we purchased them. A savings of \$28,000 if we did purchase them. But first we would have to purchase and pay for them. What would be that cost? The cost for the 599 street lights in the town based on the consultants estimate of the depreciated, book value purchase price as of July 31 is \$49,917 to purchase these light fixtures. So if I try to purchase them in FY04 with the amount we have in there I would not have enough money. I would be short about \$22,000. In addition, we will have additional consulting costs. Those could be as much as \$10,000. So we do have these one time costs for purchase and consulting. So the proposal is to purchase these fixtures, perhaps we could finance them; a \$50,000 bond, again that's the purchase price for 10 years at 5% would probably cost about \$6,400. So our annual savings, I said \$28,000 before, would be less the debt service of \$6,400. So if we finance these for 10 years we

would be having and estimated annual savings of \$21,600. This is based on the preliminary information we have. There is still some unknowns. From NStar we know that \$50,000 is the maximum we would have to pay to purchase these light fixtures. It could be significantly less. NStar will not do the final work to comb down and look at the whole list they have. What could be some of the differences? Well, some of the street lights they have identified might be in commercial plazas and might not belong to the town. So we would not be purchasing those. Our guess is, that the ones that they show they added in the last few years, that have the highest value, are exactly those. Other towns have had their estimates significantly reduced. Maintenance could also be lower. Again, our consultants worked with us to identify a worst case scenario. And in the first couple of years we probably would have. There is a lot that has not been maintained, changed or upgraded. Any vendor who bids, or works with us is going to say in the first year, I'm going to be stuck with all the clean-up for years of maybe lack of maintenance. I'm going to have higher maintenance costs in the first years and it will go down after that. Or, if we needed to borrow, we could do it for five years instead of ten. That would reduce the interest cost to the town. It would reduce the savings available but it would get us sooner to a time when it's free and clear of any debt. Again, cost of the financing and the annual savings there, we would look at that. The next question you may have is then who will maintain these fixtures for us if NStar doesn't do it? We have two different options. One is a town run electrical company. For instance, the Littleton Town Light & Power Company or the Hudson Company or the Town of Concord's Power Company. There are a number of municipal ones and many are already doing that. The Town of Wellesley does for Newton. Alternatively, there are private companies that do this. If you approve this, again approve the borrowing, so that when I do sit down and go through this process, I know when I get the final costs, I can go ahead and say, yes we will do this in 04. The process is, we will have to finalize all these numbers with consultants. Again, I am very hopeful the purchase price will come down because we will get the documented depreciation book value of the light fixture inventory. We will determine our financial plan based on that. Of course, the maximum is we won't spend more than the \$81,000 that we have in the budget for the next year. By FY05 we should be able to come back and significantly show some reduction in the budget if we do this. I can't guarantee it for 04 right now because if this doesn't work out, we can simply walk away from it and keep covering our light fixtures the way they are now. That's the basic proposal, it's not terribly complicated, some other towns have done it. The maintenance and results comes out much better in terms of our control over when a light fixture gets replaced and fixed, when it gets turned on and off, what style we might want in the Historic District, a whole variety of things. It now becomes more our choice and under our control.

FINANCE COMMITTEE: The Finance Committee recommends approval.

William Cooper, 11 Cedar Creek Rd, asked several questions. 1) Why do we think that NStar would want to sell these lights to us in the first place and 2) Why do we think they would want to sell them at there depreciated book value and 3) Have we looked at what the net present value of the discounted cash flow is that these lights are generating for NStar and how that compares to the \$50,000 that you propose in the Warrant article.

Ms. Valente replied that the answer to the first two questions is that NStar is required to do so by the Restructuring Act. This is something towns and cities have been interested in for a long time. It did take the Legislature to act on it in 1997. It is not optional for NStar whether or not to sell them. It is required by the Act. There were complications. As to the third question, the town has not done that analysis.

Robert Rogers, Longfellow Road, spoke in opposition to this motion. He felt that the lights and poles are an integrated system. The estimates and hopefuls are not good hard numbers to come to the Town Meeting with.

Robert Coe, Churchill Street, also opposed this motion. He felt we should try to negotiate a lower price from NStar. It looks like the town is taking on a lot of risk, a lot of unpredictable expenses, to save \$21,000.

Ralph Tyler, Deacon Lane, spoke in favor even though it is a very small part of the budget

Chuck Schwager, Ridge Hill Rd, said we complain when our leaders don't act like a business to try to save money and then we complain when they do act like a business to try to save money. We ought to be encouraging this kind of thinking.

The Moderator, after seeing no one else wished to be heard, called for a vote.

The motion under Article 30 PASSED BY A TWO-THIRD VOTE.

The Moderator accepted a motion to adjourn. The Hall voted to adjourn until tomorrow night at 7:30 PM. The was 10:09 PM.

Attendance: 400

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 8, 2003

Pursuant to a Warrant issued by the Board of Selectmen, March 18, 2003 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 8, 2003, for the second session of the Annual Town Meeting. The meeting was called to order at 7:40 PM when a quorum was present.

ARTICLE 31. NON-BINDING RESOLUTION - COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to approve the Community Preservation Committee recommendation for appropriation or reservation of the amounts set forth in the following table from Fiscal 04 Community Preservation Fund revenues, considering each item as a separate appropriation or reservation, or act on anything relative thereto.

| Project Description | Recommended Amounts | |
|--|---------------------|--------------------------------------|
| | Total Project Cost | Total Expenditure from FY04 Revenues |
| Dickson Land Purchase | \$430,000 | \$101,200 |
| Sudbury Housing Authority Rental Housing | \$320,000 | \$ 77,000 |
| Hosmer House | \$ 51,600 | \$ 51,600 |
| Administrative Expenses | \$ 45,000 | \$ 45,000 |
| Reserved-Community Housing Restricted | | \$ 13,000 |
| Reserved-Open Space Restricted | | \$ 27,200 |
| Reserved-Unrestricted | | \$585,000 |
| <i>Total</i> | | \$900,000 |

Submitted by the Community Preservation Committee.

The Moderator advised the Hall that we are at Article 31 and that a request had been made at last night's meeting by the proponents for 30 minutes of time

because they want to cover that Article, and also Article 32 A, B, and C all at once. Therefore, as Moderator he ruled that it was appropriate procedure to cover all the Articles at once and speak to them all at the same time. However, it is up to the Hall as to the amount of time that will be given.

The Moderator asked the Hall if they had any objections if the proponents take 30 minutes for their presentation. Seeing no objection he recognized Sigrid Pickering for the resolution.

Sigrid Pickering moved to approve the recommendations of the Community Preservation Committee regarding the Community Preservation Fund budget and projects in FY04, making particular note that this motion regards a non-binding Article and resolution. Funds are not appropriated under this Article. The appropriation Articles will follow as Articles 32A, 32B, and 32C.

| <u>Project Description</u> | <u>Recommended Amounts</u> | |
|------------------------------|----------------------------|------------------------------------|
| | Total Project Cost | Total Expense from Fy04 Revenue |
| Dickson Land Purchase | \$ 446,700 | \$ 104,975* |
| Housing Authority | 320,000 | 0** |
| Hosmer House | 51,600 | 51,600 |
| Administrative Exp. | 45,000 | 45,000 |
| Reserved: | | |
| Community Housing Restricted | | \$ 90,000 |
| Open Space Restricted | | 23,425 |
| Unrestricted | | 585,000 |
| Total | | \$ 900,000 |

* reflects debt service and cost of issuance of any bonds or notes over a five year term

** reflects that there is no current appropriation of FY04 revenues

The motion received a second.

Sigrid Pickering, 17 Peakham Circle, Co-chair of the Community Preservation Committee (CPC) spoke in support of the main motion. She said that the Community Preservation Committee administers the Community Preservation Act Funds and the Community Preservation Act is a statewide initiative created in 2000 to help towns like Sudbury cope with growth by addressing Community Preservation needs directly at the local level. The 3% property tax surcharge began accruing last July. By the end of FY03 we anticipate \$1M in local receipts. We have \$750,000 in hand as of the third quarter. We also expect a 100% match from the State in October or another \$1M. At least since the 1990's, Sudbury voters have supported the idea of a land fund.

The CPA provides for that and also funds:

- **Historic Preservation**
- **Community Housing**
- **Recreation**

The CPA is basically a savings bank for the Town to insure that we devote some resources to the very attributes that make Sudbury the desirable place that we call home. It also gives us the opportunity to implement elements of the new Master Plan. You the voters get to decide every step of the way how the funds get spent.

The CPC reviewed the first year budget projections and adopted several fiscal policies recommended by our Town Manager, Maureen Valente.

- **To use only 90% of estimated revenue in our budgeting process to be sure that we remain in the black.**
- **To spend only the minimum required under the act in each of these three categories, reserving most of the CPA money for large projects.**
- **To recommend that multi-million dollar projects be funded through the issuance of bonds to leverage the use of the CPA funds and also to distribute the cost of such expenditures to a broader tax base, since the benefits of purchasing land, creating housing, or restoring historic landscapes benefit many generations of residents not just the current one.**

As with most other towns that have adopted the CPA, we have chosen to act in the capacity of loan officers not project managers. The Warrant is designed to give as much flexibility as to how the funds are spent. Realize that to decline a project or to defeat both Articles means that 10% of the fund accrues in each category; Open Space, Historic Preservation, and Community Housing, and it cannot be spent until a project in that category is approved by you, the voters. The balance is held in unrestricted CPA reserve and it also can't be re-appropriated for other town needs or for a project that doesn't have voter approval.

Mark Kablack, 46 Poplar Street, Co-chair of the Community Preservation Committee stated that when we formed as a committee in August of last year we developed standards by which we would move forward. The primary principal that we adopted as a committee is that we would take advantage of all the committee studies, plans, and reports that had already been conducted by the Town. Namely, the 2001 Master Plan, the 2002 Land Use Priorities report, the 1997 Open Space and Recreation Plan, and the Town-Wide Comprehensive Facility Plan. Based upon this prior work we developed specific program standards and guidelines by which we

would review projects for funding. As part of that study we issued a report in October of last year. After the publication of that report we issued an RFP in early October and responses or proposals under the Act were submitted to the committee through the month of October, ending on October 30th.

There were 12 proposals submitted to the board:

- Three were in the category of Community Housing
- Three were in the category of Historic Preservation
- Four were in the category of Recreation
- Two were in the category of Open Space

These were reviewed by the committee, tested in accordance with our guidelines, and three finalists were selected by the committee and ultimately reviewed at a public forum that was held on December 12th at the Goodnow Library. The three project finalists are the ones that we propose to fund and are the subject of Articles 32A, 32B, and 32C that will follow this presentation.

The three projects are as follows:

- Acquisition of the Dixon property, a 2.39 acre parcel on Water Row, proposed jointly by the Conservation Commission and the Historical Commission. It will require an expenditure of \$430,000 in acquisition costs, which will be combined with the \$10,000 grant from private sources for a total acquisition of \$440,000.
- The second project is a series of renovations and restorations at the Hosmer House located in Sudbury Center. It was proposed by the Historic Commission, and will total an expenditure of \$51,600 and will include a variety of items that the Historic Commission will discuss with you shortly.
- The third proposal was for Rental Housing. It was to construct up to 16 units in 7 homes on scattered sites throughout Town and it was proposed by the Housing Authority and will require an expenditure of \$320,000 of CPA funds. It will be supported by additional funding of up to \$1.1M in Federal and State funds and will attempt to achieve the State mandate of 10% minimum of the housing stock available for affordable housing.

The fourth funding project that you will see tonight is an actual expenditure recommended by the committee itself, to allocate up to \$45,000 or 5% of the total budget to be used by the committee for administrative expenses. We have some immediate expenses dealing with clerical support, mailing legal notices, and the like, but we also want the flexibility going forward as these projects are developed into

the future, of being able to use administrative funds for things like acquisition negotiation, appraisals, consulting surveys and land surveys.

Sigrid Pickering had described the establishment of the budget and part of this budget requirement requires that we reserve a minimum amount of the total project funds for three core areas:

- Open Space
- Historic Preservation
- Community Housing

If we were not able to actually do an appropriation of dollars this year, we needed to show that we were reserving that money at the 10% level for future projects.

- **Open Space:** A slide was shown as he explained that \$66,575 is proposed to be spent for the Dickson land acquisition. The 10% total is \$90,000, so that leaves \$23,425 reserved for future Open Space projects.
- **Historic Preservation:** \$51,600 is designated for the Hosmer House restoration, and \$38,400 is designated for the Dickson land acquisition, a joint program by both Historic and Conservation. So, the entire 10% allocation for Historic Preservation is being used this year, so zero dollars are being reserved under this year's budget for future expenses.
- **Community Housing:** Although the project is presented tonight earmarking funds for future expenditures of \$320,000, we're not appropriating any dollars tonight for that project because there are some other tests that need to be met by the Housing Authority. He stated that he would get into that later on this evening.

Of the \$90,000 that's available and must be allocated to housing, zero dollars are actually being appropriated this year and \$90,000 is being reserved for the future.

In addition, as Sigrid mentioned, we also have State matching funds and that's the benefit of this project. We're expecting to get a dollar-for-dollar State match of the funds generated this year in October from the State. That, in essence drives down the cost to the Town on each dollar spent to fifty cents.

Richard Bell, 24 Austin Road, Vice-chair of the Conservation Commission, spoke about the Dickson property. He said the Dickson project is being proposed jointly by the Sudbury Historic Commission and the Sudbury Conservation

Commission and is for the preservation of Open Space which has extremely high historic and contribution attributes.

On the slide, he said the map shows the land and the location of the property, north of Route 27 on Water Row and the Sudbury River is just across the road. The purple area abutting the property includes the King Philip Woods Conservation Land and the Piper Farm Conservation Land. Also, across Water Row and along the Sudbury River, both North and South are the U.S. Fish and Wildlife Land and the Great Meadows National Wildlife Refuge. Other protected land on the map shown includes land from the Sudbury Valley Trustees. Another area on the map is still in private ownership but is high on the priority list for protection under the Sudbury Open Space and Recreation plan.

The Dickson Property was originally part of the purchase for King Philip Woods, but it was reserved by the owners when the rest of the parcel was sold to the Town in 1986. Although it is only 2.9 acres, its critical location makes it very important for wildlife and is a corridor connecting the Sudbury flood-plain and the forested upland areas. He showed a slide from Water Row looking across Haynes Garrison to the Dixon land. The wooded land rises quite steeply away from the river. He went on to say that all this is part of the Haynes Garrison Historic Battlefield which took place almost 327 years ago in April of 1676.

Mr. Bell showed a video and slides of the property to the Hall and explained that the property was appraised for \$475,000 in December 2000. The Dicksons very generously have signed a purchase and sales agreement for \$440,000. There was a \$10,000 deposit made from private donations. With bonding costs, the total cost of the property is \$446,700. Assuming a 3 ½ % interest rate, the cost in the first fiscal year would be \$104,975. He stated that he could not stress enough the value of this parcel, even though small in area; it is huge in impact on the conservation and historic interests of Sudbury.

John Fraize, Chairman of the Historical Commission, shared with the Hall what is written on the monument on the Garrison site: "Site of the Haynes Garrison House, home of Deacon John Haynes, here the settlers by their brave defense helped save the Town when the Indians tried to destroy Sudbury 18-21, April, 1676".

He gave a brief history of the Hosmer House. The Hosmer House Museum is located in Old Sudbury Centre, has been in Town ownership since 1959, contains over 400 paintings of the art collection of Florence Ames Hosmer, and numerous public gatherings are held here throughout the year. The Hosmer House enriches this community. Last holiday season we had hundreds of visitors during our Holiday Open House and we are also open for the celebrations of Memorial Day, 4th of July, Sudbury Day, and Colonial Day. We open other times for visits of elementary school classes, scouts, and other Town groups. At the Hosmer House we promote the arts, teach a sense of history, and honor those who have passed on.

Basically, the artworks in the structure are threatened. We have put band-aids on things for years. One of the first things on our list following safety and fire issues is a baseline investigation into the building's current condition. With this architectural survey we can better assess what must be done and when. Then, we will be more successful in budgeting preservation activities and seeking other grants or resources.

A slide of the Hosmer House was shown as he spoke to the Hall. He said even though you can't see it, there's water in the walls and that would be one of the first things that would be addressed. Florence Ames Hosmer willed this house and all its treasures to this Town. It is an asset to the Town and enriches all our lives. June and Clay Allen and the Historical Commission ask your support for Article 32A. Let us begin the restoration and rehabilitation of the beloved Sudbury Hosmer House.

John Darcey, 82 Cranberry Circle, Sudbury Housing Authority, said the Housing Authority has put together a proposal for construction of 16 affordable units within 7 houses. To promote the best possible mix, we would prefer to situate these homes on 4 to 5 scattered sites on Town owned land.

He showed a slide and explained they would be building 5 homes, containing a 2 bedroom unit and a 3 bedroom unit, and would also like to construct 2 homes which would each contain a 2 bedroom unit along with 2 one-bedroom units. It's our plan that no single home would contain more than 5 bedrooms. This is consistent with much of what you see in town.

The total CPA funds requested for this project are \$320,000. These funds have been unanimously approved by the Community Preservation Committee being voted on tonight. The full project budget is \$3.1M.

In addition to the \$320,000 from the CPA, the Housing Authority will be contributing \$125,000 from its reserves. We will be applying for several State and possibly Federal programs for additional funding. These programs such as the Massachusetts Housing Partnership program or the Massachusetts Housing Stabilization fund are not funded through the State's operating budget. They continue to accept applications and preliminary inquiries have been received very favorably. We expect to be able to obtain somewhere between \$750,000 and \$1.1M from these sources. The balance between \$1.5 and \$1.9M would be obtained through private bank or government loans. The debt service would be paid from our rental income. Homes would be owned and operated by the Housing Authority. We would be using an award winning home design, already in use in town and very well received.

He showed a slide of an example of the kind of construction they do plan. As it is self-evident, Sudbury is becoming less and less affordable. The Master Plan

which was referred to earlier was re-written a few years back and specifically calls for an increase in the town's affordable housing stock.

Massachusetts General Law, Section 40B enacted in 1969, which is commonly referred to as the anti-snob Zoning law states under 40B each city and town is suppose to have 10% of its housing stock affordable. Affordable means, someone earning 80% of the areas median income could spend 30% of their income for their housing. There are up to 4,700 plus housing units in Sudbury, 214 of those are affordable or about 3.7%. Without 10%, private developers can bypass some of our zoning regulations if they include affordable housing in their development. This plan is one step to the Town having more of a say about what is built.

Senior housing would certainly be an easier sell to the Hall than family units. The reality is we already do a pretty good job of meeting the needs for affordable senior housing. Sudbury seniors who qualify for Musketahquid Village seldom wait more than a few months. There is no one on the waiting list from Sudbury. However, we do have a 45 family waiting list for family housing in Sudbury. It's presently closed and one family has been on that list since 1991. The Housing Authority is not allowed to come up with a plan for home ownership, by State mandate we can only deal with rentals. The new Community Housing Committee that the Selectmen have established, will most likely be looking at home ownership as one option and we support their efforts.

We believe that a scatter site approach is better for everyone involved and we think that you'd prefer that we spend your money that way. Our construction goal is to be neighborhood appropriate with nice landscaping and we're generally looking for one buildable acre per house. If, for any reason we are not able to construct all 16 units, our CPA funding would be on a pro-rata basis. The CPC would re-allocate unused funds for other approved CPA projects.

The final construction will require 4 steps:

- Approval of CPA funding by the CPC, which has already occurred and by Town Meeting.
- Approval of site transfer sales by Town Meeting, and you probably know that it's our intention to ask for indefinite postponement of all of the Site Articles that are on this years Town Warrant. (approval of sites would be on next years Warrant)
- Funding by State/Federal programs and approval of building permits by Town boards and agencies as required.

- **The next step is site selection. After you vote to approve this plan, the Site Review Panel is being established with the Selectmen. That panel will review and recommend sites for votes by the 2004 Town Meeting.**

This is a 4-step process no matter what. We always separate the site approval from the project approval. We wanted to give the Town the most leeway to vote yes or no on individual sites that we could possibly give. So, whether everything was voted tonight under separate Articles, or whether something is voted tonight or next year, there's not much difference to the Town; where there is a difference is the funding sources. If you vote yes tonight we can start the ball rolling with State and Federal applications. We can't do that if we don't already have the Town of Sudbury as one of the investors. There is no way the State or Federal government would be able to earmark funds for this program unless they already know the Town is behind it.

Affordable housing is one of the mandated funding categories. Combined with donated Town owned land and SHA money, CPA funds can create real change that is otherwise extremely unlikely. We ask for your support.

FINANCE COMMITTEE: Commends the Community Preservation Committee on the many months of hard work they have done to come to this year's Town Meeting with three worthy proposals for our consideration. The financial plan was conservative, well thought out and is based on the advice from the Finance Director, the Town Manager, and Bond Counsel. The Finance Committee recommends approval of the projects brought by the CPC in Articles 31 and 32.

BOARD OF SELECTMEN: The Board sees this as highly beneficial to our community and urge your support.

Kirsten Roopenian, speaking on behalf of the Selectmen, said the members of the Committee have taken extraordinary pains to detail the background of this committee and the project brought before you this evening. It is a credit to the CPC members who sat through this process night after night, and tried to wade through the many nuances of the statute, that we have indeed established a very high level of expectation for each of the three categories in order to be considered for monies from the CPA fund. The Board of Selectmen is pleased to acknowledge all three core categories are represented in this round. While there may be questions regarding the Housing Authority Article; the intention is to move forward cautiously, as well as, thoroughly. The Community Preservation Committee understands that the Housing Authority project must still undergo a great deal of scrutiny prior to the release of the funds.

The Housing Authority Article is structured to accommodate the necessary planning and permitting processes required for this project. Further, a newly established Site Selection Panel for Affordable Housing will serve the community as

an aid in determining appropriate sites for developing affordable housing, thereby alleviating concerns about a proper process and dialog with the community. This above all is a vital part of any initiative proposed at Town Meeting. The projects brought before you this evening have met the several sets of criteria set forth by the CPC. These projects are part of the fiscally responsible process; and while meeting the established criteria is additionally part of the mandated categories, meeting the Towns Master Plan goals, and propose an ongoing effort to achieve those goals. The Town appears ready to meet the challenge with the dedicated funding source matching monies from a State fund, and participation by an intelligent thorough group of individuals who bring much experience to your Community Preservation Act.

The Moderator announced that what he was going to open for general debate is just Article 31, the non-binding resolution. He cautioned the Hall, before we get into an extended discussion of 31; keep in mind, Article 31 is a non-binding resolution. Your vote on 31 will not move any money or anything else. It is the Articles that are going to follow that will have actual financial consequence. Unless it's a specific thing that you want to amend, you might want to look at the three Articles rather than the non-binding resolution.

The Moderator recognized Chris Morely from the Planning Board who stated that the Planning Board unanimously supports Article 31 and 32 A, B, and C. He said that the Community Preservation Act is the most effective means of implementing the Master Plan and creating a sustainable Sudbury. The latest build-out figures for Sudbury indicate that the Town has the potential to grow by more than 30% in general population, school population, water consumption, new road construction, and solid waste production. The Community Preservation Act provides the needed funds to accomplish many of the objectives in the Master Plan which seeks to maintain character and preserve our natural resources. As evident in the first year of proposals, CPA funds will be used for preservation of our historic structures and landscapes, natural resource protection, and creation of community housing. For the Planning Boards representation on the Community Preservation Committee, the Planning Board will continue to implement creative solutions to Sudbury's growth issues. He said they would work as an advocate for all of the purposes defined under the Community Preservation Act in order to enhance the quality of our life and our community.

A citizen had a question on Article 31. Is there any guarantee or proof that funds will be available from State and Federal sources as we proceed, looking at what's happening now with the State and Federal budgets?

Sigrid Pickering, Community Preservation Committee, said although there have been, in any of the last two years, probably 20 attempts to divert the dedicated funding source from the State revenue side to other uses, all of them have been defeated. The source of the matching funds actually comes from fees at the Registry

of Deeds. These are dedicated funds and are protected in such a way that at this point we have no indication that there would be any change in that status, and so, it is our expectation that because we went with the 3% charge we are entitled to 100% match under the current figures that we have been given by the State.

Thomas Hollocher, 623 Concord Road, had a question about a phrase that had been shown on a view graph that read 10% or else, and wanted to know if Sudbury was under some sort of deadline or some other problem developing 10% of affordable housing?

Mr. Darcey replied that it's not so much a deadline as it is a mandate from the State that each city and town have 10% of its housing stock be affordable, or a developer can apply under Chapter 40B for some relief of Town Zoning regulations, as long as that developer agrees to include 25% of the units they're building as affordable is already in place. There are only two examples that he's aware of that have been recently built in Town: the Assisted Living Complex was built under a Comprehensive Permit, and because they included 9 affordable units they got to be a little more dense than they may otherwise have been allowed to be, and the Alan Marrone construction which is occurring now on Boston Post Road, I believe was permitted under the same thing. So, it's not a time by which we need to do it. When you get to 10%, then developers can not apply for a Comprehensive Permit.

Mr. Meixsell, 34 Barton Drive, said he was in favor of the Article; however, he wasn't quite clear on the mentioned funds. He asked if those were something that happened on an annual basis or how does that take place?

Sigrid Pickering answered saying that the Town is eligible for the stateside match on an annual basis. The calculation and the distribution is based on, basically, that we've got one pie and however many towns adopt the CPA; the pie has to be divided amongst them. By getting in early, and imposing the surcharge at 3%, we are guaranteed a 100% match. We anticipate that for several years running and then the CPC's 10 year projections, actually, have conservatively ratcheted that down over time, not because that's cast in stone, but because we anticipate that over time closer to the 351 cities and towns in Massachusetts will adopt the fund and it has to be distributed amongst all of them. It's a fairly complicated formula, but by keeping it at 3%, we're more likely to get the full 100%.

James Frazer, 81 Moore Road, had a question for the Housing Authority. We're offered the goal of 10% at which point we would be exempt from 40B, do you have any time line in which you might accomplish that goal?

Larry O'Brien, Selectman, addressed the question saying that there is no particular time line. Currently, there are about 5,700 homes in Sudbury, 10% of that would be 570 units. We currently have about 300 units or so in total with the vast majority being at Longfellow Glen. Therefore, we would need to build

somewhere in the vicinity of 200 units. This would be a start, but as we progress towards the 10%, the other added benefit is that the state agency, The Community Housing and Development Agency, has indicated that if a community shows that they have taken steps to be pro-active towards developing affordable housing; they can protect themselves from having developers come in and propose large oversized 40B developments that are exempt from local zoning and only have to comply with Title V and Wetlands Protection Acts. So, they could take a 1 acre parcel of land which under Sudbury Zoning would accommodate a single family home; then they could put 3 to 6 units or whatever number of units the Board of Health would be willing to permit based on how it percolated, so you could have very high density on very small parcels of land. The Housing Authority's proposal allows us to protect ourselves while simultaneously moving us towards the 10%.

The Moderator, seeing no one else who wished to be heard on Article 31, asked all those in favor of the resolution under Article 31; please indicate by raising their cards, all opposed. The motion carries.

The Resolution under Article 31 was VOTED

**ARTICLE 32A. COMMUNITY PRESERVATION FUNDS -
APPROPRIATIONS FROM FY04 REVENUES**

To see if the Town will vote to approve the recommendations of the Community Preservation Committee and to appropriate the sum of \$136,800 by transfer from FY04 Community Preservation Fund revenues as follows:

| | |
|---------------------------------------|-----------|
| Rehabilitation of the Hosmer House | \$51,600 |
| Administrative Expenses of the CPC | \$45,000 |
| Reserved Open Space Restricted | \$27,200 |
| Reserved Community Housing Restricted | \$13,000; |

and to reserve \$585,000 as Unrestricted; or act on anything relative thereto, including, but not limited to, the reservation of additional funds to insure minimum statutory funding requirements under the Community Preservation Act, and the reservation of any excess funds for future, unrestricted Community Preservation projects.

Submitted by the Community Preservation Committee. (Majority vote required)

Mark Kablack, Co-chair of the Community Preservation Committee moved to approve the recommendations of the Community Preservation Committee, to appropriate the sum of \$96,600 by transfer from FY04 Community Preservation Fund revenues as follows:

| | |
|------------------------------------|-----------|
| Rehabilitation of the Hosmer House | \$ 51,600 |
| Administrative Expenses of the CPC | \$ 45,000 |

and to reserve the following FY04 Community Preservation Fund revenues, including the State matching funds, as follows:

| | |
|---|-------------|
| Reserved Open Space Restricted: | \$ 113,425 |
| Reserved Community Housing Restricted: | \$ 180,000 |
| Reserved Historical Resources Restricted: | \$ 90,000 |
| Reserved Unrestricted Community Preservation Funds Projects: | \$1,215,000 |

The motion received a second.

Mr. Kablack explained to the Hall the changes in the numbers between what's in the Article and what was in the motion. Article 32A is the cash appropriation and cash reserves, 32B and 32C will be conducted shortly. The

numbers are different than those shown in the Warrant Article because they now include the estimate of the State matching funds and that is what has been included in the dollar for dollar basis.

James Gardner, 4 Longfellow Road, wanted to be sure that he understood the last comment. He wanted to know if it included the matching funds that are anticipated; is there a provision in this motion that would reduce these numbers by the \$90,000 per category if those matching funds are not received?

Mark Kablack replied saying as Selectman Roopenian mentioned, the Department of Revenue is driving us nuts on this statute and we are actually appropriating FY04 money, both from the local surcharge revenues, as well as, from the State match and they are requiring us to use a best estimate and list the dollar figure. If the dollar figure is not what's actually received from the State, the reserved amounts will need to be adjusted at a later Town Meeting.

He also wanted to point out that the reservation of these funds is not expenditure of those funds, the only expenditure of the funds in this particular Article is the \$51,600 for the Hosmer project and the \$45,000 for the administration expenses.

Mr. Gardner asked, why not leave these numbers without the \$90,000 per category from the State and then add that in later if that money ever comes in?

Mr. Kablack explained that there is a provision in the D.O.R. guidelines that will not allow us at a future Town Meeting to spend those funds if we don't reserve them on a dollar for dollar basis between the period in which we set the tax rate for FY04, which will happen in December, and also between that date and the date in which the Department of Revenue certifies our tax base, which doesn't happen until August of the following year. By doing this dollar for dollar reservation, we have the potential of bringing additional proposals back before Town Meeting in the spring of 2004.

Mr. Gardner wanted to know about the \$180,000 for Community Housing, the Article in the Warrant had suggested you would have only \$13,000 here with \$77,000 in 32C. The way he understands it, the reserved is intended to reach 10% accounting for the other expenditures. He wanted to know if they were zeroing out the request in 32C?

Mr. Kablack said that what happened in the Housing Authority Article, he would explain when we get to Article 32C, but since the question has been asked now he would address it. Initially, we are moving forward as if there would be a potential FY04 appropriation for the Housing Authority Article. But when they made the decision to IP the Site Selection Articles that are to follow, the committee made the decision to support the project; but we withdrew all current fiscal year

appropriation for that project, so the number that you saw in the booklet was reduced down to zero. The money spent for the Housing Authority category in 04 is actually zero and that's why you see the number inflated in the reservation column.

Martha Coe, 14 Churchill Street, stated apparently you're just saying that we are allocating or budgeting this, and if we object to bonding in the later parts we will not lock ourselves out by voting this.

James Frazer, 81 Moore Road, asked if he could tell him why you're reserving unrestricted funds, what is accomplished by that?

Again, this is a nuance to the Community Preservation Act said Mr. Kablack. The funds are never part of the general revenue of the Town. The Department of Revenue guidelines require the Town to reserve funds in each of those three core areas, and then to actually go through the process of reserving funds for the Unrestricted Community Preservation Fund basis. In other words, it's not earmarked toward any of the four categories:

- Open Space
- Historic Preservation
- Community Housing
- Recreation

But, they are unrestricted for any of those categories. Meaning, at a future Town Meeting, if we decide to do something along the lines of a recreational use, we'll be entitled to use all of the \$1.215M that will be reserved in the general unrestricted account.

Lee Michaels, 199 Horse Pond Road, wanted someone to explain why there was a difference of funds. Under the Reserved Open Space Restricted, there is now \$113,425 when under the resolution it was \$23,425?

The difference between these numbers on the screen and the numbers in the Warrant is that we took the projected State matching funds we'll get in October and we equated that to a dollar figure in order that we have use of those funds throughout the entire Fiscal Year. The State matched funds that have to be allocated to the Open Space category that is coming from the State fund is \$90,000. So, the \$90,000 when added to the number in the Warrant is the same number shown on the screen and similarly with respect to the Housing Article, the \$90,000 was added to the \$90,000 Reserved because of the change in the Housing Authority Article and that now shows \$180,000. The same equation of adding \$90,000 to the Historic category is true. Historic is using all of their money this year between the Hosmer House and the Dickson land purchase that we have budgeted, and so the \$90,000 is just from the State match in that category.

Seeing no one else that wished to be heard on the motion under Article 32A the Moderator asked all those in favor of the motion under Article 32A to indicate by raising their cards, all those opposed. The motion carries.

The motion under Article 32A was UNANIMOUSLY VOTED.

ARTICLE 32B. COMMUNITY PRESERVATION FUND - BONDING PROPOSAL

To see if the Town will vote to approve the recommendations of the Community Preservation Committee and appropriate the sum of \$430,000 for the purchase and/or taking by eminent domain of a parcel of land containing 2.39 acres, known as the Dickson property, and shown on Assessors Map H-11 Parcel 305, for the purpose of acquiring open space and a historic resource; to see whether this sum shall be raised by borrowing under the Community Preservation Act or otherwise; to appropriate a sum sufficient to pay the annual debt service from FY04 Community Preservation Fund revenues in the event of such borrowing, including bond and note issuance expense;
or act on anything relative thereto.

Submitted by the Community Preservation Committee. (Two-thirds vote required)

Mark Kablack, Co-chair of the Community Preservation Committee, moved to approve the recommendation of the Community Preservation Committee, to appropriate \$446,700 for the purchase and/or taking by eminent domain of a parcel of land containing 2.39 acres, known as the Dickson property, and shown on Assessor's Map H-11 Parcel 305, for the purpose of acquiring open space and a historic resource, including costs of issuance of bonds or notes therefor; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$446,700 under G.L. c.44B, s11 and G.L. c.44, s7(3) or any other enabling authority; that the Board of Selectmen is authorized to take any other action necessary to carry out this project; and that \$104,975 is appropriated from fiscal year 2004 Community Preservation Fund revenues to pay debt service due during fiscal year 2004 on any bonds or notes issued under this Article 32B.

The motion received a second.

Mr. Kablack stated that there are a number of changes here that are different from those in the Warrant and that reflects the fact that we now have a better idea of what the maximum bonding costs would be for this project.

- In the Warrant the project cost is listed at \$430,000
- The motion is for \$446,700, representing a maximum expected bonding cost of \$16,700

Similarly, the Fiscal Year appropriation for this project assumes that based on \$446,700 over a bonding period of approximately 5 years and at an assumed interest rate of 3.5%, that the debt service maximum for FY04 will be \$104,975.

Martha Coe, 14 Churchill Street, said that on the last Article, she had asked if we could negotiate the bonding if we passed the last section of the Article. She said that she was against bonding under CPA, her reason being that we were told it was a 5 year deal, but it's not exactly a 5-year deal, it's only a 5-year deal if you don't bond. If you bond under CPA, you're stuck in CPA until those bonds are paid off, which could be 6, 7, 8, or 10 years.

She said she had looked at the total receipts for FY04, \$900,000, and that's what we would get from the tax collection. The money that we get from the State is variable, and dependent on how many deeds they take stamps on and how many towns are involved. At this time, right now, we will be getting more money from the State than we'll be getting in the future because the more communities that join the less money we'll be getting from the State. At least in the first table we were given in the Warrant there was enough money to pay for the Housing Authority and for this outright without doing any bonding. While it's true interest rates are at their lowest right now, she said that she doesn't think we should be wasting precious CPA funds on interest, if we have the money available to pay for these projects outright. We postponed the budget last night because the State's budget is so messed up and we don't even know what's going to happen to the State budget by July 1st. Her opinion is to keep our options open by paying for things that we have the money to pay for rather than bonding. That way we wouldn't get into long term commitments that we can't get out of if we wanted to get out in 5 years. We have the money in the CPA fund right now, and that's why I think Article 32B should be defeated.

Judith Deutsch, 41 Concord Road, asked what would happen if we do as Martha suggests and take the money that we have this year and spend it, and next year decide that we want to go ahead with the housing project, would we have sufficient funds available without borrowing?

Mark Kablack referred to the slide on the screen and said at the bottom you'll note there is a vote now to reserve \$1,215,000 in the general Unrestricted

Community Preservation fund account. Addressing the question by Ms. Deutsch and the comment by Mrs. Coe he said clearly this amount of money is more than enough to pay for all of the projects that are proposed tonight, but the reservation of these funds is actually giving flexibility to the Town and building into this entire concept, the planning tool that it was meant to provide. The \$1,215,000 that you see up there, not even looking at the 10% requirements in each of those core areas, are funds that we can use as a planning tool on those projects that are coming down the pike. There's a large land parcel in Town that we are currently negotiating with the landowner to purchase and it's possible that will happen shortly and these funds can be used for that. The short answer to your question is that there is more than enough cash on hand to fund these projects, but as a planning tool, it makes sense; and the committee has endorsed the concept of reserving funds for a rainy day. He also mentioned a couple of interest rates that he said you might find of interest.

- The current interest rate, approximate interest rate that we'll get on the \$1,215,000 that will be banked by the Town until this Town Meeting decides to spend it is currently 1.6%. These are figures from the Finance Director.
- If we decide through the issuance of bonds or notes to go through what's called the Statehouse Note Procedure, the interest rate on those statehouse notes is only 1.5%, so we actually gain a percentage point, a fraction of a percentage point, by not spending that money and investing it.
- If we decide to bond it, using the Wall Street bonding process, the current interest rate is 2%. So, we would have a net loss based on the interest accrued on the \$1,215,000 that we're banking, but it's only .4%.

So, from the CPC's prospective, yes we have cash on hand to fund all of this, but the design is really to do a lot more than these three projects. The design is to develop a future for Sudbury. It's best done by reserving funds, and the cost of bonding, at this particular time makes a whole lot of sense to us.

Robert McDonald, 23 Aaron Road, asked if this property could ever be used for anything other than open space?

Mr. Kablack responded saying that the requirement of the Community Preservation Act, when you use funds to carry out the four categories that it sponsors, you actually have to restrict the property for the purpose that you've spent the money for. So, the Dickson land property is being acquired for Open Space and Historic purposes and would have to be Restricted in perpetuity as Open Space and a Historic Resource.

Mr. McDonald asked if it could be transferred for any other use and Mr. Kablack replied, only those two uses.

Mr. McDonald said, so there wouldn't wind up being any houses on this property. Mr. Kablack replied, not on Dickson.

Steven Brunner, 182 Maynard Road, wanted to know what would happen if we didn't pass this motion. Would these funds be available for future Articles, say, Article 33 to purchase the Cutting Property. (The \$104,000)

Mr. Kablack answered saying the large land acquisition piece he just referred to is the Cutting Property. There will be discussion on that that follows and he didn't want to take any presentation material away from the presenter of that Article but the Cutting property has been discussed by the committee, and would potentially qualify under the guidelines that we have developed. Yes, all or some of the money that you see on the screen could be used towards the Cutting Property.

Mr. Brunner replied in that case he urges defeat of this motion because the cost per acre is much more reasonable on the Cutting Property.

Leslie Leon, 101 River Road, wanted to know if we bond this for the 5-year bond, does that take the CPA surcharges or make it necessary for those surcharges to extend beyond the original 5-years?

Mark Kablack said there are some misconceptions out there about this 5-year period for the Community Preservation Act. The CPA does not have a sunset provision in it, meaning that it doesn't expire automatically at the end of the 5-years. The 5-year period is a period which restricts the Town through the same process by which the Town adopted the Community Preservation Act. It restricts the Town from undoing the Community Preservation local tax surcharge, and not until 5-years from the date we adopted the Act locally, which was in March of 2002. Therefore, in March of 2007 and beyond, the Town through the same process by which it adopted the Act can nullify the Act, and that process is by approval by Town Meeting and a subsequent referendum vote. What the Town will be faced with going forward, if it doesn't go through that process of nullification, is that the Community Preservation Act will stay in effect in perpetuity until it's undone. So, there's some misconception about that 5-year provision, it is not a sunset provision.

James Frazer, 81 Moore Road, said he sees that we're paying through this Community Preservation Fund for the first years bond cost and repayment, how about the following years? Is this a burden on the fund or on the Town?

This will always be a burden on the fund as long as the fund is in existence, said Mark Kablack, and each year you will see for this particular property, if it's

passed tonight, until the debt service is paid off entirely. Perceivably, over 5-years you'll see a line item in the next four Town Meetings of an amount similar to this and the amount will actually go down over time. This is the maximum amount of debt service because some of the interest is front loaded. You'll see a line item of the Community Preservation Committees Warrant Articles going forward of an appropriation of about \$100,000 to continue to fund this particular Article. This is simply how the accounting works under the Act.

Andrew Schwarz, 12 Metacomet Way, asked if the Conservation Commission rendered an opinion on whether this land has any conservation value, other than just it being Open Space.

Mr. Bell replied saying that they feel this is an extremely important piece of land for conservation purposes. It's a very important corridor connecting the Sudbury River to the forested uplands, even though it might be fairly small. To break it up by putting a house or something similar is going to have a very adverse effect on its conservation value. The Conservation Commission supports this very strongly.

Steven Swanger, 14 Bent Brook Road, wanted to speak to the question of bonding. The intent of this goes back to the original Land Bank Bill and the notion has always been that this would be money that would be available for large land acquisition projects, for large housing construction projects. Over the course of the term for the CPC, the nine months or so that the CPC has been around, people have said that they thought this was going to be for the purchase of large land parcels, like the Meachen parcel or the Weisblatt parcel where the Town has wound up spending millions of dollars. If we decide tonight that we're not going to bond these kinds of Articles, but spend all the cash that we have on hand now, then we are undermining the whole purpose for which we passed this Community Preservation Act in the first place. We need to save some of the money to use against the purchases that are going to come up in the future. If we don't do that, then we might as well give up on this because this is not what this Act was passed for.

Seeing no one else who wanted to be heard on the motion under Article 32B, the Moderator asked all those in favor of the motion under Article 32B, please indicate by raising your cards, all those opposed.

The motion under Article 32B was VOTED by a clear two-thirds vote.

ARTICLE 32C. COMMUNITY PRESERVATION FUND - BONDING PROPOSAL

To see if the Town will vote to approve the recommendations of the Community Preservation Committee and to appropriate the sum of up to \$320,000, to be allocated pro rata, for the purpose of creating up to sixteen units of affordable rental housing by transferring such funds to the Sudbury Housing Authority for the construction of such housing; to see whether this sum shall be raised by borrowing under the Community Preservation Act or otherwise; to appropriate a sum sufficient to pay the annual debt service from FY04 Community Preservation Fund revenues in the event of such borrowing, including bond and note issuance expense; or act on anything relative thereto.

Submitted by the Community Preservation Committee. (Two-thirds vote required)

Mark Kablack, 46 Poplar Street, Co-chair of the Community Preservation Committee moved to approve the recommendation of the Community Preservation Committee, to appropriate \$320,000 for the purpose of creating 16 units of affordable rental housing by transferring such funds to the Sudbury Housing Authority for the construction of such housing; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$320,000 under G.L. c.44B, s11 and G.L. c.121B, s20 or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project; provided, however, that (i) not more than \$20,000 of this appropriation may be borrowed and transferred to the Sudbury Housing Authority for each unit of affordable rental housing to be constructed, (ii) no amount appropriated under this vote may be borrowed and transferred to the Sudbury Housing Authority for the construction of an affordable rental housing unit unless, by not later than the close of the 2004 Annual Town Meeting, either (a) the Town has voted to authorize the transfer of a Town owned site for the construction of said unit to the Sudbury Housing Authority or (b) the Sudbury Housing Authority has otherwise acquired a fee simple interest in or a leasehold interest for a lease term of not less than 30 years in a site upon which such unit is to be constructed, and (iii) no amount appropriated under this vote shall be borrowed and transferred to the Sudbury Housing Authority for the construction of an affordable rental housing unit unless the Community Preservation Committee determines that the Sudbury Housing Authority has obtained the necessary approvals and additional financing or reasonable assurance that such approvals and financing are forthcoming, for the construction of such unit within 2 years of the date of the Town's vote to authorize the transfer of the related site to the Sudbury Housing Authority or of the Sudbury Housing Authority's acquisition of a fee interest or a leasehold interest in the related site, as applicable, but not later than April 30, 2006, which determination shall be conclusive evidence thereof for purposes of this vote.

The motion received a second.

He apologized for the lengthiness of this Article. He explained that developments over the past weeks that include consultation with bond counsel and reacting to the fairly recent decisions by the Housing Authority to remove the Site Transfer Articles that appear in the Warrant, and will follow, are the reasons.

The committee decided to sponsor this particular proposal on the condition that the Housing Authority meet two goals:

- That they demonstrate by next Town Meeting that they have the sites to build these 2 units.
- That the in-process of getting the local Zoning and Conservation approval and financing that it needs to actually start construction and that all that occur no later than April 30, 2006.

The reason being, we do believe this is a worthwhile project and we believe it's a tested model based on what the Housing Authority constructed about 10 years ago throughout town. We think it's right for the town, but do believe they need to meet those tangible hurdles within a certain period of time from tonight or that money needs to be freed up for some other type of housing proposal. That is some of the length of this document.

In regards to the bonding proposal, he wanted to point out that the debt would only be incurred once the Housing Authority has demonstrated that they've met both of those hurdles; namely, that they've gotten the sites and have the additional financing and zoning relief to go ahead with construction. Although we're asking for your vote tonight on this Article, and an appropriation amount of \$320,000, you'll remember, based on the other Articles that have preceded us, there's no cash being funded for this project in this Town Meeting from FY04 funds. All of the money is being put into reserve, and secondly, the town will not incur any bonding expenses unless those two hurdles are met.

Robert Coe, 14 Churchill Street, had a comment with regard to this motion being premature, because we're asked to approve this funding, put all sorts of restrictions on the Housing Authority, as though we didn't believe they actually had their act together. If they don't have their act together, then maybe next year's the right time to bring this particular question up. It seems to me that what they're saying is because the Housing Authority isn't ready yet and we don't know for sure what the final product is going to be, we don't want to make a commitment. It seems the right way to deal with this is to vote no tonight and come in next year, hear their presentation, and then we can see if we want to give them the money.

Lynne Geitz, 143 Maynard Road, responded to Mr. Coe's comment. She pointed out that all of these restrictions are meant as a commitment to the Housing

Authority that if they put this effort forward they will have the funds and won't be wasting their time. The rest of it is just a little bit of legalese.

Hale Lamont-Havers, 173 Morse Road, wanted to reassure everyone in this Hall, that if she ever saw a group that is well put together, it is the Sudbury Housing Authority. She urged anyone that had any doubts about this kind of housing to go and look at the ones that are already occupied by people in this town. There is one by the Fairbank Community Center that is beautiful. She couldn't believe it was rental housing. It wasn't like anything she had imagined and this town should be proud of it. All these homes that the Sudbury Housing Authority owns have increased the value of the property around them, so they are a great asset to whatever neighborhood they are built in.

Richard Payne, 15 Thoreau Way, said there was one thing that bothered him about this concept of Affordable Housing; it's the tax consequences, which haven't been mentioned here tonight. It is his understanding that these properties do not pay any taxes, but in particular, if you're building housing for a family, with 3 bedrooms, you're going to bring children into the school system and will be incurring costs, say, for 3 children amounting to around \$20,000 - \$25,000 a year. He wanted to know if any consideration had been given to the long-term tax consequences for building this kind of housing as opposed to building housing for the elderly.

John Darcey, 82 Cranberry Circle, prior to addressing Mr. Payne's comment said he would like to address Mr. Coe's comment. In his opinion they do in fact have their act together, and coming here tonight is one example of that. He said they put a proposal in front of the CPC that makes a lot of sense. We listened to citizens of the town, and went through a process of trying to select town sites. By listening to the citizens we made a very reasonable judgment to indefinitely postpone the site selection this year so it could be done in a more deliberate manner. That does not mean that we suggest this is a bad proposal, it is a good proposal. Homes don't get purchased or built overnight; sometimes it takes several decisions to do it. Town Meeting only comes about once a year, so the fact that we're asking for something tonight and will be back asking for something next year doesn't mean that we don't have our act together. It just means that Town Meeting is a slow process and that's just the way it works.

In reference to Mr. Payne's comment, he said they do not pay taxes, they make a very modest payment in lieu of taxes for the family units they own, but they do not cover the costs of children attending the Sudbury Schools. Their family units currently have 1.6 children on average and they fully expect that will be true with the new units. So, it will certainly bring some children into the Sudbury School System, but they will not, nor will those families pay taxes to support that; that is a commitment by the Town. The commitment to build Affordable Housing in town is

one that you have to decide if it's right to do. There is the consequence of some children attending our schools and you will not receive tax dollars for those homes.

Jeff Klofft, 15 Ironworks Road, wanted to address the comment about the tax loss for Affordable Housing. He said he was in favor of the Affordable Housing in the way that the Sudbury Housing Authority wants to go about doing it. He also added that if we choose not to do this there are statutes under Massachusetts Law, chapter 40B, which will allow private developers to come in and with virtually no control of the town or any of the town authorities, such as the Planning Board or the Zoning Board to build these projects because Sudbury, right now, sits at about 3% Affordable Housing. Until you reach a 10% threshold, those laws in Chapter 40B can go into effect, so he thought we were much better off in taking a structured approach that the Housing Authority wants to go for to get these Affordable Housing units in; rather than suffer with the consequences that many of our neighboring communities have had to go through. So, it isn't a matter of do we want this or not want this, we will get it one way or the other.

Steven Wishner, 92 Fox Run Road, said he had a question but wanted to respond to the last comment. Under Chapter 40B if those units are built, they do generate tax paying individuals moving into Town, paying taxes and supporting the education of children. He gave an example off the top of his head; 1.6 children per unit in 16 units, you're talking approximately a quarter of a \$1M a year to educate the children who move into those units with no revenue behind the expenditure of a quarter of a \$1M a year to do that. He then asked his question. In the Warrant there is a reference with respect to this Article, to the bonding not to exceed a 5-year term, but he didn't see anything in the motion that limits the bonding to 5-years. He wanted to know whether the bonding is in fact limited to 5-years as referenced in the Warrant.

Mark Kablack stated that appears to be something that was left out when we worked on this over the last few weeks. The intent was, that as a committee, we would not exceed a 5-year period for a bond of this size and that was done in consultation with the Town staff.

The Town Manager added that they rarely put into the motion the length of term of a particular bonding, it's always the intention though, that we bring to Town Meeting to say what we would intend the length of a term to be. On the Town side, we try to fit together a whole financial plan; on the Community Preservation Act the intention is how the community wants to allocate the money on a per year basis. They've allocated a debt service plan that supports a 5-year bond, so the Town's intention clearly is to take out a 5-year bond under this plan as the CPC has recommended and what we said we would take out the bond for.

Karen Peltó, 52 Lincoln Lane, said she had three points she'd like to make:

- **First, when she bought her house 10 years ago she paid under \$200,000 and she would not be able to afford to live here if she was looking today. She's in support of anything this Town can do to keep a diverse population of people who might otherwise not be able to live here at all. You're looking at someone who would be in that category; it's not some other people, and it's some people who are living with you right now.**
- **Her second point is that even though she was initially confused about why we were proceeding with this, she thinks if it helps show the Town's commitment to moving forward on reaching that 10% goal, then she's fully in support of taking that step to approving this Article now realizing that the details are to be forthcoming.**
- **The third is that she seemed to recollect from previous Town Meetings that this addresses the whole tax burden versus cost issue. Some of our existing homes, with high numbers of children currently residing there who do pay taxes and that over a certain number of children, do become a burden anyway. She also said that Affordable Housing units are not the enemy causing the greater tax burden on the rest of us. She thinks the overall population of children contributes to that. We are a community, and if we can't act as a community that involves everyone in being able to live here, she thinks then it's really a sad statement. She supports this Article.**

Steve Swanger, 14 Bent Brook Road, wanted to reiterate why we should do it now, instead of waiting another year. He believes there would be a real financial harm. Even though it's not going to turn over any money this year, if there is a financial commitment if this Article passes; the Housing Authority can start shopping around and can begin to get commitments from State and Federal funding for money that may not be there if we wait another year. So, there's a very good financial reason to go ahead and take this step now and then next year we'll decide on the sites.

Geoffrey Phillips, 125 Hudson Road, said there is a wrinkle that was added in which first shows up he believed on Slide 2; that in addition to having a fee simple you're actually looking for a lien lease, it says 30-year period. What that seems to imply is that you could lease the land, build a house, and then 30-years later when the lease is up you would then have to vacate or demolish the house. This seems not to get us to the goal of a higher percentage of Affordable Housing. I didn't see this in the original Warrant.

Mark Kablack addressed the comment. He said this provision was added in the final wording in order to give flexibility to the Housing Authority. We wanted to leave open the possibility that the Housing Authority could acquire land or that someone could gift land to the Housing Authority.

Basically, there are two ways you can control property over a longer term:

- A ground lease
- Fee interest ownership

Although it is unlikely, we built it into the motion in order to give flexibility to the Housing Authority and 30-years was chosen as a minimum period that we thought the lease would need to provide in order to make the project worthwhile.

Mr. Phillips said part of his concern is that if it's actually a 30-year period and you did go down that path, it might influence the construction techniques somebody may use to build the house and instead of the current houses that we have that are award winning and are quite attractive for rental homes you might end up with something that was less standard than that which might have other implications, not only the time period it has but how quickly it becomes devalued.

Mr. Phillips made a motion to amend by striking the words: "*or a lease hold interest or a fee simple interest for a lease term of not less than 30-years*" on slide 3, and to strike from a portion of the motion appearing on slide 4 the words: "*or a lease hold interest*"

The motion received a second.

The Moderator then asked Mr. Phillips if he wanted to be heard anymore on his motion to amend.

Mr. Phillips replied that he just had a point that he wanted to reiterate. If we do have a goal of getting toward this 10%, and we are taking positive steps to go there, this is actually a provision that we might be making progress on and then have to step back when the 30-year term was up. He thought that it could be counterproductive in the long run.

The Moderator asked if anyone else wanted to be heard on the motion made to amend.

John Darcey stated that the Housing Authority has no objection to Mr. Phillips motion to amend. He said they had not asked for those changes, but implied in your motion was that somehow if that stood, we might choose to build sub-standard housing, he wished to tell him that they would not.

Eric Poch, 154 Nobscot Road, said the only point he would like to make in regards to this gentleman's motion, after which he said he would ask that the motion to amend be defeated, was because he neglected to point out that in a case where somebody offered land on which to build Affordable Housing; it would significantly lower the cost of the overall project.

Mr. Dignan asked if anyone else wanted to be heard on the motion to amend, we'll have further debate on the motion itself.

Sigrid Pickering, said that one of the things the slide doesn't articulate, but that the Act clearly states about Affordable Housing is that the Housing Authority should be looking at adaptive re-use of existing sites or structures over the development of raw land. By having this lease hold interest it gives the Housing Authority more flexibility in the type of housing; it may not be new construction but it could be adaptive reuse, even potential commercial property on Route 20. She ended by saying she just wanted everyone to think about that before you amend this motion.

Mr. Poch wanted to make a comment about the cost statement that was made. If you actually look at the Articles that were withdrawn, with reference to the land:

- A transfer of land
- Sale of land for \$1.00

Basically, the general position as he understands it is that the Sudbury Housing Authority and the CPA are going to take Town land and pay \$1.00 for it to build a new house. So, he didn't think that \$1.00 would substantially change the price of the housing.

The Moderator, seeing no one else who wished to be heard, said all those in favor of the motion to amend indicate by raising your card, all those opposed.

The motion to amend was DEFEATED.

Now we're back to the original motion.

Martha Coe stated that what we are voting on here is the bonding, the funding; we are not voting for the housing. She said you don't bond when you don't know what you're bonding about, so she urged defeat of Article 32C.

Susan Crane, Robert Best Road, spoke briefly to the question on whether we should be supporting low income housing in Sudbury. She said we've heard a lot of discussion on the merits of reaching the 10% goal under chapter 40B for our Zoning regulations. There's been some discussion about the ethical and moral obligations

that we have to supply this type of housing which she said she personally finds very compelling, but she wanted to point out that under the CPA itself which we passed last year, we must spend 10% of all funds on low income housing. If we don't do it this year, we have to do it in future years and allocate it for this type of housing anyway.

Kristine Thurston, 38 Willow Road, spoke in favor of 32C saying that she feels given the discussion, the meetings, and the hearings about particular sites, she wanted to say that the people who have worked on this have put in a tremendous amount of work. She feels it's tremendously important that we do support Affordable Housing in this community, as well, as diversity. A start has to be made somewhere, otherwise, it will be taken out of our hands and this is why she said that she supports this Article.

A resident made a motion for the question.

The Moderator asked how many people had not made up their minds. He said that he thought he would take the motion for the question.

The Moderator asked how many people want to terminate debate and vote on this matter. How many are opposed to that? He announced that it was a clear two-thirds vote to terminate debate.

All those in favor of the motion under Article 32 C, please indicate by raising your card, all those opposed.

The motion under Article 32C was VOTED by a clear two-thirds vote.

There was a challenge to the vote. Seven voters requested a count.

| | | |
|-------------------------|---------|------------|
| Counted Vote: YES - 435 | NO - 75 | TOTAL- 510 |
|-------------------------|---------|------------|

The motion PASSED

ARTICLE 33. CUTTING PROPERTY

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, for the purchase in fee simple, or the purchase of development rights thereon, or the acquisition of an interest or interests on all or a portion thereof, of land owned by Webster Cutting, Jr., et al, located on Maynard Road, as shown on Town Property Map E06 as Parcel 500; 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.

(Two-thirds vote required)

Kirsten Roopenian, Selectman moved to postpone this Article to May 21, 2003

The motion received a second.

The motion to Postpone Article 33 to May 21, 2003 was VOTED.

ARTICLE 34. TRANSFER LAND OFF LONGFELLOW ROAD TO SELECTMEN FOR SALE

To see if the Town will vote to transfer from the control of the Park and Recreation Commission or the Board of Selectmen, whichever is appropriate, to the Selectmen for the purpose of sale to the Sudbury Housing Authority for the construction of affordable rental housing for families, the following described parcel of land:

A portion of the land off Longfellow Road containing approximately 3 acres, shown as Parcel 020 on Town Property Map C07, for the construction of up to four houses; and to authorize and direct the Selectmen to take whatever steps are necessary to effectuate the transfer, including, if necessary, a petition or petitions to the State legislature;
or act on anything relative thereto.

Submitted by the Sudbury Housing Authority

(Two-thirds vote required)

It was moved to Indefinitely Postpone this Article.

The motion received a second.

The motion to Indefinitely Postpone Article 34 was VOTED.

**ARTICLE 35. AUTHORIZE SALE OF LAND OFF LONGFELLOW ROAD
TO SUDBURY HOUSING AUTHORITY**

To see if the Town will vote to authorize the Selectmen, acting on behalf of the inhabitants of the Town of Sudbury, to execute a deed or deeds conveying in fee simple the following described land to the Sudbury Housing Authority for the purpose of constructing affordable rental housing for families, for a sum of no more than \$1.00 and upon such other terms as the Selectmen shall consider proper:

A portion of the land off Longfellow Road containing approximately 3 acres,
shown as Parcel 020 on Town Property Map C07,

for the construction of up to four houses; and to authorize and direct the Selectmen to take whatever steps are necessary to effectuate the conveyance, including, if necessary, a petition or petitions to the State legislature;
or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was *moved* to Indefinitely Postpone this Article.

The motion received a second.

The Motion to Indefinitely Postpone Article 35 was *VOTED*.

**ARTICLE 36. TRANSFER LAND OFF NEWBRIDGE ROAD TO
SELECTMEN FOR SALE**

To see if the Town will vote to transfer from the control of the Sudbury School Committee or the Board of Selectmen, whichever is appropriate, to the Selectmen for the purpose of sale to the Sudbury Housing Authority for the construction of affordable rental housing for families, the following described parcel of land:

A portion of the land off Newbridge Road containing approximately 3 acres, being a portion of the entire site shown as Parcel 030 on Town Property Map F10, for the construction of three houses; or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was moved to Indefinitely Postpone this Article.

The motion received a second.

The motion to Indefinitely Postpone Article 36 was VOTED.

**ARTICLE 37. AUTHORIZE SALE OF LAND OFF NEWBRIDGE
ROAD TO SUDBURY HOUSING AUTHORITY**

To see if the Town will vote to authorize the Selectmen, acting on behalf of the inhabitants of the Town of Sudbury, to execute a deed or deeds conveying in fee simple the following described land to the Sudbury Housing Authority for the purpose of constructing affordable rental housing for families, for a sum of no more than \$1.00 and upon such other terms as the Selectmen shall consider proper:

A portion of the land off Newbridge Road containing approximately 3 acres, being a portion of the entire site shown as Parcel 030 on Town Property Map F10, for the construction of three houses; or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was moved to Indefinitely Postpone this Article.

The motion received a second.

The motion to Indefinitely Postpone Article 37 was VOTED.

ARTICLES 38. & 39. (WITHDRAWN)

**ARTICLE 40. TRANSFER LAND OFF HEMLOCK ROAD TO
SELECTMEN FOR SALE**

To see if the Town will vote to transfer from the control of the Park and Recreation Commission or the Board of Selectmen, whichever is appropriate, to the Selectmen for the purpose of sale to the Sudbury Housing Authority for the construction of affordable rental housing for families, the following described parcel of land:

The land listed as Hemlock Road, (with right of way to Willow Road), containing approximately 1.12 acres, shown as Parcel 027 on Town Property Map H05,

for the construction of one house; and to authorize and direct the Selectmen to take whatever steps are necessary to effectuate the transfer, including, if necessary, a petition or petitions to the State legislature;
or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was moved to Indefinitely Postpone this Article.

The motion received a second.

The motion to Indefinitely Postpone Article 40 was VOTED.

**ARTICLE 41. AUTHORIZE SALE OF LAND OFF HEMLOCK ROAD TO
SUDBURY HOUSING AUTHORITY**

To see if the Town will vote to authorize the Selectmen, acting on behalf of the inhabitants of the Town of Sudbury, to execute a deed or deeds conveying in fee simple the following described land to the Sudbury Housing Authority for the purpose of constructing affordable rental housing for families, for a sum of no more than \$1.00 and upon such other terms as the Selectmen shall consider proper:

The land listed as Hemlock Road, (with right of way to Willow Road), containing approximately 1.12 acres, shown as Parcel 027 on Town Property Map H05,

for the construction of one house; and to authorize and direct the Selectmen to take whatever steps are necessary to effectuate the conveyance, including, if necessary, a petition or petitions to the State legislature;
or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was moved to Indefinitely Postpone this Article. The motion received a second.

The motion to Indefinitely Postpone Article 41 was VOTED.

**ARTICLE 42. TRANSFER LAND OFF NORTH ROAD TO
SELECTMEN FOR SALE**

To see if the Town will vote to transfer from the control of the Selectmen to the Selectmen for the purpose of sale to the Sudbury Housing Authority for the construction of affordable rental housing for families, the following described parcel of land:

The land on North Road between #357 and the corner lot on Haynes Road, containing approximately .92 acre, shown as Parcel 106 on Town Property Map C09,

for the construction of one house; or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was moved to Indefinitely Postpone this Article.

The motion received a second.

The motion to Indefinitely Postpone Article 42 was VOTED.

**ARTICLE 43. AUTHORIZE SALE OF LAND OFF NORTH ROAD TO
SUDBURY HOUSING AUTHORITY**

To see if the Town will vote to authorize the Selectmen, acting on behalf of the inhabitants of the Town of Sudbury, to execute a deed or deeds conveying in fee simple the following described land to the Sudbury Housing Authority for the purpose of constructing affordable rental housing for families, for a sum of no more than \$1.00 and upon such other terms as the Selectmen shall consider proper:

The land on North Road between #357 and the corner lot on Haynes Road containing approximately .92 acre, shown as Parcel 106 on Town Property Map C09, for the construction of one house; or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was moved to Indefinitely Postpone this Article.

The motion received a second.

The motion to Indefinitely Postpone Article 43 was VOTED.

**ARTICLE 44. TRANSFER LAND OFF HUDSON ROAD TO SELECTMEN
FOR SALE**

To see if the Town will vote to transfer from the control of the Selectmen to the Selectmen for the purpose of sale to the Sudbury Housing Authority for the construction of affordable rental housing for families, the following described parcel of land:

A portion of the land adjacent to the fire station on Hudson Road containing approximately 2 acres, being a portion of the entire site shown as Parcel 008 on Town Property Map G08, for the construction of one house; or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was moved to Indefinitely Postpone this Article.

The motion received a second.

The motion to Indefinitely Postpone Article 44 was VOTED.

**ARTICLE 45. AUTHORIZE SALE OF LAND OFF HUDSON ROAD TO
SUDBURY HOUSING AUTHORITY**

To see if the Town will vote to authorize the Selectmen, acting on behalf of the inhabitants of the Town of Sudbury, to execute a deed or deeds conveying in fee simple the following described land to the Sudbury Housing Authority for the purpose of constructing affordable rental housing for families, for a sum of no more than \$1.00 and upon such other terms as the Selectmen shall consider proper:

A portion of the land adjacent to the fire station on Hudson Road containing approximately 2 acres, being a portion of the entire site shown as Parcel 008 on Town Property Map G08, for the construction of one house;
or act on anything relative thereto.

Submitted by the Sudbury Housing Authority. (Two-thirds vote required)

It was moved to Indefinitely Postpone this Article.

The motion received a second.

The motion to Indefinitely Postpone Article 45 was VOTED.

ARTICLES 46. & 47. (WITHDRAWN)

ARTICLE 48.

DESIGNATION OF SCENIC ROADS

To see if the Town will vote to designate, pursuant to the provisions of the Mass. General Laws, Chapter 40, Section 15C, in accordance with the recommendation of the Planning Board and the Historical Commission, the following roads as Scenic Roads within the Town of Sudbury:

| | | |
|---------------------|---------------------|----------------|
| Brimstone Lane | Haynes Road | Pantry Road |
| Bowditch Road | King Philip Road | Peakham Road |
| Candy Hill Road | Lincoln Road | Plympton Road |
| Clark Road | Marlboro Road | Powers Road |
| Concord Road | Morse Road | Rice Road |
| Dakin Road | Mossman Road | Water Row |
| Dudley Road | Newbridge Road | Wayside Inn Rd |
| Dutton Road | Old County Road | Weir Hill Rd |
| French Road | Old Framingham Road | Willis Road |
| Goodman's Hill Road | Old Garrison Road | Woodside Rd |
| Goodnow Road | Old Lancaster Road | |

or act on anything relative thereto.

Submitted by the Planning Board and Historical Commission
(Majority vote required)

William Keller, chairman of the Planning Board moved in the words of the Article.

The motion received a second.

A resident wanted to know if this Bylaw would affect the trimming of the trees around the power wires. The reply was no.

June Allen, 515 Concord Road, Chairman of the Permanent Landscape Committee stated that they approve of this Article.

Bridget Hanson, 19 Brewster Road, Chairman of the Conservation Commission and speaking on behalf of the Commission, asked the Hall to vote for this. The Commission is not predominantly interested in scenery, so you may ask yourself why we would be that interested in a Bylaw that promotes aesthetics. A lot of the wildlife in Sudbury live in a close proximity to our yards and our roads, and it turns out that the trees and stonewalls along these roads provide food and shelter for these animals that live here and we urge you to vote for this.

Jeff Klofft, 15 Ironworks Road, said that along some of these roads there were previous plans to do some walkways, Willis Rd, in particular, and wanted to know if those plans were in any way impacted by enacting this. The reply was that they were not.

Harold Homefield, 16 Curtiss Circle, said that he was concerned about traffic safety and thought this was something that should be considered.

The Moderator, seeing no one else that wished to be heard on the motion, asked all those in favor to indicate by raising their cards, all those opposed. He announced that the motion carries.

The motion under Article 48 was VOTED.

ARTICLE 49.

**AMEND ZONING BYLAW, ART. IX.3200 -
SIGNS AND ADVERTISING DEVICES**

To see if the Town will vote to amend Article IX, the Zoning Bylaw, sections 3200, Signs and Advertising Devices, and 7000, Definitions, as follows:

1. Delete section 3221 in its entirety, and replace with the following:

“3221. No exterior sign, window sign or advertising device shall be erected except as provided by this Bylaw. Signs that are not specifically permitted by this bylaw are prohibited.”
2. In section 3226, add the word “direct” after the word “for” so that the first sentence of section 3226 reads as follows, “Only white lights shall be used for direct illumination of a sign.”; and renumber section 3226 to 3226A.
3. Renumber the second sentence of section 3226 to 3226B, so that section 3226B reads as follows, “The illumination of any sign shall be shaded, shielded, directed and maintained at a sufficiently low intensity and brightness that it shall not affect the safe vision of operators of vehicles moving within the premises or on any adjacent public or private ways.”
4. Delete section 3240 (Signs Prohibited in All Districts) in its entirety, and replace with the following:

"3240 Signs Prohibited in All Districts.

3241. Lightboxes.

3242. Billboards, except transit signs and non-commercial third party signs on municipally owned property.

3243. String lights used in connection with commercial premises with the exception of temporary lighting for holiday decoration; signs consisting of strings of banners, posters, pennants, ribbons, streamers, and spinners or similar devices.

3244. Flashing or oscillating signs or signs with moving lights or rotating beacons; animated signs; rotating signs; signs which move by design or have a major moving part.

3245. Signs emitting audible sound, odor or visible matter.

3246. Permanent paper, cardboard, cloth, canvas, plastic or similar non-rigid material signs, tacked, posted, or otherwise affixed to the

walls of any structure, tree, pole, hydrant, bridge, fence or any other surface.

3247. Portable signs.

3248. Signs having the shape and color of a traffic control device; signs which are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic or street sign or signal; signs which contain or are in imitation of an official traffic sign or signal or contain the words "stop", "slow", "caution", "danger", "warning" or similar words.

3249. Signs creating a potential hazard to the safe, efficient movement of vehicular or pedestrian traffic or which contain statements, words, or pictures of an obscene, indecent, or immoral character, that will offend public morals or decency.

3249A. Integral roof signs."

- 5. Delete section 3250 (Signs Which Do Not Require a Sign Permit) in its entirety, and replace with the following:**

"3250 Signs Which Do Not Require a Sign Permit.

3251. Resident Identification Sign. One sign, which shall not exceed two (2) square feet in area and, if lighted, shall use direct illumination with white light only.

3252A. Governmental, Utility or Public Safety Signs. None of the provisions of this bylaw shall be construed as preventing or limiting any traffic, directional, informational, educational or identification sign owned and installed by a governmental agency.

3252B. Religious institution signs.

3253. Real Estate Signs. One real estate sign, not over six (6) square feet in area, or for subdivisions of land as defined in G.L. c. 41, s. 81L, one real estate sign not over thirty-six (36) square feet in area may be erected. Such signs shall be removed within 30 days of the completion of the subdivision, sale, rental or lease.

3254. Construction Signs. One temporary sign which shall not exceed twenty (20) square feet in area, in all districts, shall be confined to the site of the construction, shall not be erected prior to the issuance of a building permit and shall be removed within seven days of completion

of construction, issuance of the occupancy permit, or after the intended use of the project has begun, whichever comes first.

3255. Window Signs. One or multiple signs that in aggregate shall not exceed 25% of the window area. Such signs shall not be illuminated other than by standard lighting fixtures on the building. Window signs promoting a public service or charitable event shall not be calculated in the allowable 25%. Within the 25% allowance, any given business may include one neon sign not to exceed two (2) square feet.

3256. Fuel Pump Signs.

3257. Vehicle Signs. Except where the signs are mounted on parked vehicles for the purposes of advertising goods or services sold or provided on the property where the motor vehicle is parked or elsewhere either by direct sale or by order, signs normally painted on or attached to a motor vehicle identifying the owner and his or her trade and signs advertising the sale of the motor vehicle itself shall be allowed.

3258. Signs on Product Dispensing Devices. Signs integral to automated devices, not to include vehicles or gas pumps, which dispense one or more products, when the sign identifies the product(s) contained therein, provided the sign does not project beyond the device. Signs, which are affixed but not integral to the device, are not allowed.

3259. Flags, temporary signs, and banners conforming to section 3271 of this bylaw."

6. **Delete section 3260 (Signs Requiring a Sign Permit in the Business, Limited Business, Village Business, Industrial, Limited Industrial, Industrial Park and Research Districts) in its entirety, and replace with the following:**

"3260 Signs Requiring a Sign Permit in the Business, Limited Business, Village Business, Industrial, Limited Industrial, Industrial Park and Research Districts. Any principal use permitted in the Business, Limited Business, Village Business, Industrial, Limited Industrial, Industrial Park and Research Districts may erect a sign or signs subject to the following:

3261. Exterior Sign. Except as may otherwise be provided, one primary and two secondary exterior wall mounted, projecting or roof

signs shall be permitted for each business, not including directional signs. If the sign is a series of awning valances, it is considered one secondary sign. The primary sign shall represent no more than 75% of the total sign face area. The secondary sign(s) shall represent no more than 25% of the total sign face area. The total allowed sign face area of all exterior signs is calculated by taking 100% of the primary building frontage plus 40% of each secondary building frontage, up to a maximum of three total building frontages, as shown in Chart A. The square footage allowance is for direct-illuminated signs. Those primary or secondary signs which are self-illuminated silhouette or face-lit channel letters shall have their square footage allowance reduced by one-third.

CHART A

| Building Frontage (In linear feet) | Maximum Area of each Sign Face (In square feet) | Building Frontage (In linear feet) | Maximum Area of each Sign Face (In square feet) |
|---------------------------------------|--|---------------------------------------|--|
| 0.1 to 9.9 | 19.0 | 130 to 139.9 | 65.0 |
| 10 to 19.9 | 25.0 | 140 to 149.9 | 66.5 |
| 20 to 29.9 | 30.0 | 150 to 159.9 | 68.0 |
| 30 to 39.9 | 34.5 | 160 to 169.9 | 69.4 |
| 40 to 49.9 | 39.0 | 170 to 179.9 | 70.6 |
| 50 to 59.9 | 43.0 | 180 to 189.9 | 71.8 |
| 60 to 69.9 | 46.5 | 190 to 199.9 | 72.8 |
| 70 to 79.9 | 50.0 | 200 to 209.9 | 73.6 |
| 80 to 89.9 | 53.0 | 210 to 219.9 | 74.3 |
| 90 to 99.9 | 56.0 | 220 to 229.9 | 74.7 |
| 100 to 109.9 | 58.5 | 220 to 229.9 | 74.7 |
| 110 to 119.9 | 61.0 | 230 to 239.9 | 74.9 |
| 120 to 129.9 | 63.0 | 240 and above | 75.0 |

3262. Projecting signs. A projecting sign may be erected in lieu of an exterior sign only when such exterior sign is permitted under section 3261, and conforming with Chart A. The projecting sign shall not extend beyond the top of the roof or ridge line of the building.

3263. Directory Sign/General Directory Sign: One directory wall sign on which the sign face shall not exceed one square foot for each occupant identified in the directory. If there is a panel supporting a

group of individual tenant names, that panel shall not exceed 110% of the aggregate area of the individual names.

3264. Directional Sign: Directional signs may be erected near a street, driveway or parking area if necessary for the safety and direction of vehicular or pedestrian traffic. The display area of each directional sign shall not exceed two (2) square feet and no directional sign shall be located more than six (6) feet above ground level if mounted on a wall of a building or more than three and one-half (3½) feet above the ground if freestanding. Directional signs shall be placed so as to not impair vehicular sight lines.

3265. Freestanding Business Center Identification Sign. One freestanding business center identification sign may be erected on a lot. The sign face shall not exceed the allowances in Charts B and C (starting with Chart B and proceeding to Chart C).

CHART B

| Building Frontage (In linear feet) | Maximum Area of each Sign Face (In square feet) |
|---|--|
| 0.1 to 74.9 | 12 |
| 75 to 149.9 | 16 |
| 150 to 249.9 | 20 |
| 250 to 349.9 | 24 |
| 350 and above | 30 |

CHART C

| If the Area Of the Sign Face In Chart B does not Exceed (In square feet) | The Minimum distance From the Front property line shall not be less than (In linear feet) | Minimum distance From Side property line (In linear feet) |
|---|--|--|
| 30 | 24 | 15 |
| 24 | 18 | 15 |
| 20 | 14 | 15 |
| 16 | 10 | 15 |
| 12 | 6 | 15 |

3265A. The overall height of any freestanding sign shall not exceed ten (10) feet, and the distance from the ground to the bottom of the sign shall not exceed 40% of the total height of the sign."

- 7. Delete sections 3271 and 3272 (Special Provisions), and renumber section 3270 accordingly.**

- 8. Delete section 3280 (Signs Requiring a Sign Permit in the Residential Districts) in its entirety and replace with the following:**

"3280. Signs Requiring a Sign Permit in the Residential Districts. One sign either attached or freestanding, pertaining to a multi-family development or a permitted non-residential principal use such as farms, farm stands, nurseries, greenhouses, child care centers and similar uses may be erected upon a lot provided no other sign(s) permitted by this bylaw shall be on the same lot. The display area of the sign shall not exceed ten (10) square feet and, if freestanding, the height shall not exceed ten (10) feet and the distance from the ground to the bottom of the sign shall not exceed 40% of the height of the sign."

- 9. Delete the following definitions from section 7000:**

Banner; Flag; Signs and Advertising Devices; Sign, awning; Sign, direct illumination; Sign, display area; Sign, erection; Sign, freestanding; Sign, projecting; Sign, self-illuminated; Sign, wall.

10. Add the following to section 7000, Definitions, after the definition for "Retail":

"The following definitions apply specifically to Article 3200 SIGNS AND ADVERTISING DEVICES:

1. **Alter:** To change the size, shape, height, colors, lettering or materials of a sign.
2. **Animation:** Any form of movement by electric, mechanical, or kinetic means including, but not limited to, rotation, revolving or wind activation of all or a portion of a sign, or incorporating flashing or intermittent lights for sign illumination.
3. **Awning Sign:** Any fabric-covered roof-like structure, projecting from a building and providing shelter from the weather, which serves as a sign or advertising device. For secondary signs, verbiage shall occur on the valance of the awning.
4. **Banner Signs:** Any sign of lightweight fabric or similar non-rigid material of lightweight material, including nylon, vinyl, cloth, canvas or similar fabric, and which is attached to a rod at the top. National flags and state or municipal flags shall not be considered banners.
5. **Beacon:** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.
6. **Billboard:** Any single or double-faced sign that is permanently fixed or placed on particular premises advertising goods, products or services that are not sold, manufactured or distributed from the premises or facilities on which the sign is located.
7. **Business Center Identification Sign:** Any sign identifying a building or group of buildings that is under single ownership or control. All business center identification signs shall contain only the name or address of the business center, and shall not contain logos, icons or names of individual businesses.
8. **Business:** All of the activities carried on by the same legal entity on the same premises and shall include, but not limited to, service, commercial and industrial uses and fraternal, benevolent, educational and social organizations.

9. **Business Center:** Two or more business tenants as occupants in a building, or on land in single ownership, or business condominiums.
10. **Canopy Sign:** Any sign that is a part of or attached under an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area, and viewed when one is under a canopy.
11. **Changeable Copy Sign:** A sign with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign. A sign on which the only copy that changes is an electronic or mechanical indication of the time and temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign.
12. **Channel Letters:** Individual, three-dimensional, hollow letters, as metal or plastic structures, and mounted to the front face of a sign.
 - 12.1 **Silhouette Letters:** Also called reverse channel letters, these opaque hollow letters are manufactured with individual lights built into each letter, and the letters are mounted with stand-offs, leaving a gap between the rear of the letter and the sign face. The illumination directs the light back onto the surface of the sign face creating a halo effect around the letter.
 - 12.2 **Backlit Channel Letters:** Similar to Silhouette letters, these hollow letters are manufactured with individual lights built into each letter, and the front face is fitted with a translucent colored plastic, which allows for the illumination to be seen through the face of the letter. These letters are mounted directly to the sign face or with stand-offs.
13. **Construction Sign:** Any sign identifying the architects, engineers, contractors, and other individuals or firms involved with the construction, and/or announcing the character or purpose of the building, but not advertising any product.
14. **Direct Illuminated Sign:** Any sign illuminated by an artificial light source located in front of the face of the sign. This includes lighting coves. Where signs are externally illuminated, adjacent roads and properties shall be screened from the light source.
15. **Directional Sign:** Any signs erected near a street, driveway or parking area if necessary for the safety and direction of vehicular or pedestrian traffic.

Directional signs shall not advertise, identify or promote any product, person, premises or activity but may identify the street name/number and provide traffic directions.

- 16. Directory Sign/General Directory Sign:** A sign giving the name, address number and location of the occupants of a building or buildings, and may also include a map or plan and the name of the business center to locate such buildings, if it is a general directory sign.
- 17. Flag:** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of government, political subdivision, or other entity and that is mounted to a pole or building attached at a maximum of one point to a structure. A flag must be free-flying (i.e., it must be attached to a pole on one end only, not two).
- 18. Freestanding Sign:** Any two-sided sign supported by one or more uprights or braces placed on, or anchored in, the ground and not attached to any building or structure.
- 19. Frontage:** See primary and secondary building frontage.
- 20. Fuel Pump Signs:** In accordance with M.G.L.c.94, s.295, standard gasoline fuel pump signs on service station fuel pumps bearing thereon in usual size and form the name, type and price of the gasoline.
- 21. Governmental, Utility or Public Safety Signs:** Any signs such as traffic control signs, railroad crossing signs, legal notices, signs that serve as an aid to public health or safety or that show the location of public telephone, underground cables, etc. Includes signs erected and maintained by the Town of Sudbury, the Sudbury Water District, the Sudbury Housing Authority, the Lincoln-Sudbury Regional High School, the Commonwealth of Massachusetts, or the Federal Government on any land, building or structure used by such agencies and any other signs at any location required by such agencies.
- 22. Illumination:** Any method of giving forth artificial light, either directly from a source of light incorporated in or connected with a sign, or indirectly from an artificial source.
- 23. Integral Roof Sign:** Any sign erected, constructed, painted-on, or woven into the shingles of the roof as an integral or essentially integral part of a normal roof structure of any design, including a false mansard roof or other fascia, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by more than 12 inches.

24. **Interim Sign:** Any sign used as an identifier of the business on the property on a temporary basis, which is replaced with a permanent sign.
25. **Lightbox:** Any sign illuminated by an internal light source located behind a translucent panel which is the continuous front face of the sign.
26. **Lighting Cove:** A decorative architectural device that conceals a light source and is mounted above, below or around and separate from a sign face, leaving a gap that reflects the light back and creates a soft lighting effect around the sign face.
27. **Maintain:** To allow to exist or to continue.
28. **Neon Sign:** A self-illuminated sign using neon light which is created by injecting either neon or argon gas into a thin glass tube that has been bent to resemble either a letter or graphic design.
29. **Non-conforming Sign:** Any sign that existed on the effective date of this ordinance (or amendment thereto), and does not comply with the regulations set forth herein.
30. **Off-Site Advertising:** See billboards.
31. **Portable Signs:** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported by means of wheels; signs converted to A- or T- frames; menu and sandwich board signs. Includes A-Frame Signs.
32. **Primary Building Frontage:** The lineal extent of the public face of a structure.
33. **Projecting Sign:** Any two-sided sign which is supported by an exterior wall of a building with the exposed face of said sign in a plane approximately perpendicular to the plane of the wall, etc. and projecting more than twelve (12) inches and less than sixty (60) inches.
34. **Real Estate Signs:** All signs advertising the sale or rental of the premises on which it is located; on subdivisions of land, all signs erected solely to advertise the selling of land or buildings in said subdivision.
35. **Religious Institution Signs:** All signs erected by religious institutions on any land, building or structure used by such agencies and any other signs at any location required by such agencies.

36. **Repair:** To restore to sound condition, but not reconstruct. Repairs are considered general, routine maintenance.
37. **Resident Identification Sign:** Any sign in a residential district, either attached or freestanding, indicating only the name of the occupant, street number, and accessory permitted uses or occupations engaged in thereon.
38. **Roof Line:** The top of the roof or the top of the parapet, whichever forms the top line of the building silhouette, on the side of building on which the sign is located.
39. **Roof Sign:** Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure.
40. **Secondary Building Frontage:** If a business has a direct entrance into the business in a wall other than the front wall, the lineal extent of the public face of this side.
41. **Self-illuminated sign:** Any sign illuminated by an artificial light source located within the front face of the sign including channel letters.
42. **Sign:** Any object, device, display, or structure or part thereof which is affixed to or otherwise represented directly or indirectly upon a building interior or exterior or piece of land and that is used to advertise, identify, display, or attract attention to any object, person, institution, organization, business, product, service, place, activity, or event related to the premises on which the sign is situated by any means including words, letters, figures, designs, or symbols.
43. **Sign Face:** The area made available by the sign structure for the purpose of displaying a message thereon.
44. **Sign Permit:** A permit issued by the Town to regulate the erection, expansion, alteration, relocation, or reconstruction of signs in all parts of this municipality.
45. **Temporary Sign:** A banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard, sheet metal, plywood or similar materials on private property and intended to be displayed for a limited period of time, includes political signs.
46. **Vehicle Sign:** Any sign on a vehicle of any kind, provided the sign is painted or attached directly to the body of the original vehicle and does not project or extend beyond two (2) inches from the original manufactured body proper of the vehicle. The vehicle to which the sign is attached shall be in proper working order and shall bear a current license plate and shall not be

permanently parked on a public street or street right-of-way. A sign in or on a vehicle that advertises the vehicle for sale, lease or rental shall not be considered a Vehicle Sign.

47. **Wall Sign:** Any sign attached parallel to, but within twelve inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

48. **Window Area:** The total area of all windows along a building frontage.

49. **Window Sign:** Any sign visible from the exterior of a building that is painted on, affixed to, or suspended immediately in front of, on, or up to 24" behind a window.";

or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

Michael Hunter, 118 Goodman's Hill Rd, moved in the words of the Article, except as follows:

1) In section 3261, Chart A, change the words "Maximum Area of each Sign Face" to "Maximum Area of Total Sign face"; and

2) In Section 3265, Chart B, change the words "Building Frontage" to "Street Frontage".

The motion received a second.

Mr. Hunter, speaking in support of the motion and on behalf of the Planning Board and the Design Review Board, said that he wanted to notify everyone that there are copies of this available in the Town Warrant, pages 27-35.

Mr. Hunter said that a revision of the Sign Bylaw was promised at the 2001 Annual Town Meeting where the comprehensive revision to the Zoning Bylaw was presented and approved. At that time three areas of further study were identified and Town Meeting was informed at that time that we would be back for further approvals and refinements of the bylaw.

Those three areas were:

- **The Sign Bylaw**
- **The Use Table, in order to better define what types of uses we want and make sure the use table reflects this**
- **The Water Resource Protection District Bylaw**

The Planning Board is addressing all three of these areas at Town Meeting in some fashion. The Sign Bylaw received the most amount of attention over the past year and what you have before you is a fix of many identified defects in the Bylaw. This revision does not address all the business concerns with signage and advertising. There are differences of opinions on what to allow and how to regulate certain types of signs. For this year we tackled the most glaring issues and hope to continue to work on the tougher aspects of the bylaw in the next year.

A slide was shown to summarize the major revision of the Bylaw. The allowable size of signs has been increased depending on the size of the building so that the signs will be more in scale with the buildings that they advertise. As you can see on the slide, an existing sign is shown on the left and with the proposed, you can see the difference it makes. You can almost actually see and read the sign, and you can tell that it's "Country Curtains".

The chart below is a graph to show you what we've done. We have weighted the increase in sizes to benefit smaller businesses better and as you can see once you get up to a certain size of business, it makes very little difference in the size of the sign.

We are permitting additional window signage and, as you can see on this slide, the building on the left has product in the window. The building on the right doesn't exactly have product that they can put in the window (the slide showed a sign in the window), but it doesn't mean that they don't have something to sell. Although the scale of the sign here isn't exactly what we're proposing, you can see there is a need for that.

The next slide shows that we're allowing one additional secondary sign on a building to be permitted. This would be by right, what you see before you would have to go before a number of boards and committees in order to get approval. As you can see, it does add to the streetscape.

The next thing is the clarification of the set-back limitations on free-standing signs which has been addressed and issues related to two-sided signs.

This next slide is the one that some people may have an issue with, but we're adding the idea of limited types of illuminated signs. If you look at the sign for "Alden Merrell", the one at the top is the way it is now, and the one at the bottom

shows how it would look if you let the letters be illuminated from within. The one for "Thunder" is the way it is now, the one below is how it would look if you let the light from the letters bleed on the surface behind it, called a halo lit affect. The one on the right is the neon sign, we're allowing them as a window sign.

He wanted to point out that these are signs by permit, and so the Design Review Board still has to approve what they look like.

The last thing is we've introduced some relevant definitions. Basically, any good law requires a good foundation and the foundation is the strength of the definitions. Another slide was shown and he said if you read through this, you couldn't find anything that was assigned that we aren't covering in this one.

Roadside signage is the primary means of advertising for many local businesses. For the past several years the Planning Board has presented initiatives at Town Meeting that have been aimed at reducing barriers to economic development opportunities in the commercial areas.

This Article is one such initiative, and comes about from discussions with business owners, the Design Review Board, and other interested residents. The changes are intended to revise sections of the Bylaw that have caused confusion and impeded businesses due to an overall restriction on the amount of signage allowed per business. This Article will give business establishments more flexibility in their advertising which is in keeping with Sudbury's goal of economic sustainability. This revision does not correct all restrictions in the Bylaw, namely, freestanding signs. The authors of this Bylaw chose to continue discussion on that issue and tackle it at a later date.

The PLANNING BOARD and the DESIGN REVIEW BOARD: Jointly sponsor this Article and urge your support.

The FINANCE COMMITTEE: Has no position on this Article.

The BOARD OF SELECTMEN: Unanimously support this Article as it fits into many aspects of what Town government is working towards.

Larry O'Brien, Selectman said in regards to the revitalization of Route 20 and the continued maintenance of the liability of Route 20, it is our belief that some modifications, changes, and revisions that are brought forward in this Article allow for the businesses to be noticed and a little more competitive; these are moderate changes that are worthy of your consideration and support.

Chuck Schwager, 14 Ridge Hill Road, said that he patronizes a business in Mill Village which can't be seen from the street. It makes it tough for traffic; you don't know where to turn in. He said he understood that nothing was being done

for portable signs at the moment; however, it's a concern to him that a lot of small businesses do not have any signage. By not dealing with portable signs it will take longer for them to get any notice from the street. He wanted to know if we pass this Article will there still be any pressure to deal with the needs of businesses that can't be seen from the street?

Mr. O'Brien addressed the question saying that they do have a commitment to go back and review that. A-frame signs or portable signs, as you have referenced Mr. Schwager, are quite controversial. If you get ten people in a room they all have a different opinion and we feel that putting together a bylaw that is both enforceable and suitable to really serve the purposes of those businesses will take some additional work. With the time constraints that we're working with this year, we felt bringing this portion that addresses the major concerns that come in front of the Zoning Board and the Design Review Board would be an adequate place to start. Hopefully, we will come back next year with an Article that will be primarily focused on the issue of A-frame or portable signs. The answer in terms of your question of pressure, we hear it constantly from the people that are opposed to the signs and wish for them to be removed. So, we want to address that side of the issue. Also, we hear it from businesses who constantly say that they need to have a sign up so they can be seen by anyone driving by on Route 20.

Joe Green, East Street, said he didn't have a problem with the majority of this Article, except for the one part dealing with neon signs. He went on to say how he hears how important the historical significance is to this Town and how important the scenic roads are in Sudbury; then all of a sudden we're shifting gears here with Article 49, going into the business district and looking at neon. He feels we are taking one step closer to turning Route 20 into the next Route 9 or Route 1 in Norwood. With that in mind, maybe I'd like to make a motion to amend this Article by taking out, on section 3255 the wording allowing people to use neon signs and then also amend it so that we can make neon signs prohibited.

Since he didn't have a written motion, the Moderator said that he happened to have one that somebody had given him that seemed to do that.

Mike Grosberg, 25 Old Coach Rd., approached the microphone and read his motion. He moved to amend Article 49; to add sub-section 3249B beneath item 4, section 3240 to include the term neon sign and to delete the last sentence of sub-section 3255 in item 5; section 3250, which currently reads: *"Within the 25% allowance, any given business may include one neon sign not to exceed two (2) square feet."*

The motion received a second.

The Moderator said that basically what this motion to amend is, is to knock neon signs out.

Richard Payne, 15 Thoreau Way, had a comment about the picture of the neon sign that was shown on the screen. He said that the lit one shown was a white sign; what makes people think that's a neon sign. Neon has a red discharge, and a host of other colors: green, blue, yellow and so on, so if you say neon, it won't eliminate the one that was shown.

A resident said he was generally in support of the Article and of commercial enterprises, however, he said he wasn't in favor of commercialization when it has the appearance of looking commercialized. He commented that it was tacky and hopes that people will support the amendment.

Mr. Hunter commented that channel lettering or rear lit lettering can be considered as sort of poor man's neon as well, so maybe we should also include that.

The Moderator said that, he would have to have it in writing or he wasn't going to let it go. He asked if anyone else wanted to be heard on the motion to amend.

Mr. Hunter wanted to clarify this a little; neon is just a type of lighting. It can be many different colors, depending on what gas they put in the tube, and frankly, halo lit letters can be illuminated with neon; although you don't see the neon, you see the lettering. What we are talking about for window signs was literally a bent tube of neon that you can actually see. The reason we put the small size on it was because we made it for window signs only. We put a restriction on it to liven up the streetscape a bit, therefore attracting people to the businesses, such as the example where businesses couldn't be seen from the street. If they had a small neon sign with an icon like a chili pepper or a cactus, as an example, you may be attracted and want to go into that business. That was the thinking behind it, so it's just literally the material that it's made out of. The Design Review Board would have the ultimate approval authority on what it looks like.

Larry O'Brien wanted to add that the sign limitation is 2 square feet by 1 square foot high. These are typical devices that can be bought at Staples or Office Max. It has been brought to the attention of the Planning Board, the Selectmen, and anyone else that has been in attendance at numerous Route 20 forums that have been held over the last couple of years. Especially in the winter months during Daylight Savings Time; the ability for someone driving by a store at 30 or 40 miles an hour on Route 20 and determine if they're open is extremely difficult because many businesses will leave their lights on for security purposes. There has been a strong request by the business owners to allow these small signs which they can turn on to indicate they're open or there's some sort of product available that'll draw people in. There's a strict and specific limitation on it.

He went on to say that they had many conversations and have spent a great deal of time both:

- Discussing the fact that no one on the committee would like Route 20 to turn into the next Route 9 or even Route 20 in Marlboro.
- We wanted to make very sure that everything we put into this Bylaw stayed within the overall aesthetic taste.

You may have noticed, while driving around Town, there are “open” sign at “Domino’s”, at “Sweet Peppers” in Mill Village, along with a couple others in Town. They are not offensive, are relatively small, and help the business owners advertise that they are open for commerce at the later hours and during darkness in the winter.

Robert Coe, Churchill Street, also recommended disapproval of the amendment. Despite the Planning Board’s rather comically unscientific re-definition of neon, we’re better off leaving this Article alone. As far as neon is concerned, not all neon signs are unattractive, nor are the use of neon signs automatically tacky. He thinks Sudbury’s Sign Bylaw has always been too tough and is probably still too tough. He thinks that we should leave well enough alone at this point.

Rod Demille, Concord Road, thinks that the general business world just wants to alert the public when they’re open, not necessarily when they’re closed. He would like to see the amendment defeated.

The Moderator, seeing no one else who wanted to be heard on the motion to amend asked all those in favor of the motion to amend, please indicate by raising their cards, any opposed.

He announced that the motion to amend is DEFEATED.

We’re back on the main motion under Article 49. He asked if anyone else wanted to be heard on the motion under Article 49.

Ralph Tyler, Deacon Lane, said that he was opposed to this Article in its entirety. We are almost at a gridlock now on Route 20. He commented on the size of the signs the Planning Board has proposed. He showed a slide and talked about traffic figures that had been prepared by the Massachusetts Highway Department and general statistics of traffic for various types of businesses. He started talking about Mill Village and was interrupted by a resident who had a Point of Order.

The Moderator told the resident that as he understands it, Mr. Tyler is making an argument that he doesn't think the motion should pass.

Mr. Tyler said that was correct and the premise that the Planning Board talks about in their report is to make more traffic on Route 20, and he said he was talking to that issue.

The Moderator overruled the Point of Order and told Mr. Tyler he could continue, for five minutes.

Mr. Tyler continued saying that Mill Village brings us about \$3.8M in assessed value, the 1776 Plaza about \$4.6M, and the revenue from the Raytheon plant with all their traffic was about \$563,000 a couple of years ago. So the expected peak hour vehicles per 100,000 square feet are about 223. Another slide was shown and he said that these are the traffic counts. You have a major through road capacity, which is what we have on Route 20. 1000 to 1100 vehicles per hour; the peak morning traffic is 959. The idea that somehow we're going to get all these big signs to attract people from all over the greater Boston area coming to Sudbury, then suddenly we're going to generate huge amounts of tax revenue that's going to somehow help us deal with these escalating tax bills is just fantasy land. He urged defeat of this motion.

Russ Kirby, 244 Boston Post Road, said that he wanted to advise the people in the Hall to vote against this Article, from a totally different perspective, that being public health and safety. What we've seen tonight is a proposal to make signs more eye-catching, that is, to attract the eyes of the motorist who are traveling up and down Route 20. As was just pointed out, the traffic on Route 20 is heavier than the roads were designed to handle. If we're going to be allowing signs along the roadway that will act like cell phones by distracting operators of the vehicles from the traffic on the road, then he thought we were making a terrible mistake. In addition to that, he said that he didn't see any mention in the Article regarding the placement of signs so as not to interfere with the sight distances at the entrances and exits from the various shopping areas. A case in point is Mill Village. The western entrance to Mill Village has a sign posted out there that obscures the oncoming traffic from the left-hand side. It's in the midst of a reverse curve on the roadway, the natural sight distances are bad and the sign they put there makes it worse. At the eastern access, often times you find an A-sign set up there, right at eye level. When someone's coming out that end they can't see the eastbound traffic approaching when the light is green. Any Sign Bylaw should address this problem directly and make sure that no sign will be placed along a roadway in such a manner that it would obscure the vision of the motorist. He said he recommends a "no" vote on this Article.

Ralph Tyler, Deacon Lane, said this Bylaw is a work in progress and not yet worthy of being voted into action. Remember, if this gets voted in, and if every

loophole that's in here, every large sign, people are going to move as quickly as possible to take advantage of it. You will not be able to undo the damage that will come next year. You won't be able to say, oh, lets scale it down, it'll be too late. He strongly urged the Hall to defeat this Article.

Robin Gunderson, 95 Fox Run, said that she has called Sudbury home for the past three years and that she still doesn't know where every business is nor does she know their hours of operation. She thought this motion strikes a balance between the needs of the local businesses and the character of our community. She said she would put her trust in the Design Review Board because everything would have to go before them. She urged the Hall to pass it.

Jody Kablack, 46 Poplar Street, said what she thought needed to be addressed here was the scope of things that the Planning Board has been trying to achieve throughout the course of the last five or six years. The Planning Board's mandate was brought through a very large planning process with the committee called the Strategic Planning Committee and that committee charted a future and actually defined what the character of Sudbury is. She said she would challenge the Hall to think that anything the Planning Board has brought before them in the last five years has given away the Town. We are clearly not trying to make Route 20 look like Route 9. What we have been focusing on in the past few years is working with the businesses; we have been speaking with them and holding meetings with them. They have told us that signage is a real problem with them. The businesses rely on many out of town guests, not just Sudbury residents. The provisions brought forth in the Sign Bylaw are very minimal. The Design Review Board works one-on-one with every applicant to make sure that sign is good for the Town. The other point that she wanted to make was that most of the signs we don't like, that probably impede site distance, are existing signs. They are grandfathered under the Massachusetts General Laws and the Town is powerless to make businesses tear them down unless the business changed substantially or the sign changes substantially. She urges support of this Article.

Mr. Meixsell, 34 Barton Drive, said that he had been on the Strategic Planning Committee and also on the Planning Board and their experience was that they were unable to enforce the Sign Bylaws. He feels that this is going to make it even more difficult and wasn't sure how much consideration had gone into the inability to enforce the current Sign Bylaws. Unfortunately, he feels that he will have to vote against this Article.

The Moderator seeing no one else that wanted to be heard, asked those in favor of the motion under Article 49, please indicate by raising your card, all those opposed.

Mr. Dignan stated in the opinion of the chair, the vote is not two-thirds in favor, therefore, he declared the motion under Article 49 DEFEATED.

The Moderator announced this adjourns us until tomorrow night unless two-thirds of the Hall votes otherwise. There was no motion made to continue.

It was 10:50 p.m. and Mr. Dignan declared that the meeting was adjourned until 7:30 p.m. tomorrow evening.

Attendance: 651

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 9, 2003

Pursuant to a Warrant issued by the Board of Selectmen, March 18, 2003 the inhabitants of the Town of Sudbury qualified to vote in Town affairs, met in the Lincoln-Sudbury Regional High School Auditorium on Wednesday, April 9, 2003, for the third session of the Annual Town Meeting. The meeting was called to order at 7:35 PM when a quorum was present.

The Moderator announced that the first order of business was to announce that a proper motion to reconsider has been filed with respect to the defeat of the motion under Article 49 last night and with conformity of the rules of which we operate; this will be the first order of business in the session we're going to have on May 21, 2003. It will not be taken up tonight; it will be taken up as the first order of business on May 21st.

ARTICLE 50. AMEND ZONING BYLAW, ART. IX.4243.k - WATER RESOURCE PROTECTION OVERLAY DISTRICTS, IMPERVIOUS SURFACE LIMITATION

To see if the Town will vote to amend the Zoning Bylaw, Article IX, Section 4243.k by deleting the words “, but less than 25%,” so that section reads:

“4243.k: Any use that will render impervious more than 15% of any lot, or 2500 square feet, whichever is greater. A system for groundwater recharge must be provided which does not degrade groundwater quality. For non-residential uses, recharge shall be by stormwater infiltration basins or similar system covered with natural vegetation, and dry wells may be considered only where other methods are infeasible. For all non-residential uses, all such basins and wells shall be preceded by forebays, or oil, grease, and sediment traps or other best management practices to facilitate removal of contamination. Any and all recharge areas shall be permanently maintained in full working order by the owner.”;
or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

William Keller, 31 Churchill Street, Chairman of the Planning Board speaking on behalf of the Planning Board tonight made a motion to Indefinitely Postpone Article 50.

It received a second.

Mr. Keller said that the Article is a proposal by the Planning Board to improve storm water management, which he said they believed, would protect the quality and quantity of our drinking water. The intent is to provide an incentive for the redevelopment and/or upgrading of commercial properties that lie within Zone 2, aquifer recharge area, primarily along Route 20. Most of the properties in this area pre-date our present Zoning and do not comply with the current provisions of the Water Resources Protection District Bylaw. They can continue operating as is; there presently is no incentive for those property owners to improve their properties. The vast majority of these properties have no storm water controls. It is the boards belief, by providing more flexibility in the Bylaw they can allow business owners to upgrade their properties, increase their economic potential, hopefully increase the tax base, and at the same time achieve better protection of ground water resources in the area. To accomplish this, we drafted the present Article, we circulated copies throughout January, and we held a public hearing to invite citizen input and presented this proposal to a meeting of the Conservation Commission on February 10th. Unfortunately, with the busyness of everyone's schedules the Conservation Commission was not able to provide us with any formalized feedback until just about a week ago. The Commission has communicated their regret over not responding to our presentation in a more timely matter and expressed to us their desire to work with the Planning Board on broader and more creative solutions to the storm water management problems along Route 20. They have requested that we indefinitely postpone the present Article. The Planning Board would very much like to honor their request and we look forward to bringing you a jointly sponsored proposal to the next Town Meeting addressing this storm water management problem along Route 20.

FINANCE COMMITTEE: Takes no position on this Article in any event.

BOARD OF SELECTMEN: The Board of Selectmen urges support of the Indefinite Postponement.

Mark Ensign, 44 Bent Road said that he was a Conservation Commissioner and was here tonight on behalf of the Conservation Commission. The Conservation Commission applauds the Planning Boards efforts to enhance the prosperity of Sudbury through the encouragement of economic development of underutilized properties and we also commend their intent to preserve and protect Sudbury's valuable resources. The Conservation Commission concurs with the Planning

Boards decision to postpone Article 50 and we look forward to working with the Planning Board on the further evaluation of this Bylaw amendment.

Mike Meixsell, 34 Barton Drive said he wanted to indicate that he was in favor of Indefinite Postponement. He wanted to indicate five items which he hoped would be addressed in the Article when it's brought before Town Meeting again.

- **The report in the Warrant should explain why the upper limit of 25% was placed on the impervious surface in the first place and how that limit was chosen.**
- **Depending upon when they bring the Article back before Town Meeting, should take into account the implications of the forthcoming Federal and State storm water regulations.**
- **We should have information on how many sites could potentially be affected by eliminating the upper limit on 25% of impervious surface.**
- **We would like to know what the problems are and how serious each of the problems is.**
- **Article 50, at least in its present form, would require the construction of additional storm water devices and basins. It would be desirable to know what additional budget and staffing would be required for effective monitoring and enforcement.**

He said he knew it would be impracticable for the Warrant to contain all the details. However, at a minimum it should contain a map of the effected area and should address all of the sites that are problem sites, as well as all other sites which could increase the impervious surface if Article 50 were to pass. In addition, we should know how many total acres of impervious surface would be allowed to be added to the current number of acres. The Warrant should at least summarize the five items mentioned. The data information and studies should also be distributed sufficiently well in advance of Town Meeting so that the interested parties have time to check the data to evaluate their conclusions. He supports the Indefinite Postponement of Article 50.

The Moderator seeing no one else that wished to be heard under the motion to Postpone Article 50, asked all those in favor to Indefinitely Postpone Article 50, to indicate by raising their cards, all those opposed.

The Moderator announced that the Motion to Indefinitely Postpone Article 50 Carries.

The Motion to Indefinitely Postpone Article 50 was VOTED.

ARTICLE 51. AMEND ZONING BYLAW, ART. IX.2230 - TABLE OF PRINCIPAL USE REGULATIONS, APPENDIX A

To see if the Town will vote to amend the Zoning Bylaw, Article IX, Section 2230, Table of Principal Use Regulations, by amending Appendix A to permit the following uses in Limited Industrial Districts (LID) and Industrial Park Districts (IPD), where they are presently prohibited:

Wholesale, warehouse, self-storage, mini-warehouse or distribution facility;

or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required)

Jody Kablack moved in the words of the Article.

It received a second.

Jody Kablack, Town Planner said as mentioned at both the 2001 and 2002 Annual Town Meeting the Zoning Bylaw is a dynamic document that we anticipate bringing back to Town Meeting for revision as the need arises. We did this last year with several minor revisions, and the Planning Board has been working on more minor revisions and we have three Articles purposed this year for Town Meeting.

One issue that was identified by the Planning Board during the 2001 comprehensive revision to the Bylaw, which has yet to be completed, was an in depth look at the Use Table, the Zoning Bylaw Use Table, to insure that the uses that are allowed under the Use Table are compatible with the Towns' goals. This was a large project that the comprehensive revision did not undertake; it was one of the points that were picked out for further study. Some changes to the Use Table were made in the 2001 comprehensive revision. This Article tonight contemplates one additional change. While the Planning Board has not completed the in-depth study of these tables, this one area we thought warrants consideration tonight.

The Industrial Use category of the Bylaw is limited in Sudbury, allowing only five types of Industrial uses as the slide shows. However, in two of those districts, Limited Industrial District and Industrial Park District only three of the five uses are permitted by right. Those by-right uses, as you can see on the chart, are light manufacturing, research and development laboratory, and manufacturing. What we're asking for tonight is the use which includes wholesale, warehouse, self-storage, mini warehouse, and distribution facilities to be allowed in these districts, currently they are prohibited. The purpose of this Article is to allow those uses in all three of Industrial Districts.

The only parcels that are contained in these two districts are:

**Chiswick Park
Saxonville Lumber
The former New England Door parcel
Raytheon
Town Landfill
Methods Machines**

Given that these parcels contain some of the largest commercial buildings in Sudbury and land suitable for large buildings, they are appropriate for the wholesale and warehouse use.

The current Zoning allows few options for these parcels; business or professional use offices, banks, commercial, and recreation facilities are the only by-right uses in these districts. Several uses are also allowed by special permitting, including kennels, funeral homes, adult day care centers, bed and breakfast establishments, and indoor commercial recreation. The inability to use these large buildings for the types of uses creates an obstacle to the resale of the properties. While redevelopment of these sites into higher assessed business uses, such as office may happen in the future, at the present time their market ability has decreased due to the size of the buildings on them.

This Article seeks to further implement the economic development goals of the 2001 Sudbury Master Plan of promoting economic growth in the existing developed areas, seeking to retain businesses in Sudbury by recognizing their needs and working together in partnership. The Planning Board urges your support.

FINANCE COMMITTEE: Takes no position on this Article.

BOARD OF SELECTMEN: Support this Article.

Seeing no one else that wished to be heard on the motion under Article 51, the Moderator asked all those in favor to indicate by raising their cards, all those opposed.

The Moderator announced that it passes by a clear two- thirds vote.

The motion under Article 51 was VOTED

**ARTICLE 52. AMEND ZONING BYLAW, ART. IX. 2600 App. B & s.2641 -
FRONT YARD SETBACK IN RESIDENTIAL DISTRICTS**

To see if the Town will vote to amend Article IX, Section 2600, Appendix B - Table of Dimensional Requirements, of the Zoning Bylaw by deleting there from in the "Min. Street Centerline Setback (ft.)" column the 65' dimension for A, C and WI Districts and changing the Minimum Front Yard setback requirements for those Residential Districts from 35' to 40'; and to renumber existing Section 2641 to 2641A and insert a new Section 2641B to read as follows:

"2641B. Minimum Front Yard. In all residential districts, any conforming front yard setback in existence at the time of the adoption of this Bylaw amendment shall continue to be considered a conforming setback for the purpose of this Zoning Bylaw. For the purposes of zoning, a corner lot shall be considered to have two front yard setbacks.";
or act on anything relative thereto.

Submitted by Petition on behalf of the Building Inspector. (Two-thirds vote required)

Jim Kelly, Building Inspector, moved in the words of the Article.

It received a second.

Jim Kelly, Building Inspector for the Town of Sudbury, said as stated in the Warrant, this Article is to simplify the Bylaw. We currently have two different numbers in the Bylaw for essentially the same thing, that being Minimum Front Yard Requirement. This Bylaw change will eliminate one of those numbers and make the Bylaw more consistent and easier to read.

FINANCE COMMITTEE: Has no position on this Article.

BOARD OF SELECTMEN: Support this Article.

PLANNING BOARD: Recommends approval of this Article. As Mr. Kelly has said, this will make it a lot easier for him to do his job and we should have just one Front Yard Setback.

Robert Coe, 14 Churchill Street, wanted a little bit more of an explanation as to what's going on here. According to the Warrant, the setback used to be the centerline of the road, and now it's from the edge of the street, and so what used to be 65 feet is now 40 feet, is that what's proposed? He wanted to know if there are

still lots that do extend to the center line of the road and is this change going to change the distance back from the edge of the road. In other words, is this just to clean up something for historical reasons that have two different numbers or does it actually affect some parcels and change what the set back requirement is relevant to today's standards.

Jim Kelly replied that it was basically to clean up the Bylaw. What the Bylaw is today is the minimum street centerline setback is 65 feet or 35 feet, whichever is greater. The streets today are built 50 feet wide, so if you go from the center of a 50 foot right of way you'd add 25 feet for that half of the right of way and 40 more feet from that point, which would be the lot line that would equal 65 feet. Essentially, there would be no change from current zoning, the 40 feet would just cleanup, 35 feet only comes into play on a cul-de-sac parcel. That cul-de-sac parcel in the future will just have to be 45 feet. It'll make the Bylaw a lot cleaner and easier to read. It's complicated, but this whole process will have no change to the current Front Yard Setback.

Martha Coe, 14 Churchill Street, said she was a former Highway Commissioner, many years ago. These dedicated ways like we heard of last night, like the ones for the Scenic Road Designation from 1841 and so forth, whenever we came in with walkways we would run into problems because we wouldn't know where the edge of the street was. That's because when these streets were ruts in the road they didn't really know where the center of the street was, where the end of the person's property was, and that sort of thing. Have these Scenic Roads been considered when you wrote this?

Mr. Kelly explained to her that they can determine the lot lines on either side of the road, but we can't determine the minimum of the center of the right of way of those roads. Because your right of way may be 30 feet, and the pavement only 20 feet, and that pavement could be over to the left side of that right of way.

Seeing no one else that wished to be heard on the motion under Article 52, the Moderator said all those in favor indicate by raising your cards, all those opposed.

The Moderator announced to the Hall that it was a clear two-thirds vote in favor. He declared the motion passed.

The motion under Article 52 was VOTED.

ARTICLE 53. AMEND BYLAWS, ART. V.29 - DOOR-TO-DOOR SOLICITATION

To see if the Town will vote to delete Section 29, Door-to-Door Salesmen, of Article V, Public Safety, of the Town of Sudbury Bylaws, in its entirety, and substitute therefore the following:

"Section 29. Door-to-Door Solicitation

- (a) **Purpose.** This Bylaw, adopted pursuant to G.L.c. 43B, s.13 and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, establishes registration requirements for all persons intending to engage in door-to-door canvassing or solicitation in the Town of Sudbury in order to (1) protect its citizens from disruption of peaceful enjoyment of their residences and from the perpetration of fraud or other crimes; and (2) to allow for reasonable access to residents in their homes by persons or organizations who wish to communicate either commercial or non-commercial messages.
- (b) **Definitions.** The following terms shall have the meanings set forth in G.L.c. 101, s.1 et seq., and are summarized for the purposes of these regulations as follows:
- (1) **"Transient Vendor", "Transient Business":** A transient vendor is a person who conducts a transient business for profit. A transient business (temporary business) is any exhibition and sale of goods, wares or merchandise which is carried on in any structure (such as a building, tent, or booth) unless such place is open for business during usual business hours for a period of at least 12 consecutive months.
 - (2) **"Hawkers and Peddlers":** Any person who goes from place to place within the Town selling goods for profit, whether on foot or in a vehicle, is a hawker or peddler.
 - (3) **"Door-to-Door Solicitation":** Any person who travels from door to door within the Town soliciting something for any organization not incorporated under Chapter 180 of the General Laws (not-for-profit organizations), whether selling something or not, is conducting door-to-door solicitation.
 - (4) **"Person":** For purposes of these regulations, the persons being regulated herein are those persons over the age of 16 who are engaging in the activities regulated herein for or on behalf of for profit organizations.
- (c) **Scope.** These regulations shall apply to all persons conducting the foregoing activities within the Town.

- (d) **Compliance Requirements.** Each person engaging in the foregoing activities shall be subject to, responsible for and fully in compliance at all times with the following requirements:

(1) **Registration Requirements.**

(i) Persons not registered (licensed) by the State shall make application for a Town of Sudbury registration card to the Chief of Police, on a form containing the following information: the applicant's name, signature, home address; at least one (1) form of photo identification issued by a State or Federal agency; the name, address, and phone number of the owner or parties in whose interest the business is to be conducted, and their business address; a brief description of the business to be conducted within the Town; identification of vehicles that will be utilized for this purpose; the applicant's social security number; whether the applicant has ever been charged with a felony, or any of the following misdemeanors:

assault or assault and battery,
breaking and entering a building or ship with the intent to
commit a misdemeanor,
any form of larceny or fraud,
buying, receiving or concealing stolen goods,
deceptive advertising, or violation of consumer protection laws,
making or publishing false statements,
trespassing on property after prohibition,

and if so, the disposition; and whether there are any outstanding criminal proceedings. The application shall be made under oath. The applicant shall be photographed, and his or her fingerprints taken for the purpose of identification. The Chief of Police shall approve the application within five (5) days of its filing unless he determines either that the application is incomplete, the applicant is a convicted felon, has been convicted of any of the above listed misdemeanors, or is a fugitive from justice. If the application is approved, the Chief shall cause to have a registration card issued within three (3) business days. The registration card shall be in the form of an identification card, containing the name, signature and photograph of the licensee. Such card shall be non-transferable, and valid only for the person identified therein and only for the purpose as shown on the license. The card shall be valid for a period of thirty (30) days from the date of issuance (or if the expiration date is not a business day, the expiration date will be on the next business day following). Any such

registration card shall be void upon its surrender or revocation, or upon the filing of a report of loss or theft with the Police Department.

(ii) Persons registered (licensed) by the State shall not be subject to the foregoing paragraph, but shall report to the Chief prior to conducting his or her business within the Town, and shall provide the Chief of Police with a copy of his or her State registration or license.

(iii) Registration card or license to be carried on person of licensee. Such State or local registration card or license shall be carried on the person of licensee while the business activity is being conducted, and shall be provided to any police officer upon request or command. In the case of a transient business, the license shall be displayed visibly within the structure where such business is being conducted. Such registration card or license, if issued locally, shall be the property of the Town of Sudbury and shall be surrendered to the Chief of Police upon its expiration.

(iv) Registration card (license) fee. The filing of a State license as required shall not be subject to a fee; the fee for a local registration card (license) shall be \$25.00.

(2) Restrictions on activity. No activity governed by these regulations shall be conducted upon public or private premises which has been duly posted "No Solicitation", or words of similar meaning, or when the owners of said property have registered with the Police Department and requested to be placed on a "No Soliciting" list. The residents on this list have contacted the Sudbury Police Department to record the fact that there is to be no soliciting on their property. It is the responsibility of each solicitation group to provide a current copy of this list to each member of their group to be carried on his or her person while the business activity is being conducted. Violation of the "No Soliciting" list is cause for penalty to solicitors up to and including arrest for trespassing after notice.

(3) Duties of solicitors. Immediately upon entering any premises, the solicitor or canvasser must present his registration card for inspection by the occupant, request that he or she read the registration card and inform the occupant in clear language the nature and purpose of his or her business and, if he or she is representing an organization, the name and nature of that organization.

Any solicitor or canvasser who has entered any premises shall immediately, and peacefully, depart from the premises when requested to do so by the occupant. It shall be the duty of every organization employing solicitors or canvassers to notify the Police Department daily as to the area(s) of Town in which they will be operating.

- (e) **Penalties.** Any person or organization that violates any provision of this bylaw shall be subject to a fine of \$50 for the first offense and \$100 for each subsequent offense within any one twelve-month period, each subsequent offense constituting a separate offense. Any person or organization who knowingly provides false information on the registration application shall have his, her or its registration revoked by the Chief of Police by written notice delivered to the holder of the registration in person, or sent to the holder by Certified Mail at the address set forth in the application.
- (f) **Appeals.** Any person or organization who is denied registration, or whose registration has been revoked, may appeal by filing a written notice of appeal with the Board of Selectmen. Such appeal must be filed within ten (10) days after receipt of the notice of denial or revocation. The Board of Selectmen shall hear and determine the appeal within thirty (30) days after the filing of the written notice of appeal.
- (g) **Exemptions.** These regulations shall not apply to any persons conducting a temporary sale of items upon his or her property commonly known as a "garage sale" or "yard sale", nor to any persons engaged in the foregoing activities for or on behalf of a not-for-profit organization incorporated under Chapter 180 of the Massachusetts General Laws.
- (h) **Severability.** Invalidity of any individual provisions of this bylaw shall not affect the validity of the bylaw as a whole.";

or act on anything relative thereto.

Submitted by the Police Chief.

(Majority vote required)

Peter Lembo, Town of Sudbury Police Chief moved in the words of the Article, except that the words "charged with" shall be changed to "convicted of" in paragraph (d) (1) (i).

The motion received a second.

The Police Chief explained the purpose of this new Bylaw. The Bylaw that is now in place is unconstitutional because of the decisions of many court cases that have come down over the last few years.

We've had a lot of complaints over the last two-three years about door-to-door salesmen. What we're attempting to do with this Bylaw is to regulate the movement of these people when they come into town. We want to register them, check them out, see that they are not convicted felons, or have any serious misdemeanors. In the past we have had problems with salesmen that have come in

from out of state. We had a rape case of an elderly woman off Peakham Road some years ago. We've had kidnappings of girls in town by these door-to-door salesmen, elderly that have been scammed, various types of assault and battery, and various types of crimes. By supporting this Article you'll give us some tools to deal with these people that come into Town.

FINANCE COMMITTEE: Has no position on this Article.

BOARD OF SELECTMEN: The Board of Selectmen looks at this as a public safety issue and thinks this is really something needed in town to give the Chief power to protect the public. The Board urges support of this Article.

Judy Deutsch, 41 Concord Road, wanted to know what is the unconstitutional part of the present Bylaw under which we're operating and how would that be corrected by the one you've submitted.

Chief Lembo said he believes that's addressed in the last part. Recent court decisions have rendered the Town's current Bylaw unconstitutional by prohibiting commercial door-to-door solicitation as unenforceable. We went to several surrounding area towns like Weston, Wayland, Wellesley, and Hudson to see what they had for Bylaws and we tried to put it together so that we'd have something beneficial to the citizens in Town. This doesn't prohibit Girl Scouts from going around selling cookies or non-profit organizations from door-to-door solicitation.

We'd like to know who these people are that come into Town selling magazines, pots and pans, etc. We'd like them to register with us, we'd like to take their pictures, fingerprint them, so we can check their records. Now with the new Sherlock system we can see if a person is wanted in another State or some other surrounding Towns. It's a good tool for us to know who exactly is walking around the neighborhood.

Ms. Deutsch asked if they would have to register each time they came back into Town. The Chief replied "Yes, that's addressed in the Bylaw.

Thomas Hollocher, 623 Concord Road, made a motion to Indefinitely Postpone this Article.

It received a second.

Mr. Hollocher said he had wanted to make a presentation, but since there was no projector for him to show his presentation he'd just read it. Selling things door-to-door is a time honored feature of free enterprise capitalism. He said indeed many of us have made money during high school and college pedaling magazine or newspaper subscriptions, cosmetics, books, etc., including myself. He said that

Article 53 is written in such a way as to discourage door-to-door marketing in its effort to regulate the practice and is ambiguous or incomplete on important points.

He had a list of 8 points he wanted to cover:

- **In section d1 (i) the wording allows the Police to collect information that they do not need and should not have in his opinion. The applicant is supposed to divulge whether he has ever been convicted of a felony. Taking the word “ever”, he said in his case that could be 58 years ago. He thinks that ancient history is really not relevant in this matter. There should be a definite period of relevance, say 5 years, with regard to convictions. The applicant shall be photographed and have his fingerprints taken. He said he would be loathed to have his fingerprints taken in order to get a permit for anything to the Police of Sudbury.**
- **Section d 1 (i) It allows the Police Chief, who would issue permits, little or no discretion in making decisions on permits. The wording says the Chief shall approve the application within 5 days unless he determines the applicant is a convicted felon, convicted of any of the above list of misdemeanors or is a fugitive from justice. Now, what does this mean? Does it mean that approval will be made in something greater than 5 days or does it mean, not at all. The wording stipulates the time period to obtain a permit that in his view is unreasonably long and might discourage applicants. It could take up to 5 days for a decision, 3 days to make up the card, an unknown number of days to notify the applicant, 2 days for one weekend, possibly 10 days we’re talking about here. This amount of time he feels is unreasonable, particularly for young people who may be selling books or magazines, and who may be housed in local hotels.**
- **Section d 1 (i) allows the permit to be valid for an inflexible period, 30 days, rather than for a greater or lesser time to meet the needs of the applicant.**
- **Section d 1 (i) fails to set forth a procedure for a fee, for reapplication or renewal of the existing permit.**
- **Section d 1 (iii) stipulates a fee of \$25.00, which could be considered excessive for some solicitors and its something on which he would hope the Police would have discretion to waive in his good judgment.**
- **Section f proposes a long and perhaps meaningless appeals process that could take up to 40 days to complete and would expect the**

Selectmen to second guess the Chief of Police on matters of public safety and trust.

- The Article seems to have no explicit provision for a collective company permit under which the company would be responsible for its employees through bond insurance or related devise.

In conclusion, he said that he was sympathetic with the possible need for some regulation of house-to-house marketing and solicitation. The process leading to permits ought to be expedient, simple, and intrude as little as possible into an applicant's privacy, rather than drawn out and confused.

He urged the Hall to support Indefinite Postponement until this Article can be carefully reconsidered and rewritten.

Robert Coe, 41 Churchill Street, said he wasn't sure why Mr. Hollocher would make the motion to Indefinitely Postpone this Article when it would only require 34% to defeat, for one that would take 50% to get it postponed. All that aside, he said that he thinks he sees his point. If this Article had been proposed by John Ashcroft, it would not get 50 votes in this Hall.

The Moderator explained that Mr. Hollocher's motion to Indefinitely Postpone would only requires a majority vote, not a 2/3rd vote as Mr. Coe had thought.

Harold Homefield, 16 Curtiss Circle, said that he thought the Police Chief's concept was a very good one. He would resent anyone coming to his door and bothering him; if he needs anything, he knows where to go to purchase it in town.

Betty Farmer, 46 Greenhill Road, said when she came into the Hall tonight she heard someone using rather strong language about people who call door-to-door selling something. Back in the 70's and 80's I called on many people as I was regional manager for World Book Encyclopedia and had trained people for door-to-door sales. At the time Wayland had a very good rule that you had to go to the Police Department to register, but you didn't have to be fingerprinted like a criminal, you didn't have to have your picture taken, and you were treated like a human being. She said Sudbury should do the same. Unless they come up with a ruling that is reasonable, she thought maybe we ought to vote for postponement.

The Moderator announced that there had been a call for the question. Seeing no one else that wanted to be heard, he asked all those in favor of the motion to Indefinitely Postpone Article 53, please indicate by raising your cards, all those opposed.

Mr. Dignan said the motion to Indefinitely Postpone Article 53 is **DEFEATED**.

We are now back to the main motion.

Steve Wishner, Fox Run, proposed an amendment to this Article. He said he thought that one of the points made by the last speaker was a rather good one and he wanted to correct something in the Article that he thought may have been incompletely drafted. In the sentence on page 38 in the Warrant that says "*The Chief of Police shall approve the application within 5 days of its filing unless he determines (strike the word either) either that the application is incomplete. (New sentence) If the applicant is a convicted felon, has been convicted of any of the above listed misdemeanors, or is a fugitive from justice, (he would then like to add the words) the application shall not be approved*"

The Moderator said that amendment basically makes explicit what perhaps is implicit in the current language.

Mr. Wishner said "yes", he thought it was intended in the language if the individual is a convicted felon, fugitive, or convicted of the misdemeanors listed therein, that person would not to be able to roam around town.

The motion to amend received a second.

Pete Lembo, Chief of Police said as far as the misdemeanors listed, in the General Laws there are about a 1000 listed, it would be impossible to put all those misdemeanors into this Article. We'd like to look at each individual application to make a determination based on whether or not that person is fit to be selling door-to-door in the Town of Sudbury. This is what is requested from us pertaining to solicitation. We have hundreds of calls at the Police Station every year, asking us what we are doing about these people. Residents do not want them in their yards, they're rude, they refuse to leave the property. We need some tools to regulate this problem.

The Chief of Police's concern with this amendment was that it forces him down to a very narrow scope where he could refuse the permit.

The Moderator addressed the moving party of the amendment. He said that the problem with the language that the Chief is seeing is that, by making that change, you reduce the basis on which he can refuse an amendment to very explicit things as opposed to his also having the right to refuse the application if it is just in the general judgment of the Police Department that this is not an individual they want around Town.

Mr. Dignan asked if Mr. Wishner wanted to know if that affected his amendment and whether he wanted to continue with the amendment or not.

Mr. Wishner said that he thought that the way the Article was drafted was quite unclear as to what action would or even should be taken. It's unclear why we would list these misdemeanors if these are not the ones that we're concerned about.

The Moderator said the Chief's point is that he can't list them all, and there may be a guilty on a misdemeanor that comes up that is not on this list and it would, as the Chief said, be impossible to list them all.

Mr. Wishner said that he would withdraw the amendment, if it's the Chief's sense this undermines what he's trying to achieve.

The Moderator said now we are back to the main motion.

Thomas Hollocher, 623 Concord Road, had a question for Counsel. He wanted to know if the Town of Sudbury has the right or prerogative to deny a person convicted of a felony or misdemeanor from receiving a permit on those grounds alone.

Mr. Kenny, Town Counsel, said the Bylaw, if passed in this form is legal and the Town can in fact enforce it.

Mr. Hollocher said that he would like the amendment that was just withdrawn to be reconsidered because it is quite unclear in the present wording what the Police Chief is doing or can do after five days.

Mr. Hollocher resurrected the previous amendment.
It received a second.

A resident wanted clarification of the amended language. She wanted to know how the wording that is proposed tonight differs from Section 29 that is currently on the books. She said that she wasn't familiar with how the existing Bylaw reads.

The Moderator said that wasn't addressing the amendment, but let's get it out of the way.

Mr. Kenny, Town Counsel, answered saying that the present Bylaw prohibits door-to-door solicitation.

Mr. Dignan, Moderator, said we have this amendment on the floor, and asked if anyone else wanted to be heard on this amendment. Seeing no one, he asked if all those in favor of the motion to amend to please raise their cards, all those opposed.

He announced that the motion to amend was DEFEATED.

We are now back to Chief Lembo's original motion, and asked if anybody wanted to be heard on that.

A resident said he had a Point of Order. He went on to say that Town Counsel just said that the original Bylaw flat out prohibits solicitation door-to-door, and yet we have lots of door-to-door solicitors, so the law hasn't eliminated the irritation or risks associated with door-to-door solicitation. He didn't see how this is going to change anything one iota and if somebody has ill intent, he didn't think they would go to the Police station and get a permit. He didn't think we were any better off with this Bylaw than we are with the current one.

Cynthia Kazior, 34 Blacksmith Drive, said that as a parent who lives in Sudbury and as a volunteer of the school system, she recently had to fill out a handout that basically said that they were allowed to get a criminal record on anyone who volunteers for the schools. Therefore, she said she didn't have a problem with the Town getting a criminal record on someone that wants to knock at her door. It seems like we are arguing on the language. She said she didn't know if it would help any to say if you're allowed to get a criminal record on your resident, let's just go and get a criminal record on door-to-door solicitors and leave it at that. Would that simplify anything?

Phil Mighdoll, 787 Concord Road, had a question for Town Counsel. There was a question earlier to the Police Chief as to what was unconstitutional about the prior law. Is the unconstitutionality the fact that we did not wish to have door-to-door salesmen in this town at all? He asked if that was unconstitutional.

Town Counsel said that was correct but the Bylaw presented tonight seeks to change that. We have been unable to enforce the Bylaw because of the United States Supreme Court's decision that a similar Bylaw was unconstitutional. This Bylaw seeks only to regulate door-to-door salesmen not curtail them.

The Moderator seeing no one else that wished to be heard on the motion under Article 53 asked all those in favor of the motion under Article 53, please indicate by raising their cards, all those opposed.

The Moderator announced that the motion carries.

The motion under Article 53 was VOTED

ARTICLE 54. SPECIAL ACT - SENIOR CITIZEN REAL ESTATE TAX EXEMPTION

To see if the Town will vote to petition the General Court of the Commonwealth of Massachusetts to enact special legislation to provide that the Assessors of the Town of Sudbury shall use the Senior Citizen Real Estate Tax Exemption as described below:

"SENIOR CITIZEN REAL ESTATE TAX EXEMPTION

Section 1. Purpose

The purpose of the Senior Citizen Real Estate Tax Exemption is to encourage Sudbury's senior citizens to remain in the community adding to its vitality and character. High real estate taxes often force or encourage senior citizens to sell their homes and move. As a consequence, these homes are often bought by families seeking to move to Sudbury for the quality of its school system thereby further pressuring school enrollment and budgets. The Senior Citizen Real Estate Tax Exemption is designed to reduce the tax burden for all of Sudbury's senior citizens living in single-family homes to encourage them to remain in their homes.

Section 2. Qualifications

The Senior Citizen Real Estate Tax Exemption only applies to an owner occupied single family residence where: (1) at least one of the owners owning at least 50% of the residence is at least 60 years old and (2) there is no one staying in the residence for more than 60 days during the Fiscal Year who is either under the age of 6 years old or who attends a public or private pre-school, nursery school, elementary school, middle school, junior high school or senior high school or similar school. The minimum 60 year old age qualification shall be established as of July 1 at the beginning of each Fiscal Year.

The Senior Citizen Real Estate Tax Exemption shall be prorated for purchases or sales of real estate during the year as long as the other qualifications are met but shall not be prorated otherwise. To apply for an Exemption, the Property owner must file an application on a form prepared by the Board of Assessors, attest to the facts establishing qualification for the exemption under the pains and penalties of perjury, and file the application by the deadline date set by the Assessors. Each quarter, the owners shall be required to recertify their eligibility under the pains and penalties of perjury, by returning a recertification form prepared by the Assessors and mailed with each quarterly tax bill to those receiving the exemption.

Section 3. Exemption Amount

The initial Senior Citizen Real Estate Tax Exemption shall be the smallest of 50% of the real estate tax otherwise due on the property or 50% of real estate tax due for a house valued at the Average Residential Assessment for the entire Town.

Section 4. Changes in the Exemption Percentage and Maximum Amount

The Senior Citizen Real Estate Tax Exemption Percent can be changed by a two-thirds vote of Town Meeting. Increases can be voted to take effect at any time. The effective date for any decrease in the exemption percentage shall not become effective for at least four (4) years. Prior to any vote to change the exemption percentage, the Selectmen, and the Finance Committee shall each be required to hold a public hearing and then report to Town Meeting on their recommendations before any action can be taken.";

said petition to the General Court is to be made and legislation to take effect without further submission to the Sudbury Town Meeting, or act on anything relative thereto.

Submitted by Petition.

(Majority vote required)

The Moderator recognized Ralph Tyler for a motion.

Ralph Tyler moved in the words of the Article, except for the following changes:

Replace the first sentence in Section 2, paragraph 2 with the following: No property shall be granted a Senior Citizen Real Estate Tax Exemption that does not meet the qualifications as of July 1, the first day of the Fiscal Year. The Senior Citizen exemption shall be prorated during the Fiscal Year when a property ceases to be qualified; such as when the property is sold to a buyer who does not qualify for the Senior Citizen Real Estate Tax Exemption.

At the end of Section 3 add a new sentence as follows: The Senior Citizen Real Estate Tax Exemption shall be implemented by the Sudbury Assessors as an Exemption for each qualifying property, not as a Tax Abatement, so that the Senior Citizen Real Estate Tax Exemption Program does not result in a charge to the Town's Operating Budget.

In Section 4 insert the words or maximum amount before the words shall not

and add a Section 5 as follows:

Section 5. Severability

If any provision of this Special Act is ruled to be unconstitutional, the remaining portions shall remain in full force and effect.

The motion received a second.

The Moderator announced to the audience that the Lecture Hall was set up for anyone standing who wanted a seat. It is set up as such to be able to hear and see everything from there, but you would not be able to speak from there, so if you wanted to speak you would have to come back to the Hall. If you would like to be seated you can go to the Lecture Hall now and you will be able to observe everything, if you stay there for the vote, we will count the vote out there, so for those standing if you'd like a seat, that area is available.

Mr. Tyler was recognized in support of his motion by the Moderator.

Mr. Tyler said first of all he would like to request an extended time and would like to see if the Hall would grant him about 30 minutes. He hoped that it would take far less. There was commotion in the Hall.

The Moderator stated, as he had said the other night to the Hall that applause or laughter was good, but booing, hissing, and those kinds of comments were out. We will see what the Hall wants to do with a show of hands.

He addressed the Hall saying that Mr. Tyler has requested 30 minutes. It is an important Article, a lot of people are here tonight, it does not seem unreasonable to the Chair, this request, but it's up to the Hall. How many are willing to grant Mr. Tyler 30 minutes, how many are opposed to that.

The Moderator ruled that the majority gave him 30 minutes.

Before Mr. Tyler could begin, a resident wanted to know if the motion could be put up on the screen. The changes were put up on the screen to help clarify his motion.

Mr. Tyler said that he would explain the purpose of these minor changes, as he had recently learned about the process of tax assessing. One of the things that he learned which he didn't understand when this Article was written was that it's important you establish a fixed date for qualification. So, this change in the first sentence merely makes a property that does not qualify on July 1st, if somebody buys it that would qualify for a Senior Citizen Tax Exemption because they would have to wait until the following year in order to take advantage of that program. Otherwise, you would have problems about how do you set the tax rate if you have a floating pool of homes that are either qualified or not qualified.

The second change is in response to a number of concerns that were raised. Some people were interpreting this being around a \$4M or more charge against the operating budget, thinking that what we were trying to do was decimate the current operating budget of the Town. That wasn't our purpose and it's not necessary to

implement this for it to be a charge against the budget. This merely clarifies that, so as we work through this and if it passes tonight, we can show them how to do it.

In terms of the words, *maximum amount*, this was merely put in because we have a provision here to either by Town Meeting action in subsequent years, either to raise or to lower the percentage of senior citizen exemption.

There are two parts to that:

- One is the amount and then there's a maximum limitation that we just forgot in one sentence the word *maximum limitation*, so it just clarifies what the intent was.
- The last section on *Severability* is just one of those catchall things, so if somebody rules that there's some small part of this that might make it unconstitutional, that that in fact can be removed so that the senior citizens can get the benefit without having to start from ground zero, and go through this process all over again.

There was a Point of Order from a citizen concerning the provision that Mr. Tyler referred to in Section 4, amending the amount of the tax, calls for two-thirds majority and he's confused as to how a proposal.... The Moderator interrupted him telling him this was not a Point of Order, that it was a question on debate. Mr. Dignan told him he was Out of Order.

Ralph Tyler continued saying since this was a Home Rule Petition to go before the Legislature, the Legislature has a history of being able to establish voting provisions; for example, as within Zoning Laws, we know we have to get a two-thirds vote to make a change in our Zoning Bylaws, so this is nothing new. If the Legislature passes this, we're just suggesting that there should be stability in the senior exemption and not something that sort of flows with between 51 and 49 percent of the people in favor of it, so one year you have it and one year you don't.

He asked the Hall to bear with him and told them that most of their questions will be answered. He said he hoped to convince the ones who were skeptical that the Senior Citizen Tax Exemption is a win, win for Sudbury. This is not taking from one and giving to the other, it's a business proposition, and that's very important to his supporting and his thinking about why this is right.

The whole purpose of this proposal is to begin a process of breaking the cycle of high taxation leading to the exodus of people when their children leave school and they become empty nesters. They sell their homes to young families with children, further pressuring the school budgets and town budgets, causing need for raising taxes and override votes, further pressuring senior citizens out of town and the cycle goes on and on.

What we are trying to do here, is replace a \$9,150 cost for each new student in the weighted average K-12th grade, including Minuteman Tech. for the last fiscal year and the numbers we're going to talk about are based on last fiscal year. So, the question is this trade-off you have, the seniors/empty nesters; if you can give them an incentive to stay around, and we're going to talk about where these numbers come from, about \$3,000 on average per household.

He started by talking about the financial analysis and the financial basis for this by first talking about Sudbury's study. A slide was shown and he said the Assessors office, after the Article was submitted to the Town, did a study basing their study on two pieces of data. First of all, as they read the Warrant Article, they thought that every household would be entitled to the maximum benefit. The maximum benefit of this Article is set at half the amount of taxes on the average house and we know there are a lot of houses below the average and then there are houses above the average. We have this analysis, they're all at the maximum and then for the number of houses they pick the number of households on a mailing list from the Council on Aging, not necessarily single family homes within Sudbury. So, the points he said he had just made assumes this maximum benefit, which isn't part of the motion.

The next slide was shown and he said when they (the proponents) had talked about the distribution of houses they had actually done a full study of all 5,245 properties in Town that are single family residences and actually looked at the summary of the distribution. The summary of distribution shows in the left column the valuation range, then for all single family houses, and on the right hand side it's for single family houses for residents 60 and older. One of the things seen here, 61% of the houses in Sudbury are below this average value, in other words, should not have been charged off at the maximum. For the seniors, actually 76% of them are below that average. He said this chart also shows that seniors typically live in the lower valued houses. One of the reasons that's important is because when he had talked about this proposal with Ms. Hafner, in charge of the assessing, she had told him that it's the lowered valued houses in Sudbury, the ones that you see so many seniors occupying that are probably the most undervalued. The next re-valuation, he thought he heard her say; these were the ones that were going to get raised to bring them more in line with the market value. That will bring more pressure on seniors as the need for the Town to have full and fair valuation, further driving many seniors out of Town and bringing in families with children. As he said, they are trying to break that cycle.

What our study he had just shown said basically that instead of all the houses getting the maximum benefit, there are only about 24% getting the maximum \$4,000 benefit. That's why we come up with significantly different numbers.

He showed another slide and said we have a study based on false assumptions, bad numbers, and doesn't discuss the benefits at all. Yet, as recently as a couple of nights ago when he was discussing this proposal with one of the Selectmen, he told me it was the basis of that \$6Million cost for this project, perhaps among others, that was one of the reasons they were against it.

On the next slide he wanted to compare the proponents study. We took a total of 12,917 census records from the town, everyone in town 17 years of age or older. We had the assessors' property records, approximately 6,643, then merged the data base for the persons over 60 so they could identify the houses where there were one or more residents that were 60 or older. Then they did detailed analytical studies; property by property, person by person, and did a benefit assessment, the cost of education versus the cost of providing retention incentives to the seniors.

The first major finding from the census data is the heart of this proposal. He summarized it a little bit more. This pie chart shows that for every year of age, how many people in Sudbury have that birth date as of the beginning of this Town Meeting from last April 7th to April 6th of the next year. That is the distribution, and what you see is that the distribution peaks just shortly before the age of 45 and then there are dramatic fall-offs. The most dramatic fall-offs are between then and roughly about age 60-62 and then you have sort of a small drop-off. The operating thesis is age 60, and that people start making dramatic moves in their early 50's. That's not such a long period of time that they can start to see for themselves there's a benefit that has the possibility to influence their decision; to stay or to abandon Sudbury for lower tax situations.

Showing another slide he said this is the population distribution and what we did to make it a little more manageable was to accumulate those little bars in 5-year buckets, if you will, so those little buckets are in those 5-year age brackets. The chart showed the total number of people in those age brackets and then showing the decrease in each one. As you can see, the major decrease is at age 56-60 years old, and then 61-65 years old. That's the group that you want to get some incentives for, to retain them.

On the next slide he said here is the difference between each one. In the category of age 41-45, approximately 2000 people, then between the ages of 45-50, there are 1650 people; the red bar shows the number of people that left town. This chart shows the population of people that could be affected; you don't just add those numbers because it wouldn't be the whole picture. The people 41-45 years of age are the ones we're hoping to influence. The total population decreased then by age range, as he had said, is illustrated in this slide. We're going to talk about what populations might be affected; those are the numbers of people we'll be adding up.

What we know about empty nesters when they leave is that they're typically replaced by families with school age children. Let's talk about what that means to

Sudbury. The numbers come from the budget in the Warrant, for K-8 last year; we took the number of students, then simple mathematics the cost per student. Lincoln-Sudbury Regional High School budget (Sudbury has 85% responsibility) but its close enough, \$10,465 is their average cost, Minuteman Tech, \$19,850, because we have so few students there. The numbers to Sudbury means, when that empty nester sells it to a family with children, depending on how many there are, we're going to get an increase cost of \$9,000, \$18,000, \$27,000, and in some cases \$36,000 more a year. As a business proposition, if we could provide some incentives so seniors could remain in Town, we could break this cycle. This is also what's driving the taxes to increase and also puts all the pressure on the budget.

There are substantial financial benefits from a program that can reduce the exodus, and in fact has the potential of drawing seniors to Sudbury. An effective program must provide incentives before age 65, because all the drop-off in population happens before age 65. You're impacting the age group 60 and over, and you're trying to influence those people starting at about age 50 to start thinking about where they will be when they retire rather than starting to think about the plans they want to make, perhaps buying that second home or whatever.

Another slide was put up and he talked about the property by property study. Doing that property by property evaluation and using the rule in the Article, 50% tax reduction but no more than 50% of the average value maximum, which was \$4,025 from Ms. Hafner's study, done property by property. Here we're showing you the value of the houses and we summarized the data into the categories shown on the slide; the total of the tax reductions from this program, the \$4,143,000.

He said that they also had the data for different age cut-offs. The data shows that if you were to make the age of 62, the cost of the program would go down to \$3.4M, age 65 it would go down to about \$2.7M. The cost could be dramatically reduced by making more stringent requirements, but then you'd be losing the incentive power against those people who are moving out because they become empty nesters. So, the business proposition says it should be age 60.

One of the charts that the Finance Committee put together, which he thought was very useful to get a perspective on what is the 50% Real Estate Tax Exemption mean if a senior were to get it. The Town's operating departments with the benefits represents 26% of the Operating Budget. The average senior citizen is going to end up paying about 54% of their taxes, so they're paying over twice the 26% of the Operating Budget. What this means is, even with the exemption, the average senior, will spend half their money to support the Sudbury Schools.

He said they calculated that \$4,143,000, then divided it by the number of properties. With that \$4,143,000 there are some assumptions that are worst case assumptions. They are that every single house where there was someone 60 or older, was an owner of 50% or more of the property, they knew that wasn't the

case. For example, sometimes there are elderly people living with their children in their homes. They would not qualify, not being owners of the property. In some of the houses in this sample, they have already been replaced by new people who have moved in, younger families with children. So, this is sort of the worst case situation, but the \$4,143,000 if divided by the 1319 properties, is an average incentive cost of \$3,142 versus those education costs mentioned before, \$9,000, \$18,000, \$27,000 or more if those people leave town and are replaced by families with children.

What all this means to Sudbury, as he said, he had said earlier, is that seniors are going to be paying 54.2% of their normal taxes and town services consume 26% of the budget, so more than half the money that the senior citizens are going to be paying in their taxes is going to go to support the schools. He said that's a very fair proposition in terms of their responsibility. It's a shift from resources from the older generation to the younger generation to educate their children.

He showed a slide on the screen with some e-mail responses sent to: Sudburytaxrelief@msn.com from concerned senior citizens of Sudbury.

A resident had a Point of Order, he said the petitioner is putting up comments and we don't know who these people are because no names or addresses are shown with the comments. He said he had no problem with people making comments or motions but he said he thought it should be done where a person identifies himself at Town Meeting and makes their point for themselves.

The Moderator said the problem is this is not a Court of Law, there's no rule of hearsay or anything else and as one of his predecessors once said, you have a right to come here and quote the bible, the constitution, or whatever you want. Mr. Tyler is within his rights to quote from documents, with authors not revealed. If someone does that, every voter can decide what weight to give the argument. He told the resident that his Point of Order was not well taken and told Mr. Tyler to go ahead.

The Moderator told the Hall that decorum and debate is a very important thing and in this Town, he said he's had the privilege to hold the gavel now for 19 years and the one thing he would hope they'd do tonight, was what it traditionally does. He said he knew there were strong disagreements about this issue, but lets keep it at a very high plain while we talk about it.

Mr. Tyler continued and stated that he didn't get their permission to put their names in the presentation. He continued reading the e-mail messages shown on the screen.

Mr. Tyler replied to an e-mail that was a question about there being any precedence to providing broad tax relief to residential property. He said that Massachusetts General Law Chapter 59, section 5C provides for any community,

Sudbury could be one, could provide an exemption to every resident homeowner equal to up to 20% of the assessed value for all Class 1 residential property.

He said that he had attended many Selectmen meetings and had urged them to do this, while not having the data he thought that the seniors would benefit disproportionably from that proposal because they tend to live in the smaller and lesser valued homes. They saw fit not to implement that so we haven't got that kind of tax relief.

The Supreme Judicial Court has approved existing Real Estate Exemptions, when they were challenged; furthermore the Court has been known to change its opinions as new arguments are presented.

He continued reading some of the other e-mail questions. What if Sudbury becomes a magnet for Senior Citizens qualifying for Senior Tax Exemption? Shouldn't there be a 5 or 10 year residency requirement? Answer: This would result in an even greater win, win for Sudbury. There would be more senior citizens with empty nests supporting the schools with their tax payments. Senior taxes would be reasonable and budget growth contained. He read a few more questions.

This proposal is clearly the right thing for Senior Citizens who've been bearing heavy burdens of taxation for many years, suffering as a result; it's the right thing for Sudbury taxpayers because it's going to control the budget growth. If we have an in-migration of seniors taking advantage of this wonderful deal, it would be even better. Frankly, from all the people he's talked to and the seniors who are under pressure because of their financial situations and what not, he knew it was the right thing to do. They built this community and have helped make it what it is today. It's a shame that so many are forced out because of high taxes. I ask for your vote for Article 54 .

Donald Hutchinson, Pendleton Road, member of the Finance Committee said obviously you could see that he was a Senior Citizen and that he could be influenced by many of the factors that were described tonight but, on the other hand he thought that there are additional factors that need to be considered. He commended Ralph Tyler for many of his arguments that he put forward, but there is clearly a problem. It's one thing to identify a problem and another totally different thing to identify the best and most efficient solution. There are some factors which are unclear in the proposal and in the Article. Mr. Tyler sort of flips in and out of the means testing, it's not in the Article and it has an impact. Also, he doubted if there was a win-win situation because there is no free lunch anywhere. If the schools are going to be maintained at the current levels of spending, then the taxes for the people who have children in the school system will go up, and he suspects all the school values will deteriorate including a large percentage of the value of your houses, which for many people is your largest single asset.

He went on to say that he bought a house in Sudbury in 1971, paid \$66,000 for it, and it's now worth 8-9 times that value. That is a factor to consider. Other than that he said he would not particularly dispute many of the arguments that Ralph had put forward. He thought there were some flaws statistically, and wasn't sure if taxes were the only reason that people move out of Sudbury. He thought the reason people move out of Sudbury was because they, like him, having a substantial asset, want to be able to exchange that for money. Whether you change the tax rate or not, it will have an effect, but it is not the only factor or reason seniors leave Sudbury.

When you look at the chart on the distribution of ages, unfortunately, that is not the sole reason why there are fewer people at the older ages, some of us have the unfortunate habit of dying off. The Finance Committee is very cautious of this problem, have studied it, and have put a fair amount of effort into looking at the numbers and many of the numbers that Ralph came up with have been discussed by the Finance Committee.

There were several factors he urged the Hall to think about, that he, as a Senior Citizen and as a member of the Finance Committee had come up with:

- First of all is timing. The timing is unfortunate. For those of you that were here on Monday, the vote was to postpone the Town Meeting because faced with a reduction in revenue receipts, \$347 to \$1M, could not put together a new budget and have it available for Town Meeting. We had to ask for another 6 weeks. We would have a difficult time developing a budget for the Town with Ralph's figures. We spent from October through February/March working out how to allocate the Budget.
- The Finance Committee spent a lot of time talking to the citizens, and the various committees, and is not sure why this Article was not proposed before January. He thought that if it had been proposed before January, perhaps, they could have built in some assumptions and looked at it. This is clearly not a good year to start making changes in the way taxes are developed. Everyone here knows the problems that the state has, and the uncertainty of what the budget will provide. This adds another problem on top of that.
- Uncertainty itself is another problem and that's why we've postponed the budget. We've talked about the Article needing Legislative action; it may or may not be unconstitutional. This creates uncertainty. Sudbury has the highest possible rating for its bonds in the Commonwealth and what the bond market hates is uncertainty of any kind. The biggest uncertainty is what is going to happen to the Sudbury budget. We've had the reputation that we keep the budget

financed properly and we live up to our commitments. If we have a level of uncertainty here, there will be a price to be paid. He also said that he noticed the Article had undergone several changes since it was proposed. The fiscal year starts in July; hopefully, by the postponed meeting on May 21st we'll have a much better idea. He said those of you that were here on Monday, heard Susan Pope talking about the very tight schedule the Legislature has.

He said the most important thing to him is a concept where a community gets together to support the members individually and collectively. The social contract in Sudbury and in Massachusetts is that its citizens get together to support education, pay for education, and have been paying for education for a long time. It's part of the responsibility of the community. Another example is Social Security, which all seniors benefit from for Medicare. If you start saying who should be paying for what or who should be getting what, there are some problems. There is a very real problem here, we need to study it, and we need to move carefully in this matter.

He urged the Hall to reconsider this Article and not support it.

John Drobinski, 222 Boston Post Road, Selectman, said the Board of Selectmen is strongly against this Article. However, they are strongly in favor of Senior Tax Relief, but it has to be fair and equitable to everyone in the community.

He said they found this Article flawed in three ways:

- Technically
- Legally
- Socially

More important, he said he knew that Sudbury has been supporting seniors ever since he has been in Town. There is a Senior Center, as you heard Monday, the great things that go on there, the volunteers that work there, the outreach that the seniors in the community have. There's a tax work-off program, it's minor, but it's in place. We've worked very hard to get the State to pass that. The Frost Farm project, as you know the Town donated the property up at Frost Farm so we could build moderate income housing for seniors. One of the interesting things about this Article is that those seniors living at Frost Farm would not be eligible for this tax program.

The tax deferral program that we passed last year, with the help of our State Senator and State Rep, allows seniors to stay in their home and pay the back taxes when the home is sold.

The Town Meeting has been very active in passing Zoning Bylaws allowing cluster housing for residents age 55 and over, an example of that is Springhouse Pond. Then there's the Council on Aging that has been a very active group in Town. The Board and the townspeople have been working very hard in outreach to the council.

He said that Selectman Roopenian would address the overview process of Article 54 but first, he wanted to mention a few things concerning the process. First, that you're all here, and that's great, but there have been no public hearings, no outreach to the community. As he stated clearly in the outset, they believe there needs to be some sort of Senior Tax Relief but is this the fair and equitable way to do it?

There are a lot of inequities in the Article and we'll talk about that briefly. We'll talk about the legal issues; there has been some discussion that it's unconstitutional. We have to go through the Attorney Generals office, the State Legislature, and the Department of Revenue. There are administrative issues, it's going to put a tremendous strain on the Assessors office, issues with the overlay account and things like that that she will discuss briefly. Financial impact: While Mr. Tyler gave a very detailed and interesting presentation, he didn't really say what the financial impact would be on the average homeowner who is not 60 or older. Finally, it's a sense of community like Mr. Hutchinson said, what Sudbury is about. He said that he thought a social contract was very important. The Article only applies to single family housing, it doesn't apply to Frost Farm, and it doesn't apply to Springhouse Pond. There are probably 100 seniors living in town who would not qualify for this tax exemption. It's not means tested. Just because someone's over 60 and could be a CEO making \$250,000, he gets a tax exemption on his house, while the firefighter, school teacher, or a family with four children only making \$50,000-\$70,000 doesn't get a tax break.

It's open to new seniors; a CEO could move from California, buy a \$1M home and get a tax break, while the firefighter, teacher or someone similar who has lived in town for 20 or 30 years does not get that similar tax break. This is a financial Article and there has been no ballot approval. Typically, when we're passing a significant financial Article in town, we basically have a two-step process: Town Meeting and the ballot. The amendment to the Article takes a 2/3rds vote, where the Article itself only takes a majority vote. Usually, an amendment requires a public hearing with the Board of Selectmen or Finance Committee, and Town Meeting approval. This Article had no public hearing with the Board of Selectmen or the Finance Committee. An amendment to increase the amount from 50% to higher anytime in a year, and then it would take four years to decrease the amount, which seems inequitable.

He referred to the next slide and said he would talk a little bit about legal issues. First of all, if we pass this tonight, it has to go to the Attorney General and

he would have to approve it. He will look at it very closely because it is precedent setting in Massachusetts. Secondly, the House of Representatives and Senate needs to approve this. Just on special interest: Will there be special interest groups throughout the Commonwealth attacking Sudbury; if so, then we would need to defend ourselves through legal costs and legal ramifications for what we've done being unconstitutional. That could tie up Town budget and Town Counsel. Thirdly, Department of Revenue approval: The DOR only allows four exemptions and this fifth exemption would not be allowed by the DOR. There would be administrative issues, and Maureen Hafner is going to talk a little bit on the impact to the Assessors. It would have to be re-certified quarterly, it would take additional manpower from the Assessors Department, new software, support systems, and the department would have to review 5200 bills every quarter.

How would this get enforced, what are the penalties for someone cheating, is there an appeals process, how is that all going to work, it is not spelled out here. Finally, it's going to increase the overlay amount, and that amount will be taking money from the budget. This basically shifts the tax burden from those 60 or older to a minimum below the age of 60. It's going to raise taxes for those under 60 and it's going to decrease property values, because young families will not want to come to Sudbury.

The number that Mr. Tyler did not talk about was the increase on the average household. The average house in Sudbury is about \$400,000, your tax rate would go up and additional \$900; that's equivalent to \$4M - \$6M override. Age doesn't equate the ability to pay, someone could be a CEO and make \$200,000 and be over 60, where a firefighter below the age of 60 may not be able to pay it equivalently. As for the financial impact, there will be an additional \$900,000 in the Overlay Account, which will be approximately \$1M that won't be available for Town services.

Speaking to the sense of the community, this really pits generation against generation. He felt that this would cause generational equality, which he said, really disturbs him. Sudbury is its people; seniors, firefighters, teachers, municipal employees, and it's all of us working together as a community.

It's our schools; our schools help to make this community what it is. That's what makes our property values what they are. It's the environment. We had a presentation Monday evening about the preservation of Open Space and our Scenic Roads; this is something that brings us all to Sudbury and what we value. He said he wanted people to stay here, but we need to work as a community. Fairness: There's a famous tax decision called the Sudbury Decision, which really set the tone for fairness in taxation in the Commonwealth of Massachusetts. Sudbury led the charge there. The Board of Selectmen strongly opposes this Article, but we are strongly in favor of tax equity that's equal and fair for the seniors.

Kirsten Roopenian, Harness Lane, Selectman, said having many friends and acquaintances of all ages here tonight who she serves as a member of the Board of Selectmen, and with her upbringing has a tremendous amount of respect for her elders and that she found this a somewhat daunting discussion. Tonight, we are for the first time, never having heard this particular presentation before, that on the surface seems very attractive to our seniors, providing 50% reductions in their property tax sounds like a great deal. If this were the lottery, we'd all feel very lucky, if this were a car dealership we might be a little bit more skeptical, and if this were a telemarketer, you would have hung up by now. Having said that, there are, as you've been told some very specific deficiencies in this proposal; the first, but not the least, is the process by which this is being brought to the Town.

Be cautious and question why this Article has been brought to you without any consideration for proper procedure of the standard review process. This proposal did not allow time for public scrutiny through committee review, public hearings, or staff analysis. The Boards and Committees are required to go through a due diligence process. It is how we operate as a community, and nobody should be exempt from that, no matter what the issue. The Town has insisted on that as part of the public decision making process. We have gone to great lengths, and you can ask the Housing Authority, to allow time for dialog with the public for their own issues.

As an example, when the Housing Authority recently brought forward their proposal which we thought was possibly a little flawed, in the process, they saw the wisdom of that and withdrew it from Town Meeting. Nobody has had the opportunity to look for errors or unanticipated outcomes. The petitioner just found out last Wednesday that as originally proposed this Article will force an unintended cut of at least \$4M - \$6M out of the budget. What else have we overlooked in the rush to push this through without a thorough examination? In addition, the petitioner, again this evening has made additional amendments and corrections demonstrating the lack of a thorough examination process.

This Article was added to the Warrant at the last minute by petition, it was amended here tonight; this demonstrates uncertainty about this Article. The petitioner was invited and encouraged to begin a review process last year after Town Meeting. As a matter of fact, he was asked by the Chairman of the Board to present his proposal on two separate occasions, and chose not to do so. Why did the petitioner feel this proposal did not need to be submitted to the same process as all the others are? The proposal does not include any discussion about being placed on a ballot, which all other major money Articles must go through. All financial decisions with major consequences should be approved by voters at the ballot. This Article needs more than just Town Meeting approval, it is strongly suggested that this be placed on a ballot should this pass Town Meeting. Although, taxes are one reason seniors may leave this town, there are additionally other reasons, but if this

passes it will be a reason for those of us who are not seniors to leave, considering the strain on our own property taxes. The devastation of our schools, if they are the hallmark of our community, this will certainly end that.

The Public Safety issues that will come as a result of being forced to downsize an already small enough police, fire, and DPW force. The impact to us is as if we just passed a \$6Million override for the next four years without any agreement by the rest of the town. There are short-term consequences not fully considered tonight either. What will the tax burden be on others not receiving this exemption? As John just told you, it will be significant. What are the effects on the Assessors office? This is a mind boggling administrative process and she didn't think this had been well thought through. Had we administered to a process, we might have gotten to this point and have been able to suggest something this evening. The long-term consequences have not been fully presented or considered. Have the real estate experts been consulted to predict the impact on your house values? Have the multi-year projections been made on the effects to future town budgets? The answer is No.

Finally, those in her generation have worked very, very hard. She said that we are fortunate enough to live in this town and have formed many lasting, lifelong friendships and relationships, and have endured in our lifetime many, many, challenges as you did in your generation. We are now facing extraordinary changes in the world today, ones that impact us all as a community. My friends say we should give seniors a tax break, and we all feel guilty. Should we? She said she thinks rather, we should be given the opportunity to work with the seniors to develop a well thought out process driven solution to senior tax issues. To make any group pay your way seems unfair, but worse, when the proposal has unintended implications and results that are potentially devastating to our community. She thinks it should be talked about a little more. And on a personal note, she said you are all gathered here tonight as part of this great community which she is proud to serve. You have helped build it, all of you together.

You are all wonderful committed members of the town, and no matter what the outcome this evening we must continue to work together, for the betterment of the Town of Sudbury. She said that she was personally insulted by the petitioner, for actions which threaten to divide our town. It was her gravest concern that the Article without the proper process will divide this Town, irreparably damaging the relationships they have built over the course of the last several years, since at least she had been active in the community. She said that she urges defeat of this Article.

Maureen Valente, Town Manager, said that she felt compelled to speak briefly on a point that Mr. Hutchinson raised which is the impact potentially on Sudbury's credit rating, the rating that helps determine what type of interest we pay when we issue debt. She hasn't had a lot of time to take a look at this because, up until Wednesday, the proposal was that the abatement would be on the taxes, which

she didn't feel would have as great an impact on the credit rating. After Wednesday she became aware that the amendment was going to be looking at exempting property value. For the Town, our wealth is our property value, as it is for you, your greatest asset. The greatest asset for the Town in terms of its credit worthiness is the property value. She said that she couldn't tell them that it would go down; she hasn't had the time to look since Wednesday, what with working 16 hour days getting ready for Town Meeting. It's certainly something she'd like to look at further, but she did know that uncertainty is something Wall Street abhors. She said she also knew that credit rating firms didn't want to be associated with, or want to issue a high credit rating when they're not sure what a town's value and ability to pay will be or where that community is going in terms of its financial management and outlook.

We've had high property values for a long time; our credit rating was increased several years ago. Some of the changes that tipped us over into AAA, as our peer towns of Concord, Wayland, and Weston, who have similar demographics and high property value, was the change in our financial management, outlook, and planning, and the way we became so much more coordinated and strategic. Between the Board of Selectmen, the Finance Committee, and the work of Town Meeting, we've been able to put together and sell a package that has high property value, good management, and a stable outlook which convinced the credit rating firms. Again what that means: Lincoln-Sudbury will be issuing a huge amount of debt in the future; the credit rating could make a large difference in the amount of the interest that's charged on those bonds. Someday down the road, we're going to continue to issue more debt and the debt that's currently held and traded, all are affected by our credit rating. It's an important consideration. Again, it would be wonderful to have more time to study this and begin to look at the effects this might have on the credit rating.

The Moderator asked Mr. Kenny to give his views on the question such as constitutionality and legality in this matter.

Paul Kenny, Town Counsel, stated that it was probably important for everyone to know how this came about historically. This particular question with regard to taxation is controlled by the State Constitution. Without a constitutional provision, neither the State Legislature nor cities or towns can impose any taxation. Cities and towns do not have the right to tax; they only have the right to collect the taxes that the State Legislature has provided. The State Legislature cannot do that unless there's a constitutional provision that allows that. For example, there is a provision for an agricultural exemption under a separate section of the law; the only way that was allowed to be legislated was by a constitutional amendment in the early 70's, allowing exemptions for agricultural properties. Prior to that time the State Legislature could not have done that.

This particular Article has been raised before in the last few years, not only this time, but before it was raised by way of a request for a Bylaw. On each occasion it was raised, including this time, the party that raised it was advised it would be unconstitutional and the community itself did not have the right to impose taxation. Notwithstanding that, we have a constitutional right under the Home Rule Amendment; we cannot do taxation under the Home Rule Amendment. In this particular instance the first Article that was proposed was a Bylaw amendment. That has been changed to a request for legislative approval of a statute that would mandate this particular type of exemption, although the exemption would be voluntary on an individual basis. This body does have a right under the Home Rule Amendment to present legislation to the State Legislature.

He wanted the Hall to know that what they vote tonight will not accomplish that unless the State Legislature has the right to impose this taxation statute, or in fact, an exemption. The State Legislature, in his opinion, and in fact of many other attorneys, and also the Department of Revenue, there is no constitutional authority to allow for an additional class of exemptions. The only way that that's appropriate, and elderly exemptions are allowed, is under the basis of a hardship. It's not only for elderly; it's a hardship for elderly or otherwise. If you vote this tonight, it will in fact go to the State Legislature. When it goes to the State Legislature, as the Chairman indicated, it will have to pass muster by the Attorney General, by the Department of Revenue, and by House and Senate Council.

He said he is convinced, based upon his review of the Constitution and the opinions of the Supreme Judicial Court, in which questions such as this have been referred by the Legislature, that they would in fact consider this to be unconstitutional. Therefore, if you vote for this, it will be, and the Selectmen will refer it, and will send the legislation to the Legislature. He advised the Hall that in all probability, it will not be constitutional and you will not get the relief sought from the Legislature without a constitutional amendment.

The Moderator announced that we are now open to general debate on this matter.

Ivan Lubash, Barbara Road, made a motion to amend Section 2, Qualifications. In the first paragraph, change age 60 to 65; Section 3, Exemption amount, change 50%, as in 2 places, to 25%; add the following sentence to the end of the paragraph: "The exemption shall be based upon total family income per line 22 of form 1040, page 1 of less than \$70,000"; Line 22 is total income before any deductions.

The motion to amend received a second.

Mr. Lubash said, very simply, a bird in hand is worth two in the bush. Secondly, looking at this total Article if it's illegal, one way to find out and get something going is to pass it and have the Attorney General and the State

Legislature take action. He said he knew from past experience, as a Library Trustee, if you don't ask, you don't get.

Mr. Tyler explained that when he had made his presentation he had tried to make the business case, which says broad incentives are necessary beginning at age 60 if you're going to influence the people who are most likely to move and be replaced by families with children. Mr. Lubash's proposal is meritorious but it is not addressing what we're trying to do here. That type of proposal then would become, truly, a cost to the Town. That's to say, if you plead a certain level of income or something like that, or if you're older, you're entitled to it. Those people that are in that younger age group (52 years old) moving out, and thinking about what happens at age 65, that just doesn't have an impact on them, it's too far out in the future. He thought it would defeat any of the benefits coming from this proposal, in terms of keeping people in Sudbury. Means testing sounds great, but in terms of the economic case that he's been making the family that was just under that and qualified and stayed; therefore, their house wasn't replaced by an empty nester and is no more valuable in this concept that we have here than the person that's \$5.00 over that number and sells his house to a family with four children. This is something completely different, like charity, this is talking about seniors having to lose their dignity.

In his petition he said he's saying that all seniors are valued. This concept of exempting seniors from taxation may be new to Massachusetts; it's not new in this country. There are other States that have explicit provisions, in some cases, excluding all seniors over a certain age from the school levy. Massachusetts is not at the forefront in this. Yes, this is precedent setting, but this Article that was developed was on the business case. Mr. Lubash, although well intentioned, is basically talking about a different situation and trying to limit it. It will not have any of the benefits that his proposal is attempting to address, nor will it have broad scale impact on the population that they are targeting. He opposes the amendment.

Jim Gish, 35 Rolling Lane, said that he was pleased to hear the amendment that was made and if Mr. Lubash hadn't made it, he would have done so himself. Tax relief should be limited to those that actually need/require relief; in other words those that are of limited means and for whom increasing property values and resulting tax increases impose an undue burden. It is for such residents of Sudbury that he believes this Article should have been intended and to which such relief should be limited. As has been stated, we are facing considerable budget cuts at the State level and applying this to all seniors, regardless of needs, places too great a burden on the Town. Limiting it to those who need it at this time seems a much more prudent proposal. He strongly urges, support of this motion to amend.

Kirsten VanDijk, Landham Road, said that she wanted to echo the opinion on the new parameters of the amendment. She highly supports this amendment. She said that she came tonight to support this Article, but after trying to follow her

conscience, feels this new amendment is much more fitting and more beneficial to everyone. We are fellow citizens, no matter if we're 65 years old or just turned 40. She sees herself here for a long time coming, whether it's working on various town boards, helping out after school, or in the Garden Club with her fellow citizens, whether they're seniors or otherwise. She sees it as an investment in this Town and she hopes to take benefits for tax relief and hopes she will be able to be here in the next 15-20 years.

Tom Dignan took a few moments to explain to the Hall what was going on. He said that Mr. Coe was a fellow Moderator for the Water District and that he had just appointed him Assistant Moderator because there are a group of people in the Lecture Hall and we will be voting on this amendment shortly. He is going to see to it that the vote is properly counted out there. He went on to say that while we're at it, and because he was convinced where we were going to have to go with this thing, he asked for six volunteers to come forward to act as tellers in the Hall.

The Moderator reminded the Hall that we are still on the motion to amend and then recognized Judy Deutsch who wanted to speak on the motion.

Judy Deutsch, 41 Concord Road, said that she had just asked Mr. Lubash if he would separate the two parts of his amendment because she thought they were very different. He would not. She said she wanted to speak to the second part; which seemed to her to speak to the community and also to fairness. She thought that it was very important, if we pass the larger measure tonight, that there should be a means test in there other than the worth of the house because the two things are very separate. You could have a low cost house and a very high income. It is not fair to the younger people in this town for people of senior age with high incomes to have half their taxes exempt.

A resident said that what we're hearing tonight is that this is a very complex and important issue that we are trying to address in simplistic terms. We're sitting here and pulling numbers out 60, 65, 50%, 25%, this income, that income, and she really didn't think we could make such an important decision, as this is, when things are just being pulled out of a hat without careful consideration, without careful study, without review by the Selectmen, without a clear implication as to what the financial change would be to our town and our services. She didn't think we should be voting on a motion or an amendment at this point, when we're just pulling numbers out of a hat. She said let's not amend, let's not change, and let's go back to the drawing board.

Ralph Tyler asked for the chart to be brought up on the screen that referenced age and the cost for the age. He said that he wanted to quantify the financial impact and talk about the process, how we got here. If it starts at 65 or

above and you make an assumption, all the houses with 65 and above, that's the bulk of where the cost is \$2.7M of the \$4.1M, so yes, you're reducing what appears to be the cost of the program making it more restrictive that way, but at the cost of probably eliminating those offsetting benefits. He said that change more likely means that this will be a net cost to the Town, without the offsetting benefits, it would probably never turn into the win-win that he foresees under the Article that's proposed. So, that's a reason that he'd ask the Hall to defeat it. There were many questions raised on the procedures about how we got here. I was told about some meetings I was invited to tonight for the first time. Possibly I was, but I was never invited to meetings. Last year I did hear the commitment for the upcoming year; that it was high on their list of priorities and he said he could recall talking to Selectmen individually about when were we going to get this going and when were we going to talk about it and he saw nothing happening. In fact, the first thing that happened last year, after they talked about the plight of the seniors and the tax deferral, he read in the newspaper that they raised the cost of a death certificate, or some other things like that that would only apply to the elderly.

The Moderator told Mr. Tyler that we were right up against the edge of the amendment at this time, so let's keep it to the amendment and that other stuff goes to the general motion.

Mr. Tyler said the amendment is trying to do what some people are saying there's some sort of process that we missed in going forward here. After we submitted the Article, we submitted information to these Town boards, and not one...

The Moderator told Mr. Tyler that he was off the amendment, the amendment is very simple. Mr. Lubash has put an amendment in here that says up to 65 and he puts an income thing on it, that's what this amendment is about. It's not about process or anything else. He told him to stay with the amendment or he was going to ask him to take his seat.

Mr. Tyler said that they were trying to create a broad impact; everybody came here tonight knowing about the proposal, broad tax relief to all seniors. He said he had put together the financial rational for why this makes good sense as a win-win for Sudbury. He can't support the other for a business case, he could support it for a charity case, in the sense that, yes, if the Town wants to support \$2.7M, or around that number for tax relief for people with no offsetting benefits. If that's what the Hall decides to do, it would be a wonderful act of charity, but what he was trying to say is let's create a win-win for Sudbury. It sounds good but he didn't think it would be good for the citizens of Sudbury to pass this amendment.

Christopher Morely, 321 Old Lancaster Road, said that he applauded Mr. Lubash's attempt to arrive at an age that we can all agree on, and arrive at a means test that we can all agree on. He believes that all good and bad proposals need to be

fully vetted, and this one has not been fully vetted. The process was flawed; the big part of the flaw in the process was that the Town needs to vote by ballot on this as well.

Mary Jane Hillery, Willow Road, said she was talking to the income or means testing part of the amendment and talking as the Veterans Agent for the Town of Sudbury.

She moved that Veterans, their spouses, widows, widowers, and Gold Star parents be exempt from any means test under Article 54.

The Moderator asked her if she was moving to amend the motion to amend. She said that was correct.

Mr. Dignan said that's called an amendment to the second degree, and that he's only had 2 in his 19 years as Moderator.

It received a second.

Ms. Hillery continued with her amendment to the second degree and said this particular group that she outlined has more than paid their dues many times over and there is no better time than now to honor our Veterans since we have our men and women deployed in the military all over the world. We owe them that privilege of not having to pass a means test because they're the ones who give us the privilege of being here at Town Meeting tonight and being able to give our opinions on the way we feel about things. What better way to support our troops in a practical way than to support this amendment so that they do not have to pass a means test.

Chad Hoffman, 21 Hawes Road, said that we're getting to the point where we are dissecting things and next it will be this person deserves it because they did that; that is not what this should be about. We should not be taking the time now to arbitrarily say, these people deserve this, those people deserve that, we should be going back to dealing with the main issue at hand in a responsible way, not in a reactionary way. Therefore, he highly recommends rejection of the amendment to the second degree and get back to dealing with the Article at hand.

Ron Stux, 175 Nobscot Road, said he agreed with the last speaker that we have just heard numbers being pulled out of a hat, and we've been asked to agree to or vote on something that has a huge financial impact with minutes of consideration and urges that the second motion be defeated, and the other motion be defeated and the original motion be voted up or down on it's merits.

The Moderator seeing no one else wishing to be heard on the second degree amendment asked all those in favor of Mary Jane Hillery's motion, the amendment which would exempt Veterans, their spouses, widows, widowers, and Gold Star

parents from any means test under Article 54, please raise your cards, all those opposed.

The Moderator called the motion to amend to the second degree DEFEATED.

He wanted to explain to the Hall that he had asked for a count in the other room, and was told there were 40 people, and he didn't believe, even if they all voted the other way it wouldn't change the result of his call which is that the second degree amendment is defeated.

Seeing no one that wished to be heard on Mr. Lubash's amendment, he asked all those in favor of the motion to amend, which would change the qualification from age 60 to 65 and also put a means test of \$70,000, please indicate by raising your cards, all those opposed.

The Moderator said he was going to call it DEFEATED.

In his opinion, even if all the other votes in the other room went the other way it still is defeated.

Andy Schwarz, 12 Metacomet Way, said he wanted to speak in opposition to the Article. Speaking to the process of bringing an issue of this importance to the floor of Town Meeting with no prior opportunity to public meeting, public input, or discussions with Town boards, in fact, the Article contains a provision, that in order to amend it, there has to be an open meeting of the Board of Selectmen and the Finance Committee and a report from those committees to Town Meeting in order to amend it. And yet, we don't need that type of input in order to implement this in the first place, sounds pretty ridiculous to him. He thinks there is a clear need to address the concerns, not only of seniors, but all citizens in Town about the rising debt burden.

There are several possible alternatives that should be explored, in addition to the notion of a senior tax exemption. He thinks we should look seriously, as Wayland is doing, expanding the circuit breaker legislation and also, expanding the existing Tax Deferral Program. Particularly reducing the high interest rate associated with that deferral which may be preventing some people from taking advantage of it. Right now people can, by meeting a means test and 65 years of age, defer all their property tax; that's an incentive to stay in Town. If citizens choose not to take advantage of that, that's their prerogative. But, the fact is they can defer up to 50% worth of their house if they meet a needs test.

Last night, some of the same people who are proponents of this Article complained that the Signage Article hadn't been adequately vetted, even though there had been scores of public meetings about that and that there were possibilities of loopholes that could be addressed. Well, this proposal had no public meetings.

He thinks this motion should be defeated and go back to a full and through review and input. He also thinks there is a need for means testing in whatever goes on. He said he has trouble believing that it's there for a 60 year old executive with a 6 digit salary, no kids to support, has lived in Town for a long time, has no mortgage, and gets a tax exemption, where someone who's perhaps making \$40,000, \$50,000, \$60,000; has a mortgage, couple of kids in college, has a 13% increase on his property tax to provide that advantage to the other person. This is a serious issue that requires deliberate conversation and analysis, none of which has taken place thus far. In 1969 one of his neighbors who was the original owner of the house, had an assessed value of his home, \$13,250. Today that same house is assessed at \$480,000; that's a real benefit that he's accrued.

Mr. Tyler's discussion of the win, win confuses an economic analysis and the loss of income from the tax exemption is immediate. The \$9,000 that Mr. Tyler talks about per student is the marginal cost associated with educating a student in public schools. Sudbury does not get \$9,000 back, if a student doesn't go to Sudbury schools, it's a false analysis, it's a false economy, this win-win isn't a win-win if the transfer of obligations from one part of society goes to another part. It's inequitable, is divisive, and he said that he hopes it's defeated.

Maureen Hafner, Director of Assessing, said that she had a power point presentation, but she had been listening to people who had brought up many of the points that she was going to bring up with her presentation. She said she was also here on behalf of the Board of Assessors, and wanted to tell the Hall what they think about it, because we deal with tax rates, tax levies, and valuations. We don't deal with who lives in a house, what their age is, so we have no way of doing it; and calculations that we make can't include a specific age. We can't consider that, by law.

The Board of Assessors declines to endorse this Article in its current format. One of the main reasons is because it doesn't pass a means test, there aren't any income or asset parameters. It also places an undue burden on the Assessors office staff. The board expresses substantial support for the concept of a need base, Senior Tax Relief. The Board enthusiastically supports existing exemption and deferral programs. The reason that they are talking about needs base is because the Assessors deal with seniors that do have problems with their taxes. There are some safeguards; one of them is the senior tax exemptions that are available.

The Town of Sudbury has given the maximum of every exemption that is available to its citizens. Another exemption which is available is called Clause 18, so those citizens that are seniors having such a difficult time, needing something to get them over the hump; the Assessors can vote an exemption of all of their taxes, not just a percentage of them.

The next one is this terrific deferral program where seniors can actually defer 100% of their taxes and is probably one of the best loan deals in town right now, because last year the town voted to reduce the amount of payback to a 4% interest rate per-annum. That's better than anything you're going to get at the bank, even if you didn't need the money. There is an income requirement with that too, which is a maximum yearly income of \$60,000 and the age has been reduced to age 60. The Massachusetts General Laws have been amended to allow the Town of Sudbury to include those different limitations.

Everyone is talking about whether or not this is constitutional. On the screen she showed a portion of a letter sent to them by the Department of Revenue. It was in answer to the question they had asked about what would happen if they brought some legislation like this for a Home Rule Petition. It basically says that the Legislature reserves the power to tax, and assessors have to value property based on their use, not ownership. There are four classes of property, this would create a fifth class and would not meet constitutional muster. It also says to the extent that a freeze for selected taxpayers could meet muster for a Home Rule Petition; it would have to meet a reasonableness standard. The Legislature has expanded the property tax assistance available to seniors, but for equitable reasons has not chosen to provide blanket assistance to those over a certain age as does the town's proposal.

Using Mr. Tyler's figures, how does this exemption work? The town has X amount of tax dollars that they are going to raise this year and it's going to come through real estate taxes. It's either going to shift away from people who are 60 years old and go to another group of people, and those people are going to pay someone else's tax burden. Or, the town is going to be asking for an override so they can pay for the exemption in some other way. The original Article that she said she had seen would have required the Town to either reduce the budget by \$4.2Million, according to Mr. Tyler's analysis, or it would require that we go for an override for that amount of taxes that would be coming off everyone's property over the age of 60. That of course, would then result in a higher tax rate, even those of you that were getting 50% off; your tax rate's going up and your taxes are going up too, to some extent.

The amended Article came about when Mr. Tyler talked to one of the finance people. He said if it was going to raise the taxes or reduce the budget, then even he wasn't for it.

She said she wanted to tell them that there is going to be a cost for this. It's going to cost everybody, even those that think they are going to benefit from it; you need to know that because there are those amounts of taxes whether it's \$4.2M or \$6M that needs to be collected. Either the budget reduces or the taxes increase for everybody. As the years go by there are going to be more and more seniors coming in here and there will be a greater reduction in taxes for all of them, and

somebody's going to have to pay it. She said she hoped they would be careful in what they voted for.

Beth Farrell, 67 Rambling Road said she opposes the motion for three basic reasons:

1. With all the numbers that have been thrown around, we truly don't know the impact that all this is going to have on our real estate values; and whether you're 35, 65, or 85, if you are a property owner it is going to be impacted in some way.
2. She didn't think we understand the implications yet of the town budget, and there is no way of knowing that when we don't even know what the town budget is going to be; we won't know that possibly until May.
3. Most importantly, she didn't think it was right to exempt a segment of the population from paying property taxes; not based on their ability of whether or not they can pay, but because they happen to get lucky with their birthdays.

Listening to Mr. Tyler read his petition, she said she took offense and wonders if it's truly a win-win situation. We are all burdened with the override. She said she has two small children and wonders what's going to happen to them in the school system. We have all put our kids through the school system, but when she looks at this and looks at the wording, she does take offense. She didn't think the motives were in the best interest of the senior citizens; but rather in just keeping families of small children out of town.

Ellen Hoffman, 21 Hawes Road, said she was very much against this Article. She said that her mother had taught her that stereotypes were a very dangerous and evil thing, especially, if it involves grouping people by race, religion, sexual orientation, or age. If she were to say that all senior citizens are lousy drivers and they should get off the road, you would hiss me. If she were to say that all black people have rhythm, you'd think that I was really stupid. Yet, we're getting up here and saying all people over 60 need tax relief, and that's not true, we've already talked about that. There should be more of a need basis to this. If Warren Buffet lived in Sudbury, he wouldn't need tax relief.

So, there is a lot of stereotyping in this Article, and what she's particularly upset about is the language. She said Article 54, whether intended to or not, suggests a not so subtle attitude of blame, particularly when it says; it's designed to "slow the dramatic increases in the children moving into Town." Are we to believe that all this is the children's fault; is it the parents fault, is it anybody's fault?

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It sounds like, as the other woman said, that the intent is not so much to offer relief to seniors, but to keep people with children out of this Town. It isn't going to happen, we're here and we're coming because Sudbury has built a fabulous school system. It is a safe community, it has roads that are cleared, it has a good Fire and Police Department and because it has diversity of people. What's happening tonight is a lot of finger pointing and blame. It is divisive to this community and is totally unnecessary. This is a very important issue, and she thinks Mr. Tyler is to be commended for bringing it forward, it's now put in the spotlight, and it's not going to go away and shouldn't go away. It should be studied, explored; it should make sense financially for every segment of the population. It's not an issue where you should vote your pocketbook or emotion, it is an issue that should be voted after thoughtful, considered information which we do not have at this time.

Virginia Bell, 24 Austin Road, said she and her husband have lived in Sudbury for 40 years and are nearly 70 years old, they are notoriously frugal and have taken advantage of many senior discounts. She said they moved to Sudbury because of the schools, and she was a school teacher in Town for 22 years, and had volunteered at the schools before and after she was a teacher. They are both involved with Bridges, a program which brings 4th graders together with seniors in the community. She said they are opposed to this Article because they came here for the schools and they still want to support the schools along with everything else in town.

She went on to say they had received a flyer explaining the expenses of running the Town would be passed on to younger taxpayers, and wasn't happy with this suggestion. When they were younger they had a 40 year mortgage, no furniture, lots of kids, a Volkswagen bug, and her husband decided that he really needed to go back to school full time. We pulled it off and we kept our house. She said that she was sure young people now have lots of expenses and probably less security than most of us senior citizens. As for starting this program at 60, most folks in Town at 60 are pretty well fixed. There are some programs locally for low-income seniors, maybe they could be publicized or extended. They get many benefits living here in Town; she said they go to the Library, almost every day, and they don't worry about crime, parking, and the roads are cleared; they enjoy the

open spaces, and have learned to scuba at Atkinson Pool. They still want to support their Town; they are not going to move out because of their taxes. She said she was sure they'd get more use out of the Senior Center after they slow down a little. As for the suggestion that seniors could pay their taxes voluntarily, she said give me a break. She asked the Hall to vote against this Article as it now stands.

Chad Hoffman, 21 Hawes Road, said there were a few things mentioned tonight that were in the Warrant and that really bothered him. Empty nesters replaced by people with children, babes in arms with their wealthy thirty to forty-ish parents. He wanted to remind those that were anonymous and chose not to stand up for that; some of those babes in arms graduated from these schools and are dying and fighting in Iraq and Afghanistan right now. We have lived through false assumptions, maybe well intended, but they wind up in the long run hurting everyone. His children volunteer at the Senior Center in Town, he and his wife drive with Fish, and they have become friendly with many of the seniors in Town. He said Government is not business, you cannot necessarily apply the hard and cold aspects of how to run a business to Government. Government deals with people; this is social economic engineering, at its worse. While he agrees with the principal that we must have a process to find a way to help seniors, this is not the answer. This is destructive to the community at large; it lacks any link to the spirit of the Constitution. If it passes, it will bring a sense of shame to this community; and he applauds Selectman Roopenian for saying that. It's shameful that we're allowing a divisive debate at a time when the country is at war.

Jeff Klofft, 15 Ironworks Road, said he did support tax relief for seniors, because he truly believes that no senior should be forced out of their home strictly because of their inability to pay their real estate taxes through no fault of their own, when their home value increases so drastically and becomes a burden. Having said that he doesn't think this is the correct proposal to achieve that. He said he voted for the amendment because he believed it was closer to what is truly intended and to what should truly be done. He urges people to reject this Article and this motion that's before the floor; because while Mr. Tyler's Article was very well constructed, many of the assumptions that it's based upon are completely flawed.

- The first assumption Mr. Tyler made was that older people were leaving Town because the taxes are there; while that may be true for some people, if you look at what happens, empty nesters are called Snow Birds. Principally, because they want to leave the atrocious weather we have here in the wintertime, especially after a winter like this past one.
- The second assumption Mr. Tyler makes is that the cost per student can be calculated and run that way. There are many fixed costs, there is going to be a cost to heat a school building, whether there's one child or 300 children. Those fixed costs are not easily divisible by the

number of students that exist there. So, by saying that there are fewer students there, does not necessarily lower the cost in the way Mr. Tyler stated.

- The third assumption Mr. Tyler made is that certain seniors only need this amount of Real Estate tax abatement is flawed. If they're truly means tested and their needs are such, perhaps they should have all of their real estate tax abated so they don't have this problem at all. Based on the fact that this fundamental structure of this proposal has neither been well vetted and is based on a series of very false assumptions; he urged that it be defeated.

Mike Meixsell, 34 Barton Drive, said as Town Counsel has indicated, the subject of tax relief for seniors has been discussed for many years, including at Town Meeting, so it's somewhat curious as to why it's necessary for a citizen to do all this work and bring this Article before Town Meeting. The town boards have plenty of time to do it, and it should have been done by the town boards.

The economic downturn has not only impacted town finances, it has also impacted the pensions of many of us who are retired. What we have experienced is one override proposal and approval; one after another, year after year; and it looks like we might have another one coming up this year.

If this Article is not legal, the Attorney General, the Department of Revenue, and other departments can decide that and will tell us what we have to do to make it legal. He expressed his feelings of concern that the town has not taken any action up to this time; he felt that if this Article hadn't come up, then all the seniors would have are these small exemptions and small relief's which are sort of demeaning and insulting for one to go through just to try to get tax relief.

There was a motion for the question.

The Moderator asked the Hall how many people had not made up their minds on this one. Seeing no one he said he would take the motion for the question.

All those in favor of proceeding to vote in terminating debate, please raise your cards, all those opposed.

He announced that it is clear that carries, even with the 50 people in the other Hall, it's clear it wouldn't change the results.

The Moderator said that he was going to count this vote. He asked everyone that was standing to try to find a seat, if you can't find a seat and you want to vote, come to the front of the stage and they will be counted. He asked for the six tellers to come forward for the counting.

He asked for the police officers to close all entrance/exit doors before the hand count voting by the tellers. Mr. Coe was asked to start the hand voting in the other Hall and let him know the affirmative and negative votes.

Mr. Dignan said all those in favor of the motion under Article 54, please stand and raise your card, the tellers will only count cards, remain standing until the tellers ask you to sit down. Then the negative votes were counted by the same procedure.

Counted Vote: YES-430 NO- 345 TOTAL- 775

The Moderator declared the motion passed.

There was a point of order by a citizen; he wanted the Moderator to clarify the procedure for reconsideration.

The Moderator explained that one could move for reconsideration right now, if one does so it would require a 2/3's vote of the Hall to pass. The other alternative is by noon tomorrow, you must file with the Town Clerk a petition signed by 15 registered voters of the Town who were in attendance tonight seeking reconsideration. If that is so, then on May 21st, he would announce that he received that and it would be the first order of business the second night; but since we'll probably finish on the 21st, it would be the last order of business that night, if such a petition is filed.

He told the Hall that there were 3 Articles left on the Warrant, instead of dealing with them, because Article 55 may be passed over, it depends upon some legalities and Article 56 and Article 57, he has already been advised they are going to be Indefinitely Postponed.

He said as a technical matter he was going to put the meeting in recess until May 21, 2003 at 7:30 p.m. We will then take up the Articles we put over plus those 3 Articles.

The time was 11:15 PM and the meeting was recessed until May 21, 2003 at 7:30 PM.

Attendance: 925

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

MAY 21, 2003

Pursuant to a Warrant issued by the Board of Selectmen, March 18, 2003, the inhabitants of the Town of Sudbury qualified to vote in Town affairs, met in the Lincoln-Sudbury Regional High School Auditorium on Wednesday, May 21, 2003 for the fourth session of the Annual Town Meeting. The meeting was called to order at 7:30 PM when a quorum was present.

Mr. Thomas Dignan, Town Moderator, instructed the Hall regarding Town Meeting procedures. He announced that the Town Clerk, Barbara Siira, advised him that in conformity with Section 11 of Article 2 of the Town Bylaws that a timely notice of intention to move for reconsideration of the action taken at the last session under Article 54 of the Warrant had been filed. In conformity with the Town Bylaw that matter will be taken up as the first order of business at the next session of Town Meeting or, if all other business is completed before 10:30 this evening, as the last order of business in tonight's session.

Tonight we will deal with the reconsideration of Article 49. We will then proceed with the rest of the Warrant which is Article 55, 56 & 57. We will then deal with the postponed articles, Article 4, FY04 Budget, then Article 2, FY03 Budget Adjustments, Article 33, Cutting Property. If it is not yet 10:30 PM we will take up the reconsideration of Article 54.

As announced at the last session of Town Meeting the first order of business this evening will be the reconsideration of the action taken by the Hall with respect to Article 49 in the Warrant. The action taken was to defeat the main motion under the article, which, if passed, would have amended the Zoning Bylaw of the Town by amending sections 3200 and 7000 of the Zoning Bylaw as it affects signs and advertising devices. Before he recognized someone to make the motion for reconsideration he reminded the Hall what the limits were with respect to debate on the motion to reconsider. All discussion on the motion must be confined exclusively to the merits or demerits of reconsideration.

(Pages 83-101 of this document contain Article 49-Sign Bylaw, the discussion and vote)

Mr. Keller, Planning Board, moved for the Reconsideration of Article 49.

The motion received a second.

Mr. Keller stated Article 49 was the proposed amendment to the Sign Bylaw. The Sign Bylaw is complex, it's technical, it's voted on by all of you but it primarily affects the business community. Unfortunately, many member of the business community are not residents of the town. They do not routinely attend Town Meeting. On the night this article was addressed the business community was not hear to express to you their concerns about signage along Route 20 and businesses in town. We think that the decision made that night was not as well informed as could have been. The Planning Board believes that there were many things said that night on the sign issue that were somewhat misleading. We also listened very carefully to the things that were said and if Reconsideration is permitted tonight it is their intention to remove neon signs from the proposal to regulate our Sign Bylaw. We also have some new information from the Zoning Board of Appeals regarding the large volume of work they do under the current Bylaw which would be eliminated if the new revisions are allowed. Lastly, the amendment to the Sign Bylaw was worked on by a large cross section of people living in the town. A lot of hard work was put into this and we hate to see it go down the drain because we didn't have a good enough presentation from the business community. We ask for a little bit of time tonight to reconsider this.

Finance Committee: Has no position on this motion.

Board of Selectmen: The majority of the Board supports reconsideration on a 2 to 1 stand.

Mr. Ralph Tyler opposed the motion to reconsider. This is a seven and one-half page, very complex bylaw. I think the Hall properly concluded in the last session that they would rather do these things piece meal where they could get their hands around each part of the proposal that was going to be changed. The one part that jumped out at everyone was the neon signs. There may be other things buried in here that we just have not been clever enough to discover. There are 60 to 80 paragraphs and a lot of tables, it is just very complex. I doubt if anyone in the Hall has read it. We should not reconsider this. We should ask they focus on one or two small changes and bring it to us next year or at a Special Town Meeting.

Nicholas Palermo, 284 North Road, on the Board of Directors of the Sudbury Chamber of Commerce stated he respectfully supports and hoped that you vote positively on the motion for reconsideration. He told the Hall the Chamber of Commerce just could not put everything together for the last meeting so they thought it better not speak than to speak half informed with half their members.

We now can make an appropriate presentation. It may be simply to support Mr. Keller and the Planning Board. That's our intention but we respectfully ask you to please vote in the positive just on the reconsideration issue then we can get into the merits.

Judy Deutsch, 41 Concord Road, stated she would like the Hall to vote for reconsideration. Mr. Keller has told us that what would come next would be a decided change; a change that many of us would like.

Frank Riepe, Newbridge Road, member of the Design Review Board, stated that he felt that because of the apparent complexity of this article it does demand reconsideration.

As no one else wished to be heard, the Moderator announced we could vote. He asked all those in favor of the motion to reconsider to please raise their hands, all those opposed. He then asked the Hall if all those in favor to please stand and raise their cards, all those who are opposed. In the opinion of the Chair, at least as far as this Hall is concerned, the motion commanded a majority but not the necessary two-thirds.

Mr. Myron Fox, who was with town residents in the overflow room, stated he had a two-thirds vote. The Moderator announced we would have to count the vote.

Mr. Dignan stated that 891 people voted, in order to pass 594 votes were needed. (2/3rd vote).

| | | | |
|---------------|----------|---------|------------|
| Counted Vote: | YES- 555 | NO- 336 | TOTAL- 891 |
|---------------|----------|---------|------------|

The motion for Reconsideration of Article 49 was DEFEATED.

ARTICLE 55. AMEND ZONING BYLAW, ART. IX.4275.g – WATER RESOURCE PROTECTION OVERLAY DISTRICTS, SPECIAL PERMIT CRITERIA

To see if the Town will vote to amend the Sudbury Zoning Bylaw by adding a new Section 4275.g as follows:

"g. For a Water Resource Protection District Special Permit for land in Zone II, the applicant has secured a unanimous recommendation for approval by the Commissioners of the Sudbury Water District, has secured a 2/3 vote recommending approval from the Sudbury Water Resource Protection Committee established pursuant to Article XXIII of the Town of Sudbury General Bylaws, and has secured a 2/3 vote recommending approval from the Sudbury Conservation Commission.";

or act on anything relative thereto.

Submitted by Petition.

(Two thirds vote required)

The Moderator ruled that Article 55 was Passed Over based on Town Counsel's opinion that it would create a bylaw that is inconsistent with state law.

ARTICLE 56. AUTHORIZE TRANSFER OF PARCEL C07-020 OFF LONGFELLOW ROAD TO CONSERVATION COMMISSION

To see if the Town will vote to transfer from the control of the Park and Recreation Commission or the Board of Selectmen, whichever is appropriate, the following described parcel to the custody and control of the Conservation Commission for all purposes included in General Laws, Chapter 40, Section 8C, as it now reads or may hereafter be amended:

Land off Longfellow Road containing approximately 6.37 acres, shown as Parcel 020 on Town Property Map C07;

and to authorize and direct the Selectmen to take whatever steps are necessary to effectuate the transfer including, if necessary, a petition or petitions to the State legislature; or act on anything relative thereto.

Submitted by Petition.

(Two-thirds vote required)

Brian Swords, 76 Longfellow Road, moved to Indefinitely Postpone. The motion received a second.

Mr. Swords explained that this land was deeded to the Town in the 1950s for the construction of a playground and has been used as a park for almost 50 years.

This motion was filed to prevent development. Since then the article that proposed development has been withdrawn so we are withdrawing this and feel that keeping this parcel under the stewardship of the Park and Recreation department is appropriate.

The motion to Indefinitely Postpone Article 56 was VOTED.

ARTICLE 57. AUTHORIZE TRANSFER OF PARCEL H05-027 OFF HEMLOCK ROAD TO CONSERVATION COMMISSION

To see if the Town will vote to transfer from the control of the Park and Recreation Commission or the Board of Selectmen, whichever is appropriate, the following described parcel to the custody and control of the Conservation Commission for all purposes included in General Laws, Chapter 40, Section 8C, as it now reads or may hereafter be amended:

Land off Hemlock Road containing approximately 1.12 acres, shown as Parcel 027 on Town Property Map H05;

and to authorize and direct the Selectmen to take whatever steps are necessary to effectuate the transfer including, if necessary, a petition or petitions to the State legislature; or act on anything relative thereto.

Submitted by Petition.

(Two-thirds vote required)

Myles Halsband, 38 Willow Road, moved to Indefinitely Postpone Article 57.

The motion received a second.

Mr. Halsband explained that the circumstances under which the Article was placed in the Warrant are very similar circumstances Mr. Swords just mentioned. The Article asking for affordable housing on the parcel has been withdrawn so we are withdrawing this Article

As no one else wished to be heard on the motion the Moderator called for a vote. All those in favor of the motion to Indefinitely Postpone Article 57 please indicate by raising your cards; all those opposed.

The motion to Indefinitely Postpone Article 57 was VOTED.

The Moderator addressed the procedure to be following with respect to the Budget Article-Article 4. First, we will take a motion from the Finance Committee proposing a budget that would be limited to the amount that would be required to finance the FinCom's budget proposal. This motion will seek only a declaration from the Hall as to the overall limit of the budget. A vote in favor of the motion will NOT mean that you have voted for the particular distribution of the total amount as set forth in the Warrant. Then we will move to address that budget in the usual way and finally vote that budget. The rules we'll follow in addressing the budget are this: The main motion is made for the budget, there's a second and then we will deal with any motions to amend or questions.

ARTICLE 4. FY04 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, 2003 through June 30, 2004, 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; or act on anything relative thereto.

Submitted by the Finance Committee.

(Majority vote required)

| | Appropriated FY 01 | Appropriated FY 02 | Appropriated FY 03 | School/Town Requested FY 04 | FinCom Recommended FY 04 |
|---|-----------------------|-----------------------|-----------------------|-----------------------------------|--------------------------------|
| Sudbury Public Schools: Gross | \$19,804,833 | \$21,639,831 | \$22,836,346 | \$23,823,514 | \$23,069,516 |
| Sudbury Public Schools: Offsets | \$581,860 | \$632,620 | \$717,980 | \$1,041,597 | \$1,041,597 |
| Sudbury Public Schools: Net | \$19,222,973 | \$21,007,211 | \$22,118,366 | \$22,781,917 | \$22,027,919 |
| SPS Employee Benefits* | \$2,160,140 | \$2,755,546 | \$3,356,073 | \$4,141,960 | \$4,119,180 |
| Sudbury Public Schools: Total | \$21,383,113 | \$23,762,757 | \$25,474,439 | \$26,923,877 | \$26,147,099 |
| LSRHS (Assessment) | \$10,336,492 | \$11,401,008 | \$12,206,692 | \$13,627,541 | \$13,166,224 |
| Minuteman Regional (Assessment) | \$256,112 | \$319,158 | \$378,971 | \$434,510 | \$357,315 |
| Total: Schools | \$31,975,717 | \$35,482,923 | \$38,060,102 | \$40,985,928 | \$39,670,638 |
| 100: General Government | \$1,657,764 | \$1,864,616 | \$1,912,207 | \$1,945,239 | \$1,929,658 |
| 200: Public Safety | \$4,565,283 | \$4,873,589 | \$5,126,282 | \$5,208,225 | \$5,133,565 |
| 400: Public Works | \$2,213,525 | \$2,368,938 | \$2,494,824 | \$2,600,646 | \$2,545,971 |
| 500: Human Services | \$476,077 | \$504,665 | \$506,555 | \$538,582 | \$482,261 |
| 600: Culture & Recreation | \$768,527 | \$801,036 | \$867,137 | \$894,159 | \$868,109 |
| 900: Town Employee Benefits | \$1,953,729 | \$2,033,379 | \$2,463,147 | \$2,706,697 | \$2,690,198 |
| 900: Unclassified & Transfer Accounts | | | | \$505,075 | \$396,880 |
| Total: Town Services | \$12,158,372 | \$12,876,803 | \$13,762,432 | \$14,398,623 | \$14,046,642 |
| Debt Service | \$4,206,637 | \$10,424,391 | \$9,834,201 | \$7,906,725 | \$7,906,725 |
| TOTAL: OPERATING BUDGET (not including Enterprise Funds) | \$48,340,726 | \$58,784,117 | \$61,656,735 | \$63,291,276 | \$61,624,005 |

* to be transferred to 900: Town Employee Benefits

Mr. Michael Grosberg, 25 Old Coach Road, member of the Finance Committee, presented a Limiting Motion. He gave a recap of the role of the Finance Committee, an overview of the FY04 Budget, revenue sources and operating appropriations and noteworthy points. Back in April the FinCom recommended to Town Meeting, that because of many of the unknown factors at the Commonwealth level, that we supported a motion to postpone voting on the budget until tonight. The reason we did this was because we anticipated a significant cut in Commonwealth aid.

He stated that the FinCom represented Town Meeting as the legislative branch of our government. We are appointed to serve you on all financial matters. The basic roles and responsibilities are to make recommendations on all financial matters to Town Meeting. We have oversight responsibility for all financial matters

but we don't have executive policy making or management abilities. We play a key role in the budget process in developing and issuing budget guidelines, reviewing town and school budgets in the context of the town as a whole, and ultimately insuring a balanced budget.

He presented an overview of the FY04 Budget. It represents virtually a zero percent increase in town-wide operating spending. It is a non-override budget which addresses, we believe, the needs of the citizens on a community basis, looking at the town and the schools as a whole. It assumes approximately a ten percent overall reduction in aid from the Commonwealth. He used a chart to illustrate the town's sources of revenue; 76% of our revenue comes from you, the voter through property taxes, 13% comes from the Commonwealth. In terms of the operating appropriation in the FY04 Budget that are proposed, this is slightly revised from what you see in the Warrant, but on a total basis the town proposal is for \$14M, Sudbury Public Schools \$26M, Lincoln-Sudbury High School \$13.4M and Minuteman Regional High School \$373,000. Schools have bottom line appropriations. The Town is subject to line item appropriations and that means that the FinCom needs to look at the schools in terms of their bottom line. They set guidelines for the growth in the budget and the school committees and superintendent's office have ultimately responsibility in their bottom line budgets. The FinCom would be involved in some of the line items in the town's budget. Once this motion is approved, appropriations will bind the town to the commitments that are made tonight. While we have better estimates from the Commonwealth, they still could change. We don't believe they will be significant but if they do change we will be binding the town to the appropriations that we vote tonight. FinCom is not recommending an override this year. Finally, FinCom will continue to advise you on issues as we go into FY05 and the out years as they become clear.

Maureen Valente, Town Manager, explained some of the budget process to the Hall. She stated that a fiscal year starts July 1 and ends June 30 so we have one and a half months left to go in FY03. We are voting tonight on a budget that begins July 1, 2003 and ends on June 30, 2004. Typically, we make this vote the first Monday of April. However, because of the changes in local aid we asked to postpone it until tonight. The operating budget for the town includes four primary cost centers plus a few other items. The four cost centers are: the Sudbury Public Schools, the Lincoln-Sudbury Regional High School, the Town Government, Minuteman Regional Technical High School, and other items the Town has to fund basically by state law. We do not include the Sudbury Water District, the Sudbury Housing Authority, or the Wayland-Sudbury Septage Facility. She explained the process the town used to come up with the figures being presented that represented the town budget. We took a tremendous amount of time on the budget this year. We know this budget doesn't make everyone happy. We are determined to work methodically and carefully to protect our assets. Our town services and staff, our educational services and staff, our AAA credit rating and to follow a town decision making process that's inclusive, cautious and reflects and supports a wonderful

community. The future look challenging right now as we, as a town, are trying to find out how to do the right thing on so many complex issues.

Mr. Dignan recognized the Co-Chair of the Finance Committee for a motion to take up a budget Limited to \$61,991,452.

The motion received a second. As no one wished to address the Limiting Motion the Moderator called for a vote.

He asked if all those in favor of the Limiting Motion under the Budget Article to please indicate by raising your card; all those opposed.

The Moderator declared the MOTION PASSED.

At this point it is time for the main motion for the Budget Article.

Mr. Grosberg, FinCom, move that the Town appropriate the sums of money set fourth in the handout entitled "May 21, 2003 Article 4, Budget Recommendation under the column final FinCom Recommended FY04 for FY2004. The following items to be raised as designated by transfer from available fund balances and interfund transfers:

| FROM | TO | |
|-------------------------------|-------------------|-----------|
| Ambulance Res for App Account | 200 Public Safety | \$210,853 |
| Free Cash | 900 Uncl Benefits | 940,000 |
| Abatement Surplus | 900 Uncl Benefits | 273,138 |
| Retirement Trust Fund | 900 Uncl Benefits | 15,000 |

The sum of \$4,119,180 set forth as Sudbury Public Schools employee benefits to be immediately transferred and added to item 900 Employee Benefits. The Employee Benefits total will be \$6,807,777 to be expended under the direction of the Town Manager. The sum of \$373,813 for the Minuteman Regional assessment based on the a regional school district budget of \$15,443,465 as reduced by its estimated state aid set forth under scenario "C" in the April 16, 2003, bulletin of the Minuteman Regional School District provided, however, that all state aid received above said scenario "C" estimate shall be used to reduce the FY04 assessment. Any increase in the amount to be raised by assessment on the Town shall require approval by subsequent Town Meeting.

The motion received a second.

Mr. Dignan went through the budget by line item. Since there were no motions to amend the Moderator asked if anyone wished to speak. Seeing no one he asked if all those in favor of the motion under Article 4 made by the Co-Chair of the Finance Committee to please raise their cards; all those opposed.

The motion under Article 4-Operating Budget was UNANIMOUSLY VOTED.

ARTICLE 2. FY03 BUDGET ADJUSTMENTS

To see if the Town will vote to amend the votes taken under Article 5, FY03 Operating Budget, of the 2002 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.

(Majority vote required)

Ms. Roopenian, Board of Selectmen, moved to amend the votes taken under Article 5, FY03 Operating Budget of the 20002 Annual Town Meeting by transferring \$17,000 from Reserve Fund Transfer Account to 500 Human Services.

The motion received a second.

Ms. Valente, Town Manager, said that every year they put money in the Reserve Fund for unforeseen things and emergencies. The money being transferred is so the Board of Health may hold a Hazardous Waste Collection Day. They did not have money in the budget in FY03 or FY04. To wait until FY05 seemed to be running risks for the environment and community.

FINANCE COMMITTEE: Supports the motion

As no one else wished to be heard on the motion under Article 2, the Moderator asked if all those in favor of the motion to please hold up their cards, all those opposed.

The motion under Article 2- FY03 Budget Adjustments was VOTED.

ARTICLE 33. CUTTING PROPERTY

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, for the purchase in fee simple, or the purchase of development rights thereon, or the acquisition of an interest or interests on all or a portion thereof, of land owned by Webster Cutting, Jr., et al, located on Maynard Road, as shown on Town Property Map E06 as Parcel 500; 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.

(Two-thirds vote required)

Ms. Roopenian, Board of Selectmen, moved to Indefinitely Postpone Article 33. The motion received a second.

Ms. Roopenian explained that the purchase of the Cutting property needs to be postponed and to be taken up at a later date. Negotiations with the family remain on-going. Since the April Town Meeting, the Town has commissioned an appraisal of the property with funds received from the Sudbury Foundation. That report should be completed in June. After analyzing that data and completing negotiations, the Selectmen will present the details of the offer to residents and hold several public meetings giving residents opportunity to fully understand the project.

As no one else wished to be heard, the Moderator took a vote. He asked that all those in favor of the motion to raise their cards, all those opposed.

The motion to INDEFINITELY POSTPONE Article 33-Cutting Property was UNANIMOUSLY VOTED.

The Moderator announced that we are now going to take up the possible Reconsideration of Article 54—Senior Tax Exemption.

Pages 120-148 of this document contain Article 54, the discussion and vote

The Moderator stated that the debate is to be confined as to why we should reconsider. He reminded the Hall of the rules governing Town Meeting. He stated that Town Meeting is the last living example of true democracy and was sure everyone looked forward to a courteous and vigorous debate.

Mr. Joseph Meeks, 136 Dakin Road, moved to reconsider Article 54 and the vote taken under that Article.

The motion received a second.

He stated that Article 54 as presented at Town Meeting last month was fundamentally different from that which was communicated in the Warrant in advance of the meeting. The way it was represented in the Warrant, certain seniors would have received tax preferences if the motion had passed. The way those preferences were accomplished were by setting funds aside that would have been in effect a reduction in the Town Budget. No ineligible voter would have received an increase by virtue of a vote in favor of Article 54 as it was publicized in the Warrant ahead of the Meeting. For the funds to have been restored to the budget, there would have had to be a second vote and an override of the budget to restore those funds. There were a number of changes that were made to it, and for the people in the room, it was the first time we had seen those changes. As it was presented at the Town Meeting, it had the same outcome for eligible seniors but now the mechanism and the impact on others not eligible for the abatement had changed. The lion's share, 3/4ths of the abatement, with a tax liability, shifted from those eligible for the abatement to the other taxpayers in town. There was no vote, no ballot question, no override required to execute this shift in tax liability. The bottom line result, through no fault of Town officials, because of last minute changed made to Article 54 resulted in a lack of full disclosure of the tax implications in the Town Meeting Warrant. Article 54 deserves reconsideration due to the lack of fiscal disclosure.

FINANCE COMMITTEE: Supports the motion for Reconsideration.

BOARD OF SELECTMEN: The majority of the Board supports Reconsideration. The Board has been convinced that the Article presented in the Warrant was substantially different from what the sponsor ultimately submitted at the April Town Meeting. **Minority Report:** Mr. Drobinski, stated he does not support Reconsideration in principal, however, he is strongly against Article 54 .

Mr. Ralph Tyler, Deacon Lane, stated he just heard something he had not expected as to the reason for Reconsideration. He stated that it was the misunderstanding and misperception by a number of people over what was intended in the Article that led us to make the amendments on Town Meeting floor. We wanted to make it clear that we were not intending to cut the budgets. Some people were saying we wanted to cut the school budgets and that was never our intention. The changes were made to address those concerns. Now we are hearing that we have to reconsider it and send it off to a committee because, in responding to their misperception, and we just simply clarified that was not our intent on what was going to happen, it was some reason to kill it. So, in other words, if we would have cut the school budget—get rid of it; if we don't cut the school budget—get rid of it. They want to get rid of it. I urge, therefore, that we not reconsider.

We heard a lot of criticism about the procedures by which Article 54 was brought to Town Meeting and they were thought to be defective and inadequate. In fact, our Town Meeting rules in Massachusetts statues do not require a public hearing for the Article as it was presented. In spite of it not being a requirement, nothing prevented any of these Boards from fully vetting this during the time it was submitted to Town Meeting and the time it was brought up at Town Meeting. Their lack of interest and concern about Article 54 was probably demonstrated by the fact that none took advantage of that opportunity. It does not require a Proposition 2-1/2 ballot question, that is another procedural question—How come, Why not? The fact is this is a Home Rule Petition that requires Legislative approval at the state level. It's just a different mechanism. There are only certain things that you can bring to the ballot. Those who have these criticisms have not articulated any theory by which you could even bring it to the ballot.

Article 54 was extensively debated, it was an overflow crowd not frequently seen in Sudbury. After that crowd of 925 people considered amendments and possibilities they voted 430 to 345 to pass it. (some people left Town Meeting before the vote was taken)

When we talk about the idea of reconsideration we're also talking about where do we go from here with senior tax relief. The question is where do we go from here if we reconsider. Where we go is to a committee of 21. There is a feeling the senior community would like a committee to be dealing with senior tax relief composed predominately of seniors. Nothing could be further from the fact.

Chuck Schwager, Ridge Hill Road, spoke in favor of reconsideration because of an error made in the presentation. We were told that if a family of four moves into a house vacated by seniors that the cost to the Town of educating those four students is something of the order of \$20,000. That number was arrived at by taking the average expenditure to education the student. The marginal cost of educating the student is not the average cost. Therefore, you can't multiply the average cost by four. This is important because the cost is not anywhere near \$20,000 and that speaks to the argument that this is win-win. That if you keep a senior you save \$20,000.

Judy Deutch, Concord Road, urged the Hall to vote for reconsideration because of the tremendous confusion that the voters had when they did vote at our last session. The Selectmen and the Council on Aging were not confused. We read the Warrant article very carefully and understood what it said. We are sorry there was so much confusion and they would like reconsideration.

Harold Homefield, 16 Curtiss Circle, said he was annoyed to see a flyer within the Sudbury paper we get monthly telling us that Council On Aging was opposed to this. It mattered not to him whether they were for it or against it. COA is not an elected body. We can vote elected officials out of office if we don't like what they are doing. I don't think it is their job to come into a political debate.

Ed Kreitsek, 59 Dudley Road, stated that regarding the matter of reconsideration he was pleased and surprised to find a member of Board of Selectmen sharing a position with him. The process of the majority will prevailing in a democratic legislative function says that one does not come back with a claim for a fourth strike because you don't like the outcome. The motion was presented after major debate, after analysis of what had been printed in the Warrant. It was as much fair warning and as much debate as any issue has or will get in this town. Now the difference that leads to the need for reconsideration tonight is that there are some who did not like the outcome. I feel that the beginning of the frequent challenge of proper action taken at Town Meeting by attempts to reconsider important missions is going to be fatal to the democratic process, presentation of articles, proper vote, majority rules and all support the result of majority vote. That's democracy in action. I urge not to vote for reconsideration of this Article on the principles that I stated.

Jim Gish, 35 Rolling Lane, stated that the proponent for Reconsideration has fairly well made the case that the Article as represented in the Warrant was sufficiently different from that which was debated here. He supported the motion for Reconsideration.

John Nikula, 25 Marlboro Road, stated the Finance Committee was not unanimous in their vote supporting reconsideration. He was against Article 54 but could not vote for Reconsideration on principal, the same as Mr. Drobinski. He stated he believed Reconsideration counter to the spirit of Town Meeting.

There was a motion for the question. The Moderator asked the Hall if all those in favor of terminating debate to please raise their cards, all those opposed. It was voted to terminate further discussion under the motion for Reconsideration.

The Moderator called for a counted vote. It required a 2/3rds vote to Reconsider the action taken under Article 54.

There were 1,593 who voted. The votes needed to pass was 1,062 (2/3rds)

YES: 991

NO: 602

The motion to Reconsider Article 54 Special Act-Senior Citizen Real Estate Tax Exemption was DEFEATED.

The Moderator, Mr. Thomas Dignan, announced that after 19 years of serving the Town at Town Meeting, he would not be running for re-election. He thanked the Town for the confidence they had shown in him by electing him all these years. He stated he truly enjoyed his role. He received a long, warm applause from the voters.

TOWN COUNSEL OPINIONS:

It is the opinion of Town Counsel that, if the Bylaw amendment proposed in the following article in the Warrant for the 2003 Annual Town Meeting is properly moved, seconded and adopted by a majority vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Bylaws:

Article 53 Amend Art. V.29 Door-to-Door Solicitation

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in the following articles in the Warrant for the 2003 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 49 | Amend Zoning Bylaw | Signs and Advertising Devices |
| Article 50 | Amend Zoning Bylaw | Water Resource Protection Overlay Districts –Impervious Surface limitation |
| Article 51 | Amend Zoning Bylaw | Table of Principal Use Regulations, App.A |
| Article 52 | Amend Zoning Bylaw | Front Yard Setback |

It is the opinion of Town Counsel that the amendment to the Zoning Bylaw requested under the following article is not allowed under M.G.L. c.40A for the reason that it effectively establishes a veto power in a Board or Committee other than a Special Permit Granting Authority:

| | | |
|------------|--------------------|--|
| Article 55 | Amend Zoning Bylaw | Water Resource Protection Overlay Districts – Special Permit Criteria |
|------------|--------------------|--|

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 9:50 PM.

Attendance: 1,678

Respectfully submitted,



Barbara Siira
Town Clerk

PART II
FINANCIAL SECTION

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FY04 FINANCE COMMITTEE REPORT

Dear Citizen of Sudbury,

The purpose of this report and our recommendations at Town Meeting are to assist you in understanding the fiscal year 2004 budget, certain financial matters, and articles to be presented to you at Town Meeting. We believe, above all, an informed voter is essential for our Town's democracy. The Finance Committee's role in Town government is to facilitate financial issues of our citizens to those that deliver services, oversee the budget process, and make recommendations to you regarding the overall budget within the framework of the Town needs and revenues.

The Finance Committee (the "FinCom") developed and issued budget guidelines to representatives and committee members of the Sudbury Public Schools, Lincoln-Sudbury Regional School District, Minuteman High School and the Town of Sudbury. Under these guidelines, we requested operating budgets for fiscal year 2004 ("FY04") (July 1, 2003 through June 30, 2004) under three different scenarios. For wages and all other operating costs, we requested increases be limited to 0%, 3% and 5%. However, all three scenarios could include an unspecified increase necessary to fund pension, benefits and insurance costs which the FinCom considered to be somewhat fixed and non-discretionary. The Town departments and schools were also free to submit any other budgets they wished the FinCom to consider.

Under each of these scenarios, we also requested an account of the potential impacts to services for each submitting Town department and school. During the budgeting process, assigned liaisons from the FinCom attended monthly budget planning meetings with representatives and committee members of the various Town departments and schools. At these meetings, and in numerous phone calls and e-mails between these monthly meetings, the liaisons and representatives of the Town departments and schools had in-depth discussions about budget matters. This information flow enabled the FinCom to have a high degree of familiarity with the budgets during hearings and deliberations conducted over a six-week period beginning in January.

Non-Override Budget

As required by law, the FinCom must recommend a non-override budget at Town Meeting in April. Under the scenario for zero percent growth in salaries and other costs, a deficit of almost \$400,000 still remained in order to meet the requirement of a non-override budget which included revenue assumptions increasing Town property taxes the allowable 2 ½ % plus growth and reducing anticipated state aid by 10% from FY 2003. Through various special meetings with Town officials, school officials (both K-8 and LS), committee members (both K-8 and LS) and FinCom members, agreement was reached on the amount each cost center would share in reducing this deficit. Based on these discussions the FinCom recommended approval of the non-override budget by a vote of 6 to 1.

The Override Decision

FinCom then addressed the issue of whether or not to recommend an override budget at Town Meeting. Debate regarding an override surrounded several known trends and unknown factors. Pension and other benefits have been significant drivers in increasing costs. Continued annual increases in excess of 15% in pension and benefits costs are unsustainable and some long-term solution will have to be found. The stock market has also impacted the budget through its negative returns that exacerbate pension funding requirements. The national, regional and local economies along with stock market losses have negatively impacted state revenues which will, in turn, translate into reduced state aid to the Town and Regional School District. The current economic downturn has also caused many Town residents to lose their jobs, and coupled with low savings rates, have put a strain on many of the Town's seniors living on fixed incomes.

In addition to these unfavorable trends, there are a spate of "unknowns" yet to be resolved, with potentially serious impacts to the FY 2004 budget. First, all Town departments and schools have projected 10% reductions in state aid for the FY 2004 budget. The Commonwealth has indicated its intention to revise the present formulas used to allocate various aid to cities and towns. These revisions may seriously impact aid to the more "affluent" communities in Metrowest. The FinCom believes a very real possibility exists that state aid for FY 2004 could be cut beyond the 10% provided for in the non-override budget. Second, special education reimbursement from the Commonwealth for FY 2004 is another cause for concern. While the Commonwealth

mandates the programs, notification has been received that the Commonwealth is not expected to fully fund its share for the last quarter of FY 2003. If this non-funding of special education by the Commonwealth continues into FY 2004, it would have a serious impact on the FY 2004 budget. Lastly, the Town and School Committees are presently in the collective bargaining process with a majority of the unions employed in Sudbury for agreements that will begin July 1, 2004. While we consider this another "unknown," the FinCom has anticipated some level of salary increases and reviewed with the Town departments and schools the impact to services from these projected increases on the FY 2004 budget. In addition to the FY 2004 impact of these agreements, FinCom is also concerned about the cost and service impacts in FY 2005 and 2006 of such wage settlements.

Conclusion

FinCom is fully aware of and appreciates the impact to the Town and schools services under the non-override budget it is recommending. In our view, the level of services provided by this budget represents an acceptable compromise formulated by mutual cooperation between the Town departments, the schools and the FinCom; particularly given the economic environment. Moreover, many of the "unknowns" mentioned above will become clearer over the coming months resulting in the possibility that even the non-override budget would be under-funded. Rather than recommend an override budget at this time, under the cloud of these "unknowns," the FinCom has taken the position that it is prudent for our citizens to defer any decision regarding an override to a later date should it then be necessary to fund revenue shortfalls.

As citizens of Sudbury, we have come to expect a certain level of service from our Town, a first rate education from our schools and high standards for our students. Your Finance Committee is still striving for that vision, despite these economic times. With much thought and deliberation this was our reasoning in voting, unanimously, not to recommend an override at this time.

Respectfully yours,

Town of Sudbury Finance Committee

M. Tracy Billig, Co-Chair
Robert Hurstak
John V. Nikula

Michael Grosberg, Co-Chair
Don Hutchinson
Martha M. Ragonese

Larry Rowe, Vice-Chair
Robert N. Jacobson
Sheila A. Stewart

SUDBURY PUBLIC SCHOOLS SUPERINTENDENT'S REPORT

The Sudbury School Committee voted a 3% budget increase for FY04, which would have resulted in a budget of \$22,781,917. That would have been a dollar increase of \$663,551.

The Finance Committee recently voted a recommended budget of \$22,027,919 for the Sudbury Public Schools for FY04. This figure is \$90,447 less than the current FY03 figure of \$22,118,366. In order to meet our known financial obligations for FY04 we will have to reduce our present budget by \$257,989. Those costs relate to operational expenses such as bus contract agreements and step and lane charges for staff, for example. That figure does not include any other reductions that would have to be made as a result of any and all contractual agreements being, or about to be negotiated with all 393 employees of the Sudbury Public Schools. It does not include any reduction in the 50/50 cost split that the State has shared with school districts in past years for residentially placed students with significant special needs. We have been advised that the 50/50 split may be reduced next year. That amount currently is \$480,000, for which we pay 50% and the state pays the other 50%. Any reduction in the percentage split will be assessed to local school systems.

Finally, these cuts will follow the \$1 million in reductions we made to last year's requested budget for FY03. We cut more than 19 full-time equivalent positions last spring for this school year. Many more positions will have to be cut for next year.

LINCOLN-SADBURY SUPERINTENDENT'S REPORT

In deliberations with the Lincoln and Sudbury Finance Committees leading up to a budget vote by the School Committee, it was wisely decided to separate out the costs of pensions, insurance and debt service from the operating budget, in order to provide a clear and consistent budget picture that would delineate what costs we have control over, and what costs we don't. After removing those costs, the School Committee voted a budget that represents a 3% operating budget increase.

Unfortunately, in order for both the towns of Lincoln and Sudbury to fund their share of this budget an override would be needed. After lengthy discussions among the three cost centers in Sudbury, it was decided that the Town would not request an operating budget override at this time. Therefore, in FY04, we will need to reduce our operating budget by \$543,301 to meet the Town's no-override budget. In order to accomplish this, we will need to further reduce department budgets, make staff reductions in the professional and non-professional ranks, reduce our athletic and extracurricular budgets, and trim back programs.

Increasing enrollment continues to be one of the primary driving forces affecting the L-S budget. In a two-year span, our enrollment has increased by 10%, while our operating budget has declined by 9.4%. This has inevitably put a severe strain on the services we are able to provide students, and has resulted in increased class sizes in a number of areas, and significant reductions in our purchases of textbooks, materials, and supplies.

While we understand and appreciate the financial difficulties that have necessitated these budget reductions, the school continues to grow, and certain fixed costs continue to rise. I am hoping that once we have "tightened our belts" to deal with the current crisis, we will begin to restore programs and personnel at L-S to bring us back to the level of educational service and quality that students and parents expect and deserve.

TOWN MANAGER'S REPORT

In facing the extraordinarily difficult year ahead, I submitted two budgets to the Finance Committee for consideration for Town operating departments for FY04: a 3% growth budget and a no-growth budget. The 3% budget would have kept intact the current level of services, but not restored the service levels that were cut to balance the FY03 budget. However, a 3% growth budget level for the Town as well as the two school systems would have required an override of Proposition 2 ½. After public hearings by the Finance Committee and lengthy discussions with representatives of the Sudbury Public Schools and the Lincoln-Sudbury Regional High School, the Board of Selectmen determined it was not in the Town's best interests to put forth a ballot question for a tax override at the time of printing of the warrant. Both the Board of Selectmen and Finance Committee acknowledge that, should the Town's revenue picture worsen due to Local Aid cuts beyond the 10% projected, a serious FY04 budget gap could still emerge, and then the Town will be forced to address options for either raising property taxes through a request for an override or through further budget cuts.

Therefore the no-growth budget for the Town operating departments shows a cut of \$351,981 from the 3% growth budget. The final FY04 budget request of \$14,046,642 is still slightly higher than the FY03 budget. However, nearly all of this increase will go to the increased cost of pension and health insurance benefits for employees, and increases in premiums for property and casualty insurance. To the extent possible, public safety and public works were protected from the most significant cuts made to Town programs. The Town already spends at the low end for these services compared to our surrounding communities, and staffing has not been increased as the Town has grown in population. As Town Manager, I feel that the Town is already at the absolutely minimum staffing in these core services.

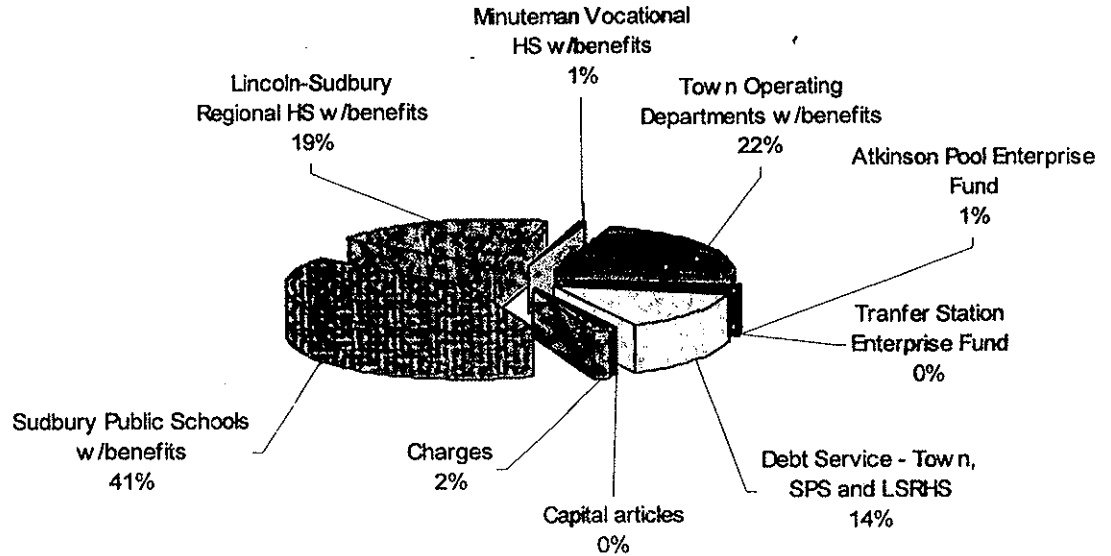
I join with the Board of Selectmen, the Finance Committee, the School Committees and Superintendents in hoping that better times will be ahead. I appreciate their shared determination that the Town of Sudbury will continue to rely on sound financial planning and management policies to cope with the present financial situation and guide us for the future.

FY04 BUDGET SUMMARY SHEET

| EXPENDITURES | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | School/ Town Requested FY04 | FinCom Recommended FY04 |
|--|----------------------|----------------------|----------------------|-----------------------------------|-------------------------------|
| LSRHS (Operating Assessment) | \$10,119,235 | \$11,055,205 | \$11,630,304 | \$12,537,932 | \$12,076,615 |
| LSRHS (Debt Assessment) | \$217,257 | \$345,803 | \$576,388 | \$1,089,609 | \$1,089,609 |
| SPS less offsets | \$19,222,973 | \$21,007,211 | \$22,118,366 | \$22,781,917 | \$22,027,919 |
| SPS Employee Benefits | \$2,160,140 | \$2,755,546 | \$3,356,073 | \$4,141,960 | \$4,119,180 |
| Minuteman Regional (Assessment) | \$256,112 | \$319,158 | \$378,971 | \$434,510 | \$357,315 |
| Sub-total: Schools | \$31,975,717 | \$35,482,923 | \$38,060,102 | \$40,985,928 | \$39,670,638 |
| General Government | \$1,657,764 | \$1,864,616 | \$1,912,207 | \$1,945,239 | \$1,929,658 |
| Public Safety | \$4,565,283 | \$4,873,589 | \$5,126,282 | \$5,208,225 | \$5,133,565 |
| Public Works | \$2,213,525 | \$2,368,938 | \$2,494,824 | \$2,600,646 | \$2,545,971 |
| Human Services | \$476,077 | \$504,665 | \$506,555 | \$538,582 | \$482,261 |
| Culture & Recreation | \$768,527 | \$801,036 | \$867,137 | \$894,159 | \$868,109 |
| Town Employee Benefits | \$1,953,729 | \$2,033,379 | \$2,463,147 | \$2,706,697 | \$2,690,198 |
| Unclassified & Transfer Accounts | \$523,467 | \$430,580 | \$392,280 | \$505,075 | \$396,880 |
| Sub-total: Town Services | \$12,158,372 | \$12,876,803 | \$13,762,432 | \$14,398,623 | \$14,046,642 |
| Debt Service | \$4,206,637 | \$10,424,391 | \$9,834,201 | \$7,906,725 | \$7,906,725 |
| Total: Article 4 Operating Budget | \$48,340,726 | \$58,784,117 | \$61,656,735 | \$63,291,276 | \$61,624,005 |
| Solid Waste Enterprise | \$238,855 | \$239,536 | \$214,118 | \$214,459 | \$214,459 |
| Pool Enterprise | \$370,080 | \$393,484 | \$391,887 | \$422,762 | \$395,375 |
| Articles thru debt | \$2,785,000 | \$5,081,800 | \$0 | \$0 | \$0 |
| Articles thru debt | -\$2,785,000 | -\$5,081,800 | \$0 | \$0 | \$0 |
| Non debt capital | \$0 | \$0 | \$68,000 | \$50,000 | \$40,000 |
| Articles in operating | \$600 | \$800 | \$1,400 | \$1,200 | \$1,200 |
| Capital, Ambulance | \$0 | \$0 | \$0 | \$140,000 | \$140,000 |
| Stabilization | \$300,000 | \$200,000 | \$0 | \$100,000 | \$0 |
| Sub-total: Other | \$909,535 | \$833,820 | \$675,405 | \$928,421 | \$791,034 |
| Charges | \$1,069,092 | \$1,036,445 | \$1,052,007 | \$1,125,000 | \$1,125,000 |
| TOTAL: EXPENDITURES | \$50,319,353 | \$60,654,382 | \$63,384,147 | \$65,344,697 | \$63,540,039 |

| RECEIPTS | | | | | |
|----------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Cherry Sheet/Local Aid | \$5,241,577 | \$5,211,723 | \$5,087,907 | \$4,780,288 | \$4,780,288 |
| Additional School Assistance | \$321,325 | \$0 | \$0 | \$0 | \$0 |
| Local Receipts | \$3,978,000 | \$4,301,351 | \$4,096,369 | \$4,149,494 | \$4,149,494 |
| Free Cash/ Transfers | \$1,800,000 | \$1,900,000 | \$1,180,000 | \$940,000 | \$940,000 |
| Retirement Trust Fund | \$28,517 | \$30,000 | \$20,000 | \$15,000 | \$15,000 |
| Abatement Surplus | \$222,547 | \$656,740 | \$194,033 | \$273,138 | \$273,138 |
| Article 31, 1996 ATM | \$0 | \$0 | \$76,263 | \$0 | \$0 |
| Article 19, 1995 ATM | \$0 | \$0 | \$0 | \$40,000 | \$40,000 |
| Ambulance Fund | \$120,692 | \$115,122 | \$192,494 | \$340,853 | \$340,853 |
| Enterprise Funds | \$670,847 | \$665,000 | \$583,877 | \$677,606 | \$677,606 |
| Total: Receipts | \$12,383,505 | \$12,879,936 | \$11,430,943 | \$11,216,379 | \$11,216,379 |
| REQUIRED TAX LEVY | \$37,935,848 | \$47,774,446 | \$51,953,204 | \$54,128,318 | \$52,323,660 |
| Previous Year Levy + 2 1/2% | \$31,932,791 | \$35,201,668 | \$37,934,506 | \$42,727,325 | \$42,727,325 |
| New Growth | \$669,354 | \$788,786 | \$750,695 | \$600,000 | \$600,000 |
| Prop 2 1/2 Override (Operating) | \$1,740,946 | \$1,018,820 | \$2,999,995 | \$0 | \$0 |
| LEVY LIMIT | \$34,343,091 | \$37,009,274 | \$41,685,195 | \$43,327,325 | \$43,327,325 |
| Unused Levy Capacity | | -\$11,460 | | | |
| Prop 2 1/2 Exemptions | \$2,824,136 | \$7,825,451 | \$7,231,140 | \$5,826,886 | \$5,826,886 |
| Prop 2 1/2 Capital Exclusions | \$0 | \$0 | \$0 | \$0 | \$0 |
| APPLICABLE LEVY LIMIT | \$37,167,227 | \$44,823,265 | \$48,916,335 | \$49,154,211 | \$49,154,211 |
| Cherry Sheet Grants for SPS Debt | \$788,129 | \$3,221,567 | \$3,169,449 | \$3,169,449 | \$3,169,449 |
| TOTAL: REVENUE | \$50,338,861 | \$60,924,768 | \$63,516,727 | \$63,540,039 | \$63,540,039 |
| UNDER/ (OVER) LEVY LIMIT | \$19,508 | \$270,386 | \$132,580 | -\$1,804,559 | \$0 |

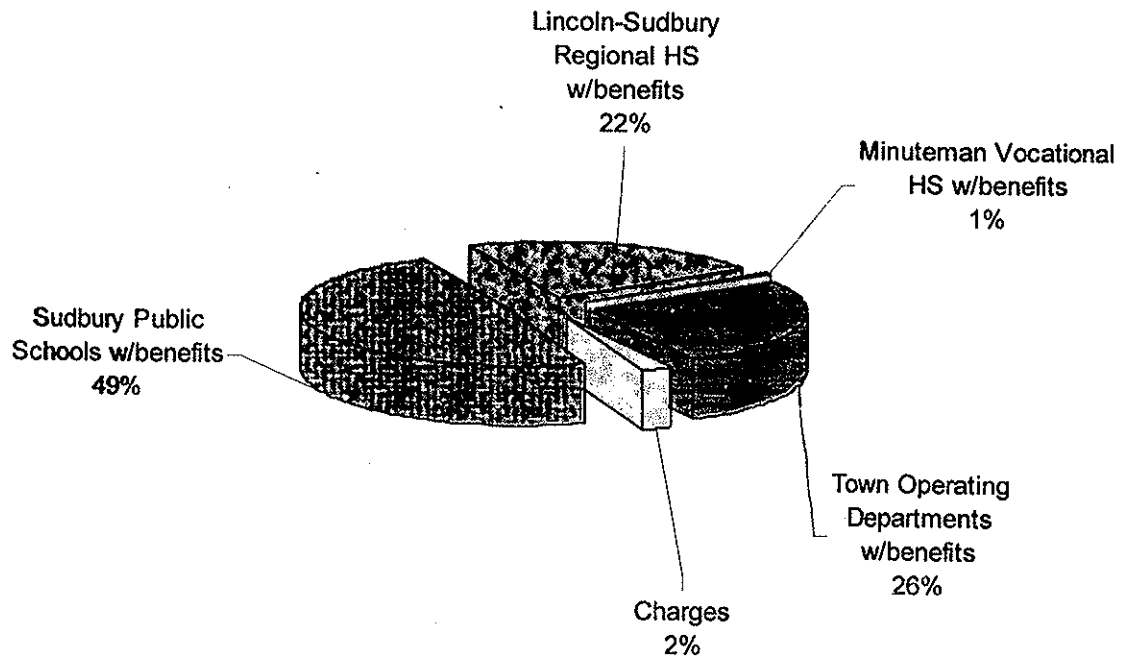
TOTAL BUDGET
Recommended FY04 Budget



| ALL COST CENTERS - ALL FUNDS* | Appropriated FY03 | % of FY03 Budget | Recommended FY04 | % of FY04 Budget | % Change FY03 - FY04 |
|--|----------------------|---------------------|---------------------|---------------------|-------------------------|
| Sudbury Public Schools w/benefits | \$25,474,439 | 40.19% | \$26,147,099 | 41.15% | 2.64% |
| Lincoln-Sudbury Regional HS w/benefits | \$11,630,304 | 18.35% | \$12,076,615 | 19.01% | 3.84% |
| Minuteman Vocational HS w/benefits | \$378,971 | 0.60% | \$357,315 | 0.56% | -5.71% |
| Town Operating Departments w/benefits | \$13,830,432 | 21.82% | \$14,046,642 | 22.11% | 1.56% |
| Atkinson Pool Enterprise Fund | \$391,887 | 0.62% | \$395,375 | 0.62% | 0.89% |
| Transfer Station Enterprise Fund | \$214,118 | 0.34% | \$214,459 | 0.34% | 0.16% |
| Debt Service - Town, SPS and LSRHS | \$10,410,589 | 16.42% | \$8,996,334 | 14.16% | -13.58% |
| Capital articles | \$1,400 | 0.00% | \$181,200 | 0.29% | 12842.86% |
| Charges | \$1,052,007 | 1.66% | \$1,125,000 | 1.77% | 6.94% |
| Total Budget Requests* | \$63,384,147 | 100% | \$63,540,039 | 100% | 0.25% |

* This basis of budget reporting includes all cost centers and all funds that must be appropriated, except for revolving funds and grant funds.

COST CENTERS - OPERATING BASIS
Recommended FY04 Budget



| COST CENTERS - OPERATING BASIS* | Appropriated FY03 | % of FY03 Budget | Recommended FY04 | % of FY04 Budget | % Change FY03 - FY04 |
|--|----------------------|---------------------|---------------------|---------------------|-------------------------|
| Sudbury Public Schools w/benefits | \$25,474,439 | 48.65% | \$26,147,099 | 48.64% | 2.64% |
| Lincoln-Sudbury Regional HS w/benefits | \$11,630,304 | 22.21% | \$12,076,615 | 22.47% | 3.84% |
| Minuteman Vocational HS w/benefits | \$378,971 | 0.72% | \$357,315 | 0.66% | -5.71% |
| Town Operating Departments w/benefits | \$13,830,432 | 26.41% | \$14,046,642 | 26.13% | 1.56% |
| Charges | \$1,052,007 | 2.01% | \$1,125,000 | 2.09% | 6.94% |
| Operating Budget Requests* | \$52,366,153 | 100% | \$53,752,671 | 100% | 2.65% |

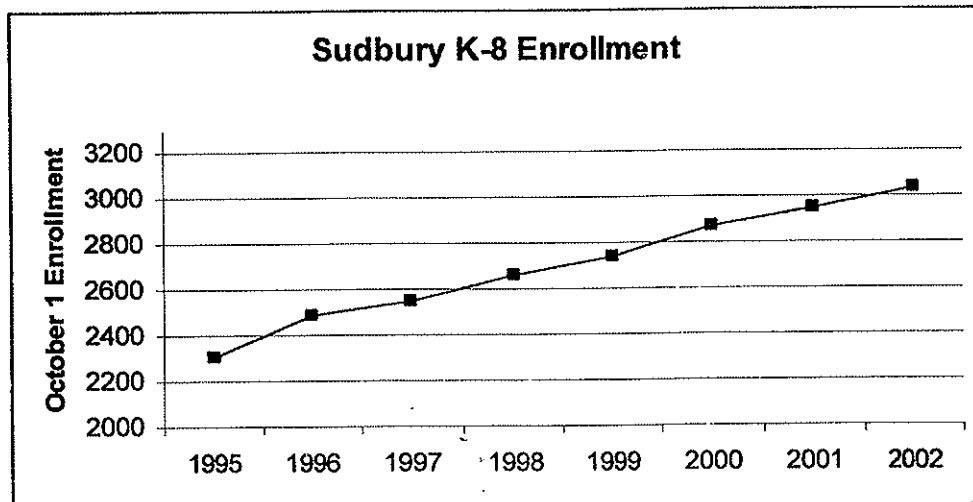
* Operating basis means that debt service, one time capital projects and enterprise funds are not included in these totals. The cost centers shown above are the ones that are supported primarily by the General Fund.

SUDBURY PUBLIC SCHOOLS

As part of its balanced budget proposal, the Finance Committee is recommending a net Sudbury Public Schools budget for FY04 in the amount of \$22,027,919, a reduction of \$90,447 from the Sudbury Public Schools non-benefit budget for last year. This, when taken together with the recommended \$4,119,480 budget for benefits costs for Sudbury Public Schools employees, represents an overall increase of \$672,960 in funding over the schools' combined FY03 appropriation. Benefits costs increased from \$3,356,275 in FY03 to \$4,119,480 in FY04, accounting for more than 100% of the overall increase. In addition to the actual reduction in the SPS non-benefit budget, this budget will not cover increased costs in transportation, utilities, plant maintenance and contractual agreements and also does not make any provision for additional staff required to accommodate enrollment growth. The Finance Committee recommends a FY04 Budget of \$22,027,919.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Sch Committee Request FY04 | FinCom Recommended FY04 |
|-------------------------------|----------------------|----------------------|----------------------|----------------------------------|-------------------------------|
| SUDBURY PUBLIC SCHOOLS | | | | | |
| Sudbury Public Schools | 19,804,833 | 21,639,831 | 22,836,346 | 23,823,514 | 23,069,516 |
| Less: Offsets (inc. METCO) | 581,860 | 632,620 | 717,980 | 1,041,597 | 1,041,597 |
| Net: SPS | 19,222,973 | 21,007,211 | 22,118,366 | 22,781,917 | 22,027,919 |
| Add: Benefits Costs | 2,160,140 | 2,755,546 | 3,356,073 | 4,141,960 | 4,119,180 |
| Total: Cost S.P.S. | 21,383,113 | 23,762,757 | 25,474,439 | 26,923,877 | 26,147,099 |

The schools continue to be affected by growth in student enrollment. Enrollment is expected to increase by 30 students. This will bring K-8 system to a total of 3,033 students on October 1, 2003. Student enrollment growth requires more teachers and support staff to maintain classroom ratios and deliver needed services.



SUDBURY PUBLIC SCHOOLS

Fiscal 2003-04 Budget

| | FY 2000-01 Actual | FY 2001-02 Budget | FY 2001-02 Actual | FY 2002-03 Budget | FY 2003-04 Budget Level | FY2003-04 Budget 3% Base | FY2003-04 Budget 5% Base | Revision #1 | FY 2003-04 Final Budget | \$ Change over FY 03 | % Change over FY 03 | FY 2003 Staff (FTE) | FY 2004 Staff (FTE) |
|--|----------------------|----------------------|----------------------|----------------------|-------------------------------|--------------------------------|--------------------------------|----------------|-------------------------------|----------------------------|---------------------------|---------------------------|---------------------------|
| Summary - Salaries | | | | | | | | | | | | | |
| System Administration | \$739,345 | \$855,449 | \$739,345 | \$840,531 | \$849,834 | \$0 | \$45,000 | \$0 | \$894,834 | \$54,303 | 6.5% | 13.70 | 12.70 |
| Elementary Instruction | \$5,439,782 | \$7,149,682 | \$6,694,117 | \$7,082,328 | \$6,965,621 | \$0 | \$250,047 | \$0 | \$7,216,668 | \$133,340 | 1.9% | 160.34 | 163.74 |
| Middle School Instruction | \$3,495,800 | \$3,938,757 | \$3,770,202 | \$3,929,817 | \$3,827,030 | \$0 | \$44,707 | \$0 | \$3,871,827 | (\$57,990) | -1.5% | 77.03 | 78.98 |
| Curriculum, Instruction, Technolog | \$436,370 | \$612,209 | \$591,948 | \$567,309 | \$581,173 | \$0 | \$0 | \$0 | \$581,173 | \$13,864 | 2.4% | 12.00 | 10.00 |
| PS/Special Ed Instruction | \$2,507,030 | \$2,799,916 | \$2,766,726 | \$3,230,663 | \$3,356,803 | \$47,572 | \$0 | \$0 | \$3,404,375 | \$173,712 | 5.4% | 98.31 | 99.48 |
| Health & Transportation | \$390,629 | \$654,100 | \$425,646 | \$734,962 | \$758,473 | \$0 | \$0 | \$0 | \$758,473 | \$23,511 | 3.2% | 30.36 | 29.51 |
| Plant Maintenance | \$747,368 | \$817,233 | \$789,907 | \$741,504 | \$748,289 | \$0 | \$0 | \$0 | \$748,289 | \$6,785 | 0.9% | 19.00 | 17.00 |
| Other | \$420,820 | \$810,480 | \$458,532 | \$584,980 | \$559,980 | \$516,000 | \$0 | \$0 | \$1,075,980 | \$491,000 | 83.9% | 0.00 | 0.00 |
| Total Salaries: | \$15,177,144 | \$17,437,828 | \$16,236,423 | \$17,712,094 | \$17,647,203 | \$563,572 | \$339,844 | \$0 | \$18,550,619 | \$838,525 | 4.7% | 410.74 | 408.38 |
| Salary Offsets: | | (\$463,620) | | (\$507,980) | (\$601,597) | \$0 | \$0 | \$0 | (\$601,597) | (\$93,617) | 18.4% | -19.87 | -22.11 |
| Net Salaries: | \$15,177,144 | \$16,974,208 | \$16,236,423 | \$17,204,114 | \$17,045,606 | \$563,572 | \$339,844 | \$0 | \$17,949,022 | \$744,908 | 4.3% | 390.87 | 386.27 |
| | FY 2000-01 Actual | FY 2001-02 Budget | FY 2001-02 Actual | FY 2002-03 Budget | FY 2003-04 Budget Level | FY2003-04 Budget 3% Base | FY2003-04 Budget 5% Base | Revision #2 | FY 2003-04 Final Budget | \$ Change over FY 03 | % Change over FY03 | | |
| Summary - Expenses | | | | | | | | | | | | | |
| System Administration | \$203,948 | \$223,800 | \$270,340 | \$245,800 | \$245,800 | \$0 | \$0 | \$0 | \$245,800 | \$0 | 0.0% | | |
| Equipment | \$109,719 | \$106,000 | \$70,602 | \$86,746 | \$86,746 | \$0 | \$0 | \$0 | \$86,746 | \$0 | 0.0% | | |
| Elementary Instruction | \$294,453 | \$365,635 | \$265,790 | \$368,282 | \$331,432 | \$36,850 | \$22,574 | \$0 | \$390,856 | \$22,574 | 6.1% | | |
| Middle School Instruction | \$168,642 | \$220,156 | \$184,641 | \$249,680 | \$225,788 | \$23,892 | \$29,690 | \$0 | \$279,370 | \$29,690 | 11.9% | | |
| Curriculum, Instruction, Technolog | \$191,146 | \$154,227 | \$125,050 | \$161,938 | \$186,938 | \$0 | \$0 | \$0 | \$186,938 | \$25,000 | 15.4% | | |
| PS/Special Ed Instruction | \$1,233,395 | \$1,290,500 | \$1,921,047 | \$2,195,934 | \$2,342,111 | \$0 | \$0 | \$0 | \$2,342,111 | \$146,177 | 6.7% | | |
| Health & Transportation | \$668,526 | \$914,235 | \$738,554 | \$988,122 | \$991,195 | \$0 | \$0 | \$0 | \$991,195 | \$3,073 | 0.3% | | |
| Utilities | \$719,317 | \$602,462 | \$766,931 | \$685,500 | \$760,500 | \$0 | \$0 | \$0 | \$760,500 | \$75,000 | 10.9% | | |
| Plant Maintenance | \$413,484 | \$325,000 | \$367,945 | \$342,260 | \$342,260 | \$39,237 | \$50,260 | \$0 | \$431,747 | \$89,487 | 26.1% | | |
| Total Expenses: | \$4,002,630 | \$4,202,005 | \$4,700,900 | \$5,324,252 | \$5,512,760 | \$99,979 | \$102,524 | \$0 | \$5,715,263 | \$391,011 | 7.3% | | |
| Expense Offsets: | | (\$169,000) | | (\$410,000) | (\$440,000) | \$0 | \$0 | \$0 | (\$440,000) | | 0.0% | | |
| Net Expenses: | \$4,002,630 | \$4,033,005 | \$4,700,900 | \$4,914,252 | \$5,072,760 | \$99,979 | \$102,524 | \$0 | \$5,275,263 | \$361,011 | | | |
| Grand Total: Expense + Salary: | \$19,179,774 | \$21,639,831 | \$20,937,323 | \$23,036,346 | \$23,159,963 | \$663,551 | \$442,368 | \$0 | \$24,265,882 | \$1,229,536 | | | |
| Less: Total Offsets | \$0 | (\$632,620) | \$0 | (\$917,980) | (\$1,041,597) | \$0 | \$0 | \$0 | (\$1,041,597) | (\$123,617) | | | |
| Net Increase | | | | | \$0 | \$663,551 | \$442,368 | | | | | | |
| Per Cent of Increase | | | | | 0.0% | 3.0% | | | | | | | |
| Grand Total: Net School Spending: | \$19,179,774 | \$21,007,211 | \$20,937,323 | \$22,118,366 | \$22,118,366 | \$22,781,917 | \$23,224,285 | \$0 | \$23,224,285 | \$1,105,919 | 5.0% | | |

LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | School Committee Request FY04 | FinCom Recommended FY04 |
|------------------------------------|----------------------|----------------------|----------------------|--|-------------------------------|
| LINCOLN-SUDBURY REGIONAL HS | | | | | |
| Operating Budget | | | | | |
| Assessment | 10,119,234 | 11,055,205 | 11,630,304 | 12,537,932 | 12,076,615 |
| Debt Assessment | 217,257 | 345,803 | 576,388 | 1,089,609 | 1,089,609 |
| Total: LSRHS Assessment | 10,336,491 | 11,401,008 | 12,206,692 | 13,627,541 | 13,166,224 |

Lincoln-Sudbury Regional High School ("LSRHS") is a grades 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 such as health, life, workers' compensation and property and casualty insurances; FICA; retirement assessments; and debt service are all included in the LSRHS budget and represent 19% of the total budget for FY04. Chapter 70 State Aid and Regional Transportation Aid are used to reduce the total budget. The amount remaining 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 FY04 budget ratio for Sudbury is 84.91% (up from 84.67% in FY03) and for Lincoln is 15.09%. This .24% increase in ratio for the Sudbury FY04 assessment amounts to approximately \$34,000.

The enrollment at LSRHS has increased 55% from FY 1995 (887 students) to FY 2003 (1,377 students) and 4.7% (65 students) from FY02. Projections indicate continued growth at 4-6% annually, reaching a projected enrollment of 1,850 in FY09.

The Finance Committee requested LSRHS prepare operating budgets for FY04 under scenarios that allowed for an unspecified increase necessary to fund pension, benefits and insurance costs as well as increases in wages and other costs limited to 0%, 3% and 5%. LSRHS was also free to submit any other budgets it wished the Finance Committee to consider. Initially, the LS School Committee approved and submitted a budget that was 7% greater than the FY03 budget. The LS School Committee submitted this budget in order to illustrate a "point of reference" as the increase under this budget would fund LSRHS to a level that would provide the same services as in FY02 as well as provide for the additional student growth from FY02 to FY04 (estimated to be 130 students) and an estimated amount for salary increases for the first year of collective bargaining agreements presently under negotiation. The LS School Committee's final vote was to submit a budget that is 3% greater than FY03. Under all budget scenarios, state aid is projected to decrease 10% from FY03 levels.

Under the scenario allowing for a 0% increase in wages and other costs (excluding pension, benefits and insurance costs) for all cost centers, the Town was still in excess of the non-override budget amount required to be submitted to Town Meeting. After discussions among the various cost centers and the Finance Committee it was decided that the operating assessment to LSRSD be further reduced by \$52,275 (total budget cut \$61,565).

The Finance Committee recommends approval of an assessment to the District of \$13,166,224.

LINCOLN-SADBURY REGIONAL SCHOOL DISTRICT
FY04 PROPOSED BUDGET
Voted by the Lincoln-Sudbury Regional School Committee
February 4, 2003

OPERATING BUDGET

| | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
|-----------------------------|-----------------------|------------------|-----------------------|------------------|------------------|
| Administration: | | | | | |
| School Committee | 148,890 | 80,000 | 137,448 | 86,000 | 86,000 |
| Administration | 48,615 | 66,500 | 57,304 | 59,500 | 60,500 |
| Business Office | 18,844 | 18,000 | 14,038 | 21,000 | 19,300 |
| Central Office | 16,079 | 18,000 | 16,068 | 17,000 | 17,000 |
| Administration Total | 231,428 | 182,500 | 224,858 | 183,500 | 182,800 |

| | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
|--------------------------|-----------------------|------------------|-----------------------|------------------|------------------|
| Instruction | | | | | |
| Art | 32,913 | 35,036 | 47,714 | 43,509 | 46,435 |
| Computer | 137,398 | 107,450 | 156,332 | 109,570 | 111,950 |
| Drama | 6,236 | 5,860 | 9,831 | 5,769 | 6,045 |
| English | 36,364 | 42,590 | 47,504 | 40,376 | 39,826 |
| Language | 29,963 | 39,200 | 41,731 | 23,789 | 25,200 |
| History | 38,658 | 32,700 | 35,017 | 32,405 | 30,200 |
| Journalism | 3,724 | 3,250 | 2,696 | 3,125 | 3,125 |
| Mathematics | 42,768 | 49,550 | 35,367 | 38,886 | 37,000 |
| Music | 31,133 | 24,215 | 26,255 | 25,049 | 25,924 |
| Wellness | 23,663 | 30,700 | 25,759 | 30,626 | 33,600 |
| Science | 39,076 | 41,060 | 38,788 | 40,769 | 41,854 |
| Technology | 13,647 | 16,700 | 20,612 | 22,116 | 23,115 |
| Career Center | 3,672 | 11,500 | 3,588 | 8,991 | 6,550 |
| General Supplies | 116,350 | 132,000 | 162,653 | 130,000 | 135,000 |
| Instruction Total | 657,562 | 571,811 | 663,845 | 554,980 | 565,824 |

| | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
|----------------------------|-----------------------|------------------|-----------------------|------------------|------------------|
| Educational Support | | | | | |
| House Services | 33,457 | 41,900 | 48,251 | 39,500 | 45,200 |
| Student Services | 51,726 | 32,050 | 45,132 | 33,020 | 34,920 |
| Audio-Visual | 41,288 | 41,200 | 59,462 | 40,290 | 39,500 |
| Library | 29,512 | 29,170 | 27,641 | 28,477 | 26,127 |
| Student Activities | 14,387 | 18,650 | 17,364 | 18,650 | 18,650 |
| Athletics | 153,491 | 209,559 | 191,242 | 211,390 | 212,091 |
| Transportation | 259,933 | 284,174 | 270,100 | 312,532 | 308,534 |
| Development | 18,369 | 16,000 | 22,587 | 16,500 | 18,500 |
| Ed Support Total | 642,163 | 672,703 | 681,778 | 700,369 | 701,622 |

| Operations | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
|---------------------------------------|-----------------------|-------------------|-----------------------|-------------------|-------------------|
| Custodial | 161,149 | 183,500 | 167,345 | 179,500 | 168,000 |
| Grounds | 21,684 | 23,900 | 17,634 | 23,500 | 23,500 |
| Maintenance | 158,576 | 183,500 | 170,138 | 178,710 | 154,000 |
| Utilities | 313,005 | 371,200 | 342,893 | 377,200 | 395,700 |
| Operations Total | 654,414 | 762,100 | 698,009 | 758,910 | 741,200 |
| Special Education | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
| Local Services | 53,920 | 65,962 | 53,787 | 61,636 | 64,040 |
| Transportation | 152,492 | 148,335 | 147,363 | 168,000 | 152,100 |
| Out-of-District | 982,895 | 1,035,830 | 917,823 | 1,107,975 | 1,184,596 |
| Special Ed Total | 1,189,307 | 1,250,127 | 1,118,973 | 1,337,611 | 1,400,736 |
| Contingency | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
| Contingency | 1,318 | 65,000 | 1,200 | 75,000 | 132,778 |
| Contingency Total | 1,318 | 65,000 | 1,200 | 75,000 | 132,778 |
| Salaries & Other Compensation: | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
| Administration | 697,512 | 826,772 | 824,216 | 866,840 | 890,276 |
| Administrative Support | 166,891 | 214,544 | 219,402 | 227,296 | 234,213 |
| Professional Staff | 7,029,155 | 7,952,299 | 7,786,139 | 8,238,968 | 8,515,226 |
| Course Reimbursement | 29,000 | 33,000 | 33,000 | 37,000 | 37,000 |
| Curriculum Development | 49,000 | 54,000 | 54,000 | 59,000 | 59,000 |
| Extra Services | 63,457 | 84,330 | 80,352 | 89,680 | 89,680 |
| Educational Support | 532,483 | 589,421 | 585,480 | 626,666 | 656,977 |
| Substitutes | 76,231 | 70,000 | 50,233 | 75,000 | 75,000 |
| Clerical | 536,972 | 571,483 | 552,839 | 622,491 | 642,467 |
| Blg./Grds/Maint. | 385,910 | 409,061 | 389,824 | 429,916 | 440,254 |
| Coaches/Trainer | 303,879 | 322,636 | 319,926 | 335,550 | 335,550 |
| Salaries Total | 9,870,489 | 11,127,546 | 10,905,410 | 11,608,407 | 11,975,643 |
| Other Equipment & Capital Projects | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
| Pickup Truck | 28,662 | 0 | 0 | 0 | 0 |
| Mower | 0 | 0 | 0 | 0 | 0 |
| Capital Project Total | 28,662 | 0 | 0 | 0 | 0 |
| TOTAL OPERATING BUDGET | 13,175,342 | 14,631,787 | 14,284,074 | 15,218,787 | 15,700,603 |

OTHER COSTS

| | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
|---------------------------------|-----------------------|------------------|-----------------------|------------------|------------------|
| Pensions & Insurance | | | | | |
| Insurance | 987,144 | 1,438,690 | 1,210,967 | 1,671,437 | 1,865,532 |
| Pensions | 287,995 | 296,057 | 315,365 | 339,731 | 331,030 |
| Fixed Costs Total | 1,275,140 | 1,734,747 | 1,526,333 | 2,011,168 | 2,196,562 |

| | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
|-----------------------------|-----------------------|------------------|-----------------------|------------------|------------------|
| Debt/Stabilization | | | | | |
| Boiler Principal & Interest | 203,350 | 191,563 | 191,563 | 184,650 | 153,075 |
| Renovation Short Term Int | 55,258 | 216,850 | 100,122 | 496,097 | 1,246,575 |
| Stabilization Funding | 65,567 | 0 | 0 | 32,162 | 63,268 |
| Total Debt/Stabiliz. | 324,175 | 408,413 | 291,685 | 712,909 | 1,462,918 |

| | FY '01 Expenditure | FY '02 Budget | FY '02 Expenditure | FY '03 Budget | FY '04 Budget |
|----------------------------|-----------------------|------------------|-----------------------|------------------|------------------|
| SCHOOL CHOICE | | | | | |
| Tuition Assessment | 21,676 | 16,500 | 26,572 | 10,000 | 10,000 |
| Total School Choice | 21,676 | 16,500 | 26,572 | 10,000 | 10,000 |

| | | | | | |
|--------------------------|------------------|------------------|------------------|------------------|------------------|
| TOTAL OTHER COSTS | 1,620,990 | 2,159,660 | 1,844,590 | 2,734,077 | 3,669,480 |
|--------------------------|------------------|------------------|------------------|------------------|------------------|

| | | | | | |
|---------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| TOTAL BUDGET | 14,796,332 | 16,791,447 | 16,128,663 | 17,952,844 | 19,308,583 |
|---------------------|-------------------|-------------------|-------------------|-------------------|-------------------|

| | | | | | |
|--------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Less Estimated Receipts: | | -221500 | | -249600 | -249,600 |
| NET BUDGET | 14,796,332 | 16,569,947 | 16,128,663 | 17,703,244 | 19,120,383 |

| | | | | | |
|-------|-------|-------|-------|-------|-------|
| ===== | ===== | ===== | ===== | ===== | ===== |
|-------|-------|-------|-------|-------|-------|

| | | | | | |
|----------------------|--|---------------|--|---------------|---------------|
| STATE AID | | -2,394,408.00 | | -2,404,377.00 | -2,171,528.00 |
| STABILIZATION OFFSET | | | | -32,161.56 | -63,267.51 |
| REAPPORTIONMENT | | -715,210.64 | | -856,849.82 | -836,722.81 |

| | | | | | |
|------------|--|---------------|--|---------------|---------------|
| ASSESSMENT | | 13,460,328.36 | | 14,409,855.62 | 16,046,865.02 |
| | | ===== | | ===== | ===== |

| | | | | | |
|--------------------|--|---------------|--|---------------|---------------|
| LINCOLN ASSESSMENT | | 2,059,320.00 | | 2,203,163.40 | 2,419,323.55 |
| SUDBURY ASSESSMENT | | 11,401,008.00 | | 12,206,692.22 | 13,627,541.47 |

| | | | | | |
|-------------------------|--|----------------------|--|----------------------|----------------------|
| TOTAL ASSESSMENT | | 13,460,328.00 | | 14,409,855.62 | 16,046,865.02 |
|-------------------------|--|----------------------|--|----------------------|----------------------|

MINUTEMAN VOCATIONAL TECHNICAL SCHOOL DISTRICT

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | School Committee Request FY04 | FinCom Recommended FY04 |
|--|----------------------|----------------------|----------------------|--|-------------------------------|
| Total: Minuteman Assessment | 256,112 | 319,158 | 378,971 | 434,510 | 357,315 |

The proposed FY04 Budget does provide a level service budget for Minuteman Regional Technical High School. The original request was for continuation of all services provided in FY03, with a slight increase in the assessment to Sudbury for FY04 due to increased enrollment, even though Minuteman had decreased their overall budget by 0.9%. This figure is being reduced by the elimination of the resident technology instructor at the Ephraim Curtis Middle School. The FY04 budget will be \$21,656 less than this year's operating budget. The Finance Committee recommended approval of an assessment of \$357,315.

| PROGRAM AREA | Amount FY03 | Proposed FY04 | Difference |
|--------------------------------|-------------------|-------------------|-----------------|
| Technology | 156,260 | 140,853 | -15,407 |
| Commercial | 97,039 | 87,856 | -9,183 |
| Trades | 143,923 | 129,848 | -14,075 |
| Academic | 322,650 | 288,133 | -34,517 |
| Instructional Sub-total | 719,872 | 646,690 | -73,182 |
| SUPPORT | | | |
| Library | 25,544 | 23,858 | -1,686 |
| Audio-Visual | 5,750 | 4,750 | -1,000 |
| Television | 90 | 50 | -40 |
| Microcomputer Service | 53,180 | 52,680 | -500 |
| Business Tech (rel.) | 4,525 | 3,300 | -1,225 |
| Duplicating Serv. | 45,615 | 44,115 | -1,500 |
| Special Education | 23,850 | 27,010 | 3,160 |
| Psychological Service | 2,790 | 2,000 | -790 |
| Guidance Service | 15,350 | 14,550 | -800 |
| Health Service | 12,082 | 11,450 | -632 |
| Principal's Office | 95,050 | 93,740 | -1,310 |
| Transportation | 1,055,885 | 1,049,871 | -6,014 |
| Vocation Coordinator | 6,885 | 6,150 | -735 |
| Computer Service, Mini | 31,900 | 26,400 | -5,500 |
| Dean's Office | 3,620 | 3,120 | -500 |
| Dist. & Prof.Dev. | 134,900 | 159,560 | 24,660 |
| Public Information | 202,350 | 186,350 | -16,000 |
| Superintendent's Office | 6,794 | 5,000 | -1,794 |
| Planning Office | 42,300 | 36,700 | -5,600 |
| Business Office | 21,720 | 20,500 | -1,220 |
| Risk Insurance | 244,230 | 255,807 | 11,577 |
| Emp. Benefits | 1,367,573 | 1,526,697 | 159,124 |
| Medicare/FICA | 112,090 | 110,000 | -2,090 |
| Maintenance | 1,048,900 | 1,013,900 | -35,000 |
| Debt Mgt. | 0 | 0 | 0 |
| Equipment/Capital | 250,000 | 50,000 | -200,000 |
| Food Service | 7,850 | 7,050 | -800 |
| Leadership/Safety | 15,150 | 10,450 | -4,700 |
| Sup. Sub-Total | 4,835,973 | 4,745,058 | -90,915 |
| Salaries | 10,117,675 | 10,128,912 | 11,237 |
| TOTAL | 15,673,520 | 15,520,660 | -152,860 |

Full-time Sudbury students = 18.00 Sudbury Assessment = \$357,315

GENERAL GOVERNMENT

The General Government portion of the budget represents the Executive, General Administration, Legal and quasi-judicial functions of the Town. Some of these offices include Selectmen/Town Manager's office, Finance Department (which includes accounting, assessors, treasurer/collector and information systems), Planning Board, Board of Appeals and the Town Clerk & Registrars. The FY04 Budget is increasing this year by \$17,451. Overall, the budget requests sufficient funds to maintain the same personnel and basic expenses of running the Town offices. It does not contain any funds for cost-of-living adjustments for the employees, only step increases. Cuts were made in several areas. The part-time economic development specialist was cut which may slow down the progress the Town has been making in working to enhance the commercial tax base. This budget continues the reduction of funding for trail maintenance, a cut first made in FY03. Also reduced is the out-of-state travel account, which supports the professional development of department heads who attend annual conferences to keep up with changes within their profession. Another consequence of the budget to note is in the Information Systems area. The Town has nine servers currently off warranty and may face future maintenance costs not currently allowed for in this budget.

The Finance Committee recommends approval of a FY04 General Government Budget of \$1,929,658.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| SELECTMEN/TOWN MANAGER | | | | | |
| Town Manager | 91,255 | 99,224 | 119,063 | 121,563 | 121,563 |
| Admin. Salaries | 46,461 | 48,282 | 51,670 | 51,670 | 51,670 |
| Overtime | 1,200 | 1,500 | 1,600 | 1,600 | 1,600 |
| Clerical | 40,306 | 80,720 | 48,686 | 49,487 | 49,487 |
| Executive Incentive Program | 0 | 9,200 | 9,200 | 9,000 | 7,000 |
| Sick Leave Buy Back | 0 | 257 | 891 | 1,188 | 1,188 |
| Sub-total: Personal Services | 179,222 | 239,183 | 231,110 | 234,508 | 232,508 |
| General Expense | 8,500 | 14,600 | 15,000 | 15,000 | 15,000 |
| Maintenance | 750 | 750 | 750 | 750 | 750 |
| Travel | 3,300 | 3,300 | 3,900 | 3,900 | 3,900 |
| Out of State Travel | 7,000 | 7,000 | 5,000 | 5,000 | 5,000 |
| Surveys & Studies | 8,982 | 8,982 | 8,982 | 3,280 | 0 |
| Contracted Services | 2,500 | 3,500 | 0 | 9,500 | 2,000 |
| Equipment | 0 | 500 | 0 | 0 | 0 |
| Sub-total: Expenses | 31,032 | 38,632 | 33,632 | 37,430 | 26,650 |
| Total: Selectmen | 210,254 | 277,815 | 264,742 | 271,938 | 259,158 |

GENERAL GOVERNMENT

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| ASSISTANT TOWN MGR/PERSONNEL | | | | | |
| Assistant Town Manager | 54,564 | 70,795 | 76,443 | 76,443 | 76,443 |
| Benefits Coordinator | 24,690 | 0 | 0 | 0 | 0 |
| Clerical | 27,554 | 39,049 | 41,050 | 41,200 | 41,200 |
| Sub-total: Personal Services | 106,808 | 109,844 | 117,493 | 117,643 | 117,643 |
| General Expense | 1,465 | 1,800 | 1,750 | 1,750 | 1,750 |
| Travel | 200 | 300 | 250 | 300 | 250 |
| Contracted Services | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 |
| Employee Profess. Develop. | 1,000 | 1,200 | 1,100 | 1,100 | 1,100 |
| Sub-total: Expenses | 4,665 | 5,300 | 5,100 | 5,150 | 5,100 |
| Total: ATM/Personnel | 111,473 | 115,144 | 122,593 | 122,793 | 122,743 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| LAW | | | | | |
| Town Counsel | 33,399 | 35,748 | 37,150 | 37,150 | 37,150 |
| Clerical | 30,522 | 32,670 | 33,242 | 33,749 | 33,749 |
| Sub-total: Personal Services | 63,921 | 68,418 | 70,392 | 70,899 | 70,899 |
| General Expense | 5,450 | 5,950 | 5,950 | 5,700 | 5,700 |
| Legal Expense | 66,953 | 71,953 | 73,005 | 73,000 | 73,000 |
| Computer Hardware | 0 | 0 | 0 | 0 | 0 |
| Tax Title Legal Expense | 0 | 0 | 0 | 0 | 0 |
| Sub-total: Expenses | 72,403 | 77,903 | 78,955 | 78,700 | 78,700 |
| Total: Law | 136,324 | 146,321 | 149,347 | 149,599 | 149,599 |

GENERAL GOVERNMENT

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| ACCOUNTING | | | | | |
| Town Accountant | 59,758 | 65,846 | 68,413 | 68,413 | 68,413 |
| Salaries | 96,564 | 106,709 | 115,018 | 118,993 | 118,993 |
| Overtime | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 |
| Sub-total: Personal Services | 157,322 | 173,555 | 184,431 | 188,406 | 188,406 |
| General Expense | 6,600 | 6,600 | 6,100 | 6,100 | 6,100 |
| Computer | 11,900 | 20,672 | 13,800 | 18,000 | 17,500 |
| Maintenance | 1,850 | 2,020 | 2,020 | 2,020 | 2,020 |
| Travel | 710 | 750 | 550 | 650 | 550 |
| Contracted Services | 18,000 | 30,000 | 25,000 | 31,500 | 31,500 |
| Sub-total: Expenses | 39,060 | 60,042 | 47,470 | 58,270 | 57,670 |
| Total: Accounting | 196,382 | 233,597 | 231,901 | 246,676 | 246,076 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| ASSESSORS | | | | | |
| Director | 59,754 | 63,025 | 68,063 | 68,063 | 68,063 |
| Clerical | 94,814 | 107,008 | 122,331 | 126,480 | 126,480 |
| Overtime | 0 | 0 | 0 | 0 | 0 |
| Sick Buy Back | 843 | 873 | 1,008 | 1,047 | 1,047 |
| Sub-total: Personal Services | 155,411 | 170,906 | 191,402 | 195,590 | 195,590 |
| General Expense | 11,000 | 11,000 | 10,500 | 10,500 | 10,500 |
| Maintenance | 0 | 0 | 0 | 0 | 0 |
| Tuition | 1,000 | 1,000 | 2,000 | 1,500 | 1,000 |
| Contracted Services | 23,000 | 15,000 | 15,000 | 15,000 | 15,000 |
| Equipment | 4,185 | 0 | 0 | 0 | 0 |
| Sub-total: Expenses | 39,185 | 27,000 | 27,500 | 27,000 | 26,500 |
| Total: Assessors | 194,596 | 197,906 | 218,902 | 222,590 | 222,090 |

GENERAL GOVERNMENT

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| TREASURER-COLLECTOR | | | | | |
| Fin. Director/Treas.-Coll. | 57,854 | 77,166 | 83,324 | 83,324 | 83,324 |
| Overtime | 0 | 0 | 0 | 0 | 0 |
| Sick Leave Buy Back | 0 | 0 | 0 | 752 | 752 |
| Clerical | 116,578 | 124,826 | 132,022 | 137,504 | 137,504 |
| Stipends | 12,500 | 2,500 | 2,500 | 2,500 | 2,500 |
| Sub-total: Personal Services | 186,932 | 204,492 | 217,846 | 224,080 | 224,080 |
| General Expense | 32,130 | 35,050 | 41,150 | 35,300 | 35,300 |
| Maintenance | 7,415 | 7,415 | 8,500 | 8,500 | 8,500 |
| Travel | 1,500 | 1,500 | 750 | 750 | 750 |
| Tax Collection | 13,500 | 13,500 | 13,500 | 10,000 | 10,000 |
| Equipment | 27,950 | 7,500 | 0 | 0 | 0 |
| Tax Title Expense | 1,000 | 1,500 | 1,500 | 0 | 0 |
| Sub-total: Expenses | 83,495 | 66,465 | 65,400 | 54,550 | 54,550 |
| Total: Treasurer-Collector | 270,427 | 270,957 | 283,246 | 278,630 | 278,630 |
| | | | | | |
| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
| INFORMATION SYSTEMS | | | | | |
| Technology Administrator | 61,784 | 68,116 | 70,786 | 70,786 | 70,786 |
| Clerical | 25,591 | 31,949 | 37,277 | 38,738 | 38,738 |
| Sick Leave Buy Back | 10,400 | 1,463 | 1,627 | 1,627 | 1,627 |
| Summer Help | 1,420 | 3,240 | 3,338 | 3,466 | 3,466 |
| Sub-total: Personal Services | 99,195 | 104,768 | 113,028 | 114,617 | 114,617 |
| General Expense | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 |
| Software | 31,345 | 31,345 | 32,545 | 32,545 | 32,545 |
| Maintenance | 6,000 | 8,000 | 10,000 | 10,000 | 10,000 |
| Travel | 1,775 | 1,725 | 1,250 | 1,250 | 1,250 |
| Contracted Services | 13,950 | 14,400 | 12,400 | 12,400 | 12,400 |
| Equipment | 14,350 | 55,150 | 52,000 | 52,000 | 52,000 |
| Professional Development | 2,950 | 2,950 | 3,750 | 3,750 | 3,750 |
| WAN/Telephone | | | | | |
| Connections | 8,680 | 14,340 | 11,500 | 11,500 | 11,500 |
| Network | 5,200 | 5,000 | 5,000 | 5,000 | 5,000 |
| Internet | 2,500 | 10,000 | 10,000 | 10,000 | 10,000 |
| Sub-total: Expenses | 91,750 | 147,910 | 143,445 | 143,445 | 143,445 |
| Total: Information Systems | 190,945 | 252,678 | 256,473 | 258,062 | 258,062 |

GENERAL GOVERNMENT

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| TOWN CLERK & REGISTRARS | | | | | |
| Town Clerk | 52,407 | 56,449 | 48,656 | 52,587 | 52,587 |
| Overtime | 2,166 | 849 | 800 | 800 | 800 |
| Clerical | 90,099 | 100,864 | 107,525 | 103,349 | 103,349 |
| Sick Leave Buy Back | 1,212 | 1,296 | 0 | 0 | 0 |
| Registrars | 650 | 932 | 932 | 932 | 932 |
| Sub-total: Personal Services | 146,534 | 160,390 | 157,913 | 157,668 | 157,668 |
| General Expense | 9,734 | 9,814 | 10,854 | 10,855 | 10,854 |
| Computer | 1,750 | 1,750 | 1,750 | 1,750 | 1,750 |
| Maintenance | 200 | 200 | 200 | 200 | 200 |
| Travel | 650 | 700 | 650 | 750 | 650 |
| Tuition | 600 | 650 | 700 | 750 | 700 |
| Elections | 21,445 | 11,644 | 24,000 | 22,360 | 22,360 |
| Equipment | 500 | 500 | 500 | 5,300 | 5,300 |
| Sub-total: Expenses | 34,879 | 25,258 | 38,654 | 41,965 | 41,814 |
| Total: Town Clerk & Registrars | 181,413 | 185,648 | 196,567 | 199,633 | 199,482 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| COMMITTEE FOR PRESERVATION AND MANAGEMENT OF DOCUMENTS | | | | | |
| Expenses (Gen. Exp.) | 1,500 | 1,500 | 1,000 | 1,300 | 1,000 |
| Sub-total: Expenses | 1,500 | 1,500 | 1,000 | 1,300 | 1,000 |
| Total: Doc. Preservation | 1,500 | 1,500 | 1,000 | 1,300 | 1,000 |

GENERAL GOVERNMENT

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| CONSERVATION | | | | | |
| Conservation Coordinator | 41,139 | 49,408 | 53,485 | 56,834 | 56,834 |
| Clerical | 7,174 | 7,455 | 6,786 | 8,955 | 8,955 |
| Sick Leave Buy Back | 1,103 | 1,180 | 1,276 | 1,307 | 1,307 |
| Sub-total: Personal Services | 49,416 | 58,043 | 61,547 | 67,096 | 67,096 |
| General Expense | 1,443 | 1,443 | 1,443 | 1,443 | 1,443 |
| Clothing | 0 | 0 | 250 | 250 | 250 |
| Computer | 0 | 0 | 0 | 0 | 0 |
| Building Maintenance | 0 | 0 | 0 | 0 | 0 |
| Trail Maintenance | 4,000 | 4,500 | 3,000 | 3,500 | 3,000 |
| Travel | 625 | 625 | 525 | 525 | 525 |
| Sub-total: Expenses | 6,068 | 6,568 | 5,218 | 5,718 | 5,218 |
| Total: Conservation | 55,484 | 64,611 | 66,765 | 72,814 | 72,314 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| PLANNING BOARD & DESIGN REVIEW BOARD | | | | | |
| Town Planner | 63,117 | 67,545 | 70,334 | 70,334 | 70,334 |
| Planning Intern | 0 | 3,500 | 3,500 | 3,500 | 3,000 |
| Clerical | 21,783 | 21,783 | 20,004 | 20,787 | 20,787 |
| Sub-total: Personal Services | 84,900 | 92,828 | 93,838 | 94,621 | 94,121 |
| General Expense | 2,950 | 2,000 | 2,000 | 2,000 | 1,800 |
| Professional Development | 0 | 500 | 400 | 400 | 400 |
| Clothing Allowance | 0 | 100 | 100 | 100 | 100 |
| Sub-total: Expenses | 2,950 | 2,600 | 2,500 | 2,500 | 2,300 |
| Total: Planning Board | 87,850 | 95,428 | 96,338 | 97,121 | 96,421 |

GENERAL GOVERNMENT

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| PERMANENT BUILDING COMMITTEE | | | | | |
| Personal Services (Cler.) | 500 | 500 | 0 | 0 | 0 |
| Sub-total: Personal Services | 500 | 500 | 0 | 0 | 0 |
| Expenses (Gen. Exp.) | 0 | 0 | 0 | 0 | 0 |
| Sub-total: Expenses | 0 | 0 | 0 | 0 | 0 |
| Total: Permanent Bldg. Com. | 500 | 500 | 0 | 0 | 0 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| BOARD OF APPEALS | | | | | |
| Personal Services (Cler.) | 18,766 | 20,661 | 22,483 | 22,483 | 22,483 |
| Sub-total: Personal Services | 18,766 | 20,661 | 22,483 | 22,483 | 22,483 |
| General Expense | 1,850 | 1,850 | 1,850 | 1,600 | 1,600 |
| Sub-total: Expenses | 1,850 | 1,850 | 1,850 | 1,600 | 1,600 |
| Total: Board of Appeals | 20,616 | 22,511 | 24,333 | 24,083 | 24,083 |

| | | | | | |
|---------------------------|------------------|------------------|------------------|------------------|------------------|
| Total: | | | | | |
| General Government | 1,657,764 | 1,864,616 | 1,912,207 | 1,945,239 | 1,929,658 |

PUBLIC SAFETY

The Public Safety cluster includes the Fire, Police, Building Inspection and Dog Officer Departments. The FY04 budget for these departments reflects an increase of \$7,283 or 0.14% over FY03. Overall, the budget requests sufficient funds to maintain the same personnel and basic expenses of running the public safety departments. It does not contain any funds for cost-of-living adjustments for the employees, only step increases. The Police Department will be the most challenged by this limited budget as they anticipate additional retirements of current officers. In seeking to fill vacancies as they occur, the Police Department will need to continue with a "rolling vacancy" and will have to limit new hires to those individuals who have already attended the Police Academy, as the Town has no funds to pay for such training. Further, both the Fire and Police Departments will need to operate with short shifts at times. The Town will continue to operate with fewer police and fire personnel than in the 1980's even though population and the number of service calls have increased. The Finance Committee recommends approval of a FY04 Public Safety overall budget of \$5,133,565.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| POLICE DEPT | | | | | |
| Chief | 92,903 | 99,440 | 103,522 | 103,322 | 103,322 |
| Lieutenants | 159,409 | 173,036 | 182,596 | 189,738 | 189,738 |
| Salaries | 1,067,935 | 1,145,973 | 1,204,518 | 1,221,794 | 1,206,794 |
| Night Differential | 18,000 | 20,000 | 20,000 | 20,000 | 20,000 |
| Overtime | 118,612 | 134,543 | 144,543 | 154,543 | 144,543 |
| Clerical | 70,496 | 73,027 | 77,083 | 78,486 | 78,486 |
| Dispatchers | 123,041 | 136,863 | 139,441 | 145,126 | 145,126 |
| Sick Leave Buy Back | 4,155 | 6,147 | 6,147 | 5,772 | 5,772 |
| Holiday Pay | 10,300 | 14,506 | 14,506 | 14,506 | 14,506 |
| Stipend | 10,600 | 12,100 | 26,850 | 26,850 | 26,850 |
| Sub-total: Personal Services | 1,675,451 | 1,815,635 | 1,919,206 | 1,960,137 | 1,935,137 |
| General Expense | 30,158 | 30,158 | 34,458 | 41,718 | 34,458 |
| Maintenance | 43,615 | 50,615 | 55,265 | 55,265 | 55,265 |
| Travel | 2,500 | 2,500 | 2,500 | 3,500 | 2,500 |
| Uniforms | 21,600 | 22,600 | 22,600 | 25,430 | 25,430 |
| Tuition | 9,400 | 4,700 | 4,700 | 20,000 | 10,000 |
| Equipment | 39,000 | 25,000 | 6,500 | 8,000 | 6,500 |
| Sub-total: Expenses | 146,273 | 135,573 | 126,023 | 153,913 | 134,153 |
| Police Cruisers | 120,000 | 122,500 | 122,500 | 122,500 | 120,000 |
| Sub-total: Capital | 120,000 | 122,500 | 122,500 | 122,500 | 120,000 |
| Total: Police Dept. | 1,941,724 | 2,073,708 | 2,167,729 | 2,236,550 | 2,189,290 |

PUBLIC SAFETY

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| FIRE DEPT | | | | | |
| Chief | 83,652 | 91,555 | 95,121 | 95,121 | 95,121 |
| Salaries | 1,385,942 | 1,486,524 | 1,532,472 | 1,540,086 | 1,540,086 |
| Overtime | 261,862 | 291,354 | 307,755 | 325,195 | 325,195 |
| Clerical | 19,118 | 26,085 | 29,031 | 27,282 | 27,282 |
| Dispatchers | 62,236 | 100,568 | 97,425 | 100,807 | 100,807 |
| Sick Buy Back | 7,035 | 7,619 | 7,760 | 6,760 | 6,760 |
| Sub-total: Personal Services | 1,819,845 | 2,003,705 | 2,069,564 | 2,095,251 | 2,095,251 |
| General Expense | 24,460 | 27,020 | 29,220 | 31,860 | 30,960 |
| Maintenance | 71,878 | 75,075 | 76,000 | 82,000 | 76,000 |
| Alarm Maint. | 1,000 | 1,000 | 1,500 | 1,500 | 1,500 |
| Travel, In State | 500 | 500 | 500 | 500 | 500 |
| Uniforms | 26,545 | 29,945 | 38,500 | 38,500 | 38,500 |
| Tuition | 2,800 | 17,100 | 10,000 | 8,000 | 8,000 |
| Contracted Services | 9,360 | 14,360 | 15,000 | 19,000 | 19,000 |
| Equipment | 14,850 | 19,800 | 22,500 | 19,750 | 19,750 |
| Sub-total: Expenses | 151,393 | 184,800 | 193,220 | 201,110 | 194,210 |
| Capital Items | 127,000 | 40,000 | 40,000 | 13,500 | 0 |
| Sub-total: Capital Expenses | 127,000 | 40,000 | 40,000 | 13,500 | 0 |
| Total: Fire Dept. | 2,098,238 | 2,228,505 | 2,302,784 | 2,309,861 | 2,289,461 |
| Offset: Ambulance Fund | 120,692 | 115,122 | 192,494 | 200,853 | 200,853 |
| Net Budget | 1,977,546 | 2,113,383 | 2,110,290 | 2,109,008 | 2,088,608 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| DOG OFFICER | | | | | |
| Dog Officer | 7,833 | 8,384 | 8,384 | 8,384 | 8,384 |
| Dog Officer's Annual Stipend | 0 | 0 | 0 | 0 | 0 |
| Sick Leave Buy Back | 570 | 610 | 610 | 635 | 635 |
| Sub-total: Personal Services | 8,403 | 8,994 | 8,994 | 9,019 | 9,019 |
| General Expense | 560 | 560 | 560 | 400 | 400 |
| Vehicle Maintenance | 200 | 200 | 200 | 200 | 200 |
| Contracted Services | 800 | 800 | 800 | 1,170 | 1,170 |
| Sub-total: Expenses | 1,560 | 1,560 | 1,560 | 1,770 | 1,770 |
| Total: Dog Officer | 9,963 | 10,554 | 10,554 | 10,789 | 10,789 |

PUBLIC SAFETY

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| BUILDING DEPT. | | | | | |
| Inspector | 59,395 | 61,723 | 66,493 | 62,473 | 62,473 |
| Supv. of Town Bldgs. | 44,571 | 48,134 | 49,702 | 52,096 | 52,096 |
| Asst. Bldg Inspector | 19,327 | 48,477 | 49,900 | 32,841 | 32,841 |
| Clerical | 34,194 | 35,534 | 35,364 | 37,221 | 37,221 |
| Deputy Inspector | 2,640 | 2,851 | 2,851 | 2,975 | 2,975 |
| Zoning Enforcement Agent | 6,463 | 6,980 | 7,471 | 8,014 | 8,014 |
| Plumbing/ Gas Inspector | 25,000 | 25,000 | 25,980 | 26,965 | 26,965 |
| Retainer: Plumbing | 2,300 | 2,300 | 0 | 0 | 0 |
| Sealer of Weights | 1,650 | 2,150 | 2,150 | 2,150 | 2,150 |
| Wiring Inspector | 13,050 | 13,562 | 13,050 | 13,250 | 13,250 |
| Custodial | 97,893 | 73,618 | 76,454 | 76,620 | 76,620 |
| Sub-total: Personal Services | 306,483 | 320,329 | 329,415 | 314,605 | 314,605 |
| General Expense | 2,500 | 2,500 | 3,500 | 3,500 | 3,500 |
| Town Bldg. Maint. | 144,475 | 171,094 | 237,950 | 258,880 | 258,880 |
| Vehicle Maintenance | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 |
| Contracted services | 0 | 48,200 | 60,000 | 61,890 | 61,890 |
| Uniforms | 1,400 | 1,200 | 1,350 | 1,350 | 1,350 |
| In-State Travel | 0 | 0 | 2,500 | 2,800 | 2,800 |
| Equipment | 0 | 2,000 | 0 | 0 | 0 |
| Sub-total: Expenses | 149,375 | 225,994 | 306,300 | 329,420 | 329,420 |
| Building Improvements | 59,500 | 14,500 | 9,500 | 7,000 | 0 |
| Sub-total: Capital Expenses | 59,500 | 14,500 | 9,500 | 7,000 | 0 |
| Total: Building Dept. | 515,358 | 560,823 | 645,215 | 651,025 | 644,025 |
| | | | | | |
| Total: | | | | | |
| Public Safety | 4,565,283 | 4,873,590 | 5,126,282 | 5,208,225 | 5,133,565 |

PUBLIC WORKS

The Public Works cluster includes the Engineering, Streets and Roads, Trees and Cemeteries, and Parks and Grounds Divisions, and Solid Waste Enterprise Fund. The Solid Waste Enterprise Fund is voted separately at Town Meeting.

The recommended FY04 budget for these divisions includes an increase of \$51,147 or 2.05% over FY03. This is the only budget cluster within any Town operating department that includes funds for a cost-of-living adjustment for the Engineering and DPW union members, as they are in the third year of a three-year contract. The Streets and Roads division bore the brunt of budget cuts for this cluster, as funds for roadwork have been cut by \$5,000 and for vehicle purchases by \$20,300. These cuts do not indicate a lack of need in these areas, but were made as a strategy for closing the FY04 budget gap. As the state has reduced its assistance for road and bridge work through its Chapter 90 program, the Town is spending significantly fewer dollars protecting the Town's investment in its roadwork infrastructure. The Town may request a one-time capital exclusion in FY05 to provide some much needed "catch-up" funding for all the spending deferred over the last few years so that we can maintain and protect our substantial investment in our Town roadway system.

The Finance Committee recommends approval of a FY04 Public Works budget of \$2,545,971.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| ENGINEERING DEPARTMENT | | | | | |
| Dir. of Public Works | 80,170 | 86,403 | 89,971 | 93,891 | 93,891 |
| Salaries | 202,229 | 165,971 | 151,024 | 169,805 | 169,805 |
| Clerical | 25,166 | 29,847 | 30,247 | 31,437 | 31,437 |
| Summer Help | 8,478 | 12,000 | 12,000 | 13,756 | 13,756 |
| Sick Leave Buy Back | 2,470 | 2,808 | 4,562 | 4,946 | 4,946 |
| Sub-total: Personal Services | 318,513 | 297,029 | 287,804 | 313,835 | 313,835 |
| General Expense | 8,000 | 8,250 | 14,862 | 14,862 | 14,718 |
| Maintenance | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 |
| Travel | 100 | 100 | 100 | 100 | 100 |
| Uniforms | 2,050 | 2,050 | 2,050 | 2,275 | 2,275 |
| Sub-total: Expenses | 12,650 | 12,900 | 19,512 | 19,737 | 19,593 |
| Operating Capital Items | 6,500 | 6,500 | 0 | 0 | 0 |
| Sub-total: Capital Expenses | 6,500 | 6,500 | 0 | 0 | 0 |
| Total: Engineering | 337,663 | 316,429 | 307,316 | 333,572 | 333,428 |

PUBLIC WORKS

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| STREETS & ROADS | | | | | |
| Highway Superintendent | 65,737 | 69,661 | 72,149 | 72,155 | 74,375 |
| Management Analyst | 40,000 | 42,815 | 48,900 | 50,813 | 50,813 |
| Salaries | 463,547 | 482,971 | 497,975 | 509,216 | 509,216 |
| Overtime | 11,833 | 21,353 | 21,353 | 21,353 | 21,353 |
| Clerical | 8,227 | 12,921 | 14,381 | 18,406 | 18,406 |
| Summer Temp. Labor | 0 | 4,800 | 4,800 | 4,800 | 4,800 |
| Sick Leave Buy Back | 2,950 | 3,241 | 2,066 | 2,185 | 2,185 |
| Sub-total: Personal Svs. | 592,294 | 637,762 | 661,624 | 678,928 | 681,148 |
| General Expense | 10,000 | 12,000 | 22,500 | 12,000 | 11,500 |
| Gasoline | 85,000 | 101,600 | 100,000 | 105,000 | 105,000 |
| Bldg. Maintenance | 5,000 | 5,000 | 7,000 | 9,600 | 8,250 |
| Vehicle Maintenance | 85,000 | 89,800 | 92,500 | 92,500 | 92,500 |
| Utilities | 20,000 | 23,000 | 37,000 | 50,000 | 50,000 |
| Street Lighting | 75,000 | 72,200 | 81,300 | 81,600 | 81,600 |
| Travel | 100 | 150 | 150 | 150 | 150 |
| Uniforms | 12,050 | 13,600 | 15,545 | 16,545 | 16,545 |
| Tuition | 0 | 1,300 | 1,300 | 1,300 | 1,300 |
| Police detail | 10,591 | 16,000 | 24,800 | 24,800 | 24,800 |
| Contracted Services | 0 | 0 | 0 | 0 | 0 |
| Roadwork | 230,340 | 300,000 | 320,000 | 340,000 | 315,000 |
| Sub-total: Expenses | 533,081 | 634,650 | 702,095 | 733,495 | 706,645 |
| Vehicle Leases/Purchases | 123,599 | 132,400 | 115,162 | 124,862 | 94,862 |
| Sub-total: Capital Expenses | 123,599 | 132,400 | 115,162 | 124,862 | 94,862 |
| Snow & Ice Overtime | 71,751 | 86,213 | 89,225 | 89,225 | 89,225 |
| Snow & Ice Contractors | 100,564 | 50,353 | 72,275 | 72,275 | 72,275 |
| Snow & Ice Materials | 50,000 | 95,820 | 110,260 | 110,260 | 110,260 |
| Sub-total: Snow & Ice | 222,315 | 232,386 | 271,760 | 271,760 | 271,760 |
| Total: Streets & Roads | 1,471,290 | 1,637,198 | 1,750,641 | 1,809,045 | 1,754,415 |

PUBLIC WORKS

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| TREES & CEMETERY | | | | | |
| Supervisor | 28,445 | 30,911 | 31,285 | 33,276 | 33,276 |
| Salaries | 139,943 | 140,905 | 151,798 | 158,827 | 158,827 |
| Overtime | 8,762 | 8,638 | 8,638 | 8,638 | 8,638 |
| Clerical | 5,983 | 6,461 | 7,191 | 7,512 | 7,512 |
| Sick Buyback | 4,860 | 590 | 634 | 765 | 765 |
| Summer help | 568 | 4,800 | 4,800 | 4,800 | 4,800 |
| Tree Warden | 0 | 0 | 0 | 0 | 0 |
| Sub-total: Personal Services | 188,561 | 192,305 | 204,346 | 213,818 | 213,818 |
| Cemetery Materials | 19,650 | 19,650 | 19,650 | 19,650 | 19,650 |
| Tree Contractors | 37,871 | 37,871 | 37,871 | 37,871 | 37,871 |
| Sub-Total: Expenses | 57,521 | 57,521 | 57,521 | 57,521 | 57,521 |
| Total: Trees & Cemetery | 246,082 | 249,826 | 261,867 | 271,339 | 271,339 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| PARKS & GROUNDS | | | | | |
| Supervisor | 28,445 | 29,560 | 31,285 | 33,276 | 33,276 |
| Salaries | 90,625 | 94,781 | 101,503 | 105,126 | 105,126 |
| Overtime | 100 | 104 | 500 | 2,600 | 2,600 |
| Clerical | 5,983 | 6,461 | 7,191 | 7,512 | 7,512 |
| Summer help | 4,860 | 4,988 | 4,800 | 4,800 | 4,800 |
| Sick Leave Buy Back | 1,889 | 1,973 | 2,103 | 2,158 | 2,257 |
| Sub-total: Personal Services | 131,902 | 137,867 | 147,382 | 155,472 | 155,571 |
| Maintenance | 15,000 | 18,000 | 18,000 | 21,450 | 21,450 |
| Uniforms | 2,150 | 2,350 | 2,350 | 2,500 | 2,500 |
| Sub-total: Expenses | 17,150 | 20,350 | 20,350 | 23,950 | 23,950 |
| Vehicle Lease/ Purchase | 9,438 | 7,268 | 7,268 | 7,268 | 7,268 |
| Sub-total: Capital Expenses | 9,438 | 7,268 | 7,268 | 7,268 | 7,268 |
| Total: Parks & Grounds | 158,490 | 165,485 | 175,000 | 186,690 | 186,789 |

| | | | | | |
|---------------------|------------------|------------------|------------------|------------------|------------------|
| Total: | | | | | |
| Public Works | 2,213,525 | 2,368,938 | 2,494,824 | 2,600,646 | 2,545,971 |

HUMAN SERVICES

The Human Services cluster includes the Board of Health, Council on Aging, Youth Commission, Family Services, and Veterans' Affairs Offices. The recommended FY04 budget for these departments includes a decrease of \$24,294, or -4.80% from FY03. This budget does not include funding for the Senior Outreach Worker; instead \$8,000 has been requested to provide a minimum of case management services for the Town's senior citizens. Otherwise, the budget contains sufficient funds to maintain the other staff positions, but does not contain any funds for cost-of-living adjustments for employees, only step increases.

A level budget for the Board of Health office translates into a decrease of service, as several of their services are provided by contractors. When the contractors raise their rate, fewer hours of service can be purchased by the Board of Health. Thus, this budget will mean 3-6% fewer nursing hours and reduced programs for Sudbury's neediest residents. For the second year, this budget does not provide funding for a Household Hazardous Waste Day, so Sudbury residents will need to investigate the availability of a regional hazardous waste collection program located in the Town of Lexington. The Town will be able to fund the Youth Coordinator position but not a part-time Information and Referral Services position requested by the Council on Aging.

The Finance Committee recommends approval of a FY04 Human Services budget of \$482,261.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| BOARD OF HEALTH | | | | | |
| Director | 62,525 | 67,523 | 69,653 | 70,224 | 70,224 |
| Salaries | 53,277 | 57,536 | 59,379 | 59,379 | 59,379 |
| Clerical | 36,208 | 39,102 | 31,967 | 33,901 | 33,896 |
| Sick Buy Back | 624 | 899 | 1,068 | 1,077 | 1,077 |
| Sub-total: Personal Services | 152,634 | 165,060 | 162,067 | 164,581 | 164,576 |
| General Expense | 1,800 | 1,900 | 1,900 | 1,900 | 1,900 |
| Computer Hardware | 1,950 | 0 | 0 | 0 | 0 |
| Maintenance | 100 | 100 | 100 | 100 | 100 |
| Mental Health | 28,700 | 29,560 | 29,560 | 29,560 | 29,560 |
| Nursing Services | 40,780 | 42,003 | 44,500 | 45,835 | 44,500 |
| Contracted Services | 2,500 | 4,000 | 5,600 | 5,600 | 5,600 |
| Lab Expense | 500 | 500 | 500 | 500 | 500 |
| Hazardous Waste | 20,000 | 15,000 | 0 | 16,000 | 0 |
| Mosquito Control | 34,990 | 37,680 | 38,810 | 39,974 | 38,810 |
| Animal/ Rabies Control | 7,500 | 8,100 | 8,100 | 8,100 | 8,100 |
| Animal Inspector | 1,500 | 1,500 | 1,725 | 1,725 | 1,725 |
| Community Outreach Prog | 3,500 | 3,700 | 4,300 | 4,300 | 4,300 |
| Sub-total: Expenses | 143,820 | 144,043 | 135,095 | 153,594 | 135,095 |
| Capital Expense | 0 | 0 | 0 | 0 | 0 |
| Sub-total: Capital Expenses | 0 | 0 | 0 | 0 | 0 |
| Total: Board of Health | 296,454 | 309,103 | 297,162 | 318,175 | 299,671 |

HUMAN SERVICES

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| COUNCIL ON AGING | | | | | |
| Director | 45,704 | 50,618 | 54,859 | 57,152 | 57,152 |
| Van Driver | 21,824 | 23,324 | 24,225 | 24,225 | 24,225 |
| Clerical | 23,695 | 26,357 | 28,484 | 29,601 | 29,601 |
| Outreach Worker | 16,925 | 0 | 0 | 0 | 0 |
| Sub-total: Personal Services | 108,148 | 100,299 | 107,568 | 110,978 | 110,978 |
| General Expense | 6,930 | 6,930 | 6,950 | 6,950 | 6,950 |
| Operating Capital | 0 | 7,500 | 2,960 | 0 | 0 |
| Maintenance | 0 | 0 | 0 | 0 | 0 |
| Tax Work-Off Program | 22,500 | 0 | 0 | 0 | 0 |
| Contracted Services | 0 | 0 | 0 | 6,240 | 0 |
| Sub-total: Expenses | 29,430 | 14,430 | 9,910 | 13,190 | 6,950 |
| Total: Council on Aging | 137,578 | 114,729 | 117,478 | 124,168 | 117,928 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| YOUTH COMMISSION | | | | | |
| Youth Coordinator | 28,722 | 31,718 | 34,264 | 35,603 | 35,603 |
| Sub-total: Personal Services | 28,722 | 31,718 | 34,264 | 35,603 | 35,603 |
| General Expense | 500 | 500 | 500 | 500 | 500 |
| Community Programming | 2,000 | 2,000 | 2,000 | 3,000 | 2,000 |
| Building Improvement | 0 | 0 | 600 | 0 | 0 |
| Education & Training | 0 | 0 | 0 | 150 | 100 |
| Travel | 0 | 250 | 450 | 540 | 540 |
| Transportation | 0 | 1,000 | 1,000 | 1,500 | 1,000 |
| Sub-total: Expenses | 2,500 | 3,750 | 4,550 | 5,690 | 4,140 |
| Total: Youth Commission | 31,222 | 35,468 | 38,814 | 41,293 | 39,743 |

HUMAN SERVICES

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| FAMILY SERVICES | | | | | |
| Outreach Worker | 0 | 33,203 | 40,257 | 37,277 | 0 |
| Sub-total: Personal Services | 0 | 33,203 | 40,257 | 37,277 | 0 |
| General Expense | 0 | 500 | 500 | 500 | 0 |
| Case Mgmt. Contract | 0 | 0 | 0 | 0 | 8,000 |
| Travel | 0 | 250 | 225 | 250 | 0 |
| Sub-total: Expenses | 0 | 750 | 725 | 750 | 8,000 |
| Total: Family Services | 0 | 33,953 | 40,982 | 38,027 | 8,000 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| VETERANS AFFAIRS | | | | | |
| Veteran's Agent | 8,573 | 9,162 | 9,869 | 9,869 | 9,869 |
| Sub-total: Personal Services | 8,573 | 9,162 | 9,869 | 9,869 | 9,869 |
| General Expense | 1,400 | 1,400 | 1,400 | 1,000 | 1,000 |
| Computer | 0 | 0 | 0 | 0 | 0 |
| Veteran's Grave Markers | 850 | 850 | 850 | 850 | 850 |
| Veteran's Benefits | 0 | 0 | 0 | 5,200 | 5,200 |
| Sub-total: Expenses | 2,250 | 2,250 | 2,250 | 7,050 | 7,050 |
| Total: Veterans Affairs | 10,823 | 11,412 | 12,119 | 16,919 | 16,919 |

| | | | | | |
|-----------------------|----------------|----------------|----------------|----------------|----------------|
| Total: | | | | | |
| Human Services | 476,077 | 504,665 | 506,555 | 538,582 | 482,261 |

CULTURE & RECREATION

The Culture and Recreation cluster includes the Goodnow Library, Recreation Department, Historical Commission, Historic Districts Commission, and the Cable Television Committee. The recommended FY04 budget for these departments includes an increase of \$972, or 0.1% over FY03. The Atkinson Pool Enterprise Fund will be voted separately at Town Meeting.

For all these departments, the budget contains sufficient funds to maintain existing staff positions, but does not contain any funds for cost-of-living adjustments for employees, only step increases. The Goodnow Library will see an increase of \$2,718, and the Historic Districts Commission an increase of \$16, while the Recreation Department will absorb a cut of \$1,762. Funding for the two other departments covered by the budget cluster remains the same as in FY03.

The Finance Committee recommends approval of a FY04 Culture and Recreation budget of \$868,109.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| GOODNOW LIBRARY | | | | | |
| Director | 61,094 | 67,957 | 68,783 | 73,599 | 73,599 |
| Salaries | 349,248 | 375,962 | 403,908 | 417,658 | 411,808 |
| Overtime | 10,288 | 11,793 | 12,261 | 12,446 | 12,446 |
| Custodial | 0 | 0 | 0 | 0 | 0 |
| Sick Leave Buy Back | 3,327 | 2,613 | 2,667 | 2,667 | 2,667 |
| Sub-total: Personal Services | 423,957 | 458,325 | 487,619 | 506,370 | 500,520 |
| General Expense | 8,520 | 9,550 | 9,970 | 11,887 | 11,887 |
| Automation | 32,100 | 33,860 | 35,500 | 35,500 | 35,500 |
| Books and Materials | 92,092 | 96,870 | 104,070 | 106,070 | 104,070 |
| Maintenance | 69,950 | 73,905 | 82,160 | 82,160 | 82,160 |
| Travel | 250 | 250 | 250 | 250 | 250 |
| Contracted Services | 38,333 | 40,126 | 41,731 | 41,731 | 41,731 |
| Sub-total: Expenses | 241,245 | 254,561 | 273,681 | 277,598 | 275,598 |
| Capital/Computer upgrade | 0 | 0 | 12,100 | 0 | 0 |
| Sub-total: Capital | 0 | 0 | 12,100 | 0 | 0 |
| Total: Goodnow Library | 665,202 | 712,886 | 773,400 | 783,968 | 776,113 |

CULTURE & RECREATION

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| RECREATION | | | | | |
| Director | 44,510 | 49,503 | 59,492 | 60,314 | 60,314 |
| Salaries | 10,574 | 11,770 | 12,750 | 15,200 | 15,200 |
| Program Director | 0 | 0 | 0 | 18,200 | 0 |
| Clerical | 8,112 | 9,023 | 8,839 | 9,015 | 9,015 |
| Sub-total: Personal Services | 63,196 | 70,296 | 81,081 | 102,729 | 84,529 |
| General Expense | 1,000 | 3,892 | 1,000 | 0 | 0 |
| Equipment Maintenance | 0 | 0 | 0 | 0 | 0 |
| Travel | 100 | 100 | 150 | 0 | 0 |
| Teen Center | 1,840 | 1,840 | 0 | 0 | 0 |
| Computer | 0 | 0 | 0 | 0 | 0 |
| Contracted Services | 0 | 0 | 0 | 0 | 0 |
| Education & Training | 0 | 0 | 0 | 0 | 0 |
| Uniforms | 100 | 100 | 100 | 0 | 0 |
| Sub-total: Expenses | 3,040 | 5,932 | 1,250 | 0 | 0 |
| Capital Expenses | 0 | 0 | 0 | 0 | 0 |
| Building Improvements | 26,000 | 4,015 | 3,960 | 0 | 0 |
| Sub-total: Capital Expenses | 26,000 | 4,015 | 3,960 | 0 | 0 |
| Total: Recreation | 92,236 | 80,243 | 86,291 | 102,729 | 84,529 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| HISTORICAL COMMISSION | | | | | |
| General Expenses | 9,165 | 5,950 | 5,950 | 5,950 | 5,950 |
| Sub-total: Expenses | 9,165 | 5,950 | 5,950 | 5,950 | 5,950 |
| Total: Historical Commission | 9,165 | 5,950 | 5,950 | 5,950 | 5,950 |

CULTURE & RECREATION

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| HISTORIC DISTRICTS COMMISSION | | | | | |
| Clerical Salaries | 849 | 882 | 1,221 | 1,237 | 1,237 |
| Sub-total: Personal Services | 849 | 882 | 1,221 | 1,237 | 1,237 |
| General Expenses | 275 | 275 | 275 | 275 | 275 |
| Sub-total: Expenses | 275 | 275 | 275 | 275 | 275 |
| Total: Historic Districts Commission | 1,124 | 1,157 | 1,496 | 1,512 | 1,512 |

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|------------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| CABLE TELEVISION COMMISSION | | | | | |
| General Expenses | 800 | 800 | 0 | 0 | 0 |
| Sub-total: Expenses | 800 | 800 | 0 | 0 | 0 |
| Total: Cable TV Commission | 800 | 800 | 0 | 0 | 0 |

| | | | | | |
|---------------------------------|----------------|----------------|----------------|----------------|----------------|
| Total: | | | | | |
| Culture & Recreation | 768,527 | 801,036 | 867,137 | 894,159 | 868,109 |

EMPLOYEE BENEFITS

Employee Benefits represents the cost of providing health and life insurance for Town and Sudbury Public School employees, as well as Worker's Compensation, Unemployment, Medicare Tax and Sudbury's assessment from the Middlesex Retirement Board. The recommended budget is \$6,809,378, which represents a \$990,158, or 17.02% increase over FY03. This increase is due mostly to increases in health insurance and the retirement assessment. Health insurance increases are caused by volatility in the insurance market, increased enrollment, increases in total claims paid, and the cost of reinsurance. The Middlesex Retirement assessment increase is due primarily to the large increase in the number of non-teaching SPS employees eligible for this benefit. The Finance Committee recommends approval of a FY04 Budget of \$6,809,378.

| | | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---------------------------------|---------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| EMPLOYEE BENEFITS | | | | | | |
| Work. Compensation | | 42,000 | 42,840 | 52,100 | 52,100 | 22,100 |
| | Town: | 28,140 | 28,703 | 17,193 | 26,050 | 11,050 |
| | School: | 13,860 | 14,137 | 34,907 | 26,050 | 11,050 |
| Unemploy. Compensation | | 20,000 | 25,000 | 31,650 | 33,220 | 33,220 |
| | Town: | 8,160 | 10,200 | 6,330 | 7,900 | 7,900 |
| | School: | 11,840 | 14,800 | 25,320 | 25,320 | 25,320 |
| Medicare Tax | | 217,590 | 220,000 | 276,085 | 310,650 | 310,650 |
| | Town: | 86,340 | 88,000 | 110,428 | 99,408 | 99,408 |
| | School: | 131,250 | 132,000 | 165,657 | 211,242 | 211,242 |
| Life Insurance | | 5,200 | 5,500 | 5,600 | 5,600 | 5,600 |
| | Town: | 2,122 | 2,200 | 1,848 | 1,848 | 1,848 |
| | School: | 3,078 | 3,300 | 3,752 | 3,752 | 3,752 |
| Medical Claims/ Insurance | | 2,820,180 | 3,400,000 | 4,137,000 | 4,760,000 | 4,757,001 |
| | Town: | 1,044,977 | 1,088,000 | 1,323,840 | 1,475,600 | 1,474,101 |
| | School: | 1,775,203 | 2,312,000 | 2,813,160 | 3,284,400 | 3,282,900 |
| Retirement Program | | 1,008,899 | 1,029,585 | 1,316,785 | 1,680,807 | 1,680,807 |
| | Town: | 783,990 | 803,076 | 1,003,508 | 1,095,891 | 1,095,891 |
| | School: | 224,909 | 226,509 | 313,277 | 584,916 | 584,916 |
| Staffing changes | | 0 | 66,000 | 0 | 0 | 0 |
| Town add/reduce | Town: | 0 | 13,200 | 0 | 0 | 0 |
| School add/reduce | School: | 0 | 52,800 | 0 | 0 | 0 |
| Total: Employee Benefits | | 4,113,869 | 4,788,925 | 5,819,220 | 6,842,377 | 6,809,378 |
| | Town: | 1,953,729 | 2,033,379 | 2,463,147 | 2,706,697 | 2,690,198 |
| | School: | 2,160,140 | 2,755,546 | 3,356,073 | 4,135,680 | 4,119,180 |

UNCLASSIFIED AND TRANSFER ACCOUNTS

The Unclassified and Transfer Accounts budget contains funds for a variety of purposes. Unclassified operating expenses are those expenses that either do not fit precisely into other Town operating departments or support Town-wide functions and responsibilities. For example, Town Meetings and Elections and Finance Committee Expenses support all Town cost centers. Financial support for the Memorial Day and July 4th celebrations contribute to long cherished Town traditions. The recommended FY04 budget for unclassified operating expenses has increased by \$20,800, precisely the amount of the premium increase for property and liability insurance for both the Town operating departments and the Sudbury Public Schools. The Lincoln-Sudbury Regional High School procures its own property and liability insurance.

Transfer accounts are for Town operating department needs only. Since Town departments do not have bottom line authority to move money around to meet emergencies or unforeseen needs that might arise during the year, the Reserve Fund holds \$160,000 to have as a source of funds to meet those unexpected occurrences. Money cannot be spent from the Reserve Fund without approval of the Finance Committee. The salary adjustment account is where funds are held in anticipation of settlement of collective bargaining with town employees and as a precaution for unexpected salary changes during the fiscal year. The recommended FY04 budget for transfer accounts is \$163,800, of which only \$3,800 is held for any salary adjustments.

The Finance Committee recommends approval of a FY04 Unclassified and Transfer Accounts budget of \$396,880.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|--|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| UNCLASSIFIED OPERATING EXPENSES | | | | | |
| Copiers: Supplies & Service | 8,000 | 8,000 | 8,000 | 8,000 | 8,000 |
| Postage | 40,000 | 41,200 | 46,000 | 46,000 | 46,000 |
| Telephone | 18,500 | 20,000 | 20,000 | 20,000 | 20,000 |
| Property/Liab. Insurance | 85,000 | 86,700 | 104,000 | 124,800 | 124,800 |
| Print Town Report | 9,000 | 9,000 | 9,000 | 9,000 | 9,000 |
| Town Meetings and Elections | 20,000 | 20,000 | 18,000 | 18,000 | 18,000 |
| Finance Committee Expenses | 0 | 0 | 1,500 | 1,500 | 1,500 |
| Memorial Day | 1,560 | 1,780 | 1,780 | 1,975 | 1,780 |
| July 4th Celebration | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 |
| Equipment | 0 | 9,900 | 0 | 0 | 0 |
| Total: Operating Expenses | 186,060 | 200,580 | 212,280 | 233,275 | 233,080 |
| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
| TRANSFER ACCOUNTS | | | | | |
| Reserve Fund | 150,000 | 160,000 | 160,000 | 160,000 | 160,000 |
| Town Salary Contingency | 0 | 0 | 0 | 0 | 0 |
| School Salary Contingency | 0 | 0 | 0 | 0 | 0 |
| Salary Adjustment Account | 187,407 | 70,000 | 20,000 | 111,800 | 3,800 |
| Total: Transfer Accounts | 337,407 | 230,000 | 180,000 | 271,800 | 163,800 |
| Total: Unclassified & Transfers | 523,467 | 430,580 | 392,280 | 505,075 | 396,880 |

DEBT SERVICE

The Debt Service budget represents all authorized obligations affected by the sale of long-term and short-term bonds and notes. In FY03, long-term debt will be issued for the Public Works facility and the remaining \$1,000,000 of the K-8 School construction and remodeling article, approved at the 1994 Special Town Meeting. The Finance Committee recommends approval of a FY04 Budget of \$7,906,725.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|-----------------------------------|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| DEBT SERVICE | | | | | |
| Temp. Loan Int. | 1,520,000 | 440,000 | 196,600 | 0 | 0 |
| Long Term Bond Int. | 743,137 | 2,339,391 | 2,530,339 | 2,261,725 | 2,261,725 |
| Long Term Bond Principal | 1,935,000 | 7,635,000 | 7,106,662 | 5,645,000 | 5,645,000 |
| Interest Refund | 500 | 0 | 0 | 0 | 0 |
| Bond & Note Expense | 8,000 | 10,000 | 600 | 0 | 0 |
| Total: Debt Service | 4,206,637 | 10,424,391 | 9,834,201 | 7,906,725 | 7,906,725 |
| NON-EXEMPT DEBT SERVICE | | | | | |
| Temp. Loan Int. | 20,000 | 0 | 9,400 | 0 | 0 |
| Interest Refund (Abatements) | 500 | 0 | 0 | 0 | 0 |
| Note Expense | 3,000 | 10,000 | 600 | 0 | 0 |
| Sub-Total: Non-Exempt Debt | 23,500 | 10,000 | 10,000 | 0 | 0 |
| EXEMPT DEBT SERVICE | | | | | |
| Temp. Loan Int. | 1,500,000 | 440,000 | 187,200 | 0 | 0 |
| Long Term Bond Int. | 743,137 | 2,339,391 | 2,530,339 | 2,261,725 | 2,261,725 |
| Long Term Bond Principal | 1,935,000 | 7,635,000 | 7,106,662 | 5,645,000 | 5,645,000 |
| Bond & Note Expense | 5,000 | 0 | 0 | 0 | 0 |
| Sub-Total: Exempt Debt | 4,183,137 | 10,414,391 | 9,824,201 | 7,906,725 | 7,906,725 |
| Total: Operating Budget | | | | | |
| Article 4 | 48,340,726 | 58,784,117 | 61,656,735 | 63,291,276 | 61,624,005 |

ENTERPRISE FUNDS

The Solid Waste Disposal Enterprise Fund operates the solid waste transfer station, providing recycling, landfill monitoring, and the hauling and disposal of waste. As an enterprise fund, the Solid Waste Disposal Enterprise Fund covers all of its own direct and indirect costs, and is not supported by the general tax levy or any other general revenue source. The Finance Committee recommends approval of a FY04 Budget of \$214,459 for the Solid Waste Disposal Enterprise Fund.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| SOLID WASTE DISPOSAL ENTERPRISE FUND | | | | | |
| Salaries | 65,206 | 67,762 | 70,618 | 73,078 | 73,078 |
| Overtime | 7,578 | 8,172 | 8,172 | 7,000 | 7,000 |
| Clerical | 5,983 | 6,461 | 7,191 | 7,791 | 7,791 |
| Sick Buyback | 617 | 641 | 667 | 690 | 690 |
| Sub-total: Personal Services | 79,384 | 83,036 | 86,648 | 88,559 | 88,559 |
| General Expense | 20,000 | 17,650 | 21,970 | 17,100 | 17,100 |
| Maintenance | 20,150 | 19,500 | 18,000 | 20,300 | 20,300 |
| Hauling & Disposal | 93,872 | 90,650 | 80,000 | 78,000 | 78,000 |
| Hazardous Waste | 0 | 0 | 0 | 0 | 0 |
| Resource Recovery | 4,250 | 7,500 | 7,500 | 10,500 | 10,500 |
| Sub-total: Expenses | 138,272 | 135,300 | 127,470 | 125,900 | 125,900 |
| Capital Expense | 21,199 | 21,200 | 0 | 0 | 0 |
| Sub-total: Capital Expenses | 21,199 | 21,200 | 0 | 0 | 0 |
| Sub-total: Direct Costs (Appropriated) | 238,855 | 239,536 | 214,118 | 214,459 | 214,459 |
| INDIRECT COSTS: (Not Appropriated) | | | | | |
| Engineering Dept. Service | 0 | 0 | 0 | 0 | 0 |
| Benefits/Insurance | 26,703 | 26,703 | 19,759 | 21,791 | 21,791 |
| Sub-total: Indirect Costs | 26,703 | 26,703 | 19,759 | 21,791 | 21,791 |
| Total: Solid Waste | 265,558 | 266,239 | 233,877 | 236,250 | 236,250 |
| Actual expenditures | 228,204 | 266,239 | 233,877 | | |
| SOLID WASTE RECEIPTS | 271,737 | 265,000 | 271,733 | 236,250 | 236,250 |
| RETAIN. EARNINGS USED | 0 | 1,239 | 0 | 0 | 0 |
| Total: Revenue | 271,737 | 266,239 | 271,733 | 236,250 | 236,250 |
| Surplus/Deficit | 43,533 | 0 | 37,856 | 0 | 0 |

ENTERPRISE FUNDS

The Atkinson Pool Enterprise Fund pays for the operation of the Atkinson Pool. By definition, enterprise funds are meant to be self-supporting; that is, they should be able to generate sufficient revenue to pay for all direct and indirect costs as well as set aside funds for future maintenance and repair of the facility. This goal was achieved in FY97-FY99, when the Enterprise Fund maintained a positive year-ending fund balance. However, beginning with FY00, expenditures grew sharply while revenues began to decrease. Plans were made to increase revenues, but revenue enhancing measures such as increasing membership fees had a reverse effect, because membership decreased as prices were raised. Expenditure reduction measures were also evaluated and where possible implemented, but many cost hikes have been outside the Town's control and have affected virtually all public and private entities, including the price of utilities and the costs of employee health insurance and pensions.

The Town Manager, Recreation Director and Recreation Commission are examining alternative methods of generating revenue for the Pool outside of membership fees for FY04 and feel confident that the Town will be able to increase revenues to the Pool operation. Additionally, they are examining several methods of reducing expenses for FY04, by reducing utility costs and by shifting the cost of special programming onto the participants in those programs. With these two strategies, the Town hopes to be able to cover all direct costs of the Pool for FY04. Town officials can then turn attention to identifying means of generating additional funding to cover the long-term costs of maintenance and replacement of Pool equipment and plant.

The Finance Committee recommends approval of a FY04 Atkinson Pool Enterprise Pool budget of \$395,375.

| | Appropriated FY01 | Appropriated FY02 | Appropriated FY03 | Town Mgr Request FY04 | FinCom Recommended FY04 |
|---|----------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| POOL ENTERPRISE FUND | | | | | |
| Department Head Salary | 13,295 | 14,358 | 4,783 | 0 | 0 |
| Professional Salaries | 100,426 | 104,221 | 107,075 | 108,249 | 108,249 |
| Overtime | 1,000 | 1,000 | 1,000 | 2,281 | 1,000 |
| Clerical | 15,426 | 17,085 | 16,415 | 17,082 | 17,082 |
| WSI/Lifeguards | 7,191 | 7,766 | 7,856 | 9,126 | 7,856 |
| Receptionists | 15,038 | 17,527 | 17,465 | 22,475 | 17,465 |
| Babysitters | 8,055 | 8,321 | 8,917 | 0 | 0 |
| Fee for Service | 70,159 | 73,036 | 77,927 | 97,274 | 97,274 |
| Sub-total: Personal Svs. | 230,590 | 243,314 | 241,438 | 256,487 | 248,926 |
| General Expense | 22,950 | 22,950 | 20,000 | 25,000 | 20,000 |
| Maintenance | 84,695 | 95,445 | 106,371 | 120,000 | 110,371 |
| Travel | 275 | 275 | 275 | 275 | 275 |
| Programs | 19,500 | 19,500 | 9,803 | 15,000 | 9,803 |
| Equipment | 4,000 | 4,000 | 6,000 | 6,000 | 6,000 |
| Sub-total: Expenses | 131,420 | 142,170 | 142,449 | 166,275 | 146,449 |
| Building improvements | 8,070 | 8,000 | 8,000 | 0 | 0 |
| Sub-total: Capital Exp. | 8,070 | 8,000 | 8,000 | 0 | 0 |
| Total: Pool Enterprise | | | | | |
| Direct Costs (Appropriated) | 370,080 | 393,484 | 391,887 | 422,762 | 395,375 |
| INDIRECT COSTS: (Not Appropriated) | | | | | |
| Insurance & Benefits | 35,209 | 37,785 | 40,390 | 45,891 | 45,981 |
| Sub-total: Indirect Costs | 35,209 | 37,785 | 40,390 | 45,891 | 45,981 |
| Total: Pool Enterprise | 405,289 | 431,269 | 432,277 | 468,653 | 441,356 |
| POOL ENTER. RECEIPTS | 342,424 | 407,468 | 350,000 | 441,356 | 441,356 |
| Tax Levy | 11,856 | 0 | 41,887 | 27,297 | 0 |
| RETAIN. EARN. USED | 15,800 | 0 | 0 | 0 | 0 |
| Surplus (Deficit) | -35,209 | -23,801 | -40,390 | 0 | 0 |

CAPITAL IMPROVEMENT PLANNING COMMITTEE REPORT

The Capital Improvement Planning Committee reviewed each department's five-year capital plan to prioritize requests to make recommendations for expenditures in FY04. Following its review the Committee voted to recommend that the following capital items be funded through the FY04 Operating Budget subject to available funding.

Group 1 Highest Priority in Priority Order

| | | | |
|--------|------------|---|-----------------|
| 04-001 | Fire | Vehicle Exhaust Removal/Capture | \$40,000 |
| 04-005 | Recreation | Pool Wiring | \$10,000 |
| 02-023 | DPW | Unit 12 Replacement (L/P) (dump sander) | \$21,400 |
| 04-003 | DPW | Unit 41 Replacement (bobcat) | \$25,000 |
| | | TOTAL | \$96,400 |

Group 2 Middle Priority in Priority Order

| | | | |
|--------|------------|-------------------------------|------------------|
| 02-012 | Fire | Station 3 Floor | \$ 85,000 |
| 03-039 | DPW | Unit 29 Replacement (chipper) | \$ 35,000 |
| 03-001 | Recreation | Haskell Field Improvements | \$150,000 |
| | | TOTAL | \$270,000 |

Group 3 Lowest Priority in Priority Order

| | | | |
|--------|----------|----------------------|-----------------|
| 03-028 | DPW | Car 4 | \$30,000 |
| 03-018 | Building | Town Hall, Bathrooms | \$20,000 |
| | | TOTAL | \$50,000 |

Due to revenue constraints, funding could only be found for the following projects/ purchases:

| | | | |
|--------|------|---|----------|
| 04-001 | Fire | Vehicle Exhaust Removal/Capture | \$40,000 |
| 02-023 | DPW | Unit 12 Replacement (L/P) (dump sander) | \$21,400 |
| 04-003 | DPW | Unit 41 Replacement (bobcat) | \$25,000 |
| 03-028 | DPW | Car 4 | \$30,000 |

Funding for the Vehicle Exhaust Removal/Capture project will be sought under Article 7, FY04 Capital Budget. Funding for the remaining three (3) purchases is contained in Article 4, Operating Budget.

The Committee struggled with limiting its recommendation given the vast number of capital needs. The Committee recognizes that, if the Town does not do at least a minimum to protect and maintain its infrastructure and equipment, we risk losing the original investment made in these assets. The resulting losses from those choices, we feel, would be unacceptable. The Committee also recognizes the tremendous financial strain the Town already faces given the recent construction of K-8 schools, and Department of Public Works facility, and the new high school. There are, however, additional needs which must be addressed in the near future, including the Flynn Municipal Building, the need for additional recreational fields, and the combined Public Safety Dispatch Center. There are compelling arguments to proceed with some sort of capital improvement for each of these projects, and we are hopeful that the results of the facilities study will present all of us with the information to finally and successfully resolve and move forward with these projects.

FY04 MONIED ARTICLES
(Excluding Budget)

| Article | Subject | Total Request FY04 | Finance Committee Recommendation FY04 |
|---------|---|--------------------------|---|
| 2 | FY 03 Budget Adjustments | \$0.00 | Report at Town Meeting |
| 3 | Unpaid Bills | \$1,934.56 | Recommend Approval |
| 7 | FY04 Capital Budget | \$40,000.00 | Recommend Approval |
| 8 | Ambulance Purchase | \$140,000.00 | Recommend Approval |
| 9 | Stabilization Fund (addition) | \$0.00 | Report at Town Meeting |
| 10 | Street Acceptances | \$1,200.00 | Recommend Approval |
| 11 | Chapter 90 Highway Funding | | Recommend Approval |
| 24 | Real Estate Exemption | | Recommend Approval |
| 30 | Purchase Street Lighting | \$55,000.00 | Report at Town Meeting |
| 32A | Community Preservation Comm. (CPC) FY04 Budget | \$96,600.00 | Report at Town Meeting |
| 32B&C | CPC FY04 Borrowing Authorization | \$750,000.00 | Report at Town Meeting |
| 33 | Purchase Cutting Property | | Report at Town Meeting |
| 34 | Transfer of Land off Longfellow Road | | Report at Town Meeting |
| 35 | Authorize Sale of Land off Longfellow Road | | Report at Town Meeting |
| 36 | Transfer of Land off Newbridge Road | | Report at Town Meeting |
| 37 | Authorize Sale of Land off Newbridge Road | | Report at Town Meeting |
| 40 | Transfer of Land off Hemlock Road | | Report at Town Meeting |
| 41 | Authorize Sale of Land off Hemlock Road | | Report at Town Meeting |
| 42 | Transfer of Land off North Road | | Report at Town Meeting |
| 43 | Authorize Sale of Land off North Road | | Report at Town Meeting |
| 44 | Transfer of Land off Hudson Road | | Report at Town Meeting |
| 45 | Authorize Sale of Land off Hudson Road | | Report at Town Meeting |

PERMANENT DEBT ISSUED

| Date Authorized | Permanent Debt Issued Purpose | Total Authorized | Amount Issued | Paydown | Unissued 12/31/2002 | Date Issued | Maturity Date | Article Number |
|--------------------|---|---------------------|------------------|---------|------------------------|----------------|------------------|-------------------|
| 4/4/1991 | Melone Property Purchase | 1,000,000 | 1,000,000 | | 0 | 7/15/1992 | 7/15/2010 | 91-36 |
| 10/21/1991 | Unisys Property Purchase | 1,050,000 | 1,050,000 | | 0 | 7/15/1992 | 7/15/2010 | 91S-2 |
| 4/12/1994 | Drainage Systems | 50,000 | 45,000 | 5,000 | 0 | 7/15/1997 | 7/15/2007 | 94-38 |
| 4/26/1994 | Curtis School Roof | 240,000 | 240,000 | | 0 | 2/15/1995 | 2/15/2005 | 94-61 |
| 4/26/1994 | Nixon School Addition and Repair | 5,211,000 | 5,211,000 | | 0 | 2/15/1995 | 2/15/2005 | 94-62 |
| 4/5/1995 | Goodnow Library | 2,900,000 | 2,900,000 | | 0 | 7/15/1997 | 7/15/2007 | 95-19 |
| 4/8/1996 | Curtis/Noyes School Repairs | 2,650,000 | 2,650,000 | | 0 | 7/15/1997 | 7/15/2007 | 96-31 |
| 2/24/1997 | Septic System Betterment Loan Program | 200,000 | | | 200,000 | | | 97-27 |
| 2/25/1997 | School Renovation & Construction | 43,604,000 | 42,255,000 | 349,000 | 1,000,000 | 10/1/2001 | 6/30/2021 | 97-4 |
| 4/8/1997 | Develop Recreation Fields | 60,500 | 0 | | 60,500 | | | 97-19 |
| 4/8/1997 | Land for School - revoted to Meachen/Meggs | 550,000 | 550,000 | | 0 | 7/15/1997 | 7/15/2007 | 97-5 |
| 11/17/1997 | Meachen/Meggs Land | 3,248,000 | 3,248,000 | | 0 | 6/1/1999 | 9/15/2018 | 97S-1 |
| 4/7/1998 | Weisblatt Land | 4,950,000 | 4,950,000 | | 0 | 6/1/1999 | 9/15/2018 | 98-8 |
| 4/6/1999 | Meachen/Meggs Land, part II | 315,000 | 307,000 | | 8,000 | 6/1/1999 | 9/15/2018 | 99-11 |
| 4/3/2000 | Walkways: Old Lancaster, Mossman, Fairbank Rd | 155,000 | 155,000 | | 0 | 10/1/2001 | 6/30/2006 | 00-7 |
| 4/3/2000 | Little League Complex | 190,000 | 190,000 | | 0 | 10/1/2001 | 6/30/2011 | 00-15 |
| 4/2/2001 | Public Works Facility Construction | 4,733,800 | 0 | | 4,733,800 | | | 01-7A |
| 4/3/2001 | Feeley Park Restrooms | 48,000 | 48,000 | | 0 | 10/1/2001 | 6/30/2006 | 01-7C |
| 4/3/2001 | Walkway Program | 155,000 | 155,000 | | 0 | 10/1/2001 | 6/30/2006 | 01-7D |
| 4/3/2001 | Haskell Recreational Facilities | 205,000 | 205,000 | | 0 | 10/1/2001 | 6/30/2011 | 01-7B |
| 4/4/2001 | Rt. 117 Traffic Signal | 132,000 | 132,000 | | 0 | 10/1/2001 | 6/30/2011 | 01-11 |
| 4/1/2002 | Wastewater Feasibility | 90,000 | 0 | | 90,000 | | | 02-24 |
| | | | | | | | | |
| Totals | | 71,737,300 | 65,291,000 | 354,000 | 6,092,300 | | | |

DEBT SCHEDULE BY ISSUANCE DATE

| Issue Date | 2/15/1995 | 7/15/1997 | 6/1/1999 | 12/1/2000 | 10/1/2001 | 10/1/2001 | | Total Debt | Total Princ |
|----------------|-----------|-----------|------------|------------|------------|-----------|------------|------------|-------------|
| Payoff Date | 2/15/2002 | 7/15/2007 | 9/15/2018 | 12/1/2020 | 6/30/2021 | 6/30/2011 | | Service by | Remain. By |
| Borrowed | 3,875,000 | 7,870,000 | 8,505,000 | 34,305,000 | 10,885,000 | 935,000 | 71,325,000 | FY | FY |
| Interest Pymn | 1,050,550 | 1,669,757 | 3,732,837 | 14,839,385 | 4,797,132 | 183,827 | 28,231,503 | | |
| | | | | | Series A | Series B | | | |
| FY91 Principal | 0 | 0 | 0 | | | | 275,000 | | |
| FY91 Interest | 0 | 0 | 0 | | | | 156,883 | 431,683 | 2,175,000 |
| FY92 Principal | 0 | 0 | 0 | | | | 275,000 | | |
| FY92 Interest | 0 | 0 | 0 | | | | 247,100 | 522,100 | 1,900,000 |
| FY93 Principal | 0 | 0 | 0 | | | | 675,000 | | |
| FY93 Interest | 0 | 0 | 0 | | | | 374,649 | 1,049,649 | 5,100,000 |
| FY94 Principal | 0 | 0 | 0 | | | | 765,000 | | |
| FY94 Interest | 0 | 0 | 0 | | | | 381,133 | 1,146,133 | 6,345,000 |
| FY95 Principal | 0 | 0 | 0 | | | | 765,000 | | |
| FY95 Interest | 0 | 0 | 0 | | | | 338,803 | 1,103,603 | 5,580,000 |
| FY96 Principal | 500,000 | 0 | 0 | | | | 1,265,000 | | |
| FY96 Interest | 216,213 | 0 | 0 | | | | 511,885 | 1,776,685 | 8,190,000 |
| FY97 Principal | 450,000 | 0 | 0 | | | | 1,215,000 | | |
| FY97 Interest | 178,713 | 0 | 0 | | | | 431,820 | 1,646,620 | 6,975,000 |
| FY98 Principal | 425,000 | 1,400,000 | 0 | | | | 2,590,000 | | |
| FY98 Interest | 153,083 | 316,232 | 0 | | | | 880,158 | 3,270,158 | 12,255,000 |
| FY99 Principal | 400,000 | 1,200,000 | 0 | | | | 2,365,000 | | |
| FY99 Interest | 131,813 | 285,480 | 0 | | | | 585,325 | 2,950,325 | 9,890,000 |
| FY00 Principal | 400,000 | 865,000 | 445,000 | | | | 2,145,000 | | |
| FY00 Interest | 111,413 | 234,480 | 294,247 | | | | 764,772 | 2,909,772 | 16,250,000 |
| FY01 Principal | 375,000 | 660,000 | 440,000 | 0 | | | 1,935,000 | | |
| FY01 Interest | 90,813 | 205,884 | 356,235 | 840,853 | | | 1,583,990 | 3,519,990 | 48,620,000 |
| FY02 Principal | 375,000 | 660,000 | 440,000 | 5,725,000 | 0 | 0 | 7,580,000 | | |
| FY02 Interest | 71,125 | 177,505 | 336,985 | 1,688,306 | 304,907 | 10,021 | 2,644,298 | 10,224,298 | 51,925,000 |
| FY03 Principal | 350,000 | 660,000 | 440,000 | 4,850,000 | 700,000 | 10,000 | 7,000,000 | | |
| FY03 Interest | 51,250 | 149,125 | 317,735 | 1,409,769 | 457,360 | 34,513 | 2,385,239 | 9,385,239 | 44,925,000 |
| FY04 Principal | 350,000 | 660,000 | 440,000 | 2,375,000 | 700,000 | 120,000 | 4,645,000 | | |
| FY04 Interest | 32,525 | 120,085 | 298,485 | 1,179,394 | 431,110 | 32,238 | 2,093,836 | 6,738,836 | 40,280,000 |
| FY05 Principal | 250,000 | 660,000 | 440,000 | 1,296,000 | 700,000 | 120,000 | 3,460,000 | | |
| FY05 Interest | 13,625 | 90,385 | 279,235 | 1,066,581 | 404,860 | 28,038 | 1,882,724 | 5,342,724 | 36,820,000 |
| FY06 Principal | 0 | 655,000 | 440,000 | 1,290,000 | 700,000 | 120,000 | 3,205,000 | | |
| FY06 Interest | 0 | 60,355 | 259,985 | 1,005,308 | 378,610 | 23,838 | 1,728,094 | 4,933,094 | 33,815,000 |
| FY07 Principal | 0 | 650,000 | 440,000 | 1,290,000 | 600,000 | 115,000 | 3,095,000 | | |
| FY07 Interest | 0 | 30,225 | 240,735 | 944,031 | 352,360 | 19,725 | 1,587,076 | 4,682,076 | 30,520,000 |
| FY08 Principal | 0 | 0 | 440,000 | 1,265,000 | 600,000 | 115,000 | 2,420,000 | | |
| FY08 Interest | 0 | 0 | 221,485 | 882,756 | 328,360 | 15,556 | 1,448,157 | 3,868,157 | 28,100,000 |
| FY09 Principal | 0 | 0 | 440,000 | 1,265,000 | 600,000 | 115,000 | 2,420,000 | | |
| FY09 Interest | 0 | 0 | 202,235 | 822,669 | 304,360 | 11,100 | 1,340,364 | 3,760,364 | 25,680,000 |
| FY10 Principal | 0 | 0 | 440,000 | 1,265,000 | 600,000 | 110,000 | 2,415,000 | | |
| FY10 Interest | 0 | 0 | 182,930 | 762,581 | 280,360 | 6,600 | 1,232,471 | 3,847,471 | 23,285,000 |
| FY11 Principal | 0 | 0 | 440,000 | 1,265,000 | 600,000 | 110,000 | 2,415,000 | | |
| FY11 Interest | 0 | 0 | 163,350 | 699,331 | 256,360 | 2,200 | 1,121,241 | 3,536,241 | 20,850,000 |
| FY12 Principal | 0 | 0 | 440,000 | 1,265,000 | 585,000 | | 2,290,000 | | |
| FY12 Interest | 0 | 0 | 143,330 | 636,081 | 232,360 | | 1,011,771 | 3,301,771 | 18,580,000 |
| FY13 Principal | 0 | 0 | 430,000 | 1,265,000 | 500,000 | | 2,195,000 | | |
| FY13 Interest | 0 | 0 | 123,105 | 572,831 | 208,375 | | 904,311 | 3,099,311 | 18,385,000 |
| FY14 Principal | 0 | 0 | 430,000 | 1,265,000 | 500,000 | | 2,195,000 | | |
| FY14 Interest | 0 | 0 | 102,788 | 509,581 | 187,125 | | 799,494 | 2,994,494 | 14,170,000 |
| FY15 Principal | 0 | 0 | 430,000 | 1,265,000 | 500,000 | | 2,195,000 | | |
| FY15 Interest | 0 | 0 | 82,255 | 446,331 | 165,250 | | 693,836 | 2,888,836 | 11,975,000 |
| FY16 Principal | 0 | 0 | 430,000 | 1,165,000 | 500,000 | | 2,095,000 | | |
| FY16 Interest | 0 | 0 | 61,615 | 373,081 | 142,750 | | 577,446 | 2,672,446 | 9,880,000 |
| FY17 Principal | 0 | 0 | 430,000 | 1,100,000 | 500,000 | | 2,030,000 | | |
| FY17 Interest | 0 | 0 | 40,975 | 323,375 | 119,750 | | 484,100 | 2,514,100 | 7,850,000 |
| FY18 Principal | 0 | 0 | 430,000 | 1,100,000 | 500,000 | | 2,030,000 | | |
| FY18 Interest | 0 | 0 | 20,228 | 267,000 | 96,625 | | 383,853 | 2,413,853 | 5,820,000 |
| FY19 Principal | 0 | 0 | 200,000 | 1,100,000 | 500,000 | | 1,800,000 | | |
| FY19 Interest | 0 | 0 | 4,900 | 210,625 | 72,875 | | 288,400 | 2,088,400 | 4,020,000 |
| FY20 Principal | 0 | 0 | 0 | 1,400,001 | 500,000 | | 1,900,001 | | |
| FY20 Interest | 0 | 0 | 0 | 154,250 | 48,875 | | 203,125 | 2,103,126 | 2,119,999 |
| FY21 Principal | 0 | 0 | 0 | 1,500,000 | 500,000 | | 2,000,000 | | |
| FY21 Interest | 0 | 0 | 0 | 41,000 | 24,000 | | 65,000 | 2,065,000 | 0 |
| TOTAL | 4,925,550 | 9,539,756 | 12,237,837 | 49,144,385 | 16,682,132 | 1,118,827 | 37,989,448 | 37,989,448 | 0 |

LONG-TERM BORROWING DETAIL

| Issuance Date | Project | Expended FY01 | Expended FY02 | Scheduled FY 03 | Scheduled FY04 |
|--|-----------------------------|------------------|-------------------|------------------|------------------|
| 9/15/1991 | Nixon Remodel | 378,825 | 334,417 | 0 | 0 |
| 7/15/1992 | Unisys Land (see refunding) | 85,690 | 76,071 | 80,300 | 0 |
| 7/15/1992 | Melone Land (see refunding) | 85,690 | 76,071 | 80,300 | 0 |
| 2/15/1995 | Nixon Addition | 429,408 | 394,007 | 378,010 | 360,355 |
| 2/15/1995 | Curtis School Roof | 25,350 | | 23,240 | 22,170 |
| 2/15/1995 | Tennis Courts | 11,055 | | 0 | 0 |
| 7/15/1997 | Drainage | 4,951 | | 4,627 | 0 |
| 7/15/1997 | School Land, revoted | 60,513 | 58,530 | 56,547 | 54,517 |
| 7/15/1997 | Library | 319,068 | 308,611 | 298,153 | 287,452 |
| 7/15/1997 | Nixon Addition | 220,715 | 251,663 | 206,259 | 198,862 |
| 7/15/1997 | K-8 Renovations | 260,197 | 218,149 | 243,129 | 238,858 |
| 7/15/1997 | Tennis Courts | 440 | 815 | 411 | 396 |
| 6/1/1999 | Meachen-Meggs Land | 327,110 | 319,345 | 311,579 | 303,813 |
| 6/1/1999 | Weisblatt Land | 469,125 | 457,640 | 446,156 | 434,672 |
| 12/1/2000 | Piper Land | 548,688 | 2,132,500 | 0 | 0 |
| 12/1/2000 | Curtis Middle School | 933,393 | 3,879,888 | 4,617,926 | 2,622,130 |
| 12/1/2000 | Haynes Elementary | 207,773 | 1,379,443 | 1,641,843 | 932,264 |
| 10/1/2001 | Loring Elementary | 0 | 304,907 | 966,480 | 946,118 |
| 10/1/2001 | Haskell Field | 0 | 0 | 32,950 | 32,013 |
| 10/1/2001 | Traffic Signal (Rt. 117) | 0 | 0 | 20,130 | 19,568 |
| 10/1/2001 | Walkways | 0 | 0 | 91,625 | 88,625 |
| 10/1/2001 | Featherland | 0 | 0 | 32,375 | 31,437 |
| 10/1/2001 | Feeley Field Restrooms | 0 | 0 | 13,800 | 13,350 |
| | Refunding 1992 Issue | 0 | 0 | -3,338 | 152,238 |
| | 2003 GO Issue | 0 | 0 | 94,500 | 1,167,890 |
| Total, Long-Term Debt (gross) | | 4,367,992 | 10,192,057 | 9,637,001 | 7,906,726 |
| Offsets: School Building Assistance | | -788,129 | -3,221,567 | -3,169,449 | -3,169,449 |
| Add: Other Exempt Costs (expenses) | | 0 | 0 | 0 | 0 |
| Add: Interest on Short-Term Borrowing | | 810,271 | 421,918 | 187,200 | 0 |
| Add: L-S Exempt debt, Sudbury share | | 214,514 | 345,803 | 576,388 | 1,089,609 |
| Total: Exempt Debt to be Raised | | 4,604,648 | 7,738,211 | 7,231,140 | 5,826,886 |
| Total: School Debt | | 2,455,661 | 6,762,474 | 8,076,887 | 5,320,756 |
| Total: Town Debt | | 335,514 | 309,426 | 588,570 | 1,640,730 |
| Total: Land Acquisition | | 1,576,817 | 3,120,157 | 971,544 | 945,240 |
| Total: Long-Term Debt | | 4,367,992 | 10,192,057 | 9,637,001 | 7,906,726 |

Note 1: The long-term debt amount of \$73,900,000 authorized for the new LSRHS project has not yet been issued.

Note 2: Does not include projects to be funded through the Community Preservation Act surcharge.

ESTIMATED IMPACT OF TOWN MEETING SPENDING ON YOUR FISCAL 2004 TAX BILL

| | 100,000 | 150,000 | 200,000 | 250,000 | 300,000 | 400,000 | AVG. 479,000 | 500,000 | 600,000 | 700,000 | 800,000 | 900,000 | 1,000,000 |
|--------------------------|---------|---------|---------|---------|---------|---------|-----------------|---------|---------|---------|---------|---------|-----------|
| Fiscal 2003 Values | | | | | | | | | | | | | |
| Fiscal 2003 Taxes | 1,678 | 2,517 | 3,356 | 4,195 | 5,034 | 6,712 | 8,038 | 8,390 | 10,068 | 11,746 | 13,424 | 15,102 | 16,780 |
| est. Fiscal 2004 Taxes | 1,696 | 2,544 | 3,382 | 4,240 | 5,088 | 6,785 | 8,124 | 8,481 | 10,177 | 11,873 | 13,569 | 15,265 | 16,961 |
| Fiscal 2004 (Base) Taxes | 1,495 | 2,243 | 2,990 | 3,738 | 4,485 | 5,980 | 7,161 | 7,475 | 8,970 | 10,465 | 11,961 | 13,456 | 14,951 |
| Debt Exemption | 201 | 302 | 402 | 503 | 603 | 804 | 963 | 1,006 | 1,206 | 1,407 | 1,609 | 1,810 | 2,011 |

| Article | Resident's | To calculate the dollar impact of any additional expenditures that may be considered by Town Meeting, use this chart below. | | | | | | | | | | | | |
|-----------|------------|---|---------|---------|---------|---------|---------|---------|---------|---------|---------|----------|----------|-----------|
| Amount | Share | 100,000 | 150,000 | 200,000 | 250,000 | 300,000 | 400,000 | 479,000 | 500,000 | 600,000 | 700,000 | 800,000 | 900,000 | 1,000,000 |
| 10,000 | 9,184 | 0.35 | 0.52 | 0.69 | 0.86 | 1.04 | 1.38 | 1.65 | 1.73 | 2.07 | 2.42 | 2.76 | 3.11 | 3.45 |
| 25,000 | 22,959 | 0.86 | 1.29 | 1.73 | 2.16 | 2.59 | 3.45 | 4.13 | 4.31 | 5.18 | 6.04 | 6.90 | 7.76 | 8.63 |
| 50,000 | 45,918 | 1.73 | 2.59 | 3.45 | 4.31 | 5.18 | 6.90 | 8.26 | 8.63 | 10.35 | 12.08 | 13.80 | 15.53 | 17.25 |
| 75,000 | 68,877 | 2.59 | 3.88 | 5.18 | 6.47 | 7.76 | 10.35 | 12.40 | 12.94 | 15.53 | 18.12 | 20.70 | 23.29 | 25.88 |
| 100,000 | 91,836 | 3.45 | 5.18 | 6.90 | 8.63 | 10.35 | 13.80 | 16.53 | 17.25 | 20.70 | 24.15 | 27.60 | 31.06 | 34.51 |
| 200,000 | 183,672 | 6.90 | 10.35 | 13.80 | 17.25 | 20.70 | 27.60 | 33.06 | 34.51 | 41.41 | 48.31 | 55.21 | 62.11 | 69.01 |
| 300,000 | 275,507 | 10.35 | 15.53 | 20.70 | 25.88 | 31.06 | 41.41 | 49.59 | 51.76 | 62.11 | 72.46 | 82.81 | 93.17 | 103.52 |
| 400,000 | 367,343 | 13.80 | 20.70 | 27.60 | 34.51 | 41.41 | 55.21 | 66.11 | 69.01 | 82.81 | 96.62 | 110.42 | 124.22 | 138.02 |
| 500,000 | 459,179 | 17.25 | 25.88 | 34.51 | 43.13 | 51.76 | 69.01 | 82.64 | 86.27 | 103.52 | 120.77 | 138.02 | 155.28 | 172.53 |
| 600,000 | 551,015 | 20.70 | 31.06 | 41.41 | 51.76 | 62.11 | 82.81 | 99.17 | 103.52 | 124.22 | 144.93 | 165.63 | 186.33 | 207.04 |
| 700,000 | 642,851 | 24.15 | 36.23 | 48.31 | 60.39 | 72.46 | 96.62 | 115.70 | 120.77 | 144.93 | 169.08 | 193.23 | 217.39 | 241.54 |
| 800,000 | 734,686 | 27.60 | 41.41 | 55.21 | 69.01 | 82.81 | 110.42 | 132.23 | 138.02 | 165.63 | 193.23 | 220.84 | 248.44 | 276.05 |
| 900,000 | 826,522 | 31.06 | 46.58 | 62.11 | 77.64 | 93.17 | 124.22 | 148.76 | 155.28 | 186.33 | 217.39 | 248.44 | 279.50 | 310.56 |
| 1,000,000 | 918,358 | 34.51 | 51.76 | 69.01 | 86.27 | 103.52 | 138.02 | 165.28 | 172.53 | 207.04 | 241.54 | 276.05 | 310.56 | 345.06 |
| 1,500,000 | 1,377,537 | 51.76 | 77.64 | 103.52 | 129.40 | 155.28 | 207.04 | 247.93 | 258.80 | 310.56 | 362.32 | 414.07 | 465.83 | 517.59 |
| 2,000,000 | 1,836,716 | 69.01 | 103.52 | 138.02 | 172.53 | 207.04 | 276.05 | 330.57 | 345.06 | 414.07 | 483.09 | 552.10 | 621.11 | 690.12 |
| 2,500,000 | 2,295,895 | 86.27 | 129.40 | 172.53 | 215.66 | 258.80 | 345.06 | 413.21 | 431.33 | 517.59 | 603.86 | 690.12 | 776.39 | 862.66 |
| 3,000,000 | 2,755,074 | 103.52 | 155.28 | 207.04 | 258.80 | 310.56 | 414.07 | 495.85 | 517.59 | 621.11 | 724.63 | 828.15 | 931.67 | 1,035.19 |
| 3,500,000 | 3,214,253 | 120.77 | 181.16 | 241.54 | 301.93 | 362.32 | 483.09 | 578.50 | 603.86 | 724.63 | 845.40 | 966.17 | 1,086.95 | 1,207.72 |
| 4,000,000 | 3,673,432 | 138.02 | 207.04 | 276.05 | 345.06 | 414.07 | 552.10 | 661.14 | 690.12 | 828.15 | 966.17 | 1,104.20 | 1,242.22 | 1,380.25 |

Components of the Property Tax

| | Fiscal 2003 Total | Residential Share | Fiscal 2004 Total | Residential Share |
|-------------------|----------------------|----------------------|----------------------|----------------------|
| Tax Levy Base | 37,934,505 | | 42,727,325 | |
| New Growth | 750,695 | | 600,000 | |
| Override | 2,999,995 | | | |
| sub-total: | 41,685,195 | 38,282,099 | 43,327,325 | 39,789,995 |
| Debt exclusion | 7,030,624 | 6,458,658 | 5,826,886 | 5,351,191 |
| Capital Exclusion | 0 | 0 | 0 | 0 |
| less: unused levy | 86,930 | 79,833 | 0 | 0 |
| Total tax | 48,628,889 | 44,658,924 | 49,154,211 | 45,141,186 |

APPENDIX I. BUDGET TERMS AND DEFINITIONS

Abatements and Exemptions (previously called Overlay): An amount set by the Assessors to create a fund to cover abatements of (and exemptions from) real and personal tax assessments for the current year, and raised on the tax levy. An abatement is a reduction provided by the Assessors in the assessed tax because of bonafide specific conditions or situations not considered when the tax was levied. An exemption is provided for a variety of purposes, which include, but are not limited to: buildings/property used for religious, government, charity, or pollution control. In addition, exemptions may also be provided to the elderly, handicapped, and veterans under certain conditions.

Abatement Surplus: Accumulation of the surplus amounts of Abatements and Exemptions set aside by the Assessors each year to cover abatements of (and exemptions from) real estate and personal property tax assessments. The accumulated amount for previous years no longer committed for abatements may be used by vote of the Town Meeting.

Cherry Sheet: An annual statement received from the Department of Revenue detailing estimated receipts for the next fiscal year from the various state aid accounts as well as estimated state and county government charges payable to the state. The name "Cherry Sheet" derives from the color of the paper used.

Debt Exemption: An override to Proposition 2½ for the purpose of raising funds for debt service costs.

Enterprise Fund: A separate fund, set up to provide a specific Town service, whereby all direct and indirect/overhead costs of providing the service are funded in total from user charges. An appropriation for an enterprise fund is funded in total from enterprise fund revenue unless otherwise noted. Enterprise fund revenue used to fund services provided by other Town departments will be shown in the warrant after the appropriation total for the department. An enterprise fund is required to fully disclose all costs and all revenue sources needed to provide a service.

Free Cash: Free cash is the available, undesignated fund balance of the general fund and is generated when actual revenue collections are in excess of estimates, when expenditures are less than appropriated, or both. A free cash balance is certified as of July 1 each year by the Department of Revenue and once certified, any or all of the certified amount may be used to defray Town expenses by a vote of the Town Meeting.

Funding Sources for Expenditures: Authorizations for the Town to expend monies are made in the form of a motion at Town Meeting. The wording of the motions will specify the funding source; that is, the place from where money is going to come or will be raised. When a motion reads, "to appropriate a sum of money" without a source being identified, that amount will be included in the tax calculation, whereby the total of all sums to be appropriated will be reduced by an estimate of local and state revenue. The balance needed will be provided by property taxes. When items in the warrant are offset or raised from available funds, those items will also appear as offsets in the determination of the tax rate.

Levy Limit: The maximum amount a community can levy in any given year.

Local Receipts: This is the third largest source of revenue for the Town after property taxes and Cherry Sheet receipts. While it is comprised of a number of different items, the largest source is the auto excise tax.

New Growth: Proposition 2½ allows a community to increase its levy limit annually by an amount based upon the valuation of certain new construction and other growth in the tax base that is not the result of property revaluation. New growth becomes part of the levy limit and thus increases at the rate of 2.5% each year as the levy limit increases.

BUDGET TERMS AND DEFINITIONS, pg. 2

Override: An override is passed by a majority vote at Town Meeting and at the ballot. There are three types of overrides: An Operating Override, which permanently increases the levy limit; a Debt Exclusion, which increases the levy limit only for the life of the debt; and a Capital Project Override, which increases the levy only for the year in which the project is undertaken.

Proposition 2 ½: A Massachusetts General Law enacted in 1980 to limit property taxes.

Revolving Fund: Funds that may be used without appropriation and that are established for special uses. Recreation fees, for example, may be paid into a revolving fund. Revolving funds are established by state law or Town bylaw.

Reserve Fund: An amount appropriated by the Annual Town Meeting for emergency or unforeseen purposes. The Finance Committee, by state law, is the sole custodian of the Reserve Fund and approves transfers from the Fund into the operating budgets throughout the year if: (1) the need for funds is of an emergency and/or unforeseen nature, and (2) if, in the judgment of the Finance Committee, the Town Meeting would approve such an expenditure if such a meeting was held. The Reserve Fund is, therefore, a mechanism for avoiding the necessity of frequent Special Town Meetings.

Stabilization Fund: Similar to a "savings account", this account has been used to fund large capital projects such as fire trucks and school roofs. A recent amendment to state law allows the Stabilization Fund to be used for the operating budget, as well as capital purchases; however, the Finance Committee would generally be reluctant to recommend doing so. Placing money into this fund requires a majority vote of Town Meeting while withdrawing from the Stabilization Fund requires a 2/3 vote of Town Meeting.

Tax Levy: The property tax levy is the revenue a community can raise through real and personal property taxes. In Massachusetts, municipal revenues to support local spending for schools, public safety, general government and other public services are raised through the property tax levy, state aid, local receipts and other sources. The property tax levy is the largest source of revenue for most cities and towns.

Unclassified Operating Expenses: This account in the general government section of the budget is comprised primarily of operating expenses such as postage, telephone and property liability insurance, that support townwide operations and are not assigned to any one department or cost center.

Unclassified Employee Benefits: This account in the shared expenses section of the budget is comprised primarily of benefits such as health insurance and retirement for both school and general government employees.

APPENDIX II.
EMPLOYEE HEADCOUNT
(Full Time Equivalents)

| Cost Center | A | B | C | D | E | Net Change D to E |
|-------------------------------|------------------------|----------------|------------------------|----------------|-------------------------------------|-------------------------|
| | Fin. Com. Rec. FY02 | Actual FY02 | Fin. Com. Rec. FY03 | Actual FY03 | 0% Budget Fin. Com. Rec. FY04 | |
| Sudbury Public Schools | 401.26 | 410.74 | 385.74 | 392.55 | 390.05 * | -2.50 |
| L.S.R.H.S. ** | 194.50 | 200.86 | 195.89 | 202.75 | 187.75 * | -15.00 |
| Town Operating Departments | | | | | | |
| Public Safety | 77.40 | 77.40 | 77.40 | 77.40 | 76.40 | -1.00 |
| Public Works | 33.00 | 33.0 | 33.00 | 33.00 | 32.30 | -0.70 |
| General Government | 32.80 | 32.80 | 32.80 | 32.80 | 31.80 | -1.00 |
| Human Services | 8.30 | 8.30 | 8.30 | 8.30 | 7.30 | -1.00 |
| Culture & Recreation | 29.50 | 29.50 | 29.50 | 29.50 | 29.50 | 0.00 |
| Town Sub-total | 181.00 | 181.00 | 181.00 | 181.00 | 177.30 | -3.70 |
| TOTAL | 776.76 | 792.60 | 762.63 | 776.30 | 755.10 | -21.20 |

*Estimates as of the date of this printing subject to further review.

**Sudbury's estimated share of the L.S.R.H.S. operating budget for FY04 is 84.89%.
Revenues other than the Town's assessments also support salaries including out-of-District tuition and grants.

**APPENDIX III.
MANAGERS WITH SALARIES ABOVE \$75,000
FY 03 APPROPRIATION***

| | <u>TOWN</u> | <u>Salary</u> | <u>Deferred Comp.</u> | <u>Total</u> |
|--------------------------------------|-------------|---------------|---------------------------|--------------|
| Town Manager | | \$115,363 | \$5,000 | \$120,363 |
| Police Chief | | \$103,322 | | |
| Fire Chief | | \$ 95,121 | | |
| Police Lieutenant ** | | \$ 94,869 | | |
| Police Lieutenant ** | | \$ 91,291 | | |
| D.P.W. Director ** | | \$ 87,462 | | |
| Finance Director/Treasurer-Collector | | \$ 83,324 | | |
| Assistant Town Manager | | \$ 76,443 | | |

SUDBURY PUBLIC SCHOOLS

| | | | |
|---------------------------------|------------|---------|-----------|
| Superintendent | \$147,000 | | |
| Assistant Superintendent | \$107,500 | \$500 | \$108,000 |
| Director of Business & Finance | \$ 95,680 | \$500 | \$ 96,180 |
| Principal, Curtis | \$ 99,859 | \$1,200 | \$101,059 |
| Principal, Loring | \$ 90,898 | | |
| Principal, Nixon | \$ 88,220 | | |
| Principal, Noyes | \$ 86,726 | | |
| Principal, Haynes | \$ 85,000 | | |
| Special Education Administrator | \$ 86,100 | \$200 | \$ 86,300 |
| House Masters, Curtis (3) | \$ 79,459- | | |
| | 81,885 | | |

LINCOLN-SUDBURY REGIONAL HIGH SCHOOL ***

| | |
|------------------------------|------------|
| Superintendent/Principal | \$129,375 |
| House Masters (4) | \$ 77,235- |
| | 87,762 |
| Business Manager/Treasurer | \$ 91,080 |
| Director of Student Services | \$ 87,762 |
| Athletic Director | \$ 87,762 |

*Salary is base pay plus career incentive for Police and Fire and longevity where applicable. Does not include any sick buyback, paid detail, paid holidays, health insurance or other employee benefits.

**Positions are included in the Sudbury Supervisory Association.

***Total salary, of which Sudbury pays 84.67%.

APPENDIX IV. COLLECTIVE BARGAINING

Bargaining Unit and Contract Terms

LSRHS

Three year contract covering school years 2000/01, 2001/02, 2002/03. Effective dates and percentage increases are: 9/1/2000 - 3.00%; 9/1/2001 - 3.50%; 9/1/2002 - 3.50%. Negotiations for subsequent contract not completed.

K-8

Three year contract covering fiscal years 2001, 2002, 2003. Effective dates and percentage increases are: 7/1/2000 - 4.16% (teachers) 4.00% (custodians); 7/1/2001 - 3.00%; 7/1/2002 - 3.00%. Negotiations for subsequent contract not completed.

TOWN

Fire

Three year contract covering fiscal years 2001, 2002, 2003. Effective dates and percentage increases are: 7/1/2000 - 2.00% and 1/1/2001 - 2.00%; 7/1/2001 - 3.50%; 7/1/2002 - 3.50%. Negotiations for subsequent contract not completed.

Police

Three year contract covering fiscal years 2001, 2002, 2003. Effective dates and percentage increases are: 7/1/2000 - 2.00% and 1/1/2001 - 2.00%; 7/1/2001 - 3.50%; 7/1/2002 - 3.50%. Negotiations for subsequent contract not completed.

Public Works

Three year contract covering fiscal years 2002, 2003, 2004. Effective dates and percentage increases are: 7/1/2001 - 2.00% and 1/1/2002 - 2.00%; 7/1/2002 - 3.50%; 7/1/2003 - 3.50%. Negotiations for subsequent contract not completed.

Engineering

Three year contract covering fiscal years 2002, 2003, 2004. Effective dates and percentage increases are: 7/1/2001 - 2.00% and 1/1/2002 - 2.00%; 7/1/2002 - 3.50%; 7/1/2003 - 3.50%. Negotiations for subsequent contract not completed.

Supervisory

Three year contract covering fiscal years 2001, 2002, 2003. Effective dates and percentage increases are: 7/1/2000 - 3.00%; 7/1/2001 - 3.92%; 7/1/2002 - 3.92%. Negotiations for subsequent contract not completed.

NOTE: Percentage increases are for cost of living only and do not include changes for step, longevity or merit increases.

**APPENDIX V.
FY04 CLASSIFICATION PLAN***

GRADE 1

Head Lifeguard

GRADE 2

Clerk I

GRADE 3

Clerk II/Senior Clerk
Library Clerk
Recording Secretary

GRADE 4

Accounting Clerk
Library Technician
Secretary I
Van Driver, Sr. Center
Senior Data Processing Clerk
Maintenance Custodian (40 hrs./wk.)

GRADE 5

Fire Dispatcher (4 days on, 4 off)
Census and Documentation Coordinator
Board of Health Coordinator
Data Collector
Accounting Administrative Assistant
Part-Time Reference Librarian

GRADE 6

Dog Officer
Library Office Coordinator
Police Dispatcher (4 days on, 2 off)
Secretary/Legal Secretary
Secretary II, Office Supervisor
Aquatic Supervisor
Youth Coordinator
Personnel Assistant
Admin. Asst. to Director of Park and Rec.
Payroll/Benefits Accounting Assistant
Recreation Program Coordinator

GRADE 7

Assistant Town Clerk
Assistant Children's Librarian
Head of Technical Services, Library
Outreach/Case Manager
Technology Assistant

GRADE 8

Assistant Assessor
Assistant Town Treasurer & Collector
Head of Circulation, Library
Children's Librarian
Zoning Enforcement Field Agent

GRADE 9

Administrative Assistant to Bd. of Selectmen
Assistant Town Accountant
Adult Services/Reference Librarian
Aquatic Facility Director

GRADE 10

Assistant Building Inspector
Management Analyst, D.P.W.

GRADE 11

Community Social Worker
Director, Council on Aging
Owner's Representative

GRADE 12

GRADE 13

GRADE 14

Assistant Town Manager

GRADE 15

Police Chief
Fire Chief
Finance Director/Treasurer-Collector

GRADE 16

GRADE 17

*All positions listed above are 35 hours per week unless otherwise noted. Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 35 hours per week. Overtime pay is calculated by multiplying 1.5 times the hourly rates.

APPENDIX V. pg 2
NON-UNION SALARY GRID
FY 03: 7/1/02 - 6/30/03*

| GRADE | Steps | | | | | | Maximum |
|-----------|---------|---------|---------|---------|---------|---------|---------|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | \$11.46 | \$11.91 | \$12.38 | \$12.86 | \$13.37 | \$13.89 | \$14.44 |
| | 20,942 | 21,763 | 22,616 | 23,503 | 24,424 | 25,381 | 26,376 |
| 2 | \$12.38 | \$12.86 | \$13.37 | \$13.89 | \$14.44 | \$15.00 | \$15.59 |
| | 22,616 | 23,503 | 24,424 | 25,381 | 26,376 | 27,410 | 28,484 |
| 3 | \$13.37 | \$13.89 | \$14.44 | \$15.00 | \$15.59 | \$16.20 | \$16.84 |
| | 24,424 | 25,381 | 26,376 | 27,410 | 28,484 | 29,601 | 30,761 |
| 4 | \$14.44 | \$15.00 | \$15.59 | \$16.20 | \$16.84 | \$17.50 | \$18.18 |
| | 26,376 | 27,410 | 28,484 | 29,601 | 30,761 | 31,967 | 33,220 |
| 5 | \$15.59 | \$16.20 | \$16.84 | \$17.50 | \$18.18 | \$18.90 | \$19.63 |
| | 28,484 | 29,601 | 30,761 | 31,967 | 33,220 | 34,522 | 35,870 |
| 6 | \$16.84 | \$17.50 | \$18.18 | \$18.90 | \$19.63 | \$20.40 | \$21.20 |
| | 30,761 | 31,967 | 33,220 | 34,522 | 35,870 | 37,277 | 38,738 |
| 7 | \$18.18 | \$18.90 | \$19.63 | \$20.40 | \$21.20 | \$22.03 | \$22.90 |
| | 33,220 | 34,522 | 35,870 | 37,277 | 38,738 | 40,257 | 41,834 |
| 8 | \$19.81 | \$20.58 | \$21.39 | \$22.23 | \$23.10 | \$24.01 | \$24.95 |
| | 36,190 | 37,609 | 39,083 | 40,615 | 42,207 | 43,862 | 45,581 |
| 9 | \$21.59 | \$22.44 | \$23.32 | \$24.23 | \$25.18 | \$26.17 | \$27.19 |
| | 39,447 | 40,993 | 42,600 | 44,270 | 46,005 | 47,808 | 49,682 |
| 10 | \$23.53 | \$24.45 | \$25.41 | \$26.41 | \$27.44 | \$28.52 | \$29.64 |
| | 42,993 | 44,678 | 46,429 | 48,249 | 50,140 | 52,105 | 54,148 |
| 11 | \$25.60 | \$26.61 | \$27.65 | \$28.79 | \$29.86 | \$31.03 | \$32.25 |
| | 46,867 | 48,704 | 50,613 | 52,597 | 54,659 | 56,802 | 59,029 |
| 12 | \$27.96 | \$29.06 | \$30.20 | \$31.38 | \$32.61 | \$33.89 | \$35.22 |
| | 51,085 | 53,088 | 55,169 | 57,332 | 59,579 | 61,914 | 64,341 |
| 13 | \$30.48 | \$31.67 | \$32.91 | \$34.20 | \$35.54 | \$36.88 | \$38.39 |
| | 55,682 | 57,865 | 60,133 | 62,490 | 64,940 | 67,018 | 70,131 |
| 14 | \$33.22 | \$34.52 | \$35.88 | \$37.28 | \$38.74 | \$40.26 | \$41.84 |
| | 60,694 | 63,073 | 65,545 | 68,114 | 70,784 | 73,559 | 76,443 |
| 15 | \$36.21 | \$37.63 | \$39.11 | \$40.64 | \$42.23 | \$43.89 | \$45.61 |
| | 66,157 | 68,750 | 71,445 | 74,246 | 77,156 | 80,181 | 83,324 |
| 16 | \$39.47 | \$41.02 | \$42.62 | \$44.30 | \$46.03 | \$47.84 | \$49.71 |
| | 72,111 | 74,938 | 77,876 | 80,929 | 84,101 | 87,398 | 90,824 |
| 17 | \$43.02 | \$44.71 | \$46.46 | \$48.28 | \$50.17 | \$52.14 | \$54.19 |
| | 78,601 | 81,682 | 84,884 | 88,211 | 91,669 | 95,262 | 98,996 |

* The non-union salary grid for FY04 has not been finalized as of the date of this printing.

**APPENDIX V. pg 3
NON-UNION EMPLOYEES
INDIVIDUALLY RATED FY03***

LIBRARY

| | <u>Minimum</u> | <u>Step 1</u> | <u>Step 2</u> |
|-----------------------|----------------|---------------|---------------|
| Library Page (Hourly) | \$7.62 | \$7.96 | \$8.23 |

HIGHWAY/PARK AND RECREATION

| | |
|---|------------------|
| Temp. Laborer (Hourly): | \$8.21 - \$10.01 |
| Temp. Snow Removal Equip. Oper. (Hrly): | \$9.88 - \$12.37 |

DEPARTMENTAL TEMPORARY OR SEASONAL HELP

| | |
|----------------------------|------------------|
| Temporary or Seasonal Help | \$8.21 - \$10.01 |
|----------------------------|------------------|

PARK AND RECREATION

| | <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | <u>6</u> | <u>7</u> |
|---------------------------|----------|----------|----------|----------|----------|----------|----------|
| Teen Ctr. Coord. (Hrly): | \$15.00 | \$17.00 | \$19.00 | \$21.00 | \$23.00 | \$25.00 | \$30.00 |
| Teen Center (Supervisor): | 17.00 | 17.50 | 18.00 | 18.50 | 19.00 | 19.50 | 20.00 |
| Teen Center Staff | 7.00 | to | 16.50 | | | | |

Part time or seasonal hourly-rated salary range (Salary paid from program fees)

| <u>Position</u> | <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | <u>6</u> | <u>7</u> |
|----------------------|------------|----------|----------|-----------|----------|----------|----------|
| Program Supervisor | \$14.00 | \$14.50 | \$15.00 | \$15.50 | \$16.00 | \$16.50 | \$17.00 |
| Sports/Program Dir. | 15.00 | 17.00 | 19.00 | 21.00 | 23.00 | 25.00 | 30.00 |
| Sports Clinician | 11.00 | 11.50 | 12.00 | 12.50 | 13.00 | 13.50 | 14.00 |
| Preschool Instructor | 0-280 hrs. | 281-560 | 561-840 | 841+ hrs. | | | |
| | 11.00 | 11.50 | 12.00 | 12.50 | | | |

Seasonal Camp Staff Positions

| | <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | <u>6</u> | <u>7</u> |
|---------------------------|----------|----------|----------|----------|----------|----------|----------|
| Camp Director | \$15.00 | \$16.00 | \$17.00 | \$18.00 | \$19.00 | \$20.00 | \$21.00 |
| Asst. Camp Dir. | 10.00 | 10.50 | 11.00 | 11.50 | 12.00 | 12.50 | 13.00 |
| Preschool Camp Dir. | 11.00 | 11.50 | 12.00 | 12.50 | 13.00 | 13.50 | 14.00 |
| CIT Coordinator | 9.50 | 10.00 | 10.50 | 11.00 | 11.50 | 12.00 | 12.50 |
| Program Specialist | 9.00 | 9.50 | 10.00 | 10.50 | 11.00 | 11.50 | 12.00 |
| Counselor | 7.50 | 8.00 | 8.50 | 9.00 | 9.50 | 10.00 | 10.50 |
| Counselor/Recreation Ldr. | 7.00 | 7.50 | 8.00 | 8.50 | 9.00 | 9.50 | 10.00 |

ATKINSON POOL - (Specialty Instruction)

| | | | | | |
|----------------------------|---------|---------|---------|---------|-------------------------|
| Diving (Certified) | \$20.00 | \$22.00 | \$24.00 | \$26.00 | non-certified: \$10.00* |
| Water Exercise (Certified) | 15.00 | 17.00 | 19.00 | 21.00 | 23.00 25.00 |

* Non-certified instructors are required to become certified within one year.

ATKINSON POOL

| | |
|-------------------------|------------------|
| Lifeguard | \$7.75 - \$10.00 |
| Pool Receptionist | \$7.00 - \$10.00 |
| Water Safety Instructor | \$8.75 - \$11.25 |
| Baby-sitter | \$8.75 - \$10.75 |
| Supervisor (Shift-PT) | \$9.75 - \$11.25 |

MISCELLANEOUS - SINGLE RATED

| | <u>Step 1</u> | <u>Step 2</u> | <u>Step 3</u> | <u>Step 4</u> | <u>Step 5</u> | <u>Step 6</u> | <u>Step 7</u> |
|-------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Custodian (40 hrs.) | \$12.41 | \$12.92 | \$13.42 | \$13.95 | \$14.48 | \$15.05 | \$15.68 |
| Election Warden (hourly) | \$7.09 | | | | | | |
| Election Clerk (hourly) | \$7.09 | | | | | | |
| Deputy Election Warden (hourly) | \$7.09 | | | | | | |
| Deputy Election Clerk (hourly) | \$7.09 | | | | | | |
| Election Officer & Teller (hourly) | \$6.75 | | | | | | |
| Plumbing Inspector (yearly) | \$26,000 | | | | | | |
| Dir. of Veteran's Services (yearly) | \$9,869 | | | | | | |

*The Individually rated grid for FY04 has not been finalized as of the date of this printing.

APPENDIX V. pg 4
UNION EMPLOYEES FY 03*

| <u>FIRE DEPARTMENT</u> | <u>MIN</u> | <u>STEP 1</u> | <u>STEP 2</u> | <u>STEP 3</u> | <u>MAX</u> |
|-------------------------------|-------------------|----------------------|----------------------|----------------------|-------------------|
| Firefighter | | | | | |
| Annual | 37,677 | 38,552 | 39,445 | 40,317 | 41,266 |
| Hourly | 17.19 | 17.58 | 17.99 | 18.39 | 18.82 |
| Firefighter/EMT | | | | | |
| Annual | 39,481 | 40,356 | 41,249 | 42,121 | 43,070 |
| Hourly | 18.01 | 18.41 | 18.81 | 19.21 | 19.65 |
| Lieutenant | | | | | |
| Annual | 42,011 | 42,983 | 43,980 | 44,953 | 46,012 |
| Hourly | 19.16 | 19.61 | 20.06 | 20.50 | 20.99 |
| Lieutenant/EMT | | | | | |
| Annual | 44,009 | 44,981 | 45,979 | 46,952 | 48,012 |
| Hourly | 20.07 | 20.52 | 20.97 | 21.42 | 21.9 |
| Fire Captain | | | | | |
| Annual | 46,841 | 47,927 | 49,038 | 50,123 | 51,304 |
| Hourly | 21.37 | 21.86 | 22.37 | 22.86 | 23.40 |
| Fire Captain/EMT | | | | | |
| Annual | 49,056 | 50,142 | 51,252 | 52,338 | 53,519 |
| Hourly | 22.38 | 22.87 | 23.38 | 23.87 | 24.41 |

Single Rated:

| | | | | |
|---------------------------|--|----------------------------------|------------|--|
| Call Firefighter | \$250 Annual Stipend and Step 1 Firefighter hourly rate as listed above. | | | |
| Fire Prevention Officer | \$800/Year | Fire Department Training Officer | \$800/Year | |
| Fire Alarm Superintendent | \$800/Year | Emergency Medical Tech. Coord. | \$800/Year | |
| Master Mechanic | \$800/Year | Fire Alarm Foreman | \$800/Year | |
| Technology Coordinator | \$800/Year | | | |

Note: Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 42 hours per week.

Overtime pay is calculated by multiplying 1.5 times these hourly rates.

| <u>POLICE DEPARTMENT</u> | <u>MIN</u> | <u>STEP 1</u> | <u>STEP 2</u> | <u>STEP 3</u> | <u>MAX</u> |
|---------------------------------|-------------------|----------------------|----------------------|----------------------|-------------------|
| Patrolman | | | | | |
| Annual | 39,056 | 39,957 | 40,897 | 41,816 | 42,645 |
| Hourly | 20.04 | 20.51 | 20.99 | 21.46 | 21.88 |
| Sergeant | | | | | |
| Annual | 46,861 | 47,945 | 49,065 | 50,170 | 51,168 |
| Hourly | 24.05 | 24.60 | 25.18 | 25.75 | 26.26 |

Single Rated:

| | | | |
|--------------------------------|---------------|------------------|--------------|
| Crime Preventn. Officer | \$925/Year | Detective | \$1,900/Year |
| Photo/Fingerprint Officer | \$925/Year | Training Officer | \$925/Year |
| Juvenile Officer | \$925/Year | Parking Clerk | \$925/Year |
| Safety Officer | \$925/Year | Mechanic | \$925/Year |
| Motorcycle Officer (half-time) | \$462.50/Year | Firearms Officer | \$925/Year |
| | | DARE Officer | \$925/Year |

Note: Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 37.33 hours per week.

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UNION EMPLOYEES FY04

PUBLIC WORKS DEPARTMENT

| | <u>START</u> | <u>STEP 1</u> | <u>STEP 2</u> | <u>STEP 3</u> | <u>STEP 4</u> | <u>STEP 5</u> | <u>STEP 6</u> |
|--------------------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Foreman, Landfill | 39,947 | 41,145 | 42,381 | 43,651 | 44,960 | 46,310 | 47,931 |
| Foreman, Highway | 39,947 | 41,145 | 42,381 | 43,651 | 44,960 | 46,310 | 47,931 |
| Foreman, Tree & Cemetery | 39,162 | 39,976 | 40,851 | 41,668 | 42,500 | 43,346 | 44,867 |
| Master Mechanic | 18.50 | 19.11 | 19.69 | 20.22 | 20.73 | 21.26 | 22.00 |
| Assistant Mechanic | 17.68 | 18.29 | 18.88 | 19.41 | 19.90 | 20.44 | 21.16 |
| Heavy Equipment Operator | 16.60 | 17.08 | 17.46 | 18.04 | 18.61 | 19.20 | 19.88 |
| Tree Surgeon | 16.60 | 17.08 | 17.46 | 18.04 | 18.61 | 19.20 | 19.88 |
| Truck or Light Equip. Operator | 15.61 | 16.00 | 16.46 | 16.77 | 17.10 | 17.45 | 18.06 |
| Tree Climber | 15.61 | 16.00 | 16.46 | 16.77 | 17.10 | 17.45 | 18.06 |
| Heavy Laborer | 14.71 | 15.12 | 15.46 | 15.87 | 16.29 | 16.72 | 17.31 |
| Light Laborer | 13.43 | 13.79 | 14.09 | 14.46 | 14.83 | 15.21 | 15.74 |
| Landfill Monitor | 12.54 | | | | | | |

Note: Crew Leaders receive an annual stipend of \$3,095.

Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 40 hours per week.

Overtime pay is calculated by multiplying 1.5 times these hourly rates.

ENGINEERING DEPARTMENT

| | <u>STEP 1</u> | <u>STEP 2</u> | <u>STEP 3</u> | <u>STEP 4</u> | <u>STEP 5</u> | <u>STEP 6</u> |
|----------------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| E1 Engineering Aide I | 27,513 | 28,340 | 29,192 | 30,072 | 30,973 | 31,904 |
| E2 Engineering Aide II | 31,639 | 32,591 | 33,566 | 34,578 | 35,613 | 36,682 |
| E3 Engineering Aide III | 36,386 | 37,481 | 38,602 | 39,761 | 40,953 | 42,181 |
| E4 Jr. Civil Engineer | 41,845 | 43,099 | 44,391 | 45,724 | 47,095 | 48,506 |
| E5 Civil Engineer | 47,078 | 48,488 | 49,948 | 51,444 | 52,986 | 54,575 |
| E6 Sr. Civil Engineer | 49,922 | 51,421 | 52,963 | 54,553 | 56,190 | 57,871 |
| E7 Assistant Town Engineer | 58,718 | 60,478 | 62,291 | 64,160 | 66,087 | 68,070 |

Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 40 hours per week.

Overtime pay is calculated by multiplying 1.5 times these hourly rates.

APPENDIX V. pg 6
UNION EMPLOYEES FY03*

SUDBURY SUPERVISORY ASSOCIATION

| | <u>Notes</u> | <u>STEP 1</u> | <u>STEP 2</u> | <u>STEP 3</u> | <u>STEP 4</u> | <u>STEP 5</u> | <u>STEP 6</u> |
|-----------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Supervisor of Bldgs. | 1 | 42,984 | 44,669 | 46,420 | 48,240 | 50,131 | 52,096 |
| Town Clerk | 2 | 46,858 | 48,694 | 50,603 | 52,587 | 54,648 | 56,790 |
| Parks/Grounds Supt. | 3 | 46,858 | 48,694 | 50,603 | 52,587 | 54,648 | 56,790 |
| Conservation Coord. | | 46,858 | 48,694 | 50,603 | 52,587 | 54,648 | 56,790 |
| Highway Supt. | 4 | 51,073 | 53,075 | 55,155 | 57,317 | 59,564 | 61,899 |
| Health Director | | 58,246 | 59,993 | 61,793 | 63,647 | 65,556 | 67,523 |
| Building Inspector | | 55,667 | 57,849 | 60,117 | 62,473 | 64,922 | 67,467 |
| Director of Assessing | | 58,712 | 60,473 | 62,288 | 64,156 | 66,081 | 68,063 |
| Treasurer/Collector | | 55,667 | 57,849 | 60,117 | 62,473 | 64,922 | 67,467 |
| Pk. and Rec. Director | 5 | 55,667 | 57,849 | 60,117 | 62,473 | 64,922 | 67,467 |
| Town Planner | | 60,369 | 62,180 | 64,045 | 65,967 | 67,946 | 69,984 |
| Town Accountant | | 58,712 | 60,473 | 62,288 | 64,156 | 66,081 | 68,063 |
| Technology Admin. | | 58,712 | 60,473 | 62,288 | 64,156 | 66,081 | 68,063 |
| Police Lieutenant | | 60,679 | 63,058 | 65,529 | 68,098 | 70,768 | 73,542 |
| Library Director | | 60,679 | 63,058 | 65,529 | 68,098 | 70,768 | 73,542 |
| Public Works Director | 6 | 72,109 | 74,936 | 77,873 | 80,926 | 84,098 | 87,395 |

*Collective bargaining negotiations are pending for FY 04.

1. This position also receives an annual stipend of \$13,050 as Wiring Inspector.
2. This position also receives an annual stipend of \$782 as Registrar of Voters.
3. This salary is split evenly between the Trees & Cemeteries and Parks & Grounds budgets. In addition, this position receives an annual stipend of \$7,500 for Tree Warden, Cemetery Superintendent, Pesticide Applicator and Herbicide Applicator.
4. This position also receives an annual stipend of \$10,000 as Highway Surveyor.
5. This salary is split between Park and Recreation Department and Pool Enterprise Fund.
6. This position also receives annual stipends of \$1,000 for Planning Board Agent, \$500 for Landfill Agent and \$500 for Conservation Agent. In addition, the Director of Public Works currently serves as the Town Engineer for an annual stipend of \$1,000.

