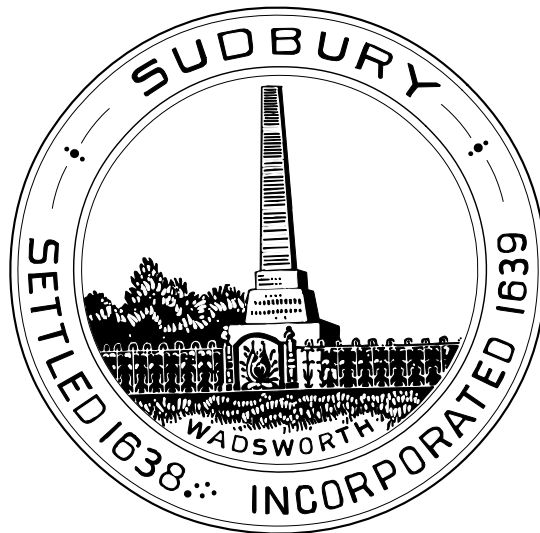


PROCEEDINGS

SPECIAL TOWN MEETING, JANUARY 19, 2011
SPECIAL TOWN ELECTION, JANUARY 25, 2011
ANNUAL TOWN ELECTION, MARCH 28, 2011
ANNUAL TOWN MEETING, MAY 2, 3 & 4, 2011
SPECIAL TOWN ELECTION, JUNE 7, 2011



TOWN OF SUDBURY
MASSACHUSETTS
2011

<p style="text-align: center;">TOWN OF SUDBURY 2011 ANNUAL & SPECIAL TOWN MEETING PROCEEDINGS</p>
--

TABLE OF CONTENTS

PART I

	<u>PAGE</u>
ELECTION RESULTS	1
SPECIAL TOWN MEETING	6
ANNUAL TOWN MEETING	18
RESOLUTIONS	19
ARTICLES	
1 Hear Reports	21
Consent Calendar	23
2 FY11 Budget Adjustments	25
3 Stabilization Fund	26
4 FY12 Budget Override	26
5 FY12 Capital Budget	35
6 FY12 Transfer Station Enterprise Fund Budget	39
7 FY12 Pool Enterprise Fund Budget	41
8 FY12 Recreation Field Maintenance Enterprise Fund Budget	42
9 Unpaid Bills	42
10 Chapter 90 Highway Funding (Consent Calendar)	43
11 Real Estate Exemption (Consent Calendar)	43
12 Town/School Revolving Funds	43
Plumbing & Gas Inspectional Services	
Portable Sign Administration and Inspectional Services	
Conservation	
Council on Aging – Activities	
Council on Aging – Van Transportation (MWRTA)	
Fire Department - Permits	
Goodnow Library	
Park and Recreation – Recreation Programs	
Teen Center	
Schools – Bus	
Schools – Instrumental Music	

Cable Television
Rental Property
Dog
Treasurer/Collector – Passport Fees
Youth
Zoning Board of Appeals – Permits

13	Conservation Revolving Fund – Trail Maintenance	46
14	Cemetery Revolving Fund – Cemetery Maintenance (Consent Calendar)	47
15	Regional Housing Services Revolving Fund	48
16	Special Act – Transportation Fees	49
17	WITHDRAWN	49
18	Street Acceptances	49
19	Amend Bylaw Article V.3 Regulation of Dogs	50
20	Rt. 20 Sewer System Design and Permitting	51
21	Amend Zoning Bylaw, Art. IX, Section 4300 – Wireless Services Overlay District	58
22	WITHDRAWN	67
23	Amend Zoning Bylaw, Art. IX, Sec. 2230 (Table of Principal Use Regulations)	67
24	WITHDRAWN	68
25	Dissolve Permanent Landscape Committee (Consent Calendar)	69
26	Sale of Land – Hudson Road and Pinewood Avenue	70
27	Exchange of Land of Peter’s Way with Abutter	71
28	Community Preservation Fund (CPF) - Carding Mill Pond Harvesting	72
29	CPF - Town Clerk Historic Document Preservation	75
30	CPF - Historic Projects	76
31	CPF - Town Wide Walkways	76
32	CPF - Sudbury Housing Trust 10% Allocation	78
33	CPF - Fairbank Farm Agricultural Preservation Restriction	81
34	CPF - Amend Art. 31, 2008 Town Mtng, SHA Unit Reconstruction (Consent Calendar)	85
35	CPF - General Budget and Appropriations	85
36	Reduce CPA Surcharge from 3% to 1.5% (Petition)	86
37	Amend Special Act to Change from Town Manager to Town Administrator (Petition)	86

38	Purchase Land off Brimstone Lane (Petition)	87
39	Resolution – State of the Town Public Forum (Petition)	89

PART II

FINANCIAL SECTION

FC-1 – FC-63

OFFICIAL
SUDBURY SPECIAL TOWN ELECTION
JANUARY 25, 2011

The Special 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 am to 8:00 pm. There were 1813 votes cast, representing 15% of the town's 11,825 registered voters. The final tabulation of votes was done at the Town Hall. 2010 Official population - 18,015.

Ballot Question

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to remodel, reconstruct, or make extraordinary repairs consisting of roof, boilers, and window replacements, at the Peter Noyes School at 280 Old Sudbury Road, and to pay for all expenses connected therewith, including professional, engineering, and architectural services and preparation of plans, specifications and bidding documents, supervision of work, and borrowing costs and expenses?

Precinct	1	2	3	4	5	Total
Yes	251	310	272	289	337	1,459
No	65	65	78	70	76	354
Blanks	-	-	-	-	-	-
Totals	316	375	350	359	413	1,813

SUDBURY ANNUAL TOWN ELECTION

March 28, 2011

OFFICIAL

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 am to 8:00 pm. There were 2989 votes cast, representing 25% of the town's 11,807 registered voters. There were 3 contested races.

	Precinct	1	2	3	4	5	Total
Board of Selectmen (1) for three years							
Blanks		8	9	4	11	9	41
JOHN C. DROBINSKI (Candidate for Re-election)		412	325	307	420	327	1,791
MICHAEL JOSEPH HULLINGER		220	221	270	231	212	1,154
Write-Ins		-	-	1	2	-	3
Totals		640	555	582	664	548	2,989
Board of Assessors (1) for three years							
Blanks		153	113	145	136	137	684
LIAM J. VESELY (Candidate for Re-election)		350	300	312	406	264	1,632
ADRIAN C. CHAREST		134	141	124	120	146	665
Write-Ins		3	1	1	2	1	8
Totals		640	555	582	664	548	2,989
Goodnow Library Trustee (2) for three years							
Blanks		370	338	391	423	358	1,880
ROBERT WILLIAM IULIANO (Candidate for Re-election)		456	375	384	444	354	2,013
BARBARA F. PRYOR (Candidate for Re-election)		448	391	389	455	378	2,061
Write-Ins		6	6	-	6	6	24
Totals		1,280	1,110	1,164	1,328	1,096	5,978
Board of Health (1) for three years							
Blanks		206	153	195	201	176	931
BRIAN J. MCNAMARA (Candidate for Re-election)		432	396	386	460	367	2,041
Write-Ins		2	6	1	3	5	17
Totals		640	555	582	664	548	2,989
Sudbury Housing Authority (1) for five years							
Blanks		216	173	218	226	198	1,031
KAFFEE KANG (Candidate for Re-election)		421	378	361	432	347	1,939
Write-Ins		3	4	3	6	3	19
Totals		640	555	582	664	548	2,989
Park & Recreation Commissioner (1) for three years							
Blanks		201	172	209	222	182	986
THADDEUS T. GOZDECK		434	377	369	435	360	1,975
Write-Ins		5	6	4	7	6	28
Totals		640	555	582	664	548	2,989
Precinct		1	2	3	4	5	Total

	Precinct	1	2	3	4	5	Total
Planning Board (1) for three years							
Blanks		215	166	212	212	192	997
MICHAEL J. HUNTER (Candidate for Re-election)		422	382	369	446	353	1,972
Write-Ins		3	7	1	6	3	20
	Totals	640	555	582	664	548	2,989
Sudbury School Committee (2) for three years							
Blanks		171	186	213	242	183	995
RICHARD J. ROBISON (Candidate for Re-election)		429	343	332	411	333	1,848
SCOTT B. NASSA		194	199	264	220	193	1,070
ELLEN S. WINER		484	380	353	453	387	2,057
Write-Ins		2	2	2	2	-	8
	Totals	1,280	1,110	1,164	1,328	1,096	5,978
Lincoln-Sudbury Regional District School Committee (2) for three years							
Blanks		440	382	484	531	413	2,250
PATRICIA M. MOSTUE (Candidate for Re-election)		390	325	304	361	310	1,690
ELENA M. KLEIFGES		438	391	375	424	368	1,996
Write-Ins		12	12	1	12	5	42
	Totals	1,280	1,110	1,164	1,328	1,096	5,978

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

**OFFICIAL
SUDBURY SPECIAL TOWN ELECTION
JUNE 7, 2011**

The Special 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 am to 8:00 pm. There were 3664 votes cast, representing 31% of the town's 11,830 registered voters. The final tabulation of votes was done at the Town Hall. 2011 Official population - 18,160

Ballot Question No. 1

Shall the Town of Sudbury be allowed to assess an additional \$553,000 in real estate and personal property taxes for the purposes of funding operating expenses for the Lincoln-Sudbury Regional District High School for the fiscal year beginning July first, two thousand and eleven?

Precinct	1	2	3	4	5	Total
Yes	450	361	325	338	335	1,809
No	334	344	445	383	346	1,852
Blanks	2	-	-	-	1	3
Totals	786	705	770	721	682	3,664

Ballot Question No. 2

Shall the Town of Sudbury be allowed to assess an additional \$100,000 in real estate and personal property taxes for the purposes of funding DPW capital expenses for the fiscal year beginning July first, two thousand and eleven?

Precinct	1	2	3	4	5	Total
Yes	406	335	318	351	299	1,709
No	370	358	442	364	380	1,914
Blanks	10	12	10	6	3	41
Totals	786	705	770	721	682	3,664

Ballot Question No. 3

Shall the Town of Sudbury be allowed to exempt from the provisions of Proposition two and one-half, so-called, the amounts required to pay for the bonds issued for the engineering design and permitting of the proposed Route 20 sewer system?

Precinct	1	2	3	4	5	Total
Yes	394	311	307	322	297	1,631
No	367	371	443	385	374	1,940
Blanks	25	23	20	14	11	93
Totals	786	705	770	721	682	3,664

PART I

SPECIAL TOWN MEETING JANUARY 19, 2011

ANNUAL TOWN MEETING MAY 2, 2011 MAY 3, 2011 MAY 4, 2011

SPECIAL TOWN MEETING

January 18, 2011

(As the forecast was for freezing rain, Sudbury Public Safety and Public Works officials recommended that Sudbury residents stay off the roads and not drive.)

At 7:34 PM, In the Lincoln-Sudbury Regional High School auditorium, the Moderator Myron Fox declared that a quorum of voters was not present. He accepted a motion by Susan Iuliano of 22 Jason Drive, to adjourn the Special Town Meeting to 7:30 PM on January 19, 2011 at the Lincoln- Sudbury Regional High School Auditorium. The motion was seconded, all present assented. There were no dissents. The Moderator declared that the Special Town Meeting was adjourned to the following night, Wednesday, January 19, 2011 at 7:30 PM at the Lincoln-Sudbury Regional High School auditorium.

January 19, 2011

Pursuant to a Warrant issued by the Board of Selectmen and a quorum being present, Myron Fox, the Moderator, at the Lincoln-Sudbury Regional High School Auditorium, called the meeting to order at 7:38 p.m., on Wednesday, January 19, 2011.

The Moderator reviewed the rules for the evening's proceedings, including how to make a motion to amend. He encouraged citizens to speak. On behalf of Sudbury's Fire Chief Bill Miles, fire exits were briefly reviewed.

The Moderator welcomed Stephen Milley to lead the Hall in a moment of silence in memory of his son, Scott Milley, who died in service to his country, while on tour in Afghanistan. Mr. Milley also led the Hall in the Pledge of Allegiance to the Flag.

The Moderator announced the certified free cash, according to Town Accountant Barbara Chisholm, is \$249,418 for the 2011 Special Town Meeting. The Moderator has examined and found in order the Call of the Meeting and the Officer's Return of Service and has confirmed the mailing of the Warrant to residents.

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

VOTED UNANIMOUSLY to dispense with the Reading of the Call of the Meeting, and the Officer's Return of Service, Notice and the reading of the individual Articles of the Warrant.

The Moderator thanked Boy Scout Troop 63 leader, Fred Rust, and the Scouts serving as tonight's "runners," Mark Tenterelli, Nicholas Ackley and Alex Benton. He also thanked the Lincoln-Sudbury Regional High School Audio Visual Department and the staff

of Sudbury TV. He introduced various Town officials, staff, committee, and board members who were present in the Hall

ARTICLE 1 – ROOF, BOILERS AND WINDOW REPLACEMENTS - PETER NOYES SCHOOL, MSBA GREEN REPAIR PROGRAM

The Moderator recognized Sudbury Public School Committee member Jeffrey Beeler, 57 Wagonwheel Road, who moved in the following words:

Move that the Town of Sudbury appropriate the sum of Two Million Six Hundred Forty Thousand Dollars (\$2,640,000) for the purpose of the repair/replacement of the roof, boilers, and windows, and all expenses connected therewith, at the Peter Noyes School, 280 Old Sudbury Road, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, said sum to be expended under the direction of the Permanent Building Committee/School Building Committee, and to meet such appropriation the Treasurer is authorized to borrow said sum under M.G.L. Chapter 44, or any other enabling authority; that the Town of Sudbury acknowledges that the Massachusetts School Building Authority's (MSBA) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Sudbury incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Sudbury; provided further that any grant that the Town of Sudbury may receive from the MSBA for the Project shall not exceed the lesser of (1) 35.42 percent (35.42%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that the appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½); and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Sudbury and the MSBA.

Submitted by the School Committee, Sudbury Public Schools. (Two-thirds vote required)

The motion received a second.

Mr. Beeler explained the motion varies in four (4) respects from what was published in the Warrant.

1. The appropriation figure has been increased, based on recommendations from the members of the Permanent Building Committee (PBC) and outside consultants, who thought hazardous materials such as PCB's in the caulking around the windows and asbestos might be encountered and need to be removed at an increased cost. \$148,000 in additional monies could be the cost of removal. This also reflects market adjustment.
2. The Treasurer would be allowed to borrow funds for the project.

3. An affirmative vote on the article is contingent on passage of a debt exclusion ballot question at a subsequent Town Election.
4. The amount borrowed shall be reduced by the amount of any grant set forth in an agreement with the Massachusetts School Building Authority (MSBA).

ROOF REPLACEMENT: Mr. Beeler noted the Sudbury Public School Committee is not comprised of members expert in construction matters. However, the Committee worked in connection with the PBC and outside consultants on the proposal submitted to the State. The Town's proposal was accepted by the MSBA, and Sudbury was invited to participate in the Green Repair Program, which will provide State reimbursed funds for 35.42% of the project costs.

Mr. Beeler noted the School was built in 1951, is the Town's largest elementary school servicing 647 students, and it has had no major renovations since 1970. He stated that the roof is in poor condition, and many leaks have been identified. Mr. Beeler explained the MSBA inspectors assessed the roof's condition, and he displayed a Roof Diagram exhibit slide. He explained that Russo Barr Associates verified the roof leaks using thermal imaging techniques. A new roof, with a 20-year warranty has been recommended.

BOILER REPLACEMENT: Mr. Beeler stated that the School's boilers were installed in the 1970s and have outlived their efficiencies. Replacement of the boilers with a high-efficiency system of three condensing boilers has been recommended. He further stated that SPS believes it is financially prudent to be proactive regarding the School's maintenance needs, especially since there is a one-time opportunity for MSBA reimbursement.

WINDOW REPLACEMENT: Mr. Beeler described the School's window system, which currently includes 40-year old, single-glazed windows, which are energy-inefficient. In addition, a significant number of the School's double-glazed windows have failed seals, and 50% of the windows do not operate correctly. Replacement of the windows has been recommended.

Mr. Beeler emphasized the Green Repair Program is a one-time opportunity made possible by the Federal Stimulus Program. The expected project reimbursement of 35.42% translates to approximately \$920,000 of the total costs being reimbursed. He further emphasized the project must complete construction in 2011. He stated that Sudbury would only bond its share of costs. Mr. Beeler displayed information regarding potential cost savings as a result of the repairs. He stated that energy and repair savings are estimated at \$50,000 a year.

The Moderator informed Mr. Beeler his allotted presentation time had elapsed. Mr. Beeler stated that he needed three more minutes. The Moderator asked the Hall for a vote regarding whether Mr. Beeler could continue his presentation, and it was VOTED to allow him to continue.

Mr. Beeler stated that the net cost of the project for Sudbury would be \$1,734,417, which would be bonded over ten years. He further stated that the estimated debt service would be \$0.06 per thousand dollars of property assessment and that the tax bill of an average property assessed at \$628,000 would increase initially by \$37 per year in year one, and eventually be reduced to an increase of approximately \$28 per year for each subsequent year of the bond period.

Project Costs with MSBA Contribution

Roof: \$1,172,000

Windows: \$634,000

Boilers: \$379,000

Admin: \$125,000

Market Conditions/Hazardous Materials: \$135,000

Contingency: \$155,000

Bond Cost: \$40,000

Short Term Interest: \$15,337

Mr. Beeler stated that the project has been reviewed by Department of Revenue auditors. He emphasized the Town has the rare chance to institute repairs to critical systems and to receive State reimbursement funds for doing so. Mr. Beeler stated that pursuing these repairs is a timely and financially prudent step towards protecting a Town asset. He also stated that the project has been endorsed by the SPS School Committee, the Energy and Sustainability Green Ribbon Committee, the Capital Improvement Planning Committee (CIPC), the Permanent Building Committee, and the Finance Committee. Mr. Beeler asked for support of the project tonight, and at the subsequent Special Town Election

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

On behalf of the Board of Selectmen, Vice-Chairman O'Brien acknowledged the work done by the SPS School Committee, Superintendent John Brackett, and PBC member Mike Melnick to submit the materials required to capitalize on this grant opportunity. He also stated that this project is consistent with recommendations made a few years ago by the Budget Review Task Force.

CIPC Chairman Ted Fedynshyn, 32 Atkinson Lane, stated that the CIPC held a Public Hearing on January 6, 2011, after which it voted unanimously to support the project. The CIPC believes the repairs will result in significant savings for the Town because of the State reimbursement program and will help to extend the life of this Town asset.

Rick Johnson, 38 Bent Road, asked if the Town has been guaranteed the 35.42% reimbursement.

Superintendent John Brackett stated that, yes, the Town has been assured the funds. He explained Sudbury was formally invited to be a participant in the Green Repair Program and proper authorities have been involved throughout the process and have approved the agreement language.

Mr. Johnson asked if the anticipated \$47,000 in maintenance cost savings and the \$32,000 in anticipated energy cost savings could be used to pay down the debt rather than funding the entire project cost.

Superintendent Brackett stated that the savings referenced are tracked and would remain as operating budget funds. He explained there is not an excess of funds, and that the savings would be re-directed to other School needs and would allow the budget to be cut less.

Mr. Johnson asked if there are other repairs for other Town/School buildings which citizens are also going to be asked to consider in the future.

Superintendent Brackett stated that SPS has worked with the CIPC every year to develop a list of maintenance priorities. He further stated that many school systems are in good shape because many of the buildings were updated in 1999. Superintendent Brackett stated that some items have been prioritized, such as the addressable fire alarm systems at Nixon and the Nixon roof repairs, which are planned for discussion at the Annual Town Meeting in May. He noted these projects are not as substantive as the Noyes' project.

Town Manager Maureen Valente stated that there are a few Town projects which will require attention, such as a new Police Station and upgrades to the Town Hall, Flynn Building and Fairbank Center.

The Moderator informed Mr. Johnson that his questions were far afield from the article under discussion.

Mr. Johnson referenced the roof diagram previously exhibited. He asked why the leaking areas could not just be repaired instead of replacing the entire roof.

The Moderator asked the Hall for a vote to allow the roof consultant Jim Russo, who is not a resident of Sudbury, to speak, and it was so VOTED.

Jim Russo stated that an attempt could be made to repair the wet areas, but the work would not have more than a one-year contractor guarantee instead of 20 years as a new roof would.

Karen Palumbo, 11 Lafayette Drive asked what happens if the project price ends up higher than the amount appropriated tonight.

Mr. Beeler stated that this would not occur because, if the competitive bid exceeded the appropriation amount, the scope of work would be reduced. He stated that this scenario would be unlikely.

Patricia Guthy, 24 Pinewood Avenue, asked what happens to the excess funds if the project is completed for less than the estimated amount.

Superintendent Brackett stated that the bond would be for only the amount of the actual costs incurred, and that tonight's proposed appropriation could be considered as a not-to-exceed figure.

The Moderator reminded the Hall that tonight's vote requires two-thirds passage because of the borrowing aspect, and then a majority vote would be required at a Special Town Election.

Laura Abrams, 48 Horse Pond Road, asked if the reimbursement is lost if the project is not completed in 2011.

Superintendent Brackett stated that this has been discussed with MSBA. He noted this is a new program for all parties, and thus procedures are evolving. MSBA has stated that, as long as projects are substantially underway and close to completion by the close of 2011, funds would not be jeopardized. Due to the nature of the projects to be completed, Superintendent Brackett stated that the summer has been tentatively targeted for construction to occur.

Sharon Jones, 57 Pratt's Mill Road, asked when the grant monies would be received - in the beginning or upon completion of the projects.

Superintendent Brackett stated that it is anticipated that bills would be periodically submitted to the MSBA for reimbursement throughout the project to help offset the costs "as we go."

The motion under Article 1 was *VOTED by well more than two-thirds, and almost unanimously.*

The Moderator introduced State Representative Tom Conroy, who was in attendance.

ARTICLE 2 – HOME RULE PETITION – MEANS TESTED SENIOR CITIZEN PROPERTY TAX EXEMPTION

The Moderator recognized Sudbury resident Ralph Tyler, One Deacon Lane, who moved in the words of the handout below:

Move that the Town of Sudbury petition the General Court of the Commonwealth of Massachusetts to enact special legislation as follows:

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

SECTION 1. With respect to each qualifying parcel of real property classified as class one, residential in the town of Sudbury there shall be a cap on property taxes equal to the sum of [1] 10 per cent of the total annual household income, and [2] the amount of the state's "circuit breaker" credit the applicant was eligible to receive in the year prior to the application being filed, except that if the cap described in Section 3 is exceeded by a higher percentage and except that in no event shall property taxes be reduced by more than 50 per cent by this exemption. The exemption shall be applied only to the principal residence of a taxpayer as used by the taxpayer for income tax purposes.

SECTION 2. The board of assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption set forth in section 1 if all the following criteria are met:

- (a) the qualifying real estate is owned and occupied by a person or family where their prior year's income would make them income eligible for the Circuit Breaker income tax credit;*
- (b) the qualifying real estate is owned by a single applicant age 65 or above at the close of the previous year or if a joint application the second applicant was age 60 or above;*
- (c) the qualifying real estate is owned and occupied by the applicant or joint applicants as their principal residence for income tax purposes;*
- (d) the applicant or at least one of the joint applicants has resided in the town of Sudbury for at least 10 consecutive years before filing an application for the exemption;*
- (e) the maximum assessed value of the primary residence is no greater than the prior year's average assessed value of a Sudbury single family residence plus 10 percent; and*
- (f) the board of assessors has approved the application.*

SECTION 3. The exemption provided for in this act is a shifting in the tax burden among residential properties much like the residential exemption provided for in the general laws. This exemption shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap on all the exemptions granted by this act equal to 0.50% of the fiscal year's total residential property tax levy for Sudbury including the levy for the regional high school if not included in Sudbury's tax levy at some subsequent date. After the first year of enactment, the total cap on the exemptions granted by this act shall be set annually by the board of selectmen within a range of 0.50% and 1.00% of the residential property tax levy for Sudbury including the levy for the regional high school. In the event that benefits to the applicants must be limited because the percentage established annually by the selectmen would otherwise be exceeded, the benefits shall be allocated by establishing a higher percentage in Section 1 as necessary to not exceed the cap. In the event the cap exceeds the need the burden shift shall be reduced to meet the need.

SECTION 4. A person who seeks to qualify for this exemption shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of their income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. For the purposes of this act, "parcel" shall be a unit of real property as defined by the assessors in accordance with the deed for the property and shall include a condominium unit.

SECTION 6. Acceptance of this act by the town of Sudbury shall be by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot. This act shall become effective on the thirtieth day following an affirmative vote.

SECTION 7. The acceptance of this act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election held prior to affirmation at which the question of revocation has been placed on the ballot by a two-thirds vote of then sitting members of the board of selectmen. Revocation of this act shall become effective on the thirtieth day following that affirmative vote and shall thereafter apply only for applications received following revocation.

SECTION 8. Acceptance of this act by the town of Sudbury shall automatically expire after 3 years unless reaffirmed by the affirmative vote of a majority of the voters at a town meeting. Once reaffirmed, it shall take an affirmative vote by two-thirds of the voters at a regular or special election at which the question of revocation has been placed on the ballot by a two-thirds vote of then sitting members of the board of selectmen for this act to be revoked.

SECTION 9. The selectmen and/or the board of assessors may make technical and procedural changes, if they decide such changes will: (1) make the administration of the act more efficient, (2) make it easier to comply with the regulations of the Massachusetts Department of Revenue, or (3) for any other good reason. Such changes shall not require further approval by the legislature."

Submitted by Petition

(Majority vote required)

The motion received a second.

Mr. Tyler introduced Sudbury resident David Levington, 155 Nobscot Road.

Mr. Levington explained that this Sudbury article was based on a bylaw recently passed in Hamilton, Massachusetts. He explained the article has fixed costs and will provide specific targeted benefits for senior citizens in Sudbury. Mr. Levington stated that if the article passes tonight and at the Special Town Election, the average property tax bill would increase half of one percent, enabling a shift of taxes to all others from the neediest

of senior residents. He further stated that parameters have been included for the Board of Selectmen to review next year and increase slightly if deemed appropriate.

Mr. Levington reviewed qualifying criteria, stating the money raised would go to those who qualify for the Circuit Breaker exemption. He also provided a few examples of how the tax benefits would work, so that a senior's annual tax bill would not be more than 10% of their annual income. Mr. Levington noted it is possible the amount required for those eligible might exceed the fixed costs. He further stated that the costs are capped at .5%, even if the need is greater, and benefits will be given to the "neediest" 20-25%. He urged the Hall's support.

Mr. Tyler summarized the necessary steps to have this petition accepted by the State legislature. He noted passage tonight would help the petition be reviewed and possibly passed by the State in the March 2012 timeframe. Mr. Tyler further stated that, at earliest, the tax benefits would be implemented in FY13. He also noted the article includes a three-year sunset clause, unless it is again re-affirmed by voters. In addition, the petition could be revoked by voters at the polls.

Mr. Tyler stated that the Sudbury version differs from Hamilton's in that Sudbury has allowed for an inflation adjustment. He noted many Town boards and committees reviewed drafts of the article and offered recommendations, some of which were incorporated into tonight's motion. Mr. Tyler emphasized the article preserves current exemptions received by senior citizens. He also explained revisions were made from the warrant to the motion as well as changes made to simplify Hamilton's model so that Sudbury's version adopts the income limit criteria of the Circuit Breaker.

The Moderator informed Mr. Tyler that his allotted presentation time had elapsed. Mr. Tyler stated that he needed six more minutes. The Moderator asked the Hall for a vote regarding whether Mr. Tyler could continue his presentation, and it was VOTED to allow him to continue with the Moderator's request that the remaining presentation be shorter than 6 minutes if possible.

Mr. Tyler stated that the Assessor's Office would have the power to approve applications for the tax benefit. He further stated that problems are not anticipated from people applying for the exemption who have hidden assets and that measures will be taken to detect and prevent fraud.

Mr. Tyler explained the Sudbury article has included improvements for administrative efficiencies. He also explained that it includes more stringent age guidelines and valuation parameters for homes than are found in the Circuit Breaker criteria. Mr. Tyler stated that 145 of the 190 Sudbury residents who qualify for the Circuit Breaker exemption have adjusted gross incomes under \$25,000. Thus, he believes this tax exemption is the right thing for the Town to do to help seniors stay in Sudbury.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

Chairman Drobinski stated that this article extends the tradition of helping seniors, is mean-tested, would not impact the operating budget, utilizes Circuit Breaker criteria and allows for discretion by the Assessor's Office. He urged the Hall's support.

Robert Coe, 14 Churchill Street, asked for clarification of the word "average" as used in Section 2 (e). He explained this term can be ambiguous and determined in two ways to either indicate an arithmetic mean or median value. Mr. Coe suggested that more specific language be used to clarify exactly which value is being discussed. He thought Mr. Levington had implied the word was meant to indicate a median assessed value. Mr. Tyler stated that Hamilton used a median value, but Sudbury's use of the word "average" was meant to use a more generous mean value.

Mr. Coe recommended the motion be amended to clarify that a mean value is meant.

In response to a question from the Moderator, Mr. Tyler stated that he did not wish to amend the article.

Steve Gabeler, 28 Mossman Road, asked what percentage of residences would be included in the average plus 10%.

Mr. Levington stated that this is difficult to predict until applicants meet other prescribed requirements, such as residence, income and age. He further stated that the Assessor's Office has the ability to change this according to Section 9.

Mr. Gabeler stated that he believes 10% above the average would include significantly more than half of the Town.

Chris Morely, 321 Old Lancaster Road, asked for clarification of the 0.5 to 1% referenced in Section 3 of the motion, which Mr. Tyler provided, stating the Selectmen have the discretion to raise this up to 1%.

Mr. Morely asked if the Board of Selectmen can raise the percentage without a vote from Town Meeting.

Mr. Tyler stated that the article provides for the Selectmen to have this discretion and to assess the needs, similar to the process used when the tax rate is established.

Abla Shocair, 240 Mossman Road, stated that she has lived in Sudbury 20 of the past 25 years, but has not lived in Town for the past five years. Thus, she asked if she would qualify under the criteria listed in Section 2(d) to live in the house for ten consecutive years.

Mr. Tyler stated that this example was not foreseen, and was not provided for in the language. However, he asked if Town Counsel had an opinion.

The Moderator stated that Town Counsel believes this example would qualify, since the language does not specify that the ten consecutive years of residence must immediately precede the filing request.

Bill Keller, 31 Churchill Street, stated that he was first involved with the Town through the Board of Assessors, and he has seen other proposals which did not address the dire need for senior tax relief. He commended those who drafted this article, stating this article would truly help senior citizens. In addition, Mr. Keller stated that the article proposes that the tax relief be paid for as it should be, from the other less needy citizens. He urged support of the article.

Ed Kreitsek, 59 Dudley Road, explained why he believes this article is necessary and should be passed. He stated that in a Town like Sudbury, the property tax becomes severely penalizing and a regressive tax for those who have owned their homes for a long time. Mr. Kreitsek stated that there is no escalation of a senior citizen's fixed income, but there is constant escalation of property taxes due to dramatically appreciating house values. He stated that senior tax relief has been discussed for ten years, and the time is right to do something now.

An unidentified person moved to call the question.

The motion was seconded.

The Moderator stated that a vote to call the question requires a two-thirds vote. He asked how many others wished to be heard on the article. One person raised their hand, whom he acknowledged.

Elissa Karol, 31 Cider Mill Road, stated that others are struggling too and have had financial changes to their income for a variety of reasons, due to the economy. She asked why this tax reform is only aimed at senior citizens and does not take into account others who are needy, but will now have to help foot this bill.

Mr. Levington stated that not all senior citizens will be helped, and many of them will pay towards this tax relief. Approximately 250 families of the 1200 senior households in Town will be helped by this article. Although it would be ideal to help everyone who is in need, Mr. Levington stated that the article is practical and is helping those it can, and who have no other options.

The Moderator explained his discretion regarding calling a question. He also reminded the Hall the article requires a majority vote.

The motion for Article 2 was VOTED and passed by an overwhelming majority.

The Moderator reminded voters to be careful going home, due to the weather conditions.

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

The 2011 Special Town Meeting was dissolved at 9:08 p.m.

May 2, 2011

ANNUAL TOWN MEETING

May 2, 2011

Pursuant to a Warrant issued by the Board of Selectmen and a quorum being present, Myron Fox, the Moderator, at the Lincoln-Sudbury Regional High School Auditorium, called the meeting to order at 7:34 p.m., on Monday, May 2nd. Mr. Fox appointed Kirsten Roopenian as Assistant Moderator.

Mr. Fox asked for the Hall's attention to acknowledge the sacrifice that men and women in the U.S. Armed Forces make for this country. On behalf of the Town, he extended gratitude to all the soldiers serving from Sudbury, and he wished them and their families well.

Mr. Fox reminded the audience of the remarks made at Town Meeting a few years ago, by Major Dennis Ford. In his address, Major Ford emphasized there are still places in this world where citizens cannot participate in the democratic process, nor do they have the freedom to openly debate issues. Mr. Fox asked tonight's meeting attendees to be mindful of this opportunity to openly debate issues of mutual concern in a civilized and respectful manner.

The Moderator welcomed William Beckham, a Lincoln-Sudbury Regional High School senior student and Eagle Scout, to lead the Hall in the Pledge of Allegiance to the Flag.

The Moderator announced the certified cash, according to Town Accountant Barbara Chisholm, is \$249,418 for the 2011 Annual Town Meeting. The Moderator has examined and found in order the Call of the Meeting and the Officer's Return of Service and has confirmed the delivery of the Warrant to residents.

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

VOTED UNANIMOUSLY to dispense with the Reading of the Call of the Meeting, and the Officer's Return of Service, Notice and the reading of the individual Articles of the Warrant.

The Moderator introduced various Town Officials, Staff, Committee and Board members who were present in the Hall. He thanked Assistant Town Clerk Judie Newton, who will be retiring at the end of the month, for her many years of dedicated service to the community. He also welcomed Wayland's new Moderator Dennis Berry to tonight's proceedings. The Moderator announced that the Town Warrant includes forms to indicate interest for serving on a Town committee or board and that forms can also be submitted online. In addition, it was noted that tonight's refreshments have been sponsored by Sudbury Destination Imagination. Fire exits were briefly reviewed.

May 2, 2011

The Moderator recognized State Senators Jamie Eldridge and Susan Fargo, who were not present, and welcomed State Representative Tom Conroy to address the Hall.

State Representative Tom Conroy presented a Certificate of Commendation to Michelle McDonald, honoring her service as a Sudbury Public School Committee member.

Mr. Conroy also presented a Certificate of Commendation to Sudbury Public School Superintendent John Brackett as a consummate professional, visionary educator and dedicated public servant, who has been a tremendous asset to the Town. On behalf of the Sudbury Public Schools (SPS), School Committee Chair Susan Iuliano thanked Dr. Brackett for his eight years of outstanding leadership and service. She also welcomed and introduced the new SPS Superintendent Dr. Anne Wilson.

Board of Selectmen Vice-Chairman Lawrence W. O'Brien was recognized to read the resolution in memory of those citizens who have served the Town and passed away during the past year.

Whereas: The Town of Sudbury has enjoyed the blessing of those in the community who gave of their time and talent to enrich the quality of life in our Town; and

Whereas: This past year has seen several of its citizens and employees who have rendered public service and civic duty pass from among us;

Now, therefore, be it resolved:

That the Town of Sudbury extends its heartfelt sympathy to the families of these persons and recognizes their service and dedication to the community:

JAMES N. ATTAWAY (1942-2011)

L-SRHS Physical Education Teacher: 1973-1976

EARL C. BORGESON (1922-2010)

Sudbury School Committee: 1961-1964

Ancient Documents Committee: 1961-1964

Committee on Recodification of Zoning Bylaw: 1966-1967

Charter Study Committee: 1967-1968

ELBERT W. CLARK, SR. (1923-2011)

Moved to Sudbury: 1950

Public Weigher: 1953-1954

ROBERT R. HAMILL (1945-2010)

Special Police Officer: 1968-1969

May 2, 2011

MARYLIN HALEY (1944-2010)

L-SRHS Teacher: 1967-1990

PHILIP L. LINDSAY (1947- 2010)

Constable: 1991-1994

PATRICIA K. LOCKERY (1931-2010)

L-SRHS Teacher: 1976-1977

DEBORAH P. LUBASH (1926-2010)

Moved to Sudbury: 1969

Election Worker: 2002-2010

HELEN H. NEELON (1918-2011)

SPS Teacher: 1968-1984

DONALD P. PEIRCE (1926-2011)

Moved to Sudbury: 1967

Board of Assessors: 1976-1983

Inflammable Storage By-Law Committee: 1981

JOHN PLUNKETT (1956-2010)

L-SRHS Teacher: 2007-2010

HOWARD P. PORTER (1935-2010)

Gas Inspector: 1971-1982, 1985-2001

FREDERIC A. SCOTT (1925-2010)

Moved to Sudbury: 1961

L-SRHS Teacher: 1961-1990

JOHN E. TAFT (1925-2010)

Moved to Sudbury: 1959

Board of Selectmen: 1964-1976

Finance Committee: 1960-1964

Sudbury Growth Policy Committee: 1976

Consolidated Public Works Steering Committee: 1971-1972

Mosquito Control Committee: 1965, 1967

Sudbury Public Health Nursing Association member: 1966-1967, 1969, 1972, 1975

Revolutionary War Bicentennial Committee: 1974-1976

The Sudbury Foundation Trustee: 1973-2007

Town Meeting Study Committee: 1972-1973

Committee on Town Administration: 1985-1986

May 2, 2011

RICHARD E. (ED) THOMPSON (1939-2011)

Moved to Sudbury: 1972
Ambulance Task Force: 1973
Acting Town Accountant: 1982
Chief Procurement Officer: 1990
Clerk to Board of Selectmen: 1985-1994
Executive Secretary: 1972-1994
Fair Housing Committee: 1988
Industrial Accident Board Agent: 1972-1994
Interim Town Manager: 1995-1996
Lincoln-Sudbury Employees Credit Union CEO: 1995-2005
Mass. Bay Transportation Authority Committee: 1991-1996
Mass. Municipal Association Legislative Liaison: 1978-1994
Negotiating Advisory Committee: 1993-1994
Sudbury Water District Treasurer: 1998-1999, 2003, 2006-2011
Town's 350th Anniversary Celebration: 1988-1990

And be it further resolved:

That the Town of Sudbury,

in Town Meeting assembled, record for posterity in the minutes of this meeting its recognition and appreciation for their contributions to our community.

ARTICLE 1 - HEAR REPORTS

The Moderator stated that for many years there has been a tradition at the Annual Town Meeting to honor a citizen who has performed valuable service for the Town by asking him or her to make the motion under Article 1 of the Warrant. This year, the honor is bestowed upon Edward Kreitsek. Mr. Fox reviewed the long list of roles and responsibilities Mr. Kreitsek has fulfilled.

Mr. Kreitsek addressed the Hall, noting he has estimated a minimum of 155,000 hours during which citizens of Sudbury have volunteered to help shape what the Town has become. Mr. Kreitsek believes the Town thrives on this volunteerism, and the Town will continue to prosper because of it. He asked the Hall to thank and acknowledge all its volunteers as it considers Article 1 tonight.

Selectman Robert Haarde moved in the following words:

Move to accept the reports of the Town boards, commissions, officers and committees as printed in the 2010 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.

FINANCE COMMITTEE: Took no position on the Article.

BOARD OF SELECTMEN: Took no position on the Article.

The motion under Article 1 was *VOTED UNANIMOUSLY*.

The Moderator reviewed procedures for the Meeting. He also thanked Boy Scout Troop leader Fred Rust and Scouts Tyler Darcy, Liam Dunphy and Tim Dunphy, who will serve as “runners” this evening.

The Moderator recognized Mr. John C. Drobinski, Chairman of the Board of Selectmen, for the State of the Town Address.

Mr. Drobinski referenced remarks made in 2009 by Vice-Chairman O’Brien, which emphasized that towns need to be locally sustainable. Mr. Drobinski mentioned some of the things the Town has done in recent years to work towards that goal, including renegotiation with cost centers regarding the structure of health care insurance benefits to more closely reflect those in the private sector. He stated that the health plan changes made, including higher contribution levels from employees, have saved approximately \$1.5 million and has helped to slow the rate of growth in the increases of this budget line.

Mr. Drobinski further stated that the Selectmen have worked to implement other ideas such as expansion of the Payment-in-Lieu-of-Taxes program, purchasing of street lights, creation of a donation program, and using Community Preservation Act funds to acquire open space and preserve the Town’s historic character. Regionalization efforts have also been pursued to realize cost savings, such as the shared Park and Recreation Director position with Wayland. The Town is also involved with seven other communities in a feasibility study made possible by a State grant regarding the potential for a regional dispatch center. In addition, the Town will also vote during this Town Meeting for regionalization of housing services.

Mr. Drobinski further stated that the Town and Sudbury Public Schools plan to share the costs for a Facilities Manager position. He also reported the Town was one of the first to receive Green Community status from the State, which has resulted in \$175,000 received in related grants. In addition, the Town has worked on programs to help retain senior citizens in the community by passing a Senior Tax Relief Home Rule Petition. Mr. Drobinski highlighted Article 20 to be voted on later during these proceedings, noting work has started to bring to fruition a Route 20 Wastewater Management system to help grow the commercial district. He stated that this project will set the stage for the future and help reduce the Town’s reliance on residential property taxes. Mr. Drobinski emphasized two reasons for supporting the article as a means to protect the Town’s water supply and for tax relief.

May 2, 2011

Mr. Drobinski announced the Selectmen have declared May as Military Appreciation Month in honor of the loss of Lt. Scott Milley and everyone from Sudbury serving in the military and their families. He thanked the Town for the sense of community it displayed during the ceremonies held in Lt. Milley's memory, and he stated that this sense of community is what makes Sudbury special.

The Moderator announced the Finance Committee would make its presentation when budget Article 4 is discussed.

CONSENT CALENDAR

The Moderator moved to the Consent Calendar and asked attendees to turn to pages Roman Numeral iii and iv of the Warrant. The rules of the Consent Calendar were reviewed, including that voters who have questions requiring explanation of any subject on the Consent Calendar, should stand and ask that the article be held for further clarification or debate.

It was noted that voters should exercise good judgment when removing Articles from the Consent Calendar, and they should do so only in cases of genuine concern. In past years, it has occasionally happened that Articles were removed from the Consent Calendar, and when reached in the normal course, passed unanimously without debate; thus, indicating that the initial removal request was perhaps not fully considered before being exercised.

The Moderator proceeded with the roll call of the Consent Calendar, asking article by article, if there were any questions or holds on Articles 10, 11, 12, 13, 14, 15, 25 and 34. Voters requested that Articles 12, 13, 15 and 25 be held for debate.

Regarding Article 12, Daniel DePompei, 35 Haynes Road, asked if the Massachusetts General Laws requirements for providing reports for the previous fiscal year and the current fiscal year through December 31, 2010 have been met and where the information could be accessed, since the article concerns revolving funds totaling approximately \$1 million. Town Manager Valente conferred with the Town Accountant and reported that the information is filed each year as part of the recapitulation sheet submitted to the Department of Revenue which is available to the public.

Town Counsel Paul Kenny opined that providing the Board of Selectmen with the information meets the requirements of the statute.

Mr. DePompei asked if the Selectmen have received the information and if the information could be provided at this Town Meeting. Town Manager Valente stated that the information is provided as part of the tax-rate-setting materials. She further suggested the information could be provided henceforth in the Annual Town Report. Ms. Valente

May 2, 2011

noted that the information from the previous year could be posted on the Town website, but the current year's information is not yet available.

Mr. DePompei requested Article 12 be held for debate.

Robert Abrams, 48 Horse Pond Road, asked that Articles 13 and 15 be held for debate.

Regarding Article 25, Robert Coe, 14 Churchill Street, stated that the Selectmen have proposed abolishing a Committee, which they did not appoint and has been in existence for 40 years, without much rationale provided. He asked if the existing Committee favors this decision and for more of an explanation.

Town Manager Valente stated that additional information has been provided in a presentation for Article 25 to be presented by Selectman Haarde.

Selectman Haarde read Article 25 as published in the Warrant.

Mr. Coe asked that Article 25 be held for debate, since he already read the Warrant description, but had requested additional information.

The Moderator stated that Articles 12, 13, 15, and 25 were off the Consent Calendar. He then asked Chairman Drobinski to make a motion to take Articles 10, 11, 14, and 34 out of order and consider them together at this time for a vote requiring passage by four-fifths. Mr. Drobinski moved in the words of the Moderator, and the motion was seconded.

FINANCE COMMITTEE: Took no position on these articles.

BOARD OF SELECTMEN: Took no position on these articles.

The motion was VOTED UNANIMOUSLY.

Chairman Drobinski moved in the words of the Consent Calendar motions as printed on page Roman Numeral iv in the Warrant for the following articles: 10, 11, 14, and 34.

The motion was seconded.

The Moderator announced that a unanimous vote would be required to pass all Consent Calendar articles.

FINANCE COMMITTEE: Took no position on these articles.

BOARD OF SELECTMEN: Took no position on these articles.

May 2, 2011

The motions as printed in the Warrant for the Consent Calendar were **VOTED UNANIMOUSLY.**

ARTICLE 2 – FY11 BUDGET ADJUSTMENTS

At the request of the Moderator, Town Manager Valente **moved** in the words of the motion below:

Move to amend the votes taken under Article 4, FY11 Operating Budget, of the 2010 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds as follows:

Transfer from 900: Town-wide Operating & Transfer, \$41,985 to 400: Public Works, all to be allocated to snow and ice expenditures;

Transfer from 900: Unclassified Benefits, \$50,000 to 400: Public Works, to be allocated to snow and ice expenditures; and \$50,000 to 300: Sudbury Public Schools to be allocated to snow and ice.

Submitted by the Board of Selectmen

(Majority vote required)

The motion received a second.

Town Manager Valente explained that M.G.L. allows deficit spending in the same fiscal year for snow and ice expenditures upon the approval of the Finance Committee. Given the past year's difficult winter, this line item resulted in expenditures totaling \$295,000 beyond what was appropriated. Ms. Valente explained the request to use \$41,985 from the salary contingency reserve fund is from funds the Town did not have to use to resolve labor conflicts. She further explained that due to successful efforts to control employee costs and not filling all position vacancies, an additional \$50,000 can be allocated to the Department of Public Works for this purpose and another \$50,000 to the Sudbury Public Schools (SPS) for snow and ice.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

Robert Abrams, 48 Horse Pond Road, asked if more funds have been allocated to this account for FY12 to avoid being in the same predicament next year.

Town Manager Valente stated that \$10,000 more has been allocated. However, she further noted the recommendation is to keep the appropriation similar to previous years, since funds in this line item can only be used for this purpose, whereas funds in a reserve fund could be used for various purposes if winter conditions were favorable.

May 2, 2011

The motion for Article 2 was **VOTED UNANIMOUSLY.**

ARTICLE 3 – STABILIZATION FUND

Vice-Chairman O'Brien *moved* to *Indefinitely Postpone.*

Submitted by the Board of Selectmen

(Two-thirds vote required)

The motion received a second.

Mr. O'Brien explained no vote is needed, since no money is being requested to be placed into this account.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The Moderator noted the article requires a two-thirds vote to pass. The **motion** for Article 3 was **VOTED UNANIMOUSLY.**

ARTICLE 4 - FY12 BUDGET OVERRIDE

The Moderator explained the rules related to the votes for the budget articles, noting the vote on the Limiting Motion will establish the upper limit for the FY12 budget.

Sudbury Finance Committee Member Martha Ragonese *moved* in the words of the amended motion below:

LIMITING MOTION

Move that the amount appropriated under the FY12 Budget override budget not exceed the sum of \$79,652,861.

Submitted by the Finance Committee

(Majority vote required)

The motion was seconded.

The Moderator explained the difference between the motion and the handouts provided.

Sudbury Finance Committee Chair James Rao presented a report of the State of the Town Finances. He explained the role of the Finance Committee as examining the budgets from the costs centers on behalf of the citizens and to make recommendations.

Mr. Rao noted the Committee is comprised of members with a variety of professional backgrounds, who represent a cross-section of Sudbury's demographics.

Mr. Rao reviewed the changes to the budget from what was presented in the Warrant. Based upon recent positive news regarding the likely level of State Aid (a decrease of only 2% from last year versus the anticipated 5%), Sudbury will receive approximately \$117,000 back into the Town and SPS budget and \$138,445 was added back into the Lincoln-Sudbury Regional High School (L-SRHS) budget. After incorporation of these improved revenue figures, the budget reflects a 2.4% growth over last year for L-SRHS, and a 2.2% increase for the Town and SPS.

Mr. Rao further reported an additional \$500,000 may also be reaped from Circuit Breaker reimbursements, which are now estimated to be at 65% rather than the originally planned 40%. He stated that the Finance Committee is required to present a non-override budget by law. This year, the budget proposed is approximately \$80.9 million, of which \$79.1 million is for the operating budget and the balance for the capital budget and enterprise funds. Mr. Rao stated that this budget would result in a tax increase of approximately 2.37% on the average assessed home value of \$628,000 and total approximately \$1,600,339 in additional tax revenue.

Mr. Rao stated that the positive outcome of this improved revenue information translates to no incremental funds being needed by SPS or the Town. He noted both of these cost centers have also realized employee benefits savings from contractual agreements signed two years ago, and the changes initiated by employees at that time have had a meaningful impact on the budget. Mr. Rao further reported L-SRHS had an original financial gap of \$1.2 million, which has now been closed to approximately \$800,000 of which \$680,000 is attributable to Sudbury. He noted the Finance Committee had presented conditions which it hoped would encourage L-SRHS employees to create additional sustainable and long-term savings which could be reinvested into the classrooms.

Mr. Rao stated that the healthcare benefits in FY12 are expected to grow by more than 14% at L-SRHS as compared to a 1.8% increase for SPS from FY11 to FY12. He stated that, although the Finance Committee believes the L-SRHS current contract agreement was an improvement, there is significant room for further cost-containment improvements to be made. Further, the Committee would have preferred if changes could have been implemented for FY12, and was disappointed that no changes could occur. Mr. Rao reported the Selectmen have proposed an override for \$652,000, which includes \$100,000 for the Town capital budget. This override amount translates to a 3.34% increase of approximately \$358 on the tax bill of an average home value assessment of \$628,000 and should add \$2.3 million in increased tax revenue.

Mr. Rao stated that the L-SRHS level-service shortfall is \$137,000. The Finance Committee had concerns regarding the disproportionate rate of growth L-SRHS would

have compared to SPS and the Town as a result of this override and the message this might give to future collective bargaining parties. Mr. Rao emphasized that changes must happen in the future or there will be another unsustainable budget position next year. He further noted health care plan changes do not have to also be reductions in benefits provided. The Committee urges L-SRHS personnel to help free up its budget and to help preserve its jobs.

Mr. Rao also stated that the requested \$100,000 Town override varies from the Warrant in that it proposes to lease two rather than one sidewalk snowplow. He further stated that this would translate to an incremental increase of approximately \$15.86 on the average tax bill for an average home value assessment of \$628,000.

Mr. Rao stated that the key question to consider is whether citizens are willing to provide more funds needed to maintain the current staffing levels at L-SRHS. The Finance Committee recommends a non-override budget of \$79,099,861 and an override budget of \$79,652,861. Mr. Rao reported the Committee had several heated discussions and eventually voted 5-4 in favor of the override. He also stated that several members would have preferred if the requested amount were less and those in favor were critically concerned about the impact a non-override budget would have in the classrooms.

Regarding the Capital Budget proposed in Article 5, Mr. Rao stated that the Finance Committee recommends a non-override budget of \$538,947 and an override budget of \$638,947. He noted the focus of the capital needs is for the SPS and Town cost centers.

Sudbury Public School (SPS) Superintendent John Brackett stated that the SPS non-override budget is \$35.4 million, representing a 2.17% increase over FY11, with an operating budget of \$28.7 million, an increase of only 1.88% over the previous fiscal year. He noted that many key financial questions have been answered by the State, which allows a more accurate budget to be prepared in May than earlier in the year. Superintendent Brackett also stated that SPS has realized \$97,000 in savings from bidding out food services and revising facility utilization fee policies, which is anticipated to generate an additional \$60,000 in revenue.

Superintendent Brackett reported SPS will be able to maintain its current staffing, add two positions which had previously been eliminated and retain class sizes within acceptable guidelines. In addition, a middle school house administrator position will be retained, technology will be restored and SPS can fund its portion of the district Facilities Director position with the Town. Given the economy, SPS is grateful it can present a budget similar to the previous year. He credited the SPS employees for incorporating healthcare plan changes in FY10, with the attitude of working towards a solution for a challenging problem of unsustainable employee salary and benefit costs. However, Superintendent Brackett emphasized that all SPS needs will not be met within this budget, but he is confident SPS will maintain its standard of excellence.

Superintendent Brackett stated that SPS is not requesting an override this year. However, he also stated that he is concerned about the potential detrimental impact a non-override budget could present to the L-SRHS students.

On behalf of SPS and its School Committee, Superintendent Brackett thanked the community for its support of the repairs needed at the Noyes School. He also thanked the citizens of Sudbury for their support during his tenure, stating that it has been an honor to serve Sudbury, and that he is confident the community can work collaboratively to turn challenges into opportunities.

L-SRHS School Committee Chair Mark Collins summarized the request for a \$553,000 override as solely needed to fund the Special Education out-of-district costs in FY12. He stated that L-SRHS has worked diligently to address rising health costs and employees have increased their contribution levels from 25% to 30% in the last collective bargaining agreement. Mr. Collins further stated that the current L-SRHS collective bargaining agreement also has a provision limiting increases going forward and includes an incentive provision to encourage employees to choose less expensive health insurance plans. During this year's open enrollment period, 37 of the active 177 employees chose less expensive rate saver programs, which will save the community money. He also stated that L-SRHS negotiated an agreement which saved Lincoln and Sudbury approximately \$1.9 million over three years. Mr. Collin introduced L-SRHS Superintendent Scott Carpenter.

Superintendent Carpenter acknowledged the years of service by Berne Webb on the L-SRHS School Committee. He also welcomed new Committee member Elena Kleifges. Superintendent Carpenter described the High School's strengths as providing strong student-faculty connections and as a special environment. He explained that in a non-override budget, 80% of the total costs are for salaries and benefits.

Superintendent Carpenter stated that the out-of-district placement for students with special education needs totals 12.4% of the FY12 budget and represents an increase of 22.4% over FY11. The costs for these services total \$652,000 for 18 new students, while only three will be leaving the system. He noted the legislative news regarding State Aid and Circuit Breaker reimbursement has helped to close the budget gap. Without an override, L-SRHS would need to cut 8.36 full-time equivalents (FTEs) and support another 2.25 FTEs by grants. Superintendent Carpenter reviewed staffing losses since FY09. He also provided examples of the professional staff cuts which would be necessary without an override. He also noted other non-teacher and counselor reductions to save \$170,000 in FY12.

Superintendent Carpenter reviewed strategies taken to mitigate the FY12 budget growth, including increasing athletic fees. He stated that the potential override assessment bill for Sudbury's 85% proportionate share is \$20,826,029, and he asked for the support of the Hall.

Town Manager Maureen Valente stated that the Town's FY12 budget under a non-override scenario grew 2.17% compared to FY11. She noted the largest increases are for

May 2, 2011

employee benefits (\$312,000) and public safety. Ms. Valente reviewed the changes to the budget from the published Warrant, noting \$176,000 was added to the public safety cluster. She explained the Town can cover its portion of the shared Facilities Manager position with SPS. In addition, Ms. Valente explained that \$121,145 has been added to the Fire Department to provide the initial costs for providing Advanced Life Support (ALS) services locally. She emphasized that this is a budget neutral proposal, since the services are expected to generate sufficient revenues to cover costs.

Town Manager Valente stated that the FY12 budget provides almost level services similar to FY11, but for \$145,000. She stated that no layoffs are planned and she explained the cuts which would be made to cover the shortfall. Ms. Valente further stated the Town has experienced deficits from level services since FY09 totaling \$1,535,581. She noted there are over 30 Town departments, but the majority of dollars are directed to public safety and the DPW. Ms. Valente stated that the Town provides a good value for money spent when it is compared on a per capita and per household basis to peer communities. She noted Sudbury's police department has the lowest cost in the peer group and the DPW is second to the lowest.

Town Manager Valente stated that it has been a privilege to work with Superintendent Brackett, who has been a consummate professional always willing to work together towards solutions. Ms. Valente looks forward to working with the new Superintendent, but will miss Superintendent Brackett as the resourceful colleague he has always been.

Vice-Chairman O'Brien stated that the Board of Selectmen have voted two in favor and one opposed to the Limiting Motion for the override budget, and the Board supports the Town Manager's presentation.

The Moderator asked if anyone else wished to be heard on the limiting motion for the override budget.

Mark Libby, 40 Patricia Road, asked what would happen if the Limiting Motion figure vote fails. The Moderator stated that the Finance Committee would then be asked to present a lower number to the Hall for consideration.

Robert Coe, 14 Churchill Street, asked if there would be another limiting motion presented for the non-override budget. The Moderator stated that if this limiting motion passes that would be the figure to not exceed.

Mr. Coe asked what happens if the limiting motion passes at this amount tonight, but the override fails at the Special Election. The Moderator explained another motion has anticipated this outcome and includes appropriate language to explain what happens if it fails at the June 7, 2011 Special Election. Thus, another limiting motion is not needed.

Mara Huston, 578 Peakham Road, asked what the override budget tax increase would be for the average household compared to FY11. Mr. Rao reiterated the total tax

May 2, 2011

increase would be 3.34% totaling approximately \$358 on the average assessed home value of \$628,000, including the non-override increase.

Dan DePompei, 35 Haynes Road, asked if each line item of the budget will be reviewed after this vote. The Moderator answered affirmatively.

Ed Shashoua, 328 Goodman's Hill Road, asked for confirmation that other accounts would have to be reduced within the L-SRHS, since the special education out-of-district costs are mandated and must be paid. Town Counsel Paul Kenny stated that this is the case, since the school budget is a bottom-line budget.

Marianne Thompson, 18 Hunters Run, asked if the average household anticipated tax increase of \$358 covers the school override and the snowplow override and the proposed sewer system. The Moderator stated that it covers both override requests, but not funds for Article 20 for the wastewater system.

The Moderator reminded the Hall that a vote on the Limiting Motion for the Override Budget requires a majority.

The Limiting Motion for the Override Budget was *VOTED overwhelmingly, with a dozen or so voters opposed.*

ARTICLE 4 – MAIN MOTION FY12 BUDGET OVERRIDE

Sudbury Finance Committee member Martha Ragonis *moved* in the words below:

Move that the Town appropriate the sums of money set forth in the column "Override," for Fiscal Year 2012, as printed in the Finance Committee handout dated May 2, 2011; the following items to be raised as designated, by transfer from available fund balances and interfund transfers: From Ambulance Reserve for Appropriation Acct. to 200 Public Safety \$587,592; the sum of \$6,629,690 set forth as Sudbury Public Schools Employee Benefits to be immediately transferred and added to Item 900: Town Employee Benefits, so that the Employee Benefits total will be \$11,095,667, to be expended under the direction of the Town Manager; and to authorize the Town Manager to transfer \$1,021,396 of the funds from Item 900 to the OPEB Trust established to meet expenses for post-employment health and life insurance Benefits for eligible retirees and to expend such funds for that purpose; the sum of \$43,087 set forth as Sudbury Public Schools Employee Benefits Reserve to be immediately transferred and added to item 1000: SPS/Town Employee Benefits Reserve, so that the Employee Benefits Reserve total will be \$67,812, to be expended under the Town Manager for the purpose of increasing the amount required for item 900 to the extent necessary for those purposes; any balance may be expended at the direction of Town Manager with the approval of the Finance Committee, subject to the provision that any balance of the funds transferred from the School budget and receiving such approval shall be returned to the Sudbury Public Schools budget; said amounts voted hereunder in excess of the non-override column are

May 2, 2011

contingent upon passage of a ballot question for that purpose at a Special Town Election; and to authorize the purchase of equipment funded under this budget by entering into lease purchase agreements; and to authorize multi-year contracts in excess of three years either by renewal, extension, or purchase options in accordance with the provisions of M.G.L. c.30B § 12 upon determination by the Chief Procurement Officer to be the most advantageous option.

Submitted by the Finance Committee

(Majority vote required)

Town Meeting Handout

May 2, 2011

Article 4: Operating Budget

EXPENDITURES	NON-OVERRIDE BUDGET			OVERRIDE BUDGET		
	Warrant	Town Meeting	Change	Non-Override	Override	Difference
300: Sudbury Public Schools: Net	28,541,059	28,734,794	193,735	28,734,794	28,734,794	-
300: SPS Employee Benefits*	6,761,451	6,629,690	(131,761)	6,629,690	6,629,690	-
300: SPS Employee Benefits Reserve**	-	43,087	43,087	43,087	43,087	-
Sub-total SPS Net	35,302,510	35,407,571	105,061	35,407,571	35,407,571	-
300: LS Operating Assessment: Net	18,079,955	18,079,955	-	18,079,955	18,632,955	553,000
300: LS Debt Assessment	2,193,072	2,193,072	(0)	2,193,072	2,193,072	-
300: LS E&D	-	-	-	-	-	-
Sub-total LS Assessments Net	20,273,027	20,273,027	(0)	20,273,027	20,826,027	553,000
300: Minuteman Regional Assessment	321,590	321,590	-	321,590	321,590	-
300: Other Regional School Assessments	-	-	-	-	-	-
Total: Schools	55,897,127	56,002,188	105,061	56,002,188	56,555,188	553,000
100: General Government	2,325,635	2,325,635	(0)	2,325,635	2,325,635	-
200: Public Safety ***	6,815,453	6,991,935	176,482	6,991,935	6,991,935	-
400: Public Works	3,304,146	3,304,146	0	3,304,146	3,304,146	-
500: Human Services	534,239	534,239	(0)	534,239	534,239	-
600: Culture & Recreation	1,166,009	1,166,009	(0)	1,166,009	1,166,009	-
900: Town Employee Benefits	4,490,702	4,465,977	(24,725)	4,465,977	4,465,977	-
900: Town-wide Operating & Transfer	401,148	401,148	0	401,148	401,148	-
1000: SPS/Town Emp Benefits Reserve	-	24,725	24,725	24,725	24,725	-
Total: Town Departments	19,037,332	19,213,813	176,481	19,213,813	19,213,813	-
700: Town Debt Service	3,883,860	3,883,860	-	3,883,860	3,883,860	-
TOTAL: OPERATING BUDGET	78,818,319	79,099,861	281,542	79,099,861	79,652,861	553,000

(not including Capital or Enterprise Funds)

* to be transferred to 900: Town Employee Benefits

** to be transferred to 1000: SPS/Town Employee Benefits Reserve

*** Ambulance reserve funds to be transferred to 200: Public Safety (direct revenue offset)

The motion received a second.

The Moderator explained that Town Counsel added language to explain that funds in excess of the non-override amount are “contingent upon passage of a ballot question for that purpose at a Special Town Election” on June 7, 2011. This would save money by not requiring that another Town Meeting be held if the override fails at the Special Election, since the article now states the budget will revert to the non-override option. He further explained that he would proceed to read each line item of the proposed override budget, asking if anyone has a motion to amend. The Moderator further explained the process for moving to increase a line item must include a motion to decrease another line item in the same amount. Motions can also be made to decrease a line item.

The Moderator announced he would begin the review of each line item of the override budget.

300: Sudbury Public Schools: Net – There was no public comment.

300: SPS Employee Benefits – There was no public comment.

May 2, 2011

300: SPS Employee Benefits Reserve - There was no public comment.

300: LS Operating Assessment: Net

Regarding line item #300 – LS Operating Assessment Net, Dan DePompei, 35 Haynes Road, moved to amend the FY12 Override amount to \$18,079,955.

The motion received a second.

Mr. DePompei stated that he is troubled by the logic presented tonight by L-SRHS that the override is needed only because of the special education costs. He believes the School should have been prepared for the influx of out-of-district placement costs being passed on now from SPS. Further, Mr. DePompei believes the need for the override is due to the L-SRHS contractual increases in employee benefits and salaries. Mr. DePompei also believes good leadership can accomplish the School's missions and that more money is not always required. He asked if the L-SRHS benefits are better than those for SPS and the Town. If so, Mr. DePompei suggested this is a bad precedent with which to proceed and it is not sustainable.

Mr. Collins stated that the L-SRHS per employee cost in FY11 for health benefits was approximately \$300 less than that of the Town of Sudbury, and it was lower than several other towns. He stated that employees have already addressed health care costs and would continue to do so.

FINANCE COMMITTEE: Took no position on the amended motion.

BOARD OF SELECTMEN: Two Selectmen oppose the amended motion and one Selectman is in favor of the amended motion.

Rebecca Chizzo, 21 Whitetail Lane, expressed her concern about further reductions to the L-SRHS budget, which might result in the School not being able to handle its special education needs as well, and thereby requiring more expensive out-of-district placements.

Robert Abrams, 48 Horse Pond Road, questioned whether SPS has funds which were used for the special needs students which could now be shifted to L-SRHS. He emphasized once the L-SRHS budget receives the \$553,000 override, the money never comes back out. Mr. Abrams recommended SPS shift money to L-SRHS to handle the need. He also stated that this should have been previously coordinated by appropriate officials and not left to Town Meeting to discuss. Mr. Abrams supported the motion to amend.

SPS School Committee Chair Susan Iuliano said of the 18 new special education students, ten will be from SPS and the rest are from Lincoln Public Schools. She estimated the cost for these ten students to be approximately \$450,000. Ms. Iuliano emphasized that SPS would receive no financial windfall from these students moving to L-SRHS. She explained that SPS reduced other programs for several years to cover these costs, and now SPS needs to move forward to restore some of its previous reductions. Ms. Iuliano believes

if money were shifted to L-SRHS from SPS, the problem would become compounded. She stated that SPS has talked about these issues with the Finance Committee throughout the budget process. Ms. Iuliano stated that SPS is able to maintain level staffing in a non-override budget because its staff and union made concessions. She further stated that to take those savings away would send the wrong message for future collective bargaining negotiations.

Superintendent Carpenter stated that he believes shifting funds from the SPS would be detrimental for the SPS students, and thus he supports SPS enhancing their programs.

Rami Alwan, 119 Pantry Road, asked if funds can be carried over from year to year. Superintendent Carpenter stated that funds can only be carried over for one year.

Mark Libby, 40 Patricia Road, asked the Finance Committee for the relative healthcare cost figures for SPS, the Town and L-SRHS.

Town Manager Valente clarified that it depends on how this question is further defined. Assistant Town Manager Bilodeau stated that by plan, a family health plan ranges between \$9661.50-\$16,111.87 per year for SPS and the Town, and for L-SRHS the range is \$12,747.84-\$35,364.00. She further stated that SPS and the Town have a higher percentage of family plans – 72% vs. 70%.

Mr. Collins stated that in FY11, the average cost per L-SRHS employee was approximately \$12,000, which he believes is less than similar statistics in the region, and \$300 less than the average SPS and Town employee. He stated that all cost centers are getting better at controlling these costs and everyone needs to work with the health insurance industry.

Bryan Semple, 15 Revere Road, stated that he believes the question of whether the override passes will not be settled tonight, but rather at the Special Election. However, he questions whether the override will pass at the Election unless the public receives accurate and consistent information from L-SRHS. Mr. Semple noted, although L-SRHS has stated that tonight that it has achieved cost savings in recent years, it did not mention that 70% of those savings have been passed back to employees.

The Moderator reminded the Hall of the motion to amend under discussion as to: Move to Decrease the Budget # 300 appropriation for LS Operating Assessment: Net by \$553,000.

The motion to amend the Main Budget Motion was *DEFEATED, with only a couple of dozen votes in favor.*

300: LS Debt Assessment – There was no public comment.

300: LS E&D – There was no public comment.

300: Minuteman Regional Assessment –

May 2, 2011

Elaine Barnartt Goldstein, 40 Indian Ridge Road, asked why the non-override budget and override budget figures are significantly more than FY11, even though the FY12 figures are the same.

Sudbury representative to the Minuteman Regional High School Committee David Manjarrez, 47 Firecut Lane, stated that Sudbury's enrollment at the school has increased from 10 to 16 students.

300: Other Regional School Assessments – There was no public comment.

100: General Government – There was no public comment.

200: Public Safety – There was no public comment.

400: Public Works– There was no public comment.

500: Human Services – There was no public comment.

600: Culture & Recreation – There was no public comment.

900: Town Employee Benefits – There was no public comment.

900: Town-wide Operating & Transfer – There was no public comment.

1000: SPS/Town Emp. Benefits Reserve – There was no public comment.

700: Town Debt Service – There was no public comment.

Adam Miller, 1 Nobscot Road, asked if there is a mechanism which allows for public review of line items for a non-override budget, if the override budget fails at the Special Election. In that situation, the Moderator stated that the non-override budget line appropriations would become effective.

The Moderator asked for the vote to be taken on the Main Override Budget motion, and it was *VOTED overwhelmingly, with about two dozen voters opposed.*

ARTICLE 5 - FY12 CAPITAL BUDGET

The Moderator recognized Capital Improvement Planning Committee (CIPC) Chair Doug Kohen, who *moved* in the words of the amended motion below:

Move to appropriate the sum of \$638,947 set forth in the column Override for FY12 as printed in the handout dated May 2, 2011, for the purchase or acquisition of the following capital items including but not limited to capital equipment, continuing payment of existing lease-purchases, construction, engineering, and design, including but not limited to renovation of buildings; said sum to be raised by taxation; the sum of \$90,000 to be immediately transferred and added to Item 300: Sudbury Public Schools: Net appropriated under the FY12 Override and Non-Override Columns voted under Article 4, FY12 Budget; and to allow the purchase of equipment hereunder by entering into lease-purchasing agreements; said amounts voted hereunder in excess of the non-override column are contingent upon passage of a ballot question for that purpose at a Special Town Election.

May 2, 2011

Submitted by the Capital Improvement Planning Committee (Two-thirds vote required, if borrowed)

Article 5: Capital Budget

	OVERRIDE BUDGET		
	Non-Override	Override	Difference
Capital & Capital Articles			
CIPC Items	538,947	638,947	100,000
Capital Expenditure Exclusions			
Total Capital & Articles	538,947	638,947	100,000
Capital Detail			
Town Buildings	59,607	59,607	-
General Government	-	-	-
Public Safety	72,396	72,396	-
Public Works	316,944	416,944	100,000
Human Services	-	-	-
Culture & Recreation	-	-	-
Sudbury Public Schools	90,000	90,000	-
Total: Operating Expenses	538,947	638,947	100,000

Note: The \$100,000 override request for Capital is for two purposes:

1. Increase budget allocation for future years by \$100,000.

2. Use the \$100,000 in FY12, FY13 and FY14 to pay for the cost of 3-year leases for two new sidewalk plows; estimated annual lease costs total \$100,000.

Town will own equipment outright at end of leasing term.

The motion was seconded.

Mr. Kohen explained the capital budget process, collecting project requests and input from Town and School Departments. The Committee strives to take a long-term view of the Town's assets so as to use maintenance resources well. The CIPC reviewed requests submitted from Town Department Heads totaling \$1.2 million for capital equipment, projects, and/or improvements that: a) have a useful life of at least 5 years and b) have a single-year cost over \$10,000 or a multi-year cost of more than \$100,000.

Mr. Kohen stated that the FY12 non-override budget was \$538,947. In addition, \$100,000 is being requested as an FY12 override to fund two sidewalk tractors for the Department of Public Works (DPW). He stated that the Town owns three such machines, but this past winter there were occasions when all three were inoperable and two of the machines are no longer serviceable. Mr. Kohen briefly described the projects approved as priorities by the Committee. He highlighted all lease payments since FY10 have been reflected in the capital budget. He also noted that in FY12, \$37,400 in lease payments came off the books and in FY13, \$70,600 will be retired.

Mr. Kohen further reported that the budget has been supported by the Selectmen and the Finance Committee, and it was unanimously supported by the CIPC.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The Moderator stated that the \$100,000 DPW override would also need to be approved at the Special Election.

Carolyn Lee, 28 Mossman Road, asked for clarification that the DPW \$100,000 override is not part of the permanent tax levy and that it would be a separate question on the Special Election ballot. Vice-Chairman O'Brien stated that it is presented as an

operating override, and thus would be a permanent increase to the capital budget as described and to the tax levy. He also stated that the question would stand alone as a separate ballot question.

Robert Coe, 14 Churchill Street, asked why it is not presented as a capital exclusion. He also asked if it will be clearly indicated on the Special Election ballot that it is an operating override. Vice-Chairman O'Brien stated that the Finance Committee and the CIPC have advised that purchasing the equipment on a three-year lease is financially more beneficial. He also noted State statute dictates the language of the ballot questions. Town Manager Valente stated that the ballot questions were submitted to the Town Clerk last week and is presented as an operating override.

Martha Coe, 14 Churchill Street, reiterated the difference between a temporary debt exclusion and a permanent capital override.

Pat Brown, 34 Whispering Pine Road, asked if there is a restriction on this money to only be used for capital needs or could it be shifted to the General Fund. Vice Chairman O'Brien stated that the money would remain in the capital budget. Vice-Chairman O'Brien stated that, technically, all capital budget funds could be shifted to the General Fund. However, he further stated that it is not the intention for these funds, and that the goal is to add to the capital budget to protect the Town's infrastructure.

Ms. Brown asked who has the authority to determine if funds are shifted. Town Manager Valente stated that anyone can propose an adjustment, but the appropriation is made at Town Meeting.

Bill Cooper, 11 Cedar Creek Road, asked if this request could be amended to be a one-time capital override. Vice-Chairman O'Brien stated that the Selectmen voted to put the question on the ballot last week, and thus the language is fixed at this time as submitted to the Town Clerk. A debt exclusion would require modification of the language.

Mr. Cooper stated that it appears as if the "cart has been put before the horse," and that Town Meeting should have made this decision. He asked Town Counsel's opinion regarding Vice-Chairman O'Brien's statement.

Town Counsel Paul Kenny agreed with Vice-Chairman O'Brien's assessment. He also stated that the Board of Selectmen are the only ones to determine whether a question is placed on the ballot.

Mara Huston, 578 Peakham Road, stated that she supports the need to purchase the sidewalk snowplow, but does not agree that it should be part of the permanent tax levy.

Vice-Chairman O'Brien stated that the Selectmen and Finance Committee believe there is a dire need to expand the capital budget to help preserve the Town's infrastructure.

May 2, 2011

Robert Abrams, 48 Horse Pond Road, opined that the correct answer to Mr. Cooper's question should be that the motion could be amended. However, he further stated that the Board of Selectmen have "painted us into a corner" by already deciding the ballot. Mr. Abrams believes that in a non-override fashion, the Board of Selectmen should have come to Town Meeting and requested more money for the capital budget. However, he further noted that, since the Finance Committee and Selectmen have unanimously supported the article, he believes the article should be passed tonight. However, he urged Town officials not to follow this approach again in the future.

The Moderator noted the article requires a two-thirds vote to pass. The motion for Article 5 was VOTED by well more than two-thirds.

At the request of the Moderator, a motion was made to adjourn tonight's meeting until May 3, 2011, in the Lincoln-Sudbury Regional High School Auditorium. The motion was received, seconded and VOTED by well more than a majority. The meeting was adjourned at 10:45 p.m.

May 3, 2011

TOWN MEETING

May 3, 2011

Pursuant to a Warrant issued by the Board of Selectmen and a quorum being present, the inhabitants of the Town of Sudbury qualified to vote in Town affairs reconvened in the Lincoln-Sudbury Regional High School (L-SRHS) Auditorium on Tuesday May 3, 2011, for the second session of the Annual Town Meeting. Myron Fox, the Moderator, called the meeting to order at 7:34 p.m.

The Moderator asked for two volunteers to serve as runners for the evening. The Moderator next reviewed procedures for being recognized as a speaker and for making motions to amend articles. He announced tonight's refreshments have been sponsored by the 6th Grade Cadet Girl Scout Troop # 77171. The Moderator stated that speakers can only interrupt others to call a question, to make a point of order or a point of privilege.

ARTICLE 6 - FY12 TRANSFER STATION ENTERPRISE FUND BUDGET

Finance Committee member Robert Stein moved in the words of the amended motion below:

Move to appropriate the sum of \$290,390 for the Transfer Station Enterprise Fund for FY12, and further to authorize use of an additional \$33,146 of Enterprise Fund receipts for indirect costs; such sums to be raised by \$323,536 in receipts of the Enterprise.

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
TRANSFER STATION ENTERPRISE FUND				
Direct Costs (appropriated)	263,368	256,534	271,437	290,389
Indirect Costs*	30,912	30,953	29,595	33,146
TOTAL: TRANSFER STATION ENTERPRISE	294,280	287,487	301,032	323,536
<hr/>				
Transfer Station Receipts	290,000	328,482	250,000	330,000
Retained Earnings Used	26,432	46,795	51,032	0
Total Revenue	316,432	375,277	301,032	330,000
	-	-	-	-

*Appropriated within Benefits Budget

Submitted by the Finance Committee

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The Moderator noted the article varies from the Warrant only in that the figures have been updated. He further noted the article requires a majority vote to pass.

Robert Abrams, 48 Horse Pond Road, asked for an explanation of the difference between an enterprise fund and a revolving fund.

Town Manager Valente explained they are different mechanisms set by the State. She stated that an enterprise fund fully appropriates all expenses, and typically revenue is generated from user fees to support operations. In a revolving fund, fees are collected, but they do not have to be appropriated each year, only authorized. Ms. Valente further stated that in an enterprise fund, the employees of a department are fully charged to the fund.

Mr. Abrams asked how much is in this fund for retained earnings and how much retained earnings will there be if the article is passed.

Town Manager Valente stated that the accumulated earnings are not in the Warrant and she asked Town staff for the information.

Dan DePompei, 35 Haynes Road, asked if the wild fluctuations he perceives in receipts from year to year could be explained. He opined that it appears the tax levy has funded this enterprise fund in the last few years, and he asked if his assumption that it will be self-sufficient next year is correct.

Town Manager Valente stated that this fund has not been supported in any way by the tax levy in recent years. She also reported the current retained earnings are \$149,000, and if this article passes tonight, at the end of FY12, retained earnings are expected to be increased by \$6,400.

In response to Mr. DePompei's question, Department of Public Works (DPW) Director Bill Place stated that there was a slight increase in sticker fees and there was increased participation by residents in the past fiscal year. Town Manager Valente noted the sale of recyclables fluctuates and accounts for some of the variance in figures.

Mr. Abrams asked if the \$33,000 in indirect costs appropriated last night in the benefits budget comes out of this account.

Town Manager Valente explained the \$33,000 would be transferred from the Enterprise Fund to the Benefits account to pay for them.

The motion for Article 6 was **VOTED UNANIMOUSLY.**

ARTICLE 7 - FY12 POOL ENTERPRISE FUND BUDGET

Finance Committee member Robert Stein moved in the words of the amended motion below:

Move to appropriate the sum of \$517,230 for the Pool Enterprise Fund for FY12; such sum to be raised from \$480,000 in receipts of the Enterprise and use of retained earnings of \$37,230 of the Enterprise; and further to authorize the use of an additional \$62,542, appropriated under Acct. 900, FY12 Town Employee Benefits, for indirect costs.

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
POOL ENTERPRISE FUND				
Direct Costs (appropriated)	438,924	455,118	489,868	517,230
Indirect Costs*	65,530	61,905	55,841	62,542
TOTAL: POOL ENTERPRISE	504,454	517,023	545,709	579,772
<hr/>				
Pool Receipts	440,000	464,100	460,000	480,000
Retained Earnings Used	17,842	16,592	29,868	37,230
Total Revenue	457,842	480,692	489,868	517,230
	-	-	-	-

*Appropriated within Benefits Budget

Submitted by the Finance Committee

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

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

May 3, 2011

ARTICLE 8 - FY12 RECREATION FIELD MAINTENANCE ENTERPRISE FUND BUDGET

Finance Committee member Robert Stein moved in the words of the amended motion below:

Move to appropriate the sum of \$309,614 from the Recreation Field Maintenance Enterprise Fund for FY12; such sum to be raised from \$309,614 in receipts of the Enterprise.

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
RECREATIONAL FIELD MAINT. ENTERPRISE FUND				
Direct Costs (appropriated)	0	113,606	221,497	309,614
Indirect Costs	0	0	0	0
TOTAL: FIELD ENTERPRISE	0	113,606	221,497	309,614
Field Receipts	0	170,493	221,497	309,614
Retained Earnings Used	0	0	0	0
Total Revenue	0	170,493	221,497	309,614

Submitted by the Finance Committee

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 8 was **VOTED UNANIMOUSLY.**

ARTICLE 9 - UNPAID BILLS

Town Accountant Barbara Chisholm moved to **INDEFINITELY POSTPONE** consideration of Article 9.

Submitted by the Town Accountant

(Four-fifths vote required)

The motion was seconded.

Ms. Chisholm reported the article is being postponed due to there being no unpaid Town bills for FY11.

May 3, 2011

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 9 was **VOTED UNANIMOUSLY**.

ARTICLE 10 - 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.

Submitted by the Director of Public Works

(Majority vote required)

The motion for Article 10 was **VOTED UNANIMOUSLY on the Consent Calendar**.

ARTICLE 11 - 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 17D, 17E, 22, 37A, 41C and 41D, Chapter 59, Section 5, for fiscal year 2012.

Submitted by the Board of Assessors

(Majority vote required)

The motion for Article 11 was **VOTED UNANIMOUSLY on the Consent Calendar**.

ARTICLE 12 - TOWN/SCHOOL REVOLVING FUNDS

The Moderator recognized Sudbury's Finance Director Andrea Terkelsen, who moved in the words of the article below:

To see if the Town will vote to authorize for FY12 the use of revolving funds under M.G.L. c.44, s.53E 1/2, by the following Departments of the Town in accordance with the description for each fund placed on file with the Town Clerk, said funds to be maintained as separate accounts set forth as follows:

May 3, 2011

<u>Fund</u>	<u>Department</u>	<u>Maximum Amount</u>
Plumbing & Gas		
Inspectional Services	Building Inspector	\$ 45,000
Portable Sign Administration &		
Inspectional Services	Building Inspector	\$ 10,000
Conservation (Wetlands)	Conservation Commission	\$ 35,000
Council on Aging Activities	Council on Aging	\$ 20,000
Council on Aging Van		
Transportation (MWRTA)	Council on Aging	\$ 70,000
Fire Department Permits	Fire Department	\$ 45,000
Goodnow Library	Goodnow Library	\$ 10,500
Recreation Programs	Park and Recreation Commission	\$ 582,000
Teen Center	Park and Recreation Commission	\$ 20,000
Bus	Sudbury Public Schools	\$ 400,000
Instrumental Music	Sudbury Public Schools	\$ 75,000
Cable Television	Town Manager	\$ 30,000
Rental Property	Town Manager	\$ 40,000
Dog	Treasurer/Collector	\$ 50,000
Treasurer/Collector		
Passport Fees	Treasurer/Collector	\$ 12,000
Youth Commission	Youth Commission	\$ 50,000
	(Park and Recreation)	
Zoning Board of Appeals	Zoning Board of Appeals	\$ 25,000

and to confirm that said funds have been established in accordance with M.G.L. c.44, s. 53E 1/2.

Submitted by the Town Finance Director

(Majority vote required)

The motion was seconded.

Ms. Terkelsen stated that this article was removed from the Consent Calendar. She explained the 53 1/2 Revolving Funds need to be authorized annually. Ms. Terkelsen stated that these funds typically include Town and SPS programs which can collect a fee to support a service, such as the Teen Center, or to help start a new program, such as the passport service program. Each year, all revolving funds cannot exceed 10% of the tax levy.

Ms. Terkelsen addressed a question posed last night regarding reporting requirements. She stated that approximately half of the relevant departments have provided a report in the Annual Town Report, and those that did not were some of the newer revolving funds. Henceforth, Ms. Terkelsen stated that the Town would request all departments provide a report in the Annual Town Report and summaries will be provided in the Town Warrant. She displayed a slide summarizing fund data.

May 3, 2011

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

Dan DePompei moved to amend Article 12. The motion was seconded.

The Moderator stated that Town Counsel has opined that the second paragraph of the amendment is outside the four corners of the article, and the third paragraph is contrary to State statute. Thus, the Moderator stated that only the first paragraph of the amended motion would be considered.

Robert Coe, 14 Churchill Street, stated that the Hall should be allowed to see the entire amendment as it has been proposed to know what has been deemed to be out of order. The Moderator stated that this is not a valid point of order, but he did display the entire amendment on the screen.

Mr. DePompei moved to amend the motion by adding the following at the end of the motion:

The board, department or officer of each revolving fund(s) will report to the annual Town Meeting the total amount of receipts and expenditures for each revolving fund under its control for the prior fiscal year, current fiscal year (estimated) and the next fiscal year (estimated).

The amended motion was seconded.

Mr. DePompei stated that the sum of all of the Revolving Funds is approximately \$1 million, and thus he believes an accounting should be provided in the Annual Town Report as is done for Enterprise Funds. He stated that he is interested in knowing how funds are currently performing and what the expectations are for the future.

Town Manager Valente stated that all interest earned for a revolving Fund goes to the General Fund. She explained a Revolving Fund is intended to provide flexibility to entities as long as spending remains within the cap, such as Park and Recreation and the Council on Aging to start new programs without having to plan them a year in advance.

Robert Coe, 14 Churchill Street, stated that he cannot see the amended motion clearly.

Barbara Pryor, 221 Nobscot Road, is a Trustee of Goodnow Library. She stated that the revolving fund allows the Library, which only collects approximately \$3,500-\$5,000 in fees, to cover unexpected expenses such as unforeseen damage to equipment.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

May 3, 2011

Mr. DePompei stated that his concern is not for the smaller Revolving Funds, but rather, when a fund approaches a balance of \$500,000; he believes planning and reporting are appropriate.

Jan Hardenbergh, 7 Tippling Rock Road, asked if the amended motion is intended to require presentations to be made by all Revolving Funds each year at the Annual Town Meeting.

The Moderator stated that the report could be provided in a handout or in the Town Warrant. Mr. DePompei confirmed this would be acceptable.

The amendment to the motion for Article 12 was VOTED and passed by more than a majority.

The main motion for Article 12, including the amendment, was VOTED by well more than a majority.

ARTICLE 13 – CONSERVATION REVOLVING FUND – TRAIL MAINTENANCE

Vice-Chairman O'Brien moved in the words of the article below:

To see if the Town will vote to establish and authorize for Fiscal Year 2012, the use of a revolving fund by the Conservation Commission for expenditures related to trail maintenance on Town-owned designated conservation lands, to be funded by license fees collected from the licensing of agricultural use of fields on conservation land; said funds to be maintained in a separate account, in accordance with M.G.L. Chapter 44, Section 53E 1/2; the amount to be expended therefrom shall not exceed \$5,000.

Submitted by the Conservation Commission

(Majority vote required)

The motion was seconded.

Conservation Commission Coordinator Debbie Dineen explained that a revolving fund is being proposed to generate funding to maintain the Town's open space trails and keep them safe. Ms. Dineen stated that the Commission manages 800 acres of land that embody public trail and maintenance of them has been delayed. Last year the Commission had \$711 to spend on management of the trails. The request is for \$7,500.

Ms. Dineen stated that the Commission has pursued several grants and various revenue sources. In addition, the assistance of volunteers and local Scout troops has been solicited. However, she noted funds are needed to pay for special herbicide applications to eliminate invasive plants. Due to the lack of funding, some trails were closed to the public last year to ensure safety.

May 3, 2011

Ms. Dineen stated that the Commission licenses eight fields to farmers and leases 52 acres of those fields annually. The intention is to charge an average rental fee of \$50/100 per acre as a start. Ms. Dineen urged the Hall's support of the article.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

Robert Abrams, 48 Horse Pond Road, moved to amend the motion as follows:

To see if the Town will vote to establish and authorize for FY 2012, the use of an enterprise fund by the Conservation Commission for expenditures related to trail maintenance on Town-owned designated conservation lands, to be funded by license fees collected from the licensing of agricultural use of fields on conservation land; the amount to be expended therefrom shall not exceed \$5,000; or act on anything relative thereto.

After conferring with Town Counsel, the Moderator explained the amendment cannot be made to change to an enterprise fund because some trails have been purchased with the assistance of State funds and user fees cannot be charged for those trails.

Don Chauls, 92 Blueberry Hill Lane, asked if the Commission tries to perform trail maintenance for free by using volunteers as is done by the Sudbury Valley Trustees.

Ms. Dineen stated that the Commission relies solely on volunteers for labor and the assistance of Eagle Scouts, but project materials must still be purchased.

The motion for Article 13 was **VOTED UNANIMOUSLY.**

ARTICLE 14 – CEMETERY REVOLVING FUND

(Consent Calendar)

To see if the Town will vote to establish and authorize for Fiscal Year 2012, the use of a revolving fund by the Director of Public Works for expenditures related to maintenance of Town cemeteries, to be funded by sale of lots and other fees excepting funds set aside for perpetual care; said funds to be maintained in a separate account, in accordance with M.G.L., Chapter 44, Section 53E ½; the amount to be expended there from shall not exceed \$60,000.

Submitted by the Board of Selectmen

(Majority vote required)

The motion for Article 14 was **VOTED UNANIMOUSLY on the Consent Calendar.**

ARTICLE 15 – REGIONAL HOUSING SERVICES REVOLVING FUND

Vice-Chairman O'Brien moved in the words of the article below:

To see if the Town will vote to establish and authorize for Fiscal Year 2012 the use of a revolving fund by the Regional Housing Services Office for the operation of the Regional Housing Services Office, to be solely funded by membership fees of other towns and other external sources collected by the Office for all costs associated therewith, including salaries, administrative expenses and other staffing costs; said fund to be maintained in a separate account, pursuant to M.G.L. Chapter 44, Section 53E ½ and expended under the direction of the Town Manager; the amount to be expended therefrom shall not exceed the amount of \$150,000.

Submitted by the Board of Selectmen

(Majority vote required)

The motion was seconded.

Vice-Chairman O'Brien explained this request is for a revolving fund to support collaborative efforts of five towns which have signed an inter-municipal agreement to establish a shared Regional Housing Services Office, with Sudbury as the coordinating authority. He stated that the other towns will pay membership fees which will go into this revolving fund and are expected to cover the costs for services provided. The first year's budget is \$88,000. Vice-Chairman O'Brien stated that the services will build on Sudbury's expertise in this area, and he urged the Hall to support the article.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

Bryan Semple, 15 Revere Road, asked if the employee benefits would be covered by the income received and if there are other pension or retiree benefit costs which would also be incurred. Vice-Chairman O'Brien stated that all employee benefits have been included and would be covered by fees collected.

The motion under Article 15 was VOTED overwhelmingly.

ARTICLE 16 – SPECIAL ACT – TRANSPORTATION FEES

The Moderator recognized Sudbury Public School Committee Chair Susan Iuliano, who moved to indefinitely postpone.

Submitted by the School Committee, Sudbury Public Schools (Majority vote required)

The motion was seconded.

Ms. Iuliano stated that this article proposed revisions to the laws governing the charging of fees for the transportation of some students. The School Committee has concluded more time is needed to further research the impacts and ramifications of options, and thus it recommends postponement at this time.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 16 was VOTED UNANIMOUSLY.

ARTICLE 17 – INCREASE DEMAND CHARGE FOR DELINQUENT TAXES

WITHDRAWN

ARTICLE 18 – STREET ACCEPTANCES

The Moderator recognized Selectman Robert Haarde, who moved in the words of the amended motion below:

Move to accept the layout of Brookside Farm Lane from Landham Road to a dead end, a distance of 500 ft.+/-, as laid out by the Board of Selectmen in accordance with the description and plan on file in the Town Clerk's Office; to authorize the acquisition by purchase, by gift, or by a taking by eminent domain, in fee simple, of the property shown on said plan; and to appropriate the sum of \$300 to be raised by transfer of \$300 from Art. 12 (Street Acceptances) of the 2004 Annual Town Meeting for expenses in connection therewith.

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

The motion was seconded.

Selectman Haarde stated that the motion varied from the Warrant in that Trevor Way was removed from consideration due to concerns expressed by the Conservation

May 3, 2011

Commission. Those concerns are expected to be resolved in the coming year. Thus, the Board of Selectmen are only requesting acceptance for Brookside Farm Lane, which has been constructed in compliance to relevant regulations. Selectman Haarde further stated that the Selectmen conducted a public hearing regarding this matter on April 12, 2011 and no objections were presented. He clarified that, with approval tonight, the Town would accept responsibility for the maintenance of Brookside Farm Lane.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 18 was **VOTED UNANIMOUSLY.**

ARTICLE 19 – AMEND BYLAWS, ARTICLE V.3. REGULATION OF DOGS

The Moderator recognized Selectman Robert Haarde, who moved in the words of the Article below:

To see if the Town will vote to amend Article V, Section 3, of the Town of Sudbury Bylaws at s.3-9, Kennel Registration, Licenses, and Fees, by changing the fee structure for kennel licensing fees to the following: Four (4) dogs - \$60.00; Five (5) to six (6) dogs - \$90.00; Seven (7) to ten (10) dogs - \$150.00; Eleven (11) dogs or more - \$175.00.

Submitted by the Board of Selectmen

(Majority vote required)

The motion was seconded.

Selectman Haarde stated that this is a housekeeping article, which would bring kennel fees in line with fees paid by individual dog owners. Currently, individual dog owners pay more for dog licenses than do kennel owners.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 19 was **VOTED UNANIMOUSLY.**

ARTICLE 20 – ROUTE 20 SEWER SYSTEM DESIGN AND PERMITTING

The Moderator recused himself from the discussion for this article. He asked for a vote from the Hall to relieve him of his duties and to have Assistant Moderator Kirsten Roopenian preside over Article 20, and it was so **VOTED UNANIMOUSLY**.

Chairman Drobinski **moved** in the words of the amended motion below:

Move that the Town appropriate the sum of \$1,000,000, for the engineering, design and permitting of the proposed Route 20 sewer system, including borrowing costs and expenses; and to raise this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$1,000,000 under General Laws c.44 § 7; all appropriation hereunder to be contingent upon the approval of a Proposition 2 ½ debt exclusion in accordance with General Laws, c.59 § 21C.

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

The motion was seconded.

The Route 20 Sewer Technical Advisory Committee (TAC) Chair Lisa Eggleston stated that this article requests an appropriation of approximately \$1 million for the design and permitting of the Route 20 sewer project. If this article passes, a ballot vote would be needed for the appropriation, which is tentatively scheduled for June 2011.

Ms. Eggleston stated that TAC was appointed in 1999 by the Selectmen, and it is comprised of members with a variety of expertise and backgrounds. She also stated that TAC has worked with consultants Weston and Sampson Engineers and Director of Planning and Community Development Jody Kablack. Ms. Eggleston noted the Town has discussed the need for a Route 20 sewer system for over 40 years, given that the use of septic in the business district is not sustainable. She briefly reviewed on-site septic system constraints. Ms. Eggleston noted the area also presents contaminations risks to Town water wells which are located nearby.

Ms. Eggleston stated that finding alternative options to the on-site septic systems was identified in the 1999 Town Master Plan. Early steps taken included the funding of a needs assessment for the Route 20 business district. Through this process, it was concluded that a decentralized treatment system was needed. Ms. Eggleston stated that these findings were presented publicly in 2000 and 2001 and discussed with the Department of Environmental Protection (DEP). Focus was placed on identifying a disposal location, and 86 sites were screened over several years. In addition, a shared system with Raytheon was also investigated.

In 2010, the Curtis Middle School was identified as a suitable site. Ms. Eggleston briefly described a proposed layout prepared by the consultants, which was displayed to the Hall. She stated that testing indicates a design flow of approximately 270,000 gallons a day could be accommodated. Ms. Eggleston emphasized the facility would include a state-of-the art odor system and the effluent would be highly treated and sanitized.

Ms. Eggleston stated that the project has been separated into two phases. Tonight's request is for \$1 million for Phase 1, expected to complete design and permitting over 18 months. Phase 2 would be for construction, and it is estimated another \$14 million would be requested at the 2013 or 2014 Town Meeting. She noted the Phase 1 cost would be apportioned to all taxpayers and the money would be borrowed over five years. The estimated cost to the average residential taxpayer with a home assessed at \$628,000 would be approximately \$175, and it would be \$300 for the average business assessed at \$810,000.

The Assistant Moderator asked for a vote from the Hall to allow Ms. Eggleston to continue her presentation beyond the allotted time.

The Hall VOTED to allow Ms. Eggleston to continue her presentation.

Ms. Eggleston stated that the project is an investment to help the business community earn more revenue. She further stated that it is anticipated that the majority of costs would be recovered through the assessment of betterment fees on properties served. Ms. Eggleston noted these details would need to be discussed and determined through public forums. Ms. Eggleston explained the need for sewers on Route 20 has increased. In addition, many property owners cannot expand their business and cannot attract new tenants under the current conditions. Ms. Eggleston noted Wayland and Marlborough have sewer systems and some Sudbury businesses have moved out of Town, due to the lack of a sewer system.

Ms. Eggleston stated that several businesses, including Raytheon, have expressed support to carry the majority of the burden of the costs. She also noted the Finance Committee, Planning Board, Conservation Commission, Sudbury Water District and Sudbury Public School Committee support the article. Ms. Eggleston further noted it would take three to four years to have a wastewater management system in place.

Finance Committee Chair James Rao stated that the Committee unanimously supports the article and believes efforts to diversify the tax base is critical to the long-term sustainability of Sudbury.

Chairman Drobinski stated that two Selectmen support the article and one Selectmen has abstained, as he is an abutter to the area under discussion. He emphasized reasons to support the article as a means to protect the Town's water supply, to sustain the business district and to provide tax relief to residential taxpayers. Chairman Drobinski stated that it benefits everyone to have a vibrant business district.

Planning Board Vice-Chairman Eric Poch stated that the Planning Board is enthusiastic about the project. The Board believes it fulfills goals mentioned in the Town's Master Plan for less reliance on residential taxes, the generation of more revenue for commercial taxpayers and the creation of a walkable business area for the community. Mr. Poch stated that, without alternative wastewater disposal methods, the economic viability of some businesses as well as the quality of Sudbury's groundwater are at risk. He noted

May 3, 2011

that, although there are other issues such as zoning which would need to be addressed, they are not paramount in tonight's process. Mr. Poch stated that there are zoning protections in place and zoning-related public hearings would be required later in the process. However, it is not believed this project presents immediate threats to zoning at this time.

Mr. Poch stated that a Citizens' Advisory Committee would be formed and its input would be directed by residents and businesses and the Planning Board would also be involved. He summarized some of the impacts the Committee would address at a future Town Meeting. Mr. Poch emphasized this project is about Sudbury planning for its future, water supply, economy, community and providing for a basic infrastructure to be sustainable. He stated that the Planning Board urges the Hall's support of the article.

Sudbury Water District (SWD) Chair Bill Cossart, 419 Concord Road, stated that the SWD supports the article. He explained it is possible septic discharges could contaminate aquifers. Mr. Cossart provided options for what would happen in that situation, including installing treatment, becoming a temporary member of the MWRA to supplement the Town's water supply at a cost of \$20,000-\$25,000 per day or it could join the MWRA permanently for \$2.5 million and be subject to its higher water rates.

New water wells are not currently available in Sudbury; one potential site would need treatment before being a viable water source, and the SWD is proceeding to secure title to the property. He stated that the SWD urges support of the article to protect the Town's water supply.

The Assistant Moderator announced consultants from Weston and Sampson were in attendance. She asked for a vote from the Hall to allow them to come forward, and it was so VOTED.

Conservation Commission member Samuel Webb, 21 Windmill Drive, stated that the Commission supports going forward with this project and it is aware of the big groundwater problems and marginal soils which exist in the area. The Commission believes this is the first step in ensuring the long-term viability of the Town's water supply. Mr. Webb stated that businesses must be able to grow to help alleviate the residential tax burden. The Commission believes a decentralized wastewater system can help to provide long-term tax relief and protect the water supply, and it unanimously supports the article.

Bill Cooper, 11 Cedar Creek Road, asked what the preliminary plans are for disposal of solids.

Weston and Sampson engineer Kent Nichols explained the options for disposal. He estimated that sludge would be accumulated in liquid form and trucked off site.

Mr. Cooper asked if the now closed septage facility on Route 20 was suitable for this purpose.

Ms. Eggleston stated that the facility is closed.

May 3, 2011

Frank Lyons, 157 Wayside Inn Road, stated that he attended a meeting regarding the Easterly Wastewater Facility in Marlborough and the major concern of neighbors was odors.

Ms. Eggleston reiterated the facility will be designed with a sophisticated odor control system and the effluent will be disinfected.

Bruce Langmuir, 9 Bent Brook Road, asked if gray water has been considered.

Ms. Eggleston assumed he meant the reuse of gray water, and she stated that it could possibly be incorporated into the design, but it has not yet been considered at this point in the process.

Robert Coe, 14 Churchill Street, stated that he was a member of the former Wayland-Sudbury Septage Facility Committee. In response to Mr. Cooper, he further stated that the facility did not have the capacity to process solids on site and material would have been trucked off site.

Rick Johnson, 38 Bent Road, asked if Community Preservation Act (CPA) funds could be used for this project.

Ms. Eggleston stated that they cannot.

Community Preservation Committee Chair Chris Morely stated that CPA funds can only be used for four designated areas of purpose, none of which are wastewater-related.

Mr. Johnson asked if the businesses would be required to tie into the sewer system.

Ms. Eggleston stated that every property in the business district would receive a betterment fee. However, she further stated that the fee structure and timing for when business flows would be tied into the system has yet to be determined.

Mr. Johnson opined there is nothing presented thus far, telling residents how much they are going to pay for the project.

Ms. Eggleston stated that these issues need further discussion and would eventually be brought back to Town Meeting. She reiterated that the vast majority of costs will be borne by the businesses in the service area. Ms. Eggleston referenced the letter displayed earlier from several businesses expressing their willingness to take on this responsibility.

Mr. Johnson asked what the estimated \$14 million figure could possibly grow to be in the next three years.

Mr. Nichols stated that costs of wastewater facility projects vary, and the size of the system primarily determines the cost. He stated that the \$14 million estimate is

conservative and it includes the cost of enclosing all the tanks in the building and providing a high-level treatment.

Jeffrey Klofft, 15 Ironworks Road, stated that he was a member of the Marlborough Neighborhood Association, and he believes that situation was much different than what is proposed for Sudbury because the odors were caused by composting in an unenclosed area. He asked if the system design takes into account whether Chapter 40B developments will be approved for the area and will the system be able to handle the needed capacity.

Ms. Eggleston stated that the current proposed design would have sufficient excess capacity.

Rebecca Chizzo, 21 Whitetail Lane, noted traffic has not been mentioned. She asked what two years of construction on Route 20 will be like and whether there will be additional costs incurred to support the construction phase.

Ms. Eggleston stated that, although the construction period could take two years, the disruption to Route 20 would be temporary and likely to only last for approximately six months. The majority of the digging would take place off of the main road.

Douglas Grant, 375 Old Lancaster Road, stated that tonight is the first time he has heard that Curtis School is the preferred location. He asked if potential legal battles have been anticipated.

Ms. Eggleston stated that potential legal problems are not expected. She further stated that neighbors would be very involved in the process. Ms. Eggleston stated that it would be very polished-treated effluent which would be treated below the ground surface, and thereby much better than conditions most have in their own yards, with their own septic systems or for the other system which currently exists on the Curtis property. Thus, litigation has not been factored into plans at this time.

Sudbury Public School (SPS) Committee Chair Susan Iuliano stated that the Committee unanimously supports this article and recognizes its importance for the community.

Pat Brown, 34 Whispering Pine Road, stated that there used to be a Citizens' Advisory Committee associated with Technical Advisory Committee (TAC), but it was disbanded by the Selectmen in 2008. She asked why. Ms. Brown stated that she objects to the order in which this project has proceeded. She has read the answers to Frequently Asked Questions on the TAC website, but stated that they are not answers to her questions. Ms. Brown believes the zoning issues have not been addressed, and thus she is troubled by the process being presented tonight.

Chairman Drobinski stated that the Committee was disbanded because, at that time, no disposal location had been identified. He stated that now that a suitable site has been identified, the process can move forward and citizens can begin their work.

May 3, 2011

Ms. Brown stated that she believes this article should be postponed until more technical information is available.

Ms. Eggleston stated that the Citizen's Committee was suspended in part because, without a designated site, the disposal volume and service area were unknown. She also stated that DEP had suggested focus be put on identification of a disposal site. Thus, until a suitable site was located, a lot of issues could not be addressed. Ms. Eggleston stated that the intention is to now conduct the citizens' process in parallel with the design phase, with the goal of not wasting any more time.

Fred Ballou, 306 Lincoln Road, asked how long the system would last, stating he hopes it is longer than it would take to pay for the project.

Mr. Nichols stated that everything built has a lifespan. He explained that the system buildings could last from 40-60 years, with intermittent renovations, pipes in the ground could last a similar timeframe, and process equipment has the shortest lifespan of approximately 10-20 years. Thus, the overall project could last anywhere from 20-60 years, with some intermittent expenditures for maintenance.

If Phase 1 is approved tonight, Jan Hardenbergh, 7 Tippling Rock Road, asked if there is the possibility that it could be decided at a later stage that the project could not be built, and thus \$1 million would have been wasted.

Ms. Eggleston stated that the scenario presented is highly unlikely based on testing completed. She also stated that it is anticipated that user fees would pay for future maintenance costs.

Kevin Long, 7 South Meadow Drive, asked if a commitment can be given of a minimum amount of the costs which the betterment fees would cover.

Chairman Drobinski stated that it is not possible to give that number at this time because information regarding user flows will evolve over time. He stated that, at the end of the day, this project helps the community be sustainable. Chairman Drobinski further stated that Sudbury needs to have a vision for what it wants 20 years from now. He cautioned everyone to consider how tonight's actions would impact Sudbury's future, noting it is important tonight to recognize the importance for all residents to have a vibrant business community in order to avoid financial problems in the future.

Mr. Poch stated that there are some things in the process which need to be determined before other things can proceed. He noted, if the Curtis testing results had been received sooner in the year, there would have been more time to educate the public. However, if the Town does not choose to proceed at this time, Mr. Poch emphasized it would lose the opportunity to stay on track for having a system in place for 2015.

May 3, 2011

Mr. Poch stated that his discussions with businesses indicate that their 10-15 year budgets for their current septic systems could nearly cover the estimated \$14 million construction costs. He further clarified the \$14 million would be funded over 20-30 years, and all issues would be publicly vetted and would eventually be brought before Town Meeting.

Mr. Long asked for an explanation of the wide cost variance between Sudbury's project estimate of \$14 million and the \$2.5 million for the MWRA option.

The Assistant Moderator clarified that the \$2.5 million was merely a joining fee for water only, not sewer, and there would be more concurrent costs.

Ms. Eggleston stated that tying into the MWRA system was investigated, and it was concluded the option was expensive and not desirable. She also stated that betterment fees are anticipated to cover approximately 70% of the costs, but a commitment cannot be given, since the fees and structure would be determined by a Town Meeting vote. Ms. Eggleston stated that if the \$14 million was completely funded over 20 years, it would cost the average residential taxpayer approximately \$140.

Adam Miller, 1 Nobscot Road, asked how the sewer system would be administered.

Mr. Poch stated that this is an issue the Citizens' Advisory Committee would discuss. He noted there are a number of options to consider for operation.

Carole Wolfe, 637 Concord Road, stated that the number of units per acre in a Chapter 40B development cannot be limited, and asked how this will be accounted for in the project design.

Director of Planning and Community Development Jody Kablack stated that the implications of high-density residential developments, including Chapter 40Bs, have been considered. However, given that the service area is approximately 1.4 miles on Route 20, which is predominantly zoned as commercial, it is not anticipated this will be a problem for this project. Ms. Kablack stated that State guidelines suggest density of 12 units per acre for suburban sewer areas.

Bill Duckett, 648 Boston Post Road, stated that he lives across from the Bushey property and has a business in the service area. He believes this project proposes to pass the financial burden on to the business community, which already pays a higher tax rate for relatively few services. Although references have been made tonight to the support for this article from the business community, as a member of the Chamber of Commerce, he stated that the Chamber did not poll its members. Mr. Duckett stated that large property owners along Route 20 met with the Selectmen and Town officials, but small businesses, like his, were not invited to the meeting. He believes there are still a lot of unanswered questions, and he urged the Hall to defeat the article.

May 3, 2011

Bryan Semple, 15 Revere Road, opined that the Planning Department and Town have traditionally been in favor of Chapter 40B, and he is concerned about Chapter 40B developments. He asked if units could be added to Longfellow Glen and could the Carriage House Estates be rebuilt so that density figures change within the next three years. Mr. Semple specifically asked a Town official to answer his questions.

Ms. Kablack stated that the questions are hypothetical. She stated that Longfellow Glen could probably be expanded and is a large user of an anticipated 40,000 gallons per day. However, she noted the Carriage House Estates property has very little land for expansion, and thus she cannot see a risk of increased density there.

Mr. Klofft stated that he is also a member of Sudbury's Zoning Board of Appeals (ZBA), and he concurred with Ms. Kablack. He noted every Chapter 40B development is assessed differently, and he noted there are other factors which impact density much more than whether there is a sewer or not. Mr. Klofft also served on Marlborough's ZBA for ten years.

An unidentified person made a motion to call the question.

The Assistant Moderator asked for a vote from the Hall to allow one more speaker, and it was so VOTED.

Planning Board member Chris Morely read aloud a letter of support from the Cass Irrevocable Trust, 410 Boston Post Road, owner of the Rugged Bear Plaza for the past 20 years. Mr. Charles D. Cass stated that as a resident and as a businessman, he believes he will benefit from the project.

The motion to call the question was seconded.

It was VOTED to call the question.

The motion for Article 20 was VOTED overwhelmingly by two thirds.

[ARTICLE 21 - AMEND ZONING BYLAW ARTICLE IX, SECTION 4300 –WIRELESS SERVICES OVERLAY DISTRICT](#)

The Moderator resumed his responsibilities. He also noted Selectman O'Brien had left his seat during the Article 20 discussion, since he is an abutter to the project.

Vice-Chairman O'Brien moved in the words of the amended motion below:

To see if the Town will vote to amend Article IX (the Zoning Bylaw), Section 4300 (Wireless Services Overlay District) as follows:

May 3, 2011

1. *Section 4330. Location, by deleting the first sentence reading “The Wireless Services Overlay District shall include those parcels of land owned by the Town of Sudbury, which is held in the care, custody, management and control of the Board of Selectmen, Park & Recreation Commission, and parcels of land owned by the Sudbury Water District, as of the effective date of this Bylaw, as listed below:” and substituting the following: “The Wireless Services Overlay District shall consist of the following parcels of land.”*
2. *Section 4334 to exclude parcels identified as Assessor’s Map No. L08, Parcels 008 and 009, and Assessor’s Map No. M08, Parcel 021, located in the Raymond Road well field/Feeley Park area.*
3. *Section 4345 to delete the word “or” between the words “cells or panels, and add the words “equipment buildings or cabinets” after the word “panels”, so that section reads as follows:*

“Changes in the capacity or operation of a wireless service facility which has previously received a special permit under this Bylaw, limited to an increase or decrease in the number of antennae, cells, panels, equipment buildings or cabinets, or the number of service providers (co-locators), shall be permitted, subject to Site Plan review under section 6300 of the Zoning Bylaw and authorization from the lessor of the property.”

4. *Add a new section 4346, which shall read as follows:*

“4346. On all property and buildings owned by the Town of Sudbury, exclusive of school buildings and cemeteries, freestanding monopoles which are no higher than 80 feet, or roof or facade mounted equipment provided it is not higher than 20 feet above the highest point of the roof.”

5. *Delete section 4363 in its entirety.*
6. *Section 4371 to add the words “and adjacent public roadways” at the end of that section so it reads as follows: “A color rendition of the proposed facility with its antenna and/or panels at the proposed location is required. One or more renditions shall also be prepared illustrating the visual effects of the facility from prominent areas and adjacent public roadways.”*

Move in the words of the Article (above), except in the new section 4346, the words “exclusive of school buildings and cemeteries”, shall be changed to “exclusive of school buildings and properties, and cemeteries”.

Submitted by the Board of Selectmen

(Two-thirds vote required)

The motion was seconded.

As a result of public hearing discussions, Vice-Chairman O'Brien explained the motion varies from the Warrant in that the Board of Selectmen have recommended prohibiting monopoles from school properties as well as school buildings and cemeteries. He provided a brief history of the article from the inception of the Wireless Bylaw in 1998, as a response to the 1996 Federal Telecommunications Act. Mr. O'Brien noted consumer demands have changed greatly since 1998, and thus the demand for towers and additional telecom infrastructure has also increased. It was noted the Town Planning Office receives frequent requests for suitable sites from carriers.

A map was displayed indicating the originally approved sites for the wireless overlay district. Mr. O'Brien stated that all of those sites have been utilized except the DPW barn location, which will have a Request for Proposal developed soon. Another site in the water district area on Raymond Road has been approved for a cell tower, but construction has not begun.

Mr. O'Brien stated that an article was developed for last year's Town Meeting, but it was withdrawn by the Planning Board due to concerns expressed by citizens regarding proposed locations, including the High School. He emphasized L-SRHS is its own entity and is not governed by the Town. A coverage analysis map was displayed. Mr. O'Brien stated that there have been preliminary applications filed for residential areas, and that such requests could increase unless additional sites are added to the overlay district. He further noted installation of towers cannot be prohibited by the Town for aesthetic or health reasons.

Mr. O'Brien stated that the motion would allow towers 80 feet tall by right on Town parcels. He stated that the Zoning Board of Appeals (ZBA) will present an amendment tonight recommending the application follow the Special Permit process. Mr. O'Brien also summarized the other suggested revisions to the bylaw, including the elimination of setback requirements, since they are challengeable in court. A slide was also displayed listing potential Town owned properties. He further stated that cell tower installations have generated revenue for the Town, accounting for approximately \$1.25 million in the past ten years. Mr. O'Brien stated that the Selectmen welcome the ZBA amendment and urged for the Hall's support.

FINANCE COMMITTEE: Recommended approval.

Planning Board Vice-Chairman Eric Poch stated that the Planning Board supports this article. He stated that the Town needs to be more proactive regarding directing carriers to sites it deems as suitable or Sudbury will see towers being erected where it does not want them. Mr. Poch emphasized the law is on the side of the telecom carriers, allowing installations to be located anywhere. He further stated that opposition to their actions almost always fails in court. Mr. Poch stated that Sudbury currently has 12 cell towers, for which the Town collects approximately \$130,000 a year. He encouraged citizens to access more information related to this topic on the Planning Board website.

Frank Lyons, 157 Wayside Inn Road, stated that Section 1 of the motion has a typographical error, and the word overly should be corrected to read as “overlay.” The Moderator suggested this correction could be added to the amended motion.

Jeffrey Klofft, 15 Ironworks Road, moved to amend Section 4 of the article as follows: Remove the words “freestanding monopoles which are no higher than 80 feet.” The resulting #4 will now read as follows: “4346. On all property and buildings owned by the Town of Sudbury, exclusive of school buildings and properties, and cemeteries,” and to correct in Section 4330 the spelling of “Overly” to “Overlay.”

The motion was seconded.

Mr. Klofft stated that he recommends striking the original motion language because he believes Section 4350 of the bylaw allows for requests for monopoles to be reviewed through the Special Permit process by the ZBA.

Matthew Copeland, 17 Oakridge Road, asked if removing the language regarding monopoles would detract from the protection intended for school buildings and properties.

Mr. Klofft stated that he believes it would not, but he suggested Town Counsel also be asked for an opinion.

Director of Planning and Community Development Jody Kablack stated that she has concerns regarding Mr. Klofft’s amendment because she believes it has the potential to alter the intent of the article. She stated that the article was intended to allow cell towers on Town-owned land by Request for Proposals of land approved by the Board of Selectmen. Ms. Kablack stated that Town Counsel has not had a chance to review the proposed amendment and its potential ramifications. She further stated that the amendment could have the unintended consequence of limiting installations to only roof or façade mounted equipment on Town property, which was not the intent of the article. Ms. Kablack urged defeat of the amendment.

Robin Gunderson, 95 Fox Run, asked for the ZBA’s position.

ZBA member Beth Quirk, 20 Scotts Wood Drive, stated that Mr. Klofft has offered the amendment as a private citizen and not in his capacity as ZBA chairman. She explained the ZBA is an adjudicating body, and thereby it does not take positions on the floor of Town Meeting.

The Moderator suggested Mr. Klofft and Ms. Kablack discuss their positions to try to reach consensus.

Christopher Morely, 321 Old Lancaster Road, spoke as a private citizen and not in his capacity as a Planning Board member. He believes the amendment presented is poorly written and has possibly muddled the intent of the bylaw. The Moderator suggested Mr. Morely join Ms. Kablack and Mr. Klofft to craft acceptable language.

May 3, 2011

Carole Wolfe, 637 Concord Road, asked if her understanding was correct that currently, a request for a cell tower installation must be reviewed by the ZBA for a Special Permit. The Moderator stated that the ZBA has confirmed this to be accurate.

Ms. Wolfe stated that she believes the original motion made tonight would change the bylaw to allow as by right an 80-foot tall monopole to be erected on Town-owned property. Vice-Chairman O'Brien stated that is correct, but Mr. Klofft's amendment has suggested that the "by right" language be eliminated.

Ms. Wolfe stated that she supports a motion to remove the "as by right" aspect of the motion. She believes the ZBA should review all cell tower applications.

Robert Abrams, 48 Horse Pond Road, asked if the list of Town owned properties displayed earlier have already been deemed as suitable by the Board. Mr. O'Brien stated that the slide presented only a suggested list of parcels that could be considered by the Selectmen for Requests for Proposals, but that no determinations have been made to date.

The Moderator stated that Ms. Kablack and Mr. Klofft had reached an agreement for Mr. Klofft to withdraw his amendment and the second for the amendment motion would also be withdrawn. The motion to amend was WITHDRAWN and the second was WITHDRAWN.

Ms. Kablack moved to amend Section 4366 of the article to correct the spelling of "overly" to "overlay" and moved in the words of the Article, except for the following changes:

Remove "freestanding monopoles which are no higher than 80 feet"

The resulting #4 will now read as follows:

"4336. On all property and buildings owned by the Town of Sudbury, exclusive of school buildings and properties, and cemeteries."

And to correct in Section 4330 the spelling of "Overly" to "Overlay"

The motion was seconded.

Ms. Kablack explained the gist of Mr. Klofft's amendment was to not allow installations of monopoles by right. Thus, the language now reflects the intention for installations to be reviewed through the Special Permit process.

Carolyn Lee, 28 Mossman Road, asked why cemeteries have been excluded.

Ms. Kablack stated that the Board of Selectmen felt cemeteries should be respected as a more reflective area, and thus did not recommend those locations for installations.

May 3, 2011

Laura Abrams, 48 Horse Pond Road, suggested tonight's meeting be adjourned and that the revisions and the bylaw be reviewed and resolved overnight, to be brought before Town Meeting tomorrow.

At the request of the Moderator, a motion was made to adjourn tonight's meeting until May 4, 2011, at 7:30 p.m., in the Lincoln-Sudbury Regional High School Auditorium. The motion was received, seconded and *VOTED by well more than a majority.*

The Moderator stated that tonight's last discussion is a good example of why it is not a good idea to amend a zoning article on the floor of Town Meeting. The meeting was adjourned at 10:36 p.m.

May 4, 2011

TOWN MEETING

May 4, 2011

Pursuant to a Warrant issued by the Board of Selectmen, and a quorum being present, the inhabitants of the Town of Sudbury qualified to vote in Town affairs, reconvened in the Lincoln-Sudbury Regional High School (L-SRHS) Auditorium on Wednesday May 4, 2011, for the third and final session of the Annual Town Meeting. Myron Fox, the Moderator, called the meeting to order at 7:35 p.m.

The Moderator thanked Radha Gargeya and Phyllis Fox for acting as runners last night. He announced tonight's runners are Boy Scouts from Troop 63, Tim Dunphy and Mark Tentarelli, and their Troop Leader is Fred Rust.

The Moderator reviewed procedures for being recognized as a speaker, and for making motions to amend articles. The Moderator stated that speakers can only interrupt others to call a question, to make a point of order or a point of privilege. He asked citizens to please provide amendments in writing to Sudbury's Technology Administrator Mark Thompson, preferably 24 hours in advance, when possible. He explained this would expedite discussion for everyone at Town Meeting and would allow the Moderator and Town Counsel to help proponents draft amendments which would be accepted. The Moderator referenced last night's discussion of Article 21. He stated that it is always difficult to try to amend a zoning article by committee on the floor of Town Meeting, and it is almost always unsuccessful. He reviewed valid points of order and that his role is to enforce the rules for a fair debate of issues.

ARTICLE 21 - AMEND ZONING BYLAW ARTICLE IX, SECTION 4300 –WIRELESS SERVICES OVERLAY DISTRICT - continued

The Moderator stated that the Bylaw allows for a motion to adjourn in the middle of an article discussion. He thanked Laura Abrams for suggesting last night's session be adjourned. Since last night, Director of Planning and Community Development Jody Kablack has reviewed the entire Bylaw to determine how best to incorporate an amendment. The Moderator announced Vice-Chairman O'Brien would make a new motion.

The Moderator asked permission from Ms. Kablack, Mr. Klofft, the Board of Selectmen and those who provided seconds to motions to WITHDRAW previous motions and amendments for this article and the seconds previously provided for them.

Vice-Chairman O'Brien moved in the words of the Article, except for the following changes:

May 4, 2011

No. 4 shall read: Add a new section 4336, which shall read as follows: “4336. All property and buildings owned by the Town of Sudbury, exclusive of school buildings, school properties and cemeteries.”

And add a new No. 7 which shall read: 7. Section 4351 to revise the section numbers in that provision to read: “4331-4336”.

Submitted by the Board of Selectmen

(Two-thirds vote required)

The motion was seconded.

Ms. Kablack explained Mr. Klofft’s suggestion for the Special Permit process to be used for approving cell towers was integrated into Section 4336. She further explained the Town’s Legal Office added a new No. 7.

BOARD OF SELECTMEN: Recommended approval.

FINANCE COMMITTEE: Recommended approval.

PLANNING BOARD: Recommended approval.

Bill Cossart, 419 Concord Road, stated that two parcels (008 and 009) were deleted from Section 4334, which he believes the Town does not have the authority to delete, since the properties are owned by the Sudbury Water District.

The Moderator stated that Town Counsel Paul Kenny has opined Mr. Cossart is correct, and the parcels can be added back into the article.

Vice-Chairman O’Brien stated that the Selectmen and the Planning Board have no objections to adding back the parcels. The Moderator stated that an amendment to the motion would be needed.

Richard Lawrence, 6 Partridge Lane, asked why school buildings and properties are being excluded.

Vice-Chairman O’Brien stated that it was the feeling of the Planning Board that locations near schools is an emotional issue for citizens and it was best to not raise such concerns.

Laura Abrams, 48 Horse Pond Road, asked if a suggestion to move further discussion of this article to the end of the Warrant would be appropriate. The Moderator stated that it would not be appropriate as it would require a 4/5 vote.

Martha Coe, 14 Churchill Street, asked if the section numbers referenced in the motion were correct.

The Moderator confirmed the motion presented tonight is correct and dramatically different from what appears in the warrant.

Frank Lyons, 157 Wayside Inn Road, asked a question confirming whether a section has been omitted.

The Moderator *moved to amend* the motion made tonight to add the language “ No. 2 shall be deleted in its entirety.”

The motion was seconded.

Adam Miller, 1 Nobscot Road, asked if there are any school properties not adjacent to school buildings in Town.

Vice-Chairman O’Brien stated that all school properties have school buildings on them.

Dan Vellom, 28 Maple Avenue, asked if the article section numbers have been adjusted appropriately to reflect the many revisions suggested. He was assured they have been.

The final motion was to modify Article IX (the Zoning Bylaw), Section 4300 (Wireless Services Overlay District) as follows:

- Section 4330. Location, by deleting the first sentence reading “The Wireless Services Overlay District shall include those parcels of land owned by the Town of Sudbury, which is held in the care, custody, management and control of the Board of Selectmen, Park & Recreation Commission, and parcels of land owned by the Sudbury Water District, as of the effective date of this Bylaw, as listed below:” and substituting the following: “The Wireless Services Overlay District shall consist of the following parcels of land:”
- Section 4345 to delete the word “or” between the words “cells or panels, and add the words “equipment buildings or cabinets” after the word “panels”, so that section reads as follows:

“Changes in the capacity or operation of a wireless service facility which has previously received a special permit under this Bylaw, limited to an increase or decrease in the number of antennae, cells, panels, equipment buildings or cabinets, or the number of service providers (co-locators), shall be permitted, subject to Site Plan review under section 6300 of the Zoning Bylaw and authorization from the lessor of the property.”
- Add a new section 4336, which shall read as follows:

“4336. All property and buildings owned by the Town of Sudbury, exclusive of school buildings, school properties and cemeteries.”

- **Delete section 4363 in its entirety.**
- **Section 4371 to add the words “and adjacent public roadways” at the end of that section so it reads as follows: “A color rendition of the proposed facility with its antenna and/or panels at the proposed location is required. One or more renditions shall also be prepared illustrating the visual effects of the facility from prominent areas and adjacent public roadways.”**
- **Section 4351 to revise the section numbers in that provision to read: “4331-4336”.**

The moderator stated that a 2/3 vote was required to pass the motion.

The motion for Article 21 was VOTED by well more than two-thirds.

ARTICLE 22–

WITHDRAWN

ARTICLE 23 – AMEND ZONING BYLAW, ARTICLE IX, USE TABLE – RETAIL USE IN INDUSTRIAL & LIMITED INDUSTRIAL DISTRICTS

The Moderator recognized Director of Planning and Community Development Jody Kablack, who moved in the words of the article below:

To see if the Town will vote to amend Article IX (the Zoning Bylaw), as follows:

Section 2230 (Table of Principal Use Regulations) by permitting use #C.11 (retail stores and services not elsewhere set forth) in Industrial and Limited Industrial Districts; or act on anything relative thereto.

Submitted by the Planning Board

(Two-thirds vote required)

The motion was seconded.

On behalf of the Planning Board, Ms. Kablack explained the article seeks to expand the types of uses that can be located on parcels of land which are zoned Industrial or Limited Industrial. She displayed a map of these zones, located primarily along Union Avenue and the eastern portion of Route 20.

May 4, 2011

Ms. Kablack stated that there are approximately 40 properties this revision would affect, or approximately 25% of all commercial properties in Sudbury. She further stated that, given the economic downturn, vacancy rates are higher than normal in Sudbury. Expanding the types of uses which can locate on these properties would enable the commercial property owners to offer leases to a larger range of businesses, without negative consequences. She provided examples of typical current uses in Industrial and Limited Industrial Districts, including kennels, funeral homes, adult day care facilities, and other establishments. She also mentioned traditional industrial uses such as auto sales and service, manufacturing, warehouses and lumber yards.

Ms. Kablack stated that this article would allow property owners to lease their properties to a larger audience of tenants, and would keep the commercial properties more viable during downturns in the economy. She stated that the Planning Board urges support of the article.

The Moderator asked for confirmation that, if the article passes, and a retail use wants to move into an Industrial or Limited Industrial zone, it would still need to pursue Site Plan Special Permit approval from the Selectmen. Ms. Kablack confirmed this to be accurate.

FINANCE COMMITTEE: Took no position on the article.

BOARD OF SELECTMEN: Recommended approval.

Robert Coe, 14 Churchill Street, asked if anything is being compromised by combining all uses in these zones, which were originally intended to be separate. He questioned if there were legitimate reasons for not initially including these uses in these zones, which are now going to be overlooked because of the economic downturn.

Ms. Kablack stated that she does not believe anything would be jeopardized as a result of this article. She explained typically, fewer uses are allowed in the more undesirable zones, and uses are increased as zones are expanded to business, and even more so for residential zones.

The Moderator reminded the Hall the motion requires a two-thirds vote.

The motion for Article 23 was **VOTED UNANIMOUSLY.**

ARTICLE 24 –

WITHDRAWN

ARTICLE 25 – DISSOLVE PERMANENT LANDSCAPE COMMITTEE

The Moderator recognized Selectman Robert Haarde, who moved in the words of the article below:

To see if the Town will vote to dissolve the Permanent Landscape Committee established under Article 35 of the 1965 Annual Town Meeting.

Submitted by the Board of Selectmen

(Majority vote required)

The motion was seconded.

Selectman Haarde stated that Deborah Kruskal would assist him with the presentation for Article 25. He thanked Ms. Kruskal for her many years of service to the community.

Selectman Haarde stated that the Permanent Landscape Committee has not formally met in several years, and its original responsibilities are now handled by other entities. Selectman Haarde further stated that the three remaining members of the Committee endorse its dissolution, as do several other Town entities. The one responsibility recommended to be continued is the landscaping of the Town traffic islands. Town officials are in the process of considering how best to continue this work and may appoint a Coordinator in the future to oversee these activities. He thanked the former members of the Committee. In particular, Selectman Haarde thanked Paul Cavicchio for providing the flowers for the traffic islands, and June Allen, who coordinates the volunteers. He thanked the Sudbury Garden Club for their work as well.

Deborah Kruskal, 136 Lincoln Road, stated that she has been a member of this Committee since 1994, but she is currently its only active member. She further stated that she supports the decision to dissolve the Committee, but believes the work of planting the traffic islands should continue. Ms. Kruskal thanked Ms. Allen for her management of this work.

FINANCE COMMITTEE: Took no position on the article.

BOARD OF SELECTMEN: Recommended approval.

The Moderator stated that the article was removed from the Consent Calendar for more information.

The motion for Article 25 was VOTED UNANIMOUSLY.

ARTICLE 26 – SALE OF LAND – HUDSON ROAD AND PINEWOOD AVENUE

The Moderator recognized Vice-Chairman O'Brien, who moved in the words of the article below:

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 lands each for a sum of no less than \$3,500, and upon such other terms as the Selectmen shall consider proper:

Land on Hudson Road, shown as Parcel 124 on Town Property Map F04 and containing 0.12 acres according to said Map;

Land on Pinewood Avenue, shown as Parcel 132 on Town Property Map F04 and containing 0.12 acres according to said Map

Submitted by the Board of Selectmen

(Two-thirds vote required)

The motion was seconded.

Vice-Chairman O'Brien stated that the Town is proposing to convey two parcels of land to the highest bidder, which were acquired in tax takings in 1932 and 1977. He noted the parcels are very small and considered unbuildable. Mr. O'Brien further stated that these properties were the subject of Articles 16 and 17 of the 2009 Town Meeting, but were indefinitely postponed, due to strong interest expressed by abutters in the parcels.

This article proposes the parcels be put up for bid for a minimum price of \$3,500. It is expected buyers would be abutters. It is also likely conditions would be established to only allow the creation of an accessory shed or garage-like structure, but not the construction of a new home. Mr. O'Brien stated that the intent is to convey the property to abutters for the purpose of increasing their overall lot size. He stated that the Board of Selectmen urges support of the article.

The Moderator asked if the cost is \$3,500 for both parcels, or for each parcel.

Vice-Chairman O'Brien stated that the minimum bid would be \$3,500 for each parcel.

The Moderator suggested the motion be clarified.

Vice-Chairman O'Brien moved to amend the motion to add the word "each" following the words "described land."

The amended motion was seconded.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

May 4, 2011

Rick Johnson, 38 Bent Road, asked how the Selectmen determined the \$3,500 price, since he believes an acre of property in Sudbury is worth approximately \$250,000. Thus, Mr. Johnson believes an 1/8 acre would sell for approximately \$30,000.

Vice-Chairman O'Brien stated that the bid price was based on analysis from the Assessor's Office and analysis of numerous parcels of similar size provided by abutters. He noted the parcels are considered unbuildable lots, and thus do not carry full-sale value.

The motion for Article 26 was VOTED UNANIMOUSLY..

ARTICLE 27 - EXCHANGE OF LAND OFF PETER'S WAY WITH ABUTTER

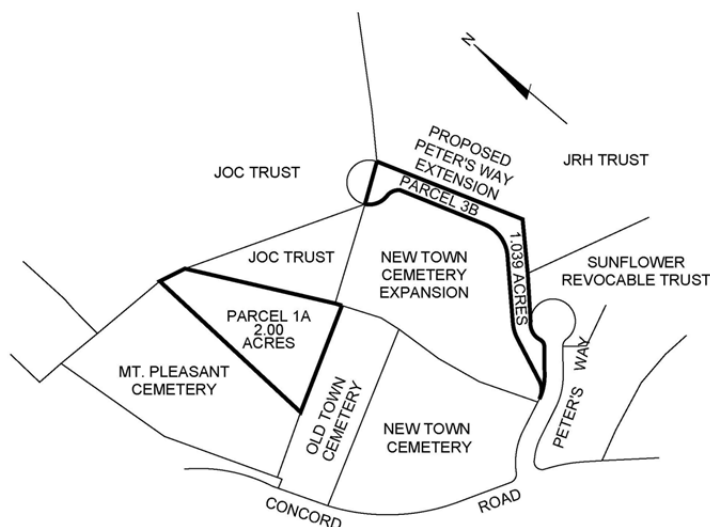
The Moderator recognized Chairman Drobinski, who moved in the words of the article below:

To see if the Town will vote to authorize and direct the Selectmen on behalf of the Town to execute a deed transferring a certain parcel of land owned by the Town, specifically Parcel – 3B consisting of approximately 45,284 s.f. located off Peter's Way, a private way, as shown on "Plan of Land in Sudbury, Massachusetts", last revised January 24, 2011, prepared by Sullivan, Connors and Associates, to Laura B. Abrams f/k/a McCarthy, Martha J. Keighley f/k/a Bartlett, and Dorothy M. Bartlett, Trustees of the JOC Trust, in exchange for a deed to the Town of Sudbury of Parcel – 1A on the aforementioned plan consisting of approximately two acres, said land to be used for cemetery purposes; said exchange is subject to subdivision approval of said plan pursuant to M.G.L. c.41 and the Town of Sudbury Planning Board Rules and Regulations governing the subdivision of land.

Submitted by the Board of Selectmen

(Two-thirds vote required)

The motion was seconded.



Chairman Drobinski stated that this exchange of land is an opportunity for the Town to increase the size of New Town Cemetery at no cost to the taxpayers. He explained it is a proposal which was initiated conceptually several decades ago. This article allows the Selectmen to swap approximately 1.039 acres of land the Town currently owns along the perimeter of the New Town Cemetery, which contains unusable topography, with two acres of land that is much better suited for cemetery uses. Chairman Drobinski emphasized this would be the only opportunity the Town has to receive this land at no cost. He explained the property owners desire access to their landlocked parcel and the Town's land provides their only access. He further stated that the parcel would be developed as a joint access for both parties, and an access easement would be granted for Town use. The Town would not be required to maintain the access.

Chairman Drobinski briefly described the process for development of the JOC Trust property, which would be subject to receiving subdivision approval by the Planning Board at a future date. He noted this parcel is approximated at 9.5 acres, but would be limited to one residential lot, due to the length of the road and the amount of frontage being created. Chairman Drobinski stated that the Selectmen urge support of the article to complete expansion of the cemetery.

BOARD OF SELECTMEN: Recommended approval.

FINANCE COMMITTEE: Recommended approval.

Rebecca Chizzo, 21 Whitetail Lane, stated that she passes this area daily. She stated that the area once had aesthetically pleasing ferns, rocks, and wetland areas, which have been destroyed. Ms. Chizzo stated that the area has been torn up, has only a gravel road, and she would rather this area were improved before buying more land.

Chairman Drobinski stated that the Town has a definite need for additional cemetery space. He emphasized the approval process for construction of access to the back parcel would be overseen by the Planning Board, and it would likely require the applicant to upgrade the access road which would provide public and safety-vehicle benefits.

The motion for Article 27 was **VOTED UNANIMOUSLY.**

ARTICLE 28 - COMMUNITY PRESERVATION FUND – CARDING MILL POND HARVESTING

Since the next several articles have been recommended by the Community Preservation Committee (CPC), the Committee's Chairman Christopher Morely provided the Hall with an overview of the CPC. He first presented the **motion** for Article 28 as noted below. Mr. Morely noted the CPC has updated its brochure, which is available tonight as a handout and on the Town website. He briefly summarized the history of the development of State Community Preservation Act (CPA) funds, which are available for open space,

affordable housing, historic preservation and recreation-eligible projects. Mr. Morely stated that CPA funds are a compromise, which has served Sudbury well for the past ten years. He reviewed the role of the CPC, which is comprised of volunteers.

Mr. Morely stated that historic preservation is happening in Town and affordable housing options have increased in Sudbury because of CPA funds. In particular, Mr. Morely emphasized 72% of CPA funding has been used to fund preservation of open space. He highlighted the benefits from open space acquisitions as preserving the rural character and aesthetics of the community, but also to prevent the development of available parcels into housing. Mr. Morely stated that more development translates into more families with school-aged children, which eventually costs the Town more money and strains the Town budget as it attempts to provide the infrastructure and education to support a growing population. While Sudbury enjoys high property values, due in great part to its fine schools, Mr. Morely noted those schools costs the Town a significant portion of its budget. He further stated that the goal of acquiring open space has had the aim of preventing the creation of, at a minimum, 1000 house lots.

Mr. Morely stated that Sudbury has received approximately \$7.7 million from the State in matching funds, which primarily has been held in reserves. He emphasized open space land purchases are expensive and unpredictable. Mr. Morely highlighted an article will be brought later before this Town Meeting to purchase development rights for Fairbank Farm with cash from these reserves. He emphasized the tax savings generated from conserving land remains with the taxpayers into perpetuity. Mr. Morely explained that for some large projects there is a cost now, but through the bonding process, the cost is spread over 20 years and over several groups of taxpayers for the enjoyment of generations to come. He thanked Town staff and the volunteers who work to bring CPA projects to fruition and he urged the Hall's support for tonight's recommended articles in the interests of the greater good of the community.

Mr. Morely announced Frank Lyons would make a presentation regarding Article 28.

CPC Chairman Chris Morely moved in the words of the article below with the sum of \$16,000 appropriated:

To see if the Town will vote to appropriate an amount not to exceed \$16,000 from the Community Preservation Funds, as recommended by the Community Preservation Committee, for the purpose of habitat restoration of the Carding Mill Pond over a four (4) year period. All appropriations will be allocated to the Open Space category and funded from FY12 Revenue.

Submitted by the Community Preservation Committee (Majority vote required)

The motion was seconded.

May 4, 2011

Frank Lyons, 157 Wayside Inn Road, provided a brief description of the 41-acre Carding Mill Pond harvesting project. He displayed slides of the Pond before the harvesting efforts began, and another slide of how it should look upon completion. Mr. Lyons explained equipment has been borrowed from the U.S. Fish and Wildlife Service and the Town Department of Public Works has assisted the project to save money. Biomass removed from the pond has been tested and given to local farmers to use. Mr. Lyons reported Town Meeting appropriated \$32,000 five years ago for this harvesting project. He explained much was accomplished with those funds, and eventually \$7,460.16 of unused monies was returned to the CPA fund.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

Patricia Brown, 34 Whispering Pine Road, stated that she supports the article, but she feels this should be presented under the recreation category rather than the open space category.

Mr. Morely clarified restoration of habitat areas is an eligible use of CPA funds in the open space category, and this project is not for recreation.

Mr. Lyons stated that when this project began five years ago, there were no water fowl or fish in the area. Now, ducks and fish are thriving in the area, and Mr. Lyons believes the project has made a significant difference for the area habitat.

Susan Litowitz, 199 Concord Road, asked what a permanent solution would cost to clean the Pond.

Mr. Lyons stated that the cost would be dependent on the decision as to how the Pond should be dredged. He described the two most common methods, and he stated that the cost could be in the range of millions of dollars.

Steve Gabeler, 28 Mossman Road, spoke on behalf of the Ponds and Waterways Committee, which has studied this problem for over six years for this Pond and many other waterways. He explained the harvesting project is not permanent or unique to Sudbury, but should be continued until compliance with new regulations take hold. He thanked U.S. Fish and Wildlife for the equipment and the Hop Brook Association for their tireless work through the years on these issues. Mr. Gabeler stated that the Ponds and Waterways Committee unanimously supports the article.

The motion for Article 28 was **VOTED UNANIMOUSLY.**

ARTICLE 29 – COMMUNITY PRESERVATION FUND – TOWN CLERK HISTORIC DOCUMENT PRESERVATION

Mr. Morely moved in the words of the article below with the sum of \$117,000 appropriated:

To see if the Town will vote to appropriate an amount not to exceed \$117,000 from the Community Preservation Act funds, as recommended by the Community Preservation Committee, for the purpose of restoring and preserving historic Town records, said work to be performed under the direction of the Town Manager with the involvement of the Sudbury Historical Commission.

All appropriations will be allocated to the Historic category and funded from FY12 Revenue.

Submitted by the Community Preservation Committee (Majority vote required)

The motion was seconded.

Town Clerk Rosemary Harvell reviewed the request, to preserve and restore Town permanent records, which are of historical and cultural importance to Sudbury. She briefly summarized previous appropriation requests from 2008, 2009 and 2010 and what was accomplished with those funds. Ms. Harvell presented slides of examples of the restoration, conservation and digitization process. She also provided slides of examples of some of the historic documents which would be preserved.

Ms. Harvell noted how fortunate Sudbury is to have an unbroken chain of records dating back to 1638. She explained this year's request would preserve 22 historic volumes. Ms. Harvell has worked with the Goodnow Library Trustees, who support the article, to make digital images of some of the historic documents available at the Library, and some will also be available on the Town website.

Ms. Harvell emphasized detailed appraisals have been obtained for the proposed work, which will be done on documents that are all permanent records. She explained the restoration of the records would ensure Sudbury is in compliance with State regulations as much as possible. Ms. Harvell stated that, by law, the Town Clerk's Office is required to protect documents from environmental damage, including damage from flooding and/or fire. She urged the Hall's support of the article.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 29 was VOTED UNANIMOUSLY.

ARTICLE 30 – COMMUNITY PRESERVATION FUND – HISTORIC PROJECTS

Mr. Morely moved in the words of the article below with the sum of \$37,000 appropriated:

To see if the Town will vote to appropriate an amount not to exceed \$37,000 from the Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of completing the following projects as recommended by the Sudbury Historical Commission: restore chimneys at Hosmer House; restore portions of the Wadsworth Cemetery gazebo; install a gravestone at Florence Hosmer's gravesite; remove invasive plant species around the Revolutionary War Cemetery. All appropriations will be allocated to the Historic category and funded from FY12 Revenue.

Submitted by the Community Preservation Committee (Majority vote required)

The motion was seconded.

Sudbury Historical Commission (SHC) Vice-Chairman and CPC member James Hill, 199 Concord Rd, summarized the four proposed projects. He displayed slides related to each project. Mr. Hill explained the Hosmer House chimney work would go out to bid and is estimated at \$30,000. He further stated that the Wadsworth Gazebo work relates to restoration of a portion of its slate roof, labor would be donated from volunteers and is estimated to cost \$2,000. Mr. Hill also explained the installation of a gravestone for Florence Hosmer is estimated to cost \$4,500 and another \$500 is estimated for the materials needed to remove invasive plants (labor would be donated) at the Revolutionary War Cemetery.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 30 was VOTED UNANIMOUSLY.

ARTICLE 31 - COMMUNITY PRESERVATION FUND – TOWN-WIDE WALKWAYS

Mr. Morely moved in the words of the article below with the sum of \$100,000 appropriated:

To see if the Town will vote to appropriate an amount not to exceed \$100,000 from the Community Preservation Act funds, as recommended by the Community Preservation Committee, for the purpose of constructing new walkways within the Town, such design and construction to be guided by the spirit and intent of the Town of Sudbury 2001 Master Plan, the February 2000 Report of the Walkway Committee, the July 2005 Sudbury Board of Selectmen directive regarding public works projects on Scenic Roads, and by recommendation

May 4, 2011

of the Town of Sudbury Planning Board, the Director of Planning and Community Development, and the Director of the Department of Public Works; or act on anything relative thereto. All appropriations will be allocated to the Recreation category and funded from FY12 Revenue.

Submitted by the Community Preservation Committee (Majority vote required)

The motion was seconded.

Director of Planning and Community Development Jody Kablack explained the request for additional funding for the construction of new walkways, which is outside the typical two-year cycle in which the Town has been operating for the past ten years. Ms. Kablack stated that the popularity of building walkways in neighborhoods has resulted in the need for more funding. She also stated that planning and construction processes are in place, working with the Department of Public Works (DPW), to enable identifying needs and walkways to be built more expeditiously.

In recent years, Ms. Kablack stated that walkways have been constructed on Peakham, Maynard, Landham, Willis, Mossman, Haynes, Raymond, and Nobscot Roads, with the most recent project completed on North Road. However, she further noted the 2000 Walkway Master Plan identified at least 13 additional miles of roads needing walkways. Currently, petitions from residents on Dutton, Peakham, Powder Mill, Marlboro, Powers, Newbridge, Pantry, Old Lancaster and Old Framingham Roads have been submitted.

Ms. Kablack explained the location of where walkways will be constructed has not yet been determined. She noted several criteria are reviewed, and considerations such as easements and wetlands impact on whether a walkway can be built. Residents who wish their street to be considered should submit a request to the Director of Public Works or the Planning and Community Development Department. Ms. Kablack stated that, if this article passes, a public forum to discuss and prioritize the use of walkway funds would be scheduled by the Planning Board later this spring. She emphasized none of the funds appropriated would be spent on maintaining existing walkways, which is funded in the DPW operating budget. Ms. Kablack urged support of the article.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

Rosemary Geary, 32 Old Framingham Road, is the neighborhood petition coordinator for the Grouse Hill and Mahoney Farms area. She asked how and when the Town would decide which of the worthy petitions would proceed to construction, and whether a decision has yet been made.

Ms. Kablack explained the walkway planning initiative includes a public forum to hear residents' issues, and the petitions would be reviewed against recommended criteria,

May 4, 2011

including providing access to schools and connectivity to existing walkways. She further stated that it is easier to construct walkways within the Town's right-of-way. Ms. Kablack reiterated no decision has been made yet regarding which walkway(s) would be completed this year.

Rick Johnson, 38 Bent Road, stated that the Town appropriated \$200,000 for sidewalks last year, of which he believes 11% was spent on materials for flagstone walls erected in front of two homes on North Road, as part of the construction of that sidewalk project. Mr. Johnson stated that he voted for sidewalks to be constructed, not stone walls, and he asked whether anyone else in Town is going to get stone walls with the use of CPA funds.

Ms. Kablack stated that the walls mentioned are functioning as retaining walls, and they were erected to help stabilize the topographical conditions once the sidewalks were constructed. Restabilization and refurbishment of the area is routinely done following installation as part of the overall construction costs. Ms. Kablack estimated approximately 12-15% of the project costs for a full-mile walkway are typically allocated to the final restoration phase of the area. She also stated that Town Meeting does not approve a line-item appropriation, and that line-item allocation is at the discretion of the DPW.

Ms. Geary asked to clarify that no walkway funding decisions have been made for the coming year. The moderator confirmed the statement.

Mr. Johnson asked if stone walls are an eligible use of CPA funds.

CPC Chairman Chris Morely stated that residents have clearly expressed their preference for walkways and not sidewalks in Sudbury. He explained that attending to grading issues and erecting shrubs, trees and stone walls to preserve the character of the Town is all part of the construction costs of building walkway, and not ending up with just a sidewalk.

The motion for Article 31 was VOTED by well more than a majority, with a few votes in opposition.

ARTICLE 32 - COMMUNITY PRESERVATION FUND – SUDBURY HOUSING TRUST 10% ALLOCATION

Mr. Morely moved in the words of the article below with the amount of \$190,000 appropriated:

To see if the Town will vote to appropriate an amount not to exceed \$190,000 of Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of providing funds to the Sudbury Housing Trust in support of its efforts to provide for the preservation and creation of affordable housing.

May 4, 2011

All appropriations will be allocated to the Community Housing category and funded from FY12 Revenue.

Submitted by the Community Preservation Committee (Majority vote required)

The motion was seconded.

Sudbury Housing Trust member Lydia Pastuszek, 15 Griffin Lane, stated that the article is to appropriate the mandatory 10% housing CPA allocation for the purpose of the Sudbury Housing Trust's (SHT) promotion of affordable housing options. Ms. Pastuszek stated that the creation of the SHT was authorized at the 2006 Town Meeting to promote affordable home ownership opportunities in Sudbury. In the past five years, the SHT has created 8 such permanently deed-restricted units of 14 proposed. Ms. Pastuszek emphasized 30% of these units are owned by Town employees. According to State statute, she explained 10% of CPA revenues must be spent on housing initiatives.

Ms. Pastuszek briefly described some of the Trust's activities and programs, including the Small Grants Program, the Condominium Buy-Down program, small development programs such as the Habitat for Humanity project and the three-unit Marlboro Road project and the Home Preservation program, which has purchased four homes for an average subsidy of \$180,000. She stated that purchase of a fifth home is in process.

Ms. Pastuszek reiterated the appropriation requested tonight is for the 10% Community Preservation Act-mandated housing allocation of \$190,000, and she exhibited the SHT's balance sheet. Ms. Pastuszek asked for the Hall's support to continue these efforts.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

Rick Johnson, 38 Bent Road, asked a question on behalf of Bryan Semple, 15 Revere Street, who could not attend tonight's meeting. He stated that the SHT got its 10% appropriation last year by one vote, following a contentious discussion regarding a Chapter 40B development at the corner of Marlboro and Maynard Roads. Mr. Johnson further stated that there was State legislation pending last year to repeal Chapter 40B, which a majority of Sudbury taxpayers supported. However, the questioner stated that the SHT actively worked to defeat this legislation. Thus, Mr. Johnson stated that Mr. Semple wished to know from SHT members Michael Fee and Vice-Chairman of the Board of Selectmen Lawrence O'Brien why Sudbury taxpayers should vote to support the SHT when it fought so hard to support a Chapter 40B law, which the majority of Sudbury residents opposed.

Vice-Chairman O'Brien stated that Mr. Fee was not present. He stated that he would not describe the SHT's actions as working to defeat repeal of the Chapter 40B law. Vice-Chairman O'Brien believes the SHT supports efforts of various State organizations

by endorsing the promotion of affordable housing. He emphasized this is a mission of the SHT, and the SHT believes affordable housing adds meaningful benefits to the community. Thus, Vice-Chairman O'Brien believes the actions of the SHT were appropriate.

Mr. Johnson asked a follow-up question on behalf of Mr. Semple. He asked, if a petition to repeal Chapter 40B were to be placed.... The Moderator interrupted Mr. Johnson and informed him the question was beyond the scope of the article.

Patricia Brown, 34 Whispering Pine Road, stated that at last year's Town Meeting, Mr. Fee stated that the Community Housing Specialist's salary was half paid by CPA Administrative funds, and half paid by the SHT. Ms. Brown stated that this salary allocation would become more complicated this year, as part of this salary would also be allocated to the Regional Housing Services Office. Although, it was earlier stated that the Regional Housing Office would cover 100% of the Community Housing Specialist's fully loaded costs, Ms. Brown believes it would only cover 100% of the fully loaded costs for the position's time spent on the Regional Housing Office, which she approximated at 40%. She asked why the SHT cannot entirely cover the remaining 60% of this salary entirely.

CPC Chairman Chris Morely stated that the CPC supports the use of CPA Administrative Funds for half of the salary for Community Housing Specialist Beth Rust. He emphasized Ms. Rust does not spend 100% of her time working on the SHT, and that her activities with other communities also generate income. Mr. Morely stated that much has been accomplished in reaching the Town's goals during Ms. Rust's tenure.

Community Housing Specialist Beth Rust, 177 Haynes Road, clarified she assists the SHT by administrating its programs, but she also helps the Town with its housing efforts. She further stated that she works on monitoring the Town's affordable units, has written the Sudbury Housing Production Plan, works with the Assessor's Office and worked on the land purchases for Article 26 previously passed tonight.

Vice-Chairman O'Brien stated that the request for the 10% SHT appropriation includes an amount which covers half of Ms. Rust's salary. However, he emphasized Ms. Rust's duties for other communities generate revenues.

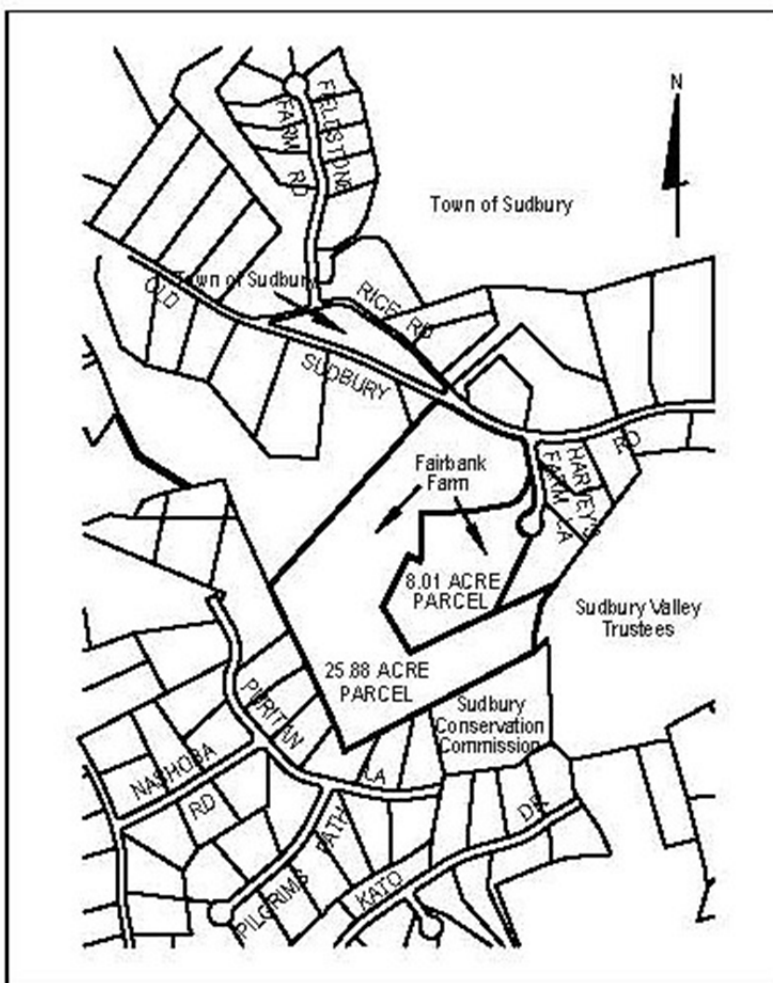
Ms. Rust stated that external contracts she has with other communities exceed her cost, and last year, brought \$90,000 to the SHT.

The motion for Article 32 was *VOTED by well more than a majority, with eight votes in opposition.*

**ARTICLE 33 - COMMUNITY PRESERVATION FUND – FAIRBANK FARM
AGRICULTURAL PRESERVATION RESTRICTION**

Mr. Morely moved in the words of the article below:

Move to appropriate the sum of \$750,000 from the Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purchase of development rights in the form of an Agricultural Preservation Restriction or other such restrictions provided under M.G.L. c.184 serving the same or similar purpose, on approximately 33 acres of land located off Old Sudbury Rd., known as the Fairbank Farm; said appropriation to be allocated to the Open Space category and funded from unrestricted reserves.



The motion was seconded.

Director of Planning and Community Development Jody Kablack stated that this article is a unique opportunity for the Town of Sudbury to preserve an historic property, The Fairbank Farm. She displayed slides of the Farm, noting it is a gateway property for visitors entering Sudbury from the east on Route 27. Ms. Kablack described it as a classic

New England farm with a large red barn, farm animals, a small farm stand, and stone walls separating the fields.

Ms. Kablack stated that the Town has been offered the opportunity to preserve this property by purchasing the development rights from the owner, William Fairbank, a fifth generation family farmer of the property. Mr. Fairbank wishes to keep the property in active farming in perpetuity. The mechanism for protection will be the recording of an Agricultural Preservation Restriction or Conservation Restriction on the property. Ms. Kablack noted the property was identified in the 2009 Open Space and Recreation Plan, as well as the 2008 Heritage Landscape Inventory, and is one of the few parcels of land in Sudbury still actively involved in agriculture. She explained the property abuts the Sudbury Valley Trustees' Wolbach Farm, through which public access would be created so residents can admire the view from the top of the Farm. It was noted the Farm is in close proximity to other town, state and federal conservation areas including the Piper Farm, King Philip Woods and the Great Meadows National Wildlife refuge. Ms. Kablack stated that frontage of the Farm is within the Town Center Historic District.

Ms. Kablack stated that the property owner's development rights offer to the Town is a very favorable price. She explained that, due to the establishment of a private deed restriction on a portion of the property, its current fair market value is lower now than it would be when the deed restriction expires in 2014. Ms. Kablack further emphasized the property could be developed into 10-15 lots, once the deed restriction expires. Thus, she believes the time is right to purchase this preservation restriction is now. Ms. Kablack stated that the offer is for placement of a permanent restriction, governed by Massachusetts General Laws (M.G.L.), Chapter 184, on approximately 33 acres of land for a price of \$750,000. She emphasized the expenditure would not increase property taxes, or the CPA surcharge. Ms. Kablack stated that CPA reserve funds would be used to make a cash purchase of the property. She further stated that sufficient CPA reserves would remain for future open space protection, housing and historic preservation.

Ms. Kablack further explained the APR would prohibit residential development, with the exception of one house lot reserved for future sale or development, which has been factored into the appraisal and purchase price. The land would remain under the Fairbanks' ownership and could be sold as a farm. Additionally, housing for the farmer or his employees is also allowed pursuant to M.G.L. c. 40A, s. 3, and the Town cannot forbid or limit the construction of these structures. She noted additional conditions would be included in the APR, and she provided some examples. She displayed a slide indicating where public access along a marked trail would be reserved as a right.

Ms. Kablack stated that the cost for the APR has been derived by reviewing property appraisals to determine its value for development, similarly to how the Town calculates all open space proposals. She explained both the property owner and the Town commissioned independent appraisals, and the resulting values were very similar. The property was evaluated for its development potential, including soil testing and subdivision potential. Ms. Kablack stated that the Town's appraisal valued the land at present day

May 4, 2011

value, and under highest and best use, at \$1.75 million, and she explained how the price of \$750,000 was derived.

Ms. Kablack presented comparison data of other recent open space purchases by the Town, which shows the Fairbank property in the low range per acre compared to other recent open space purchases. In addition, she noted the landowner has further granted the Town the right of first refusal to purchase the reserved lot, as well as the entire Farm in the future.

Ms. Kablack stated that the Board of Selectmen, Planning Board, Conservation Commission, Community Preservation Commission, and Finance Committee support this article. She introduced Conservation Coordinator Debbie Dineen to highlight some of the historical aspects of the property.

Ms. Dineen presented information regarding Sudbury's agricultural history dating back to its founding in 1639. She noted the first Fairbank settled in Sudbury in the late 1600's. Thirteen continuous generations of Fairbanks have lived in Sudbury. In the mid-1800s, the current location on Old Sudbury Road was purchased by the Fairbank family. Ms. Dineen noted the property remains a working farm today.

The Moderator stated that the 10-minute presentation time limit had been exceeded. Ms. Dineen requested 2 additional minutes.

The motion to allow 2 additional minutes for the presentation was **VOTED UNANIMOUSLY.**

Ms. Dineen stated that passing this article would allow the land to remain in farm use for perpetuity with the added benefit of extending a trail from SVT's Wolbach Farm, along century-old stonewalls to the scenic viewpoint of the Boston skyline at the top of the property. She concluded that the proposal presents an opportunity to maintain and grow Sudbury's farming heritage.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The Moderator asked if the Planning Board had a position on the article.

Planning Board member Joseph Sziabowski, 799 Boston Post Road, stated that the Planning Board supports the preservation of the Fairbank Farm as proposed under Article 33. He further stated that a primary goal of the Town's Master Plan is to preserve and enhance the rural character of Sudbury by preserving large parcels of land. Mr. Sziabowski noted this goal meets several objectives, including preserving natural resources and conserving land, preserving scenic views in Town, and preserving what is left of Sudbury's agricultural roots. However, most significantly, he stated that the objective is to

reduce total growth in Town, and to lessen the many impacts of development. Mr. Sziabowski urged support of the article.

Robert Abrams, 48 Horse Pond Road, stated that the Warrant noted this APR is still being negotiated. He stated that buying this APR, on this land, at this price, might be a very good idea. However, Mr. Abrams further stated that the negotiations are not completed and the voters have not had a chance to review the final APR. He believes the Town is putting the “cart before the horse” and is going down the same path taken in the past for purchase of the CSX rail corridor. Mr. Abrams stated that the voters were asked to pass an article for the CSX transaction, which passed, money was borrowed, interest was paid, but eventually a Purchase and Sale Agreement was never finalized. In addition, Mr. Abrams noted citizens did not know at that time the land was a rail bed, for which a 100% title cannot be obtained, and thus, cannot be purchased with CPA funds. He stated that he has been told that Town Counsel Paul Kenny agrees with this conclusion. Mr. Abrams emphasized voting on this article might be a great idea after voters can review the APR, but he cautioned the Hall to not act hastily and make the same mistake made with the CSX purchase.

Rick Johnson, 28 Bent Road, asked for a response to Mr. Abrams’ statement from a town official - preferably Town Counsel.

Chairman Drobinski clarified the Purchase and Sale Agreement was withdrawn for the CSX land, and thus the Town did not have the opportunity to complete the anticipated transaction. The money borrowed was put back into CPA funds. He urged the Hall to not pass on this time-sensitive opportunity, and to have faith in Town officials and Town staff to do the right thing to protect Sudbury and its environment, as they have done in the past for several parcels, including the Nobscot property.

Dan DePompei, 35 Haynes Road, stated that he believes no offense was meant to be directed to Town officials. However, he asked if this article is a legal use of CPA funds. Both Chairman Drobinski and Town Counsel Kenny answered affirmatively.

Robert Coe, 14 Churchill Street, stated that he does not necessarily oppose the article, but he does not understand the time sensitivity emphasized tonight. He believes the seller is being paid to continue doing what he does – farming. Mr. Coe further believes the economic climate is not conducive for development. Thus, he believes more time could be taken to firm up the details of the APR before it is brought to Town Meeting.

CPC Chairman Chris Morely stated that there is currently a deed restriction on the property which expires in 2014. He further stated that as it gets closer to the expiration date, the cost of the property would increase. Mr. Morely also reminded the Hall it is an opportunity to purchase the equivalent of 10-15 house lots for \$750,000.

Laura Abrams, 48 Horse Pond Road, asked if Mr. Fairbank was present, and if he could state what restrictions are still being negotiated.

May 4, 2011

The Moderator asked the Hall's consent for Mr. Fairbank's attorney, Francis Newton, who is not a resident of Sudbury to speak. It was **VOTED UNANIMOUSLY.**

Francis Newton, 295 Turnpike Street, Canton, MA, Attorney for Mr. Fairbank, stated that the only item still being negotiated is the inclusion in the APR of language regarding a State Department of Agriculture Plan affirmative covenant which no one can find. Otherwise, Mr. Newton stated, there is a deal with the Town.

Mr. Coe reiterated his hesitation to view this article as time-sensitive. He noted the bottom has been dropping out of the real estate market and property values have been going down. Thus, he questions whether the price would actually increase in the three years available before the deed restriction expires.

Mr. Morely suggested Mr. Coe further study the Sudbury real estate market and that the price may increase as 2014 nears. He also emphasized the property owner wants to sell the property now.

The motion for Article 33 was **VOTED by well more than two-thirds.**

**ARTICLE 34 - COMMUNITY PRESERVATION FUND – AMEND ARTICLE 31
OF THE 2008 TOWN MEETING, SUDBURY HOUSING AUTHORITY UNIT
RECONSTRUCTION** (Consent Calendar)

To see if the Town will vote to amend Article 31 of the 2008 Town Meeting by removing the time for completion of the project, as recommended by the Community Preservation Committee; or act on anything relative thereto.

Submitted by the Community Preservation Committee (Majority vote required)

The motion for Article 34 was **VOTED UNANIMOUSLY on the Consent Calendar.**

**ARTICLE 35 - COMMUNITY PRESERVATION FUND – GENERAL BUDGET
AND APPROPRIATIONS**

CPC Chairman Christopher Morely **moved to amend** the article as follows:

Move to appropriate the sums as recommended by the Community Preservation Committee, in the following Community Preservation budget for FY12 Community Preservation Surtaxes:

\$ 85,000	Administrative and Operating Costs
\$1,226,556	Debt Service

May 4, 2011

And further to reserve the following funds:

\$ 25,513 for Historic Preservation
\$ 102,931 for Budgeted Unrestricted CPC Uses

Submitted by the Community Preservation Committee (Majority vote required)

The motion was seconded.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 35 was VOTED UNANIMOUSLY.

ARTICLE 36 - REDUCE CPA SURCHARGE FROM 3% TO 1.50%

Rick Johnson moved to INDEFINITELY POSTPONE consideration of Article 36.

Submitted by Petition

(Majority vote required)

The motion was seconded.

FINANCE COMMITTEE: Recommended approval.

BOARD OF SELECTMEN: Recommended approval.

The motion for Article 36 was VOTED UNANIMOUSLY.

ARTICLE 37 - SPECIAL ACT – AMEND c. 131 OF THE ACTS OF 1994 TO REPLACE TOWN MANAGER WITH TOWN ADMINISTRATOR

An unidentified person moved to withdraw the following article, but the Moderator stated that it could not be withdrawn, since it was published in the Warrant:

To see if the Town will petition the Great and General Court of the Commonwealth of Massachusetts to amend the special act of 1993 modifying Sudbury's form of government from a Selectman - Town Manager to a Selectman - Town Administrator. Upon approval of Town Form of Government said legislation to take effect no later than the first day following the last day of the current town manager contract or earlier should the town manager's service be completed prior to end of the current contract. With passage, no further submissions to a Town Meeting is necessary for implementation.

May 4, 2011

Submitted by Petition

(Majority vote required)

The Moderator asked if the petitioner was present this evening. There was no response. The Moderator asked if someone could make a motion to indefinitely postpone the article.

Adam Miller, 1 Nobscot Road, moved to INDEFINITELY POSTPONE Article 37.

The motion was seconded.

The motion for Article 37 was VOTED UNANIMOUSLY.

ARTICLE 38 - PURCHASE LAND OFF BRIMSTONE LANE

The Moderator recognized the attorney for the petitioner, David Wallace, who moved in the words below, as shown on the viewgraph:

I move that the Town raise and appropriate the sum of \$900,000.00, for the purchase of a 9 (plus or minus) acre parcel of land on Brimstone Lane being a portion of land shown on Assessors Map L04-050, and to raise this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$900,000.00 under General Laws c. 44 § 7, all appropriation hereunder to be contingent upon the approval of a Proposition 2 ½ debt exclusion in accordance with General Laws c. 59 § 21C.

Submitted by Petition

(Two-thirds vote required, if borrowed)

The motion was seconded.

Attorney for the petitioner David Wallace, 15 Hilltop Road, stated that the motion differs from what was published in the Warrant in that the Community Preservation Committee (CPC) has since voted to not recommend the article for use of Community Preservation Act (CPA) funds. He also noted the Board of Selectmen are not being asked to acquire the land by eminent domain.

Mr. Wallace stated that Eva and Malcolm MacNeill own approximately 24 acres of undeveloped land off Brimstone Lane, which abuts the Town-owned Nobscot property. He exhibited a slide of a map, and he indicated the location of the nine acres being offered in this article. Mr. Wallace stated that the nine acres are being offered to the Town for \$900,000. He also noted PERC tests have been performed, and it has been suggested the land could support three building lots. Mr. Wallace emphasized the greatest value of the purchase by the Town would be the access provided to the Nobscot property from Brimstone Lane.

May 4, 2011

Mr. Wallace stated that the MacNeill's property was identified as a parcel of interest to the Town for preservation in the 2009 Open Space Plan. He further stated that the MacNeills and the Town are presently involved in litigation regarding the use of the land, and a trial is scheduled in the Land Court in September. Mr. Wallace further stated that, if the Town were to purchase the nine-acre parcel, the court case would likely be dismissed. He asked the Hall to support the article to help avoid a pending lawsuit.

FINANCE COMMITTEE: Opposed the article.

BOARD OF SELECTMEN: Cannot support the article.

Chairman Drobinski stated that the Town has a comprehensive process to vet open space acquisitions, as evidenced tonight by the Fairbank Farm article. He noted the article brought by the petitioner has not followed this process, and thus the Board cannot support the article.

Conservation Commission Coordinator Debbie Dineen stated that the MacNeills own a great property off Brimstone Lane consisting of 20.85 acres of undeveloped land, which abuts the Nobscot property. However, Ms. Dineen highlighted the nine-acre parcel being offered has severe development constraints and would require an alteration of wetlands in order to access it. She further stated that the Planning Board denied a preliminary subdivision plan, due to the inability to meet zoning requirements and requests for waivers. Ms. Dineen stated that, although there might be a monetary value to settling the pending lawsuit, it has never been the position of the Conservation Commission to support purchase of a property where the Town is being "bullied" into said purchase.

Ms. Dineen also questioned the appraisal price presented tonight. She stated that the Conservation Commission believes the article is prematurely before Town Meeting and that the cost is not based on justifiable facts. Ms. Dineen explained that, if the remaining acres were to be developed, it could diminish the conservation value of the nine acres offered. The Commission does not support the article. However, Ms. Dineen stated that the Conservation Commission hopes the Town would have the opportunity in the future to purchase all 20.85 acres at a fair price.

Robert Coe, 14 Churchill Street, stated that Mr. Wallace implied buying this land would give the Town access to the Nobscot property from Brimstone Lane. However, Mr. Coe stated that he believes access to Nobscot already exists off Brimstone Lane through conservation land, and he asked for confirmation of this to be accurate.

Ms. Dineen stated that there is already access to the Nobscot property from Brimstone Lane, and through conservation land on the Bushey property, as well as through the Boy Scout entrance on Nobscot Road.

The motion for Article 38 was *DEFEATED by well more than a majority.*

ARTICLE 39 – RESOLUTION “STATE OF THE TOWN” PUBLIC MEETING

The Moderator recognized Sudbury resident Dan DePompei, 35 Haynes Road, who moved in the words of the amended resolution below:

Whereas: The mission of the Town of Sudbury is to ensure the safety and well-being of the community, to protect and enhance the financial health, education excellence, and environmental quality of our Town;

Whereas: The Board of Selectmen relies on the professionalism of Town staff and volunteers, and use of long-term, strategic planning and enhanced communications in Town governance;

Whereas: The Board of Selectmen is dedicated to protecting and enhancing the unique sense of place found in Sudbury and protecting and encouraging tolerance and diversity;

Whereas: The Board of Selectmen, as the chief policy making and governance body of the Town of Sudbury, provides leadership for staff, volunteers, residents and other stakeholders in the Town by advancing goals, programs and decisions/ resolutions that are based on the above;

Whereas: There is no formal, public presentation discussing the progress, current status and path/requirements to completion of such goals, programs, decisions/resolutions;

Therefore be it resolved that: The voters of Sudbury request The Board of Selectmen establish a policy whereby the Town Manager and Department Heads report, on a semi-annual basis the progress, current status and path/requirements to completion of such goals, programs, decisions/resolutions in an open, public “State of the Town” meeting.

Submitted by Petition

(Majority vote required)

Mr. DePompei stated that the motion varies from the Warrant in that the word “bi-annual” has been changed to “semi-annual.” He stated that he proposed the resolution to increase engagement between the Town and residents and to increase public understanding of the Town’s annual and long-range plans. Mr. DePompei believes there are limited opportunities for the public to receive real-time status reports of Town goals and objectives. Although he acknowledged the Annual Town Report as a good document, Mr. DePompei stated that its focus is on past accomplishments, and it does not cover current and future activities. He urged the Hall’s support of the article, stating it would increase transparency of information and the probability for success in reaching goals. He further stated that this is not a new idea and was done previously in Sudbury, and it is done in other communities, such as Lincoln.

FINANCE COMMITTEE: Had no opinion.

BOARD OF SELECTMEN: Recommended approval.

May 4, 2011

The motion for Article 39 was *VOTED by well more than a majority.*

There being no further business, a motion was received and seconded to dissolve the Town Meeting. The motion was *VOTED by well more than a majority.*

The 2011 Annual Town Meeting was dissolved at 10:17 p.m.

PART II
FINANCE COMMITTEE SECTION

TABLE OF CONTENTS

FY12 SECTION OVERVIEW	FC-3
FINANCE COMMITTEE REPORT	FC-4
FY12 MONIED ARTICLES	FC-10
ESTIMATED IMPACT ON FY12 TAX BILL	FC-11
SUDBURY PUBLIC SCHOOLS SUPERINTENDENT'S REPORT	FC-12
LINCOLN-SUDBURY SUPERINTENDENT'S REPORT	FC-13
TOWN MANAGER'S REPORT	FC-15
SUMMARY OF FY09-FY12 BUDGET DATA	FC-18
SUDBURY PUBLIC SCHOOLS BUDGET SUMMARY	FC-20
LINCOLN-SUDBURY REGIONAL HIGH SCHOOL BUDGET SUMMARY	FC-24
MINUTEMAN VOCATIONAL TECHNICAL SCHOOL DISTRICT	FC-27
TOWN SERVICES BUDGET SUMMARY	FC-28
GENERAL GOVERNMENT	FC-30
PUBLIC SAFETY	FC-31
PUBLIC WORKS	FC-32
HUMAN SERVICES	FC-33
CULTURE & RECREATION	FC-34
TOWN-WIDE OPERATING AND TRANSFER ACCOUNTS	FC-35
BENEFITS AND INSURANCE	FC-36
DEBT SERVICE	FC-37
CAPITAL SPENDING	FC-38
ENTERPRISE FUNDS	FC-41
COMMUNITY PRESERVATION FUND	FC-42
LONG-TERM DEBT INFORMATION	FC-43
TOWN DEBT SCHEDULE BY ISSUANCE DATE	FC-43
AUTHORIZED, BUT UNISSUED DEBT	FC-43
FY12 LONG-TERM DEBT SERVICE DETAIL	FC-44
L-S DEBT SCHEDULE BY ISSUANCE DATE	FC-45
CPF DEBT SCHEDULE BY ISSUANCE DATE	FC-46
APPENDICES	FC-47
APPENDIX I. BUDGET TERMS AND DEFINITIONS	FC-47
APPENDIX II. EMPLOYEE HEADCOUNT	FC-50
APPENDIX III. FY10 ACTUAL EMPLOYEE COMPENSATION OVER \$100K ^{1,2}	FC-51
APPENDIX IV. COLLECTIVE BARGAINING	FC-53
APPENDIX V. SALARY SCHEDULES & CLASSIFICATION PLANS	FC-54

THIS PAGE INTENTIONALLY LEFT BLANK

FY12 SECTION OVERVIEW

This represents the second year of the revised Finance Committee (“FinCom”) section of the Town Warrant (the “FC” pages). The objective of the changes implemented a year ago was to provide taxpayers with the same historical trend information regarding operating expenses and metrics that the FinCom uses during the year to evaluate budget proposals.

A summary of the data included is set forth below:

- Operating metrics for each Cost Center for the fiscal years ending June 2009, June 2010, June 2011 and June 2012 (requested) including:
 - Average salaries.
 - Healthcare benefits for active and retired employees.
 - Student populations with details on Sudbury, Lincoln, MetCo, and other out-of-district students.
 - Cost per student for each school system.
 - Headcount by department and/or function for each Cost Center.
- The operating budgets of the two school systems are presented in similar formats to improve their readability.
- Detail on Community Preservation Fund cash flows, with information on sources of revenue, expenditures on Open Space, Community Housing and Historic Preservation, and cash balances.
- Compensation information for all employees, whether managers or not, making over \$100,000 a year in lieu of previously reported compensation information on managers making over \$80,000 a year.

As you review information contained in the FC pages, please keep in mind two important facts. First, this is Sudbury information, and metrics such as average teacher salaries and cost per student are calculated using the FinCom’s methodology. As our figures are calculated differently from those compiled by the Massachusetts Departments of Revenue and Education, the Warrant information is not always comparable to what you might find at the mass.gov web site. You cannot, for instance, compare the FinCom’s “cost per student” to the one available on the Mass DOE web site. To compare Sudbury to other towns, please use the figures on the mass.gov web site. However, to compare Sudbury specific benchmarks the FinCom reviews, please use the information contained in the Warrant.

Second, not all of these statistics are meaningful when used to compare the Sudbury Public Schools and the Lincoln-Sudbury Regional High School. The two school systems are inherently different due to the age and educational needs of their respective student populations. Most of the statistics the FinCom reviews are used solely for the purpose of identifying trends within each system, not for comparison between the school systems.

FINANCE COMMITTEE REPORT

Dear Resident of Sudbury,

This report will assist you in understanding Sudbury's fiscal year 2012 ("FY12") budget – from July 1, 2011 through June 30, 2012 - and the related financial articles that will be presented to you at Town Meeting beginning on May 2nd. We believe, above all, the participation of an informed voter is essential for the success of Sudbury's democratic process and continued fiscal health.

The Finance Committee is responsible for reviewing budgets for the town and schools and making recommendations to the Board of Selectmen and to the taxpayers at Town Meeting. In this role, we have no authority to make spending decisions as that is the responsibility of our various elected bodies. Rather, our role is to examine those budgets on your behalf and make independent and informed recommendations regarding the budget and other financial issues. We do so by gathering data and asking numerous questions prior to forming a recommendation.

This diligence process happens throughout the year as we meet with the Town, the K-8 School System, and the High School in regularly scheduled Finance Committee meetings as well as in smaller liaison meetings between one or two FinCom members and the management teams for each cost center.

This report is the culmination of a six month budget process. In October 2010, the FinCom issued budget guidelines to the leaders of the three principal Sudbury cost centers - Sudbury Town Departments (the "Town"), Sudbury Public Schools ("SPS") and the Lincoln-Sudbury Regional High School ("LSRHS" or the "High School"). In preparation for the budget hearing process in February 2011, we asked each cost center to prepare two budget scenarios for FY12:

- a Non-Override Budget that allows for annual growth of 1.87% for each cost center and was based upon expectations regarding State aid and local receipts as of the date this warrant went to publication; and
- a Level Services (or roll-up) budget that assumes each cost center maintains the same staffing levels in FY12 as funded through their FY11 budgets, with the costs for FY12 based on the current contracts in place for their various collective bargaining units.

What about the "4.5% budget" presented last year?

As a matter of background, in early 2008 the Finance Committee concluded that the recent 6.5% per annum growth in the cost of operating the schools and the town was not sustainable and would likely lead to a series of no override votes that could have significant adverse consequences for the quality of our schools and other town services. After much discussion, in the fall of 2008 and in anticipation of the negotiation and renewal of all of the major Town and School labor contracts in 2009, the FinCom voted to recommend a spending growth limit of 4.5% per annum. This growth limit was meant to be a guideline for budget growth; a maximum, not a minimum. Moreover, this guideline was constructed prior to the onset of the international financial and fiscal crisis experienced in 2009 and 2010.

Unfortunately, like most communities in Massachusetts, Sudbury continues to feel the impact of the recent economic recession while confronting financial challenges caused primarily by decreasing state aid, lower local non-property related taxes and continually escalating employee costs, particularly healthcare and other benefits for both active and retired employees. As a result, while the FinCom recognizes that the current labor agreements were negotiated within the context of a 4.5% fixed growth budget, and in many cases provided a rate of growth well below the 4.5% maximum, those same agreements did not fully address the context of the fiscal crisis at the time and the accompanying uncertainty about future non-property tax revenues. Future budget guidelines beyond FY12 will need to carefully consider the likelihood that non-property tax revenue will most likely remain depressed over the next several years. As a result, sustainable budget growth is likely to continue to be constrained well below the previous 4.5% limit.

Recommended Non-Override Budget

For FY12, we are recommending only a Non-Override Budget of approximately \$80.7 million at this time. The Non-Override Budget represents a tax increase of approximately 2.37% (\$254) on the average assessed home value of \$628,000, and a total increase in taxes of \$1,600,339 including new growth and commercial property taxes.

The Non-Override Budget is in compliance with Proposition 2½ (“Prop 2 ½”), which was approved by Massachusetts voters in 1980 and first implemented in fiscal year 1982 (M.G.L. Ch. 59, sec. 21c). It limits the amount of revenue a city or town may raise, or levy, from local property taxes each year to fund municipal operations without the approval of taxpayers at the ballot box. Prop 2 ½ is not meant to be a “fiscally responsible spending benchmark”. Exceeding this level should not necessarily be construed with negative implications towards a town’s or a schools’ financial management. It is meant to reflect a “check and balance” point at the local level: town officials cannot raise taxes more than allowed under Prop 2 ½ without an affirmative vote of the taxpayers. To spend more money, town officials have to “make their case” to the taxpayers who can apply their own test of reasonableness by their votes at Town Meeting and the polls.

The FY12 Non-Override Budget represents a 1.87% increase in the operating budget for each cost center compared to the FY11 budget. The difference in growth between the property tax increase of 2.37% and the allowable growth in the operating budgets of each cost center is due to continued projected declines in State Aid as well as stagnation in local non-property tax revenues. Sources of revenue and changes from FY11 are set forth below.

- Under Proposition 2 ½, the tax increase is limited to 2 ½% of the overall tax levy; for FY12, this increase is approximately \$1.6 million.
- New growth, the tax on new and upgraded properties, is estimated to generate \$350,000 of new revenue in addition to the allowed increase in the levy, down from an estimated \$450,000 in FY11; this lower number assumes a continued reduction in new home construction and renovation activity related to the recent economic downturn.
- State aid revenue is estimated to decrease by 5% from FY11 levels, resulting in a decrease of approximately \$420,000 (comprised of a 5% reduction in State Aid to Sudbury and LSRHS of approximately \$277,000 and \$143,000, respectively).
- Local receipts, primarily motor vehicle excise taxes and fees charged for certain town services, are expected to remain flat vs. forecast FY11 levels of approximately \$3.7 million.

- The annual school debt reimbursement represents aid from the State and is the same as FY11 as this amount will not change for the remainder of the payments scheduled through FY21 (unless the outstanding debt is refinanced); this aid must be used to reduce the amount of school debt issued and is excluded from the normal Proposition 2 ½ tax levy limit.

	BUDGET FY11	BUDGET FY12	Increase/ (Decrease)	%
Tax Levy	67,418,506	69,018,845	1,600,339	2.37%
SBAB School Debt Reimbursement	1,702,597	1,702,597	0	0.00%
State Aid ^(a)	5,537,686	5,260,802	(276,884)	-5.00%
Local Receipts	3,652,860	3,657,581	4,721	0.13%
Sub-Total	78,311,649	79,639,825	1,328,176	1.70%
Enterprise Funds	1,012,397	1,156,844	144,447	14.27%
TOTAL REVENUE	79,324,046	80,796,669	1,472,623	1.86%

^(a) Reflects State Aid for Sudbury only; LSRHS State Aid included in "Offsets/Re-apportionments".

Potential Override Budget Scenario

While we are not recommending an Override budget at this point in time, the FinCom has presented certain parameters for an Override budget to the Board of Selectmen for consideration. In summary, this potential scenario results in an Override Budget of approximately \$81.7 million which represents a total tax increase of approximately 3.86% (\$413) on the average assessed home value (inclusive of the amount previously discussed in the Non-Override Budget). The potential Override Budget scenario represents a tax increase over last year of \$2,600,339, including new growth and commercial property taxes, and is comprised of the following three components.

- 1) \$370,000 of additional funding to SPS which consists of approximately \$175,000 to cover the gap from their Level Services budget request as well as an additional \$195,000 to fund several critical needs that went unfunded due to the reductions resulting from three consecutive years of budget growth below 2% per annum. With this additional funding, the overall FY12 SPS operating budget would increase by 2.94% from the current FY11 budget.
- 2) \$130,000 of additional funding for Town services in the form of an \$80,000 increase to the operating budget of the Town departments and an additional \$50,000 increase to the Capital Budget for specific capital items needed by the Town. With this additional FY12 funding, the Town operating budget and the Capital Planning budget would increase by 2.31% and 11.32%, respectively, from FY11 budget levels.
- 3) \$500,000 of additional funding to LSRHS to help offset higher Special Education costs and mitigate some of the headcount reductions currently forecasted. With this additional funding, the overall FY12 LSRHS operating budget would increase by 5.70% from the current FY11 budget

As outlined above, unlike recent fiscal years the FinCom is not recommending the same percentage increase for each cost center as a disproportionate share of the override is targeted for LSRHS. As a result, the FinCom believes their override allocation should be tied to targeted savings that could be realized by restructuring the current health insurance plans offered at

LSRHS. Specifically, by moving all employees to a healthcare plan with an average cost of \$19,422 per annum for family coverage and \$7,296 for individual coverage (as compared to the current average plan cost of \$22,842 per annum for family coverage and \$8,592 for individual coverage), LSRHS could save approximately \$400,000 due to lower health insurance premiums while their employees would collectively save approximately \$173,000 in premium contributions. These projected savings are as compared to the costs projected in their current Level Services budget and would still provide employees with a generous healthcare package. In the longer term, we would like to see premiums for all town employees' plans remain or come down into the range more readily seen in the private sector of \$14,000 to \$18,000 per annum for family coverage and \$5,000 to \$7,000 per annum for individual coverage.

In conjunction with the proposed benefit changes, the FinCom suggests using \$300,000 from the LSRHS's Excess and Deficiency Fund (similar to the Town's Stabilization Fund) to further bridge the funding gap. As demonstrated below, the sum of the proposed changes outlined in this potential Override scenario would address the significant funding gap at LSRHS.

LSRHS Non-Override Budget Shortfall	<u>FY12</u> \$ (1,182,000)
<i>Parameters for Potential Override Scenario</i>	
1) Override Amount to LSRHS	\$ 500,000
2) Savings from Health Insurance Changes	\$ 400,000
3) Allocation from E&D Fund	<u>\$ 300,000</u>
Total Adjustments	<u><u>\$ 1,200,000</u></u>
Adjusted Budget Surplus / (Shortfall) = \$ 18,000	

Moreover, the FinCom believes that concessions are warranted, in the form of the aforementioned benefit plan changes, in order to preserve one of the principles of the spending growth limit concept. Specifically, that absent major changes, such as a significant change in student population or new service mandates imposed by the State or Federal government, all cost center budgets should be growing at roughly the same rate. This is logical given that all three are labor-intensive services with 70-80% of their budgets consisting of labor-related costs. Limiting each cost center to the same percentage increase would:

- discourage overly generous labor contracts as the cost center with the larger contract settlement will have less money to spend on new hires (or reducing layoffs), technology, classroom materials, etc.;
- encourage each cost center to find ways to operate more efficiently by moving their budgets away from a "cost plus" approach as savings generated could be applied to better uses within that cost center as long as overall spending stays within the growth limit applied to all; and
- avoid the otherwise unfortunate result that one cost center might receive a bigger piece of the pie, over time, without any change in their relative contribution to town services.

As of the date this warrant was submitted for publication, no changes had been agreed to by the LS School Committee and their collective bargaining units regarding healthcare benefits. That said, the FinCom is hopeful that discussions are ongoing and will proceed in earnest so that we

might have the opportunity to provide a formal recommendation concerning a potential Override Budget at Town Meeting.

Conclusions

Over the past several years, the Town's fiscal situation has been severely constrained by increases in the cost of wages and benefits, costs which have risen much faster than the rate of inflation. Moreover, with one of the highest levels of households with school age children in the State, we have a much higher demand for education services relative to other communities. On a comparative basis, Sudbury has amongst the highest per capita spending on education in the entire State. That said, our spending on schools and services as measured on a per student basis is in line with, or lower than, many of our peers.

However, our cost structure is constrained by the fact that our revenue structure is heavily dependent on property taxes with only 7% of Sudbury's total revenues coming from commercial property taxes and 70% coming from residential taxes. As a result, residents bear the brunt of any tax increases.

In the short-term, it is unlikely that our non-residential tax revenues will see any meaningful increases given the current economic climate and the potential continued decreases in state aid and stagnation of local receipts. For the past three years, these non-residential tax revenues have decreased substantially. As a result, the Finance Committee believes the Town will increasingly be confronted with three alternatives:

- additional overrides needed to fund our ongoing level of services given current organizations and cost structures;
- reductions to staff, and therefore services, within our current organizations and cost structures in order to fit within the constraints of Proposition 2 ½ and avoid overrides; or
- changes to our current organizations and cost structures that enable our Town to deliver substantially (but perhaps not completely) the same level of services at a lower overall cost.

The Finance Committee believes that achieving the latter of these three alternatives is imperative if we are to avoid or limit either of the former alternatives. To that end, we encourage the Selectmen and the School Committees to continue their efforts to reduce our structural costs. Several initiatives have already been implemented - including reductions in the rate of growth of Town and SPS employee health insurance, enhanced cooperation among school administrations, and sharing of staff with neighboring communities to reduce overall costs. However, more is needed.

In addition to these cost initiatives, we support the Selectmen's on-going efforts to sustain and grow our commercial sector by moving forward with efforts to fund the development of a wastewater treatment plant to serve the Route 20 area. Over the long-term, diversifying our tax base and securing revenue opportunities beyond the traditional residential property tax is critical.

We strongly urge you to be informed on the budgets being presented for your consideration. You have several avenues to increase your understanding of how each budget will affect the level of services, schooling and quality of life in Sudbury. Please review the Finance Committee Report

section of the Town Warrant; attend budget forums; watch the Finance Committee budget hearings, which will be rebroadcast on Channels 8 (Comcast) and 31 (Verizon) during March and April; and review the vast array of budget materials available on the town and school websites. Also, do not hesitate to ask questions of your elected officials and committee members.

Whether or not you agree with our findings and recommendations, please make sure that when you cast your vote, it is an informed one.

Lastly, the Finance Committee would like to recognize and extend thanks to the employees of the Town, SPS and LSRHS, and the various committees for their support and contributions during the preparation of the FY12 budget.

Respectfully yours,

Sudbury Finance Committee

Jim Rao, Chair
Joan Carlton
Tammie Dufault
Jamie Gossels
Robert Jacobson

William Kneeland, Jr.
Martha Ragonas
Robert Stein
Chuck Woodard

FY12 MONIED ARTICLES
(Excluding Enterprises & Revolving Accounts)

<u>Article</u>	<u>Subject</u>	Requested¹ <u>Amount</u>	Finance Committee <u>Recommendation</u>
2	FY11 Budget Adjustments	n/a	Report at Town Meeting
4	FY12 Operating Budget	\$78,818,318	Recommends approval
5	FY12 Capital Budget	\$538,947	Recommends approval
9	Unpaid Bills	n/a	Report at Town Meeting
20	Rt. 20 Sewer System Design and Permitting	n/a	Report at Town Meeting
26	Sale of Land - Hudson Road and Pinewood Ave	n/a	Report at Town Meeting
28	CPF: Carding Mill Harvest	\$16,000	Report at Town Meeting
29	CPF: Historic Document Preservation	\$117,000	Report at Town Meeting
30	CPF: Historic Projects	\$37,000	Report at Town Meeting
31	CPF: Town-wide Walkways	\$100,000	Report at Town Meeting
32	CPF: Sudbury Housing Trust 10% Allocation	\$190,000	Report at Town Meeting
33	CPF: Fairbank Farm Agricultural Preservation	n/a	Report at Town Meeting
35	CPF: General Budget and Appropriations	n/a	Report at Town Meeting
<u>Exhibit Notes:</u>			
1. If article includes override, "Requested Amount" represents override value.			
n/a = exact dollar amount not available at time of Town Warrant printing			

ESTIMATED IMPACT ON FY12 TAX BILL

ESTIMATED IMPACT OF TOWN MEETING SPENDING ON YOUR FISCAL 2012 TAX BILL												
								AVG.				
Fiscal 2011 Values		100,000	200,000	300,000	400,000	500,000	600,000	628,000	700,000	800,000	900,000	1,000,000
Fiscal 2011 Taxes		1,703	3,406	5,109	6,812	8,515	10,218	10,695	11,921	13,624	15,327	17,030
Fiscal 2012 Taxes		1,743	3,487	5,230	6,974	8,717	10,460	10,949	12,204	13,947	15,691	17,434
Fiscal 2012(Base)Taxes		1,633	3,266	4,899	6,532	8,165	9,798	10,255	11,431	13,064	14,697	16,330
Debt Exemption		110	221	331	442	552	662	693	773	883	994	1,104
% Tax Bill Increase		2.37%	2.37%	2.37%	2.37%	2.37%	2.37%	2.37%	2.37%	2.37%	2.37%	2.37%
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	200,000	300,000	400,000	500,000	600,000	628,000	700,000	800,000	900,000	1,000,000
\$ 1,000	\$ 909	\$ 0.03	\$ 0.05	\$ 0.08	\$ 0.10	\$ 0.13	\$ 0.15	\$ 0.16	\$ 0.18	\$ 0.20	\$ 0.23	\$ 0.25
25,000	22,731	0.63	1.26	1.89	2.53	3.16	3.79	3.97	4.42	5.05	5.68	6.31
50,000	45,462	1.26	2.53	3.79	5.05	6.31	7.58	7.93	8.84	10.10	11.37	12.63
75,000	68,193	1.89	3.79	5.68	7.58	9.47	11.37	11.90	13.26	15.16	17.05	18.94
100,000	90,924	2.53	5.05	7.58	10.10	12.63	15.16	15.86	17.68	20.21	22.73	25.26
200,000	181,848	5.05	10.10	15.16	20.21	25.26	30.31	31.73	35.36	40.42	45.47	50.52
300,000	272,772	7.58	15.16	22.73	30.31	37.89	45.47	47.59	53.05	60.62	68.20	75.78
400,000	363,696	10.10	20.21	30.31	40.42	50.52	60.62	63.45	70.73	80.83	90.93	101.04
500,000	454,620	12.63	25.26	37.89	50.52	63.15	75.78	79.32	88.41	101.04	113.67	126.30
600,000	545,544	15.16	30.31	45.47	60.62	75.78	90.93	95.18	106.09	121.25	136.40	151.56
700,000	636,468	17.68	35.36	53.05	70.73	88.41	106.09	111.04	123.77	141.45	159.14	176.82
800,000	727,392	20.21	40.42	60.62	80.83	101.04	121.25	126.90	141.45	161.66	181.87	202.08
900,000	818,316	22.73	45.47	68.20	90.93	113.67	136.40	142.77	159.14	181.87	204.60	227.34
1,000,000	909,240	25.26	50.52	75.78	101.04	126.30	151.56	158.63	176.82	202.08	227.34	252.60
2,000,000	1,818,480	50.52	101.04	151.56	202.08	252.60	303.12	317.26	353.64	404.15	454.67	505.19
3,000,000	2,727,720	75.78	151.56	227.34	303.12	378.90	454.67	475.89	530.45	606.23	682.01	757.79
4,000,000	3,636,960	101.04	202.08	303.12	404.15	505.19	606.23	634.52	707.27	808.31	909.35	1,010.39

SUDBURY PUBLIC SCHOOLS SUPERINTENDENT'S REPORT

Dear Resident of Sudbury,

The FY12 non-override budget, projected to be 1.87% greater than FY11 budget, will be the fourth consecutive year with year-over-year budget growth below 2%. Layoffs, elimination of services, significant employee compensation concessions and the infusion of federal stimulus revenues have allowed us to balance our budget during this downturn. Much is made in Massachusetts of the 2.5% tax threshold. With the collaboration of our School Committee, administrators and employee associations, we have restructured our district to a point where a 2.5% increase in our budget next year would allow us to provide the same level of services, class sizes and opportunities as we have in FY11. That however, is not our reality with the non-override budget.

The non-override budget that is presented in this warrant totals \$35,302,511, an increase of \$648,000 over the current year. This budget assumes a 5% cut in state school and municipal aide and other revenue sources remaining flat compared to the current year. This assumption, as well as others, remains somewhat fluid at this point in time. These may change before we open town meeting. Despite holding our FY12 benefit cost increase to 4.8%, as a result of recent negotiated revisions to the health plans and employee contribution rates, and our net salary increase to 2.15%, the non-override budget falls \$371,000 short of allowing us to maintaining our FY11 service level when critical needs are included.

At the time this warrant goes to print, we have not finalized a specific budget balancing plan to close this \$371,000 gap. A budget shortfall of \$371,000 in early March seems quite modest given the previous year gaps ranging between \$600,000 and \$1.3 million. However, in many ways this \$371,000 is more impactful because of the cuts made in the previous three years. We have no latitude to cut supplies and capital, we have nearly maximized the energy savings we can achieve without the investment of additional funds, we have already implemented a number of cost savings measures around transportation, special education and food service, and we've cut support and custodial staff to a minimum. We have laid off over 30 FTE's during this time. In FY08 we employed 412.25 FTE; in FY12, that number is 370 FTE, not counting the full-day kindergarten staff added with the program in 2010.

So while the FY12 deficit is modest compared to prior years, any plan to eliminate the shortfall will include the reduction of teachers and thus, the increase in class size. There will be various budget balancing scenarios considered but any scenario will include between 4 and 7.5 FTE teachers. It is my opinion, that this budget will impede our ability to continue to meet the high expectations this community has for service.

Our enrollment is projected to decline in FY12 by 69 students (2.2%), but this decline is primarily at the kindergarten level. Our projection for grades 1-5 enrollment is at the same level as the current year. Thus any further elementary grades staffing reductions will result in class size increases. We experienced this situation this year and opened the school year with 4th and 5th grade class sizes of 29-30. Fortunately, federal stimulus funding was received at about the time school started and we decided to use these funds to mitigate these class size concerns. No federal stimulus will be available in FY12.

A key budget driver is special education. This federal and state mandated program requires us to provide a level of service that meets the needs of each identified student starting at age 3. While

a mandate, we continue to seek the most efficient means to meet it. We have recently developed programs within our schools that allow us to serve the students in Sudbury with lower costs than serving them in out-of-district placements. We also modified the way we provide required related services to our youngest special needs students resulting in a savings of nearly \$200,000 in the FY11 budget. For FY12, we are able to reduce our budget for students who must be serviced out-of-district. The projected tuitions for these students will be \$425,000 less than this year. Consequently, our total net special education expenses will be 2.8% lower in FY12 than FY11. This expense has been growing at nearly 10% per year in the past several budgets. Because special education accounts for nearly 20% of our operating budget, we are continually seeking every efficiency and every economy possible while maintaining a quality, mandated level of service.

The SPS School Committee and administration understand that the economic conditions we have all faced have stretched us and created sacrifices. The economic signs are improving but improvement in the public sector and municipal funding always lags any turnaround. I hope FY12 is a bridge year to some modest relief in the future. As we have positioned ourselves to provide a program that is responsible and sustainable, we now have to position ourselves to ensure and provide an education for our children that will allow them to compete and succeed with their global classmates and future colleagues. We understand the pressure inherent in the relationship between costs and service and the need to provide a sustainable program in order to avoid budget peaks and valleys, the annual plan for lay-offs and program cuts, and the frequent request to our supportive community to maintain our level of service. However, our reality is that expectations and accountability are increasing. We will not be able to maintain the level of service and performance to meet those expectations and accountability measures if our resources continue to cause a reduction of staff and opportunities. As always, we at SPS accept our fiduciary responsibility to our students, parents, and community and will continue to offer leadership with fidelity and singleness of purpose.

Respectfully yours,

Dr. John A. Brackett

LINCOLN-SUDBURY SUPERINTENDENT'S REPORT

Dear Resident of Sudbury,

For years, Lincoln-Sudbury's strengths have been its depth and breadth of curriculum, an appropriately rigorous academic program that meets students' needs, diverse extracurricular opportunities, and a supportive environment where each student finds a "home." These continue to be your high school's strengths, and each is gradually being undermined by the protracted economic slump.

Enrollment over the past three years has been relatively unchanged, but the staffing supporting our students and programs has seen reductions. Over the past three years the high school has reduced 10.83 FTE teachers and administrators and we have cut 4.89 FTE of support staff, including teaching assistants and clerical help. For the past two fiscal years ARRA grants have stabilized 1.67 FTE teachers and counselors and 1.20 tutors -- these positions too will be eliminated in FY12 as these federal grants come to an end.

As the economic downturn began three years ago, the school increased its Athletic, Activities, and Parking fees to levels that are significantly higher than neighboring communities. In order to continue the breadth of athletic opportunities available to student athletes, the school, after lengthy discussion, increased its athletic fees for FY12. Combined, the athletic fees (\$365/sport), activity fees (\$60/year), and parking fees (\$300/vehicle) are anticipated to contribute \$524,200 towards the FY12 operational expenses of the high school, and each dollar paid shifts some of the financial burden of supporting Lincoln-Sudbury's program to parents, thereby decreasing the school's overall tax burden on residents.

The dilemma that Sudbury and many other communities face each year is that the costs of running and maintaining quality schools and providing Town services outpaces the revenues the Town can generate under Proposition 2½. The largest single driver inflating costs at the high school above 2 ½% is the increase in mandated out-of-district tuitions and the transportation to these placements – these increased by \$652,106 over the FY11 costs.

There are things that are being done to control costs at the high school. Lincoln-Sudbury is being run with one of the leanest school administrations around, with one principal and three housemasters supporting over 1600 students. During FY11, Lincoln-Sudbury began sharing a METCO Director with Sudbury Public Schools. Contracted cleaning and cafeteria food services for the high school have both been outsourced for over 15 years, reducing costs and long-term benefit liabilities. Now to reduce cost and improve service, the high school also outsourced payroll in FY11.

L-S implemented the use of "SchoolSpring", an on-line personnel advertising and application system. This move has saved the District significantly, cutting the personnel advertising budget from over \$10,000 to under \$3,000.

The Guidance/Counseling Department is planning to implement a guidance software program (Naviance) that will further cut postage and mailing expenses by allowing students to file applications on-line and L-S to submit information on-line for those applications. The effect of this conversion will be realized in FY12.

L-S has participated in the E-Rate funding program under the Federal Schools & Libraries "grant" since its inception. This federal program reimburses districts for telecommunications costs and internet service provider costs. L-S processes all of the required paperwork in-house (as opposed to contracting a service, which many districts do) and the funding is provided in two ways: the ISP vendor credits our current year service costs directly; and the federal government reimburses to the District for the telecommunications costs. The savings flow into E&D and ultimately into Reapportionment, reducing the Town's assessment for the cost of running the high school. The annual amount of reimbursement is approximately \$30,000.

This year L-S is working with a telecommunications consultant to reconfigure lines to reduce telephone costs. The report will be submitted to me within a few weeks, and it is anticipated that our annual costs will decrease a minimum of \$6,000 beginning in FY12.

Our staff participated with the Town of Sudbury on its "Green Communities" grant, and B&G submitted a plan for utilization of funds approved through the grant.

L-S' participation in the ISO program to sell energy back to the grid completed its first year. The estimated \$12,000 in revenue came in lower due to the specific points in time that the consumption levels for L-S were set, but we have still generated close to \$8,000 and will continue

to generate revenue under this program. The School Committee established a special revenue revolving account to deposit the funds and use toward facility maintenance needs and the plant infrastructure systems.

To mitigate a looming budgetary shortfall in FY12, the high school will be applying contingency from FY11 to preserve Circuit Breaker funding that can be used to offset some of the out-of-district placement costs. This strategy is to address the one-year lag in the receipt of Circuit Breaker reimbursement, whereby L-S will incur the increase of \$602,000 in placement costs in FY12; but the Circuit Breaker funds associated with eligible placements will not be received until FY13. Being able to carry over funds will partially offset the immediate impact on the budget. The school will also use \$150,000 in Athletic Fee revenues from a revolving account and the increase in Athletic Fees to offset more Athletics program costs, thereby reducing the impact of Athletics on the school's overall operating budget. Finally, the high school will use Federal Education Jobs Funds and IDEA grant money to stabilize positions in FY12 that otherwise would be lost without these grants.

A No Override Budget represents a 1.87% increase in the operating budget, excluding debt service. After three years of "trimming around the edges" when making staff reductions at the high school during these challenging fiscal times, a No Override Budget cuts at the "meat" of our academic program. A No Override Budget in FY12 will result in the reduction of 12.50 FTE from the teaching and counseling faculty and 4.89 FTE from the support staff. A No Override Budget will decrease the breadth of the high school's curricular offerings, will significantly increase class size and teacher load, will further limit scheduling students into courses of their choice and that match their needs, and will decrease our underlying support structures for students. In short, a No Override Budget will diminish the overall quality of a great school.

Over the past four years, our decisions when developing no override budgets have been to preserve professional staff positions: those who serve our core mission of teaching and learning. At this point, the non-override impact upon professional positions is unavoidable. If an override should be successful, the additional resources would be focused on restoring losses to the high school's professional staff.

Respectfully yours,

Scott Carpenter
Superintendent/Principal

TOWN MANAGER'S REPORT

Dear Resident of Sudbury,

This Finance Committee recommended FY12 budget for the municipal government increases 1.87% (approximately \$340,901, net after offsets) over the FY11 budget. However, this budget is \$250,588 short of being a level services budget, and thus there are some reductions in services and capacities in this Non-Override budget, mostly in the ability to provide services through outsourcing (contracts with vendors) and to have adequate quantities of materials and supplies that departments need to continue providing the same services and response times as this year – which is already a decrease over previous years due to the ongoing budget situation. These reductions are an extension of similar actions that were taken in FY09, FY10 and FY11.

Fortunately, we are not anticipating any further layoffs of Town staff with the Non-Override budget but we are not able to restore any of the 10.1 FTE positions that have been eliminated since FY08.

As can be noted in the Finance Committee Report in this warrant, the Finance Committee is discussing an override budget scenario (although they have not recommended one at this point). In the override budget scenario they are considering, they have discussed an additional \$130,000 funding for Town needs - \$80,000 for Town services and \$50,000 for Town Capital needs. The DPW needs to replace a failing 1984 Bombardier sidewalk plow to get walkways open for school children to walk to schools after snow storms. The additional \$50,000 allows for the lease of a sidewalk plow to move forward in FY12, in time for next winter. If the Finance Committee ultimately makes this recommendation and it is approved at both the Annual Town Meeting and a Special Town Election, the Town's budget would increase by 2.31%, net of offsets, over FY11 appropriations. Final decisions as to how the additional \$80,000 would be utilized are still under discussion. The two highest priorities are using all or part toward funding a Combined Facilities Department, to be shared with the Sudbury Public Schools, and restoring funds to the Department of Public Works, where the greatest number of reductions from the level service budget were made.

The Selectmen and Town management team recognize that among our many challenges is the need to continue to run lean and to maintain spending for key Town services lower than nearly all of our peer communities, whether measured as a percent of total budget or on a per capita or a per household basis. This is only half the battle. We also need to insure our costs are sustainable within the ability of Sudbury to generate sufficient revenues to pay for expected and required services. The Town budget is able to be presented without layoffs due to the many efforts the Selectmen and Town staff have made to collaboratively keep costs as low as possible. Together with the employees of the Sudbury Public Schools, Town employees agreed to significant concessions in their health insurance benefits program over a three year period. For FY12, these changes result in the budget for employee health insurance that is an estimated \$2.9 million lower than it would have been without the changes. All employees are on health insurance plans known as "rate savers", meaning they have agreed to plan design changes which make the employees pay more of the costs, thereby reducing the overall premium cost, as well as assumed a higher level of contribution toward the plan's premium cost.

We continue to carefully study staffing alternatives and other efforts to reduce program costs. We have been very successful thus far in achieving savings by working with our neighboring communities on collaborations. We are in the second year of sharing a Recreation Director with Wayland. Due to the expertise and top notch staffing in this area, sharing the Director has worked very well and we continue to offer a high level of service to the public. We are also evaluating if outsourcing work to private vendors is a more cost effective approach in some areas. It should be viewed with skepticism the premise that outsourcing is always more efficient and regionalizing is always better; however, careful evaluation that begins with our current cost and staffing structure must be kept in mind. Most of our employees perform more than one function. For example, Sudbury is the lead community in a grant-funded study to determine if regional public safety dispatch would be, in terms of both cost AND service provision, a worthwhile goal to pursue. At first blush, it would seem to clearly be an easy decision. However, the night Dispatcher in the Sudbury Police Department performs a number of other critical functions besides the dispatch function, such as being the primary point of contact for citizen questions and needs who call or stop by the department, mandated prisoner checks and data entry. What is the cost to the citizen who comes to the Police Station at night in need of help to find the door locked because our Police Officers are on patrol and Dispatching is done from another location in an

adjacent community? How do you put a price tag on not assisting that citizen? If the Town has to develop another method of covering those functions, this might require a similar level of cost as having the Dispatcher in Sudbury. The role of the Sudbury Police Department can't always be captured in statistical data and doesn't exist in many other communities. Sudbury has a culture where citizens of this community are not hesitant to call or come to the Police Station requesting assistance for a multitude of reasons, some being law enforcement related but many being quality of life issues. The Police Department considers it part of their responsibility to assist directly or to facilitate a solution by reaching out to agencies, both inside and outside this community, that are most able to assist. These efforts typically begin with a face to face or phone interaction with the person assigned to the desk. These and other intangible items are important factors that need to be considered before making a decision to outsource or regionalize.

These are important issues that must be carefully addressed and the devil is always in the details, not in the broad initial concept. And bringing a service that has been outsourced in the past into the Town also needs to be considered. Right now, we are working to bring in-house a critical service that has been provided by vendors in the past – Advanced Life Support/Paramedic level of Emergency Medical Response. Sudbury currently offers basic life support Emergency Medical Services through our Fire Department, with ALS services provided through contracts. We are working with the employees of the Fire Department to develop additions to the collective bargaining agreement so that we can begin offering ALS services through our own firefighters. If such an agreement can be reached that is as cost effective as using private vendors, we believe that will be the best outcome for the Town and for the residents who may need these services. These are just examples of issues that we will carefully monitor and come up with the most effective and efficient ways of providing quality services to our citizens.

We continue to work on strategies to grow and diversify our tax base so that we are less vulnerable to economic cycles. The primary goal for several years has been to provide our commercial district with a wastewater treatment plant. As this Warrant goes to print, the Selectmen are considering asking Town Meeting to approve funding for engineering design work and permitting, which will cost an estimated one million dollars. The effort to find a suitable disposal site for wastewater treatment met success this year, with the positive results indicating that the playing field at the Curtis Middle School has the capacity to serve as the leaching fields for a downtown centered sewer system. The Town will also have to address many other issues if this project is brought to reality, including questions of finances, governance, zoning and permitting.

As always, the Board of Selectmen and I, along with our great Town staff, will keep striving to provide the highest levels of service possible to the residents, businesses and guests of the Town. All of Sudbury's residents depend on and benefit from the broad array of Town services that a community requires and their government delivers for their safety, health and quality of life needs, even more so when times are hard. In both the short and the long term, our focus will be on fiscally sustainable strategies that protect the capacity of Sudbury's government to consistently meet these service responsibilities.

Respectfully yours,

Maureen G. Valente

SUMMARY OF FY09-FY12 BUDGET DATA

EXPENDITURES	FY09 Actual	FY10 Actual	FY11 Appropriated	FY12 Non-Override
LS Gross Assessment	16,515,458	16,854,852	17,011,347	17,216,078
LS Offsets/Re-apportionments	(3,255,278)	(3,192,298)	(2,640,344)	(2,642,792)
LS Employee Benefits Assessment	3,074,361	3,142,491	3,206,376	3,506,669
LSRHS NET (Operating Assessment)	16,334,541	16,805,045	17,577,379	18,079,955
SPS Gross Expenses	26,331,604	27,815,697	30,685,207	31,047,394
SPS Offsets	-	-	(2,480,863)	(2,506,335)
SPS Employee Benefits	6,700,568	6,204,274	6,450,128	6,761,451
SPS NET	33,032,172	34,019,971	34,654,472	35,302,510
Minuteman Regional Assessment	237,788	298,098	228,794	321,590
Other Regional School Assessments	43,212	-	-	-
Total: Schools	49,647,713	51,123,114	52,460,645	53,704,055
General Government	2,117,424	2,207,011	2,284,281	2,325,635
Public Safety	6,330,016	6,297,069	6,767,557	6,840,453
Public Works	3,406,588	3,364,252	3,299,349	3,304,146
Human Services	515,673	520,208	538,651	534,239
Culture & Recreation	1,080,329	1,112,286	1,149,824	1,166,009
Unclassified & Transfer Accounts	113,643	106,619	434,505	401,148
Town Employee Benefits	4,153,667	3,964,802	4,224,185	4,536,538
subtotal, town services	17,717,340	17,572,248	18,698,352	19,108,167
Town Operating Offsets	(230,342)	(381,600)	(468,369)	(537,283)
Total: Town Departments	17,486,998	17,190,648	18,229,983	18,570,884
Capital Planning Committee	513,042	523,383	529,054	538,947
Total: Capital Budget	513,042	523,383	529,054	538,947
Subtotal: Operating Budget	67,647,753	68,837,145	71,219,682	72,813,886
Town Debt Service	4,347,060	4,269,224	4,180,354	3,883,860
LSRHS (Debt Assessment)	2,394,071	2,298,949	2,237,147	2,193,072
Total: Debt Budget	6,741,131	6,568,173	6,417,501	6,076,932
Enterprise Fund Expenditures	702,292	825,257	982,802	1,117,234
Total: Other	702,292	825,257	982,802	1,117,234
Other Charges to be raised	983,524	730,246	744,548	734,103
Total: To Be Raised	76,074,700	76,960,820	79,364,533	80,742,155

RECEIPTS				
State Aid (Cherry Sheet)	5,650,528	5,580,961	5,537,686	5,260,802
SBAB School Debt Reimbursement	1,702,597	1,702,597	1,702,597	1,702,597
Local Receipts	4,287,194	3,734,780	3,652,860	3,657,581
Free Cash	294,110	-	-	-
Retirement Trust Fund	25,000	-	-	-
Abatement Surplus	421,000	321,000	-	-
Prior Year Articles/Recoveries	26,320	-	-	-
Enterprise Funds	774,274	1,026,461	1,012,397	1,156,844
Total: State & Local Receipts	13,181,023	12,365,799	11,905,540	11,777,824
Tax Levy	63,263,124	65,529,152	67,418,506	69,018,845
Total: Revenue	76,444,147	77,894,951	79,324,046	80,796,669

UNDER/ (OVER)	369,447	934,131	(40,487)	54,514
----------------------	----------------	----------------	-----------------	---------------

RECOMMENDED FY12 BUDGETS

	FY11	FY12	FY12
ALL LINE ITEMS - ALL FUNDS*	Appropriated	Non-Override	% of Budget
Lincoln-Sudbury Regional High School	17,577,379	18,079,955	22.4%
Sudbury Public Schools	34,654,472	35,302,510	43.7%
Minuteman and other Voc Schools	228,794	321,590	0.4%
Town Departments	18,229,983	18,570,884	23.0%
Debt Service - Town, SPS and LSRHS	6,417,501	6,076,932	7.5%
Transfer Station Enterprise Fund	271,437	290,389	0.4%
Atkinson Pool Enterprise Fund	489,868	517,230	0.6%
Field Maintenance Enterprise Fund	221,497	309,614	0.4%
Capital Items	529,054	538,947	0.7%
Stabilization Fund	-	-	0.0%
State and Local Charges	744,548	734,103	0.9%
Total Budget*	79,364,533	80,742,155	100.0%
* Total budget reporting includes all cost centers and all funds to be appropriated or expended, except for revolving funds.			

	FY11	FY12	FY12
OPERATING BUDGET*	Appropriated	Non-Override	% of Total
Lincoln-Sudbury Regional High School	17,577,379	18,079,955	24.8%
Sudbury Public Schools	34,654,472	35,302,510	48.5%
Minuteman and other Voc Schools	228,794	321,590	0.4%
Town Departments	18,229,983	18,570,884	25.5%
Capital Items	529,054	538,947	0.7%
Total Operating Budget*	71,219,682	72,813,886	100.0%
*Operating cost centers only. Excludes debt service and one-time charges. Enterprise funds are also omitted from this table. The cost centers shown above are the ones that are primarily supported by the General Fund.			

SUDBURY PUBLIC SCHOOLS BUDGET SUMMARY

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
Salaries & Other Cash Compensation				
Administration	885,574	876,389	893,059	910,503
Elementary Instruction	8,779,376	8,906,003	9,382,476	9,570,505
Middle School Instruction	4,884,122	4,966,011	4,980,436	5,143,683
Curriculum/Instr/Technology	548,011	465,558	529,672	529,363
Special Ed Instruction	4,787,816	4,812,494	4,994,629	5,253,624
Health, Transportation & Food Service	774,409	665,718	643,965	649,534
Plant Maintenance	777,882	780,895	801,251	888,905
All Other	487,972	572,051	614,263	614,263
Non-Override Reduction				
Total Salaries & Other Cash Compensation	21,925,162	22,045,119	22,839,751	23,560,380
Expenses				
Administration	474,554	561,065	394,915	303,762
Elementary Instruction	322,849	350,672	323,778	333,491
Middle School Instruction	181,894	147,667	167,609	172,637
Curriculum/Instr/Technology	219,847	261,160	300,743	309,765
Special Ed Instruction	3,331,820	4,206,325	3,964,845	3,642,494
Health, Transportation & Food Service	718,946	1,060,289	1,060,289	1,092,098
Utilities	945,413	932,320	1,191,882	1,191,882
Plant Maintenance	513,886	670,097	441,395	440,885
Non-Override Reduction				
Total Expenses	6,709,209	8,189,595	7,845,456	7,487,014
Subtotal before Benefits	28,634,371	30,234,714	30,685,207	31,047,394
Healthcare Benefits				
Active Employees	4,632,294	4,109,248	4,199,375	4,285,467
Retired Employees	480,864	487,618	548,757	636,315
Total Healthcare Benefits	5,113,158	4,596,866	4,748,132	4,921,782
Retirement & Other Benefits				
Active Employees	460,073	438,720	530,542	582,625
Retirement Assessment	1,127,337	1,168,688	1,171,454	1,257,044
Total Retirement & Other Benefits	1,587,410	1,607,408	1,701,996	1,839,669
Total Benefits	6,700,568	6,204,274	6,450,128	6,761,451
Total SPS Operating Expenses	35,334,939	36,438,988	37,135,335	37,808,845
SPS Grants, Fees & Other Offsets	(2,302,767)	(2,419,017)	(2,480,863)	(2,506,335)
Net SPS Operating Expenses	33,032,172	34,019,971	34,654,472	35,302,510
Total Compensation (salaries, other cash compensation & benefits) as a percentage of Operating Expenses (<u>before</u> Offsets)	81.01%	77.53%	78.87%	80.20%
Students:				
Sudbury (Pre-K - 8)	3,151	3072	3003	2934
Metco	62	65	60	60
Other Out of District Students at SPS	27	28	33	33
Total	3,240	3,165	3,096	3,027
Cost per Student (Operating Expenses <u>before</u> Offsets divided by number of Students)	10,906	11,513	11,995	12,491

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
Headcount (FTEs)				
Administrators	16.00	16.00	15.00	16.50
Administrative Support	18.60	15.00	15.70	15.10
Teachers (excl SPED)	191.28	190.33	188.71	178.71
Classroom & Teaching Support (excl SPED)	14.95	22.37	24.40	22.40
SPED Teachers	48.40	52.90	55.30	55.30
SPED Support	54.10	49.30	44.20	44.20
Metco	2.71	3.60	5.40	5.40
Custodial/Grounds/Maintenance	16.00	16.00	15.00	15.60
All Other	27.85	27.81	26.86	26.86
Non-Override Reduction				
Total FTEs	389.89	393.31	390.57	380.07
Part Time Employees receiving benefits	40	35	35	37
Retirees receiving Full Healthcare benefits	50	47	42	44
Retirees receiving Medicare Supplemental benefits	127	141	151	150
Average Class Size				
Haynes	18.8	19.3	21.4	21.6
Loring	21.6	20.9	20.6	22.6
Nixon	22.4	21.1	21.7	23.2
Noyes	19.9	20.9	20.2	20.9
Curtis	23.8	23.2	23.2	23.9
Average Salaries				
Teachers	64,013	64,771	67,017	69,979
Administration	100,836	104,241	104,470	97,357
All Other	34,794	31,792	33,747	34,441
Healthcare benefits per active employee	19,301	13,129	13,247	13,350
Healthcare benefits per retiree	2,671	2,786	2,829	3,247
Other Benefits per active employee	1,180	1,115	1,358	1,533
Pension Assessment Cost/School Participant (Middlesex Only)	5,996	6,216	6,166	6,413

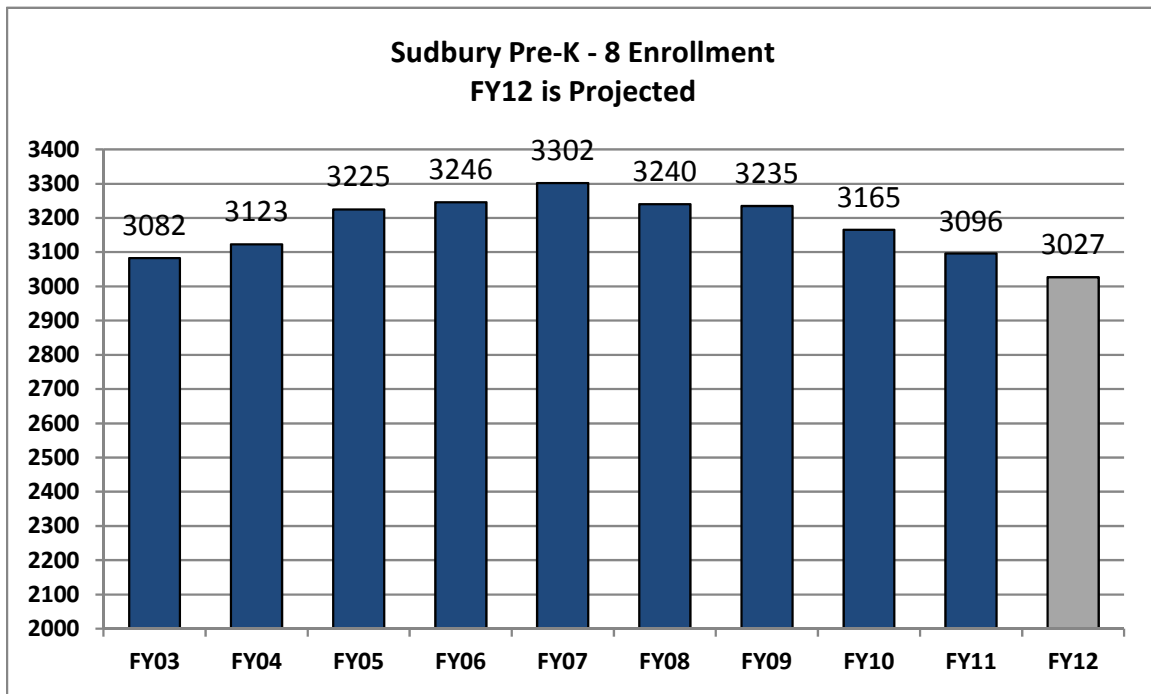
Exhibit Notes:

1) Payments for benefits are those made by SPS and do not include employee or retiree contributions.

2) In FY10, Sudbury Public Schools' contributions for health care were 85% HMO, 70% PPO, & 50% Retirees. In FY11, Sudbury Public Schools' contributions for health care were 82.5% HMO, 67.5% PPO, & 50% Retirees. In FY12, Sudbury Public Schools' contributions for health care will be 80% HMO, 65% PPO, & 50% Retirees. As of July 1, 2009, Sudbury Public Schools' contributions for new hires are 70% HMO and 55% PPO.

Since July 1, 1996, all new non-teacher employees pay 9% plus 2% of salary above \$30,000 in contributions for Middlesex County Retirement. Over the course of an employee's career, a Group 1 (non-public safety) employee hired after this date will pay nearly the entire cost of his/her future retirement benefits. Since July 1, 2001, all new teacher employees pay 11% in contributions to the Massachusetts Teacher Retirement System. Sudbury Public Schools does not contribute to the Massachusetts Teacher Retirement System for active employees and most retired employees. Sudbury Public Schools is in the second to last year of a 20 year repayment plan for an early retirement incentive offered by the Massachusetts Teacher Retirement System 20 years ago. Our yearly repayment for this year and next is \$14,000 each year.

3) Average salaries include other cash payments other than overtime.



	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
SUDBURY PUBLIC SCHOOLS				
Sudbury Public Schools	26,331,604	27,815,697	30,685,207	31,047,394
Offsets (incl. METCO)			(2,480,863)	(2,506,335)
Sudbury Public Schools	26,331,604	27,815,697	28,204,344	28,541,059
Add: Benefits & Insurance	6,700,568	6,204,274	6,450,128	6,761,451
Total: Sudbury Public Schools	33,032,172	34,019,971	34,654,472	35,302,510

The FY12 Non-Override Budget will provide Sudbury Public Schools with an additional \$648,039 in operating revenue over FY11 amounts. This represents an increase of 1.87% over the SPS Fiscal Year 2011 budget, inclusive of pension and insurance costs. Collective bargaining negotiations with the school unions concluded in the summer of 2009 and resulted in a three-year agreement (for FY10, 11 and 12) with a substantial reduction in the rate of growth in overall compensation (salaries and benefits) compared with the prior contract.

The Level Service, or “roll-up” budget, which represents the same staffing levels as FY11 (excluding 4.6 positions funded via Federal Stimulus Funds), would provide Sudbury Public Schools with an additional \$862,231 or 2.49% in operating revenue over FY11 amounts. This budget includes a net increase in salary expenses of \$882,446 or 3.9% and an increase in benefits of \$349,947 or 5.4%, resulting in a total net increase in compensation of 4.2% from FY11 to FY12.

Excluding Special Education costs, all other non-personnel related operating expenses are projected to decrease by approximately 0.9% from FY11 to FY12 in the Non-Override budget and 0.6% in the Level Services budget.

In addition, after several years of increases, Special Education costs are projected to decrease by 8.1%, or \$322,351, in FY12 in both budgets.

Non-Override Budget

The Finance Committee recommends approval of a FY12 Non-Override Budget for the Sudbury Public Schools in the amount of \$35,302,510.

LINCOLN-SUDBURY REGIONAL HIGH SCHOOL BUDGET SUMMARY

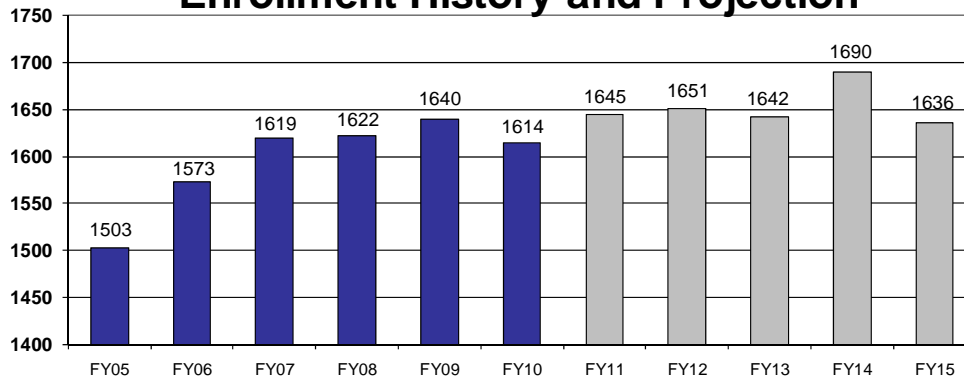
	FY09 Actual	FY10 Actual	FY11 Appropriated	FY 12 Non Override
Salaries & Other Cash Compensation				
Administration	1,143,907	1,022,073	1,018,918	1,045,884
Instruction (excl Spec Ed)	10,067,521	9,905,715	10,058,707	9,753,437
Special Ed Instruction	1,277,338	1,317,317	1,332,756	1,332,252
Educational Support	453,190	502,269	517,816	505,424
Educational Support - Special Education	391,313	370,707	378,232	390,324
Clerical/Admin Support	848,586	865,054	859,285	813,624
Grounds/Maintenance	572,846	598,373	624,508	584,361
Coaching	392,510	373,617	381,586	370,300
All Other (Substitutes, Extra Services, Curric Dev)	178,980	168,466	209,544	195,406
Total Salaries & Other Cash Compensation	15,326,190	15,123,589	15,381,352	14,991,012
Expenses				
Instruction (excl Spec Ed)	528,067	476,082	487,589	424,887
Special Education	2,751,128	3,145,307	3,365,341	3,975,447
Educational Support	977,246	966,864	940,688	978,848
Operations excl Utilities	440,741	505,363	429,560	432,170
Utilities	784,161	822,156	779,166	772,664
All Other Expenses & Contingency	140,105	186,673	364,233	164,796
Total Expenses	5,621,447	6,102,445	6,366,577	6,748,812
Subtotal before Benefits	20,947,637	21,226,035	21,747,929	21,739,824
Healthcare Benefits				
Active Employees	1,760,489	1,579,178	1,968,280	2,199,963
Retired Employees	935,587	777,804	826,856	897,227
Total Healthcare Benefits	2,696,076	2,356,982	2,795,136	3,097,190
Retirement & Other Benefits				
Active Employees	383,491	362,036	406,500	592,605
Retired Employees	359,210	379,075	396,133	441,531
Total Retirement & Other Benefits	742,701	741,111	802,633	1,034,136
Total Benefits	3,438,777	3,098,093	3,597,769	4,131,326
Total LSRHS Operating Expenses, including grant funding	24,386,414	24,324,128	25,345,698	25,871,150
LSRHS Grants, Fees & Other Offsets, incl circuit breaker	1,476,632	1,129,306	1,379,691	1,456,979
Net LSRHS Operating Expenses	22,909,782	23,194,822	23,966,007	24,414,171
Total Compensation (salaries, other cash compensation & benefits) as a percentage of Operating Expenses (<u>before</u> Offsets)	76.9%	74.9%	74.9%	73.9%
Students:				
Sudbury	1,321	1,304	1,324	
Lincoln	241	242	220	
Metco	91	91	91	
Other Out of District Students at LS	17	14	13	
Total	1,670	1,651	1,648	<i>1,612</i>
				<i>Projected</i>
Cost per Student (Operating Expenses <u>before</u> Offsets divided by number of Students)	14,603	14,733	15,380	16,049

	FY09 Actual	FY10 Actual	FY11 Appropriated	FY 12 Non Override
Headcount (FTEs)				
Administrators	9.20	8.20	8.00	8.00
Administrative Support	17.87	16.43	15.94	15.48
Teachers (excl SPED)	129.03	123.90	122.28	112.44
Classroom & Teaching Support (excl SPED)	5.10	3.40	4.70	3.25
SPED Teachers	18.30	15.95	15.50	15.50
SPED Support	17.50	13.97	13.82	13.32
Custodial/Grounds/Maintenance (.20 is offset to Building Use)	11.50	11.00	11.00	10.00
All Other	8.10	8.46	8.46	8.43
Total FTEs, including non-operating grant funded positions	216.60	201.31	199.70	186.42
Part Time Employees receiving benefits	30	24	25	23
Retirees receiving Full Healthcare benefits	79	39	46	50
Retirees receiving Medicare Supplemental benefits	30	90	91	87
Average Class Size				
Academic (English, History, Math, Science, Languages)	22.8	25.0	23.58	27.3
Electives are in every subject area and cannot be separated				
Students Participating in Athletics	1,181	1,146	1,229	1,229
				<i>Estimated</i>
Average Salaries				
Teachers	77,003	80,250	82,679	86,648
Administration	124,338	124,643	127,365	130,736
All Other	43,853	50,432	50,768	52,295
Healthcare benefits per active employee	8,128	7,845	9,856	11,801
Healthcare benefits per retiree	8,583	6,029	6,035	6,549
Retirement Assessment per L-S participant	2,490	2,462	2,572	2,760
Reconciliation to Page FC-18				
LS Gross Assessment (equals Subtotal before Benefits above)	20,947,637	21,226,035	21,747,929	21,739,824
LS Employee Benefits (from above)	3,438,777	3,098,093	3,597,769	4,131,326
Offsets & Reapportionment:				
Grants & Offsets (above, incl circuit breaker)	1,476,632	1,129,306	1,379,691	1,456,979
State Aid to LSRHS (does not incl circuit breaker; incl ARRA)	2,857,040	2,498,616	2,752,456	2,609,714
Lincoln Share of the LSRHS Budget	2,936,342	3,094,464	3,260,600	3,218,685
Estimated Receipts	61,000	61,000	50,000	50,000
Reapportionment	909,555	854,422	325,572	455,817
Total Offsets & Reapportionment	8,240,569	7,637,809	7,768,319	7,791,195
LSRHS Net Operating Assessment	16,145,845	16,686,319	17,577,379	18,079,955

Exhibit Notes:

- 1) Payments for benefits are those made by LSRHS and do not include employee or retiree contributions. Retirement assessment from the Middlesex Retirement System pertains to staff other than teachers and administrators.
- 2) LSRHS contributes 70% to active employee health insurance premiums and 75% to most retiree premiums. Adoption of Section 18 and reduction of 5% L-S contribution took effect in FY10.
- 3) Average salaries include other cash payments other than overtime

Lincoln-Sudbury Regional H.S. Enrollment History and Projection



	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
LINCOLN-SUDBURY REGIONAL HS				
Sudbury Apportionment	84.81%	84.51%	84.36%	84.88%
Benefits Assessment	3,074,361	3,142,491	3,206,376	3,506,669
Oper. Assessment	16,515,458	16,854,852	17,011,347	17,216,078
Oper. Offsets	(3,255,278)	(3,192,298)	(2,640,344)	(2,642,792)
Net Op. Assessment	16,334,541	16,805,045	17,577,379	18,079,955
Debt Assessment	2,394,071	2,298,949	2,237,147	2,193,072
Total LSRHS (Sudbury Portion)	18,728,612	19,103,994	19,814,526	20,273,027

Lincoln-Sudbury Regional High School (“LSRHS”) is a grade 9-12 regional school district established pursuant to Chapter 71 of the Massachusetts General Laws and operates in accordance with Lincoln-Sudbury Regional Agreement. As a regional school district, Lincoln-Sudbury must include within its budget all costs associated with running the District, including health, life, workers’ compensation and property and casualty insurances; FICA; retirement assessments; and debt service. These expenses, which typically fall outside the budgetary responsibility of non-regional schools, represent 17% of the districts total FY12 budget under the finance committee’s recommended Non-Override Budget. Chapter 70 State Aid and Regional Transportation Aid are used to reduce the total budget, along with other district receipts and re-apportioned funds. The Non-Override Budget estimates a 5% reduction in Chapter 70 revenues and assumes level-funding of Regional Transportation Aid. The amount remaining after deducting these revenues and other receipts is then apportioned to Lincoln and Sudbury by a ratio based upon a three-year average enrollment of students from each town. The FY12 budget ratio for Sudbury is 84.88% (up 0.52% from FY11) and for Lincoln is 15.12%.

Enrollment at LSRHS has increased 81.3% from FY95 (887 students) to FY11 (1,609 students). Projections indicate flat enrollments in FY12 (1,612 students, or a total increase of 3 students) and only minor enrollment fluctuation until 2014 when an increase of 40 students is projected based on current elementary enrollments.

While the general student population will not be growing, the High School will experience a major increase in its out of district placements for special needs students in FY12. The budget impact of this increase is \$602,000 plus an increase in related transportation costs estimated at \$50,000. Combined, these cost increases exceed the total Non-Override Budget increase for LSRHS by more than \$200,000.

Non-Override Budget

The Finance Committee recommends approval of a FY12 Non-Override net operating budget assessment of \$18,079,955 from Sudbury to LSRHS. This budget would provide LSRHS with a 1.87% increase in the total gross operating budget over FY11 levels. The Finance Committee believes that this funding level would force the High School to make very significant staff reductions, including teaching staff.

MINUTEMAN VOCATIONAL TECHNICAL SCHOOL DISTRICT

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
MINUTEMAN VOCATIONAL				
Operating Assessment	237,788	298,098	228,794	321,590
Total: Minuteman Vocational	237,788	298,098	228,794	321,590

The proposed FY12 operating budget for Minuteman Regional Career and Technical High School shows an increase in the assessment to Sudbury of \$92,796 or 40.6% above the FY11 assessment. The overall FY12 operating budget for Minuteman increased by \$176,794 or 1.08% above the FY11 budget. The higher increase in the assessment to Sudbury was due to changes in the enrollment mix of Sudbury students at Minuteman, growing from 10 student to 16 students from FY11 to FY12, respectively.

The Finance Committee recommends approval of FY12 assessment to the District of \$321,590.

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
OTHER EDUCATIONAL ASSESSMENTS				
Operating Assessment	43,212	0	0	0
Total: Other Regional	43,212	0	0	0

The proposed FY12 operating budget for other educational assessments is zero. The Town does not anticipate having students attend any other high school districts in FY12.

TOWN SERVICES BUDGET SUMMARY

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
General Government	2,117,424	2,207,011	2,284,281	2,325,635
Public Safety	6,330,016	6,297,069	6,767,557	6,840,453
Public Works	3,406,588	3,364,252	3,299,349	3,304,146
Human Services	515,673	520,208	538,651	534,239
Culture & Recreation	1,080,329	1,112,286	1,149,824	1,166,009
Town-Wide Operations & Transfers	113,643	106,619	434,505	401,148
Subtotal before Benefits	13,563,673	13,607,446	14,474,167	14,571,629
Town Employee Benefits	4,153,667	3,964,802	4,224,185	4,536,538
Total Town Operating Expenses	17,717,340	17,572,248	18,698,352	19,108,167
Town Offsets	(230,342)	(381,600)	(468,369)	(537,283)
Net Town Operating Expenses	17,486,998	17,190,648	18,229,983	18,570,884
Town Salaries & Other Cash Compensation	9,725,213	9,846,422	10,427,549	10,502,355
Healthcare Benefits				
Active Employees	2,115,203	1,868,155	1,894,310	2,126,635
Retired Employees	290,988	295,076	334,731	385,081
Total Healthcare Benefits	2,406,192	2,163,231	2,229,041	2,511,716
Retirement Assessment Costs	1,494,376	1,549,191	1,679,670	1,704,598
Other Benefits & Insurances	253,099	252,380	315,474	320,224
Total Employee Benefits & Insurances	4,153,667	3,964,802	4,224,185	4,536,538
Town Expenses	3,102,840	3,089,075	3,537,663	3,550,224
Town Capital	94,300	94,300	94,300	94,300
Town Snow & Ice	641,320	577,649	414,655	424,750
Town Offsets	(230,342)	(381,600)	(468,369)	(537,283)
Net Town Operating Expenses	17,486,998	17,190,648	18,229,983	18,570,884
Town Only Employee Headcount (FTE)	169.06	162.16	161.07	161.07

	FY09	FY10	FY11	FY12
	Actual	Budget	Appropriated	Non-Override
Total Compensation (salaries, other cash payments & benefits) as a percentage of Operating Expenses (before Offsets)	78.3%	78.6%	78.4%	78.7%
Average Salaries:				
Senior Managers	109,654	112,718	118,903	117,027
Department Heads	76,047	77,500	85,081	85,873
All Other Employees	46,541	49,011	52,845	53,293
Part time employees w/ health benefits	16	14	15	16
Active F/T employees w/ health benefits	139	142	140	134
Retirees w/ health benefits	94	89	92	104
Healthcare benefits cost per active employee*	13,646	11,975	12,221	14,178
Healthcare benefits cost per retiree *	3,096	3,315	3,638	3,703
Pension Assessment cost per Town Participants	5,555	5,759	6,198	6,029

* Benefits breakdown active vs. retired is estimate only. Retiree per average cost based on recent average.
Counts as of 10/1 each year. Cost per employee represents Town's estimated annual contribution.

Additional Notes:

- 1) Payments for benefits are those made by the Town and do not include employee or retiree contributions.
- 2) In FY11, the Town contributes for healthcare 82.5% HMO, 67.5% PPO, 50% for retirees. FY12, 80% HMO, 65% PPO, 50% for retirees. Effective 7/1/2009 for all new employees, the Town contributes 70% HMO, 55% PPO.
- 3) Since 7/1/1996 all new employees pay 9% plus 2% of salary above \$30,000 in contributions to retirement. Over the course of an employee's career a Group 1 (non-public safety) employee hired after this date will pay nearly all the entire cost of their future retirement benefits. It is estimated that the Town pays between 3-4% for Group 4 (public safety) employee retirement benefits because they may retire 10 years sooner than Group 1, with full benefits. In general, the majority of Town paid retirement costs is to cover unfunded pension liability for employees hired prior to 1996.
- 4) Average salaries includes other cash payments other than overtime.

GENERAL GOVERNMENT

	FY09	FY10	FY11	FY12
	Actual	Budget	Appropriated	Non-Override
GENERAL GOVERNMENT				
Selectmen/Town Manager	287,644	302,816	310,964	313,805
ATM/Personnel	105,295	111,463	129,362	120,157
Law	175,353	189,712	159,793	160,666
Finance Committee	1,313	1,456	2,003	2,055
Accounting	235,393	245,834	263,102	273,557
Assessors	258,185	261,078	278,677	284,447
Treasurer/Collector	270,963	285,780	291,435	301,405
Information Systems	302,080	312,367	322,451	330,171
Town Clerk & Registrars	219,973	231,684	239,473	241,763
Conservation	105,180	107,266	109,912	114,668
Planning & Board of Appeals	156,045	157,555	177,109	182,940
Total General Government	2,117,424	2,207,011	2,284,281	2,325,635
Employee Compensation	1,732,588	1,811,486	1,918,501	1,966,062
All Other Expenses	384,836	395,525	365,780	359,573
Total General Government	2,117,424	2,207,011	2,284,281	2,325,635
General Government Headcount (FTE)	31.80	30.50	30.50	30.50

The General Government portion of the budget represents the Executive, General Administration, Human Resources Management, Legal, Financial, and quasi-judicial functions of the Town.

Non-Override Budget

The FY12 Non-Override Budget is increasing by \$41,354, or 1.8% compared to the FY11 budget. However, it is a reduction of \$23,630 from the Level Services Budget which would be needed to provide the same level of services and capacity as FY11. The reductions are spread across each of the departments in this group, and include less funding for the consultants the Board of Assessors use when they respond to Appellate Tax Board cases, for use of labor counsel to assist with negotiating and arbitrations, and services provided through contracts, training options for Town staff, who require education and certification for many mandated functions. The employees in this cluster will receive a 1% cost of living increase in addition to any step movement they might be due. The employees will be paying 2.5% more towards their health insurance plan than they paid in FY11, completing the overall 10% shift from employer to employee agreed to by Town and SPS employees. Even if the Finance Committee recommends an override budget at the Annual Town Meeting, the budgets in this cluster will remain the same and not receive any additional funding. The General Government departments have small staffs yet are responsible for essential and mandated functions; the reductions from the Level Services budget are felt deeply throughout.

The Finance Committee recommends approval of a FY12 Non-Override General Government Budget of \$2,325,635.

PUBLIC SAFETY

	FY09	FY10	FY11	FY12
	Actual	Budget	Appropriated	Non-Override
PUBLIC SAFETY				
Police	2,626,498	2,505,324	2,756,869	2,784,137
Fire	2,823,482	2,945,144	3,065,135	3,102,892
Building Department	880,036	846,601	945,553	953,423
Total Public Safety	6,330,016	6,297,069	6,767,557	6,840,453
Employee Compensation	5,214,211	5,241,809	5,539,407	5,623,177
All Other Expenses	1,021,505	960,960	1,133,850	1,122,976
Capital	94,300	94,300	94,300	94,300
Total Public Safety	6,330,016	6,297,069	6,767,557	6,840,453
Public Safety Headcount (FTE)	79.25	76.97	76.97	76.97

The Public Safety cluster consists of the Police and Fire Departments and the Building Inspector. It is by far the largest of the Town's budget clusters, comprising 37% of the overall Town operating budget and where 45% of the FTE Town employees work (exclusive of schools).

Non-Override Budget

The FY12 Non-Override Budget for this cluster is increasing by \$72,896 or 1.08% over the FY11 budgets. However, it is a reduction of \$40,152 from the Level Services Budget which would be needed to provide the same level of services and capacity as FY11. The reductions are taken from the Police Department, in the area of overtime, and maintenance of equipment, as well as replacement of one police cruiser. The Fire and Building Inspection department employees in this cluster will receive a 1% cost of living increase in addition to a step movement they might be due; the Police Officers agreed to a 0% cost of living for FY12. All employees will be paying 2.5% more towards their health insurance plan than they paid in FY11, completing the overall 10% shift from employer to employee agreed to by Town and SPS employees. Even if the Finance Committee recommends an override budget at the Annual Town Meeting, the budgets in this cluster will remain the same and not receive any additional funding if there is a successful override.

The Finance Committee recommends approval of a FY12 Non-Override Public Safety budget of \$6,840,453.

Override Budget

At the time the warrant was printed, the Finance Committee takes no position on the Override Budget.

If the Finance Committee recommends an Override Budget at the Annual Town Meeting, the Building Inspector Department in this cluster might receive part of the \$80,000 additional funds allocated by the Finance Committee for Town services. A priority for the Town for FY12 is funding the Town's portion of a combined Facilities Director position, shared with the Sudbury Public Schools. If plans for creating this position go forward, the position could initially be added to this budget for FY12, and then in future years a separate budget cluster would be created for the new Combined Facilities Management Department. If approved, part of the \$80,000 could also be allocated to fund the salary, benefits and office expenses for this new position.

PUBLIC WORKS

	FY09	FY10	FY11	FY12
	Actual	Budget	Appropriated	Non-Override
PUBLIC WORKS				
Engineering	385,821	316,116	396,661	410,986
Streets & Roads	2,396,024	2,434,193	2,326,247	2,382,393
Trees and Cemetery	337,111	335,913	337,674	337,985
Parks and Grounds	287,632	278,030	238,767	172,782
Total Public Works	3,406,588	3,364,252	3,299,349	3,304,146
Employee Compensation	1,671,027	1,677,233	1,755,917	1,750,564
All Other Expenses	1,094,241	1,109,370	1,128,777	1,128,832
Snow & Ice	641,320	577,649	414,655	424,750
Total Public Works	3,406,588	3,364,252	3,299,349	3,304,146
Public Works Headcount (FTE)	32.70	31.86	31.28	31.28

The Public Works cluster includes the Engineering, Streets and Roads, Trees and Cemeteries, Parks and Grounds Divisions, and Transfer Station Enterprise Fund. The Transfer Station Enterprise Fund is voted separately at Town Meeting.

Non-Override Budget

The FY12 Non-Override Budget for this cluster is increasing by \$4,797 or .15% over the FY11 budgets. However, it is a reduction of \$81,579 from the Level Services Budget which would be needed to provide the same level of services and capacity as FY11. The reductions are primarily taken from the streets and roads accounts, in the area of road work and vehicle maintenance. The cost of materials and contracts continues to rise over time in this area; and without a proportionate increase in funding, this division can't provide all the work it requires to maintain the roads, walkways, guardrails, drainage structures, etc. to even the reduced level provided for in the FY11 budget. Unfortunately, the tree contractor line item budget is once again reduced, meaning fewer diseased trees in the Town's right of ways will be removed on a timely basis. The employees in this cluster will receive a 1% cost of living increase in addition to a step movement they might be due. All employees will be paying 2.5% more towards their health insurance plan than they paid in FY11, completing the overall 10% shift from employer to employee agreed to by Town and SPS employees.

The Finance Committee recommends approval of a FY12 Non-Override Public Works Budget of \$3,304,146.

Override Budget

At the time the warrant was printed, the Finance Committee takes no position on the Override Budget.

If the Finance Committee recommends an Override Budget at the Annual Town Meeting, the roadwork and tree contractor budgets in this cluster might receive part of the \$80,000 additional funds for Town services allocated by the Finance Committee for Town services. The other priority for the Town for FY12 is funding the Town's portion of a combined Facilities Director position, shared with the Sudbury Public Schools.

HUMAN SERVICES

	FY09	FY10	FY11	FY12
	Actual	Budget	Appropriated	Non-Override
HUMAN SERVICES				
Board of Health	365,236	370,083	374,534	377,636
Council on Aging	135,241	134,301	146,702	139,187
Veterans Affairs	15,196	15,825	17,415	17,415
Total Human Services	515,673	520,208	538,651	534,239
Employee Compensation	353,965	361,213	380,684	363,597
All Other Expenses	161,708	158,995	157,967	170,642
Total Human Services	515,673	520,208	538,651	534,239
Human Services Headcount (FTE)	7.20	6.20	6.20	6.20

The Human Services cluster includes the Board of Health, Council on Aging, and Veterans' Affairs Offices. Starting in FY10, the Youth Commission function has been moved to the Culture & Recreation Division and staffing was reduced to one half of the duties of a full time employee. Due to prior year budget cuts, the Family Services Department, through which a community outreach worker provided social services to older residents, has been eliminated and the Board of Health budget continues to have limited funds to contract for assistance in this area.

Non-Override Budget

The FY12 Non-Override Budget for this cluster is decreasing by \$4,412 or -.82% over the FY11 budgets. The reduction reflects the difference between the top step held by the retired Council on Aging Director and the lower step held by the new Council on Aging Director. The employees in this cluster will receive a 1% cost of living increase in addition to any step movement they might be due. All employees will be paying 2.5% more towards their health insurance plan than they paid in FY11, completing the overall 10% shift from employer to employee agreed to by Town and SPS employees. Even if the Finance Committee recommends an override budget at the Annual Town Meeting, the budgets in this cluster will remain the same and not receive any additional funding if there is a successful override.

The Finance Committee recommends approval of a FY12 Non-Override Human Services Budget of \$534,239.

CULTURE & RECREATION

	FY09	FY10	FY11	FY12
	Actual	Budget	Appropriated	Non-Override
CULTURE & RECREATION				
Goodnow Library	953,787	971,918	1,003,633	1,015,308
Recreation	118,468	132,729	138,190	142,641
Historical Commission	5,356	5,386	5,309	5,309
Historic Districts Commission	2,718	2,253	2,692	2,751
Total Culture & Recreation	1,080,329	1,112,286	1,149,824	1,166,009
Employee Compensation	753,422	754,680	781,055	788,891
All Other Expenses	326,907	357,606	368,769	377,118
Total Culture & Recreation	1,080,329	1,112,286	1,149,824	1,166,009
Culture & Recreation Headcount (FTE)	18.11	16.63	16.12	16.12

The Culture & Recreation cluster includes the Goodnow Library, Recreation Department, Historical Commission, and the Historic Districts Commission. Starting in FY10, the Youth Commission function has been moved to within the Recreation Department and the staffing was reduced to one half of a full-time position. And starting in FY10, the Town began sharing a Recreation Director with the Town of Wayland. The Atkinson Pool Enterprise Fund will be voted separately at Town Meeting.

Non-Override Budget

The FY12 Non-Override Budget for this cluster is increasing by \$16,185 or 1.41% over the FY11 budgets. Most of these increased funds are for the Goodnow Library, for salary increases for employees and for additional materials and maintenance costs. The employees in this cluster will receive a 1% cost of living increase in addition to a step movement they might be due. All employees will be paying 2.5% more towards their health insurance plan than they paid in FY11 completing the overall 10% shift from employer to employee agreed to by Town and SPS employees. Even if the Finance Committee recommends an Override Budget at the Annual Town Meeting, the budgets in this cluster will remain the same and not receive any additional funding if there is a successful override.

The Finance Committee recommends approval of a FY12 Non-Override Culture & Recreation budget of \$1,166,009.

TOWN-WIDE OPERATING AND TRANSFER ACCOUNTS

	FY09	FY10	FY11	FY12
	Actual	Budget	Appropriated	Non-Override
Unclassified & Transfers				
Town-Wide Operating Expenses	113,643	106,619	142,100	142,100
Town Reserve Account	0	0	240,420	248,983
Salary Contingency Account	0	0	51,985	10,065
Total Unclassified & Transfers	113,643	106,619	434,505	401,148

The Unclassified and Transfer Accounts budget line item is made up of two categories – Town Wide Operating Expenses and Transfer Accounts.

Unclassified

This budget includes expenses that do not fit precisely into other cost centers and are shared by many departments or support Town-wide functions and responsibilities. Expenses include copiers, postage, telephone, Town Report, Town Meeting, the Memorial Day celebration and the July 4th parade. The FY12 budget for this area is level funded to the FY11 amount.

Transfer Accounts

Transfer accounts are for Town operating department needs only and are counted as part of the Town's share of the overall budget. Since the Town Manager does not have the same authority as the School Committees to move funds around to meet emergencies or unforeseen needs arising during the year, the Reserve Fund is used as a source of funds to meet those instances where supplemental funding is needed. Money cannot be spent from the Reserve Fund without approval of the Finance Committee. The Reserve Fund is set to increase \$8,563 or 3.56% compared to FY11. As other budgets get reduced, there are more areas where an unexpected and potentially large cost can arise and the Reserve Fund allows the most flexibility for meeting those issues, particularly in the area of snow and ice removal costs.

The salary adjustment account is reduced to \$10,065, as all union contracts with Town employees are settled. However, there is still the possibility for arbitration awards or other similar situations which could require funding during the year; and this line item allows flexibility for that possibility. This account also needs Finance Committee approval for any transfers from this account.

The Finance Committee recommends approval of the FY12 Non-Override Budget for Unclassified and Transfer Accounts of \$401,148.

BENEFITS AND INSURANCE

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
BENEFITS & INSURANCE				
Workers' Compensation	27,009	25,090	30,690	41,055
Unemployment Compensation	52,610	41,730	46,738	86,189
Medicare Tax	413,942	421,241	487,166	487,166
Life Insurance	3,700	3,620	5,600	4,343
Employee Medical Premiums	6,747,497	5,977,403	6,093,685	6,412,102
Retiree Medical Premiums/ OPEB	771,852	782,694	883,488	1,021,396
Retirement Assessment	2,621,713	2,717,879	2,851,124	2,961,642
Property/Liab. Insurance	215,912	199,420	275,822	284,096
Benefits Offsets	-	-	(14,280)	(45,836)
Total: Employee Benefits	10,854,235	10,169,076	10,660,033	11,252,153

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
BENEFITS & INSURANCE				
Town	4,153,667	3,964,802	4,209,905	4,490,702
Schools	6,700,568	6,204,274	6,450,128	6,761,451
	10,854,235	10,169,076	10,660,033	11,252,153

Non-Override Budget

This budget is for the benefits and insurance needs of Sudbury Public Schools (SPS) and Town departments only. The largest item in this area is for the health insurance premiums for SPS and Town employees and retirees.

For the first time, this budget presentation shows a breakout of the costs for the Town's share of the medical premiums for SPS and Town retirees. Retirees pay 50% of the costs of their medical plans, and the Town has accepted Section 18, which means that all retirees who are Medicare eligible will be covered by Medicare when they reach age 65, which minimizes the cost of retiree health insurance.

The Town and SPS employees made concessions in the design and contribution rates for their health insurance plans, and beginning in FY10, the split between employer and employee changed over the three years. For active employees in FY12, the Town will pay 80% of the premium rate for all HMO plans offered by the Town and employees will pay 20%, (80%/20% split) unless the employee was hired on or after July 1, 2009, in which case the premium split is 70%/30% for HMO plans. The Town also is required by state law to offer a PPO plan, and the contribution rate for existing employees has changed from 75%/25% in FY10 to 65%/35% for FY12. For employees hired on or after July 1, 2009, the premium split for the PPO plans has changed to 55%/45%. It is estimated these changes have resulted in the budget for the active and

retired employees being \$2.9 million lower in FY12 than if the former plans and contribution rates had remained the same.

All Town and SPS employees are now on rate saver versions of health insurance plans, and the older plans have been discontinued. Since the cut-over date for new hires on July 1, 2009, 10.5% employees are now paying an additional 10% higher premium split than those hired before that date on all plans.

Unemployment insurance is projected to increase by \$39,451, to \$86,189. The increase is mostly a result of costs paid out by SPS and the Town over the past several years.

The Finance Committee recommends approval of a FY12 Non-Override Budget for \$11,252,153, which includes a 5.84% increase over FY11.

DEBT SERVICE

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
DEBT SERVICE				
Short-term Loan Interest	-	7,620	-	-
Long Term Bond Int.	1,277,060	1,151,604	1,025,354	893,860
Long Term Bond Principal	3,070,000	3,110,000	3,155,000	2,990,000
LSRHS Debt Service, Sudbury Portion	2,394,071	2,298,949	2,237,147	2,193,072
Total: Debt Service	6,741,131	6,568,173	6,417,501	6,076,932
NON-EXEMPT DEBT/ADJUSTMENTS				
Non-Exempt Debt Service	-	(7,620)	-	-
Premium on Bonds	(8,408)	(7,007)	(5,605)	(3,737)
SBAB Debt Reimbursement	(1,702,596)	(1,702,596)	(1,702,596)	(1,702,596)
Sub-Total: Non-exempt debt adjustments	(1,711,004)	(1,717,223)	(1,708,201)	(1,706,333)
Total Exempt Debt to be raised	5,030,127	4,850,950	4,709,300	4,370,599

The Debt Service budget provides for the repayment of principal and interest on the long-term debt of both the Town and the Lincoln Sudbury Regional School District ("LSRSD"). The Town issues debt pursuant to votes of Town Meeting to begin construction projects or purchase expensive equipment or real property. The maximum amount of debt is authorized by Town Meeting, and then the Town Treasurer issues the debt after working with the Town Manager and the Town's Financial Advisor pending the approval of the Board of Selectmen. The treasurer of LSRSD issues its debt after working with the LSRSD School Committee, the School District's Financial Advisor and pursuant to votes of Town Meetings of both Lincoln and Sudbury.

The budget request for FY12 is for an appropriation of \$3,883,860, which is the total amount of GROSS debt service payments required for all Town of Sudbury debt. A State grant, estimated at \$1,702,596, will be used to pay part of the debt service associated with school construction projects. Town debt service payments fall into the following major bond issue categories: Town Buildings and projects, Land Acquisitions, and Sudbury Public Schools projects. The appropriation for LSRSD debt service payment for FY12, \$2,193,072, is not requested in this budget, as such, but rather is requested within the LSRSD assessment.

The Finance Committee recommends approval of a FY12 Non-Override Town of Sudbury Debt Service Budget of \$3,883,860.

CAPITAL SPENDING

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
Capital & Capital Articles				
CIPC Items	513,042	523,383	529,054	538,947
Total Capital & Articles	513,042	523,383	529,054	538,947

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
Capital				
Town Buildings	109,500	70,000	116,771	59,607
General Government	12,200	22,622	11,955	0
Public Safety	21,400	25,000	10,000	72,396
Public Works	354,942	325,761	298,328	316,944
Culture & Recreation	15,000	80,000	42,000	0
Sudbury Public Schools	0	0	50,000	90,000
Total: Operating Expenses	513,042	523,383	529,054	538,947

Non-Override Budget

The Finance Committee recommends approval of a FY12 Non-Override Capital Budget of \$538,947.

CAPITAL IMPROVEMENT PLANNING COMMITTEE REPORT

A capital expenditure is defined as major, non-recurring costs involving land acquisition, construction or major rehabilitation of a facility, or purchase of equipment costing \$10,000 or more with a useful life of five years or more.

The Capital Improvement Planning Committee (“Committee”) reviewed each department’s five year capital plan in order to prioritize requests and make recommendations for expenditures in FY12.

The Committee held two hearings on January 5 and 6, 2011. Following its review, the Committee voted to recommend that the following capital items be funded through FY12 Operating Budgets subject to available funding:

<u>Projects Non-Override</u>	<u>FY12</u>	<u>Notes</u>
Ongoing Project Leases:		
Unit #35 Kubota Tractor/Boom Flail Mower	15,664	Started FY11
Unit #54 Elgin Pelican Sweeper	33,236	Started FY11
Unit #8: 2009 John Deere loader	27,315	Started FY10
Unit #14 2009 Chevy pick-up	6,735	Started FY10
Unit #20 2009 6-Wheel Dump Truck	26,500	Started FY10
P&G Landscape Tractor w/Bucket	4,560	Started FY10
Unit #22 2009 John Deer Backhoe	25,183	Started FY09
Unit #27 2007 Mack 10-Wheel	27,390	Started FY09
Unit #33 2009 Tractor	25,230	Started FY09
Unit #5 2008 10-wheel dump truck	23,977	Last installment
Unit #24 2008 6-wheel dump truck	28,053	Last installment
Unit #23 6-wheel dump chip	18,535	Last installment
Ongoing leases	261,454	
P&G:		
1 ton 4x4 truck with plow	8,700	
DPW:		
10 wheel dump truck	36,290	
1 ton pickup truck	10,500	
Town Buildings:		
Various building improvements	59,607	
with up to \$12,000 earmarked for regrading the library driveway		
Pickup Truck	22,396	
School Buildings:		
Nixon Addressable fire alarm	90,000	
Public Safety:		
Car 3 replacement	40,000	
Fire Station occupational safety items	10,000	
Total FY12 Projects	538,947	

Non-Override Budget

The Capital Improvement Planning Committee recommends approval of a FY12 Non-Override Capital Budget of \$538,947.

Status of the Capital Projects Funded for FY10

Starting this year, the Committee will report on the status of the projects approved in the previous fiscal year (concluded as of this budget cycle). Status of the projects funded for FY10 (July 1, 2009 through June 30, 2010):

DPW Equipment:

- Ongoing lease payments
Approved \$2,546,761; Spent \$247,573
- New lease payments
Approved \$71,775; Spent \$60,556
The following units were leased for 5 years:
Unit #14 Chevy One-Ton Truck
Unit #20 Six Wheel Dump Truck
Unit #8 Loader 3.5 yard

Park & Rec:

- New lease payments
Approved \$7,225; Spent \$9,120
The following unit was leased for 5 years:
Utility tractor

Town General:

- Library RFID self check-out
Approved \$80,000; Spent \$80,000
Project completed on budget.
- MUNIS Tax Software:
Approved \$12,000; Spent \$12,200
Lease will end in FY11.
- Ricoh MP6000 B&W copier:
Approved \$10,622; Spent \$10,622
Project completed on budget.

Town Buildings:

- Various building improvements
Approved \$25,000; Spent \$0
Funds were used to complete Senior Center Roof and Skylights project (FY11) that came in over budget.
- Town Hall Handicap Entrance
Approved \$12,000; Spent \$14,175
Project completed. Cost overrun due to Historic District Commission requirement for black iron railings.

Public Safety:

- Fire station HQ paint/trim
Approved \$33,000; Spent \$17,225
Project completed. Multiple vendors submitted bids under budgeted amount. Low bid was accepted.
- Station 2 traffic light
Approved \$25,000; Spent \$0
Project not started. Project on hold as low bid exceeded budgeted amount by \$34,000.

ENTERPRISE FUNDS

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
ENTERPRISE FUND EXPENDITURES				
Transfer Station	263,368	256,534	271,437	290,389
Pool	438,924	455,118	489,868	517,230
Recreation Field Maintenance	0	113,606	221,497	309,614
Total Enterprises (Direct)	702,292	825,257	982,802	1,117,234

	FY09	FY10	FY11	FY12
	Actual	Actual	Appropriated	Non-Override
ENTERPRISE FUND REVENUES				
Transfer Station	316,432	375,277	301,032	330,000
Pool	457,842	480,692	489,868	517,230
Recreation Field Maintenance	0	170,493	221,497	309,614
Total Enterprises Revenues	774,274	1,026,461	1,012,397	1,156,844

The Transfer Station Enterprise Fund operates the Transfer Station, providing recycling, landfill monitoring, and the hauling and disposal of waste. As an enterprise fund, the Transfer Station Enterprise Fund covers all of its direct and indirect costs and is not supported by the general tax levy or any other general revenue source. The Transfer Station is self-sustaining and has a stable group of users.

The Finance Committee recommends approval of a FY12 Non-Override Budget of \$290,389 for the Transfer Station Enterprise Fund.

The Atkinson Pool Enterprise Fund pays for the direct costs of the operation of the Atkinson Pool. Enterprise funds are meant to be self-supporting, meaning 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 repairs to the facility, but does not pay for the cost of health insurance and pensions. However, the Pool does continue to support all of its direct operating costs.

The Finance Committee recommends approval of a FY12 Non-Override Budget of \$517,230 for the Atkinson Pool Enterprise.

The Recreation Field Maintenance Enterprise Fund pays for the direct costs associated with the maintenance and upkeep of the Town's many recreational playing fields. As an enterprise fund, the Recreational Field Maintenance covers all of its direct and indirect costs and is not supported by the general tax levy. Furthermore, costs previously borne by the tax levy to support recreational fields will be assumed by the Enterprise as new revenue streams are developed.

The Finance Committee recommends approval of a FY12 Non-Override Budget of \$309,614 for the Recreational Field Maintenance Enterprise Fund.

COMMUNITY PRESERVATION FUND

<u>Sudbury Community Preservation Fund Balance Statement</u>			
	FY10 ⁶	FY11	FY12
	Actual	Appropriated	Budget
CPA Funds - 2044 & 3400			
Beginning Fund Balances	\$ 8,509,267	\$ 8,922,552	\$ 9,273,957
Revenues:			
CPA Surcharge & Fees	1,457,336	1,400,000	1,480,000
Intergovernmental	539,676	431,234	430,000
Investment Income	185,471	200,000	185,479
Total Revenues	2,182,483	2,031,234	2,095,479
Expenditures ⁷			
Debt Service ¹	1,119,954	1,052,034	1,226,556
Admin	69,263	80,000	85,000
Open Space	7,103	-	766,000
Community Housing ²	-	-	-
Historic Preservation	257,755	167,795	154,000
Recreation	107,124	200,000	100,000
Total Expenditures	1,561,198	1,499,829	2,331,556
Excess/(Deficiency)	621,285	531,405	(236,077)
Transfers In/(Out) ³	(208,000)	(180,000)	(190,000)
Ending CPA Operating Fund Balance	\$ 8,922,552	\$ 9,273,957	\$ 8,847,880
	(0)		
	FY10 ⁶	FY11	FY11
	Actual	Appropriated	Budget
Fund Balance Breakdown			
Reserved ^{5, 6}	\$ 2,029,350	\$ 2,029,350	\$ 2,029,350
Unreserved	\$ 6,893,202	\$ 7,244,607	\$ 6,818,530
	\$ 8,922,552	\$ 9,273,957	\$ 8,847,880
Year-end Cash & Investments ^{4,6}	\$9,344,758		
Exhibit Notes			
1 Debt Service allocation:	FY10	FY11	FY12
Open Space	94.8%	94.5%	95.5%
Recreation	4.2%	4.4%	3.7%
Historic Preservation	0.6%	1.0%	0.8%
2 Community Housing represents funds to non-town entities for Community Housing projects.			
3 Transfers In/(Out) represents appropriations made between Town funds. For CPA this line item represents funds appropriated (and given to) Sudbury Housing Trust for Comm. Housing Projects.			
4 The difference between fund balance and year-end cash balance arises from encumbrances and accruals recorded against the fund but not yet paid out from the cash accounts.			
5 Reserved Fund Balance represents that part of the CPA program reserved for a particular purpose. This may include encumbrances, accruals, current liabilities and mandated reserve allocations.			
6 FY10 annual final as of warrant printing.			
7 Expenditures may not exceed appropriations. However, appropriations for projects may be expended over 1 or more years. CPA project expenditures are tracked in fund 3400.			

LONG-TERM DEBT INFORMATION

TOWN DEBT SCHEDULE BY ISSUANCE DATE

	Issuance Date				Total	Annual Debt Service	Remaining Principal
	12/1/2000	10/1/2001	4/1/2003	2/15/2005			
FY11 Principal	1,265,000	710,000	525,000	655,000	3,155,000		
FY11 Interest	63,250	258,560	63,000	640,544	1,025,354	4,180,354	22,745,000
FY12 Principal		585,000	525,000	1,880,000	2,990,000		
FY12 Interest		232,360	42,000	619,500	893,860	3,883,860	19,755,000
FY13 Principal		500,000	525,000	1,850,000	2,875,000		
FY13 Interest		208,375	21,000	555,131	784,506	3,659,506	16,880,000
FY14 Principal		500,000		1,830,000	2,330,000		
FY14 Interest		187,125		491,044	678,169	3,008,169	14,550,000
FY15 Principal		500,000		1,810,000	2,310,000		
FY15 Interest		165,250		424,800	590,050	2,900,050	12,240,000
FY16 Principal		500,000		1,695,000	2,195,000		
FY16 Interest		142,750		356,925	499,675	2,694,675	10,045,000
FY17 Principal		500,000		1,615,000	2,115,000		
FY17 Interest		119,750		292,900	412,650	2,527,650	7,930,000
FY18 Principal		500,000		1,605,000	2,105,000		
FY18 Interest		96,625		228,400	325,025	2,430,025	5,825,000
FY19 Principal		500,000		1,365,000	1,865,000		
FY19 Interest		72,875		168,800	241,675	2,106,675	3,960,000
FY20 Principal		500,000		1,445,000	1,945,000		
FY20 Interest		48,875		118,400	167,275	2,112,275	2,015,000
FY21 Principal		500,000		1,515,000	2,015,000		
FY21 Interest		24,500		30,300	54,800	2,069,800	0
All Principal	1,265,000	5,795,000	1,575,000	17,265,000	25,900,000		
All Interest	63,250	1,557,045	126,000	3,926,744	5,673,039		
TOTAL	1,328,250	7,352,045	1,701,000	21,191,744	31,573,039		

AUTHORIZED, BUT UNISSUED DEBT

Date Authorized	Permanent Debt Issued Purpose	Total Authorized	Amount Issued	Unissued 12/31/2010	Date Issued	Maturity Date	Article Number
4/8/2008	Nobscot I Conserv. (CPA)	5,545,000	5,045,000	500,000	6/15/2009	6/30/2029	ATM08-33
1/18/2011	Noyes Green Repairs	2,640,000	-	2,640,000			STM11-01
Totals		8,185,000	5,045,000	3,140,000			

Nobscot I debt was authorized to include amount of purchase subsequently covered by State grant. The \$500,000 unissued debt will be rescinded at a future Town Meeting. The Noyes Green Repairs permanent debt will be issued in FY12. Authorization in excess of the Town's final project expenditures (net of MSBA debt reimbursement) may be rescinded in the future.

FY12 LONG-TERM DEBT SERVICE DETAIL

DEBT SERVICE DETAIL		Budget
	Date	FY12
Loring Elementary	10/1/2001	817,360
DPW	4/1/2003	459,000
K-8 Schools Remainder	4/1/2003	108,000
Curtis Refunding 2000 Issue	2/15/2005	1,412,184
Haynes Refunding 2000 Issue	2/15/2005	496,173
Weisblatt Land Refunding 1999 Issue	6/15/2005	342,863
Meachen Land Refunding 1999 Issue	6/15/2005	248,280
Town Projects Sub-total		3,883,860
L-S assessment, Sudbury share		2,193,072
Total Debt Service (gross)		6,076,932
Debt Service by Category		
Schools K-8		2,833,716
Town		459,000
Land Acquisition		591,144
L-S assessment, Sudbury share		2,193,072
		6,076,932
Adjustments to debt		
Premium on Bonds		(3,737)
SBAB Debt Reimbursement		(1,702,596)
Total Adjustments		(1,706,333)
Total exempt debt to be raised by taxation		4,370,599

L-S DEBT SCHEDULE BY ISSUANCE DATE

	Issuance Date			Total	Annual	Remaining
	FY05	FY07	FY09		Debt Service	Principal
FY11 Principal	1,400,000	550,000	200,000	2,150,000		
FY11 Interest	167,267	336,050	23,750	527,067	2,677,067	12,850,000
FY12 Principal	1,400,000	550,000	200,000	2,150,000		
FY12 Interest	127,844	316,800	14,250	458,894	2,608,894	10,700,000
FY13 Principal	1,400,000	550,000	200,000	2,150,000		
FY13 Interest	87,294	297,550	4,750	389,594	2,539,594	8,550,000
FY14 Principal	1,400,000	550,000		1,950,000		
FY14 Interest	45,055	277,613		322,668	2,272,668	6,600,000
FY15 Principal		550,000		550,000		
FY15 Interest		254,925		254,925	804,925	6,050,000
FY16 Principal		550,000		550,000		
FY16 Interest		231,550		231,550	781,550	5,500,000
FY17 Principal		550,000		550,000		
FY17 Interest		210,238		210,238	760,238	4,950,000
FY18 Principal		550,000		550,000		
FY18 Interest		188,925		188,925	738,925	4,400,000
FY19 Principal		550,000		550,000		
FY19 Interest		166,925		166,925	716,925	3,850,000
FY20 Principal		550,000		550,000		
FY20 Interest		144,925		144,925	694,925	3,300,000
FY21 Principal		550,000		550,000		
FY21 Interest		122,925		122,925	672,925	2,750,000
FY22 Principal		550,000		550,000		
FY22 Interest		100,925		100,925	650,925	2,200,000
FY23 Principal		550,000		550,000		
FY23 Interest		78,925		78,925	628,925	1,650,000
FY24 Principal		550,000		550,000		
FY24 Interest		56,650		56,650	606,650	1,100,000
FY25 Principal		550,000		550,000		
FY25 Interest		34,031		34,031	584,031	550,000
FY26 Principal		550,000		550,000		
FY26 Interest		11,344		11,344	561,344	0
All Principal	5,600,000	8,800,000	600,000	15,000,000		
All Interest	427,460	2,830,300	42,750	3,300,510		
TOTAL	6,027,460	11,630,300	642,750	18,300,510		

The Town of Sudbury is responsible for a portion of the District's annual debt service. For further details, see LSRHS and Debt Service narratives.

CPF DEBT SCHEDULE BY ISSUANCE DATE

	Issuance Date					Total	Annual Debt Service	Remaining Principal
	6/15/2004	6/15/2004	6/15/2005	6/15/2009	12/15/2010			
FY11 Principal	277,216	17,784	135,000	255,000		685,000		
FY11 Interest	141,877	9,102	77,688	138,369		367,035	1,052,035	9,620,000
FY12 Principal	277,216	17,784	135,000	255,000	125,000	810,000		
FY12 Interest	131,482	8,435	72,963	131,994	71,683	416,556	1,226,556	10,840,000
FY13 Principal	277,216	17,784	135,000	255,000	105,000	790,000		
FY13 Interest	120,393	7,723	68,238	126,894	58,250	381,498	1,171,498	10,050,000
FY14 Principal	277,216	17,784	135,000	255,000	100,000	785,000		
FY14 Interest	109,304	7,012	63,175	121,794	55,700	356,985	1,141,985	9,265,000
FY15 Principal	220,833	14,167	135,000	255,000	100,000	725,000		
FY15 Interest	98,216	6,301	58,113	116,375	52,700	331,704	1,056,704	8,540,000
FY16 Principal	220,833	14,167	135,000	255,000	100,000	725,000		
FY16 Interest	89,382	5,734	53,050	110,478	50,200	308,844	1,033,844	7,815,000
FY17 Principal	220,833	14,167	135,000	255,000	100,000	725,000		
FY17 Interest	80,218	5,146	47,650	104,263	48,200	285,476	1,010,476	7,090,000
FY18 Principal	220,833	14,167	130,000	255,000	100,000	720,000		
FY18 Interest	70,832	4,544	42,250	97,569	46,075	261,270	981,270	6,370,000
FY19 Principal	220,833	14,167	130,000	250,000	100,000	715,000		
FY19 Interest	61,171	3,924	37,050	90,313	43,700	236,158	951,158	5,655,000
FY20 Principal	220,833	14,167	130,000	250,000	100,000	715,000		
FY20 Interest	51,233	3,287	31,850	82,813	41,075	210,258	925,258	4,940,000
FY21 Principal	220,833	14,167	130,000	250,000	100,000	715,000		
FY21 Interest	41,296	2,649	26,650	75,313	38,200	184,108	899,108	4,225,000
FY22 Principal	220,833	14,167	130,000	250,000	100,000	715,000		
FY22 Interest	31,138	1,998	21,450	67,500	35,200	157,285	872,285	3,510,000
FY23 Principal	220,833	14,167	130,000	250,000	100,000	715,000		
FY23 Interest	20,869	1,339	16,250	59,375	32,100	129,933	844,933	2,795,000
FY24 Principal	220,833	14,167	130,000	250,000	100,000	715,000		
FY24 Interest	10,490	673	10,888	51,094	28,750	101,894	816,894	2,080,000
FY25 Principal			130,000	250,000	100,000	480,000		
FY25 Interest			5,525	42,500	25,250	73,275	553,275	1,600,000
FY26 Principal				250,000	100,000	350,000		
FY26 Interest				33,594	21,625	55,219	405,219	1,250,000
FY27 Principal				250,000	100,000	350,000		
FY27 Interest				24,375	17,875	42,250	392,250	900,000
FY28 Principal				250,000	100,000	350,000		
FY28 Interest				14,844	14,000	28,844	378,844	550,000
FY29 Principal				250,000	100,000	350,000		
FY29 Interest				5,000	10,000	15,000	365,000	200,000
FY30 Principal					100,000	100,000		
FY30 Interest					6,000	6,000	106,000	100,000
FY31 Principal					100,000	100,000		
FY31 Interest					2,000	2,000	102,000	0
All Principal	3,317,199	212,801	1,985,000	4,790,000	2,030,000	12,335,000		
All Interest	1,057,900	67,865	632,788	1,494,453	698,583	3,951,589		
TOTAL	4,375,098	280,667	2,617,788	6,284,453	2,728,583	16,286,589		

CPF (Community Preservation Fund): A special revenue fund used to account for the 3% on local real estate tax surcharge on non-exempt property (and matching state trust fund distribution) that can be used for open space, historic resource and affordable housing purposes. Occasionally, the Town will borrow long-term funds for CPF purposes. This schedule shows all debts outstanding relating to CPF. CPF debt service is budgeted and paid for separately from all other Town activities.

APPENDICES

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 bona fide 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.

Benefits and Insurance: 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.

Capital Exclusion: A temporary increase in the tax levy to fund a capital project or make a capital acquisition.

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 Exclusion: An override to Proposition 2 ½ for the purpose of raising funds for debt service costs; remains for the life of the debt only.

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.

APPENDIX I. BUDGET TERMS AND DEFINITIONS CONT'D

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 2 ½ 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.

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 2½: 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.

APPENDIX I. BUDGET TERMS AND DEFINITIONS CONT'D

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.

Town-wide 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 town-wide operations and are not assigned to any one department or cost center.

**APPENDIX II. EMPLOYEE HEADCOUNT
(Full Time Equivalents)**

		FY09	FY10	FY11	FY12
Cost Center		Actual	Actual	Current	Budget
LSRHS*		220.01	211.54	213.18	194.29
Sudbury K-8 Schools *		389.89	393.31	390.57	380.07
Public Safety		79.25	76.97	76.97	76.97
Public Works		32.70	31.86	31.28	31.28
General Government		31.80	30.50	30.50	30.50
Human Services		7.20	6.20	6.20	6.20
Culture & Recreation		18.11	16.63	16.12	16.12
Town Operating Sub-total		169.06	162.16	161.07	161.07
Town Enterprises		9.60	9.60	10.18	10.18
TOTAL		788.56	776.61	775.00	745.61

*Includes positions covered in full or in part by grants. LSRHS figures represent full FTE's; they are not prorated by the regional assessment.

APPENDIX III. FY10 ACTUAL EMPLOYEE COMPENSATION OVER \$100K^{1,2}

<u>Lincoln Sudbury Regional High School</u>			
Position	Salary	Other Compensation	Overtime
Superintendent/Principal	146,250	-	-
Director of Students Services	119,506	-	-
Coord. of Curric & Instr	119,506	-	-
Housemaster	119,506	-	-
Housemaster	119,506	-	-
Housemaster	119,506	-	-
Athletics/Activities Director	119,506	-	-
Director of Finance & Operations	131,196	-	-
Counselor	101,920	-	-
Department Coordinator	93,127	8,500	-
Department Coordinator	95,920	9,500	-
Department Coordinator	95,920	7,000	-
Department Coordinator	93,127	9,000	-
Department Coordinator *	93,127	57,563	-
Department Coordinator	90,413	10,000	-
Department Coordinator	95,920	8,500	-
Teacher *	95,920	53,960	-
Teacher	95,920	4,500	-
Teacher	95,920	5,500	-
Teacher	95,920	4,700	-
Teacher	95,920	15,947	-
Teacher	95,920	5,000	-
Teacher	95,920	4,500	-
Teacher	95,920	7,300	-
* Other compensation includes Early retirement incentive no longer available. FY10 was last year it was paid.			
<u>Sudbury Public Schools</u>			
Position	Salary	Other Compensation	Overtime
Superintendent	157,343	21,000	-
Assistant Superintendent	118,497	1,000	-
Director of Business & Finance	109,000	1,000	-
Principal, Curtis	101,000	4,852	-
Principal, Loring	100,025	-	-
Principal, Nixon	104,555	-	-
Principal, Noyes	108,541	500	-
Special Education Administrator	107,849	-	-

APPENDIX III (Continued)

<u>Town</u>			
<u>Position</u>	<u>Salary</u>	<u>Other Compensation*</u>	<u>Overtime</u>
Town Manager	147,077	17,978	-
DPW Director/Town Engineer	106,333	9,936	
Assist. Town Manager (retired 6/2010)	97,561	18,075	-
Fire Chief (retired 12/2010)	104,311	30,840	-
Assist. Fire Chief (retired 9/2010)	89,361	14,592	-
Director of Planning & Community Devel.	97,552	3,632	-
Police Lieutenant	85,991	32,743	13,583
Police Chief	96,596	24,620	
Fightfighter/Emt	65,736	14,740	29,505
Fire Captain/Emt	65,736	18,942	37,146
Fire Captain/Emt	65,736	12,291	36,565
Fire Captain/Emt	65,736	11,609	23,576
Police Sargeant (retired 5/2010)	52,238	41,750	15,003
Police Sargeant	59,967	23,942	22,552
Fighfighter/Emt	50,361	5,737	55,411
*excludes non-town paid details which are reimbursed by outside sources.			

¹Salaries are base pay.

²Other compensation paid to employees. This amount may include annuities, deferred compensation match, career incentive, merit pay, stipends, regular or retirement sick-buyback, or any other compensation paid by the Town or Schools, other than base salary or overtime.

APPENDIX IV. COLLECTIVE BARGAINING

BARGAINING UNIT AND CONTRACT TERMS

LINCOLN-SUDBURY REGIONAL HIGH SCHOOL

Three year contract covering school years 2009/10, 2010/11, 2011/12. Effective dates and percentage increases are: 9/1/2009 – Teachers, 0.75% for salary Schedule A, additional 0.75% for the top step in all classifications; 9/1/2010 – 1.75% for salary Schedule A, additional 1.0% for the top step in all classifications; 9/1/2011 – 2.0% for salary Schedule A, additional 1.0% for the top step in all classifications.

SUDBURY PUBLIC SCHOOLS, K-8

Three year contract covering fiscal years 2010, 2011, 2012. Effective dates and percentage increases are: 7/1/2009 – Teachers, 3.0% to the salary schedule; 7/1/2010 – 0% to salary schedule, and 2.5% on a new top step in all classifications; 7/1/2011 – 1.0% to salary schedule and 1.0% to the top step.

TOWN

FIRE

Three year contract covering fiscal years 2010, 2011, 2012. Effective dates and percentage increases are: 11/1/2009 – 3.00%; 7/1/2010 – 0% to salary schedule, 2.0% on a new top step; 7/1/2011 – 1.0% to salary schedule, additional 1.92% to top step, Min step deleted and all remaining steps renumbered.

POLICE

Three year contract covering fiscal years 2010, 2011, 2012. Effective dates and percentage increases are: 11/1/2009 – 3.00%; 7/1/2010 – 0% to salary schedule, 2.5% on a new top step; 7/1/2011 – 0%.

PUBLIC WORKS

Three year contract covering fiscal years 2011, 2012, 2013. Effective dates and percentage increases are: 7/1/2010 – 3.00%; 7/1/2011 – 0% to salary schedule, 2.0% on new top step; 7/1/2012 – 1.0% to salary schedule, additional 1.92% to top step, Start step deleted and all remaining steps renumbered.

ENGINEERING

Three year contract covering fiscal years 2011, 2012, 2013. Effective dates and percentage increases are: 7/1/2010 – 3.00%; 7/1/2011 – 0% to salary schedule, 2.0% on new top step; 7/1/2012 – 1.0% to salary schedule, additional 1.92% to top step, Min step deleted and all remaining steps renumbered.

SUPERVISORY

Three year contract covering fiscal years 2010, 2011, 2012. Effective dates and percentage increases are: 11/1/2009 – 3.00%; 7/1/2010 – 0% to salary schedule, 2.0% on a new top step; 7/1/2011 – 1.00% to salary schedule, 1.92% to the top step; Min step deleted and all remaining steps renumbered.

CIVILIAN DISPATCHERS

Three year contract covering fiscal years 2010, 2011, 2012. Effective dates and percentage increases are: 7/1/2009 – 0%, 7/1/2010 – 3.00%; 7/1/2011 – 1.0% to salary schedule, new top step 3.92% above step 7.

NOTE: Percentage increases are for cost of living only and do not include changes for step, longevity or merit increases.

APPENDIX V. SALARY SCHEDULES & CLASSIFICATION PLANS

SUDBURY PUBLIC SCHOOLS							
TEACHER SALARY SCHEDULE							
FY12: 7/1/11 - 6/30/12							
Bachelors		Masters		Masters +30		Masters +60	
Step	Salary	Step	Salary	Step	Salary	Step	Salary
1	42,573	1	45,560	1	48,179	1	50,478
2	44,344	2	47,455	2	50,183	2	52,578
3	46,188	3	49,430	3	52,271	3	54,765
4	48,110	4	51,486	4	54,445	4	57,043
5	50,111	5	53,628	5	56,710	5	59,416
6	52,196	6	55,859	6	59,069	6	61,888
7	54,367	7	58,182	7	61,527	7	64,462
8	56,629	8	60,603	8	64,086	8	67,144
9	58,985	9	63,124	9	66,752	9	69,937
10	61,438	10	65,749	10	69,529	10	72,846
11	63,994	11	68,485	11	72,421	11	75,877
12	66,656	12	71,334	12	75,434	12	79,033
13	69,430	13	74,301	13	78,573	13	82,321
14	72,317	14	77,392	14	81,841	14	85,746
15	74,867	15	81,262	15	85,933	15	90,033
16		16	84,126	16	88,962	16	93,207

SUDBURY PUBLIC SCHOOLS							
SUPPORT STAFF SALARY SCHEDULE							
FY12: 7/1/11 - 6/30/12							
Level	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
1	10.62	10.99	11.49	11.90	12.39	12.85	14.24
2	10.92	11.38	11.84	12.35	13.36	15.40	16.83
3	13.74	14.27	14.82	15.40	16.02	16.65	18.45
4	14.82	15.40	16.02	16.65	17.30	17.97	19.91
5	16.02	16.65	17.30	17.97	18.68	19.41	21.50
6	17.30	17.97	18.68	19.41	20.17	20.95	23.22
7	18.68	19.41	20.17	20.95	21.80	22.64	25.08
8	20.17	20.95	21.78	22.64	23.54	24.45	27.08
9	21.78	22.66	23.54	24.45	25.40	26.42	29.25

JOB CLASSIFICATION FOR SUPPORT STAFF							
Level 1	n/a						
Level 2	Cafeteria Helper						
Level 3	Cafeteria Cook						
Level 4	Lunchroom Supervisor						
Level 5	Cafeteria/Manager, Early Childhood Asst (Clerical), Secretarial Asst						
Level 6	Business Office Assistant, School Secretary/Student Services Secretary						
Level 7	Library/Media Paraprofessional, Teacher Assistant						
Level 8	School Administrative Secretary, Assistant Librarian						
Level 9	Administrative Secretary, Tutor, ABA Tutor, METCO Tutor						

SUDBURY PUBLIC SCHOOLS NURSES' SALARY SCHEDULE FY12			
	Step	Salary	
	1	44,414	
	2	47,078	
	3	49,903	
	4	52,897	
	5	54,762	

CUSTODIAN SALARY SCHEDULE FY12					
	Step	Custodian	MA-1	MA-2	
	1	16.61	20.31	25.70	
	2	17.27	21.04	26.67	
	3	17.95	21.81	27.65	
	4	18.61	22.64	28.69	
	5	19.29	23.48	29.77	
	6	20.07	24.34	30.87	
	7	21.28	26.14	33.18	
	8	22.10			
	9	22.91			
	10	23.12			
	11	24.32			
	MA-1 is Maintenance Assistant 1				
	MA-2 is Maintenance Assistant 2				

APPENDIX V.

LINCOLN SUDBURY REGIONAL SCHOOL DISTRICT

FY12 TEACHERS' SALARY SCHEDULE						
Step	B	M	M+15	M+30	M+45	M+60
1	43,360	46,830	48,235	49,681	51,172	52,707
2	45,095	48,703	50,165	51,669	53,219	54,815
3	46,899	50,650	52,171	53,735	55,347	57,008
4	48,774	52,677	54,257	55,885	57,561	59,289
5	50,726	54,784	56,427	58,121	59,864	61,660
6	52,755	56,975	58,685	60,445	62,259	64,126
7	54,866	59,254	61,033	62,864	64,749	66,692
8	57,060	61,624	63,474	65,377	67,338	69,359
9	59,342	64,090	66,012	67,992	70,032	72,133
10	61,716	66,653	68,653	70,713	72,834	75,019
11	64,185	69,319	71,399	73,541	75,747	78,020
12	66,752	72,093	74,255	76,483	78,777	81,140
13	69,422	74,976	77,225	79,542	81,928	84,386
14	72,199	77,975	80,314	82,723	85,206	87,761
15	75,087	81,094	83,527	86,033	88,614	91,273
16	78,681	84,338	86,868	89,473	92,158	94,922
17	78,681	88,375	89,258	94,758	97,601	100,528
17+1%	79,452	89,241	90,133	95,687	98,558	101,514

NURSES' SCHEDULE		
Step	B	M + Cert.
1	38,196	39,342
2	39,724	40,915
3	41,312	42,552
4	42,965	44,254
5	44,684	46,024
6	46,471	47,865
7	48,330	49,780
8	51,636	53,185

APPENDIX V.

LINCOLN SUDBURY REGIONAL SCHOOL DISTRICT-SUPPORT STAFF COMPENSATION CLASSIFICATION PLAN

FY12 SUPPORT STAFF SCHEDULES								
Category A	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Scale 1	10.95	11.35	11.75	12.24	12.69	13.20		
Scale 2	12.28	12.76	13.33	13.81	14.31	14.89		
Scale 3	13.72	14.16	14.73	15.30	15.81	16.44		
Scale 4	15.03	15.60	16.27	16.81	17.43	18.13		
Scale 5	16.42	17.06	17.71	18.38	19.03	19.79		
Scale 6	17.75	18.50	19.19	19.88	20.58	21.40		
Scale 7	19.17	19.88	20.66	21.43	22.20	23.09		
Scale 8	20.46	21.34	22.12	22.96	23.79	24.74		
Scale 9	21.90	22.73	23.58	24.47	25.38	26.39		
Scale 10	23.20	24.12	25.10	26.04	26.95	28.02	29.14	30.31
Category B	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Scale 1	20.66	21.44	22.35	23.20	24.15	25.10	26.11	27.15
Scale 2	22.49	23.36	24.30	25.24	26.29	27.34	28.47	29.61
Scale 3	24.32	25.26	26.25	27.34	28.43	29.57	30.74	31.97
Tech	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Scale	53,034	55,155	57,361	59,657	62,043	64,524	67,107	69,791
Trainer	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Scale	37,588	39,139	40,770	42,483	44,357	46,150	47,998	49,918
Trainer Cont'd	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16
Scale	51,915	53,990	56,148	58,396	60,733	63,162	65,687	68,314

APPENDIX V.
FY12 TOWN NON-UNION EMPLOYEES*

Position	Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
		Yrly/Hrly	Yrly/Hrly	Yrly/Hrly	Yrly/Hrly	Yrly/Hrly	Yrly/Hrly	Yrly/Hrly	Yrly/Hrly
	17								
Director of Public Works	16	85,887	89,251	92,746	96,376	100,151	104,072	108,147	112,427
Finance Director		47.01	48.85	50.76	52.75	54.82	56.96	59.19	61.54
Fire Chief									
Police Chief									
Assist. Town Mgr./Human Res. Dir.	15	78,806	81,888	85,097	88,428	91,890	95,487	99,226	103,154
Dir. of Planning & Community Dev.		43.13	44.82	46.58	48.40	50.30	52.26	54.31	56.46
Town Accountant	14	72,307	75,138	78,078	81,135	84,310	87,612	91,042	94,646
		39.58	41.13	42.74	44.41	46.15	47.95	49.83	51.80
Mgmt. Analyst, D.P.W.	12	60,876	63,258	65,734	68,306	70,980	73,758	76,646	79,680
		33.32	34.62	35.98	37.39	38.85	40.37	41.95	43.61
Community Housing Specialist	11	55,858	58,043	60,315	62,674	65,129	67,677	70,324	73,108
Community Social Worker		30.57	31.77	33.01	34.30	35.65	37.04	38.49	40.02
Aquatic Facility Director	10	51,254	53,259	55,343	57,508	59,758	62,097	64,528	67,082
Assistant Building Inspector		28.05	29.15	30.29	31.48	32.71	33.99	35.32	36.72
Exec. Ass't to Town Mgr. (40 hrs/wk)									
Adult Services/Reference Librarian	9	47,031	48,870	50,782	52,769	54,833	56,978	59,207	61,551
Assistant Library Director		25.74	26.75	27.80	28.88	30.01	31.19	32.41	33.69
Assistant Town Accountant									
Assistant Assessor	8	43,154	44,844	46,597	48,420	50,312	52,282	54,328	56,478
Assistant Planner		23.62	24.55	25.50	26.50	27.54	28.62	29.74	30.91
Assistant Recreation Director									
Assistant Treasurer/Collector									
Children's Librarian									
Head of Circulation, Library									
Head of Technical Services, Library									
Selectmen's Office Mgr. (40 hrs/wk)									
Tech. Support Specialist (40 hrs/wk)									
Aquatic Supervisor	7	39,595	41,144	42,753	44,428	46,166	47,974	49,851	51,824
Assistant Children's Librarian		21.67	22.52	23.40	24.32	25.27	26.26	27.29	28.37
Assistant Town Clerk									
Benefits Coordinator/Hum. Res. Ass't									
Office Supervisor									
Teen Center Director									
Accounting Assistant/Payroll	6	36,669	38,105	39,595	41,144	42,753	44,428	46,166	47,994
Admin. Assistant, Park & Rec.		20.07	20.86	21.67	22.52	23.40	24.32	25.27	26.27
Board of Health/Conservation Ass't									
COA Info. & Referral Specialist									
Data Collector									
Financial Analyst									
Library Office Coordinator									
Program Coordinator, Park & Recr.									
Reference Librarian									
Secretary/Legal Secretary									
Young Adult/Reference Librarian									
Youth Coordinator									
Acct. Administrative Ass't-DPW	5	33,960	35,289	36,669	38,105	39,595	41,144	42,753	44,446
Accounting Ass't/Accounts Payable		18.59	19.32	20.07	20.86	21.67	22.52	23.40	24.33
Board of Health Coordinator									
Census Administrator									
Department Assistant									
Vital Records Administrator									
Accounting Clerk	4	31,452	32,685	33,960	35,289	36,669	38,105	39,595	41,162
Assessing Analyst		17.22	17.89	18.59	19.32	20.07	20.86	21.67	22.53
Bldg. Maint. Custodian (40 hrs/wk)									
Library Technician									
Van Driver, Senior Center									
Library Clerk	3	29,132	30,271	31,452	32,685	33,960	35,289	36,669	38,121
Recording Secretary		15.95	16.57	17.22	17.89	18.59	19.32	20.07	20.87
Clerk I	2	26,983	28,039	29,132	30,271	31,452	32,685	33,960	35,305
		14.77	15.35	15.95	16.57	17.22	17.89	18.59	19.32
Head Lifeguard	1	24,994	25,969	26,983	28,039	29,132	30,271	31,452	32,698
		13.68	14.21	14.77	15.35	15.95	16.57	17.22	17.90

*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.

APPENDIX V.

FY12 TOWN NON-UNION INDIVIDUALLY RATED EMPLOYEES

LIBRARY				<u>Minimum</u>	<u>Step 1</u>	<u>Step 2</u>	
Library Page				8.63	9.00	9.32	
HIGHWAY/PARK AND RECREATION							
Temporary Laborer					9.50 - 11.50		
Temporary Snow Removal Equipment Operator					16.05-17.28		
DEPARTMENTAL TEMPORARY OR SEASONAL HELP							
Temporary or Seasonal Help					9.50 - 11.50		
Temporary Special Project Help					13.66 - 17.21		
TECHNOLOGY DEPT. TEMPORARY OR SEASONAL HELP				<u>Level I</u>	<u>Level II</u>	<u>Level III</u>	
				9.50 - 11.50	14.61-18.25	18.40-22.99	
PARK AND RECREATION							
Part-time or seasonal hourly rated salary range (Salary paid from program fees)							
Position	1	2	3	4			
Preschool Director	22.52	23.52	24.52	25.52			
Preschool Instructor	11.00	11.50	12.00				
Recreation Staff	8.00 - 15.00						
Teen Center Staff	8.00 - 19.00						
Seasonal Camp Staff							
Position	1	2	3	4	5	6	7
Camp Director	19.00	20.00	21.00	22.00	23.00	24.00	25.00
CIT Director	13.00	14.00	15.00	16.00			
Program Specialist	10.00	10.50	11.00	12.00			
Head Counselor	9.50	10.00	10.50	11.50			
Counselor	8.50	9.00	9.50	10.50			
Preschool Camp Director	17.00	18.00	19.00	20.00			
Preschool Counselor	8.00	8.50	9.00	10.00			
Camp Nurse	22.50	23.50	24.50	25.50			
Office Assistant	9.00	9.50	10.00	11.00			
Inclusion Aide	12.00	12.50	13.00	14.00			
Adventure Camp Counselor	10.50	11.00	11.50	12.00			
ATKINSON POOL							
Lifeguard	8.75 - 10.75						
Lifeguard in Training	8.00						
Water Safety Instructor	9.25 - 20.00						
Swim Aide in Training	8.00						
Supervisor (Shift-PT)	10.25 - 11.75						
Pool Receptionist	8.00 - 10.50						
ATKINSON POOL (Specialty Instruction)							
Diving (Certified)	20.00	22.00	24.00	26.00	Non-certified: 10.00*		
Water Exercise (Certified)	17.00	19.00	21.00	23.00	25.00	27.00	
* Non-certified instructors are required to become certified within one year.							
MISCELLANEOUS SINGLE RATED							
Election Warden and Election Cle	8.40						
Deputy Election Warden/Clerk	8.40						
Election Officer & Teller	8.00						

APPENDIX V.

FY12 TOWN UNION EMPLOYEES

POLICE DEPARTMENT						
	<u>MIN</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>MAX</u>
Patrolman						
Annual	46,660	47,737	48,859	49,956	50,949	52,223
Hourly	23.22	23.75	24.31	24.86	25.35	25.99
Sargeant						
Annual	55,985	57,280	58,618	59,939	61,132	62,660
Hourly	27.86	28.50	29.17	29.82	30.42	31.18
Single Rated:						
Crime Prevention Officer	\$925/Year		Parking Clerk	\$925/Year		
Photo/Fingerprint Officer	\$925/Year		Mechanic	\$925/Year		
Juvenile Officer	\$925/Year		Firearms Officer	\$925/Year		
Safety Officer	\$925/Year		DARE Officer	\$925/Year		
Motorcycle Officer (half-time)	\$462.50/Yr		Fleet Maint. Officer	\$925/Year		
Detective	\$1,900/Yr		Traffic Officer	\$925/Year		
Training Officer	\$925/Year					

Notes:

Hourly rates are obtained by dividing the annual rates by 52.2 weeks and 38.5 hours per week.

Overtime pay is calculated by multiplying 1.5 times these hourly rates.

POLICE DISPATCHERS								
	<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>	<u>Step 8</u>
Annual	36,565	38,001	39,491	41,040	42,649	44,324	46,062	47,868
Hourly	18.76	19.50	20.27	21.06	21.89	22.75	23.64	24.57
Note: Hourly rates are obtained by dividing the annual rates by 52.2 and 37.33 Hrs/Wk.								

APPENDIX V.

FY12 TOWN UNION EMPLOYEES

	<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>	<u>STEP 7</u>
Foreman, Landfill	47,724	49,156	50,633	52,149	53,713	55,327	57,263	58,408
Foreman, Highway	47,724	49,156	50,633	52,149	53,713	55,327	57,263	58,408
Foreman, Tree & Cemetery	47,724	49,156	50,633	52,149	53,713	55,327	57,263	58,408
Foreman, Park & Grounds	47,724	49,156	50,633	52,149	53,713	55,327	57,263	58,408
Master Mechanic	22.10	22.85	23.53	24.15	24.76	25.40	26.28	26.81
Assistant Mechanic	21.11	21.85	22.55	23.18	23.76	24.42	25.28	25.79
Heavy Equipment Operator	19.83	20.40	20.87	21.55	22.24	22.95	23.74	24.21
Tree Surgeon	19.83	20.40	20.87	21.55	22.24	22.95	23.74	24.21
Truck or Light Equip. Operator	18.65	19.12	19.66	20.03	20.44	20.86	21.57	22.00
Tree Climber	18.65	19.12	19.66	20.03	20.44	20.86	21.57	22.00
Heavy Laborer	17.57	18.07	18.46	18.96	19.46	19.97	20.68	21.09
Light Laborer	16.05	16.48	16.83	17.28	17.71	18.17	18.81	19.19
Landfill Monitor	15.00							
Notes: Crew Leaders receive an annual stipend of \$4,095.								
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>	<u>STEP 7</u>	<u>STEP 8</u>
E1 Engineering Aide I	32,869	33,857	34,877	35,926	37,003	38,116	39,259	40,044
E2 Engineering Aide II	37,800	38,936	40,101	41,311	42,546	43,824	45,140	46,043
E3 Engineering Aide III	43,471	44,777	46,117	47,502	48,927	50,394	51,906	52,944
E4 Jr. Civil Engineer	49,992	51,490	53,033	54,626	56,265	57,951	59,690	60,884
E5 Civil Engineer	56,243	57,926	59,672	61,461	63,303	65,199	67,156	68,499
E6 Sr. Civil Engineer	59,642	61,431	63,275	65,174	67,130	69,138	71,212	72,636
E7 Assistant Town Engineer	70,151	72,253	74,420	76,651	78,954	81,322	83,762	85,437
Notes: 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.

FY12 UNION EMPLOYEES

FIRE DEPARTMENT						
		<u>MIN</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>MAX</u>
Firefighter						
Annual		46,520	47,596	48,648	49,793	51,764
Hourly		21.22	21.71	22.19	22.71	23.61
Firefighter/EMT						
Annual		48,695	49,772	50,826	51,971	54,028
Hourly		22.21	22.70	23.18	23.71	24.64
Lieutenant						
Annual		53,148	54,378	55,580	56,889	59,142
Hourly		24.24	24.80	25.35	25.95	26.98
Lieutenant/EMT						
Annual		55,634	56,865	58,069	59,376	61,726
Hourly		25.38	25.94	26.49	27.08	28.15
Fire Captain						
Annual		60,721	62,128	63,500	64,996	67,568
Hourly		27.70	28.34	28.96	29.65	30.82
Fire Captain/EMT						
Annual		63,562	64,968	66,343	67,837	70,522
Hourly		28.99	29.63	30.26	30.94	32.17
<u>Single Rated:</u>						
Fire Prevention Officer		\$800 /year				
Fire Alarm Superintendent		\$800 /year				
Master Mechanic		\$800 /year				
Technology Coordinator		\$800 /year				
Fire Department Training Officer		\$800 /year				
Emergency Medical Tech. Coord.		\$800 /year				
Fire Alarm Foreman		\$800 /year				

FIRE DISPATCHERS								
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Annual	33,856	35,185	36,565	38,001	39,491	41,040	42,649	44,321
Hourly	18.53	19.26	20.01	20.80	21.62	22.46	23.34	24.26

Note: Hourly rates are obtained by dividing the annual rates by 52.2 and 35 Hrs/Wk.

APPENDIX V.

FY12 UNION EMPLOYEES CONT'D*

SUPERVISORY UNION							
Level/Position*	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
SA-1	53,900	56,012	58,209	60,490	62,862	65,327	67,712
Supv. Of Buildings ¹							
SA-2	58,755	61,060	63,454	65,942	68,524	71,212	74,031
Town Clerk ²							
Conservation Coord.							
SA-3	64,041	66,552	69,160	71,872	74,690	77,617	80,690
Hwy. Operations Dir.							
C.O.A. Director							
SA-4	69,804	72,541	75,383	78,339	81,408	84,600	87,949
Health Director	72,387	74,561	76,800	79,102	81,477	84,671	88,022
Building Inspector							
Director of Assessing	72,969	75,158	77,412	79,735	82,127	85,346	88,724
Treasurer/Collector							
Pk. And Rec. Director							
Town Planner							
Technology Admin.	72,969	75,158	77,412	79,735	82,127	85,346	88,724
SA-5	76,088	79,070	82,169	85,392	88,740	92,217	95,867
Police Lieutenant							
Assistant Fire Chief							
Library Director							
SA-6	82,937	86,185	89,564	93,077	96,725	100,517	104,496
Town Engineer							
SA-7	90,420	93,964	97,650	101,477	105,455	109,588	113,926
* Note all positions in each level have same step compensation unless otherwise indicated.							
1 This position also receives an annual stipend \$13,050 as Wiring Inspector							
2 This position also receives an annual stipend of \$782 as Registrar of Voters							

