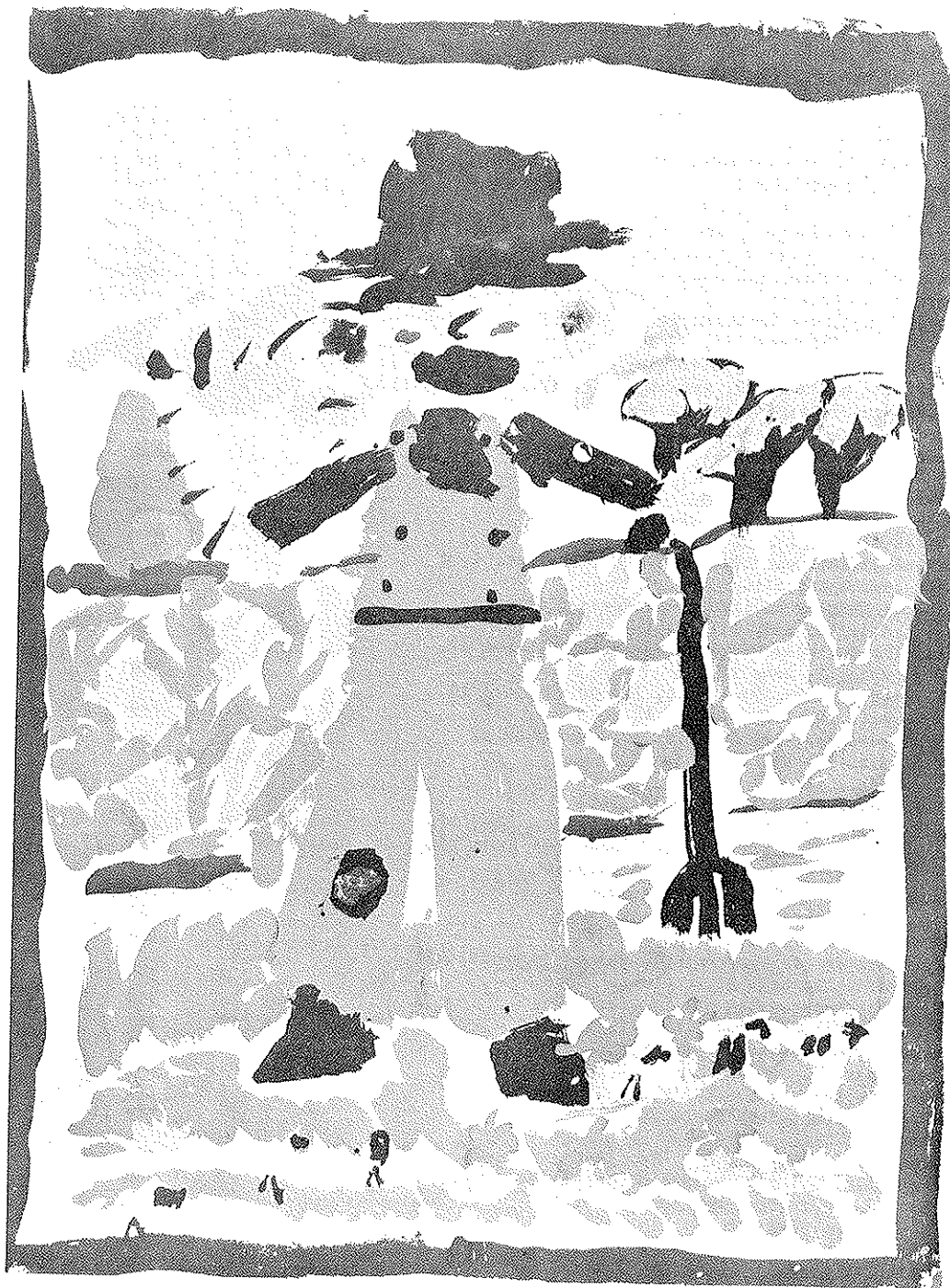
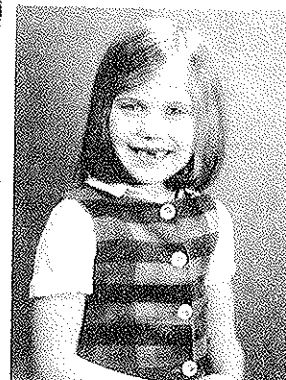


Elections and Town Meeting Proceedings



"A Sudbury Farmer"
Heather Goff
Concord Road
Age 7



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Annual Town Meeting, April 5, 1971
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KEY

DF	DEFEATED
IP	INDEFINITELY POSTPONED

ANNUAL TOWN ELECTION

March 29, 1971

The Town Election was held at the Town Hall with the polls open from 7:30 A.M. to 8:00 P.M. There were 3175 votes cast including 37 absentee ballots. Fourteen voting machines were used, and the results were announced by Town Clerk Betsey M. Powers at 9:35 P.M. as follows:

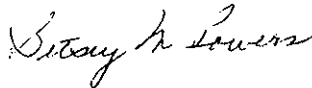
Moderator, for One Year	
Frank R. Sherman	2607
Blanks	568
Selectman, for Three Years	
John C. Powers	1439
William F. Toomey	1637
Blanks	99
Assessor, for Three Years	
George W. Adams	1637
Arthur A. Babigian	1268
Blanks	270
Tax Collector, for Three Years	
Thomas E. Newton	2727
Blanks	448
Treasurer, for Three Years	
William E. Downing	2665
Blanks	510
Town Clerk, for Three Years	
Betsey M. Powers	2712
Blanks	463
Constable, for Three Years	
John R. MacLean, Jr.	2687
Blanks	488
Goodnow Library Trustee, for Three Years	
(Vote for Two)	
Margaret F. McQueen	2309
June R. Atwood	2010
Blanks	2031
Board of Health, for Three Years	
Marjorie A. C. Young	2545
Blanks	630
Planning Board, for Five Years	
Paul H. McNally	2064
Manuel Lapidaz	807
Blanks	304
Sudbury School Committee, for Three Years	
Alfred C. Cron	1646
Gerald J. Hornik	1333
Blanks	196
Board of Park & Recreation Commissioners,	
for Three Years (Vote for Two)	
Richard T. Cutler	1917
Donald C. Jordan	1293
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William E. Haas	1597
Richard A. LaRhette	755
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Lincoln-Sudbury Regional School District
School Committee, for Three Years
(Vote for Two)

Frederick P. Walkey	1046
George F. MacKenzie	1838
R. Maynard Marshall	1762
Norman C. Rasmussen	1380
Blanks	324

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

A True Record, Attest:



Betsey M. Powers
Town Clerk

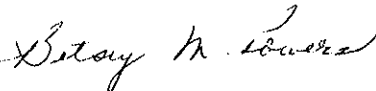
RECOUNT

April 10, 1971

A petition having been received, the Board of Registrars recounted the votes cast at the Annual Town Election of March 29, 1971, for the office of Lincoln-Sudbury Regional School District School Committee for the term of Three Years with the following results:

Frederick P. Walkey	1046
George F. MacKenzie	1838
R. Maynard Marshall	1762
Norman C. Rasmussen	1380
Blanks	324

A True Record, Attest:



Betsey M. Powers
Town Clerk

1971 FINANCE COMMITTEE REPORT

Sudbury is again faced with increased financial demands. The total needs of all Town Boards and Committees continues to exceed the estimated increase in revenues. This could result in an increase in the tax rate of \$3.75 over the 1970 rate of \$37.00, as estimated by the Finance Committee.

Last year the Town revalued, resulting in many adjustments to the total valuation which makes estimating the actual 1971 tax rate even more difficult than in previous years. In addition, the annual "Cherry Sheet", prepared by the State Commissioner of Corporations and Taxation, has not been received as of the submission date of this report, February 15, 1971.

It should be kept in mind that each \$140,000 voted represents one dollar on the tax rate. The chart on the inside front cover of the warrant (see page is included for your guidance in determining the effect of the various budget categories and special articles on your pocketbook.

In reviewing the budget and special articles, the Finance Committee has met with those Town Boards and Committees which responded to our invitation, to review requirements and to evaluate the total cost of continuing and proposed programs. The Committee has attempted, through the use of surveys, analyses and research, to gather sufficient information to produce a balanced recommendation to the Town.

As in prior years, a Finance Committee report is inserted after each general budgetary category or article.

Early in the budget review process, the Finance Committee adopted a "hold-the-line" position and established the following guidelines:

1. Total budget increases should not exceed 6%.
2. No increase in personnel.
3. No new programs.

Despite our efforts, the total operating budget for 1971 increased by \$971,075 (16.15%) over the 1970 budget. The three major factors contributing to this increase are:

1. Sudbury Elementary School Budget	\$260,000
2. Regional High School Assessment	\$253,987
3. Debt Service	\$328,000

These three areas alone account for \$841,998 or 86.7% of the total increase in the 1971 budget requests. Ironically enough, it is in these areas that we have the least influence.

Further examination of both school budgets indicates that the major factor contributing to their increase is in the salary accounts. It should be pointed out, however, that a large portion of this increase is the result of salary increases granted in the previous year, or the so-called "iceberg effect". The Finance Committee has again urged both committees to hold future salary raises more closely to the increase in the cost of living index.

The remaining major factor contributing to the budget increase is Debt Service. The increase here, however, can be attributed to a policy of bonding building additions over a 10-year period, rather than the past practice of bonding over 20 years. Although this policy has a more drastic effect on current tax rates, it saves the Town millions of dollars in interest payments and thereby provides new buildings at less total cost.

Three other areas of the budget reflect significantly greater percentage increases than we had suggested:

1. Library	\$ 11,435
2. Parks & Recreation	\$ 8,615
3. Unclassified	\$ 26,340

The increases in Parks and Recreation and Library represent a slight expansion of programs. We believe that the townspeople support and deserve a controlled expansion of these services. Each area represents 1% of the total Town budget. A small dollar increase over last year's appropriation appears as a large percentage increase.

The increase in Unclassified is a result of payment by the Town of 75% of the group insurance premiums of Town employees.

We observe a growing tradition of last minute preparation of articles for Town Meetings. This is like doing your homework late on Sunday nights. As a result, articles appear to be hastily conceived and worded. They are not adequately studied by the proponents regarding the full financial impact on the Town.

Our feelings are confirmed by the public hearings which frequently fail to produce full information regarding manpower, training, equipment or operating costs beyond the initial appropriations. The Finance Committee cannot perform this research on each article, or achieve coordination of the various Boards and Committees involved.

For these reasons we cannot provide adequate printed reports on each article as we would like to do.

DEPARTMENT	APPROPRIATED 1970	REQUESTED 1971	RECOMMENDED 1971	\$INCREASE OVER 1970	%INCREASE OVER 1970
Schools					
Public	2,461,000.00	2,721,000.00	2,721,000.00	260,000.00	10.56
	1,590,081.63	1,844,069.19	1,844,069.19	253,987.56	15.97
Debt	366,025.50	694,036.50	694,036.50	328,011.00	89.61
Protection	585,350.00	607,475.00	613,207.00	27,857.00	4.75
Highway	447,170.00	512,193.69	490,692.59	43,522.59	9.73
Government	241,181.00	298,612.00	253,416.00	12,235.00	5.07
Library	62,175.00	74,842.00	73,610.00	11,435.00	18.39
Parks & Rec.	52,942.00	63,392.00	61,557.00	8,615.00	16.27
Health & San.	34,109.00	37,650.00	35,294.00	1,185.00	3.47
Veterans	19,075.00	17,575.00	17,075.00	(2,000.00)	(10.48)
Unclassified	<u>152,541.00</u>	<u>180,381.00</u>	<u>178,881.00</u>	<u>26,340.00</u>	<u>17.27</u>
	6,011,650.13	7,051,226.38	6,981,838.28	971,188.15	16.15
Est. Statutory Assess. & Other Amts. '71			300,000.00		
SUBTOTAL			7,281,838.28		
Spec. Art. Recomm. by Fin. Com. (2/15)			125,280.00		
Estimated Overlay Reserve			100,000.00		
TOTAL			7,507,118.28		
Less available funds to be applied			181,305.00		
Less estimated receipts from state aid, income tax, sales tax, etc.			1,620,000.00		
TOTAL TO BE RAISED BY TAXATION			5,705,813.28		

The above schedule is based upon the Finance Committee's recommendation. It should be pointed out that the amount recommended for special articles does not include the planning money of \$120,000 for the Regional High School addition. This article is still under discussion.

Assuming that the total 1971 valuation of the Town will be \$140,000,000, the tax rate this year will be \$40.75. This estimate also assumes that the Town will concur with the recommendations of this committee for applications of funds from available free cash.

The Finance Committee appreciates the cooperation of all Town Boards, Committees and Departments in the review of all budgets and warrant articles.

Respectfully submitted,

Donald D. Bishop
Meyer Davis
James F. Fisher
Phillips B. Hunt, Jr., Chairman
Deward F. Manzer
Pasquale T. Piscitelli
Clifford H. Pontbriand
Julius A. R. Rarus
Sydney B. Self, Jr.

PROCEEDINGS

ANNUAL TOWN MEETING

April 5, 1971

The Moderator called the meeting to order at 8:00 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

The Reverend Carlton W. Talbot, Associate Minister of the Sudbury Methodist Church, delivered the invocation.

The Moderator announced that the amount of free cash was \$299,375.00 as certified by Arthur MacKinnon, Director of Accounts of the State Department of Corporations and Taxation. He stated that he had examined the call of the meeting and the officer's return of service and had found them both to be in order.

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

The Moderator announced that, in accordance with the by-law passed at the Annual Town Meeting of 1970, all sessions of this meeting would be held on Monday, Tuesday, and Wednesday evenings, except for legal holidays, at 8 o'clock P.M. in this hall and that every session would adjourn at the completion of the article under consideration at 11 P.M. unless a quorum is sooner lost.

Consent was granted for the following non-voters to sit on the floor of the meeting and to address it: Attorney William Carr, National Brotherhood of Police Officers, in connection with articles concerning the Personnel By-law; Mr. Justin L. Wyner of Brookline concerning Articles 10 and 11; Christopher McCarthy of the Department of Community Affairs of the Commonwealth of Massachusetts in connection with Article 44; Weldon Thomas, Highway Superintendent, Town of Sudbury, to answer questions on any article; John O'Neill, Superintendent of the Sudbury Schools; and Charles Sullivan, Administrative Assistant for Business of the Sudbury Schools.

The Moderator welcomed as guests Girl Scout Cadet Troop #347 of Parlin, New Jersey, and announced that Sudbury's Cadet Girl Scout Troop #655 was handling the microphones for the meeting this evening.

The Moderator then led the citizens in the Pledge of Allegiance to our flag.

After moving that Articles 48 and 49 be taken out of order, Dr. Howard W. Emmons, Chairman of the Board of Selectmen, stated that these articles concerned the Regional Vocational Technical High School. All the other towns involved had already acted and were ready to start with the school organization. This would allow Sudbury to vote on this item this week so that work could proceed.

UNANIMOUSLY VOTED: THAT ARTICLES 48 AND 49 BE MOVED OUT OF ORDER TO BE THE FIRST ITEMS OF BUSINESS ON WEDNESDAY, APRIL 7TH, UNLESS THIS MEETING REACHES THESE ARTICLES AT AN EARLIER TIME.

Article 1: To see if the Town will vote to hear, consider, and accept the reports of the Town Boards, Commissions, Officers and Committees as printed in the 1970 Town Report, or as otherwise presented, or act on anything relative thereto.

Mrs. Marjorie C. Huse of the Long Range Capital Expenditures Committee stated that erroneous information appeared on page 231 of the 1970 Town Report in that the expenditures recommended for the Conservation Commission for the years 1971 through 1976 should be \$34,000.00 instead of \$30,000.00 and that the totals for each year should be increased by \$4,000.00. She requested that the correct figures be noted in the records of the Town Clerk, in those reports which are to be permanently retained by the Town and in those to be kept at the Goodnow Library.

Mr. Phillips B. Hunt, Jr., Chairman of the Finance Committee, gave the Supplementary Report of the Finance Committee appearing as Appendix B of these Proceedings. (See page 119)

Upon a motion made by Dr. Emmons, it was

UNANIMOUSLY VOTED: THAT THE REPORT OF THE LONG RANGE CAPITAL EXPENDITURES COMMITTEE BE CORRECTED AS REQUESTED, THAT THE SUPPLEMENTARY REPORT OF THE FINANCE COMMITTEE BE INCLUDED AS AN APPENDIX TO THE RECORD OF THIS MEETING, AND THAT THE TOWN ACCEPT THE REPORTS OF THE TOWN BOARDS, COMMISSIONS, OFFICERS AND COMMITTEES AS PRINTED IN THE 1970 TOWN REPORT SUBJECT TO CORRECTION OF ERRORS IF AND WHEN FOUND.

Article 2: To see if the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial years beginning January 1, 1971, and January 1, 1972, in accordance with the provisions of General Laws Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with General Laws Chapter 44, Section 17, or act on anything relative thereto.

Submitted by the Treasurer.

Finance Committee Report: This article follows a usual procedure and allows for the interim financing of Town affairs between the first of the year and the collection of funds from tax levy.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

Article 3: To see if the Town will vote to amend Article XI of the Town By-laws entitled: "The Personnel Administration Plan", by replacing the Classification Plan and Salary Schedule with the following:

<u>CLASSIFICATION PLAN AND SALARY SCHEDULE</u>					
<u>CLASSIFICATION</u>	<u>START</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>
<u>CLERICAL</u>					
<u>ANNUALLY RATED</u>					
Administrative Secretary	\$ 6,565	\$ 6,755	\$ 6,946	\$ 7,140	\$ 7,330
Assistant to Town Clerk and Board of Registrars	6,565	6,755	6,946	7,140	7,330
Chief Clerk	5,570	5,740	5,940	6,090	6,260
Senior Clerk	5,260	5,425	5,655	5,775	5,950
Junior Clerk	4,610	4,785	4,950	5,125	5,285
<u>HOURLY RATED</u>					
Senior Part-time Clerk	2.69	2.79	2.89	3.00	3.12
Junior Part-time Clerk	2.13	2.22	2.30	2.38	2.48
<u>FIRE DEPARTMENT</u>					
<u>ANNUALLY RATED</u>					
Fire Chief	INDIVIDUALLY RATED - MAXIMUM \$16,500				
Fire Captain	\$10,137	\$10,390	\$10,650	\$10,909	\$11,194
Fire Fighter	8,240	8,447	8,660	8,868	9,100
<u>SINGLE RATE</u>					
Call Fire Fighter	\$40.00 per year and \$3.85 per hour.				
<u>POLICE DEPARTMENT</u>					
<u>ANNUALLY RATED</u>					
Police Chief	INDIVIDUALLY RATED - MAXIMUM \$16,500				
Sergeant	\$ 9,725	\$ 9,970	\$10,225	\$10,475	\$10,700
Patrolman	8,270	8,480	8,696	8,908	9,100
<u>EFFECTIVE JAN. 1, 1972</u>					
Sergeant	10,017	10,269	10,532	10,789	11,021
Patrolman	8,518	8,734	8,957	9,175	9,373
<u>SINGLE RATE</u>					
Asst. to Chief and Principal Investigating Officer	\$ 500 per year				
Provisional Patrolman (Temp. Civil Service Appt.)	\$ 7,330 per year				
Police Woman (School Traffic Duty)	\$ 31.50 per week				
Police Matron	\$ 2.60 per hour				
Juvenile Officer	\$ 400 per year				
<u>HIGHWAY DEPARTMENT</u>					
<u>ANNUALLY RATED</u>					
Highway Superintendent	INDIVIDUALLY RATED - MAXIMUM \$15,000				
Foreman - Highway	\$ 9,469	\$ 9,722	\$ 9,975	\$10,244	\$10,497
Foreman - Tree & Cemetery	9,469	9,722	9,975	10,244	10,497

CLASSIFICATION	START	STEP 1	STEP 2	STEP 3	STEP 4
<u>HIGHWAY DEPARTMENT</u>					
<u>HOURLY RATED</u>					
Mechanic	\$ 3.58	\$ 3.75	\$ 3.92	\$ 4.10	\$ 4.27
Heavy Equipment Operator	3.28	3.31	3.57	3.69	3.85
Tree Surgeon	3.28	3.31	3.57	3.69	3.85
Truck and/or Light Equipment Operator	3.00	3.12	3.25	3.38	3.49
Tree Climber	3.00	3.12	3.25	3.38	3.49
Laborer (Heavy)	2.71	2.81	2.92	3.04	3.15
Laborer (Light)	2.15	2.23	2.32	2.41	2.51
<u>LIBRARY</u>					
<u>ANNUALLY RATED</u>					
Head Librarian	INDIVIDUALLY RATED - MAXIMUM				\$11,200
Librarian's Assistant	\$ 5,262	\$ 5,425	\$ 5,602	\$ 5,776	\$ 5,952
<u>HOURLY RATED</u>					
Librarian's Assistant (Part-time)	2.69	2.79	2.89	3.01	3.12
Junior Librarian's Assistant	1.85	1.94	2.02	2.12	2.19
<u>PARK & RECREATION DEPARTMENT</u>					
<u>HOURLY RATED</u>					
Assistant Recreation Director - Swimming	\$ 3.00	\$ 3.13	\$ 3.26	\$ 3.39	\$ 3.53
Recreation Maintenance Supervisor	3.00	3.13	3.26	3.39	3.53
Assistant Recreation Director - Playground	2.75	2.86	2.98	3.10	3.20
College Work-Study Counselor	2.48	2.57	2.68	2.79	2.88
Swimming Instructor	2.48	2.57	2.68	2.79	2.88
Playground Supervisor	2.22	2.31	2.39	2.47	2.55
Assistant Swimming Instructor	1.97	2.04	2.13	2.20	2.30
Playground Leader	1.97	2.04	2.13	2.20	2.30
Wading Pool Leader	1.97	2.04	2.13	2.20	2.30
<u>SINGLE RATE</u>					
Recreation Director	\$ 3,800 per year				
<u>TOWN ADMINISTRATION</u>					
<u>ANNUALLY RATED</u>					
Executive Secretary	INDIVIDUALLY RATED - MAXIMUM				\$17,500
Town Engineer	INDIVIDUALLY RATED - MAXIMUM				\$15,500
Building Inspector & Zoning Enforcement Agent	INDIVIDUALLY RATED - MAXIMUM				\$12,700
Director of Health	INDIVIDUALLY RATED - MAXIMUM				\$12,000
Senior Engineering Aide	\$ 8,394	\$ 8,609	\$ 8,826	\$ 9,041	\$ 9,263
Building Services Coordinator	7,875	8,075	8,275	8,477	8,688
<u>HOURLY RATED</u>					
Engineering Aide	2.69	2.79	2.89	3.01	3.12
Custodian	2.69	2.79	2.89	3.01	3.12
Custodian (Part-time)	2.13	2.22	2.30	2.38	2.50
Junior Engineering Aide	2.13	2.22	2.30	2.38	2.50
<u>SINGLE RATE</u>					
Dog Officer	\$ 1,000 per year				
Veterans Agent & Director	\$ 1,000 per year				
Animal Inspector	\$ 350 per year				
Election Warden	\$ 2.62 per hour				
Election Clerk	\$ 2.62 per hour				
Election Officers & Tellers	\$ 2.50 per hour				
Custodians of Voting Machines	\$ 3.25 per hour				
Deputy Election Warden	\$ 2.62 per hour				
Deputy Election Clerk	\$ 2.62 per hour				
Census Taker	\$ 2.62 per hour				
Plumbing Inspector	75% of established permit fee				

and to change the paragraph at the end of the said schedule as follows:

FROM:

"The above annual and hourly rates are based on department weekly work schedules as follows: Library, 35 hours; Clerical staff, 35 hours; Fire Department, 48 hours; Highway Department, 45 hours; all others 40 hours.

Overtime shall be paid at the rate of time and one-half for all hours worked in the Fire Department in excess of 48 hours in any work week, in the Highway Department in excess of 45 hours in any work week, and all other departments in excess of 40 hours in any work week, when such additional work time is not scheduled and is directed by the supervisor.

Longevity shall be paid to permanent full time patrolmen, sergeants, fire fighters and fire captains having served continuously in their respective Sudbury departments; after six (6) years, an additional one and one-half per cent (1½%), after ten (10) years, an additional one per cent (1%)."

TO:

"The above annual and hourly rates are based on department weekly work schedules as follows: Library, 35 hours; Clerical staff, 35 hours; Fire Department, 48 hours, through November 30, 1971, 42 hours effective December 1, 1971; Highway Department, 45 hours; Police Department, 37 1/3 hours; all others, 40 hours.

Overtime shall be paid at the rate of time and one-half for all hours worked in the Fire Department in excess of 48 hours in any work week through November 30, 1971, and in excess of 42 hours in any work week effective December 1, 1971; in the Highway Department in excess of 45 hours in any work week, and all other departments in excess of 40 hours in any work week, when such additional work time is not scheduled and is directed by the supervisor. Employees whose regular work week is less than 40 hours shall receive straight-time pay up to 40 hours per week and time and one-half for all hours in excess of 40 hours per week.

Longevity shall be paid to all permanent full-time Town employees as follows: after six (6) years, an additional one and one-half per cent (1½%); after ten (10) years, an additional one per cent (1%); and after fifteen (15) years, an additional one per cent (1%)."

or act on anything relative thereto.

Submitted by the Personnel Board.

Personnel Board Report: (Mr. Bruce Ostar) Before you are Articles 3 and 4 which represent the Personnel Board's proposed salaries and working conditions for the year 1971-1972, starting April 1, 1971. The revised salaries and working conditions under the Classification Plan and Personnel By-law do not represent some arbitrary figures and suggestions designed in a vacuum, but rather the results of the Personnel Board's year long effort to create a workable and just meeting ground from which our thinking and negotiations can advance.

This year, with the cost of living rising and a competitive market continually changing by either external or internal pressures, the Personnel Board has the task of dovetailing equitable salaries and desires of Town employees with Sudbury's position in the marketplace and the internal economics of the Town. These determinations must be made in an environment of sincere reasonableness bearing on all parties.

Collective bargaining does not always take place in such an atmosphere. Legislative acts granting benefits with or without the appropriated monies has made negotiating salaries and working conditions and administering the personnel program very difficult. In the negotiating and bargaining process with the various employee groups, we have as usual to consider many issues, some common to all employees and others peculiar to particular groups.

Four factors had a continuing influence on all our negotiations, discussions and agreements. One, the recognition that the Town's resources are not unlimited and that unrealistically expensive agreements would not only badly serve the citizens but also jeopardize the agreements themselves; two, that there has been and is a pervasive inflationary push that eats into the pocketbook of every Town employee; three, that our employees are part of a larger work force and, to keep our best people, we must be aware and genuinely competitive with salaries and conditions of work offered by comparable and neighboring towns; and four, that to protect the interests of both the Town and its employees, we must be aware of and responsive to state legislation relative to various employee groups.

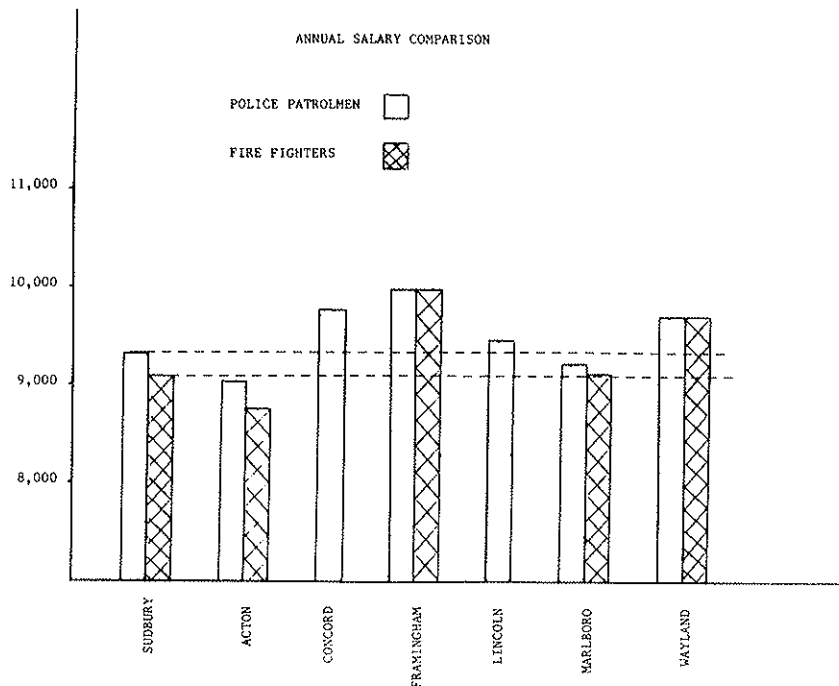
We began all our discussions with the awareness that the cost of living rise in the Boston Area Bureau of Labor Statistics for the past year was 5.7%. This figure became our benchmark, not a minimum and not a maximum, but a very concrete and meaningful factor of reality as our negotiations began.

The following are the general proposals of the Personnel Board as memoranda of agreement between the Personnel Board and the organized employee groups, and the Personnel Board's proposals for the remainder of the Town employees. This year all permanent full-time Town employees will benefit from the longevity plan, and as of fifteen years service, an additional 1% will be added to the 2% - 2½% longevity plan. All our Town employees other than those engaged in protection of persons and property will receive a 5½% salary increase at all levels of hourly rated personnel. The maximum salary for individually rated positions was adjusted to assure motivation of these management positions.

The Police Department's annual salary rates will not be changed at this time, but their hours will be reduced to 37 1/3 hours per week by a four day on and two day off work schedule as of May 1, 1971. This schedule represents 136 hours, or seventeen working days less per year and a 7.1% increase in hourly rates, which is reflected in the overtime rate. On January 1, 1972, the Police Department will receive a 3% salary increase.

The Fire Department will receive a 3.65% increase in salary as of April 1, 1971, and reduce their work week from forty-eight hours to forty-two hours on December 1, 1971. This reduction in work hours represents a 14.4% increase in the hourly rates which is reflected in the overtime rate.

During the past three years, Sudbury has achieved a competitive wage and benefits package. In previous years we were below average. This proposal maintains our competitive position and responds to community change in work hours and educational incentives. The total package for 1971 amounts to approximately the change in cost of living. A smaller total package would result in our employees losing ground.



Careful note should be taken of the individual behavior of neighboring and comparable town meetings as related to salary changes and especially to the specific desires of particular departments in these towns. Because of the many-faceted economic and external pressures, towns have reacted over a broad spectrum, and it is difficult to compare salaries at a glance for competitiveness. In general, the hourly rates are fairly competitive, but because of internal structures, the annual salaries show a large range. It must be remembered that this difference of annual salary is born out of the employees' desires for a shorter work week and a larger benefit package.

CHART B - SALARY COMPARISONS - 1971

	<u>SUDBURY</u>	<u>ACTON</u>	<u>CONCORD</u>	<u>FRAMINGHAM</u>	<u>LINCOLN</u>	<u>MARLBORO</u>	<u>WAYLAND</u>
<u>POLICE -</u>							
CHIEF	16,500	13,894	15,650	-	15,600	15,400	14,810
SERGEANT	10,700	10,568	11,000	11,114	10,500	10,355	11,705
PATROLMAN	9,100	9,067	9,750	9,964	9,460	9,200	9,636
% INCREASE	3.0	5.6	6.0	6.0	7.0	0	4.34
HOURS	37.3	40.0	40.0	40.0	40.0	37.5	37.5
<u>FIRE -</u>							
CHIEF	16,500	13,894	15,650	-	-	-	15,650
CAPTAIN	11,194	10,568	-	12,364	10,530	11,510	11,705
FIREFIGHTER	9,100	8,741	-	9,964	-	9,075	9,636
% INCREASE	3.65	5.6	-	6.0	5.0	0	4.34
HOURS	42	48	-	42	48	42	42

The Sudbury Patrolman's salary in this chart reads \$9,100, but it should read \$9,375 to correct for the 3% figure that you see under it to be relatable to the other numbers. Wayland is receiving a salary increase now and the four-and-two work schedule on January 1, 1972, the reverse of Sudbury's proposal. Our Police Department will receive their four-and-two work schedule now and the 3% salary increase on January 1, 1972.

Of the four towns working a forty hour week, Lincoln is almost the same as Sudbury. Acton is somewhat less, and two towns are above.

In the case of the Firefighters, you will note the trend toward the forty-two hour work week, and here again the Town's employees are in a competitive position. When the Personnel Board refers to a competitive position, it takes into consideration the complete salary package, insurance coverage and longevity.

Sudbury fits very well into the competitive market with respect to fringe benefits. The payment of medical insurance premiums at the 75% level by the Town is worth approximately 1% over the 50% level offered by other towns. Our vacation schedule is comparable. Our education reimbursements are superior to most towns. During the past few years, many towns have been granting personal time off. Sudbury does not. The Personnel Board feels that this is a management related problem and can be readily arranged with the department heads as needed. Sudbury grants five days sick leave at the discretion of the department manager. Beyond that the Personnel Board can approve from twenty-five to one hundred days per year for long-term illness. This plan is extremely valuable to Town employees.

We urge the Town Meeting to vote in favor of this article.

Town Counsel Report: It is the opinion of Town Counsel that if the by-law change proposed in Article 3 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a majority vote, it will become a valid amendment to the Sudbury By-laws.

Mr. Phillips B. Hunt, Jr., Finance Committee Chairman, then moved to amend the motion by deleting all after "Plumbing Inspector, 75% of established permit fees" at the middle of page 10 of the Warrant and deleting all reference to January 1, 1972, near the top of page 9 of the Warrant, and raising the Fire and Police step rate salary scales to 5½% above the 1970 values. The tables would then read as follows:

	<u>Start</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>
Fire Captain	\$10,318	\$10,575	\$10,840	\$11,104	\$11,394
Firefighter	8,387	8,598	8,815	9,027	9,263
Sergeant	10,260	10,518	10,787	11,051	11,289
Patrolman	8,725	8,946	9,174	9,398	9,601

Finance Committee Report: The Finance Committee concurs with the Personnel Board and recommends in favor of this article.

The funds to implement this article have already been included in the recommended budgets and are allocated as shown below:

<u>300</u>	<u>PROTECTION OF PERSONS AND PROPERTY</u>		<u>\$ 9,637.00</u>
	310-11 Fire Dept., Salaries, Reg.	\$7,461.00	
	310-12 Fire Dept., Salaries, O.T.	602.00	
	320-11 Police Dept., Salaries, Reg.	900.00	
	320-13 Police Dept., Salaries, Clerical	224.00	
	340-11 Building Inspector Salary	450.00	
<u>400</u>	<u>HIGHWAY COMMISSION</u>		<u>\$ 6,992.00</u>
	410-13 Salaries, Clerical	462.00	
	420-11 Salaries, Reg., Highways	4,866.00	
	430-11 Salaries, Reg., Trees	976.00	
	440-11 Salaries, Reg., Sanitation	487.00	
	440-12 Salaries, O.T., Sanitation	201.00	
<u>500</u>	<u>GENERAL GOVERNMENT</u>		<u>\$ 5,208.00</u>
	501-11 Salary, Executive Secretary	450.00	
	501-13 Salaries, Clerical	1,362.00	
	501-15 Salaries, Custodial	557.00	
	502-11 Salaries, Reg., Engineering	1,314.00	
	504-13 Salaries, Clerical, Assessors	515.00	
	505-13 Salaries, Clerical, Tax Dept.	372.00	
	506-13 Salaries, Clerical, Town Clerk	525.00	
	507-13 Salaries, Clerical, Treasurer	113.00	
<u>600</u>	<u>GOODNOW LIBRARY</u>		<u>\$ 1,648.00</u>
	600-11 Salaries	1,648.00	
<u>800</u>	<u>HEALTH & SANITATION</u>		<u>\$ 144.00</u>
	800-13 Salaries, Clerical	144.00	
			<u>\$23,629.00</u>

Mr. Donald Bishop further reported to the meeting for the Finance Committee as follows:

The Finance Committee believes that further study is needed by the Chiefs, the Selectmen, the Personnel Board and the Finance Committee on the need, value and impact of changes in work hours. We must support the Personnel Board in their negotiations as our agent, and our comments on this subject as printed in the Warrant /page 16, Report on Article 5/ still apply. (See page 13). In this case, a 5½% salary increase across the board is not a lack of support for the Personnel Board, but rather support at a stage prior to that they reached at final negotiations with the unions. This treats all Town employees equally, except the teachers.

If the amendment is defeated, the true impact is not clear. At first blush, the full year impact for 1972 looks like a 7.1% increase in Police salary expense and a 14.3% increase in Fire salary expense with no real benefit to the Town. However, the Finance Committee has been told that the impact will be far more severe. The Police plan to add two patrolmen and reduce overtime for which they have the support of the Finance Committee. Unless you support the Finance Committee amendment to Article 3, there will be no reduction in overtime expense and no increase in Police coverage of the Town.

Similarly, the Fire Department plans, with the support of the Finance Committee, to add two men and reduce overtime. Unless you support the Finance Committee amendment, it will mean that four more men will be needed. The increased cost will not be 14.3% but near 30% increase in staff with no increase in fire coverage.

After discussion, the Finance Committee's amendment was defeated.

Mr. Ostar, Personnel Board Chairman, then moved that we amend Article 3 to change the schedule on page 9 /of the Warrant/ by deleting the effective date of 1 January 1972, and inserting in place thereof 1 October 1971. He stated that the official starting date of the 3% Police raise must be three months before the end of the year to make the salary increases that run into 1972 valid. This change represents an approximate cost of \$1,400 to the Town.

VOTED: THAT WE AMEND ARTICLE 3 TO CHANGE THE SCHEDULE ON PAGE 9 OF THE WARRANT BY DELETING THE EFFECTIVE DATE OF 1 JANUARY 1972 AND INSERTING IN PLACE THEREOF 1 OCTOBER 1971.

After several questions relative to funding and further discussion, Mr. John E. Taft of the Board of Selectmen moved that the meeting recess for five minutes so that the Selectmen, the Personnel Board and the Finance Committee could meet to resolve the problem. After further discussion, it was

VOTED: THAT THE MEETING RECESS FOR FIVE MINUTES.

The Moderator called the meeting to order after the recess and announced that a quorum was still present.

Mr. Taft then moved that we postpone further consideration of Article 3 to the first item of business tomorrow night. He stated that a little time should be spent to get the questions straightened out and that we could continue to do other business since the impact of action on the article does not occur until well into Article 8 in the sections covering Protection of Persons and Property.

In response to a question, the Moderator determined from the Personnel Board Chairman that Articles 4, 5, 6, and 7 could not go forward without action having been completed on Article 3.

Mr. Taft's motion to postpone was defeated.

After further discussion, it was

VOTED: IN THE WORDS OF THE ARTICLE AS AMENDED.

Article 4: To see if the Town will vote to amend Article XI of the Town By-laws, entitled: "The Personnel Administration Plan" as follows:

Section 7. Incidental Benefits, subparagraph (1) Paid Holidays, by substituting the following new subparagraph:

"Section 7. Incidental Benefits

(1) Holidays With Pay. All permanent Town employees will be allowed the following ~~ten~~ (10) days with pay:

New Year's Day	Labor Day
Washington's Birthday	Columbus Day
Patriot's Day	Veterans' Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

FIRE DEPT. and POLICE DEPT. Holiday pay shall be calculated as follows: Each permanent full-time employee's holiday pay shall be an amount equal to one-fifth (1/5) of said permanent full-time employee's weekly base salary.

Permanent full-time members of the Fire and Police Departments (the Chiefs excluded) who are permanently assigned to shifts that are an integral part of the twenty-four (24) hour per day, seven (7) days per week coverage shall be paid the above ten holidays when earned in the following manner:

Four (4) holidays...first pay period in June
Five (5) holidays...first pay period in December
One (1) holiday ...last pay period in December

When a permanent full-time member of the Fire Department, or the Police Department is scheduled to work on a holiday, he shall receive a day's pay, straight time, in addition to his holiday pay. Any permanent full-time Fire or Police employee can request time off in lieu of a paid holiday and will be given a day off with pay at a time approved by his department head. If this option is chosen, the paid holiday pay will be deducted from the holiday pay payment. Time off will not be given during his regularly scheduled work week in which the holiday falls. For permanent full-time Fire Department employees, the meaning of a day off shall be that day on a day shift only and cannot be taken on a night shift.

For further clarity, any permanent full-time employee of the Fire or Police Department whose work week is Monday through Friday will not be entitled to the ten (10) paid holidays. Said employees shall come under the benefits as described for permanent full-time employees.

PERMANENT
FULL-TIME
TOWN
EMPLOYEES

When one of the foregoing holidays falls on Sunday, such an employee shall be entitled to time off with pay on the following Monday. If it should fall on a Saturday, he shall be entitled to time off with pay on the preceding Friday. Or, if such holiday falls during his vacation, such employee shall be entitled to equal time off with pay at a time approved by his department head. If, due to an emergency, he is required to work on a holiday, the employee is to be paid at time and one-half for such time worked...(4 hours minimum).

PERMANENT
PART-TIME
EMPLOYEES

A permanent part-time employee with regularly scheduled working hours shall be eligible for salary payment for each paid holiday which falls on his normally scheduled work day.

The pay shall be for the number of hours the employee would normally have been scheduled to work on such a day."

Section 7. Incidental Benefits, subparagraph (7) Reimbursement Benefits, by changing the first sentence to read as follows:

"When a permanent full-time Town employee other than a member of the Sudbury Police Department takes a course with the prior approval of his department head, at an accredited college as part of a degree program, when the course or degree has a functional relationship to the employee's job, the employee will be reimbursed for 100% of the cost of books, registration and tuition fees upon the presentation of satisfactory evidence that he has completed the course with a "C" grade or better.

Section 7. Incidental Benefits, by adding a new subparagraph (8), to read as follows:

"(8) Police Career Incentive Plan. There is hereby established a career incentive pay program offering base salary increases to regular full-time employees of the Sudbury Police Department for furthering their education in the field of police work.

Police career incentive base salary increases shall be predicated on the accumulation of points earned in the following manner: one point for each semester hour credit earned toward a baccalaureate or an associate degree; sixty points for an associate degree; one hundred and twenty points for a baccalaureate degree; and one hundred fifty points for a degree of Master or for a degree of law. All semester credits and degrees shall be earned in an educational institution accredited by the New England Association of Colleges and Secondary Schools, or by the Board of Higher Education.

Base salary increases shall be granted in the following manner: a one and one-half per cent increase for ten points so accumulated, a three per cent increase for twenty-five points, a five per cent increase for forty points, a seven and one-half per cent increase for sixty points, a ten per cent increase for one hundred twenty points, and fifteen per cent increase for one hundred fifty points so accumulated.

This plan, to be administered by the Personnel Board, requires the following steps:

- 1) The Chief of Police must approve, in advance, the professional appropriateness of the courses taken.
- 2) Police Department employees shall receive base salary increased on the basis of appropriate course completion information filed on or before August first of each year with the Personnel Board on a form furnished by the Chief of Police.
- 3) The number of points accumulated by each employee shall then be computed and the appropriate base salary increase shall be authorized by the Personnel Board to begin on the eighteenth pay period."

or act on anything relative thereto.

Submitted by the Personnel Board.

Personnel Board Report: During negotiations with the Police Department, the Board agreed to submit to the Town an article for inclusion in the by-laws a Career Incentive Plan patterned after the recent State legislation which was passed in 1970. Acceptance of the proposed by-law is recommended in lieu of acceptance of the State legislation since it will allow the Town to control the administration of this plan rather than the State. Passage of this by-law does not obligate the Town to any more than it would otherwise have been obligated under acceptance of the State legislation.

After moving in the words of the article, Mr. Bruce Ostar further reported to the meeting for the Personnel Board as follows:

Article 4 is designed to clearly define and implement Section 7, Incidental Benefits, subparagraph (1), Paid Holidays. There are now ten paid holidays in Sudbury. Since the Fire and Police Departments are seven day, twenty-four hour service and do not necessarily work an eight hour day, forty hour week, their holiday pay shall be computed as one-fifth of an employee's weekly base salary so as to apportion this time equitably and have some relation to a normal work week. It should be noted that towns do not follow a strict format for holiday pay to particular personnel. In some towns, the employee must take a day off for holiday work. Others pay double time for the day. Some pay two week's salary in addition to the fifty-two weeks on the premise that the work schedule after several cycles will equate holidays worked and holidays off. Still others pay a fixed cash sum which may or may not be an extra day's pay.

Section 7, Educational Reimbursement Benefits, has been changed to exclude members of the Police Department. Last fall the State Legislature passed an educational career incentive program for regular full-time police officers, namely Section 108L, Chapter 41 of the General Laws. This plan offers up to a 30% increase in salary for a Master's Degree or a Degree of Law, with the town paying one-half the increase and the State paying the balance. The State has not funded this legislation, and Section 108L is permissive, not binding on the towns. The Personnel Board has reviewed in detail the provisions of 108L and has decided not to accept the legislation. Favoring educational incentive for police officers as well as for other Town employees, the Personnel Board has designed a program equivalent to the provisions of 108L. The Board feels the Town should maintain control of the plan's administration and not irreversibly tie the Town to State control. Also, the Police are being made ineligible for Town tuition and book benefits since there exists a well-funded federal program for police officer education.

This article is an attempt to continue home rule and internal management as well as to allow Sudbury to continue to attract qualified personnel.

Town Counsel Report: It is the opinion of Town Counsel that if the by-law change proposed in Article 4 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a majority vote, it will become a valid amendment to the Sudbury By-laws.

At the request of the Personnel Board, unanimous consent of the hall was granted to amend the motion by striking out in the second paragraph of subsection (8), seven lines from the top, the word "and" and substituting the word "or"; and in the following paragraph, eight lines from the top, changing the word "and" to "or".

Finance Committee Report: (Mr. Donald Bishop) Subparagraph (1) of Section 7 better defines the holiday policy. The result should be improved administration in a standard way equitable for all employees. This may reduce the expenses as much as \$2,000. Subparagraph (7) does the same regarding our policy in supporting education for Town employees. Subparagraph (8) results from negotiations with the Police. We will hereby provide the Town's share now and avoid entanglement in a recent State program for which there is, thus far, no funds. The cost this year is estimated at just under \$1,000.

VOTED: IN THE WORDS OF THE ARTICLE AS AMENDED.

Article 5: To see if the Town will vote to amend the Annually Rated Salary Schedule of the Personnel Administration Plan by adopting the following salary schedule and to raise and appropriate a sufficient sum of money therefor:

CLASSIFICATION	START	STEP 1	STEP 2	STEP 3	STEP 4	LONG 2½%	LONG 4½%
<u>POLICE DEPT.</u>							
<u>ANNUALLY RATED</u>							
Sergeant	\$10,260	10,510	10,790	11,050	11,290	11,570	11,905
Patrolman	\$ 8,625	8,945	9,175	9,395	9,600	9,840	9,990

or act on anything relative thereto.

Submitted by Petition.

Finance Committee Report: The Finance Committee recommends a vote against this article. At the 1969 Annual Town Meeting, the Town, in effect, repudiated the Personnel Board's recommendations. The Police achieved their increases and hasty action between meeting nights then brought other Town employee salary scales up to the higher levels. This seems to be an attempt at repetition. Your Personnel Board cannot bargain for you without your support.

The Petitioners submitted no report with their warrant article and ignored a request from the Finance Committee to discuss the article at one of our public hearings.

Upon a motion made by Mr. John R. MacLean, Jr., one of the petitioners, it was

VOTED: INDEFINITE POSTPONEMENT.

Article 6: To see if the Town will vote to accept and adopt the provisions of Chapter 41, Section 108L of the General Laws of the Commonwealth of Massachusetts to establish a career incentive pay program for regular full-time police officers and to provide for partial reimbursements by the Commonwealth, or act on anything relative thereto.

Submitted by Petition.

Finance Committee Report: The Finance Committee recommends against this article. The Personnel Board has discussed this provision during their negotiations with the Policemen. Our report on Article 5 applies here, as well.

Upon a motion made by Mr. MacLean, it was

VOTED: INDEFINITE POSTPONEMENT.

Article 7: To see if the Town will vote to amend Section 7, captioned Incidental Benefits, of Article XI of the Town By-laws entitled: The Personnel Administration Plan, by adding a new paragraph (8) to read as follows:

"(8) Police Uniform Allowance. A permanent full time police officer shall be reimbursed the sum of \$125.00 annually for the purchase, repair and maintenance of police uniforms with such allowance and reimbursement program to be administered by the Chief of Police.",

or act on anything relative thereto.

Submitted by Petition.

Finance Committee Report: The Finance Committee recommends against this article for the same reasons as Articles 5 and 6.

Upon a motion made by Mr. MacLean, it was

VOTED: INDEFINITE POSTPONEMENT.

Article 8: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums, or any other sum or sums, for any or all Town expenses and purposes and to fix the salaries of all elected officials, all for the year 1971, in accordance with the following schedule, which is incorporated herein by reference; or act on anything relative thereto.

100 EDUCATION: 100-110 SUDBURY PUBLIC SCHOOLS - 38.97% of BUDGET

	CHARGES 1969	CHARGES 1970	REQUESTED 1971	RECOMMENDED 1971
<u>1000 ADMINISTRATION</u>				
1100 School Committee	1,469.83	1,864.47	2,190.00	2,190.00
1200 Supt. Office	70,370.73	78,852.27	83,322.00	83,322.00
	<u>71,840.56</u>	<u>80,716.74</u>	<u>85,512.00</u>	<u>85,512.00</u>
<u>2000 INSTRUCTION</u>				
2100 Supervision	41,058.21	42,519.71	9,420.00	9,420.00
2200 Principals	143,373.25	160,516.98	177,350.00	177,350.00
2300 Teachers	1,363,747.42	1,564,988.87	1,756,058.00	1,756,058.00
2400 Texts	34,362.00	24,124.45	38,126.00	38,126.00
2500 Library	10,824.95	12,036.42	20,693.00	20,693.00
2600 Audio-visual	8,036.16	11,041.03	23,331.00	23,331.00
2700 Guidance	48,087.00	67,294.75	83,526.00	83,526.00
2800 Pupil Personnel	12,470.63	14,832.13	17,130.00	17,130.00
	<u>1,661,959.62</u>	<u>1,897,354.34</u>	<u>2,125,634.00</u>	<u>2,125,634.00</u>
<u>3000 OTHER SCHOOL SERVICES</u>				
3100 Attendance	200.00	200.00	200.00	200.00
3200 Health Services	28,093.00	35,022.75	41,482.00	41,482.00
3300 Transportation	135,305.19	153,451.16	165,703.00	165,703.00
3400 Food Services	9,001.75	9,918.58	11,116.00	11,116.00
3500 Student Activities	1,095.75	1,480.30	2,512.00	2,512.00
	<u>173,695.69</u>	<u>200,072.79</u>	<u>221,013.00</u>	<u>221,013.00</u>
<u>4000 OPER. & MAINT.</u>				
4100 Operation	161,201.64	165,619.51	194,618.00	194,618.00
4200 Maintenance	53,784.71	58,625.94	57,959.00	57,959.00
	<u>214,986.35</u>	<u>224,245.45</u>	<u>252,577.00</u>	<u>252,577.00</u>
<u>7000 IMP., ACQ., & REP.</u>				
7100 Improvement	-0-	-0-	-0-	-0-
7200 Acquisition	20,186.00	28,072.26	14,469.00	14,469.00
7300 Replacement	3,563.33	3,588.10	2,552.00	2,552.00
	<u>23,749.33</u>	<u>31,660.36</u>	<u>17,021.00</u>	<u>17,021.00</u>
<u>9000 PROG. WITH OTHERS</u>				
9100 Tuition	2,600.00	4,663.77	8,243.00	8,243.00
<u>TOTAL OPER. BUDGET</u>	<u>2,148,841.55</u>	<u>2,438,713.45</u>	<u>2,710,000.00</u>	<u>2,710,000.00</u>
Federal Aid Funds	- 28,906.68	- 23,713.45	- 25,000.00	- 25,000.00
	<u>2,119,934.87</u>	<u>2,415,000.00</u>	<u>2,685,000.00</u>	<u>2,685,000.00</u>
120 Community use of Schools	9,756.87	10,601.35	11,000.00	11,000.00
	<u>2,129,691.74</u>	<u>2,425,601.35</u>	<u>2,696,000.00</u>	<u>2,696,000.00</u>

Finance Committee Report: The Elementary School Budget for calendar year 1971 will increase about 10.6% compared to 1970. This increase compares with a 13.4% increase in 1970 over 1969.

Basic Factors Affecting Budget: The basic factors affecting the Elementary School Budget include the number of pupils in the system, the number of teachers and other staff, the educational program, administrative practices and policies, and the general economic conditions. For 1971, these basic factors break down as follows:

1. Pupil population is expected to remain at the same level as 1970 thus having no appreciable new affect on the budget, although the number of students requiring special attention offered by other schools has increased sharply (see Program with Others in Exhibit A).
2. The number of teachers and other staff will remain comparatively the same as 1970. A new health specialist and a half-time art specialist will be added to the staff. A possible reduction of one full-time classroom teacher may occur if enrollments are down slightly. One new guidance

person and a custodian were added at the beginning of the 1970-1971 school year, and one administrative position was eliminated. There is an overall net decrease of personnel in the system of approximately one person when all categories are considered.

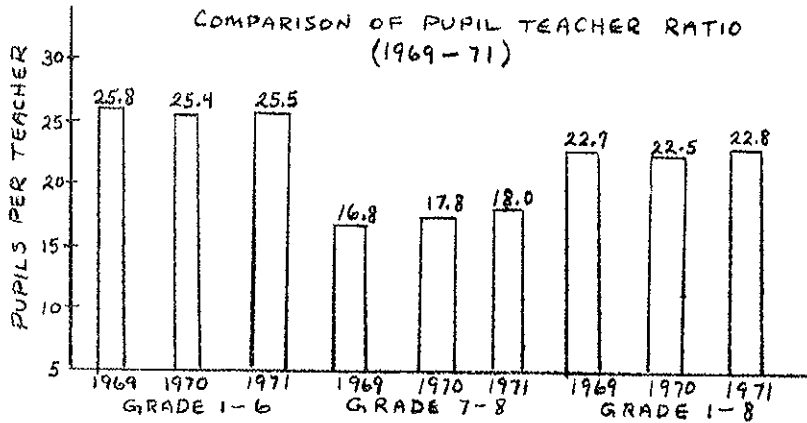
3. The educational program will be under continual upgrade in 1971 including such activities as additional curriculum workshops, continued acquisition of the science program materials started but not completed as planned in 1970 providing a broader and deeper selection of reading texts for the lower grades, and further upgrading the audio-visual capabilities of each school. These upgrading efforts generally account for the \$7,212 increase in Supplies shown in exhibit C.
4. Administrative policies have called for holding the pupil/teacher ratios relatively constant for 1971 compared to the last two years (see Exhibit B), although they will be slightly higher than 1970. Careful consideration of the bussing situation and economies allowed by combining bus usage with the Regional School District has kept the transportation budget at the same level as 1970. Also, the administration has moved to shift educational program supervision more to the principals rather than system-wide specialists.
5. The general economic situation has created both inflation and unemployment, hence a growing concern for holding the line in Town expenses. Inflation has been felt in the \$14,550 increase in the cost of fuel oil, the \$6,459 increased assessment for health services by the Sudbury Public Health Nursing Association and the Greater Framingham Mental Health Association. The two increases above more than account for the \$19,806 increase under "Other" in Exhibit C. Different "Other Accounts" have decreased slightly.
6. Inflation also affects the wage negotiations with teachers and principals, as well as the treatment of the other staff. Exhibit C indicates the total salary increases for the system for calendar year 1971 with the corresponding allocation for increases already accomplished in 1970 and estimated increases to be negotiated or granted for 1971.

EXHIBIT A

<u>CATEGORY</u>	<u>1971 INCREASE</u>	<u>1971 over 1970 PER CENT INCREASE</u>
ADMINISTRATION	4,909	6.2%
INSTRUCTION	220,566	11.6%
OTHER SCHOOL SERVICES	6,712	3.13%
OPERATION AND MAINTENANCE	19,374	8.3%
IMPROV., ACQUIS., REPLACEMENT	2,796	19.6%
PROGRAMS WITH OTHERS	5,643	215.0%

Exhibit A indicates the magnitude of increase of each line item in the budget and the corresponding percentage increase of the budget category compared to 1970.

EXHIBIT B



This chart compares the pupil teacher ratio in 1969 to 1970 and 1971. As can be seen in the graph there has been a gradual increase in the pupil teacher ratio in grades 7-8 and a projected increase for 1971 in grades 1-6 and overall grades 1-8 after having reached a minimum in 1970.

EXHIBIT C

ALLOCATION OF BUDGET INCREASE FOR 1971 BY EXPENSE TYPE*

	INCREASE DUE TO 1970	INCREASE DUE TO 1971
SALARIES	149,114	75,429
SUPPLIES		7,212
OTHER		<u>19,806</u>
TOTAL	149,114	102,447

*Excludes line items for Improvement, Acquisition, and Replacement; and Program with Others.

EXHIBIT D

EXHIBIT D

COMPARATIVE ANALYSIS OF BUDGET, NO OF PUPILS, AND COST/PUPIL

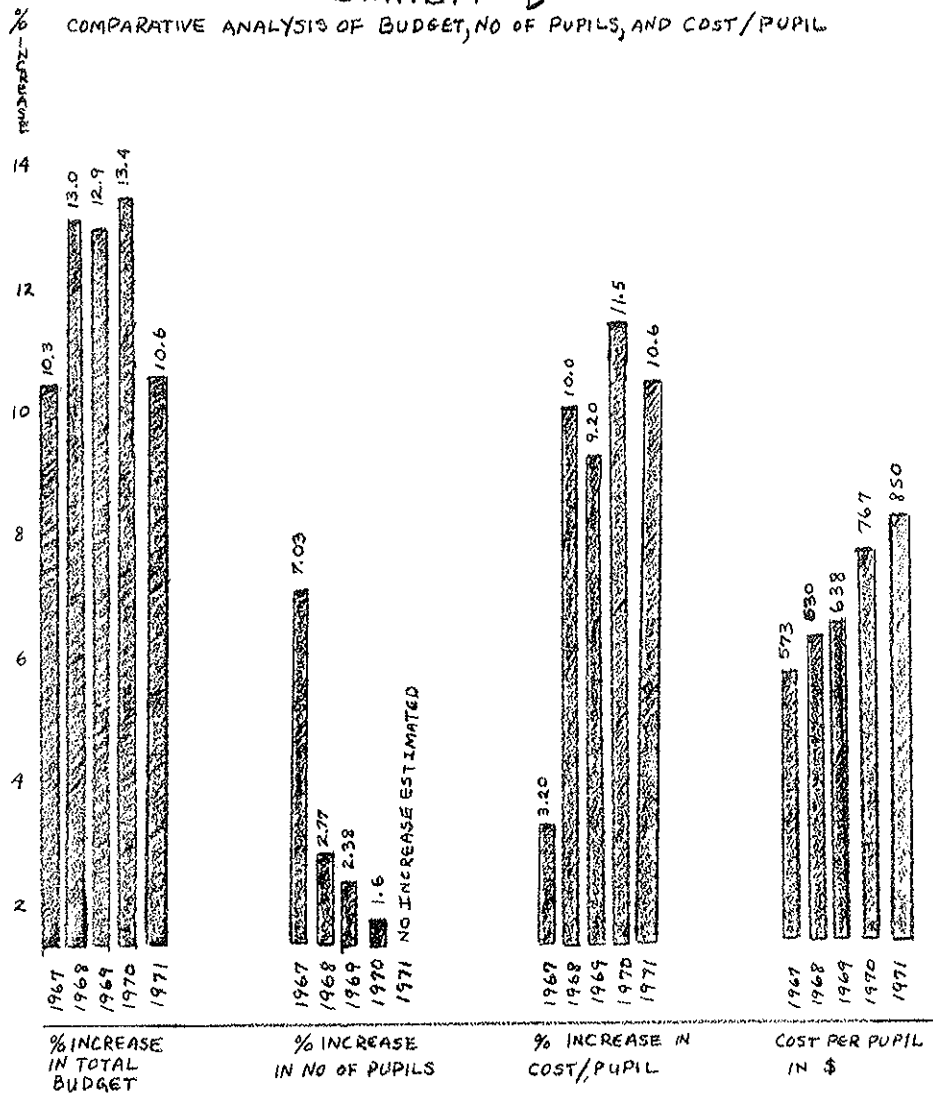
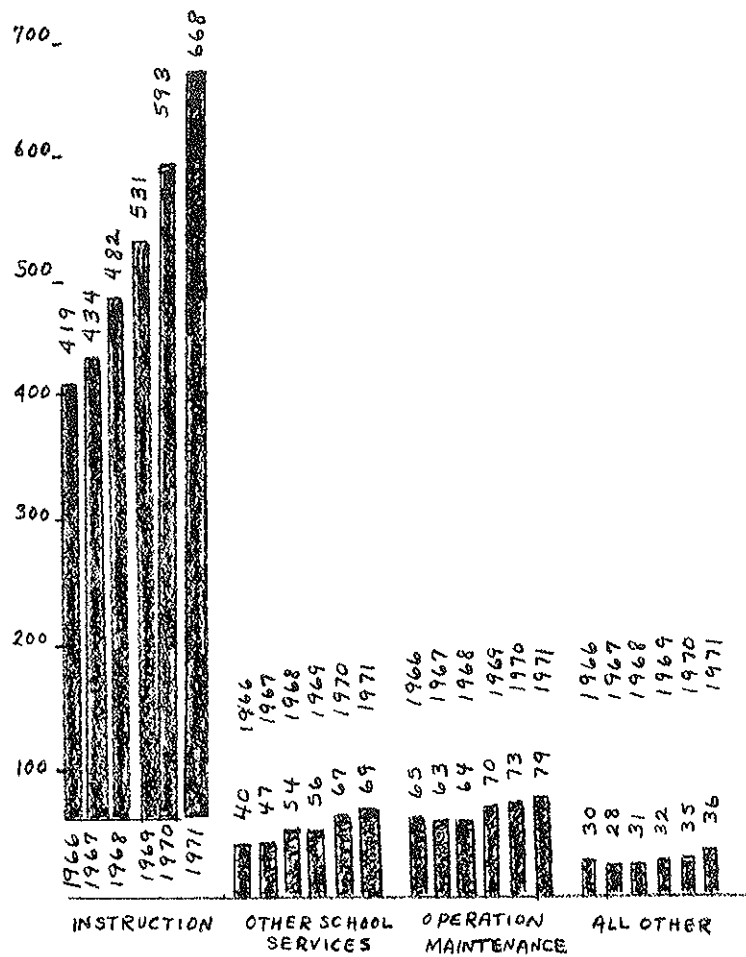


Exhibit D illustrates the trend in the Elementary School Budget over the past few years as compared to the increase in the number of students. It also compares the percentage increase in the cost/pupil as well as the increase in the dollar cost/pupil.

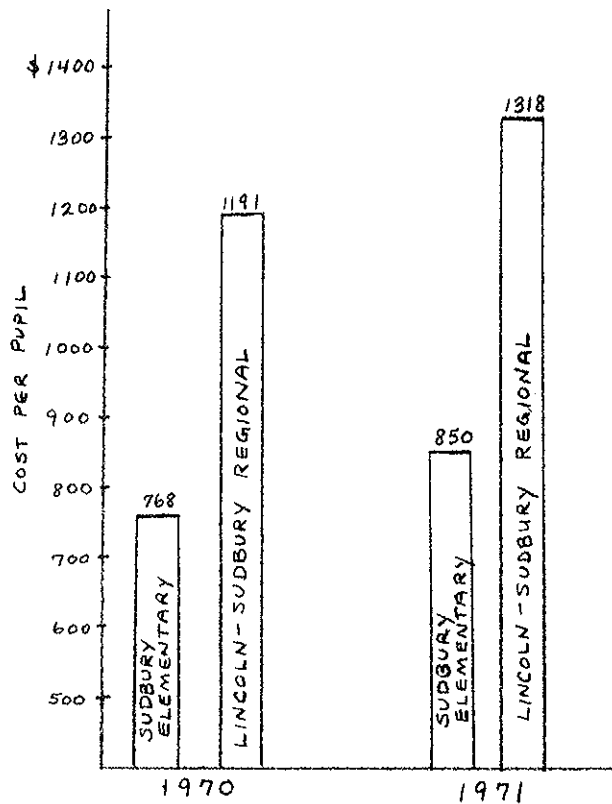
EXHIBIT E

COMPARATIVE ANALYSIS OF COST/PUPIL



A further examination into the reasons behind the rate of increase in the cost/pupil is reflected in Exhibit E. In this chart, the per pupil cost has been broken down into major budget categories for comparative analysis. It is clearly evident that the cost of instruction has produced the greatest impact on total school costs. As an example, the cost of instruction alone in the 1971 budget exceeds the total cost/pupil in 1966 and 1967.

EXHIBIT F



COMPARISON OF ELEMENTARY SCHOOL VS. LINCOLN-SUDBURY
REGIONAL ON A COST/PUPIL BASIS (1971 increase in
cost/pupil of 10.6% and 10.8% respectively)

Concerns of the Finance Committee: The Finance Committee in the past has expressed concerns to which the School Committee has responded, for example, raising pupil/teacher ratio in the Junior High School. This year the Finance Committee would like to express concern about the following items:

1. Relatively high administrative cost compared to other towns (about 10% of the budget when including principals and some school services).
2. Continued budget increases for procurement of supplies and curriculum changes. The Finance Committee would prefer a leveling off of expenditures for soft cover supplies, audio-visual equipment supplies, and other acquisitions.
3. The continued increases in salaries over the past several years.

Conclusion: In the light of the above budget and comparative analysis, and with the concerns expressed above in mind, the Finance Committee recommends approval of the Elementary School Budget.

Mr. Deward Manzer further reported to the meeting for the Finance Committee as follows:

The Warrant Report covers the Finance Committee's position on the Elementary School Budget. In short, we support the budget. One point of clarification and a general comment are worth making, however.

First, a bookkeeping change from 1970 to 1971 shifting purchases of audio-visual equipment from Account #7200, Acquisition, to Account #2600, Audio-visual, may convey the erroneous impression that the Audio-visual Account is jumping by 100% and Acquisition is dropping by 50%. In fact, the increase and decrease roughly balance each other.

A simplified breakdown of the budget increase shows there is very little control that can be exercised over the first few items. Eight per cent of the budget increase is for a cost of fuel increase and a health service assessment increase. Seventy per cent of the budget increase comes about because of salary increases or additions to staff already negotiated or made in 1970. Nineteen per cent of the budget increase will come from salary increases negotiated this year.

The School Committee is endeavoring to keep the negotiated salary increases for 1971 much below those of 1970, but even a very favorable settlement for the Town would not appreciably affect the 1971 budget. It would impact the 1972 budget roughly double the nineteen per cent.

The Finance Committee hopes that this year's justification for this year's negotiations will start a tapering off of the rapid increase in salaries experienced over the past several years.

Sudbury School Committee Report: (Dr. Robert Howell) For the second year in a row the Sudbury Schools have returned unspent funds to the Town. In 1969 we returned \$11,000 and in 1970 we returned \$7,000. For the second year in a row the Finance Committee has supported our budget. We are in complete agreement with the Finance Committee report.

We believe our budget to be a realistic one. It is up 10.6% over 1969, from \$2,450,000 to \$2,720,000. On a per pupil basis, the increase is also up 10.6% or \$82 per student, from \$765 to \$847. The basic cause of the increases is salaries.

SALARY INCREASES

	<u>1970 (70-71)</u>	<u>1971 (71-72)</u>
Superintendent (1)	20%	6.2%
Assistant Superintendent (1)	11%	5.0%
Principals (7)	10%	5.3%
Teachers (162)	13%	?

Last year we went to fact finding during teacher negotiations and based upon neighboring towns', specifically Wayland's, we ultimately settled at what amounted to average increases of 13%.

The administrators' increases track the teachers' except for the superintendent. We thought then, and continue to think, that he was doing an outstanding job. He was not being paid what other superintendents were getting, and we made his salary competitive.

Because last year's settlements fall into two-thirds of this year, much of this year's budget was set during last year's negotiations. The salaries set are certainly within the ballpark of settlements throughout the towns.

We have not as yet settled with the teachers. There is a trend developing, however. If, for example, we were to settle with the teachers at around seven per cent, two-thirds at last year's thirteen per cent settlement and one-third of the year at seven per cent, it would mean that their costs alone would go up eleven per cent. Their costs make up a major portion of the budget and in fact is what caused our total budget to go up 10.6%.

COSTS BY CATEGORY

	1969		1970	
	\$	%	\$	%
1. Salaries	\$1,938,404	79.12%	\$2,170,371	80.09%
2. Transportation	166,378	6.79%	162,853	6.01%
3. Utilities	67,200	2.74%	82,250	3.04%
4. All other Expenses	278,018	11.35%	294,526	10.86%

Another way of looking at the budget is by broad type expense category. We see that salaries, transportation and utilities consume eighty-nine per cent of the costs and all other expenses about eleven per cent. In fact, the amount we will spend on a percentage basis goes down in 1971 for "all other expenses".

There are several other things that have been done this year to more effectively and efficiently spend your money. For example, we have consolidated our bus transportation program with the region resulting in a reduction in pieces of equipment from fifty-four buses to about thirty-four. We did not pick up a fifty per cent savings in that account because of a marked increase in per unit cost when we signed a new three year contract. However, even though the per unit cost went up around forty per cent, we were able to reduce our transportation costs.

We are in the process of converting from traditional line item budget, which most school systems employ, to a new programmed budget. We are determining exactly for which programs the money is being spent.

In addition, there is an individual teacher active as a program coordinator. Frequently there is a principal acting as a grade or subject coordinator or one of the central staff responsible for every dollar in the budget. We are demanding detailed program plans with three year financial projections. I think that is a first in school budget management. We believe we are spending your money efficiently.

VOTED: THAT THE SUM OF \$2,685,000.00 BE RAISED AND APPROPRIATED, AFTER APPLICATION OF \$25,000.00 OF FEDERAL AID, FOR THE SIX INDIVIDUAL MAJOR CATEGORIES OF ACCOUNT 100-110, EDUCATION, SUDBURY PUBLIC SCHOOLS, AS FOLLOWS: ACCOUNT 1000, ADMINISTRATION, \$85,512.00; ACCOUNT 2000, INSTRUCTION, \$2,125,634.00; ACCOUNT 3000, OTHER SCHOOL SERVICES, \$221,013.00; ACCOUNT 4000, OPERATION AND MAINTENANCE, \$252,577.00; ACCOUNT 7000, IMPROVEMENT, ACQUISITION AND REPLACEMENT, \$17,021.00; ACCOUNT 9000, PROGRAMS WITH OTHERS, \$8,243; AND THE SUM OF \$11,000.00 BE RAISED AND APPROPRIATED FOR ACCOUNT 100-120, COMMUNITY USE OF SCHOOLS.

Article 8: 100 EDUCATION: 100-130 LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

A. OPERATING BUDGET

	1969 Est. Disburse.	1970 Est. Disburse.	REQUESTED 1971	ASSESSED 1971
(Pupils)	(1,534)	(1,655)	(1,748)	
<u>1000 ADMINISTRATION</u>				
1100 School Committee	5,040	3,915	4,615	4,615
1200 Supt. Office	63,680	67,864	82,291	82,291
	<u>68,720</u>	<u>71,779</u>	<u>86,906</u>	<u>86,906</u>
<u>2000 INSTRUCTION</u>				
2100 Supervision	20,172	Not given	-0-	-0-
2200 Principals	52,869	83,050	105,862	105,862
2300 Teaching	933,385	1,104,534	1,303,500	1,303,500
2400 Textbooks	24,976	25,760	25,726	25,726
2500 Library & Instruct. Serv.	37,317	38,536	45,304	45,304
2600 Audio-Visual	18,304	29,831	35,832	35,832
2700 Pupil Services	79,234	96,010	107,033	107,033
2800 Psychological Services	4,000	11,399	13,640	13,640
	<u>1,170,257</u>	<u>1,389,120</u>	<u>1,636,897</u>	<u>1,636,897</u>
<u>3000 OTHER SCH. SERV.</u>				
3100 Attendance	550	550	550	550
3200 Health Services	15,318	17,950	17,493	17,493
3300 Transportation	146,941	177,268	206,800	206,800
3400 Food Services	5,533	6,333	7,140	7,140
3500 Student Activities	30,720	32,542	31,970	31,970
	<u>199,062</u>	<u>234,643</u>	<u>263,953</u>	<u>263,953</u>
<u>4000 OPER. & MAINT.</u>				
4100 Operation	121,227	132,737	153,215	153,215
4200 Maintenance	69,183	87,867	100,027	100,027
	<u>190,410</u>	<u>220,604</u>	<u>253,242</u>	<u>253,242</u>
<u>5000 FIXED CHARGES</u>				
5100 Employee Retirement Prog.	12,611	14,788	17,346	17,346
5200 Insurance Program	20,958	26,256	31,247	31,247
	<u>33,569</u>	<u>41,044</u>	<u>48,593</u>	<u>48,593</u>
<u>9000 PROGRAMS WITH OTHER SYSTEMS</u>				
9100 Programs	10,799	13,920	15,060	15,060
<u>TOTAL OPERATING BUDGET</u>	<u>1,672,817</u>	<u>1,971,110</u>	<u>2,304,651</u>	<u>2,304,651</u>

B. SUDBURY ASSESSMENT - 26.41% of BUDGET

	VOTED 1969	VOTED 1970	REQUESTED 1971	ASSESSED 1971
Operating Expense	1,172,720.89	1,347,319.68	1,598,421.68	1,598,421.68
Contingency	25,262.30	29,755.10	25,410.00	25,410.00
Community Serv.	1,510.00	1,902.50	669.37	669.37
Outlay	23,638.59	27,801.34	37,012.41	37,012.41
Debt Service	<u>157,476.36</u>	<u>183,303.01</u>	<u>182,555.73</u>	<u>182,555.73</u>
	1,380,608.14	1,590,081.63	1,844,069.19	1,844,069.19

Finance Committee Report: The 1971 total operating budget of the Lincoln-Sudbury Regional High School increases by \$348,528, or 17.8% over 1970.

Summarizing all salary accounts in the budget for 1971 produces a gross salaries expenditure of \$1,689,327, which is 73.3% of the total budget, and an increase of 18.6% over similar accounts in the 1970 budget.

In terms of per pupil cost, this budget results in a 10.8% increase over 1970, rising from \$1,190 per pupil to \$1,318 in 1971. Historically, this is the largest per pupil cost increase in the last ten years, and compares unfavorably with the average 8.7% increase of the last four years.

The Finance Committee believes that this budget is excessive, and has requested the School Committee to reduce the total 1971 budget to a maximum of \$2,262,000, which would limit the per pupil cost increase to the 8.7% average increase; rather than specifically designate areas for budget cuts, the Finance Committee asked the School Committee to work out its own method for bringing the budget within the guideline amount. Nevertheless, three general areas for possible savings were suggested by the Finance Committee: the teacher/pupil ratio, non-teaching staff increases, and the program research and curriculum development expense.

The Finance Committee does not support this budget which is \$42,000 higher than the maximum figure it finds acceptable.

Mr. James Fisher further reported to the meeting for the Finance Committee as follows:

We recommend that the budget be voted because, by law, the Regional High School budget is voted by the School Committee by December first of the prior year. After that vote, it becomes an assessment on the Town. The law provides any amount of the assessment that is not voted by the Town and paid over when due shall be reinstated by the courts with penalties on application by the School Committee. Basically, as a practical matter, the School Committee controls the amount of actual expense once the budget is voted. The School Committee does hold public hearings on its preliminary budget during the fall, and the Town can make its feelings best known on specific budget items or on the proposed budget in general at these hearings.

We do not support this budget because the Finance Committee does not feel that the reductions made in the preliminary budget by the School Committee went far enough. The Finance Committee established a figure of 8.7% increase in per pupil costs and asked the School Committee to limit its budget to meet this guideline.

Three general areas of the budget were suggested where reductions might have been made by the School Committee. The pupil-teacher ratio was examined during the hearing by the School Committee, and a reduction of \$8,000 was made by increasing the ratio slightly. The Finance Committee feels there could be further budget savings in this area.

The Finance Committee also noted that the expense of research and development of new curriculum is pegged to a percentage of the budget. The Committee suggested that in a financially difficult year such as this one, the research and development expense could be managed with more flexibility and be reduced temporarily to help offset the other large increases.

The non-teaching or administrative staff was indicated as another possible area of savings. The number of secretaries or paraprofessionals used by surrounding schools vary widely. The School Committee discussed the secretarial staff and the secretary-student ratio during its hearings. It may be able to determine at this point a more efficient mix of personnel and reduce this category of expense.

The Finance Committee recognized that the part of the budget increase directly related to raises granted last year and increases in student enrollment cannot be curtailed at this point in time and that the School Committee has made an effort to keep rising costs under control. However, it believes that the School Committee should have an even greater incentive to re-examine and reassess priorities for programs that might be deferred, re-examine and re-establish its own guidelines, such as pupil-teacher ratio, which may be forcing greater expense, and continue to analyze the organization and operating structure for further economies and efficiencies which are potentially there.

After voting this assessment, the Finance Committee will propose a resolution which will direct the School Committee to take any steps required to underspend the 1971 budget by the amount recommended by the Finance Committee. It is felt that a positive statement of this nature from the Town will serve to indicate to the Committee the strength of Town sentiment that extra effort should be made to hold expenditures to a lower guideline level. Such an indication by resolution would be useful and meaningful to the School Committee in managing their school expenses during the remainder of 1971.

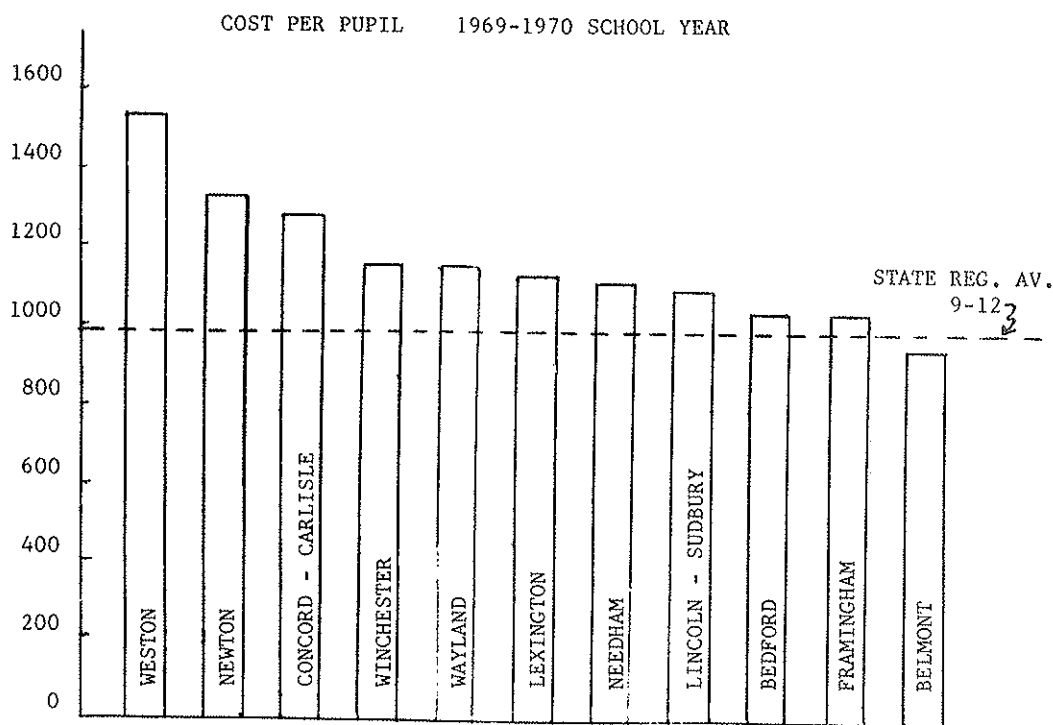
CHART 1

	1970	1971	% INCR.
PUPILS	1,644	1,748	6.33
OP. BUDGET	1,956,123	2,304,651	17.8
COST/PUPIL	1,190	1,318	10.8

This chart shows a summary of what is happening this year. Our pupil population is increasing by six per cent. The operating budget is up 17.8% with the resulting increase in the cost per pupil of 10.8%.

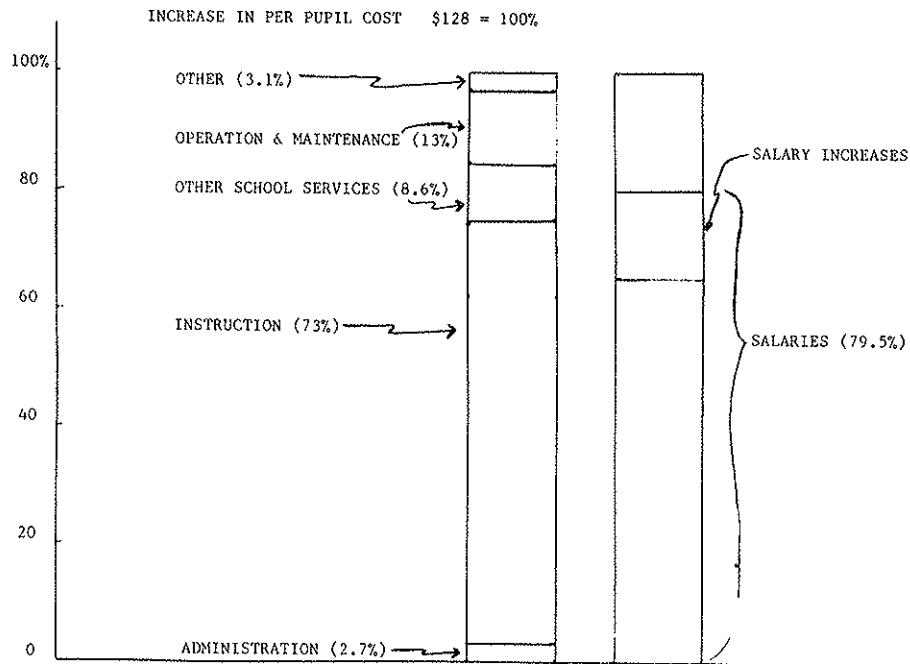
We have a set of towns that the Teachers' Association and the Regional Committee have agreed to use for comparison purposes for salaries. In comparison to the other towns, Lincoln-Sudbury stands, as of the end of the last school year, eighth out of eleven. The year before we were about in the middle. If you had plotted the cost of classroom teachers, we would have been tenth out of eleven, and it was this situation that led the Regional Committee to give very substantial raises last year. It was a recognition of this situation that led the Finance Committee to support us in that.

CHART 2



At the moment we are thirty-second in the state in cost per pupil. Last year we were twenty-third.

CHART 3



Of the \$128 cost per pupil increase, the vast majority appears in the instructional account. There are also increases in cost per pupil in operation and maintenance and a smaller amount in other school services.

In Operation and Maintenance, there are about \$25,000 of non-salary increases, and of this amount \$14,000 is in heat and utilities. We added one groundsman and four-tenths of a custodian in response to public demand that we do something about the condition of the high school.

The increase in cost under Other School Services is entirely attributable to increased transportation costs in the new bus contracts and in a transportation program instituted for the various exploration programs. This added \$14,000, and it is entirely reimbursed.

The big item is Instruction. We added one secretary and \$4,800 as seed money for a paraprofessional program. That seed money runs out in June, and thereafter the superintendent will be empowered to hire paraprofessionals from the teaching account. He has his choice to hire either teachers or paraprofessionals to the same dollar amount, so when this program is moving there will be no additional cost to the Town and, hopefully, an improvement in the efficiency and utilization of personnel.

We maintained the summer workshop at the same level as last year or 2.64% of the teaching account.

CHART 4

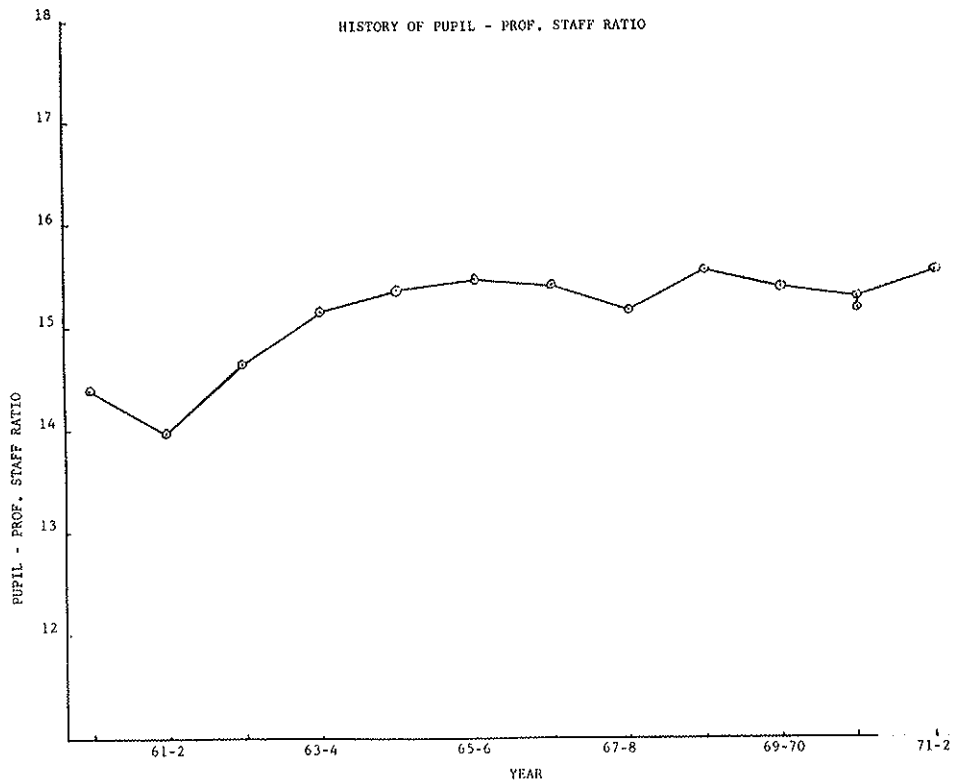
	<u>MARCH '71</u>	<u>SEPT. '71</u>	<u>(SEPT. '71)</u>
PUPILS	1,678	1,857	1,857
PROF. STAFF	109.5 + 3	119.0 + 3	(122.2 + 3)
PUPIL/STAFF*	15.3	15.6	(15.2)

SAVINGS THIS YEAR: 3 STAFF @ \$8000 for 1/3 YEAR = \$8000

*Pupil/staff ratio includes all professional staff except three administrators and outward bound consultants.

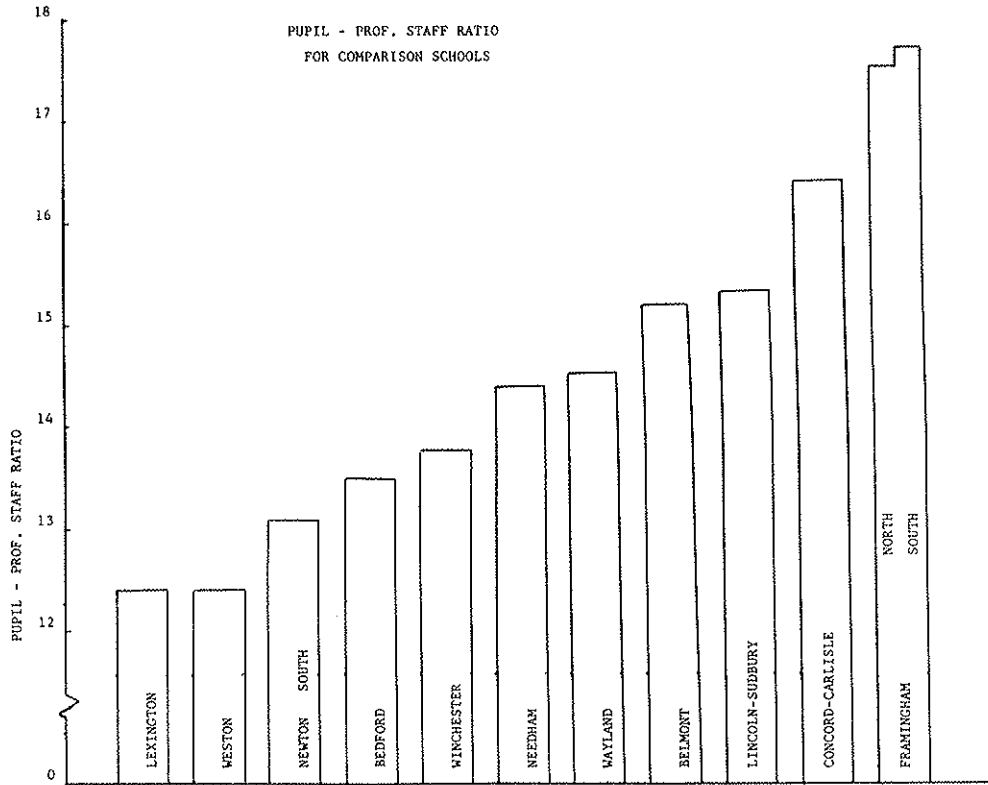
In an effort to mitigate the burden on the Town we did adjust the pupil-staff ratio. Our policy stipulates a 15.6 pupils per professional staff. By professional staff we mean everyone who teaches, librarians, audio-visual people, etc., except the three administrators and except the outward bound consultant. Had we left the pupil per professional staff ratio at 15.2, we would have needed 122 teachers. We will now need 119, amounting to a saving of three teachers at \$8,000 per year roughly for a third of a year.

CHART 5



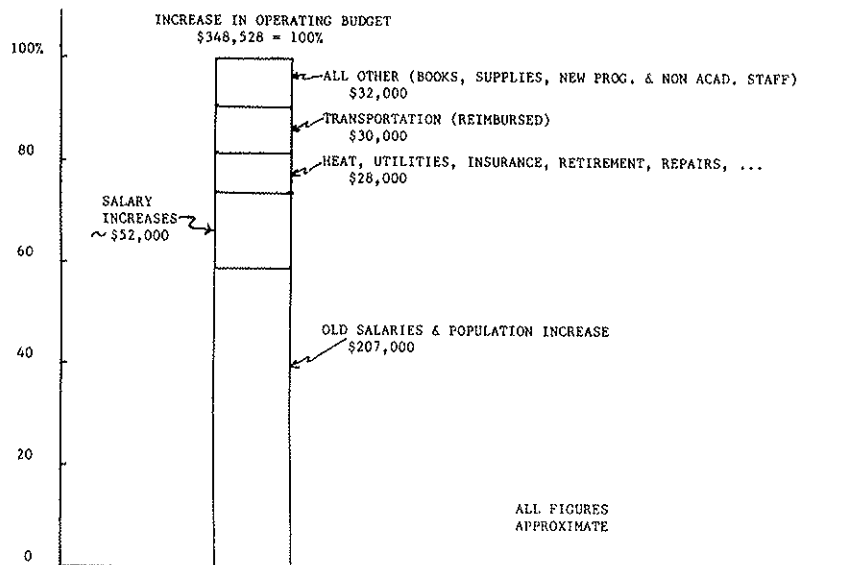
The pupil-staff ratio at the high school has been on the increase for the last ten years with a few variations. It is now at the highest it has ever been, 15.6. This type of number will certainly be a matter of negotiation in the future and not the exclusive prerogative of the School Committee.

CHART 6



Compared to our neighboring schools, Lincoln-Sudbury is exceeded by only two in pupil-staff ratio. We believe these staff ratios to be equivalent. Concord-Carlisle has a rather extensive paraprofessional program which is not represented in the pupil-staff ratio, so they are not really as good as it would appear.

CHART 7



If we carried the old staff with no raises whatsoever, provided the new teachers required to handle the influx of students and kept our pupil-staff ratio at last year's rates, we would have an increase of \$207,000. That is the iceberg effect, and there is nothing to be done about that at this point. \$52,000 represents roughly the new money for salary increases. \$28,000 is heat, utilities, insurance, retirement program and repairs which were postponed last year. \$30,000 is transportation increase and is fully reimbursed. All other items, books, supplies, new programs, additions to nonacademic staff are all contained in \$32,000.

We have come down from our first draft budget by \$43,000. We reduced contingency by \$13,000, but we would have tried not to spend it anyway. The Finance Committee would like an additional \$38,000. Their method of proceeding this year is a fair one. It saves the Town Meeting time, and it will give the School Committee direction.

If we try to take out the amount of money that was suggested, we are going to have to cut into our existing programs. As long as the Town Meeting is fully informed, we would be happy to have your direction.

We think it is a tight budget, and we would like your opinion. We urge you to support it.

After questioning the cost of the high school in administration and maintenance compared to the elementary schools and stating that he was dissatisfied with high school costs, Mr. Ray C. Ellis moved that the Sudbury assessment be reduced from \$1,844,069.19 to \$1,780,000.00 with the contingency fund being reduced from \$25,410 to zero and the operating expenses being reduced from \$1,598,421.68 to \$1,559,762.49.

After discussion, Mr. Ellis' amendment was defeated.

VOTED: THAT THE SUM OF \$1,844,069.19 BE RAISED AND APPROPRIATED FOR THE SUDBURY PORTION OF THE REGIONAL ASSESSMENT AS SPECIFIED BY THE APPORTIONMENT FOR OPERATING EXPENSES, CONTINGENCY, COMMUNITY SERVICE, OUTLAY AND DEBT SERVICE.

The Moderator announced that, by a strict construction of our by-law, the meeting should adjourn. However, a resolution is to be presented which is closely related to everything just discussed, and the meeting could remain in session by a two-thirds vote.

VOTED: THAT THE MEETING REMAIN IN SESSION.

The Moderator announced that the vote was more than the required two-thirds.

Mr. Phillips B. Hunt, Jr., Chairman of the Finance Committee, then presented the resolution.

Mr. James Fisher reported to the meeting for the Finance Committee as follows: The purpose of this resolution is to enable the Town to formally go on record and indicate the amount of Town sentiment regarding the direction the School Committee should take to positively limit the increase in school costs. The resolution has no legal effect, but depending upon the size of the favorable vote, it should have a moral persuasive guiding effect on the manner in which the School Committee manages to control the school expenses during the remainder of 1971. This vote should have an impact upon the School Committee budget negotiations next fall as well. The \$2,262,000 figure represents the amount which must be spent to reach the guidelines suggested in November 1970 during the budget hearings. This amount would result in a per pupil increase of 8.7% over last year. The Finance Committee urges you to strongly support the resolution.

After discussion, it was

VOTED:

WHEREAS THE 1971 BUDGET OF THE LINCOLN-SUDBURY REGIONAL HIGH SCHOOL PROJECTS A RECORD 10.8% INCREASE IN PER PUPIL COSTS, AND
WHEREAS AN INCREASE OF THIS SIZE EXCEEDS THE LIMIT WHICH MIGHT BE CONSIDERED AS HOLDING THE LINE IN THIS FISCALLY DIFFICULT YEAR, BE IT THEREFORE

RESOLVED THAT THE CITIZENS OF SUDBURY SITTING IN THE TOWN MEETING 1971
HEREBY DECLARE TO THE LINCOLN-SUDBURY SCHOOL COMMITTEE THEIR
BELIEF THAT THIS BUDGET IS EXCESSIVE AND HEREBY DIRECT THE
SCHOOL COMMITTEE TO TAKE ANY ACTION REQUIRED TO INSURE THAT
THE 1971 ACTUAL EXPENDITURES DO NOT EXCEED \$2,262,000.00.

In Favor - 202; Opposed - 129. (Total - 331)

The meeting adjourned at 11:25 P.M.

PROCEEDINGS
ADJOURNED ANNUAL TOWN MEETING

April 6, 1971

The Moderator called the meeting to order at 8:02 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

Consent of the meeting was granted for Mrs. Katherine Wendelowski, Director of the Goodnow Public Library and for Mr. Kirby Teeg of Whittier and Company to be present in the hall and to address the meeting if necessary.

Article 8: 200 DEBT SERVICE - 9.94% OF BUDGET

	<u>CHARGES</u> <u>1969</u>	<u>CHARGES</u> <u>1970</u>	<u>REQUESTED</u> <u>1971</u>	<u>RECOMMENDED</u> <u>1971</u>
201 Interest, Temporary Loans	53,659.08	75,000.00	75,000.00	75,000.00
202 Interest, Bonds (Schools)	84,127.50	76,897.50	161,472.50	161,472.50
203 Interest, Bonds (Other)	1,767.50	1,128.00	5,564.00	5,564.00
204 Debt Reduction (Schools)	215,000.00	215,000.00	435,000.00	435,000.00
205 Debt Reduction (Other)	<u>23,000.00</u>	<u>18,000.00</u>	<u>17,000.00</u>	<u>17,000.00</u>
	377,554.08	386,025.50	694,036.50	694,036.50

Finance Committee Report: These recommendations are in accordance with the schedule of interest and bond retirements. Increases in the school interest and debt reduction are due to the additions at the Curtis Junior High and Noyes Schools. The addition to the Goodnow Library is reflected in the increase in item 203.

Mr. Phillips B. Hunt, Jr., further reported to the meeting for the Finance Committee as follows: Account 201, Interest on Temporary Loans, has been decreased based upon the fact that the anticipated interest rate presently has dropped, and the Treasurer has not had to borrow as early in the year.

UNANIMOUSLY VOTED: THAT THE SUM OF \$654,036.50 BE RAISED AND APPROPRIATED FOR THE VARIOUS ITEMS LISTED UNDER ACCOUNT 200, DEBT SERVICE, AND THAT ITEM 201 BE DECREASED TO \$35,000.00.

Article 8: 300 PROTECTION OF PERSONS AND PROPERTY - 8.78% OF BUDGET

	<u>CHARGES</u> <u>1969</u>	<u>CHARGES</u> <u>1970</u>	<u>REQUESTED</u> <u>1971</u>	<u>RECOMMENDED</u> <u>1971</u>
<u>310 FIRE DEPARTMENT</u>				
310-11 Salaries	215,894.53	222,057.53	251,053.00	258,514.00
310-12 Overtime & Extra Hire	Incl. above	35,032.76	22,000.00	22,602.00
310-21 General Expense	5,324.73	1,447.81	1,550.00	1,550.00
310-31 Maint. Expense	Incl. above	4,880.97	4,900.00	4,900.00
310-51 Equip. Purchase	4,804.89	2,476.72	2,550.00	2,550.00
310-61 Fire Alarm Ext.	1,251.41	1,468.73	1,460.00	1,460.00
310-62 Fire Alarm Mnt.	Incl. above	105.26	200.00	200.00
310-71 Uniform Allowance	1,957.68	1,913.84	2,300.00	2,300.00
<u>320 POLICE DEPARTMENT</u>				
320-11 Salaries	184,234.23	176,358.64	200,700.00	201,600.00
320-12 Overtime & Extra Hire	Incl. above	38,958.51	15,110.00	15,110.00
320-13 Salaries Clerical	Incl. above	4,960.84	5,422.00	5,646.00
320-16 Salaries Cross. Guards	Incl. above	3,598.04	5,985.00	5,985.00

	CHARGES 1969	CHARGES 1970	REQUESTED 1971	RECOMMENDED 1971
<u>320 POLICE DEPARTMENT</u>				
320-15 Salaries				
Paid Details	12,628.49	9,586.67	12,500.00	12,500.00
320-21 General Expense	15,716.16	5,694.62	11,030.00	8,530.00
320-31 Maint. Expense Incl. above		12,584.92	12,500.00	12,500.00
320-41 Travel Expense	212.66	93.96	400.00	200.00
320-51 Equip. Purchase	10,405.68	11,193.49	8,700.00	8,700.00
320-71 Uniform Allowance	1,800.00	2,697.23	2,400.00	2,400.00
330-21 Radio Communic.	1,686.71	2,027.66	2,200.00	2,200.00
330-22 Hydrant Rental	17,745.00	19,215.00	19,985.00	19,985.00
<u>340 BUILDING INSPECTOR</u>				
340-11 Salary	9,570.43	10,150.01	10,800.00	11,250.00
340-12 Overtime & Extra Hire Incl. above		395.00	750.00	750.00
340-15 Salary				
Plumbing Insp.	3,245.31	3,097.18	4,000.00	3,400.00
340-21 General Expense	826.10	1,060.11	1,125.00	1,125.00
<u>350 DOG OFFICER</u>				
350-11 Salary	1,000.00	1,000.00	1,000.00	1,000.00
350-21 General Expense	1,583.95	1,851.46	1,600.00	1,600.00
<u>360 CONSERVATION COMMISSION</u>				
360-13 Salaries				
Clerical	-0-	475.92	425.00	425.00
360-21 General Expense	1,059.97	668.84	1,155.00	900.00
360-31 Maint. Expense Incl. above		154.19	325.00	325.00
360-41 Travel Expense	-0-	91.70	150.00	150.00
<u>370 BOARD OF APPEALS</u>				
370-13 Salaries				
Clerical	-0-	1,624.44	1,800.00	1,800.00
370-21 General Expense	354.27	541.00	650.00	650.00
<u>380 EARTH REMOVAL BOARD</u>				
380-21 General Expense	3.06	19.50	50.00	50.00
<u>390 CIVIL DEFENSE</u>				
390-21 General Expense	494.16	178.22	450.00	100.00
390-31 Maint. Expense Incl. above		249.23	250.00	250.00
	491,799.42	577,910.00	607,475.00	613,207.00

Finance Committee Report: The total recommended budget of \$613,207.00 reflects an increase of \$27,857.00 over the 1970 funds appropriated.

(A) Fire Department

\$22,284.00 - Salary increases of \$18,272.00 resulting from approval of Article 3, and step rate increases

Net increase of \$3,534.00 includes hiring two full-time firemen and reducing overtime pay, which should provide increased protection. Increase of \$478.00 in maintenance expense.

(B) Police Department

\$3,970.00 - Salary increase of \$5,893.00 resulting from step rate increases.

Net decrease of \$5,970.00 by hiring of two full-time policemen at \$17,120.00, and reducing \$23,090.00 from overtime pay.

Increase of crossing guards from 4 to 5 will result in an increase of \$1,197.00.

Increase in general expense of \$1,850.00.

(C) Hydrant Rental

\$770.00 - Increase in budget due to additional hydrants

(D) Building Inspector

\$750.00 - Salary increase for Building Inspector.

(E) Other Miscellaneous Items

\$83.00

Total Increase \$27,857.00.

UNANIMOUSLY VOTED: THAT THE SUM OF \$622,147.00 BE RAISED AND APPROPRIATED FOR THE VARIOUS ACCOUNTS AS LISTED UNDER ACCOUNT 300, PROTECTION OF PERSONS AND PROPERTY, AND THAT THE POLICE CRUISER REPLACEMENT UNDER ITEM 320-51 SHALL BE SUBJECT TO PUBLIC BIDS, THE TERMS OF SUCH BIDS SHALL REQUIRE IN EACH INSTANCE THE POSTING OF A PERFORMANCE BOND OR CERTIFIED CHECK IN THE AMOUNT OF \$100.00 TO GUARANTEE PERFORMANCE AND THAT THE PRESENT POLICE CRUISERS BE TRADED IN AGAINST THE PURCHASE PRICE OF THESE ITEMS, AND THAT THE SUM OF \$2,387.61 BE CARRIED FORWARD AND ADDED TO ITEM 320-51, CRUISER REPLACEMENT; AND THAT ITEM 320-12, POLICE DEPARTMENT OVERTIME AND EXTRA HIRE, BE INCREASED TO \$23,000.00; AND THAT ITEM 320-71, POLICE DEPARTMENT UNIFORM ALLOWANCE, BE INCREASED TO \$3,450.00.

Article 8: 400 HIGHWAY COMMISSION - 7.03% OF BUDGET

	<u>CHARGES</u> <u>1969</u>	<u>CHARGES</u> <u>1970</u>	<u>REQUESTED</u> <u>1971</u>	<u>RECOMMENDED</u> <u>1971</u>
<u>410 ADMINISTRATION</u>				
410-11 Salary Superintendent	11,500.00	12,999.89	14,500.00	14,500.00
410-13 Salaries Clerical	6,137.00	9,950.62	11,200.00	11,662.00
410-14 Salaries Commissioners	1,600.00	1,575.00	1,600.00	1,600.00
410-21 General Expense	2,741.00	2,480.00	4,055.00	3,365.00
410-31 Maint. Expense	2,041.00	4,231.43	5,000.00	5,000.00
410-41 Travel Expense	Incl. in 410-21	-0-	250.00	250.00
410-51 Equip. Purchase	Incl. in 410-21	3,053.87	5,525.00	1,075.00
<u>420 HIGHWAYS</u>				
420-11 Salaries	80,117.00	99,556.81	117,947.21	122,813.21
420-12 Overtime & Extra Hire	Incl. in 420-11	4,473.63	6,500.00	6,500.00
420-21 General Highway	15,147.00	38,600.48	44,650.00	44,650.00
420-22 Hired Equipment and Contractors	Incl. in 420-21	9,399.80	10,000.00	10,000.00
420-31 Road Equipment Op. Expense	32,571.00	29,884.58	30,000.00	26,500.00
420-51 Equip. Purchase	Incl. in 420-21	773.65	2,700.00	2,700.00
420-61 Chp. 81 Maint.	18,191.00	18,215.00	34,125.00	34,125.00
420-62 Chp. 90 Maint.	16,528.00	17,000.00	17,000.00	17,000.00
420-63 Chp. 90 Const.	36,800.00	36,000.00	36,000.00	36,000.00
420-71 Uniforms & Foul Weather Gear	-0-	505.65	3,140.00	2,750.00
420-91 Bridges and Drainage	7,901.00	9,201.08	19,350.00	19,350.00
<u>430 TREES</u>				
430-11 Salaries	20,142.00	18,503.80	27,878.40	24,642.00
430-22 Hired Equipment & Contractors		4,874.50	5,000.00	5,000.00
430-31 Maint. Expense		785.56	800.00	800.00
430-41 Travel Expense		10.00	100.00	100.00
430-51 Equip. Purchase		259.00	450.00	450.00
430-61 Tree Planting	210.00	1,987.00	2,000.00	2,000.00
430-71 Tree & Brush Control	1,978.00	396.39	400.00	400.00
430-81 Insect & Pest Control	3,049.00	161.51	200.00	200.00

	<u>CHARGES 1969</u>	<u>CHARGES 1970</u>	<u>REQUESTED 1971</u>	<u>RECOMMENDED 1971</u>
<u>440 SANITATION</u>				
440-11 Salaries		3,474.12	11,792.70	12,279.00
440-12 Overtime & Extra Hire		2,138.40	4,865.38	5,066.38
440-21 Sanitary Landfill Expense		4,197.49	14,500.00	1,500.00
440-22 Hired Equipment & Contractors	36,000.00	18,000.00	4,000.00	4,000.00
440-31 Brush & Stump Disposal	1,548.00	798.96	-0-	-0-
<u>450 PARKS & CEMETERIES</u>				
450-12 Overtime & Extra Hire	Incl. in 430-11	1,699.42	2,100.00	100.00
450-21 General Expense	670.00	182.00	200.00	200.00
450-22 Hired Equipment & Contractors		107.00	250.00	-0-
450-31 Maint. Expense		284.21	500.00	500.00
450-51 Equip. Purchase		548.09	650.00	650.00
450-61 Burial Expense	1,169.00	1,498.80	1,500.00	1,500.00
<u>460 SNOW REMOVAL</u>				
460-12 Overtime & Extra Hire	63,157.00	8,995.16	8,000.00	8,000.00
460-21 General Expense	Incl. above	31,384.61	25,000.00	25,000.00
460-22 Hired Equipment & Contractors	Incl. above	17,025.25	22,000.00	22,000.00
<u>470 STREET & TRAFFIC LIGHTING</u>				
470-21 General Expense	<u>13,704.00</u>	<u>15,050.00</u>	<u>16,465.00</u>	<u>16,465.00</u>
	372,901.00	428,842.76	512,193.69	490,692.59
<u>LESS COUNTY & STATE AID</u>				
Chapter 81 Maint.	23,950.00	23,950.00	25,025.00	25,025.00
Chapter 90 Maint.	4,000.00	4,000.00	4,000.00	4,000.00
Chapter 90 Constr.	<u>24,000.00</u>	<u>24,000.00</u>	<u>27,000.00</u>	<u>27,000.00</u>
APPROPRIATION	320,951.00	376,892.76	456,168.69	434,667.59

Finance Committee Report: The Highway budget of \$490,692.59 reflects an increase of \$43,522.59 or 9.73% from 1970.

The Highway Commission intends to use this year to complete a number of projects for which money had been previously appropriated. No new major projects are being started this year. Planning and initial steps at minimal costs are being taken this year so that new roadway and walkway projects can be undertaken during 1972.

There has been no curtailment in this budget for road maintenance and drainage work. A study of the budget indicates a total request in this area of \$150,000.00.

The principal differences in the highway requests and the Finance Committee recommendations lie in the area of special projects such as a hydrant at the Highway Garage (\$4,000) and a waterline and building at the Sanitary Landfill (\$13,000). We believe that both of these requests can wait another year. We are also recommending one less man in the Tree Department (\$4,212) as this department operated satisfactorily during 1970 with the smaller staff.

This department has shown great improvement and is now planning an annual program that we believe can be carried out.

Mr. Meyer Davis further reported to the meeting for the Finance Committee as follows: Good progress has been made by this department during the past nine months to correct its former planning and scheduling difficulties. This improvement has been assisted in no small measure by its new Superintendent, Mr. Weldon Thomas. The Commissioners are now in a better position to properly assess the limitations and the extent of work that the department can do based upon an intelligent survey of manpower and time requirements.

It became evident in making up this year's budget that the department has a full year's work in completing previously approved jobs, such as Pratt's Mill Road, east, Hudson Road walkways, and Goodman's Hill Road drains, as well as a number of new general road improvements. No outside contracting for additional work is recommended in view of the general economic conditions.

The reasons for additional changes in budget recommendations as stated in the motion are as follows: Item 410-51 is being changed from \$1,075.00 to \$3,375.00 since it now includes the recommended purchase of necessary piping and a hydrant to offer better fire protection at the Highway Garage. The urgent plea of the Fire Chief, the effect on insurance rates and reduced costs presented created approval for this change.

Item 420-61 is being changed from \$34,125.00 to \$18,215.00 since labor costs for this work already exist in Item 420-11, and the additional money is a duplication.

Trying to budget snow removal is always a big headache. The budget estimate this year was set up by an average of the last five years. Less than a week ago we were informed that this estimate had already been overspent in the first few months of the year. This necessitated changes in the recommendation, creating a total snow budget of \$77,000.00 instead of the \$55,000.00 previously recommended.

The total recommended budget is now approximately \$499,000.00 instead of \$490,000.00 as shown in the Warrant. This budget is almost \$60,000.00 under that recommended for 1971 in the long range plan.

The request under Item 440-21, for water lines, starters facilities and bulldozer housing at the landfill, was based on new regulations by the Board of Health set up on July 1, 1970, three months after the Town Meeting. We do not feel it in order to spend another \$13,000.00 at the landfill before the bulldozer has been paid for from savings. We feel that a moratorium of at least a year on extra expenditures at the landfill should be observed.

We believe that outside of these exceptions and those already mentioned, that this is a sound and reasonable budget and recommend its passage as amended.

Long Range Capital Expenditures Committee Report: (Mr. Robert Vannerson) The Long Range Capital Expenditures Committee would like to comment on the sanitation budget, Line Item 440-21. Included in the \$14,500.00 item is an amount of \$13,000.00 for building a water line at the sanitary landfill area. The Long Range Capital Expenditures Committee agrees with the Finance Committee's recommendations to delete this \$13,000.00 portion of the budget request. This item was not included in the Highway Commission's recommendations for the long range plan that it submitted. Although we recognize that there are occasionally unplanned expenditures, we felt this one has to be postponed at least a year.

Our committee would also like to comment on the request that all committees refrain from including in their operating budget items such as this, which, being a non-recurring expenditure over \$10,000.00, should be voted on in a separate article rather than included as an operating item.

Highway Commission Report: (Mr. George McQueen) The Highway Commission is in full accord with the request as it now stands. We recognize those things that various people have pointed out to you that have been deleted or recommended for deletion. We are in favor of the budget as it now stands and hope you will support it.

VOTED: THAT THE SUM OF \$499,082.59 BE RAISED AND APPROPRIATED FOR THE VARIOUS ITEMS AS LISTED UNDER ACCOUNT 400, HIGHWAY COMMISSION, AND TO MEET THE APPROPRIATION THE SUM OF \$443,057.59 BE RAISED BY TAXATION AND THE SUM OF \$56,025.00 BE APPROPRIATED AND TRANSFERRED FROM THE SURPLUS REVENUE FOR THE COUNTY AND STATE SHARE OF THE COST OF THE HIGHWAY COMMISSION, REIMBURSEMENT FROM THE STATE AND COUNTY TO BE RESTORED UPON THEIR RECEIPT TO SURPLUS REVENUE; AND THAT LINE ITEM 410-51, EQUIPMENT PURCHASE, BE INCREASED TO \$3,375.00; AND THAT LINE ITEM 420-61, CHAPTER 81 MAINTENANCE BE DECREASED TO \$18,215.00; AND THAT LINE ITEM 460-12, SNOW REMOVAL, OVERTIME AND EXTRA HIRE, BE INCREASED TO \$9,000.00; AND THAT LINE ITEM 460-21, SNOW REMOVAL, GENERAL EXPENSE, BE INCREASED TO \$58,000.00; AND THAT LINE ITEM 460-22, SNOW REMOVAL, HIRED EQUIPMENT AND CONTRACTORS, BE DECREASED TO \$10,000.00.

Article 8: 500 GENERAL GOVERNMENT - 3.63% OF BUDGET

	CHARGES 1969	CHARGES 1970	REQUESTED 1971	RECOMMENDED 1971
<u>501 SELECTMEN</u>				
501-11 Salary				
Exec. Sec'y.	12,899.77	14,899.82	16,500.00	16,450.00
501-12 Salaries				
Overtime & Extra Hire	Incl. Below	1,748.95	1,000.00	1,000.00
501-13 Salaries				
Clerical	26,125.30	28,145.92	33,000.00	34,362.00
501-14 Salaries				
Selectmen	1,600.00	1,600.00	1,600.00	1,600.00
501-15 Salaries				
Custodial	13,801.01	11,900.18	13,500.00	14,057.00
501-21 General Expense	13,101.78	6,284.21	5,155.00	4,650.00
501-31 Town Hall				
Maint. & Rep.	14,823.85	8,691.86	9,210.00	8,210.00
501-32 Centre School				
Maint. & Rep.	4,790.66	4,843.29	6,100.00	5,700.00
501-33 Loring Parsonage				
Maint. & Rep.	2,036.41	2,295.74	1,550.00	1,550.00
501-34 Hosmer House				
Maint. & Rep.	194.00	2,355.59	1,050.00	1,050.00
501-35 Office Machines				
Maint. & Rep.	919.06	771.30	1,060.00	810.00
501-41 Travel Expense	759.69	796.34	1,050.00	1,050.00
501-51 Equip. Purchase	3,181.85	2,072.30	2,170.00	2,170.00
501-61 Data Processing	2,383.34	2,769.34	3,000.00	3,000.00
501-62 Water Pollution Treatments	-0-	Incl. in 501-21	1,350.00	1,350.00
501-63 Sudbury Drug Action Com.	-0-	1,771.11	10,020.00	2,500.00
501-71 Out-of-State Travel	161.19	-0-	300.00	300.00
501-81 Surveys & Studies	601.20	508.80	1,000.00	1,000.00
501-91 Town Meetings	4,813.65	5,555.30	5,200.00	5,200.00
<u>502 ENGINEERING</u>				
502-11 Salaries	27,348.47	29,007.28	43,860.00	33,174.00
502-12 Overtime & Extra Hire	Incl. above	2,355.41	-0-	3,000.00
502-21 General Expense	1,239.53	6,139.09	2,100.00	2,100.00
502-31 Maint. Expense	-0-	179.70	500.00	500.00
502-41 Travel Expense	162.77	245.50	550.00	500.00
502-51 Equip. Purchase	1,563.70	802.24	1,095.00	1,095.00
<u>503 LAW</u>				
503-11 Retainer	7,500.00	7,500.00	7,500.00	7,500.00
503-21 General Expense	6,784.85	9,385.89	5,850.00	5,850.00
<u>504 ASSESSORS</u>				
504-11 Salary - Ass't. Field Director	-0-	-0-	10,000.00	-0-
504-12 Overtime & Extra Hire	Incl. below	-0-	2,000.00	1,000.00
504-13 Salaries				
Clerical	9,179.00	11,490.69	12,483.00	12,998.00
504-14 Salaries				
Assessors	2,500.00	2,500.00	6,900.00	2,500.00
504-21 General Expense	1,117.16	1,077.22	3,100.00	3,100.00
504-41 Travel Expense	300.00	600.00	750.00	600.00
<u>505 TAX COLLECTOR</u>				
505-11 Salary				
Tax Collector	6,300.00	7,600.00	8,375.00	8,375.00
505-13 Salaries				
Clerical	5,891.24	8,570.53	9,026.00	9,398.00
505-21 General Expense	1,356.75	4,522.97	3,102.00	3,102.00
505-41 Travel Expense	394.35	399.15	500.00	400.00

	CHARGES 1969	CHARGES 1970	REQUESTED 1971	RECOMMENDED 1971
<u>506 TOWN CLERK & REGISTRARS</u>				
506-11 Salary				
Town Clerk	3,500.00	4,250.00	5,470.00	4,725.00
506-13 Salaries				
Clerical	8,982.32	11,307.72	14,606.00	13,249.00
506-14 Salary				
Registrars	400.00	400.00	450.00	450.00
506-21 General Expense	9,795.69	5,810.17	8,135.00	6,563.00
506-41 Travel Expense	250.00	177.12	250.00	250.00
506-61 Elections	1,350.00	3,585.53	1,265.00	1,265.00
<u>507 TREASURER</u>				
507-11 Salary				
Treasurer	4,725.00	5,400.00	8,500.00	5,825.00
507-13 Salaries				
Clerical	1,991.06	2,440.89	2,750.00	2,863.00
507-21 General Expense	394.00	991.62	1,080.00	1,000.00
507-41 Travel Expense	234.80	249.60	300.00	250.00
507-61 Tax Title Expense	230.78	89.50	700.00	700.00
507-71 Bond & Note Issue Expense	64.00	194.00	1,425.00	1,425.00
<u>508 FINANCE COMMITTEE</u>				
508-13 Salaries				
Clerical	905.33	694.22	1,200.00	1,200.00
508-21 General Expense	429.17	462.94	525.00	425.00
508-41 Travel Expense Incl. above		76.00	275.00	275.00
<u>509 MODERATOR</u>				
509-11 Salary	100.00	90.00	100.00	100.00
<u>510 PERMANENT BLDG. COMMITTEE</u>				
510-13 Salaries				
Clerical	115.99	84.15	200.00	200.00
510-21 General Expense	56.98	199.75	200.00	200.00
<u>511 PERSONNEL BOARD</u>				
511-13 Salaries				
Clerical	657.66	472.63	800.00	800.00
511-21 General Expense	353.18	660.20	1,100.00	1,100.00
<u>512 PLANNING BOARD</u>				
512-13 Salaries				
Clerical	1,238.78	1,243.88	1,725.00	1,725.00
512-21 General Expense	453.35	1,127.58	4,000.00	4,000.00
<u>513 ANCIENT RECORDS COMMITTEE</u>				
513-21 General Expense	96.45	-0-	1,100.00	100.00
<u>514 HISTORIC DIST. COMMISSION</u>				
514-13 Salaries				
Clerical	-0-	33.23	200.00	200.00
514-21 General Expense	54.11	54.71	150.00	150.00
<u>515 INDUSTRIAL DEV. COMMISSION</u>				
515-21 General Expense	521.44	667.90	1,000.00	1,000.00
<u>518 SCHOOL NEEDS COMMITTEE</u>				
518-21 General Expense	113.65	-0-	-0-	-0-
<u>519 TALENT SEARCH COMMITTEE</u>				
519-21 General Expense	-0-	34.46	75.00	75.00
<u>520 COM. TOWN ADMINISTRATION</u>				
520-21 General Expense	-0-	5.74	100.00	100.00
<u>521 HOSMER HOUSE CONTRACT</u>				
	2,000.00	2,000.00	2,000.00	2,000.00
	213,386.20	232,189.26	298,612.00	253,416.00

Finance Committee Report: The amount recommended for the General Government budget is \$12,235.00 greater than for 1970. The Finance Committee believes that this level of expenditures is consistent with the needs of the Town.

This recommendation reflects the policy of the Finance Committee that, in the forthcoming year, no increases other than those resulting from inflation be made, unless there are direct savings that offset the increase, or unless it is a clear case of penny wise and pound foolish. With this in mind, we recommend that all increases in individually rated salaries and salaries of elected officials be limited to a maximum of 5½%.

Where expenses are of a discretionary nature, we have recommended that they be postponed; where they are difficult to predict, we are recommending minimal amounts with any additional amounts needed to come from the Reserve Fund, if, as, and when the need can be proven.

There are a few areas where the amount we recommend is substantially less than that requested. One such is the request of the Sudbury Drug Action Committee. Although we are in complete sympathy with the objectives of this group, we have reservations as to whether or not the planned expenditure is likely to be consistent with the resultant benefits.

A second such area is that of the Assessors. There can be little doubt that the function of assessing is one which requires a substantial amount of time and effort, but we feel that the addition of a full-time investigator is badly timed. Not only is this a poor year from the economic point of view, but the Committee on Town Administration is presently conducting a study on Town organizational structures. The results of such a study would probably influence any decision to add to the permanent staff.

A third area is that of the Ancient Records Committee. Many Town documents were microfilmed a few years ago. We have recommended that a further study be made before any microfilming is done.

The Moderator then recognized the Town Clerk who moved that Line Item 506-13, Town Clerk and Registrars, Clerical Salaries, be increased to \$14,928.00.

In support of her motion to amend, the Town Clerk stated that she understood the great need to economize in all departments this year and that because of this she intended to move to decrease her own salary and travel expense to help defray the cost if the motion relative to clerical salaries was passed. She presented data comparing clerical costs of the department to other departments under General Government and comparing actual clerical staff to projected clerical needs. She also stated that an unusually large increase in workload was expected during 1971, and that if she was required to decrease her clerical staff, the research work being done by the department would have to be seriously curtailed if not discontinued altogether.

After discussion, it was

VOTED: THAT LINE ITEM 506-13, TOWN CLERK AND REGISTRARS, CLERICAL SALARIES, BE INCREASED TO \$14,928.00.

The Town Clerk then moved that Line Item 506-11, Salary, Town Clerk, be decreased to \$4,500.00, and that Line Item 506-41, Travel Expense, be decreased to \$50.00.

The motion was defeated.

Unanimous consent was given to increase the sum in the Finance Committee's motion from \$254,266.00 to \$255, 945.00.

UNANIMOUSLY VOTED: THAT THE SUM OF \$255,945.00 BE RAISED AND APPROPRIATED FOR THE VARIOUS ITEMS AS LISTED UNDER ACCOUNT 500, GENERAL GOVERNMENT, AND THAT THE FOLLOWING SUMS BE CARRIED FORWARD AND ADDED TO THE LISTED ITEM, \$848.10 FOR 501-32, MAINTENANCE AND REPAIR OF CENTRE SCHOOL; \$1,390.00 FOR 501-33, MAINTENANCE AND REPAIR OF LORING PARSONAGE; \$330.00 FOR 501-51, EQUIPMENT PURCHASE; \$728.89 FOR 501-63, DRUG ACTION COMMITTEE; \$200.00 FOR 506-21, TOWN CLERK EXPENSE; \$100.00 FOR 513, ANCIENT DOCUMENTS COMMITTEE EXPENSE; AND THAT ITEM 504-21, ASSESSORS, GENERAL EXPENSE, BE INCREASED TO \$3,950.00; AND THAT LINE ITEM 506-13, TOWN CLERK AND REGISTRARS, CLERICAL SALARIES, BE INCREASED TO \$14,928.00.

Article 8: 600 GOODNOW LIBRARY - 1.05% OF BUDGET

	<u>CHARGES</u> <u>1969</u>	<u>CHARGES</u> <u>1970</u>	<u>REQUESTED</u> <u>1971</u>	<u>RECOMMENDED</u> <u>1971</u>
600-11 Salaries	36,904.74	41,717.64	50,762.00	52,410.00
600-21 General Expense	4,197.23	1,229.07	4,750.00	1,550.00
600-31 Maint. Expense Incl. above		2,352.83	2,850.00	2,850.00
600-41 Travel Expense	99.10	76.36	300.00	100.00
600-51 Equip. Purchase	-0-	366.55	780.00	-0-
600-52 Books	11,943.75	12,996.59	15,950.00	15,950.00
600-61 Special Programs	-0-	-0-	750.00	750.00
	<u>53,144.82</u>	<u>58,739.04</u>	<u>74,842.00</u>	<u>73,610.00</u>
<u>LESS RECEIPTS:</u>				
State Aid	-2,305.34	1,861.75	1,861.75	1,861.75
Trust Fund	-1,500.00	1,500.00	1,500.00	1,500.00
	<u>49,339.48</u>	<u>55,377.29</u>	<u>71,480.25</u>	<u>70,248.25</u>

Finance Committee Report: This year's increase in the library budget amounts to \$11,435.00 and is caused by step increases in existing salary schedules; reclassification of one library assistant to head of the Children's Department; addition of one part-time custodian and two part-time pages. The part-time custodian is not expected to start until the new addition is completed, and this increase in staff does not exceed the authorized custodial strength approved last year.

Additionally, the increased book account reflects the normal inflationary increase in the cost of new books and the beginning of a rebinding program. The number of books in disrepair is quite large, but it is less expensive to rebind old books than it is to replace them with new copies.

The Finance Committee opposes the purchase at this time of two electrically operated book cagers. The new addition will not be ready for use until very late in 1971, and with the increase in staff over the past two years, this purchase at this time would be premature.

Mr. Rarus further reported to the meeting for the Finance Committee as follows:

The Personnel Board has decided to delay the classification of one library assistant to head of the Children's Department for at least one year, and that decision to delay the reclassification has been reflected in the slight reduction in the salary account.

UNANIMOUSLY VOTED: THAT THE SUM OF \$72,317.00 BE APPROPRIATED FOR THE VARIOUS ITEMS AS LISTED UNDER ACCOUNT 600, GOODNOW LIBRARY, AND TO MEET THE APPROPRIATION THE SUM OF \$66,759.05 BE RAISED BY TAXATION AND THAT THE MIDDLESEX COUNTY DOG LICENSE REFUND IN THE AMOUNT OF \$2,196.20, STATE AID FOR LIBRARY IN THE AMOUNT OF \$1,861.75 AND TRUST FUND INCOME IN THE AMOUNT OF \$1,500.00 ALL BE APPROPRIATED AND TRANSFERRED FOR ITEM 600-52 FOR THE PURCHASE OF BOOKS; AND THAT LINE ITEM 600-11 SALARIES BE DECREASED TO \$51,117.00.

Article 8: 700 PARKS AND RECREATION - .88% OF BUDGET

	<u>CHARGES</u> <u>1969</u>	<u>CHARGES</u> <u>1970</u>	<u>REQUESTED</u> <u>1971</u>	<u>RECOMMENDED</u> <u>1971</u>
700-11 Salaries	21,097.71	27,267.56	30,000.00	29,565.00
700-21 General Expense	17,878.54	7,325.81	1,232.00	1,232.00
700-31 Maint. Expense Incl. above		534.63	14,170.00	12,070.00
700-41 Travel Expense	-0-	499.89	300.00	300.00
700-51 Equip. Purchase	883.49	3,845.00	4,800.00	4,000.00
700-61 Recreation Program incl. July 4th	1,442.39	13,641.48	14,390.00	14,390.00
	<u>41,302.13</u>	<u>53,114.37</u>	<u>64,892.00</u>	<u>61,577.00</u>

Finance Committee Report: This budget reflects an increase of \$8,615.99 over last year's budget or 16.27%.

It would appear that with the growing recreation program in Sudbury, we are approaching a maximum use of developed area at Featherland Park. Expenditures in new areas are required to continue to expand and improve this program for which the Commission has a long range plan.

VOTED: THAT THE SUM OF \$61,577.00 BE RAISED AND APPROPRIATED FOR THE VARIOUS ITEMS AS LISTED UNDER ACCOUNT 700, PARKS AND RECREATION.

Article 8: 800 HEALTH AND SANITATION - .51% OF BUDGET

	CHARGES 1969	CHARGES 1970	REQUESTED 1971	RECOMMENDED 1971
800-11 Salary Director	2,915.00	4,619.80	11,300.00	10,500.00
800-13 Salaries				
Clerical	2,921.75	3,148.59	5,200.00	3,644.00
800-14 Salary				
Animal Insp.	344.00	350.00	-0-	-0-
800-21 General Expense	774.33	1,491.91	2,000.00	1,500.00
800-31 Laboratory Expense	502.50	757.50	900.00	900.00
800-41 Travel Expense	-0-	56.10	500.00	500.00
800-51 Equip. Purchase	Incl. Town Hall	-0-	550.00	550.00
800-61 SPHNA	8,380.00	6,954.00	7,000.00	7,000.00
800-71 Mosquito Control	9,000.00	9,600.00	10,200.00	10,200.00
800-81 Consultant Fees	-0-	-0-	500.00	500.00
	<u>24,837.58</u>	<u>26,977.90</u>	<u>38,150.00</u>	<u>35,294.00</u>

Finance Committee Report: The budget of \$35,294.00 reflects an increase of \$1,185.00 over the 1970 funds appropriated.

The increase is due to the following items:

- (A) increase of \$600.00 in Mosquito Control
- (B) increase of \$585.00 in Consulting Fees and General Expenses

UNANIMOUSLY VOTED: THAT THE SUM OF \$36,444.00 BE RAISED AND APPROPRIATED FOR THE VARIOUS ITEMS AS LISTED UNDER ACCOUNT 800, HEALTH AND SANITATION, AND THAT THE SUM OF \$405.00 BE CARRIED FORWARD AND ADDED TO ITEM 800-51, EQUIPMENT PURCHASE, AND THAT ITEM 800-11, SALARY DIRECTOR, BE INCREASED TO \$11,300.00, AND THAT ITEM 800-14, ANIMAL INSPECTOR, BE INCREASED TO \$350.00.

Article 8: 900 VETERANS' BENEFITS - .24% OF BUDGET

	CHARGES 1969	CHARGES 1970	REQUESTED 1971	RECOMMENDED 1971
900-11 Agent's Salary	1,000.00	1,000.00	1,500.00	1,000.00
900-21 General Expense)	226.08	92.95	325.00	325.00
-41 Travel Expense)				
900-61 Benefits	16,831.81	19,019.82	15,750.00	15,750.00
	<u>18,057.89</u>	<u>20,112.77</u>	<u>17,575.00</u>	<u>17,075.00</u>

Finance Committee Report: We do not believe that this is the year to raise the agent's salary to \$1,500.00 as requested. Fewer persons are eligible for benefits as we enter this year. Any unforeseen increase in statutory requirements will be met by a transfer from the Reserve Fund.

VOTED: THAT THE SUM OF \$17,075.00 BE RAISED AND APPROPRIATED FOR THE VARIOUS ITEMS AS LISTED UNDER ACCOUNT 900, VETERANS' BENEFITS.

Article 8: 950 UNCLASSIFIED - 2.56% OF BUDGET

	CHARGES 1969	CHARGES 1970	REQUESTED 1971	RECOMMENDED 1971
950-11 Blue Cross/Shield	29,935.16	48,745.14	60,400.00	60,400.00
950-12 Life Insurance Incl. above		2,859.35	3,300.00	3,300.00
950-21 Surety Bond & Fidelity Exp.	818.00	809.00	2,105.00	2,105.00
950-31 Insurance	34,583.40	35,937.58	44,731.00	44,731.00
950-41 Printing Town Report	5,209.30	7,408.75	7,500.00	6,000.00
950-51 Memorial Day Expense	731.79	364.83	695.00	695.00
950-61 Veterans' Graves Officer Expense	105.15	112.20	150.00	150.00
950-71 Fire Pension	1,500.00	1,500.00	1,500.00	1,500.00
950-81 Reserve Fund	58,356.64	47,141.17	60,000.00	60,000.00
	<u>131,239.44</u>	<u>144,878.02</u>	<u>180,381.00</u>	<u>178,881.00</u>
Hydrant Rental, Supplement	10,000.00	-0-	-0-	-0-
	<u>141,239.44</u>	<u>144,878.02</u>	<u>180,381.00</u>	<u>178,881.00</u>

Finance Committee Report: As a result of the vote on the insurance questions at 1970 Town Elections, the Town now pays more than half the premiums for employee, dependents, and retiree life and health insurance. Appropriations were increased \$12,600.00 on the floor of the 1970 Annual Town Meeting from \$33,600.00 to \$46,200.00. Nevertheless, a transfer of \$5,900.00 more was required from the Reserve Fund. Now the budget estimate is up again, confirming the well-known increase in medical costs, compounded by our increased share of the rising premiums.

This is the third consecutive annual recommendation by the Finance Committee for a review of the Town's total insurance program. Last year the Selectmen were encouraged in the Warrant to obtain competitive bids. The 1964 Town Report identifies a windfall in 1963 as a result of a major rewriting of coverages in account 950-31.

Insurance of our buildings and contents will cost \$7,000.00 more than in 1970 as a result of increased rates and coverage of the new Highway Department Garage and Curtis and Noyes Schools additions. Higher rates and the addition of eight vehicles adds \$3,000.00 to our auto fleet physical damage premium.

During 1970 the Finance Committee approved the following requests for transfer from the Reserve Fund:

<u>100 SCHOOLS</u>		\$ <u>125.00</u>
Regional Vocational School Planning Com.	\$ 125.00	
<u>300 PROTECTION OF PERSONS AND PROPERTY</u>		<u>5,925.78</u>
Fire Department - Maintenance Expense	380.97	
Police Department - Overtime & Extra Hire	1,300.00	
- Crossing Guards Salary	250.00	
- Maintenance Expense	309.95	
- Equipment Purchase	2,753.10	
- Uniform Allowance	450.00	
Dog Officer - General Expense	300.00	
Conservation Commission - Clerical Salary	25.92	
- General Expense	30.84	
Board of Appeals - Clerical Salary	125.00	
<u>400 HIGHWAY COMMISSION</u>		<u>18,445.25</u>
General Expense	745.00	
Uniforms and Protective Gear	625.00	
Burial Expense	1,000.00	
Snow Removal	15,725.25	
Street & Traffic Lighting	350.00	

<u>500 GENERAL GOVERNMENT</u>		<u>\$ 11,065.59</u>
Selectmen - Executive Secretary Salary	399.82	
- Overtime & Extra Hire	700.00	
- General Administrative Expense	1,950.00	
- Hosmer House Repair	2,500.00	
- Office Equipment Purchase	530.00	
- Data Processing	69.34	
- Town Meetings	725.34	
Law - General Expense	3,200.00	
Tax Collector - Clerical Salaries	616.09	
Treasurer - Bond & Note Issue Expense	125.00	
Finance Committee - General Expense	100.00	
Planning Board - General Expense	150.00	
<u>600 LIBRARY</u>		<u>366.55</u>
Equipment Purchase	366.55	
<u>700 PARKS AND RECREATION</u>		<u>975.57</u>
Salaries	667.56	
Featherland Parking Lot	308.01	
<u>900 VETERANS' BENEFITS</u>		<u>4,000.00</u>
Benefits	4,000.00	
<u>950 UNCLASSIFIED</u>		<u>6,237.43</u>
Blue Cross/Blue Shield Insurance	5,900.00	
Insurance	227.58	
Printing Town Report	109.85	
TOTAL AMOUNT TRANSFERRED		<u>\$47,141.17</u>

UNANIMOUSLY VOTED: THAT THE SUM OF \$178,881.00 BE RAISED AND APPROPRIATED FOR THE VARIOUS ITEMS AS LISTED UNDER ACCOUNT 950, UNCLASSIFIED.

UNANIMOUSLY VOTED: THAT ALL SALARIES AND WAGE RATES PROVIDED UNDER THIS ARTICLE BE EFFECTIVE AS OF APRIL 1, 1971, AND THAT ALL TRAVEL EXPENSES PROVIDED UNDER THIS ARTICLE BE PAID AT THE RATE OF 10¢ PER MILE FOR WHICH PROPER VOUCHERS SHALL BE SUBMITTED.

Article 9: To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to be expended under the direction of the Chief of Police for the uniform reimbursement program, or act on anything relative thereto. Submitted by Petition.

Finance Committee Report: The Finance Committee recommends against this article for the same reasons as Article 7.

Upon a motion made by Mr. John R. MacLean, Jr., one of the petitioners, it was

UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.

Article 10: To see if the Town will vote to amend Article IX of the Town By-laws, entitled: "Zoning By-law", Section II, "Establishment of Districts", by rezoning the following described land from its present classification to a new Limited Business District #6, bounded and described as follows:

Beginning at a point 551.02 feet westerly of the intersection of the northerly side line of the Boston Post Road and the monumented base line of the Penn Central Transportation Company; thence running along said northerly side line of the Boston Post Road the following four (4) courses: S 76°-18'-48" W, 90.84 feet to an angle; S 89°-10'-38" W, 588.46 feet to a radius; along said (647.39') radius, 157.98 feet to a point; N 76°-50'-22" W, 87.48 feet to land now or formerly of Raytheon Company; thence turning and running N 10°-28'-33" E, 1369 feet more or less to an angle; thence turning and running S 10°-28'-33" W, 485 feet more or less to an angle; thence turning and running S 05°-49'-10" W, 726.78 feet by land now or formerly of Irene E. Burke and land now or formerly of Jacob Furman, said land being designated as the westerly limit of Business District 13, to the point of beginning,

or act on anything relative thereto.

Submitted by the Planning Board.

Mr. Eben Stevens of the Planning Board moved that the Town amend Article IX of the Town By-laws, entitled: "Zoning By-law", Section II, "Establishment of Districts", by rezoning the following land, described under Article 10 in the Warrant for this meeting, except that in line 12 the following be added after the words, "to an angle", "thence south by 79°31'27" E, 845 feet more or less to an angle", and by directing that the boundaries of the same be incorporated into the existing Zoning Map of the Town of Sudbury under the direction of the Board of Selectmen.

The Moderator recognized Mr. Justin L. Wyner for a presentation under Article 10.

Mr. Wyner stated as follows: It was exactly one year ago that the change under Permitted Uses in Limited Industrial Districts was voted to permit us to come to the Town with our company, R.A.D.I.N. We hope that you have not regretted that decision.

It was not our intention to request the Town Meeting again to take special action for our accommodation, but we now find ourselves in a position of doing just that in relation to the rezoning action requested under this article, placed in the Warrant by the Planning Board and supported by both the Planning Board and the Finance Committee.

Our support of Article 10 is in no way related to our operation of R.A.D.I.N., and its passage or defeat will have no bearing on R.A.D.I.N.

When the land for R.A.D.I.N. was purchased last spring, we took an option on an additional amount of land, also zoned for industry, in order to guarantee the continued attractiveness of our surroundings. Since that time, through various methods, we have sought to sell the land to any desirable industrial client, hopefully retaining some control over the general amenities. There has never been a single firm offer by any industry of any kind to purchase this acreage which fronts on Route 20 next to Raytheon, either since we have had it or during the eleven years that it has been listed and offered for sale by Mr. Capaldi.

However, during this past year, some substantial retail stores have made inquiry as to the availability of the land for use as a small local shopping center.

Since this required rezoning the land, we did not think it appropriate to discuss the matter with the Planning Board. We did, however, subsequently consider this possibility again when we were approached by a resident of the Town who had been encouraged in his meeting with the Planning Board relative to the possible building of twin Jerry Lewis Cinemas for which he had purchased the franchise in the Town and particularly in the area where we held the option. Under these circumstances, since the theater represented only a very small portion of the land, only 8,000 square feet of building, and since a variance or rezoning was required, we felt it now appropriate to discuss with the Planning Board what they had in mind for the long range plan and use of this particular property. Since we had received substantial interest from a number of retail stores, we felt it appropriate to bring this to their attention.

We were encouraged both in writing and verbally that they envisioned, if properly done, a downtown shopping area for Sudbury as the ideal choice for this particular parcel. With this kind of encouragement, we proceeded to talk with a number of interested stores. Despite the fact that these stores had full knowledge of a required two-thirds vote in the Town Meeting to rezone the land, we were able to submit to the Planning Board and to the Finance Committee written commitments providing for twenty year leases from the following stores: W. T. Grant, Stop and Shop, Medimart, the health and beauty aids division of Stop and Shop, and the Framingham National Bank. In addition, we also established the definite commitment of the Jerry Lewis Twin Cinemas to become part of this area. It was our feeling that emphasis should be placed on the careful selection of distinctive speciality stores in keeping with the distinctiveness of the Sudbury community.

Before building R.A.D.I.N., we considered the need for special guidance in planning both the interior and exterior surroundings to provide not just an office and warehouse, but to include important environmental amenities that would permit us to be stewards of the land, not exploiters. To this end we became the first corporate sponsor of the Institute of Contemporary Art which was able to guide us in the building of R.A.D.I.N.

Should the rezoning request under Article 10 be approved, we would continue to seek the advice of the Institute of Contemporary Art, and, even more importantly, we would hope to have an interested and qualified advisory council of Sudbury citizens to help plan a shopping area that would be unique to the Town and in keeping with its rich colonial history.

Mr. Wyner then presented several slides showing the proposed layout and proposed buildings with landscaping. An artist's sketch showed what he envisioned to be a reproduction of an older New England street with a series of shops which could be developed in Sudbury.

Planning Board Majority Report: (Mr. Stevens) The Planning Board in supporting this proposed zoning change finds that Sudbury is a town in transition from what was once a small rural community to one of a suburban character. Sudbury will become urbanized over the next twenty to thirty years. We feel that the creation of a business, commercial core, the flexible access to the Industrial Park, the provision for services not now available, and the establishment of a dynamic and healthy economic environment will benefit Sudbury's development and its residents. Therefore, we recommend passage of this article.

Mr. Stevens further reported to the meeting for the Planning Board as follows: Prior to 1950 Sudbury was primarily rural. Since then it has grown from 2,500 to 13,000 in twenty years, and it will probably go to 30,000 in the next twenty years. The population mix will change from primarily a rural one to one that is of a more general nature, more typical of all communities. The homeowner will probably be closer to forty-five years old. There will be housing for the elderly, luxury apartments, possibly, moderate income apartments. We have to plan for them.

These people will need the convenience of local shopping. The Town will probably have sewerage, either Town sewerage or regionally sponsored.

Sudbury is part of the western region, Framingham, Marlboro, Maynard area. This is the fastest growing area in metropolitan Boston. The effect of Route 128 in the early fifties is well seen in Sudbury. The effect of Route 495 will carry the same growth pattern into the next twenty years. Sudbury sits in the center of Route 128 on the east, Route 495 on the west, Route 2 on the north, and Route 9 on the south. It gets all the traffic going back and forth between these routes. We have to exist within the context of this whole region, and the trend of the whole region is urbanization.

The present pattern of business and commercial development along Route 20 has been random, strung out, and somewhat haphazard with inadequate setbacks and inadequate parking. The proposed development offers the Town a chance to establish a pattern for concentration, rather than further stringing out along Route 20.

The Planning Board has been aware of the proposal and what effect it would have on the businesses. We contacted a good number of the existing businesses, and, in our opinion, the majority said that the proposed shopping center would not adversely affect them.

We consider this a regional area, and by region we mean four to five miles, not twenty or thirty. We do not mean a region like Natick Mall or Shoppers World. Improvement along Route 20 will not come unless we have the economic environment which is dynamic and healthy, one that is self-generating.

There are twenty to thirty odd acres zoned business or limited business along Route 20, but these do not lend themselves to coherent development.

This proposal will generate some traffic. How much and from where and at what times is most difficult to predict. It cannot be stated just how many cars will be added to the present traffic along Route 20.

A recent traffic count on Route 20 indicated 17,200 cars going both ways in a twenty-four hour period. We think the shopping center will draw from existing traffic, not just add to it. Commuter traffic, going to and from work, will increase with time. More industry in this location will only aggravate the traffic at commuter hours, while a shopping center has its peak traffic at non-commuter hours.

This proposal will significantly assist in getting the State to improve Route 20 between Raytheon and Union Avenue.

There has been a statement that this is prime industrial land and must be retained even if undeveloped for industry. We find no evidence that this is prime industrial land. People in industrial development and real estate firms state that the site does not lend itself as prime industrial land. It is the last and least desirable part of the one hundred acre parcel we zoned about thirteen years ago. Raytheon took the best section. Mr. Wyner and R.A.D.I.N. took the next best, and we are now left with the least developable section. This section will not be developed into another Raytheon or the equivalent for at least ten years.

This proposal provides the greatest flexibility to the Town for access to the Industrial Park and a back access to Raytheon parking lot which will reduce some of the traffic now on Route 20. Land values in the neighboring areas will increase since business land is assessed at \$32,000 per acre and industrial land is assessed at \$28,000 per acre under present standards.

We have found no evidence that the business development proposed would inhibit the future of the Industrial Park.

The question of need is difficult to determine. It is more a matter of convenience. We feel that it would be convenient to have this proposal here. In the future, people would like it. Housing for the elderly located near it would service the community.

As far as the character of Sudbury is concerned, Route 20 as we see it today does not determine the sole character of Sudbury. The character of Sudbury is elsewhere, in the Centre, the Wayside Inn and the other residential districts. Route 20 does not affect the character significantly.

We think the proposal is valid, and we urge your support of the article.

Planning Board Minority Report: (Mr. Richard Davison) I am in opposition to the majority stand of the Planning Board because it is my conclusion after considering all of the issues involved that the development resulting from the rezoning is not advantageous to the Town whether considered from a short or a long term basis. Before voting, it is extremely important that all of us differentiate the primary issue on which our decision should be made and consider the secondary issues as just that, secondary issues.

What is the primary issue? Considering the development that will result if this rezoning is approved, what will be the impact on the Town of Sudbury, and is this consistent with our view of Sudbury's past and our goals for the future? All things considered, will this enhance Sudbury as a town.

Having reviewed Mr. Wyner's proposal and figures as well as comparable figures, it is my opinion that this shopping center cannot be primarily supported by the Town, either today or at an ultimate population of thirty to thirty-five thousand people. This would be a regional facility requiring substantial support from outside the Town of Sudbury. A regional as opposed to a community facility is inconsistent with any past stated planning goal. It will mean a substantial departure from the Town's present character and will have a negative effect on the quality of life for all those who spend any time on and around Route 20.

It offers a net revenue gain. It supplies some needed services. But in balance, Sudbury will not be a better place to live. If this proposal is completed, will Sudbury be a more desirable Town? I think not, and therefore oppose the passage of Article 10.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee supports Article 10. As we see it, there are three possible uses for this land: apartment buildings, industrial use, and a shopping center.

The present zoning by-laws do not permit apartment buildings, so we can eliminate this from our consideration as a possible use of the land.

For the past thirteen years this land has been zoned for industrial uses and yet has produced little, if any, interest from the industrial community. There could well be less demand for industrial land in this area in the future due to the abundance of suitable and available industrial sites in the Route 128 area. It seems reasonable to assume that Sudbury's industrial growth will be limited as long as this abundance of sites continues. In any event, it does not appear that the removal of approximately twenty-five acres from the present industrial site of over three hundred acres would have a serious effect on the industrial development of the remainder of the district.

We have been presented with plans for a shopping center and are being asked to consider rezoning this land for such a use. The question of the need for a shopping center such as is proposed becomes more one of personal choice. However, Charles Downe stated in the Master Plan of Sudbury, in a section dealing with suggested goals and policies for economic growth, certain goals directly related to the economic health of the Town as follows: "The provision at the most accessible point in Town of a comprehensive community shopping complex including a small department store, food stores, many specialty shops and professional and semi-professional offices". One of the areas Mr. Downe selected for the purpose is in this approximate location.

We all agree on the question of a traffic problem. There will always be a problem on Route 20 until we solve that particular problem.

It should be pointed out that generally a shopping center, however, causes less of a traffic problem than industry since its traffic is spaced throughout the entire day rather than being concentrated in two one-hour peaks at the beginning and at the end of the work day.

For years, the Finance Committee has pointed to the need for expanding the tax base of the Town. The proposed shopping center would create about \$100,000 in additional tax revenue. Most people agree that a shopping center of the same size and same parcel of land would produce more tax dollars than an industrial plant.

After considering the alternative uses for this land and after studying the proposed plan submitted by Mr. Wyner, the Finance Committee concurs with the Planning Board and supports this article.

Industrial Development Commission Majority Report: (Mr. Milton Bartlett) At a meeting of the Industrial Development Commission, two members voted in favor of the proposal, five voted against it, and three abstained. The Commission is not one which is required to hold hearings and give reports. It is, in fact, a public relations group, and as such it meets with industry and acts as a buffer between the various boards of the Town and prospective industrial clients.

Those who opposed this proposal did so because transportation and traffic on Route 20 is bad and is getting worse. Any increase in traffic makes it an undesirable area for industrial expansion or for the attraction of new industry.

This particular parcel is one of the alternatives for the intersection between the north-south traffic and the east-west traffic. The prior proposed route shown in the 1962 report Master Plan went through what is now the First National Store. Since the new route is not finalized, it is not clear that zoning this parcel for a commercial use would not seriously interfere with the best solution to the traffic problem in that area.

This parcel was originally zoned residential. The parcel in back of it was zoned full industry which permitted 60% of the land area to be covered. At the time Raytheon came to Town ten years ago, it was determined that the coverage should be spread out to use more land to create an industrial area more in keeping with the climate of a residential town. The present zoning permits 25% coverage of the area, and the proposed zoning would increase that substantially.

In addition, the set back of the present industrial area is 150 feet from the center line of the road. Changing the zoning would reduce this set back requirement to something similar to the adjacent block of stores opposite the Esso station. If stores were built this close to the road over the remainder of the frontage, it would cause a substantial impediment to traffic flow along Route 20. If they are built back 150 feet or more, the impediment is considerably lessened.

The Water District supplies water to the major industries in this area at somewhat in excess of 100,000 gallons per day, and this is disposed of by leaching fields and surface disposal fields. With the present 25% coverage zoning, there is no substantial problem in getting rid of the amount of water required by industrial activity or other types of commercial activities. If the zoning is changed to increase the intensity permissible, then such a problem would arise. The plan shown you does not provide for coverage of more than 25%, but the zoning change does permit it.

The point was raised to both the Planning Board and Mr. Wyner very early in the discussions. They have had an opportunity to come in with an article which would provide for 25% coverage and setbacks in a shopping center type area. They elected not to do so. For these reasons we have opposed this rezoning.

Industrial Development Commission Minority Report: (Mr. Joseph Brown) There are two fundamental issues. Will the rezoning of this area from limited industry to limited business have an adverse effect on future industrial development. There is nothing to indicate that rezoning would adversely effect the industrial development of Sudbury.

The second issue is the advantages and disadvantages of having a business zone in the particular area.

Route 20 Study Committee Report: (Messrs. Arthur W. Grellier, Edward E. Kreitsek, and Forrest D. Bradshaw) The Route 20 Study Committee was appointed by the Planning Board to study all the problems and conditions affecting the Boston Post Road in Sudbury. The Committee consists of a broad mix of members including two citizens who have worked long and hard for the Town over the years, a former president of the League of Women Voters, a retail merchant, a housewife with a Masters in economics, a real estate insurance broker, and a publisher.

The proposed shopping center by its very size will have an enormous impact on the Route 20 area and indeed on the Town. We have attended hearings, done much research on shopping centers and on the basis of our studies we are unanimously opposed to this proposed development.

The question we are facing is whether it is appropriate to get a regional shopping center introduced into the Town of Sudbury and whether we should continue with our image of a New England Town. We are more than reluctant to accept the decision offered by the Planning Board that we have entered urbanization. We have choices still to make, a choice of determining whether we are going to try to develop our commercial and business section something like the Town of Concord or the Town of Weston or become a Route 9.

Since 1962 we have been following a general master plan which provides guidelines. It suggests fifty-five to sixty acres to be intensively developed at the ultimate requirement of the business needs of the Town of Sudbury. Sudbury today already has over one hundred acres zoned for limited business and business. The comments indicating that a shopping center complex is desirable in South Sudbury have left out a very pertinent recommendation. "The future of the South Sudbury business district lies in serving Sudbury residents primarily and not many persons from outside the Town."

This is not a "town need" facility but rather a regional shopping center. The total area of structure and building proposed was, at the time of our last presentation, about 250,000 square feet total space to be under cover. This is about five times the area of the Star Market and all the specialty shops connected to it.

The Sherwood Plaza on Route 9 is a comparable-sized shopping complex to the area proposed. These comparisons lead us to believe that this proposal is of much greater magnitude than can be justified as being a local area service requirement.

According to recently published data of the Chamber of Commerce Bureau of Census report, the total retail buying power of the residents of Sudbury today approximates \$20,000,000. Of the total retail buying power, about six million of the twenty million is assigned to auto and auto support costs. That cannot be assigned to this shopping center because there will be no garages or auto salesrooms.

About eight million of the twenty million is assigned to food budget. The Star Market, First National, and other Sudbury grocer and food suppliers now get the business for about five million of that eight million. About three million of that food money goes out of Sudbury.

Other Sudbury retail sales are about two million. The remainder of the twenty million, about four million, is spent outside of Sudbury.

We have considered many ways of measuring the sales impact of a 250,000 square foot shopping center. We have made the assumption that in the long run it will average about forty dollars per square foot in sales or about ten million dollars in sales per year. Comparing the retail spending power of the people of Sudbury with the sales impact of a ten million dollar requirement, we are hard pressed to see where it will come from without saying that Star Market or First National and other Sudbury markets will get no business. Even if everybody decides to buy only in Sudbury, we cannot see how we can get the ten million dollars of sales out of the twenty million dollar buying power.

The answer is obvious. It comes from a radius of about twenty miles around Sudbury in order to support a facility of this size.

The total support impact can be further represented by looking at all of the retail sales space under cover in the Town of Sudbury compared to the 250,000 square feet proposed. This is almost twice as large as all of the retail sales space in Sudbury including gas station buildings.

We conducted a traffic count of cars entering and leaving Sudbury Plaza from the hours of 8 A.M. to 6 P.M. The numbers varied during the day from about 100 to 341 with the mid 200's being the average number. The total number of cars entering and passing was 2,485, spread fairly uniformly over the total day.

The proposed shopping center will generate about five times as much traffic since it is about five times larger. This figures out to a total count of 12,425 per day or almost half the total now passing down Route 20. An industrial client in the same site might generate seven to eight hundred cars per day based on the employment of twelve to fifteen hundred people, and that traffic is more controllable even though peaked.

In our opinion, this proposal falls far short of satisfying the important criteria for rezoning action. Real community need cannot be demonstrated. Net financial gain to the Town is questionable. Values of adjoining and related properties will be adversely affected. Traffic on Route 20, already bad, will become impossible all day. The proper and desired development of the Industrial Park may be seriously compromised. Improvement of existing buildings on Route 20 will be less likely. We feel that zoning changes to accommodate the Town's growing needs should try to retain and to continue the image of Sudbury as a distinctive New England Town justly proud of its history, its tradition and its heritage.

At the 1968 Town Meeting, the Industrial Development Commission stated, "we must set aside this area now because this is the last available area in Town". The 1957 Planning Board made the following remarks, "Those who indicated where the additional industrial zone should be strongly favor the Post Road proximity".... "An exerted effort must be made by the various Town officials and citizens of the Town to attract sufficient industry of the right kind".

The 1964 Industrial Development Commission reported that, "If we ever want to achieve a reasonable balance in Sudbury between expensive residential sections and income-yielding industrial areas, more land must be zoned industrially while it is still available." In 1967 the Commission said, "We are limited by lack of available land reasonably priced and properly zoned". In 1968 we rezoned a large area on the north side of the B & M Railroad as an industrial park. This proposal had the unanimous support of the Planning Board. The Industrial Park together with the Raytheon and Capaldi land is often referred to as the "industrial district".

Since that time, we have had an economic period that has forced many industries to curtail their expansion program. They probably will not make any new expansions until this period is over. However, we should be prepared to meet such an industrial expansion when it does come.

We have visited several shopping centers and have talked with store managers. Mr. Wyner's proposal, if it is to be successful, must be a regional, not local, shopping center. We like the sort of rural atmosphere that our stores along the road present and would like to see the industrial district left as it is. We hope you will vote against this article.

Highway Commission Report: (Mr. George McQueen) - The Highway Commission is concerned that the Town is being asked to vote this rezoning without knowing how much money it will have to spend to acquire the land and to build the new road. We do not want the Town to be surprised when funds are requested later on to build this one-sixth mile long road from Route 20 to Nobscot Road through a very wet piece of land. No road engineering has been done.

Without the necessary knowledge of the conditions below the surface, and without the drainage design for the project, no reliable estimate is possible. Article 39 in the Warrant simply requests planning money for this road. The Commission wants you to be fully aware that you simply do not know a price. You would be in a much stronger position if you knew first what the road and the land for it is going to cost and then were to vote on the rezoning. The Highway Department will be unable to build this new road so that the construction will have to be let out for bid and built by a contractor, the Town paying whatever is the lowest bid.

Therefore, we recommend that the article be defeated and put off until the costs to the Town are known. The only other satisfactory alternative is for the developer to construct the road at his own expense.

Board of Health Report: (Dr. Marjorie Young) For almost ten years the Board of Health has been concerned about the sewage problems along the Post Road. We have been so concerned that for six consecutive years we sponsored an article in the Town Warrant soliciting your support for long range sewage planning in this Town.

We urge you to read Mr. Downe's report, which has been quoted so eloquently. If you do so, you will find that all of the projections in the report are predicated upon the existence of a Town sewage system.

We are the only Town board, unfortunately, that is literally, if not knee deep, at least ankle deep, in raw sewage much of the time. We see the problems first hand and would like to share with you some of our experiences with shopping areas that already exist.

Those of you who take the trouble to look into our test holes with us will see a very high water table everywhere along the Post Road almost continuously from the Wayland line to the Marlboro line. This high water table does not recede as much as it should even during the dry season. It is a rather constant high water table, and on the parcel of land we are considering there is no water table. It is on top of the ground instead of below the ground over much of the area.

Coupled with the high water table, we have in many areas of the Post Road a very poor subsoil condition almost impervious to sewage effluent. This condition also exists at least on areas of the parcel of land considered for rezoning.

Whenever a piece of land is rezoned, it is the Board's responsibility to approve a sewage system that will function effectively to serve the need which a complex presents. It should function effectively for a reasonable period of time. It is very difficult when a piece of land is rezoned to come up with a sewage system that will really protect the public health.

Let us take Star Market and analyse why it is difficult. First we have the high water table. Usually we have only a piece of the land that is high enough to place the building structures on and to provide us with what we call an optimal sewage system. As a protection, we usually build into every sewage system a 25% overage for safety factor to try to compensate for the poor or submarginal conditions that exist before we even start.

Even with that kind of safety factor, we find that sewage systems just do not bear out. When we approved the plan for the Star Market area, we had Star, Brighams and a whole row of merchandising kinds of areas. These were mostly stores which would have probably two or three attendants or salesmen who would probably produce, at best, fifty to one hundred gallons of sewage per day.

However, a few months after Western Auto left, which had two good salesmen and very little sewage, we got in its place a restaurant serving breakfast, lunch, cocktails and dinner. We had to put a multiplier of thirty to fifty times the sewage load from just one small part of that complex.

Because of changes such as this, we have had to rebuild the Star Market system many times. We now do not have any place to rebuild since we have used all the good land for our original system plus 25% expansion area. The best thing we can do is not going to keep us for any length of time.

The land in question under Article 10 is the worst possible area that we can see on the Post Road for any kind of decent sewage planning. This complex will be about five times the size of Star. This piece of land cannot possibly take a sewage burden of that magnitude, at least for very long.

In addition, a complex of the size described is going to have a broad spectrum of possible occupants. We may start with fifty to one hundred gallons per day per unit, but soon we may end up with one or two restaurants, a laundromat, a beauty salon, etc. We have no legal control over the types of occupancy which may rent a space in any complex of the Town.

In my twelve years of experience on the Board of Health, I cannot remember a single instance of a sewage failure from an industrial area. We have had more than one hundred correctional visits to these small shopping complexes already along the Post Road. The worst situations we have not described.

Since we have no possibility of getting Town sewage in the foreseeable future, since we have had very favorable experience with all industrial areas in Town, and since we have had a dismal experience with all shopping areas in Town, our Board is unanimously opposed to changing the zoning from limited industrial to limited business. We urge you not to give us more sewage to wallow in.

Conservation Commission Report: (Mr. Frank Morrison) The Conservation Commission has not taken a stand one way or the other on Article 10. The items of concern from the standpoint of conservation are similar regardless of the type of use to which a piece of land like this is put. These items are basically drainage, filling of wetland and pollution. The Conservation Commission, whether a developer plans business use or industrial use, would work with the Planning Board, the Board of Health, all other interested Town boards, and the Department of Natural Resources of the State to insure that all these factors are properly considered in any final planning for any kind of installation in this area.

Town Counsel Report: It is the opinion of Town Counsel that if the zoning change set forth in Article 10 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a two-thirds vote, and a report is given prior to the vote by the Planning Board as required by law, the proposed change would become a valid amendment to the Sudbury Zoning By-law.

Board of Selectmen Report: (Dr. Howard Emmons) After considerable thought on this difficult question, the Board of Selectmen is now unanimously opposed to the article. The character of Sudbury, suburban at present, can well remain suburban for a long or a short time depending upon how we act. One of the decisions is about to be made. This complex would considerably increase Sudbury as a commercial center and speed urbanization. This complex would not slow down the business sprawl along the Post Road. It will speed it up. The fact that we have had this land zoned industrially for a long time without any development is not necessarily bad. Perhaps we do need some open space that lasts a little while. Eventually that is an area that will indeed go commercial, but it does not need to now. If Mr. Wyner would come back in ten years, at that point we would be ready to vote in favor.

After discussion, the Planning Board motion was defeated. In Favor - 120; Opposed - 453. (Total - 573)

The meeting adjourned at 11:09 P.M.

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 7, 1971

The Moderator called the meeting to order at 8:13 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that the members of the Sudbury Cadet Squadron of the Civil Air Patrol were handling the microphones, and that acting Town Counsel for the evening was Mr. Stuart DeBard of Boston.

Pursuant to a vote of the first session of the meeting, Article 48 was taken up as the first order of business.

Article 48: To see whether voting by ballot, the Town will adopt or reject a proposed agreement, filed with the Selectmen and the Town Clerk, providing for the establishment of a regional vocational-technical school district, using the following question on the ballot:

Shall the Town accept the provisions of sections sixteen to sixteen I, inclusive, of chapter seventy-one of the General Laws, providing for the establishment of a regional vocational-technical school district, to consist of the towns of Arlington, Belmont, Concord and Lexington, together with such of the towns of Acton, Boxborough, Carlisle, Lincoln, Stow, Sudbury, Wayland and Weston as vote to accept such sections, and the construction, maintenance and operation of a regional school by the said district in accordance with the provisions of a proposed agreement filed with the Selectmen?

YES _____ NO _____

or act on anything relative thereto.

Submitted by the Regional Vocational School District Planning Committee.

Mr. Alfred C. Cron moved in the words of the article.

Regional Vocational Committee Report: This article provides for the establishment of the Minuteman Vocational-Technical School District. If approved by Sudbury and by similar affirmative votes in the towns of Arlington, Belmont, Concord and Lexington, the District will be established, and Sudbury will be a member. Once the district is formed, a school committee will be appointed which will select a Superintendent-Director and begin detailed planning for the Minuteman School.

Mr. Cron and Dr. William T. Maloney, Sudbury members of the Regional Vocational-Technical School Planning Committee, further reported to the meeting as follows:

The basic purpose of the Minuteman Regional Vocational High School is to provide academic and technical subjects which will enable each student to develop to his full potential in terms of entering a career, or continuing his education. The district consists of twelve towns. All towns except Sudbury have already voted to form the district.

After Sudbury's vote, there are ten days within which the Committee will be formed for this high school. The first meeting will be on the 22nd of April. Within the next year, the Committee will select a Superintendent-Director, a site, the architect will formulate building plans, and hopefully, we will come back to the towns in the region next year for bonding.

Construction is scheduled in the period 1972 to 1974, and the school is intended to open in September of 1974.

We hope to train people for a career and for adaptable skills rather than for specific jobs. The courses are generally in areas related to the trades that now exist. Currently there is a lack of opportunity of this kind in the area. This need is going to become more acute in the future. We feel the Minuteman Regional Vocational School is an effective way to meet these needs, and it is probably the most economical solution.

Article 49 provides \$1,880.00 to cover Sudbury's share of the school committee budget for the balance of this year. Before the Minuteman School is in full operation, the Town's share of the cost will be the Town's share of high school students in the Minuteman region. Once there are students in the school, the Town's share of the operating costs will be the Town's share of the student body in that school. The Town's share of the capital costs will be the same, down to a minimum of five students.

The capital investments are reimbursed 40% by the state and 10% by the federal government. The reimbursement of operating costs will be 50% according to the present set up.

Your study committee strongly supports the proposal. It provides a long overdue, much needed educational option for one segment of the Sudbury student body, and the financial arrangements are extremely favorable to the town. We urge your support of Articles 48 and 49.

Finance Committee Report: The Finance Committee supports this article. Each town in the proposed region has high school students who do not go on to further education and have not been suitably trained for employment. In addition, some potentially capable students are dropping out of school before graduation because they are unable to find a program to meet their needs and interests in our high school. Many of these have the aptitude, interest and ability to learn the skills of a useful and highly remunerative vocation. It is these students who would benefit from vocational training. The Minuteman Regional Vocational Technical High School will permit member communities to fulfil their obligations to those young people who want vocational training. By joining, Sudbury will be able to broaden its base of educational opportunities at a minimum of cost.

It should be noted that once the school is in operation each town will bear, each year, a share of the annual capital and operating costs proportionate only to its share of students attending from that town during that year.

It is the committee's understanding that a decision to join or not to join at this time is permanent in regard to the proposed region and that another opportunity in the near future is unlikely.

Lincoln-Sudbury Regional High School Committee Report: (Dr. Norman Rasmussen)
The Regional High School Committee strongly supports both of these articles. Although we do not feel this will necessarily solve our problems with the unmotivated students, we still feel this will offer an opportunity for a certain group of students which we cannot offer in our school because of our finance limitations.

We urge your support.

After discussion, the Moderator announced that the vote was required to be taken by written ballots. He stated that the ballots would be given out by the tellers, row by row, according to how many colored cards each saw in the row. After the ballots have been handed out, the tellers would then pass the ballot box down the row so that each voter could place his marked ballot in the box.

After voting was completed, the ballots were brought to the front of the hall for counting. The unused ballots were returned to the Town Clerk. (See next page for the vote on Article 48)

While the ballots were being counted, the Moderator recognized Dr. Howard Emmons who presented a plaque to Mr. Martin E. Doyle in recognition of his service to the Town as an Assessor for three years and as a Selectman for three years.

The Moderator announced that consideration of Article 49 depended upon the result of the vote on Article 48.

VOTED: TO POSTPONE CONSIDERATION OF ARTICLE 49 UNTIL AFTER THE CONCLUSION OF ARTICLE 11.

Article 11: To see if the Town will vote to amend Article IX of the Town By-laws, entitled: "Zoning By-law", Section III, "Permitted Uses", paragraph B, 1, "Limited Business Districts", by adding a new sub-paragraph "n" as follows:

"n. Indoor Theaters, if a permit is granted therefor, by the Board of Appeals."

or act on anything relative thereto.

Submitted by the Planning Board.

Mr. Richard Davison of the Planning Board moved that the Town amend Article IX of the Town By-laws, entitled: "Zoning By-law", Section III, "Permitted Uses", paragraph B, 1, "Limited Business Districts", by adding a new sub-paragraph "n" as follows: "Indoor Theaters, if a permit is granted therefor by the Board of Appeals".

Planning Board Report: (Mr. Davison) The Planning Board has long recognized the need for a movie theater. The trend in zoning is away from the intensive uses allowed in business zones to the more restrictive limited business zone. The Planning Board feels that a theater use is consistent with the other permitted uses of a Limited Business District and the fact that a permit must be granted by the Board of Appeals gives adequate protection to the Town.

We urge passage of this article.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee concurs with the Planning Board and supports this article.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-law change set forth in Article 11 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a two-thirds vote and a report is given prior to the vote by the Planning Board, as required by law, the proposed change will become a valid amendment to the Sudbury Zoning By-law.

Board of Selectmen Report: (Dr. Howard Emmons) The Board of Selectmen is opposed to this article. We are not opposed to theaters. We think a theater would be a very important and good thing to have in town. We are opposed to this article because theaters can now go into Business Districts, not Limited Business Districts.

If it is possible to put a theater in a Limited Business District, we may have a proposal to put one in the Town Center or in North Sudbury. We think that both of those locations are serious errors. We do not think the Town should open this route to a theater.

After discussion, Mr. Alva W. Dinwiddie moved indefinite postponement. He stated that he preferred that this be something which must come to a Town Meeting rather than having it by permit from the Board of Appeals and that there was no urgent requirement for this change in zoning at this time.

After further discussion, it was

VOTED: INDEFINITE POSTPONEMENT.

The Moderator then announced the vote under Article 48 as follows: Yes - 406, No - 22, (Total - 428.)

TO VOTE ON THE QUESTION MARK A CROSS X IN THE SQUARE AT THE RIGHT OF YES OR NO.

Shall the Town accept the provisions of sections sixteen to sixteen I, inclusive, of chapter seventy-one of the General Laws, providing for the establishment of a regional vocational - technical school district, to consist of the towns of Arlington, Belmont, Concord and Lexington, together with such of the towns of Acton, Boxborough, Carlisle, Lincoln, Stow, Sudbury, Wayland and Weston as vote to accept such sections, and the construction, maintenance and operation of a regional school by the said district in accordance with the proposed agreement filed with the Selectmen?

YES	
NO	

Printed paper ballot
used for voting on
Article 48.

Article 49: To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$2,000.00, or any other sum, for the purpose of paying the Town's apportioned share of the initial operating and maintenance costs of the proposed regional vocational-technical school district consisting of the Towns of Arlington, Belmont, Concord and Lexington and such of the Towns of Acton, Boxborough, Carlisle, Lincoln, Stow, Sudbury, Wayland and Weston as vote to become members of said district, or act on anything relative thereto.

Submitted by the Regional Vocational School District Planning Committee.

Dr. Maloney moved that the Town raise and appropriate the sum of \$1,880.00 for the purpose of paying the Town's proportionate share of the initial operating and maintenance costs of the proposed Regional Vocational Technical School District consisting of the Towns of Arlington, Belmont, Concord, Lexington, and such of the Towns of Acton, Boxborough, Carlisle, Lincoln, Stow, Sudbury, Wayland and Weston as vote to become members of said district.

Regional Vocational Committee Report: This article provides for Sudbury's share of the operating costs for the Minuteman Regional School District for the balance of 1971.

Upon a motion made by Mr. Hunt of the Finance Committee, it was

UNANIMOUSLY VOTED: TO AMEND BY STRIKING OUT THE WORDS "RAISE AND" AND BY INSERTING AFTER THE WORD "APPROPRIATE" THE WORDS "FROM FREE CASH".

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE FROM FREE CASH THE SUM OF \$1,880.00 FOR THE PURPOSE OF PAYING THE TOWN'S PROPORTIONATE SHARE OF THE INITIAL OPERATING AND MAINTENANCE COSTS OF THE PROPOSED REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT CONSISTING OF THE TOWNS OF ARLINGTON, BELMONT, CONCORD, LEXINGTON, AND SUCH OF THE TOWNS OF ACTON, BOXBOROUGH, CARLISLE, LINCOLN, STOW, SUDBURY, WAYLAND AND WESTON AS VOTE TO BECOME MEMBERS OF SAID DISTRICT.

Article 12: To see if the Town will vote to amend Article IX of the Town By-laws, entitled: "Zoning By-law", Section II, "Establishment of Districts", paragraph C, "Location of all Other Districts", by including in Business District #2, as it presently appears in such By-Laws, a parcel of land owned by George G. Ey and Lucretia B. Ey, and by directing that the boundaries of the same be incorporated into the existing Zoning Map of the Town of Sudbury, under the direction of the Board of Selectmen as follows:

"Three certain parcels of land, bounded and described to wit:

PARCEL ONE: A certain tract of land, with the buildings thereon, situated in that part of said Sudbury known as South Sudbury, containing two (2) acres, more or less, bounded and described as follows:

Beginning at a point on the Southerly side of the state road at the Northwesternly corner of land of George W. Green; thence Southerly by land of said Green and land of John C. Hall to an angle in the land of said Hall; thence Westerly by land of said Hall to land of George F. Moore; thence Northerly by land of said Moore, one hundred fifty (150) feet; thence Easterly by land of Richardson, one hundred fifty-nine (159) feet; thence Northerly by land of said Richardson, four hundred fifty (450) feet to above-named state road; thence Easterly ninety-one (91) feet by said state road to the point of beginning.

A small strip or corner of the above premises having been sold to George Moore to straighten boundaries.

PARCEL TWO: A certain parcel of land situated in that part of said Sudbury called South Sudbury, containing two and one-half (2½) acres, more or less, bounded and described as follows:

Beginning at the Northwesternly corner of the premises on the Southerly side of the state road at the land of George F. Moore; thence Southerly by land of said Moore to a stone bound at land of Llewellyn C. Richardson; thence Easterly by land of said Richardson to a stone bound at the Southeasterly corner of the premises; thence Northerly by land of said Richardson to a stone bound within one hundred ten (110) feet of the state road; thence Westerly at a right angle by land of Rufus H. Hurlbut, fifty (50) feet to a stone bound; thence Northerly at a right angle by land of said Hurlbut, one hundred ten (110) feet to the state road; thence Westerly by said road to the point of beginning.

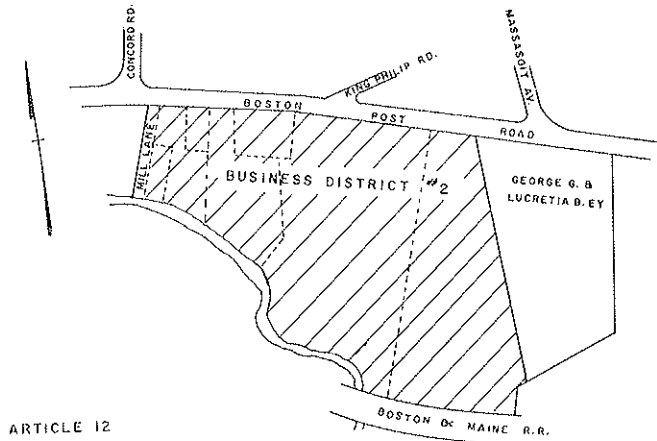
PARCEL THREE: A parcel of land situated in South Sudbury and bounded and described as follows:

Beginning at the Northwesterly corner of the premises on the Southerly side of the state road at land n/f of Alice Griggs Richardson; thence Southerly by land of said Richardson, one hundred ten (110) feet, more or less, to a stone bound; thence Easterly by said Richardson land fifty (50) feet more or less, to a stone bound at SE corner of premises n/f of Llewellyn C. Richardson; thence N by land of said Llewellyn C. Richardson, one hundred ten (110) feet, more or less, to state road; thence Westerly fifty (50) feet, more or less, to the point of beginning.

Containing 5500 square feet, more or less",

or act on anything relative thereto.

Submitted by Petition.



Mr. Alan Alford, representing the petitioners, was recognized and moved in the words of the article. He requested that the Planning Board give its report before he made a presentation for the petitioners.

Planning Board Report: (Mr. Richard Brooks) The Planning Board is opposed to the passage of Article 12. We have fought consistently any attempts to further develop a commercial strip along the full course of Route 20 in Sudbury. This aspect, more than any other, contributes to the delinquency of Route 20 in Sudbury. The traffic gets more hazardous, the signs and commercial display more bizarre, and the nuisances such as trash, lighting, and crime become harder and harder to contend with. We are not going to surrender this attractive four-acre residential area to this blight.

Mr. Ellms, the easterly abutter, has expressed his concern for the ultimate development of this parcel and his opposition to rezoning to commercial use. This would be a major step into the residential area which exists to the east of present Business District #2.

We would have preferred that Mr. Alford had explained the general intent of Article 12 before we gave our report. However, we understand that the petitioner intends to build a plumbing supply house in this area. If the Town rezoned these four acres, the value would change greatly in terms of its market price, and the present owners might be tempted to sell the land to someone who would develop it in another way. We could have any of the uses allowed in a straight business zone including gasoline filling stations and drive-in restaurants.

The Planning Board is definitely opposed to Article 12.

Petitioners' Report: (Mr. Alford) The Planning Board has commented that it would like to have heard our report before making the Planning Board Report. However, I note that the Planning Board Report was already typewritten in opposition before hearing the presentation.

I have a friend from New Brunswick who likes to talk about getting the big lawyer from the city on me. What he means when he says that is that in the small towns of New Brunswick, or in Maine or Massachusetts, when you talk about the big lawyer from the city, everyone bows and scrapes and jumps through hoops.

Last night, you met the big developer from the city concerning Article 10 and your Planning Board for him bowed and scraped and jumped through hoops.

Your petitioners are not big lawyers or big developers from the city. They are people who have lived in Sudbury all their lives. The house on this site was built in 1911, and the petitioners have lived there since 1949. They have now all the burdens of living on Route 20. They cannot get out of their driveway in the morning, and they cannot get into it at night.

The addition of this small piece to the existing business strip on Route 20 is not going to change anything on Route 20 in the way the addition of a major shopping center would have.

The area next to the parcel is presently occupied by such tenants as Country Living, a beauty parlor, and Sudbury Auto Parts. Across the street is Algy Alexander's Citgo Service Station, a hair stylist, a vendor of soft goods, Cloth and Crafts, and an art gallery. All your petitioners are asking for is a piece of the action. They would like a part of the activity that Route 20 is, part of what they live in now day in and day out. I wish the Planning Board were as zealous and anxious when it has the small folk from the country as it is when it has the big lawyer from the city.

Finance Committee Report: (Mr. Donald Bishop) Although there is personal value to the petitioner, we see minimal financial impact on the Town from this article, and therefore recommend that each person vote as he sees the effect this zoning change would have on overall town planning.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-Law change set forth in Article 12 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a two-thirds vote and a report is given prior to the vote by the Planning Board as required by law, the proposed change would become a valid amendment to the Sudbury Zoning By-Law.

Board of Selectmen Report: (Mr. John Taft) The Board of Selectmen would like to be recorded as being in opposition to this rezoning proposed for the Ey property. The Boston Post Road as it passes through Sudbury is, in fact, residential from Massasoit Avenue all the way east to Goodman's Hill Road on the north side. A large share of the area on the south side of the Boston Post Road is also zoned residential. There are some very nice homes in this area.

This proposal is somewhat reminiscent of a proposal last year to rezone a residence on the corner of the Boston Post Road and Raymond Road. The Town turned that down substantially. Theyear before, we had a proposal to rezone near the corner of Landham Road and the Boston Post Road across from Green Hill Road. The Town turned that down substantially.

What appears to be a small addition is really a large addition to the usable land area of Business District #2. If you vote the Flood Plain Zone under a later article, the back half of the present district can never be built on.

This proposal is another attempt to change the character of the residential areas that do exist along Route 20, and it should be turned down.

Route 20 Study Committee Report: (Mr. Forrest Bradshaw) The Route 20 Study Committee is endeavoring to create a plan for the orderly zoning in this general area which is now both business and residential. We hope to be able to protect the homes of those living in this area by the use of buffer strips while allowing for the expansion of business or other usage as needed and as the opportunity arises. Until such a plan has been accepted, we are opposed to any rezoning along Route 20 in this particular area.

The question was moved and passed by the required two-thirds vote. The Moderator then announced that a two-thirds vote was required on the article and that by law it must be counted. He asked for a show of hands as an indication of the vote. He then stated that if a vote is unanimous, then it need not be counted.

Mr. Alford was recognized and stated that the petitioners would withdraw the motion at this time and request the hall to make the negative vote unanimous.

After asking for another show of hands, the Moderator announced that the motion was unanimously opposed.

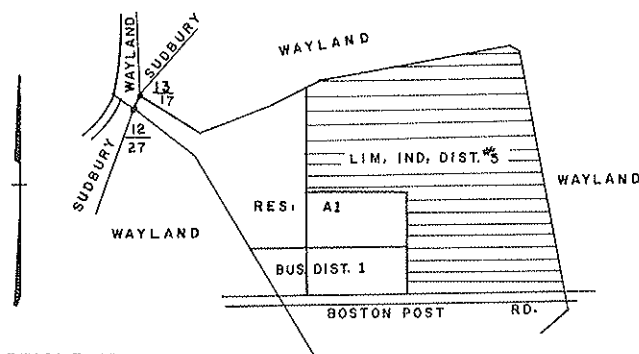
Article 13: To see if the Town will vote to amend Article IX of the Town By-laws, entitled: "Zoning By-law", Section II, "Establishment of Districts", by amending Limited Industrial District #5 to include all of the following described land:

"Shown on a plan entitled: "Plan of Town of Sudbury Limited Industrial District #5", dated: January 28, 1971, by George D. White, Town Engineer, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference, and bounded and described, according to said plan, as follows:

Southerly - by the Boston Post Road; Southwesterly by the Town of Wayland; Northwesterly by a line which runs from Town Bound 12/27 to Town Bound 13/17; Northeasterly, Northwesterly and Northerly by the Town of Wayland; and Easterly by the Town of Wayland; meaning and intending to describe Limited Industrial District #5 as shown on said plan,"

or act on anything relative thereto.

Submitted by the Industrial Development Commission and the Planning Board.



Planning Board Report: (Mr. Richard Brooks) The Planning Board favors passage of this article. The adjacent area in Sudbury is zoned Limited Industrial, and there is little or no possibility of residential development on the land in question.

Adjacent Limited Industrial District #5 contains the Sudbury dump and other uses. The land proposed for rezoning is presently owned by Waters, who have a plant in Wayland.

Present zoning is business and residential. Waters would like to build three small plants, approximately the size of their present facility. One of the prospective tenants is a publishing house.

The Planning Board feels it is a good idea to rezone the land since Waters has been a good citizen of Wayland, and there is every reason to believe that they will build a decent facility here. There is virtually no possibility of developing the land in a residential way with the Sudbury and Wayland dumps and industry and business all around.

Finance Committee Report: (Mr. Donald Bishop) The Finance Committee supports this article on the basis that it eliminates spot residential zoning.

Route 20 Study Committee Report: (Mr. Forrest Bradshaw) This land has very many peculiarities. It is bounded by Wayland, it is bounded by Sudbury, and it keeps jogging around. There are also a lot of conflicting laws regulating the uses of this property. The Route 20 Study Committee has recommended that the towns get together and establish some sort of a use so that if a person has a building in Sudbury and disposes of waste in Wayland, the same laws will control.

We see no proposal here for residential property, and we think this is an area where the Town will benefit by zoning it industrially.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-law change set forth in Article 13 of the Warrant for the Annual Town Meeting is properly moved and seconded and adopted by a two-thirds vote, and a report is given by the Planning Board as required by law, the proposed change will become a valid amendment to the Sudbury Zoning By-law.

Industrial Development Commission Report: (Mr. Milton Bartlett) The Industrial Development Commission voted unanimously to support this article. It was requested by the Waters Company who have a number of prospective customers for whom they would build the buildings. That portion of land immediately adjacent to Route 20 is zoned full business. Setbacks are much less than in limited business. This zoning is a trade off. You are getting less intense zoning in this area so that it will improve the traffic condition in the ultimate development.

Board of Selectmen Report: (Dr. Howard Emmons) The Selectmen support this article.

One of our duties this year was to view the Town bounds, and we walked most of the property in question. There is a little pond in the area. The area of the Sudbury dump is low because the land was formerly a sandpit. It is, however, above 125 feet.

Wayland's portion is indeed low on the edge, but the rest of it is high and abuts the Training Field.

We are recommending the zoning to make the whole area one for use in a landfill operation industrial district and, hopefully, in connection with Wayland, since they are planning to use their piece for a sanitary landfill.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

Article 14: To see if the Town will vote to amend Article IX of the Town By-laws, entitled: "Zoning By-law", Section I, "General", G, "Flood Plains", first paragraph to read as follows:

"The several areas shown as flood plains on the following described maps:

1. "Map of Flood Plains in Sudbury, Massachusetts", dated: January, 1962, by George D. White, Town Engineer, a copy of which is on file in the Town Clerk's office and which is incorporated herein by reference;
2. "Topographic Plan of Hop Brook Area Prepared for the Town of Sudbury Conservation Commission", dated: August 20, 1970, by Everett M. Brooks Co., Civil Engineers, consisting of three sheets, copies of which are on file in the Town Clerk's office and which are incorporated herein by reference;

and all areas in the Town of Sudbury the elevation of which is lower than 125 feet above mean sea level as established by the United States Geodetic Survey level datum as of 1929; except land owned by the Town of Sudbury, are hereby deemed to be subject to seasonal or periodic flooding, and the use of any land in any such area is hereby declared to be dangerous to the health and safety of the occupants thereof, and each said area shall be known as a Flood Plain."

or act on anything relative thereto.

Submitted by the Conservation Commission.

Conservation Commission Report: (Mr. David J. Spang) The idea of Flood Plain Zoning is not new to the Town of Sudbury. Nine years ago in 1962 you first wisely followed the suggestions at that time and set aside under Flood Plain Zoning the wetlands along the Sudbury River. Last year at Town Meeting you again seemed to feel that the idea of Flood Plain Zoning was a wise direction to move in and voted monies for an aerial survey of the section of Hop Brook. This has since been done and a map completed which has been shown to the townspeople at a public meeting earlier in the spring.

A river is usually described as a narrow meandering body of water coming from someplace and going somewhere else and in the process passing through land that we are concerned with. It is a changeable piece of property, and seasonally, due to melting snows and spring rains, it seems to mystically leap its bounds and spread out on the surrounding landscape. A river is more than just a narrow body of water. It is actually a small part of a very large cycle of moving moisture around and throughout the world, coming from sources of water, lakes and oceans, into the atmosphere, and through the various weather processes until the water gets back to the ground again. It then has a choice of returning to the ocean either over the surface or through the ground underneath. Most of it takes the course beneath ground, and the river really becomes just a surface expression of the ground water that is beneath our feet at all times. Most of the time the water in that river is confined by banks that have been formed by its motion. At those times that excess water has to be moved from high land to low land, the water can no longer travel within the bounds of the narrow stream, and it spreads out on the much larger stream boundaries that it has created over thousands of years of traveling through our regions. These are the areas that we call the flood plain.

One of the best known of these areas and already under our protection through this type of zoning, is the Sudbury River region. In the area where it flows beneath the Route 27 bridge on the Wayland flats near the Country Club, it has many times left the bounds of the narrow area and spread out over all the ground region, occasionally covering Route 27 and cutting off that access to the Town.

We are interested in Hop Brook that enters our Town in the southwest corner under unfortunate circumstances, moving up, looping through and helping to drain approximately 30% of the Town. It finally leaves the Town and enters the Sudbury River in the southeast corner. We are concerned with the area from Dutton Road to where it goes underneath the Route 20 region and finally joins with the previous flood plain. It is approximately two miles of brook and is the area that has been flown and surveyed.

Hop Brook, although a much smaller colleague of the Sudbury River, also has a flood plain and also experiences the seasonal flooding. At time it takes on the aspect of being a fairly large drainage region.

Everything that lives along the flood plain under normal circumstances has long since adjusted to this periodic flooding and all of the natural processes that are found along here are really a very large balanced system that has learned how to get along with all of the other parts. The problems really get developed only when man enters the picture.

Unfortunately many people in this region have found out too late that they have built their homes or their businesses in an area that periodically floods. When it does, severe problems develop, not only in getting a house planned, but also in sewerage and related problems. Sometimes rerouting of buses is caused. The area of Sherman Bridge had to be closed down completely for quite a while recently. There was a certain amount of damage done, and it had to be examined again before it could be used. Many roads leading into and out of the Town were closed off by this type of destruction.

Also there are economic problems. Areas where washouts occurred have had to be rebuilt and replaced. Structures that were damaged had to be rebuilt. In field areas, the loose unconsolidated soil washed out, creating another problem in the brook because it became overloaded with sediment above and beyond what it can carry, causing damage and uplift of the water table beyond the normal region.

For centuries man has made use of the flood plains in agricultural endeavors. As a matter of fact, land depends upon seasonal flooding to periodically enrich the soil by carrying in more silt. This is a recommended use of the flood plain.

In this day and age of the urban-suburban sprawl, and the increase of population, it becomes more difficult for a person to find serenity someplace. Again, by protecting the flood plains we are creating areas that allow us to create mini-parks, pocket parks, and in some cases, larger ones. These are places where a person can go and look for the peace of mind that he really needs occasionally.

Especially for Hop Brook, the flood plains hold up the transport of water down through that stream. It gets caught in roots of the plants along the edge of the stream. It gets spread out, filters and percolates down through the soil along the flood plain to the banks. This allows the pollutants in the stream to be held up long enough for the biological processes to work on them and break them down so that by the time the water gets to the bottom end of Hop Brook, it is fairly well cleaned up even though at the upper end it is one of the worst polluted areas that we know of.

Some people might think that it would be a good idea if we confined the brook in narrow banks so that the water would rush through Town and pass the pollutant material out of Town to someplace else. However, that is not a wise decision. The Sudbury River also flows through our Town and affects townspeople in another area. That pollution would be ending up in the Sudbury River.

We are part of a very much larger system than many people realize. We are part of the Merrimac River Valley drainage basin which drains a good part of the New England region. What we do here affects other areas. If we can set the precedent, set the pace for establishing Flood Plain Zoning to protect the waters of our Town, and recommend to other towns throughout the country to do the same, we will be doing our part to help clean up the waters and protect them for the purpose they are meant to have.

We recommend that you support our article.

Planning Board Report: (Mrs. Jane Gillespie) The Planning Board supports the concept of Flood Plain Zoning and urges passage of this article sponsored by the Conservation Commission.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-law change set forth in Article 14 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a two-thirds vote and a report is given by the Planning Board as required by law, the proposed change will become a valid amendment to the Sudbury Zoning By-law.

Board of Health Report: (Dr. William Cooper) The Board of Health unanimously supports this article as a means of promoting the drainage in the Town and protecting the sewage disposal systems and avoiding problems with them that may arise in flooding conditions.

After some discussion, a voter moved Indefinite Postponement.

Board of Selectmen Report: (Mr. John Taft) At last year's meeting, we set up the basic provisions in our Flood Plain Zoning to permit us to put in the first exact Flood Plain Zone other than the original one of 125 feet. This zone has now been presented to us in detail by the Conservation Commission. They have done this with a great deal of care. With the monies voted at Town Meeting last year, they have secured aerial photogrametry of the portion of Hop Brook that they surveyed. They have had a registered land surveyor prepare the necessary maps and checked them with field surveys. It has been a professional job.

The Commission held a public hearing several months ago. The map of the Flood Plain has been in the Lower Town Hall for several months at the suggestion of the Board of Selectmen so that anyone who did not have a chance to get to the hearing would be able to examine it in detail.

Any kind of a zoning proposition is difficult because it affects some people who own land in the area. But it also affects everybody else whether he owns land in the area or not. It affects immediately those who are downstream because they are the ones who suffer from any flood. Those who own homes upstream in the area may also suffer. While we should feel very concerned for what it does to the individuals who own the land concerned, each of us has to decide how far we will go to protect the common good.

There is a significant difference in the flow of Hop Brook between summer and spring, and that is exactly why we have to have Flood Plain Zoning. The brook flow goes way up and overruns its banks. Up to this point in time, the only protection we have had is the 125-foot zone which essentially protects the land immediately adjacent to the Sudbury River and the Hatch Act. The Hatch Act was designed to protect these inland waters from encroachment, but unfortunately that is not the way it works out. The Selectmen hold hearings and recommend to the Department of Natural Resources. The Department looks at the recommendations and says that it cannot say that the particular filling would permanently and forever damage the flood plain system, and so it issues a permit. This keeps being done until eventually you get to the last filling operation which is the one that would break the camel's back. Then it is stopped. That is no way to protect the flood plain.

What the Conservation Commission is trying to do here is to protect the flood plain. It has definitely laid out the plain on a map. The prohibition against filling applies to the Town as well as to other land owners. In fact, the Selectmen asked that the exclusion "except land owned by the Town of Sudbury" be removed since the Town should not be able to fill in these areas.

We encourage your support of Article 14.

After discussion, the motion for Indefinite Postponement was defeated.

VOTED: THAT THE TOWN AMEND ARTICLE IX OF THE TOWN BY-LAWS, ENTITLED: "ZONING BY-LAW", SECTION 1, "GENERAL", G, "FLOOD PLAINS", FIRST PARAGRAPH, TO READ AS PRINTED UNDER ARTICLE 14 IN THE WARRANT FOR THIS MEETING EXCEPT THAT THE WORDS "EXCEPT LANDS OWNED BY THE TOWN OF SUDBURY" IN THE LAST PARAGRAPH ARE DELETED.

In Favor - 191; Opposed - 91. (Total - 282)

The meeting adjourned at 11:33 P.M.

PROCEEDINGS
ADJOURNED ANNUAL TOWN MEETING

April 12, 1971

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

He announced that the Town Clerk had received a notice of intention to move reconsideration of Article 14, Flood Plain Zone, from Mr. John C. Powers, and determined that the by-law requirements relative to notice and posting had been complied with. He further announced that, in accordance with the By-laws, reconsideration would be the first order of business on April 13th unless the warrant were finished this evening.

Article 15: To see if the Town will vote to create a five member committee, to consist of registered voters of the Town to be appointed by the Board of Selectmen, to study and recommend action concerning transportation corridors and highway and utility route locations within the Town, or act on anything relative thereto.

Submitted by the Transportation Advisory Committee.

Transportation Advisory Committee Report: (Mr. Richard Venne) The Transportation Advisory Committee is made up of members of the MBTA, the Metropolitan Area Planning Council, and the Suburban Inter-town Liaison Committee, a group of ten towns in the western corridor outside of Boston. The main aim of the group is the study and planning of transportation in this area. One of the problems we came up with studying the Route 290 proposal has been that of moving people by bus or train. We have two railroad lines that bisect each other, the B & M and the Penn Central.

Under this article we had proposed originally to have a transportation corridor under the Zoning By-Law, but there were many complicated legal problems. It was the first proposal ever made by any town. For many years, the many studies on transportation from various study groups such as the MAPC and the Boston Planning Council, suggested that the railroad rights of way through the various towns should be preserved somehow for the future because of the tremendous growth of the western suburban area. It was our intent to preserve the B & M and the Penn Central rights of way as transportation corridors for the future.

The reason for the proposed study committee would be a narrow one: to study a proposal to make these transportation corridors part of the Zoning By-Law, and possibly future utility route locations.

The members of the committee should generally be people who are interested in studying on this committee for the next year and who have no preconceived notions.

I hope you will support this article.

Finance Committee Report: (Mr. Sydney B. Self, Jr.) The Finance Committee has the responsibility of making recommendations on all articles that come before the Town. Since we have this responsibility, we feel that it is only courteous on the part of the people that are proposing articles to attend our public hearings and tell us what they want.

In this particular case, when we held our public hearing, no one attended. Therefore, we see no reason why we should support this article from that point of view.

Furthermore, it is interesting that this article is not proposed by the Selectmen, who are to be the appointing agency. Our By-Laws state quite clearly that the Selectmen have the power to appoint committees whenever they want to study anything. They have the power to appoint a committee right now, without the passage of this article, to do all the things that this article proposes.

This particular article just takes up the time of the Town unnecessarily, and we suggest that you defeat it, not because we do not want the study, but because there is no need to bring before the Town something of this sort when the Selectmen already have the power.

Board of Selectmen Report: (Mr. John Taft) The Selectmen wish to support the intent of Article 15 and encourage its passage. We have two railroad lines presently through the Town of Sudbury, two high pressure gas lines, one high tension electric line, and we hope there are not more coming. We are concerned particularly with the future status of the two railroad lines. The B & M line is used only to the station in South Sudbury. The remainder of it is very infrequently, if ever, used. Everybody seems to feel that in due course the Penn Central line is doomed and not to be used as a railroad line.

The Town has interest in both of these lines, and we ought to see if there is some way to protect them from becoming developed in some other way.

VOTED: THAT THE TOWN CREATE A FIVE MEMBER COMMITTEE TO CONSIST OF REGISTERED VOTERS OF THE TOWN TO BE APPOINTED BY THE BOARD OF SELECTMEN TO STUDY AND RECOMMEND ACTION CONCERNING TRANSPORTATION CORRIDORS AND HIGHWAY AND UTILITY ROUTE LOCATIONS WITHIN THE TOWN.

Article 16: To see if the Town will vote to amend Article IX of the Town By-Laws, entitled: "Zoning By-law", Section V, "Special Regulations", paragraph A (Site Plan Approval) as follows:

- a. Insert the following new paragraph in between the present first and second paragraphs:

"The Selectmen shall adopt reasonable rules and regulations governing the submission, form and procedures for site plan approval and shall make them readily available to the public. These rules and regulations shall in no way conflict with other provisions of the laws of the Town or the Commonwealth of Massachusetts."

- b. In the first sentence of the present second paragraph, remove the words "thirty days to elapse after receiving the report and recommendations of the Planning Board." and replace them with the words "forty-five days to elapse from the date of submission of the site plan to the Selectmen.",

or act on anything relative thereto.

Submitted by the Planning Board and the Board of Selectmen.

Planning Board and Board of Selectmen Report: (Mr. Richard Davison) Any new or modified commercial or industrial construction requires a site plan under the Town By-laws. The Selectmen, Planning Board, Zoning Enforcement Agent and applicants have recognized certain shortcomings in the law and the procedures of this article are intended to help alleviate these situations.

To aid an applicant in understanding what he must have and whom he must see at the outset and to help reduce red tape, the first modification requires the Selectmen to establish rules and regulations governing site plans.

At present the Town has no time limit within which it must act on a site plan submission. This must be corrected. The second change places a fixed limit of forty-five days within which the Selectmen must act. Within this time all action by the Town, including recommendations by the Planning Board, will occur.

We urge your support of this article.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee concurs with the report of the Planning Board and the Selectmen and urges support of this article.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-law change set forth in Article 16 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a two-thirds vote and a report is given by the Planning Board as required by law, the proposed change will become a valid amendment to the Zoning By-law.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

Article 17: To see if the Town will vote to amend Article IX of the Town By-laws, entitled: "Zoning By-law", Section VI, "Administration", by adding a new paragraph to C. "Board of Appeals", at the end thereof, to read as follows:

"4. Guidelines

Unless otherwise specifically provided, the Board of Appeals shall, before granting special permits, find that, in its judgement, all the following conditions are met:

- a) the specific site is an appropriate location for such a use, structure or condition.
- b) the use or action will not be detrimental to the neighborhood nor significantly alter the character of the zoning district.
- c) adequate and appropriate facilities will be provided for the proper operation of the proposed use.",

or act on anything relative thereto.

Submitted by the Board of Selectmen and the Planning Board.

Board of Selectmen Report: (Dr. Howard Emmons) The reason for this change is to make clearer guidelines under which the Board of Appeals would or would not grant a permit. In past years there have been difficulties with the location of educational groups in Town in residential areas. A few years ago we passed an addition to the by-law spelling out guidelines as to when this would be considered and not considered a proper kind of permit to grant. This by-law addition makes clear general statements on what the guidelines should be for the granting of a permit.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee concurs with the report of the Board of Selectmen and Planning Board and recommends in favor of this article.

Planning Board Report: (Mr. Richard Davison) There are several sections in the Zoning By-laws which authorize the Board of Appeals to grant special permits without setting forth any objective standards or guidelines to be used in deciding whether or not the special permit should be granted. The amendment set forth under Article 17 is designed to provide guidelines and standards to assist the Board of Appeals in making decisions under the above mentioned sections of the Zoning By-law.

Board of Appeals Report: (Mr. George Bradley) The Board of Appeals supports this article. If adopted, we believe it will be a help both to the Board of Appeals and to those who are seeking special permits from the Board of Appeals. Certain sections of the Zoning By-law do involve special permits, and they do not include standards or guidelines for their issuance. We believe this new by-law will provide the needed guidelines. Also, this by-law will provide guidance for those seeking special permits from the Board of Appeals. It points out to them the conditions which they must satisfy in order to convince the Board that the requested permit will be granted.

We recommend passage of this article.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-law change set forth in Article 17 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a two-thirds vote, and a report is given prior to the vote by the Planning Board as required by law, the proposed change will be a valid amendment to the Sudbury Zoning By-law.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

Article 18: To see if the Town will vote to amend Section 3 of Article V of the Town By-laws by adding a second paragraph to Section 3 to read as follows:

"Control of Dogs. All dogs in the Town of Sudbury shall be restrained, kept on a leash or under the direct and complete control of a responsible person. No dog in the Town of Sudbury shall be allowed to run at large. The owner or keeper of a dog which violates this by-law shall be punished by a penalty of not more than ten dollars for a breach thereof.",

or act on anything relative thereto.

Submitted by Petition.

Petitioners' Report: (Mr. Ronald Blecher) The motion under this article differs from the article itself in the insertion of the hours 7 o'clock A.M. to 8 o'clock P.M.

The need for a dog control by-law can be justified by individuals quite often simply on the basis of their experience. The most obvious area of concern is that of the schools. Dogs in the playgrounds and even classrooms on occasions have been and continue to be a problem. On March 19, 1971, a notification was sent to parents from the Horse Pond Road School which stated that dogs on the playground had been a constant problem, and that, while it is difficult to eliminate this bothersome and dangerous condition, continued cooperation would be noted and appreciated, particularly now that the good weather has arrived, and dogs as well as children want to get out and play.

This is a problem at all schools, not just the Horse Pond Road School.

In addition, there is a basic regard for childrens' safety and the ability of children to play in their own backyards. Children who are afraid of dogs, and many are, certainly have a right to play in their own backyards, or in the playgrounds. They have the same basic rights as the dogs.

Dogs damage shrubs and strew trash all over the lawn. Personal property damage is a problem that everybody, even those people that have dogs, have experienced.

The most serious problem may be the one at the school buses. There are towns that have implemented dog control laws of this nature simply for that reason and none other. Dogs do congregate in packs around the school bus stops. They bother the children, and they are a continuing hazard to the school bus drivers. Dogs have been killed by school buses. This is a situation that should not be allowed to continue.

Dogs roaming freely in the streets have become a problem to automobiles and auto safety. About two weeks ago, there were four dogs killed by automobiles in Sudbury in one week.

Finally, those people who own dogs, take proper precaution with dogs, and keep them under control should not be subjected to annoyance and bothered by dogs that are not under control. This is not a by-law change that is against dogs. It is against uncontrolled dogs.

This is not a dog leash law, it is a dog control law. There is no requirement that dogs be kept on a leash. It simply says that dogs shall be leashed or under the control of a responsible person. There is quite a difference. It is restricted to daytime hours 7 A.M. to 8 P.M. By keeping dogs under control during these hours, we accomplish the major purpose. The children can then play freely. The school buses are out of the way. People riding their bikes are not doing it any longer. But you are still giving proper consideration to those people who feel their dogs must be allowed to run completely uncontrolled. There is time left for them.

The penalty of ten dollars is one that was suggested by other towns that had implemented control laws. Any smaller penalty than this would not be meaningful and would not serve the purpose. Anything larger, of course, might be excessive.

We have done a survey of the cost of implementing dog control laws of this nature in other towns. The major cost in almost every case was the Dog Officer's salary itself. Lexington, which has a full-time Dog Officer and a Deputy, spends over \$7,500.00 a year for the Dog Officer. It is the town which represents the largest expenditure for that category.

Holliston spends \$3,500.00 per year. It has part-time Policemen who serve as the Dog Officers. The same is true for Framingham and Burlington.

The next major expense is the vehicle cost. Lexington stands out as the town that spends the most. It spends \$2,500.00 a year for a special van for the use of the Dog Officer. Holliston also has a separate truck, but it anticipates a cost of \$1,500.00 per year. Framingham uses a police van.

The only other cost worth mentioning is the operating cost. Lexington again is the highest, but it has recently built a new dog pound with room for ten dogs and that is reflected in the rather substantial cost of \$3,000.00 a year. Holliston does much the same as we do in using the facilities of the Buddy Dog Society. Framingham spends a very minimal amount of \$300.00 a year, but they are quick to admit that the facilities they use are unsatisfactory.

Lexington and Framingham charge a fine of \$2.00 for the first day and subsequent days are then \$10.00. Burlington has recently implemented a \$20.00 fine.

Holliston, about which we have some data on costs, serves as a good example for Sudbury, since it is not unlike Sudbury. It has 12,000 people and an area of twenty square miles. It has a smaller dog population of about 1,200 compared to Sudbury's which is close to 1,900.

Holliston enacted its dog control law in 1968 because of problems at school bus stops and school houses. The law is effective for 7 A.M. to 8 P.M. and has a \$10.00 fine. The cost for the first year was between \$4,000.00 and \$5,000.00. They estimate that today they spend \$5,000.00 a year to implement and keep in force their dog control law. Their Dog Officer maintains that there has been a big improvement in the dog situation since the law was enacted, and there have been no problems in enforcing the law. The Town Clerk estimates that 80% of the problem has gone away.

The 1963 Town Meeting in Sudbury set up a committee to study a dog control law and recommended that no law be implemented. Their reason was that the problem was not serious enough and that it was much too costly at that time. Their cost estimate was \$8,000.00.

However, the situation has changed since then. We have an increasing problem and the cost estimates of the 1963 committee, based upon experience in other states, has not been borne out by other towns which have dog control laws.

We now know that the cost per year will be about \$5,000.00 to \$6,000.00, and there are now many laws in effect so that we would no longer be the experimental one.

According to the MSPCA, the Weston Dog Ranch, the New England Dog Training Club and several others, it is better for the dog to be under control and that 90% of all dogs, no matter what their past history, can be trained to be under control if the owners are serious about the training program.

We feel that we should very seriously consider the responsibility that everybody in this Town has to the people, to people's property, to the children and to pets. To allow dogs to go uncontrolled does not show the proper degree of respect for these considerations.

Finance Committee Report: The Finance Committee recommends against this article. Estimates of the costs required to adequately administer this proposed by-law vary from \$2,000.00 to \$20,000.00 annually based on reported costs of similar programs in nearby towns. We believe that objective estimates place the cost near \$15,000.00, and we do not believe the scope of the problem warrants that large a continuing expenditure.

Town Counsel Report: It is the opinion of Town Counsel that if the by-law change proposed in Article 18 of the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a majority vote, it will become a valid amendment to the Sudbury By-laws.

After discussion, it was

VOTED: THAT SECTION 3 OF ARTICLE V OF THE TOWN BY-LAWS BE AMENDED BY
ADDING A SECOND PARAGRAPH TO SECTION 3 TO READ AS FOLLOWS:
CONTROL OF DOGS. ALL DOGS IN THE TOWN OF SUDBURY SHALL BE RESTRAINED,
KEPT ON A LEASH OR UNDER THE DIRECT AND COMPLETE CONTROL OF A RESPONS-
SIBLE PERSON BETWEEN THE HOURS OF 7 O'CLOCK A.M. AND 8 O'CLOCK P.M.
NO DOG IN THE TOWN OF SUDBURY SHALL BE ALLOWED TO RUN AT LARGE DURING
THESE HOURS. THE OWNER OR KEEPER OF A DOG WHICH VIOLATES THIS BY-LAW
SHALL BE PUNISHED BY A PENALTY OF NOT MORE THAN \$10.00 FOR A BREACH
THEREOF.

Article 19: To see if the Town will vote to amend Article V of the Town By-laws, entitled: "Public Safety", by adding a new Section 15 at the end thereof, to read as follows:

"Section 15. No person shall park any vehicle in the Town of Sudbury so that it interferes with the work of removing or plowing snow or removing ice from any way within the Town. The Superintendent of the Highway Department is authorized to remove, or cause to be removed, to some convenient place, including in such term a public garage, any vehicle interfering with such work. The owner of such vehicle shall be liable for the cost of such removal and the storage charges, if any, resulting therefrom.",

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Mr. William Toomey) Article 19 has the support of the Board of Selectmen, the Highway Commission and the Chief of Police. This would enable the Highway Superintendent to have the ability to remove vehicles interfering with snow removal.

Finance Committee Report: The Finance Committee believes that addition of this by-law will help alleviate a major snow removal problem and will thus enable the Highway Department to improve service.

We recommend passage of this article.

Town Counsel Report: It is the opinion of Town Counsel that if the by-law change proposed in Article 19 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a majority vote, it will become a valid amendment to the Sudbury By-laws.

VOTED: IN THE WORDS OF THE ARTICLE.

Article 20: To see if the Town will vote to amend Article V of the Town By-laws, entitled: "Public Safety", by adding, at the end thereof, a new section to read as follows:

"No person shall operate a snowmobile or similar motor driven machine, a motorbike or mini-bike or motorcycle, a golf-cart or other motorized vehicle on or through the land of another without first obtaining written permission from the property owner. All such vehicles shall be equipped with a suitable exhaust muffler. The operation of such vehicles on private property shall be limited to the hours from 8:00 o'clock in the morning to 6:00 o'clock in the evening, unless a special permit is obtained from the Board of Selectmen.",

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Dr. Howard Emmons) The motion is somewhat different from the article. We have added the words "recreational purposes". It is not intended that you may not mow your neighbor's lawn without his permission, if you wish. We have added a standard for the muffler in terms of the industry standard rather than a fixed sound level standard because we are in a period in which questions of noise will be continually and increasingly before us, and industry standards are very likely to be increased through public pressure. As the standards increase, this will automatically increase our requirement along with the industry.

The hours of operation are now 8 o'clock in the morning to 9 o'clock in the evening. The reason is that this law is to control abuses, not proper uses. Many people who do not get home until about 6 o'clock should have an opportunity to ride their snowmobiles in the evening, but not for such a time as interferes with the proper sleep hours for the rest of us.

Some Town property may very well be appropriate for skimobiles and other riding and be made available to all those who enjoy the sport. On the other hand, Town properties are controlled by many different Town boards and committees. Each must make up its own mind as to whether or not the property is to be included for such use.

Concerning a permit for late hour operation, the Selectmen have no idea at this point what an excuse might be for wanting a late hour operation. On the other hand, we rather hesitate to write a law with no flexibility whatever in case somebody thinks of a good reason for it. The permit has been put in so that if some really good reason does come up, we will not have to go back to the Town Meeting to fix it.

Finance Committee Report: The Finance Committee recommends in favor of this article. Operation of these vehicles is subject to abuse and should be regulated.

Conservation Commission Report: (Mr. Frank Morrison) The Conservation Commission supports this article wholeheartedly. We have had our problems in the Hop Brook Marsh area particularly with snowmobiles and bikes. We have found that bikes in the summer do a great deal of damage to the trails, chewing them out. We have found that people walking through the area with a family of small children sometimes might be endangered by unwise use of vehicles of this sort. In the winter, the snowmobiles can indeed hurt groundcover and prevent proper growth in the spring.

In so far as enforcement is concerned, we have had our problems. We have not had one case of anybody being actually picked up for being in the Hop Brook Marsh area in which we do have a specific restriction. We would entreat the Board of Selectmen in this regard to help us enforce this a little bit better.

Town Counsel Report: In is the opinion of Town Counsel that if the by-law change proposed in Article 20 for the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a majority vote, it will become a valid amendment to the Sudbury By-laws.

Mr. William Mack moved that consideration of Article 20 be postponed until after consideration of Article 52 of the 1971 Annual Town Meeting.

In support of his motion, Mr. Mack stated as follows: I do not feel that this is a local problem. It is a state problem. The legislative secretary of the New England Trail Riders Association, a group recently formed of motorcycle trail riders to exercise control amongst its own members before legislators and local town officials exercise laws against it, is working with the state legislature. He also has agreed to meet with the Board of Selectmen before Town Meeting is terminated and whatever comes of this meeting can be brought to the Town after consideration of Article 52.

I do not ask for defeat of this article, but for the Selectmen to have the opportunity to meet with the legislative secretary so they may be brought up to date on what is happening on the state level.

After discussion, Mr. Mack's motion was defeated.

Mrs. Anne W. Donald moved that the phrase "except on driveways" be removed since she felt that these words in the article seemed to give people free permission to drive their mini-bikes around driveways. If someone were coming to visit using a registered vehicle, obviously he could use the driveway.

After further discussion, Mrs. Donald's motion was defeated.

VOTED: THAT THE TOWN AMEND ARTICLE V OF THE TOWN BY-LAWS ENTITLED "PUBLIC SAFETY", BY ADDING AT THE END THEREOF, A NEW SECTION TO READ AS FOLLOWS;

"NO PERSON SHALL OPERATE FOR RECREATIONAL PURPOSES A SNOWMOBILE, MOTORCYCLE, MINI-BIKE, ALL TERRAIN VEHICLE (ATV'S), OR ANY OTHER MOTOR DRIVEN VEHICLE, ON OR THROUGH THE LAND OF ANOTHER, EXCEPT ON DRIVEWAYS, WITHOUT FIRST OBTAINING WRITTEN PERMISSION FROM THE PROPERTY OWNER. ALL SUCH VEHICLES MUST BE EQUIPPED WITH AN OPERATING EXHAUST MUFFLER THAT MEETS OR EXCEEDS THE CURRENT INDUSTRY STANDARDS FOR SOUND SUPPRESSION. THE OPERATION OF SUCH VEHICLES, EXCEPT WHEN REGISTERED FOR HIGHWAY USE, SHALL BE LIMITED TO THE HOURS FROM 8 O'CLOCK IN THE MORNING TO 9 O'CLOCK IN THE EVENING, UNLESS A SPECIAL PERMIT IS OBTAINED FROM THE BOARD OF SELECTMEN. THE OPERATION OF SUCH VEHICLES ON TOWN-OWNED PROPERTY IS ONLY PERMITTED ON THOSE AREAS DESIGNATED FOR THE PURPOSE BY THE COGNIZANT AUTHORITY.

Article 21: To see if the Town will vote to amend Article V(A) of the Town By-laws, entitled: "Removal of Earth", as follows:

A. by amending Section 1. to read as follows:

"Section 1. The Earth Removal Board is hereby established and shall consist of five registered voters of the Town, to be appointed as follows:

The two members appointed by the Moderator shall continue to serve until the expiration of their terms, and, thereafter the Moderator shall continue to fill the vacancies on a three year term basis.

The member formerly appointed by the Planning Board shall continue to serve until the expiration of his term, and, thereafter, the Selectmen shall continue to fill the vacancy on a three year term basis.

The member formerly appointed by the Board of Appeals shall continue to serve until the expiration of his term, and, thereafter, the Selectmen shall continue to fill the vacancy on a three year term basis.

The member formerly appointed by the Selectmen shall continue to serve until the expiration of his term, and, thereafter, the Selectmen shall continue to fill the vacancy on a three year term basis.

If a member resigns or otherwise vacates a position on the Earth Removal Board, his successor shall be appointed to fill the vacancy for the remaining portion of his term."

B. by amending Section 2. to read as follows:

"Section 2. No person, firm or corporation shall remove any soil, loam, sand, gravel, stone or other earth material from any land in the Town not in public use without first obtaining a permit, hereinafter called a removal permit, therefor from the Earth Removal Board, as provided in the following sections. The Earth Removal Board can only proceed or act when a quorum of four or more members are present. A majority vote in favor of the issuance of a removal permit shall be required for the issuance of a removal permit.

- C. by amending the first paragraph in Section 3. by adding the word "removal" between the first and second words in the first paragraph, by adding the word "building" between the letter "a" and the word "permit" in the sixth line of the first paragraph as presently printed on page 14 of the Town By-laws, and by deleting the fourth and fifth words in the second sentence, being "an earth", and substituting in their place "a".
- D. by amending the second paragraph in Section 3. by adding the word "removal" between the first and second words in the second paragraph, by adding the words "single family" between "a" and "residential" in the fourth line of the second paragraph as presently printed on page 15 of the Town By-laws, and by adding the word "building" before the word "permit" at the beginning of the fifth line of the second paragraph as presently printed on page 15 of the Town By-laws.
- E. by amending the third paragraph in Section 3. by adding the word "for" between the words "authorization" and "the" in the fifth line of the third paragraph as presently printed on page 15 of the Town By-laws.
- F. by amending Section 4., Section 5., Section 6. and Section 7. by adding the word "removal" immediately before the word "permit", wherever it appears in said sections.
- G. by amending Section 7. by deleting the words "this by-law or" in the first sentence in Section 7. so that the first sentence reads as follows: "If the Earth Removal Board shall be informed or shall have reason to believe that any provision of any removal permit or decision thereunder has been, is being, or is about to be violated, the Board shall make or cause to be made, an investigation of the facts, and if the Board finds any violation, the Board shall send a notice ordering cessation of the improper activities to the owners of the premises in question or his authorized agent, and to the occupant of the premises.",

or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: (Mr. John Taft) The changes in the motion from the way the article was printed in the Warrant are of a typographical and grammatical nature.

In 1959 a tract of land located at the end of Lincoln Road where Lincoln Lane hits it by Sherman Bridge proceeded to undergo a considerable amount of excavation. The land at that time was owned by Mr. Hellmann and the citizens who lived in that part of Town along Lincoln Road and Lincoln Lane requested that the Town stop further excavation since it was fast becoming an extensive gravel pit.

The Selectmen who were in office at that time declined on the basis that it was a grandfather gravel pit having been used sometime in the past for that purpose. As a consequence ten taxpayers took a suit to the Superior Court against the Selectmen requesting a writ of mandamus to force the Selectmen to stop further excavation at that location as a violation of the Town By-laws. The citizens won their suit.

As a result of that experience, the Town put together the Earth Removal By-law that we now have under Article V(A). It was put together in the heat of battle, but it has lasted for quite a few years. It came close to being tested in court this year, and interestingly enough the case involved the exact same piece of property at the end of Lincoln Road near Sherman Bridge.

As a result of the case, we recognize that we have some weaknesses in the present Earth Removal By-law that should and can be quite simply repaired.

The present Earth Removal Board is appointed by a variety of other boards and officials in the Town: the Moderator, the Selectmen, the Planning Board and the Board of Appeals. The Board of Appeals members themselves are in fact appointed, and there is no provision in the statutes which says that the Planning Board or the Board of Appeals may make these kinds of appointments. So there is a legal question that the Earth Removal Board is properly constituted.

There is also no provision in the present By-law as to what constitutes a quorum when the Board meets or as to what magnitude of vote is required for an action by the Earth Removal Board. Those are the types of constitutional guarantees and protections that any citizen is entitled to, and they should be included.

As you read through the present Earth Removal By-law, you see the word "permit" used quite frequently. It is not clear sometimes whether it is a building permit or an earth removal permit, so that has been cleared up.

An article amending the Earth Removal By-law was before the Town Meeting last year and was turned down. This article has almost no similarity to that article which was a complete reworking and redoing of the whole of Article V(A). This amendment does not change the way that the Earth Removal By-law is operated now in Sudbury or would operate in the future. We feel that it will tighten up the By-law much more from a legal viewpoint and insure that it cannot be contested in the courts, perhaps being declared unconstitutional or improperly drawn, thereby vitiating any directives or orders that the Earth Removal Board might have outstanding. We think it is important to fix it up.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) This proposed by-law change to the Earth Removal By-law clarifies and eliminates many of the problems present in the law as it is now written. The Finance Committee concurs with the Board of Selectmen and the Planning Board and recommends approval of this article.

Planning Board Report: (Mrs. Jane Gillespie) This article if passed would accomplish two things: (1) change the method of appointing members to the Earth Removal Board and (2) clarify the present Earth Removal By-law by distinguishing between permits for removing earth and permits for building.

The Planning Board feels having the Moderator appoint two, and the Selectmen three, members to this Board is more reasonable and efficient than the old method of having two members appointed by the Moderator and one member appointed by each of three other boards, the Selectmen, Planning Board and the Board of Appeals. The Planning Board agrees that the clarifications recommended by Town Counsel will improve and strengthen the Earth Removal By-law.

We urge the passage of this article.

Town Counsel Report: It is the opinion of Town Counsel that if the by-law change proposed in Article 21 of the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a majority vote, it will become a valid amendment to the Sudbury By-laws.

After discussion, Mr. Walter Beckett moved indefinite postponement, stating that he thought that this article was an attempt to concentrate power in the Board of Selectmen and should be opposed.

The motion to indefinitely postpone was defeated.

Mr. Alva Dinwiddie moved that in the sixth paragraph, after the words "their successors shall be appointed", there be inserted the words "by the same authority which appointed the member vacating the position or which would appoint the member under the preceding paragraphs". He stated that the appointment procedure in case of a vacancy was not clear.

Mr. Dinwiddie's motion was defeated.

VOTED: THAT THE TOWN AMEND ARTICLE V(A) OF THE TOWN BY-LAWS AS PRINTED UNDER ARTICLE 21 IN THE WARRANT FOR THIS MEETING WITH THE FOLLOWING CHANGES: THE SECOND SENTENCE IN PARAGRAPH B, SECTION 2, BE CHANGED TO READ "THE EARTH REMOVAL BOARD CAN PROCEED OR ACT ONLY WHEN A QUORUM OF FOUR OR MORE MEMBERS IS PRESENT"; PARAGRAPH F IS CHANGED BY ADDING THE FOLLOWING AT THE END THEREOF "UNLESS THE WORD 'REMOVAL' ALREADY PRECEEDS THE WORD 'PERMIT'"; PARAGRAPH G IS CHANGED BY DELETING THE WORDS "DECISION THEREUNDER" AND BY SUBSTITUTING IN THEIR PLACE THE WORDS "CONDITION THEREOF".

Article 22: To see if the Town will vote to amend the Town of Sudbury By-laws by adding a new by-law entitled: "Equal Employment Opportunity By-law", numbered Article VII(A), to read as follows:

"ARTICLE VII(A) - EQUAL EMPLOYMENT OPPORTUNITY BY-LAW"

Section 1. The Town of Sudbury shall take affirmative action to provide equal employment opportunity, without discrimination.

Section 2. All town agencies shall enter into contracts for the purchase of goods or services and for the construction, maintenance, renovation or repair of any building, structure, street, way, utility or other public work only with contractors taking affirmative action to provide equal employment opportunity without discrimination.

Section 3. As used in this by-law, affirmative action means positive steps to ensure all persons equal employment opportunity without discrimination at all stages of the employment process. At the discretion of the appropriate town agency, it may include, but is not limited to, the following:

- A. inclusion in all solicitations and advertisements for employees of a statement that the contractor is an "Equal Opportunity Employer";
- B. placement of solicitations and advertisements for employees in media that reach minority groups;
- C. notification in writing to all recruitment sources that the contractor solicits the referral of applicants without discrimination;
- D. direct solicitation of the support of responsible and appropriate agencies to assist in recruitment efforts;
- E. participation in, or establishment of, apprenticeship or training programs where outside programs are inadequate or unavailable to minority groups;
- F. modification of collective bargaining agreements to eliminate restrictive barriers established by dual lines of seniority, dual rates of pay or dual lines of promotion or progression which are based on discrimination;
- G. review of the employment process to eliminate all discrimination;
- H. communication of all job orders simultaneously to the sources of minority manpower, such as those sources listed by the Massachusetts Commission Against Discrimination and the Equal Employment Opportunity Commission.

In determining whether the steps taken or proposed by any bidder or contractor constitute affirmative action under this by-law, the town agency shall take into account the relevant characteristics of the bidder or contractor, the number of persons he employs and the location of his principal and branch offices.

Section 4. As used in this by-law, the following terms shall have the following meanings:

- A. "Town agency" includes all boards, employees, commissions, committees, departments and other agencies, including the School Committee.
- B. "Contract" includes any contract, subcontract or other agreement.
- C. "Contractor" includes and is defined as any contractor, and his subcontractors, any other subcontractor or other contracting party, who employs more than six (6) persons.
- D. "Bidder" includes any bidder, sub-bidder or prospective contractor and his subcontractors, any other subcontractor or other contracting party.
- E. "Employment Process" includes recruitment, selection, placement, promotion, training, layoff and termination of employment.
- F. "Discriminatory", "Discriminate", or "Discrimination" includes all action which denies or tends to deny equal employment opportunity because of race, color, religion, sex, national origin or age, (as defined by State statutes).

Section 5. Each bidder, contractor, and subcontractor shall include in all bids, progress and compliance reports (1) a statement setting forth the affirmative action he is currently undertaking and will undertake during the contract period, and (2) a written statement with supporting information, signed by an authorized agent of any labor union or other agency which refers workers or provides or supervises apprenticeship or other training programs with which the bidder or contractor deals, to the effect that the union or other agency's practices and policies are not discriminatory. In the event that the union or other agency refuses to execute such a statement, the bidder or contractor shall certify such facts.

A copy of any such report shall be filed in the office of the Town Clerk and shall upon said filing become a public record.

Section 6. The Selectmen shall enforce this by-law.

Section 7. This by-law shall apply to:

- A. all contracts involving expenditures in excess of \$10,000.00; and
- B. the municipal employment process.

Where a contract is for less than ten thousand dollars, a town agency may apply the provisions of this by-law to any contract, bidder or contractor.

Section 8. If any provision of this by-law shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions.",

or act on anything relative thereto.

Submitted by the League of Women Voters of Sudbury and the Board of Selectmen.

League of Women Voters Report: (Mrs. Judith Mack) The League of Women Voters initiated this article under a national position supporting equality of opportunity in education, employment and housing, and the Selectmen agreed to co-sponsor it. State and federal anti-discrimination laws have not solved the problem of equal employment. Affirmative action represents an additional effort to carry out the intention of this anti-discrimination legislation by taking positive steps to assure equal employment opportunity, at all stages of the employment process. It asks employers to apply the same kind of imagination and ingenuity to employment practices that they apply to any other phase of their operation.

Some of the possible affirmative action steps are listed in Section 3 of the proposed by-law. These include such things as advertising in media that reach minority groups, utilizing special training programs and communicating job orders to sources of minority manpower.

The basic provisions of the by-law cover contracts for construction, goods and services involving more than \$10,000.00. It also covers town employees. Large scale affirmative action plans in large cities or universities often have specific goals for numbers or percentages of minority employees. This is not realistic for Sudbury's by-law.

The emphasis instead is on broadening recruitment procedures and opening new channels. It is left to the appropriate town agency to decide which affirmative action is suitable to its activities. The workings of the by-law could fit in quite smoothly with present procedures. Notifications of affirmative action requirements would be included in bid advertisements and as part of the specifications in bid documents. On construction jobs an affirmative action report could be included with the other reports required with monthly requisition for payment. In the recruitment for employees, new channels would be used and specific notification would be given to old sources of interest in referral without discrimination.

The by-law would be enforced by the Selectmen under the Legal Affairs section of the Town By-laws, and there are existing procedures for enforcing contract obligations. This enforcement setup avoids insistence on specific procedures that might hold up construction or otherwise cost money either directly or because they would make a contractor jump and feel he had to raise prices.

We feel that the proposed by-law is a realistic one for Sudbury to adopt, suited to our location and our form of government.

There have been questions on why such a by-law is necessary on the local level and where it fits in with state and national legislation. The struggle for equal employment opportunity is about one hundred years old and goes back to the Civil Rights Act of 1871. On the federal level, the anti-discrimination law that concerns us most is the Civil Rights Act of 1964, Title 6 of which bans discrimination in programs receiving federal funds. Title 7 bans discrimination by private employers. State and local governments are exempt as employers. Title 7 is enforced by the Equal Employment Opportunity Commission or EEOC.

The EEOC may draw up an affirmative action plan for a specific employer who has been involved in a complaint. Affirmative action is required for federal construction contracts over \$10,000.00 and other contracts over \$50,000.00. This is enforced under the Department of Labor by the Office of Federal Contract Compliance.

On the state level we have a broad anti-discrimination statute, Chapter 151B, which covers all employers and labor organizations and is administered by the MCAD. As of last summer, we also had Executive Order 74, an additional effort to carry out the intent of the anti-discrimination law, which covers state agencies, services, facilities, and the firms, organizations or individuals that are licensed or chartered. The MCAD administers this too and sends out affirmative action guidelines for state agencies and contracts.

Sudbury's proposed by-law would seek to carry out the intention of anti-discrimination legislation on a local level, just as the executive orders do on the state and federal levels. State and federal executive orders set a tone, but they operate on a large scale so that frequently there is little follow through and only the gross violations are dealt with. There is still a need for reinforcing and monitoring on the local level so that affirmative action permeates to all levels. Our local by-law would also extend coverage to include smaller contracts and those not involving state and federal funds.

The need for a local affirmative action program has been recognized in communities of all sizes. Approximately eighteen of the larger cities across the country, Boston among them, have set up affirmative action plans within the construction industry. Eight smaller cities and towns in the Boston area have acted through their local government to set up affirmative action plans of one type or another. These towns are Arlington, Belmont, Brookline, Hamilton, Lexington, Marblehead, Newton and Wenham.

As more communities adopt affirmative action as a local policy, the cumulative effect will help not only to provide equality of opportunity and eliminate some of the social and financial problems of discrimination, but also to increase the labor supply so that the rise of prices can be slowed down.

We hope you will support the proposed by-law as a realistic way for Sudbury to contribute to these efforts.

Board of Selectmen Report: (Dr. Howard Emmons) The Board of Selectmen supports this article. We feel that when we salute the flag and say we believe in justice for all, we mean it. We have come a long way in this country in providing just that.

There are still some problems, however. We have come to see in the last couple of decades that it is not enough. If a man does not have an opportunity, that opportunity being denied by questions irrelevant to the job to be performed, he is being denied a right which we feel he should not be denied. This equal opportunity by-law is proposed as an attempt to correct this.

The town employees and the Town itself are not exempt. We feel that the Town should not be exempt. We want to apply criteria appropriate to the jobs and provide pay appropriate to that job, not have criteria that are irrelevant to that job. This by-law is an attempt to move in that direction.

It attempts also that affirmative action be taken by everyone who works for the Town on the larger jobs. There are already federal and state statutes that have been noted, and these have been in action for some time. It is quite clear that jobs do not cost more because of this.

Many of the larger firms that are dealing with the larger contractors which would be affected by this by-law are already having to do just that for many contracts in which there is federal money spent. Our library addition, for example, has some federal aid and has to comply with this whether we have the by-law or not.

You are under no obligation to hire at an outrageous wage nor a person who is incompetent to do the job. This is merely an equal opportunity. They have an opportunity to apply, and they should be evaluated on their qualifications.

We feel that this is an important step in attempting to see that there is indeed a justice that is not empty.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee has studied this article. Initially we had some questions relative to the wording which have been cleared up. We concur with the intent of this article.

Sudbury School Committee: (Dr. Robert Howell) The Sudbury School Committee, while fully agreeing with the intent of the League of Women Voters, opposes Article 22. We take this position for two reasons: one, our own concern with the implications of the wording of the article on our own operations, and two, on the advice of legal counsel to the Massachusetts Association of School Committees.

We are concerned with Section 3, specifically items B and H of the proposed article. At the present time, the Sudbury schools have over six hundred applications for positions in our school system. 350 of those we could and would hire if openings existed. Although it is our firm belief that we do not discriminate now, we have not explicitly followed the procedures as suggested in this article. We are concerned that if the supply of teachers remains high, as it is at the present time, and we do not explicitly advertise through the recommended media for several years, we would be adjudged as not complying with the Town By-laws and therefore discriminatory.

Since meeting with the League twice and also with a representative of the Massachusetts Commission Against Discrimination, the Superintendent has mailed, by special delivery letter to the Massachusetts Commission Against Discrimination, a request for an appropriate list of media for future vacancy notices. We have not received an answer to this date, and we do not know whether such a list is in fact existing.

Because of our concern, we solicited the opinion of the legal counsel to the Massachusetts Association of School Committees. Mr. Austin Broadhurst has replied: "This article seems to be a most high minded proposal by the League of Women Voters, but not particularly appropriate whereas the state statutes already govern the employment practices of all communities of the Commonwealth. Any such by-law would have to read exactly as the current law reads and therefore would be a waste of time to adopt. The Sudbury School Committee would be most unwise to support any such article because there could and might be many ramifications if it were passed, and then a minority group decided to make an issue or test case of it for a change in the law."

We applaud the intent of the League's article. We would like to encourage the Massachusetts League of Women Voters to introduce state-wide legislation to rectify any deficiencies which they feel exist in the present state statutes and which would be introduced across all the towns in the state simultaneously.

The Sudbury School Committee recommends defeat of this article.

Town Counsel Report: It is the opinion of Town Counsel that if the by-law change proposed in Article 22 in the Warrant for the Annual Town Meeting is properly moved, seconded and adopted by a majority vote, it will become a valid amendment to the Sudbury By-laws.

After discussion, Mr. John C. Powers moved to amend Article VII(A), Equal Employment Opportunity By-law, Section 6, by deleting the words "the Selectmen shall enforce this by-law" and substituting therefor the words "the appropriately authorized contracting agencies of the Town shall be responsible for the enforcement of this by-law".

In support of his amendment Mr. Powers stated that he was totally in favor of the intent of the proposed by-law, but that the Board of Selectmen had no power over the hiring and firing practices of other boards such as the School Committee, or over the contract arrangements made by the Highway Commission, or in regard to hiring or firing of employees of the Town except those legally placed under its jurisdiction. The amendment will avoid inter-agency difficulties, particularly legal difficulties. The by-law will not be effective unless the people who are legally empowered to hire and fire or enter into contracts are the people who are going to have to take the action to see that the purpose of this piece of legislation is carried out.

After discussion, the quorum was questioned.

After counting the hall, the Moderator announced that there were 281 voters present and that this number was more than a quorum.

The amendment presented by Mr. Powers was defeated.

VOTED: IN THE WORDS OF THE ARTICLE.

The meeting adjourned at 11:03 P.M.

PROCEEDINGS
ADJOURNED ANNUAL TOWN MEETING

April 13, 1971

The Moderator called the meeting to order at 8:13 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that the Town Clerk had received a notice of intention to reconsider Article 18, Dog Control By-law, from Mr. Clifford M. Pontbriand, and that under the By-laws such reconsideration would be the first order of business on April 14, 1971.

He stated that the first order of business for this evening was reconsideration of Article 14 and recognized Mr. John C. Powers who so moved.

Mr. Powers stated that there was no better demonstration of why Article 14 should be reconsidered than the handout which the Conservation Commission had prepared relative to the article and which listed the various subjects which were not covered in the first discussion, some not at all and others only partially. If given an opportunity, he would like to discuss why the Conservation Commission wanted to use Flood Plain Zoning instead of purchase, what happens to tax values, what restrictions are placed upon the Board of Appeals in issuing permits, the quality of engineering in producing the plans, the question of notice, and how many acres and owners are affected, and why his efforts of ten to fifteen years to restore a pond in the zone were frustrated under Flood Plain Zoning.

Mr. Frank Morrison commented for the Conservation Commission in opposition to reconsideration as follows: Flood Plain Zoning is not an eminent domain proceeding. The individual still owns the land just as much as he ever did.

The Conservation Commission feels that this article was legally brought before the Town Meeting, that all actions which a reasonable group of people should do to bring it to the public attention were indeed taken, and that the Commission was still willing to work with Mr. Powers on his project.

After discussion, the motion to reconsider Article 14 was defeated.

Article 23: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$3,000.00, or any other sum, to be expended under the direction of the Committee on Town Administration for the purposes of compiling a permanent record and printing a limited edition of all special acts and resolves affecting the Town of Sudbury, all general laws accepted by the Town, all non-rescinded by-laws, and an index of all votes authorizing land acquisitions by the Town, or act on anything relative thereto.

Submitted by the Committee on Town Administration.

Committee on Town Administration Report: (Mr. Henry I. Smith) The Town of Sudbury operates under a number of different kinds of laws: the General Laws which affect all towns; acceptance statutes which are parts of the General Laws that the Town of Sudbury has accepted; Special Laws which the General Court has enacted in response to a petition from a group of citizens of the Town; and the Sudbury By-laws.

No single person in Town, no Board or Committee, knows all the laws which affect the Town of Sudbury, nor is all the information contained in any single document. Instead, the laws which affect Sudbury are scattered about the archives, throughout the records of ancient town meetings, throughout the acts and resolves of the General Court and in our own By-laws. This is a highly undesirable situation.

For the past year and one-half our Town Clerk has been working to alleviate part of the problem by making a cross-indexed card file of all town meeting actions. Town Counsel has also done some research in this area by making a compilation of all special laws affecting the Town back to 1871 with a subject index.

The article asks for \$3,000.00 so that this work can be extended back to the origins of the Town and the scope of the work done by Town Counsel can be expanded, making full use of the work that the Town Clerk's office has done. The work that we contemplate in this article is not in conflict or duplicated by what the Town Clerk's office has done. The purposes and the end product are different.

The purpose we have in mind relates to the improvement of Town administration. The end product is a book, a compilation of the special acts and general laws that affect Sudbury and all the acceptance statutes. This book would then enable one to find under one cover all the laws which affect Sudbury.

This is an important consideration to a large number of boards and committees in the Town including the Committee on Town Administration. Once this information is compiled, the Committee on Town Administration intends to submit articles to future town meetings to try to remove from the book any laws or actions which are obsolete, unnecessary or subject to possible litigation.

This compilation is also necessary as the first step in an action that many Massachusetts towns have taken, namely, the establishment of a Charter Commission which would be set up to establish a charter for the Town.

Without this compilation, in our opinion, the Town will continue to drift with its laws scattered throughout all these various books.

Mr. Fred Welch further reported to the meeting for the Committee on Town Administration as follows: Several towns in the Commonwealth have taken some steps to compile their general and special laws. The Town of Concord six years ago published a compilation of their laws. It is not exactly what we want to do, but it does meet some of our goals. It is eighty pages. Section 1 elaborates on the Charter of the town and the Selectmen-Manager form of government. Section 2 is a memorandum from the Board of Selectmen on the same subject. Section 3 lists the by-laws, the standing votes of the town meeting, the rules and regulations, the statutory references and acceptance of legislative acts and special acts affecting the Town of Concord.

The Town of Needham has already taken steps in this direction as have the towns of Wellesley and Maynard.

Our work will supplement the Town Clerk's material in the following manner: The work will contain a copy of the affirmative Town Meeting vote on a particular subject matter and any pertinent supporting data such as the charge to a specific committee. Second, it will contain a copy of the general statute, special act or resolve, or Town by-law relating to item number one. Third, the work will be adequately indexed to provide a finished document. Fourth, the material will be arranged in an order to the subject matter, and most important of all, it will be under one cover.

The \$3,000.00 figure requested has the following breakdown: \$200.00 to complete research of the special acts and resolves passed prior to 1780. This work will be done at the Social Law Library in Boston. \$400.00 has been allocated to provide copies of the texts; \$500.00 allocated to print the finished product; and \$1,900.00 for personal services.

We think it is obvious that the work requested under this article is extensive. It will be of immeasurable value to the Town when completed, and we urge your support of this article for a better government.

Finance Committee Report: The Finance Committee supports this article. We agree with the Committee on Town Administration that the information described will be useful to many boards and committees especially at Town Meeting.

VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER FROM FREE CASH \$3,000.00 TO BE EXPENDED UNDER THE DIRECTION OF THE COMMITTEE ON TOWN ADMINISTRATION FOR THE PURPOSE OF COMPILING A PERMANENT RECORD AND PRINTING A LIMITED EDITION OF ALL SPECIAL ACTS AND RESOLVES AFFECTING THE TOWN OF SUDBURY, ALL GENERAL LAWS ACCEPTED BY THE TOWN, ALL NON-RESCINDED BY-LAWS, AND AN INDEX OF ALL VOTES AUTHORIZING LAND ACQUISITIONS BY THE TOWN.

Article 24: To see if the Town will vote to transfer any one or more of the following described parcels to the custody and control of the Conservation Commission for all purposes included in General Laws, Chapter 40, Section 8C, as it now reads or may hereafter be amended:

- A. Lot 30, shown on a plan entitled: "PLAN OF LAND IN SUDBURY, MASS.", dated: February 12, 1951, by Everett M. Brooks Co., Civil Engineers, recorded with Middlesex South District Deeds in Book 7718, Page 312, and bounded and described, according to said plan, as follows:

NORTHERLY by STOCK FARM ROAD,
EASTERLY by Lot 28,
SOUTHERLY by land now or formerly of SEARS,
WESTERLY by land now or formerly of SEARS,

Containing approximately 39,190 square feet.

- B. Lot 31, shown on a plan entitled: "PLAN OF LAND IN SUDBURY - MASS.", dated: June 28, 1951, by Everett M. Brooks Co., Civil Engineers, recorded with Middlesex South District Deeds in Book 7786, End, and bounded and described, according to said plan, as follows:

NORTHERLY by land of SEARS,
EASTERLY by land of SEARS and Lot 29,
SOUTHERLY by STOCK FARM ROAD
WESTERLY by land of SEARS,

Containing approximately 39,000 square feet.

- C. Lot 73, shown on a plan entitled: "PLAN OF LAND IN SUDBURY. MASS.", dated: February 8, 1951, by Everett M. Brooks Co., Civil Engineers, recorded with Middlesex South District Deeds in Book 7718, Page 314, and bounded and described, according to said plan, as follows:

NORTHERLY by STOCK FARM ROAD,
EASTERLY by land of SEARS,
SOUTHERLY by land of SEARS,
WESTERLY by Lot 74,

Containing approximately 39,280 square feet, but excluding that portion on the EASTERLY side of Lot 73 used for Highway purposes.

- D. Lot 76, shown on a plan entitled: "PLAN OF LAND IN SUDBURY. MASS.", dated: February 8, 1951, by Everett M. Brooks Co., Civil Engineers, recorded with Middlesex South District Deeds in Book 7718, Page 314, and bounded and described, according to said plan, as follows:

NORTHERLY by land of SEARS,
EASTERLY by land of SEARS,
SOUTHERLY by STOCK FARM ROAD,
WESTERLY by Lot 75,

Containing approximately 39,265 square feet, and subject to an easement to Boston Edison Company.

- E. Lot 11, Block T, shown on a plan entitled: "PLAN OF PINE LAKES SUDBURY MASS.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

NORTHERLY by Lot 12,
EASTERLY by Lot 8,
SOUTHERLY by Lot 10,
WESTERLY by CRYSTAL LAKE DRIVE.

- F. Lots 23 and 24, Block G, shown on a plan entitled: "PLAN OF PINE LAKES SUDBURY MASS.", dated: April 1927, by Robert B. Bellamy, Surveyor, recorded with Middlesex South District Deeds in Plan Book 394, Plan 37, and bounded and described, according to said plan, as follows:

NORTHERLY by WILLIS LAKE DRIVE,
EASTERLY by Lot 25,
SOUTHERLY by Lot 22,
WESTERLY by ARBORWOOD ROAD.

- G. Lots 272 and 273, shown on a plan entitled: "PLAN NO. ONE HOLMAN PINE REST SUDBURY, MASS.", dated: January 1927, by E. N. Montague, Civil Engineer, recorded with Middlesex South District Deeds as filed plan no. 909, and bounded and described, according to said plan, as follows:
- | | |
|-----------|----------------------|
| NORTHERLY | by an way, |
| EASTERLY | by Lots 269 and 270, |
| SOUTHERLY | by WASH BROOK, |
| WESTERLY | by NELSON STREET. |
- H. Lots 38, 39, 40 and 41, shown on a plan entitled: "PLAN NO. ONE HOLMAN PINE REST SUDBURY, MASS.", dated: January 1927, by E. N. Montague, Civil Engineer, recorded with Middlesex South District Deeds as filed plan no. 909, and bounded and described, as a unit, according to said plan, as follows:
- | | |
|---------------|-----------------------------------|
| NORTHEASTERLY | by EVERETT STREET |
| SOUTHEASTERLY | by a reservation along WASH BROOK |
| SOUTHWESTERLY | by land of EDWARD D. MACMANUS, |
| NORTHWESTERLY | by Lot 37. |
- I. Lot 42, shown on a plan entitled: "PLAN NO. ONE HOLMAN PINE REST SUDBURY, MASS.", dated: January 1927, by E. N. Montague, Civil Engineer, recorded with Middlesex South District Deeds as filed plan no. 909, and bounded and described, according to said plan, as follows:
- | | |
|---------------|------------------------------------|
| NORTHEASTERLY | by EVERETT STREET, |
| SOUTHEASTERLY | by ALLAN AVENUE, |
| SOUTHWESTERLY | by Lot 213, |
| NORTHWESTERLY | by a reservation along WASH BROOK. |
- J. Lots 210 and 211, shown on a plan entitled: "PLAN NO. ONE HOLMAN PINE REST SUDBURY, MASS.", dated: January 1927, by E. N. Montague, Civil Engineer, recorded with Middlesex South District Deeds as filed plan no. 909, and bounded and described, according to said plan, as follows:
- | | |
|-----------|--------------------------------|
| NORTHERLY | by Lot 212, |
| EASTERLY | by ALLAN AVENUE |
| SOUTHERLY | by Lot 209, |
| WESTERLY | by land of EDWARD D. MACMANUS. |
- K. Lots 212 and 213, shown on a plan entitled: "PLAN NO. ONE HOLMAN PINE REST SUDBURY, MASS.", dated: January 1927, by E. N. Montague, Civil Engineer, recorded with Middlesex South District Deeds as filed plan no. 909, and bounded and described, as a unit, according to said plan, as follows:
- | | |
|-----------|--------------------------------|
| NORTHERLY | by Lot 42, |
| EASTERLY | by ALLAN AVENUE, |
| SOUTHERLY | by Lot 211, |
| WESTERLY | by land of EDWARD D. MACMANUS. |

or act on anything relative thereto.

Submitted by the Conservation Commission.

Mr. Morrison of the Conservation Commission moved in the words of the Article except that Parcels B, C, and D are to be excluded.

Conservation Commission Report: (Mr. Allen Small) The Town now has tax possessions of approximately fifty-six parcels of land totalling approximately fifty-one acres. During the past year, members of the Conservation Commission reviewed the tax possession list and from it selected several parcels which we think should be protected from development and preserved for conservation purposes such as protection of wild-life, wetland protection, recreation and possible access to ponds or other recreational areas.

The parcel described in Paragraph A of Article 24 is Lot 30 on Stockfarm Road. It is significant for conservation purposes because a significant portion of the back area of the lot is under water. It actually includes a pond which covers part of Lot 30 and part of Lot 28. There is a substantial drop in elevation on this lot from the road level to the pond level, so that filling would be required to develop it. We recommend that not happen, so protection of a pond and wetlands is involved in Lot 30.

The parcels described in Paragraphs E and F are in the Pine Lakes area. Lot 11 became tax possession in 1937 and is significant because the property directly across Crystal Lake Drive in this area is already conservation controlled property, and it is shore front property on Crystal Lake. Also there are other parcels adjacent to Lot 11 which are in tax title status and may become tax possession later and which possibly could be combined with Lot 11 to make a larger parcel in this area.

Lots 23 and 24 became tax possession of the Town in December, 1959. The Town owns land across Willis Lake Drive and Willis Lake is in this area. We think those lots are significant also.

The property described in Paragraph G is located in the Pine Rest area. Two lots, Numbers 272 and 273, are very near Hop Brook and became tax possession in December, 1937. These lots are located in wetland and are adjacent to other property owned by the Town and the Water District.

The last parcel is also in the Pine Rest area where there are several adjacent lots which are tax possession of the Town. Tax possession was acquired in three stages: December of 1937, September of 1946, and December of 1954. These lots are located on either side of Wash Brook, and the parcel is large enough to be useful as a mini-park or recreational area. It is located in an area included in the proposed open space and recreation plan for the Town.

Once the land is under the control of the Conservation Commission, control can be transferred to another Town board for specific municipal purposes by a two-thirds vote of the Town Meeting and a majority vote of the Conservation Commission. In order to sell the lands, two similar votes are required.

We feel that these procedures provide assurance that use of the property will be limited to those purposes consistent with the protection of our natural resources, but these provisions also allow a means for changing the use of the land should that become wise or necessary.

Mr. Eben Stevens of the Planning Board in his presentation in support of Article 10 pointed out that Sudbury is a town in transition. The point has been made several times that the voters of the Town of Sudbury have some choices to make regarding the extent and type of growth and development that we experience. Your vote on this article is one of your opportunities to influence the way your Town develops. Your support of the article will help to assure preservation of the open, undeveloped areas that are significant in maintaining a quality environment.

Since these parcels were removed from the tax roles between 1937 and 1959, this property has not been producing revenue for well over twenty years. These parcels were not revalued last year during the Town-wide revaluation, so an official assessed value of this property is not available.

The Conservation Commission recommends that custody and control of the property described in Article 24 be transferred to the Commission because protection of the property is significant in meeting conservation goals of the Town, there is no acquisition cost to the Town because the Town presently has tax possession of the land and this recommendation does not remove any revenue producing land from the Town tax rolls.

Mr. Sydney B. Self, Jr., of the Finance Committee moved Indefinite Postponement of this article.

Finance Committee Report: (Mr. Self) This particular article has a number of pieces of property in it. Normally, when the Town buys property, each piece is described separately and is covered under a separate article. If we attempt to process this article as it stands, it is our fear that people may be interested in deleting certain parcels of land, and thus we could have a rather extensive discussion of first one piece of land and then another as it is voted to be deleted by amendment. We feel that discussion would be somewhat simplified if the Town first had an opportunity to vote opposed on the entire article before proceeding to the second step.

We do not feel that sufficient investigation has been made in this particular article. Later in the Warrant there is an article in which the Conservation Commission is going to be buying some land. You will note in the arguments in that article, when the Conservation Commission buys land by means of appropriating from their fund, the State reimburses half the money. There has been no discussion or investigation of the possibility of having the Conservation Commission purchase the land under this article from the Town and thus receive the 50% reimbursement from the State.

We have not received any estimate of the value of this property. In the later article, the land is valued at about \$150 an acre. At other times, the Town has been asked to purchase land for as much as \$7,500 an acre. In effect, we are being asked to buy a pig in a poke.

There is another more important reason for the Finance Committee's opposition to this article. When we were first asked to consider this article, the wording was as follows: "To see if the Town will vote to transfer all, or any one or more of the Town of Sudbury tax possession properties listed below to Town land under the management and control of the Conservation Commission." That is all the information it had.

The Finance Committee is the agency of the Town Meeting, really your only agency. Perhaps 95% of the work this Committee does is for the Town Meeting. Most of the members take their responsibility fairly heavily, and this is indicated by the amount of time we put in.

If the people in the Town intend to continue the mandate to the Finance Committee to act as your agents, then give us a chance. The Conservation Commission has not given us this chance. It is not the only offender by any means. We received another article which said only, "To see if the Town will vote to". Even the title did not describe what later came up. If you want us to act as your representatives, you must give us the authority. The only way you can do this is to defeat articles which the Finance Committee has not been given an opportunity to investigate and defeat them soundly.

If you defeat this article, no harm will be done. The land has been in the possession of the Town, in some cases, for twenty-five years, and one more year is not going to hurt. If you vote to support this article, you are in effect saying that you do not really need the Finance Committee opinion on various and sundry matters.

After discussion, the motion for Indefinite Postponement was defeated.

After further discussion, it was

VOTED: IN THE WORDS OF THE ARTICLE EXCEPT THAT PARCELS B, C, AND D ARE TO BE EXCLUDED.

In Favor - 220; Opposed - 59. (Total - 279)

Article 25: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$34,000.00, or any other sum, to be added to and become a part of the Conservation Fund for the conservation of natural resources of the Town, under the provisions of General Laws, Chapter 40, Section 5, as amended, and Section 8C, as amended, or act on anything relative thereto.

Submitted by the Conservation Commission.

Conservation Commission Report: (Mrs. Margaret Langmuir) The Conservation Commission has been working for the past two years to prepare an open space and recreation plan that will provide recreational opportunities of all types within easy reach of all the townspeople. The Planning and Acquisition Committee of the Conservation Commission has conferred with the Park and Recreation Commission and with the Water District Commissioners and has studied the map and recreation plans of the Metropolitan Area Planning Council and the Suasco River Basin plans. The result is the Open Space and Recreation Plan which was submitted to the Massachusetts Department of Natural Resources. An abbreviated version of the plan and the map that goes with it were printed in the 1970 Town Report.

Our ability to obtain self-help funds from the State for 50% reimbursement of open space land purchases was contingent upon State approval of this plan. Last week we received a letter of approval from the Massachusetts Department of Natural Resources.

We of the Conservation Commission are not wild-eyed bird watchers with wet feet intent upon preserving only the wetlands of this Town, however important they are. Included in the plan are nature study areas and outdoor classroom areas for all the school sites except Noyes, and one is being planned there on the land that is available. There are two or three conservation-recreation parks which are a new concept of cooperative planning between the Conservation Commission and the Park and Recreation Department.

We presently have Featherland Park which is what we would call an urban park. It has been intensely developed for recreational purposes with ball fields, tennis courts, etc.

The conservation-recreation and recreation parks are considerably larger sized and would contain both an area for intensive recreational use and an area for quieter pursuits such as picnicking, hiking, horse trails and other nature study uses. These areas would include Raymond Park, currently owned by the Town and presently under the jurisdiction of the Selectmen, an area in the most intensely developed section of the Town, and another area in the northern section of the Town which has not yet been delineated.

There are also conservation reservations of various types of terrain: wetlands, high lands such as that on Nobscot Hill, Goodman Hill and Willis Hill, and open fields. These will provide variety of habitat for wildlife and a variety of recreational opportunities for the townspeople.

There are greenways tentatively planned to interconnect a number of these areas. These will be trail-like affairs for quiet walking.

We have approved plans, but there are a number of "ifs and maybes" which stand between planning and acquisition. The largest of these is money. Hence our request for continued appropriation to the Conservation Fund.

We obtain self-help funds in the following way: The Town has a general fund from which the Town Meeting appropriates to the Conservation Fund as in the article before us. Then the Conservation Commission arranges a purchase and asks for Town Meeting approval as in the next article. Then the purchase of the land takes place, and the Conservation Commission must take the total amount out of the Conservation Fund. After the purchase takes place, the Conservation Commission applies for reimbursement, and if the State approves, it will give us back 50% of the purchase price. That reimbursement goes back into the general fund, not the Conservation Fund.

We have spent \$106,000 out of the Conservation Fund on 144 acres of land so far, and we have been reimbursed by self-help funds from the State, \$52,000. The purchases we have made are Lincoln Meadows and Hop Brook Marsh. These areas have been used by many people year round.

Our fund has reached \$106,000 since there have been no large expenditures since the purchase of the Hop Brook Marsh in 1968 and the Town has given an annual appropriation to the fund in support of the Conservation Commission requests. The Commission feels that it has been fiscally responsible in not requesting large expenditures of the fund by the Town Meeting until self-help funds were once again available to us.

Now that we have State approval of our plans, we believe we can commit almost the entire fund, subject to Town Meeting Approval, in the coming year. In a time of fast disappearing open space, it behooves us to implement as much of the plan as possible in the very near future. To cut off appropriations to the fund at a time when we should be actively pursuing the land to spend it on appears to be folly. This is one way to retard urbanization of our Town. Open space requires very little in the way of Town services while it provides recreational opportunities and the important amenities of green space and good water to the townspeople.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee has in the past and continues to support the purposes of the Conservation Fund. We did feel, however, at the beginning of this budget year, due to the economic strife that most of us are feeling, that this was the year to hold the line on each and every budget item that we possibly could. We have attempted to do this during our meetings. We felt that we could hold back the expenditure of \$34,000 this year.

We did not see any particular hardship on the Conservation Commission at the time since they had no definite plans for any particular purchase of land. They must come before the Town to transfer money out of the fund.

The \$106,000 available in the fund now could be negotiated during the coming year. With the approval of the Town Meeting next year that gives them adequate funds to begin their program.

Long Range Capital Expenditures Committee Report: (Mrs. Marjorie Huse) This article is in accordance with our report. We are pleased to see that their long range plan has been completed and that expenditures from the fund will be made.

Board of Selectmen Report: (Mr. John Taft) The Board of Selectmen favors the Conservation Commission motion to keep putting money into the Conservation Commission Fund. Some years ago the Finance Committee set an amount that should be put into the fund each year so that we would not come to some year with a very desirable land purchase and find ourselves in the position of having to raise funds directly from the Town Meeting floor.

The Conservation Commission has been careful in the past with what parcels they buy. We should support the continued increase in the Conservation Fund.

VOTED: THAT THE TOWN RAISE AND APPROPRIATE THE SUM OF \$34,000.00 TO BE ADDED TO AND BECOME A PART OF THE CONSERVATION FUND FOR THE CONSERVATION OF NATURAL RESOURCES OF THE TOWN, UNDER THE PROVISIONS OF GENERAL LAWS, CHAPTER 40, SECTION 5, AS AMENDED, AND SECTION 8C, AS AMENDED.

Article 26: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire in fee simple, by purchase or by eminent domain, for conservation purposes, the following described parcel:

Situated in Sudbury and located to the South of the B & M tracks and to the West of Landham Road; consisting of approximately 29 acres; shown on a plan entitled: "Plan of Land Sudbury Massachusetts Conservation Land to be Purchased from the Sudbury Congregational Church", by George D. White, Town Engineer, a copy of which is on file in the Town Clerk's office and incorporated herein by reference; owned in whole or in part by Sudbury Congregational Church;

and to appropriate therefor, and all expenses in connection therewith, the sum of \$5,000.00, or any other sum, and to determine whether the same shall be raised by taxation or transferred from available funds, with all land acquired hereunder to be under the management and control of the Conservation Commission, or act on anything relative thereto.

Submitted by the Conservation Commission.

Mr. Frank Morrison of the Conservation Commission made the main motion essentially in the words of the article. (See page 84 for action under Article 26)

Upon a point of order, the quorum was questioned by Mrs. Martha J. Coe.

After counting the hall, the Moderator announced that there were 259 voters in the hall. Since this was less than a quorum, the meeting adjourned at 10:10 P.M. to April 14th.

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 14, 1971

The Moderator called the meeting to order at 8:04 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that the first order of business was a motion to reconsider Article 18, Dog Control By-law, and recognized Mr. Clifford Pontbriand who had filed the notice. Mr. Pontbriand deferred to Mr. James W. Child, who moved reconsideration of Article 18.

In support of his motion, Mr. Child stated that he felt Article 18 had not received the kind of careful and dispassionate consideration it deserved, and it had been passed by a margin of 5% amid considerable levity with very little serious discussion. It is an important article in that it will affect a considerable number of people in Sudbury, require the building of fences for some, a retraining of animals for others, and perhaps, in many cases, the destruction of family pets. There are serious ambiguities involved in the article which were not fully discussed such as the definition of "direct and complete control". Also we have found that the cost in a number of neighboring communities is considerably higher than we were told it would be for Sudbury, and this should be discussed. There is some evidence of overwhelming problems in enforcement in Lexington which should be brought out. There are alternatives available which other communities have chosen which should be discussed. We should also hear more from the Sudbury Dog Officer who has great reservations about this law, and we have a statement from an officer of the Buddy Dog Society which should be heard.

In addition, comments have been made against reconsideration as it is a strike at the efficacy of the Town Meeting. However, reconsideration is a rule, a procedure, in Sudbury Town Meetings. If it is not appropriate, we should eliminate the procedure. But as long as we have it, it is perfectly legitimate and appropriate to use it. Reconsideration and quorum counts are time consuming and bothersome, but they are part and parcel of the genuine democratic form of government. We must not turn the Town Meeting into a rubber stamp simply to preserve it in name. If we cannot preserve the substantive democratic process, of which reconsideration is an integral part, then we have really preserved nothing.

Mr. Myron B. Fiering, one of the petitioners of Article 18, stated in opposition to reconsideration that a dispassionate consideration had been given. We were tempted to tell a number of horror stories but did not since that would have been raising passion.

As far as ambiguities in the law are concerned, other communities nearby have laws that are worded similarly, and they apparently have no trouble with interpretation. "Direct and complete control" is possibly subject to legalistic quibbling, but it would seem that if your dog comes when he is called, you have him in control.

As far as the cost being higher than advertised, it is simply not true.

We already have a nuisance law which for reasons, social and otherwise, is inactive.

Consequently, reconsideration has no merit, no new evidence has been cited except for vague and general allegations, and I urge you to defeat it at this time.

After a short discussion, the motion for reconsideration of Article 18 was defeated. In Favor - 321; Opposed - 317 (Total - 638). (Two-thirds vote required)

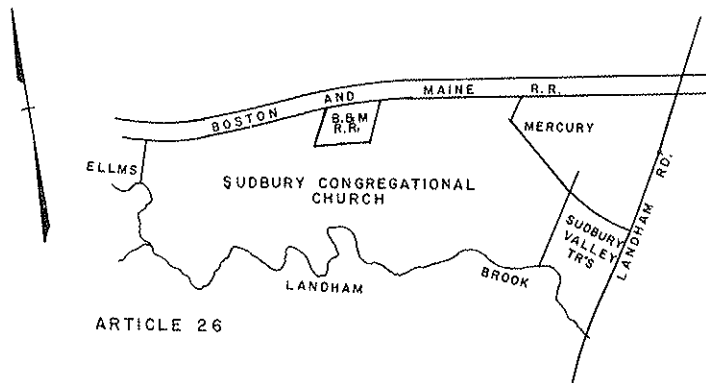
The Moderator announced that Article 26 had been before the hall when a quorum was lost the previous evening, and in order to avoid the possibility of doubt arising because another matter had intervened, he asked Mr. Morrison to make the motion under Article 26 again. Mr. Morrison did so. (See vote on Article 26, page 85.)

Article 26: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire in fee simple, by purchase or by eminent domain, for conservation purposes, the following described parcel:

Situated in Sudbury and located to the South of the B & M tracks and to the West of Landham Road; consisting of approximately 29 acres; shown on a plan entitled: "Plan of Land Sudbury Massachusetts Conservation Land to be Purchased from the Sudbury Congregational Church", by George D. White, Town Engineer, a copy of which is on file in the Town Clerk's office and incorporated herein by reference; owned in whole or in part by the Sudbury Congregational Church;

and to appropriate therefor, and all expenses in connection therewith, the sum of \$5,000.00, or any other sum, and to determine whether the same shall be raised by taxation or transferred from available funds, with all land acquired hereunder to be under the management and control of the Conservation Commission, or act on anything relative thereto.

Submitted by the Conservation Commission.



Conservation Commission Report: (Mr. Frank Morrison) The property consists of twenty-nine acres of wetland in the Sudbury River Flood Plain and is presently owned by the Congregational Church. It is just above the end of the passover south of Route 20 and the B & M tracks to the west of Landham Road. It is adjacent to fifty-nine acres now owned by the Sudbury Valley Trustees and the Town-owned Raymond Land along the brook.

This property represents the first land purchase under the recently published and approved Open Space and Recreation Plan. It is typical of the type of wetland the Town should preserve for conservation purposes.

The purpose of this land is to insure the preservation of twenty-nine acres of flood plain so that it will continue to perform the natural function it has always served.

The price indicated in the article is \$173.00 per acre. With 50% reimbursement, which requires approval of this Town Meeting, the ultimate cost to the Town will be only \$2,500.00, or about \$86.00 per acre. The land is not on the tax rolls, so that no tax revenue will be lost when purchased. Very little of the land acquired for conservation purposes is purchased at this price.

A preliminary request for state reimbursement has been submitted to the Department of Natural Resources based upon our Open Space Plan, and a final request will be submitted if this article is passed.

Finance Committee Report: The Finance Committee supports this article. There are ample funds available for its purchase. It should be noted that half of the purchase price will be returned to the Town by the state, but nevertheless the full amount must be appropriated.

Long Range Capital Expenditures Committee Report: (Mrs. Marjorie Huse) The Long Range Capital Expenditures Committee is in favor of this use of the Conservation Fund.

Mr. Ray C. Ellis moved to amend the Conservation Commission's motion by changing \$5,000.00 to \$12,000.00, and stated that he believed that the Congregational Church could have obtained a substantially larger amount of money for this land if it had gone shopping. He would like to see kindness repaid with kindness. This would bring the cost to the Town to \$205 an acre.

The amendment was defeated.

UNANIMOUSLY VOTED: THAT THE TOWN AUTHORIZE AND EMPOWER THE SELECTMEN, UPON THE WRITTEN REQUEST OF THE CONSERVATION COMMISSION, UNDER THE PROVISIONS OF GENERAL LAWS, CHAPTER 40, SECTION 8C, AS AMENDED, TO ACQUIRE IN FEE SIMPLE, BY PURCHASE OR BY EMINENT DOMAIN, FOR CONSERVATION PURPOSES, THE FOLLOWING DESCRIBED PARCEL:

SITUATED IN SUDBURY AND LOCATED TO THE SOUTH OF THE B & M TRACKS AND TO THE WEST OF LANDHAM ROAD: CONSISTING OF APPROXIMATELY 29 ACRES; SHOWN ON A PLAN ENTITLED: "PLAN OF LAND SUDBURY MASSACHUSETTS CONSERVATION LAND TO BE PURCHASED FROM THE SUDBURY CONGREGATIONAL CHURCH", BY GEORGE D. WHITE, TOWN ENGINEER, A COPY OF WHICH IS ON FILE IN THE TOWN CLERK'S OFFICE AND INCORPORATED HEREIN BY REFERENCE; OWNED IN WHOLE OR IN PART BY THE SUDBURY CONGREGATIONAL CHURCH;

AND TO APPROPRIATE AND TRANSFER FROM THE CONSERVATION FUND THEREFOR, AND ALL EXPENSES IN CONNECTION THEREWITH, THE SUM OF \$5,000.00, WITH ALL THE LAND ACQUIRED HEREUNDER TO BE UNDER THE MANAGEMENT AND CONTROL OF THE CONSERVATION COMMISSION.

Article 27: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$40,000.00, or any other sum, to be expended under the direction of the Board of Selectmen, to complete the aerial survey program voted under Article 5 of the Special Town Meeting of October 26, 1970, or act on anything relative thereto.

Submitted by the Board of Selectmen and the Planning Board

Board of Selectmen, Planning Board and Conservation Commission Joint Report:
(Mr. John Taft)

There have been some white crosses recently painted on the roads in Town. These are the result of field survey work that has already been performed and are in preparation for the aerial photography which is due to take place in Sudbury next week. At the meeting of October 26th last fall, the Town appropriated \$20,000.00 to initiate the aerial survey program in Sudbury. The reason for that appropriation was so that we could have the field survey work and the aerial photography done this spring before the leaves came out and while the water level in the brooks was still fairly high. We informed the Town at that time that the estimated total cost would be about \$85,000.00, based upon estimates from two different contractors, and that we would be back this spring for an additional \$65,000.00 to complete the program.

Shortly after the Town appropriated the \$20,000.00, we proceeded to meet with, evaluate and negotiate with several vendors, and the price came down considerably from the \$85,000.00 figure.

The program that we eventually settled on is what is called ortho-photo-maps. This is actually an aerial photograph that has been corrected so that it looks as though it was taken over the point being looked at on the photograph. They will be maps with a scale of one inch equals one hundred feet, the accuracy within 1/40th of an inch, or plus or minus two and one-half feet. We will have a separate set of topographic maps with contour intervals of two feet, with 90% of all contour points within plus or minus one foot.

We see the program as three phases. The first was the ground surveying and aerial photography for which the Town has already voted \$20,000.00. Raytheon Company in Sudbury has agreed to do phase one and phase two, the photography, ground surveying, and the map compilation. The items we thought would cost the Town \$85,000.00, they have now agreed to do for \$50,000.00, giving the Town an excellent arrangement.

The third phase of the program is the property description work to lay out on the maps the individual lot lines of the 4,600 parcels owned by various people in Sudbury. We had originally intended to have the Town Engineer's office handle this, but the Finance Committee decided this year to put the clamp on any type of hiring. We could still have the Engineer's office do the work, but it would probably take about two man-years. We feel that there is value in getting it done sooner and in placing part, if not all, of the work outside. We have already had an estimate on the property description work for \$20,000.00, and we believe we can get it done for less.

We are proposing a total program for \$70,000.00. We have already voted \$20,000.00, and are asking for \$50,000.00 under this article.

The Town will have an excellent set of maps when the project is completed. The maps will be used by virtually every agency in Town. The Park and Recreation Commission is looking for new park sites. The Conservation Commission will find it useful in evaluating land that should be included with the conservation work. Flood Plain Zones require this kind of map. The Assessors require accurate information of this sort for determination of land sizes. They get a lot of abatements from people who claim to have marshland and that will show up very well on this kind of aerial map.

Also, we believe that a goodly number of townspeople will probably want copies of the plate on which their own property is located, and we intend to make them available at a nominal charge.

We encourage your support of the motion of \$50,000.00 on behalf of the Selectmen, the Planning Board and the Conservation Commission.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee supports this article and concurs with the report of the Selectmen, the Planning Board and the Conservation Commission. Last year at the Special Town Meeting when we voted the \$20,000.00 for the flying part of this project, it was clearly pointed out that this article would be coming along this year. It was strongly suggested that if there were any doubts about support of this article, the \$20,000.00 should not have been voted last year.

At the regular Town Meeting last year, much to the objection of the Finance Committee, the Town did vote \$5,000.00 for the aerial survey of Hop Brook for the Conservation Commission. Our objection at that time was based on the fact that we had anticipated this article being presented at this Town Meeting.

If this article is defeated, in order to complete the Flood Plain Zoning, the Conservation Commission will come in every year for another amount of money. It could be \$10,000.00 every year, or \$20,000.00 every year. Therefore, the ultimate cost of these plans could exceed \$120,000.00 if this article is defeated.

We urge you to support it.

Long Range Capital Expenditures Committee Report: (Mr. Robert Vannerson) This article is in accordance with the plan and at \$20,000.00 less than that submitted. Our committee favors passage of this article.

After discussion, it was

VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER FROM FREE CASH \$50,000.00 TO BE EXPENDED UNDER THE DIRECTION OF THE BOARD OF SELECTMEN TO COMPLETE THE AERIAL SURVEY PROGRAM VOTED UNDER ARTICLE 5 OF THE SPECIAL TOWN MEETING OF OCTOBER 26, 1970.

Article 28: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$5,000.00, or any other sum, to be expended under the direction of the Board of Assessors for the purpose of printing a Valuation List of the Town, or act on anything relative thereto.

Submitted by the Board of Assessors.

Mr. John Bartlett, an Assessor, moved that the Town raise and appropriate \$4,000.00 to be expended under the direction of the Board of Assessors for the purpose of printing a valuation list of the Town.

Board of Assessors Report: (Mr. Bartlett) We have gone through a professional revaluation this past year. The last time we printed a valuation book was in 1966. It seemed appropriate that we put in this article in case the townspeople wanted a new book based upon the new valuations.

If the Town votes it, the proposal is to have it printed after the 1971 tax roll in which we have had to make a number of adjustments. We also propose to mail a copy to each householder as we have in the past.

Finance Committee Report: The Finance Committee believes that action to print a Valuation List should be postponed during the period immediately following revaluation while valuations are being adjusted. The Finance Committee recommends against this article.

Mr. Julius Rarus further reported to the meeting for the Finance Committee as follows: At the time the Finance Committee had its hearing on this article, we received the distinct impression that the Board of Assessors was not really too interested in pushing this article. We get the feeling that there is not any clear and present need for a publication of this type at this time.

There are several dozen abatements pending. We think this article should not be approved and perhaps reconsidered at another time.

Mr. Bartlett's motion to appropriate \$4,000.00 was defeated. In Favor - 220; Opposed - 238. (Total - 458)

The following resolution in memory of Carlton W. Ellms, presented by Mr. Forrest D. Bradshaw, was

UNANIMOUSLY VOTED:

WHEREAS THE CITIZENS BEING IN TOWN MEETING ASSEMBLED, I HAVE THE UNPLEASANT DUTY TO INFORM YOU OF THE SUDDEN DEATH OF CARLTON WARREN ELLMS ON APRIL 12th, 1971.

WHEREAS MR. ELLMS WAS BORN IN SUDBURY, JANUARY 4th, 1891, THE SON OF ASAHEL F. AND EMMA AUGUSTA (MOORE) ELLMS.

WHEREAS ON JUNE 24th, 1909, MR. ELLMS WAS ONE OF A CLASS OF TWO PUPILS WHO GRADUATED FROM THE SUDBURY HIGH SCHOOL. IN 1914 HE GRADUATED FROM TUFTS COLLEGE WITH A DEGREE IN ELECTRICAL ENGINEERING. HE WAS ACTIVE IN SEVERAL SPORTS AND HAD THE HONOR OF BEING CHOSEN FOR MANY YEARS AS A GUARD ON THE TUFTS' ALL-TIME FOOTBALL TEAM. HE DEDICATED A GREAT DEAL OF HIS TIME TO THE ACTIVITIES OF THE APPALACHIAN MOUNTAIN CLUB.

WHEREAS MR. ELLMS WAS A CAPTAIN OF THE SUDBURY COMPANY OF THE MASSACHUSETTS STATE GUARD FOR A PORTION OF ITS EXISTENCE DURING WORLD WAR II.

WHEREAS MR. ELLMS SERVED THE TOWN OF SUDBURY FOUR TERMS AS A SELECTMEN (1925 TO 1930), THE BOARD OF APPEALS (1940 TO 1946) AND THE FINANCE COMMITTEE (1956 TO 1965). HE ALSO SERVED THE TOWN OF SUDBURY IN MANY UNOFFICIAL CAPACITIES AND IN SO DOING, SET AN EXAMPLE FOR MANY TO FOLLOW. BE IT HEREBY

RESOLVED THAT THE TOWN OF SUDBURY HEREBY EXTEND TO MRS. CARLTON W. ELLMS AND HIS FAMILY ITS SINCERE SYMPATHY AND TO EXPRESS THEIR APPRECIATION FOR THE HIGH STANDARD OF CITIZENSHIP WHICH HE REPRESENTED.

The following resolution in memory of Mr. Lawrence B. Tighe, presented by Dr. Howard Emmons was

UNANIMOUSLY VOTED:

WHEREAS LAWRENCE B. TIGHE WAS A DEVOTED SERVANT AND DEDICATED 38 YEARS OF HIS LIFE TO THE TOWN OF SUDBURY, AND

WHEREAS HIS SERVICE INCLUDED 25 YEARS AS A SELECTMAN, 14 YEARS AS TOWN CLERK, A MEMBER OF THE FINANCE COMMITTEE FROM 1933 TO 1936, VETERANS AGENT FROM 1948 TO 1964, A MEMBER OF THE FIRE DEPARTMENT FROM 1931 TO 1958, AND

WHEREAS HE RETIRED IN MARCH OF 1968 TO ENJOY THE LEISURE OF HIS SECOND HOME IN VERMONT, AND

WHEREAS LAWRENCE B. TIGHE PASSED AWAY ON MARCH 17, 1971, NOW, THEREFORE, BE IT

RESOLVED THAT WE, HIS FELLOW CITIZENS OF THE TOWN OF SUDBURY IN ANNUAL TOWN MEETING HERE ASSEMBLED THIS 14th DAY OF APRIL 1971, EXPRESS OUR APPRECIATION FOR HAVING KNOWN AND WORKED WITH LAWRENCE B. TIGHE, AND BE IT FURTHER

RESOLVED THAT THIS RESOLUTION BE ENTERED INTO THE PERMANENT RECORDS OF THE TOWN, AND THE TOWN CLERK IS DIRECTED TO CONVEY A COPY OF THE SAME TO MRS. LAWRENCE B. TIGHE AS AN EXPRESSION OF THE SYMPATHY OF THE TOWN OF SUDBURY.

Article 29: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$18,000.00, or any other sum, to be expended under the direction of the Selectmen for the purchase of an ambulance and to authorize the Selectmen to make application to the proper State or Federal agency for reimbursement of any part of the funds therefor and to accept such assistance, or act on anything relative thereto.

Submitted by the Board of Selectmen.

Dr. Howard Emmons moved that the Town raise and appropriate \$13,500.00 to be expended under the direction of the Selectmen for the purchase of an ambulance and to authorize the Selectmen to make application to the proper state or federal agency for reimbursement of any part of the funds thereof and to accept such assistance with the acquisition to be subject to the requirement of public bids and with the terms of the bid providing for the posting of a suitable performance bond or certified check to guarantee performance under the bid.

Board of Selectmen Report: (Dr. Emmons) The Selectmen believe that the Town of Sudbury has grown to the size where we should take a serious look at our safety procedures and in particular to improve our safety procedures with respect to handling of injured and ill emergency cases.

At the present time the Police run ambulance service in emergencies using patrol cars. These are anything but satisfactory. They are better than nothing, but they cannot be kept in a sanitary condition and have only the barest of medical facilities.

We propose that we purchase an ambulance which would be properly certified and have the appropriate equipment. It would be operated by our local Firemen who would have special training for the purpose but who would not be medical personnel. We would not propose to purchase all the possible gimmicks and gadgets that would be needed if it were operated by medical personnel.

The amount in the motion is different from that in the article. The amount in the Warrant was based upon what Concord paid recently to purchase a new ambulance. However, Concord purchased a new Cadillac, and we see no need to purchase a car of that elaboration. We think that a Ford, Chevy or International could provide quite adequate transportation.

We had difficulty in determining what price we should put down. We finally found a company which would supply us with detailed prices of the various parts that might be needed. The Special Committee of the Fire Department, with some help from the local doctors, added up the various parts it felt were needed to come up with the figure requested.

The ambulance would be housed in one of the fire stations, and it is fairly common for Fire Departments to operate ambulances. Since we are in a period of rising crime and have had difficulty maintaining an adequate Police force, the transfer, in our opinion, from the Police Department to the Fire Department is timely.

Having the Fire Department operate the ambulance would decrease the fire service to some extent if the present personnel were used for this purpose. This required careful consideration. The ambulance would have been used 297 times last year, a little less than once a day. Roughly it takes an hour to go to a nearby hospital and return, so that about an hour per day would be needed to take care of the ambulance service.

At the south station, where the ambulance would be housed, there were 183 calls of all types last year, 21 being house fires, 45 grass and brush fires. About 25% of the calls were for such services as pumping cellars, filling swimming pools, rescuing cats from trees, etc.

The question is whether or not you want this interference with the Fire Department. The Firemen clearly are not in favor of it, but they have agreed to operate the ambulance in the manner proposed. The number of interferences with an ambulance once a day, a fire or other activity every other day, would be very low indeed, and special arrangements would have to be made when there was a conflict. We would occasionally have to use a patrol car as is now done.

The purchase of an ambulance would have to be by bid. We would work out the details of exactly what should be purchased with the Fire Department Ambulance Committee and the doctors who have special knowledge in this field. The ambulance would have to be operated by two trained persons, the training taking about one week. We would need to train seven persons so that there would be two persons available at all times for this service.

The transfer of the ambulance in this fashion would improve the ambulance service and safety in handling injured persons in emergencies. It would also permit us to have better service by Policemen now being required to leave the Town when carrying persons to the hospital.

Finance Committee Report: (Mr. Julius Rarus) We would like to call to the attention of the Town certain additional thoughts which we raised at the time of the original hearing on this article. At that time, many questions were raised by the Finance Committee to which we were unable to get answers. That evening there were two Firemen present, and they also raised some interesting questions, the answers to which were not readily forthcoming.

We had hoped that the proponents of the article would be better prepared to tell us exactly what the total cost of this project would be. All we hear is that the ambulance itself would cost \$13,500.00. This is not a one-time proposition. We should really study the annual expense of this program.

It is our understanding in talking with certain of the interested parties that it will take at least four new firemen on the payroll to properly service a program of this type.

There are unanswered questions about the cost of the training and whether the Firemen are going to be sent away or trained here.

We believe that there is too much of a financial iceberg for us to vote this article at present. We would be the first to support it if we were convinced we could give you a total picture of all of the costs and not just part of the program.

We urge you by your vote to suggest to the Selectmen that we are all in favor of an ambulance service but not in an article that is so poorly drawn.

Long Range Capital Expenditures Committee: (Mr. Robert Vannerson) The Long Range Capital Expenditures Committee is only commenting on the one-time cost of the ambulance. This expenditure was included in the long-range plan for next year in the amount of \$16,000.00. We recommend that the purchase be postponed until 1972 in accordance with the plan.

After discussion, the Selectmen's motion was defeated.

Article 30: To see if the Town will vote to accept any one or more of the gifts of land, interest in land or easements, for conservation, drainage, highway, slope and/or walkway purposes listed below:

- A. Conveyances of a portion of the fee and walkway easements over portions of BUTLER PLACE, as shown on a plan entitled: "Town of Sudbury Massachusetts Plan Showing Layout of Butler Place", dated: July 28, 1970, by George D. White, Town Engineer.

- B. A certain parcel of land situated on the northerly side of NORTH ROAD in Sudbury, Mass. bounded and described as follows:

Beginning at the southwesterly corner of the granted premises on the northerly side of North Road and at land of Richard A. Campana; thence N. 40° 43' 00" E. 11.40 feet to other land of the grantor; thence by land of said grantor S. 38° 34' 40" E. 70.69 feet to the northerly side of North Road; thence N. 46° 41' 20" W. 79.35 feet by said North Road to the point of beginning.

Said parcel containing 452 square feet more or less.

- C. A certain parcel of land situated on the northerly side of NORTH ROAD in Sudbury, Mass. bounded and described as follows:

Beginning at the southeasterly corner of the granted premises on the northerly side of North Road and at land of Robert L. Westfield; thence by the northerly side of North Road N. 46° 41' 20" W. 46.09 feet and N. 25° 58' 40" W. 81.14 feet to other land of the grantor; thence by said other land of the grantor S. 38° 34' 40" E. 122.68 feet to land of Robert L. Westfield; thence by land of said Westfield S. 40° 43' 00" W. 11.40 feet to the point of beginning.

Said parcel containing 896 square feet more or less,

or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report:

A. This article completes the land acquisition for the construction of this portion of the Town's long range walkway program.

B. and C. This article permits the Town to accept these easements given by the owners for the purpose of easing a dangerous curve on North Road.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee supports this article.

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE GIFTS OF LAND, INTERESTS IN LAND AND EASEMENTS FOR DRAINAGE, HIGHWAY AND WALKWAY PURPOSES LISTED UNDER ARTICLE 30 IN THE WARRANT FOR THIS MEETING.

The Moderator announced that before proceeding to Article 31 he would recognize Mr. Thomas Gallagher for the purpose of a resolution in connection with Articles 31 and 32.

Mr. Gallagher then presented his resolution (see page 92) and in its support stated as follows: The Highway Commission is proposing a forty foot right of way, a twenty-two foot paved or traveled way, and a walkway on the north side of both Pratt's Mill and Old Lancaster Roads.

We feel that it is entirely consistent with the plan of highways to have the requested twenty foot width apply to the entire length of Pratt's Mill Road. We do not wish to obstruct the improvement of these roads. Everyone will agree that Pratt's Mill Road is in dire need of improvement.

We are very much in favor of the walkway, and we accept the forty foot right of way despite the fact that it will require substantial land takings in many cases. This taking will also cause a non-conformity with the front yard zoning set-back requirements in many cases.

What we object to is the proposed width of twenty-two feet. We wish to prevent the attraction of through and commercial traffic on these roads which were never intended to carry those types of traffic. We are attempting to preserve the residential character of our roads.

That portion of Peakham Road which was reconstructed in 1969 connects Pratt's Mill and Old Lancaster Roads. Immediately after the vote on Peakham Road in 1966 a resolution very similar to the one before you was also approved by the Town Meeting. We are asking for the same kind of resolution, a limitation of twenty feet on the paved width of the roads involved. Most people in Town agree that the Highway Commission did a very nice job with the reconstruction of Peakham Road. It is very adequate for vehicles to pass, including school buses, trucks, etc. There is also no evidence that any breakdown or any excessive wear has occurred on this street.

It should be noted that the Planning Board, in a November, 1970 revision of its rules and regulations, changed the requirement of a twenty-four foot paved way in subdivisions to a twenty foot pavement where there is a sidewalk or walkway. There is a walkway planned for both Pratt's Mill and Old Lancaster Roads.

We think our position on this resolution is very reasonable and urge your support.

Planning Board Report: (Mr. Richard Brooks) The Planning Board has taken a position in favor of the resolution. We have consistently, over a number of years, pushed for the twenty foot paved width with hard shoulders beyond the pavement provided that a walk had been provided.

The subdivision rules and regulations have required twenty-four feet of pavement for some years. Recently we have requested developers on certain streets which are main through streets to build walks in them. In a number of areas we requested them to build the road to a twenty foot width and put the walk in a rambling fashion somewhere along the edge.

The reason for the rules and the reason that this resolution makes sense is that highways at this width tend to be less high speed and more in the nature of a rural highway. This provides a better atmosphere.

Highway Commission Report: (Mr. Anthony Galeota) This resolution has been proposed by certain abutters of Old Lancaster and Pratt's Mill Roads. Their resolution has been precipitated by a difference of their opinions relative to what makes a road safe and a position taken by the Highway Commission after long arduous hours of sifting through technical information, an evaluation of the ecological changes due to road reconstruction, an awareness of the rural environment every one of us on the Commission is trying to preserve, and the impact of the proposed construction on the abutters.

The position of the Commission has been to provide a modest twenty-two foot paved surface on both streets. This was an official vote of the Commission filed at the public hearing on March 17th.

Subsequent to the hearing, during which we explained every detail available to us, we were asked to meet with a representative body from the area in question. We did so and once again explained how we arrived at the twenty-two foot width. After listening to the presentation made by the abutters, the Commission voted once again unanimously not to reduce the width of twenty-two feet.

It was apparent from the presentation that the representative group's objection to our proposal was based upon a supposition that increased pavement width increases speed and is thereby less safe.

Last year we met with the abutters from the east end of Pratt's Mill Road. They were interested primarily in the aesthetic value of narrow roads. After lengthy discussion with the abutters, a maximum width of twenty-three feet of black was established, both parties agreeing. This included one and one-half feet of black curbing on one side, six inches on the other, and twenty-one feet of actual traveling way.

The recommended width for pavement on a rural road is twenty-six feet. The reasons are to allow sufficient space between a school bus and a truck, or between two school buses, even though they can physically fit into a much narrower pavement.

It is a proven fact that people tend to stay a minimum of two feet from the edge of a pavement where sand is on the edge of the road. This is a psychological barrier produced by the change in color from black pavement to sand. The minimum necessary in order to pass is four feet.

We of the Highway Commission decided that we did not want this particular arrangement and that we ought to compromise. We decided to take a standard sedan and a school bus and allow a two foot shoulder on the edge of the pavement, a three and one-half foot width between the vehicles, and a two foot width on the other side. This forces either one of the vehicles when they are passing or coming in opposite directions to crowd the shoulder. We have a one foot shoulder left. This one foot is extremely necessary to keep the road from breaking down. Water gets under the edge of the pavement and causes deterioration of the roads.

The Highway Commission walked both of the streets in question after we had a preliminary plan drawn by the Engineering Department. We requested many changes because we were concerned with very large beautiful trees, natural landmarks, stone fences and the proximity of the proposed pavement to homes. We agreed unanimously on two occasions that we have achieved a good balance between the rural environment, a minimum ecological change, respect for abutters' properties, technical data which we cannot ignore, and, perhaps most important, the safety of abutters and every other citizen in Sudbury who uses the roads.

We have been unable to find any substantiation for the allegations of the proponents of this petition that wider pavements on rural roads are less safe than narrow ones. The causes for higher accident rates on rural roads are documented, and are poor alignment, both horizontal and vertical, loss of vehicle control caused by bumpy surfaces and soft shoulders. Half of the accidents in Sudbury last year were of the type where vehicles left the pavement.

Peakham Road was a trial run on the twenty foot pavement. It was recently measured and was found to be between twenty and twenty-one and one-half feet, more often twenty-one and one-half feet. There were no less than six areas where the edges of the pavement have already begun to deteriorate only after two years.

Actually, no abutter will ever know, once the pavement is in place, whether it is twenty, twenty-one, and twenty-two feet. But all of us will know within five short years when the Commission will have to ask for money to correct the deterioration we now see on Peakham Road and that you will find on a twenty foot Pratt's Mill and Old Lancaster Roads.

The Commission has been provided with no facts to support the concern of the abutters, only speculations. All the data we have been able to accumulate and digest has guided the Commission to a twenty-two foot width. We ask that you help the Commission perform its responsibility to the entire community by considering this resolution extremely carefully.

After considerable discussion, it was

VOTED:

WHEREAS IT IS IMPORTANT THAT THE HIGHWAY COMMISSION CONTINUE ITS LONG RANGE PROGRAM TO IMPROVE THE ROADS OF SUDBURY TO PROVIDE FOR NECESSARY TRAFFIC FLOW AND SAFETY CONSIDERATIONS CONSISTENT WITH THE PRESERVATION OF SUDBURY'S NATURAL BEAUTY, AND

WHEREAS IT IS ALSO IMPORTANT TO MAINTAIN THE RESIDENTIAL AND SOMEWHAT RURAL CHARACTER OF THE ROADS OF SUDBURY AND PROVIDE MINIMAL RISK OF DANGER AND DISTRACTION TO THE RESIDENTS MOST DIRECTLY AFFECTED BY IMPROVED ROADS; IT IS THEREFORE

RESOLVED THAT IT IS THE WISH AND DIRECTION OF THE PEOPLE OF THE TOWN OF SUDBURY IN TOWN MEETING ASSEMBLED, THAT THE PROPOSED RECONSTRUCTION AND RELOCATION OF THAT PORTION OF OLD LANCASTER ROAD, SHOWN ON A PLAN REFERRED TO IN ARTICLE 31 OF THE WARRANT, AND ALL OF PRATT'S MILL ROAD, BE LIMITED IN PAVED AREA TO A WIDTH NO GREATER THAN TWENTY (20) FEET, EXCEPT IN THOSE SPECIFIC LOCATIONS WHERE SPECIAL ENGINEERING REQUIREMENTS MAKE IT NECESSARY TO DEPART FROM THIS BASIC WIDTH.

Article 31: To see if the Town will vote to accept the alteration and relocation of a portion of Old Lancaster Road, from Peakham Road to Concord Road, as altered, relocated and laid out by the Highway Commissioners, in accordance with the description and plan now on file in the Town Clerk's office; to authorize the acquisition, by purchase, by gift or by a taking by eminent domain, of the property shown on said plan, in fee simple or any easements or other rights therein; and to raise and appropriate, or appropriate from available funds, therefor, and all expenses in connection therewith, a sum of money, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report: This article is submitted in accordance with our long-range plan for the rehabilitation of roads, and will facilitate future relocation and reconstruction of this portion of Old Lancaster Road.

Mr. Edward Hughes further reported to the meeting for the Highway Commission as follows:

We plan to install drainage, construct a new road surface, and add a walkway in either the year 1972 or 1973.

Finance Committee Report: The Finance Committee recommends approval. Funds are necessary for land taking on roads planned for construction during 1972 and 1973. These are Old Lancaster Road from Peakham to Concord and the balance of Pratt's Mill Road from Willow Road to Dutton Road. Both of these roads are part of the long range highway project plan.

Planning Board Report: (Mr. Paul McNally) The Planning Board favors passage of this article.

After discussion, Mrs. Harris moved to amend by inserting after the words, "Town Clerk's office", the words, "with the exception of the width of the paved area which shall be twenty rather than twenty-two feet".

After further discussion, the amendment was voted: In Favor - 154; Opposed - 103.

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE ALTERATION AND RELOCATION OF A PORTION OF OLD LANCASTER ROAD FROM PEAKHAM ROAD TO CONCORD ROAD, AS ALTERED, RELOCATED AND LAID OUT BY THE HIGHWAY COMMISSIONERS, IN ACCORDANCE WITH THE DESCRIPTION AND PLAN NOW ON FILE IN THE TOWN CLERK'S OFFICE WITH THE EXCEPTION OF THE WIDTH OF THE PAVED AREA WHICH SHALL BE TWENTY RATHER THAN TWENTY-TWO FEET, TO AUTHORIZE THE ACQUISITION, BY PURCHASE, BY GIFT OR BY A TAKING BY EMINENT DOMAIN, OF THE PROPERTY SHOWN ON SAID PLAN, IN FEE SIMPLE OR ANY EASEMENTS OR OTHER RIGHTS THEREIN; AND APPROPRIATE AND TRANSFER FROM FREE CASH \$6,000.00 THEREFOR, AND ALL EXPENSES IN CONNECTION THEREWITH.

The Moderator announced that Article 32 was very closely related to Article 31 and that by a two-thirds vote the meeting could remain in session. He then asked for such a vote.

UNANIMOUSLY VOTED: TO REMAIN IN SESSION FOR THE PURPOSE OF CONSIDERING ARTICLE 32.

Article 32: To see if the Town will vote to accept the alteration and relocation of a portion of Pratt's Mill Road from Willow Road to Dutton Road, as altered, relocated and laid out by the Highway Commissioners, in accordance with the description and plan now on file in the Town Clerk's office; to authorize the acquisition, by purchase, by gift or by a taking by eminent domain, of the property shown on said plan, in fee simple or any easements or other rights therein; and to raise and appropriate, or appropriate from available funds, therefor, and all expenses in connection therewith, a sum of money, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report: This article is submitted in accordance with our long-range plan for the rehabilitation of roads, and will facilitate future relocation and reconstruction of this portion of Pratt's Mill Road.

Finance Committee Report: The Finance Committee recommends approval. Funds are necessary for land taking on roads planned for construction during 1972 and 1973. These are Old Lancaster Road from Peakham to Concord and the balance of Pratt's Mill Road from Willow Road to Dutton Road. Both of these roads are part of the long range highway project plan.

Planning Board Report: (Mr. Paul McNally) The Planning Board favors passage of Article 32.

The amendment passed under Article 31 was moved under Article 32.

Mr. Gallagher was recognized and asked if another amendment would be in order. The Moderator stated that the first amendment would be taken up and disposed of and then Mr. Gallagher would be allowed to make his amendment.

Mr. Gallagher stated that the amendment he intended to make was similar to that under consideration but that he thought it was in a more appropriate language.

After a short discussion, the amendment was defeated.

Mr. Gallagher then moved to add at the end of the motion under Article 32 the following: "provided, however, that the paved area of said Pratt's Mill Road be limited to a width no greater than twenty feet except in those specific locations where special engineering requirements make it necessary to depart from this basic width".

After further discussion, Mr. Gallagher's amendment was voted by a majority.

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE ALTERATION AND RELOCATION OF A PORTION OF PRATT'S MILL ROAD FROM WILLOW ROAD TO DUTTON ROAD, AS ALTERED, RELOCATED AND LAID OUT BY THE HIGHWAY COMMISSIONERS, IN ACCORDANCE WITH THE DESCRIPTION AND PLAN NOW ON FILE IN THE TOWN CLERK'S OFFICE; TO AUTHORIZE THE ACQUISITION BY PURCHASE, BY GIFT OR BY A TAKING BY EMINENT DOMAIN, OF THE PROPERTY SHOWN ON SAID PLAN, IN FEE SIMPLE OR ANY EASEMENTS OR OTHER RIGHTS THEREIN; AND APPROPRIATE AND TRANSFER FROM FREE CASH \$13,000.00 THEREFOR, AND ALL EXPENSES IN CONNECTION THEREWITH, PROVIDED, HOWEVER, THAT THE PAVED AREA OF SAID PRATT'S MILL ROAD BE LIMITED TO A WIDTH NO GREATER THAN TWENTY FEET EXCEPT IN THOSE SPECIFIC LOCATIONS WHERE SPECIAL ENGINEERING REQUIREMENTS MAKE IT NECESSARY TO DEPART FROM THIS BASIC WIDTH.

The meeting adjourned at 11:29 P.M.

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 20, 1971

The Moderator called the meeting to order at 8:30 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He announced that a quorum was not present and that the meeting was adjourned until tomorrow night, April 21, 1971, at 8 o'clock P.M. in this hall.

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 21, 1971

The Moderator called the meeting to order at 8:28 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

Article 33: To see if the Town will vote to discontinue a portion of the turnaround on Winsor Road, shown on the plan entitled: "Town of Sudbury Massachusetts Plan Showing Abandonment of Portion of Winsor Road", dated: September 9, 1970, by George D. White, Town Engineer, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report: This portion of land was originally used as a turn-around for vehicles at a time when Winsor Road was a dead-end street. Since that time Winsor Road has been extended and is currently a throughway between Old Lancaster Road and Singletary Lane. Therefore, the need for a turn-around has been eliminated.

Planning Board Report: (Mr. Paul McNally) The Planning Board favors passage of this article.

Finance Committee Report: The Finance Committee recommends approval. Turn-around is now unnecessary since Winsor Road has been continued.

UNANIMOUSLY VOTED: THAT THE TOWN DISCONTINUE A PORTION OF THE TURNAROUND ON WINSOR ROAD, SHOWN ON A PLAN ENTITLED: "TOWN OF SUDBURY MASSACHUSETTS PLAN SHOWING ABANDONMENT OF PORTION OF WINSOR ROAD", DATED: SEPTEMBER 9, 1970, BY GEORGE D. WHITE, TOWN ENGINEER, A COPY OF WHICH IS ON FILE IN THE TOWN CLERK'S OFFICE, WHICH PLAN IS INCORPORATED HEREWITH BY REFERENCE.

Article 34: To see if the Town will vote to accept the layout of Harness Lane, as laid out by the Highway Commissioners, in accordance with the description and plan now on file in the Town Clerk's office; to authorize the acquisition, by purchase, by gift or by a taking by eminent domain, of the property shown on said plan, in fee simple or any easements or other rights therein; and to raise and appropriate, or appropriate from available funds, therefor, and all expenses in connection therewith, the sum of \$100.00, or any other sum, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report: This article is submitted to accept a street that has been built by a developer under sub-division control law. The street has been completed and the Highway Commission has held public hearings on the layout as a public way on March 17, 1971.

Planning Board Report: (Mr. Paul McNally) The Planning Board favors passage of this article.

Finance Committee Report: The Finance Committee recommends approval. All necessary requirements have been fulfilled warranting such acceptance.

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE LAYOUT OF HARNESS LANE, AS LAID OUT BY THE HIGHWAY COMMISSIONERS, IN ACCORDANCE WITH THE DESCRIPTION AND PLAN NOW ON FILE IN THE TOWN CLERK'S OFFICE; TO AUTHORIZE THE ACQUISITION, BY PURCHASE, BY GIFT OR BY A TAKING BY EMINENT DOMAIN, OF THE PROPERTY SHOWN ON SAID PLAN, IN FEE SIMPLE OR ANY EASEMENTS OR OTHER RIGHTS THEREIN; AND TO RAISE AND APPROPRIATE THEREFOR, AND OTHER EXPENSES IN CONNECTION THEREWITH, THE SUM OF \$100.00.

Article 35: To see if the Town will vote to accept the layout of Windmill Drive, as laid out by the Highway Commissioners, in accordance with the description and plan now on file in the Town Clerk's office; to authorize the acquisition, by purchase, by gift or by a taking by eminent domain, of the property shown on said plan, in fee simple or any easements or other rights therein; and to raise and appropriate, or appropriate from available funds, therefor, and all expenses in connection therewith, the sum of \$100.00, or any other sum, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report: This article is submitted to accept a street that has been built by a developer under sub-division control law. The street has been completed and the Highway Commission has held public hearings on the layout as a public way on March 17, 1971.

Planning Board Report: (Mr. Paul McNally) The Planning Board favors passage of this article.

Finance Committee Report: The Finance Committee recommends approval. All necessary requirements have been fulfilled warranting such acceptance.

UNANIMOUSLY VOTED: THAT THE TOWN ACCEPT THE LAYOUT OF WINDMILL DRIVE, AS LAID OUT BY THE HIGHWAY COMMISSIONERS, IN ACCORDANCE WITH THE DESCRIPTION AND PLAN NOW ON FILE IN THE TOWN CLERK'S OFFICE; TO AUTHORIZE THE ACQUISITION, BY PURCHASE, BY GIFT OR BY TAKING BY EMINENT DOMAIN, OF THE PROPERTY SHOWN ON SAID PLAN, IN FEE SIMPLE, OR ANY EASEMENTS OR OTHER RIGHTS THEREIN; AND TO RAISE AND APPROPRIATE THEREFOR, AND ALL EXPENSES IN CONNECTION THEREWITH, THE SUM OF \$100.00.

Article 36: To see if the Town will vote to authorize and direct the Highway Commissioners to acquire, by purchase, by gift or by a taking by eminent domain, a twenty foot wide drainage easement, from West Street across Lot #62, shown on a plan entitled: "Town of Sudbury Massachusetts Plan Showing Drainage Easement Over Land of Phelan", dated: January 8, 1971, by George D. White, Town Engineer, a copy of which is on file in the Town Clerk's office, which plan is incorporated herein by reference, and to raise and appropriate, or appropriate from available funds, therefor, and all expenses in connection therewith, a sum of money, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report: The Highway Commission requests this drainage easement to make possible the installation of outlet pipe necessary for proposed drainage to be constructed on that portion of Pratt's Mill Road from Willow Road to Dutton Road, as recommended by the Town Engineer.

Planning Board Report: (Mr. Paul McNally) The Planning Board favors passage of this article.

Finance Committee Report: The Finance Committee concurs with the Highway Commission and urges passage of this article.

UNANIMOUSLY VOTED: THAT THE TOWN AUTHORIZE AND DIRECT THE HIGHWAY COMMISSIONERS TO ACQUIRE, BY PURCHASE, BY GIFT OR BY TAKING BY EMINENT DOMAIN A TWENTY FOOT WIDE DRAINAGE EASEMENT, FROM WEST STREET ACROSS LOT #62, SHOWN ON A PLAN ENTITLED: "TOWN OF SUDBURY MASSACHUSETTS PLAN SHOWING DRAINAGE EASEMENT OVER LAND OF PHELAN", DATED: JANUARY 8, 1971, BY GEORGE D. WHITE, TOWN ENGINEER, A COPY OF WHICH IS ON FILE IN THE TOWN CLERK'S OFFICE, WHICH PLAN IS INCORPORATED HEREWITH BY REFERENCE; AND TO RAISE AND APPROPRIATE THEREFOR, AND ALL EXPENSES IN CONNECTION THEREWITH, \$250.00.

Article 37: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$2,500.00, or any other sum, to be expended under the direction of the Board of Selectmen, representing the Town's share of a drainage project between Route 20 and Nobscot Road, to be performed by the Department of Public Works of Massachusetts, and to authorize the Selectmen to acquire, by gift, purchase or eminent domain, the necessary easements and rights of entry to private property to perform such work, or act on anything relative thereto.

Submitted by the Planning Board.

Planning Board Report: The Planning Board recommends approval of this article since this will assist the drainage of the general area and provides for 50% State aid per Chapter 91 funds. It is one step that has to be taken in order for the proper development of the Industrial Park and the land adjacent to Raytheon.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committee concurs with the report of the Planning Board and recommends passage of this article.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER \$2,500.00 FROM FREE CASH, TO BE EXPENDED UNDER THE DIRECTION OF THE BOARD OF SELECTMEN, REPRESENTING THE TOWN'S SHARE OF A DRAINAGE PROJECT BETWEEN ROUTE 20 AND NOBSCOT ROAD, TO BE PERFORMED BY THE DEPARTMENT OF PUBLIC WORKS OF MASSACHUSETTS, AND AUTHORIZE THE SELECTMEN TO ACQUIRE, BY GIFT, PURCHASE OR EMINENT DOMAIN, THE NECESSARY EASEMENTS AND RIGHTS OF ENTRY TO PRIVATE PROPERTY TO PERFORM SUCH WORK.

Article 38: To see if the Town will vote to assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws, as amended, for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tidewater, foreshores and shores along a public beach, including the Merrimack and Connecticut Rivers, in accordance with Section 11 of Chapter 91 of the General Laws, as amended, and authorize the Selectmen to execute and deliver a bond of indemnity therefor to the Commonwealth, or act on anything relative thereto.

Submitted by the Board of Selectmen.

Planning Board Report: This article is necessary in order to get the State Department of Public Works to perform the work outlined in Article 37.

The Planning Board recommends passage.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The words, "assume liability", in this article seem to us to be open ended, as it includes non-tidal rivers, streams, harbors, tidewater, foreshores and shores along public beaches, including the Merrimack and Connecticut Rivers. The Town of Sudbury should not undertake this complete liability.

Upon a motion made by Mr. Hunt, it was

VOTED: TO AMEND THE ARTICLE BY INSERTING FOLLOWING THE WORD "MASSACHUSETTS" THE WORDS, "UNDER ARTICLE 37 OF THIS WARRANT".

After considerable discussion, it was

VOTED: IN THE WORDS OF THE ARTICLE AS AMENDED.

Article 39: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$2,000, or any other sum, to be expended under the direction of the Planning Board and the Industrial Development Commission, for the purpose of planning the layout of traffic control and access roads to the Industrial Park, and the land adjacent to Raytheon from Nobscot Road and Route 20, or act on anything relative thereto.

Submitted by the Industrial Development Commission and the Planning Board.

Mr. Richard Brooks of the Planning Board moved that the Town raise and appropriate the sum of \$2,000.00 to be expended under the direction of the Planning Board and the Industrial Development Commission for the purpose of planning the layout of traffic control and access roads to the Industrial Park and the land adjacent to Raytheon from Codjer Lane and Route 20.

Planning Board Report: (Mr. Brooks) There has been a lot of discussion lately amongst our Board and the Industrial Development Commission and others in the Town about the traffic in the area from the railroad tracks where they cross Route 20 west of the area just west of Raytheon. We have a lot of interest in the State Department of Public Works in some sort of widening of Route 20 in that area to facilitate traffic going in and out of Raytheon and Star Market and up and down Nobscot Road. The money called for in this article would be to get professional assistance and engineering drawings on access to the land to the north of Codjer

Lane and to the Industrial Park District to the north of the Boston and Maine Railroad tracks. We have talked for years about access to the Industrial Park District, and there was a lot of discussion about it in connection with the proposed rezoning for RADIN (see Article 10) to build the shopping center. However, whether we have a shopping center in there, or whether we have an industrial development, some sort of improved access has to be worked out in order to make the land desirable.

As far as the work on Route 20 itself is concerned, the Town Engineer has done a proposed drawing for improving the traffic lanes. The Department of Public Works has this, and they are evaluating it, doing detailed traffic counts and studies. But we need money to plan for access to the north, between the north edge of Route 20 and the north edge of Codjer Lane where the Industrial Park District exists.

Finance Committee Report: (Mr. Phillips B. Hunt, Jr.) The Finance Committees agrees that some planning money should be appropriated or raised to study the roadway access to the Industrial Park, and therefore we support this article.

After discussion, upon a motion made by Mr. Hunt, it was

VOTED: TO AMEND THE MOTION BY CHANGING "RAISE AND APPROPRIATE" TO "RAISE AND TRANSFER FROM FREE CASH".

Mr. John C. Powers then moved to amend by increasing the sum of \$2,000.00 to \$20,000.00, and by adding that it will be expended under the direction of the Planning Board, the Industrial Development Commission and the Highway Commission.

After discussion, Mr. Powers' amendment was defeated.

The Planning Board's motion, as amended by the Finance Committee, was defeated.

Article 40: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$25,000.00, or any other sum, for the construction of a walkway along the existing right of way of Concord Road, from the Sudbury Common on the south to the Lincoln-Sudbury Regional High School on the north, a distance of approximately 6000 feet, more or less, or act on anything relative thereto.

Submitted by Ernest C. Bauder, member LSRHS Committee.

Petitioner's Report: The number of high school students walking to and from school via Concord Road is increasing. The pedestrian traffic is especially heavy between the high school and Featherland Park, where some physical education classes meet during the day. It is only a matter of time until some student is struck by a car.

The walkway proposed is part of the town-wide walkway system proposed by the Planning Board. This article seeks early implementation of this Concord Road walkway.

Mr. Bauder further reported to the meeting as follows: The amount of \$5,000.00 in the motion is essentially a down payment to proceed with the planning of this walkway. The subsequent funds are to be raised in 1972.

Approximately two years ago, the Planning Board developed a comprehensive walkway program, prepared a brochure and presented it to the Town. The proposed walkway is part of the program.

Walkways have several purposes: public convenience and safety, access to public centers such as schools, recreation centers to increase the flexibility of school programs, and to save money by eliminating school buses.

The cost would be about the same as estimated in 1969, about \$4.00 per lineal foot. Maintenance costs would be about seventeen and one-half cents per foot.

In 1969 school bus contracts were about \$4,500.00 per bus. Current contracts at the Regional are \$7,000.00, and these expire in 1973. The contracts made by other schools this year were about \$7,300.00. The cost of bussing is going up more rapidly than the cost of constructing walkways.

If it was economical to construct walkways in 1969, it is more economical to do so today.

There is a very clear cut need for a walkway from Sudbury Center to the High School.

Finance Committee Report: The Finance Committee recommends that the sum of \$5,000.00 be appropriated for the preliminary work to be done on this walkway.

Since the Highway Commission will be completing the walkways which have been started in the current year they will not be able to commence construction of the one proposed until sometime in 1972, and the funds recommended should be ample for the purpose.

Long Range Capital Expenditures Committee Report: (Mr. Arthur Stansel) The amount of money requested by the Highway Commission for their long range plans was \$20,000.00 for this year. That fits into our plans to keep the tax rate at an even rate. We are in favor of the walkway program.

Lincoln-Sudbury Regional School Committee Report: (Dr. William Maloney) As the population of the high school increases, we see more and more kids walking to and from school. They honestly are on their way to the other schools as teaching aides. We strongly urge your support.

Highway Commission Report: (Mr. George McQueen) We are going to be able to shift the obtaining of easements into a more professional mode. We expect to hire help to do the planning on the walkway and the obtaining of easements.

The acceptance of the walkway program is such that this is essential if we are going to keep up with the schedule. Getting easements by individual members of the Highway Commission has become more of a burden than we are able to find time for. We know this approach in getting somebody to do the job is going to insure that we can maintain the construction schedule.

Planning Board Report: In the fall the Walkway Committee, consisting of representatives of the Planning Board, Highway Commission, Finance Committee, School Committee, and Town Engineer, met to establish walkway priorities. It was agreed that Concord Road and Horse Pond Road should be the next two major projects. The Planning Board is glad, therefore, to support Mr. Bauder's article and urge your "yes" vote to continue the Town's long range walkway program.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER FROM FREE CASH \$5,000.00 FOR THE PLANNING AND ENGINEERING OF A WALKWAY ON EXISTING RIGHTS OF WAY OR EASEMENTS ALONG CONCORD ROAD FROM THE SUDBURY COMMON ON THE SOUTH TO THE LINCOLN-SUDBURY REGIONAL HIGH SCHOOL ON THE NORTH, A DISTANCE OF APPROXIMATELY 6,000 FEET, MORE OR LESS.

Article 41: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums of money, or any other sum or sums, to be expended under the direction of the Highway Commission, for the acquisition of departmental equipment, as set forth below:

- A. Front-end loader for Highway Department use to replace a 1962 Trojan loader to be used for trade-in, for the sum of \$28,000.00, or any other sum;
- B. Medium size dump truck for Highway Department use to replace a 1964 Ford 750 truck to be used for trade-in, for the sum of \$8,000.00, or any other sum;
- C. 3/4 ton four-wheel-drive pickup truck for use by the Highway Department, to replace a 3/4 ton 1960 Ford to be used for trade-in, for the sum of \$4,200.00, or any other sum;
- D. Sidewalk snow plow for Highway Department use for the sum of \$6,700.00, or any other sum;
- E. Catch basin cleaner for mounting on existing truck for Highway Department use for the sum of \$6,000.00, or any other sum;
- F. Sand spreader to be mounted on existing truck for Highway Department use for the sum of \$3,500.00, or any other sum;
- G. Station wagon for use by the Highway Superintendent, to replace a former Police cruiser that will be used for trade-in, for the sum of \$3,000.00, or any other sum;

with each such acquisition to be subject to the requirement of public bids and with the terms of the bid providing for the posting of a suitable performance bond or certified check to guarantee performance under each such bid, or act on anything relative thereto.

Submitted by the Highway Commission.

Highway Commission Report:

- A. Front-end Loader: This unit is required to replace a nine-year-old loader that has maximum service and that no longer justifies maintenance expense.
- B. Dump Truck: This truck replaces a seven-year-old truck that no longer justifies repair.
- C. Pickup Truck: This truck replaces an eleven-year-old truck that entails repair costs that exceed the value of the truck.
- D. Sidewalk Snow Plow: Using hired equipment, it presently costs \$2,000 per year for plowing 7,000 feet of walkways. Current plans for construction in 1971 of additional walkways along Hudson Road and Pratt's Mill Road will extend the total footage to 13,000 and result in a nearly proportional growth in plowing cost.

In addition, the Highway Department is experiencing increased difficulty in finding suitable hired equipment and personnel for this job. Therefore, the acquisition of this snow plow will provide effective equipment that can do the work at a cost savings to the town.

- E. Catch Basin Cleaner: At the present time catch basins are cleaned once per year using hired contractors and equipment as well as Highway Department personnel. The cost of this one-time cleaning is \$2,000 per year. Most catch basins should be cleaned several times each year for maximum drainage efficiency. In addition, the availability of a catch basin cleaner is required during emergency flooding conditions. Therefore, the acquisition of this unit will insure adequate cleaning of catch basins and the flexibility to cope with emergency situations.
- F. Sand Spreader: Required to replace worn out sand spreader that is beyond repair.
- G. Station Wagon: The existing vehicle used by the Highway Superintendent is a 1966 former Police cruiser that is no longer reliable and does not justify the cost of the necessary repairs. The purchase of a new station wagon will insure adequate transportation for the Superintendent which is vital, particularly during snow storms or emergency situations.

The equipment being requested this year is largely in line with the projected ten-year plan that covers both the growth needs and that plans replacement after an expected life for each piece of equipment.

Mr. Anthony Galeota further reported to the meeting for the Highway Commission as follows:

With respect to Item A: This piece of equipment is a 1962 front-end loader. From 1969 to the present time we have spent \$4,772.00 on repairs. After a check up, we feel that it has immediate need of some three to four thousand dollars additional work.

Item B: This is a 1964 dump truck. From 1969 to date we have spent \$5,594.00 on repairs and we see an additional two thousand dollars worth of work necessary immediately if we are not able to turn it in.

Item C: The pick-up truck is a 1960 Ford. We have spent from 1969 to date \$909.00 and need an additional \$750.00 worth of work at this time. We have also changed this item from a pick-up truck to a four-wheel-drive type pick-up truck which we will be able to use for snow removal during the winter months.

Item D: This is a new piece of equipment. We have presently 7,000 feet of walkway and have plowed that amount this year. We expect to add 6,000 feet making a total of 13,000 feet.

Item E: We expect to mount the catch basin cleaner onto an existing chassis. We have had to contract this work out every year at two to three thousand dollars a year to have the basins cleaned once. There are a number of basins which should be cleaned twice a year.

Item G: We presently have a 1968 station wagon which was formerly a Police cruiser. We have spent \$1,538.50 from 1968 to the present. We have found, due to the maintenance expenses through the years, that it is not profitable for us to use a Police cruiser for the Superintendent. While there are some fifty to sixty thousand miles on the speedometer, there are probably close to one hundred thirty to one hundred forty thousand actual engine running miles. Certainly our Superintendent is one who is on call for emergencies, and it is necessary that he has a dependable vehicle.

Finance Committee Report: The Finance Committee recommends in favor of purchasing this equipment by the Highway Commission. This program of upgrading equipment results in efficiencies and savings in maintenance. The program coincides with their long range program of equipment purchase and restoring Sudbury's deteriorated roads to serviceable condition.

Long Range Capital Expenditures Committee Report: (Mr. Arthur Stansel) We do not have any specific recommendation on this because we believe all of this equipment is either replacement of previous equipment or minor items and therefore not long range capital.

UNANIMOUSLY VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER FROM FREE CASH \$59,400.00 TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY COMMISSION FOR THE ACQUISITION OF DEPARTMENTAL EQUIPMENT AS SET FORTH UNDER ARTICLE 41 IN THE WARRANT FOR THIS MEETING INCLUDING THE TRADE IN OF EQUIPMENT AS NOTED THEREIN, WITH EACH SUCH ACQUISITION TO BE SUBJECT TO THE REQUIREMENT OF PUBLIC BIDS AND WITH THE TERMS OF THE BID PROVIDING FOR THE POSTING OF A SUITABLE PERFORMANCE BOND OR CERTIFIED CHECK TO GUARANTEE PERFORMANCE UNDER EACH SUCH BID.

Article 42: To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$25,000.00, or any other sum, to be expended under the direction of the Permanent Building Committee, to provide a building on Town-owned land for keeping dogs picked up by the Dog Officer, and to authorize the Selectmen to enter into a lease with the Buddy Dog Humane Society, Inc., for a portion of the building to be used by said Society, or act on anything relative thereto.

Submitted by the Board of Selectmen.

Board of Selectmen Report: This article is submitted to provide permanent facilities to accommodate dogs that are in the custody of the Dog Officer. At the present time, the Buddy Dog Humane Society, Inc., located on Dakin Road, is providing excellent facilities for the care and confinement of all dogs picked up by the Dog Officer.

The present location of the Buddy Dog Society is in a residential district. The Board of Appeals has authorized the kennel for one more year with the understanding that the Society can and must relocate before the expiration on February 1, 1972. Therefore, during this coming year, the Board of Selectmen and the Buddy Dog Society must complete plans and facilities for relocating.

The Selectmen concur that an operation of this type and magnitude is not suitable in a residential area. However, the Selectmen also recognize that an arrangement with a professional organization such as the Buddy Dog Humane Society is in the best interest of the Town, both for the care the dogs receive and the reasonable cost.

After moving Indefinite Postponement, Mr. John Taft reported to the meeting for the Board of Selectmen as follows: The basic purpose of this appropriation would have been to construct a shell of a building which would then be leased on a long term basis to the Buddy Dog Society. The Society has received a one year extension of their present lease in North Sudbury which is a residential area, and they are trying to find a new location for their facility.

The Town's interest in the Buddy Dog operation is that they provide space for keeping the dogs that the Town Dog Officer picks up. Particularly in view of what was voted earlier in this Town Meeting (See Article 18), it will be important that the Town have an adequate facility for holding the dogs when they are picked up.

The situation now is that the Buddy Dog Society is still investigating the possibilities of securing land and their own building. We feel that this would be a preferable arrangement both for the Town and for the Society. If the Society is unable to find a suitable location, we may be back to a later Town Meeting. We would like to indefinitely postpone this article at this time.

UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.

Article 43: To see if the Town will vote to continue the Moderate Income Housing Committee until the next Annual Town Meeting; such committee to consist of five (5) members to be appointed by the Selectmen, and to continue the study called for by vote of the 1969 Annual Town Meeting, or act on anything relative thereto.

Submitted by the Moderate Income Housing Committee.

Moderate Income Housing Committee Report: By vote of the 1969 Annual Town Meeting, the Moderate Income Housing Committee was established and asked to study "the need for, and feasibility of, moderate income housing in Sudbury and make appropriate recommendations". The Committee has been meeting regularly and has identified a clear need for such housing. In the case of housing for the elderly, the Committee considers the way to provide this housing to be clear. It is recommending to the Town at this Town Meeting that a housing authority be established as the first step in providing for this need. However, the Committee has not yet arrived at the appropriate response to the need for housing for families with moderate income. Therefore, the Committee asks the Town to extend its mandate for one year in order to allow it to make solid recommendations to the Town in this matter.

Finance Committee Report: The Finance Committee concurs with this article.

UNANIMOUSLY VOTED: IN THE WORDS OF THE ARTICLE.

Article 44: To see if the Town will vote to establish a housing authority under General Laws, Chapter 121B, as amended, and in that connection to make any and all determinations and declarations deemed necessary or desirable, or act on anything relative thereto.

Submitted by the Moderate Income Housing Committee.

Moderate Income Housing Committee Report: (Mr. Dallas T. Hayes) The Moderate Income Housing Committee has conducted a survey of the housing needs of Sudbury citizens over the age of sixty. On the basis of our survey, we have come to the conclusion that housing needs of our retired citizens are presently not being met. We are asking you to activate a housing authority under Chapter 121B of the Massachusetts General Laws to move to meet the most urgent of these needs.

We sent our survey to all households where someone aged sixty or over was residing. We feel that we have reached all persons of retirement age and those contemplating retirement. Out of the 503 letters sent out, 207 responded, or 41%. We asked four specific questions.

The first question asked if the respondent's retirement income would range from \$3,000.00 to \$5,400.00 per year for a couple, or \$2,500.00 to \$4,500.00 for a single person. The income limits relate to the moderate income housing which would be provided typically by a nonprofit limited dividend corporation. Fifty-nine answered yes to the question related to income of couples.

The second question related to what the state defines as the limits for low income housing, under \$3,000.00 for a couple and \$2,500.00 for a single person. Thirty-eight replied that their incomes fell below this level. In order to provide housing for persons in this category under a state program, the creation of a housing authority is mandatory.

We have learned that the federal income levels for low income housing are somewhat higher, \$4,400.00 per year for a couple and \$3,900.00 per year for a single person.

If you approve a housing authority, its most profitable first business would be to pick that program, either federal or state, most advantageous to Sudbury. Our investigation has shown that towns have had good success with both programs as regards to local control and the quality of housing provided.

The third question merely asked if there was any interest that this study be continued. 157 replied yes to this question, or 76%.

The fourth question was included at the request of the Planning Board and was intended to determine the interest in housing suitable for retired persons whose income was too high for assisted housing. 119, or 58%, answered yes to this question.

Our discussions with other housing authorities indicated that the number responding yes to the first two questions are only the lower bound of the true need in Sudbury.

A housing authority is composed of five members, four elected and one appointed by the State Department of Community Affairs. Until the next election, the four members to be elected will be appointed by the Selectmen. At the election, the person receiving the highest number of votes will be elected to a five year term, the next to a four year term, then the two year term, then the one year term. The member appointed by the state for an initial three year term will be reappointed to a five year term. When you have a fully operating housing authority, one member will be coming in each year for election or appointment. All members must be Sudbury citizens. They receive no pay.

Approval of Article 44 will activate a housing authority under Chapter 121B to provide housing for elderly citizens of Sudbury, and it will be activated only for this purpose. The other parts of Chapter 121B pertaining to urban renewal, low income housing or renovation of historical structures, will not apply to the Sudbury housing authority. The authority would have to return to Town Meeting and obtain its approval in order to move into any of these areas. It would have to convince the Town of the need, just as our committee wishes to convince you of the need for housing for the elderly in Sudbury.

A housing authority can provide, at no cost to the Town, rental housing for persons over sixty-five living on small incomes. Under all plans, the housing itself is built and operated by the housing authority. The state or federal government guarantees the funds to finance the project and each year provides the difference between income from rentals and the amount needed to pay off the bonds and operating expenses. However, the Town loses some tax revenue. It can tax the land upon which the housing is located but not the housing itself.

In all towns where housing for the elderly exists in Massachusetts, the town has waived the right to tax the land. In all probability this is not really a great loss. If we assume a three acre site, which would be typical of a forty unit development, the elderly living in such housing would require mainly just Police and Fire protection. If a \$50,000.00 house were on this property, this would bring about \$3,000.00 a year in taxes to the Town. However, if three school age children lived in this house, the property would be a net liability to the Town.

Having chosen a site for a development, the housing authority would have to return to the Town for a zoning by-law change since we have no land zoned for multiple dwellings. Once having built the project, if at any time it is deemed necessary that more units should be built, the housing authority must return to the Town to obtain permission. The housing authority is answerable to the Town for all its actions, but the Town is not liable to the housing authority for any debts it may incur.

All of the surrounding towns except Lincoln have housing authorities, and Lincoln is considering this step at the present time. Fifty-four communities in the Boston area have built ninety-seven projects under the state program. In eighteen communities, housing for the elderly has been built under the federal program.

The committee personally visited eight housing authorities in Bedford, Concord, Lexington, Maynard, Newton, Wayland, Wellesley and Hopkinton. In all cases, we have been impressed by the independence of each authority in its relations with the state and federal governments. Especially important is their ability to pick their own architect and to work with him to design housing which is suitable to the town in which the housing is to be built.

With each development built in this area, there is provision for a community building. (Mr. Hayes then showed several slides of developments in the area to indicate the variety and general appearance.)

Approval of the housing authority for Sudbury is the recognition by the Town of the need for such housing for the elderly. It is not a commitment by the Town for any specific housing. A plan will be chosen. A site will be chosen, and then the housing authority will have to return to you in order to get permission to move further.

Finance Committee Report: (Mr. Sydney B. Self, Jr.) This is a very easy article to be in favor of. We are all in favor of helping the elderly. However, this article is what some might term as an iceberg. If we vote for this article, we are accepting a state statute. We accept the entire statute which is some fifty-four pages in length. Its title is "Housing and Urban Renewal", and its entire thrust is for urban renewal. It deals with the elderly and things of this sort in passing.

It is true that the housing authority does not get paid by the Town. However, the statute specifically provides for its being paid from out of the housing authority funds.

It is true that the housing authority must return to the Town for approval of zoning, but once that zoning is approved, this group can do anything it chooses. Each operating authority shall have the power to take by eminent domain any property found by it to be reasonably required, and to sell, transfer, lease or assign the same. It does not have to come to the Town for authority for eminent domain. It can engage in a contract for construction. It can borrow money on the security of its bonds. It can study housing needs including desirable patterns for land use and community growth. It can determine what areas constitute substandard, decadent or blighted open areas. It has the authority to provide housing projects for families of low income and for elderly persons of low income. It has the authority to provide recreational facilities without any complete definition of what the limitation on recreational facilities may be. One of its intents is to provide relocation projects to house families that have been dislocated by urban renewal projects or other public improvements, but no limitations on the area this applies to. If families are dislocated in Boston, this authority has the right to provide projects for them in Sudbury.

No employee of any housing authority who has held his office for a total period of five years shall be involuntarily separated except under a list of specific conditions.

The housing authority shall not undertake a project until it has submitted to the Department the plans, etc., for approval. There is no reference for submitting any of these plans to the Town. The Department shall propagate rules for tenant selection. This again is a state authority. There is a provision for rental assistance, and the applicants need not be residents of the city or town for this assistance.

In addition, members are elected for a five year term. This means, since one member is appointed by the state, that if we disapprove of the policies of this group, it may take as long as four years for us to have any influence on this group at the polls.

It is the opinion of the Finance Committee that there has not been any real need for accepting such a big statute as this to solve our relatively small problem. We are 12,000 people, of whom about two hundred are elderly. Do we have to accept the equivalent of a regional committee, or something worse, just to house two hundred elderly people? There ought to be a better way of solving the problem.

Planning Board Report: (Mr. Richard Davison) In the course of the Moderate Income Housing Committee's work to determine the existence of and possible demand for moderate income housing in Sudbury, that group became aware of the need for housing for the elderly.

They conducted a survey similar to ones done in other adjoining towns. The results indicate that a minimum size elderly housing project, under existing state or federal programs, could be justified today. The mechanism for evaluating, creating and administering an elderly housing facility is a housing authority. Passage of this article will establish such an authority. No housing other than elderly housing can be created by this authority without prior authorization of the Town Meeting. Any and all specific projects will require Town Meeting approval before construction.

It should be understood that housing for the elderly provided under the direction of the housing authority is only for those with certain maximum incomes.

Since an elderly housing project will be a multi-unit dwelling project and since the housing authority must adhere to all Town zoning, it will be necessary for the Town to approve some limited apartment zoning prior to the creation of an elderly housing project. The Planning Board is having an apartment study conducted and plans to have a zoning proposal before the Town Meeting next spring.

The Planning Board favors passage of this article creating a housing authority. We feel it proper and appropriate that the Town's first multi-unit dwellings be for elderly citizens of the Town.

Board of Selectmen Report: (Dr. Howard Emmons) The Board of Selectmen has given this article very careful consideration. We are in unanimous support of the article.

One point that has not received sufficient emphasis is that the construction of low cost housing and its operation costs the Town nothing. It is entirely supported by state and federal funds.

This means that we would have an opportunity to have housing that can take care of any of us who get old and no longer have adequate income. We could continue to live in Sudbury. We all have the possibility of being in this class, and for those who really like the Town, we would like to remain here. It is important to proceed with this motion.

After discussion, upon a motion to amend made by Mr. Harry Lockery, it was

VOTED: TO AMEND BY INSERTING THE WORDS "SOLELY FOR THE PURPOSE OF PROVIDING HOUSING FOR ELDERLY PERSONS OF LOW INCOME" FOLLOWING THE WORD "ORGANIZED".

VOTED:

WHEREAS THERE EXISTS IN THE TOWN OF SUDBURY A SHORTAGE OF SAFE, SANITARY DWELLINGS AVAILABLE FOR ELDERLY PERSONS OF LOW INCOME AT RENTALS WHICH THEY CAN AFFORD, AND

WHEREAS IT IS HEREBY DETERMINED THAT A HOUSING AUTHORITY IS NEEDED FOR THE PROVISION OF HOUSING FOR ELDERLY PERSONS OF LOW INCOME, NOW, THEREFORE, IT IS HEREBY

VOTED THAT THE SUDBURY HOUSING AUTHORITY SHALL BE ORGANIZED FOR THE SOLE PURPOSE OF PROVIDING HOUSING FOR ELDERLY PERSONS OF LOW INCOME AND ESTABLISHED UNDER THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 121B, AND ALL ACTS AND AMENDMENTS THEREOF AND IN ADDITION THEREPO.

In Favor - 180; Opposed - 92. (Total - 272)

VOTED: THAT THIS TOWN MEETING ADJOURN ACCORDING TO OUR BY-LAWS AND REASSEMBLE MONDAY EVENING TO COMPLETE THE WARRANT.

The meeting adjourned at 11:14 P.M.

PROCEEDINGS

ADJOURNED ANNUAL TOWN MEETING

April 26, 1971

The Moderator called the meeting to order at 8:08 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He announced that notice had been given by both Mr. Sydney Self and by the Board of Selectmen of intention to move reconsideration of Article 44 and that the motion would be in order as the first business tomorrow night, if there is a session then, or as the last order of business tonight.

Consent of the meeting was given that Mr. Frederick Walkey and Mr. Henry Morgan, non-resident members of the Lincoln-Sudbury Regional District School Committee, be permitted to sit in the assembly and address the hall should it become necessary on articles concerning the Regional High School.

Article 45: To see if the Town will vote to discontinue the Mosquito Control Committee, effective April 30, 1971, or act on anything relative thereto.

Submitted by the Committee on Town Administration.

Committee on Town Administration Report: The function of the Mosquito Control Committee is now carried on as a County program. The line item funds contained in the yearly budget are paid directly to the County to carry on this function or service. Since no appointments have been made to this committee for many years it is the opinion of the Committee on Town Administration that its existence no longer serves a purpose essential to the administration of the Town. We recommend that the Town vote to discontinue this committee.

Mr. Eugene Naegele further reported to the meeting for the Committee on Town Administration as follows:

The report in the Warrant states the purpose of this article except that there was an error. Where the report says "County", the words "East Middlesex Mosquito Control Project" should be substituted.

VOTED: THAT THE TOWN DISCONTINUE THE MOSQUITO CONTROL COMMITTEE EFFECTIVE APRIL 30, 1971.

Article 46: To see if the Town will vote to approve the petition set forth herein providing for the appointment of the Town Treasurer and Town Collector of Taxes and authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact the Special Law set forth in said petition and without further submissions to a Town Meeting:

"THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-Two. An Act authorizing the selectmen of the Town of Sudbury to appoint the town treasurer and collector of taxes of said town.

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

SECTION 1. Notwithstanding the provisions of section one of Chapter forty-one of the General Laws, the board of selectmen of the town of Sudbury shall appoint suitable qualified persons to the offices of town treasurer and collector of taxes of said town, and upon the appointment and qualification of the person or persons initially so appointed the term of the incumbents of said offices shall terminate, but in no case shall said terms of office of said incumbents terminate before the next annual election at which said offices are normally filled following the passage of this act. The town treasurer and collector of taxes so appointed shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred or imposed by law on town treasurers and collectors of taxes. The term of initial appointment shall expire on the last monday in March of the third year following appointment, and thereafter the town treasurer and collector of taxes shall be for a term of three years and shall serve until their

successors are appointed and qualified. They may be removed for cause at a public hearing by the selectmen and the vacancy filled by appointment for the remainder of the unexpired term in the same manner as in the case of an original appointment. Their salary or compensation shall be such as the selectmen may vote from time to time in accordance with the job classification and salary plans of the town. The positions or offices of town treasurer and collector of taxes shall not be subject to the laws and rules pertaining to civil service. Said board shall fill any vacancy in such offices by appointing a qualified successor for the remainder of any unexpired term.

SECTION 2. The board of selectmen may, acting in their capacity as the appointing authority under this act, appoint one individual to fill the offices of town treasurer and collector of taxes or may be directed so to do by an action of any regular or special town meeting of the town of Sudbury.

SECTION 3. In the event that either or both the town treasurer or collector of taxes shall resign, be permanently disabled or otherwise be unable to perform the duties of their offices before section one of this act shall become effective then the board of selectmen of said town may implement any and all the provisions of this act as may be necessary to continue the orderly administration of these offices.

SECTION 4. The present town treasurer and town collector of taxes may be appointed or reappointed to their respective office without any age limitations or restrictions.

SECTION 5. This act shall take effect upon its passage.";

or act on anything relative thereto.

Submitted by the Committee on Town Administration.

Mr. Gerald B. Harrington of the Committee on Town Administration moved that the Town approve the petition set forth herein providing for the appointment of the Town Treasurer and the Town Collector of Taxes and authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to exact the special law set forth in said petition and without further submission to a Town Meeting.

Committee on Town Administration Report: (Mr. Harrington) The Committee on Town Administration feels that the offices of Treasurer and Collector of Taxes are best filled by appointment. Both positions are regular day time jobs requiring technical, professional skills and background. They are similar to the positions of Police Chief, Fire Chief and school teacher.

The committee feels that the elective process should be reserved for those offices in which policy decisions are made. We recognize that both the incumbents are doing a very commendable job and have done so for many years. However, both men are approaching retirement age, and a change within the next two years is imminent. We feel the proper time to initiate a change is now.

The recommendation is not the result of any lack of confidence in the democratic system. It is based upon the condition that the future filling of these offices by appointment will help in securing and retaining the best qualified and competent personnel as Treasurer and Collector.

Finance Committee Report: The Finance Committee supports this article with the condition that provision should be made for exempting the present incumbents from the state laws which limit the age of an appointee to 70 years.

Since these jobs require a high degree of specialized knowledge, we do not believe that the procedure of electing them is appropriate. We feel that the process of election should be reserved for officials who are primarily concerned with the policy of Town government and that appointments should be made where specific skills are required.

After discussion, the motion of the Committee on Town Administration was defeated: In Favor - 288; Opposed - 349. (Total - 637)

Article 47: To see if the Town will vote to provide that constables of the Town of Sudbury shall be appointed by the Board of Selectmen, or act on anything relative thereto.

Submitted by the Committee on Town Administration.

Mr. Eugene Naegele of the Committee on Town Administration moved that the Town provide that Constables of the Town of Sudbury shall be appointed by the Board of Selectmen.

Committee on Town Administration Report: (Mr. Henry I. Smith) The office of Constable is one of the oldest, going back to the very origins of the Town. However, most voters would be hard put to name their Constables or to explain what it is that the Constables do. The powers and duties of the Constables are spelled out in Chapter 41, Sections 91-95, of the General Laws. Constables may serve civil process in a personal action and serve certain other special kinds of writs. To do so, a Constable must post a bond. Of all the Constables we have had over the last ten years or so, only Mr. White has ever taken the trouble to bond himself. He serves about thirty writs per year at a rate of about \$4.00 each.

The Constables are also empowered to post the Warrant for the Town Meetings, and upon order of the Moderator, they may go out and get voters to make up a quorum for the meetings. Under Section 94, the Constables shall take notice of and prosecute all violations of the law respecting the observance of the Lord's Day, profane swearing and gaming.

During the past ten years, there has been really no opposition in the elections for Constable. In 1963 there was a contest.

The Committee on Town Administration conducted a survey of thirty-one towns which were deemed to be reasonably similar to Sudbury. Of the twenty-nine towns which responded, nine had elected constables and twenty had appointed.

We believe that elective office should be restricted to those positions where policy is made, or in the case where the voters require some sort of direct control of the office holder for financial reasons, because of frequent voter contact or because of the opportunity for corrupt practices. The Constables simply do not fit into this description in any of those criteria.

The Committee's motivation in presenting this article is that the elective process is really at the very essence of democracy, and it should not be taken lightly. It is important and should always be meaningful. The election of Constables and the way we elect them is simply not meaningful.

Finance Committee Report: The Finance Committee supports this article.

The motion of the Committee on Town Administration was defeated.

Article 48: (See page 50)

Article 49: (See page 53)

Article 50: To see if the Town will vote to approve the amount of indebtedness, namely \$120,000.00, or any other sum, authorized by vote of the Lincoln-Sudbury Regional District School Committee for the purpose of adding to the existing Regional School building, or act on anything relative thereto.

Submitted by the Lincoln-Sudbury Regional District School Committee.

After moving Indefinite Postponement of the article, Mr. Norman Rasmussen of the Lincoln-Sudbury Regional School District Committee stated that the Committee had not finished the plans for the addition at this time.

UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.

Article 51: To see whether the Town will vote to create a committee of five persons, members to be appointed by the Board of Selectmen, members to be appointed by the Finance Committee, and members to be appointed by the Sudbury School Committee, and negotiate with the Town of Lincoln the terms and manner of a phased separation of the Town from the Lincoln-Sudbury Regional School District with minimum adverse impact upon the finances and school systems of both Towns and to report with respect thereto to the next annual town meeting, or act on anything relative thereto.

Submitted by Petition.

Mr. George MacKenzie moved in the words of the article and made the following presentation: This is an issue which has been, is, and probably will continue to be, emotion charged and with good reason. A solution is needed for what many of us have seen as an extremely wide philosophical difference between some of the people in Lincoln and some of the people in Sudbury. The problem being philosophical, it is not easily resolved. The panacea promised by voting region-wide elections has not materialized. It will not until we have a solution which satisfies people who differ quite widely and emotionally on how they want their children educated.

In the 1969 Lincoln Town Report, their study committee reported that a considerable number of Lincoln residents have shown an interest in establishing some new form of secondary education for the town, so we set out to explore the possibilities available to Lincoln if it should withdraw from the region. The committee further reported if it were to regionalize somewhere else, Lincoln would not be able to control its educational policies since Lincoln would have to enter a new region as a small minority partner.

In forecasting future costs, the report cited that it would be \$22 per thousand if Lincoln were using its own new school. The cost of withdrawing from the present agreement would add about \$1.00, bringing the total to \$23 on Lincoln's tax rate for high school education in 1973 or 1974.

The report said that many felt that Lincoln was being asked to give Sudbury control of the Regional Committee without protecting itself in the event that it did not like the manner in which Sudbury exercised control. Moreover, there are some in Lincoln who feel strongly that it should be freer to set up a high school of its own now, and it should use the opportunity provided by the current dispute to gain this freedom.

The report went on to conclude that as things now stand, it is clearly inequitable. If Lincoln withdrew, Sudbury would receive Lincoln's share of the existing low cost school facility, and this would be a substantial windfall. The report suggested a change in the withdrawal procedure to remove the heavy penalty requiring the withdrawing town to put up in one lump sum its share of the outstanding debt. In Lincoln's case this currently amounts to \$550,000.00. Secondly, it directed that the negotiation or arbitration for withdrawal take into account those factors which are essential to consider in arriving at a fair settlement, such as the space in the school made available as a result of the withdrawal, the extent to which the remaining town would utilize available space, and the fair value of the school, reflecting both the original cost and the current cost of replacing the facilities, and a full protection for the holders of the outstanding bonds.

There are conditions of uncertainty at the high school which many have felt bespeak some solution like the Lincoln people have suggested. We should have the option to evaluate the worst effects and solutions suitable for the education of our children. That is what this article suggests.

There are several key factors, all of which support the studied resolution and revaluation that this article implies and asks. A large majority of the high school parents of Lincoln and Sudbury dislike the educational policies. Their wishes are blatantly frustrated by our present coincidental and accidental, but nonetheless gerrymandered, regional election format. Most importantly, philosophies do not change. There are two philosophies which are distinct and different and which two schools could accommodate. Region-wide elections have done nothing other than perhaps highlight the problems in the year since that was passed at Town Meeting.

Lincoln had a very carefully worked out solution. We should do no less for Sudbury than to have all of the options open which have indeed been foreclosed by region-wide elections. If we do this, a system might evolve with the addition being built in Lincoln, perhaps to become a second school in which parents choosing one philosophy or another, following a new educational concept of the voucher system,

could in fact choose the establishment in which they wanted their children educated. This would be resolved by choice by the citizens reacting to what is being offered, by the philosophies offered, the curriculum designed and the staff hired. It might in time settle out that these two philosophies would settle down to two schools with parents and children equally happy with the education offered.

Mr. Edward Kreitsek raised a point of order concerning the fact that under the wording of the article, five people are to be appointed but there are only three appointing authorities.

Mr. MacKenzie moved to amend his motion by changing the number five to the number three, and by striking out "members" wherever it appears and substituting "one member".

Finance Committee Report: The Finance Committee believes that recently instituted region-wide elections should be implemented and evaluated as regards their affect upon the operation of the region before action recommended in this article is approved. The committee is opposed to this article.

Mr. Julius Rarus further reported to the meeting for the Finance Committee as follows: As you consider the philosophical arguments which have been mentioned, you might also consider the financial implications of possible dissolution of the region. The original agreement states that should a town wish to move out of the region, that the town must deposit in escrow its proportionate share of the outstanding bonds to protect the bond holders. Outstanding bonds are in the amount of \$2,783,000.00. Sudbury's share of that to be deposited in escrow would be slightly over two million dollars. That would add a little over fourteen dollars to your tax rate.

There are other costs to be considered, and this should be kept in mind as you listen to the arguments regarding the philosophy at the high school.

Lincoln-Sudbury Regional High School Committee Report: (Mr. Norman Rasmussen) The Regional Committee by a vote of 5 - 0 with one abstention opposes this article. The reason is that the financial implications are more than the Town could possibly bear. In addition to the fourteen dollars mentioned by the Finance Committee, we would have to reimburse Lincoln something for their equity in the facility. Lincoln's equity is, at the moment, about \$650,000.00, and if it had to build a school, it might be much more than that. It makes no fiscal sense to dissolve the region at this point.

From an educational point of view, Sudbury is large enough so that we would probably operate a high school of our own without any great educational loss. We might lose a little of the diversity of program we have, but we can operate a high school of 1,600 or 1,700 with about the kind of program we have now. It would, however, be a severe penalty for Lincoln to be forced out of the region. When we went into this, we went in as fifty-fifty partners because we needed each other's help. I would feel badly about saying goodbye to Lincoln now that we are big enough to run on our own.

For the last three years, this school has been under a cloud of legal entanglement. It has not been good for the school, for the morale of the teachers and the administration, and the controversy has had its effect on the school. We think it is time to stop this. It is time to remove the cloud and for citizens to work toward making the school work, not toward tearing it apart.

Concerning the Lincoln Committee Report that has been quoted, the committee finally came to the conclusion that there was no reasonable way to work out an agreement for dissolution of the region. Therefore, no words relative to dissolution appeared in the amendment to the Regional Agreement that had to do with region-wide elections. The committee came to the conclusion that it was not a viable way to try to solve the problem.

Sudbury School Committee Majority Report: (Mr. Lawrence Ovia) A majority of the School Committee is opposed to this article. In our opinion, this article does not carry a vital and important ingredient. It presents but one side of the story. We feel that the townspeople should have the facts which have convinced us, the majority, in the position we have taken.

Since the regional school district law was put into effect in 1948, not one single school district in the Commonwealth of Massachusetts has been dissolved. If anything, we find that school districts have been expanding. In 1930 we had about 123,000 school districts in the nation. In 1970 we had about 18,000. This was achieved by school district organization expanding school districts who have K-12 regions under one superintendent and one school committee.

All incumbent Sudbury School Committee members, including those who supported or opposed this article, have expressed their opinions at one time or another supporting a regional school district. For example, a spokesman for the minority made the statement in the 1970 Annual Town Report that "this regionalization /referring to K-12/ would be most beneficial and most sensible". We wholeheartedly agree.

In addition there is the financial picture. You have heard that we must make an irrevocable deposit amounting to about fourteen dollars on the tax rate. We also lose 100% transportation aid which we currently get. Last year the transportation budget was \$150,000.00. We no longer get 65% construction grant aid from the state. This is reduced to 50% if you are no longer a member of a regional district. We also lose 15% of our operating budget which is a bonus given by the state to regional school districts.

We will get 15% back on the regional vocational technical school, but this will not become operational until about 1974.

The matter of negotiating the equity of the building should be considered. The fact that you dissolve the region does not necessarily mean that you own the building. The regional school district by agreement is in effect until 1986 when the bonds are paid off. We will have to agree on who is going to buy and who is going to sell the building. These facilities are worth about twelve million dollars. Sudbury's share would be about 77% and Lincoln's about 23%. They might settle for four million dollars. That will be about twenty-eight dollars on the tax rate. All of these facts indicate that dissolution will create fiscal chaos in this community.

The educational factor should not be overlooked. We have about 1,600 students in the school. Sudbury will have about 1,200 and Lincoln about 300. You will have to cut back somewhere on the educational offering and program, and you will not get the type of program that you want.

Another factor is that of the staff. Once the district is dissolved, then all teacher contracts go out the window. You will have to start from scratch, and there are many on the staff who may not want to stay around to live under such a cloud.

A majority of the Sudbury School Committee feels that the differences which prevail can be solved with sound rational people possessing common sense who want to meet together to resolve differences. On our committee level, we establish dialogue between all three committees. We have frequent meetings so we can discuss common problems. This is a step in the right direction. No difference is so great that it cannot be resolved if people want it to be.

The majority of the Sudbury School Committee feels it is not in the financial or educational interests of the people of Sudbury and, more importantly, not in the best interests of the children of this community. We urge you to oppose this article.

Finance Committee Minority Report: (Mr. Phillips B. Hunt, Jr.) In the opinion of the minority on the Finance Committee, we should investigate what the costs of dissolution would be. The figures brought up of fourteen dollars on the tax rate assumed twelve month financing. Obviously this could be bonded, so we really do not know what the impact would be.

As far as the loss of 15% of the operating costs of the high school goes, perhaps by more efficient operation we could more than make up that part of it. A minority of the Finance Committee supports this article.

After discussion, it was

VOTED: TO AMEND THE MAIN MOTION BY CHANGING THE NUMBER "FIVE" TO THE NUMBER "THREE" AND BY STRIKING OUT "MEMBERS" WHEREVER IT APPEARS AND SUBSTITUTING "ONE MEMBER".

The motion in the words of the article as amended was defeated.

The following resolution presented by Dr. Howard Emmons of the Board of Selectmen was

VOTED:

WHEREAS THE RESULTS OF A SURVEY SPONSORED BY THE SUDBURY DRUG ACTION COMMITTEE AND PERSONAL KNOWLEDGE OF MANY RESIDENTS OF THE TOWN SHOW THAT DRUG ABUSE IN THE TOWN OF SUDBURY HAS BECOME A MAJOR PROBLEM, AND

WHEREAS EDUCATIONAL PROGRAMS, SOCIAL PRESSURES ON BOTH ADULT AND STUDENT LEVELS, AND LAW ENFORCEMENT ARE ALL THREE REQUIRED TO OBTAIN POSITIVE RESULTS IN MOTIVATION OF INDIVIDUALS AND GROUPS TOWARD ACCEPTABLE SOCIAL BEHAVIOR, AND

WHEREAS A BEGINNING HAS BEEN MADE IN EDUCATIONAL PROGRAMS AND LAW ENFORCEMENT CAPABILITY, BUT THERE IS A LACK OF STRONG DIRECTION AND PERSONAL RESPONSIBILITY FROM THE ADULT CITIZENS NECESSARY TO THE EFFECTIVENESS OF THE OTHER TWO EFFORTS, THEREFORE, BE IT

RESOLVED THAT THE TOWN MEETING DULY ASSEMBLED EXPRESS ITS CONCERN OVER THE HIGH INCIDENCE OF DRUG ABUSE; SERVE WARNING TO PARENT, CHILD, RESIDENT, VISITOR, AND EMPLOYEE THAT, NOT ONLY IS DRUG ABUSE HARMFUL TO THE INDIVIDUAL, BUT IT IS SOCIALLY UNACCEPTABLE BEHAVIOR AND SUBJECT TO APPREHENSION AND PROSECUTION; AND CHARGE ITS ADMINISTRATIVE, EDUCATIONAL AND LAW ENFORCEMENT AGENCIES TO COOPERATIVELY CONTINUE DEVELOPMENT OF AN EFFECTIVE, COORDINATED PROGRAM UNDER THE DIRECTION OF THE SELECTMEN AND THEIR APPOINTED DRUG CONTROL COMMITTEE, TO PROVIDE MOTIVATION AND DIRECTION APPROPRIATE TO THE OBSERVED SOCIAL BEHAVIOR.

The following resolution, also presented by Dr. Emmons, was

UNANIMOUSLY VOTED:

WHEREAS IN THE YEAR 1953 THE WAYSIDE INN TRUSTEES TRANSFERRED TO THE SUDBURY FIRE DEPARTMENT A 1938 FORD FIRE ENGINE FOR USE BY THE TOWN OF SUDBURY.

WHEREAS THE FIRE ENGINE HAS BEEN IN CONTINUOUS USE BY THE SUDBURY FIRE DEPARTMENT FOR THE PAST EIGHTEEN YEARS. SAID FIRE ENGINE HAS BECOME OBSOLETE AND IS NOT REQUIRED FOR FURTHER USE BY THE FIRE DEPARTMENT.

WHEREAS THE FIRE ENGINE WAS CONSTRUCTED IN THE YEAR 1938 BY MR. HENRY FORD AND PLACED IN SERVICE AT THE WAYSIDE INN AND WAS USED ON MANY OCCASIONS TO ASSIST THE SUDBURY FIRE DEPARTMENT.

WHEREAS THE BOARD OF TRUSTEES OF THE WAYSIDE INN HAVE INDICATED THAT THEY WOULD BE PLEASED TO HAVE THE FIRE ENGINE RETURNED TO THE WAYSIDE INN AND PLACED IN THE MUSEUM FOR THE VIEWING OF THE PUBLIC.

RESOLVED THAT THE CITIZENS OF SUDBURY ASSEMBLED AT THE 1971 ANNUAL TOWN MEETING EXTEND TO THE TRUSTEES OF THE WAYSIDE INN THEIR THANKS AND APPRECIATION FOR THE USE OF THE FIRE ENGINE AND THAT THE FIRE ENGINE BE RETURNED TO THE WAYSIDE INN FOR DISPLAY IN THE MUSEUM LOCATED ON THE PROPERTY.

VOTED: THAT THIS MEETING REMAIN IN SESSION UNTIL ALL BUSINESS INCLUDING ALL BUSINESS UNDER ARTICLE 44 HAS BEEN COMPLETED.

Article 52: To see whether voting by ballot, the Town will repeal its adoption of a proposal by the Lincoln-Sudbury Regional District School Committee to amend the Lincoln-Sudbury Regional School District Agreement so as to provide (a) for election to membership on said Committee by so-called district-wide elections and (b) for the time when and manner in which the proposed amendment will become effective if adopted, all as voted by the Town under Article I at the Special Town Meeting on October 26, 1970, or act on anything relative thereto.

Submitted by Petition.

Finance Committee Report: The Finance Committee opposes this article. This matter has been settled not once but twice. Lincoln and Sudbury should now get together and give the new election procedure the opportunity to create a closer and more viable working relationship at the Regional School.

Upon a motion made by Mr. George MacKenzie, it was

UNANIMOUSLY VOTED: INDEFINITE POSTPONEMENT.

The Moderator then recognized Mr. Sydney Self who moved reconsideration of Article 44.

In support of his motion, Mr. Self stated that when he was a member of the Committee on Town Administration two years ago, a serious review of the by-law article on reconsideration was made. The only valid reason for giving reconsideration to an article was that the Town either was presented with inaccurate facts or that it did not have all the facts available to it for a discussion and consideration. Those conditions are met by the discussion we held at the previous session of the Town Meeting.

It was stated by the proponent that the housing authority could only use its power of eminent domain with a two-thirds approval of the Town Meeting and that it could only use its bonding authority with a two-thirds approval. Town Counsel gave his opinion that the proponents were correct.

The proponents of the article were not correct. The housing authority does indeed have full powers of eminent domain, and it also has full bonding powers. The article gives the housing authority power to build one project of any size they choose, any style they choose, and in any location they choose, once zoning has been granted by the Town. The only restriction is that the Town must vote the rezoning. This was not adequately brought before the Town and is adequate reason for the Town to reconsider this article.

There are other facts which were not brought before the Town such as how we dissolve and get out of such a board if we wanted to and alternative solutions such as Wayland's. These should be discussed in more detail than we have heard previously.

Continuing the presentation on reasons for reconsideration, Town Counsel, Mr. David Lee Turner, stated that he had done further research after the previous vote on Article 44 and realized that there were ways the local housing authority could proceed with eminent domain and bonding without coming back to the Town Meeting for a two-thirds vote. If the housing authority asks the Town to acquire property by eminent domain, or asks the Town to bond for it or underwrite the bonds, then it must obtain a two-thirds vote. But, if it chooses to go through a state or federally aided program, it can get bonding and acquire property without any additional vote of authorization from the Town Meeting.

The housing authority would have to obtain approval of the Town Meeting for zoning changes required for multi-dwelling units. This would require a two-thirds vote.

Mr. Turner further stated that he wanted to explain the extent of the error in his previous opinion so that the voters would have a basis upon which to decide whether or not to reconsider Article 44.

Mr. Dallas Hayes of the Moderate Income Housing Committee stated that the points made had been spelled out in his formal presentation last Wednesday, and that they had been repeated in even greater detail in the statement made by Mr. David Armstrong. If reconsideration were granted, nothing new would be presented to the Town which the committee did not present last Wednesday. The committee therefore urges that you defeat the motion for reconsideration.

Board of Selectmen Report: (Dr. Howard Emmons) The Board of Selectmen also filed a notice of reconsideration because we felt that there was indeed insufficient and to some extent inaccurate information given at the meeting, and that you, as voters, have been misled. If you were, we felt that you ought to have an opportunity to look at the question again. The Board of Selectmen was in favor of the original motion as passed. We still are, and we plan to vote for it if it comes to that point. On reconsideration, we plan to abstain.

The motion for reconsideration of Article 44 was defeated.

The following resolution, presented by Dr. Emmons, was

UNANIMOUSLY VOTED:

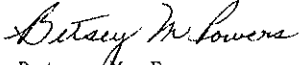
WHEREAS THE BOY SCOUTS, THE MEMBERS OF THE SUDBURY CADET SQUADRON CIVIL AIR PATROL AND THE MEMBERS OF THE CADET TROUP 655 GIRL SCOUTS HAVE BEEN ASSISTING IN THE CONDUCT OF THE TOWN MEETING, AND

WHEREAS THEY ARE PROVIDING A COMMUNITY SERVICE OF GREAT VALUE, THEREFORE, BE IT

RESOLVED THAT THE TOWN MEETING DULY ASSEMBLED ACKNOWLEDGE ITS APPRECIATION OF THE SERVICES OF ALL THOSE YOUNG CITIZENS FAR TOO NUMEROUS TO NAME INDIVIDUALLY WHO HAVE ASSISTED US SO WELL AND SO LONG.

VOTED: TO ADJOURN WITHOUT DAY. (10:40 P.M.)

A true record, Attest:


Betsey M. Powers
Town Clerk

LINCOLN-SUDBURY REGIONAL HIGH SCHOOL DISTRICT

APPENDIX A

I Apportionment of Operating Expense

A. Operating Expense

1. The operating expense budget for 1971 is apportioned initially according to the apportionment factors as of the preceding October 1st.

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
Region 9-12	376	1255	1631*
Vocational	2	7	9
Tuitioned to Wayland		6	6
	<u>378</u>	<u>1268</u>	<u>1646</u>
Percentage	23.0%	77.0%	

*Excludes 12 tuition students; 36 Metco students

2. The operating budget for 1969 is apportioned on the basis of the average membership in grades 9-12 for the 1969-70 school year. The estimated surplus of receipts for 1969 is adjusted to the actual surplus of receipts for 1969.

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
Region 9-12	381	1198	1579
Vocational	3	6	9
Special Class		5	5
	<u>384</u>	<u>1209</u>	<u>1593</u>
Percentage	24.11	75.89	
Initial apportionment	24.50	75.50	

Reapportionment of 1968 operating expense budget and contingency, and adjustment of 1969 surplus of receipts.

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
1969 Apportionment	\$409,902.64	\$1,263,169.36	\$1,673,072.00
1969 Reapportionment	403,377.66	1,269,694.34	1,673,072.00
1969 Contingency Apportionment	8,197.70	25,262.30	33,460.00
1969 Contingency Reapportionment	8,067.21	25,392.79	33,460.00
Estimated 1969 Surplus of Receipts	(45,236.80)	(139,403.20)	(184,640.00)
Actual 1969 Surplus of Receipts	(50,725.72)	(159,667.14)	(210,392.86)
Net 1969 Apportionment	372,863.54	1,149,028.46	1,521,892.00
Adjusted Net 1969 Apportionment	360,719.15	1,135,419.99	1,496,139.14
Adjustment	(12,144.39)	(13,608.47)	(25,752.86)

3. The estimated 1969 receipts for Federal Aid PL874, which were apportioned on the basis of the October 1st enrollment for 1968, are reapportioned on the basis of the average membership for the 1969-70 school year.

Reapportionment of estimated 1969 receipts for Federal Aid PL874 (See 1969 budget).

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
1969 Apportionment	\$5,880.00	\$18,120.00	\$24,000.00
1969 Reapportionment	4,786.40	18,213.60	24,000.00
Adjustment	93.60	(93.60)	

4. The estimated surplus of receipts for 1970 is apportioned on the basis of the October 1 enrollment of 1969 which is 383 for Lincoln (23.9%) and 1220 for Sudbury (76.1%).

Estimated budget surplus \$ 24,113

Budget	1,956,123	
Contingency	<u>39,100</u>	
	1,995,223	
Estimated disbursements	1,971,110	
Miscellaneous receipts		39,000
Transportation		<u>150,366</u>
		\$213,479

<u>Lincoln</u>	<u>Sudbury</u>
\$51,021.48	\$162,457.52

SUMMARY - Operating Expense Apportionment

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
A, 1. Apportionment, 1971	\$530,069.73	\$1,774,581.27	\$2,304,651.00
A, 2. Reapportionment of 1969 and adjustment of Surplus of Receipts	(12,144.39)	(13,608.47)	(25,752.86)
A, 3. Reapportionment of estimated Receipts for Federal Aid PL874, 1969	93.60	(93.60)	
A, 4. Estimated Surplus of Receipts, 1970	(51,021.48)	(162,457.52)	(213,479.00)
	<u>\$466,997.46</u>	<u>\$1,598,421.68</u>	<u>\$2,065,419.14</u>

II Apportionment of Contingency

The Contingency for 1971 is apportioned according to the apportionment factors as of the preceding October 1st which is 378 for Lincoln (23%) and 1268 for Sudbury (77%).

<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
\$ 7,590.00	\$ 25,410.00	\$ 33,000.00

III Community Services

A. Community Services

1. The Community Services expense for 1971 is apportioned according to the apportionment factors as of the preceding October 1st which is 378 for Lincoln (23%) and 1268 for Sudbury (77%).

<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
\$ 345.00	\$ 1,155.00	\$ 1,500.00

2. The Community Services actual expense for 1969 is apportioned on the basis of the average membership for the 1969-70 school year, which is 384 for Lincoln (24.11%) and 1209 for Sudbury (75.89%).

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
1969 Apportionment	\$ 490.00	\$ 1,510.00	\$ 2,000.00
1969 Reapportionment			
Actual Expense	567.20	1,785.37	2,352.57
	<u>\$ 77.20</u>	<u>\$ 275.37</u>	<u>\$ 352.57</u>

3. The Community Services estimated surplus of receipts for 1970 is apportioned on the basis of the October 1st enrollment of 1969 which is 383 for Lincoln (23.9%) and 1220 for Sudbury (76.1%).

<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
(\$ 239.00)	(\$ 761.00)	(\$ 1,000.00)

SUMMARY - Community Services

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
A, 1. Apportionment, 1971	\$ 345.00	\$ 1,155.00	\$ 1,500.00
A, 2. Reapportionment, 1969 Actual Expense	77.20	275.37	352.57
A, 3. Estimated Surplus of Receipts, 1970	(239.00)	(761.00)	(1,000.00)
	<u>\$ 183.20</u>	<u>\$ 669.37</u>	<u>\$ 852.57</u>

IV Apportionment of Outlay

A. Outlay

1. Outlay expense budget of 1971 is apportioned according to the apportionment factors as of the preceding October 1st which is 378 for Lincoln (23%) and 1268 for Sudbury (77%).

<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
\$ 10,264.90	\$ 34,365.10	\$ 44,630.00

2. Outlay expense budget of 1969 (\$39,790) is adjusted to the actual expense of 1969 (\$43,798.39) according to the apportionment factors of October 1, 1968 which is 354 for Lincoln (24.50%) and 1091 for Sudbury (75.50%).

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
Adjustment	\$ 982.06	\$ 3,026.33	\$ 4,008.39

3. The estimated receipts for 1970 on application filed under Federal Aid PL864 (NDEA) for the 1968-69 school year are adjusted to the actual receipts.

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
Estimated Receipts	\$ 1,553.50	\$ 4,946.50	\$ 6,500.00
Actual Receipts	<u>1,672.53</u>	<u>5,325.52</u>	<u>6,998.05</u>
Adjustment	(\$ 119.03)	(\$ 379.02)	(\$ 498.05)

SUMMARY - Outlay

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
A, 1. Apportionment, 1971	\$ 10,264.90	\$ 34,365.10	\$ 44,630.00
A, 2. Adjustment 1969 Expenditures	982.06	3,026.33	4,008.39
A, 3. Adjustment, 1970 Receipts PL864 on 1968-69	<u>(119.03)</u>	<u>(379.02)</u>	<u>(498.05)</u>
	\$ 11,127.93	\$ 37,012.41	\$ 48,140.34

V Apportionment of Debt Service and State Construction Aid

A. Debt Service

The total Debt Service is apportioned on the basis of the October 1 enrollment in grades 9 to 12 preceding the due date of such installment which is 378 for Lincoln (23.0%) and 1268 for Sudbury (77.0%).

B. State Construction Aid

As voted by the Town of Lincoln at a Special Meeting on November 28, 1966, and by the Town of Sudbury at its Annual Meeting in March, 1967, this aid is apportioned on the same basis as is the Debt Service, which is (23%) for Lincoln and (77%) for Sudbury.

SUMMARY - Debt Service and State Construction Aid

	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
A, 1. Apportionment, 1971	\$ 87,484.64	\$ 292,883.36	\$ 380,368.00
B, 1. State Construction Aid	<u>(32,955.01)</u>	<u>(110,327.63)</u>	<u>(143,282.64)</u>
	\$ 54,529.63	\$ 182,555.73	\$ 237,085.36

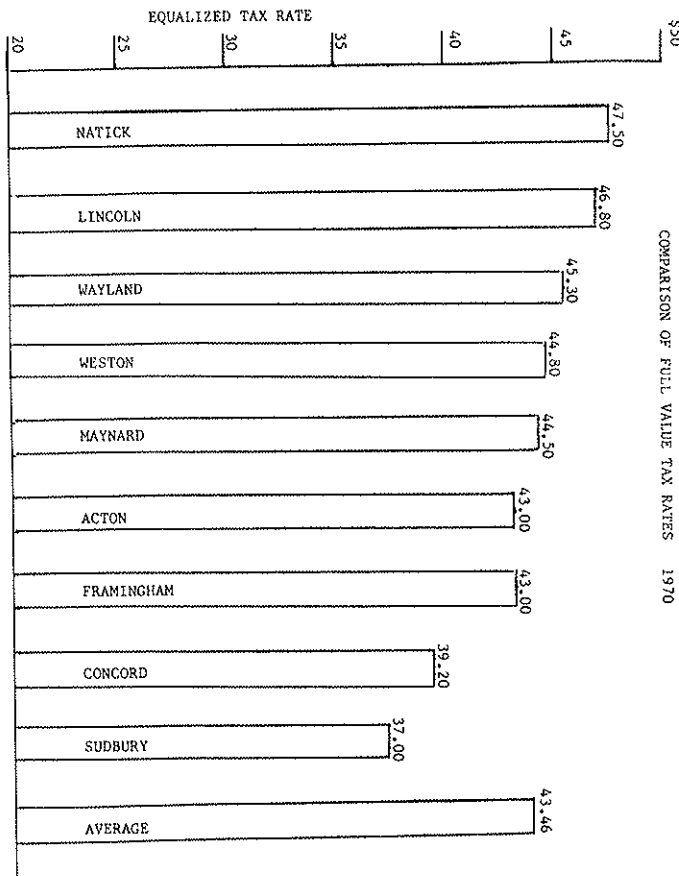
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	<u>Lincoln</u>	<u>Sudbury</u>	<u>Total</u>
Operating Expense	\$466,997.46	\$1,598,421.68	\$2,065,419.14
Contingency	7,590.00	25,410.00	33,000.00
Community Services	183.20	669.37	852.57
Outlay	11,127.93	37,012.41	48,140.34
Debt Service	<u>54,529.63</u>	<u>182,555.73</u>	<u>237,085.36</u>
	\$540,428.22	\$1,844,069.19	\$2,384,497.41

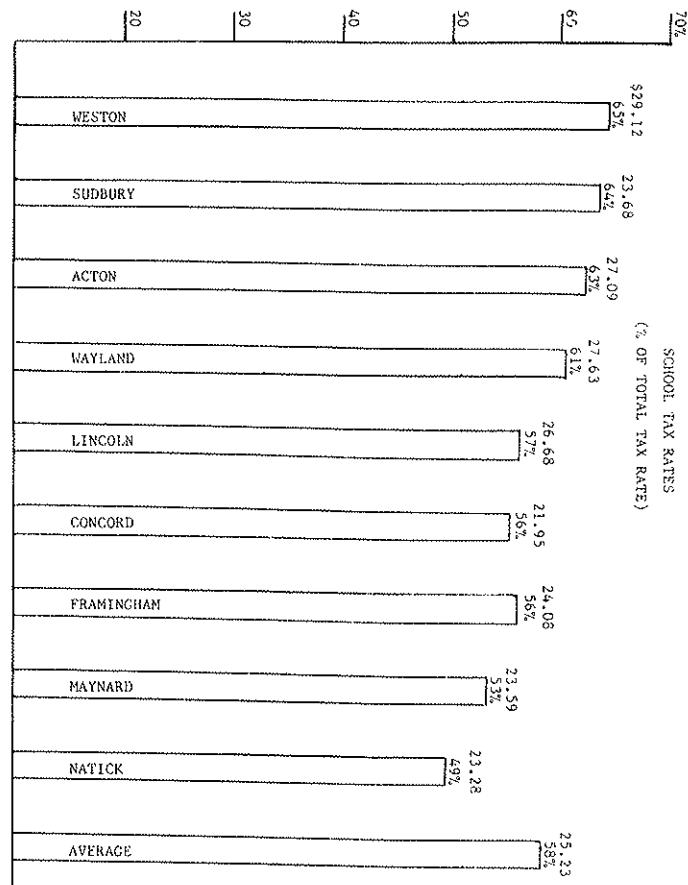
APPENDIX B

Supplementary Report of the Finance Committee (Mr. Phillips B. Hunt, Jr.)

Although it is the duty of the Finance Committee to consider all articles of any Town Meeting Warrant and submit its recommendations to the Board of Selectmen, the final decision as to how much and where the money will be spent rests with you, the voters assembled here in this meeting. In view of this, it is appropriate to present to you an overview of the Town's fiscal stature and how it compares in these items with the surrounding towns.



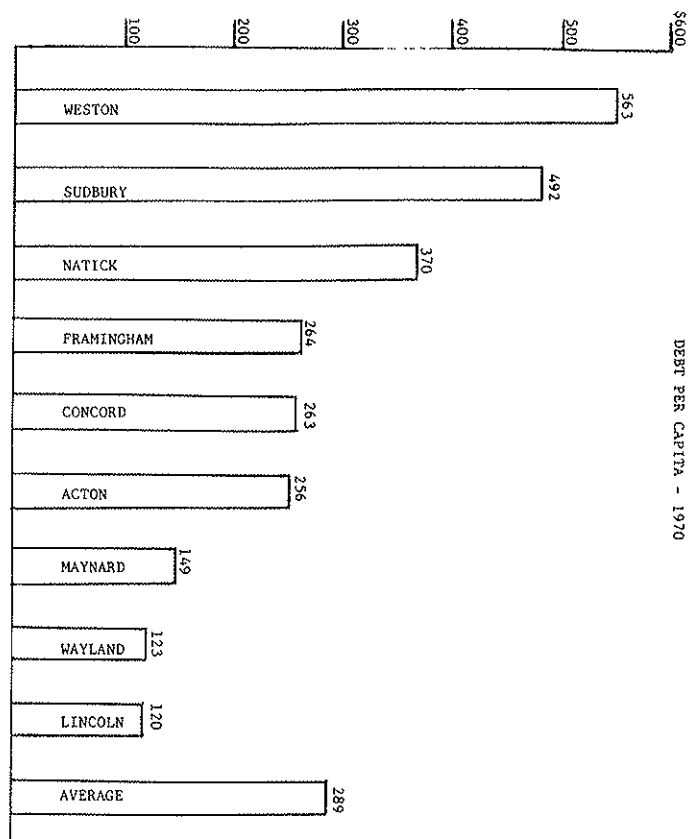
The first chart compares the equalized tax rates in the nine towns we have been using as a comparison for a number of years. This is the first year that Sudbury's tax rate has been calculated on a full value basis. The actual tax rate at \$37.00 is the lowest of these surrounding towns. It is considerably lower than the \$48.70 full value rate calculated by the State Tax Department last year using an estimate of our valuation. Although Sudbury's rate is the lowest in this group, it should be kept in mind that some of these other towns do provide services that the Town of Sudbury has yet to enjoy such as sewerage disposal and garbage collection.



This chart indicates the school tax rates in the nine towns based upon a percentage of the total tax rate. Weston is the highest, spending 65% of the tax dollar for schools. Sudbury is second at 64%, and the average of the nine towns is 58%.

It should be kept in mind that we also calculated this on a school tax rate basis. Weston is still high at \$29.12, but Sudbury's actual school tax rate of \$23.68 places it sixth in this group of comparative towns.

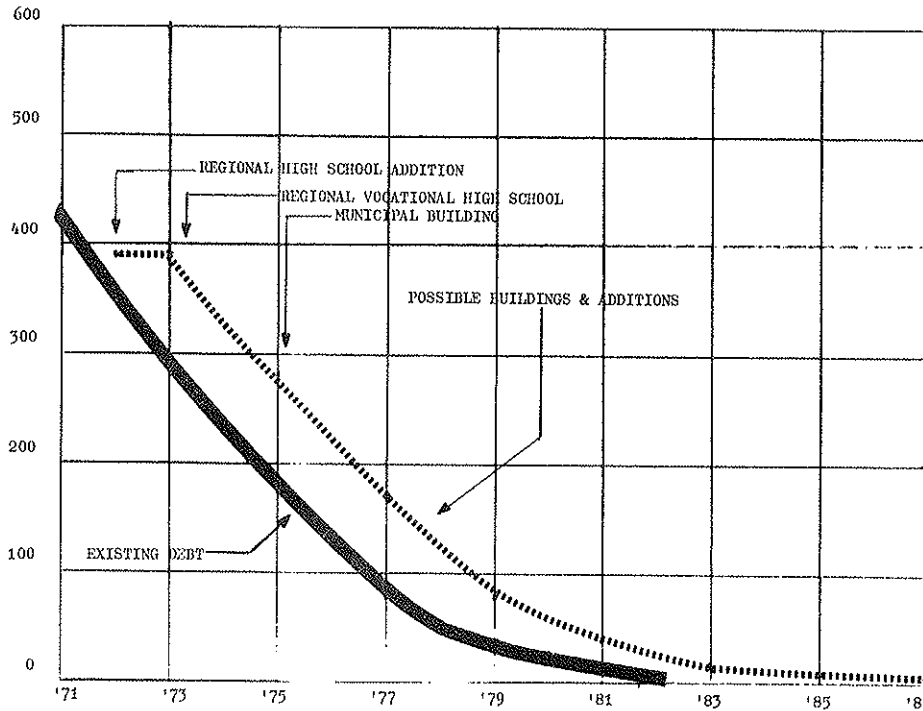
An interesting point which can be drawn from these figures is that as a town's growth rate levels off, the percentage of the tax rate spent in support of schools also declines. It is this decline that enables a town to increase its other services such as garbage or rubbish collection.



This chart reflects the total debt per capita in the nine towns. Weston has won the distinction of having the highest debt per capita at \$563. Sudbury's debt per capita in 1970 was \$492. The previous year was roughly \$300, and the increase can be attributed to the two new building additions at the Junior High School and the Peter Noyes School.

It is interesting to note that Lincoln has the lowest debt per capita of the surrounding towns at \$120.

SUDBURY DEBT PER CAPITA FORECAST
CHART D



We have projected the slope of the per capita debt beginning with 1971. The actual debt per capita this year will reduce to \$429. The curve makes a rather sharp dip for the next five years and then levels off to about 1982. The reason for the sharp dip can be attributed to the present policy of bonding our additions over a ten year period. We reduce the debt at a faster rate.

The dotted line is an indication of potential debts in areas that we are now considering or that we know about. These have been identified as the addition to the Regional High School in 1972, bonding money needed for the Vocational Technical High School in 1973, and a proposed municipal building which could occur about 1975. These would prolong the decline of the debt, but it does slope it at roughly the same degree.

SUDBURY TAX RATE

CHART E

	1970 (Actual)	1971 (Est. Per Fin. Comm. Recommendations)
<u>APPROPRIATIONS & ASSESSMENTS</u>		
Town Grants	\$ 6,460,154	\$ 7,028,533
Special Articles (Inc. in above)		130,780
Statutory Assessments (County Tax, MBTA, Etc.)	275,198	300,000
Overlay Reserve	<u>167,861</u>	<u>100,000</u>
Total	\$ 6,903,213	\$ 7,559,313
<u>RECEIPTS</u>		
State Aid	\$ 1,207,671	\$ 1,275,000
Motor Vehicle Excise	341,841	350,000
Other (Licenses, Use of Schools, Fines, Etc.)	59,450	65,000
Transfer From Available Funds	<u>281,039</u>	<u>186,805</u>
Total	\$ 1,890,001	\$ 1,876,805
Net Amount to be Raised by Taxation	\$ 5,013,212	\$ 5,682,508
Valuation of Real & Personal Property	\$135,492,230	\$140,000,000
Tax Rate Per \$1,000	37.00	40.75
Appropriation Equating to \$1 on Tax Rate	\$ 135,000	\$ 140,000

This chart represents how the Finance Committee has estimated the tax rate for 1971. It should be noted that this is only an estimate since there are unknowns this year basically in the area of state aid. The figures for 1970 are actual.

Appropriations and Assessments, including Town Grants, Special Articles, Statutory Assessments and Overlay Reserve, which is the amount set aside by the Assessors to cover abatements, have increased about 10% over the 1970 figures if our recommendations are followed.

Receipts have stayed basically the same. An increase in state aid is shown, but this is still uncertain. We currently have \$293,000 in free cash, and the Finance Committee has recommended that \$186,000 of this money be used to reduce the amount which must be raised by taxation. In each of the special articles that has our favorable recommendation, we will suggest that the money be raised from free cash. Also we will suggest that some \$56,000 in the Highway budget be taken from free cash since it will go back to the fund as reimbursements from the state and county for their share of Chapter 81 and 90 road maintenance and construction. This leaves a net amount to be raised by taxation of \$5,682,000.

We have estimated that the valuation this year in real and personal property will increase to \$140,000,000, roughly four and one-half million dollars over last year. This means that the tax rate will be \$40.75 if the Finance Committee recommendations are followed. The reason we have broken it down to twenty-five cent increments this year is that we are now on full valuation and twenty-five cents on the tax rate is somewhat equated to almost one dollar on the old basis.

Each \$140,000 voted represents one dollar on the tax rate. In the following chart (see next page) we have attempted to break down each of the line items to show how much it would cost you based upon your valuation.

THE EFFECT OF THE ESTIMATED 1971 TAX RATE ON YOUR POCKETBOOK

BUDGET CATEGORY OR SPECIAL ARTICLE	AMOUNT	YOUR TOTAL ASSESSED VALUATION				
		20,000	30,000	40,000	50,000	60,000
100 SCHOOLS						
Public	2,721,000	388.80	583.20	777.60	972.00	1,166.40
Regional	1,844,069	263.40	395.10	526.80	658.50	790.20
200 DEBT	694,036	99.20	148.80	198.40	248.00	297.60
300 PROTECTION	613,207	87.60	131.40	175.20	219.00	262.80
400 HIGHWAY	490,692	70.00	105.00	140.00	175.00	210.00
500 GOVERNMENT	253,416	36.20	54.30	72.40	90.50	108.60
600 LIBRARY	73,610	10.60	15.90	21.20	26.50	31.80
700 PARKS & REC.	61,557	8.80	13.20	17.60	22.00	26.40
800 HEALTH & SAN.	35,294	5.00	7.50	10.00	12.50	15.00
900 VETERANS BEN.	17,075	2.40	3.60	4.80	6.00	7.20
950 UNCLASSIFIED	178,881	25.60	38.40	51.20	64.00	76.80
EST. STAT. ASSESS. + OTH.	300,000	42.80	64.20	85.60	107.00	128.40
EST. OVERLAY RES.	100,000	14.20	21.30	28.40	35.50	42.60
ARTICLE 5*	10,000	1.40	2.10	2.80	3.50	4.20
ARTICLE 23	3,000	.40	.60	.80	1.00	1.20
ARTICLE 25*	34,000	4.80	7.20	9.60	12.00	14.40
ARTICLE 27	40,000	5.80	8.70	11.60	14.50	17.40
ARTICLE 28*	5,000	.80	1.20	1.60	2.00	2.40
ARTICLE 29*	18,000	2.60	3.90	5.20	6.50	7.80
ARTICLES 31 & 32	16,000	2.20	3.30	4.40	5.50	6.60
ARTICLE 37**	2,500	.40	.60	.80	1.00	1.20
ARTICLE 40	5,000	.80	1.20	1.60	2.00	2.40
ARTICLE 41	59,400	8.40	12.60	16.80	21.00	25.20
ARTICLE 42**	25,000	3.60	5.40	7.20	9.00	10.80
ARTICLE 49	1,880	.20	.30	.40	.50	.60
ARTICLE 50**	120,000	17.20	25.80	34.40	43.00	51.60
LESS AVAIL. FUNDS	181,305	(26.00)	(39.00)	(52.00)	(65.00)	(78.00)
LESS EST. RECEIPTS	1,620,000	(231.40)	(347.10)	(462.80)	(578.50)	(694.20)
TOTAL TAX BILL BASED ON RECOMMENDATIONS		815.00	1,222.50	1,630.00	2,037.50	2,445.00

* NOT RECOMMENDED

** STILL UNDER STUDY 2/15/71

PROCEEDINGS

SPECIAL TOWN MEETING

November 1, 1971

The Moderator called the meeting, warned for 7:30 P.M., to order at 7:40 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present, and announced that the amount of free cash was \$102,570.00, and the amount of the Conservation Fund was \$138,310.02, as certified by Floyd L. Stiles, Jr., Town Accountant.

He stated that he had examined the call of the meeting, the officer's return of service, and the Town Clerk's return of mailing notice to each household and had found them all in order.

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

The Moderator recognized Mr. Donald D. Bishop, Chairman of the Finance Committee, who gave the following preliminary report for that committee:

We will hear much tonight about available funds, free cash, surplus revenue. Let us all be reminded that, "there ain't no such thing". The only available funds came from us all in the first place. Their main value is to avoid interest on borrowing by the Town Treasurer and to reduce later tax rates. Their use now to us is to fund items which would otherwise have to wait until Annual Town Meeting in April, which has a long enough warrant as it is each year. Several articles appear in this warrant because of their emergency nature in time. Others appear because of tradition and because of work flow of the departments. All belong in this warrant and are worthy of your very serious consideration. We hope you find our recommendations helpful in that consideration and in deciding how you will vote.

Article 1: To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire, in fee simple, by purchase or by a taking by eminent domain, for conservation purposes, two parcels of land situated on the SOUTHERLY side of LINCOLN ROAD, in SUDBURY, containing approximately 25 acres, bounded as follows:

WESTERLY by land of Boston Edison Company,
NORTHERLY by LINCOLN ROAD,
EASTERLY by land now or formerly of COOPER,
SOUTHERLY by land of the United States of America;

owned in whole or in part by Francis Umbrello; and to appropriate from available funds therefor, and all expenses in connection therewith, the sum of \$35,000.00, or any other sum; and for this purpose authorize the Selectmen or the Conservation Commission to accept gifts of land in said area, with all land acquired hereunder to be under the management and control of the Conservation Commission, or act on anything relative thereto.

Submitted by CONSERVATION COMMISSION

Conservation Commission Report: This parcel of land is presently in agricultural use. Almost the entire acreage is planted in feed corn by the Watertown Dairy. It is one of the last large undeveloped tracts linking the U. S. Great Meadows Wildlife Refuge to the South and East and the State Fish and Game Reservation and other public and semi-public lands to the North. For this reason the Conservation Commission feels that this tract is an important addition to the conservation-oriented open space in Sudbury. The Natural Resources Inventory prepared for Sudbury in 1971 by the Middlesex Conservation District lists the natural resource potential of this area as: wildlife habitat, nature study, hunting and green belt.

This parcel is part of the State-approved "Open Space and Recreation Plan, 1970". Thus, Town Meeting approval of this article will allow the Conservation Commission to apply for 50% reimbursement under the State's Self-Help program. A preliminary application has been filed.

[illegible]

The article does not ask for money to be appropriated, but rather that the Town Meeting approve the expenditure of \$35,000.00 from the Conservation Fund. The un-committed balance of the Conservation Fund is \$126,310.00. This figure is different from that announced by the Moderator because of two sets of committed funds representing purchases approved at previous town meetings that have not yet been consummated. The approval of this expenditure from the Conservation Fund will make it possible for the Conservation Commission to apply for 50% reimbursement from the State under the Self-Help Program. If the Town Meeting approves, we purchase the land for the full price and then apply to the State for 50% reimbursement. If the State approves, \$17,000.00 would be returned to the general fund of the Town, not to the Conservation Fund. We hope that you will consider this duly and approve this purchase.

Finance Committee Report: The Town has an opportunity to continue acquisition of Conservation land with funds previously appropriated. The described parcel is part of the Conservation Commission's total plan and is available now at a reasonable price. To qualify for 50% State reimbursement, the full amount must be appropriated. Recommend approval of \$35,000.00.

Long Range Capital Expenditures Committee Report: (Mrs. Margaret Q. Sweeney) The Long Range Capital Expenditures Committee approves of this expenditure as part of the long range plan already submitted by the Conservation Commission. We want to reinforce the idea as stated by the Commission that the monies are already set aside for this purpose.

UNANIMOUSLY VOTED: THAT THE TOWN AUTHORIZE AND EMPOWER THE SELECTMEN, UPON THE WRITTEN REQUEST OF THE CONSERVATION COMMISSION, UNDER THE PROVISIONS OF GENERAL LAWS, CHAPTER 40, SECTION 8C, AS AMENDED, TO ACQUIRE, IN FEE SIMPLE, BY PURCHASE OR BY TAKING BY EMINENT DOMAIN, FOR CONSERVATION PURPOSES, TWO PARCELS OF LAND SITUATED ON THE SOUTHERLY SIDE OF LINCOLN ROAD IN SUDBURY CONTAINING APPROXIMATELY 25 ACRES AND BOUNDED AS FOLLOWS:

WESTERLY BY LAND OF BOSTON EDISON COMPANY,
NORTHERLY BY LINCOLN ROAD,
EASTERLY BY LAND NOW OR FORMERLY OF COOPER,
SOUTHERLY BY LAND OF THE UNITED STATES OF AMERICA;

OWNED IN WHOLE OR IN PART BY FRANCIS UMBRELLO; AND TO APPROPRIATE AND TRANSFER FROM THE CONSERVATION FUND THEREFOR, AND ALL EXPENSES IN CONNECTION THEREWITH, THE SUM OF \$35,000.00, AND FOR THIS PURPOSE AUTHORIZE THE SELECTMEN OR THE CONSERVATION COMMISSION TO ACCEPT GIFTS OF LAND IN SAID AREA WITH ALL LAND ACQUIRED HEREUNDER TO BE UNDER THE MANAGEMENT AND CONTROL OF THE CONSERVATION COMMISSION.

Article 2: To see if the Town will vote to authorize and direct the Board of Selectmen to petition the General Court of Massachusetts to enact the following special law, without further consideration by a Sudbury Town Meeting:

"AN ACT PROVIDING THAT THE CIVIL SERVICE LAW AND CERTAIN PROVISIONS OF LAW RELATING TO TENURE SHALL NOT APPLY TO THE POSITION OF CHIEF OF POLICE OF THE TOWN OF SUDBURY.

SECTION 1. Section nine A of chapter thirty and chapter thirty-one of the General Laws shall not apply to the position of Chief of Police of the Town of Sudbury.

SECTION 2. Chapter 86 of the Acts of 1950 is hereby repealed",

or act on anything relative thereto.

Submitted by BOARD OF SELECTMEN

Dr. Howard W. Emmons, Chairman of the Board of Selectmen, moved that the Town authorize and direct the Board of Selectmen to petition the General Court of Massachusetts to enact the special law set forth in Article 2 in the Warrant of this Special Town Meeting, without further consideration by a Sudbury Town Meeting.

Board of Selectmen Report: (Dr. Emmons) We have a very good Police Department and we want to keep it that way. That department was built in the course of approximately twenty-three years, the tenure of Chief McGovern who has just retired. In order to pick a new chief, we have to abide at the present time by the Civil Service requirement that the chief must be selected from the current department. This limits very materially the men whom we can consider for the position.

The men in our department are very good policemen. They were chosen as the best policemen we were able to hire as each vacancy came due. We have selected those men for their knowledge of police work, but we have not considered all of the requirements that a chief of police needs to have.

During the course of Mr. McGovern's chief work, the department grew from a single man to a department of twenty-one men. He has done a very difficult job, not only of protecting the Town properly, but of transforming himself from the man who was on the street doing the job to the man who is a leader of a department, who organizes the department, who carries through all the administrative work, and who puts together and defends the annual budget. These leadership qualities are necessary but were not the qualities for which the various members of the Police Department were chosen.

This does not mean that our new chief is not a member of our department. He may very well be, and the Selectmen will certainly look into their qualifications carefully. We have already interviewed many of the police with the idea of appraising their efforts and their ability to take on more administrative and leadership work.

We wish that the Civil Service Law would permit the selection of the best chief that can be found rather than restricting the choice to those who happen to be already members of the present department. We think this ought to be a general condition under Civil Service. It would have many advantages and be an advantage to the men, since a man now joining a police force may only look up within his own force to find a future.

Furthermore, the inability to move from one town to another seriously restricts the spreading of good techniques. A man who could learn techniques in one town and then move to another would take all of his best techniques with him and adopt new ones. This would improve the departments. It also is a disadvantage to the Town that we not look more broadly. Instead of selecting the best man that can be found who not only knows police work but also has the necessary leadership qualifications, we must make a selection from a very restricted group.

The only solution we can see is to ask that the Town remove the position of Police Chief from the Civil Service requirement. Our Police Chief is in Civil Service because of a special law that the Town passed. This means that if you give us permission, we must apply to the State legislature for another special act to take the position of Police Chief out of Civil Service.

In general, the Selectmen are strongly in favor of Civil Service and what it attempts to accomplish. The most important thing we lose if the Police Chief is removed from Civil Service is his protection from miscellaneous political maneuvering. He could be removed any time the Selectmen saw fit.

The Selectmen do not want that power, and we do not want future Selectmen to have that power, or for anybody to have that power, including the Town Meeting. The Police Chief, as all other permanent employees of that importance to the Town, should have jobs that are protected so long as they are doing a good job for the Town.

Some time ago we adopted a portion of State law, Chapter 41, section 97A, which says that the Selectmen may remove such chief or other officers for cause at any time after a hearing, and that appointments shall be made annually. This is essentially what the Fire Chief enjoys but under another section.

We do not feel that this is good enough. If this article is passed this evening, we will bring in to the Annual Town Meeting a proposed modification to the Personnel By-law which puts a protection of the position of Police Chief in the form in which we believe it should be, that is, he shall be appointed by the Board of Selectmen and may be removed for cause after a hearing.

In view of the great importance of our police service, the fact that leadership qualities will be of major importance in the future and the administrative ability that is required, we need to be able to select the best officer that can be found from all those available and interested in this state. We hope you will act to make it possible to keep up the high quality of police service that we have had to date.

Finance Committee Report: The Selectmen should have the authority to select the best man they can obtain to carry out their responsibilities. If this article does not pass, the Selectmen must select the Chief of Police from within the present department. If this article does pass, the Selectmen may select the chief from within the department or wherever they find him. There is broad financial impact on the Town from the capabilities of the man the Selectmen are able to select as chief, in terms of the amount and quality of police protection provided, as well as the operating efficiency of the entire department in the use of all operating and capital expenditures. Recommend approval.

Committee on Town Administration Report: (Mr. Frederick W. Welch) The Committee on Town Administration supports the request of the Board of Selectmen for a legislative change in the special act placing the office of Chief of Police under Civil Service. This act originally was passed to protect the sole member of our local Police Department. As such, it should be considered in a different light than if the intention of the Town were to protect all present and future chiefs as the Selectmen have stated.

In selecting a Chief of Police, we believe that the Selectmen should seek a competent, well qualified departmental administrator. A Chief of Police is more than an expert in criminology. He must be a diplomat, a qualified administrator,

an innovator and a leader of men. He must see to the protection of our lives and property with the best men and equipment available at the least cost to you, the taxpayer.

The repeal of this special act will enable the Town to select a man for this important position with the appropriate qualifications from a wider range of candidates than is presently possible. It would be unfair to the Town and to its police officers to limit the field of eligible candidates for the position.

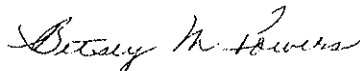
We believe that the best interests of the Town will be served by an open competitive examination taken by a wider range of individual candidates, thus assuring a proper selection for the position of Chief of Police. We urge your support for the passage of this article which we believe will result in a better and more responsive town administration.

After asking if any police officers wished to speak on the article, the Moderator recognized Officer Robert L. Wenham, who stated that there are a few towns in the area that have tried what is being proposed here. One town has had two chiefs in the past three years and another has had one chief for six months. If you want to know your chief, he would have to stay more than six months and not keep changing every two years. To get full service from a chief, he must live here and understand the people.

After considerable discussion, the Selectmen's motion under the article was defeated. In Favor - 339; Opposed - 430. (Total - 769)

VOTED: THAT THE MEETING ADJOURN. (8:52 P.M.)

A true record, Attest:



Betsey M. Powers
Town Clerk

PROCEEDINGS
SPECIAL TOWN MEETING
NOVEMBER 1, 1971

The Moderator called the meeting, warned for 8:00 P.M., to order at 8:55 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

He recognized Rabbi Lawrence Kushner of the Congregation Beth El of the Sudbury River Valley who addressed the meeting.

The Moderator led the citizens in the Pledge of Allegiance to our flag.

He announced that the amount of free cash available for appropriation was \$102,570.00 as certified by Floyd L. Stiles, Jr., Town Accountant. He also announced that he had examined the call of the meeting, the officer's return of service and the Town Clerk's return of mailing to each household and had found them all in order.

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

Consent was granted that Mr. Andrew Kramer of Earl R. Flansburgh and Associates sit in the hall and answer questions in connection with Article 2.

Article 1: To see if the Town will vote to approve the amount of indebtedness authorized by the regional district school committee of the Minuteman Regional Vocational Technical School District on October 5, 1971, for acquiring land and preparing architectural and engineering plans and for other preliminary expenses, all in connection with constructing and equipping a regional vocational technical school and, to the extent of any remaining balance, for constructing the school, or act on anything relative thereto.

Submitted by BOARD OF SELECTMEN

Board of Selectmen Report: This article requests approval by the Town Meeting of the action taken by the Minuteman Regional Vocational Technical School Committee on the 5th of October authorizing an indebtedness of \$900,000. This borrowing is for the purposes of acquiring a suitable site and for planning the school.

Sudbury's share of the borrowing is approximately \$83,700. Of that amount, \$27,900 is planned for site acquisition, and the remaining \$55,800 is to be used for planning costs. Estimated costs to the Town next year are approximately \$4,000 for the bonded cost of the site and a one-time payment of approximately \$2,200 for the interest on the planning amount. Planning costs are fully reimbursable, and cost other than interest will not be borne by the towns.

Minuteman Regional Vocational Technical School District Committee Report:
(Mr. Alfred C. Cron) On April seventh of this year the Sudbury Town Meeting voted to join this district, being the last town of twelve to join. The District Committee met and was organized on the twenty-second of April.

The Committee is currently operating under the following schedule. We hired a Superintendent, Mr. Samuel Sands, on the first of August. On the fifth of October, the Committee authorized a debt in the amount of \$900,000 for the purpose of acquiring a site and planning the school. In November of this year, we will complete the educational specifications which require State approval, and plan in December to hire the architect and make the final selection and acquisition of the site.

Preliminary plans, hopefully, will be completed by March, and a preliminary report will be made to the Town at that time. In September of the coming year, we will have gone through final working drawings and bid. The Committee at that time intends to authorize the entire debt for the District, and we will come back to the towns for final approval. We hope to start construction in November and open school in September of 1974.

The debt authorized on October fifth was \$900,000 for the District. Tentatively, \$300,000 of this is for site acquisition and site development. \$600,000 is for planning, which includes working drawings and bid. The cost to the Town this year will be absolutely nothing.

In 1972 the District will borrow the \$300,000 on short term notes and not float the bonds until the entire debt is authorized next year. Consequently there will be approximately \$10,500 interest on the \$300,000. Planning money to be used throughout the year will be borrowed as needed, and it is estimated that the average borrowing for the full year will be another \$300,000 resulting in another \$10,500 of interest.

Sudbury's share of the interest, being about 9% of the District, will be approximately \$1,887. The following year, 1973, the District will be paying about \$43,000, interest and principal, on this amount of money, of which Sudbury's share will be about \$3,937. That amount assumes a ten-year borrowing and interest at 4.06% as quoted by the State Street Trust.

Planning money for a vocational school is entirely reimbursable, so the only payment the towns will have, if the school is constructed, is the interest on that amount of money for a single year.

The School Committee has a Site Committee and an Architect Selection Committee. The Site Committee has recommended a primary site of approximately sixty acres located between Mill Street and Route 128, near Minuteman National Park. By 1974 primary access to the site will be onto what is called the Mass. Avenue Extension. There will be an interchange onto Route 2A.

We are asking tonight for approval of the action of the School Committee to authorize this preliminary debt for planning and site acquisition.

Finance Committee Report: (Mr. James S. Fisher) The Finance Committee supports this article. Sudbury voted to join the Minuteman region this past spring and also voted \$1,880 as the Town's share of 1971 initial operating costs of the region. At that spring meeting, the full schedule for planning, financing and constructing the vocational high school was presented in detail. This article represents the second step for Sudbury and for the region, and follows the original plan calling for participating towns to authorize borrowing for site acquisition and planning money in the near future.

Long Range Capital Expenditures Committee Report: (Mr. Robert A. Vannerson) The amount of this request is in accordance with the long range plan to build a vocational high school by 1974. The Long Range Capital Expenditures Committee supports passage of this article.

UNANIMOUSLY VOTED: THAT THE TOWN APPROVE \$900,000.00 OF INDEBTEDNESS AUTHORIZED BY THE REGIONAL DISTRICT SCHOOL COMMITTEE OF THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT ON OCTOBER 5, 1971, FOR ACQUIRING LAND AND PREPARING ARCHITECTURAL AND ENGINEERING PLANS AND FOR OTHER PRELIMINARY EXPENSES ALL IN CONNECTION WITH CONSTRUCTING AND EQUIPPING A REGIONAL VOCATIONAL TECHNICAL SCHOOL AND, TO THE EXTENT OF ANY REMAINING BALANCE, FOR CONSTRUCTING THE SCHOOL.

Article 2: To see if the Town will vote to approve the amount of indebtedness, namely, \$106,000.00, authorized by vote of the Lincoln-Sudbury Regional District School Committee, on October 12, 1971, for the purpose of adding to the existing Regional School building, or act on anything relative thereto.

Submitted by BOARD OF SELECTMEN

Board of Selectmen Report: The Selectmen have been advised by the Lincoln-Sudbury Regional District School Committee that they intend to borrow money for final architectural plans for an addition to the Regional School building. By statute, the member towns have thirty days after such borrowing is authorized by the Committee in which to disapprove it, if they so choose.

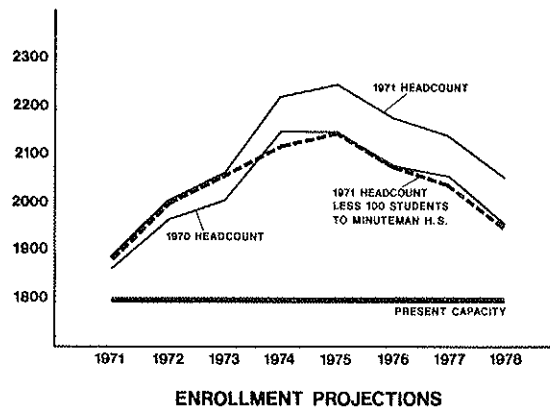
Dr. Howard W. Emmons further reported to the meeting for the Board of Selectmen as follows:

Those of you who have been in meetings in previous years and considered Lincoln-Sudbury Regional School borrowing will remember that the articles and motions have normally been made in the negative. This is not true this time. The lawyers finally gave in and admitted that you could express your view correctly in a positive fashion. If you want it, vote "yes".

Lincoln-Sudbury Regional School District Committee Majority Report: (Dr. Norman C. Rasmussen) The School Committee has come back before you tonight with a proposal for an addition to its building. We are here to see if you will approve our motion for indebtedness of \$106,000.00 to make final plans and get construction bids on this school addition. If you approve this, we will go ahead, get the bids, and be

back at the spring town meeting for final approval on the project. Your commitment tonight is only \$106,000.00, but do not vote in favor of it unless you are committed to the project estimated to cost about 2.4 million dollars.

The reason we need this school is clear. We have more students coming to the school than we have capacity to hold.



Our present capacity is 1,800 students which was the design capacity in 1966 when the last addition was put on. The headcount in 1970 showed a peak at 2,125. This headcount is obtained by simply adding the number in each grade and moving them up as the years progress. It has nothing in it for increased population due to added building.

The headcount for 1971, our projected population on this same basis, is increased by almost 100 over last year. That gives you an idea of the inaccuracy of these projections.

We now predict that we will exceed 2,200 in the peak year of 1975, and, if building continues at the same rate as it is now going on in Lincoln and Sudbury, we expect these projections to continue to increase. To get to the population we expect to house, we have subtracted 100, which is the number we project will go to the vocational school. The result is that we project we will need capacity for about 300 more students than the school has been designed for.

In figuring where to add this capacity, we went through our program to see where we are under pressure from our utilization. There are four areas not under pressure, home economics, business, music and industrial arts, and we will not need additions in those areas.

However, in science, we currently have thirteen rooms, and we use them to 97% capacity. That is not 97% of the total time. A classroom can be used only about 80% of the time because of gaps due to scheduling. With one more room we can accommodate about 2,100 students at about 100% utilization.

Art is a deplorable situation at the high school. We currently have three rooms for art which would have to be used to 133% of capacity by our art program and obviously that is too much. Therefore, art is conducted in the teachers' dining room and in a stairwell. We propose five new art teaching stations and to retire the present three stations back to normal classrooms for which they were originally designed. With five new stations, which is in effect an increase of one if you count the teachers' dining room, we would be using our space to 91% of capacity with 2,100 student population.

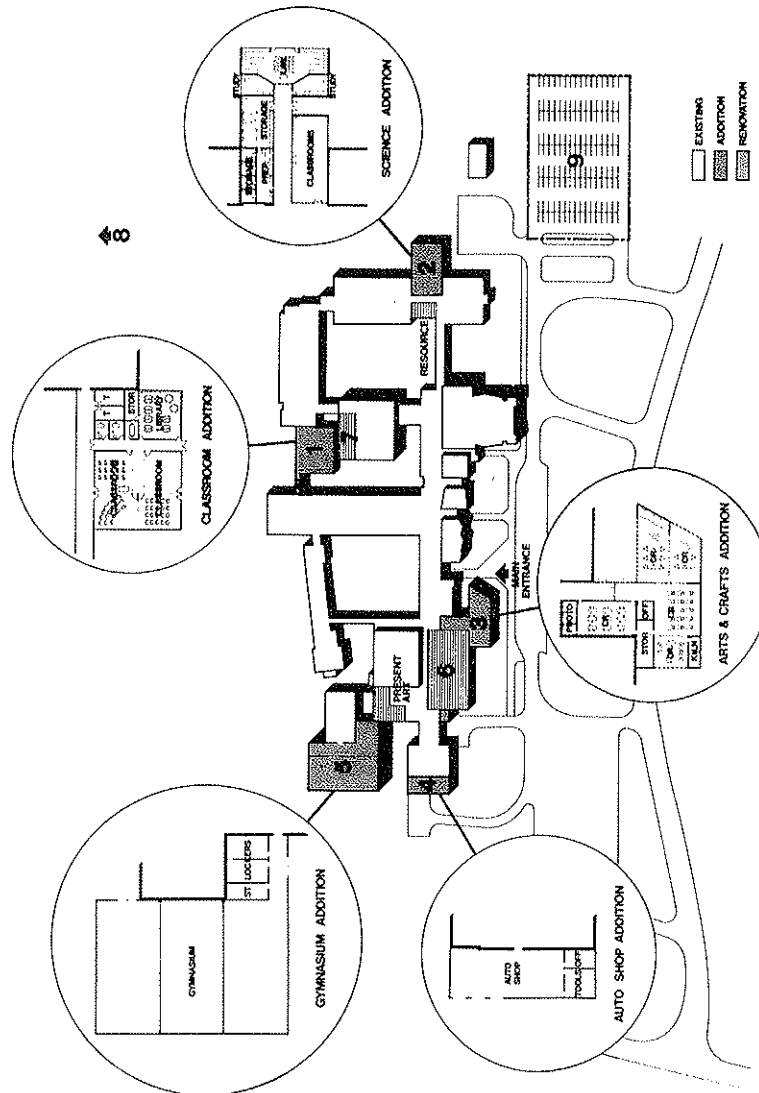
We do not have an auto shop in this school. We have run surveys and find that it is a course that has great interest in the student body. Concord-Carlisle has such a program and has found it to be very effective in stimulating the interest of at least one group of unmotivated students. We think that there has been a criticism of our school in that the programs are not well tuned for the unmotivated students. Art and auto shop are two areas which experience shows will motivate students.

In physical education we presently have four teaching stations plus a wrestling room which can be used as a teaching station for some kinds of activities. We are proposing a 12,000 square foot gymnasium containing three teaching stations plus a small increase in showers, lockers and drying room for equipment. This is a very modest building in that it is an open structure without a wooden floor and divides

into three stations with nets. We feel this is the minimum that will support our present physical education program now designed to meet three times a week with a philosophy of trying to develop the students in life long sports. This would not actually house all the classes, and some would have to meet outside, but our program is designed to have some outside physical education in the winter.

At present there are thirty-eight general purpose classrooms used to 90% capacity with scheduled classroom use and somewhat above 90% with unscheduled uses such as mini-courses and other activities. We propose to add six new rooms plus the three art rooms that would be converted.

The per cent utilization depends upon the free time in the program. The School Committee has reduced the free time this year and is tending to develop programs to further reduce it toward 20%. We feel this number is justified to allow some flexibility in changing the program.



This diagram shows the school with the proposed additions and renovations. Number 5 is the gym and its support space. Number 4 is the auto shop. In addition to the classroom teaching space, we need some improvements in the cafeteria to handle 2,100 students in five shifts and some improvement in the kitchen where working conditions are practically intolerable. Number 3 is the art space. Number 1 is the four classrooms and the resource center which acts as a satellite library and removes pressure from the library. The present library will be expanded since it is under considerable pressure and is overcrowded at all periods of the day. Number 2 is the science room and the other two classrooms.

In addition to the projects in the building, there are a couple of other projects which must be done. One is to revitalize the sewage system, and the other is to repair and resurface the lower parking lot which is washing away.

The costs are broken down as follows. Additions and renovations, including the parking lot and sewage system, are estimated to be 1.9 million dollars. Other items such as classroom equipment, kitchen equipment, architectural fees, clerk of the works and contingency bring the project to 2.4 million dollars. These are the architect's best estimates, not firm numbers. The firm numbers will come only after detailed plans are made.

Fortunately State aid pays 65% of the costs. Lincoln and Sudbury together pay the other 35%. Sudbury's share of this is about 26% of the total plus 75% of the interest. The effect on the tax rate, assuming ten-year bonding and 6% interest, is about \$1.15 in 1974, decreasing to 45¢ in 1984. This figure compares to about \$12.00 that you pay now on the tax rate for the operation of the school. We think it makes good economic sense to put this investment into plant so that those \$12.00 on your tax rate will be a better investment and the education can be carried out more effectively.

A number of people have worked very hard to develop these plans. We think they are austere, but meet our minimum requirements for effective educational program in the school. We know that there are a number of people who are not satisfied with one or another aspect of the operation of the school and may be tempted to vote against this project because of that. Whether the school philosophy changes or not, space of about this magnitude will be required to teach 2,100 students effectively. A vote against this project really is a vote to deprive those students that are coming to the school in the next five to ten years. If you are unhappy with the philosophy of the School Committee, the effective place to vote to change that is in the election of School Committeemen next spring.

Finance Committee Report: The School Committee student population estimates are based solely on students now in the lower grades, with allowance for the Minuteman Vocational School to handle 100 potential Lincoln-Sudbury students, beginning in 1974. The Finance Committee agrees with the results of these projections, which indicate that the Regional High School population should peak at around 2100 students in 1974 or 1975.

Although the present building was rated as adequate for 1800 students in 1966, it is now used to house and teach the current population of 1875 students. The present building could physically crowd in all the students expected to be on hand through the peak in 1975, but only with changes in curriculum, class size, free time, or school hours. In any event, a sewage plant must be overhauled or replaced.

However, the present building does not have adequate space or facilities to enable the School Committee and administration to offer the selection of courses to all the students who elect to take them. Classroom capacity and use vary widely according to the nature and type of course offered, as well as the latitude of student choice allowed in selecting courses. Due to the introduction of flexible scheduling of classes and the Careers Exploration Program, general classroom capacity is currently adequate even for 1875 students, but in other specific areas such as art and physical education the committee and administration are currently unable to offer basic courses to all the students interested. In the case of power mechanics, there are no facilities at the moment. The increase in students is expected to bring other programs, notably science, into this under-capacity condition.

There are alternatives open to the Town at this time. One is to defer the addition, or any building, and spend only for sewage requirements and the minimum number of basic general classrooms needed to physically house 2100 students. The Finance Committee feels that this approach fails to recognize that the present building does not meet the curriculum requirements of the School Committee and administration; regardless of the type of curriculum requirements increases in student population will force other restrictions such as increased class size, more free time, or double sessions. A second alternative is to plan now for an entire new building, to avoid facing piecemeal building proposals every five years. The Finance Committee agrees with the School Committee that it is virtually impossible to accurately plan school facilities for anything but the foreseeable short term, because of the difficulty of making accurate long term population forecasts, the rapidly changing nature of teaching methods, equipment, curriculum, and educational philosophies, to say nothing of State requirements.

The Finance Committee believes that the proposed plan presents a realistic approach to an extremely difficult problem, and supports the indebtedness of \$106,000. Recommend approval.

Mr. James S. Fisher further reported to the meeting for the Finance Committee as follows:

The purpose of this proposed indebtedness of \$106,000 is to provide money for working drawings and architectural specifications which will be used to obtain construction bids on the proposed addition, with the exception of \$5,000 which is to provide for surveys concerning drainage and erosion problems.

The finance history of this project is as follows. In the spring of 1970, the towns of Lincoln and Sudbury voted a stabilization fund of \$100,000. This amount will be matched by the State after the construction is begun on the project. At the same meeting, the towns also voted \$25,000 planning money which has been spent to create the plans and cost estimates which are before us.

In the fall of 1970, Sudbury refused to vote the additional planning money which is now being requested. At that time the project was estimated at 2.8 million dollars, and the planning money requested was \$120,000.

If this article is passed, the next step will be for both towns to approve indebtedness for the whole project, most likely at the next Annual Town Meeting. The actual size of the debt will be determined by the bids received, and it is estimated the project will total 2.4 million dollars if the bidding is completed in March 1972. State aid is available at 65% of the project cost, which includes the planning money being considered tonight plus matching stabilization money after construction has begun.

Sudbury and Lincoln share the remaining principal costs and all interest charges based upon student ratio. Allowing for State aid and Lincoln's share, the impact of approving a 2.4 million dollar project next spring would be to increase the tax rate between \$1.00 and \$1.15 per thousand in the first year. This figure could vary somewhat depending upon interest rates at the time of the bonding and the length of the issue.

If this \$106,000 planning money is approved, but the whole project is not carried out, there is no State aid, and the towns would have to pay back the entire amount.

For this reason, approval of the requested planning money should represent a serious intent to approve this addition project next spring as long as the costs and the plans, as we see them then, are reasonably similar to those presented tonight.

Long Range Capital Expenditures Committee Report: (Mrs. Marjorie C. Huse) The Long Range Capital Expenditures Committee recommends approval of this planning money. Our 1971 capital expenditures forecast included the bonding of an addition to the high school this year. The time required to plan a building within the original estimate of 2.5 million has delayed the project a year, so that repayment of the bond, if approved next spring, will not begin until 1974.

Lincoln-Sudbury Regional School Committee Minority Report: (Mr. William E. Haas) The proposed building addition is not presented with the unanimous vote of the School Committee. The expenditure of the proposed sum is a financial question which each of you must face personally. I cannot support the addition for a variety of reasons other than the financial aspect, and those reasons are in terms of need, efficiency, and purpose.

In theory, I cannot believe that the erection of new walls can intrinsically inspire student enthusiasm to curb the apathy with which this School Committee has recently been quite concerned. We are also only fooling ourselves if we believe that the esoteric qualities of new construction can provide the educational boost with which so many of us are concerned.

In terms of the building itself, there is much example of this inefficient use of facilities. The library is one good example as a starting point. Instead of being situated at various other locations, the bookshelves are in the middle of the library floor using precious seating space, while existing walls in adjoining rooms, which are potential special libraries and quiet study places, hardly meet the potential in which they could exist.

The classroom space is another great issue. With a class average figure of twenty-five, which is less than the existing one, and figuring for sixty-eight so-called classrooms, 1,700 can be accommodated. This ignores the other teaching stations, that is, the five gym sectors, the lecture hall, Little Theater, band room, student commons and the library. When you figure this all in, you get just about 2,200 students with quite a few in the student commons. You get 2,100 students with no crowding at all in the student commons. We must remember also that class sizes range from fourteen up to forty-five, and around the average, even to date,

there are just as many above twenty-five as below it, so there is compensation for small classes and large classes. Along with the 2,100 students which are accommodated, the halls and the auditorium are completely vacant. I have also accounted for resource centers, teaching rooms, possible study halls, and the uncrowded student commons.

If you also take into account that we may lose 100 students to the vocational school, that many students are part of either Career Exploration or Work Study, that a program for Open Campus is now under study, and that the Committee showed approval for the continuing study of an Alternative Semester Plan which sends another fifty students out of the school, the student level is well below 2,000. Therefore, I can see no justification for additional classrooms.

In regard to the new science lab, the non-existent use of the present lab three hours of each day, five days a week, is no certification of need for new lab facilities.

The auto shop is perhaps a sore spot, but even the supporting members of the Committee have said that it is an area which is not needed, but nonetheless highly desirable.

I would be the last person in the world to withdraw support for a suitable physical education facility, yet here the cost is so great and the purpose is so limited. Its size is a compromise area which unfortunately has been designed to suit an existing program. By admission of the physical education faculty, the size is much smaller than desired. It is so small that it accommodates only a certain program and has general use which is quite limited.

For these reasons, I could not possibly put forth to the community any support for this building, and I hope that you will vote not to incur this debt.

After discussion, it was

VOTED: THAT THE TOWN APPROVE THE AMOUNT OF INDEBTEDNESS, NAMELY \$106,000.00, AUTHORIZED BY VOTE OF THE LINCOLN-SUDBURY REGIONAL DISTRICT SCHOOL COMMITTEE ON OCTOBER 12, 1971, FOR THE PURPOSE OF ADDING TO THE EXISTING REGIONAL SCHOOL BUILDING, MORE SPECIFICALLY FOR PRELIMINARY EXPENSES INCLUDING PRELIMINARY PLANS.

In Favor - 482; Opposed - 266. (Total - 748)

Article 3: To see if the Town will vote to appropriate from available funds the sum of \$2,500.00, or any other sum, for use by the Sudbury Housing Authority for general operating expenses and options to purchase land, or act on anything relative thereto.

Submitted by SUDBURY HOUSING AUTHORITY

Sudbury Housing Authority Report: (Mr. Myron J. Fox) The Sudbury Housing Authority was created at the 1971 Annual Town Meeting for the sole purpose of providing housing for elderly persons of low income. In order for your Housing Authority to effect that goal, we badly need initial operating expenses and sufficient funds for the possible use of an option to purchase land on which to build that housing. The members of the Sudbury Housing Authority feel that we are making a reasonable request for expenses with which to operate effectively through March of 1972 at which time we hope to receive funding from the Department of Community Affairs, a State agency.

Some of the expenses that we are requesting consist of a part-time secretary and various office supplies for a total of \$800.00. The other \$1,700.00 is for an option to purchase land.

If the Housing Authority finds a suitable site, it may become necessary to sign an option to hold this land open for our use while we secure approval of the various agencies. We must seek approval from the Board of Health, the Planning Board, the Selectmen and several other Town agencies as well as the Department of Community Affairs on the State level, and most importantly, come back to you at Town Meeting. All of this will take a period of several months during which time we might lose the property.

The most important point to be made is that the best knowledge we presently have from the Department of Community Affairs is that we will be able to repay the Town the full \$2,500.00. Other housing authorities have done this, and we intend to do the same thing. We hope you support this article.

Finance Committee Report: The Sudbury Housing Authority plans to borrow office space and expects that the \$2,500.00 requested will support their operation through March, 1972, at which time they expect to continue with State support. No funds will revert to the Town on December 31, nor on March 31, but the Authority plans to reimburse the Town, as other similar housing authorities have done. Recommend approval of \$2,500.00.

VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER FROM AVAILABLE FUNDS THE SUM OF \$2,500.00 FOR USE BY THE SUDBURY HOUSING AUTHORITY FOR GENERAL OPERATING EXPENSES AND OPTIONS TO PURCHASE LAND.

Article 4: To see if the Town will vote to accept the provisions of Chapter 768, Acts of 1969, relative to the accelerated Highway Program, and appropriate from available funds the sum of \$5,625.86, which has been approved pursuant to Section 4 of said Chapter 768, to be expended under the direction of the Highway Commissioners for highway purposes described in said Section 4, or act on anything relative thereto.

Submitted by HIGHWAY COMMISSION

Highway Commission Report: The Highway Commission recommends favorable action on this article. A project request has been approved by the Massachusetts Department of Public Works to expend these funds for the resurfacing of Old Sudbury Road from the Town Hall 2000 feet southerly. The Commission is confident that the appropriation and expenditure of these funds, and any other funds, made available to us through such special acts to upgrade Town roads, is in the best interest of the Town.

Mr. Anthony L. Galeota, Jr., further reported to the meeting for the Highway Commission as follows: The report in the warrant went to print before we had completed our bituminous concrete paving on Old Sudbury Road this year. Our intention now will be to start at that point and carry these funds, which are totally reimbursable by the State, as far as they will go.

Finance Committee Report: The amount of \$5,625.86 was calculated based on Sudbury road mileage. We qualify for 100% State reimbursement only if we first appropriate the full amount. Recommend approval of \$5,625.86.

VOTED: THAT THE TOWN ACCEPT THE PROVISIONS OF CHAPTER 768, ACTS OF 1969, RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM, AND APPROPRIATE AND TRANSFER FROM FREE CASH \$5,625.86, WHICH HAS BEEN APPROVED PURSUANT TO SECTION 4 OF SAID CHAPTER 768, TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY COMMISSION FOR HIGHWAY PURPOSES DESCRIBED IN SAID SECTION 4.

The following resolution, submitted by the Highway Commission and the Life Support Group, was presented to the meeting by Mr. Galeota and was

UNANIMOUSLY VOTED:

- WHEREAS THE PER CAPITA AMOUNTS OF SOLID WASTE PRODUCED ARE INCREASING RAPIDLY WHILE ACCEPTABLE METHODS OF DISPOSAL ARE BECOMING MORE COSTLY AND DIFFICULT TO FIND.
- WHEREAS MOST "STANDARD" DISPOSAL METHODS REDUCE THE QUALITY OF THE NATURAL ENVIRONMENT WHILE WASTING OUR NATURAL RESOURCES.
- WHEREAS SUDBURY'S LIMITED EXPERIENCE WITH RECYCLING PAPER, GLASS, AND METAL PRODUCTS HAS SHOWN THAT SUCH OPERATIONS CAN SIGNIFICANTLY REDUCE THE VOLUME OF MATERIAL BURIED IN THE SANITARY LANDFILL WHILE YIELDING SALVAGE VALUE SUFFICIENT TO PAY FOR DIRECT OPERATING COSTS. AND
- WHEREAS EVERY INCREASE IN THE AMOUNT OF MATERIAL RECYCLED WILL EXTEND THE LIFE OF THE SANITARY LANDFILL, REDUCE THE COST OF SOLID WASTE DISPOSAL, AND SAVE VALUABLE RESOURCES. NOW THEREFORE BE IT
- RESOLVED THAT THE TOWN OF SUDBURY SUPPORT AND EXTEND SOLID WASTE RECYCLING BY URGING ALL CITIZENS TO:
1. ACQUAINT THEMSELVES WITH THE MATERIALS WHICH ARE BEING RECYCLED AND THE PROPER METHODS FOR THEIR PREPARATION.
 2. SEPARATE SALVAGEABLE MATERIAL AND DEPOSIT IT AT THE RECYCLING CENTER, PLACING THEIR REMAINING TRASH IN THE SANITARY LANDFILL.
 3. OR WHERE TRASH IS PICKED UP BY COMMERCIAL COLLECTORS, SEPARATE SALVAGEABLE MATERIAL BEFORE COLLECTION AND TAKE IT TO THE RECYCLING CENTER WHEN A REASONABLE AMOUNT IS ACCUMULATED. AND

THAT THE TOWN URGE ALL TOWN AGENCIES AND THE SCHOOL SYSTEMS TO PARTICIPATE:

1. BY ASSURING THAT ALL SALVAGEABLE WASTES PRODUCED UNDER THEIR CONTROL BE RECYCLED.
2. AND BY TAKING ALL MEASURES WITHIN THEIR CONTROL TO EXPAND, AT A PRUDENT PACE, THE SCOPE OF RECYCLING ACTIVITIES SO THAT THE WIDEST PRACTICAL RANGE OF ITEMS CAN BE RECYCLED FROM ALL WASTE SOURCES WITHIN THE TOWN. AND

THAT THE TOWN URGE THE COOPERATION OF ALL OTHER BUSINESSES AND ORGANIZATIONS WITHIN ITS BORDERS TO REVIEW THEIR WASTE HANDLING PROCEDURES AND TO RECYCLE SALVAGEABLE MATERIAL WHEREVER FEASIBLE.

Article 5: To see if the Town will vote to accept the alteration and relocation of Dakin Road, as altered and relocated by the Highway Commissioners, in accordance with the description and plan now on file in the Town Clerk's office; to authorize the acquisition, by purchase, by gift or by a taking by eminent domain, of the property within said way, as altered and relocated, in fee simple or any easements or other rights therein; and to appropriate from available funds therefor, and all expenses in connection therewith, a sum of money, or act on anything relative thereto.

Submitted by HIGHWAY COMMISSION

Highway Commission Report: (Mr. Anthony L. Galeota, Jr.) The Highway Commission recommends favorable action on this article. The concept of this layout was negotiated some years ago by the developer who owns a considerable portion of the abutting property. The intent of the layout is to provide land area to the Town for roadway purposes. The acceptance of the layout will provide sufficient area for any future widening, straightening or walkway construction which the Town may wish to undertake. The Finance Committee has recommended disapproval of this article for the reasons which are printed in their report. At the time of the Finance Committee hearings, there was concern about the several unanswered questions. Our position at that time was consistent with the recommendations of the printed Finance Committee report. However, since that hearing all questions have been satisfactorily answered, and we recommend approval as being in the best interest of the Town. We therefore recommend passage of this article.

Planning Board Report: (Mr. Richard H. Davison) By today's standards, the minimum acceptable width for a street right-of-way is fifty feet. The Dakin Road layout at present is only thirty-three feet wide. We have negotiated with the Dakin Farms Corporation for a series of parcels of land to provide the Town with a fifty foot right-of-way along most of Dakin Road. All but one of these parcels is at no cost to the Town. While no construction is planned at present, this right-of-way will allow future walkway utility or road construction. The Planning Board recommends passage of this article.

Finance Committee Report: The Finance Committee has been unable to obtain a complete, clear, or consistent description of the intent of this article from the various Town authorities involved. No specific sum of money has been suggested. It appears that adequate coordination has not been achieved; as a result no coordinated Town position and plan of action exists. Recommend disapproval.

Mr. Donald D. Bishop further reported to the meeting for the Finance Committee as follows:

The Finance Committee is appalled at how this article developed in this warrant. On Thursday evening at 7:30 on the twenty-eighth of October, I received a phone call, and the Finance Committee has discussed the information presented at that time. We have confirmed the reasons written in our recommendations on this article, but we reverse our recommendation. The Town has a very clear choice under the acceptance of Dakin Road in Article 5. Acceptance may cost the Town as much as \$825.00 in land acquisition plus perhaps \$2,500.00 additional highway work. If we do not accept Dakin Road as provided tonight, we can expect to be required to pay much more next year. The Town will accept Dakin Road eventually as planned in the new development and as described in the subdivision plan and the description plan on file in the Town Clerk's office. We will be required to pay for acquisition if we do not accept the road at this Special Town Meeting. The cost estimates range from \$10,000.00 to \$25,000.00. Those are pretty steep odds: \$850.00 now or at least \$10,000.00 out of pocket a year from now.

After discussion, it was

VOTED: THAT THE TOWN ACCEPT THE ALTERATION AND RELOCATION OF DAKIN ROAD, AS ALTERED AND RELOCATED BY THE HIGHWAY COMMISSIONERS, IN ACCORDANCE WITH THE DESCRIPTION AND PLAN NOW ON FILE IN THE TOWN CLERK'S OFFICE, AUTHORIZE ACQUISITION IN FEE SIMPLE OR ANY EASEMENTS OR OTHER RIGHTS THEREIN BY PURCHASE, BY GIFT, BY TAKING BY EMINENT DOMAIN OF THE PROPERTY WITHIN SAID WAY AS ALTERED AND RELOCATED, AND APPROPRIATE AND TRANSFER FROM FREE CASH THE SUM OF \$825.00 THEREFOR, AND ALL EXPENSES IN CONNECTION THEREWITH.

In Favor - 315; Opposed - 11. (Total - 326)

The meeting adjourned at 11:52 P.M. to November 2, 1971, at 8 P.M. in the same hall.

PROCEEDINGS

ADJOURNED SPECIAL TOWN MEETING

NOVEMBER 2, 1971

The Moderator called the meeting to order at 8:17 P.M. at the Lincoln-Sudbury Regional High School Auditorium. He declared that a quorum was present.

Article 6: To see if the Town will vote to appropriate from available funds the sum of \$15,000.00, or any other sum, to be expended under the direction of the Highway Commission, for the installation of traffic lights at the junction of Hudson Road, Concord Road, and Old Sudbury Road, according to the plan (Permit B-473) approved by the Massachusetts Department of Public Works, Traffic Division, with the contract for this installation to be subject to public bid in accordance with specification of the Highway Commission, or act on anything relative thereto.

Submitted by PLANNING BOARD
HIGHWAY COMMISSION
CHIEF OF POLICE

Planning Board Report: (Mrs. Jane F. Gillespie) The installation of full control traffic lights at Sudbury Center comes before you not only with the unanimous support of the Planning Board, but with the support of the Police Department, Highway Commission and a strong recommendation from the Sudbury Center Planning Committee, a sub-committee of the Planning Board. The proposal is on the warrant of this Special Town Meeting so that the installation could be made in 1972. If we wait until our April Annual Town Meeting, the Department of Public Works has told us that the work would not be done until 1973.

Those of you who battle rush hour traffic at Sudbury Center know how bad the traffic is there. Vehicle counts taken by the Police Department in 1969 and by the Sudbury Center Planning Committee late in 1970 show about 11,000 vehicles going through the Center between 7 A.M. and 7 P.M. on any week day. The peaks are between 7 and 8:30 A.M. and 4 and 6 P.M.

Sudbury Center is also a major accident spot in Town. In 1969 there were eleven accidents from May to December. There were three more in April of 1970, and in the first three months of 1971 there were four accidents at this intersection. Virtually all of these accidents involved two or more cars, and several of them involved injuries.

Under the terms of the permit issued by the D.P.W. for the installation of traffic lights at Sudbury Center, new tops with the traditional red, yellow and green lights would be put on the two stands that now have blinking lights. A third stand with lights would be installed on the traffic island now on Concord Road.

Our latest information indicates that the \$8,000.00 called for in the motion will be enough to cover the cost of this equipment and the installation.

The lights would operate automatically from 6 A.M. to 11 P.M., then flash red and yellow during the rest of the time. They also can be operated manually by the Police Department when they feel it is desirable. The timing cycle can be changed if traffic conditions change.

The timing cycle set up in the permit allows time for cars coming east from Hudson Road to turn north up Concord Road before traffic coming west from Old Sudbury Road gets the green light. It also allows time for pedestrians to cross with yellow and red lights. This last provision for safe pedestrian crossing, we feel is particularly important in view of the proposed Concord Road walkway which will run from the high school to Route 20. Without these full control traffic lights at Sudbury Center, it would be hazardous, if not impossible, to cross there.

We ask your support for this article which will make both driving and walking safer at Sudbury Center.

Finance Committee Report: The Finance Committee recognizes the need for the installation of traffic lights at the junction of Hudson Road, Concord Road, and Old Sudbury Road, especially for the walkway program. Accident data supports the need for this traffic control light. Therefore, we support this article and recommend approval of \$8,000.00.

Long Range Capital Expenditures Committee Report: (Mr. Arthur G. Stansel) The Long Range Capital Expenditures Committee does not support this article. The reason is not because there are accidents in the center or because of anything having to do with esoteric things.

This committee was set up to help even out our tax rate by planning expenditures at least six years in advance. For the last two or three years we have known about the traffic counts. Three eminent boards, the Planning Board, the Police and the Highway Commission have placed this article in the warrant. When we received advance notice of this meeting on October first, the amount was \$15,000.00. Now it is \$8,000.00. It depends upon whether the Town really and seriously wants to plan their expenditures in advance or not. We are opposed to this article strictly from a formality standpoint and do not support it.

After discussion, it was

VOTED: THAT THE TOWN APPROPRIATE FROM AVAILABLE FUNDS THE SUM OF \$8,000.00, TO BE EXPENDED UNDER THE DIRECTION OF THE HIGHWAY COMMISSION, FOR THE INSTALLATION OF TRAFFIC LIGHTS AT THE JUNCTION OF HUDSON ROAD, CONCORD ROAD AND OLD SUDBURY ROAD, ACCORDING TO THE PLAN (PERMIT B-473) APPROVED BY THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS, TRAFFIC DIVISION, THAT THE CONTRACT FOR THIS INSTALLATION BE SUBJECT TO PUBLIC BID IN ACCORDANCE WITH THE SPECIFICATION OF THE HIGHWAY COMMISSION.

The Moderator then recognized Mr. Richard H. Davison who gave the interim report of the Planning Board on the walkway program as follows:

In March 1969, at the Annual Town Meeting, I presented for the Planning Board a comprehensive long range walkway program for Sudbury. The program described construction over the next ten to twenty-five years of almost twenty-five miles of walkways. Some were just for use by the general public, but many were planned largely to allow children to walk to school with the significant attendant savings in the need for school buses. The walkways along Hudson, Butler and Peakham Roads are the start of that program.

Recently at joint meetings with the School Committee, it was disclosed that by 1973 school bus contracts will cost between \$8,000.00 and \$9,000.00 per bus per year as compared to the \$4,500.00 cost in 1969. For this reason, plans and preparations for an accelerated walkway program are being made.

At the next Annual Town Meeting, we hope to present the first part of this accelerated program for your consideration. As you probably know, plans for Concord Road are now in progress. The next major segment of the program will be Horse Pond Road.

We will keep the Town informed by the press between now and next April on the status of these plans.

Article 7: To see if the Town will vote to amend Article IX of the Town By-laws, entitled "Zoning By-law", Section V, "Special Regulations", by striking out paragraph J., "Exterior Signs", and by inserting in place, thereof, a new paragraph J., to read as follows:

"J. EXTERIOR SIGNS

1. The word sign, as used herein, shall mean and include any lettering, word, numeral, emblem, design, device, trademark, drawing, picture, flag, pennant, streamer, or other object of whatever material or method of construction and however displayed whether being a structure or any part thereof, a building or other structure or object and used to indicate, announce, direct, attract, advertise or promote.
2. The total area of exterior signs, other than exterior signs attached to or part of the architectural design of a building, shall not exceed the more restrictive of the following: a) 1 square foot for each 7 lineal feet of principal street frontage occupied by the business or industrial use to which it pertains, or b) forty square feet on any side. The height of any sign shall not be higher than the roof or ridge line of any associated structure, and in no case shall exceed 20 feet in height. Not more than one such sign shall be permitted for each separate and distinct enterprise on the premises.
3. Exterior signs attached to, or part of the architectural design of the building shall not exceed: in total area, more than 10% of the two dimensional elevation of the building or structure of which they are a part, and in height, the top of the roof or ridge line.

4. Illuminated signs shall not be permitted in any district without a permit issued by the Board of Selectmen. No permit for an illuminated sign shall be granted unless all of the following requirements are satisfied:
 - a. The sign will not cause visual confusion, glare or offensive lighting in the neighborhood.
 - b. The sign will not be a detriment to the surrounding area.
 - c. The sign will not significantly alter the character of the zoning district.
 - d. The sign will not interfere with traffic safety in the area.
5. The following provisions shall apply to all districts:
 - a. No beacons and rotating and/or flashing signs shall be allowed.
 - b. No sign shall be permitted which does not relate to the identity or business of the owner or legal occupant of the premises upon which it is located.
 - c. No sign shall be attached to a radio, television or water tower, utility poles, lighting structures and similar poles and structures.
 - d. No illuminated sign shall be erected, used, modified or changed until such erection, use, modification or change has been approved by the Board of Selectmen.
6. Any non-conforming sign legally erected prior to the adoption of Paragraph J. of this By-law, or any amendment thereof, may be continued to be maintained but shall not be enlarged, reworded (other than in the case of theater signs), redesigned or altered in any way unless it is brought into conformity.
 The exemption herein granted shall terminate with respect to any sign which:
 - 1) shall have been abandoned;
 - 2) advertises or calls attention to any products, businesses or activities which are no longer carried on or sold, whether generally or at the particular premises; or
 - 3) shall not have been repaired or properly maintained within 60 days after notice to that effect has been given by the Building Inspector."

or act on anything relative thereto.

Submitted by BOARD OF SELECTMEN

Board of Selectmen Report: (Mr. John E. Taft) This article proposes several changes in Section J of the Zoning By-laws. The first paragraph is completely new. It is a definition of what is meant by a sign. Presently we do not define "sign" in our by-law.

In paragraph two we cover free standing signs, those that are not attached to the face or side of a building but are standing on a structure by themselves or hanging on a bracket out from the building.

The area requirements, one square foot for each seven lineal feet of principal street frontage, are the same as in the present Zoning By-law. The change is that the maximum size of the sign would be limited to forty square feet on any one side resulting in dimensions of four by ten or five by eight, for example. At the present time, there are only three free standing signs that are bigger than forty square feet. These are the Shell sign, the First National sign, and the Star Plaza sign.

The other change in paragraph two is to provide in the last sentence that not more than one such sign per separate and distinct enterprise on the premises will be permitted. The present By-law allows two.

Paragraph three concerns the kind of sign that is on the face of a building and which is architecturally part of the building. The present By-law requirement is that these signs do not exceed 15% of the area that you see when you look at the elevation of the building. It is proposed that this be changed to 10%. Businessmen who are familiar with these types of signs have advised that they rarely go more than 7 or 8%. We now have a few in town that would exceed the 10% limitation.

Paragraph four is an entirely new section with a viewpoint of making it possible to have self-illuminated signs. Presently under our By-law, any type of moving, blinking, flashing, neon, or self-illuminated sign is prohibited in the Town of Sudbury. We do have some neon signs but they were put in before the present By-law was adopted. The new proposal is that the attractive type of self-illuminated sign would be permitted in Town. The neon sign is specifically prohibited in the next paragraph, but the molded translucent plastic signs with florescent bulbs behind them would be permitted. These provide less glare than signs illuminated by a spotlight, now permitted.

Paragraph five is a similar restriction to what we have now in prohibiting rotating, flashing and gas tube signs.

Paragraph six can now be included in Town zoning by-laws as a result of a Supreme Judicial Court decision involving a similar by-law from the Town of Wellesley. This provision is a little unusual in that it allows you, in time, to get rid of and eliminate non-conforming signs. This does not apply to the buildings the signs are on, but it does require, if the place of business is changed or if the sign is going to be changed, that the sign itself be made conforming.

The two changes proposed in paragraph six are to include directory type signs where there is an overall sign for a shopping center and individual directory signs for individual businesses on that site, and to provide a safety valve in those conditions where it would be extremely difficult for the owner to provide a conforming sign due to the location of non-conforming buildings on the property.

The purpose of the new sign By-law is, first of all, to try to achieve equitable sign requirements for all of the commercial establishments in Town. We have some commercial establishments whose signs pre-date even the present Zoning By-law, and we have some signs that have come in since our present By-law which conform to the By-law. The new sign By-law would require, in time, that all commercial establishments would be operating under the same set of equitable rules as pertains to their signs.

Secondly, it would permit selected attractive self-illuminated signs to be used where they are now prohibited in Town. Thirdly, it would eventually bring all of the signs in the Town into conformity with the Zoning By-law which is designed to provide adequate advertising for the commercial establishments but, at the same time, to avoid visual pollution.

The businessmen on Route 20, the P.R.I.D.E. organization and all of the Town officials and committees are working to make the Boston Post Road in Sudbury attractive to the benefit of the Town, the businessmen and the residents on that road. This is a step in that direction which will give us uniform and better sign regulations.

Planning Board Report: (Mr. Eben B. Stevens) The Planning Board has been conscious of the effect of the increasing business and the resultant signing on Route 20. For the past two years, the Board has been collecting, reviewing and discussing sign by-laws from other communities. This article is a result of not only the Planning Board's effort, but those of other Town officers and community action groups.

If adopted, the new By-law would have the following impact:

1. Allow internally illuminated signs by permission of the Selectmen based on specific criteria.
2. Decrease the maximum size of wall signs from 15% to 10% of the two dimensional elevation.
3. Limit the size of exterior signs not attached to buildings to a maximum of forty square feet.
4. Add a paragraph (#6) which gives the Town the ability to upgrade and eliminate non-conforming signs.

This last section is taken directly from the Wellesley By-law and has been challenged in the court and found legal and proper. Therefore, we recommend that the Town adopt this By-law.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-law change set forth in Article 7 in the Warrant for the Special Town Meeting is properly moved, seconded and adopted by a two-thirds vote, and a report is given prior to the vote by the Planning Board as required by law, the proposed change will be a valid amendment to the Sudbury Zoning By-law.

Finance Committee Report: Clarification of a Zoning By-law in line with recent legislation and court decisions should lead to improved efficiency in administration. Reasonable control of competing signs and improvement in the appearance of business property should benefit both the property owner and the Town. Recommend approval.

UNANIMOUSLY VOTED: THAT THE TOWN AMEND ARTICLE IX OF THE TOWN BY-LAWS, ENTITLED "ZONING BY-LAW", SECTION V, "SPECIAL REGULATIONS", BY STRIKING OUT PARAGRAPH J., "EXTERIOR SIGNS", AND BY INSERTING IN PLACE THEREOF A NEW PARAGRAPH J., TO READ AS PRINTED IN ARTICLE 7 IN THE WARRANT FOR THIS MEETING, WITH THE FOLLOWING ADDITIONS:

1. IN PARAGRAPH 5., a., THE WORDS "OR GAS TUBE SIGNS" BE INSERTED BETWEEN "SIGNS" AND "SHALL" SO THAT IT READS:
"a. NO BEACONS AND ROTATING AND/OR FLASHING SIGNS OR GAS TUBE SIGNS SHALL BE ALLOWED."

2. IN PARAGRAPH 6., THE WORDS "OR DIRECTORY" BE INSERTED BETWEEN "THEATER" AND "SIGNS" SO THAT THE SIXTH LINE READS: "(OTHER THAN IN THE CASE OF THEATER OR DIRECTORY SIGNS),".
3. IN PARAGRAPH 6., FOLLOWING THE WORDS "BROUGHT INTO CONFORMITY", THE WORDS: "OR UNLESS A WAIVER FROM THIS SECTION IS GRANTED BY THE BOARD OF SELECTMEN. THE BOARD OF SELECTMEN SHALL CONSULT WITH THE PLANNING BOARD ON EACH APPLICATION FOR WAIVER AND THE BOARD SHALL MAKE A DETERMINATION WITHIN 45 DAYS FROM THE DATE OF APPLICATION."

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Article 8: To see if the Town will vote to amend Article IX of the Town By-laws, entitled: "Zoning By-law", by changing the zoning classification of the area described in Section II,C., entitled: "Shopping Center District No. 1." from a Shopping Center District to Residential Zone "A-3", by deleting the description set forth in Section II,C., of the Zoning By-law under "Shopping Center District No. 1.", and by directing that the boundaries of the same be incorporated into the existing zoning map of the Town as part of Residential Zone "A-3", under the direction of the Board of Selectmen, or act on anything relative thereto.

Submitted by PETITION

Mr. Kerney W. Bolton was recognized and moved in the words of the article on behalf of the petitioners.

The Moderator then announced that he would recognize a prearranged speaking order for the petitioners' report.

Mr. Bolton: The proposed shopping center is at the intersection of Haynes Road and Route 117. Down the road about 1,000 feet on Haynes Road is the Haynes School currently housing grades one through four and soon to house students in kindergarten. Customers going to the shopping district from the south are very likely to take Haynes Road to approach the center.

The vast majority of people in North Sudbury do not want a shopping center in the midst of their residential district. As evidence of this fact, I point out that last spring at a meeting held at the Haynes School by the Planning Board to present plans for the shopping center, area residents held an informal vote on whether or not a shopping center of any sort was wanted in the area. Two people voted in favor of the shopping center and approximately seventy-five were opposed.

Construction of stores in this area will make a vast change to the residential district. At present in North Sudbury, we have exactly three consumer-oriented businesses. Two of these are nurseries and the third is a package store. Any one of them can consider themselves overwhelmed when they have two customers at the same time. None of them have paved parking lots, nothing approaching the two hundred car paved parking lot that we are confronted with in the shopping center.

There is a great deal of evidence at hand that a shopping center located in North Sudbury will have a hard time becoming a financial success and area residents feel this is one of the main reasons why they do not want the shopping center. We are all afraid of a white elephant.

The land in district number one has been zoned for commercial purposes for eight years and for eight years nobody has succeeded in developing it. The reason that has always been given is that they have been unable to attract tenants. One stated reason was that they needed a gasoline station since without such a station they would not attract enough customers to the stores. The Town turned down that request.

More recently, the contention has been that they needed parking in the front of the stores in order to attract tenants. The Town has decided to grant that as a variance. Clearly the business community is not pounding at the doors of North Sudbury to occupy this location.

Two years ago, the present owners asked that the Town Meeting increase the size of the zone. Their contention was that without the increased size they would not be able to build a shopping center of sufficient size and variety to attract customers and make it economically profitable.

Roughly two miles to the east, just over the Sudbury line in Concord, a group of stores was built about two years ago. This group of stores has never been fully occupied, and at present it is about 20% empty. If the owner of those stores were not the major tenant, the number of vacancies would approach 60%. There are never a great number of cars there, and two businesses have failed in this location. How can we expect another shopping center, two miles down the same road, to succeed?

The North Sudbury area is presently serviced by wholly adequate shopping facilities. There are at least six major shopping centers in the surrounding area that are presently in operation and presently offer a greater variety of shopping than can ever be offered in this district.

The only reason for having a shopping center is that there might be some tax benefits to the Town. However, if a shopping center is built, it seems obvious that the surrounding houses will be of a less costly nature. The area immediately behind the shopping center can contain twelve homes. If the shopping center is built, it is reasonable to assume those homes will be built in the thirty to forty thousand dollar range. If the shopping center does not go in, the range would probably be fifty to sixty thousand. This represents a twenty thousand dollar difference for each home. Multiplied by twelve, this gives a quarter of a million dollars loss in the tax base.

If, as we suspect, the center does not prove profitable, you can bet on tax abatement requests from the owners. Also, if business is not good, it is likely the shops will also run down. If that occurs, further waves of reductions in property values will ensue around the area.

It is quite reasonable to assume that any tax benefit from the shopping center will be more than wiped out by a much lower assessed value in the total area at the time North Sudbury reaches full development.

We ask that you return North Sudbury's future into the hands of the Town. The district was created as a result of the Master Plan. At that time, the idea was good, that we nail down some property for business to be available when the need arises. However, the time has passed, and we can demonstrate that the need does not exist and never will. The surrounding communities have provided the necessary shopping facilities and it would be a crime to construct duplicate facilities here.

Developers do not make good urban planners. The future of North Sudbury is presently in the hands of private economic interests.

We urge you to vote in favor of rezoning to residential.

Mrs. Lois Ames: I am opposed to the shopping center for three reasons, all of them personal but shared by my neighbors.

The first is the dangerous traffic that is already on Marlboro, Haynes and Pantry Roads. That traffic would certainly increase with a shopping center.

The second is the economics of the situation. There is no need for a shopping center so close by, and I do not believe I would patronize it.

Third, is the question of economics again. If the shopping center should fail and the original tenants should leave, who would move in? As our children grow to adolescence and their geographical dimensions expand, it would be a marvelous place for loitering. We do not need that.

My main concern is for the future. I feel very fortunate to live in my great grandfather's house. I moved to Sudbury in 1968, but I have visited Sudbury since 1931. I am concerned about planning Sudbury, not now, not in a decade, but for the next hundred years. I wonder who the people will be sitting at Town Meeting then and if they will consider that the kind of planning we are doing tonight is sufficient. Who were the people who passed the first redistricting ten years ago? How many of them are present and voting tonight? How many of us will be present ten years from now, twenty-five years from now, if there is a shopping center there. I stand here, not just for myself and my neighbors, but also for the people of the future who have no vote here at the present time.

Dr. R. D. Brooke Williams: I would ask your consideration of what is appealing about the Town of Sudbury which makes it different from Framingham, Wellesley, Needham, Newton, Randolph and Quincy. Its appeal is that Sudbury is a semi-rural town. If this is the reason for the attractiveness of Sudbury, then it is for this same reason that we ask your support of Article 8 to rezone land on Route 117 and prevent commercialization of North Sudbury.

In driving through North Sudbury one is impressed with the beauty of the scenery along Concord Road. It is our contention that Route 117 is also one of North Sudbury's picturesque roads. Its commercialism would not be in the long range interest of the residential development of North Sudbury nor in the interest of the development of the Town of Sudbury if its unique characteristics are to be preserved. The commercialism of Route 117 may well have a deleterious effect on the developing residential area between the Concord Road near the high school and Route 117.

Do families move to Sudbury because they like Route 20? Or, do they come to live here because this is primarily a residential town with good schools and a somewhat unique setting close to Concord, Cambridge and Boston?

We in North Sudbury recognize the importance of commercial interest to the Town but only if it serves the long range planning for the development of the Town as a residential community. Surely it is not in the interest of any progressive town in Massachusetts in 1971 to develop an old fashioned sacred cow type of attitude to commercial interests that does not acknowledge the residential growth in the area between Dakin Road to the north and Pantry and Haynes Roads to the south.

During the past three years, the residential community along Haynes Road has increased and the building of a shopping center will introduce additional hazards to the increasing number of pre-school children who walk along Haynes and Puffer Roads. There is a dangerous curve at the end of Haynes Road close to the site of the proposed shopping center, and this could then become a possible location for accidents. Automobiles traveling from other towns to the shopping center will also add to the traffic problem in the area.

The North Sudbury area includes the Sudbury River to the east, all the wetland area that conservationists want to see preserved, and it would be shameful if the attractive aspects of Route 117 were not recognized by the Town planning groups.

No precedence will be created by voting for Article 8. The area will remain as it is now, residential. Old and new residents ask you to vote for Article 8 so that North Sudbury will remain a pleasant part of semi-rural Sudbury with Route 117 a semi-rural Road.

Planning Board Report: (Mr. Richard F. Brooks) The Planning Board is unanimously opposed to the passage of Article 8. The North Sudbury Shopping Center Zone is a good idea. It was recommended in the Master Plan for the Town dated May of 1962. Later it was adopted by a two-thirds vote of this Town Meeting. Still later it was voted not to repeal it. Still later it was voted not to expand it beyond the present eleven acres.

With certain relaxed parking arrangements, the developers, armed with a very professional consulting and architectural firm, are prepared to proceed with building. Site plans are approved, and one building permit has been issued. Another building permit has been applied for and awaits Board of Health approval of the sewage disposal system plans. The area sets on a gravel bank, so this should not be a big problem.

The owners have invested and paid taxes in good faith. Nothing this meeting will do, can or should invalidate their rights to develop the property. If we voted "yes" on this article by a two-thirds majority, what we would be doing is putting the shopping center when built into a non-conforming situation. We do not believe that that would be good either.

One thing everyone seems to agree on is that if we have a North Sudbury shopping center, we want it to be a good one. Let's not limit investor confidence by making it non-conforming.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-law change set forth in Article 8 in the Warrant for the Special Town Meeting is properly moved, seconded and adopted by a two-thirds vote, and a report is given prior to the vote by the Planning Board as required by law, the proposed change will be a valid amendment to the Sudbury Zoning By-law.

After considerable discussion, the Petitioners' motion in the words of the article was defeated. In Favor - 263; Opposed - 198. (Total - 461. Two-thirds majority required.)

Article 9: To see if the Town will vote to amend Article IX of the Zoning By-law by inserting, after paragraph h., Section III-B-2, a new paragraph, as follows:

- i. Animal shelters, animal hospitals, boarding and training kennels and other activities related thereto which are operated by public or semi-public institutions of a philanthropic or charitable character, provided that a permit for such use be granted by the Board of Selectmen.

or act on anything relative thereto.

Submitted by BUDDY DOG HUMANE SOCIETY, INC.

The Moderator recognized Mr. Edward E. Kreitsek of the Buddy Dog Humane Society who moved to amend Article IX of the Zoning By-law by inserting after paragraph h., Section III-B-2, a new paragraph as follows:

- i. Animal shelters, animal hospitals, boarding training kennels, and other activities related thereto which are operated by public or semi-public institutions of a philanthropic or charitable character, provided that a permit for such use be granted by the Board of Selectmen subject to appropriate conditions and safeguards.

Buddy Dog Humane Society Report: (Mr. Kreitsek) This motion differs from the article printed in the warrant with the addition of the last phrase. This modification was recommended in discussions the Buddy Dog Humane Society had with the Planning Board.

You are all familiar with the fact that we have here in Sudbury the location of the animal shelter for the Buddy Dog Humane Society. It has been here since 1961.

The shelter was originally operated on Water Row without a particular facility, and in 1964 it moved to North Sudbury off Dakin Road where a new shelter was constructed. The use of that location was by special permit granted by the Board of Appeals, which is allowed to grant a permit for a kennel in any district in Town. We have operated on that site for six years. It is a two-acre residential site which, in addition to our shelter, includes the dwelling and garage of the land owners from whom we have been renting on a five-year lease. In a recent application for annual renewal of our permit, the Board of Appeals has indicated that they feel that this activity is not appropriate at the level to which we plan to grow in a residential district, and it has recommended that we find some other site not in a residential district.

We have looked at over fifty such sites, in and out of Sudbury. Some were investigated only casually because of the price tag, and others were more thoroughly investigated. The conditions we put for finding a site for our animal shelter were that the use we wish to conduct must be allowed, and the site must be accessible to the public. We also would like to have adequate area and adequate screening to make the operation a good neighbor to those with whom we are related in the area.

In Sudbury we found such a site on the west end of the Boston Post Road. It is in a business district. We considered the uses that are to be conducted by the Buddy Dog Humane Society, and these uses seemed to be most related to the uses now allowed in business districts in the Town. We found that the specific use is neither prohibited nor allowed under our Zoning By-law.

We applied to the Board of Appeals a few months ago for their consideration that the animal shelter was a use similar to those of a business district and a decision from the Board that would allow us to conduct an animal shelter in a business district. The Board indicated that it does not find that the animal shelter qualifies as a similar use and that the activities of a dog center is one of several uses rather than a single use.

The uses listed by the Board of Appeals include shelter for homeless dogs and Town strays, dog runs, boarding and grooming kennels and training school. In addition, we have the activity of placing dogs for adoption, the advertising and the solicitation of people to come to the shelter for the purpose of either placing a dog with us or adopting a dog and taking it to their homes. We also have the anticipated activity of services for animal care, an animal hospital and treatment service.

The Board of Appeals decision denied our request for conduct of an animal shelter in a business district on the Boston Post Road. This is the reason for this article being placed before the Town. We have asked for an amendment to the Zoning By-law to identify an animal shelter as one use that will be added to those already permitted in a business district.

The public hearing by the Planning Board has given us comments about the location that we might propose to use for this site, but, in general, there has been broad consensus that this is a very reasonable general use for which some provision should be made. It is our feeling that the provision is most appropriate in a business district.

The location of the site we are considering has been broadly publicized. Business zoned land is available, and the Buddy Dog Humane Society has signed an agreement with the present owner to purchase the land if the use is allowed. It is located to the west of Stone Road in Business District No. 6, which is about 2,000 feet long and about 150 feet deep. This district is one of the oldest established business districts in Town and at least two of the uses now performed in that district existed prior to the establishment of zoning in the Town of Sudbury. This is not a matter of asking for a new zoning of land to more intense uses. The land has been zoned from the day zoning was established and is almost completely developed with business uses at this time.

The parcel of land under consideration by the Society is a total of 333 feet deep back from the Boston Post Road. It is 401 feet on the back line and has 356 feet of frontage on the Boston Post Road. It consists of two different zones, the front 150 feet being business and the back being residential. The part zoned residential is largely covered with a high stand of trees, and the front portion has been cleared and is flat gravel.

It is the intention of the Society to request application for a building permit, for all of those permits necessary for the development of the site if the use is approved. We cannot do anything on this site until we have met all the requirements of getting a special permit from the Board of Selectmen with appropriate conditions and safeguards, getting a sanitary disposal permit from the Board of Health, getting the building permit and the site plan approval.

Within a business district there are setback requirements and sideline requirements. The total that may be developed is 60% of the area so that conceivably a structure could be developed on the site up to 30,000 square feet. However, we propose something about one-tenth of this size. This would probably be the least intense use that this business zoned land will ever get. The land at the back which is zoned residential would be retained as a 177 to 183 foot buffer zone separating all of the activities of the Society from the residential land that abuts the parcel.

We desperately need this type of operation, someplace in Town. I can think of no more appropriate site than the one the Buddy Dog Humane Society has under option. We think this is a modest addition to the uses allowed in a business zone and seek your support for it.

Planning Board Report: (Mr. Eben B. Stevens) The Planning Board supports the passage of this article for the following reasons: 1.) Our review of the present and proposed activities of the Buddy Dog Humane Society indicates that the uses listed, shelter for homeless dogs and Town strays and placement service, dog runs, boarding and grooming kennels, training school, animal hospital, pet shop, library and resource center, rightfully belong in a business zone and not in a residential zone because they are business uses. 2.) At the same time we realize that these uses put in the wrong location or without the proper safeguards could be detrimental to the adjacent areas. Therefore, this article includes the added requirement that a permit be obtained from the Board of Selectmen who may establish all restrictions and conditions that are necessary to protect the adjacent areas.

The Planning Board in reviewing this article did not take this site into consideration in its determination. We feel that if the restrictions that may be put on by the Selectmen prevent the developer from utilizing the space that he has options on, then it is his obligation to find other space. We feel that there is adequate space on Route 20 for this use and we think that this use is proper.

Town Counsel Report: It is the opinion of Town Counsel that if the Zoning By-law change set forth in Article 9 in the Warrant for the Special Town Meeting is properly moved, seconded and adopted by a two-thirds vote, and a report is given prior to the vote by the Planning Board as required by law, the proposed change will be a valid amendment to the Sudbury Zoning By-law.

Finance Committee Report: The Finance Committee has considered this article at length and in depth, both during and after our public hearings on each of the articles. Some of us believe that special purpose rezoning is improper, and prefer that the Buddy Dog Society be permitted to remain as is, or move from Sudbury. Others of us believe that this article would change the Zoning By-law to permit the Selectmen to find a solution in the best interest of the Town, with adequate controls to limit the number of animal shelters and to protect the nearest residents. We recognize potential significant financial impact on the Town, but the details and alternatives have not been worked out by the Town authorities concerned. The lack of financial data and this division of opinion prevents any firm recommendation from us to the Town.

The Moderator commented that before proceeding to the debate under Article 9, he would like to observe that we appear to be within sight of the end of the warrant, but it might take until after 11 o'clock to complete the business. Upon the Moderator's request for a motion to stay in session, it was

VOTED: THAT THIS MEETING REMAIN IN SESSION TONIGHT UNTIL THE WARRANT IS COMPLETED.

He announced that the motion had passed by well more than the required two-thirds.

The Moderator then recognized Mr. Robert E. Cooper, who moved to amend by adding after the word "character" the words: "provided that any such activity which houses in excess of eight dogs must be fully enclosed and sound proofed with no outside runs permitted and".

In support of his amendment, Mr. Cooper stated that this was a situation of placing some necessary service that is a potential nuisance in someone else's backyard and that this was similar to the problem of parking school buses some years ago. Within a radius of one-eighth mile of the present location on Dakin Road there are five residential units. Within one-eighth mile of the Boston Post Road site there are forty-nine. Within one-fourth mile of the Dakin Road site there are twelve residential units compared to one hundred five at the Boston Post Road site.

In addition, in the Boston Post Road area we have paved roads which run straight away from the proposed site and a very large pond. These surfaces will propagate sound very rapidly.

A maximum of twenty dogs are allowed at the present site, but we heard at the Board of Appeals hearing that the number proposed is in the neighborhood of seventy-five to one hundred dogs. We are facing a factor of nine to ten increase in the number of homes affected and a factor of four to five increase in the number of dogs.

Many of the abutters feel that the proposed By-law is totally unacceptable unless it is amended. The purpose of our proposed amendment is to provide firm restrictions featuring an enclosed soundproof building with no external dog runs making the facility similar in most of its details to existing local animal hospitals.

As an alternate, in case our amendment is not acceptable to the Buddy Dog Humane Society, we would propose that by purchase or gift from the Town or by a long term lease, some section of Sand Hill be used for the Society. If you are not willing to go along with our amendment, then vote down the article and give a mandate to the Town and to Buddy Dog to consider an alternate site.

Board of Selectmen Report: (Dr. Howard W. Emmons) We believe that this kind of a use for a business district is entirely in order. We think there should be a place in Town for dogs, and there should be a place in Town for the kind of enterprise that the Society is planning to run. It is up to the Board of Selectmen to enforce the no-nuisance aspect whenever a site plan comes to us. A site plan must come to us before a building permit is issued, and we look over the question of whether or not any nuisance is involved.

Our view of what would constitute a nuisance would indeed be barking by dogs outside. Our view would be that these dogs would indeed have to be inside, not outside. We are in full agreement with the amendment as something we would have insisted upon anyway in our approval of a site plan. We are in favor of the amendment as a guarantee that all future Boards of Selectmen will take the same attitude. We are also in favor of voting to change the Zoning By-law to permit the Buddy Dog Society to operate in that location or any business zone, provided the amendment does indeed control their operation.

After discussion, Mr. Cooper's amendment was defeated.

After a further short discussion, it was

VOTED: TO AMEND ARTICLE IX OF THE ZONING BY-LAW BY INSERTING AFTER PARAGRAPH h., SECTION III-B-2, A NEW PARAGRAPH AS FOLLOWS:

- i. ANIMAL SHELTERS, ANIMAL HOSPITALS, BOARDING TRAINING KENNELS, AND OTHER ACTIVITIES RELATED THERETO WHICH ARE OPERATED BY PUBLIC OR SEMI-PUBLIC INSTITUTIONS OF A PHILANTHROPIC OR CHARITABLE CHARACTER PROVIDED THAT A PERMIT FOR SUCH USE BE GRANTED BY THE BOARD OF SELECTMEN SUBJECT TO APPROPRIATE CONDITIONS AND SAFEGUARDS.

In Favor - 225; Opposed - 81. (Total - 306)

VOTED: THAT ARTICLE 10 BE TABLED UNTIL AFTER ARTICLE 11 HAS BEEN COMPLETED.

Article 11: To see if the Town will vote to appropriate from available funds the sum of \$35,000.00, or any other sum, to be expended under the direction of the Park and Recreation Commission, for the purpose of constructing six (6) regulation tennis courts, access road, and parking area, these courts to be erected on the northerly portion of the Town-owned Raymond Road property, or act on anything relative thereto.

Submitted by PARK AND RECREATION COMMISSION

Park and Recreation Commission Report: The present tennis facility at Featherland Park is now completely inadequate for the number of people desiring to use it. Building at this area will provide the Commission with enough courts, so that we can properly schedule and provide for all those groups wishing to plan tennis as well as enable all those individual players access to courts without the conflicts we now have.

Finance Committee Report: Although tennis courts are not scheduled until several years later in the Sudbury long range fiscal plan, six courts are requested now at probably the lowest cost we could expect, in a planned and developing recreation area on Raymond Road. We recognize that there is a strong current demand for tennis facilities, and feel that a reordering of priorities to satisfy this demand is in order at this time. Other events have delayed and advanced other capital investments, making room for these courts this year. Recommend approval of \$35,000.00.

The Moderator announced that discussion would be permitted on both Articles 10 and 11 at the same time. He also announced that he would recognize a prearranged speaking order on behalf of the proponents.

Mr. Francis Feeley, Chairman of the Park and Recreation Commission:

This project was neither conceived nor brought before you in haste, but rather is the result of two years of planning by the Park and Recreation Commission and its Tennis Advisory Committee, formed to report on the Town's tennis needs.

The report showed that the game of tennis has become explosive in the 1970's and that our present tennis facilities are way over-subscribed. We are training over 300 youngsters per year to play the game of tennis and offer them no place to play once they have learned.

Article 11 includes \$28,000.00 for six tennis courts at \$4,500.00 each and \$7,000.00 for an access road and parking lot adjacent to the courts for a total of \$35,000.00.

Article 10 requests \$8,500.00 to be voted for a toilet facility which has been included at the request of the Board of Health and is designed to accommodate all areas of recreation presently planned for the Raymond Land.

We ask for this money now to provide for the courts as early as possible in 1972 and because we believe \$4,500.00 per court is an extremely attractive price. We urge you to vote for both Articles 10 and 11.

Mr. Clayton Allen: The best way to explain the over-subscription of our present Town courts is to do a mathematical review of the usage those facilities get and show the relationship between the Town population and the facilities that are available for tennis.

We now have four tennis courts in Town, not taking into account the two courts at the Junior High School since they are not suitably built, and they are too crowded to be proper for playing tennis. These four Town courts have 280 hours gross usage on a weekly basis. This must be reduced, however, for bad weather. In 1970, we had a loss of about 25% due to weather making the weekly net hours 210. In 1971, the net hours was 238 per week.

The Tennis Advisory Committee made a survey of all of the scheduled activities which require reservation of courts. The total participants in all of the activities in Town totaled 687 in 1970 and 891 in 1971.

We also considered the non-scheduled usages, such as the business people who are away during the day and play at night. We figure this kind of use at about 344 users in 1970 and 446 in 1971. This gives a gross number of participants of 1,031 in 1970 and 1,337 in 1971. If we deduct 25% for duplication, the net participants in 1970 were 773 and a little over 1,000 in 1971.

If we assume that the use for the courts would be two players per hour, then the total number of players divided in half would give the minimum court hours required. Based upon a minimum of playing at twice per week, in 1970 we needed 773 playing hours, and we had only 210. We needed 1,000 playing hours in 1971, and we had only 238. On a weekly basis, we were two to three times short the number of hours we needed for the four courts in Town.

Our committee also made a survey of the facilities available in neighboring towns. The Town of Weston has a population of 10,000 and twelve courts, or 833 people per court. Sudbury, with over 12,000 people, has four courts, or 3,206 people per court. This is four times the density per court of the best of the surrounding towns. Wayland in 1970 was planning ten additional courts which would bring its density down to 748 persons per court and a couple of other towns had also planned new courts. Sudbury has comparatively a very dense population per court. In addition, that density per court will increase each year unless we have more courts to support the activity that tennis has blossomed into in this Town.

Mr. Ernest C. Trimper: The items of construction which you will get for your \$35,000.00 have been recently estimated, so that \$35,000.00 should be a firm figure for our expenditure next year. We have had a thorough job of engineering done, and we anticipate a minimum of twenty-five years use-life.

We have chosen a location on the Raymond Land that is heavily wooded on one side for the protection of the players from the wind and because this area is high and has gravel which will meet the percolation requirements for a comfort facility. We propose six paved, fenced courts, a women's and men's comfort facility and parking for approximately eighteen cars.

The comfort station is in accord with Board of Health requirements and will adequately suffice for the proposed use and for increase in facilities. The comfort station will include an area for the hot water heater and electrical facility that will hold any vandalism to a minimum. We plan the building of concrete block construction.

Long Range Capital Expenditures Committee: (Mrs. Margaret Q. Sweeney) The Long Range Capital Expenditures Committee approves of the proposal by the Park and Recreation Commission to build tennis courts at the Raymond Road location. The expenditure which has been part of Park and Recreation's long range plan, however, was considerably smaller than that which is being proposed tonight. We feel we can approve of this because it appears to effect a considerable savings over the original plan which called for two courts this year and a further two in 1976.

VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER FROM FREE CASH \$35,000.00 TO BE EXPENDED UNDER THE DIRECTION OF PARK AND RECREATION COMMISSION, FOR THE PURPOSE OF CONSTRUCTING SIX REGULATION TENNIS COURTS, ACCESS ROAD AND PARKING AREA; THESE COURTS TO BE ERECTED ON THE NORTHERLY PORTION OF THE TOWN-OWNED RAYMOND ROAD PROPERTY.

Article 10: To see if the Town will vote to appropriate from available funds the sum of \$8500.00, or any other sum, to be expended under the direction of the Park and Recreation Commission, for the purpose of constructing toilet facilities at the tennis court area on Raymond Road, or act on anything relative thereto.

Submitted by PARK AND RECREATION COMMISSION

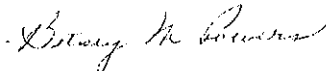
Finance Committee Report: The Selectmen and the Park and Recreation Commission have agreed to recreational development of some Town owned land on the east of Raymond Road opposite the Water District building. A baseball diamond and horse riding rings have been constructed. Public toilet facilities have always been a matter of concern in connection with this development. The proposed location is outside the 400 foot radius around Water District well sites in the area. Recommend approval of \$8,500.00.

Conservation Commission Report: The Conservation Commission supports Articles 10 and 11 in this warrant.

VOTED: THAT THE TOWN APPROPRIATE AND TRANSFER FROM FREE CASH \$8,500.00, TO BE EXPENDED UNDER THE DIRECTION OF THE PARK AND RECREATION COMMISSION FOR THE PURPOSE OF CONSTRUCTING TOILET FACILITIES AT THE TENNIS COURT AREA ON RAYMOND ROAD.

VOTED: TO ADJOURN. 11:35 P.M.

A true record, Attest:



Betsey M. Powers
Town Clerk



FINANCE COMMITTEE met many nights to review warrant articles: Secretary Joan Colpitts, Chairman Don Bishop, David Sheets, James Fisher, Pat Piscitelli, Julius Rarus, Meyer Davis, Karl Clough, Don Stowbridge.