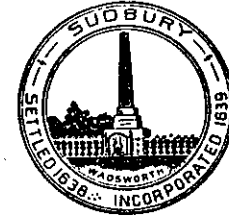


**TOWN OF SUDBURY  
Massachusetts**



**OFFICIAL WARRANT**

**SPECIAL TOWN MEETING**

**MONDAY, NOVEMBER 17, 1997  
7:30 P.M.**

**Lincoln-Sudbury Regional High School Auditorium**

**and**

**SPECIAL TOWN ELECTION**

**MONDAY, DECEMBER 8, 1997  
Polls open 7:00 A.M. to 8:00 P.M.**

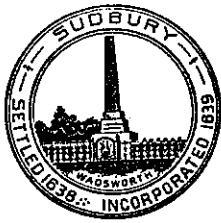
**Precincts 1 & 2 - Fairbank Community Center, 40 Fairbank Road  
Precincts 3 & 4 - Peter Noyes School, 280 Old Sudbury Road**

**Town of Sudbury  
Sudbury  
Massachusetts 01776**

**U.S. POSTAGE PAID  
Permit No. 4  
Sudbury, MA 01776**

**POSTAL PATRON  
SUDBURY  
MASSACHUSETTS 01776**

**NOTICE OF SPECIAL TOWN MEETING  
NOTICE OF SPECIAL TOWN ELECTION**



**TOWN OF SUDBURY  
SPECIAL TOWN MEETING WARRANT  
Commonwealth of Massachusetts  
Middlesex, ss.**

To the Constable of the Town of Sudbury:

GREETINGS:

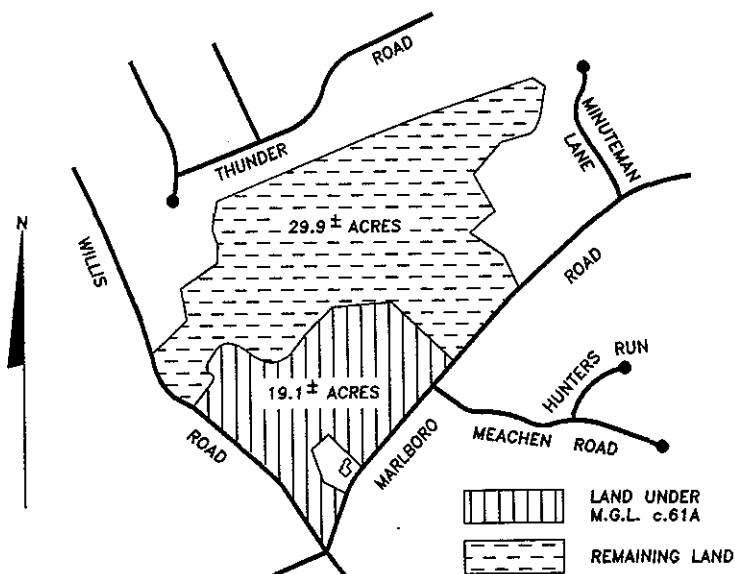
In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury qualified to vote in Town affairs to meet at the Lincoln-Sudbury Regional High School Auditorium in said Town on Monday, November 17, 1997, at 7:30 o'clock in the evening, then and there to act on the following articles:

**Article 1. Land Acquisition - Marlboro Road**

To see what sum the Town will vote to appropriate for the purchase of land known as the Meachen-Meggs property located on the northerly side of Marlboro Road adjacent to Willis Road, on a portion of which the Town has a right of first refusal pursuant to Massachusetts General Laws Chapter 61A, and being shown as Parcel 600 on Town Property Map E08, or a portion thereof; and to determine whether the land shall be acquired by purchase or eminent domain; and, further, to determine whether this sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Board of Selectmen.

**BOARD OF SELECTMEN REPORT:** 19.1 acres of land have been offered to the Town for purchase under MGLc. 61A, for \$3,740,000. The Town is in litigation concerning whether it is a bona fide offer. This parcel of land is the top priority parcel for protection under the draft Open Space and Recreation Plan of the Town. Purchase of the land could preserve agricultural fields, provide needed recreational fields, protect wildlife, serve other municipal purposes, and reduce the tax burden which will otherwise be generated to service new residential construction. It is necessary to act now to save this pristine area from development and realize the above benefits for Sudbury residents.



**ARTICLE 1**  
**LAND ACQUISITION/MARLBORO ROAD**

## Article 2. Unpaid Bills

To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money for the payment of certain unpaid bills incurred in previous fiscal years or which may be legally unenforceable due to the insufficiency of the appropriation in the years in which such bills were incurred; or act on anything relative thereto.

Submitted by the Acting Town Accountant.

**ACTING TOWN ACCOUNTANT REPORT:** Invoices that are submitted for payment after the accounts are closed at the end of a fiscal year or payables for which there are insufficient funds (and were not submitted for a Reserve Fund Transfer) can only be paid by a vote of the Town Meeting, a Special Act of the Legislature, or a court judgment. At the present time it is anticipated that the following bills of the Sudbury School Department will be presented for payment: 1) MetroWest Medical Center \$4,668.42 and 2) Independent Special Education Evaluation \$433.48.

## Article 3. FY98 Budget Adjustments

To see if the Town will vote to amend the votes taken under Article 6A, FY98 Budget, of the 1997 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds; or act on anything relative thereto.

Submitted by the Board of Selectmen.

**BOARD OF SELECTMEN REPORT:** There are three reasons for this article. Following the Annual Town Meeting in April, 1) we have received additional state aid, which is needed for education; 2) we have received other one-time revenue sources, which we believe should be put toward one-time capital needs; and 3) there is an important update to the Debt Service budget.

1) Concerning education (Sudbury Public Schools), we have received \$96,544 in additional Ch. 70 and other state aid. Additionally, \$119,965, which is the School's share of savings from Group Health Insurance, is also available to fund programs in the Sudbury Public School Department. Recommendations for use of these funds are as follows: The additional state aid funding, which will be included in base aid in future years, will cover costs for an additional first grade teacher and aide needed at the Noyes School this year. In addition a reading specialist will be hired. We have no reading specialists in our elementary schools at this time. These positions and instructional materials related to these positions will be funded through the additional Ch. 70 aid. The other monies realized through a one-time savings will be earmarked for non-recurring costs, including the following items:

- . two vans for transporting special needs students (approx. \$60,000)
- . repair of the Noyes roof (approx. \$35,000)
- . curriculum materials, especially mathematics and science materials
- . audio visual equipment not included in the debt exemption planning
- . technology support

(There would be a balance of approximately \$20,000 divided among the last three items.)

2) Concerning other one-time revenue sources, which include insurance reimbursement on DPW garage, additional Cherry Sheet aid, savings in health insurance and assessment from Minuteman School, the Town Manager and Finance Committee feel strongly these should not be used for on-going operating expenses. We have identified three capital/infrastructure pressing needs: 1) making the Flynn Building comply with the Americans with Disabilities Act and locating all general government offices at Flynn; thereby accomplishing two of the Selectmen's goals for this year; 2) making the DPW Garage conform with health and safety regulations in order to provide a safer work environment; and 3) continuing the implementation of the Town's Technology Plan. It is important to note that all three of these urgent projects are drastically scaled back from their original proposals of previous town meetings. The total cost of the revised Flynn Building project is \$235,000 and the revised DPW project is \$392,000. A portion of

the budget adjustment article will be used to implement the first phases of these projects. Funds proposed for the Technology Plan would upgrade computers in key areas and tie them into local area networks. As of the publication deadline, additional revenue numbers were still being finalized.

3) Concerning the Debt Service Budget, \$1,527,470 is needed in FY98 to pay the first debt service associated with the debt issued on July 15, 1997, for the following: Library Addition and Renovation \$2,900,000, School Renovations \$2,650,000, School Construction \$1,681,000, School Land Purchase \$550,000, Drainage Improvements \$45,000, School Renovations \$40,000, and Tennis Courts \$4,000. The first principal repayment for these bonds is scheduled for June 15, 1998, resulting in the need for an additional appropriation for debt for FY98. The decision to schedule the first debt service payment in FY98 was made in order to even out the debt service facing taxpayers over the next ten years as the Town prepares to issue the \$43 million debt authorized during the FY97 Town Meeting. Since this debt service is owed on exempted debt, it has no impact on the operating budget. Amount of additional long-term debt serviced needed during FY98 for this new issue: Principal \$1,200,000 and Interest \$327,470, totaling \$1,527,470. If this appropriation is made, the total debt service for long-term debt for FY98 will be \$3,281,397. The preliminary tax bills issued in FY98 reflect the issuance of this debt.

#### **Article 4. School Budget - Foundation Reserve Program**

To see what sum the Town will vote to raise and appropriate to be added to the Sudbury School Department Budget for Fiscal Year 1998 for educational purposes; said sum to be raised by funding from the Foundation Reserve Program of the Department of Education; or act on anything relative thereto.

Submitted by the Sudbury School Committee.

SUDBURY SCHOOL COMMITTEE REPORT: The Superintendent of Schools submitted a grant application on behalf of the Sudbury Public Schools to the Department of Education requesting \$192,000. The request was made because the Sudbury Public Schools student population has increased by 32.5% over the last five years compared with the state average of 11.4% during that same time period. This grant is part of the Foundation Reserve Program voted by the State Legislature for FY98. Notice has been received of an award in the amount of \$118,000, which will be used to fund some combination of: curriculum materials, technology software site licenses, and installation of a portable classroom.

#### **Article 5. Third Quarter Estimated Tax Bills**

To see if the Town will vote to submit a home rule petition to the State Legislature to allow Sudbury to issue third quarter estimated tax bills for fiscal 1998, or act on anything relative thereto.

Submitted by the Board of Assessors.

BOARD OF ASSESSORS REPORT: This year, because of the town-wide reassessment, it will be necessary to issue third quarter estimated tax bills. Without the third quarter estimated bill which would normally be issued on December 31, 1997, the tax bills could not be issued until April 1, 1998. This may cause the Town to borrow money in anticipation of tax revenue and thereby incur interest which ultimately will be passed onto the taxpayers. Furthermore, taxpayers would be faced with one large tax bill in April rather than two smaller bills which makes it easier to budget.

#### **Article 6. Accept MGL ch. 59, s. 5 - Increase Tax Exemptions**

To see if the Town will vote to accept Massachusetts General Laws Chapter 59, Section 5, to allow for an increase of up to 100% of the current exemption amounts under Clauses 41C, 37A, 22, and 17D of said Chapter 59, Section 5; or act on anything relative thereto.

Submitted by the Board of Assessors.

**BOARD OF ASSESSORS REPORT (Article 6):** The Assessors wish to present to Town Meeting for voter consideration, a provision that would allow current exemption amounts to double. The exemption amounts were established many years ago and have not been adjusted for inflation. Consequently, an exemption amount of \$175, for example, that would have meant a significant reduction in taxes twenty years ago does not have the same impact today considering that the average residential tax bill is nearly \$5,000.

While this provision in the law allows the exemption benefit to double, the increased benefit for any recipient cannot increase by more than the total increase in their annual tax. In other words, a certain taxpayer who last year received an exemption of \$175 would only receive an increase in their exemption by the amount their total tax bill increased this year. If this year their total tax bill increased by \$80 then the exemption amount would increase by \$80 to \$255. This method of determining the exemption amount would continue each year until the ceiling of \$350 is reached. Given the current rate of tax increases, however, the ceiling would be reached in a very short time.

Last year (Fiscal 1997) a total of \$35,000 was granted in exemptions that would be affected by this proposed increase. An increase of 100% would result in exemptions of \$70,000 which represents just under two tenths of one percent of the town's total Fiscal 1997 budget of \$37,495,558. If this proposed increase is approved, the average taxpayer will see their annual tax bill increase by approximately \$5.00.

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

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

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

**Clause 22** - Applicant must be a veteran with a service related disability rating of 10% or more. The current benefit of \$175 has just been increased to \$250 by the legislature and consequently the benefit would increase over time to a maximum of \$500.

**Clause 17D** - Applicant must be a surviving spouse of any age or 70 or older and the value of the applicant's estate (excluding the house) cannot exceed \$40,000. Current benefit is \$175 which would increase over time to a maximum of \$350. Beginning this year (fiscal 1998) there is also a cost-of-living increase built into the benefit.

#### THE FINANCE COMMITTEE WILL REPORT AT TOWN MEETING.

And you are required to serve this Warrant by posting an attested copy thereof at the Town Hall at least fourteen days before the time appointed for such meeting.

Hereof fail not and make due return by your doing thereon to the Town Clerk, at or before the time of meeting aforesaid.

Given under our hands this 21st day of October, one thousand nine hundred and ninety-seven.

SELECTMEN OF SUDBURY: Lawrence L. Blacker

John C. Drobinski

Maryann K. Clark



**TOWN OF SUDBURY  
SPECIAL TOWN ELECTION WARRANT**  
Commonwealth of Massachusetts  
Middlesex, ss.

To the Constable of the Town of Sudbury:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of all four precincts of said Town of Sudbury, who are qualified to vote in Town Elections, that voters residing in Precincts 1 and 2 should meet at the Fairbank Community Center, 40 Fairbank Road, and voters residing in Precincts 3 and 4 should meet at the Peter Noyes School, 280 Old Sudbury Road, in said Town on

**Monday, December 8, 1997  
from 7:00 a.m. to 8:00 p.m.**

for the following purpose:

To cast their votes in the Town Election on the following question:

**BALLOT QUESTION NO. 1**

*Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to purchase or acquire by eminent domain, land known as the Meachen-Meggs property, located on the northerly side of Marlboro Road adjacent to Willis Road, shown on Town Property Map E08, Parcel 600?*

YES \_\_\_\_\_ NO \_\_\_\_\_

**SUMMARY:**

The November 17, 1997 Special Town Meeting under Article 1 will be asked to authorize borrowing to acquire the Meachen-Meggs property on Marlboro and Willis Roads, contingent upon excluding the principal and interest from the Proposition 2 1/2 levy limit. If Town Meeting so approves, the December 8 Special Election will proceed to vote on the above Ballot Question.

Estimated impact on the tax rate for purchase of only the Chapter 61A, 19.1-acre portion of the property (\$3,740,000 base cost): \$0.22 per \$1000 assessed value at its highest point (based upon a 20-year bond at 5.25% and assessed valuation of \$1,699,800,000). Tax impact on a \$304,000 home is estimated at \$66.80 in the highest year, and would average \$50/year during the 20-year bonding period.

A "yes" vote on this question will authorize the Town to fund acquisition of the Meachen-Meggs property; a "no" vote will mean the Town cannot acquire the land.

**ARGUMENT FOR PASSAGE:**

Some of the reasons to purchase this land are:

1. To preserve the agricultural fields - these are the best remaining farm fields in Sudbury.
2. To provide recreational fields for soccer, softball and baseball. Approximately an acre could yield two playing fields and gravel parking lot.
3. To protect the largest known population in the State of blue spotted salamanders.
4. To preserve Sudbury's heritage and character.
5. This parcel has highest priority for preservation on our Open Space and Recreation Plan.
6. To avoid the financial burden of servicing new homes.
7. To insure the Town will have land it might need for future municipal purposes (i.e., recreational, educational).

This beautiful land is about to be carved into 18+ new house lots or used for some other form of housing. The purchase price is a small price to pay when compared with 1) the benefits Town ownership will bring future generations and 2) increased taxes which will likely be required to support services to individual house lots.

The buildout analysis just completed by consultant John Mullin projects 1000 new homes on available buildable lots, resulting in an annual \$5.6 Million shortfall between taxes received from these homes and the cost of providing services to them. Purchasing land is one way the Town can directly curtail the shortfall.

The few large parcels left in Sudbury are disappearing at an alarmingly rapid rate. This is the only opportunity the Town will have to save this prized piece of land from development.

**ARGUMENT IN OPPOSITION:** The Town is not legally bound to keep the entire parcel as open space. The residents want to keep Sudbury's open spaces open, but the reality is, that, if the voters give the Town permission to spend millions on any property coming out of Ch.61A, the Town is under no legal obligation to keep the entire parcel as open space. Once the Town owns the property, lots could be sold for development, radio towers erected, a dump transfer station built, or whatever use the Town deems necessary. The law allows up to 50% of the parcel for development. Though it is the Conservation Commission's "intent" to keep the Meachen property as open space, as stated at the 9/22/97 Town Forum, it would be deceiving the Town to ask us to spend \$4 Million to buy a parcel of land as open space with a possible hidden agenda to develop half of the land. If the Selectmen and town boards do plan on developing the land, those plans should be stated prior to the purchase. In this way we know how our money will be spent. You are urged to oppose the warrant article seeking to purchase the Meachen Property until the residents are assured that the millions we spend to buy open space lands will remain open until perpetuity.

Hereof fail not and make return of this warrant with your doings thereon to the Town Clerk, at or before the time of meeting aforesaid.

Given under our hands this 21st day of October, one thousand nine hundred and ninety-seven.

SELECTMEN OF SUDBURY: Lawrence L. Blacker  
John C. Drobinski  
Maryann K. Clark