

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 the Town of Sudbury qualified to vote in Town Elections, that voters residing in Precincts 1, 2 and 5 should meet at the Fairbank Community Center and voters residing in Precincts 3 and 4 should meet at the Town Hall in said Town on Tuesday, June 7, 2011, between the hours of seven o'clock in the forenoon and eight o'clock in the evening, to cast their votes on the following questions:

Ballot Question No. 1

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

YES___ NO___

SUMMARY:

Voters at the 2011 Annual Town Meeting voted to pass an Override Budget exceeding the Proposition 2 ½ levy limit by \$553,000 under Article 4 – FY12 Budget. An Override is being requested solely to fund the L-S Regional High School operating assessment in the amount of \$553,000 over the amount of the LS Non-Override budget of \$18,079,955 and will, as stated at Town Meeting, make up Sudbury's share of the budget shortfall attributed by LS to the increase in out-of-district special education costs.

Estimated impact on the tax rate: \$0.14 per \$1,000 assessed value. Tax impact on a \$628,000 home is estimated at \$88.

A "yes" vote on this ballot question will approve an Override not to exceed \$553,000, thereby authorizing the Town to increase taxes for FY2012 by that amount to provide funding of \$553,000 for LSRHS voted under the Override Budget of Article 4 of the 2011 Annual Town Meeting Warrant, creating a permanent increase in the levy limit by that amount; and a "no" vote on this question means the levy limit will not be increased, thus not providing the additional funding for the LSRHS budget.

ARGUMENT FOR PASSAGE:

Voting "Yes" for this \$553,000 override allows LS to maintain level staffing. The Board of Selectmen, Finance Committee, Sudbury School Committee and LS School Committee support this override.

But for an unprecedented increase in the number of students with significant special needs, requiring tuitioned off-campus placements, L-S would maintain level staffing without an override. This \$553,000 override,

combined with Lincoln's \$99,000 share, covers the \$652,000 increase in costs required to educate this large incoming cohort of students with significant special needs.

State law requires free and appropriate public education for all; our community schools strive to provide the best education possible for all students. If the override fails, LS will be required to cut \$652,000 from its operating budget, 80% of which is devoted to personnel costs. Failure to pass this override will result in cuts of more than eight positions, fewer student supports, fewer curricular options, less student contact with college counselors, and increased class size.

While some argue that cuts to teacher salaries and benefits should pay for the rising costs of educating our community's children with special needs, they fail to consider: 1) teacher salaries and benefits are fixed in the third year of a 3-year collective bargaining agreement, negotiated in good-faith, which cannot be breached and saved taxpayers more than \$1.9 million, 2) average health insurance costs per LS employee are less than local and regional public sector averages, and 3) municipalities are required by law to pay for the educational needs of *all* children.

ARGUMENT IN OPPOSITION:

Since 2001, Sudbury taxpayers have generously approved \$11,321,161 in permanent operating overrides which compound year-after-year thus far increasing our tax base by \$13,642,801, which is a 39% tax base increase, via overrides alone.

These overrides have not solved our problem. Overrides make it more difficult for Senior Citizens and others to live in Sudbury. When they move out, more families with school-age children move in, which increases our student enrollment and burdens our education budget.

The current Lincoln-Sudbury union contract includes 4.0%-5.9% salary step raises, 2.0%-3.0% cost-of-living increases, \$2,500 master stipends, and family health insurance premiums ranging from \$16,212 to \$50,520 annually. This contract was signed in 2009 during a severe recession.

The Lincoln-Sudbury School Committee claims they did not know, nor plan for, the special education needs for the incoming 9th graders. L-S should have worked with SPS to plan for these students, as SPS has done the last few years without overrides. Sudbury taxpayers should not have to approve another permanent tax override to compensate for this lack of planning.

L-S will spend a much greater amount on pay increases and health insurance premiums than the increase in out-of-district special education.

To preserve the highest L-S educational standards, Lincoln-Sudbury teachers' can restructure their contract, as recommended by the Finance Committee, to be more in-line with the other employee contracts in Sudbury.

Another override hastening Senior Citizens to sell their homes, which will increase student enrollment, is not the answer.

Restructuring healthcare plans will preserve valuable teaching positions.

Ballot Question No. 2

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

YES ____

NO ____

SUMMARY:

Voters at the 2011 Annual Town Meeting voted to pass an Override Budget exceeding the Proposition 2 ½ levy limit by \$100,000 under Article 5 – FY12 Capital Budget which will create a permanent increase in the levy limit by that amount if Ballot Question No. 2 is approved. The Town Meeting vote approved an expenditure of \$100,000 to fund the initial year of a lease-purchase agreement for two sidewalk snow plows for the Department of Public Works and increasing the Non-Override Capital budget of \$538,947 by that amount.

Estimated impact on the tax rate: \$0.03 per \$1,000 assessed value. Tax impact on a \$628,000 home is estimated at \$16.

A “yes” vote on this question will authorize the Town to spend outside of the Town’s levy limit, create a permanent increase of \$100,000 in the levy limit, and allow this lease purchase to go forward; a “no” vote will mean the equipment cannot be purchased.

ARGUMENT FOR PASSAGE:

Approval of the ballot question will accomplish two goals: increase the underfunded capital budget by \$100,000 for the future, and use the \$100,000 in FY12, FY13 and FY14 to pay for the annual lease costs of two new dependable pieces of snow fighting equipment to remove snow from approximately 30 miles of walkways in and around our schools, the Route 20 business areas, and Town buildings. The DPW requires three walkway plows to achieve this safety goal, but two of our current three machines were acquired in the 1980s and have reached the end of their useful life. This past winter, these two machines were out of service due to breakdowns for much of the winter and the walkways were not plowed causing children to walk in the street to school. One of these machines will definitely not be able to be put back in service again because of age and repair costs. Even with extensive and costly repairs, the other machine will likely not be able to make it through another winter and parts are becoming increasingly hard to find. We expect the two new machines to remain in operation for 15 to 25 years.

ARGUMENT IN OPPOSITION:

Approval of this question will permanently increase real estate taxes and personal property taxes in the future, long after the two new sidewalk plows are paid for. Town officials should have requested instead a capital exclusion for purchase outright at a total estimated cost of \$280,000, or asked for a debt exemption and borrowed the funds to purchase the plows. Either approach would avoid a permanent \$100,000 increase on the tax levy limit. Instead, this permanent increase in the tax levy limit will allow the Town to budget for even more future capital expenditures without asking voters to approve the extra funds.

Ballot Question No. 3

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

YES ____

NO ____

SUMMARY:

An expenditure of \$1,000,000 for engineering design and permitting funds and bond issuance costs for the proposed sewer system on a portion of Route 20 was passed under Article 20 of the 2011 Annual Town Meeting. This ballot question seeks to exclude the principal and interest to pay for this project from the Proposition 2 1/2 levy limit.

Estimated impact on the tax rate on a \$1M/5 year bond: \$0.06 per \$1,000 assessed value. Annual tax impact on a \$628,000 home is estimated at \$36 on average over the life of the bond.

A “yes” vote on this question will authorize the Town to fund the design and permitting for the proposed Route 20 sewer system outside of the Town’s levy limit for a five-year period and therefore allow the project to go forward; a “no” vote will mean the project cannot proceed at this time.

ARGUMENT FOR PASSAGE:

Sewering the Route 20 business area is a long standing goal of the Town which will both preserve and protect the Town’s drinking water supply and enable businesses to stay and grow in Sudbury. Sudbury has been discussing wastewater disposal options for the Route 20 business corridor for over 40 years. It is well documented that on-site disposal of wastewater is not a sustainable strategy for Sudbury’s commercial sector, both environmentally and economically. This is due to hydrogeological conditions including low permeability soils and a high groundwater table, resulting in limited capacity for disposal, frequent system failures and costly upgrades. The proximity of one of Sudbury’s major water supply wells to the Route 20 commercial area also poses a concern over possible contamination of the Town’s drinking water supply. Wastewater disposal has become a critical and expensive issue for some of Sudbury’s long-standing businesses. We do not want to lose our businesses that may relocate to adjacent towns with sewer systems, including Wayland and Marlborough. We need to provide the necessary infrastructure so that our businesses can thrive and grow.

This phase of the project will provide Town officials with the estimated cost figures for the construction of the system and keep the project on track.

Approval of this debt exclusion question will increase taxes temporarily, only for the cost and term of the bond. The estimated \$36 cost of the debt on the average home will begin in FY13 and continue for 5 years.

ARGUMENT IN OPPOSITION:

This project should not go forward until all aspects are in place and approved by the voters. Taxpayers should know the complete fiscal impact of the project, which should include a complete analysis of the expected costs and benefits before any phase of the project is funded. Zoning changes should be in place so that voters have a clear indication of the effect on the Town’s character. Knowing that no decisions have been made regarding cost apportionment between the taxpayers and the system users should give all taxpayers pause. The business community should be completely behind the project before it begins.

Although approval of this question will increase real estate taxes and personal property taxes by adding only a small amount to the tax rate attributed to debt service, the larger construction cost looms. Debt service for previously approved projects will decrease by \$45 for the average \$628,000 home next year. If this project is approved, the taxpayer would not benefit from the reduction of debt service that is being paid off and would instead see this reduction used to pay the debt service on the Rt. 20 sewer project.

And you are required to serve this Warrant by posting an attested copy thereof at the Town Hall and such other places as the Selectmen deem appropriate, but not less than three in each precinct, and not less than a total of fifteen in the Town, at least seven days before such Special Town Election.

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

Given under our hands this seventeenth day of May, two thousand and eleven.

SELECTMEN OF SUDBURY:

Lawrence W. O'Brien
Robert C. Haarde
John C. Drobinski