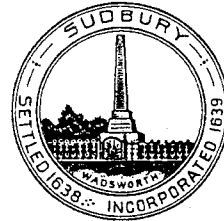


TOWN OF SUDBURY
Massachusetts



OFFICIAL WARRANT

SPECIAL TOWN MEETING

**MONDAY, OCTOBER 23, 2000
7:30 P.M.**

Lincoln-Sudbury Regional High School Auditorium

and

**Ballot Question Information – November 7, 2000 State Election
Question #9: Lincoln-Sudbury Regional High School Construction
(Proposition 2½ Debt Exclusion)**

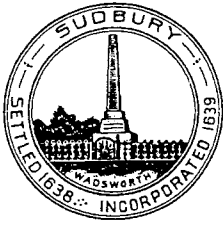
Town of Sudbury
Sudbury
Massachusetts 01776

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MASSACHUSETTS 01776

NOTICE OF SPECIAL TOWN MEETING – OCTOBER 23, 2000

NOTICE OF SUDBURY PROP. 2 ½ BALLOT QUESTION – NOV. 7, 2000 STATE 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, October 23, 2000, at 7:30 o'clock in the evening, then and there to act on the following articles:

✓ **ARTICLE 1. 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 year in which such bills were incurred; or act on anything relative thereto.

Submitted by the Town Accountant.

(9/10 vote required)

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. As of press time, the Town Accountant is in receipt of one outstanding bill not invoiced timely within the fiscal year – a natural gas bill in the amount of \$4,277.04 for the Building Department. A further report will be made at Town Meeting.

✓ **ARTICLE 2. FY01 BUDGET ADJUSTMENT**

To see if the Town will vote to amend the votes taken under Article 4, FY01 Operating Budget, of the 2000 Annual Town Meeting, by adding to or deleting from line items thereunder, by transfer between or among accounts or by transfer from available funds; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Majority vote required)

BOARD OF SELECTMEN REPORT: This article will allow adjustments to the FY01 Operating Budget if found necessary. The Board will report further at Town Meeting.

✓ **ARTICLE 3. REVISED BELL ATLANTIC EASEMENT – FAIRBANK ROAD**

To see if the Town will vote to grant to Bell Atlantic-New England, also known as Verizon, a permanent easement upon, under, and over a portion of the land at Haskell Field, Fairbank Road, for the purpose of erecting and maintaining a service terminal and pad and/or underground vault and all necessary conduits and cables in connection therewith, and to authorize the Selectmen to execute an appropriate instrument therefor, subject to indemnification of the Town by Grantee and appropriate screening of the installation, in substantially the same form and content as follows:

An easement over a certain portion of a parcel of land now or formerly of the Town of Sudbury, Assessor Map F05 – 28.77 acres, situated on the northwesterly side of Fairbank Road, in the Town of Sudbury, County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point in the Grantor's property, said point being located N 16°-10'-08" E, a distance of sixty-five and eighty-eight hundredths feet (65.88') from the intersection of the northerly sideline of Hudson Road (County Layout of 1926) with the westerly sideline of Fairbank Road in the Town of Sudbury, thence

N 46°-16'-08" E, a distance of thirty and no hundredths feet (30.00') to a point; thence

S 43°-43'-52" E, a distance of twenty and no hundredths feet (20.00') to a point; thence

S 46°-16'-08" W, a distance of thirty and no hundredths feet (30.00') to a point; thence

N 43°-43'-52" W, a distance of twenty and no hundredths feet (20.00') to the point and the place of beginning.

The above described easement contains 600 square feet more or less and is more particularly described as a "Proposed Easement, Area = 600 square feet" on a plan entitled "Easement Plan of Land in Sudbury, MA, Scale: 1 inch = 40 Feet, August 30, 2000, prepared for: Bell Atlantic-New England, 146 Leland Street, Engineering, Framingham, MA 01702, record owner: now or formerly the Town of Sudbury, Assessor Map F05 - 28.77 acres, prepared by: Jim Troupes, P.L.S., P. O. Box 9, Woodville, MA 01784, (508)435-6592", together with the right to install conduits from Fairbank Road to said service terminal;

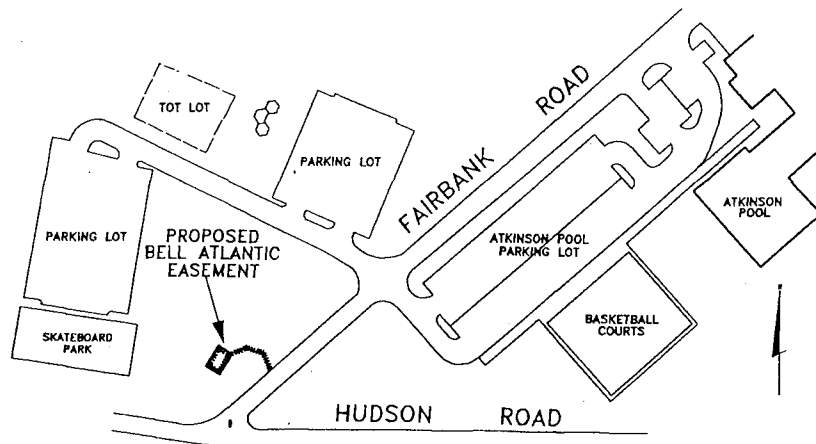
and, further, to rescind the vote taken under Article 32 of the 2000 Annual Town Meeting;

or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required)

BOARD OF SELECTMEN REPORT: Under Article 32 of the 2000 Annual Town Meeting, the Town approved an easement for the location of a Bell Atlantic service terminal and pad on the Fairbank Community Center property off Fairbank Road near Hudson Road. Following Town Meeting, it was determined that a more satisfactory location to the Town would be on the opposite side of the street, at Haskell Field. This location will be safer, because it will allow space for service vehicles to pull off the road while accessing the cabinet; it will be better aesthetically as the installation will be more easily concealed and unobtrusive; and the site is unlikely to be required for future Town needs. Bell Atlantic has delayed the installation at the Town's request and is now petitioning for approval of the new location. This terminal will be used to place fiber-optic based equipment to service the Hudson Road area to meet growth in telecommunications services, such as home security systems, residential computer fax/data and Internet access. The Board of Selectmen will work with Bell Atlantic to install appropriate landscaping to screen the equipment. A further report will be made at Town Meeting.



ARTICLE 3
BELL ATLANTIC EASEMENT

ARTICLE 4. PIPER LAND PURCHASE

To see if the Town will vote to amend the vote taken under Article 13 of the April 2000 Annual Town Meeting by inserting language that the land is being acquired for conservation and passive recreation purposes pursuant to M.G.L. Ch. 40, Section 8C, and authorizing the Conservation Commission to seek reimbursement under Ch. 132A, Section 11, referred to as the Self-Help Act; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required)

BOARD OF SELECTMEN REPORT: After the Town voted to purchase the Piper Land, an application for funding under the Self-Help Act was submitted to the Commonwealth to offset the acquisition costs. Notwithstanding the fact that the vote taken in April would accomplish the requirements of the Self-Help Act and that the Town Manager Act does not require acquisition under Ch. 40, Section 8C, the State requires the wording sought in this amendment or in this article, requesting amendment of the vote to provide for consistency in all votes taken in anticipation of receipt of a grant. The Piper Farm has been viewed by the State and determined to be an appropriate acquisition for application under the Act. The site approval is, however, only the first step in the grant process and merely qualifies the site for application, but does not insure the awarding of a grant. Failure to use the language requested by the State would be detrimental to the Town's chances of receiving a grant.

ARTICLE 5. ZONING BYLAW RECODIFICATION

To see if the Town will vote to amend the Town of Sudbury Zoning Bylaw, Article IX, by deleting said Article IX in its entirety and substituting therefor a new Zoning Bylaw in the form and content contained in a document entitled, "Proposed Zoning Bylaw" dated October 1, 2000, a copy of which is on file in the offices of the Town Clerk, Board of Selectmen and Planning Board, or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required)

BOARD OF SELECTMEN REPORT: This article has been inserted to increase awareness of the Zoning Bylaw recodification project that has been on-going for over 18 months. Revisions to the Bylaw have been discussed in forums attended by representatives of the major land use boards of the Town - Selectmen, Planning Board, Zoning Board of Appeals, Conservation Commission and Design Review Board. The intent of the project is to organize and update the Bylaw in conformance with current state statutes, and to consolidate the Bylaw, avoiding ambiguities, inconsistencies and repetitive provisions. Funding for this project was appropriated at a prior town meeting.

An important goal is to have significant input from the general public regarding the codification. At this time, the Selectmen feel additional public participation and discussion are warranted. Therefore, it is the intention of the Board of Selectmen to postpone the article and refer the matter to the multi-board, ad-hoc committee that has been working on the Bylaw. Public hearings will be conducted throughout the fall and winter to give residents ample opportunity to study and discuss the revisions. A brief presentation will be given at the Special Town Meeting to update residents on the project, including publication of hearing dates, and it is anticipated that the full Bylaw will be presented for a vote at the Annual Town Meeting.

ARTICLE 6. LINCOLN-SUDBURY REGIONAL HIGH SCHOOL CONSTRUCTION

To see if the Town will approve the amount of debt to be determined and to be authorized by the Lincoln-Sudbury Regional School District School Committee for the purpose of financing costs of constructing and equipping a new District High School, which may incorporate a portion of the existing District High School, including the financing of all other costs incidental and related thereto; or act on anything relative thereto.

Submitted by the Lincoln-Sudbury Regional School District School Committee.

(Majority vote required)

LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT SCHOOL COMMITTEE REPORT: The proposal to build a new facility at Lincoln-Sudbury is the result of almost two years of work involving school officials, the School Committee, town committees from both Lincoln and Sudbury, and citizens from both towns. It is crucial for residents to realize that this is the last year that L-S can take advantage of the state's 62% reimbursement formula, which will make the project significantly less expensive now than it will be next year, when the rate will drop to approximately 50%. This, combined with rapidly rising construction costs, means that there are significant economic benefits to passing the project in the current year.

The central reasons why a new school is needed are: 1) The large increase in school age population that has led Sudbury to build a new Elementary and Middle School and expand three other Elementary Schools over the past five years has arrived at the High School. Over a ten-year period, from 1997 to 2007, the school population at L-S will have increased by 70%. 2) The building's basic infrastructure, though well maintained, has reached the end of its useful life cycle, and will need replacing soon, at a high and non-reimbursable cost to the communities. In sum, the present school building cannot accommodate - either in its size, or in the condition of its basic infrastructure and systems - continued wear and tear, and the enrollment increase that we are experiencing and will continue to experience.

The School Committee, along with a Building Committee, comprising residents of both towns and representatives from each town's Finance Committee, explored various options available to address the problem. Three options were explored in detail.

-- an option to maintain the status quo, by simply adding new classroom space, and repairing/replacing systems as they wore out. We determined that this option made little sense. Without state reimbursement, this would cost the Town almost as much as the other options, and have none of the advantages.

--an option to completely renovate the building, and add space, a program that would be eligible for state reimbursement at approximately 62%. We determined that this option was not a wise one, for the costs of the major renovation and expansion program were likely to be about 90% of the costs of building new. In addition, the renovation project would last up to 16 months longer than building new and would lead to significant disruption of the educational program while work was ongoing. (Residents should consider the differences in the impacts on education between the renovation at the Haynes School and the new construction at Curtis.)

--an option to build a new building, again anticipating a reimbursement from the state of about 62%. This option was selected by the School Committee, for it is only marginally more expensive than a renovation/expansion, it would be completed in half the time, and it would allow us to construct a facility that meets the educational needs of the 21st century. The Finance Committees of both towns independently hired a consultant, Hanscomb Associates, to review costs and make a recommendation. Hanscomb strongly endorsed the new building option, and confirmed that a renovation plan would cost nearly as much.

As of this writing, the School Committee is still working to reduce the price of the project as much as possible. Our goal is to bring to the town the most cost-effective proposal, one that meets our educational needs in the least expensive way possible. We anticipate that the number will fall in the range

of \$64 and \$72 Million for the total project. Following anticipated state reimbursement and after taking Lincoln's share of the project into consideration, the net project cost to the Town of Sudbury would be between \$21 and \$28 Million to be paid over twenty years.

It is, again, important to note that our costs for this project will likely expand dramatically if we do not approve it this year. As an initial matter, construction costs continue to rise annually. More importantly, the State has made it clear that it is going to change the formula it uses to determine how much it will reimburse communities for school construction funds. We now anticipate being reimbursed at approximately 62%. Next year that number will most likely be 50%. Accordingly, next year, this same proposal's net project cost is likely to cost the town between \$28 and \$35 Million, without even including higher construction costs resulting from a year's delay.

NOTE: The Finance Committee will report on all articles at the Special 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 twenty-fifth day of September, two thousand.

SELECTMEN OF SUDBURY:

Kirsten D. Roopenian

Lawrence W. O'Brien

John C. Drobinski

**TOWN OF SUDBURY BALLOT QUESTION
NOVEMBER 7, 2000 STATE ELECTION**

The following is provided in accordance with the requirements of Chapter 180 of the Acts of 1996, the Special Act authorizing the Town of Sudbury to provide information to Sudbury voters concerning ballot questions submitted solely to the voters of the Town or ballot questions involving a regional district of which the Town of Sudbury is a member or a joint undertaking by the Town of Sudbury and any one or more cities or towns.

At the November 7, 2000 State Election, the following Proposition 2½ question will be on the ballot for Sudbury voters to act upon:

Ballot Question No. 9 – Lincoln-Sudbury Regional High School Construction

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 its apportioned share of the bond issued by the Lincoln-Sudbury Regional School District in order to finance costs of constructing and equipping a new District High School, which may incorporate a portion of the existing District High School, including the financing of all other costs incidental and related thereto?

YES _____

NO _____

SUMMARY:

Under Article 6 of the October 23, 2000 Special Town Meeting, the Town will be asked to approve Sudbury's portion of the bonding for a new Regional High School (which may incorporate a portion of the existing High School), estimated to cost between \$64 and \$72 Million, contingent upon passage of this ballot question which seeks to exclude the principal and interest of this project from the Proposition 2½ levy limit. Sudbury's net portion of the principal to be borrowed after reduction of anticipated reimbursement from the School Building Assistance Bureau (SBAB) would be approximately \$21 to \$28 Million.

The estimated impact on the tax rate is \$1.36/\$1000 to \$1.70/\$1000 in the highest year. The tax impact on an average priced \$360,000 home is \$489-\$613 in the highest year and would average \$237-\$315 per year over a 20-year bonding period. These calculations take into account SBAB reimbursement for eligible building costs at 62% of total principal and interest expense and assume a twenty-year bond at six percent interest.

Further information is supplied under Article 6 in the October 23, 2000 Special Town Meeting Warrant found in the beginning of this document.

Subject to appropriation (approval of the debt) by town meeting, voting "yes" on this question will authorize the Town to fund the Lincoln-Sudbury Regional High School construction project outside of the Town's levy limit and therefore allow the project to go forward; a "no" vote will mean this high school building project cannot proceed.

ARGUMENT FOR PASSAGE:

The plan to build a new high school reflects both educational need and fiscal responsibility. Between 2000 and 2008 Lincoln-Sudbury will experience a 50% increase in student population. The current facility cannot handle those numbers and still adequately educate students. The architects and project manager have examined the issue of renovation vs. new construction and determined that, because of the age and structure of the existing facility, the cost of renovation would closely approach the cost of new construction. This does not even account for educational and safety issues involved in renovation. An

independent construction consultant retained by the Sudbury Finance Committee concluded that renovation makes no sense and that a new school should be built. Lincoln-Sudbury has been told by the SBAB that if design fees for new construction are approved by Sudbury and Lincoln voters before December 31, 2000, the reimbursement rate for the project will be 62%. If design fees are not approved by December 2000, the reimbursement rate will probably drop to 50%. Although SBAB cannot yet tell us the precise amount of the project that will be reimbursable, approximately 95% of the project will be reimbursable at a rate of 62% if this vote passes. If it does not pass, Lincoln-Sudbury may have to pay up to \$8 Million more. The new high school contains no new educational programs. It will simply provide the same quality education for Lincoln-Sudbury students over the next several decades as has been provided to students over the past several decades.

ARGUMENT IN OPPOSITION:

This project is too expensive for the Town to support. What started out as a renovation to the High School has turned into a brand new building with a price that will cost the taxpayers of Sudbury at least \$21 Million over the next 20 years.

Approval of this question will greatly increase real estate and personal property taxes during the lengthy term of the bond. This tax burden, added to recent operational override and debt exclusions for elementary and middle school construction and conservation land purchases is more than we can afford. It will affect the ability of even more seniors and families to keep their homes, as well as work to exclude low to middle income families from purchasing homes in Sudbury. Sudbury is rapidly losing its diversity.

In addition to the need for increased space at the High School due to a growing student population, the Town in the near future will need to improve municipal office space, replace the public works garage, and develop more athletic facilities.

An alternate, lower-cost proposal should be sought.