

**2023 ANNUAL TOWN WARRANT
COMMONWEALTH OF MASSACHUSETTS**

FRANKLIN, SS:

To either of the Constables of the **Town of Sunderland** in the County of Franklin,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in the elections and in town affairs, to meet at ONE SWAMPFIELD DRIVE, SUNDERLAND ELEMENTARY SCHOOL, in said SUNDERLAND on Friday this TWENTY-EIGHTH Day of April, TWO THOUSAND AND TWENTY-THREE at **6:30** p.m. and act on the following articles:

All articles on this warrant require a simple majority unless otherwise indicated or required by the motion.

ARTICLE 1. To see if the Town will vote to hear the reports of the Selectboard, the Sunderland School Committee and all other Town Officers, Boards, Committees and Commissions, or take any vote or votes in relation thereto.

Majority Vote (no statutory reference)

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:

ARTICLE 2. To see if the Town will vote, under the provisions of M.G.L. Chapter 41, Section 108, to set the salaries and compensation of all its elected officials connected therewith for Fiscal Year 2024, or take any vote or votes in relation thereto.

Assessors: Chair \$2,994.21 annually Clerk \$2,994.21 annually Member \$ 2,994.21 annually
Board of Health: Chair \$1,500. Member \$1,200. Member \$1,200.
Moderator: \$200.00 annually
Planning Board: Chair \$1,000.00 annually Clerk \$1,000.00 annually
Members each \$550.00 annually
Town Clerk: \$56,156.00 annually
Selectboard: Chair \$3,275.00 annually Vice Chair \$2,850.00 annually Clerk \$2,850.00 annually

Majority Vote - G.L. c.41, §108

SUBMITTED BY: Selectboard
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the Town and general municipal purposes connected therewith for Fiscal Year 2024 or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 40, §5, and G.L. c.71, §16B (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 and G.L. c.59, §21C; or transfer from stabilization pursuant to G.L. 40, §5B)

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the Fiscal Year 2024 Capital Budget, specifically for the capital equipment, buildings, facilities and other capital projects as shown on a document entitled, "FY24 CAPITAL BUDGET BY FUNDING SOURCE" on file with the Town Clerk, and posted on the Town website at www.townofsunderland.us, and as may be necessary in connection therewith, and to authorize one or more tax exempt lease purchase finance agreements pursuant to G.L. c. 44, §31C for capital equipment identified in the FY 24 Capital Budget for terms not to exceed the useful life of the equipment as determined by the Selectboard, or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 40, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 and G.L. c.59, §21C; transfer from stabilization pursuant to G.L. 40, §5B; or authorization of lease/purchase agreement pursuant to G.L. c.44 §21C)

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:
CAPITAL PLANNING COMMITTEE RECOMMENDATION:

ARTICLE 5. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the Contingent Fiscal Year 2024 Capital Budget, specifically for the capital equipment, buildings, facilities and other capital projects as shown on a document entitled, "CONTINGENT FY24 CAPITAL BUDGET BY FUNDING SOURCE" on file with the Town Clerk, and posted on the Town website at www.townofsunderland.us, and as may be necessary in connection therewith, and to authorize one or more tax exempt lease purchase finance agreements pursuant to G.L. c. 44, §31C for capital equipment identified in the FY 24 Capital Budget for terms not to exceed the useful life of the equipment as determined by the Selectboard, or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 40, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 and G.L. c.59, §21C; transfer from stabilization pursuant to G.L. 40, §5B; or authorization of lease/purchase agreement pursuant to G.L. c.44 §21C)

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:
CAPITAL PLANNING COMMITTEE RECOMMENDATION:

ARTICLE 6. To see if the Town will vote to transfer from available funds a sum or sums of money to the Capital Stabilization Fund, or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 40, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 and G.L. c.59, §21C; transfer from stabilization pursuant to G.L. 40, §5B; or authorization of lease/purchase agreement pursuant to G.L. c.44 §21C)

SUBMITTED BY: Selectboard
SELECTMEN RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7. To see if the Town will vote to transfer from available funds a sum or sums of money to the General Stabilization Fund, or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 40, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 and G.L. c.59, §21C; transfer from stabilization pursuant to G.L. 40, §5B; or authorization of lease/purchase agreement pursuant to G.L. c.44 §21C)

SUBMITTED BY: Selectboard
SELECTMEN RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 8. To see if the Town will vote to transfer a sum or sums of money to pay a previous year bill.

***REQUIRES 4/5ths VOTE MGL c.44, §64**

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION: 3-0
FINANCE COMMITTEE RECOMMENDATION:4-0

ARTICLE 9. To see if the Town will vote to create an Opioid Settlement Stabilization Fund in accordance with Massachusetts General Laws, Section 5B of Chapter 40, and to appropriate a sum of money to such fund; determine whether this appropriation shall be from free cash, other available funds or otherwise; and take any other action in relation thereto.

Majority Vote-G.L. c.40, §21; G.L. 41, §108C

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10. To see if the Town will vote to transfer from available funds to the Opioid Settlement Stabilization Fund established at the April 28, 2023, Town Meeting or take any other action in relation thereto.

Majority Vote Majority Vote - G.L. c. 40, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 and G.L. c.59, §21C; transfer from stabilization pursuant to G.L. 40, §5B; or authorization of lease/purchase agreement pursuant to G.L. c.44 §21C).

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11. To see if the town will vote, pursuant to Massachusetts General Laws c. 71, §16 G ½ to establish a Capital Stabilization Fund for the Frontier Regional School District or take any other action relative thereto.

Majority Vote-G.L. c.16G1/2

SUBMITTED BY: Frontier Capital Improvement Committee
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 12. To see if the Town will vote to appropriate \$23,500 from the *CPA Undesignated Fund Balance*, as requested by Frontier Regional School. Monies will be used for the complete renovation of tennis courts at Frontier School. Said funds to be expended under the direction of Frontier Regional School Principal, or take any other action thereto.

Majority Vote - G.L. c. 44B, §5

SUBMITTED BY: Community Preservation Committee
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:
CPC RECOMMENDATION: 6-0

ARTICLE 13. To see if the Town will vote to appropriate the amount of \$115,000 from the *CPA Budgeted Reserve* as requested by the Town of Sunderland. Monies will be used for the creation of new pickleball courts at Riverside Park. Said funds to be expended under the direction of the Sunderland Town Administrator; or take any other action thereto.

Majority Vote - G.L. c. 44B, §5

SUBMITTED BY: Community Preservation Committee
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:
CPC RECOMMENDATION: 6-0

ARTICLE 14. To see if the Town will vote to appropriate the amount of \$60,000 from the *CPA Historic Preservation Reserve* to fund the Sunderland Congregational Steeple Restoration Project, as requested by the Sunderland Congregational Church. Monies will be used to restore the spire, bell tower, roof and electrical work to code. Said funds to be expended under the direction of the Church Trustees and will be accompanied by a Preservation Restriction to be held by the Town of Sunderland; or take any other action thereto.

Majority Vote - G.L. c. 44B, §5

SUBMITTED BY: Community Preservation Committee
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:
CPC RECOMMENDATION: 6-0

ARTICLE 15. To see if the Town will vote to appropriate or reserve from the **Community Preservation Fund** annual revenues in the amounts recommended by the Community Preservation Committee for

committee administrative expenses, community preservation projects and other expenses in fiscal year 2023.

Appropriations:

From FY 2023 estimated revenues* for Committee Administrative Expenses	\$ 6,000
Community Preservation Debt Service	\$ 26,210.24

Reserves:

FY 2022 estimated revenues for Historic Resources Reserve	\$ 28,569
FY 2022 estimated revenues for Community Housing Reserve	\$ 28,569
FY 2022 estimated revenues for Open Space Reserve	\$ 28,569
FY 2022 estimated revenues for CPA Undesignated Budgeted Reserve	\$ 29,043

or take any other action thereon.

Majority Vote - G.L. c. 44B, §5

SUBMITTED BY: Community Preservation Committee
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:
CPC RECOMMENDATION: 6-0

* Estimated revenues are based on FY23 CPA Surcharge Estimate of \$145,000 and a 35% State Match (\$50,750), plus an adjustment for an additional 65% state match received in FY22 (\$89,998). Each reserve fund is allocated 10% of that total.

ARTICLE 16. To see if the Town will vote pursuant to the provisions of General Laws c.44, §53E½, as most recently amended, to establish FY2024 fiscal year spending limits for the revolving funds listed in Section 35-6 of the General Bylaws, and to authorize such expenditure limits to remain in place from fiscal year to fiscal year unless revised by Town Meeting prior to July 1 for the ensuing fiscal year, as follows:

Authorized Revolving Funds	Fiscal Year Expenditure Limit
Wiring Inspector	\$ 9,000
Plumbing Inspector	\$ 3,000
Board of Health	\$16,500
Sunderland Public Library Community Room	\$ 5,000
Fire Inspector	\$ 7,000
Highway Shared Equipment	\$23,000

or take any vote or votes in relation thereto.

Majority vote - G.L. c.44, §53E 1/2.

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 17. To see if the Town will vote to authorize the Selectboard to petition the General Court for special legislation to allow Scott Smith, a Town of Sunderland call firefighter, notwithstanding the provisions of any general or special law to the contrary, to serve in such position until the age of 70, or until the date of his retirement or non-reappointment, whichever occurs first; provided, however that no deductions from the regular compensation of Scott Smith shall be made under chapter 32 of the General Laws subsequent to his reaching the age of 65 in connection with his service to the Town for retirement or pension purposes; provided, however, that the General Court may make clerical and editorial changes of form only to the bill unless the Selectboard approves amendments to the bill prior to enactment by the General Court, and to authorize the Selectboard to approve such amendments which shall be within the scope of the general public objectives of the petition, or take any other action relative thereto.

Majority Vote – Mass. Constitution, amend. Art. 2§8

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

Articles 18 through 23, inclusive, are so called Consent Articles

SELECTBOARD RECOMMENDATION to Consent Articles:
FINANCE COMMITTEE RECOMMENDATION to Consent Articles:

ARTICLE 18. To see if the Town will vote to authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal Year 2024, as permitted by G.L. Chapter 44, Section 53F, or take any vote or votes in relation thereto.

Majority Vote-G.L. c.44, §53F

SUBMITTED BY: Treasurer/Collector
SELECTBOARD RECOMMENDATION:

ARTICLE 19. To see if the Town will authorize the Selectboard to apply for, accept and expend any grants or donations from State or Federal governments or private agencies, individuals or institutions, or take any vote or votes in relation thereto.

Majority Vote (no statutory reference; see G.L. c. 44, §§53, 53A)

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:

ARTICLE 20. To see if the Town will vote to accept and expend any sum or sums of money which may be available from the State for Chapter 90 work for road improvement and equipment expense, or take any vote or votes in relation thereto.

Majority Vote (no statutory reference; see G.L. c. 44, §53A and G.L. c.90, §34)

SUBMITTED BY: Selectboard and Highway Superintendent
SELECTBOARD RECOMMENDATION:

ARTICLE 21. To see if the Town will vote under the provisions of G.L. Chapter 40, Section 4A to authorize the Selectboard to enter into inter-municipal agreements or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 40, §4A

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION: 3-0

ARTICLE 22. To see if the Town will vote to authorize the Selectboard to enter into contracts for goods and services with duration in excess of three years pursuant to the provisions of G.L. Chapter 30B, Section 12 (b), or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 30B, §12(b)

SUBMITTED BY: Selectboard
SELECTBOARD RECOMMENDATION:

ARTICLE 23. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2023 in accordance with the provisions of G.L. Chapter 44, Section 4 and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with G.L. Chapter 44, Section 17, or take any vote or votes in relation thereto.

Majority Vote - G.L. c.44, §§4 and 17

SUBMITTED BY: Selectboard/Treasurer
SELECTBOARD RECOMMENDATION:

You are hereby directed to warn the inhabitants of said Sunderland qualified to vote in Town elections to bring in and cast their votes for the following offices to be filled for the year 2023 on Saturday, the Sixth of May 2023 at the Sunderland Public Library at 20 School Street, Sunderland from 8:00 a.m. to 1:00 p.m.:

<u>Office</u>	<u>Term</u>	
• MODERATOR	1 FOR	1 YEAR
• SELECTBOARD	1 FOR	3 YEAR
• ASSESSOR	1 FOR	3 YEAR
• BOARD OF HEALTH	1 FOR	3 YEAR
• RIVERSIDE CEMETERY TRUSTEE	1 FOR	3 YEAR
• PLANNING BOARD	1 FOR	5 YEAR
• PLANNING BOARD	1 FOR	1 YEAR
• LIBRARY TRUSTEES	3 FOR	3 YEAR
• ELEMENTARY SCHOOL COMMITTEE	2 FOR	3 YEAR
• FRONTIER REGIONAL SCHOOL COMMITTEE	1 FOR	3 YEAR

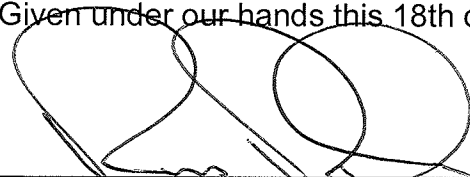
Question 1

Shall the Town of Sunderland be allowed to assess an additional \$275,000 in real estate and personal property taxes for the purpose of funding the Town’s municipal capital stabilization fund for the fiscal year beginning July 1, 2023?

You are directed to serve this Warrant by posting up attested copies thereof at the Town Office Building, the Sunderland Public Library and the Sunderland Post Office in said Sunderland seven days, at least, before the holding of said Meeting.


Hereof fail not and make due return of this Warrant, with your doings thereon to the Town Clerk at the time and place of Meeting as aforesaid.

Given under our hands this 18th day of April 2023.

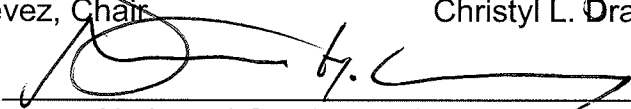


Thomas D. Fydenkevez, Chair

SUNDERLAND SELECTBOARD



Christyl L. Drake-Tremblay, Vice Chair



Nathaniel G. Waring, Clerk
Sunderland Selectboard

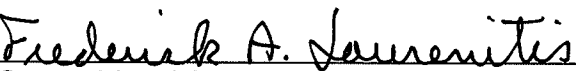
A True Copy ATTEST: 

Constable of Sunderland

REC'DSUNDERLANDCLERK
APR 19 '23 AM9:52

Date and Time

FRANKLIN, SS:
Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Sunderland by posting up attested copies of the same at the Town Office Building, the Sunderland Public Library and the Sunderland Post Office seven days, at least, before the date hereof, as within directed



Constable of Sunderland

Date and Time

REC'DSUNDERLANDCLERK
APR 19 '23 AM9:52