

**2020 ANNUAL TOWN WARRANT  
COMMONWEALTH OF MASSACHUSETTS**

FRANKLIN, SS:  
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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 TWELVE SCHOOL STREET in said SUNDERLAND on Saturday this SIXTH day of June, TWO THOUSAND AND TWENTY at **4:00** 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 2021, or take any vote or votes in relation thereto.

Assessors: Chairman \$2,907.00 annually      Clerk \$2,907.00 annually    Member \$2,907.00 annually  
Moderator:    \$0.00 annually  
Planning Board: Chairman \$792.00 annually      Clerk \$792.00 annually    Members each \$528.00 annually  
Town Clerk: \$45,058.50 annually  
Selectboard: Chairman \$0.00 annually    Vice Chairman \$0.00 annually    Clerk \$0.00 annually

**Majority Vote - G.L. c.41, §108**

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

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 2021 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: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

ARTICLE 4. To see if the Town will vote to appropriate a sum or sums of money for the Fiscal Year 2021 Capital Budget, specifically for the capital equipment, buildings, facilities and other capital projects as shown on a document entitled, "FY21 CAPITAL BUDGET BY FUNDING SOURCE" on file with the Town Clerk, and posted on the Town website at [www.townofsunderland.us](http://www.townofsunderland.us), and as may be necessary in connection therewith, to authorize one or more lease purchase agreements for terms of up to or in excess of three years, 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: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0  
CAPITAL PLANNING COMMITTEE RECOMMENDATION: 5-0

ARTICLE 5. To see if the Town will vote to transfer \$15,820.00 from Free Cash to the Health Insurance Account for IRS Employer Shared Responsibility Payment, or take any vote or votes in relation thereto.

**Majority Vote - G.L. c. 40, §5B**

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

ARTICLE 6. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to pay certain bills of prior fiscal years.

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

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

ARTICLE 7. To see if the Town will vote to provide a sum or sums of money for sewer imaging and cleaning or take any vote or votes in relation thereto.

SUBMITTED BY: Sewer Commissioners  
SELECTBOARD RECOMMENDATION: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

ARTICLE 8. To see if the Town will vote to provide a sum or sums of money for the North Main Street Reconstruction Project, including 100% designs, Plans, Specifications, and Estimate documents, for easement acquisitions and other associated costs.

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

ARTICLE 9. To see if the Town will vote pursuant to the provisions of General Laws c.44, §53E½, as most recently amended, to establish FY2021 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: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

ARTICLE 10. To see if the Town will vote to appropriate \$1,000 from the CPA Open Space Reserve to fund the creation of a pollinator garden with educational signage at the Sunderland Elementary School. Said funds to be expended under the direction of the Sunderland Conservation Commission or take any vote or votes in relation thereto.

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 4-0  
SELECTBOARD RECOMMENDATION: 3-0

**Majority Vote - G.L. c.44B, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B, §11; or transfer from stabilization pursuant to G.L. 40, §5B)**

ARTICLE 11. To see if the Town will vote to appropriate \$64,000 from the CPA Open Space Reserve to be transferred to the Town's Conservation Trust for the acquisition of a parcel or parcels of land in the Town of Sunderland for drinking water protection and to authorize the Conservation Commission to acquire said interests in land upon such terms and conditions and for such consideration as it deems appropriate and to authorize the granting of a permanent restriction on said parcels pursuant to Section 12 of Chapter 44B of the General Laws or take any other action relative thereto.

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 4-0  
SELECTBOARD RECOMMENDATION: 3-0

**Majority Vote - G.L. c.44B, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B, §11; or transfer from stabilization pursuant to G.L. 40, §5B)**

ARTICLE 12. To see if the Town will vote to appropriate \$11,194.78 from the CPA Open Space Reserve and \$76,262.72 from the CPA Undesignated Budget Reserve for the construction of a kayak kiosk, seating and park storage facilities. Said funds to be expended with approval of the Sunderland Selectboard and under the direction of the Sunderland Library Director or take any vote or votes in relation thereto.

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 4-0  
SELECTBOARD RECOMMENDATION: 3-0

**Majority Vote - G.L. c.44B, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B, §11; or transfer from stabilization pursuant to G.L. 40, §5B)**

ARTICLE 13. To see if the Town will vote to appropriate or transfer from the CPA Open Space Reserve \$22,060 to fund the next phase of the Riverside Park design. Said funds to be expended under the direction of the Sunderland Town Administrator or take any vote or votes in relation thereto.

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 4-0  
SELECTBOARD RECOMMENDATION: 3-0

**Majority Vote - G.L. c.44B, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B, §11; or transfer from stabilization pursuant to G.L. 40, §5B)**

ARTICLE 14. To see if the Town will vote to appropriate or transfer \$12,000. from the CPA Open Space Reserve and to fund any archaeological survey required for improvements made to the Riverside Park. Said funds to be expended under the direction of the Sunderland Town Administrator or take any vote or votes in relation thereto.

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 4-0  
SELECTBOARD RECOMMENDATION: 3-0

**Majority Vote - G.L. c.44B, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B, §11; or transfer from stabilization pursuant to G.L. 40, §5B)**

ARTICLE 15. To see if the Town will vote to appropriate or transfer from the Community Preservation Fund annual revenues or available funds \$6,780 to fund the design of pedestrian and bicycle pathway system connecting town resources and natural assets. Said funds to be expended under the direction of the Sunderland Community Pathways Committee or take any vote or votes in relation thereto.

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 4-0  
SELECTBOARD RECOMMENDATION: 3-0

**Majority Vote - G.L. c.44B, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B, §11; or transfer from stabilization pursuant to G.L. 40, §5B)**

ARTICLE 16. To see if the Town will vote to appropriate \$2,801.29 from the CPA Open Space Reserve to reimburse the Town of Sunderland for PARC Grant financing costs. Said funds to be expended under the direction of the Sunderland Town Administrator or take any vote or votes in relation thereto.

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 4-0  
SELECTBOARD RECOMMENDATION: 2-1

**Majority Vote - G.L. c.44B, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B, §11; or transfer from stabilization pursuant to G.L. 40, §5B)**

ARTICLE 17. To see if the Town will vote to appropriate \$50,000 from the CPA Community Housing Reserve to fund an emergency housing rental assistance program for income-eligible Sunderland residents affected by the COVID-19 emergency, such program to be administered by the Franklin County Regional Housing & Redevelopment Authority.

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 7-0  
SELECTBOARD RECOMMENDATION: 3-0

**Majority Vote - G.L. c.44B, §5 (NOTE: 2/3 vote required if: borrowing pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B, §11; or transfer from stabilization pursuant to G.L. 40, §5B)**

ARTICLE 18. To see if the Town will vote to appropriate or reserve from the Fiscal Year 2021 Community Preservation Fund estimated annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2021, or take any vote or votes in relation thereto.

**Appropriations:**

From FY 2021 estimated revenues for Committee Administrative Expenses	\$ 6,000
Community Preservation Debt Service	\$ 26,890

**Reserves:**

FY 2021 estimated revenues for Historic Resources Reserve	\$ 15,911
FY 2021 estimated revenues for Community Housing Reserve	\$ 15,911
FY 2021 estimated revenues for Open Space Reserve	\$ 15,911
FY 2021 estimated revenues for CPA Undesignated Budgeted Reserve	\$ 71,801

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 4-0  
SELECTBOARD RECOMMENDATION: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

**Majority Vote - G.L. c. 44B, §5**

ARTICLE 19. To see if the Town will vote to appropriate the sum of \$273,305.00, and to authorize the Treasurer with the approval of the Selectboard to borrow said sum under the provisions to G.L. Chapter 44, Sections 7, 8, 8C, G.L. Chapter 44B, and/or any other enabling authority, for the purpose of planning, designing, improving, renovating and/or equipping what is known as the Sunderland Riverside Park, located on portions of the Town-owned parcels of land on School Street which is approximately shown on a plan on file with the Town Clerk, said parcels containing a total of 7.9 acres of land, more or less, and identified on Assessors Map 5 as Lots 59, 60, 61, 65, and 205, including, without limitation all costs incidental, ancillary, and/or related thereto; provided, however, that no funds shall be expended until the Town has received a grant commitment in the amount of 68% of such costs under the so-called PARC Grant Program (301 CMR 5.00) and/or the Small Communities Grant Program for the foregoing project; and further, to dedicate the Sunderland Riverside Park to the care, custody, management, and control of the Selectboard for recreational purposes pursuant to General Laws Chapter 45, Section 3, as it may be amended, and any other Massachusetts statutes related to recreation; and further, to authorize the Selectboard and/or its designee to apply for and accept on behalf of the Town funds granted under the PARC Grant Program, the Small Communities Grant Program, and/or any other funds, gifts, grants, under any federal and/or other state program in any way connected with the scope of this this article, and to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing project; or take any vote or votes in relation thereto.

**2/3 vote required to borrow pursuant to G.L. c. 44, §§7 or 8 or G.L. c.44B**

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

ARTICLE 20. To see if the Town will vote to amend Chapter 125 of the Code of Sunderland, Zoning Bylaws as set forth in a document entitled "Proposed Zoning Amendment ATM 2020" on file with the Town Clerk and posted on the Town website at [www.townofsunderland.us](http://www.townofsunderland.us) (with provisions to be inserted shown in underlined text and provisions to be deleted shown in strikethrough text), Four typographical corrections, in Section 125, Articles 1,2,4, and 5. Addition of two missing footnotes in the Dimensional Schedule (Section 125, Article 2). One proposed change in the Use Regulation Schedule (Section 125, Article 2): Under the heading "Business Uses," in the row labeled "Storage and warehousing," in the column labeled "VC" (Village Center), change "SP" to "N" (by request from numerous citizens to preserve the historic integrity of the Village Center). One copy edit for clarification in Section 125, Article 4, or take any other action relative thereto.

**2/3rds vote-G.L. c.40A §5**

SUBMITTED BY: Planning Board  
SELECTBOARD RECOMMENDATION: 3-0

**Articles 21 through 26, inclusive, are so called Consent Articles**

SELECTBOARD RECOMMENDATION to Consent Articles: 3-0  
FINANCE COMMITTEE RECOMMENDATION to Consent Articles: 4-0

ARTICLE 21. To see if the Town will vote to authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal Year 2021, 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: 3-0

ARTICLE 22. 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: 3-0

ARTICLE 23. 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: 3-0

ARTICLE 24. 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 25. 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: 3-0

ARTICLE 26. 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, 2020 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: 3-0

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 \_\_\_\_th day of MAY 2020.

**SUNDERLAND SELECTBOARD**

\_\_\_\_\_  
Scott a. Bergeron, Chair

\_\_\_\_\_  
David J. Pierce, Vice Chair

\_\_\_\_\_  
Thomas D. Fydenkevez, Clerk  
Sunderland Selectboard

A True Copy ATTEST: \_\_\_\_\_  
Constable of Sunderland

\_\_\_\_\_  
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