

## 2018 ANNUAL TOWN MEETING

April 27, 2018

7:00pm

Sunderland Elementary School

Moderator, Robert T. Duby, called the meeting to order at 7:09pm

Town Clerk, Wendy Houle, read the Constable's Return.

Moderator led the Pledge of Allegiance.

Moderator introduced town officials.

Town Clerk, swore in tellers: Debra Bennett, Richard Bennett, Vincent Grandonico, and Elizabeth Sillin.

Motion to dispense of reading of the motions was made and seconded, passed unanimously

Motion to allow the Moderator to call a unanimous vote, seconded, and passed unanimously.

Chairman of the Board of Selectmen, David Pierce recognized Robert T. Duby, recipient of the 2017 Annual Report dedication for his many years of service to the Town of Sunderland as Moderator since 1990 and many years on the Planning Board. Thomas Fydenkevez recognized Richard and Linda Lopatka for receiving the Spirit of Sunderland and those who passed away in 2017; Sally Aldrich, Caroline Connelly, Alice Fleming, Thomas Herrick, Helen Pomeroy, and Judy Richards all served the Town of Sunderland to make it a better place.

There are 2,415 voters in Sunderland, 126 voters participated in town meeting.

**ARTICLE 1.** Upon motion made and seconded, it was

VOTED to hear the reports of the Selectmen, the Sunderland School Committee and all other Town Officers, Boards, Committees and Commissions.

***Moderator declared motion passed unanimously.***

**ARTICLE 2.** Upon motion made and seconded, it was

VOTED, 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 2019.

Assessors: Chairman \$2,907.00 annually      Clerk \$2,907.00 annually      Member \$2,907.00 annually

Moderator:      \$200.00 annually

Planning Board: Chairman \$660.00 annually      Clerk \$660.00 annually      Members each \$410.00 annually

Town Clerk: \$43,308.00 annually

Selectmen: Chairman \$3,275.00 annually      Vice Chairman \$2,850.00 annually      Clerk \$2,850.00 annually

***Moderator declared motion passed unanimously.***

TOWN OF SUNDERLAND FY19 TOWN MEETING BUDGET	FY16 Budget FINAL	FY17 Budget FINAL	FY 18 Budget FINAL	FY 19 Budget FINAL	Change from 18 FINAL	FY
GENERAL GOVERNMENT						
Personnel Services	161,220	169,649	169,895	180,916		
Elected Officials	60,690	61,669	62,493	63,754		
Expenses	172,701	179,762	184,477	253,972		
<b>TOTAL GENERAL GOVERNMENT</b>	<b>394,611</b>	<b>411,080</b>	<b>416,865</b>	<b>498,642</b>	<b>81,777</b>	<b>19.6%</b>
TOWN BUILDINGS						
Personnel Services	0	0	0	0		
Expenses	139,932	139,932	213,579	171,051		
<b>TOTAL TOWN BUILDINGS</b>	<b>139,932</b>	<b>139,932</b>	<b>213,579</b>	<b>171,051</b>	<b>-42,528</b>	<b>19.9%</b>
POLICE DEPARTMENT						
Personnel Services	352,477	382,728	397,823	424,476		
Expenses	37,500	37,500	44,159	46,509		
<b>TOTAL POLICE DEPARTMENT</b>	<b>389,977</b>	<b>420,228</b>	<b>441,982</b>	<b>470,985</b>	<b>29,003</b>	<b>6.6%</b>
FIRE DEPARTMENT						
Personnel Services	48,158	50,417	51,425	52,968		
Expenses	33,000	33,000	33,000	33,000		
Regional EMS	235,972	191,347	162,438	198,893		
<b>TOTAL FIRE DEPARTMENT</b>	<b>317,130</b>	<b>274,764</b>	<b>246,863</b>	<b>284,861</b>	<b>37,998</b>	<b>15.4%</b>
INSPECTORS & OTHER PROTECTION						
Personnel Services	23,418	23,815	24,221	22,242		
Expenses	25,020	25,903	14,005	17,401		
<b>TOTAL INSPECTORS &amp; OTHER PROTECTION</b>	<b>48,438</b>	<b>49,718</b>	<b>38,226</b>	<b>39,643</b>	<b>1,417</b>	<b>3.7%</b>
HIGHWAY DEPARTMENT						
Personnel Services	149,252	152,404	159,226	169,535		
Expenses	110,252	111,252	112,252	121,254		
<b>TOTAL HIGHWAY</b>	<b>259,504</b>	<b>263,656</b>	<b>271,478</b>	<b>290,789</b>	<b>19,311</b>	<b>7.1%</b>
HEALTH & SANITATION						
Personnel Services	12,743	12,998	12,998	11,954		
Expenses	11,535	11,208	11,208	11,208		
<b>TOTAL HEALTH &amp; SANITATION</b>	<b>24,278</b>	<b>24,206</b>	<b>24,206</b>	<b>23,162</b>	<b>-1,044</b>	<b>-4.3%</b>
LIBRARY						
Personnel Services	98,121	102,732	109,703	112,994		
Expenses	24,885	24,885	23,885	26,000		
<b>TOTAL LIBRARY</b>	<b>123,006</b>	<b>127,617</b>	<b>133,588</b>	<b>138,994</b>	<b>5,406</b>	<b>4.0%</b>
<b>TOTAL ELEMENTARY</b>	<b>2,156,600</b>	<b>2,376,190</b>	<b>2,488,338</b>	<b>2,602,832</b>	<b>114,494</b>	<b>4.6%</b>
<b>TOTAL FRANKLIN CTY TECH ASSESSMENT</b>	<b>158,406</b>	<b>97,748</b>	<b>101,400</b>	<b>170,950</b>	<b>69,550</b>	<b>68.6%</b>
<b>TOTAL FRONTIER ASSESSMENT</b>	<b>1,723,452</b>	<b>1,706,380</b>	<b>1,731,437</b>	<b>1,796,889</b>	<b>65,452</b>	<b>3.8%</b>
<b>OUT OF DISTRICT TUITION &amp; TRANSPORT</b>	<b>0</b>	<b>46,166</b>	<b>45,610</b>	<b>46,060</b>	<b>450</b>	<b>1.0%</b>
BENEFITS & INSURANCE						
Personnel Services	0	0	0	0		

Expenses	582,149	629,921	711,200	801,384		
<b>TOTAL BENEFITS &amp; INSURANCE</b>	<b>582,149</b>	<b>629,921</b>	<b>711,200</b>	<b>801,384</b>	<b>90,184</b>	<b>12.7%</b>
MISCELLANEOUS & RESERVE FUND						
Personnel Services	8,537	8,708	8,708	8,882		
Expenses	105,163	107,160	101,193	100,755		
<b>TOTAL MISC. &amp; RESERVE FUND</b>	<b>113,700</b>	<b>115,868</b>	<b>109,901</b>	<b>109,637</b>	<b>-264</b>	<b>-0.2%</b>
<b>TOTAL OPERATING BUDGET</b>	<b>6,431,183</b>	<b>6,683,474</b>	<b>6,974,673</b>	<b>7,445,879</b>	<b>471,206</b>	<b>6.8%</b>
WWTP						
Personnel Services	0	0	0			
Expenses	316,790	332,580	307,116	343,948		
Sewer Debt Service	30,063	29,979	31,675	30,278		
<b>TOTAL WWTP BUDGET</b>	<b>346,853</b>	<b>362,559</b>	<b>338,791</b>	<b>374,226</b>	<b>35,435</b>	<b>10.5%</b>
DEBT & INTEREST						
Personnel Services	0	0	0	0		
Expenses	239,143	232,432	228,105	220,432		
<b>TOTAL DEBT &amp; INTEREST</b>	<b>239,143</b>	<b>232,432</b>	<b>228,105</b>	<b>220,432</b>	<b>-7,673</b>	<b>-3.4%</b>
<b>GRAND TOTAL</b>	<b>7,017,179</b>	<b>7,278,465</b>	<b>7,541,569</b>	<b>8,040,537</b>	<b>498,968</b>	<b>6.6%</b>

**ARTICLE 3.** Upon motion made and seconded, it was VOTED to raise and appropriate the sum of \$7,414,270, appropriate from the Ambulance Reserve Fund the sum of \$1,180, appropriate from Fund 318-Comcast PEG Access Fund the sum of \$53,000, appropriate for Fund 610-WWTP Sewer Fund the sum of \$374,226 appropriate from Town Fund 419-Title V the sum of \$5,063 and appropriate from Free Cash the of \$192,798 for the sum total of \$8,040,537for Town and general municipal purposes connected therewith for Fiscal Year 2019, all as set forth in a document entitled “Town of Sunderland FY 19 Town Meeting Budget”, provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a Proposition 2 ½ so-called, override question, allowing the town to raise the additional amount of \$200,000 outside the limits imposed by said Proposition 2 1/2, all in accordance with M.G.L. c59, §21C(g).

*Moderator declared motion passed unanimously.*

**ARTICLE 4.** Upon motion made and seconded, it was VOTED to AMEND ARTICLE to transfer 0 Free Cash to the Stabilization Fund.

*Moderator declared motion passed unanimously.*

Voted to amend motion to replace \$53,428 to 0, seconded, passed unanimously.

**ARTICLE 5.** Upon motion made and seconded, it was

VOTED to transfer from Free Cash **the sum of \$70,000** to the Capital Stabilization Fund.

***Moderator declared motion passed unanimously.***

**ARTICLE 6.** Upon motion made and seconded, it was

VOTED to transfer From Free Cash the sum of **\$29,000** to the PEG Access Fund.

***Moderator declared motion passed unanimously.***

**ARTICLE 7.** Upon motion made and seconded, it was

VOTED to appropriate **\$235.034.48** from the Capital Stabilization Fund and **to** appropriate **\$85,872** from the Sewer Reserve Fund for the Fiscal Year 2019 Capital Budget, specifically for the capital equipment, buildings, facilities and other capital projects as shown on a document entitled, "FY19 CAPITAL BUDGET BY FUNDING SOURCE" on file with the Town Clerk 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.

***Moderator declared motion passed unanimously.***

***CAPITAL STABILIZATION***

VH	HIGHWAY	Truck Lease/Year 2	\$ 27,206.48
VH	HIGHWAY	Fuel Dispenser Replace	\$ 5,000.00
H	HIGHWAY	F250 w/Plow	\$ 40,000.00
<b>TOTAL HIGHWAY</b>			<b>\$ 72,206.48</b>
VH	LIBRARY	Roof Cleaning	\$ 3,863.00
VH	LIBRARY	Masonry Repairs	\$ 3,953.00
H	LIBRARY	HVAC Repair/Replace	\$ 6,325.00
<b>TOTAL LIBRARY</b>			<b>\$ 14,141.00</b>
H	POLICE	Replace Security System	\$ 6,651.00
H	POLICE	Key FOB Door System	\$ 7,450.00
<b>TOTAL POLICE</b>			<b>\$ 14,101.00</b>
H	ADMIN	North Main St. Engineering	\$ 65,000.00
H	ADMIN	IT & Telephone Upgrade	\$ 24,586.00
<b>TOTAL ADMINISTRATION</b>			<b>\$ 89,586.00</b>
RECREATION	RECREATION	Renovate & Reseed Fields	\$ 12,000.00
<b>TOTAL RECREATION</b>			<b>\$ 12,000.00</b>
H	SCHOOL	Hot Water Heater	\$ 17,500.00
	SCHOOL	Upgrade Security Camera	\$ 15,500.00
<b>TOTAL SCHOOL</b>			<b>\$ 33,000.00</b>

**SEWER  
RESERVE**

Priority	Department	Purpose	Amount
H	WWTP	I & I Phase A	\$ 75,000.00
H	WWTP	Replace Chlorine Analyzer	\$ 4,992.00
		Remove Rebuild Reinstall	
VH	WWTP	Pump	\$ 5,880.00
			<b>\$ 85,872.00</b>

**ARTICLE 8.** Upon motion made and seconded, it was

VOTED to appropriate **\$536,868**, or any other amount, to pay costs of purchasing and equipping a new all-wheel drive pumper tanker Fire Truck, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 8 (19) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. No amounts shall be borrowed or expended hereunder unless the Town shall have voted to exclude the amounts needed to repay any borrowing undertaken pursuant to this vote from the limitations on total property taxes contained in Chapter 59, Section 21C of the General Laws (also known as Proposition 2½).

***Moderator declared motion passed by a 2/3 vote.***

**ARTICLE 9.** Upon motion made and seconded, it was

VOTED to appropriate **\$12,000** from the Community Preservation Fund Open Space Reserve, for the restoration and rehabilitation of land for recreational use, specifically to design the Early Childhood Playground at the Sunderland Elementary School, said funds to be expended under the direction of the Sunderland Elementary School Principal.

***Moderator declared motion passed unanimously.***

**ARTICLE 10.** Upon motion made and seconded, it was

VOTED to appropriate **\$66,000** from the Community Preservation Fund FY2018 Budgeted Reserve and **\$13,598** from the Community Preservation Fund Open Space Reserve for the restoration and creation of land for recreational use, specifically to create a new park and accessible river walk with picnic area, river overlook and pathway loop at School Street, said funds to be expended under the direction of the Sunderland Board of Selectmen.

***Moderator declared motion passed unanimously.***

Amendment: Change Undesignated Fund Balance to Open Space Reserve, seconded, passed unanimously

**ARTICLE 11.** Upon motion made and seconded, it was

VOTED to appropriate or reserve from the Fiscal Year 2019 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 2019.

**Appropriations:**

Committee Administrative Expenses	<b>\$ 6,000.00</b>
Community Preservation Debt Service	<b>\$ 26,638.00</b>

**Reserves:**

Estimated Revenues for Historic Resources Reserve	<b>\$ 12,451.00</b>
Estimated Revenues Community Housing Reserve	<b>\$ 12,451.00</b>
Estimated Revenues for Open Space Reserve	<b>\$ 12,451.00</b>
Estimated Revenues for CPA Undesignated Budgeted Reserve	<b>\$ 54,519.00</b>

***Moderator declared motion passed unanimously.***

**ARTICLE 12.** Upon motion made and seconded, it was

VOTED pursuant to the provisions of General Laws c.44, §53E½, as most recently amended, to establish FY2019 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

***Moderator declared motion passed unanimously.***

**Article 13.** Upon motion made and seconded, it was

VOTED to transfer **\$8,295.00** from Capital Stabilization as its share of the cost of the purchase and equipping of a tractor similar in size and features to a John Deere 1025R Sub-Compact Utility Tractor, for the Frontier Regional School District, which tractor shall not exceed the total purchase price of \$35,000.00.

***Moderator declared motion passed unanimously.***

**Article 14.** Upon motion made and seconded, it was

VOTED to transfer from **\$5,000** from Free Cash to conduct a Classification and Compensation Study.

***Moderator declared motion passed by a Majority.***

**Article 15.** Upon motion made and seconded, it was

VOTED to transfer **\$20,272** from Free Cash to fund the FY 18 Snow & Ice Deficit.

***Moderator declared motion passed unanimously.***

**ARTICLE 16.** Upon motion made and seconded, it was

VOTED to transfer **\$500** from Free Cash for the care and maintenance of Veterans' graves at the North Sunderland Cemetery for FY 19.

***Moderator declared motion passed unanimously.***

**ARTICLE 17.** Upon motion made and seconded, it was

VOTED, pursuant to Chapter 164, Section 134 of the Massachusetts General Laws, to authorize the Board of Selectmen/Select Board to initiate the process to aggregate the electricity load of residential and business electricity consumers within the Town, and to enter into agreements for services to facilitate the purchase of electric energy and other related services, either independently or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation.

***Moderator declared motion passed by a Majority.***

Motion to call the question-seconded, passed by a majority.

**ARTICLE 18.** Upon motion made and seconded, it was

VOTED to authorize the Board of Selectmen to acquire, by purchase, gift, and/or eminent domain, a permanent easement for public sidewalk purposes in, on and under a portion or portions of the property located on 36 Garage Road, as shown on a plan entitled "Proposed Easement Plan" of Land in Sunderland, Massachusetts prepared for The Town of Sunderland, dated February 14, 2018, prepared by Harold L. Eaton and Associates, Inc., a copy of which plan is on file with the Town Clerk.

***Moderator declared motion passed unanimously.***

**ARTICLE 19.** Upon motion made and seconded, it was

Sunderland Anti-Corruption Resolution Language-Resolution to establish as a position of Sunderland, County of Franklin, State of Massachusetts, that tough, new anti-corruption laws for politicians, lobbyists, and outside groups such as SuperPACs are necessary in order to protect and promote the First Amendment as the most stakeholders in government instead of major donors.

WHEREAS, limits on contributions to political candidates are justified by the need to reduce corruption and the appearance of corruption, as outlined in Buckley v. Valeo (1976);

WHEREAS, contributions to candidates, and political spending on their behalf, from lobbyists, Super PACs present a special risk of corruption; and,

WHEREAS, the Supreme Court held in *Nevada Commission on Ethics v. Carrigan* (2011) that restrictions on official actions taken by legislators in situations in which their independence of judgement is questioned do not constitute restrictions on the First Amendment free speech rights of legislators; and,

WHEREAS, closing the "revolving door", where elected representatives and senior staff sell off their legislative power for high-paying jobs, is important to ensure that government employees are not "influenced in the performance of public duties by the thought of later reaping a benefit from a private individual." *Brown v. District of Columbia Board of Zoning*, 413 A.2d 1276, 1282 (D.C. App. 1980); and,

WHEREAS, full transparency of all political money is necessary for the growth of an educated and informed electorate; and,

WHEREAS, with nearly \$5 billion spent in the 2017 elections, where the vast majority came from big special interest donors, politicians are dependent on a tiny percentage of the population to fundraise their campaigns while ordinary voters have less and less influence; and,

WHEREAS, federal agencies such as the Federal Election Commission routinely fail to enforce the anti-corruption rules that already exist;

NOW THEREFORE, BE IT RESOLVED that it is the position of Sunderland, County of Franklin, State of Massachusetts that tough, new anti-corruption laws must be passed by Congress, including legislation to prohibit lobbyists from donating to political campaigns; put limits on unregulated Super PACs and other groups; increase transparency for campaign funding; stop elected representatives and senior staff from negotiating jobs while in office and bar them from all lobbying activity for five years once they leave; empower all voters through \$100 tax rebate to contribute to the candidates they support; and strengthen federal agencies and House and Senate ethics committees to enforce the rules against politicians and special interests that break campaign finance law.

BE IT FURTHER RESOLVED that the town of Sunderland hereby includes in its 2018 legislative agenda support for efforts to pass its own anti-corruption legislation to the House and Senate addressing the issues herein described.

***Moderator declared motion passed by a Majority.***

Motion to call the question-seconded, passed by a majority.

#### **Articles 20 through 25, inclusive, are so called Consent Articles**

SELECTMEN RECOMMENDATION to Consent Articles:3-0

FINANCE COMMITTEE RECOMMENDATION to Consent Articles:

**ARTICLE 20.** Upon motion made and seconded, it was

VOTED to authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal Year 2019, as permitted by G.L. Chapter 44, Section 53F.

***Moderator declared motion passed unanimously.***

**ARTICLE 21.** Upon motion made and seconded, it was



VOTED to authorize the Board of Selectmen to apply for, accept and expend any grants or donations from State or Federal governments or private agencies, individuals or institutions.

***Moderator declared motion passed unanimously.***

**ARTICLE 22.** Upon motion made and seconded, it was

VOTED 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.

***Moderator declared motion passed unanimously.***

**ARTICLE 23.** Upon motion made and seconded, it was

VOTED under the provisions of G.L. Chapter 40, Section 4A to authorize the Board of Selectmen to enter into inter-municipal agreements.

***Moderator declared motion passed unanimously.***

**ARTICLE 24.** Upon motion made and seconded, it was

VOTED to authorize the Board of Selectmen 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).

***Moderator declared motion passed unanimously.***

**ARTICLE 25.** Upon motion made and seconded, it was

VOTED to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2018 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.

***Moderator declared motion passed unanimously.***

Election warrant was read by the Town Clerk.

Motion to dissolve at 9:59pm, seconded and voted unanimously.

Respectfully submitted,

Wendy Houle, MMC/CMMC  
Sunderland Town Clerk