

**2024 ANNUAL TOWN MOTIONS
COMMONWEALTH OF MASSACHUSETTS
TOWN OF SUNDERLAND
April 26, 2024
6:30PM AT THE SUNDERLAND ELEMENTARY SCHOOL**

FRANKLIN, SS:

Registered Voters in Attendance: 88 Total Registered Voters: 2,495

Meeting called to order at 6:34pm by Moderator, David J. Pierce.

Pledge of Allegiance

The Selectboard acknowledged the dedication recipient for the 2023 Annual Report, Thomas Fydenkevez. Mr. Fydenkevez has been actively giving of his time to the Town of Sunderland since the 1980's. Mr. Fydenkevez served on the Selectboard, Planning Board, Conservation Commission, South County Senior Center, and was a contributor in the forming of the South County EMS. Memoriam- The Town would like to acknowledge James and Sandra Bielunis, Daniel Fleming, Albion "Albie" Koblinski and Peter Murphy who contributed to the Town's betterment to make Sunderland a better place.

Town official introductions.

Town Clerk, Wendy Houle read the Constables Return.

Upon a motion made and seconded it was **VOTED BY MAJORITY** to dispense of reading of the motions.

Upon a motion made and seconded it was **VOTED UNANIMOUSLY** to allow school officials, town council, town employees, and Frontier students permission to speak if they are not a registered voter in the Town of Sunderland.

ARTICLE 1. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** to hear the reports of the Selectboard, the Sunderland School Committee and all other Town Officers, Boards, Committees and Commissions.

Majority Vote (no statutory reference)

SUBMITTED BY: Selectboard

SELECTBOARD RECOMMENDATION: 3-0

ARTICLE 2. Upon a motion made and seconded it was **VOTED UNANIMOUSLY**, 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 2025.

Assessors: Chair \$2,994.21 annually Clerk \$2,994.21 annually Member \$ 2,994.21 annually

Board of Health: Chair \$1,500 annually Member \$1,200 annually Member \$1,200 annually

Moderator: \$200.00 annually

Planning Board: Chair \$1,000.00 annually Clerk \$1,000.00 annually
Members each \$550.00 annually

Town Clerk: \$58,964.00 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: 3-0

ARTICLE 3. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town vote to **raise and appropriate the sum of \$9,888,642**, appropriate from **Fund-Comcast PEG Access Fund the sum of \$53,000**, appropriate from **Fund 610-WWTP Sewer Fund the sum of \$439,854**, and appropriate from **Free Cash the sum of \$217,301** for the **sum total of \$10,598,797** for Town and general municipal purposes connected therewith for the Fiscal Year 2025, all as set forth in a document entitled "Town of Sunderland FY25 Town Meeting Budget" on file with the Town Clerk, and posted on the Town website at www.townofsunderland.us.

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: 2-0

FINANCE COMMITTEE RECOMMENDATION: 3-0

TOWN OF SUNDERLAND TOWN MEETING BUDGET	FY 23 Budget ATM	FY 24 Budget ATM	FY 25 Budget ATM	Change from FY 24 FINAL	
GENERAL GOVERNMENT					
Personnel Services	223,110	250,292	266,466		
Elected Officials	76,736	78,964	81,772		
Expenses	305,204	344,329	329,940		
TOTAL GENERAL GOVERNMENT	605,050	673,585	678,178	4,594	0.7%
TOWN BUILDINGS					
Personnel Services	0	0	0		
Expenses	173,717	188,717	189,117		
TOTAL TOWN BUILDINGS	173,717	188,717	189,117	400	0.2%
POLICE DEPARTMENT					
Personnel Services	534,549	552,898	579,519		
Expenses	50,094	54,515	57,145		
TOTAL POLICE DEPARTMENT	584,643	607,413	636,664	29,251	4.8%
FIRE DEPARTMENT					
Personnel Services	64,401	73,108	70,577		
Expenses	34,000	38,000	35,000		
Regional EMS	210,221	210,953	270,227		
TOTAL FIRE DEPARTMENT	308,622	322,061	375,804	53,743	16.7%
INSPECTORS & OTHER PROTECTION					
Personnel Services	31,168	36,179	37,656		

	Expenses	25,031	29,486	28,184		
TOTAL INSPECTORS & OTHER PROTECTION		56,199	65,665	65,840	175	0.3%
HIGHWAY DEPARTMENT						
	Personnel Services	205,839	209,642	221,547		
	Expenses	129,854	138,025	145,125		
TOTAL HIGHWAY		335,693	347,667	366,672	19,005	5.5%
HEALTH & SANITATION						
	Personnel Services	16,904	17,229	17,629		
	Expenses	13,517	14,318	19,607		
TOTAL HEALTH & SANITATION		30,421	31,547	37,236	5,688	18.0%
LIBRARY						
	Personnel Services	171,101	188,106	195,976		
	Expenses	30,000	39,215	41,764		
TOTAL LIBRARY		201,101	227,321	237,740	10,418	4.6%
TOTAL ELEMENTARY		3,145,467	3,353,955	3,464,052	110,097	3.3%
TOTAL FRANKLIN CTY TECH ASSESSMENT		113,323	177,256	177,537	282	0.2%
TOTAL FRONTIER ASSESSMENT		2,093,458	2,305,676	2,378,667	72,991	3.2%
OUT OF DISTRICT TUITION & TRANSPORT		18,200	38,076	38,076	0	0.0%
BENEFITS & INSURANCE						
	Personnel Services	0	0	0		
	Expenses	1,041,058	1,197,494	1,256,807		
TOTAL BENEFITS & INSURANCE		1,041,058	1,197,494	1,256,807	59,313	5.0%
MISCELLANEOUS & RESERVE FUND						
	Personnel Services	9,555	14,691	15,132		
	Expenses	125,113	163,706	151,921		
TOTAL MISC. & RESERVE FUND		134,668	178,397	167,053	-11,344	-6.4%
TOTAL OPERATING BUDGET		8,841,620	9,694,829	10,069,442	374,613	3.9%
WWTP						
	Personnel Services					
	Expenses	400,859	424,165	416,857		
	Sewer Debt Service	0	0	0		
TOTAL WWTP BUDGET		400,859	424,165	416,857	-7,308	-1.7%
DEBT & INTEREST						
	Personnel Services	0	0	0		
	Expenses	148,364	116,368	112,498		
TOTAL DEBT & INTEREST		148,364	116,368	112,498	-3,870	-3.3%
GRAND TOTAL		9,390,843	10,235,362	10,598,797	363,435	3.6%

ARTICLE 4. Upon a motion made and seconded it was **VOTED BY** _____ that the Town vote to transfer the sum of **\$405,670.63 from the Capital Stabilization Fund** for the Fiscal Year

2025 Capital Budget, specifically for the capital equipment, buildings, facilities and other capital projects as shown on a document entitled, "FY25 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 25 Capital Budget for terms not to exceed the useful life of the equipment as determined by the Selectboard.

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: 2-0

FINANCE COMMITTEE RECOMMENDATION: 3-0

CAPITAL PLANNING COMMITTEE RECOMMENDATION: 4-0

Priority	Department	Purpose	Amount	CIC Vote	Source
VH	HIGHWAY	Backhoe Lease Year 2/6	\$ 34,220.63	3-0	Cap Stab
VH	HIGHWAY	Truck Lease Year 2	\$ 45,000.00	3-0	Cap Stab
H	HIGHWAY	Loader	\$ 50,000.00	3-0	Cap Stab
H	HIGHWAY	Office Repairs	\$ 25,000.00	3-0	Cap Stab
H	HIGHWAY	Steel Structure	\$ 37,000.00	3-0	Cap Stab
TOTAL HIGHWAY			\$ 191,220.63		
VH	LIBRARY	HVAC	\$ 15,950.00	3-0	Cap Stab
TOTAL LIBRARY			\$ 15,950.00		
	SCSC	14-passenger van	\$ 6,250.00	3-0	Cap Stab
TOTAL ADMINISTRATION			\$ 6,250.00		
VH	POLICE	Cruiser	\$ 73,500.00	3-0	Cap Stab
VH	POLICE	PSC Repairs	\$ 14,000.00	3-0	Cap Stab
TOTAL POLICE			\$ 87,500.00		
VH	SES	Rim band (phase 5)	\$ 9,750.00	3-0	Cap Stab
H	SES	Power Upgrade	\$ 14,000	3-0	Cap Stab
H	SES	Heat pumps (phase 1)	\$ 81,000	3-0	Cap Stab
TOTAL SES			\$ 104,750.00		
TOTAL RECOMMENDED			\$ 405,670.63		

CAPITAL STABILIZATION

\$	207,301.17	Capital Stab Balance
\$	409,883.00	Capital Stab. Override
\$	617,184.17	

ARTICLE 5. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town vote to transfer **from Free Cash the amount of \$1,282.97** to pay a prior year legal bill from KP Law, PC.

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

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

ARTICLE 6. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town vote to appropriate the amount of \$177,000, of which \$28,000 is from the *CPA Historic Resources Reserve* and \$149,000 is from the *CPA FY24 Undesignated Fund Balance*, as requested by the Sunderland Public Library. Monies will be used for the restoration of the masonry, foundation and site of the Graves Memorial Library for the purpose of exterior preservation and related work. Said funds to be expended under the direction of the Sunderland Public Library.

Majority Vote - G.L. c. 44B, §5

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

ARTICLE 7. Upon a motion made and seconded it was **VOTED BY MAJORITY** that the Town vote to appropriate the amount of \$25,000 from the *CPA FY24 Undesignated Fund Balance*, as requested by the Town of Sunderland. Monies will be used as part of the local match for a MassTrails Grant for a feasibility study on the Norwottuck North Shared Use Path proposal, connecting Sunderland to UMass and the Whately Park & Ride. Said funds to be expended under the direction of the Town of Sunderland, are contingent on getting the MassTrails Grant.

Majority Vote - G.L. c. 44B, §5

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

ARTICLE 8. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town 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 2025.

Appropriations:

From FY 2024 estimated revenues* for Committee Administrative Expenses	\$ 6,000
Community Preservation Debt Service	\$ 25,401.91

Reserves:

FY 2024 estimated revenues for Historic Resources Reserve	\$ 28,945
FY 2024 estimated revenues for Community Housing Reserve	\$ 28,945
FY 2024 estimated revenues for Open Space Reserve	\$ 28,945

Majority Vote - G.L. c. 44B, §5

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

* Estimated revenues are based on FY25 CPA Surcharge Estimate of \$160,000 and a 22% State Match (\$35,200), plus an adjustment for an additional 65% state match received in FY24 (\$94,250). Each reserve fund is allocated 10% of that total.

ARTICLE 9. Upon a motion made and seconded it was **DECLARED BY THE MODERATOR, PASSED BY A 2/3 VOTE** to amend Chapter 125 of the Code of Sunderland, Zoning Bylaws as set forth in a document entitled "Proposed Zoning Amendment ATM 2024 – Battery Storage" on file with the Town Clerk, with provisions to be inserted shown in underlined text and provisions to be deleted shown in strikethrough text.

2/3rds vote-G.L. c.40A §5

SUBMITTED BY: Planning Board
 SELECTBOARD RECOMMENDATION: 3-0

ARTICLE 10. Upon a motion made and seconded it was it **DECLARED BY THE MODERATOR, PASSED BY A 2/3 VOTE** that the Town vote to amend Chapter 125 of the Code of Sunderland, Zoning Bylaws as set forth in a document entitled "Proposed Zoning Amendment ATM 2024 – Structure Conversion" on file with the Town Clerk, with provisions to be inserted shown in underlined text and provisions to be deleted shown in strikethrough text.

2/3rds vote-G.L. c.40A §5

SUBMITTED BY: Planning Board
 SELECTBOARD RECOMMENDATION: 3-0

ARTICLE 11. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town vote pursuant to the provisions of General Laws c.44, §53E½, as most recently amended, to establish FY2025 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

Majority vote - G.L. c.44, §53E 1/2.

SUBMITTED BY: Selectboard
 SELECTBOARD RECOMMENDATION: 3-0
 FINANCE COMMITTEE RECOMMENDATION: 2-0

ARTICLE 12. Upon a motion made and seconded it was **VOTED BY MAJORITY** that the Town vote to authorize the Selectboard to petition the General Court of the Commonwealth of Massachusetts to enact legislation in substantially the form below to grant the Town of Sunderland the authority to endow legal voting rights in municipal elections for Town of Sunderland residents aged 16 and 17 years old, and further that the Selectboard be authorized to approve amendments to said act by the General Court before its enactment that are within the scope of the general objectives of this motion.

“An Act granting the Town of Sunderland the authority to endow legal voting rights in municipal elections for Town of Sunderland residents aged 16 and 17 years old.”

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of Section 1 of Chapter 51 of the General Laws or any other general or special law, rule, or regulation to the contrary, any individual aged 16 or 17 years old residing in the Town of Sunderland, who is ineligible to vote under state law due to age, but who is otherwise eligible to vote under state law, may upon application have their names entered on a list of voters established by the office of the Town Clerk for the Town of Sunderland. Such individuals on the list of voters may vote in any election for local offices, local ballot questions, Annual Town Meeting and Special Town Meeting in accordance with this Act. For the purposes of this Act, "local voters" are anyone who is eligible to vote pursuant to this Act in a local election, upon a local ballot question, or in an Annual Town Meeting or Special Town Meeting in the Town of Sunderland.

SECTION 2. Said office of the Town Clerk shall establish a separate registration list for local voters who shall fill out an alternative registration form. Upon turning eighteen, each local voter shall be taken off said list and notified that he or she must register as a regular voter in accordance with state law, regulations, and guidelines, in order to be eligible to vote. Said office shall create and print, at the Town of Sunderland's expense, the special registration form needed for the purpose of registering local voters.

SECTION 3. Said board is hereby authorized to promulgate regulations, guidelines and forms to implement the purpose of this act.

SECTION 4. If a local ballot question appears on a state election ballot, the office of the Town Clerk shall print a separate ballot for the local ballot question at the expense of the Town of Sunderland.

SECTION 5. The Town of Sunderland is hereby authorized to pass ordinances to implement the purpose of this act.

SECTION 6. Nothing in this act shall be construed to confer upon local voters the right to vote for any state or federal office or any state or federal ballot questions.

SUBMITTED BY: Citizen Petition

SELECTBOARD RECOMMENDATION: 3-0

Articles 13 through 18, inclusive, are so called Consent Articles

SELECTBOARD RECOMMENDATION to Consent Articles: 3-0

FINANCE COMMITTEE RECOMMENDATION to Consent Articles: 3-0

ARTICLE 13. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town vote to authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal Year 2025, as permitted by G.L. Chapter 44, Section 53F.

Majority Vote-G.L. c.44, §53F

SUBMITTED BY: Treasurer/Collector

SELECTBOARD RECOMMENDATION: 3-0

ARTICLE 14. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town vote to authorize the Selectboard to apply for, accept and expend any grants or donations from State or Federal governments or private agencies, individuals or institutions.

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

SUBMITTED BY: Selectboard

SELECTBOARD RECOMMENDATION: 3-0

ARTICLE 15. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town 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.

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 16. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town vote under the provisions of G.L. Chapter 40, Section 4A to authorize the Selectboard to enter into inter-municipal agreements.

Majority Vote - G.L. c. 40, §4A

SUBMITTED BY: Selectboard

SELECTBOARD RECOMMENDATION: 3-0

ARTICLE 17. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town 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).

Majority Vote - G.L. c. 30B, §12(b)

SUBMITTED BY: Selectboard

SELECTBOARD RECOMMENDATION: 3-0

ARTICLE 18. Upon a motion made and seconded it was **VOTED UNANIMOUSLY** that the Town 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, 2024 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.

Majority Vote - G.L. c.44, §§4 and 17

SUBMITTED BY: Selectboard/Treasurer

SELECTBOARD RECOMMENDATION: 3-0

Town Clerk moved the meeting adjourn to meet to the polling place in the COMMUNITY ROOM at the SUNDERLAND PUBLIC LIBRARY, 20 School Street in Sunderland on SATURDAY the 4TH day of May 2024, 8:00am-1:00pm, to act on the following:

Office	Vote for:	Term
Assessor	1	3 Years
Selectboard (Selectman)	1	3 Years
Board of Health	1	3 Years
Library Trustee	3	3 Years
Moderator	1	1 Year
Planning Board	1	5 Years
Riverside Cemetery	1	3 Years
Sunderland Elementary School Committee	2	3 Years

And upon closure of the polls to dissolve.

Motion Carried, so declared the Moderator.

Respectfully submitted,

Wendy Houle, MMC, CMMC
Sunderland Town Clerk