

**2013 ANNUAL TOWN MEETING**  
**APRIL 26, 2013**  
**6:30pm at the Sunderland Elementary School**

**Robert T. Duby, Moderator, called the meeting to order at 6:41pm**

**Wendy Houle, Town Clerk, read the Constable's Return and swore in tellers Russell Cranshaw, Diane Gumaer, Lorin Starr, and James Williams, Jr.**

**Mr. Duby gave a moving speech on the Boston bombing and led the Pledge of Allegiance.**

**Mr. Duby recognized town report dedication for 2012 to Marion Markwell and Spirit of Sunderland to Thomas Zimnowski for the contributions to the Town over the years.**

**Motion by Thomas Fydenkevez and seconded by Scott Bergeron to dispense of the reading of the articles. The motion passed unanimously.**

**88 Registered voters attended the meeting.**

**Motions were made and seconded by the Board of Selectmen unless otherwise noted.**

**MOTIONS**

ARTICLE 1: Move that the Town vote to hear the reports of the Selectmen, the Sunderland School Committee and all other Town Officers, Boards, Committees and Commissions.

**Majority Vote (no statutory reference)**

SUBMITTED BY: Board of Selectmen

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 2: Move that the Town 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 2014.

Assessors: Chairman \$2,795.48 annually      Clerk \$2,795.48 annually      Member \$2,795.48 annually

Moderator: \$200.00 annually

Planning Board: Chairman \$630.00 annually      Clerk \$630.00 annually      Members each \$380.00 annually

Town Clerk: \$39,125.00 annually

Selectmen: Chairman \$3,150.00 annually      Vice Chairman \$2,700.00 annually      Clerk \$2,700.00 annually

**Majority Vote-G.L. c.41, §108**

SUBMITTED BY: Board of Selectmen

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 3: Move that the Town transfer from Free Cash, **the sum of \$3,414.27** to Bear River Landscaping, and **the sum of \$5,300.00** to Patriot Properties; transfer from line item 122-5400, **the sum of \$303.15** to Kopelman & Paige, and transfer from line item 491-5410, **the sum of \$105.00** to Dan Vandalsen; for the **sum total of \$9,122.42** for unpaid bills of prior fiscal years.

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

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 4: Move that the Town transfer from Free Cash, **the sum of \$4,878.29** to line item 423-5110, Highway Snow/Ice Wages.

**Majority Vote-G.L. c. 40, § 5**

SUBMITTED BY: Highway Superintendent  
SELECTMEN RECOMMENDATION: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 5: Move that the Town vote to transfer from the School Building Assistance Grant Special Reserve Fund, **the sum of \$2,121,000.00** to pay off the bond or bonds issued by the Town Treasurer for the Sunderland Elementary School reconstruction project pursuant to the vote under Article 2 of the April 25, 2003 Special Town Meeting, which project was reimbursed in part by the Massachusetts School Building Authority.

**Majority Vote -G.L. c. 40, §5**

SUBMITTED BY: Treasurer/Board of Selectmen  
SELECTMEN RECOMMENDATION: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 6: Move that the Town will vote to raise and appropriate **the sum of \$6,297,826** appropriate from Ambulance Reserve, **the sum of \$67,693**, appropriate from Town Fund 318-Comcast PEG Access Fund, **the sum of \$14,194**, appropriate from School Building Assistance Funds, **the sum of \$212,000**, appropriate from Fund 610-WWTP Sewer Fund, **the sum of \$359,236**, appropriate from Town Fund 419-Title V, **the sum of \$5,155** and appropriate from Free Cash, **the sum of \$119,558**, for **the sum total of \$7,075,662** for town and general municipal purposes connected therewith for Fiscal Year 2014 as set forth in the handout entitled, "TOWN OF SUNDERLAND FY14 TOWN MEETING BUDGET".

**Majority Vote -G.L. c. 40, §5, G.L. c.59, §21C, and G.L. c.71, §16B**

SUBMITTED BY: Board of Selectmen  
SELECTMEN RECOMMENDATION: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

Peter Murphy made a motion to increase Police Department budget by \$16,500.00. No Second-Motion Failed

**Main Motion**

**Passed**

**Unanimously**

TOWN OF SUNDERLAND FY14 TOWN MEETING BUDGET		FY11 Budget FINAL	FY12 Budget FINAL	FY13 Budget FINAL	FY14 Recommended Budget	Change from FY13 FINAL	
GENERAL GOVERNMENT							
	Personnel Services	142,101	144,363	148,584	150,927		
	Elected Officials	56,300	57,041	57,730	58,662		
	Expenses	138,294	136,936	146,042	151,141		
TOTAL GENERAL GOVERNMENT		336,695	338,340	352,356	360,730	8,374	2.4%
TOWN BUILDINGS							
	Personnel Services	0	0	0	0		
	Expenses	134,628	128,998	124,423	124,888		
TOTAL TOWN BUILDINGS		134,628	128,998	124,423	124,888	465	0.4%
POLICE DEPARTMENT							
	Personnel Services	292,750	298,037	309,501	317,854		
	Expenses	34,000	28,850	32,350	34,400		
TOTAL POLICE DEPARTMENT		326,750	326,887	341,851	352,254	10,403	3.0%
FIRE DEPARTMENT							
	Personnel Services	92,225	93,161	122,377	124,375		
	Expenses	26,918	26,918	50,000	50,000		
TOTAL FIRE DEPARTMENT		119,143	120,079	172,377	174,375	1,998	1.2%
INSPECTORS & OTHER PROTECTION							
	Personnel Services	25,099	25,534	25,868	26,319		
	Expenses	22,780	23,060	23,400	23,800		
TOTAL INSPECTORS & OTHER PROTECTION		47,879	48,594	49,268	50,119	851	1.7%
HIGHWAY DEPARTMENT							
	Personnel Services	130,466	132,898	134,736	138,803		
	Expenses	109,252	107,252	107,252	109,252		
TOTAL HIGHWAY		239,718	240,150	241,988	248,055	6,067	2.5%
HEALTH & SANITATION							
	Personnel Services	11,861	12,133	12,315	12,561		
	Expenses	16,352	14,222	16,954	10,922		
TOTAL HEALTH & SANITATION		28,213	26,355	29,269	23,483	-5,786	-19.8%
LIBRARY							
	Personnel Services	85,746	89,746	91,894	93,732		
	Expenses	15,503	15,503	20,503	24,173		
TOTAL LIBRARY		101,249	105,249	112,397	117,905	5,508	4.9%
TOTAL ELEMENTARY		2,022,285	2,045,917	2,051,286	2,085,732	34,446	1.7%
TOTAL FRANKLIN CTY TECH ASSESSMENT		223,051	247,173	219,934	198,446	-21,488	-9.8%
TOTAL FRONTIER ASSESSMENT		1,588,420	1,591,686	1,651,336	1,666,469	15,133	0.9%
BENEFITS & INSURANCE							
	Personnel Services	0	0	0	0		
	Expenses	495,269	494,711	507,862	533,107		
TOTAL BENEFITS & INSURANCE		495,269	494,711	507,862	533,107	25,245	5.0%
MISCELLANEOUS & RESERVE FUND							
	Personnel Services	9,507	8,083	8,205	8,369		
	Expenses	75,103	65,901	79,605	88,662		
TOTAL MISC. & RESERVE FUND		84,610	73,984	87,810	97,031	9,221	10.5%
TOTAL OPERATING BUDGET		5,747,910	5,788,123	5,942,157	6,032,595	90,438	1.5%
WWTP							
	Personnel Services	0	0	0	0		
	Expenses	275,829	280,782	286,314	328,824		
	Sewer Debt Service				30,412		
TOTAL WWTP BUDGET		275,829	280,782	286,314	359,236	72,922	25.5%
DEBT & INTEREST							
	Personnel Services	0	0	0	0		
	Expenses	762,775	762,534	753,301	683,831		
TOTAL DEBT & INTEREST		762,775	762,534	753,301	683,831	-69,470	-9.2%
GRAND TOTAL		6,786,514	6,831,439	6,981,772	7,075,662	93,890	1.3%

ARTICLE 7: Move that the Town vote to transfer from Free Cash **the sum of \$119,558** to the Capital Stabilization Fund.

**2/3 Vote -G.L. c. 40, §5B**

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 8: Move that the Town vote to appropriate from **the sum of \$124,050** in Fiscal Year 2014 for the capital equipment, buildings, facilities and other capital projects as set forth in the document entitled, "FY14 CAPITAL BUDGET BY FUNDING SOURCE" on file with the Town Clerk.

**2/3 Vote -G.L. c. 40, §5B**

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION: 3-1

PERMANENT BUILDING COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

**FY14 CAPITAL BUDGET BY FUNDING SOURCE**

	Project Budget	Balance					
<b>Capital Stabilization</b>		<b>130,262</b>					
Library Parking Lot Fence Replacement	3,761.50						
Mobile Data Terminals	3,200.00						
Weapons (Taser)	1,050.00						
Salt Shed Siding Installation	2,336.60						
Replace 1999 Small Dump Truck (10yr repl)	77,000.00						
N Main St. Reconstruction pre-engineering	30,000.00						
	117,348.10						
<b>Fund Balance After Expenditures</b>		<b>12,913.90</b>					
<b>Remaining Capital Funds of Prior Years</b>		<b>5,401.90</b>					
Salt Shed Siding Installation	5,163.40		2012 Annual Town Meeting-Article 26, Safety Complex Roof Repair	65.00			
			2012 Annual Town Meeting-Article 30, Loader Transmission Repair	2,923.12			
			2012 Annual Town Meeting-Article 29, Police Cruiser	45.00			
			2011 Annual Town Meeting-Article 13, Municipal Computers	30.28			
			2008 Annual Town Meeting-Article 23, SES Chimney Repairs	2,100.00			
Library Parking Lot Fence Replacement	238.50		2012 Annual Town Meeting-Article 33, Library Copier	238.50			
	5,401.90						
<b>Fund Balance After Expenditures</b>		<b>0</b>					
<b>Sewer Reserve</b>		<b>324,411</b>					
Stereo Microscope & SHEL Lab Digital Water Bath	1,300.00						
<b>Fund Balance After Expenditures</b>		<b>323,111</b>					
<b>TOTAL CAPITAL BUDGET</b>	<b>124,050</b>						

ARTICLE 9: Move that the Town vote to transfer from Free Cash **the sum of \$39,853** to the Stabilization Fund.

**2/3 Vote -G.L. c. 40, §5B**

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 10: Move that the Town vote to transfer from the Stabilization Fund, **the sum of \$16,019** to FY14 line item 210-5120 Full-time Officer Wages-Quinn Bonus for the FY14 State Share, and to continue to fund both Town and State share at 100% thereafter during each annual budget cycle.

**2/3 Vote -G.L. c. 40, §5B**

SUBMITTED BY: Petition (text of article appears exactly at set forth in the petition)

SELECTMEN RECOMMENDATION: 0-3

FINANCE COMMITTEE RECOMMENDATION: 0-4

Evan Golann moved to Withdraw

**Passed Unanimously to Withdraw**

ARTICLE 11: Move that the Town vote pursuant to G.L. Chapter 4, Section 4B to rescind its acceptance of the provisions of Chapter 41, Section 108L, the so-called “Quinn Bill”, establishing a police career educational incentive program, accepted under Article 12 of the April 30, 2001 Annual Town Meeting, provided however that under G.L. Chapter 4, Section 4B, a vote to rescind “shall not affect any contractual or civil service rights which have come into existence between the city, town or municipality and any officer or employee thereof as a result of the original acceptance of any such law or the provisions thereof; provided, however, that such revocation shall apply to the successor to the incumbent officer or employee, which application shall prevent such contractual or civil service right from automatically continuing with respect to such successor officer or employee.”

**Majority Vote -G.L. c. 4, §4B**

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION: 4-0

Motion to Withdraw

**Passed Unanimously to Withdraw**

ARTICLE 12: Move that the Town vote to transfer from the Stabilization Fund, **the sum of \$17,759.25** as its allocable share of the Fiscal Year 2014 Frontier Regional School District Capital Request of \$67,500 for Frontier building safety and security updates, and to disapprove the requests for electrical improvements, pick-up truck and van; provided, however, that where such capital request does not appear to have been included in the FY2014 Regional School District Budget provided to the Town pursuant to G.L. c.71, §16B, and instead seeks funding for particular capital items, unless all other member towns appropriate their allocable share of the safety and security updates, the appropriation made hereunder shall not be expended and shall be deemed to be a disapproval of such capital request; moreover, if the capital request is deemed by DESE to be part of the certified and apportioned FY2014 Regional School District Budget, then the Town's appropriation hereunder shall be deemed a disapproval of the full budget request.

**2/3 Vote -G.L. c. 40, §5B**

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION: 3-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 13: Move that the Town vote to accept the provisions of G.L. Chapter 32B, Section 20 and establish a separate fund known as the "Other Post-Employment Benefits Liability Trust Fund" for the purpose of funding future financial obligations of the Town for health insurance and other post-employment benefits of retirees.

**Majority Vote -G.L. c. 32B, §20**

SUBMITTED BY: Board of Selectmen/Treasurer

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 14: Move that the Town vote under the Community Preservation Program to appropriate **the sum of \$13,150** from the Community Preservation Fund Historic Resources Reserve and **the sum of \$8,850** from the Community Preservation Fund Undesignated Budgeted Reserve, for **the sum total of \$22,000** to fund the repair and restoration of the historic Graves Memorial Building windows, including all costs incidental and related thereto; said funds to be expended under the direction of the Sunderland Historic Commission and the Community Preservation Committee.

**Majority vote-G.L. c.44B, §5**

SUBMITTED BY: Community Preservation Committee

CPC RECOMMENDATION: 6-0

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION: 4-0

PERMANENT BUILDING COMMITTEE RECOMMENDATION:

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 15: Move that the Town vote under the Community Preservation Program to appropriate from the Community Preservation Fund Undesignated Budgeted Reserve, **the sum of \$20,000** to fund the Town Office Building Exterior and Interior Restoration project, including all costs incidental and related thereto; said funds to be expended under the direction of the Town Administrator and the Community Preservation Committee.

**Majority vote-G.L. c.44B, §5**

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 5-1  
SELECTMEN RECOMMENDATION: 2-1  
FINANCE COMMITTEE RECOMMENDATION: 3-1  
PERMANENT BUILDING COMMITTEE RECOMMENDATION:

**SECONDED**

**PASSED**

**MAJORITY**

ARTICLE 16: Move that the Town vote to appropriate or reserve from the Community Preservation Fund, Fiscal Year 2014 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 2014.

**Appropriations:**

From FY 2014 estimated annual revenues for Committee Administrative Expenses \$ **5,000**

**Reserves:**

FY 2014 estimated annual revenues for Historic Resources Reserve	<b>\$ 12,000</b>
FY 2014 estimated annual revenues for Community Housing Reserve	<b>\$ 12,000</b>
FY 2014 estimated annual revenues for Open Space Reserve	<b>\$ 12,000</b>
FY 2014 estimated annual revenues for CPA Undesignated Budgeted Reserve	<b>\$ 74,000</b>

**Majority vote-G.L. c.44B, §5**

SUBMITTED BY: Community Preservation Committee  
CPC RECOMMENDATION: 6-0  
SELECTMEN RECOMMENDATION: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 17: Move that the Town vote to transfer from Free Cash, **the sum of \$2,100** for project set up and **the sum of \$1,800** for year-1 internet application service, for **the sum total of \$3,900** to implement a Geographic Information System, including the digitization and making available on-line property records, maps, permit data and other similar information.

**Majority Vote -G.L. c.40, §5**

SUBMITTED BY: Board of Assessors  
SELECTMEN RECOMMENDATION: 3-0  
FINANCE COMMITTEE RECOMMENDATION: 4-0

**SECONDED**

**PASSED**

**UNANIMOUSLY**

**Articles 18 through 24, inclusive, are so called Consent Articles**

SELECTMEN RECOMMENDATION to Consent Articles: 3-0

FINANCE COMMITTEE RECOMMENDATION to Consent Articles: 4-0

ARTICLE 18: Move that the Town vote to authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal Year 2014, as permitted by G.L. Chapter 44, Section 53F.

**Majority Vote-G.L. c.44, §53F**

SUBMITTED BY: Treasurer/Collector

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 19: Move that the Town 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.

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

SUBMITTED BY: Board of Selectmen

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 20: Move 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: Board of Selectmen and Highway Superintendent

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 21: Move that the Town vote under the provisions of G.L. Chapter 40, Section 4A to authorize the Board of Selectmen to enter into inter-municipal agreements.

**Majority Vote-G.L. c. 40, §4A**

SUBMITTED BY: Board of Selectmen

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 22: Move that the Town vote to authorize the Board of Selectmen to enter into contracts for goods and services with duration in excess of three years under the provisions of G.L. Chapter 30B, Section 12, paragraph (b).

**Majority Vote (G.L. c. 30B, §12(b))**

SUBMITTED BY: Board of Selectmen

**SECONDED**

**PASSED**

**UNANIMOUSLY**



ARTICLE 23: Move that the Town vote 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, 2013 in accordance with the provisions of G.L. Chapter 44, Section 4 and to issue a note or notes therefore, 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; G.L. c.44, §17**

SUBMITTED BY: Board of Selectmen/Treasurer

**SECONDED**

**PASSED**

**UNANIMOUSLY**

ARTICLE 24: Move that the Town vote to re-authorize the establishment of the following revolving funds pursuant to the provisions of Massachusetts General Laws Chapter 44, section 53E ½, in order to allow fees and/or fines to be spent without further appropriation for services rendered by:

Wiring Inspector

Fees for services rendered shall be credited to the fund and shall be used to support inspection services. Expenditures from this fund will not exceed \$5,500.

Plumbing Inspector

Fees for services rendered shall be credited to the fund and shall be used to support inspection services. Expenditures from this fund will not exceed \$3,000.

Board of Health

Fees and fines for services rendered shall be credited to the fund and shall be used to support provision of Board of Health services. Expenditures from this fund shall not exceed \$11,000.

Ambulance Intercepts

Fees for services rendered shall be credited to the fund and shall be used to support ambulance services. Expenditures from this fund shall not exceed \$20,000.

Fall Festival Committee

Receipts from the Annual Fall Festival shall be credited to the fund and shall be used for operating the Annual Fall Festival and related expenses. Expenditures from this fund shall not exceed \$4,700.

Sunderland Public Library Community Room (Library Trustees)

Receipts from the rental of the Sunderland Public Library Community Room shall be credited to the Fund, and shall be used for maintenance of the Library Community Room and related expenses. Expenditures from this fund shall not exceed \$5,000.

**Majority Vote-G.L. c. 44, §53E ½**

SUBMITTED BY: Board of Selectmen

**SECONDED**

**PASSED**

**UNANIMOUSLY**

Motion to dissolve the Annual Town Meeting at 8:36pm, seconded and passed unanimously.

Respectfully Submitted,

Wendy Houle  
Sunderland Town Clerk