

**2015 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 SUNDERLAND ELEMENTARY SCHOOL at ONE SWAMPFIELD DRIVE in said SUNDERLAND on Friday this TWENTY FOURTH day of April, TWO THOUSAND AND FIFTEEN at 7:00 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 Selectmen, 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: Board of Selectmen

ARTICLE 2: To see if the Town will vote to transfer from available funds or otherwise provide **the sum of \$2,688.30** to the Town of Sunderland for FY2013 and FY2014 Public Safety Complex sewer charges, and **the sum of \$339.92** to 001-199-5400 Prior Year Bills for FY2014 part-time police officer wages, for **the sum total \$3,028.22**, or take any vote or votes in relation thereto.

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

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3: To see if the Town will vote to transfer from available funds or otherwise provide **the sum of \$14,000.00, more or less**, to FY2015 line item 423-5110, Highway Snow/Ice Wages, and **the sum of \$30,000.00, more or less**, to FY2015 line item 423-5400, Highway Snow/Ice Expense, for **the sum total \$44,000.00, more or less**, or take any vote or votes in relation thereto.

Majority Vote-G.L. c. 40, § 5 (Unless transfer from stabilization is contemplated, then 2/3 vote-G.L. 40, § 5B)

SUBMITTED BY: Highway Superintendent

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4: 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 2016, or take any vote or votes in relation thereto.

Assessors: Chairman \$2,850.00 annually Clerk \$2,850.00 annually Member \$2,850.00 annually

Moderator: \$200.00 annually

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

Town Clerk: \$40,415.00 annually

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

Majority Vote-G.L. c.41, §108

SUBMITTED BY: Board of Selectmen

ARTICLE 5: To see if the Town will vote to rescind by **\$347,625**, the amount of authorized borrowing for a Sewer Relining Project as voted under Article 10 of the April 30, 2010 Annual Town meeting, thereby reducing the borrowing authorization from \$672,625 to \$325,000, or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 40, §5

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6: To see if the Town will vote to rescind by **\$84,000**, the amount of authorized borrowing for an Energy Savings Performance Contract as voted under Article 6 of the November 12, 2010 Special Town meeting, thereby reducing the borrowing authorization from \$370,000 to \$286,000, or take any vote or votes in relation thereto.

Majority Vote -G.L. c. 40, §5

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7: 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 2016, or take any vote or votes in relation thereto.

Majority Vote -G.L. c. 40, §5, G.L. c.59, §21C, and G.L. c.71, §16B (Note: unless borrowing is contemplated as a funding source, in which case a 2/3 vote will be required and reference should be made to G.L. c. 44, §7 and/or transfer from stabilization is contemplated, then 2/3 vote-G.L. 40, §5B)

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 8: To see if the Town will vote to transfer from available funds or otherwise provide **the sum of \$80,121.00** to the Capital Stabilization Fund, or take any vote or votes in relation thereto.

2/3 Vote -G.L. c. 40, §5B

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9: To see if the Town will vote to appropriate **the sum of \$123,645.00** in Fiscal Year 2016 for the capital equipment, buildings, facilities and other capital projects as shown on a document entitled, "FY16

CAPITAL BUDGET BY FUNDING SOURCE” on file with the Town Clerk, and authorize the Selectmen to take by eminent domain, purchase or otherwise acquire any fee, easement or other interests in land necessary therefor; determine whether the funding shall be provided by the tax levy, by transfer from available funds including the Community Preservation Fund, by borrowing, or by any combination of these methods; determine if the Town will authorize the Selectmen to apply for, accept, expend and borrow in anticipation of state aid for such capital improvements, or take any vote or votes in relation thereto.

Majority Vote - G.L. c. 40, §5 (unless borrowing is contemplated as a funding source, in which case a 2/3 vote will be required and reference should be made to G.L. c. 44, §7, and/or transfer from stabilization is contemplated, then 2/3 vote-G.L. 40, §5B, and/or land is acquired for general municipal purpose and funds are appropriated, then 2/3 vote will be required under G.L. c. 40, §14)

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

PERMANENT BUILDING COMMITTEE RECOMMENDATION:

ARTICLE 10: To see if the Town will vote to endorse a citizen petition, as follows:

TOWN OF SUNDERLAND RESOLUTION IN OPPOSITION TO THE NORTHEAST EXPANSION OF
THE TENNESSEE GAS PIPELINE IN MASSACHUSETTS

WHEREAS, the so-called Northeast Expansion of the Tennessee Gas Pipeline is a high- pressure natural gas pipeline (hereafter “the Pipeline”) proposed by Tennessee Gas Pipeline Company, a subsidiary of Kinder Morgan, Inc. that would run through many communities in Western Massachusetts; and

WHEREAS, the Town of Sunderland has a regional interest in protecting the environment in the Pioneer Valley and in the United States, and the public health generally; and

WHEREAS, the Pipeline would transport natural gas obtained through hydraulic fracturing, a drilling method well known for its potential for ground water contamination, impact on air quality, and the harmful health effects of its chemical byproducts, among others; and

WHEREAS, pipelines of this kind carry inherent risks such as leaks and ruptures, and, as conveyors of flammable gas, can cause accidents such as the 2010 explosion in a residential neighborhood in San Bruno, California that resulted in the death of eight people and the destruction of 38 homes; and

WHEREAS, the Pipeline may pass through environmentally sensitive areas in our region such as forests and wetlands, as well as beneath the Connecticut River; and

WHEREAS, taxpayer money would pay for evacuations and emergency response in the event of explosions, fires or other accidents; and

WHEREAS, our energy challenges are better addressed through investments in green and renewable energy solutions.

NOW THEREFORE BE IT RESOLVED THAT the Town of Sunderland, Massachusetts

1. Stands in opposition to the Northeast Expansion of the Tennessee Gas Pipeline and all similar projects that may be later proposed.
2. Stands in solidarity with nearby communities working to disallow the Pipeline within their borders.

3. Affirms the need for public policy at the local, state and federal levels to encourage renewable energy and combat climate change, and supports legislation to ban or impose a long-term moratorium on hydraulic fracturing as well as storage, treatment or disposal of hydraulic fracturing fluid or byproducts within the Commonwealth.

AND BE IT FURTHER RESOLVED that copies of this resolution be sent to the Federal Energy Regulatory Commission; U.S. Senators Markey and Warren; Attorney General Maura Healey; Governor Charlie Baker; Congressman Jim McGovern; State Senator Stan Rosenberg; State Representative Steven Kulik; and our Selectboard. We urge these officials to take such actions as are necessary to prevent the construction of the Pipeline within the borders of the Commonwealth of Massachusetts. Or take any vote or votes in relation thereto.

Majority Vote (no reference – non-binding resolution/sense of the meeting)

SUBMITTED BY: Citizen Petition

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11: To see if the Town will vote to transfer from line item 001-830-5400 Franklin Regional Council of Governments, **the sum of \$5,300.00** to the OPEB Trust Fund established by Town Meeting vote on April 26, 2013, or take any vote or votes in relation thereto.

Majority Vote -G.L. c. 40, §5

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 12: To see if the Town will vote to accept G.L. c.40, §13D to establish a reserve fund for future payment of accrued liabilities for compensated absences due employee or officer of town upon termination of employment, or take any vote or votes in relation thereto.

Majority Vote-G.L. c. 40, §13D

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 13: To see if the Town will vote to transfer from available funds or otherwise provide **the sum of \$3,000.00** as its proportionate share of a community-based, long-range planning study for the sharing/redistribution/consolidation of school spaced with the Union #38 and Frontier Regional school district serving the towns of Conway, Deerfield, Sunderland and Whately, as described in a handout entitled "FRONTIER LONG RANGE PLANNING COMMITTEE SCHOOL PLANNING PROPOSAL SUMMARY" on file with the Town Clerk, or take any vote or votes in relation thereto.

Majority Vote -G.L. c. 40, §5 (Note: unless a transfer from stabilization is contemplated, then 2/3 vote-G.L. 40, §5B)

SUBMITTED BY: Board of Selectmen

SELECTMEN RECOMMENDATION: 3-0

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 14: To see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues or other available Community Preservation Fund monies in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2016, or take any vote or votes in relation thereto.

Appropriations:

From FY 2016 estimated revenues for Committee Administration Expenses	\$ 6,000
From FY 2016 estimated revenues for Community Preservation Debt Service	\$25,774*

Reserves:

FY 2016 estimated revenues for Historical Resources Reserves	\$20,000
FY 2016 estimated revenues for Open Space Reserves	\$20,000
FY 2016 estimated revenues for Community Housing Reserves	\$0
FY 2016 estimated revenues for CPA Undesignated Budgeted Reserves	\$100,997

**For FY16 debt service on borrowing for the acquisition of the 120 North Main Street property for general Community Preservation purposes, and assuming a 10-year borrowing term.*

Majority Vote-G.L. c. 44B, §5

SUBMITTED BY: Community Preservation Committee
COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION:
SELECTMEN RECOMMENDATION: 3-0
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 15: To see if the Town will vote to appropriate **the sum of \$25,774.00** from the Stabilization Fund to fund the FY2016 120 North Main Street acquisition debt service, or take any vote or votes in relation thereto.

2/3 vote-G.L. 40, §5B

SUBMITTED BY: Board of Selectmen
SELECTMEN RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:
PERMANENT BUILDING COMMITTEE RECOMMENDATION:

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide **the sum of \$5,000.00** for Fiscal Years 2015 and 2016 legal and consultant expenses associated with the Sugarbush Meadows 40B project, or take any vote or votes in relation thereto.

Majority Vote -G.L. c. 40, §5 (Note: unless a transfer from stabilization is contemplated, then 2/3 vote-G.L. 40, §5B)

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

ARTICLE 17: To see if the Town will vote to transfer from available funds or otherwise provide **the sum of \$3,008.00** to the South County Senior Center for an FY2015 budget shortfall, or take any vote or votes in relation thereto.

Majority Vote -G.L. c. 40, §5 (Note: unless a transfer from stabilization is contemplated, then 2/3 vote-G.L. 40, §5B)

SUBMITTED BY: South County Senior Center/Town of Deerfield
SELECTMEN RECOMMENDATION: 3-0
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 18: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide **the sum of \$2,000.00** to the Anniversary Celebration Fund for the Town of Sunderland's 2018 Tri-centennial celebration, or take any vote or votes in relation thereto.

Majority Vote -G.L. c. 40, §5 (Note: unless a transfer from stabilization is contemplated, then 2/3 vote-G.L. 40, §5B)

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

ARTICLE 19: To see if the Town will vote to approve an Agreement for Payment of Taxes pursuant to the provisions of M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, or any other enabling authority, for term of up to 20 years, between the Town and the owner of a solar photovoltaic energy facility to be installed on Town-owned land located at 76 Swampfield Road and Old Amherst Road and shown on Assessors' Map 6 as Parcels 30, 99, and 197, and on Town-owned land located at 105, 111 and 113 River Road and shown on Assessors' Map 10 as Parcel 3, for real and personal property relating to said facility, or take any vote or votes in relation thereto.

Quantum Vote -G.L. c. 59, §38H(b) and G.L. c. 164, §1

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

ARTICLE 20: To see if the Town will vote to amend ARTICLE I of the Code of Sunderland by deleting Permanent Building Committee and replacing it with Capital Improvements Planning Committee, as shown on a handout entitled "Changes to ARTICLE I of the Code of Sunderland" on file with the Town Clerk, or take any vote or votes in relation thereto.

Majority Vote-G.L. c. 40, §21

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

ARTICLE 21: To see if the Town will vote to amend §31-5, §31-23 and §31-25 of the Code of Sunderland, Personnel Bylaw, as shown on a handout entitled "Changes to §31 of the Code of Sunderland" on file with the Town Clerk, or take any vote or votes in relation thereto.

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

SUBMITTED BY: Personnel Committee
SELECTMEN RECOMMENDATION: 3-0

ARTICLE 22: To see if the Town will vote to amend its General Bylaws, Chapter 130, Dogs, and in particular, Section 130-5(f), applicable to complaints of violations of the Town's Animal Control bylaws, to make a ministerial correction to the section in the General Laws defining a "Nuisance Dog" or a "Dangerous Dog", by deleting, after the words "as those terms are defined in M.G.L. Chapter 140," the words "Section 157" and inserting in place thereof the words "Section 136", or take any vote or votes in relation thereto.

Majority Vote-G.L. c. 40, §21

SUBMITTED BY: Town Clerk

SELECTMEN RECOMMENDATION: 3-0

Articles 23 through 29, inclusive, are so called Consent Articles

SELECTMEN RECOMMENDATION to Consent Articles: 3-0

FINANCE COMMITTEE RECOMMENDATION to Consent Articles:

ARTICLE 23: To see if the Town will vote to authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal Year 2016, 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

ARTICLE 24: To see if the Town will 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, or take any vote or votes in relation thereto.

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

SUBMITTED BY: Board of Selectmen

ARTICLE 25: 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: Board of Selectmen and Highway Superintendent

ARTICLE 26: To see if the Town will vote under the provisions of G.L. Chapter 40, Section 4A to authorize the Board of Selectmen to enter into inter-municipal agreements, or take any vote or votes in relation thereto.

Majority Vote-G.L. c. 40, §4A

SUBMITTED BY: Board of Selectmen

ARTICLE 27: To see if the Town will 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), or take any vote or votes in relation thereto.

Majority Vote (G.L. c. 30B, §12(b))

SUBMITTED BY: Board of Selectmen

ARTICLE 28: To see if the Town will 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, 2015 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; G.L. c.44, §17

SUBMITTED BY: Board of Selectmen/Treasurer

ARTICLE 29: To see if the Town will 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 \$9,000.

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 \$12,000.

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.

Fire Inspector

Fees for inspection services rendered shall be credited to the fund and shall be used to support Fire Department inspection services, all under the direction of the Fire Chief. Expenditures from this fund shall not exceed \$7,000.

Or take any vote or votes in relation thereto.

Majority Vote-G.L. c. 44, §53E ½

SUBMITTED BY: Board of Selectmen

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 2015 on Saturday, the Second of May, 2015 at the Sunderland Elementary School at One Swampfield Drive, Sunderland from 9:00 a.m. to 4:00 p.m.


<u>Office</u>	<u>Term</u>	
• MODERATOR	1 FOR	1 YEAR
• SELECTMAN	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
• LIBRARY TRUSTEES	3 FOR	3 YEAR
• ELEMENTARY SCHOOL COMMITTEE	2 FOR	3 YEAR
• ELEMENTARY SCHOOL COMMITTEE REPRESENTATIVE TO TOWN PARK TRUSTEES	1 FOR	1 YEAR

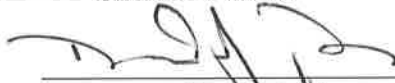
You are directed to serve this Warrant by posting up attested copies thereof at the Town Office Building, the Sunderland Public Library and the Sunderland Post Office in said Sunderland seven days, at least, before the holding of said Meeting.


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 13th day of April, 2015.

SUNDERLAND BOARD OF SELECTMEN



Thomas D. Fydenkevez, Chair

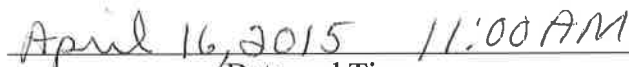

David J. Pierce, Vice Chair


Scott A. Bergeron, Clerk

Sunderland Board of Selectmen

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

Frederick A. Laurentis
Constable of Sunderland

April 16, 2015 11:00 AM
Date and Time