

Annual Town Meeting
May 10, 2010

Pursuant to the foregoing warrant, the inhabitants of the Town of Sutton, qualified to vote in Town Elections and in Town affairs, met in the High School Gymnasium, Boston Road, Monday the Tenth day of May, 2010 at 7:30 o'clock in the evening, then and there to act on the following articles:

There were 534 voters and 26 non-voters present.

The Moderator dispensed with the Finance and Warrant Advisory Committee and the Planning Board reading their recommendations, as they were included in the handout. Finance and Warrant Advisory Committee made their recommendation on Article 8 this evening, as they needed more information at the public hearing.

ARTICLE 1 **SPONSOR: Board of Selectmen**
Voted unanimously to receive the reports of the Town Officers and Committees.

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is a customary article calling for reports from town officers and committees.

ARTICLE 2 **SPONSOR: Cemetery Commissioners**
Voted unanimously to authorize the Cemetery Commissioners to employ themselves in the work of the several cemeteries and to fix the compensation to be paid from appropriations for said department.

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is the annual authorization allowing the Cemetery Commissioners to employ themselves in the work of the cemeteries.

ARTICLE 3 **SPONSOR: Board of Health**
Voted unanimously to authorize the Board of Health to employ themselves in the performance of their work necessary to maintain health standards set by their department, and to fix the compensation to be paid from appropriations for said department.

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is the annual authorization allowing the members of the Board of Health to employ themselves in the work of that department.

ARTICLE 4 **SPONSOR: Board of Selectmen**
Voted unanimously to amend its local room occupancy excise under G.L. c. 64G, § 3A to increase the rate to 6 percent.

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is a source of revenue that is needed to balance the town's budget.

ARTICLE 5

SPONSOR: Board of Selectmen

Voted by a 2/3's vote to accept the provisions of G.L. c. 64L, § 2(a) to authorize the Town to impose a local meals excise.

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is a source of revenue that is needed to balance the town's budget.

ARTICLE 6

SPONSOR: Board of Selectmen

Voted unanimously to fund the operating budget for the fiscal year 2011 period in the following manner:

General Government:	\$ 1,224,869
Public Safety:	\$ 2,010,536
Education:	\$ 14,074,302
Public Works:	\$ 728,664
Health and Human Services:	\$ 218,685
Recreation and Culture:	\$ 185,882
Debt & Interest:	\$ 2,191,838
Insurance & Employee Benefits:	\$ 3,148,263
Transfer to Capital Stabilization Fund	\$ 511,523
For a Total of:	\$ 24,294,562

And that the article be funded in the following manner:

Raise & appropriate the amount	\$ 23,068,772
A Transfer from Free Cash	\$ 500,000
A Transfer From Stabilization Fund	\$ 60,000
A Transfer from Other Reserves	\$ 48,121
A Transfer from Capital Stabilization Fund	\$ 505,930
A Transfer from Sewer Enterprise Fund	
For Indirect Cost	\$ 89,164
A Transfer from Transfer Station Enterprise	
For Indirect Cost	\$ 22,575
For a Total of:	\$ 24,294,562

The Finance and Warrant Advisory Committee recommends passage of this Fiscal 2011 budget article 8-0. The Town Administrator and town wide staff have produced a balanced budget during very difficult economic conditions.

ARTICLE 7**SPONSOR: Board of Selectmen**

Voted by a 2/3's vote to appropriate the sum of \$461,500 for the following purposes relating to the fiscal 2011 Capital Plan:

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
POLICE	Vehicle Replacement Program	\$ 47,500
FIRE	Turnout Gear	10,000
SCHOOL	Textbooks	25,000
FIRE	Replace 5 SCBA Tanks	5,500
POLICE	Server Upgrade	4,500
PLANNING	Master Plan	30,000
SCHOOL	School Safety Matching Grant	21,000
CEMETERY	Mower Unit with Bagger	15,000
SCHOOL	Technology Computers and Networking	50,000
BUILDING	Manchaug Library Window Replacement	7,000
CEMETERY	Old Howard Cemetery Expansion	20,000
PARKS	Marions Camp Improvements	50,000
SCHOOL	Fire Detection/ Fire Pond	10,000
ASSESSOR	Revaluation	90,000
FIRE	Opticom Transmitters	20,000
TOWN HALL	R. Putnam Museum Electrical Upgrade	7,500
SCHOOL	Furniture and Fixture Replacement	12,000
SCHOOL	Tile Elementary and ELC Classes (6 of 39)	9,000
SCHOOL	Install Back-up Air Conditioning Unit	7,500
CEMETERY	Resurface New Howard and South Sutton Cemeteries	10,000
CEMETERY	Resurface Pigeon Hill Cemetery	10,000
For a Total of:		<u><u>\$ 461,500</u></u>

And as funding therefor, the Town transfer and borrow the following sums:

Transfer from Cemetery General Care Trust Fund	\$ 55,000
Transfer From Sutton 300 Anniversary Revolving Fund	40,000
Long-Term Borrowing	<u>366,500</u>
	<u><u>\$ 461,500</u></u>

And to meet the \$366,500 long-term borrowing the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow under M.G.L. Chapter 44 or any other enabling authority; and that any unexpended funds from each of the projects for which the Treasurer has borrowed shall be transferred to the Capital Stabilization Fund.

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as the Capital Plan is an integral part of the town's budget.

ARTICLE 8**SPONSOR: Board of Selectmen**

Voted by a 2/3's vote to appropriate \$590,000 for the purchase and installation of solar panels at the Early Learning Center; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$590,000 under G.L. c.44, §7(3B) or any other enabling authority; that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the project; and that the Board of Selectmen is authorized to take any actions necessary or convenient to carry out this project.

The Finance and Warrant Advisory Committee recommends passage of this article 6-0.

ARTICLE 9**AUTHORITY: Multiple Member Body
SPONSOR: School Building Committee**

Voted by a 2/3's vote to appropriate the sum of Fifty-Nine Million Nine Hundred Forty-Five Thousand Four Hundred Seventy-Four Dollars (\$59,945,474) for constructing, equipping and furnishing a new Sutton Middle School and High School to be located at Boston Road including costs incidental or related thereto, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, said sum to be expended under the direction of the School Building Committee, and to meet said appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority; that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that Town may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-five and thirty-nine one hundredths percent (55.39%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 ½); and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA.

The Finance and Warrant Advisory Committee recommends passage of this article 6-2. The members voting in favor of the article felt that with the building and system being threatened with a loss of accreditation and the state providing reimbursement that this was the time to go forward with this building project. The two dissenting members felt that due to current economic conditions the impact of the project would place an excessive financial burden on taxpayers.

ARTICLE 10**SPONSOR: Sewer Commissioners**

Voted unanimously to appropriate the following sums for the operation of the Sewer Department for fiscal year 2011:

Salary and Wages	\$ 219,773
Operation and Maintenance	<u>\$ 397,237</u>
For a total of	\$ 617,010

And as funding therefor, that the Town vote to raise the \$ 617,010 as follows:

User Fees and Connection Fees	\$ 564,052
Transfer from Retained Earnings	<u>\$ 52,958</u>
For a total of	\$ 617,010

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is the customary authorization of the Sewer Department budget.

ARTICLE 11**SPONSOR: Board of Selectmen**

Voted by a majority to appropriate the following sums for the operation of the Transfer Station for fiscal year 2011:

Salary and Wages	\$ 41,822
Operation and Maintenance	<u>\$ 86,975</u>
For a total of	\$128,797

And as funding therefor, that the Town raise the \$ 128,797 as follows:

User Fees	\$128,797
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The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is the annual authorization of the Transfer Station budget.

ARTICLE 12**AUTHORITY: Elected Board****SPONSOR: Board of Selectmen**

Voted unanimously to authorize the following revolving fund accounts under M.G.L. Chapter 44 Section 53E ½ for the fiscal year beginning July 1, 2010, as printed in the warrant.

FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	USE OF FUND	SPENDING LIMIT	DISPOSITION OF PRIOR FISCAL YEAR FUND BALANCE	RESTRICTION S/ COMMENTS

Manchaug Boat Ramp	Gate Receipts	Administration	Expenses & Salaries for Boat Ramp Operations	\$20,000	Available for Expenditure	None
Planning Board	Applicant Receipts	Planning Board	Professional Services & Advertising	\$75,000	Available for Expenditure	None
Summer Recreation & Beach Programs	Gate Receipts & Program Fees	Recreation Commission	Salaries & Expenses related to Summer Recreation & Beach Programs	\$50,000	Available for Expenditure	None
Wetlands and Riverfront District Administration	Applicant Fees	Conservation Commission	Wetlands & Riverfront District Regulations Enforcement, including salaries & expenses.	\$15,000	Available for Expenditure	None
Fire Department Revolving	Hazmat incidents	Fire Department	Wages and expenses	\$ 50,000	Encumber	None
Planning Department Revolving	Payments for Service, fines/penalties	Planning Department	Tree maintenance and/or replacement	\$ 50,000	Encumber	None

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is the annual authorization of the town's revolving fund accounts.

ARTICLE 13

SPONSOR: Board of Selectmen

Voted unanimously to amend the vote taken under Article 6 of the May 11, 2009 Annual Town Meeting warrant by transferring funds from the following accounts:

<u>Acct. No.</u>	<u>Amount</u>
01900-51700 - Health Insurance	\$15,000
01900-51710 – Medicare	<u>\$15,000</u>
	\$30,000

to the following account:

01423- Snow and Ice Expense	\$30,000
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The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it is necessary to balance the budget voted at the annual town meeting of May 11, 2009 under Article 6.

ARTICLE 14

SPONSOR: Planning Board

Voted unanimously to amend the Zoning Bylaws – Section I.B. – Definitions, by adding a definition for small hydroelectric generation facilities as printed in the warrant.

As printed in warrant:

Small hydropower installations - Hydro systems with an output of up to 500 kilowatts (kW).

Consisting of a system of turbines, generators, controls and switchgear. Said systems shall not

extend above the top of the dam and/or shall be housed in a structure of minimum size that is consistent with the area architecture. Said system shall also not affect established flows and impoundments in a manner that is detrimental to the environment and/or property values in any substantial way. Said system shall also comply with all State regulations including DEP regulations.

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it addresses another potential allowed use in the town’s zoning districts.

Planning Board voted 5 in favor, 0 opposed, 0 abstaining to recommend that Town Meeting approve the article with the addition of wording that any installation must also comply with all State regulations including DEP regulations. Commentary: This bylaw allows for limited production of electricity to encourage sustainable energy sources, but also to facilitate maintenance of dams by providing a mechanism to create revenue from the dam structure.

ARTICLE 15

SPONSOR: Planning Board

Voted unanimously to amend the Zoning Bylaws – Section III.A. – Table of Use Regulations, by adding small hydropower installations in all zoning districts with a Special Permit granted by the Planning Board as printed in the warrant.

As printed in the warrant:

E. RETAIL, TRADE AND SERVICE USES:	R-1	R-2	V	B-2	I	OLI
19. Small hydropower installations	S*	S*	S*	S*	S*	S*

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it addresses another potential allowed use in the town’s zoning districts.

The Planning Board voted 5 in favor, 0 opposed, 0 abstaining to recommend that Town Meeting approve the article. Commentary: As many of the existing dams are in residential areas, and the definition provides for minimal sizing and impact, the Board felt it was important to allow the use in all districts where it may be useful.

ARTICLE 16

AUTHORITY: Citizen petition
SPONSOR: David Lavalley

Voted by a 2/3’s vote to amend the Zoning Bylaw –Section I.B. Definitions, by amending the definition of “Processing” to also allow food processing as printed in the warrant.

As printed in the warrant:

Processing:

- A. Earth- Altering the character of earth material, including but not limited to screening, crushing or washing. This does not include temporary processing of material; that is,

processing of material to remain on site in conjunction with site preparation or improvements.

Or;

- B. Food- The treatment of food substances (excluding live animals) in such a manner as to change its properties with a view to preserving, improving its quality or making it functionally more useful by passing it through a sequence of actions

The Finance and Warrant Advisory Committee did not make a recommendation on this article due to the lack of information provided to the committee.

The Planning Board voted 5 in favor, 0 opposed, 0 abstaining to recommend that Town Meeting approve the article including removal of the restriction on processing live animals. Commentary: The Board felt the proposed addition provides for an additional potential job and revenue source in an industry that is very highly regulated.

ARTICLE 17

SPONSOR: Board of Selectmen

Voted unanimously to transfer the sum of \$ 5000.00 from the Waterways Improvement Fund (T1106422) duly collected as the dedicated portion of the Massachusetts Boat Excise Tax due the Town of Sutton, said sum to be used for the control of Eurasian Watermilfoil, Fanwort or algae in Lake Singletary.

The Finance and Warrant Advisory Committee recommends passage of this article 8-0 as it provides further protection of Lake Singletary and Marion's Camp.

Meeting adjourned at 9:10 p.m.

Respectfully submitted,
Laura J. Caruso