

THE COMMONWEALTH OF MASSACHUSETTS

TOWN WARRANT

Worcester, SS.

TO EITHER OF THE CONSTABLES OF THE TOWN OF SUTTON IN THE COUNTY OF WORCESTER,

GREETINGS:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of the Town of Sutton, qualified to vote in Town elections and in Town affairs, to assemble in The Sutton High School Gymnasium, Boston Road, in said SUTTON on

**MONDAY, THE TENTH DAY OF
MAY, 2010**

At 7:30 o'clock in the evening. Then and there to act on the following article(s) to wit:

ARTICLE 1

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

To receive the reports of the Town Officers and Committees.

ARTICLE 2

**AUTHORITY: Multiple Member Body
SPONSOR: Cemetery Commissioners**

To see if the Town will vote 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, or act or do anything in relation thereto.

ARTICLE 3

**AUTHORITY: Multiple Member Body
SPONSOR: Board of Health**

To see if the Town will vote 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, or act or do anything in relation thereto.

ARTICLE 4

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will vote to amend its local room occupancy excise under G.L. c. 64G, § 3A to increase the rate to 6 percent, or act or do anything in relation thereto.

ARTICLE 5

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will vote to accept the provisions of G.L. c. 64L, § 2(a) to authorize the Town to impose a local meals excise, or act or do anything in relation thereto.

ARTICLE 6

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, or borrow, if necessary, to pay Town Debts and Charges for the ensuing 2011 Fiscal Year, or act or do anything in relation thereto.

ARTICLE 7

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will vote to raise and appropriate a sum of money for the purchase of departmental equipment, the remodeling, reconstructing and making of extraordinary repairs to Town buildings, the cost of engineering services relating to the development of Town owned property and other purposes relating to the Town's Fiscal Year FY2011 Capital Projects Plan; to determine whether this appropriation shall be raised by borrowing or otherwise; or act or do anything in relation thereto.

ARTICLE 8

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will vote to appropriate a sum of money for the purchase and installation of solar panels at the Early Learning Center; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

ARTICLE 9

AUTHORITY: Multiple Member Body
SPONSOR: School Building Committee

To see if the Town of Sutton will 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. 56, 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, or to take any other action relative thereto.

ARTICLE 10

AUTHORITY: Multiple Member Body
SPONSOR: Sewer Commissioners

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Department, or act or do anything in relation thereto.

ARTICLE 11

AUTHORITY: Elected Board
SPONSOR: Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Transfer Station, or act or do anything in relation thereto.

ARTICLE 12

AUTHORITY: Elected Board
SPONSOR: Board of Selectmen

To see if the Town will vote to authorize the following revolving fund accounts under M.G.L. Chapter 44 Section 53E ½ for the fiscal year beginning July 1, 2010.

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

ARTICLE 13

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will vote to amend the vote taken under Article 6 of the May 11, 2009 Annual Town Meeting warrant by transferring sums of money from various lines to various other lines, and/ or by reducing certain department expenses, or act or do anything in relation thereto.

ARTICLE 14

AUTHORITY: Multiple Member Body

SPONSOR: Planning Board

To see if the Town will vote to amend the Zoning Bylaws – Section I.B. – Definitions, by adding a definition for small hydroelectric generation facilities as follows;

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.

ARTICLE 15

**AUTHORITY: Multiple Member Body
SPONSOR: Planning Board**

To see if the Town will vote 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 follows;

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*

ARTICLE 16

**AUTHORITY: Citizen petition
SPONSOR: David Lavallee**

To see if the Town will vote to amend the Zoning Bylaw –Section I.B. Definitions, by amending the definition of “Processing” as follows:

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

ARTICLE 17

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

To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury or borrow under the provisions of MGL c.44, or any other enabling authority, a sum of money not to exceed the sum of \$5,000 for the control of Eurasian Watermilfoil, Fanwort or algae in Lake Singletary, or act or do anything in relation thereto.

And you are directed to serve this Warrant, by posting copies attested by you in the following places:

- the store in Sutton Center**
- the Town Hall (Municipal Center)**
- each of the Post offices**
- the Senior Center, Hough Road**
- the Whittier’s Farm Milk Store, Douglas Road**
- the store in Manchaug at the Four Corners**
- the elderly housing community center**
- the store in Heritage mall in Wilkinsonville**

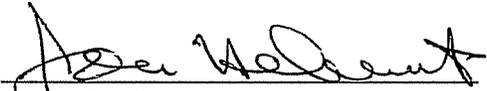
advertise on the local cable channel and notify newspapers of local circulation.

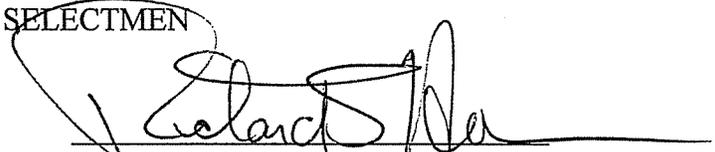
In said SUTTON, at least SEVEN days before the holding of said meeting.

HEREOF FAIL NOT, and make due return of this Warrant with your doings thereon, to the Town Clerk of said Sutton on or before time holding the meeting.

Given under our hands this 20th day of APRIL in the year Two Thousand and Ten.

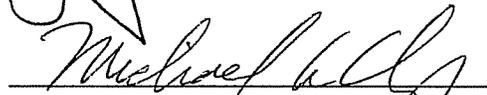
SUTTON BOARD OF SELECTMEN


John Hebert, Chair

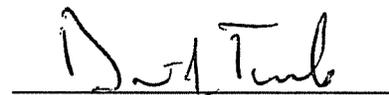

Richard Hersom, Vice Chair


Kevin Geraghty, Clerk


Ryan Fattman


Michael Chizy

POSTED: 04-22-10
DATE


CONSTABLE