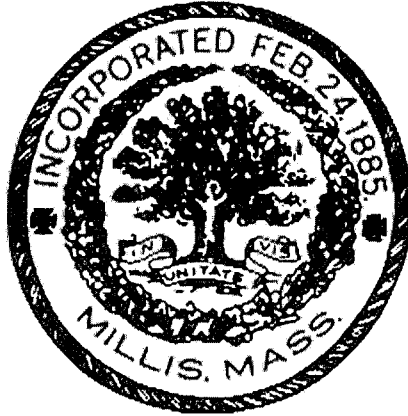




May 3, 2023

**ANNUAL
TOWN MEETING WARRANT**

**TOWN OF MILLIS
COMMONWEALTH OF MASSACHUSETTS**

NORFOLK, SS.

GREETING:

To either of the Constables of the Town of Millis in said county, in the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Millis qualified to vote in elections and in town affairs, to meet on Wednesday, the third day of May, AD 2023 at 7:30 p.m. in the Middle-Senior High School Auditorium in said Millis:

**FOR THE BUSINESS MEETING, THEN AND THERE,
TO ACT ON THE FOLLOWING ARTICLES, VIZ**

SPRING 2023 TOWN MEETING ARTICLE LIST

1. Unpaid Bills
2. FY23 Additional Wages and Expenses
3. FY24 Operating Budget
4. Supplemental FY24 Budget – Free Cash
5. Supplemental FY24 Budget – Stabilization Fund
6. SEIU #888, Firefighters Local #4704, AFSCME Council 93 Local #1301 Contract Ratifications
7. Sewer Enterprise Fund
8. Water Enterprise Fund
9. Stormwater Enterprise Fund
10. Consent Agenda:
 - Amendments to Personnel Plan
 - Board of Health Appointing Authority
 - Revolving Funds
 - Community Preservation Fund
11. Community Preservation Open Space/Recreation Reserve Fund - Oak Grove Farm Trail Improvement
12. Capital Items
13. New Bus Lease for Schools – Year One
14. New Police Cruiser Lease – Year One
15. Establish Millis Net Zero Goal
16. Amend Plastic Bag Reduction Bylaw
17. Unemployment Insurance
18. Special Education Stabilization Fund
19. Stabilization Fund
20. Petition Article

TOWN OF MILLIS

May 3, 2023 SPRING ANNUAL TOWN MEETING WARRANT

ARTICLE 1. To see if the Town will vote to transfer from available funds the sum of **\$8,235.59** to pay the following **unpaid bills** incurred by Town departments from previous fiscal year(s), or take any other action in relation thereto.

Department	Vendor	Amount
Building	WB Mason	\$627.40
DPW-General	WB Mason	\$459.40
DPW-General	Eversource	\$336.64
Weights & Measures	J. Allshouse – Mileage Reimbursement	\$46.80
Weights & Measures	J. Allshouse – Expense Reimbursement	\$140.87
DPW-Sewer	Eversource	\$71.21
DPW-Water	Clean Harbors Environ.	\$6,503.92
DPW-Water	Eversource	\$49.35
	Total	\$8,235.59

(Submitted by The Select Board)

4/5ths Majority

ARTICLE 2. To see if the Town will vote to transfer from available funds a sum of money for **additional operating expenses** not sufficiently funded under Article 3, Operating Budget, of the May 2, 2022 Annual Town Meeting, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple Majority

ARTICLE 3. To see if the Town will vote to fix the compensation of elected officers, provide for a reserve fund, and determine what sums of money the Town will raise and appropriate, including appropriations from taxation, by transfer from available funds, and/or the Stabilization Fund to **defray charges and expenses to the Town, including debt and interest, and a reserve fund**, for the fiscal year beginning July 1, 2023, or take any other action in relation thereto.

(Submitted by The Select Board)

2/3rds Majority if stabilization funds used

ARTICLE 4. To see if the Town will vote to transfer **from Free Cash the sum of \$538,697** for supplemental funding for the School Department, said supplemental funding being intended to support special education related services for the fiscal year beginning July 1, 2023, or take any other action in relation thereto.

(Submitted by The Select Board)
Simple Majority

ARTICLE 5. To see if the Town will vote to transfer **from the Stabilization Fund the sum of \$400,000** for supplemental funding for the School Department, said supplemental funding being intended to support special education related services for the fiscal year beginning July 1, 2023, or take any other action in relation thereto.

(Submitted by The Select Board)
2/3rds Majority

ARTICLE 6. To see if the Town will vote to ratify the following collective bargaining agreements: **Town of Millis and SEIU Local 888, Professional Firefighters of Millis Local #4704, and AFSCME Council 93 Local 3901**, all to be retroactive to July 1, 2022, or take any other action in relation thereto.

(Submitted by The Select Board)
Simple Majority

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to **operate the sewer enterprise fund beginning July 1, 2023**, including a reserve fund, or take any other action in relation thereto.

(Submitted by The Select Board)
Simple Majority

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to **operate the water enterprise fund beginning July 1, 2023**, including a reserve fund, or take any other action in relation thereto.

(Submitted by The Select Board)
Simple Majority

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to **operate the stormwater enterprise fund beginning July 1, 2023**, including a reserve fund, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple Majority

CONSENT ARTICLE 10. To see if the Town will vote the following consent articles:

1. To see if the Town will vote to adopt **amendments to Schedule A-Salary Plan and Schedule C-Employee Benefits of the Town of Millis Personnel Plan** effective July 1, 2023, as shown in the FY24 Finance Committee Report, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple Majority

2. To see if the Town will vote in accordance with M.G.L., Chapter 41, section 4A, and Chapter 268A, to authorize the **Board of Health to appoint any of its members to another town office or position for which it has appointing authority**, for the term provided by law, if any, otherwise for a term not exceeding one year, and fix the salary of such appointee, notwithstanding the provision of M.G.L. Chapter 41, Section 108, or act in any manner in relation thereto.

(Submitted by The Board of Health)

Simple Majority

3. To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E½, to establish the following fiscal year spending limit for the Town's established revolving funds for Fiscal year 2024:

AUTHORIZED REVOLVING FUNDS	FISCAL YEAR EXP. LIMIT
Oak Grove Farm Maintenance Fund	\$ 35,000.00
Animal Control Shelter Fund	\$ 3,000.00
Fire Alarm Fund	\$ 10,000.00
Historical Commission Fund	\$ 12,000.00
Ambulance Department Fund	\$ 20,000.00
Council on Aging Transportation Fund	\$ 5,000.00

VMB Custodial/Maintenance Fund	\$ 6,000.00
School Food Service Fund	\$360,000.00
School Transportation Fund	\$500,000.00
Stormwater Management Fund	\$ 10,000.00
BOH Medical Services/Vax Fund	\$ 20,000.00
BOH Rabies Clinic/Program Fund	\$ 2,500.00
School Athletic Fields Fund	\$ 35,000.00
School Extracurricular Fund	\$ 8,000.00
Library Special Use Fund	\$ 10,000.00
Tobacco Control Program	\$ 1,000.00

(Submitted by The Select Board)

Simple Majority

4. To see if the Town will vote to raise and appropriate a sum of money or reserve a sum of money from the **Community Preservation Fund**, for the Historic Resources Reserve, the Community Housing Reserve, the Open Space Reserve, and the Budgeted Reserve from annual revenues in the amounts recommended by the Community Preservation Committee, along with administrative expenses and debt service, with each item to be considered a separate appropriation or act in any manner in relation thereto.

Appropriations:

From 2024 estimated revenues for Committee Administrative Expenses	\$16,755.00
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(To be divided equally: \$8,377.50 CPC Salary Account: \$8,377.50 CPC Expenses)

From Undesignated Fund Balance for Long Term Debt- Principal	\$20,000.00
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From Undesignated Fund Balance for Long Term Debt- Interest	\$ 7,950.00
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Reserves:

From FY2024 estimated revenues for Historic Resources Reserve	\$33,509.00
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From FY2024 estimated revenues for Community Housing Reserve	\$33,509.00
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From FY2024 estimated revenues for Open Space Reserve	\$33,509.00
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From FY2024 estimated revenues for Budgeted Reserve	\$80,000.00
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(Submitted by The Community Preservation Committee)

Simple majority

ARTICLE 11. To see if the Town will vote to transfer the sum of **\$35,000 from the Community Preservation Open Space Reserve Fund for the Oak Grove Farm Trail Improvement Project**, or take any other action in relation thereto.

(Submitted by The Community Preservation Committee)

Simple Majority

ARTICLE 12. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$658,757 to fund the following capital items:**

Department	Capital Item	Amount
DPW/Enterprises	Dump Truck with Plow & Sander	\$95,527
DPW/Enterprises	Heavy Duty 10 Ton Trailer	\$23,000
Library	Library Building Repairs	\$30,500
School	Wireless Upgrade	\$68,000
Sewer Enterprise	FY24 Infiltration & Inflow Investigation	\$137,630
Water Enterprise	Well #3 PFAS Final Design	\$272,900
Water Enterprise	Chlorine/PH Analyzer Replacement	<u>\$31,200</u>
Total		\$658,757

And to authorize the Select Board to dispose of old vehicles or equipment by outright sale, trade, auction, or otherwise and that the proceeds from such disposal be applied to the purchase price of the vehicle or equipment, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple Majority

ARTICLE 13. To see if the Town will vote to borrow under the provisions of M.G.L. Chapter 44 or any other enabling authority, the sum of **\$614,605 for the lease/purchase of up to six Buses for the Millis Schools**, or take any other action in relation thereto.

(Submitted by The School Committee)

2/3rds Majority

ARTICLE 14. To see if the Town will vote to borrow under the provisions of M.G.L. Chapter 44 or any other enabling authority, the sum of **\$66,911 for the lease/purchase(s) of one Police Cruiser**, or take any other action in relation thereto.

(Submitted by The Select Board)
2/3rds Majority

ARTICLE 15. To see if the Town will vote to adopt the following resolution:

Greenhouse gas content of our atmosphere has increased alarmingly as a result of human activities with negative impact on our climate as evidenced by rising temperatures, rising sea level and ocean acidity, increased flooding with more intense and frequent storms, droughts, forest fires, other unpredictable weather patterns and increased health risks. Therefore, the Town of Millis supports a goal of eliminating or offsetting all greenhouse gas emissions originating in the Town by the year 2050 or earlier (known hereafter as the Net Zero 2050 goal): and encourages the Select Board, all Town Boards and Committees, and residents and businesses to take action in the furtherance of Millis' Climate Goal by developing a Net Zero Action Plan by March 2024 that outlines specific strategies and sets measurable, attainable and realistic interim targets aligned with State and Federal goals, roadmaps and incentives; or take any other action related thereto.

(Submitted by The Millis Energy Committee)
Simple Majority

ARTICLE 16. To see if the Town will vote to delete Article XXIII of the Millis General Bylaws in its entirety and replace with the following:

"Article XXIII- Plastic Bag Reduction:

The Purpose of this Bylaw is to eliminate the usage of plastic checkout bags by all retail stores in the Town of Millis and to promote the use of reusable bags. This Bylaw will help eliminate the usage of plastic checkout bags and encourage the use of reusable bags by consumers.

Definitions:

1. Single-use Plastic Check-out Bag – Any film plastic that is 10 Mil or less that is provided by a retail establishment to a customer at the point of sale and is not a reusable, biodegradable or compostable carryout bag for use to transport or carry away purchased items, including but not limited to merchandise, goods and/or food.
2. Enforcing Authority-Millis Board of Health

3. Recyclable Paper Bag - A paper bag that is: a. 100 percent recyclable, including any handles b. contains at least 40% post-consumer recycled paper content; and c. displays the words "recyclable" (or a suitable symbol indicating that the bag is recyclable) and "made from 40% post-consumer recycled content" (or other applicable amount) in a visible manner on the outside of the bag.
4. Retail Establishment - Any retail operation located in the Town which sells goods, food or provides personal services to the public, including restaurants, grocery stores and retail stores.
5. Reusable checkout bag - A bag with stitched handles specifically designed for multiple reuse; and is either made of cloth or machine washable fabric or made of durable, non-toxic plastic generally considered a food-grade material. A Reusable checkout bag must have a minimum 80 GSM (grams per square meter) and may not be constructed of polyethylene or polyvinyl chloride or be less than 10 mil thickness.

Use Regulation:

Single-use Plastic Check-out bags shall not be distributed, used or sold for checkout or other purposes at any Retail Establishment within the Town of Millis on or after July 1, 2020.

Customers are encouraged to bring their own reusable shopping bags to stores. Retail or grocery stores are strongly encouraged to make reusable checkout bags or recyclable paper bags available either at no cost or for sale to customers at a reasonable price.

Exceptions:

- Single-use plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, may be distributed, used or sold at any retail or grocery store.

EFFECTIVE DATE

This Bylaw shall take effect six (6) months following approval of the Bylaw by the Attorney General or July 1, 2023, whichever is later.

ENFORCEMENT

This Bylaw shall be enforced by the Board of Health through non-criminal disposition under G.L. c 40 section 21D.

Any Retailer distributing plastic checkout bags in violation of this Bylaw shall be subject to a non-criminal disposition fine as defined below. Any such fines shall be paid to the Town of Millis.

Violation of Bylaw:

1st Offense Warning

2nd Offense \$50

3rd \$100 Subsequent Offenses

(Submitted by the Board of Health)

Simple Majority

ARTICLE 17. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money **for the Unemployment Insurance Fund**, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple Majority

ARTICLE 18. To see if the Town will vote to **establish a Special Education Stabilization Fund** in accordance with MGL Chapter 40 Section 13E, and to appropriate or transfer from available funds, a sum of money for the Special Education Stabilization Fund, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple Majority

ARTICLE 19. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the **Stabilization Fund**, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple Majority

ARTICLE 20. By Petition

Background

1984 The date of most recent publication by the EPA regarding RF/EMF. The Environmental Protection Agency currently has no funded mandate for radio frequencies.

1996 Section 704 of the Telecommunications Act of 1996 states "*No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.*" The regulation is widely interpreted to include the prohibition of local regulation on the basis of safeguarding health.

1999 The 1999-2000 judicial challenge to the FCC's 1996 rules has never reached the issue of "electrosensitivity" as a cognizable disability under the Americans with Disabilities Act, as noted in 2013 joint testimony by the Cities of Boston and Philadelphia to the FCC.

2008 The National Academies identified twenty inadequacies in the research regarding radio frequency exposure guidelines, including lack of research on effects on infants and children, chronic exposures, cumulative exposures, juxtaposed exposures, pulsed frequencies, sensitive populations, and the impact of proximal infrastructure.

2013-2019 The FCC solicited commentary on the adequacy of its theoretical radio frequency exposure guidelines. The FCC closed the proceeding in 2019, taking no action and ignoring reported risk and harm.

2019 Results of the National Toxicology Program and Ramazzini Institute studies imply that current FCC human exposure limits for non-ionizing RGF allow for hazardous exposures.

2020 A bipartisan New Hampshire Commission issued its report on health and environmental effect of 5G and wireless radiation, offering 15 recommendations including reducing public exposure to wireless

2020 Captured Agency, How the FCC is Dominated by the Industries It Presumably Regulates published by Harvard Edmund J. Safra Center of Ethics

2021 The United States Court of Appeals for the District of Columbia Circuit Court ruled (in EHT/CHD et. Al. v. the FCC) that the 2019 decision by the Federal Communications Commission (FCC) to retain its 1996 safety limits for human exposure to wireless radiation was “arbitrary and capricious” and “not evidence-based.” The court ruled that the FCC failed to address impacts of long term wireless exposure, impact to children, testimony of people injured by wireless radiation, and impacts to wildlife and the environment.

2023 The Court’s remand to the FCC remains unaddressed, in part due to a regulatory gap at the Federal level regarding EMF/RF. The Environmental Health Trust has proposed corrective actions. RF exposures in Millis are increasing due to the activation of the 5G network and its required densification of “small cells” proximal to homes, and the impending replacement of Eversource electric meters. Towers are being approved in MA 400 ft from residences and health harm has been reported.

We request that the Town of Millis pro-actively advocate for its residents, supporting similar efforts in Pittsfield, MA, by sending correspondence to State Senator Rebecca Rausch; State Rep. Jeffrey N. Roy and Rep. James Arena-DeRosa; Federal Congress Member Jake Auchincloss; Senators Warren and Markey; the MA Legislature; the MA Governor and Attorney General; the MA Municipal Association; the MA Dept. of Health; the Massachusetts Department of Environmental Protection; the MA Dept. of Public Utilities; and the FCC; stating,

“The residents of Millis, MA voted at their annual town meeting to notify you of urgent concerns regarding the safety of wireless infrastructure for human health and the environment, and request that immediate state and federal action be pursued to require the FCC to address the 2021 court ruling regarding its exposure guidelines, and that the federal regulatory gap be addressed, so that the town is not misled and misinformed in approving infrastructure on the basis of outdated guidelines that are not evidence-based, thereby endangering public health, disability rights, community rights, wildlife, and the nature environment.”

(Submitted by Petition)
Simple Majority

And, you are hereby directed to serve this Warrant by posting attested copies hereof fourteen days before time of said meeting as directed by the vote of the Town. Hereof fail not and make due return of this Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 10th day of April in the year two thousand and twenty-three.

**TOWN OF MILLIS
SELECT BOARD**



Erin T. Underhill, Chair



Craig W. Schultze, Vice-Chair



Ellen Rosenfeld, Clerk

A True Copy, Attest



Lisa J. Hardin, Town Clerk



Helen R. Kubacki, Constable
Town of Millis

Date: April 12, 2023