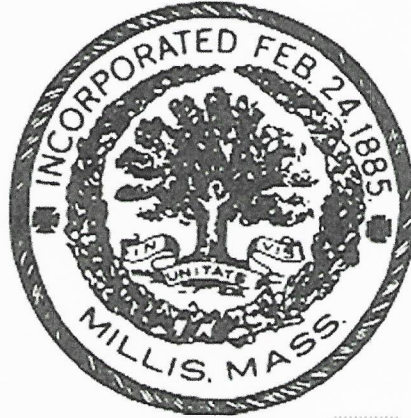


DRAFT



DRAFT
9-24-21

WARRANT

2021

FALL ANNUAL TOWN MEETING

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 Monday, the eighth day of November, AD 2021 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**

WARRANT INSTRUCTIONS

OPENING MOTIONS

Pledge of Allegiance

Opening Comments (Moderator, Finance Committee Chair)

Opening Motions

Moderator recognizes Finance Committee Chairperson

(Fin Com Chair) I move that the reading of the warrant and return of service thereof be omitted

(Fin Com Vice Chair) Second

Discussion

Vote

Moderator recognizes Finance Committee Chairperson

(Fin Com Chair) I move that the Moderator be granted unanimous consent to omit the reading of the articles and to refer to them by number and subject matter.

Second (Fin Com Vice Chair)

Discussion

Vote

FALL 2021 TOWN MEETING ARTICLE LIST

- 1. Unpaid Bills**
- 2. FY22 Operational Budget Adjustments**
- 3. Capital Items**
- 4. Water Treatment Plant – PFAS**
- 5. Fire Engine Purchase**
- 6. Senior Work Program Tax Abatement Adjustment**
- 7. Sewer Bylaw Amendment**
- 8. Stormwater Bylaw Regulation Amendment**
- 9. Request Special Act - Town Charter Changes**
- 10. Tree Pruning/Removal**
- 11. Funding for FY21 Snow & Ice Deficit**
- 12. Unemployment Account**
- 13. OPEB Funding**
- 14. Establish Workers' Compensation Claims Reserve Fund**
- 15. Rescind Balance of Unneeded Borrowing Authorizations**

TOWN OF MILLIS

NOVEMBER 8, 2021 FALL ANNUAL TOWN MEETING WARRANT

ARTICLE 1. To see if the Town will vote to appropriate and raise by taxation, or by transfer from available funds the sum of \$xxxxx for unpaid bills, or act in any manner relating thereto.

(Submitted by Select Board)

DEPARTMENT	VENDOR	AMOUNT
Town Administrator	Eversource	\$?,???.??
DPW	?????????	\$???.??
TOTAL GENERAL FUND UNPAID BILLS		\$?????.??
DPW	?????????	\$?????.??
TOTAL SEWER ENTERPRISE UNPAID BILLS		\$?????.??
DPW	???????	\$?????.??
TOTAL WATER ENTERPRISE UNPAID BILLS		\$?????.??
TOTAL UNPAID BILLS		\$??,???.??

Or take any other action related thereto.

4/5 vote

(Submitted by Select Board)

ARTICLE 2. To see if the Town will vote to raise and appropriate the sum of \$xxxxxx, transfer from Marijuana Impact Fees (Free Cash) the sum of \$xxxxxx, and transfer from the Ambulance Revolving Fund the sum of \$xxxxx, for a total sum of \$xxxxxx for additional wages or expenses not sufficiently funded under Article 3, Operating Budget, of the May 1, 2021 Annual Town Meeting, as follows:

Add Chart

Funding from Marijuana Impact Fund:

Police Salaries (School Resource Officer Salary)	\$?????
Marijuana Stipends (per contract)	\$?????
????????????????????????????????	\$?????

Funding from Ambulance Revolving Fund:

Fire Salaries (Overtime for Safer Grant Employees)	\$?????
Fire Expenses (Clothing Allowance & Equipment)	\$?????

Or take any other action related thereto.
(Submitted by Select Board)

ARTICLE 3. To see if the Town will vote to appropriate and raise by taxation, transfer from available funds, or borrow the sum of **\$xxxxx** to fund the following capital items:

Department	Item	Cost
Fire	????????	\$?????
Police	????????	\$?????
????????	????????	\$????
Water/Sewer	????????	\$?????
Water	????????	\$?????
Stormwater	????????	\$??????
Sewer	????????	\$??????
Total		\$?????

(Submitted by Select Board)

ARTICLE 4. To see if the Town will vote to appropriate **\$5,600,000** to pay costs of making water treatment plant **improvements at the D'Angelis Water Treatment Plant to address excessive levels of PFAS** identified in Wells 1 and 2, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to G.L. c. 44, §8(4) or any other enabling authority, and to issue bonds or notes of the Town therefor. All or any portion of the borrowing authorized by this vote may be obtained through the Massachusetts Clean Water Trust. The Select Board is authorized to apply for, accept and expend any state or federal aid that is or may become available for these purposes, and the total amount authorized to be borrowed by this vote shall be reduced to the extent of any federal or state grants received on account of this project. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount or take any other action related thereto.

(Submitted by Select Board)

ARTICLE 5. To see if the Town will vote totake any other action related thereto.

New Fire Engine \$750,000 – Borrowing (Bond Counsel Language)

(Submitted by Select Board)

ARTICLE 6. To see if the Town will vote to approve increasing the Senior Tax Work Program amount from \$1,350 each year to \$1,500 each year, pursuant to M. G. L. Ch. 59 § 5K. The current hourly rate is the state's minimum wage. The total amount to be used in the program will not exceed \$31,500 in any given fiscal year. Or to take any other action related thereto.

(Submitted by Select Board)

ARTICLE 7. To see if the Town will vote to Amend its General Bylaws by adding a new Section ____ as follows:

Sewer Connection Bylaw

1. Connections: Property owners who are entitled to a sewer connection are required to connect, to the Town's sewer system, any buildings on their property that are presently served by a private septic system. Such connection must be made within one year from either the effective date of this bylaw or the date that the Town's sewer service is fully constructed and becomes available to said property, whichever is later. Such connection shall be in full accordance with all regulations and policies of the Town's Sewer Commissioners. If the property is sold during this period, connection must be completed as a condition of the sale.
2. Enforcement: Failure to comply with the requirements of this bylaw shall be punishable by a fine of ten (\$10.00) dollars per day, for each day of non-compliance. Such fines may be imposed by the Sewer Commissioners or an agent thereof, via the non-criminal disposition pursuant to G.L. c. 40, §21D. Enforcement may also be obtained via injunctive relief in a court of competent jurisdiction.
3. Exemptions:
 - a. In the event that a property owner has installed a new complying septic system between January 1, 2016 and January 1, 2021, such property owner shall not be required to connect to the sewer system for a period of 10 years from the septic system's installation date. Upon the expiration of such ten-year period, or in the event that the property is sold or otherwise transferred prior thereto, or upon the failure of said system under Title V, whichever comes first, the owner or occupant will be required to connect to the municipal sewer system.
 - b. In the event that genuine financial hardship precludes a property owner from connecting to the sewer system, said property owner may apply to the Sewer Commissioners for an extension for an extension of time to connect to the sewer system, to be for not more than three (3) years. It shall be the property owner's burden to demonstrate such hardship and the granting of an exemption shall be at the sole discretion of the sewer commissioners and then only for one time.

4. Regulations: The Sewer Commissioners may adopt regulations for the implementation of this Bylaw.

Or take any other action in relation thereto.

(Submitted by Select Board)

ARTICLE 8. To see if the Town will vote to amend ARTICLE 1, Section 7.1 B of the Town's Stormwater Regulations by adding subsection 10 as follows:

"10. Setting bottom floor elevation of buildings a minimum of 2 feet above Seasonal High Groundwater Elevation (SHGWE)."

take any other action related thereto.

(Submitted by Board of Health)

ARTICLE 9. To see if the Town will vote to petition the Massachusetts General Court to for Special Legislation to amend the Town of Millis Charter, as follows:

Section II-7: Presiding Officer

By adding the language: The Moderator may appoint a Deputy Moderator at their discretion, if they are not able to attend a Town Meeting,

Section II-8: Finance Committee

By changing the title of "Finance Committee" to "**Warrant Committee**"

Article III. Executive Branch

Article III- 1 Board of Selectmen: Composition

By changing the title of "Board of Selectmen" to "**Select Board**".

By changing the number of members of the Select Board, as follows: The Executive powers of the town shall be vested in the Select Board consisting of five members; each elected by vote of the registered voters of the town for a three-year term. For transitional purposes, a fourth member of the Board shall be elected to a two year term and a fifth member shall be elected to a three-year term at the first annual election

following the date of approval of the increase to five members. The terms shall be so arranged that the term of at least one member expires each year.

Article III- 3 Powers of Appointment

By amending both paragraphs to read as follows:

The Select Board shall have the power to appoint the town administrator, the finance director, town counsel, town auditor, registrars of voters, permanent building committee, and such other town boards, commissions or committees as may be required for the proper administration, health or safety of the town, as well as individuals who are to serve as representatives of the town to the governing or advisory bodies of area, regional, or district authorities, and may terminate the same at their discretion.

Further, the Select Board shall have the power to appoint a three-member board of assessors for terms of three years, and may terminate the same at their discretion. The members of this board shall be made up of registered voters of the Town of Millis.

Section III-4: Town Administrator

1. By amending Heading to Town Administrator - Chief Administrative Officer
2. By amending Section III-4 and Section III-5 to read as follows:

Subsection 1: POWERS AND DUTIES

The town administrator shall be the chief administrative officer of the town, directly responsible to the select board for the administration of all town affairs for which the office of town administrator is given responsibility by this Charter. The powers and duties of the town administrator shall include, but are not intended to be limited to the following:

(a) To supervise, direct, and be responsible for the efficient administration of all functions and activities for which the office of town administrator is given authority, responsibility or control by this Charter, by by-law, by town meeting vote, by vote of the select board, or otherwise.

(b) To appoint, and in appropriate circumstances, to remove, subject to ratification by the Select Board, all department heads, officers, and employees for whom no other method of selection is provided by this Charter, including, but not limited to, the chief of police, fire chief, director of public works, town accountant, town treasurer, town collector, assistant assessor, building commissioner, health director, senior director, IT Director, and recreation director, except employees of the school department. Except as otherwise provided herein, all offices under the supervision of the town administrator

as set forth in this section shall have the powers and duties set forth in the General Laws, the town bylaws and this Charter.

(c) To be entrusted with the administration of the town personnel system; to administer the personnel policies and procedures and rules and regulations; and to administer the personnel by-law, the personnel plan, and collective bargaining agreements entered into by the town.

(d) To attend all regular and special meetings of the select board, including executive sessions, unless excused in advance by the chair of said board, and shall have a voice, but no vote, in all its proceedings. However, the select board shall in no way be prohibited from conducting a meeting because of the lack of attendance of the town administrator.

(e) To ensure that full and complete records of the financial and administrative activities of the town are kept.

(f) To keep the select board fully advised as to the needs of the town and recommend to the select board and to other elected town officers and agencies for adoption such measures requiring action by them or by the town meeting as the town administrator may deem necessary or expedient. The town administrator shall keep the select board informed regarding issues affecting the administration and governance of the town, in a timely manner.

(g) The town administrator shall be responsible for the maintenance, repair, and use, of all town land and buildings which fall under the jurisdiction of the select board.

(h) To prepare and present to the select board an annual operating budget for the town; and to work in conjunction with the capital planning committee and the finance director to prepare a proposed capital improvement plan for the five (5) fiscal years next ensuing.

(i) To negotiate, on behalf of the select board, all personnel contracts and collective bargaining agreements involving any subject within the jurisdiction of the office of the town administrator or select board, including contracts with town employees involving wages, hours and other terms and conditions of employment. All such contracts and agreements shall be subject to the approval of the select board.

(j) To be the chief procurement officer for the town, in accordance with the provisions of the Massachusetts General Laws, and to appoint such assistant procurement officers as provided in Chapter 30B of the Massachusetts General Laws.

(k) To see that the provisions of the general laws, this Charter, town by-laws, votes of the town meeting and of the select board which require enforcement by the town administrator are faithfully executed, performed or otherwise carried out.

(l) To prosecute, defend and compromise, subject to the approval of the select board, all litigation to which the town is a party.

(m) To inquire and make investigation, at any time, into the conduct and operation of office or performance of duties of any officer or employee, department, board, commission or other town agency.

(n) To attend all sessions of all town meetings, unless excused in advance by the chair of the select board, and respond, as directed by the Moderator, to questions raised by voters which relate to warrant articles and to matters over which the town administrator exercises any supervision.

(o) To coordinate the activities of all town agencies serving under the office of the town administrator and the office of the select board with those under the control of other officers and multiple member bodies elected directly by the voters. For this purpose, the town administrator shall have authority to require the persons so elected, or their representatives, to meet with the town administrator, at reasonable times, for the purpose of effecting coordination and cooperation among all agencies of the town. The town administrator shall have the right to attend and speak at any public meeting of any multiple member body.

(p) To seek out and work to obtain resources from federal, state and other governmental jurisdictions that further town purposes.

(q) To approve all payroll and expense warrants for payment of town funds. Such approval shall be sufficient authority to authorize payment of the same by the town treasurer. In the event of the absence of the town administrator, the select board shall approve such warrants. If a vacancy exists in the office of town administrator, the select board shall approve all such warrants, or, may delegate such responsibility to a temporary town administrator appointed pursuant to Subsection 3 of Article III Section III-4.

(r) To perform any other duties as are required to be performed by the town administrator by by-laws, administrative code, votes of the town meeting, or votes of the select board, or otherwise.

Subsection 2: ACTING TOWN ADMINISTRATOR

(a) Temporary Absence - With the approval of the select board, the town administrator may designate a qualified town administrative officer or employee to exercise the powers and perform the duties of the town administrator during an absence of the town administrator of not more than twenty (20) days, including Saturdays, Sundays and holidays. Such delegation shall be made by letter filed with the town clerk, the municipal finance director, and the select board.

(b) Powers and Duties - The powers and duties of the temporary or acting town administrator, under subsection (a), above, shall be limited to matters not admitting of delay and shall include authority to make temporary, emergency appointments or designations to town office or employment but not to make permanent appointments, and designations, or to effectuate terminations.

(c) Interim Town Administrator. In the event of resignation or termination of the Town Administrator, the select board may appoint an Interim Town Administrator to serve in such position until a permanent Town Administrator is appointed. Such Interim Town Administrator shall have all the powers of the Town Administrator, except as may be limited by the engagement with the Select Board.

Section IV-2: Other Elected Officers

By amending the language as follows:

- a. There shall be a moderator elected for a term of one (1) year;
- b. The Town Clerk shall be appointed, with said appointment to be made following the end of the term of Town Clerk who was elected as of the date of this amendment.

Or take any other action related thereto.

(Submitted by Select Board)

ARTICLE 10. To see if the Town will vote to transfer from available funds the sum of \$40,000 for tree trimming and removal, or take any other action related thereto.

(Submitted by Select Board)

ARTICLE 11. To see if the Town will vote to transfer from available funds the sum of \$78,810 To fully fund the FY21 Snow & Ice Deficit, or take any other action related thereto.

(Submitted by Select Board)

ARTICLE 12. To see if the Town will vote to appropriate and raise by taxation, or transfer from available funds the sum of \$?????? To the Unemployment Account, or take any other action related thereto.

(Submitted by Select Board)

ARTICLE 13. To see if the Town will vote to transfer from available funds the sum of \$7,300 for an OPEB/Actuarial Study, or take any other action related thereto.

(Submitted by Select Board)

ARTICLE 14. To see if the Town will vote to establish a Workers Compensation Claims Reserve Fund in accordance with MGL Chapter 40, Section 13C, or take any other action related thereto.

(Submitted by Select Board)

ARTICLE 15. To see if the Town will vote to rescind the following approved but unissued debt authorizations:

\$96,000 – Article 33 of the Spring Annual Town Meeting of 05/12/14 for the Water Street Pump Station Sewer Design Study

\$28,000 – Article 25 of the Spring Annual Town Meeting of 05/09/16 for the Street Sweeper

\$11,800 – Article 29 of the Spring Annual Town Meeting of 05/13/13 for Water System Improvement (Chlorine Contact Loop)

Or take any other action related thereto.

(Submitted by Select Board)

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 1st day of November in the year two thousand and twenty-one.

**TOWN OF MILLIS
SELECT BOARD**

Peter C. Jurmain, Chair

Erin T. Underhill, Vice-Chair

Craig W. Schultze, Clerk

A True Copy, Attest

Lisa J. Hardin, Town Clerk

**Helen R. Kubacki, Constable
Town of Millis**