



# TOWN OF MILLIS

Erin T. Underhill, *Chair*  
Craig W. Schultze, *Vice Chair*  
Ellen Rosenfeld, *Clerk*

## OFFICE OF THE SELECT BOARD

Veterans Memorial Building (VMB)  
900 Main Street • Millis, MA 02054  
Phone: 508-376-7041

Michael J. Guzinski  
Town Administrator  
[mguzinski@millisma.gov](mailto:mguzinski@millisma.gov)

Karen Bouret DeMarzo  
Assistant Town Administrator/  
Human Resources Manager  
[kbouret@millisma.gov](mailto:kbouret@millisma.gov)

### SELECT BOARD MEETING AGENDA MONDAY, APRIL 24, 2023; 7:00 PM VETERANS MEMORIAL BUILDING ROOM 229

	Topic	Time	Speaker
I.	Call to Order	7:00 PM	Chair Underhill
II.	<b>Announcements</b> <ul style="list-style-type: none"><li>5/3/23 Annual Town Meeting</li><li>5/8/23 Town Election</li><li>Boy Scout Troop 15 Welcome</li><li>Commonwealth Heroine Award</li></ul>		
III.	<b>Appointments</b>		
23-099	Appointment of Interim Library Director Appointment of DPW Seasonal Summer Worker Appointment of Member of Council on Aging	7:05 PM	M. Guzinski Chair Underhill
23-100	Discuss Litter Removal Idea – Life Experience School	7:10 PM	L. Randa
IV.	<b>Open Session Items</b>		
23-101	Approval of Catch Basin Cleaning Contract		J. McKay
23-102	Approval of eMPower Millis Energy Services Agreement		R. Weiss
23-103	Tangerini's Farm All Alcohol License Approval		K. Bouret
23-104	Discussion Regarding Ellice School		Sel. Rosenfeld
23-105	Discuss and Assign Annual Town Meeting Warrant Articles		Chair Underhill
23-106	Set Summer Meeting Schedule		Chair Underhill
V.	<b>Adjournment</b>		

### Proposed Upcoming Meeting Schedule

Date	Time	Location
Monday, May 1, 2023	7:00 pm	Room 229 VMB
Wednesday, May 3, 2023*	6:30 pm	MS/HS Library & Auditorium
Monday, May 15, 2023	7:00 pm	Room 229 VMB
Monday, June 5, 2023	7:00 pm	Room 229 VMB
Monday, June 26, 2023	7:00 pm	Room 229 VMB
Monday, July 10, 2023	7:00 pm	Room 229 VMB
Monday, August 14, 2023	7:00 pm	Room 229 VMB
Monday, September 11, 2023	7:00 pm	Room 229 VMB
Monday, September 25, 2023	7:00 pm	Room 229 VMB

Select Board meetings are broadcast whenever possible through Millis Community Media on Comcast channel 11 and Verizon channel 38 and Zoom

Zoom (Broadcast only)  
**Meeting ID: 852 638 7223**  
**Passcode: SBMeeting**

\*Zoom will not be available

Dear Erin LeBlanc,

Congratulations! It is our great pleasure to inform you that you have been nominated by Rep James Arena-DeRosa to be recognized as one of the Commonwealth Heroine of Class 2023 and selected by the Massachusetts Commission on the Status of Women (MCSW) to receive this award.

The annual Commonwealth Heroine honor goes to incredible women who are recognized as leaders and contributors to their community and the Commonwealth. Commonwealth Heroines are women who don't always make the news but truly make a difference. You were selected because you are a woman who, without fanfare or recognition, uses your time, talent, spirit, and enthusiasm to enrich the lives of others.

To accept this award, please submit this brief survey by **Friday, April 28th** using the following link: <https://www.surveymonkey.com/r/YPY5QX9>

In the survey, we'll ask you to:

1. Confirm you accept this honor.
2. Provide demographic information (e.g. name, home mailing address). We'll use your home address to send the program book featuring photos and biographies of each heroine within their Heroine Package in the event you can't join us for the in person celebration on June 23<sup>rd</sup>, 2023.
3. Insert a photo of yourself (high-resolution head and shoulders photo (at least 300 pixels). Your photo will be included in the program book. *\*If we do not receive your image by the deadline above, we will use a yellow rose as a placeholder for your photo in the program book and presentation.*
4. Confirm your attendance at the Commonwealth Heroines Event on **Friday, June 23<sup>rd</sup> at the Massachusetts State House**. During the event, we will celebrate the heroines with remarks from the Commission, a live slideshow presentation, and the opportunity to celebrate one another. More details to come in a follow-up email correspondence within the coming weeks.



**SAVE**  
*the*  
**DATE**

**MASSACHUSETTS STATEHOUSE  
GREAT HALL OF FLAGS**

**06 . 23 . 23**

Again, congratulations and thank you for your extraordinary efforts to make the Commonwealth a better place to live and work. Should you have any questions or need any additional information, please do not hesitate to contact us at [mcsw@mass.gov](mailto:mcsw@mass.gov).

Kindest regards,

**The Massachusetts Commission on the Status of Women**

John W. McCormack Building, 1 Ashburton Place, Suite 1018A, Boston, Massachusetts 02108

*The mission of the Massachusetts Commission on the Status of Women is to provide a permanent, effective voice for women across Massachusetts. The Commission stands for fundamental freedoms, basic human rights, and the full enjoyment of life for all women throughout their lives.*

Don't miss an update: Join us on [Facebook](#), [Twitter](#), [Instagram](#) or our [mailing list](#)!

23-099

Appointments



# TOWN OF MILLIS

## OFFICE OF THE TOWN ADMINISTRATOR

Veterans Memorial Building  
900 Main Street • Millis, MA 02054  
Phone: 508-376-7041  
[townadministratorsoffice@millisma.gov](mailto:townadministratorsoffice@millisma.gov)

Michael Guzinski  
Town Administrator  
[mguzinski@millisma.gov](mailto:mguzinski@millisma.gov)

Karen Bouret DeMarzo  
Assistant Town Administrator  
Human Resources Manager  
[Karen.bouret.demarzo@millisma.gov](mailto:Karen.bouret.demarzo@millisma.gov)

## INTERNAL POSTING Town of Millis Public Library Acting Library Director

The Town of Millis is seeking a creative, collaborative, and community-focused leader to serve as temporary Acting Director of the Millis Public Library. This is an 18-week appointment while the current Library Director is on leave.

The Town of Millis opened a new 18,000 square foot library facility on Main Street in 2013. Today, the Millis Public Library is one of the busiest small public libraries in Massachusetts. The Library has a hard-worked and talented staff of 6 FTE who have significant responsibilities for collection development, event planning and management, and library services.

The successful candidate must be able to identify and respond to the needs of the Millis community and enable his or her staff to do the same. Critically, the Library Director must help staff to grow into and thrive in new and evolving roles and enable them to do their best work.

### Qualifications:

Bachelor's degree from an accredited 4-year college or university; Master's Degree in Library and Information Science from an accredited library science program. Five years of progressively responsible library administration experience including at least three years in a supervisory capacity.

Applications are available upon request at the Town Administrator's Office, Veterans Memorial Building, 900 Main Street, Millis, MA 02054 , or at [millisma.gov](http://millisma.gov). Completed job application and resume should be returned to the Town Administrator's Office Town at [townadministratorsoffice@millisma.gov](mailto:townadministratorsoffice@millisma.gov)

POSTED 3/30/23

OPEN until 4/14/23 at 12:30 PM

*The Town of Millis is committed to creating a diverse environment and is proud to be an equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, gender, gender identity or expression, sexual orientation, national origin, genetics, disability, age, or veteran status. The Town of Millis is committed to compliance with all fair employment practices regarding citizenship and immigration status.*



# TOWN OF MILLIS

Board of Trustees  
Jennifer Farrar, Chair  
Laura Saffa, Secretary  
Tricia Berube

**The Millis Public Library**  
961 Main Street • Millis, MA 02054  
Phone: 508-376-8282 • Fax: 508-376-1278

Kim Tolson, Director  
[ktolson@millis.net](mailto:ktolson@millis.net)

April 19, 2023

Subject: Appointment of Acting Library Director

Dear Ms. Chairperson,

The Millis Public Library has a temporary opening for Acting Library Director, with a start date to be determined (estimated June 20th). This is an 18 week appointment.

I recommend that Rachel Silverman, current Youth and Family Services Librarian, serve as Acting Library Director during my leave. Rachel's current position requires her to plan and manage the activities, collections, and budgets of the Children's and Young Adult departments of the Library. In this role, she has shown her ability to successfully plan and juggle many concurrent projects, manage a budget, meet deadlines, respond to challenges, and oversee volunteers and Library Assistants working in her departments. Rachel brings knowledge of and experience with the Library policies and procedures, the Trustees, the staff, and the Millis community to the position.

Rachel served as Interim Director in summer/fall 2020 and managed very well, taking on unexpected challenges resulting from the COVID-19 pandemic, including planning for reopening of the Library building to the public. I am confident that, with the support of the Trustees and her colleagues, she will once again be successful in this role.

Best,

Kim Tolson  
Library Director



## ***TOWN of MILLIS***

### **DEPARTMENT OF PUBLIC WORKS**

**900 MAIN STREET, MILLIS, MA 02054**

**TO:** Michael Guzinski, Town Administrator

**FROM :** James F. McKay, Director of Public Works

**DATE :** April 21, 2023

**SUBJECT :** Summer help

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I would ask that you appoint the following as seasonal summer help, which is covered under the Personnel Plan starting May 1, 2023 and ending September 30, 2023. These appointments will fill one of the two open positions for summer help, the position has proven to be very successful with helping with all maintenance town wide.

The Summer Help is paid out of the General fund.

Joseph Majkut 26 Ticonderoga Street Millis, MA.

James F. McKay,  
Director of Public Works



## **Karen Bouret DeMarzo**

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**From:** Elizabeth Derwin <eaderwin@gmail.com>  
**Sent:** Thursday, April 13, 2023 4:39 PM  
**To:** Karen Bouret DeMarzo; Mike Guzinski; Erin T. Underhill  
**Subject:** New COA board Member

CAUTION: This email originated from outside of the Town of Millis mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Karen, Mike, and Erin,

The COA board met today and would like to recommend Joyce Boiardi as the newest member of the COA Board. We have one opening due to the resignation of Lisette Walter.

Joyce will bring experience as an entrepreneur, member of the Finance committee, and also a recent volunteer at the Center. We are excited about the opportunity to have Joyce contribute her ideas on how we can make the center more engaging to a wider swath of our senior population.

Regards,  
Elizabeth Derwin  
Secretary COA Board

p.s. we also elected new officers at today's meeting. They are:

Chair: Loring Barnes  
Vice-Chair: Meredith Saint Sauvier  
Secretary: Elizabeth Derwin



# TOWN OF MILLIS

## OFFICE OF THE TOWN ADMINISTRATOR

Veterans Memorial Building  
900 Main Street • Millis, MA 02054  
Phone: 508-376-7041  
townadministratorsoffice@millisma.gov

Michael Guzinski  
Town Administrator  
mguzinski@millisma.gov

Karen M. Bouret DeMarzo  
Operations Support Manager  
Karen.bouret.demarzo@millisma.gov

Millis is a small town with many committees and boards that help shape the day-to-day quality of life here preserving our hometown's character. We invite our fellow neighbors to volunteer to make a difference in our town. Time requirements for participation and assignments differ by group; some meet year-round, others seasonally, and some have special projects that are short-term. To sample a committee of interest, public meeting agendas with dates and locations are posted on the bulletin board at the Veterans Memorial Building and on the Town's website at <https://www.millisma.gov/calendar>. Attending a committee meeting is the best way to become familiar with its focus. Please complete this form and email it to [townadministratorsoffice@millisma.gov](mailto:townadministratorsoffice@millisma.gov)

Please indicate boards/committees of interest below:

- |                                  |  |
|----------------------------------|--|
| Agricultural Commission          | Enterprise Funds Advisory Committee    |
| Board of Assessors               | Finance Committee                      |
| Capital Planning Committee       | Historical Commission                  |
| Cemetery Committee               | Local Emergency Planning Committee     |
| Community Preservation Committee | MBTA 3A Advisory Committee             |
| Conservation Committee           | Oak Grove Farm Commission              |
| <u>Council on Aging</u>          | Permanent Building Committee           |
| Cultural Council                 | Planning Board (Associate Member Only) |
| Economic Development Committee   | Recreation Committee                   |
| Energy Committee                 | Zoning Board of Appeals                |

Name Joyce Boiardi  
Home Address 206 Orchard St Millis, MA 02054  
Phone 508 667 7256 Email joyceboiardi@gmail.com

Registered Voter  yes  no

Background/Experience  
Resident of Millis for 40 years. Have been a volunteer in one way or another since moving in. I am a senior. I am familiar with the needs of seniors.  
I currently am on the Finance Committee.

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23-100

Litter Removal Presentation

## Karen Bouret DeMarzo

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**From:** Lewis M. Randa <lewismranda@gmail.com>  
**Sent:** Tuesday, April 11, 2023 8:15 AM  
**To:** Karen Bouret DeMarzo  
**Subject:** Select Board

**CAUTION:** This email originated from outside of the Town of Millis mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Karen,

Is there an upcoming Select Board Meeting during which The Life Experience School can make a short presentation on a litter control idea. We'd like the Boards opinion and possible endorsement before we approach MASS DOT. So nice to have a Wishing Bridge in Town where we can make *all our wishes come true!*

Thanks,

Lewis Randa, Director  
The Life Experience School  
16 Lavender Street  
Millis, MA

23-101

Catch Basin Contract



## *TOWN of MILLIS*

### DEPARTMENT OF PUBLIC WORKS

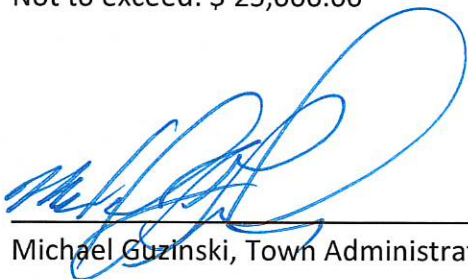
900 MAIN STREET, MILLIS, MA 02054

**TO:** Michael Guzinski, Town Administrator  
**FROM :** James F. McKay, Director of Public Works  
**DATE :** April 20, 2023  
**SUBJECT :** Annual Catch Basin Contract

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I would ask that you approve and sign the following contract dated 12/20/2021. The Town will use the option of extending the contract for two additional years outlined (page 00300-1) in the contract. The contractor has agreed to the same price of \$ 17.94 per basin.

Truax Corp.  
40 Plain Street  
North Attleboro, MA 02760  
Not to exceed: \$ 25,000.00



---

Michael Guzinski, Town Administrator

4-20-23

Date:



PO BOX 2186 PLAINVILLE MA 02762

508-316-0979- PHONE

508-316-0739 - FAX

WWW.TRUAXCORPORATION.COM

TO: TOWN OF MILLIS, MA JIM MCKAY	FROM: MARIA GERRIOR
CATCH BASIN CLEANING WITH TABLETS	DATE: APRIL 14, 2023

Thank you for your recent inquiry regarding Truax Corporation. We are specialists in all functions of drain and catch basin services. We utilize up to date technology, equipment and the most qualified service professionals in this industry to provide you with the quickest and most cost-efficient job possible. We have added new and industry compliant equipment for televised video pipeline inspections to our fleet. With the addition of televised pipeline inspection to our services, we can offer our customers a full- service approach to drain and sewer line maintenance. When customers utilize our expert high velocity flushing services combined with pipeline video inspections programmed by IT Pipes, we guarantee delivery of the best service possible with quick answers and fast resolutions.

**Below is the additional cost to enter the basin information into the tablets:**

Service performed	Price
ENTRY OF DATA INTO GIS SYSTEM	\$3.45 PER BASIN

***Please note cleaning of catch basin pricing remain the same 17.94 per basin***



TOWN OF MILLIS <sup>1</sup>

CONTRACT # \_\_\_\_\_

STATE CONTRACT # (if applicable) \_\_\_\_\_

DATE: 12/20/2021

This Contract is entered into on, or as of, this date by and between the Town of Millis, 900 Main Street, Millis, MA 02054 (the "Town"), and

Truax Corporation  
["Contractor"]

Lloyd Truax, President  
[Contact Name for Responsible Person]

40 Plain Street  
North Attleboro Plainville, MA 02762 02760  
[Address of the Contractor]

508-316-0979  
[Telephone Number]

508-316-0739  
[FAX Number]

lloyd@truaxcorporation.com and maria@truaxcorporation.com  
[email address]

1. This is a Contract for the procurement of the following:

(Describe the work to be performed or attach agreed-upon scope of services)

Furnish all labor and materials required for Catch Basin Cleaning for the Town of Millis in accordance with accompanying plans and specifications prepared by GCG Associates, Inc. attached hereto as Exhibit A.

2. The Contract price to be paid to the Contractor by the Town is:

16,146.00 *MLL 1-3-22 LL 1-3-22*  
\$17.94 per catch basin cleaned (deposits stockpiled), not to exceed ~~\$50,000.00~~ paid in the aggregate by the Town of Millis. If the aggregate amount is to exceed ~~\$50,000.00~~, the Town shall notify the Contractor, terminate the Contract, and compensate Contractor for work performed up to the date of termination provided that the aggregate amount paid to Contractor does not exceed ~~\$50,000.00~~.  
*16,146.00*

3. Payment will be made as follows:

3.1 If any portion of the contract price is to be paid by a private citizen(s) no work shall be performed until a sum has been deposited with the Town Treasurer, upon an estimate made by the board, committee or officer having charge of the work, sufficient to cover the payment for the portion of the said work chargeable to the private citizen(s).

3.2 Fees and Reimbursable Costs combined shall not exceed \$50,000.00 as more fully set forth

<sup>1</sup> Construction under \$250k



# TOWN OF MILLIS

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## *REQUEST FOR QUOTATION*

### Catch Basin Cleaning and/or Removal of Deposits Quotation

#### I. GENERAL INFORMATION AND PROPOSAL SUBMISSION REQUIREMENTS

- Questions concerning this Request for Quotations (RFQ) must be emailed to: [jmckay@millisma.gov](mailto:jmckay@millisma.gov)
- Any and/or all work is subject to available funds. The Town reserves the right to waive any informalities in, or to reject, any or all quotations should the Town deem it to be in the Town's best interest.
- The Town of Millis may cancel this RFQ, or reject in whole or in part any and all quotations, if the Town determines that cancellation or rejection serves the best interests of the Town.
- This RFQ is issued pursuant to MGL c. 30, §39M. If awarded this contract, the contractor must abide by State Prevailing Wage Law, furnish a 50% Payment Bond if the cost of services is more than \$25,000, and certify it has completed all required OSHA Training.
- By submitting a quotation, the contractor hereby agrees to enter into a contract in the form of the Town's Standard Form of Contract attached hereto as Attachment B if selected by the Town.
- The selected contractor will provide the services for a period of one year with the option of the Town to extend it up to two additional years beyond the first year at one year periods.

Attachments include:

- o Attachment A — Quotation Pricing Sheet
- o Attachment B --- Town of Millis Standard Form Contract for Construction Services.
- o Attachment C – Wage Rates

## TOWN OF MILLIS

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### II. PURCHASE DESCRIPTION/SCOPE OF SUPPLIES/SERVICE

- The scope of the work includes labor, material and equipment to clean of ALL catch basins in Town, roughly **900 Catch Basins**. The Contractor will not be responsible for removal of material and asked to dump material in one location or removed from the premises, depending on the negotiated contract. Exact schedule of the cleaning will be determined by the Town based on weather. Quotations should be supplied as price per catch basin.
- All Quotations must be firm and continue in effect for a period of thirty (30) days from date of submittal.

#### Unit Quantities Specified:

- Quantities and measurements actually supplied or placed in the Work and verified by the, Engineer shall determine payment.
- If the actual Work requires greater or lesser quantities than those quantities indicated in the Quotation Form, Contractor shall provide the required quantities at the unit price contracted.

### III. PRICING AND PAYMENT

- Unit Prices
  - Item and the quantity of units completed. Unit prices are to include cost of all necessary materials, labor, equipment, overhead, profit and other applicable costs.
- The Town shall pay, and the Contractor and shall receive the prices stipulated in the quotation made a part hereof as full compensation for everything performed.

23-102

eMPower Millis Energy Services Contract




# TOWN OF MILLIS

Erin T. Underhill, *Chair*  
Craig Schultze, *Vice Chair*  
Ellen Rosenfeld, *Clerk*  
Michael J. Guzinski, *Town Administrator*

Millis Energy Manager  
Veterans Memorial Building  
900 Main Street • Millis, MA 02054  
Phone: 508-376-7040  
Fax: 508-376-7053  
rweiss@millisma.gov

Craig Gibbons, *Chair*  
Tom O'Connell  
Tim Farrar  
Kathleen Streck  
Jonathan Barry  
Cullen Ward  
Pete Jurmain  
Ellen Rosenfeld, *Ex Officio*  
Robert Weiss, *Millis Energy Mgr.*

TO: Millis Select Board  
FROM: Robert Weiss, Millis Energy Manager   
DATE: April 24, 2023  
RE: Approve and Authorize an Energy Services Agreement for eMPower Millis

Millis's Community Electrical Aggregation program, eMPower Millis, has been extremely successful since its inception in 2021. For the first half of this year, we estimate that the program will save its 2,800 Millis members over \$300,000 each month. Just as important is that eMPower Millis families and businesses are saving this money by using cleaner, greener electricity than other Eversource customers. This evening I am asking the Board to approve the new energy services agreement (ESA) with our future supplier and to authorize the Town Administrator to sign the new agreement on behalf of the Town.

You may recall Millis's Energy Committee worked for two years to select an energy aggregation program that would provide Millis with a financially and environmentally sustainable program. Ultimately, the Committee selected the SRPEDD aggregation, which now consists of 25 municipalities, mostly located in Metro-West and Southeast Mass. The 3-year agreement we signed in 2021 with Constellation New Energy will expire at the end of this year and the new contract will be signed as a result of a bid process that will take place on May 2<sup>nd</sup>.

As is often the case with our ESAs, we ask the Board to approve the terms of the agreement before we know the actual price. I am confident that the twenty-five communities and our experienced broker, Good Energy, will again settle upon a price that will greatly benefit Millis electric rate payers. The new ESA will be very similar to the current one. The few changes will be only those mandated by the state's DPU and will not change the substance of the contract. Our former Town Council, Rick Holland of K-P Law, is providing legal management for the aggregation.

## SUGGESTED MOTION

"Madam Chair, I make a motion to appoint the Town Administrator as the Town's Primary Representative and the Town's Energy Manager as the Town's Alternative Representative and authorize them as our designees to execute a contract for the supply of electricity (in the form of an Electric Service Agreement (ESA)) on bid day, May 2<sup>nd</sup>, 2023 for the eMPower Millis, the Town's community electricity aggregation program."

23-103

Tangerini's Alcohol License Approval

Sel. Rosenfeld stated there is no agreement between Toll Brothers or Orchard Street residents and the Town to be provided sewer, they do have the right pay to connect if there is capacity.

22-266 Review & Approval of Community Impact Contract January- June 2023

Sel. Schultze made a motion to approve the Community Impact Contract for January 1<sup>st</sup>, 2023, - June 30<sup>th</sup>, 2023, not to exceed the amount \$35,000 and authorize the Town Administrator to sign on the Towns behalf. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

22-267 Approval: Select Board Annual Licenses 2023

Sel. Schultze made a motion to approve the Licenses as listed with the exception of Ryan Family Amusements and Tangerinis Farm. Ryan Family Amusements approval is conditional for 30 days on the submittal of sprinkler and fire alarm report for 110 inspection to Building Commissioner required. Tangerinis Farm approve conditionally for 120 days. Final approval pending receipt and approval of certification of all building permits. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

NAME	DBA	LICENSE TYPE	LICENSE #
Jiu Xing, Inc.	Lilac House Restaurant	Alcohol on Premises - Wine & Malt	00016-RS-0716
Ryan Family Amusements, Inc.	Ryan Family Amusements	Alcohol on Premises - Wine & Malt	00020-GP-0716
132 Exchange Street, Inc.	Richdale Food Shop	Alcohol Pkg Store - Wine & Malt	89620-PK-0716
Main Street Mobil, Inc.	Main Street Mobil	Alcohol Pkg Store - Wine & Malt	00022-PK-0716
Namaste Convenience, Inc.	Namaste	Alcohol Pkg Store - Wine & Malt	89497-PK-0716
Kiara, LLC	One Stop Liquors	All Alcohol -Package Store	89295-PK-0716
Millis Pkg Store Corp	Harkeys	All Alcohol -Package Store	00010-PK-0716
Swami Ne Sang Corp.	Liquor World	All Alcohol -Package Store	89875-PK-0716
AM Vets Post 495 Millis, MA, Inc.	AM Vets	All Alcohol -Veterans Club	00007-VC-0716
AvaLena's	AvaLena's	All Alcohol-Restaurant	06327-RS-0716
Barrett & Johnson Enterprises, Inc.	Victory Lane Bar and Grill	All Alcohol-Restaurant	00001-RS-0716
Jalapa Mexican Grill, LLC	Jalapa Mexican Grill	All Alcohol-Restaurant	00023-RS-0716
Napper Tandys Millis, Inc	Napper Tandys	All Alcohol-Restaurant	00024-RS-0716
Primavera, Inc.	Primavera Ristorante	All Alcohol-Restaurant	00006-RS-0716
Stacked Enterprises, LLC	Stack'd Sandwich & Slice Co.	All Alcohol-Restaurant	05175-RS-0716
AM Vets Post 495 Millis, MA, Inc.	AM Vets	Automatic Amusement	390
Barrett & Johnson Enterprises, Inc.	Victory Lane Bar and Grill	Automatic Amusement	63
Ryan Family Amusements, Inc.	Ryan Family Amusements	Automatic Amusement	52

23-104

Ellice School Discussion

23-105

Annual Town Meeting Article Discussion





# TOWN OF MILLIS

**TO:** Select Board

**CC:** Karen Bouret DeMarzo, Assistant Town Administrator

**FROM:** Michael Guzinski, Town Administrator

**DATE:** April 20, 2023

A handwritten signature in blue ink, appearing to be "Michael Guzinski", is written over the "FROM:" line of the email header.

## Assignment of Articles for Annual Town Meeting

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Greetings,

The Select Board, prior to every Annual Town Meeting, assigns articles to individual Select Board Members in case a situation arises at the ATM for which a Select Board member should address directly. I am recommending that the Board assign articles at your meeting on Monday.

I've attached a copy of all the motions (along with the articles) for the Annual Town Meeting for your review.

I'd be happy to discuss the articles and/or answer any questions that you may have at your meeting on Monday.

Thank you.

April 20, 2023

**SPRING 2023 TOWN MEETING MOTIONS 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

**ARTICLE 1.**

**Motion**

I move that the Town vote to transfer from Free Cash the sum of **\$1,611.11**, and transfer the sum of **\$71.21** from Sewer Retained Earnings, and the sum of **\$6,553.27** from Water Retained Earnings, for a total sum of **\$8,235.59** to pay the following **unpaid bills** incurred by Town departments from previous fiscal year(s)

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

(Submitted by The Select Board)

***4/5ths majority***

**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.

<b>Department</b>	<b>Vendor</b>	<b>Amount</b>
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
	<b>Total</b>	<b>\$8,235.59</b>

(Submitted by The Select Board)

*4/5ths Majority*

## ARTICLE 2.

### Motion

I move that the Town vote to transfer from the following accounts the sums of money listed below to fund additional wages and expenses to the accounts listed below which were not sufficiently funded under Article 3, Operating Budget, of the May 2, 2022 Annual Town Meeting:

<b>Transfer From: Town General Government</b>	<b>\$42,000.00</b>
<b>Health &amp; Human Services</b>	<b>\$43,858.64</b>
<b>Free Cash</b>	<b><u>\$50,000.00</u></b>
<b>Total</b>	<b>\$135,858.64</b>

<b>Transfer To: General Insurance</b>	<b>\$22,508.00</b>
<b>Public Safety</b>	<b>\$61,271.10</b>
<b>Public Works</b>	<b>\$11,079.54</b>
<b>Culture &amp; Recreation</b>	<b><u>\$41,000.00</u></b>
<b>Total</b>	<b>\$135,858.64</b>

(Submitted by The Select Board)

***Simple 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.**

**Motion**

I move that the Town vote to fix the compensation of elected officers, provide for a reserve fund, and to raise and appropriate, including appropriations from taxation and by transfer from available funds, all as specified below, the sum of **\$41,855,721** to defray charges and expenses to the Town, including debt and interest, and a reserve fund, for the general fund, for the fiscal year beginning July 1, 2023 as outlined in Table 2 of the Finance Committee Report with the following revenue sources:

Taxation	\$39,840,187
Ambulance Fund	\$616,356
Perpetual Care Interest	\$332
Sale of Cemetery Lots	\$7,285
Cell Tower Revenue	\$55,776
Bond Premium Release	\$102,515
Marijuana Impact Fees (FC)	\$271,314
Free Cash	\$233,453

And to Authorize the following transfers:

Sewer Fund Indirect Costs to General Fund \$253,439

Water Fund Indirect Costs to General Fund \$309,759

Stormwater Fund Indirect Costs to General Fund \$165,305

(Submitted by The Select Board)

**Simple majority**

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**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.**

**Motion**

I move that the Town 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.

(Submitted by The Select Board)

***Simple Majority***

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**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.**

**Motion**

I move that the Town 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.

(Submitted by The Select Board)

***2/3rds Majority***

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**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.**

**Motion**

I move that the Town 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.

(Submitted by The Select Board)

***Simple Majority***

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**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.**

**Motion**

I move that the Town vote to raise and appropriate from Sewer Department Receipts, the following sums to **operate the sewer enterprise fund beginning July 1, 2023:**

<b>Salaries/Wages</b>	<b>\$306,574</b>
<b><u>Expenses</u></b>	<b><u>\$1,331,252</u></b>
<b>Total</b>	<b>\$1,637,826</b>

(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.**

**Motion**

I move that the Town vote to raise and appropriate from Water Department Receipts, the following sums to **operate the water enterprise fund beginning July 1, 2023:**

<b>Salaries/Wages</b>	<b>\$362,396</b>
<b><u>Expenses</u></b>	<b><u>\$1,647,340</u></b>
<b>Total</b>	<b>\$2,009,736</b>

(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.**

**Motion**

I move that the Town vote to raise and appropriate from Stormwater Department Receipts, the following sums to **operate the stormwater enterprise fund beginning July 1, 2023:**

<b>Salaries/Wages</b>	<b>\$244,697</b>
<b><u>Expenses</u></b>	<b><u>\$482,036</u></b>
<b>Total</b>	<b>\$726,733</b>

(Submitted by The Select Board)

***Simple Majority***

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**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.**

**Motion**

I move that the Town vote to approve the items as written in the Warrant as Consent Article 10.

(Submitted by The Select Board)

***Simple majority***

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**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

(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

From Undesignated Fund Balance for Long Term Debt- Interest \$ 7,950.00

Reserves:

From FY2024 estimated revenues for Historic Resources Reserve \$33,509.00

From FY2024 estimated revenues for Community Housing Reserve \$33,509.00

From FY2024 estimated revenues for Open Space Reserve \$33,509.00

From FY2024 estimated revenues for Budgeted Reserve \$80,000.00

(Submitted by the Community Preservation Committee)

*Simple majority*

**ARTICLE 11.**

**Motion**

**I move that the Town vote to transfer the sum of \$35,000 from the Community Preservation Open Space Reserve Fund for the Oak Grove Farm Trail Improvement Project.**

(Submitted by Community Preservation Committee)

***Simple Majority***

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**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 Community Preservation Committee)

*Simple Majority*



## **ARTICLE 12.**

### **Motion**

I move that the Town vote to transfer from Free Cash the sum of **\$43,606**, and transfer from the Water Enterprise Reserve Fund the sum of **\$178,704**, and transfer from the Sewer Enterprise Reserve Fund the sum of **\$153,427**, and transfer from the Stormwater Enterprise Reserve Fund the sum of **\$15,798**, and transfer from Article 34 of the ATM of May 9, 2016 the sum of **\$6,900**, and transfer from Article 9 of the ATM of November 5, 2018 the sum of **\$30,515**, and transfer from Article 12 of the ATM of May 13, 2019 the sum of **\$20,000**, and transfer from Article 12 of the ATM of May 13, 2019 the sum of **\$3,000**, and transfer from Article 12 of the ATM of May 13, 2019 the sum of **\$4,179**, and transfer from Article 12 of the ATM of May 13, 2019 the sum of **\$810**, and transfer from Article 3 of the ATM of November 8, 2021 the sum of **\$2,274**, and transfer from Article 25 of the ATM of May 9, 2016 the sum of **\$2,292**, and transfer from Article 9 of the ATM of November 5, 2018 the sum of **\$500**, and transfer from Article 3 of the ATM of November 8, 2021 the sum of **\$221**, and transfer from Article 13 of the ATM of May 2, 2022 the sum of **\$52,337**, and transfer from Article 4 of the ATM of November 10, 2022 the sum of **\$2,999**, and transfer from Article 16 of the ATM of June 5, 2017 the sum of **\$43,162**, and transfer from Article 27 of the ATM of May 9, 2016 the sum of **\$35,475**, and transfer from Article 28 of the ATM of May 9, 2016 the sum of **\$4,000**, and transfer from Article 23 of the ATM of June 8, 2015 the sum of **\$8,454**, and transfer from Article 29 of the ATM of May 13, 2013 the sum of **\$15,680**, and transfer from Article 11 of the ATM of November 5, 2012 the sum of **\$14,977**, and transfer from Article 21 of the ATM of May 14, 2012 the sum of **\$19,447**, for a total sum of **\$658,757 to fund the following capital items:**

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

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***

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**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:**

<u>Department</u>	<u>Capital Item</u>	<u>Amount</u>
DPW	Dump Truck with Plow & Sander	\$95,527
DPW	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>
<b>Total</b>		<b>\$658,757</b>

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.**

**Motion**

I move that the Town 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.**

(Submitted by the School Committee)

***2/3rds Majority***

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**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.**

**Motion**

I move that the Town 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.**

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

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**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 Select Board)  
***2/3rds Majority***

# ARTICLE 15.

## Motion

I move that the Town 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.

(Submitted by the Millis Energy Committee)

***Simple Majority***

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**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.

## Motion

I move that the Town vote to delete Article XXIII of the Millis General Bylaws in its entirety and replace it with the language as written in the warrant.

(Submitted by the Board of Health)

***Simple Majority***

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**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:*

- |                         |                           |
|-------------------------|---------------------------|
| 1 <sup>st</sup> Offense | Warning                   |
| 2 <sup>nd</sup> Offense | \$50                      |
| 3 <sup>rd</sup>         | \$100 Subsequent Offenses |

(Submitted by the Board of Health)

*Simple Majority*



**ARTICLE 17.**

**Motion**

I move that the Town vote to transfer from Free Cash, the sum of **\$25,000 for the Unemployment Insurance Fund.**

(Submitted by the Select Board)

***Simple Majority***

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**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.**

**Motion**

I move that the Town vote to **establish a Special Education Stabilization Fund** in accordance with MGL Chapter 40 Section 13E.

(Submitted by the Select Board)

***Simple Majority***

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**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 Select Board)

*Simple Majority*

**ARTICLE 19.**

**Motion**

I move that the Town vote to transfer **\$0** from available funds to the **Stabilization Fund**.

(Submitted by the Select Board)

***Simple Majority***

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**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.

## Motion

I move that the Town vote to dismiss Article 20.

(Submitted by Petition)  
***Simple Majority***

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### 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.

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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 Auschincloss; 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*

23-106

Set Summer Meeting Schedule