May 2, 2022

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 Monday, the second day of May, AD 2022 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 2022 TOWN MEETING ARTICLE LIST

1. Unpaid Bills
2. FY22 Additional Wages and Expenses
3. FY23 Operating Budget
4. SEIU #888, Firefighters Local #4704, AFSCME Council 93 Local #1301 Contract Ratifications
5. Sewer Enterprise Fund
6. Water Enterprise Fund
7. Stormwater Enterprise Fund
8. Consent Agenda:
    - Amendments to Personnel Plan
    - Board of Health Appointing Authority
    - Revolving Funds
    - Community Preservation Fund
9. Community Preservation Open Space/Recreation Reserve Fund – Soundproofing for Pickleball/Tennis Courts
10. Community Preservation Open Space/Recreation Reserve Fund – Town-Owned Properties Inventory and Management Plan
11. Community Preservation Open Space/Recreation Reserve Fund – Oak Grove Farm Trail Improvement Project
12. FY23 Recertification Process (BOA) - for remaining $17,800
13. Capital Items
14. PFAS Water Treatment Bonding Amendment
15. Design and Construction of Sidewalks and Roads
16. Tree Removal/Maintenance
17. New Computer Lease for Schools – Year One
18. New Police Cruiser Lease – Year One
19. General Bylaw – Powers and Duties of the Town Administrator
20. Charter Amendment – Change Town Clerk from Elected to Appointed
21. Zoning Bylaws Amendment – Amendment to Associate Planning Board Member
22. Zoning Bylaws Amendment – Add I-P-2 District to Tables 2 & 3

23. Acceptance of MGL Ch. 71 Section 37M Authorization for Consolidated Town wide Facilities Maintenance
24. Unemployment Insurance
25. OPEB Fund
26. Stabilization Fund
27. Petition Article
28. Petition Article

TOWN OF MILLIS

May 2, 2022 SPRING ANNUAL TOWN MEETING WARRANT

ARTICLE 1. To see if the Town will vote to transfer from available funds the sum of **$3,464.51** to pay the following **unpaid bills** incurred by Town departments from previous fiscal year(s), or take any other action in relation thereto.

COA/BOH	WB Mason	$399.96
COA/BOH	WB Mason	$599.94
COA/BOH	WB Mason	$919.98
COA/BOH	WB Mason	$199.98
COA/BOH	WB Mason	$199.98
COA/BOH	WB Mason	$399.96
Building	Timothy Costello	$100.00
DPW	WB Mason	$18.66
BOH	Biscom	$33.48
Fire	Comcast	$555.25
DPW/WE	WB Mason	$18.66
DPW/SE	WB Mason	$18.66

(Submitted by The Select Board)

4/5 majority

ARTICLE 2. To see if the Town will vote to transfer from available funds a sum of money for **additional wages or expenses** not sufficiently funded under Article 3, Operating Budget, of the May 1, 2021 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, 2022, or take any other action in relation thereto.

(Submitted by The Select Board) *2/3 majority if stabilization funds used*

ARTICLE 4. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **$115,000** to fund the estimated first-year cost items contained in the contracts between the **Town of Millis and SEIU Local 888, Professional Firefighters of Millis Local #4704, and AFSCME Council 93 Local 3901,** all to be effective July 1, 2022, 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 raise and appropriate or transfer from available funds a sum of money to **operate the sewer enterprise fund beginning July 1, 2022,** including a reserve fund, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple majority

ARTICLE 6. 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, 2022,** including a reserve fund, 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 stormwater enterprise fund beginning July 1, 2022,** including a reserve fund, or take any other action in relation thereto.

(Submitted by The Select Board)

Simple majority

CONSENT ARTICLE 8. 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 of the Town of Millis Personnel Plan** effective July 1, 2022, as shown in the FY23 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:

   Amend Article VI, Section 12 of the Town's General Bylaws by deleting the following revolving fund from the existing table of revolving funds as follows:

   Recreation Fund - Fees from Recreation Programs - Recreation Department

   And to establish the following fiscal year spending limit for the Town's established revolving funds for Fiscal year 2023:

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, or the Budgeted Reserve from annual revenues in the amounts recommended by the Community Preservation Committee for administrative expenses, community preservation projects and/or other expenses in fiscal year 2023, with each item to be considered a separate appropriation or act in any manner in relation thereto.

Appropriations:

From 2023 estimated revenues for Committee Administrative Expenses	$13,734.00

(To be divided equally: $6,867.00 CPC Salary Account: $6,867.00 CPC Expenses)

From Undesignated Fund Balance for Long Term Debt- Principal	$20,000.00
From Undesignated Fund Balance for Long Term Debt- Interest	$ 8,950.00

Reserves:

From FY2023 estimated revenues for Historic Resources Reserve	$27,469.00
From FY2023 estimated revenues for Community Housing Reserve	$27,469.00
From FY2023 estimated revenues for Open Space Reserve	$27,469.00
From FY2023 estimated revenues for Budgeted Reserve	$80,000.00

(Submitted by the Community Preservation Committee)

Simple majority

ARTICLE 9. To see if the Town will vote to appropriate the sum of **$21,035.16** from the Community Preservation Open Space/Recreation Reserve Fund for **Soundproofing for the Pickleball/Tennis Courts**, or take any other action in relation thereto.

(Submitted by the Community Preservation Committee)

Simple majority

ARTICLE 10. To see if the Town will vote to appropriate a sum of money from the Community Preservation Open Space/Recreation Resource Reserve Fund for the **Millis Town Owned Properties Inventory and Management Plan**, or take any other action in relation thereto.

(Submitted by the Community Preservation Committee)

Simple majority

ARTICLE 11. To see if the Town will vote to transfer the sum of **$16,900** 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 **$17,800 to conduct the FY23 Recertification Process**, or take any other action in relation thereto.

(Submitted by Board of Assessors) *Simple majority*

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **$264,095 to fund the following capital items**:

Department	Capital Item	Amount
Police/Fire	Public Safety Radio Console Update	$112,580
Emerg. Man.	Public Safety Radio Backup Generators	$25,000
DPW/Enterprises	Chevy Silverado with Plow	$54,416
DPW/Enterprises	Skid Steer	$52,699
DPW/Enterprises	Message Board	$19,400
	Total	**$264,095**

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 14. To see if the Town will vote to appropriate **$500,000** or any other amount, to pay additional 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, which amount shall be expended in additional to the $5,600,000 previously appropriated for this project under Article 4 of the Warrant at the Fall Annual Town Meeting; to determine whether this amount shall be raised by borrowing or otherwise, or to take any other action relative thereto.

(Submitted by Select Board) *2/3 majority if stabilization funds or borrowing used*

ARTICLE 15. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **$160,000 for the Design and Construction of Sidewalks and Roads**, or take any other action in relation thereto.

(Submitted by Select Board)

Simple majority

ARTICLE 16. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **$50,000 for Tree Removal/Maintenance**, or take any other action in relation thereto.

(Submitted by Select Board)

Simple majority

ARTICLE 17. To see if the Town will vote to borrow under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of **$69,900 for a new lease/purchase(s) for computers for the Millis Schools**, or take any other action in relation thereto.

(Submitted by the School Committee)

2/3 majority

ARTICLE 18. 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 **$104,000 for the lease/purchase(s) of two Police Cruisers**, or take any other action in relation thereto.

(Submitted by Select Board)

2/3 majority

ARTICLE 19. To see if the Town will vote to establish the following General Bylaw:

"ARTICLE V. TOWN OFFICERS <u>Section 31. Town Administrator</u>

In addition to the powers and duties enumerated in Section III-4 of the Millis Town Charter "Position of Town Administrator", the Town Administrator shall have the following powers and duties:

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 the Charter, by this 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 the Charter and this Bylaw. 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 the 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 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.

(e) 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.

(f) 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.

(g) 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.

(h) 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.

(i) 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.

(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, the 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, and to direct Town or Special Counsel with respect to such litigation.

(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 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.

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

(p) 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.

Or take any other action in relation thereto.

(Submitted by the Select Board)

Simple Majority

ARTICLE 20. To see if the Town will vote to make the following changes to the Town Charter (with ratification by Annual Election):

Section IV-2: Other Elected Officers

By amending the language as follows:

a. 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)

2/3 Majority

ARTICLE 21. To see if the Town will vote to amend the Zoning By-Laws, as most recently amended, by amending the section identified herein as follows, or to take any other action related thereto.

1) By amending Section XII Administration and Enforcement, T. Associate Member to the Planning Board:

From:

"An associate Member to the Planning Board shall be appointed by the Board of Selectmen for a term of one year, such Associate Member to act on Special Permits."

To:

"An Associate Member to the Planning Board shall be appointed by the Select Board for a term of one year, such Associate Member to act on Special Permits and Site Plans."

(Submitted by Planning Board)

2/3 Majority

ARTICLE 22. To see if the Town will vote to amend Table 2: Area Regulations and Table 3: Height and Bulk Regulations in Section VI of the Town of Millis Zoning By-Law to insert I-P-2 District to the I-P

Column shown below, or take any action relative thereto.

Table 2. Area Regulations

(See following page for notes.)

(Amended May 13, 1985) (Amended May 10, 2004) (Amended May 9, 2005)

(Amended May 8, 2006) (Amended June 14, 2010)(Amended May 12, 2014)

District	Use	Area (sq. ft.)	Base Density [1] (units per acre or FAR) (10)	Lot (2) Frontage (ft.)	Lot Depth (ft.)	Yards (3-7)		
						Front (ft.)	Side (ft.)	Rear[11] (ft.)
R-T	Any permitted principal	60,000		200	300	40	40	40

[1] Base density refers to the allowable density before any density bonus.

	structure or use							
R-S	Any permitted principal structure or use	25,000		125	200	40	20	40
R-V	1-family dwelling 2-family dwelling Multi-family dwellings	15,000 18,750 217,800 5 acres (for developments of up to 22 dwelling units) Each dwelling unit thereafter 10,000		100 125 250	150 150 400	40 40 50	15 15 50	20 20 50
R-V-C(12)	1-family dwelling 2-family dwelling	15,000 18,750	2.9 4.7	100 125 250	150 150	40 40 50	15 15 50	20 20 50

	Multi-family dwellings	217,800	5 acre minimum area and not to exceed 4 units/acre		400			
C-V	Any permitted principal structure or use	30,000	---	150	200	40	20	30
C-V-2(12)	As-of-Right Development, Commercial	30,000	0.20 (10)	150	200	40	20	30
C-V/MCEOD Millis Center Economic Opportunity District	Mixed use development under Section XIII.P	30,000		120	25	Minimum 5 to Maximum 15	0 (zero)	25
I-P/**I-P-2**	Any permitted principal structure or use	43,560 (1 acre)		200	250	40	20	30
V-B	Any permitted structure or use	90,000		150	200	50	30	30

Table 3. Height and Bulk Regulations

(Amended May 13, 1985) (Amended May 10, 2004) (Amended May 9, 2005) (Amended May 8, 2006) (Amended June 14, 2010)(Amended May 12, 2014)

(See notes)

District	Maximum Permitted Height (1) (ft.)	Maximum Permitted Height (stories)	Maximum Building Coverage of Lot[4](covered area as percent of total lot area)	Minimum net floor area per unit for multi-family use or residential unit in mixed use (sq. ft.)
R-T	35	2 ½	20	
R-S	35	2 ½	25	
R-V	35	2 ½	35	500
R-V-C	35	2 ½ /3	35 [3]	500
C-V	30	2	50	Not Permitted
C-V-2	30/35	2/3	50 [3]	500
C-V/ MCEOD	35	2 ½	50	500
I-P/**I-P-2**	45	3	40	Not permitted
V-B	35	2 ½	50	Not permitted

(Submitted by Planning Board)

2/3 Majority

ARTICLE 23. To see if the Town will vote to accept the provisions of M.G.L. Chapter 71 Section 37M and **authorize the consolidation of the facilities maintenance functions of the school committee with those of the town**, provided that such consolidation only occur upon a majority vote of the School Committee. If so accepted by the Town Meeting and School Committee. Or take any other action in relation thereto.

(Submitted by the Select Board)

Simple Majority

ARTICLE 24. 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 25. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the **Other Post-Employment Benefits (OPEB) fund**, or take any other action in relation thereto.

(Submitted by the Select Board)

Simple Majority

ARTICLE 26. 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 27. To see if the Town will vote to amend the Town of Millis Home Rule Charter, as most recently amended, as follows:

Article IV. Elections and Other Elected Offices

Section IV-2: Other Elected Offices.

By adding a new subsection h. as follows:

h. There shall be a board of water and sewer commissioners composed of three members, each elected for a term of three years, so arranged that the term of one member expires each year.

The approval of this Charter amendment is contingent upon acceptance by majority vote of the whole town at regular or special election of the town officers in accordance with the General Laws, or act in any manner related thereto.

(Submitted by Petition)

2/3 Majority

ARTICLE 28. To see if the Town will vote to amend the General Bylaws, as most recently amended, as follows:

By adding a new Article as follows:

ARTICLE XXV – BOARD OF WATER AND SEWER COMMISSIONERS

Section 1. Composition: Term of office. There shall be a Board of Water and Sewer Commissioners consisting of three (3) members, each elected by vote of the registered voters of the Town for a three (3) year term. At the next regular election after approval of the Home Rule Charter amendment, one member shall be elected for a one-year term, one member shall be elected for a two-year term, and one member shall be elected for a three-year term.

Section 2. Powers and Duties.

1. The Board of Water and Sewer Commissioners shall have exclusive charge and control of the Water Department and water systems and pursuant thereto, may establish fountains and hydrants, may take by eminent domain or acquire by purchase or otherwise the waters or any portion thereof of any pond, brook, spring, stream, or ground water sources within the limits of the Town for the purpose of establishing and/or maintaining a water supply system or a water distribution system; may hold all lands, rights of way, and other easements necessary for collecting, storing, holding, purifying thereof, and for conveying the same to any part of the Town, provided that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be used without first obtaining the advice and approval of the Department of

Environmental Protection; may regulate the use of the water and fix and collect just and equitable prices and rates; may cooperate or act jointly with any other city or town in the Commonwealth of Massachusetts in carrying out the powers and duties as herein set forth; and may make reasonable rules and regulations in connection with any of the duties and responsibilities hereinabove set forth.

2. The Board of Water and Sewer Commissioners shall have exclusive charge and control of the installation and maintenance of the sewers, sewage treatment plants and appurtenances located in the Town, and in connection with said responsibilities , shall have all the powers reasonably necessary to effectuate same, and may from time to time adopt reasonable rules and regulations.

The Board of Water and Sewer Commissioners shall have all the powers and duties given to sewer and water commissioners under the Constitution and General Laws of the Commonwealth and such additional powers and duties as may be authorized by the Home Rule Charter, by by-law, or by other vote of the Town Meeting. The Board of Water and Sewer Commissioners shall assign all work and maintenance projects to the Town Administrator or the Town Administrator's designee for performance as its Agent.

And further, amending Article V, number 27, to delete the words, "and shall be authorized to act as Water and Sewer Commissioners" and "water and sewer maintenance."

And further, amending Article V, to delete number 28. Water and Sewer Advisory Committee

(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 11th day of April in the year two thousand and twenty-two.

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