

MAY 13, 2013

**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 in the Veterans Memorial Building Gymnasium, 900 Main St., Millis, MA 02054 on the 30th day of April, AD 2013, for the election of officers, the polls to open at 7:00 a.m. and close at 8:00 p.m. Also, on Monday, the thirteenth day of May, AD 2013 at 7:30 p.m. in the Middle-Senior High School Auditorium 245 Plain St., in said Millis:

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

WARRANT ARTICLE LIST

1. Election ballot
2. Fire truck override ballot question
3. Current year additional expenses
4. Unpaid bills
5. Budget
6. Water enterprise fund
7. Sewer enterprise fund
8. Fund contract between Town and Millis Firefighters Assn.
9. Fund contract between Town and Service Employees International Union
10. Fund contract between Town and Millis Coalition of Police
11. Fund contract between Town and Millis Police Association Dispatchers
12. Fund contract between Town and Millis School Traffic Supervisors
13. Fund contract between Town and American Federation of State, County and Municipal Employees
14. Amendments to Millis Personnel Plan
15. Fund Non-union wage increases
16. Unemployment compensation
17. Audit
18. Other post employment benefits (OPEB) valuation
19. Revaluation of property values
20. Town building improvements
21. Data processing
22. Police equipment/vehicles
23. New police station & renovations to existing station for fire dept. use
24. Fire department equipment/Vehicles
25. DPW equipment/vehicles
26. Chapter 90 highway improvements
27. Town funded highway improvements
28. Sewer system improvements
29. Water system improvements
30. Stormwater management improvements
31. Lease/purchase school busses
32. School Computers
33. Clyde Brown School HVAC improvements
34. MS/HS walk in freezer
35. Curriculum and Instructional Materials
36. MS/HS window improvements
37. Purchase small school bus
38. Media Center improvements
39. Furniture replacement
40. Special needs van
41. School building repairs
42. MS/HS exhaust fans/air handlers
43. School field irrigation well
44. Community Preservation fund operations
45. Comm. Pres. Fund bandstand project
46. Board of Health appointing authority
47. Revolving funds
48. Stabilization fund
49. OPEB trust fund
50. Medical marijuana zoning bylaw
51. Zoning bylaw, refuse facility

FOR THE ELECTION BALLOT

ARTICLE 1. To choose a Moderator for one year, a Selectman for three years, a member of the School Committee for three years, a member of the Library Trustees for three years, a member of the Planning Board for five years, a member of the Board of Health for three years, and a member of the Housing Authority for five years.

ARTICLE 2. Question #1.

"Shall the Town of Millis be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued to acquire a new ladder-pumper known as a "Quint" fire truck?

_____ Yes _____ No"

FOR TOWN MEETING ACTION

ARTICLE 3. To see if the Town will vote to appropriate and raise by transfer from available funds or by transfer from the Stabilization Fund, a sum of money to meet **additional expenses** from the current fiscal year not sufficiently funded under Article 6 of the May 2012 Annual Town Meeting, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 4. To see if the Town will vote to transfer from available funds or by transfer from the Stabilization Fund, a sum of money to pay **unpaid bills** incurred by Town departments from previous fiscal years, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 5. 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 general fund and sewer and water enterprise funds, for the fiscal year beginning July 1, 2013 and ending June 30, 2014, or act in any manner relating thereto. (Submitted by Board of Selectmen)

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**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

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**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 8. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to **fund the contract between the Town of Millis and Millis Professional Firefighters Association Local 4704 effective July 1, 2013**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 9. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to **fund the contract between the Town of Millis and the Ser-**

vice Employees International Union Local 888, effective July 1, 2012, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 10. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to fund the contract between the Town of Millis and the Massachusetts Coalition of Police Local 171 effective July 1, 2013, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 11. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to fund the contract between the Town of Millis and Millis Police Association Dispatchers effective July 1, 2013, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 12. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to fund the contract between the Town of Millis and the Millis School Traffic Supervisors Association effective July 1, 2013, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 13. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to fund the contract between the Town of Millis and AF-SCME Council 93 Local 1301 effective July 1, 2013, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 14. To see if the Town will vote to adopt amendments to Schedule A-Classification Plan, Schedule B-Salary Plan, Schedule C-Employee Benefits, and Schedule D-Policies and Procedures of the Town of Millis Personnel Plan, effective July 1, 2013 or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 15. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for non-union wage increases in the fiscal year beginning July 1, 2013, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 16. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for unemployment compensation costs, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 17. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for an independent audit of all accounts of the Town, GASB 34 fixed asset maintenance, and an audit of school department accounts as required under the education reform act, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 18. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for an actuarial update of the town's unfunded post employment benefit liability as required under the education reform act, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 19. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for **revaluing properties and data collection** to allow the Town to maintain compliance with the requirements of MGL Chapter 40, section 56, or act in any manner relating thereto. (Submitted by Board of Assessors)

ARTICLE 20. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **town building improvements**; or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 21. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **data processing improvements**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 22. To see if the Town of Millis will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **Police Department equipment and/or vehicles**, and authorize the Board of Selectmen to dispose of the old equipment by trading against the purchase price of the new equipment, by outright sale, auction, or otherwise, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 23. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund or by borrowing under the provisions of M.G.L. Chapter 44, , or any other enabling authority, a sum of money for **design, construction, environmental remediation, equipping, and furnishings for a new Police Station and for renovations to the existing Police-Fire Station for Fire Department use** including the payment of all costs incidental and related thereto; and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44, Section 7 or any other enabling authority, and to authorize the Board of Selectmen to apply for any grants or loans in connection thereto and to take all actions necessary or convenient to carry out this project, provided, however, that no amounts shall be borrowed or expended hereunder unless and until the Town votes at an election to exempt from the provisions of Proposition 2 ½, so-called, the amounts required to pay for the bonds or notes therefore, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 24. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money to purchase new or used, or refurbish existing, **Fire Department equipment and/or vehicles**, including, but not limited to a new ladder-pumper known as a "Quint" fire truck, including the payment of all costs incidental and related thereto, and authorize the Board of Selectmen to dispose of the old equipment or vehicles by trading against the purchase price of the new equipment or vehicles, by outright sale, auction, or otherwise, and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44, Section (7) or any other enabling authority, and to authorize the

Board of Selectmen to apply for any grants or loans in connection thereto and to take all actions necessary to carry out this project, provided, however, that no amounts shall be borrowed or expended hereunder unless and until the Town votes at an election to exempt from the provisions of Proposition 2 ½, so-called, the amounts required to pay for the bonds or notes therefore, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 25. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money to purchase **new or used, or to refurbish, DPW equipment and/or vehicles**, and authorize the Board of Selectmen to dispose of the old equipment or vehicles by trading against the purchase price of the new equipment, by outright sale, auction, or otherwise, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 26. To see if the Town will vote to appropriate and raise by taxation, or by transfer from available funds, a sum of money for **Chapter 90 funded road resurfacing, reconstruction, drainage improvements and road maintenance**, and land or easement purchases or takings, including bridge or culvert improvements or Chapter 90 authorized equipment purchases, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 27. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **town funded road resurfacing, reconstruction, drainage improvements and road maintenance**, and land or easement purchases or takings, including bridge or culvert improvements or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 28. To see if the Town of Millis will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **sewer system improvements**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 29. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **water system improvements including, but not limited to, water main loops for improved disinfection** including the payment of all costs incidental and related thereto, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 30. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for engineering, construction, training and inspection costs necessary to comply with and implement **EPA mandated stormwater management improvements**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 31. To see if the Town will vote to authorize the School Committee to enter into a lease of school buses for a period of three or more years, and further to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for the an-

nual payment of a lease for and/or for the purchase of school buses, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 32. To see if the Town will vote to authorize the School Committee to enter into a lease of school computers for a period of three or more years, and further to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money to purchase, and/or for the annual payment of a lease purchase agreement for, **school computers**, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 33. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money **for HVAC improvements at the Clyde Brown School**, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 34. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money **to repair or replace the Middle School/High School walk in freezer**, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 35. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money **for Curriculum and Instructional Materials and Resources**, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 36. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money **for treatment of south facing windows at the Middle/High School**, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 37. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money **to purchase a small school bus**, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 38. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money **to upgrade the Middle/High School Media Center Collection**, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 39. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money **for furniture replacement**, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 40. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money to purchase a new special needs van, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 41. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, a sum of money for building repairs, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 42. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for exhaust fans and air handlers at the Middle/High school, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 43. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for a ball field irrigation well, or act in any manner relating thereto. (Submitted by School Committee)

ARTICLE 44. To see if the Town will vote to 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 committee administrative expenses, community preservation projects and/or other expenses in fiscal year 2014, with each item to be considered a separate appropriation; or act in any manner relating thereto. (Submitted by Community Preservation Committee)

ARTICLE 45. To see if the Town will vote to appropriate a sum of money from the Community Preservation Historic Resource Reserve Fund and/or the Community Preservation Fund Budgeted Reserve and/or the Undesignated Fund for the Millis Bandstand Renovations Project, or act in any manner relating thereto. (Submitted by Community Preservation Committee)

ARTICLE 46. To see if the Town will vote in accordance with M.G.L. Chapter 41, section 4A, and Chapter 268A section 21A, 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 to authorize the Town to fix the salary of such appointee, notwithstanding the provisions of MGL Chapter 43, section one hundred and eight, or act in any manner relating thereto. (Submitted by Board of Health)

ARTICLE 47. To see if the Town will vote to authorize or reauthorize, pursuant to M.G.L. Chapter 44 Section 53E 1/2, the following revolving funds:

- A. Oak Grove Farm Revolving Fund, said fund to be credited with the receipts from user fees, and the sale of bricks, under the authority of the Oak Grove Farm Commissioners, proceeds to be used for Oak Grove Farm Maintenance, such expenditures not to exceed \$15,000;

- B. Animal Control Shelter Revolving Fund, said fund to be credited with the receipts from the operation of the shelter, under the authority of the Board of Selectmen, proceeds to be used for kennel maintenance and construction costs, such expenditures not to exceed \$3000;
- C. School Department Transportation Revolving Fund, said fund to be credited with user fees from providing school bus transportation, under the authority of the School Committee, proceeds to be used for providing bus transportation to students, such expenditures not to exceed \$90,000;
- D. Fire Alarm Revolving Fund, said fund to be credited with the fees and fines relative to fire alarms, under the authority and direction of the Board of Selectmen, proceeds to be used for the costs of labor, equipment and services, to maintain the fire alarm system, such expenditures not to exceed \$10,000;
- E. Historical Commission Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authority and direction of the Historical Commission, proceeds to be used for the maintenance of historical buildings and grounds, such expenditures not to exceed \$12,000;
- F. Ambulance Department Revolving Fund, said fund to be credited with the fees generated by user fees, under the authority and direction of the Board of Selectmen, proceeds to be used to pay for ambulance expenses and billing collections, such expenses not to exceed \$20,000;
- G. Youth Commission Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authority and direction of the Board of Selectmen, proceeds to be used for youth programs, such expenditures not to exceed \$5,000;
- H. Council on Aging Transportation Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authority and direction of the Board of Selectmen, proceeds to be used for COA transportation programs, such expenditures not to exceed \$5,000;
- I. Veterans Memorial Building Custodial and Maintenance Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authority and direction of the Board of Selectmen, proceeds to be used for custodial expenses, such expenditures not to exceed \$6,000;
- J. Food Service Revolving Fund, said fund to be credited with the fees generated by user and/or inspection fees or appropriations, under the authority and discretion of the Board of Health, proceeds to be used for food service inspections, such expenditures not to exceed \$4500;
- K. Stormwater Management Revolving Fund, said fund to be credited with the fees generated by municipal stormwater connection and inspection fees or appropriations, under the authority and discretion of the Board of Selectmen, proceeds to be used for stormwater related inspections, tests, and engineering reviews, such expenditures not to exceed \$10,000;
- L. Board of Health Medical Services and Vaccination Fund, said fund to be credited with the receipts from vaccination reimbursements obtained from

federal, state and private agencies, under the authority of the Board of Health, proceeds to be used for any necessary medical services, vaccinations, or supplies, such expenditures not to exceed \$3,000;

- M. Continuing Education Revolving Fund, said fund to be credited with the receipts from users fees from continuing education classes such as drivers' education, under the authority of the School Committee, proceeds to be used for providing continuing education for students, such expenditures not to exceed \$50,000;
- N. Millis Public School Athletic Fields Revolving Fund, said fund to be credited with the receipts from fundraising for construction, renewal, and improvement of athletic fields, including but not limited to structures, equipment such as scoreboards and maintenance of the fields, under the authority of the School Committee, proceeds to be used for improvement of the Millis Public Schools athletic fields, such expenditures not to exceed \$35,000;
- O. Millis Public School Extracurricular Revolving fund, said fund to be credited with the receipts and donations from school-based extracurricular activities such as, but not limited to Dance, Drama, and Arts Performances. Funds will be used for expenses incurred by the extracurricular activities such as, but not limited to, rental of equipment, materials or costumes, purchase of items needed for performances and stipends for extracurricular instructors, such expenditures not to exceed \$8,000;
- P. Millis Public Library Special Use Fund, said fund to be credited with the fees generated by use of the public meeting rooms in the library or appropriations, under the authority and direction of the Trustees of the Library, proceeds to be used to pay staff salary for afterhours work, custodial expenses and other such expenses, not to exceed \$10,000;

or act in any manner relating thereto. (Submitted by Board of Selectmen).

ARTICLE 48. To see if the Town will vote to appropriate and raise by taxation, or by transfer from available funds, a sum of money for the **Stabilization Fund** or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 49. To see if the Town will vote to accept the provisions of M.G.L. Chapter 32B, Section 20 authorizing the establishment of an Other Post-Employment Benefits Liability Trust Fund ("OPEB Trust Fund"); to designate the Treasurer as custodian of the Fund; to transfer the balance in the OPEB Stabilization Fund to the OPEB Trust Fund; and to authorize the Treasurer, with the approval of the Board of Selectmen, to invest OPEB Trust Fund monies in the State Retiree Benefits Trust Fund and, towards this end, to authorize the Treasurer, with the approval of the Board of Selectmen, to execute and deliver an Investment Agreement with the Health Care Security Trust Board of Trustees, or act in any manner relating thereto. (Submitted by Board of Selectmen)

ARTICLE 50. To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section XX, **TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**, that would provide as follows, and further to amend the Table of Contents to add Section XX, "Temporary Moratorium on Medical Marijuana Treatment Centers:"

A. PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town of Millis and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

B. DEFINITION

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

C. TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses; or take any action relative thereto. (Submitted by Planning Board)

ARTICLE 51. To see if the Town will vote to amend the Millis Zoning By-law, Section II, Definitions, by inserting the word "only" as follows:

- Refuse Facility with a Site Assignment - This shall include only a "facility" as defined under G.L. c.111, §150A and that has a "site assignment" under G.L. c.111, §150A.

- Refuse Facility without a Site Assignment - This shall include only a "facility" as defined under G.L. c.111, §150A, but which does not have a "site assignment" under G.L. c.111, §150A.;

or act in any manner relating thereto. (Submitted by Planning 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 25th day of March in the Year of Our Lord two thousand and thirteen.

**TOWN OF MILLIS
BOARD OF SELECTMEN**

Donald A. Hendon, Chairman

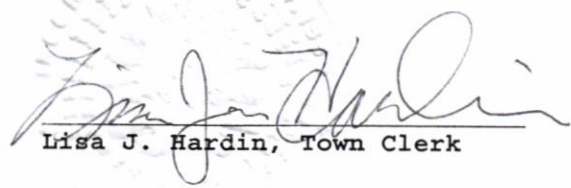


Charles V. Vecchi, Vice-Chairman



Andrea J. Wagner, Clerk

A True Copy, Attest



Lisa J. Hardin, Town Clerk

*Helen B Kubacki
Constable
Town of Millis
March 27, 2013*