

**TOWN OF MILLIS
NOVEMBER 3, 2014 FALL ANNUAL TOWN MEETING WARRANT
MOTIONS**

OPENING MOTIONS

Pledge of Allegiance

Opening Comments (Moderator, Finance Committee Chairman)

Opening Motions

(James McCaffrey) Moderator recognizes Finance Committee Chairperson

(Susan Vecchi) I move that the reading of the warrant and return of service thereof be omitted

(Peter Jurmain) Second

Discussion

Vote

(James McCaffrey) Moderator recognizes Finance Committee Chairperson

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

Second (Peter Jurmain)

Discussion

Vote

ARTICLE 1. To see if the Town will vote to appropriate and raise by taxation or by transfer from available funds or by transfer from the Stabilization Fund a sum of money for unpaid bills, or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to appropriate and raise by transfer from free cash the sum of \$9881.82 for unpaid bills from previous fiscal years as follows:

DEPARTMENT	VENDOR	AMOUNT
Police	Doucette's Two Way Radio	\$ 36.25
Police	Imperial Ford	\$ 696.70
Police	Imperial Ford	\$ 208.48
Police	Imperial Ford	\$ 126.75
Police	Rocky's	\$ 79.45
Police	Rocky's	\$ 5.65
Police	Rocky's	\$ 8.37
Police	Rocky's	\$ 44.45
Police	Rocky's	\$ 15.16
Police	Rocky's	\$ 4.49
Police	Rocky's	\$ 6.78
Police	Rocky's	\$ 9.97
Police	Poland Spring	\$ 59.59
Police	MCI	\$ 49.57
Police	Northeast Wisconsin Tech College	\$ 175.00
Conservation Commission	Gatehouse Media	\$ 85.79
Treasurer	Kopelman & Paige	\$ 105.00
Treasurer	US Bank	\$ 300.00
Selectmen	Home Depot	\$ 43.24
Selectmen	Home Depot	\$ 69.71
Selectmen	NSTAR	\$ 2,796.95
Selectmen	Independent Piping	\$ 175.00
Selectmen	MCI	\$ 80.22
Selectmen	Direct Energy	\$ 11.32
Selectmen	Direct Energy	\$ 35.37
Selectmen	Canon Solutions	\$ 53.90
Selectmen	James Walker	\$ 45.58
Assessor	Stephanie Bravaco	\$ 150.00
Assessor	Larry Bouret	\$ 150.00

Assessor	David O'Brien	\$ 150.00
School	Millis DPW	\$ 4,068.08
Building Department	Tim Costello	\$ 35.00

\$ 9,881.82

Craig Schultze

4/5 vote

ARTICLE 2. 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 and implement the cost items of the first year of a collective bargaining agreement between the Town of Millis and the Millis School Traffic Supervisors Association beginning July 1, 2104 and ending June 30, 2015**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to raise and appropriate from taxation the sum of \$700 for funding and implementing the cost items for the first year of a collective bargaining agreement between the Town of Millis and the Millis School Traffic Supervisors Association.

Craig Schultze

ARTICLE 3. To see if the Town will vote to transfer the care, custody, maintenance and control of the land described as follows;

A portion of the right of way of Farm St. near the intersection of Main St., Pleasant St., and Farm St, described in a Plan Entitled “ _____ (insert plan Title, date, Note RLS, and insert bounds description)

owned by the Town and currently under the care, custody, maintenance and control of the Board of Selectmen for the purpose for which it is currently held, to the Board of Selectmen for the purpose of disposition by lease or of a fee or lesser interest therein, and further to authorize the Board of Selectmen to dispose of such interest in or enter into such a lease or leases, for all or a portion of the land as described above, for such purposes and upon such terms and conditions, and for a period in excess of three years as the Board of Selectmen shall determine to be in the best interest of the Town; and to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate the purposes of this article; or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to transfer the care, custody, maintenance and control of the land described as,

A portion of the right of way of Farm St. near the intersection of Main St., Pleasant St., and Farm St, described in a Plan Entitled “Plan of Land 1098 Main St. Millis, Massachusetts” dated October 3, 2014 drawn by Richard W. Reid, Jr., and further described as “A parcel of land, located on the Northerly sideline of Farm Street, in the Town of Millis, County of Norfolk, the Commonwealth of Massachusetts, and being bounded and described as follows:

S 46° 12'54" E	a distance of 21.00 feet to a point, thence running
S 43° 47'06" W	a distance of 150.00 feet to a point, thence running
N 89° 18'27" W	a distance of 29.13 feet to a point, thence running
N 44° 04'51" E	a distance of 52.90 feet to a point, thence running
N 43° 47'06" E	a distance of 117.00 feet to the point of beginning,

containing an area of 3363+/- square feet and is shown as described as Parcel “A” on the above described plan and is subject to and benefit of any easements, rights of way, restrictions, reservations, or other limitations of deed.”

Said parcel is owned by the Town and currently under the care, custody, maintenance and control of the Board of Selectmen for the purpose for which it is currently held, to be transferred to the Board of Selectmen for the purpose of disposition by lease or of a fee or lesser interest therein, and further to authorize the Board of Selectmen to dispose of such interest in or enter into such a lease or leases, for all or a portion of the land as described above, for such purposes and upon such terms and conditions, and for a period in excess of three years as the Board of Selectmen shall determine to be in the best interest of the Town; and to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate the purposes of this article.

Peter Jurmain

2/3 vote

ARTICLE 4. 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 new Police Cruiser or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to appropriate and raise by transfer from Free Cash the sum of \$36,575.00 for a new Police Cruiser.

Peter Jurmain

ARTICLE 5. To see if the Town see if the Town will vote to amend the vote taken under Article 14 of the May 12, 2014 Annual Town Meeting relative to the Operating Budget, by changing line #8 Debt Service, and by changing revenue sources by adding Overly Surplus, Taxation, Free Cash , Stabilization Fund or other available funds as funding sources therefor, or take any action relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to amend the vote taken under Article 14 of the May 12, 2014 Annual Town Meeting, Operating Budget Line #8, Debt Service, by appropriating and raising by taxation the additional sum of \$11,211.81, thereby changing the original appropriation of \$1,038,946.28 to \$1,050,158.09.

Peter Jurmain

ARTICLE 6. 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 settlement of claims made and filed through mediation by BW Construction Incorporated relative to the costs of building and equipping the new Millis Public Library, or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that Article 6 be dismissed.

Craig Schultze

ARTICLE 7. 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 design, permitting, construction and inspection of a **sewer extension project** and including the payment of all costs and expenses incidental and related thereto, on Village St. from Pinehouse Rd. to the Medway Town Line, Pleasant St., Dyer St., Acorn St., Himmelfarb St., Farm St. and Blueberry Lane, and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, such lands or permanent or temporary easements as may be required for such purposes, including but not limited to the fee or easements, and to authorize the Board of Selectmen to assess by the uniform unit method, 80% of the project costs by sewer betterments therefore, on lots including those shown, but not limited to, on Assessors map 39, parcels 4, 5, 6, 7, 8, 9, 10, 11, 12, 48, 38, 22, 42, 40, 41, 70, 29, 23, 47, 44, 62, 63, 64, 65, 66, 67, 45, 46, 24, and map 40, parcels 144, 128, 150, 151, 163, 162, 161, 160, 159, 166, 17, 18, 21, 16, 130, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 135, 167, 22, 174, 20, 180, 178, 179, 19, and map 41 parcels 89, 88, 13, 3, 30, 4, 5, 76, 83, 12, 11, 10, 87, 86, 9, and map 42 parcels 25, 9, 10, 22, 11, 12, 13, 14, 15, 16, 17, 18, 19, 7, 8, 24, 25 and map 43 parcels 11 and 52, as shown on a map on file with the Board of Selectmen entitled "Town of Millis Sewer Study Area C" which may be viewed during normal business hours, at the Selectmen's office 900 Main St., Millis, MA 02054 Monday 8:30 AM – 7:00 PM, Tuesday through Thursday 8:30 AM – 4:00 PM and Friday 8:30 AM to 12:30 PM; or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to raise and appropriate by borrowing the sum of \$3,660,000.00 under the provisions of M.G.L. Chapter 44, Section 8, or any other enabling authority, for design, permitting, construction and inspection of a sewer extension project and including the payment of all costs and expenses incidental and related thereto, on Village St. from Pinehouse Rd. to the Medway Town Line, Pleasant St., Dyer St., Acorn St., Himmelfarb St., Farm St. and Blueberry Lane, and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, such lands or permanent or temporary easements as may be required for such purposes, including but not limited to the fee or easement in said lands, and to authorize the Board of Selectmen pursuant to M.G.L. Chapter 80 or Chapter 83 to assess by the uniform unit method, 80% of the project costs by sewer betterments therefore, on lots including those shown, but not limited to, on Assessors map 39, parcels 4, 5, 6, 7, 8, 9, 10, 11, 12, 48, 38, 22, 42, 40, 41, 70, 29, 23, 47, 44, 62, 63, 64, 65, 66, 67, 45, 46, 24, and map 40, parcels 144, 128, 150, 151, 163, 162, 161, 160, 159, 166, 17, 18, 21, 16, 130, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 135, 167, 22, 174, 20, 180, 178, 179, 19, and map 41 parcels 89, 88, 13, 3, 30, 4, 5, 76, 83, 12, 11, 10, 87, 86, 9, and map 42 parcels 25, 9, 10, 22, 11, 12, 13, 14, 15, 16, 17, 18, 19, 7, 8, 24, 25 and map 43 parcels 11 and 52, and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under Chapter 44 Section (8) or any other enabling authority and to authorize the Board of Selectmen to apply for and accept grants or loans in connection thereto and to take all actions necessary to carry out this project.

Jim Smith

2/3 vote

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, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for the design, permitting, construction and inspection of **the replacement of the Water St. Sewer Pump Station and repair or replacement of the force main associated with said pump station**, including the payment of all costs and expenses related thereto, or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to raise and appropriate by borrowing under the sum of \$720,500.00 for the design, permitting, construction and inspection of the replacement of the Water St. Sewer Pump Station and repairs or replacement of the force main associated with said pump station, including the payment of all costs incidental and related thereto, of which \$100,000.00 shall be by transfer from Sewer Surplus, and \$620,500.00 shall be by borrowing under M.G.L. Chapter 44 Section 8, and to authorize the Treasurer, with the approval of the Selectmen, to borrow said funds under M.G.L. Chapter 44 section 8, or any other enabling authority, and to authorize the Board of Selectmen to apply for grants or loans in connection thereto, and to take all action necessary to carry out this project.

Jim Smith

2/3 vote

ARTICLE 9. 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 local road maintenance or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to raise and appropriate by transfer from available funds the sum of \$36,043.00 from the Daniels St. Paving Account for local road maintenance.

Thomas Krimmel

ARTICLE 10. 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 rehabilitation of the Farm St. Water Tank, including the payment of all costs and expenses incidental and related thereto, or act in any manner relating thereto.
(Submitted by Board of Selectmen)

I move that the town do vote to raise and appropriate the sum of \$888,000.00 for the painting and rehabilitation of the Farm St. water storage tank including the payment of all costs incidental and related thereto, of which \$250,000.00 shall be by transfer from Water Surplus, and of which \$638,000.00 shall be by borrowing under M.G.L. Chapter 44 section 8, and to authorize the Treasurer, with the approval of the Selectmen, to borrow said funds under M.G.L. Chapter 44 section 8, or any other enabling authority, and to authorize the Board of Selectmen to apply for grants or loans in connection thereto, and to take all action necessary to carry out this project.

Thomas Krimmel

2/3 vote

ARTICLE 11. 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 heart defibrillators or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to raise and appropriate the sum of \$37,138.00 for heart defibrillators, of which \$10,600.00 shall be by taxation and \$26,538.00 shall be by transfer from free cash.

Richard Molloy

ARTICLE 12. 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)

I move that the town do vote to raise and appropriate by transfer from free cash the sum of \$50,000.00 for the Stabilization Fund.

Richard Molloy

2/3 vote

ARTICLE 13. 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 equipment and services, or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to raise and appropriate from taxation the sum of \$8,575.00 for data processing equipment and services.

Jody Garzon

ARTICLE 14. To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, a sum of money for eliminating deficits in certain special revenue, grant or revolving accounts of the Town or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that Article 14 be dismissed.

Jody Garzon

ARTICLE 15. To see if the Town will vote to consolidate the revolving funds listed under Article 51 of the May 2014 Annual Town Meeting, paragraph J. Board of Health Medical Services and Vaccinations Fund and paragraph L. Board of Health Flu Clinic/Program into a Board of Health Flu Clinic, Medical Service and Vaccination Fund, pursuant to M.G.L. Chapter 44 Section 53E ½, said fund to be credited with the receipts from vaccination reimbursements obtained from federal, state and private agencies, program users, and insurance companies, 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 \$9,000; and to transfer the balance of existing funds in each revolving fund into the consolidated fund, or act in any manner relating thereto.
(Submitted by Board of Health)

I move that the town do vote to consolidate the revolving funds listed under Article 51 of the May 2014 Annual Town Meeting, paragraph J. Board of Health Medical Services and Vaccinations Fund and paragraph L. Board of Health Flu Clinic/Program into a Board of Health Flu Clinic, Medical Service and Vaccination Fund, pursuant to M.G.L. Chapter 44 Section 53E ½, said fund to be credited with the receipts from vaccination reimbursements obtained from federal, state and private agencies, program users, and insurance companies, 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 \$9,000; and to transfer the balance of \$14,546.91 from the existing revolving funds to the consolidated fund.

Jody Garzon

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

I move that the town do vote to appropriate and raise the sum of \$1,750.00 from taxation for an Other Post Benefit Employment (OPEB) actuarial study required under Government Accounting Standards Board (GASB) Standard 45.

Susan Vecchi

ARTICLE 17. 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 legislation a sum of money for a new special needs van, or act in any manner relating thereto. (Submitted by School Committee)

I move that the town do vote to raise and appropriate by transfer from free cash the sum of \$23,000.00 for a new school department special needs van.

Susan Vecchi

ARTICLE 18. 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 improvements to school and town athletic fields and appurtenances, including all costs and expenses incidental and related thereto; said sums appropriated by taxation shall be contingent upon the approval by the voters of an override of Proposition 2 ½ so-called, or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that article 18 be dismissed.

Susan Vecchi

ARTICLE 19. 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 legislation a sum of money to fund the settlement of a grievance filed by The Millis Police Association and approved by the Millis Board of Selectmen relative to payments for overtime, or act in any manner relating thereto. (Submitted by Board of Selectmen)

I move that the town do vote to appropriate and raise by transfer from free cash the sum of \$725.00 to fund the settlement of a grievance from a previous fiscal year filed by The Millis Police Association and approved by the Millis Board of Selectmen.

Doug Riley

4/5 vote

ARTICLE 20. To see if the Town will vote to amend its Zoning Bylaw by Amending Section V – Use Regulations Table 1. Use Regulations, Agricultural #5 by inserting before the word "poultry" the following phrase: "five or more" such that the Use as amended shall state: "5. Noncommercial raising and keeping of livestock, horses, and five or more poultry" and by amending Accessory Use #16 by deleting "Accessory building for keeping of livestock, horses, or poultry (non-commercial). Provided that they are not housed or penned within 40 feet of property line" and replacing with the following new Use #16: "Accessory building for keeping of livestock, horses, or five or more poultry (non-commercial). Provided that the livestock and horses are not housed or penned within 40 feet of property line and provided that the five or more poultry are not housed within 10 feet of property line," and;

Amending Section II Definitions - the definition of Agriculture to state "the keeping and raising of five or more poultry" before the word "poultry", and amend Section IX, paragraphs B.1, B.2 and B.3 to insert the words "five or more" before the word "poultry" as it appears in these sections,

or to take any other action relative thereto. (Submitted by Planning Board)

I move that the town do vote to amend its Zoning Bylaw as outlined in Article 20.

Or

I move that the town do vote to amend its Zoning Bylaw by Amending Section V – Use Regulations Table 1. Use Regulations, Agricultural #5 by inserting before the word "poultry" the following phrase: "eleven or more" such that the Use as amended shall state: "5. Noncommercial raising and keeping of livestock, horses, and five or more poultry" and by amending Accessory Use #16 by deleting "Accessory building for keeping of livestock, horses, or poultry (non-commercial). Provided that they are not housed or penned within 40 feet of property line" and replacing with the following new Use #16: "Accessory building for keeping of livestock, horses, or eleven or more poultry (non-commercial). Provided that the livestock and horses are not housed or penned within 40 feet of property line and provided that the eleven or more poultry are not housed within 10 feet of property line," and;

Amending Section II Definitions - the definition of Agriculture to state "the keeping and raising of eleven or more poultry" before the word "poultry", and amend Section IX, paragraphs B.1, B.2 and B.3 to insert the words "eleven or more" before the word "poultry" as it appears in these sections.

DougRiley

2/3 vote

Ending motion:

(Susan Vecchi) Mr. Moderator, (wait for recognition) I move to adjourn

(Peter Jurmain) Second

Vote