

TOWN OF MILLIS  
SPRING ANNUAL TOWN MEETING  
MONDAY, JUNE 8, 2015

The Spring Annual Business Meeting of the Town of Millis was held on Monday, June 8, 2015, in the George C. Roy Auditorium of the Millis Middle/ High School and was called to order by the Moderator, Paul R. Jacobsen, at 7:37 p.m.

The Town Warrant calling this business meeting was signed on May 18, 2015, by Selectmen Christopher J. Smith, James G. Neville, and James J. McCaffrey and was posted on May 20, 2015, by Helen R. Kubacki, Constable, in accordance with the by-laws of the Town of Millis.

Voting List Inspectors:	Joanne Gannon Susanne Locklin Christine McCaffrey Janet McCarron Carole McColl Mary Skilling Mary Walsh
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Tellers appointed and sworn in by the Moderator for the auditorium:	Donna Cabibbo Craig Gibbons Judith O'Gara
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Before commencing with the business of the meeting, the Moderator asked everyone present to join in pledging allegiance to the Flag.

Mr. Jacobsen introduced Douglas Forbes, Local Coordinator, Region II, Massachusetts Emergency Management Agency (MEMA) for a special presentation.

Herman "Buz" Downing is retiring as our Local Emergency Management Committee Co-Director. He has served the Town of Millis for over 60 years as part of the emergency management team. Mr. Forbes read a proclamation and presented a plaque from MEMA recognizing Buz for his many years of service.

Mr. Jacobsen then recognized Christopher J. Smith, Chairman, Board of Selectmen. Mr. Smith informed Town Meeting members that the Board of Selectmen at an open public meeting on June 8, 2015, unanimously voted to rename the current Emergency Operations Center, the "Herman 'Buz' Downing Emergency Operations Center". Mr. Smith conveyed thanks and congratulations on behalf of the Board of Selectmen and the Town of Millis. Town Meeting members acknowledged Buz's contribution to the community with a standing ovation.

The Moderator then made opening remarks concerning the forty-five business articles to be acted upon this evening. Officials elected and appointed to various Boards and Committees, the Town Administrator, and the Superintendent of Schools all prepare budgets and article requests. These

budgets and articles are presented to the Finance Committee which hears all the information. The Finance Committee, whose members are appointed by the Moderator, then makes recommendations to the citizens of Millis through the Finance Committee report and at Town Meeting itself. Town Meeting members present tonight will make the final decision on these budgets and articles.

The Moderator then gave a brief description of the procedures to be followed this evening. A simple majority vote is required for most articles. This will be done through a voice vote. A standing vote count will be taken should there be any question of the voice vote. It will be clearly stated when a two-thirds or four-fifths majority vote is required. Procedural issues such as: Main Motion and Amendment, Moving the Question, Point of Order, Standing Count, and Reconsideration of Articles were explained by the Moderator.

Mr. McCaffrey introduced Susan Vecchi, Chairman, Millis Finance Committee, for opening remarks. Ms. Vecchi introduced members of the Finance Committee, as follows: Peter Jurmain, Richard Molloy, Craig Schultze, Tom Krimmel, Jim Smith, Jodie Garzon, Doug Riley and Jerry Nunnaley.

Ms. Vecchi then described procedures followed this year. The budget again is very tight. Many articles requested by various departments have not been put on the warrant. Due to insufficient funds, many well-deserving articles are on the warrant, but are being recommended for dismissal. The Finance Committee will present an overview of each article and its recommendation. Town Meeting members will have the final determination on each article.

Motion was made by Susan Vecchi and seconded that the reading of the Warrant and return of service thereof be omitted and it was Voted.

Motion was made by Susan Vecchi and seconded that the Moderator be granted unanimous consent to omit the reading of the articles and to refer to them by number and subject matter and it was Voted.

**ARTICLE 1.** 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.

VOTED UNANIMOUSLY (4/5 VOTE REQUIRED) that the town transfer the sum of \$1,117.27 from Free Cash for unpaid bills from a previous fiscal year as follows:

DEPARTMENT	VENDOR	AMOUNT	
Selectmen	Patricia Volpicelli	\$ 629.40	Med-B-2013 Refund
Selectmen	American Legion Post 208	\$ 280.80	2014 Expenses
Selectmen	Verizon	\$ 63.95	4/26/2012 Invoice
Council on Aging	Carol Lafreniere	\$ 143.12	FY2014 RetroPay

**ARTICLE 2.** To see if the Town will vote to transfer from available funds or by transfer from the Stabilization Fund, a sum of money for **additional wages or expenses** not sufficiently

funded under Article 14, **Operating Budget**, of the May 2014 Annual Town Meeting; or act in any manner relating thereto.

VOTED UNANIMOUSLY (2/3 VOTE REQUIRED) that the town transfer the sum of \$277,000.00 from the Stabilization fund for snow & ice wages & expenses not sufficiently funded under Article 14, Line # 5-DPW budget, thereby increasing line #5 from \$923,713.30 to \$1,200,713.30 .

**ARTICLE 3.** To see if the Town will vote to transfer from available funds or by transfer from the Water Fund a sum of money for **additional wages or expenses** not sufficiently funded under Article 15, **Water Enterprise Fund**, of the May 2014 Annual Town Meeting; or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise the sum of \$17,000.00 for FY15 water department wages and expenses not sufficiently funded under Article 15 of the May 2014 Annual Town Meeting of which \$6,872.00 shall be from encumbered funds account #6100058-540000, and of which \$10,128.00 shall be from water surplus.

**ARTICLE 4.** To see if the Town will vote to transfer from available funds or by transfer from the Sewer Fund a sum of money for **additional wages or expenses** not sufficiently funded under Article 16, **Sewer Enterprise Fund**, of the May 2014 Annual Town Meeting; or act in any manner relating thereto.

The Finance Committee recommends dismissal since no appropriation is required.

VOTED UNANIMOUSLY that Article 4 be dismissed.

**ARTICLE 5.** 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, 2015, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town amend the town of Millis Personnel Plan, Schedule A – Classification Plan, by deleting the position of Fire Chief from Grade 16 and inserting in place thereof the position of Deputy DPW Director/Chief of Operations, and by deleting the position of Assistant DPW Director from Grade 15, and by deleting the existing Social Networking Policy in Schedule D - Policies and Procedures, and by inserting in place thereof a new Social Media Policy as included in the Finance Committee Report.

**(See Following Pages for Personnel Plan)**

### PROPOSED **Social Media Policy**

The Town of Millis understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. It is also a tool that may be used to communicate more effectively with residents about town services. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you

in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to anyone who is employed by the Town of Millis.

### **Guidelines**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social net-working or affinity web site, web bulletin board or chat room, whether or not employed or affiliated with the Town of Millis, as well as any other form of electronic communication.

The same principles and guidelines found in the Town of Millis personnel policies apply to your activities online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects people who work on behalf of the Town of Millis may result in disciplinary action up to and including termination.

### **Know and Follow the Rules**

Carefully read these guidelines, the Town of Millis Conduct Policy, State Ethics Law, and the Town of Millis Discrimination and Harassment Prevention Policy to ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be Respectful**

Always be fair and courteous to fellow employees, residents, vendors, or people who work or volunteer on behalf of the Town of Millis. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage others, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or town policy.

### **Be Honest and Accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Town of Millis, fellow employees, residents, vendors, or people who work or volunteer on behalf of the Town of Millis.

### **Post Only Appropriate and Respectful Content**

- Maintain the confidentiality of The Town of Millis' private or confidential information. Do not post internal reports, policies, procedures or other internal confidential information.
- Do not create a link from your blog, website or other social networking site to the Town of Millis website without identifying yourself as an employee of the Town of Millis.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Town of Millis. If the Town of Millis is a subject in the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Town of Millis, fellow employees, residents, or companies working on behalf of the town. If you do publish a blog or post online related to the work you do or subjects associated with the Town of Millis, make it clear that you are not speaking on behalf of the Town of Millis. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the Town of Millis".

### **Using Social Media at Work**

Social media may not be used while on work time or on equipment we provide unless it is work-related as authorized by your department head and is consistent with the Town Telecommunications Systems Policy. Do not use the Town of Millis email to register on social networks, blogs or other online tools utilized for personal use.

### **Retaliation is Prohibited**

The Town of Millis prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Media Contacts**

Employees should not speak to the media on the Town of Millis' behalf without first contacting your department head.

**ARTICLE 6.** 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, 2015, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise by taxation the sum of \$1,289.49 for non-union wage increases in the fiscal year beginning July 1, 2015.

**ARTICLE 7.** 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 **first year cost items** contained in the contract between the Town of Millis and the Service Employees International Union Local 888 effective July 1, 2015, or act in any manner relating thereto.

The Finance Committee recommends dismissal since the contract has not been finalized.

VOTED UNANIMOUSLY that Article 7 be dismissed.

**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 **first year cost items** contained in the contract between the Town of Millis and Professional Firefighters of Millis Local 4704 effective July 1, 2015, or act in any manner relating thereto.

The Finance Committee recommends dismissal since no appropriation is required.

VOTED UNANIMOUSLY that Article 8 be dismissed.

**ARTICLE 9.** 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, 2015 and ending June 30, 2016**, or act in any manner relating thereto.

PASSED BY MAJORITY VOTE, TWO IN OPPOSITION that the town fix the compensation of elected officers and to appropriate and raise by taxation and by transfer from indicated fund the following amounts to defray charges and expenses to the Town, including debt and interest, and for a reserve fund for the general fund and sewer and water enterprise funds, for the fiscal year beginning July 1, 2015 and ending June 30, 2016 as shown on Table 2 attached hereto:

From taxation	\$25,407,695.38
From Free Cash	62,394.73
From the ambulance fund	265,000.00
From Perpetual Care Interest	385.00
From the sale of cemetery lots	13,000.00
From cell tower revenue	33,400.00
From existing appropriations	\$43,937.00 as shown below
From Aggregate Industries Rent Deposit	1,059.05
From Septic Betterments	13,410.00
From Toth Road Bond	4,762.93
From Ridge Farm Estates Road Bond	975.88
From Bond Premium	34,161.37
From transfer from the Water Enterprise Fund	206,686.65
From transfer from the Sewer Enterprise Fund	157,568.40

Existing	Appropriations		
0112159-591538	Article	VMB Repairs-VMB Roof	\$23,045.00
0112159-591540	Article	GIS System	\$614.41
0112159-591558	Article	Rehab VMB Exterior Design	\$1,017.47
0112958-540000	Encumbrance	Selectmen Encumbrance	\$90.17
0115158-540000	Encumbrance	Legal Encumbrance	\$2,341.91
0119858-540000	Encumbrance	Town Building	\$1,100.00
0121059-590012	Article	Police Vehicle	\$1,196.03
0122059-590005	Article	Fire Equipment Turnout/Radio	\$5,000.00
0122059-591564	Article	Defibrillators	\$500.00

0142258-540000	Encumbrance	Highway	\$6,204.86
0142458-540000	Encumbrance	Street Lighting	\$1,679.29
0143958-540000	Encumbrance	Transfer Station	\$971.59
0161058-540000	Encumbrance	Library	\$176.27

**(See following pages for Operating Budget)**

**ARTICLE 10.** 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** for the period beginning July 1, 2015 and ending June 30, 2016, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the Town appropriate the following sums for the Water Enterprise Fund:

Salaries/Wages	\$294,685.05
Expenses	\$363,300.93
Debt	<u>\$332,761.51</u>
Total	\$990,747.49

And that \$990,747.49 be raised as follows:

Water Department Receipts	\$990,747.49
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**ARTICLE 11.** 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** for the period beginning July 1, 2015 and ending June 30, 2016,, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the Town appropriate the following sums for the Sewer Enterprise Fund:

Salaries/Wages	\$222,834.16
Expenses	\$579,151.52
Debt	<u>\$366,792.25</u>
Total	\$1,168,777.93

And that \$1,168,777.93 be raised as follows:

Sewer Department Receipts	\$892,990.43
Transfer From Sewer Betterment	<u>\$275,787.50</u>
Total	\$1,168,777.93

**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 **improvements to Veterans Monuments**, or act in any manner relating thereto.

MOTION made and seconded that the town do vote to appropriate and raise by transfer from Free Cash the sum of \$21,000.00 for improvements to Veterans Monuments. Discussion ensued relative to the funding source. The Community Preservation Fund was proposed as an alternative funding source for Fall Town Meeting.

MOTION FAILED BY STANDING COUNT—(YES-42, NO-42)

**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 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.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from Free Cash the sum of \$35,000.00 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.

**ARTICLE 14.** 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 benefits**, or act in any manner relating thereto.

The Finance Committee recommends dismissal since no appropriation is required.

VOTED UNANIMOUSLY that Article 14 be dismissed.

**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 or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for a Fire Department **advanced life support (paramedic) training** initiative; or act in any manner relating thereto.

The Finance Committee recommends dismissal due to insufficient funds.

PASSED BY MAJORITY VOTE that Article 15 be dismissed.

**ARTICLE 16.** 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 **town building improvements** including all costs incidental and relating thereto, or act in any manner relating thereto.

PASSED BY MAJORITY VOTE that the town appropriate and raise by transfer from Free Cash the sum of \$37,810.00 for town building improvements including, but not limited to, \$18,200.00 for an investigation of roof leaks at the Millis DPW building, \$4,110.00 for flooring improvements at the Millis Council on Aging office and program area, and \$15,500.00 for design of a new security window at the Treasurer's office, including all costs relating and incidental thereto.

**ARTICLE 17.** 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 to **purchase streetlights** or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from Free Cash the sum of \$11,134.00 for purchase of streetlights.

**ARTICLE 18.** 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, road maintenance, and equipment and land or easement purchases or takings, including bridge or culvert improvements, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer of Chapter 90 funds the sum of \$413,742.00 for road resurfacing, reconstruction, drainage improvements, road maintenance, and equipment and land or easement purchases or takings, including bridge or culvert improvements.

**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 authority, a sum of money for **municipal separate storm sewer system (MS4 stormwater) expenses**, or act in any manner relating thereto.

PASSED BY STANDING COUNT—(YES-40, NO-34) that the town raise and appropriate by transfer from Free Cash the sum of \$21,500.00 for municipal separate storm sewer system (MS4 stormwater) expenses.

**ARTICLE 20.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, 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** and operations and maintenance plans including the payment of all costs incidental and relating thereto, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise by sewer receipts the sum of \$26,220.00 for sewer system improvements and operations and maintenance plans including the payment of all costs incidental and relating thereto.

**ARTICLE 21.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **well building improvements** including all costs incidental and relating thereto, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from water surplus the sum of \$10,000.00 for well building improvements.

**ARTICLE 22.** 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, a water system valve improvement program, including the payment of all costs incidental and related thereto, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from water surplus the sum of \$24,000.00 for water system improvements including, but not limited to, a water system valve improvement program, and all costs incidental and related thereto.

**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 **water system improvements** including, but not limited to, replacement of the water main and appurtenances on Ross Ave., including the payment of all costs incidental and related thereto, or act in any manner relating thereto.

VOTED UNANIMOUSLY (2/3 VOTE REQUIRED) that the town appropriate and raise by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, the sum of \$230,000.00 for water system improvements including, but not limited to, replacement of the water main and appurtenances on Ross Ave., and 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 M.G.L. Chapter 44, Section 8, 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.

**ARTICLE 24.** 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 a **Regional Energy Manager** and to authorize the Board of Selectmen to apply for and accept grants therefore, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town raise and appropriate by transfer from free Cash the sum of \$18,196.50 for a Regional Energy Manager and to authorize the Board of Selectmen to apply for and accept grants therefore.

**ARTICLE 25.** 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 to purchase new voting machines or act in any manner relating thereto.

MOTION made and seconded that Article 25 be dismissed.

AMENDMENT by the Board of Selectmen that the town raise and appropriate by transfer from Free Cash the sum of \$20,000.00 to purchase new **voting machines** was made and seconded. Discussion ensued relative to the funding source. Funds have become available due to the dismissal of Article 12. AMENDMENT PASSED BY MAJORITY VOTE.

MAIN MOTION PASSED BY MAJORITY VOTE that the town raise and appropriate by transfer from Free Cash the sum of \$20,000.00 to purchase new voting machines.

**ARTICLE 26.** 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 annual payment of a lease for and/or for the purchase of school buses, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from Free Cash the sum of \$79,000.00 for the annual payment of a lease for and/or for the purchase of school buses.

**ARTICLE 27.** 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, or by transfer from the Stabilization Fund, 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.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from Free Cash the sum of \$70,000.00 to purchase, and/or for the annual payment of a lease purchase agreement for school computers.

**ARTICLE 28.** 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 **Medicaid/Medicare Reimbursement Services**, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from Free Cash the sum of \$5,000.00 for Medicaid/Medicare Reimbursement Services.

**ARTICLE 29.** 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 to **replace school library carpeting**, or act in any manner relating thereto.

The Finance Committee recommends dismissal due to insufficient funds.

VOTED UNANIMOUSLY that Article 29 be dismissed.

**ARTICLE 30.** 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 purchase a school **special needs van** or act in any manner relating thereto.

The Finance Committee recommends dismissal due to insufficient funds.

VOTED UNANIMOUSLY that Article 30 be dismissed.

**ARTICLE 31.** 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 **school furniture** or act in any manner relating thereto.

The Finance Committee recommends dismissal due to insufficient funds.

VOTED UNANIMOUSLY that Article 31 be dismissed.

**ARTICLE 32.** 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 **replace school science, fitness, and computer equipment** or act in any manner relating thereto.

The Finance Committee recommends dismissal due to insufficient funds.

VOTED UNANIMOUSLY that Article 32 be dismissed.

**ARTICLE 33.** 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 purchase resources including but not limited to books and materials to **improve the Library collection** at the Middle/High School, or act in any manner relating thereto.

The Finance Committee recommends dismissal due to insufficient funds.

VOTED UNANIMOUSLY that Article 33 be dismissed.

**ARTICLE 34.** 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 revise and **update the Public School Website** or act in any manner relating thereto.

The Finance Committee recommends dismissal due to insufficient funds.

VOTED UNANIMOUSLY that Article 34 be dismissed.

**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 to make repairs or replace the Middle School/High School **auditorium lights** including all costs incidental and relating thereto, or act in any manner relating thereto.

The Finance Committee recommends dismissal due to insufficient funds.

VOTED UNANIMOUSLY that Article 35 be dismissed.

**ARTICLE 36.** 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 M.G.L Chapter 43, Section 108, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the Town 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 fix the salary of such appointee at \$0 dollars, notwithstanding the provisions of M.G.L Chapter 43, Section 108.

**ARTICLE 37.** 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 2016, with each item to be considered a separate appropriation; or act in any manner relating thereto.

Moderator Paul Jacobsen informed Town Meeting members the Community Preservation Committee, at an open public hearing held on Thursday, March 5, 2015, voted unanimously to recommend approval of this article.

VOTED UNANIMOUSLY that the Town appropriate and reserve from the Community Preservation Fund 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 2016, with each item to be considered a separate appropriation as follows:

Appropriations:

From 2016 estimated revenues for Committee Administrative Expenses	\$ 8,211.00
From Undesignated Fund Balance for Debt Principal & Interest	\$84,245.67

Reserves:

From FY 2016 estimated revenues from Historic Resources Reserve	\$16,421.00
From FY 2016 estimated revenues for Community Housing Reserve	\$16,421.00
From FY 2016 estimated revenues for Open Space Reserve	\$16,421.00
From FY 2016 estimated revenues for Budgeted Reserve	\$80,000.00

**ARTICLE 38.** 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 **town quilt glazing project**, or act in any manner relating thereto.

Moderator Paul Jacobsen informed Town Meeting members the Community Preservation Committee, at an open public hearing held on Thursday, November 6, 2014, voted unanimously to recommend approval of this article.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from the Community Preservation Historic Resources/Preservation Fund the sum of \$5,000.00 for the town quilt glazing project.

**ARTICLE 39.** To see if the Town will vote to authorize the Board of Selectmen to acquire by gift a **permanent easement** to use for general municipal purposes, including but not limited to recreation or drainage purposes, a portion of a parcel of land located on Spring Street, shown on Assessor's Map #23, Parcel #22, said portion adjacent to the Clyde Brown School field and further 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.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from Free Cash the sum of \$1.00 and authorize the Board of Selectmen to acquire by gift a permanent easement to use for general municipal purposes, including but not limited to recreation or drainage purposes, a portion of a parcel of land located on Spring Street, shown on Assessor's Map #23, Parcel #22, said portion adjacent to the Clyde Brown School field and further 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.

**ARTICLE 40.** To see if the town will vote to **rescind** all or a portion of the **borrowing authority** originally voted under the following:

Article 3 of the November 3, 2013 Fall Annual Town Meeting - Cedar Street sewer project  
Article 32 of the May 12, 2014 Annual Town meeting – Village Street Sewer project  
Article 24 of the May 13, 2013 Annual Town Meeting – purchase of Quint Fire Truck;  
or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town rescind all of the remaining borrowing authority originally voted under the following articles:

Article 3 of the November 3, 2013 Fall Annual Town Meeting - Cedar Street sewer project  
(\$391,000.00)

Article 32 of the May 12, 2014 Annual Town meeting – Village Street Sewer project  
(\$28,000.00)

Article 24 of the May 13, 2013 Annual Town Meeting – purchase of Quint Fire Truck  
(\$15,000.00)

**ARTICLE 41.** 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 \$35,000;

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. Fire Alarm Revolving Fund, said fund to be credited with the fees and fines relative to fire alarms, under the authority 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;

D. Historical Commission Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authority of the Historical Commission, proceeds to be used for the maintenance of historical buildings and grounds, such expenditures not to exceed \$12,000;

E. Ambulance Department Revolving Fund, said fund to be credited with the fees generated by user fees, under the authority of the Board of Selectmen, proceeds to be used to pay for ambulance expenses

F. Council on Aging Transportation Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authority of the Board of Selectmen, proceeds to be used for COA transportation programs, such expenditures not to exceed \$5,000;

G. 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 of the Board of Selectmen, proceeds to be used for custodial expenses, such expenditures not to exceed \$6,000;

H. Food Service Revolving Fund, said fund to be credited with the fees generated by user and/or inspection fees or appropriations, under the authority of the Board of Health, proceeds to be used for food service inspections, such expenditures not to exceed \$4500;

I. 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 of the Board of Selectmen, proceeds to be used for stormwater related inspections, tests, and engineering reviews, such expenditures not to exceed \$10,000;

J. 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 \$6,000;

K. Board of Health Rabies Clinic/Program, said fund to be credited with the receipts from vaccinations obtained from owners of animals 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 \$2,500;

L. Continuing Education Revolving Fund, said fund to be credited with the receipts from user 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;

M. 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;

N. 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;

O. 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 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.

VOTED UNANIMOUSLY that the town authorize or reauthorize, pursuant to M.G.L. Chapter 44, Section 53E 1/2, the revolving funds outlined in Article 41.

**ARTICLE 42.** To see if the town will vote to amend the Zoning Bylaws, as most recently amended, by amending the various sections identified herein as follows, or to take any other action related thereto:

By amending Section V, Use Regulations, Table 1, Use Regulations, by inserting a new Principal Use #20 for “**Large-Scale Ground-Mounted Solar Photovoltaic Installations with Rated Nameplate Capacity of 250 kW DC or more**” under the heading “Wholesale, Transportation & Industrial” and by inserting in the columns for the various Zoning Districts that such use is allowed by right, by special permit or prohibited as follows:

	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
20. Large-Scale Ground-Mounted Solar Photovoltaic Installations with Rated Nameplate Capacity of 250 kW DC or more.	N	N	N	N	N	N	N	P	P

**Section XXI - Large-Scale Ground-Mounted Solar Photovoltaic Installations**

**1. Purpose:**

The purpose of this Bylaw is to promote the creation of new Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of Large-Scale Ground-Mounted Solar Photovoltaic Installations.

**2. Applicability:**

This section applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

The provisions set forth in this Section shall apply to the construction, operation and/or repair of Large-Scale Ground-Mounted Solar Photovoltaic Installations with a Rated Nameplate Capacity of 250 kW DC or more.

**3. Definitions:**

The following definitions shall apply:

**As-of-Right Siting:** As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-right development may be subject to site plan review to determine conformance with local

zoning bylaws. Projects cannot be prohibited, but can be reasonably regulated by the Building Inspector and the Planning Board.

***Building Permit:*** A construction permit issued by an authorized building inspector; the building permit evidences that the project is consistent with the state and federal building codes as well as local zoning bylaws, including those governing ground-mounted large-scale solar photovoltaic installations.

***Designated Location:*** The location(s) designated herein where Large-Scale Ground-Mounted Solar Photovoltaic Installations with a Rated Nameplate Capacity of 250 kW or more may be sited As-of-Right in the I-P and I-P-2 Districts as shown on the Town of Millis zoning maps.

***Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI):*** A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a Rated Nameplate Capacity of 250 kW DC or more.

***Rated Nameplate Capacity:*** The maximum rated output of electric power production of the photovoltaic system in Direct Current (DC).

***Site Plan Review:*** Review by the Site Plan Review Authority Planning Board to determine conformance with local zoning bylaws.

***Solar Photovoltaic Array:*** An arrangement of solar photovoltaic panels.

***Zoning Enforcement Authority:*** The Building Inspector.

#### **4. General Requirements for all Large-Scale Ground-Mounted Solar Power Generation Installations:**

The following requirements are common to all LGSPI to be sited in designated locations in Millis.

**Compliance with Laws, By-Laws and Regulations:** The construction and operation of all LGSPI shall be consistent with all applicable local, state and federal requirements including, but not limited to, all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a LGSPI shall be constructed in accordance with the State Building Code.

**Building Permit and Building Inspection:** No LGSPI shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

**Fees:** The applications for a Site Plan Review, a Building Permit, and any other permits related to a LGSPI must be accompanied by the required fees.

#### **5. Site Plan Review:**

LGSPI shall undergo site plan review prior to construction, installation or modification as provided in this section.

General: All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

Required Documents:

An application for LSGPI site plan shall include the following documents:

- (a) A site plan showing:
  - i. Property lines and physical features, including roads, for the project site;
  - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
  - iii. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures; and
  - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
  - v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
  - vi. Name, address, and contact information for proposed system installer;
  - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any; and
  - viii. The name, contact information and signature of any agents representing the project proponent.
  
- (b) Documentation of actual or prospective access and control of the project site (see also Section entitled "Site Control");
  
- (c) An operation and maintenance plan (see also Section entitled "Operation and Maintenance Plan");
  
- (d) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
  
- (e) Proof of liability insurance;
  
- (f) A public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan review notification procedures and otherwise inform abutters and the community; and
  
- (g) Description of financial surety plan.

The Planning Board may waive documentary requirements for good cause.

Upon receipt of an application for site plan approval of a LGSPI, the Planning Board may engage, at the applicant's cost, professional and technical consultants, including legal counsel, to assist the Board with its review of the application in accordance with the requirements of Section 53G of Chapter 44 of the Massachusetts General Laws. The Planning Board may direct the applicant to deposit funds with the Planning Board for such review at the time the application is accepted, and add additional funds as needed upon notice. Failure to comply with this section shall be good grounds for denying the application. Upon approval of the application, any excess amount in the account attributable to the project, including any interest accrued, shall be repaid to the applicant.

**6. Site Control:**

The applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

**7. Operation & Maintenance Plan:**

The applicant shall submit a plan for the operation and maintenance of the LGSPI, which shall include measures for maintaining safe access to the installation, stormwater controls, vegetation controls, as well as general procedures for operational maintenance of the installation.

**8. Utility Notification:**

No LGSPI shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the LGSPI's owner or operator's intent to install an interconnected customer-owned generator; as well as documentation from said utility that they can and will connect the proposed customer-owned (owned by an entity other than the utility company) generator into their power grid.

**9. Dimension and Density Requirements:**

The following dimensional and density requirements shall apply to all LGSPI.

Setbacks:

For large-scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:

- (a) Front yard: The front yard depth shall be at least 40 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
- (b) Side yard: Each side yard shall have a depth at least 20 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the side yard shall not be less than 50 feet.
- (c) Rear yard: The rear yard depth shall be at least 30 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the rear yard shall not be less than 50 feet.

Appurtenant Structures: All appurtenant structures to LGSPI shall be subject to reasonable

regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures including, but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, appurtenant structures should be shielded from view and/or joined or clustered to avoid adverse visual impacts.

#### **10. Design Standards:**

The following design standards shall apply to all LGSPI.

Lighting: Lighting of LGSPI shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

Signage: A sign consistent with the Town's Zoning By-Law Section VII shall be required to identify the owner and operator of the LGSPI and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the LGSPI.

Utility Connections: Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the LGSPI underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

Screening: LGSPI and appurtenant structures shall be adequately screened with vegetation or behind other existing structures from view from public ways and neighboring properties.

Where LGSPI abut residential uses, there must be increased consideration for mitigating visual impact to the residential use. For example, the Planning Board may require items such as increased setbacks, visual screening or sound buffering in the Site Plan Review.

Where installation panels could pose sun glare to abutting properties or roadways, additional screening or other public safety measures may be considered.

When vegetation is used, where possible, a diversity of plant species shall be used, with a preference for species native to New England and this region. Use of plants listed in the most recent version of the "Massachusetts Prohibited Plant List" maintained by the Massachusetts Department of Agricultural Resources (or the then equivalent document) is prohibited.

Fencing: Where deemed necessary, fencing may be required as part of the Site Plan Review process.

#### **11. Safety and Environmental Standards:**

The following safety and environmental standards shall apply to all LGSPI.

Emergency Services: The LGSPI owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Millis Fire Chief. Upon request the owner or operator shall cooperate with Millis emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall provide the Town with the contact information for a responsible person for public inquiries throughout the life of the installation.

Land Clearing, Soil Erosion and Habitat Impacts: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the LGSPI or otherwise prescribed by applicable laws, regulations, and bylaws.

### **12. Monitoring and Maintenance:**

Solar Photovoltaic Installation Conditions: The LGSPI's owner or operator shall maintain the facility and access road(s) in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Millis Fire Chief.

Modifications: All material modifications to an LGSPI made after issuance of the required building permit shall require approval by the Planning Board. In determining whether a modification is material, the Planning Board shall consider the scope of the proposed modification in relation to the approved LGSPI.

### **13. Abandonment or Decommissioning:**

Removal Requirements: Any LGSPI, which has reached the end of its useful life or has been abandoned, shall be removed by the owner or operator no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all LGSPI structures, equipment, security barriers and transmission lines from the site;
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.; and
- (c) Stabilization and re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

Abandonment: Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the LGSPI shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the LGSPI fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may, to the extent it is otherwise duly authorized by law, enter the property and physically remove the installation.

Financial Surety: Proponents of LGSPI projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, in conformance with the removal requirements (a) (b) and (c) of this section, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

**14. Liability Insurance:**

The owner or operator of an LGSPI shall provide the Town Clerk with a certificate of insurance showing that the property has a minimum of one million dollars in liability coverage, and that the Town of Millis is an additional named insured thereon. Such a certificate shall be supplied on an annual basis upon the renewal of said insurance policy;

or act in any manner relating thereto.

MOTION was made and seconded that the town amend the Zoning Bylaw as outlined in Article 42.

Moderator Paul Jacobsen informed Town Meeting members the Millis Planning Board, at an open public hearing held on Tuesday, April 14, 2015, voted unanimously to recommend approval of this article.

The Moderator also referred to a handout distributed to Town Meeting members which correctly showed corrected Table 1 which had been misprinted in the Finance Committee report.

AMENDMENT to change Section V Use Regulations, Table 1, Principal Use #20 to allow Large-Scale Ground-Mounted Solar Photovoltaic Installations in zoning districts R-T, R-S, R-V, R-V-C, C-V, C-V-2, and V-B with a Special Permit from the Planning Board was made by a Town Meeting member and seconded. A significant amount of discussion ensued.

MOTION to MOVE THE QUESTION was made, seconded, and VOTED UNANIMOUSLY.

AMENDMENT FAILED by VOICE VOTE with a few in opposition. (MAJORITY VOTE REQUIRED)

MAIN MOTION PASSED AS WRITTEN BY STANDING COUNT, YES—61, NO—4 (2/3 VOTE REQUIRED)

**ARTICLE 43.** To see if the town will vote to amend its General Bylaws, as most recently amended, by **amending Article XXII, Domesticated Fowl or Rabbit Regulations**, as noted below,

- a) By amending Section 4, Registration & Inspections, by deleting the following paragraph, as it currently appears, in its entirety:

“Except as provided for below, as part of every application made under these regulations, an applicant shall provide a copy of a certified abutter’s list obtained from the Assessors and written notice of his/her intent to raise or keep domesticated fowl or rabbits, to be sent by the Health Director to parties in interest in the manner set forth in M.G.L. Ch. 40A, Section 11. The notice shall fully and accurately describe the location and the proposed number and type of animals, as well as all associated structures and facilities. This notice shall also indicate that abutters have the right to file with the Health Director written comments in support of or objecting to the application, and shall indicate the deadlines, as set forth below, for submission of comments.”

- b) By amending Section 4, Registration & Inspections, by inserting the following new language after the second paragraph:

“Applicants shall provide, at their own expense, a copy of a certified abutter’s list obtained from the Assessors identifying each direct abutter to the property for which the application is filed, along with the applicant’s written notice of his/her intent to raise or keep domesticated fowl or rabbits. At the applicant’s expense, the Health Director shall send, by certified mail, written notice of the application to the abutters identified by the Assessors, which notice shall fully and accurately describe the location and the proposed number and type of animals, as well as all associated structures and facilities. This notice shall also indicate that direct abutters have the right to file with the Health Director written comments in support of or objecting to the application, and shall indicate the deadlines, as set forth below, for submission of comments.”

- c) By amending Section 4, Registration & Inspections, by deleting the following paragraph, as it currently appears, in its entirety:

“No certified abutter’s list, nor any notice to abutters, nor an administrative hearing, shall be required in those instances where a special permit will also be required under the Town’s Zoning Bylaw for the keeping or raising of animals subject to an application under this bylaw.”

- d) By amending Section 6, Administrative Hearing, by deleting the following language as it currently appears in the first sentence:

“Where no special permit will be required under Millis’ zoning for the keeping or raising of animals for which application is also being made under this Article.”

- e) By amending Section 6, Administrative Hearing, by deleting the last sentence as it currently appears and replacing it with the following sentence:

“The Health Director shall give written notice of the time and place of the hearing, not less than seven (7) days prior to the hearing, to the applicant by certified mail, to abutters by certified mail, and by posting with the Town Clerk.”

or take any other action relative thereto.

MOTION was made and seconded that the Town amend the General Bylaws as outlined in Article 43.

AMENDMENT was made by a Town Meeting member to delete the words “by certified mail,” in paragraph “b” before “written notice” and in the last paragraph after “to abutters” and to insert “by certificate of mailing” in each place and it was seconded. Notice to applicant “by certified mail” will remain. Discussion ensued.

AMENDMENT PASSED UNANIMOUSLY.

MAIN MOTION AS AMENDED PASSED UNANIMOUSLY.

**ARTICLE 44.** To see if the Town will vote to amend the Zoning Bylaws, as most recently amended, by amending the section identified herein as follows:

Table 1 – Use Regulations: by **amending Accessory Use #16**, by deleting the words “or penned” and inserting the following new language, “Any fenced-in area shall be allowed up to the property line,” such that the bylaw, as amended, shall state “Accessory building for keeping of livestock, horses or poultry (non-commercial). Provided that they are not housed within 40 feet of property line. Any fenced-in area shall be allowed up to the property line,” and appear as follows within the Table:

Principal Uses	Residential				Commercial			Industrial	
	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
<b>ACCESSORY USES</b>									
16. Accessory building for keeping of livestock, horses or poultry (non-commercial). Provided that they are not housed within 40 feet of property line. Any fenced-in area shall be allowed up to the property line.	SBA	SBA	SBA	N	N	N	N	N	N

or to take any other action related thereto.

Moderator Paul Jacobsen informed Town Meeting members the Millis Planning Board, at an open public hearing held on Tuesday, April 14, 2015, voted unanimously to recommend approval of this article.

VOTED UNANIMOUSLY (2/3 VOTE REQUIRED) that the town amend the Zoning Bylaws as outlined in Article 44.

**ARTICLE 45.** To see if the Town will vote to amend the Zoning Bylaws, as most recently amended, by **amending the various sections** identified herein as follows:

1. Section II – Definitions: by amending the definition of “Agriculture” by inserting after the word “poultry” the phrase “as a commercial enterprise” and by inserting before the word “swine” the phrase “the keeping and raising of”, such that this segment of the definition as amended shall read: “the keeping and raising of poultry as a commercial enterprise, the keeping and raising of swine, cattle and other domesticated animals used for food purposes”;
2. Table 1 - Use Regulations: by amending Agricultural Use #5 by deleting the words "and poultry" and inserting the word “and” before the word “horses”;
3. Table 1 – Use Regulations: by amending Accessory Use #16 by deleting the words “or poultry” and inserting the word “and” before the word “horses”;
4. Table 1 – Use Regulations: by inserting a new Accessory Use #16A, “Non-commercial raising and keeping of poultry”, and by inserting in the columns for the various Zoning Districts that such use is allowed by right, by special permit or prohibited as follows:

Principal Uses	Residential				Commercial			Industrial	
	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
<b>ACCESSORY USES</b>									
16A. Non-commercial raising and keeping of poultry	P	P	P	N	P	P	P	P	P

5. Table 1 – Use Regulations: by inserting a new Accessory Use #16B, “Accessory building for keeping and raising of non-commercial poultry, provided that they are not housed within 10 feet of a property line. Any fenced-in area shall be allowed up to the property line.” And further, by inserting in the columns for the various Zoning Districts that such use is allowed by right, by special permit or prohibited as follows:

Principal Uses	Residential				Commercial			Industrial	
	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
<b>ACCESSORY USES</b>									
16B. Accessory building for keeping and raising of non-commercial poultry, provided that they are not housed within 10 feet of a property line. Any fenced-in area shall be allowed up to the property line.	P	P	P	N	P	P	P	P	P

or to take any other action related thereto.

Moderator Paul Jacobsen informed Town Meeting members the Millis Planning Board, at an open public hearing held on Tuesday, April 14, 2015, voted unanimously to recommend approval of this article.

VOTED UNANIMOUSLY (2/3 VOTE REQUIRED) that the town amend the zoning bylaw as outlined in Article 45.

Motion made by Susan Vecchi, Chairman, Finance Committee, which was seconded, to adjourn the meeting.

VOTED UNANIMOUSLY to adjourn sine die at 11:20 p.m., the business of the Warrant having been completed.

Lisa Jane Hardin  
Millis Town Clerk