

TOWN OF MILLIS
FALL ANNUAL TOWN MEETING
MONDAY, NOVEMBER 3, 2014

The Fall Annual Business Meeting of the Town of Millis was held on Monday, November 3, 2014, in the George C. Roy Auditorium of the Millis Middle/ High School and was called to order by the Moderator, James J. McCaffrey, at 7:42 p.m.

The Town Warrant calling this business meeting was signed on October 6, 2014, by Selectmen Andrea J. Wagner, Christopher J. Smith, and James G. Neville and was posted on October 15, 2014, by Helen R. Kubacki, Constable, in accordance with the by-laws of the Town of Millis.

Voting List Inspectors:

- Susan Ferzoco
- Joanne Gannon
- Susanne Locklin
- Christine McCaffrey
- Janet McCarron
- Carole McColl
- Mary Walsh

Tellers appointed and sworn in by the Moderator for the auditorium:

- Nathan Maltinsky
- Richard Manburg
- Robert Orsi

Before commencing with the business of the meeting, the Moderator asked everyone present to join in pledging allegiance to the Flag.

Mr. McCaffrey made remarks concerning the impact of Town Meeting on every aspect of the Town of Millis. What each Town Meeting votes determines the future of the community. The Moderator was pleased to have 366 townspeople in attendance to vote on tonight's articles.

The Moderator noted the passing of Thomas Menino, long time Mayor of Boston and huge advocate for the Commonwealth of Massachusetts and its people. Town Meeting members rose for a moment of silence for Mayor Menino whose funeral was celebrated today.

Mr. McCaffrey recognized Kenneth (Alex) McColl on his retirement after 32 years of service to the Town of Millis. Alex worked for the School Department, as an On-Call Firefighter, and as a member of the Department of Public Works for the last 25 years. His pride in his work and devotion to the community was particularly evident as he was responsible for the plowing and

sanding of the largest route in the Town. Town Meeting members gave a large ovation in appreciation of Mr. McColl's service.

Mr. McCaffrey noted the need for members for various committees within the community, most notably a vacancy on the Finance Committee. This committee meets weekly prior to each Town Meeting to hear budgets and articles. Interested parties should contact the Moderator.

The Moderator then made opening remarks concerning the twenty 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 submit article requests. These 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 articles.

The Moderator then gave a brief description of the procedures to be followed this evening. The articles will be considered in the order presented. All discussion will be directed through the Moderator. A member of the Finance Committee will make the initial motion which will be seconded. The Finance Committee member will then present the rationale for approval or dismissal. Discussion will then be open to Town Meeting members. Each member must be recognized by the Moderator before speaking. The Moderator will then call for a vote. 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 and reiterated that another member is needed for this valuable committee.

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 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.

VOTED UNANIMOUSLY, (4/5 VOTE REQUIRED) that the town 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
		\$ 9881.82

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, 2014 and ending June 30, 2015**, or act in any manner relating thereto.

VOTED UNANIMOUSLY that the town 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.

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 “Plan of Land, 1098 Main Street, Millis, Massachusetts (Norfolk County)” dated October 3, 2014, drawn by Richard W. Reid, Jr., P.L.S., on file in the office of the Board of Selectmen, shown as Parcel “A” and further described as follows:

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:

Beginning at a point on the northerly sideline of Farm Street, at the northeasterly corner of the easement herein described, said point being S 43° 47’ 06” W, a distance of 33.00 feet from the point of curvature of Pleasant Street intersection; thence running

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.

The above described parcel contains an area of 3363+/-s.f. and is more particularly shown and described as Parcel “A” on a plan entitled: “Plan of Land,” 1098 Main Street, Millis, Massachusetts (Norfolk County), Date: October 3, 2014, Scale 1”=20’, Prepared for: Juliani Labadini Property LLC, Prepared by: Engineering Design Consultants, Inc.

Subject to and benefit of any easements, rights-of-way, restrictions, reservations, or other limitations of record; 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.

VOTED UNANIMOUSLY, (2/3 VOTE REQUIRED), that the town 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:

Beginning at a point on the northerly sideline of Farm St., at the northeasterly corner of the easement herein described, said point being S 43° 47' 06" W, a distance of 33.00 feet from the point of curvature of Pleasant Street intersection; thence running

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.

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.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from Free Cash the sum of \$36,575.00 for a new Police Cruiser, and authorize the Board of Selectmen to dispose of the old vehicle by trading against the purchase price of the new vehicle, by outright sale, auction, or otherwise, and that the proceeds received from such disposal be applied to the purchase price.

ARTICLE 5. To 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 Overlay Surplus, Taxation, Free Cash,

Stabilization Fund or other available funds as funding sources therefore, or take any action relating thereto.

VOTED UNANIMOUSLY that the town 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.

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.

VOTED UNANIMOUSLY that Article 6 be dismissed.

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.

Motion made and seconded to correct reading of: “Map 4” to “Map 41”.

VOTED UNANIMOUSLY to make correction, so motion reads, “Map 41”.

Discussion ensued relative to “betterment” and “hook-up” costs as well as timeliness and necessity of the project.

Motion was made and seconded to “Lay on the Table” this article and revisit it at a different time.

PASSED BY STANDING COUNT, YES—310, NO—15, MOTION TO LAY ON THE TABLE

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.

VOTED UNANIMOUSLY, (2/3 VOTES REQUIRED), that the town raise and appropriate 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.

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.

VOTED UNANIMOUSLY that the town raise and appropriate by transfer from available funds the sum of \$36,043.00 from the Daniels St. Paving Account for local road maintenance.

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.

VOTED UNANIMOUSLY, (2/3 VOTE REQUIRED), that the town 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.

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.

VOTED UNANIMOUSLY that the town 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.

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.

VOTED UNANIMOUSLY, (2/3 VOTE REQUIRED), that the town raise and appropriate by transfer from free cash the sum of \$50,000.00 for the Stabilization Fund.

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.

VOTED BY STANDING COUNT, YES—82, NO—209, MOTION FAILED TO PASS.

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.

VOTED UNANIMOUSLY that Article 14 be dismissed.

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.

VOTED UNANIMOUSLY that the town 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.

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.

VOTED UNANIMOUSLY that the town 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.

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.

VOTED UNANIMOUSLY that the town raise and appropriate by transfer from free cash the sum of \$23,000.00 for a new school department special needs van.

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.

Extensive discussion followed with both those in favor and those opposed being heard. Motion was made and seconded to cut off debate.

PASSED BY STANDING COUNT, YES—296, NO—41, MOTION TO CUT OFF DEBATE.

VOTED BY STANDING COUNT, YES—215, NO—122, that Article 18 be dismissed.

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.

VOTED UNANIMOUSLY that the town appropriate and raise by transfer from free cash the sum of \$725.00 to fund the settlement of a grievance filed by the Millis Police Association and approved by the Millis Board of Selectmen.

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, para-graphs 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.

VOTED UNANIMOUSLY that Article 20 be dismissed.

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

VOTED UNANIMOUSLY to adjourn sine die at 9:55 p.m., the business of the Warrant having been completed.

Lisa Jane Hardin
Millis Town Clerk