



## **WARRANT**

**2019**

### **FALL ANNUAL TOWN MEETING**

### **TOWN OF MILLIS COMMONWEALTH OF MASSACHUSETTS**

**NORFOLK, SS.**

**GREETING:**

To either of the Constables of the Town of Millis in said county, in the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Millis qualified to vote in elections and in town affairs, to meet on Monday, the fourth day of November, AD 2019 at 7:30 p.m. in the Middle-Senior High School Auditorium in said Millis:

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

WARRANT INSTRUCTIONS

OPENING MOTIONS

Pledge of Allegiance

Opening Comments (Moderator, Finance Committee Chairperson)

Opening Motions

(Erin Underhill) Moderator recognizes Finance Committee Chairperson

(Fin Com Chair) I move that the reading of the warrant and return of service thereof be omitted

(Fin Com Vice Chair) Second

Discussion

Vote

(Erin Underhill) Moderator recognizes Finance Committee Chairperson

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

Second (Fin Com Vice Chair)

Discussion

Vote

## **FALL 2019 TOWN MEETING ARTICLE LIST**

- 1. Plastic Bag Reduction Bylaw**
- 2. Unpaid Bills (\$1,422.43)**
- 3. Operational Items**
- 4. Capital Items**
- 5. Change of Name from “Board of Selectmen” to “Select Board”**
- 6. Zoning Bylaw Amendment Municipal Facilities Overlay & Zoning Map**
- 7. Zoning Bylaw Amendment Senior Residential Community Development Age Qualifications**

# TOWN OF MILLIS

## NOVEMBER 4, 2019 FALL ANNUAL TOWN MEETING WARRANT

**ARTICLE 1.** To see if the Town will vote to amend the Town's General Bylaws by adding a PLASTIC BAG REDUCTION BYLAW at Section \_\_\_\_.

Section \_\_\_\_ - Plastic Bag Reduction

### Purpose of Intent

The Purpose of this Bylaw is to eliminate the usage of thin-film single-use plastic bags by all retail stores in the Town of Millis and to promote the use of reusable bags.

The Town is committed to protecting the environment and the public health, safety and welfare of its citizens. This Bylaw will help reduce the common use of plastic checkout bags and encourage the use of reusable bags by consumers, thereby reducing local land and aquatic pollution, which add to the potential death of marine and other wildlife through ingestion and entanglement; clogging of storm drainage systems; impeding of solid waste reduction; increased litter around Millis streets, parks, public places and local waterways.

### Definitions

1. Check out bag - Any bag that is provided at the point of sale to a customer by an establishment for use to transport or carry away purchased items, including but not limited to merchandise, goods and/or food.
2. Enforcing Authority - Millis Board of Health
3. Recyclable Paper Bag - A paper bag that is:
  - a. 100 percent recyclable, including any handles
  - b. contains at least 40% post-consumer recycled paper content; and
  - c. displays the words "recyclable" (or a suitable symbol indicating that the bag is recyclable) and "made from 40% post-consumer recycled content" (or other applicable amount) in a visible manner on the outside of the bag.
4. Retail Establishment - Any retail operation located in the Town which sells goods, food or provides personal services to the public, including restaurants.
5. Reusable checkout bag - A bag with or without handles specifically designed for multiple reuse; and is either made of cloth or machine washable fabric or made of durable, non-toxic plastic generally considered a food-grade material. A Reusable checkout bag may not be constructed of polyethylene or polyvinyl chloride.
6. Thin-film single use plastic bag - typically with plastic handles and a thickness of 2.5 mils or less and are intended for single-use transport of purchased products.

### Use Regulation

Single use plastic bags shall not be distributed, used or sold for checkout or other purposes at any Retail Establishment within the Town of Millis on or after July 1, 2020.

If a Retail Establishment provides or sells checkout bags to customers, the bags must be one of the following:

1. Recyclable paper bags, or
2. Reusable checkout bags

Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail or grocery stores are strongly encouraged to make Reusable checkout bags available either at no cost or for sale to customers at a reasonable price.

Thin-film, single-use plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, may be distributed, used or sold at any retail or grocery store.

Effective Date: This Bylaw shall take effect six (6) months following approval of the Bylaw by the Attorney General or July 1, 2020, whichever is later.

**Enforcement Process**

This Bylaw will be enforced by the Board of Health through non-criminal disposition.

Any retailer distributing plastic checkout bags in violation of the Bylaw shall be subject to a non-criminal disposition fine as defined below. Any such fines shall be paid to the Town of Millis.

**Violation of the Bylaw**

1st offense	Warning
2nd offense	\$50
3rd	\$100
and subsequent offenses	
(Submitted by Select Board)	

**ARTICLE 2.** To see if the Town will vote to appropriate and raise by taxation, or by transfer from available funds the sum of **\$1,422.43** for unpaid bills, or act in any manner relating thereto.

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>AMOUNT</u>
Building Dept	Inspectors 06/2019 Mileage Reimbursement	\$ 228.98
Town Buildings	Town of Millis (Gasoline)	\$ 151.56
Select Board	Gatehouse Media Advertisement	\$ 62.72
Dept of Public Works	Williams Scotsman	\$ 45.00
<b>GENERAL FUND UNPAID BILLS</b>		<b>\$ 488.26</b>

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>AMOUNT</u>
Dept of Public Works	Williams Scotsman	\$ 45.00

**SEWER ENTERPRISE UNPAID BILLS            \$ 45.00**

DEPARTMENT	VENDOR	AMOUNT
Dept of Public Works	Williams Scotsman	\$ 45.00
Select Board	Eversource Encumbrance Fund	\$844.17

**WATER ENTERPRISE UNPAID BILLS            \$ 889.17**

**TOTAL UNPAID BILLS                            \$1,422.43**

(Submitted by Select Board)

**ARTICLE 3.** To see if the Town will vote to appropriate and raise by taxation, or by transfer from available funds a sum of money for additional wages or expenses not sufficiently funded under Article 4, Operating Budget, of the May 13, 2019 Annual Town Meeting, or act in any manner relating thereto.

Study to Combine Town/School IS & Facilities Maintenance	\$ 20,000
Replace Motor for Fire Engine 2	\$ 27,679
Police Academy Training Wages	\$ 60,000
Tree Trimming/Removal	\$ 50,000
OPEB/Actuarial Study	<u>\$ 7,000</u>
Total	\$164,679

(Submitted by Select Board)

**ARTICLE 4.** To see if the Town will vote to appropriate and raise by taxation, or transfer from available funds, the sum of **\$472,000** to fund the following capital items:

Department	Item	Amount
Police	New Patrol Vehicle	\$ 46,000
Fire	Scott Air packs & Bottles	\$ 30,000
DPW	Intersection Safety Signs	\$ 13,000
DPW	Main Street Road Repairs	\$ 200,000
DPW	Engineering Study for Village and Birch Streets	
	Street Drainage Design	\$ 38,000
School	MS/HS Repair Main Boiler System	\$ 25,000
School	MS/HS Engineering Study for Roof &	
	Mechanical System	\$ 100,000
School	MS/HS Locker Replacement Phase 2	<u>\$ 20,000</u>
	<b>Total</b>	<b>\$ 472,000</b>

Or act in any manner relating thereto.

(Submitted by Select Board)

**ARTICLE 5.** To see if the Town will vote, pursuant to Article V, Section V-1 of the Millis Home Rule Charter:

- (A.) An amendment to Article II of the Millis Home Rule Charter, Executive Branch by deleting Section III-1 and Section III-2 and by substituting therefore the following:

**Section III-1 Select Board: Composition**

The executive power of the town shall be vested in the select board consisting of three members; each elected by vote of the registered voters of the town for a three-year term. The terms shall be so arranged that the term of one member expires each year.

**Section III-2: Select Board: Powers, Duties**

The select board shall have the power to enact rules and regulations establishing town policies, not otherwise governed by by-law, by this Charter, or by statute, provided, however, that whenever an appropriation may be necessary to implement such action, the vote of the select board shall only be effective if such appropriation is made by the town meeting as provided in Article II. The select board shall have and possess all other powers it is possible for the select board to hold under the general laws of the Commonwealth which are not specifically assigned to some other person or agency under this Charter or by special act of the legislature. It is the intention of this section that the select board shall control the direction of town affairs by establishing policies and by making recommendations to the town meeting for action required to be taken by that body.

- (B.) An amendment to Article III of the Millis Home Rule Charter by substituting the term "Select Board" for the terms "Board of Selectmen" or "selectmen" each time either term appears in Sections III-3, III-4, and III-5.

- (C.) An amendment to Articles II and V of the Millis Home Rule Charter by substituting the term "select board" for the terms "board of selectmen" or "selectmen" each time either term appears in said Articles.

- (D.) An amendment to Article II of the Millis Home Rule Charter by substituting the term "the moderator" for the term "he" in the third sentence of Section II-7.

The approval of this charter amendment is contingent upon acceptance by majority vote at a regular or special election of the Town, or act in any manner related thereto.

(Submitted by Select Board)

**ARTICLE 6.** 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:

Senior Residential Community Development Bylaw: Age Qualification Amendments

Section XVII Senior Residential Community Development, D. Age Qualifications of the Zoning Bylaws of the Town of Millis by deleting:

D. Age Qualifications

All SRC dwelling units shall be subject to an age restriction described in a deed, deed rider, restrictive covenant, or other document approved by the Planning Board that shall be recorded at the Registry of Deeds or Land Court. The age restriction shall limit dwelling units to occupancy by seniors, age fifty-five (55) or older, or their spouses of any age; and provide for time-limited guest visitation rights in the range of three months per year. The restriction, if the Planning Board so approves and specifies in its Special Permit, may authorize special exceptions that allow persons of all ages to live in a dwelling unit together with a senior resident for purposes such as care of a senior in ill health or enabling seniors to fulfill legal responsibilities of guardianship or custody. The Special Permit including the age restriction shall run with the land in perpetuity and shall be enforceable by any owner(s) of SRC dwelling units. In the event of the death of the qualifying owner/occupant(s) of a dwelling unit, or foreclosure or other involuntary transfer of a unit within the SRC, a two-year exemption to the restriction shall be allowed for the transfer of the unit to another eligible occupant.

and by substituting therefore the following new language:

D. Age Qualifications

All SRC dwelling units shall be subject to an age restriction described in a deed, deed rider, restrictive covenant, or other document approved by the Planning Board that shall be recorded at the Registry of Deeds or Land Court. The age restriction shall limit dwelling units to occupancy by seniors, age fifty-five (55) or older, or their spouses of any age; and provide for time-limited guest visitation rights in the range of three months per year, per visitor. The restriction, if the Planning Board so approves and specifies in its Special Permit, may authorize special exceptions that allows either one (1) person or one (1) married couple at least twenty-two (22) years of age to live in a dwelling unit together with a senior resident for purposes such as care of a senior in ill health or enabling seniors to fulfill legal responsibilities of guardianship or custody. The Special Permit including the age restriction shall run with the land in perpetuity and shall be enforceable by any owner(s) of SRC dwelling units. In the event of the death of the qualifying owner/occupant(s) of a dwelling unit, or foreclosure or other involuntary transfer of a unit within the SRC, a two-year exemption to the restriction shall be allowed for the transfer of the unit to another eligible occupant.

or to take any other action relative thereto.

(Submitted by Zoning Board of Appeals)

**ARTICLE 7.** 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:

Municipal Facilities Overlay and Zoning Map Amendments



Section XXII, Municipal Overlay, Subsection C.(1) of the Zoning Bylaws by adding Map 52, Parcel 3 to the eligible locations of the overlay district and further to amend the Zoning Map of the Town of Millis, adopted at Town Meeting on March 9, 1959, and amended through June 5, 2017, to show the Municipal Overlay District established at the May 13, 2019 Annual Town Meeting in Article 25, and amended by this Article, said amended Zoning Map is on file in the Town Clerk's Office

or take any action relative thereto.  
(Submitted by Zoning Board of Appeals)

And, you are hereby directed to serve this Warrant by posting attested copies hereof fourteen days before time of said meeting as directed by the vote of the Town. Hereof fail not and make due return of this Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 7th day of October in the Year of Our Lord two thousand and nineteen.

**TOWN OF MILLIS  
SELECT BOARD**

\_\_\_\_\_  
Loring Barnes, Chair

\_\_\_\_\_  
James McCaffrey, Vice-Chair

\_\_\_\_\_  
Peter Jurmain, Clerk

**A True Copy, Attest**

\_\_\_\_\_  
**Lisa J. Hardin, Town Clerk**

\_\_\_\_\_  
**Helen R. Kubacki, Constable  
Town of Millis**