

TOWN OF MILLVILLE

RESULTS

ANNUAL TOWN MEETING



MONDAY, MAY 8, 2023

MILLVILLE ELEMENTARY SCHOOL

7:00 P.M.

COMMONWEALTH OF MASSACHUSETTS
TOWN OF MILLVILLE

RESULTS ANNUAL TOWN MEETING, MAY 8, 2023

ARTICLE 1. MONETARY INCREASES.

To see if the Town will vote to authorize that any motion or amendment to increase any monetary articles or line items as recommended by the Finance Committee, presented at this Town Meeting, shall be Out of Order unless such motion or amendment states the source of funding as being from available free cash, or the line item, article, or other funding source that will be reduced by the same amount; or take any other action in relation thereto. *Submitted by: Finance Committee*

A motion was made and duly seconded to accept Article 1.

The moderator declared the vote unanimous.

ARTICLE 2. BILLS OF PRIOR FISCAL YEAR.

To see if the Town will vote pursuant to G.L. c.44, §64 to raise and appropriate and/or transfer from available funds such sums of money necessary for the purpose of paying outstanding bills from prior fiscal years, and/or take any other action relative [thereto]BRI]. *Submitted by: Town Accountant*

A motion was made and duly seconded to take no action on this article.

The moderator declared the vote unanimous.

ARTICLE 3. SNOW AND ICE DEFICIT.

To see if the Town will vote to transfer and appropriate a sum of monies from the Free Cash or available funds to fund deficits incurred with the Snow/Ice budget per M.G.L. Chapter 44; Section 31D; or take any other action in relation thereto. *Submitted by: Finance Committee & Highway Surveyor*

A motion was made and duly seconded that the Town vote to transfer **Forty-Five Thousand Five Hundred Thirteen dollars and 84 cents (\$45,513.84)** from Free Cash to fund the deficit incurred with the Snow/Ice budget per MGL Chapter 44, Section 31D.

The moderator declared the vote unanimous.

ARTICLE 4. HIGHWAY DEPARTMENT – CHAPTER 90.

To see if the Town will vote to accept and expend such sum or sums of money allotted or to be allotted to the Town from the Commonwealth of Massachusetts under the provisions of M.G.L. Chapter 90 or under any other state roadway reimbursement programs for fiscal year 2024, and to authorize the Board of Selectmen to enter into a contract or contracts with the Massachusetts Department of Transportation Highway Division for such purposes; and, further, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow in anticipation of 100% reimbursement of said amounts; or to take any other action relative thereto.

Submitted by: Highway Surveyor & Finance Committee

A motion was made and duly seconded to accept Article 4.

The moderator declared the vote unanimous.

ARTICLE 5. CABLE LICENSE FEES.

To see if the Town will vote to transfer from the PEG Access and Cable Related Funds account the sum of **Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00)** to forward to the Superintendent of Schools of the Blackstone-Millville Regional School District for use by the Director of Library and Media Services to enhance the curriculum offerings that are available in the School District; or take any other action in relation thereto. *Submitted by: Board of Selectmen and Cable Advisory Committee*

A motion was made and duly seconded to accept Article 5.

The moderator declared the vote unanimous.

ARTICLE 6. Creation and Funding of Highway and Bridge Stabilization Fund.

To see if the Town will vote to create and to transfer from any available funds a sum of money to a Highway and Bridge Stabilization Fund; or take any other action relative thereto. *Submitted by: Highway Surveyor & Board of Selectmen*

A motion was made and duly seconded that the Town vote to create a Highway and Bridge Stabilization Fund and to transfer from free cash the amount of Eighty Thousand Dollars (\$80,000) as initial funding.

The moderator declared a two-thirds (2/3) vote.

ARTICLE 7. CAPITAL STABILIZATION FUND.

To see if the Town will vote to transfer from any available funds a sum of money to the Capital Stabilization Fund; or take any other action relative thereto. *Submitted by: Finance Committee & Town Administrator*

A motion was made and duly seconded to **take no action** on this article.

The moderator declared the vote unanimous.

ARTICLE 8. GENERAL STABILIZATION FUND.

To see if the Town will vote to transfer from any available funds a sum of money to be placed in the General Stabilization Fund; or take any other action in relation thereto. *Submitted by: Town Administrator & Finance Committee*

A motion was made and duly seconded that the Town vote to transfer from free cash the amount of **One Hundred Thirty-Five Thousand Dollars (\$135,000)** to be placed in the General Stabilization Fund.

The moderator declared the vote passed.

ARTICLE 9. FUND OTHER POST-EMPLOYMENT BENEFITS (OPEB).

To see if the Town will vote to raise and appropriate or transfer from any available funds a sum of money to the OPEB Liability Trust Fund for the purpose of reducing the unfunded actuarial liability of health care and other post-employment benefits of retired employees; or take any other action in relation thereto. *Submitted by: Town Administrator & Finance Committee*

A motion was made and duly seconded to **take no action** on this Article.

The moderator declared the vote passed.

ARTICLE 10. FISCAL YEAR 2024 BUDGET.

To see if the Town will vote to raise and appropriate, to borrow, or to transfer from available funds such sums of money as may be deemed necessary to defray Town expenses for all departments, including debt and interest and compensation for Town Officers, and to provide for the Reserve Fund for the Fiscal Year beginning July 1, 2023 and ending June 30, 2024; or take any other action in relation thereto~~BR2~~~~TA3~~. *Submitted by: Town Administrator, Town Accountant & Finance Committee*

A motion was made and duly seconded that the Town vote to appropriate the sum of **Seven Million Three Hundred Nine Thousand Eight Hundred Seven Dollars (\$7,309,807)** as deemed necessary to defray Town expenses for all departments, including debt and interest and compensation for Town Officers, and to provide for the Reserve Fund for the Fiscal Year beginning July 1, 2023 and ending June 30, 2024, with such appropriation to be funded as follows: Raise and appropriate the sum of **Seven Million One Hundred Five Thousand Four Hundred Eighteen Dollars (\$7,105,418)** and to transfer the sum of **Forty Eight Thousand Six Hundred Ninety (\$48,690)** from the Septic Title V account, **Nineteen Thousand Forty Two Dollars (\$19,042)** from ARPA funds, and **One Hundred Thirty Six Thousand Six Hundred Fifty Seven Dollars (\$136,657)** from Free Cash, for a total of **Seven Million Three Hundred Nine Thousand Eight Hundred Seven Dollars (\$7,309,807)** as set forth in the budget document presented to Town Meeting.

The moderator declared the vote passed.

ARTICLE 11. BMR OTHER POST EMPLOYMENT BENEFITS

To see if the Town will raise and appropriate or transfer from available funds the sum of \$25,390.00 into Other Post-Employment Benefits Liability Trust Fund (OPEB Fund) of the Blackstone-Millville Regional School District established under General Laws Chapter 32B, Section 20, said funds to be used only to pay some portion of health benefits for retirees from the Blackstone-Millville Regional School District or take any other action relative there, ~~too~~~~BR4~~.

Submitted by: Blackstone Millville Regional District School Committee

A motion was made and duly seconded to take no action on this article.

The moderator declared the vote unanimous.

ARTICLE 12. BMR SCHOOL COMMITTEE STIPENDS

To see if the town will vote to authorize the members of the Blackstone Millville Regional District School Committee to be compensated for their services as such members and to set the amount of said compensation at \$1,500.00 per member and \$1,800.00 for the chairman, such compensation to be paid in three (3) equal installments in the months of July, November and March provided, however, that no such installment shall be paid a) to a member who is not in attendance at least 60% of the meetings of the District School Committee (excluding, however, any meetings, not attended by such members due to the provisions of Massachusetts General Law Chapter 268A) in the twelve (12) month period prior to July 1, November 1, or March 1, as the case may be, if such a member has been a member for twelve (12) months or more months prior to each of said dates; or b) to a member who is not attend, at least 60% of the meetings of the District School Committee (excluding, however, any meetings, not attended by such member due to the provisions of Massachusetts General Law Chapter 268A) in the period prior to each of said dates, or take any other action in relation [thereto]BRS].

Submitted by: Blackstone Millville Regional District School Committee

A motion was made and duly seconded to accept Article 12.

The moderator declared the vote passed.

ARTICLE 13. BMR Capital Stabilization Fund

To see if the town will vote to authorize the Blackstone Millville Regional School District School Committee to establish a Stabilization Fund for capital planning relative to the School Building Project pursuant to Chapter 71 sec. 16 G½ for the purpose of funding a feasibility study. In the amount of \$500,000.00 to be funded by the District's Excess and Deficiency fund.

Submitted by: Blackstone Millville Regional District School Committee

A motion was made and duly seconded that the town vote to authorize the Blackstone Millville Regional School District School Committee to establish a Stabilization Fund for capital planning relative to the School Building Project pursuant to Chapter 71 sec. 16 G½ for the purpose of funding a feasibility study, with the amount of \$500,000.00 to be funded by the District's Excess and Deficiency fund.

The moderator declared the voted passed.

ARTICLE 14. CABLE APPROPRIATIONS

To see if the town will vote to appropriate **Thirty-Three Thousand Dollars (\$33,000)** from the Peg Access and Cable Fund available fund balance to fund the cable operation for FY2024, starting July 1, 2023 through June 30, 2024 under the direction of the Cable Coordinator, said funds to be spent on professional wages in the amount of **Eighteen Thousand Dollars (\$18,000)**, part time wages **Five Thousand Dollars (\$5,000)** and expenses **Ten Thousand Dollars (\$10,000)**. *Submitted by: Town Accountant and Cable Advisory Committee*

A motion was made and duly seconded to accept Article 14.

The moderator declared the vote passed.

ARTICLE 15. Transfer Title V Surplus Funds to General Stabilization.

To see if the Town will vote to transfer from any Title V Surplus funds a sum of money to the General Stabilization Fund; or take any other action relative thereto^[BR6]. *Submitted by: Town Administrator*

A motion was made and duly seconded to take no action on this article.

The moderator declared the vote unanimous.

ARTICLE 16. Bylaw Adoption of MGL Chapter 60 Section 62A; Municipalities; Treasurer Tax Title Payment Plans^[BR7]

To see if the Town will adopt a bylaw in accordance with General Laws Chapter 60, Section 62A as follows:

**Town of Millville
General By-laws**

CHAPTER 10, §10: TAX TITLE PAYMENT PLANS

1. Pursuant to the provisions of G.L. c. 60, §62A, the Treasurer-Town Collector shall have the authority to enter into written payment agreements with every person entitled to redeem ownership of parcels in tax title which have been taken by the Town as a result of nonpayment of real estate taxes. The payment agreement shall be executed on such terms and conditions for payment of the delinquent taxes, interest and any other costs, fees or charges associated with same, in accordance with G.L. c. 60, §62A and this by-law. The Treasurer-Town Collector shall not refuse to enter into agreements with eligible taxpayers.
2. This by-law shall apply to all taxpayers with parcels in the following assessment categories of tax title in the Town:
 - a. Commercial property;
 - b. Residential property;
 - c. Industrial; and
 - d. Open space.
3. The following conditions must be met prior to the Town entering into all payment agreements:
 - a. The Town has not filed a petition to foreclose the rights of redemption with the Land Court, and the recording date of the Instrument of Taking recorded in the Worcester County Registry of Deeds must be no more than ten (10) years from the date of the proposed agreement; and
 - b. All real estate taxes due for the current fiscal year assessed against the parcel must be paid to date.
4. All payment agreements shall comply with the following minimum requirements:
 - a. The payment agreement shall have a maximum term of no more than five (5) years;
 - b. The payment agreement may include a waiver of up to 50% of the interest that has accrued in the tax title account, but only if the taxpayer complies with the terms of the agreement (no taxes or collection costs may be waived); and
 - c. The payment agreement must state the amount of the payment due from the taxpayer at the time of execution of the agreement, which must be at least twenty-five percent (25%) of the amount needed to redeem the parcel at the inception of the agreement.

The taxpayer must then agree to pay the remaining balance due to the Town in equal monthly installments.

- 5 After the Town has received seventy-five percent (75%) of the total amount due, the taxpayer shall be entitled to a credit equal to twenty-five percent (25%) of the accrued interest on the tax title account. This credit shall be applied against the final installment payment(s) due under the payment agreement.
- 6 During the term of the agreement, the Treasurer-Town Collector may not bring an action to foreclose the tax title unless payments are not made in accordance with the schedule set out in the payment agreement or timely payments are not made on other amounts due to the Town that constitute a lien on the same parcel.

Submitted by Treasurer/Collector.

A motion was made and duly seconded to accept Article 16.

The moderator declared the vote unanimous.

Due to an administrative error, there is no Article 17.

ARTICLE 18: Capital Item: Police Cruiser(s):

To see if the town would vote to appropriate **Seventy-Five Thousand Dollars (\$75,000)** to partially fund the purchase of two new Police Cruisers from the Public Safety Stabilization fund, with the balance of funding required to come from other sources. *Submitted by: Police Chief and Capital Program Committee*

A motion was made and duly seconded to accept Article 18.

The moderator declared the vote unanimous.

ARTICLE 19: Capital Item: Fire Hydrant Replacements and Repairs:

To see if the town would vote to appropriate up to \$100,000 to replace and/or repair Fire Hydrants from the Public Safety Stabilization fund. *Submitted by: Fire Chief and Capital Program Committee*

A motion was made and duly seconded that the Town vote to appropriate **One Hundred Thousand Dollars (\$100,000)** to replace and/or repair Fire Hydrants from the Public Safety Stabilization Fund.

The moderator declared the vote unanimous.

ARTICLE 20: Zoning ByLaw Changes:

To see if the town would vote to amend the Millville Zoning Bylaws as noted in sections a., b., and c. below and to amend the Town of Millville Bylaws as noted in d. below.

a. Spelling and Grammar

To vote on minor spelling and grammar corrections to be made in the Millville Zoning Bylaws, move that the following corrections be made:

- (1) In §100-104 and repeated in §100-303B, "accordance these" should read as "accordance with these"
- (2) In §100-303 A(2), "Depaitment" should read as "Department"
- (3) In §100-604 B(2), "Board or Appeals" should read as "Board of Appeals"
- (4) In §107-709 A(8), "undo" should read as "undue"
- (5) In §100-804 B(1)(a)[1], "Costal" should read as "Coastal"

b. Add Definitions

Move that the following definitions be added to the definitions section of the Millville Zoning Bylaw (§100-104):

- (1) HOME OCCUPATION - A home-based business owned by a person who resides on the premises, carried out wholly or in part by this person for a gain, where such business is clearly incidental and secondary to use of the premises as a dwelling.
- (2) LOT AREA - The horizontal area within the exterior lines of the lot, exclusive of any area in a public or private way open to public uses.
- (3) KENNEL - An establishment where dogs or cats are boarded for compensation, or where dogs or cats are bred for sale purposes.
- (4) STABLE, BOARDING - An establishment where horses are boarded for compensation, or where horses are bred or raised for sale purposes.
- (5) SIGN - Any words, lettering, figures, images, symbols, colors, numerals, emblems, devices, trademarks, or trade names, or any combination thereof, by which anything is made known and which is designed to attract attention or convey a message.
- (6) VARIANCE - Permission to depart from these Bylaws when, because of special circumstances applicable to the property, as defined by MA General Laws Chapter 40A - Section 10, strict application of the provisions of these Bylaws deprives such property of privileges enjoyed by other properties in the vicinity which are under identical zoning.
- (7) NON-CONFORMING LOT - A lot or parcel of land that was of record and lawfully established and maintained but which, because of the enactment of these Zoning Bylaws, no longer conforms to the land-use standards or use regulations of the zone in which it is located.
- (8) COMMERCIAL VEHICLE - Any motor vehicle, trailer, or semi-trailer designed or used to carry freight, passengers for a fee, equipment, or merchandise in the furtherance of any commercial enterprise.

- (9) **STRUCTURE** - Anything constructed or erected, the use of which requires a more or less permanent location on the ground, or attached to something having a permanent location on the ground (for the definition of **STRUCTURE** regarding floodplain management purposes, please see §100-805).

c. Amend Definitions

Move that the following definitions be amended in the definitions section of the Millville Zoning Bylaw (§100-104), deleting the old definition and replacing it with the new definition:

Amend the **BED AND BREAKFAST** definition to *"An owner-occupied residence that offers sleeping accommodations and breakfast to lodgers in six (6) or fewer rooms, with such lodgers staying for fewer than thirty (30) consecutive days."*

- Current definition before proposed change: *"A dwelling in which overnight accommodations of not more than five rooms are provided to tourists for compensation. The only meal to be provided shall be breakfast, and it shall only be served to guests taking lodging in the facility."*

Amend the **FARM** definition by changing the title "FARM" to "AGRICULTURAL USE" and changing the definition to: *"AGRICULTURAL USE, RESIDENTIAL - The production of plants, animals, or their products, principally for use or consumption by the property owner, or the incidental sale of those products by the property owner."*

- Current Definition: *"FARM - Any parcel of land which is used primarily for the raising of agricultural products, livestock, poultry, and dairy products. It includes necessary farm structures within the prescribed limits, and the storage of equipment used."*

Amend the **HEIGHT** definition, adding it to §100-104 and replacing it in §100-902 with *"HEIGHT - The vertical measurement from grade to the highest point of the roof beams in flat roofs; to the highest point on the deck of mansard roofs; to a level midway between the level of the eaves and highest point of pitched roofs or hip roofs; or to a level two-thirds of the distance from the level of the eaves to the highest point of gambrel roofs. For this purpose, the level of the eaves shall be taken to mean the highest level where the plane of the roof intersects the plane of the outside wall on a side containing the eaves."*

- Current Definition (in §100-902): *"HEIGHT - The distance measured from ground level to the highest point on the structure."*

d. Correct an MGL Reference in ByLaws

Move that the reference to MGL c. 40, §57 in §A105-1 of Millville's General Bylaws, which states that this Massachusetts law refers to "Unregistered Vehicles," be corrected to say "Licenses of Delinquent Taxpayers."

Submitted by Planning Board.

A motion was made and duly seconded that the town vote to amend the Millville Zoning Bylaws as noted in sections a., b., and c. as printed in the warrant and to amend the Town of Millville Bylaws as printed in section d. in the warrant[BR8].

The moderator declared the vote unanimous.

ARTICLE 21: Amend Town of Millville Bylaws, Chapter 20 - Personnel.

To see if the Town will vote to amend the Town Bylaw, Chapter 20, §20-8. D. Compensation System by replacing the existing Classification and Compensation Plan Effective July 1, 2022 with the following Classification and Compensation Plan Effective July 1, 2023 as follows, or take any action relative thereto:

CLASSIFICATION and COMPENSATION PLAN
Effective July 1, 2023

| <u>POSITIONS</u> | <u>GRADE</u> | <u>MINIMUM</u> | <u>MEDIUM</u> | <u>MAXIMUM</u> |
|--|--------------|----------------|---------------|----------------|
| Highway Laborer Library Assistant Clerical Worker Janitor Camera Operator Van Driver | 1 | \$15.00/hr | \$15.50/hr | \$16.07/hr |
| Outreach Worker Custodian Cable Access Coordinator | 2 | \$15.00/hr | \$17.23/hr | \$19.52/hr |
| Executive Assistant * Assistant Town Clerk Highway Assistant Building Assistant | 3 | \$16.07/hr | \$19.52/hr | \$22.97/hr |
| Assistant Collector Assistant Assessor Town Planner Librarian Senior Center Director Deputy Fire Chief (non-bargaining unit employees only) | 4 | \$18.38/hr | \$21.83/hr | \$25.26/hr |
| Building Commissioner - PT 5 | | \$30.90/hr. | \$36.05/hr. | \$41.20/hr. |
| Town Accountant - FT (Salary – 30 hrs/wk) | 6 | \$39,140/yr | \$46,350/yr | \$53,560/yr |

Treasurer/Collector - FT 7 \$43,260/yr \$49,440/yr \$56,650/yr
(Salary - 30 hrs/wk)

Fire Chief - PT
(Employment Contract)

Town Administrator -
(Employment Contract)

Police Chief -
(Employment Contract)

* Business Office, Board of Health, Town Hall, Communications


A motion was made and duly seconded that the Town vote to amend the Town Bylaw, Chapter 20, §20-8. D. Compensation System by replacing the existing Classification and Compensation Plan Effective July 1, 2022 with the Classification and Compensation Plan Effective July 1, 2023 as printed in the warrant.

The moderator declared the vote unanimous.

A motion was made and duly seconded to dissolve the Warrant.

The Warrant was dissolved at 8:24 PM.

Respectfully submitted,

A handwritten signature in black ink, reading "Diane C. Lockwood". The signature is written in a cursive, flowing style.

Diane C. Lockwood
Town Clerk
Notary Public, Justice of the Peace