

TOWN OF MILLVILLE

RESULTS

SPECIAL TOWN MEETING



Wednesday November 1, 2023

MILLVILLE ELEMENTARY SCHOOL

7:00 P.M.

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF MILLVILLE**

**WARRANT FOR SPECIAL TOWN MEETING
Wednesday November 1, 2023 at 7:00 PM**

Meeting called to order at: 7:01 PM

In attendance:

**Board of Selectmen: Andrew Alward
Roland Barrett
Richard Bremilst**

**Jennifer Gill
Matthew Maille**

**Finance Committee: Claudette Barrett
Sierra Gallagher**

Helge Liedtke

Town Administrator: Peter Caruso

Town Counsel: Brian Riley

Town Clerk: Diane Lockwood

Town Moderator: Jackie Lima

Registered Voters: 2416 # of Voters attending: 94 %: 3% of Voters attended

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.

A motion was made and duly seconded the Town 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 sources that will be reduced by the same amount.

Moderator declared the motion passed.

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.

A motion was made and duly seconded that the Town vote pursuant to G.L Chapter 44, section 64 to transfer from the General Stabilization Fund a sum of which is necessary for the purpose of paying the following outstanding bills from prior fiscal years.

FY 2023 – Northeast water Solutions Invoice 11032, as adjusted – \$7,360.50

FY 2023 - Northeast water Solutions Invoice 11033, as adjusted - \$14,324.93

Moderator declared a Nine-tenths (9/10th) vote.

ARTICLE 3. FISCAL YEAR 2024 BUDGET ADJUSTMENTS.

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 adjust Town expenses from what was previously approved at the Millville May 8, 2023 Annual Town Meeting for specific departments as identified, for the Fiscal Year beginning July 1, 2023 and ending June 30, 2024; or take any other action in relation thereto.

A motion was made and duly seconded that Town vote to appropriate an additional \$52,000 as deemed necessary to adjust Town expenses from what was previously approved in Article 6 of the Millville May 8, 2023 Annual Town Meeting warrant for MES Water Operations Budget line item 100-300-5230 and to meet this appropriation by transferring the sum of \$52,000 from the General Stabilization Fund.

Moderator declared a two-thirds (2/3rd) majority vote.

ARTICLE 4. BMR Feasibility Study

To see if the Town will approve the \$126,950.00 borrowing authorized by the Blackstone-Millville Regional School District, to pay costs of a feasibility study to consider options for developing a new Blackstone-Millville Regional High School, located at 175 Lincoln Street, Blackstone, Massachusetts, including the payment of all costs incidental and related thereto, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA. Or to take any other action relative thereto.

A motion was made and duly seconded that the Town hereby approves the \$126,950.00 borrowing authorized by the Blackstone-Millville Regional School District, to pay costs of a feasibility study to consider options for developing a new Blackstone-Millville Regional High School, located at 175 Lincoln Street, Blackstone, Massachusetts, including the payment of all costs incidental and related thereto (the "Study"), and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA, and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA.

Moderator declared a majority vote.

ARTICLE 5. Planning Board: Correcting Major Residential Development Definition in Zoning Bylaws

To see if the Town will vote to amend the Millville Zoning Bylaw, in that the Schedule of Use Regulations at §100-302 B(13), "Major residential development," be revised to "Open Space Residential Development (OSRD) as defined in Article VII" and to revise the use chart to "SP" [special permit] in all districts for this line item~~BR2~~, or take any other action relative thereto.

A motion was made and duly seconded that the Town amend the Millville Zoning Bylaws, in that the Schedule of Use Regulations at §100-302 B(13), "Major residential development," be revised to "Open Space Residential Development (OSRD) as defined in Article VII" and to revise the use chart to "SP" (special permit) in all districts for this line item.

Moderator declared the vote unanimous.

ARTICLE 6. Planning Board: Expanding Business Uses in Commercial Districts and Protecting Residential Districts from Business Uses

To see if the Town will vote to amend the Millville Zoning Bylaws by approving the following changes to be made to §100-302, Schedule of Use Regulations, of the Zoning Bylaw:

1. That the following Commercial uses be allowed by right in the Village Center and Commercial Business districts:
 - i. C1, "Retail store, distributing merchandise to the general public"
 - ii. C2, "Craft, consumer, professional or commercial service establishment dealing directly with the general public" (with possible text change, if warrant article ## passes)
 - iii. C3, "Restaurant or other establishment serving food and beverage to be consumed within the building" (with possible text change, if warrant article ## passes)
 - iv. C6, "Professional office or agency"
 - v. C7, "Bank or other financial institution"
 - vi. C8, "Insurance or real estate office"
2. That C(4), "Undertaking establishment or funeral home," be allowed by special permit in the Commercial Business district;
3. And that C(5), "Hotel, motel" is no longer allowed in the Village Residential district (unless pre-existing this change).
4. That the following be added as the last item in section (C) Commercial: "Any business and/or retail use permitted above by right in excess of 10,000 square feet of building area" and allowed by Special Permit / Site Plan Review in the Village Center and Commercial Business Districts.
5. That the following be added as the last item in section (E) Industrial: "Any industrial use permitted above by right in excess of 10,000 square feet building area" and allowed by Special Permit / Site Plan Review in the Village Center and Commercial Business Districts.

And that the table of uses in §100-302 be revised to reflect all of the above amendments, or take any other action relative thereto.

A motion was made and duly seconded that the Town amend the Millville Zoning Bylaws by approving the following changes be made to §100-302, Schedule of Use Regulations, of the Millville Zoning Bylaws as specified in the Warrant Article 6.

Moderator declared the vote unanimous.

ARTICLE 7. Planning Board: Clarifying Residential Uses in the Zoning Bylaw

To see if the Town will vote to approve the following changes to §100-302 , Schedule of Use Regulations, of the Millville Zoning Bylaws:

1. That "(A) Agriculture" be changed to "(A) Agricultural" to fit existing grammar;
2. That B10, "Renting of one or two rooms and the furnishing of board by a resident family not to more than three nontransient persons" be changed to "Renting of one or two rooms and the furnishing of board by a resident family not to more than three (3) persons taking lodging for more than thirty (30) consecutive days at a time."
3. That C3, "Restaurant or other establishment serving food and beverage to be consumed within the building" be changed to "Restaurant or other establishment serving food and beverage to be consumed on the premises;"
4. That D4, "Sale of motor vehicles incidental to the above" be changed to "Sale of new or used motor vehicles (Class I or Class II)", or take any other action relative thereto.

A motion was made and duly seconded that the Town amend the Millville Zoning Bylaws by approving the following changes be made to §100-302, Schedule of Use Regulations, of the Millville Zoning Bylaws as specified in the Warrant Article 7.

Moderator declared the vote unanimous.

ARTICLE 8. Bylaw Adoption of MGL Chapter 60 Section 62A; Municipalities; Treasurer Tax Title Payment Plans

To see if the Town will adopt a bylaw in accordance with General Laws Chapter 60, Section 62A as follows, or take any other action relative thereto:

**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 Town Treasurer 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 Town Treasurer shall not refuse to enter into agreements with any 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;
 - d. Open space; and
 - e. Multi-Use
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 upon the rights of redemption with the Land Court;
 - b. The recording date of the Instrument of Taking recorded in the Worcester County Registry of Deeds must be no more than ten (10) years prior to the date of the proposed agreement; and
 - c. The taxpayer agrees to abide by the requirements of the payment agreement as outlined below.
4. All payment agreements shall comply with the following minimum requirements:
 - a. The payment agreement shall have a term of five (5) years; provided, however, that nothing herein shall preclude the taxpayer from completing payments of the amount owed within a shorter period of time.
 - b. The payment agreement shall state the amount required to redeem the parcel as of the date of inception of the agreement, and will require an initial payment which must be

at least twenty-five percent (25%) of that amount upon the execution of the agreement.

- c. The payment agreement will then require the taxpayer to pay the remaining balances and accruing interest due to the Town in equal monthly installments while also remaining timely with the real estate bill installments of the current fiscal year as they become due.
5. After the Town has received seventy-five percent (75%) of the total amount due at the inception of the payment agreement, but only if the taxpayer has complied with the terms of the agreement, the taxpayer shall be entitled to a credit of fifty percent (50%) of the accrued interest on the tax title account. No taxes or collection costs may be waived. This credit shall be applied against the final installment payment(s) due under the payment agreement.
6. During the term of the agreement, the Town Treasurer 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.

A motion was made and duly seconded that the Town adopt a bylaw authorizing tax title payment plans in accordance with General Laws Chapter 60, Section 62A as written in the warrant.

Moderator declared the vote unanimous.

The warrant was dissolved at 7:32 PM.

Respectfully submitted,

Diane C. Lockwood, CMC
Town Clerk