

**TOWN OF MILLBURY  
127 ELM STREET  
MILLBURY, MA 01527**



## **SPECIAL TOWN MEETING WARRANT**

**WORCESTER, S.S.**

Town of Millbury Constables: In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Millbury qualified to vote in town affairs to meet at the Millbury Memorial JR/SR High School, 12 Martin Street in Millbury on

**Tuesday, November 10, 2020 at 7:00 P.M.**

Then and there to vote on the following articles:

**ARTICLE 1:** To see if the Town will vote to raise and appropriate, transfer from available funds, transfer from free cash, or otherwise provide the sum of \$250,000.00 to the Stabilization Fund, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

***Reason:** The Town did not appropriate any funding into the Stabilization Reserve Fund at the Annual Town Meeting. Due to the COVID-19 crisis and the conservative revenue estimates used in determining the revised COVID FY21 budget, Town management recommended that the annual contribution to the Stabilization Fund be suspended. Now, refined revenue estimates including level funding of state local aid allow Town management to recommend that this contribution be made in full, \$250,000.*

**ARTICLE 2:** To see if the Town will vote to raise and appropriate, transfer from available funds, transfer from free cash, or otherwise provide the sum of \$100,000.00 to the OPEB Trust account, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

***Reason:** Town Meeting did not appropriate the original recommended funding of \$150,000 into the OPEB Trust Fund Account at the Annual Town Meeting. Due to the COVID-19 crisis and the conservative revenue estimates used in determining the revised COVID FY21 budget, Town management recommended that the annual contribution to the OPEB Trust Fund Account Stabilization Reserve Fund be reduced to \$50,000. Now, refined revenue estimates including level funding of state local aid allow Town management to recommend that a contribution of an additional \$100,000 be made.*

**ARTICLE 3:** To see if the Town will vote to authorize the Town Manager to make future payments of accrued liabilities for compensated absences due any employee of the Town upon the termination of the employee's employment from the reserve fund for accrued liabilities for compensated absences, and further to raise and appropriate, transfer from available funds, transfer from free cash, or otherwise provide the sum of \$100,000.00 to said reserve fund, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

***Reason:** Municipal employees are eligible for payment of unused paid time off (sick and vacation). Currently there is no funding source for this and the amount either needs to be budgeted for an anticipated retirement or appropriated via STM from free cash. This fund allows the town to proactively plan for retirements. Town management recommended at the Annual Town Meeting that the Town appropriate \$100,000 for this purpose. Now, new revenue estimates and level funding of state local aid allow town management to recommend that a contribution of an additional \$100,000 be made.*

**ARTICLE 4:** To see if the Town will vote to raise and appropriate, transfer from available funds, transfer from free cash, or otherwise provide the sum of \$300,000.00 to the Overlay account, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

***Reason:** In order to raise the sum of Forty-Seven Million Thirty-One Thousand Four Hundred Fourteen Dollars (\$47,031,414) necessary to defray the expenses and charges of the Town of Millbury in Fiscal Year 2021, the period of July 1, 2020 through June 30, 2021, the Annual Town Meeting transferred and appropriated \$464,036, from the Overlay fund. New revenue estimates and level funding of state local aid allow Town management to recommend that \$300,000 be returned to this reserve fund.*

**ARTICLE 5:** To see if the Town will vote to accept the provisions of Chapter 59, Section 5C 1/2, of the Massachusetts General Laws, to provide an additional exemption of 100% of the real property tax exemptions authorized under Chapter 59, Section 5, for certain blind persons, veterans, surviving spouses and seniors, or take any other action thereon. (Selectman Christopher Naff) (Required Vote: Majority)

***Reason:** Selectman Naff is recommending that the Elderly and Veterans tax exemptions*

*be increased by 100%. Currently, tax exemptions are based on qualifying indices and financial asset determinants. The total amount of these tax exemption costs per year is \$152,065.00, and this additional exemption would increase the annual cost by \$152,065.00 for a total of to \$304,130.00, detailed in the chart below:*

Exemption Code		FY20	Proposed	New
		Amount	Increase	Amount
37	Blind	550	100%	<b>1,100</b>
17D	Elderly-low	262	100%	<b>525</b>
41	Elderly-high	1,100	100%	<b>2,200</b>
22	Veteran-low	440	100%	<b>880</b>
22E	Veteran-100%	1,100	100%	<b>2,200</b>
22B	Veteran-Max	1,375	100%	<b>2,750</b>

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, transfer from available funds, transfer from free cash, or otherwise provide the following sums for any or all of the following capital improvement projects or purchases and to supplement certain sums of money the Town's Fiscal Year 2021 Operational Budget as approved by the vote taken under Article 2 of the June 23, 2020 Annual Town Meeting; or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

	DEPT	REQUEST	AMOUNT	FINCOM RECOMM	REASON	FUNDING SOURCE
A	Town Manager	Downtown Project, Phase I; Construction and Change Orders	\$45,000		Payment for unexpected construction modifications	
B	Town Manager	Downtown Project, Phase II, Engineering Costs	\$45,000		Town's original share to be eligible for grants	
C	Manager & Town Clerk	Purchase of 5 additional poll pads	\$7,500		To complete the number of new poll pads necessary for conducting an election	
D	Manager & Town Clerk	Election Expenses	\$15,000		To provide for additional expenses during COVID-19 for the Presidential election.	

E	Town Manager, Tree Warden & DPW Operations Manager	Tree Warden Chip Truck	\$88,000		This would allow the Town to use one less outside contractor at \$75 per hour. The vehicle would be used to carry/store chain saws, pole saws, blowers, traffic cones, gas, oil, rakes, etc. This truck would allow the Tree Warden to be self-sufficient and not have to rely on the DPW to pull the brush chipper. It could also be used with snow removal	
F	Manager & Emergency Management Director	Un-reimbursed COVID-19 Expenses	\$10,000		COVID-19 expenses are reimbursed at different expenses and at different times from first CARES Act and then FEMA	
G	Town Manager & Library Director	Library Walks and Stairs Repairs	\$15,000		In addition to FY20 & FY21 appropriation and reauthorized funds, this will address the increased costs of the larger project of deteriorating front and rear walkways as well as the front stairs.	
H	Town Manager & DPW Operations Manager	Cemetery Repairs and Upgrade Irrigation System	\$10,000		To continue a program of on-going repairs to the Central Cemetery.	
I	Town Manager & DPW Operations Manager	Veterans Monuments Upkeep and Repairs	\$17,500		To repair various Veterans and War Monuments including memorial stones and monuments.	
J	Town Manager and COA Director	Fund COA Program Administrator (7 months)	\$20,000		Increase appropriated funding for 7 months	
K	Chair, Board of Selectmen	Increase of salary appropriation for one position (2/3 year), Town Manager's Office	\$90,000			
L	Police	Increase salary appropriation to fund vacant Police Officer position (1/2 year) and retroactive collective bargaining increases	\$45,000		Replace funding to bring compliment up to authorized positions (18) and fund retroactive collective bargaining increases	

M	Police	Police Equipment & Academy Tuition	\$15,000		Funding to outfit new recruit and Academy tuition	
N	Town Manager	Municipal Office Building File Storage Area Construction	\$18,000		Provisions for the construction and modification of storage facilities for mandated permanent files in the MOB (files from MOB and McGrath School)	
O	Fire Department	Repair to Fire Engine and Fire Engine	\$5,000		To repair to Fire Engine and Fire Engine	

**ARTICLE 7:** To see if the Town will vote to borrow a sum not to exceed \$1,000,000 for the purpose of financing the costs of construction and services for compliance with Massachusetts Department of Environmental Protection 314 CMR 12.00, Operation, Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers, including without limitation, all costs thereof as defined in Chapter 29C, Section 1, of the Massachusetts General Laws; that to meet this appropriation the Town Treasurer with the approval of the Board of Selectmen, is authorized to issue any bonds or notes that may be necessary for such purpose up to \$1,000,000 pursuant to Chapter 44, Section 7 or 8, of the Massachusetts General Laws, or any other enabling authority, and that while such bonds or notes shall be general obligations of the Town, it is intended that the principal and interest thereon shall be paid from the Sewer Enterprise Fund; that the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C of the Massachusetts General Laws, and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and other wise to contract with the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend funds available for the project and take any other action relative thereto; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the cost issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20, of the Massachusetts General Laws, thereby reducing the amount authorized to be borrowed to pay such cost by a like amount; or take any other action thereon. (Board of Sewer Commissioners) (Required Vote: Two-Thirds Majority)

**Reason:** *The Town has an obligation to provide funding for cost of the Town's sanitary sewer rehabilitation projects, which is the result of the Massachusetts Department of Environmental Protection's regulations 314 CMR 12.00, Operation, Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers. The Town's multi-year sanitary sewer system evaluation survey program spans 20 years of efforts and will costs approximately \$7.2 million. The Commonwealth of Massachusetts has instituted a Massachusetts Clean Water Trust Loan Program to assist municipalities. This Loan Program provides funding for a loan at 2% interest with 6.6% forgiveness on the principal over 20 years.*

**ARTICLE 8:** To see if the Town will vote to amend the purpose of Article 10 at the November 12, 2019 Special Town Meeting to authorize the prior appropriation of \$68,000 for a storage facility for emergency management equipment and to install an emergency generator at the Municipal Office Building instead of the Council on Aging building, or take any other action thereon. (Board of Selectmen) (Required Vote: Simple Majority)

*Reason: The Town is not able to install a generator at the intended site at the Senior Center since part of the generator pad would be on railroad property. Instead, the Town intends to install the purchased generator in the Municipal Office Building. The present MOB generator is past its warranty and expected life-span and breaks down frequently.*

**ARTICLE 9:** To see if the Town will vote to authorize the Board of Selectmen to acquire upon such terms and conditions as the Board of Selectmen shall deem appropriate a permanent easement for public way purposes over a portion of the property depicted as "Proposed Access Easement, 296 S.F. +/-" on a plan entitled "Easement Pan of 4-6 A-B Sutton Road in Millbury, MA, Owned by 4 Sutton Road, LLC, Prepared for Town of Millbury" dated July 16, 2020, and prepared by Andrew Survey & Engineering, Inc., which is on file and available for public inspection at the Town Clerk's Office, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said acquisition, or take any other action thereon. (Board of Selectmen) (Required Vote: Simple Majority)

*Reason: This easement is the final step necessary to settle litigation over this matter.*

**ARTICLE 10:** To see if the Town will vote to raise and appropriate, transfer from available funds, including but not limited to the Sewer Stabilization Fund and Retained Earnings in the Sewer Enterprise Fund, borrow, or otherwise provide the sum of \$500,000, or any other sum, to be expended by the Board of Sewer Commissioners for the purpose of repairing or replacing damaged sewer lines and completing other repairs and restoration work associated with a sewer line break, including engineering and other related expenses, and further to authorize the Board of Sewer Commissioners with the approval of the Town Manager to expend insurance proceeds received by the Town to carry out the purposes of this article, or take any other action thereon. (Board of Sewer Commissioners) (Required Vote: Two-Thirds Majority)

*Reason: This appropriation is necessary to fund repairs and restoration work resulting from a sewer line break.*

**ARTICLE 11:** To see if the Town will vote to petition a Special Act of the General Court to Grant an additional All Alcohol Package Store License for Goretti Supermarkets, Inc. at 1 Providence Street, Millbury, MA 01527.

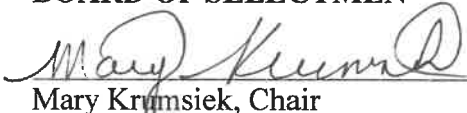
(Citizens Petition) (Mark Goretti) (Required Vote: Majority)

CONSTABLES:

In addition, you are directed to serve the above warrant by posting up an attested copy thereof at the Post Office, Library, and Senior Center in said Town and in addition at available public places in West Millbury, Bramanville, Dorothy Pond and East Millbury seven days at least before the time of holding said meeting.

Given under our Hands this 13<sup>th</sup> day of October, Two Thousand Twenty.

**BOARD OF SELECTMEN**

  
Mary Krumsiek, Chair

Katherine M. McKenna, Vice Chair

  
Scott Despres, Clerk

  
Christopher J. Naff, Member

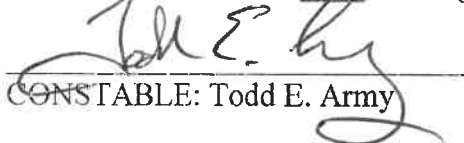
David Delaney, Member

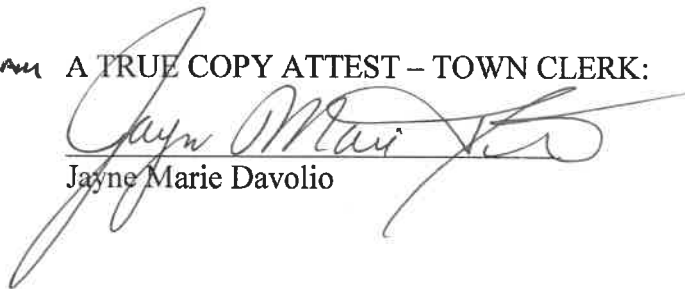
**Worcester SS**

**Town of Millbury**

I have served the above warrant by posting up attested copies, as directed by vote of the Town at least seven (7) days before time of holding said meeting.

Date & Time: October 21, 2020 @ 1125am A TRUE COPY ATTEST – TOWN CLERK:

  
CONSTABLE: Todd E. Army

  
Jayne Marie Davolio