

**SELECT BOARD
MEETING MINUTES
Tuesday, May 20, 2024
MS/HS Library & Auditorium
245 Plain Street, Millis, MA 02054**

Chair Schultze called the meeting to order at 7:00 pm.

The following persons were present Chair Craig Schultze, Vice Chair Ellen Rosenfeld, Clerk Erin Underhill, Town Administrator Mike Guzinski, Assistant Town Administrator/HR Manager Karen Bouret DeMarzo.

Announcements

The Memorial Day schedule of events includes a breakfast at the Legion, parade from the Police station to Town Hall, and a Memorial Ceremony at 10:15am.

24-095 Vote to Reorganize Board

Sel. Schultze motioned for the Board vote to appoint Ellen Rosenfeld as Chair of the Select Board effective immediately. Sel. Underhill seconded the motion. Sel. Schultze polled the Board, the motion passed unanimously.

Sel. Schultze motioned for the Board vote to appoint Erin Underhill as Vice Chair of the Select Board effective immediately. Sel. Underhill seconded the motion. Sel. Schultze polled the Board, the motion passed unanimously.

Sel. Rosenfeld motioned for the Board vote to appoint Craig Schultze as Clerk of the Select Board effective immediately. Sel. Underhill seconded the motion. Sel. Schultze polled the Board, the motion passed unanimously.

24-096 Approve & Sign Memorial Day Proclamation

Sel. Underhill motioned for the Board to approve and sign the 2024 Memorial Day Proclamation as written. Sel. Schultze seconded the motion. Sel. Schultze polled the Board, the motion passed unanimously.

24-097 Discuss & Possibly Vote on a Request for a Proposition 2 ½ Operational Override

Chair Rosenfeld read a prepared statement which is as follows:

"We are here to consider a request by the School Committee to hold a special Town election to consider a Prop 2 ½ override in the amount of \$1.1M (\$1,070,767) for the school only. We will open up for public comment in a few minutes, after some background information and some rules of engagement. But first, how did we get here...This Board, under Craig's leadership, in collaboration with other Town Departments, began talking about an Override as early as December 2022. It was evident even then, that the School Dept. was not going to receive any additional funding from the State and that the shortfall would be similar to the shortfall from the previous year. It ended up being slightly more. From \$960,000 to almost \$1.1M. Since the funding provided to the Schools a year ago was a one-time infusion, and the shortfall did not go away, this Board began looking at an Override as a solution. It was also decided to address longstanding deficits in other areas of Town government to fund some positions that had been dropped from last years' budget due to additional funding for the Schools. This Board, again in collaboration with other Departments, decided to put a Prop 2 ½ override in front of the voters; \$1.4M in total - \$1.1M for the school and \$300K for Police, Fire, DPW. We felt that this was best for the Town and its citizens. All of the particulars about the Override were put on Town Website. This process is not new, it repeats every year in Millis, probably repeats in every town and city across the Commonwealth. The result is not necessarily an Override, but the process of getting there is. This process includes collaboration with other Departments, Boards and Committees, budget reviews, public comment, preparing the Warrant, presenting at Town meeting, (maybe a ballot question) and voting – and everyone is invited to participate at every stage. An override itself requires a 2-step process; a Town Meeting vote and an election with a ballot. Both pieces require a simple majority. Town Meeting was held on May 7th at the School and was attended by 427 residents, which is large for Millis. Articles 3 (the budget) and Article 4 (the Override) both passed without requiring a standing count. The Election was held less than a week later on May 13th. 2,092 votes were cast. This included mail-in and absentee votes. That

represents approximately 30% of the registered voters, which is pretty robust considering there were no contested races, and it was an off-cycle election. The Override failed by 8 votes. Which brings us full circle to why we are here. Whether or not we should consider a Special Election Prop 2 ½ Override in the amount of \$1.1M for the schools only. This would affect the average household by an increase of approximately \$315/year in property taxes. This Board has agreed to hear comments from the Public regarding this request. But first: SOME RULES: We are allotting 35 minutes for Comment – so please be concise. Each person is allowed 2 minutes – Craig has a timer and I have a gavel. New information only, please do not repeat information already expressed. And most importantly: We are not here to discuss the merits of the proposed new Override. The only difference between the proposed Override and the original Override is that the Municipal piece is not part of this one; funding is only being asked for the schools at their request. The funding amount for the Schools has not changed. It is still \$1.1M. Therefore, since the merits of the original Override was discussed, debated and settled, there is no reason to re-litigate the needs for the School Override. So please limit your comments to whether or not you support holding a Special Election (as soon as possible) to consider this new Override. If it were to be argued that removing the Municipal needs significantly changes the tenor of this Override from the original Override, I would argue that such a significant change would mandate a complete re-submittal, starting with Finance Committee, Select Board, Public comment, placement on the Warrant and Town meeting vote, the same process that the original Override went through. That is my opinion based upon the normal process for appropriations. My personal opinion is to convey how disappointed and disheartened I am that we've reached the point of pitting departments against each other; we shouldn't be blaming the loss on the need to fund DPW and Public safety. The message being that the Town's needs don't compare to the needs of the Schools. This is exactly why This Board decided to vote it as one Article. Because we represent the whole Town and all of its residents. No one knows what the results would have been without the Municipal piece; it could be argued that the spread would have been much larger without it. But I do know one thing, one's prosperity does not depend on the other's poverty. It doesn't have to be win – lose."

Then there was public comment from those who were for a special election and those who were against a special election.

Sel. Schultze deliberated stating he personally believed in this override, but he stated he cannot support another vote because it was defeated at the polls; the voters have spoken.

Sel. Underhill deliberated stating she agreed with Craig on many points but disagreed with him and is in favor of a special election to prevent the cuts.

Sel. Rosenfeld deliberated stating she believed in the override but agreed. We must respect the democratic process.

Sel. Underhill motioned for the Board to vote to place the following Proposition 2-1/2 Override Question on a Special Municipal Election to be held on July 1, 2024: "Shall the Town of Millis be allowed to assess an additional \$1,070,767 in real estate and personal property taxes for the purpose of providing for the general administrative cost of operating the schools, for the fiscal year beginning July 1, 2024?". Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board – Underhill – yay, Rosenfeld – nay, Schultze – nay. The motion failed by majority.

The Board took a five-minute recess.

Sel. Rosenfeld made a motion to reconvene the meeting. Sel. Underhill seconded the motion. Sel. Rosenfeld polled the Board and the motion passed unanimously.

24-098 Vote to Accept Gift – COA Vehicle

Sel. Underhill motioned for the Board to accept a gift from the Friends of the Millis Council on Aging in the form of a check in the amount of \$21,0057.52 to be used towards the purchase of a 2024 Hyundai Sonata SEL Hybrid to replace the 2013 Chevy Cruze to be used for the Council on Aging Transportation program. Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board, and the motion passed unanimously.

***OUT OF ORDER*24-100 Approval of Senior Project Request**

Sel. Underhill motioned for the Board to approve the request by Antonio Athanasi to wrap the electrical box located on Route 109 with the images presented at this meeting for his Millis High School senior project. Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board, and the motion passed unanimously.

24-099 Approval of Bond Sale & Bond Anticipation note

Sel. Underhill motioned for the Board to adopt the votes prepared by Bond Counsel to the Town, as presented to this meeting, to award the Town's \$5,055,000 General Obligation Municipal Purpose Loan of 2024 bonds to the lowest bidder in a competitive sale held on April 23, 2024, and the Town's \$1,500,000 General Obligation Notes to the lowest bidder in a competitive sale conducted on April 23, 2024; to approve the amounts and interest rates associated with each such issue and to approve the other documents as presented by the Town Treasurer. Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board, and the motion passed unanimously.

24-101 Review/Approval FY25 Paving/Sidewalk Projects

Sel. Underhill made a motion for the Board to approve a request by the DPW Director to solicit bids for the following paving and sidewalk projects as specified on the memo presented: Walnut Street, Village Street, Hammond Lane/Farm/Spencer Street intersections, replacement of Plain Street sidewalks, and Main Street pedestrian detectable warning panels. Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board, and the motion passed unanimously.

24-102 Appointment of Finance Director

This item to be deferred to the meeting on 6/10/24.

24-103 Appointment of Historical Commission Member

Sel. Underhill motioned for the Board appoint Brittany Delaney as a member of the Historical Commission pending completion of Conflict-of-Interest training, Social Media Policy signature, and being sworn in at the Town Clerk's office. Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board, and the motion passed unanimously.

24-104 Approval of Lawn Sign Request – Cultural Council

Sel. Underhill motioned for the Board to approve the request by the Millis Cultural Council to place lawn signs advertising their annual event at Town Hall and the Millis Public Library along route 109 for a period of two weeks starting May 21, 2025. Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board, and the motion passed unanimously.

24-105 Board/Committee Liaison Updated

Sel. Underhill attended the school building committee meeting where they discussed all of the different design plans.

Sel. Schultze did not attend any meetings.

Sel. Rosenfeld did not attend any meetings.

24-106 Approval of DRAFT Minutes

Sel. Underhill motioned for the Board approve the DRAFT minutes of 5/7/2024 as written. Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board, and the motion passed unanimously.

Sel. Underhill motioned for the Board to enter executive session at 8:30pm to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the government's litigating position (Dangerous Dog Litigation). The Board will only return to open session for the purpose of adjournment. Sel. Schultze seconded the motion. Sel. Rosenfeld polled the Board, and the motion passed unanimously.

Respectfully Submitted by Victoria Schindler