

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



ANNUAL 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 their respective meeting place the Millbury Memorial JR/SR High School Auditorium, 12 Martin Street in said Town on

Tuesday, May 7, 2019 at 7:00 P.M.

Then and there to vote on the following articles:

ANNUAL TOWN ELECTION

Tuesday, April 30, 2019

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 their respective voting places to wit: Precinct No. One (1); Precinct No. Two (2); Precinct No. Three (3) and Precinct No. Four (4) at the Millbury Memorial JR/SR High School Gymnasium on **Tuesday the 30th day of April , 2019 at 7:00 A.M. until 8:00 P.M.** then and there to bring their votes for the following town offices and ballot questions:

Two	2	Selectmen for three (3) years
One	1	Assessor for three (3) years
One	1	Assessor for two (2) years
Two	2	School Committee members for three (3) years
One	1	Board of Health member for three (3) years
One	1	Planning Board member for three (3) years
Three	3	Board of Library Trustees for three (3) years
One	1	Re-Development Authority for five (5) years

The polls will open at 7:00 A.M. and close at 8:00 P.M.

ANNUAL TOWN MEETING

FISCAL YEAR 2020 OPERATING BUDGET & CAPITAL IMPROVEMENT BUDGET

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PUBLIC ACCESS BUDGET

ARTICLE 1: To hear the reports of several Town Officers and Committees, or take any other action thereon. (Required Vote: Simple Majority)

ARTICLE 2: To see if the Town will vote to raise and appropriate, or transfer from available funds, such sums of money as may be necessary to defray the expenses and charges of the Town of Millbury in Fiscal Year 2020, the period of July 1, 2019 through June 30, 2020, including, but not limited to: the salaries of Town Officers, costs of public education, debt and interest payments, expenses of the Sewer Enterprise Fund, and providing municipal services, or take any other action thereon. (Required Vote: Majority)

ARTICLE 3: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$750,000, or any other sum, to pave or repave various public ways in the Town, including any necessary road, drainage, or culvert improvements, or other appurtenant improvements, and including all engineering, permitting, or other incidental costs; and to meet said appropriation authorize the Treasurer, with the approval of the Board of Selectmen, pursuant to Massachusetts General Laws Chapter 44, Section 7, or any other authority, to borrow up to the sum of said appropriation; or take any other action thereon. (Town Manager) (Required Vote: 2/3rds Majority)

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$575,000, or any other sum, to replace Fire Engine 3, a 1997 Freight Liner; and to meet said appropriation authorize the Treasurer, with the approval of the Board of Selectmen, pursuant to Massachusetts General Laws Chapter 44, Section 7, or any other authority, to borrow up to the sum of said appropriation; or take any other action thereon. (Town Manager) (Required Vote: 2/3rds Majority)

ARTICLE 5: To see if the Town will vote to raise and appropriate or transfer the following sums from available funds for any or all of the following capital improvement projects and purchases, or take any other action thereon. (Town Manager) (Required Vote: Majority)

	DEPT	REQUEST	AMOUNT	REASON	RECOMMENDED FUNDING SOURCE
A	Treasurer	Bond Anticipation Note payments	\$265,000	Additional payment(s) towards the BAN(s). This is in addition to any payments made within the Treasurer's operational line	Free Cash
B	Manager	Information Technology Replacement and Upgrades	\$14,000	Technology upgrades including software, hardware, infrastructure computers, etc	Free Cash
C	Manager	Town Hall Roof Sealing	\$28,000	Last year the roof was repaired by fixing leaking seams and tears, etc. This is an additional step to coat and seal the entire roof so that all seams and repairs will be sealed in a solid-flexible coating. This step is intended to extend the life of the repairs for many additional years.	Free Cash
D	Schools	School Technology	\$185,000	This is the School District's first installment of a multi-year \$400,000+/- technology upgrade with the intent to improve infrastructure and eventually make computer tablets available for each student	Free Cash
E	Schools	Elmwood School Dishwasher	\$35,000	The Elmwood School's dishwasher is broken and currently the students use disposable trays, plates, utensils, etc. This will reduce waste	Raise and Appropriate within the levy limit
F	Schools	School Department Van	\$32,000	The Van is old, in poor condition and needs replacing	FEMA Reimbursement
G	Fire Dept.	Fire Alarms in Town Buildings	\$15,000	To equip and install alarms in municipal buildings	Free Cash
H	Fire Dept.	Turnout Decontamination Gear Dryer	\$8,000	This special dryer allows the gear to be cleaned and dried in such a way so as not to break down the fire-retardant matter.	Free Cash
I	Police	-Two (2) fully equipped police cruisers	\$82,000	Historically 2 cruisers are purchased annually to maintain the fleet	Free Cash
J	Police	Police Uniforms	\$11,500	Dress uniforms, belts, holsters etc for officers on the force and for equipping new recruits	Free Cash
K	Police	Ballistic Vests	\$13,500	Vests for new recruits and/or to replace existing vests which are reaching their expiration date.	Free Cash
L	DPW	Payments on Leases of DPW Vehicles	\$158,000	This is the second annual payment.	Free Cash
M	DPW	Purchase of DPW Truck	\$39,000	Last year the Town could not afford all of the vehicles requested by the DPW which was funded by a lease program. This additional truck will be purchased outright and added to the fleet, totally fulfilling their 2019 fleet request	Free Cash
N	DPW	2020 Road Program AKA "Chapter 90 Supplemental"	\$745,000	This is the funding to supplement any Chapter 90 funding that is received from the state, plus additional grants and/or plus any BANs	Free Cash

O	DPW	MS4 Stormwater Permit	\$220,000	This is this year's annual cost of the Town's "MS4 stormwater permit" which is the result of the federal government's "Clean Water Act of 1972" and is run through the MA DEP. Because of the pollution in the Blackstone River, as well as the ponds and other waterways in Millbury, the Town is mandated to have a filed stormwater mitigation plan which adequately addresses this. The Town's plan spans 15 years of mitigation efforts and will cost \$4,000,000 +/- . Last year, Town Meeting authorized the use of marijuana tax revenues to pay for this obligation. Until such time as the Town is in receipt of marijuana- tax revenues, and/or to supplement any deficiencies, said marijuana-tax revenues, the Town's obligation to this mandate is being funded by free cash and with no additional taxation above the levy limit.	Free Cash
P	COA	HVAC	\$10,000	HVAC units needs to be repaired and/or replaced.	Free Cash
Q	Library	Stairs	\$9,000	The front stairs need to be replaced	Free Cash
R	Asa Waters	Future Outbuilding expansion at the Asa Waters property	\$32,000 or is the balance remaining from the FEMA reimbursement after the transfer for the above listed Article 5 F – School Van	This money will seed a future project to replace the existing garage with an outbuilding that houses a commercial kitchen, storage space, handicap accessible bathrooms and office space etc. A commercial kitchen and outdoor bathrooms will allow outdoor, under tent large-scale weddings and functions without the need to modify the Mansion and will reduce the need to utilize the Mansion's indoor bathrooms, thus reducing wear and tear on the Mansion. Furthermore, a commercial kitchen will allow a revenue stream for these functions with the ultimate goal of becoming fully self-sustainable. No tax dollars or free cash is being sought from this article. The FEMA reimbursement funding will be used to seed grants and contributions toward the ultimate goal of raising enough funding to design and build the structure.	FEMA Reimbursement

STABILIZATION FUNDS

SPECIAL ACT FOR MARIJUANA ESTABLISHMENT REVENUES

ARTICLE 6: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40, Section 5B, fourth paragraph, to dedicate without further appropriation the following receipts: (i) funds received by the Town from host community agreements and development agreements with marijuana establishments and registered marijuana dispensaries, (ii) funds received by the Town from local marijuana sales tax receipts, and (iii) unrestricted funds received by the Town from the Commonwealth from marijuana-related taxes or other marijuana-related receipts, said receipts to be dedicated to the Town's various stabilization funds as follows:

<u>Fund</u>	<u>Allocation in Each Fiscal Year</u>
1. Road Infrastructure Stabilization Fund	Fifty percent, or a lesser amount as determined by the town manager.
2. Storm Water Improvements Stabilization Fund	Fifty percent, if the MS4 permit or a successor remains in effect and requires improvements to the town's storm water system.
3. OPEB Stabilization Fund	If there is no allocation into the Road Infrastructure Stabilization Fund or an allocation of less than fifty percent, then one-third of the amount otherwise allocable to the Road Infrastructure Stabilization Fund. If there is no allocation into the Storm Water Improvements Stabilization Fund, then one-third of the amount otherwise allocable to the Storm Water Improvements Stabilization Fund.
4. Unfunded Retirement Liability Stabilization Fund	If there is no allocation into the Road Infrastructure Stabilization Fund or an allocation of less than fifty percent, then one-third of the amount otherwise allocable to the Road Infrastructure Stabilization Fund. If there is no allocation into the Storm Water Improvements Stabilization Fund, then one-third of the amount otherwise allocable to the Storm Water Improvements Stabilization Fund.
5. Capital Projects Stabilization Fund	If there is no allocation into the Road Infrastructure Stabilization Fund or an allocation of less than fifty percent, then one-third of the amount otherwise allocable to the Road Infrastructure Stabilization Fund. If there is no allocation into the Storm Water Improvements Stabilization Fund, then one-third of the amount otherwise allocable to the Storm Water Improvements Stabilization Fund.

Or take any other action thereon. (Town Manager) (Required Vote: 2/3rds Majority)

OPEB TRUST ACCOUNT

ARTICLE 7: To see if the Town will vote to accept or reaccept the provisions of Massachusetts General Laws Chapter 32B, Section 20, as amended by Section 15 of Chapter 218 of the Acts of 2016, establishing an Other Post- Employment Benefits Liability Trust Fund; to authorize the Board of Selectmen and the Treasurer to execute a declaration of trust creating an expendable trust for the purpose of holding monies appropriated funds to such fund; to designate the Treasurer as the trustee of such trust; to authorize the transfer of any and all monies currently held for the purpose of paying retiree health and life benefits to such trust; and to authorize the trustee to invest and reinvest the monies in such fund in accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws; or take any action thereon. (Finance Director) (Required Vote: Majority)

FISCAL YEAR 2020 RECURRING ANNUAL APPROPRIATIONS

ARTICLE 8: To see if the Town will vote to appropriate from the PEG Access and Cable Related Fund the sum of \$244,269.00 for the expenses of Public Access as follows, or take any other action thereon. (Finance Director) (Required Vote: Majority)

Salaries/Wages	\$152,069.00
General Expenses	\$ 12,200.00
Capital Outlay	<u>\$ 80,000.00</u>
Total:	\$244,269.00

ARTICLE 9 : To see if the Town will vote to transfer the sum of \$500.00 from Account #02.945.5200.02062.2019.560 to be used by the Town Manager to settle claims for personal property damage or incidental personal injury claims that may be brought against the Town, or take any other action thereon. (Finance Director) (Required Vote: Majority)

ARTICLE 10: To see if the Town will vote to transfer the sum of \$5,000.00 from Account # 02.945.5200.02068.2019.560 to pay for the disposal of abandoned property, or take any other action thereon. (Finance Director) (Required Vote: Majority)

ARTICLE 11: To see if the Town will vote to transfer the sum of \$50,000.00 from the Retained Earnings of the Sewer Enterprise Fund to the Sewer Stabilization Fund, or take any other action thereon. (Sewer Commissioners) (Required Vote: Majority)

ARTICLE 12: To see if the Town will vote to reauthorize the balance of the appropriation voted under Article 16 of the May 2016 Annual Town Meeting, to be expended by the Board of Sewer Commissioners for the purpose of completing the replacement and/or repairs of existing pump stations, or take any other action thereon. (Board of Sewer Commissioners) (Required Vote: Majority)

ARTICLE 13: To see if the Town will vote to appropriate the sum of \$750,000.00 from the Sewer Stabilization Fund for the purpose of completing replacement and/or repairs of the existing pump stations, or take any other action thereon. (Sewer Commission) (Required Vote: 2/3rds Majority)

ARTICLE 14: To see if the Town will vote to transfer from free cash the sum of \$200,000.00 to the Stabilization Fund, or take any other action thereon. (Finance Director) (Required Vote: Majority)

ARTICLE 15: To see if the Town will vote to transfer from free cash the sum of \$200,000.00 to the OPEB Trust account, or take any other action thereon. (Finance Director) (Required Vote: Majority)

ARTICLE 16: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40, Section 13D, to establish a reserve fund for the future payment of accrued liabilities for compensated absences due any employee of the Town upon the termination of the employee's employment, and further to transfer from free cash the sum of \$80,000.00 to said reserve fund, or take any other action thereon. (Finance Director) (Required Vote: Majority)

ARTICLE 17: To see if the Town will vote to raise and appropriate the sum of \$20,000.00 to fund an Elders Community Services Program for the purpose of providing a payment voucher for services rendered for the departments, boards and committees of the municipality to resident property owners who have attained the age of sixty (60) years, to be used to reduce the real estate property taxes for the property in which the elderly owner resides; said program shall be subject to the following conditions, in addition to any and all eligibility requirements promulgated by the Board of Selectmen, after receiving the recommendations of the Council-On-Aging: (a) participation in the program shall be limited to elderly residents of the Town who own property and are willing and able to provide services to the Town; (b) program participants shall receive compensation at a rate of \$8.00 an hour for each hour of service rendered for a total not to exceed \$1,500.00 in any calendar year; (c) program participants must agree in writing prior to participating in the program to receive compensation in the form of a voucher to be presented to the Treasurer/Tax Collector to be applied to the real estate obligations of the participant for the property in which the participant resides; (d) the Treasurer/Tax Collector shall comply with the wage, tax and payroll deduction requirements of the state Department of Revenue and the federal Internal Revenue Service, prior to compensating program participants or applying the net amount of wages earned to the real estate tax obligations of the participants; and (e) program participants who meet the eligibility guidelines established for the program by the Board of Selectmen shall be selected for participation in the program on a first-come-first-served basis, or take any other action thereon. (Board of Selectmen and Council-On-Aging) (Required Vote: Majority)

GENERAL ARTICLES

ARTICLE 18: To see if the Town will vote to transfer \$10,000 from retained earnings account 24.000.3400.24014.0000.340 for the purpose of purchasing a mower for the cemetery, or take any other action thereon. (Cemetery Commission) (Required Vote: Majority)

ARTICLE 19: To see if the Town will vote to authorize the Town Manager to negotiate and enter into a Payment in Lieu of Taxes (PILOT) agreement with Millbury MA1, LLC for a 1,408.05 MW DC and a 1,000.00 MW AC facility on an 11 acre +/- parcel located off of Riverlin Street, Assessors map ID 24/4/1, or take any other action thereon. (Town Manager) (Required Vote: Majority)

ARTICLE 20: To see if the Town will vote to repurpose \$12,000 of the appropriation voted under Article 11 of the May 2017 Annual Town Meeting (originally for the purpose of paying for the costs of a Master Plan) for the new purposes of (i) paying for a consultant to update the Zoning Bylaw and create an up-to-date Zoning Map in conformity with the guidelines laid out in the new Master Plan, and (ii) paying for a consultant to codify and/or re-codify the Zoning Bylaw in conformity with the guidelines laid out in the new Master Plan, or take any other action thereon. (Director of Planning and Development) (Required Vote: Majority)

ARTICLE 21: To see if the Town will vote to transfer the land in the Town of Millbury known as “East Millbury Park”, as described in deeds recorded with the Worcester District Registry of Deeds in Book 2236, Page 421, and Book 3168, Page 62, and as shown on Assessors’ Map 6 as Parcel 20, for active recreational purposes, or take any other action thereon. (Director of Planning and Development) (Required Vote: 2/3rds Majority)

ARTICLE 22: To see if the Town will vote to appropriate the sum of \$576,991.08 held in Millbury National Bank Account number XXXXX16972, entitled “ Town of Millbury Denise M. Marlborough Maureen Gibson Autumn Gate Estates PO Box 166 Millbury MA 01527-0166” to be spent by the Planning Board for the purpose of completing work in accordance with the Certificate of Approval issued by the Planning Board, dated March 29, 2005 and the plan as approved and qualified by said Certificate of Approval entitled “Autumn Gate Estates, A Definitive Subdivision Plan in the Town of Millbury, Massachusetts” prepared by Heritage Design Group, dated May 18, 2004, last revised April 20, 2005, provided however, that said appropriation shall be contingent upon the Planning Board finding the developer of the subdivision in default of its obligations to complete said work, or take any action thereon. (Director of Planning and Development) (Required Vote; Majority)

ARTICLE 23: To see if the Town will vote to appropriate \$20,000.00 received from a subdivision application for the purpose of purchasing and installing playground equipment at East Millbury Park, and further to authorize the Director of Planning and Development to file for PARC program grants established under 301 CMR 5.0 for said purpose, and further to authorize the Director of Planning and Development to enter into any agreements necessary for said purpose, or take any other action thereon. (Director of Planning and Development) (Required Vote: Majority)

FISCAL YEAR 2020 REVOLVING ACCOUNT SPENDING LIMITS

ARTICLE 24: To see if the Town will vote pursuant to Massachusetts General Laws Chapter 44, Section 53E ½, to set the limits on the total amounts that may be expended in Fiscal Year 2020 from each of the Town’s revolving funds established under the Millbury Municipal Code, Chapter 3.10, Revolving Funds, as set forth below, or take any other action thereon. (Finance Director) (Required Vote: Majority)

Authorized to Spend From Fund:	Revolving Fund:	FY20 Maximum Amount Expendable:
Board of Health	Title V Inspections	\$ 35,000.00
Board of Appeals	Variances & Permits	\$ 30,000.00
Board of Appeals	MGL 40B	\$ 35,000.00
DPW Director	Transfer Station	\$ 50,000.00
Energy Manager with Town Manager Approval	Energy and Recycling	\$ 135,000.00
Chief of Police	License to Carry	\$ 35,000.00

Asa Waters Task Force with Town Manager Approval	Fees from Rentals/Charges	\$ 100,000.00
Town Manager	Millbury Housing Partnership	\$ 20,000.00
Earth Removal Board with Town Manager Approval	Application Fees	\$ 30,000.00
School Committee	Student Parking Fees	\$ 35,000.00
Council on Aging with Town Manager Approval	Program Fees	\$ 30,000.00
Director of Planning	Bark Park Fees	\$ 30,000.00

AMENDMENTS TO GENERAL BYLAWS

ARTICLE 25: To see if the Town will vote as follows:

1. To amend the Millbury Municipal Code, Chapter 3.10.050, Authorized revolving funds (Table), as follows, with deleted text in strikethrough and new text underlined:

A	B	C	D	E	F	G
Revolving Fund	Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	Fees, Charges or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Other Requirements/ Reports	Fiscal Years
<u>Energy and Recycling</u>	<u>Energy Manager, with the approval of the Town Manager</u>	<u>Rebates and other receipts from energy cost savings and recycling activities</u>	<u>Energy Management Program</u>	<u>Cannot Exceed Balance</u>	<u>None, Other Than As Set Forth in This Chapter and by Town Meeting Vote</u>	<u>Fiscal Year 2020 and Subsequent Year</u>

2. To set the limit on the total amount that may be expended in Fiscal Year 2020 from the Energy and Recycling revolving fund established under the Millbury Municipal Code, Chapter 3.10, Revolving Funds, as follows:

Authorized to Spend From Fund:	Revolving Fund:	FY20 Maximum Amount Expendable:
Energy Manager, with the approval of the Town Manager	Energy and Recycling	\$ 135,000.00

Or take any other action thereon. (Town Manager) (Required Vote: Majority)

ARTICLE 26: To see if the Town will vote to amend the Millbury Municipal Code, Chapter 2.10.070, Votes to be Cast from the Main Floor, as follows, with deleted text in strikethrough and new text underlined, or take any other action thereon. (Town Clerk) (Required Vote: Majority)

Except as designated otherwise in this paragraph, at ~~At~~ all Town Meetings the main floor of the meeting place shall be reserved for qualified voters only and no vote, either by ballot or other form, shall be received by the meeting from any qualified voter seated in any portion of the meeting place other than the main floor. ~~Non-registered voters, members of the press and other guests will be admitted to the stage area only,~~ Non-registered voters, members of the press, and other guests will be admitted to a designated seating area on the main floor indicated by signage, except those non-voters employed by the Town may be admitted to the main floor by special pass.

ACCEPTANCE OF PUBLIC WAYS

ARTICLE 27: To see if the Town will vote to accept as a public way the roadway known as Westview Avenue, situated north of the public portion of Westview Avenue in the northeastern section of the Town of Millbury as heretofore laid out by the Board of Selectmen in the manner shown on a plan entitled "Acceptance Plan 'Westview Avenue', Casa Verde Villages, Station 0+00 to Station 16+32.97, Millbury, MA", prepared by GLM Engineering Consultants Inc., dated October 31, 2018, revised January 3, 2019, that is to be recorded at the Worcester County Registry of Deeds herewith, and is on file at the Town Clerk's Office, and to authorize the Board of Selectmen to acquire on behalf of the Town, by purchase, gift, eminent domain, or otherwise, interests in property sufficient to use said way for all purposes for which public ways are used in the Town of Millbury, or take any other action thereon. (Director of Planning and Development) (Required Vote: Majority)

In accordance with the plan, said roadway is more particularly described as follows:

BEGINNING at a point at a granite bound with drill hole on the easterly side of Westview Avenue;
THENCE running:

N 10°31'15" W, a distance of 23.37 feet to a granite bound with a drill hole;

Along a curve to the left with a radius of 300.00 feet and a length of 108.84 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 200.00 feet and a length of 137.86 feet to a granite bound with a drill hole;

N 08°11'11" E, a distance of 478.57 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 250.00 feet and a length of 132.00 feet to a granite bound with a drill hole;

N 38°26'21" E, a distance of 565.83 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 30.00 feet and a length of 42.10 feet to a granite bound with a drill hole;

Along a curve to the left with a radius of 60.00 feet and a length of 292.79 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 30.00 feet and a length of 10.05 feet to a granite bound with a drill hole;

S 38°26'21" W, a distance of 615.73 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 30.00 feet and a length of 44.25 feet to a granite bound with a drill hole;

S 38°25'36" W, a distance of 50.23 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 30.00 feet and a length of 40.69 feet to a granite bound with a drill hole;

Along a curve to the left with a radius of 300.00 feet and a length of 65.37 feet to a granite bound with a drill hole;

S 08°11'11" W, a distance of 478.57 feet to a granite bound with a drill hole;

Along a curve to the left with a radius of 250.00 feet and a length of 172.32 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 250.00 feet and a length of 90.70 feet to a granite bound with a drill hole;

S 10°31'15" E, a distance of 34.31 feet to a granite bound with a drill hole;

N 67°08'10" E, a distance of 51.18 feet to the point of beginning.

The above-described Westview Avenue contains an area of 82,319 square feet, more or less.

ARTICLE 28: To see if the Town will vote to accept as a public way the roadway known as Skyview Drive, situated west of Westview Avenue in the northeastern section of the Town of Millbury as heretofore laid out by the Board of Selectmen in the manner shown on a plan entitled "Acceptance Plan 'Skyview Drive', Casa Verde Villages, Station 16+44.74 to Station 21+13.61, Millbury, MA", prepared by GLM Engineering Consultants Inc., dated October 31, 2018, revised January 3, 2019, that is to be recorded at the Worcester County Registry of Deeds herewith, and is on file at the Town Clerk's Office, and to authorize the Board of Selectmen to acquire on behalf of the Town, by purchase, gift, eminent domain, or otherwise, interests in property sufficient to use said way for all purposes for which public ways are used in the Town of Millbury, or take any other action thereon. (Director of Planning and Development) (Required Vote: Majority)

In accordance with the plan, said roadway is more particularly described as follows:

BEGINNING at a point at a granite bound with drill hole at station 16+44.74 left at the North Westerly corner of the described parcel;

THENCE running:

S 76°26'43" E, a distance of 181.79 feet to a granite bound with drill hole;

Along a curve to the right with a radius of 250.00 feet and a length of 84.68 feet to a granite bound with a drill hole;

S 57°02'20" E, a distance of 163.99 feet to a granite bound with drill hole;

S 38°25'36" W, a distance of 50.23 feet to a granite bound with drill hole;

N 57°02'20" W, a distance of 159.20 feet to a granite bound with drill hole;

Along a curve to the left with a radius of 200 feet and a length of 67.74 feet to a granite bound with drill hole;

N 76°26'43" W, a distance of 83.48 feet to a granite bound with drill hole;

N 76°26'43" W, a distance of 98.31 feet to a point;

N 13°33'17" E, a distance of 50.00 feet to the point of beginning.

The above-described Skyview Drive, station 16+44.74 to 21+13.61 (end), contains an area of 20,979 square feet, more or less.

ARTICLE 29: To see if the Town will vote to accept as a public way the roadway known as Nightview Place, situated east of the southerly portion of Skyview Drive and south of the northeasterly portion of Skyview Drive in the northeastern section of the Town of Millbury as heretofore laid out by the Board of Selectmen in the manner shown on a plan entitled "Acceptance Plan 'Nightview Place', Casa Verde Villages, Station 0+00 to Station 12+64.13, Millbury, MA", prepared by GLM Engineering Consultants Inc., dated October 31, 2018, revised January 3, 2019, that is to be recorded at the Worcester County Registry of Deeds herewith, and is on file at the Town Clerk's Office, and to authorize the Board of Selectmen to acquire on behalf of the Town, by purchase, gift, eminent domain, or otherwise, interests in property sufficient to use said way for all purposes for which public ways are used in the Town of Millbury, or take any other action thereon. (Director of Planning and Development) (Required Vote: Majority)

In accordance with the plan, said roadway is more particularly described as follows:

BEGINNING at a point at a granite bound with drill hole on the southerly side of Nightview Place;
THENCE running:

Along a curve to the right with a radius of 30.00 feet and a length of 47.12 feet to a granite bound with a drill hole;

S 82°44'00" E, a distance of 161.85 feet to a granite bound with a drill hole;

Along a curve to the left with a radius of 175.00 feet and a length of 283.63 feet to a granite bound with a drill hole;

N 04°24'15" E, a distance of 187.91 feet to a granite bound with a drill hole;

Along a curve to the left with a radius of 525.00 feet and a length of 51.11 feet to a granite bound with a drill hole;

N 01°10'24" W, a distance of 434.54 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 200.00 feet and a length of 54.60 feet to a granite bound with a drill hole;

N 14°28'06" E, a distance of 17.49 feet to a granite bound with a drill hole;

Along a curve with a radius of 30.00 feet and a length of 46.65 feet to a granite bound with a drill hole;

N 76°26'43" W, a distance of 98.31 feet to a point;

Along a curve to the left with a radius of 250.00 feet and a length of 13.31 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 30.00 feet and a length of 49.20 feet to a granite bound with a drill hole;

S 14°28'06" W, a distance of 15.42 feet to a granite bound with a drill hole;

Along a curve to the left with a radius of 250.00 feet and a length of 68.25 feet to a granite bound with a drill hole;

S 01°10'24" E, a distance of 434.54 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 475.00 feet and a length of 46.24 feet to a granite bound with a drill hole;

S 04°24'15" W, a distance of 187.91 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 125.00 feet and a length of 202.59 feet to a granite bound with a drill hole;

N 82°44'00" W, a distance of 161.85 feet to a granite bound with a drill hole;

Along a curve to the right with a radius of 30.00 feet and a length of 47.12 feet to a granite bound with a drill hole;
S 07°16'00" W, a distance of 110.00 feet to the point of beginning.

The above-described Nightview Place contains 61,487 square feet, more or less.

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 fourteen days at least before the time of holding said election and town meetings.

Given under our Hands this 16th day of April Two Thousand Nineteen.

Board of Selectmen:

James
Mark Hunt
Scott Despres

Katherine M. McKinn
Cl. J. No

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 fourteen (14) days before time of holding the election/town meetings.

Date & Time: 04/18/19
CONSTABLE: John E. Long

A TRUE COPY ATTEST - TOWN CLERK:

Gayle Marie Yavito