



**ANNUAL TOWN MEETING**  
**May 21, 2012**  
Milford, Massachusetts

**FINANCE COMMITTEE REPORT**

Marc Schaen, Chairman

Aldo Cecchi

Alberto Correia

Jerry Hiatt

Joyce Lavigne

David Morganelli

Michael Schiavi

Vincenzo Valastro

Philip Ciaramicoli

Robert DeVita

John Kelley

Charles Miklosovich

Chris Morin

John Tennaro

**Article 1:**

To hear and act upon reports of all Town Officers and Committees of the Town.

INFO: Housekeeping article that allows reports to be presented to the town meeting

FINCOM: no discussion

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 2: (Personnel Board)**

I move that the Town vote to amend the Wage and Salary Schedule of the Wage and Salary Administration Plan by establishing new position grades and salary levels, as recommended by the Personnel Board for the Fiscal Year beginning July 1, 2012, as follows:

INFO: Planning Board proposed an increase of 2% for full time and part time all nonunion employees (who are not elected officials).

FINCOM: Discussion was held to assure this is in line with other raises. The cost is about \$40K.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**A. Position Grades – Salaried Positions**

<u>GRADE</u>	<u>POSITION TITLE</u>
8	Town Counsel
7	Police Chief
7	Fire Chief
6	Deputy Police Chief
6	Town Engineer
5	Police Lieutenant
5	Town Planner
5	Director of Sewer Operations
5	Assessor/Administrator
4	Health Agent
4	Building Commissioner
4	Town Accountant
3	Parks/Recreation Administrator
3	Community Development Director
2	Senior Center Director
2	Asst. Town Counsel

**B. Compensation Schedule – Salaried Positions**

<u>GRADE:</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>
8	94,405	97,660	100,914	104,172	107,424
7	87,894	91,149	94,405	97,660	100,914
6	74,871	78,127	81,383	84,638	87,894
5	68,360	71,618	74,871	78,127	81,383
4	61,850	65,109	68,360	71,618	74,871
3	56,641	59,896	63,153	66,409	69,664
2	48,829	52,084	55,339	58,597	61,850
1	35,807	39,065	42,322	45,576	48,829

**C. Position Grades - Hourly Rated Positions**

<u>GRADE</u>	<u>POSITION TITLE</u>
8	Director, Milford Youth Center
7	Director, Tobacco Control Prog. PT
6	Animal Control Officer
6	Plumbing/Gas Inspector
6	Wiring Inspector
6	Local Building Inspector PT
6	Deputy Plumbing/Gas Inspector PT
6	Deputy Wiring Inspector PT
6	Health Inspector FT
6	Property Rehab Specialist PT
6	Asst. Town Treasurer
6	Admin. Asst./Town Administrator
6	Assistant Director, Milford Youth Center
6	Lister/Data Collector, Board of Assessors
5	Senior Building Custodian
5	Legal Assistant
5	Financial Analyst PT
5	Program Coordinator/Comm. Devel. Office PT/FT
4	Dispatcher/Police PT
4	Asst. Animal Control Officer PT
4	Asst. Zoning Enforce. Officer PT/FT
4	Assistant to Fire Chief
4	Assistant to Police Chief
3	Program Coordinator PT
3	Outreach Coordinator PT
3	Van Driver
3	Legal Secretary
3	Confidential Clerk/Parking Clerk
3	Planning Assistant
2	Coord./Volunteer Svcs. PT
2	Junior Building Custodian
1	Clerk, Comm. Devel. Office PT/FT
1	Senior Ctr. Reception Clerk PT
1	Transportation Coordinator PT

**D. Compensation Schedule - Hourly Rated Positions**

<u>GRADE</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>
8	22.10	23.41	24.71	26.02	27.31
7	21.48	22.74	24.05	25.35	26.66
6	20.80	22.10	23.41	24.71	26.02
5	19.51	20.80	22.10	23.41	24.71
4	18.85	20.14	21.48	22.74	24.05
3	18.20	19.51	20.81	22.10	23.41
2	16.89	18.20	19.51	20.80	22.10
1	15.61	16.89	18.20	19.51	20.80

**E. Hourly Non-Rated Positions**

<u>POSITION TITLE</u>	<u>HOURLY RATE</u>
Assistant Pool Manager PT	\$15.70
Call Firefighter PT \$1200 stipend (plus)	\$13.24
Cemetery Groundskeeper	\$16.63
Cemetery Working Foreman	\$22.85
Clerk of Works/Senior Ctr. PT (temp.)	\$25.02
Clerk, Tobacco Control Program PT	\$16.63
Clerks/Seasonal – all Departments	\$16.63
Clerks/Substitute – all Departments	\$16.63
Dental Health Specialist PT	\$16.63
Highway Heavy Equipment Operator (temp.)	\$20.95
Highway Light Equipment Operator (temp.)	\$18.81
Highway Seasonal Snow Plow Operator	\$20.95
Laborers/PPT: Park, Cemetery, etc.	\$16.02
Laborers/Seasonal/PT: Park Cemetery, etc.	\$10.46
Matron/Police	\$16.63
Milford Youth Ctr. Activities Supervisor PT	\$ 9.41
Milford Youth Ctr. Athletic Facilitator PT	\$11.78
Milford Youth Ctr. Concession/Equip. Monitor PT	\$ 8.53
Milford Youth Ctr. Front Desk Monitor PT	\$ 9.41
Milford Youth Ctr. Health Coordinator	\$19.09
Milford Youth Ctr. Program Coordinator FT	\$17.67
Milford Youth Ctr. Program Facilitator PT	\$11.78
Milford Youth Ctr. Summer Camp Counselor	\$ 9.41
Mosquito Spray Applicator PT	\$16.02
Pool Lifeguard PT	\$14.16
Pool Manager PT	\$16.93
School Nurse PT	\$17.85
Seasonal Workers/Tobacco Control Prog. PT	\$ 9.83
Soils Testing Assistant PT	\$14.77
Transfer Station Attendant PT	\$16.02
Transfer Station Supervisor PT	\$16.63
Veterans Agent FT	\$33.29

**F MISCELLANEOUS POSITIONS ANNUAL RATE**

<u>POSITION TITLE</u>	<u>HOURLY RATE</u>
Assistant Health Agent PT	\$7,259
Board of Health Physician PT	\$6,350
Board of Registrars/Chairperson PT	\$2,624
Board of Registrars/Members PT (2)	\$2,099
Burial Agent PT	\$ 991
Fair Housing Director PT	\$1,998
Foreign Language Translator	\$ 541
Inspector of Animals PT	\$2,327
Municipal Hearings Officer	\$2,700
Pest Control Officer PT	\$3,147
Sealer of Weights and Measures PT	\$8,054

**ELECTION WORKERS; STIPEND PER ELECTION**

<b><u>POSITION TITLE</u></b>	<b><u>HOURLY RATE</u></b>
Election Wardens	\$158.78
Election Clerks	\$158.78
Election Deputies	\$ 82.56
Election Checkers	\$ 69.88
Election Custodian	\$154.90 per election

**CLERKS TO VARIOUS COMMITTEES AND BOARDS (PT)**

<b><u>CLASS</u></b>	<b><u>POSITION</u></b>	<b><u>ANNUAL RATE</u></b>
8	Clerk, Finance Committee	\$7,551
7	Unclassified	\$6,607
6	Minutes Recorder Board of Selectmen	\$5,664
5	Clerk, Planning Board	\$4,720
5	Clerk, Personnel Board	\$4,720
4	Clerk, Conservation Commission	\$3,775
4	Clerk, School Building Committee (temp.)	\$3,775
4	Minutes Recorder/Library Bldg. Committee	\$3,775
3	Clerk, Board of Health	\$2,831
3	Clerk, Vernon Grove Cemetery Trustees	\$2,831
3	Clerk, Capital Improvement Committee	\$2,831
2	Clerk, Park Commission	\$1,887
2	Clerk, Board of Registrars of Voters	\$1,887
2	Clerk, Zoning Board of Appeals	\$1,887
2	Minutes Recorder/Capital Improvement Committee	\$1,887
2	Minutes Recorder/ Industrial Development Comm.	\$1,887
1	Minutes Recorder/Library Board of Trustees	\$ 944

An employee whose base rate of pay effective as of June 30, 2012, exceeds the maximum pay authorized for his/her position set forth above, shall continue to receive his/her current rate of pay for Fiscal Year 2013, but increased by a factor of two percent (2.0%).

PT - Part Time

FT - Full Time

PPT - Permanent Part Time      MILFORD PERSONNEL BOARD

**Article 3: (Board of Selectman)**

I move that the Town vote to fix the salary and compensation of all elected officers of the Town, as provided by Section 108 of Chapter 41 of the General Laws, as follows:

INFO: This article sets the compensation for elected officials

FINCOM: Vote by the selectman is to recommend 2% for the 4 permanent full time employees and zero for part time employees.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

<u>Position</u>	<u>Annual Rate</u>
Town Clerk	\$ 74,872
Town Treasurer	\$81,382
Tax Collector	\$74,872
Assessor (Chairman)	\$ 7,282
Assessor (Members)	\$ 6,527
Highway Surveyor	\$87,893
Tree Warden	\$ 6,285
Selectmen (Chairman)	\$ 8,394
Selectmen (Members)	\$ 7,521
Vernon Grove Trustee (Clerk)	\$ 3,530
Board of Health (Chairman)	\$ 2,375
Board of Health (Members)	\$ 2,075
Sewer Commissioner (Chairman)	\$ 2,375
Sewer Commissioner (Members)	\$ 2,075
Park Commissioner (Chairman)	\$ 2,375
Park Commissioner (Members)	\$ 2,075
Planning Board (Chairman)	\$ 2,375
Planning Board (Members)	\$ 2,075
Moderator	\$ 2,283

**Article 4: (Board of Selectman)**

To see if the Town will vote to raise and appropriate such sum or sums of money as may be necessary to defray expenses for the financial year beginning July 1, 2012, or take any other action in relation thereto.

INFO: Housekeeping article that allows reports to be presented to the town meeting

FINCOM: No discussion required

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 5: (Town Treasurer)**

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2012 in accordance with the provisions of General Laws, Chapter 44, Section 4 and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or take any other action in relation thereto.

INFO: Housekeeping article that allows the Treasurer to borrow money in order to assure efficient operations of the town.

FINCOM: Housekeeping article approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 6: (Board of Selectman)**

To see if the Town will vote to authorize the Board of Selectmen to take charge of all legal proceedings for or against the Town, or take any other action in relation thereto.

INFO: Housekeeping article that allows the selectmen to take care of the town's legal business and proceedings.

FINCOM: Housekeeping article approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 7: (Board of Selectman)**

To see if the Town will vote to authorize the Board of Selectmen to expend from funds received by the Town as fines for parking violations during Fiscal Year 2013, such sum or sums of money as are necessary to pay the costs and expenses of collecting such fines and otherwise complying with the provisions of Section 20A of Chapter 90 of the General Laws during said fiscal year, or take any other action in relation thereto.

INFO: Housekeeping article that allows the Board of Selectmen to use funds collected as fines and violations in accordance with procedures and regulatory guidelines

FINCOM: Housekeeping article approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 8: (Town Treasurer)**

To see if the Town will vote to authorize the Town Treasurer and/or Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2013 pursuant to Chapter 44, Section 53F of the General Laws, or take any other action in relation thereto.

INFO: This is a Housekeeping article that allows the Treasurer to negotiate with local banks for terms that may be required for the town's accounts.

FINCOM: Housekeeping article approved each year. This has not been used in many years but is set up in case it may be required.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 9: (Board of Selectman)**

To see if the Town will vote for Fiscal Year 2013, to authorize any and all departments to utilize, without further appropriation, any amounts received from insurance companies or other third parties as damages or payment for damage to any Town-owned property, for the purpose of repairing or replacing such property, or, as deemed appropriate by the Board of Selectmen, directly depositing such funds to the Municipal Building & Property Insurance Fund established by vote under Article 45 of the June 11, 1990 Annual Town Meeting, or take any other action in relation thereto.

INFO: Housekeeping article that allows departments to use funds received from insurance companies to repair damage caused to town property.

FINCOM: Housekeeping article approved each year. An example is when a motorist hits a traffic light and the insurance company reimburses the town for repairs. This allows the repairs to occur without having to come back to town meeting for the repair approval.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 10: (Board of Selectman)**

To see if the Town will vote to authorize all persons, boards or agencies of the Town otherwise authorized to contract for or on behalf of the Town, during Fiscal Year 2013 to enter into such contracts or agreements for up to five years, except in the case of contracts or agreements dealing with real estate which may be for up to ten years, or take any other action in relation thereto.

INFO: Housekeeping article that allows the town departments to enter into routine contracts required to run the town within the limits stipulated.

FINCOM: Housekeeping article approved each year. This allows departments to sign annual contracts such as service contracts without having to come to town meeting for individual approval.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 11: (Board of Selectman)**

To see if the Town will vote for Fiscal Year 2013, pursuant to Section 4 of Chapter 73 of the Acts of 1986, to approve an additional exemption of up to 100% of the currently allowed exemptions for all eligible real estate tax exemptions under G.L. c.59, Section 5, or take any other action in relation thereto.

INFO: Housekeeping article that allows the Selectman's office to offer tax exemptions to senior citizens and people eligible who perform services for the town

FINCOM: Housekeeping article approved each year. Typically cost is \$45,000 each year in forgiven taxes for 124 vets, 16 blind residents and 100 seniors (50%). There is no manner to quantitate the value of the work that is performed for the town by many of the seniors in conjunction with this program.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 12: (Town Treasurer)**

To see if the Town will vote to authorize the Town Treasurer to accept deeds in lieu of foreclosure, pursuant to Chapter 60, Section 77C of the Massachusetts General Laws, or take any other action in relation thereto.

INFO: Housekeeping article that allows the town to accept land in lieu of having to foreclose on property.

FINCOM: Housekeeping article approved each year. This saves the town money as properties may be given to the town in lieu of taxes when they are not worth very much.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 13: (School Committee)**

To see if the Town will vote to transfer a sum of money, consistent with the funds raised from vending machines in the Milford School district, to be spent under the jurisdiction of the School Committee for purposes of Student Activities not funded in the School Department budget, or take any other action in relation thereto.

INFO: Housekeeping article that allows the money collected from the school vending machines and paid into the general fund to be transferred back to the school.

FINCOM: Housekeeping article approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 14: (VARIOUS DEPARTMENTS)**

To see if the Town will vote to authorize revolving funds for certain town departments which departments have previously been authorized, under M.G.L. c. 44, Section E ½, for the fiscal year beginning July 1, 2012, or take any other action in relation thereto.

INFO: Housekeeping article that allows the various revolving funds set up to facilitate department operations to be funded.

FINCOM: Housekeeping article approved each year. Discussion was held and the amount for the Youth center was agreed to be \$110,000

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 15: (Personnel Board and Various Departments)**

To see if the Town will vote to amend Section 5.08B of the Personnel By-Laws (Vacation Leave) by deleting the phrase "Upon completion of twelve (12) years – 20 days" and replacing with the phrase "Upon completion of eleven (11) years – 20 days", or take any other action in relation thereto.

INFO: This is set up to have the same benefits for non-union employees as the MACE union employees

FINCOM: Discussion was held as to why the change is occurring now versus over the past few years. The personnel board said this was the first chance they had to bring this forward. It was felt that this level of vacation is consistent with many employers in the area. This would affect 5 current employees for one extra week in the next 5 years with a rough estimate of \$5K

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**



**Article 16: (Various Departments)**

To see if the Town will vote to accept the provisions of subsection (j) of Section 103 of Chapter 32 of the Massachusetts General Laws as inserted by Section 19 of Chapter 188 of the Acts of 2010 to increase the maximum base on which the COLA is calculated by \$1,000 to \$13,000, or take any other action in relation thereto.

INFO: The state has allowed the base amount that a retiree's COLA is calculated to be increased from the current \$12,000 to \$16,000. Milford is proposing to increase the base amount that COLA is calculated on from \$11,000 to \$12,000. The total cost is \$44K annually to cover all the town retirees.

FINCOM: This comes out of the retirement fund. This does not impact the town's operating budget. Town meeting has to vote on this as it is an option.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 17: (School Committee)**

To see if the Town will vote to appoint a School Building Committee authorized to undertake the necessary feasibility study, to provide preliminary plans for the construction, renovation and improvement of the Woodland Elementary School, and to undertake such construction, renovation, and improvements, to include a new building and/or additions to the existing building, if necessary, in the Town of Milford; such Committee to be composed consistent with the provisions of 963 CMR 2.10: (3) and to consist of fifteen members to include three members of the Milford School Committee, a member of the Planning Board, the Superintendent of Schools, a member of the Board of Selectmen, the Town Administrator, a member of the Finance Committee, the Woodland School Principal, a member of the faculty of the Woodland School, the Milford Schools' Facilities Manager and four other members, two to be appointed by the Moderator and two to be appointed by the Board of Selectmen, at least one of whom shall have experience in architecture, engineering and/or construction; the Moderator and Selectmen shall be authorized to fill vacancies as they occur among the members appointed by them and the Moderator shall be authorized and directed to call the first meeting of this Committee for the purposes of organization; the Committee shall report at either a Special or Annual Town Meeting, or take any other action in relation thereto (School Committee)

INFO: This is an appointment of individuals to set up a building committee.

FINCOM: Brief discussion on having a senior member of the finance committee to be part of the committee.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 18: (School Committee)**

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the jurisdiction of the Woodland Elementary School Building Committee to be utilized for a feasibility study at the Woodland Elementary School at 10 North Vine Street in Milford, including all costs incidental or related thereto, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority which grant program is a non-entitlement, discretionary program based on need, as determined by the Massachusetts School Building Authority, and any costs the Town should incur in connection with the feasibility study in excess of any grant approved by and received from the Massachusetts School Building Authority shall be the sole responsibility of the Town of Milford, or take any other action in relation thereto.

INFO: Discussion on what the town will receive for a \$1,000,000. It is expected that eight options will be presented and it is expected that 3-4 will be viable. The reimbursement is expected to be 55%.

FINCOM: It is now part of the state requirement to obtain funding so we must follow the requirements of the SBA and this is one of them. If we perform the study and do not move forward we will lose the money paid into the study. At this point, we do not know what the costs will actually be as we will not know what the recommendations are. They could include renovation or new construction. It was felt that we should allocate \$500,000 at this time and have the committee come back at the next town meeting if they need more money. The key to this vote was that the town must have the money allocated by November 2012.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 19: (Historical Commission)**

To see if the Town will vote to transfer the sum of \$2,000 from available funds, said sum to be spent under the jurisdiction of the Historical Commission for expenses in relation to the celebration of the 100<sup>th</sup> Anniversary of the General Draper statue in Draper Park, or take any other action in relation thereto.

(Historical Commission)

INFO: The historical commission is sponsoring a celebration of the 100<sup>th</sup> anniversary. The cost is estimated under \$2,000

FINCOM: Brief discussion on the event which would include bands, and other organizations should be subsidized by public funds or if donations should be sought. It was brought out that many organizations are donating their services.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 20: (Board of Selectman)**

To see if the Town will vote to approve a Project Certification Application for a Tax Increment Financing Plan, in accordance with M.G.L. c. 40, Section 59, as amended, submitted by BioMeasure, Inc. for facilities located on Maple Street as described in the Project Certification Application, and further, to approve the term of the agreement between the Town and BioMeasure, Inc., which shall be for a twelve (12) year duration and will be exempt from taxation for said twelve (12) year period in accordance with M.G.L. c. 40, Section 59 and clause 51 of Section 5 of Chapter 69 that portion of the value of the project to be so exempt, or take any other action in relation thereto.

INFO: This deals with new incremental taxes on the new building and not reducing the current tax burden.

FINCOM: Ten year TIFF starting with a 70% reduction and going down to 10% in the last 3 years.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 21: (Board of Library Trustees)**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$30,000 to be spent under the jurisdiction of the Milford Town Library Board of Trustees for the purpose of continuance of the 3<sup>rd</sup> year of a 3 year lease for forty (40)<sup>typo</sup> computers and one (1) server, including their setup, installation, servicing and maintenance for patrons and staff, or take any other action in relation thereto.

INFO: This is the 3<sup>rd</sup> year and last payment of a 3 year lease on computer systems leased.

FINCOM: The town made a commitment for 3 years (note typo) on 40 PCs. Article was sent as 4 PCs.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**ARTICLE 22: (Town Clerk, Selectmen, Board of Registrars)**

To see if the Town will vote to amend Article 1 of the By-Laws of the Town by striking the text of said article in its entirety and replacing it with the following:

"The Annual Town Meeting for the election of Town Officials, and other matters to be determined by ballot, shall be held on the first Monday of April, and replace that phrase with the following sentence: "The election of the Town Officers and Town Meeting Members, and other matters to be determined by ballot, shall be held on the first Tuesday of April, and the Annual Town Meeting for the transaction of business shall be held at such time and place as shall be set forth by the Selectmen in the warrant for the meeting.", or take any other action in relation thereto.

INFO: The clerk has requested moving the election day to a Monday to facilitate obtaining voting locations.

FINCOM: Apparently getting the halls on Tuesday is more difficult than a Monday and there is no down side to moving the day.

**FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR**

**ARTICLE 23: (Board of Selectman)**

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money in the amount of \$25,000.00 to be utilized by the Board of Selectmen for consultant services to produce engineering drawings, plans, and specifications associated with FY2013 CDBG Grant Applications, or take any other action in relation thereto.

INFO: This is an annual article to fund the writing of grants.

FINCOM: In the past this activity has resulted in obtaining many grants including two grants of \$700K and \$900K for the Heights as well as grants for improving the town.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**ARTICLE 24: (Board of Selectman)**

To see if the Town will vote to amend the General By-Laws of the Town by adding thereto a new Article 14A to be entitled "Unlawful Noise" and which new Article 14A will provide in full as follows:

INFO: This article seeks to add definition to issues residents have asked the Selectmen to address.

FINCOM: As this had no financial impact the, it was felt that it should be referred to the sponsor without a recommendation.

**FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR**

**Unlawful Noise**

**Section 1. Unlawful Noise Prohibited.** It shall be unlawful for any person or persons to create, assist in creating, continue, or allow to continue any excessive, unnecessary, or unusually loud noise which either annoys, disturbs, injures, or endangers the reasonable quiet, comfort, repose, or the health or safety of others within the Town of Milford. The following acts are declared to be loud, disturbing, injurious, unnecessary and unlawful noises in violation of this section, but this enumeration shall not be exclusive, namely:

- a) Radio, Phonograph, Musical Instruments and Television. The playing of any radio, phonograph, television set, amplified or musical instruments, loudspeakers, tape recorder, or other electronic sound producing devices, in such a manner or with volume at any time or place so as to annoy or disturb the reasonable quiet, comfort or repose of identified persons in any dwelling, hotel, hospital, or other type of residence, or in any office or building or of any persons in the vicinity.
- b) Shouting and Whistling. Yelling, shouting, hooting, whistling, singing, or the making of any other loud noises on the public streets, in a public place, or in any place to which the public has a right of access, between the hours of 11:00 p.m. and 7:00 a.m. or the making of any such noise at any time or place so as to annoy or disturb the reasonable quiet, comfort or repose of identified persons in or on a public way, a public place, a way to which the public has a right of access or any dwelling, hotel, hospital, or other type of residence, or in any office or building or of any persons in the vicinity.
- c) Animal Noises. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the reasonable comfort or repose of any identified person.
- d) Devices to Attract Attention. The use of any drum, horn or other instrument or device of any kind for the purpose of attracting attention by the creation of noise and such noise annoys or disturbs the reasonable quiet, comfort or repose of identified persons. This section shall not apply to any person while participating in a school band or duly licensed parade or who has been otherwise authorized to engage in such activity.

**Section 2. Commercial Activity Generating Noise.** The following commercial uses and activities are determined to generate or involve excessive and/or unreasonable noise and are prohibited:

- a) Operation of earthmoving or other heavy vehicles or equipment, jack hammering, use of power tools between the hours of 9:00 p.m. and 7:00 a.m.
- b) Idling of any diesel-engine-equipped vehicle having a gross vehicle weight in excess of 15,000 pounds, or equipment between the hours of 9:00 p.m. and 7:00 a.m.
- c) Construction, demolition or alteration of any building or structure, including excavation and other site work, between the hours of 9:00 p.m. and 7:00 a.m.
- d) Operation of any wood/brush chipper, pneumatic-powered equipment or tool, hammer, chainsaw, commercial power mower, trimmer, blower or other construction, forestry or landscape equipment between the hours of 9:00 p.m. and 7:00 a.m.
- e) Hours referred to in a) through d) above may be extended upon application for and issuance of a permit therefore by the Chief of Police upon a showing of facts sufficient to establish a necessity for such an extension.

**Section 3. Exemptions.** None of the terms or prohibitions of the previous sections shall apply or be enforced against:

- a) Emergency Vehicles And Equipment. Any police, fire, ambulance or other emergency vehicle, or emergency generator or equipment, engaged in emergency related response and/or activity and any vehicles or equipment actively engaged in snow or ice removal upon any public or private property.
- b) Highway and Utility Maintenance and Construction. Necessary excavation in or repairs of bridges, streets, or highways, or any public utility installation by or on behalf of the Town, or any public utility or any agency of the Commonwealth of Massachusetts.
- c) Public Address. The reasonable use of amplifiers or loud speakers for public addresses which are non-commercial in nature, and otherwise operating under a permit or license issued pursuant to applicable law, or activity otherwise constitutionally protected.
- d) Noise caused by agricultural, farm-related, or forestry-related activities as defined by M.G.L. Chapter 128, Section 1A, as amended from time to time, including but not limited to the operation of farm equipment, sawmills, harvesting equipment, noises from farm animals, and the like.
- e) Parades, public gatherings, or events, for which appropriate permits or licenses have been issued or which are constitutionally protected.

**Section 4. Noise From Motor Vehicles.** It shall be unlawful for any person while in control of any motor vehicle in the Town of Milford to cause any unnecessary, loud, excessive, or unusual noise in the operation of or from a motor vehicle. The fact that the noise is plainly audible at a distance of 100 feet from the motor vehicle from which it originates shall constitute prima facie evidence of a violation of this chapter. As used herein, the term "motor vehicle" shall include "motorcycle".

**Section 5. Penalties.** Any person who violates this by-law shall be punished by a fine not to exceed \$300 for each violation. Each such act which either continues or is repeated more than one-half (1/2) hour after notice of violation of this by-law shall be a separate offense and shall be prosecuted as a separate offense.

**Section 6. Other Remedies.**

- a) If the person or persons responsible for an activity which violates Sections 1, 2 and 4 cannot be determined, the person in lawful custody and/or control of the premises, including but not limited to the owner, lessee, occupant of the property or persons present therein from which the activity is occurring or emanating, shall be deemed responsible for the violation.
- b) If the person or persons responsible for an activity which violates Sections 1 or 2 can be determined, any person or persons who violate Sections 1 or 2 of this by-law may be arrested without a warrant, provided that the violation occurs in the presence or view of any officer authorized to serve criminal process.

**Section 7. Severability.** If any provision of this by-law is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the by-law shall not be invalidated, or take any other action in relation thereto.

**Article 25: (Board of Selectman)**

To see if the Town will vote to transfer a sum of money to the Veterans Department Fiscal Year 2012 budget for purposes of payment of veterans benefits, or take any other action in relation thereto.

INFO: Housekeeping article to fund veteran's activities each year.

FINCOM: Discussion held on how well this department is now being run as the amounts required have been reduced by an order of magnitude without reducing services and maintaining the quality of services and support to our veterans.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 26: (Board of Selectman)**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, to be utilized with funds previously appropriated, to be spent under the jurisdiction of the Board of Selectmen for engineering, consulting and legal expenses in relation to the cleanup of environmental hazard on town property off of the Charles River Trail behind property of Benjamin Moore Company and Sumner Realty Trust, or take any other action in relation thereto.

INFO: Seeking \$50,000 to continue the litigation. EPA has done a significant cleanup. The DEP allowed a smaller cleanup so the EPA spent about \$400,000K in the clean up. The EPA has the right to come after the town to obtain reimbursement for their expenses. However, the indications are they will not. We have spent approximately \$500,000 total. The goal now is to wrap up what is needed in engineering with the DEP and have the funds to get to a trial date. This with the \$8,000 left over from the last article should be enough.

FINCOM:

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE FOR \$50,000**

**Article 27: (Board of Selectmen)**

To see if the Town will vote to authorize the Board of Selectmen to acquire the parcels and/or rights in land for the purpose of obtaining a secure and public right of way so as to allow for the construction of traffic signal, intersection, roadway and sidewalk improvements to the Water Street/Prospect Street (Route 140) intersection and these acquisitions will include one (1) permanent highway easement and three (3) temporary construction easements and further that the Selectmen be authorized to acquire said parcels and/or rights in land by any legal means including the acceptance of gift, purchase, or taking by eminent domain; these parcels are currently identified on plans drafted by the Massachusetts Department of Transportation and dated March 20, 2012 and entitled MILFORD – ROUTE 140 (PROSPECT STREET) AND WATER STREET – PROPOSED TRAFFIC SIGNAL; and further, to raise and appropriate a sum of money in the amount of \$6,500.00 to pay the costs of damages thereof and other associated legal, appraisal and recording fees, or take any other action in relation thereto.

INFO: This is required to add the traffic light at the Water Street and Route 140 intersection. The cost of placing a traffic light will be above \$400,000 which will be paid for by the state. The town is required to buy easements of some bits of land to allow the state to place the traffic light

FINCOM: We may not need all of this money as some of the easements may be donated, but this will assure that we have enough money to purchase the easements if necessary

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 28: (Finance Committee)**

To see if the Town will vote to transfer the sum of \$500,000 from available funds, said sum to be spent under the jurisdiction of the Highway Surveyor to supplement the Highway Department's funds for major street repairs, or take any other action in relation thereto.

INFO: This is a continuation of the commitment of the Fincom to increase the funds available to maintain the Milford infrastructure.

FINCOM: This makes a total of \$1.8M (\$500 normal budget, \$500K addition and \$800K state funds)

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 29: (Board of Sewer Commissioners)**

To see if the Town will vote to transfer the sum of \$100,000 from the Sewer Enterprise Unreserved Fund Balance, said sum to be added to the Sewer Department Repair/Maintenance Account line item # 6000.5440.5249.91, or take any other action in relation thereto.

INFO: This is requesting funds to be transferred from the enterprise account to allow two of the large very old screw pumps to be leased on a lease to own program.

FINCOM: This is a lease to own set of payments. Last year it costs \$100K to repair the screw pumps. Leasing to own seemed like the best alternative. There will not be any effect on the operational budget of the department.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 30: (Highway Surveyor)**

To see if the Town will vote to transfer the sum of \$20,000 from available funds, said sum to be spent under the jurisdiction of the Highway Surveyor for purposes of storm water management compliance, or take any other action in relation thereto.

INFO: This is for the engineer we hire to submit the regulatory paperwork required.

FINCOM: We must increase the current spending rate of \$546K on normal operations to cover the costs of the testing and document submission. It is expected that the new permit will be issued May 13<sup>th</sup>. It is expected that once the permit is issued the total cost will be \$1,000,000 in total cost the first year. We have been contesting this decision as the long term exposure is \$75,000,000. This would be split amongst the municipality and private companies over 20 years. There is no option but to spend this money.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 31: (Marilyn Lovell)**

To see if the Town will vote to transfer the sum of \$250 from the Perpetual Care Account #8246, said sum to be added to the Revolving Account # 2463, North Purchase Cemetery to correct a deficit in said Revolving Account incurred in previous fiscal years, or take any other action in relation thereto.

INFO: This is to correct a transfer that was made to an incorrect account. This will correct the issue.

FINCOM: As it is a small amount and was transferred from one cemetery account to another. This article is needed to move the money.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 32: (Fire Chief)**

To see if the Town will vote to transfer a sum of money from available funds, said sum to be added to the funds appropriated at the October 24, 2011 Special Town Meeting, to be spent under the jurisdiction of the Fire Chief to install new fuel pumps, monitoring system and fuel management system at the Birch Street Fire Station, or take any other action in relation thereto.

INFO: This money is required to augment the \$40K allocated at the last town meeting for the new pumps and underground storage.

FINCOM: The article on the last town meeting had a fixed \$40K amount and the bid is maximum is \$75K. This \$35K is the maximum as it is the state bid maximum. The chief believes on open bidding he can perform this work for less but needs the \$35 to assure he has enough money.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**Article 33: (Town Accountant)**

To see if the Town will vote to transfer funds between certain line items voted under Article 4 of the May 23, 2011 Annual Town Meeting for the purpose of making funds available in line item accounts not sufficiently funded through the end of Fiscal Year 2012, or take any other action in relation thereto.

INFO: This is a house keeping article that allows departments to balance their budgets at year end by moving excess funds from either the salary area to the expense area or vice versa.

FINCOM: No discussion is required after the list was prepared and reviewed.

**FINANCE COMMITTEE RECOMMENDATION is FAVORABLE**

**Article 34: (Town Accountant)**

To see if the Town will vote to close out certain Special Article Accounts to the General Fund of the Town, or take any other action in relation thereto.

INFO: This is a house keeping article that allows left over funds from previously approved articles and projects to be returned to the general fund.

FINCOM: No discussion is required.

**FINANCE COMMITTEE RECOMMENDATION is FAVORABLE**

SUMMARY			
1	Town meeting	Annual Department Reports	
2	Personnel Board	Wage and Salary Rates (Non Union)	
3	Selectmen	Wage and Salary Rates (Elected Officials)	
4	Selectmen	Raise and Appropriate	\$0
5	Treasurer	Treasurer to Borrow Money	\$0
6	Selectmen	Legal Affairs Management	\$0
7	Selectmen	Use of funds from Fines	\$0
8	Treasurer	Compensating Balance	\$0
9	Selectmen	Use of Insurance funds	\$0
10	Selectmen	Departmental Contracts	\$0
11	Selectmen	Exemption of Property Tax	\$45,000
12	Treasurer	Accepting land	\$0
13	School Committee	Transfer of Vending machine funds	\$0
14	Selectmen	Revolving Accounts	\$0
15	Various	Change to Vacation of Non Union Employees	\$5,000
16	Various	COLA adjustment for retirees	\$44,000
17	Selectmen	Setting up Building Commission	\$0
18	School Committee	Woodland Feasibility Study	\$1,000,000
19	Historical Committee	Draper Memorial Celebration	\$2,000
20	Selectmen	Tax Incremental Financing	\$0
21	Library Trustees	Final Lease payment on PCs	\$30,000
22	Selectmen	Change Election Day	\$0
23	Selectmen	Grant Writing Consultant	\$25,000
24	Selectmen	Noise ByLaw	\$0
25	Selectmen	Veterans Account	\$20,000
26	Selectmen	Legal Proceeding for Waste Cleanup	\$50,000
27	Selectmen	Water Street Land Purchase	\$6,500
28	Fincom	Infrastructure Improvements	\$500,000
29	Sewer Committee	Screw Pump Lease \$100,000	\$0
30	Highway Dept	Storm Water Management	\$20,000
31	Lovell	Transfer of money within cemetery	\$250
32	Fire Chief	Gas Pumps	\$35,000
33	Town Accountant	Transfer money within a department	\$0
34	Town Accountant	Transfer money from closed accounts	\$0



**Article 34 Transfers back to the Town General Fund**

<b><u>Town Meeting</u></b>		<b><u>Purpose</u></b>	<b><u>Balance to be Transferred</u></b>
Article 27		Consulting-CDBG	\$1,674.25
			0
Article 19	05/2011 ATM	Acquire Property/Dilla St	\$11,164.11
			0
Article 11	10/2011 STM	Senior Center 2nd floor	\$300.00
			0
Article 19	10/2011 STM	Demo 8 Blanchard Rd	\$27,025.00
			0
Article 26	10/2011 STM	Permit Tracking System	\$739.91
			0
Article 8act	10/2011 STM	Audit Youth Center	\$699.33
			0
Article 15	10/2009 STM	Traffic Trailer	\$224.38
			0
Article 8	10/2009 STM	Community Notification System	\$735.78
			0
Article 5	10/2011 STM	Sidewalk Plow	\$269.00
			0
Article 33	06/06 ATM	Armory Feasibility Study	\$4,834.40
			\$47,666.16



**Town of Milford**  
**Article 33 - Transfer Funds Between Line Items**  
**ATM 5/21/2012**

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<u>Department</u>	<u>Transfer From</u>	<u>Amount</u>	<u>Transfer To</u>
122: Selectmen	General Expenses-Select 122-5300	5.00	Personal Services-Select 122-5110
146: Collector	S & W - Collector 146-5110	1,600.00	General Expenses-Collector 146-5300
151: Legal	Personal Services-Legal 151-5110	1,000.00	General Expenses-Legal 151-5300
162: Elections	General Expenses-Elections 1625300	220.00	S & W - Elections 162-5110
421: Highway	General Expenses-Highway 421-5300	3,000.00	S & W - Highway 421-5110
422: Highway	General Expenses-HWY Const 422-5300	6,000.00	R & M – Highway Const 422-5400
610: Library	General Expenses-Library 610-5300	2,200.00	R&M - Building & Ground 610-5400
610: Library	S & W - Library 610-5110	4,500.00	General Expense - Library 610-5300

**NOTES:**

1.currently the only requests that are actually over expended are Library R&M & Elections S&W