

ANNUAL TOWN MEETING

May 14, 2018

Milford, Massachusetts

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS:

To either Constable of the Town of Milford in said County,

GREETINGS:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the Inhabitants of the Town of Milford, qualified by law to vote in Town Affairs, to meet in the Upper Hall of the Milford Town Hall, 52 Main Street, on the 14th day of May, 2018 A.D. at 7:30 P.M. and then and there to act upon the following articles:

ARTICLE 1: To hear and act upon reports of all Town Officers and Committees of the Town.

ARTICLE 2: To see if the Town will vote to amend the Wage and Salary Schedule of the Wage and Salary Administration Plan by establishing new position levels and salary levels, as recommended by the Personnel Board for the Fiscal Year beginning July 1, 2018, or take any other action in relation thereto.

(Personnel Board)

ARTICLE 3: To see if the Town will 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:

FY 19

Town Clerk	\$84,318.00
Assessor (Chairman)	\$ 7,962.00
Assessor (Members)	\$ 7,136.00
Highway Surveyor	\$98,983.00
Tree Warden	\$ 6,872.00
Selectmen (Chairman)	\$ 9,073.00
Selectmen (Members)	\$ 8,061.00
Vernon Grove (Trustees (Clerk)	\$ 3,860.00
Board of Health (Chairman)	\$ 2,598.00
Board of Health (Members)	\$ 2,270.00
Sewer Commissioner (Chairman)	\$ 2,598.00
Sewer Commissioner (Members)	\$ 2,270.00
Park Commissioner (Chairman)	\$ 2,598.00
Park Commissioner (Members)	\$ 2,270.00

Planning Board (Chairman)	\$ 2,598.00
Planning Board (Members)	\$ 2,270.00
Moderator	\$ 2,497.00

(Board of Selectmen)

ARTICLE 4: 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, 2018, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 5: To see if the Town will vote as follows to enact certain measures as set forth herein which are presented each year to the Annual Town Meeting:

- A. That the Town 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, 2018 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, and
- B. That the Town vote to authorize the Board of Selectmen to take charge of all legal proceedings for or against the Town, and
- C. That the Town vote to authorize the Board of Selectmen to expend from funds received by the Town as fines for parking violations during Fiscal Year 2019, 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, and
- D. That the Town vote to authorize the Town Treasurer and/or Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2019 pursuant to Chapter 44, Section 53F of the General Laws, and
- E. That the Town vote for Fiscal Year 2019, 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, and
- F. That the Town 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 2019 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, and

G. That the Town 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.

(Board of Selectmen/Town Treasurer)

ARTICLE 6: 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.

(School Committee)

ARTICLE 7: To see if the Town will vote to amend Article 1 of the General By-Laws of the Town by adding a new second paragraph thereto which paragraph shall read as follows: "The time set for the commencement of the Annual Town Meeting, or any adjourned session thereof, shall be 7:00 P.M.", or take any other action in relation thereto.

(Town Meeting Study & Improvement Committee)

ARTICLE 8: To see if the Town will vote to add a new standing vote of the Milford Town Meeting by inserting a standing vote to be entitled "Town Meeting Ending Time" as follows: "Debate on a motion introduced before 10:00 P.M. shall continue to the motion's disposition. No motion on any additional article shall be introduced after 10:00 P.M. without a majority vote of those present", or take any other action in relation thereto.

(Town Meeting Study & Improvement Committee)

ARTICLE 9: To see if the Town will vote to amend the standing vote of the Town entitled "Town Meeting Study and Improvement Committee" by striking the entry under "*Committee Vacancies*" and replacing such entry with the following:

When a position on the Committee becomes vacant for any reason, the Moderator shall appoint a new member in the following order until the requisite number of members is reached:

Re-appoint a member who has been re-elected and is still willing to serve, for not more than two consecutive terms.

From amongst those applicants who are on file with the Town Clerk and who are still willing to serve,

From the Town Meeting body

The Moderator shall appoint a member from each precinct where possible. The term of office shall be as specified in Section (b) *Term of Office*.

or take any other action in relation thereto.

(Town Meeting Study & Improvement Committee)

ARTICLE 10: To see if the Town will vote to amend the standing votes of the Town Meeting by inserting a new standing vote entitled "Speaker Time" which shall provide as follows:

1. Except with the consent of two-thirds of the Town Meeting members present and voting, initial presentation of articles by sponsors shall not exceed 10 minutes in total, whether presented by one individual or several. A vote to extend a presentation will be for another 10-minute period.
2. Except with the consent of two-thirds of the Town Meeting members present and voting, no person addressing the Town Meeting for the first time on any article shall speak for more than 5 minutes, and subsequent statements or presentations by the same person shall not exceed 3 minutes each nor exceed 3 in number.
3. A speaker's concise response to the question directed to him by or through the Moderator shall not be considered a speech for purposes of this standing vote.

or take any other action in relation thereto.

(Town Meeting Study & Improvement Committee)

ARTICLE 11: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to those sums previously appropriated to be utilized for the legal, engineering or other expert consulting services necessary to effectuate the final acquisition, and transfer, of the Milford Water Company and its assets to the Town of Milford, or take any other or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 12: To see if the Town will vote to amend the payrates for Milford Water Department employees as set under Article 8 of the October 30, 2017 Special Town Meeting, or take any other or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 13: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to provide additional police personnel, with necessary equipment and training, to be utilized in the implementation of procedures to promote safety in the Public Schools and all town buildings, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 14: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be spent under the jurisdiction of the School Committee for the purposes of removing the 1973 high school walk-in freezer and refrigerator that stores all perishable frozen foods for the School Food Service Department and replacing same with new facilities, or take any other action in relation thereto.

(School Committee)

ARTICLE 15: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized under the jurisdiction of the School Committee to replace school playground services to be compliant with proposed new playground regulations, or take any other action in relation thereto.

(School Committee)

ARTICLE 16: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$48,000 to be utilized to purchase new election machines, or take any other action in relation thereto.

(Town Clerk/Board of Registers)

ARTICLE 17: To see if the Town will vote to amend the vote under Article 61 of the March 16, 1959 Annual Town Meeting pursuant to which the Personnel Board was established by providing that the Personnel Board shall consist of five (5) members one of whom shall be the Human Resources Director appointed by the Board of Selectmen and of the other four (4) members no person serving as a Town employee, Town official, a member of any Commission or Board, whether serving in an elective or appointed capacity, shall be eligible for such membership. The Board of Selectmen shall make all appointments and fill all vacancies as they may from time to time occur. All appointments to fill expired terms shall be made for a term of five (5) years and all appointments made to fill unexpired terms shall be only for the remainder of the unexpired term. If, at the time of this vote, the Personnel Board consists of five (5) active members, the least senior member may be removed by the Board of Selectmen in order to accommodate the Human Resources Director, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen to undertake decertification of the property and facilities at 1 National Street in Milford, which property and facilities are the subject of a Tax Increment Financing Agreement between the Town and Saint-Gobain Containers Inc., for reason of the current owner/operators expressed intention to cease all operations and close the business which was the subject of the incentives provided for in said Agreement, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 19: To see if the Town will vote to raise and appropriate, or transfer from available funds, to provide an additional sum of money to be added to the account established pursuant to General Laws Chapter 40, Section 13D of the General Laws pursuant to vote under Article 24 of the October 21, 2013 Special Town Meeting, said sums to be utilized for future payment of accrued liabilities for compensated absences, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 20: To see if the Town will vote to amend the Zoning Bylaw relating to solar energy systems as follows:

BY ADDING the following to Section 2.3 Use Regulation Schedule:

<u>DISTRICT</u>		RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC
<u>ACTIVITY OR USE</u>													
ACCESSORY USES													
Large Scale Solar Energy System ^{1,22}	O ³⁰	O ³⁰	O ³⁰	O ³⁰	S	P	O	O ³⁰	S ³⁰	P	P	P	

or take any other action related thereto.

(Demos & Nickoletta Pirperis)

ARTICLE 21: To see if the Town will vote to amend the Zoning Bylaw relating to “Over 55” Residential Uses as follows:

BY ADDING a new footnote #31 in Section 2.3 Use Regulation Schedule for Multi-Family Dwellings in the CA and CB Zones as follows:

“³¹ Except that limited “Over 55” residential use may be allowed as per Section 3.18 herein.”

AND BY ADDING after Section 3.17 a new Section 3.18 Limited “Over 55” Residential Uses as follows:

“Section 3.18 Limited “Over 55” Residential Uses – Within the CA Central Commercial and the CB Neighborhood Commercial districts, limited “Over 55” residential uses may be permitted subject to the following standards provided a Special Permit is first obtained from the Planning Board:

3.18.1. Limited “Over 55” residential uses may be permitted only within multi-story buildings fronting on Main Street. Each dwelling unit within such uses shall be for occupancy by two persons only, at least one of which is 55 years of age or older. The maximum number of dwelling units in such uses shall be determined by the number of off-street parking spaces provided as required per Section 3.18.6 herein.

3.18.2 Within the CA zoning district, "Over 55" residential uses may be allowed only above the first floor. For purposes of this section, the first floor shall be considered the floor at Main Street level.

3.18.3 Within the CB zoning district, "Over 55" residential uses may be allowed only on parcels of 1.5 acres in area or larger.

3.18.4 The maximum number of bedrooms shall be limited to two bedrooms per dwelling unit, and occupancy of each unit shall be limited to two persons, at least one of whom shall be age 55 years or older.

3.18.5 Boarding and rooming house units shall not be permitted on any floor within the same building as limited "Over 55" residential uses permitted under this section.

3.18.6 The applicant shall provide 1.75 on-site off-street parking spaces for each unit, except that within the CA zoning district, the applicant shall demonstrate binding legal availability through lease, easement, or other approved method, of 1.75 dedicated off-street parking spaces for each unit.

3.18.7 Refuse removal shall not be the responsibility of the town but shall be the responsibility of the applicant/building owner. An applicant shall demonstrate availability of refuse removal services available to occupants, and provide any other relevant documentation in support thereof.

3.18.8 No displays of any kind may be placed upon the exterior of buildings, other than permitted advertising for commercial space.

3.18.9 The Intensity of Use Schedule of Section 2.3 shall not be applicable for limited "Over 55" residential uses as provided for in this section."

or take any other action related thereto.

(Lobisser Building Corp.)

ARTICLE 22: To see if the Town will vote pursuant to General Laws Chapter 44, Section 20 to transfer the remaining balance of bond proceeds from the issuance authorized by Article 27 of the October 24, 2011 Special Town Meeting for the purpose of renovation, reconstruction and/or expansion of the Milford Geriatric Authority facility, to the Woodland School Building Committee account authorized by Article 2 of the February 10, 2014 Special Town Meeting with the amount authorized to be borrowed for the project to be reduced by the amount transferred; and further, to allow the Treasurer, with the approval of the Board of Selectmen, to waive the reimbursement of debt service for an amount equal to the amount transferred, or take any other action in relation thereto.

(Finance Director)

ARTICLE 23: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to sums previously appropriated in order to replenish the Mitigation Plan undertaken pursuant to an Agreement with the Public Employee Group pursuant to General Laws Chapter 32B, Sections 21 through 23, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 24: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized the cost items in a Collective Bargaining Agreement between the Town of Milford and the Milford Public Safety Dispatcher's Association, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 25: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized under the jurisdiction of the Board of Selectmen for legal services pending the filling of the vacancy in the office of Town Counsel, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 26: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to offset the snow and ice deficit in the current fiscal year, or take any other action in relation thereto.

(Finance Committee)

ARTICLE 27: To see if the Town will vote to close out certain Special Article Accounts to the General Funds of the town, or take any other action in relation thereto.

(Finance Director)

ARTICLE 28: To see if the Town will vote to transfer funds between line items voted under Article 4 of the May 22, 2017 Annual Town Meeting for the purpose of making funds available in line item accounts not sufficiently funded through the end of Fiscal Year 2018, or take any other action in relation thereto.

(Finance Director)

And you are hereby directed to serve this warrant by posting at least fourteen days before said meeting attested copies of this warrant in ten or more public places located in said Milford.

HEREOF, FAIL NOT, and make due return of this warrant with your doings thereon to the Clerk of said Town at the time of said meeting.

Given under our hands at Milford this 12th day of March, 2018.

MILFORD BOARD OF SELECTMEN



William E. Kingcade, Jr., Chairman



William D. Buckley



Michael K. Walsh

A true copy attest:



Thomas J. O'Loughlin, Chief of Police