

SPECIAL TOWN MEETING  
September 26, 2017  
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 26<sup>th</sup> day of September, 2017 A.D. at 7:30 P.M. and then and there to act upon the following articles:

ARTICLE 1: To see if the Town will vote, pursuant to Section 9 of Chapter 77 of the Acts of 1881, and any other law enabling, to authorize the purchase of the Milford Water Company for the price of \$63,000,000; and further that the Town vote to appropriate said \$63,000,000 and to determine how such sum shall be raised, whether from the current tax levy, by transfer from available funds, or by borrowing said sum pursuant to the provisions of G.L. c. 44, § 8, clause 3, or any other Act enabling, and further that the Town vote to authorize the Board of Selectmen to take any and all action, and execute such documents as are necessary to effectuate the purchase and the transfer of operations to the Town, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 2: To see if the Town will vote to transfer a sum of money from available funds to be utilized for legal, engineering, and other expert consulting services necessary to effectuate the final transfer of the Milford Water Company and its assets to the Town of Milford, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 3: To see if the Town will vote, pursuant to G.L. c. 40, § 39A, to establish a water supply and water distribution system, and maintain and operate the same, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 4: To see if the Town will vote, pursuant to the provisions of G.L. c. 44, § 53F ½, to establish an Enterprise Fund for its water supply and distribution operations in compliance with, and in accordance with, the provisions of said Section 53F ½, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 5: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized by the Board of Water Commissioners, or the Board of Selectmen acting as the Board of Water Commissioners, and as part of the Enterprise Fund authorized by the Town Meeting under this Warrant, in order to ensure the continued financial viability of the water supply system during the transition between the Milford Water Company and ownership and operations by the Town of Milford; said sum to be repaid through the Enterprise Fund authorized above upon terms as may be agreed upon, after establishment of a Board of Water Commissioners, between the Board of Selectmen and such Board of Water Commissioners, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 6: To see if the Town will vote to authorize the Board of Selectmen to petition the legislature for Special Legislation to authorize the Town to borrow funds for a period of 40 years for purposes of establishing a water system and acquiring the Milford Water Company, and its assets, which legislation would provide substantially as follows:

Be it enacted, etc., as follows:

Section 1. Notwithstanding the provisions of any general or special law to the contrary, the Town of Milford, for the purpose of purchasing and establishing a system for supplying the Town and its inhabitants with water, may incur debt, in accordance with the provisions of G.L. c. 44, § 8, for a period not to exceed forty years.

Section 2. This Act shall take effect upon its passage.

or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 7: To see if the Town will vote to authorize the Board of Selectmen to petition the legislature for Special Legislation to provide that the Town of Milford may, upon acquisition of the Milford Water Company, dissolve the Milford Water Company and also provide for transfer of assets and related actions which legislation shall provide substantially as follows:

*Be it enacted, etc., as follows:*

**Section 1.** At such time as the Town of Milford, pursuant to Section 9 of Chapter 77 of the Acts of 1881, shall acquire all of the corporate property and all of the rights and privileges of the Milford Water Company, the Board of Selectmen of such town are hereby authorized to dissolve the company.

**Section 2.** Upon the transfer of all of the capital stock of the company to said town, the Board of Selectmen of said town are authorized to vote the shares of the stock of the company at all stock holder meetings and also upon the dissolution of the company to transfer any remaining assets, franchises, corporate property, rights and privileges to said town to be managed thereafter by a Board of Water Commissioners as authorized by applicable law.

**Section 3.** The land, water rights and other property acquired under Chapter 77 of the Acts of 1881, and all works, aqueducts, pipelines, buildings or other structures directly constructed thereunder shall, upon dissolution of the Company, be managed, improved and controlled by the Board of Water Commissioners of said town in accordance with applicable law, in such manner as they deem in the best interest of said town. Said town may furnish and sell water to other municipalities, which are hereby authorized to purchase water sold.

**Section 4.** The employees of the Milford Water Company, desiring to continue employment with the Town of Milford on the date of transfer of all of the property and assets of the Milford Water Company to the Town of Milford, may be transferred to the service of the Water Department of said Town and shall not be subject to provisions of G.L. c. 31.

**Section 5.** This act shall take effect upon its passage.

or take any other action in relation thereto.


(Board of Selectmen)

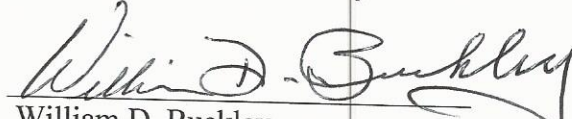
And you are hereby directed to serve this warrant by posting at least fourteen days before said meeting attested copies of this warrant in ten or more public places located in said Milford.

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 11<sup>th</sup> day of September, 2017

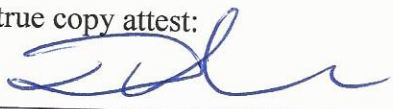
MILFORD BOARD OF SELECTMEN

  
William E. Kingkade, Jr., Chairman

  
William D. Buckley

  
Mike K. Walsh

A true copy attest:

  
Thomas J. O'Loughlin, Chief of Police

Commonwealth of Massachusetts  
Worcester, SS.  
Milford, MA  
Date: September 12, 2017

Pursuant to the within warrant, I have notified the inhabitant of the Town of Milford to meet at the time and place for the purpose within mentioned, by posting attested copies of this warrant in ten or more public places in Milford.

Thomas O'Loughlin, Police Chief