

SPECIAL TOWN MEETING

**January 13, 2020
Milford, Massachusetts**

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS:

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

WORCESTER, SS:

Milford TV recorded the Town Meeting. Recorded copies are available at the Office of the Board of Selectmen.

The Town Moderator, Michael Noferi, called the meeting to order at 7:00 p.m. and announced that the Precinct Captains will take attendance; the quorum was set at 123 Town Meeting Members. The Precinct Captains reported 139 members Present and 103 members Absent. A quorum was attained.

The Town Clerk, Amy E. Hennessy Neves read the Warrant.

The Town Clerk read the Return of Service.

The Moderator asked the body to stand for the Pledge of Allegiance.

The Moderator asked if there were any Committee reports. Christopher Morin, Chairman of the Finance Committee spoke.

ARTICLE 1: To see if the Town will vote, pursuant to Massachusetts General Law Chapter 40, Section 59, and Chapter 23A, Sections 3A through 3F, and the applicable regulations thereunder, to:

- (a) approve a Tax Increment Financing Agreement between the Town and Rentschler Biopharma Inc. for properties shown on Assessors Map 45, Lots 15 and 16 located at 27 Maple Street (the “TIF Agreement”), which TIF Agreement provides for real estate tax exemptions at the exemption rate schedules set forth therein; and**
- (b) authorize the Board of Selectmen to execute the TIF Agreement, and any documents related thereto, and to approve submission to the Economic Assistance Coordinating Council (EACC) of the TIF Agreement, and any documents related thereto, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and related submissions and to take such other actions as necessary or appropriate to implement those documents, and carry out the purposes of this article; and**

or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote, pursuant to the Massachusetts General Law Chapter 40, Section 59, and Chapter 23A, Section 3A through 3F, and the applicable regulations thereunder, to:

- (a) approve a Tax Increment Financing Agreement, as posted on the Town of Milford's Town Meeting website as well as placed on Town Meeting members chairs' this evening, between the Town and Rentschler Biopharma Inc. for properties shown on Assessors map 45, Lots 15 and 16 located at 27 Maple Street (the "TIF Agreement"), which TIF Agreement provides for real estate tax exemptions at the exemption rate schedules set forth therein; and
- (b) authorize the Board of Selectmen to execute the TIF Agreement, and any documents related thereto, and to approve submission to the Economic Assistance Coordinating Council (EACC) of the TIF Agreement, and any documents related thereto, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and related submissions and to take such other actions as necessary or appropriate to implement those documents, and carry out the purposes of this article.

Michael Visconti (Pr. 8) proposed an amendment to Article 1 DATE: 01/13/2020:

Regarding the TIF AGREEMENT dated 1/14/2020 referenced in the Article 1, amend as follows.

Under the heading titled Company's Obligations.

Section 6, Sentence 1

Delete "plans to use commercially reasonable and viable efforts"

Replace with "Shall use best efforts"

Section 6 Sentence 2

Delete entirely all about planning

Replace with: "The Company shall advertise employment opportunities in the Town Crier and the Milford Daily News in order to encourage Milford residents to apply.

Section 7 Sentence 1

Delete "plans to use reasonable efforts"

Replace with: "shall use best efforts."

A Voice Vote was taken to accept the proposed Amendment to Article 1...Carried.

A Voice Vote was taken on Motion as Amended...Carried.

ARTICLE 2: To see if the Town will vote, pursuant to Massachusetts General Law Chapter 40, Section 59, and Chapter 23A, Sections 3A through 3F, and the applicable regulations thereunder, to:

- (a) approve a Tax Increment Financing Agreement between the Town, Interactions LLC and Rhino Capital Advisors LLC and/or its affiliate for property shown on Assessors Map 55, Lot 7 and located at 31 Maple Street (the “TIF Agreement”), which TIF Agreement provides for real estate tax exemptions and personal property tax exemptions at the exemption rate schedules set forth therein; and
- (b) authorize the Board of Selectmen to execute the TIF Agreement, and any documents related thereto, and to approve submission to the Economic Assistance Coordinating Council (EACC) of the TIF Agreement, and any documents related thereto, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and related submissions and to take such other actions as necessary or appropriate to implement those documents, and carry out the purposes of this article; and

or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote, pursuant to Massachusetts General Law Chapter 40, Section 59, and Chapter 23A, Sections 3A through 3F, and the applicable regulations thereunder, to:

- (a) approve a Tax Increment Financing Agreement, as posted on the Town of Milford’s Town meeting website as well as placed on Town Meeting members chairs’ this evening, between the Town, Interactions LLC and Rhino Capital Advisors LLC and/or its affiliate for property shown on Assessors May 55, Lot 7 and located at 31 Maple Street (the “TIF Agreement”), which TIF Agreement provides for real estate tax exemptions and personal property tax exemptions at the exemption rate schedules set forth therein; and
- (b) authorize the Board of Selectmen to execute the TIF Agreement, and any documents related thereto, and to approve submission to the Economic Assistance Coordinating Council (EACC) of the TIF Agreement, and any documents related thereto, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and related submissions and to take such other actions as necessary or appropriate to implement those documents, and carry out the purposes of this article.

Michael Visconti (Pr. 8) proposed an amendment to Article 2 DATE: 01/13/2020:

Regarding the TIF AGREEMENT dated 1/14/2020 referenced in the Article 1, amend as follows.

*Under the heading titled Company's Obligations.
Section 6, Sentence 1*

Delete "plans to use commercially reasonable and viable efforts"

*Replace with "Shall use best efforts"
Section 6 Sentence 2*

*Delete entirely
Replace with: "The Company shall advertise employment opportunities in the Town Crier and the Milford Daily News in order to encourage Milford residents to apply.*

*Section 7 Sentence 1
Delete "plans to use reasonable efforts"*

Replace with: "shall use best efforts."

A Voice Vote was taken to accept the proposed Amendment to Article 2...Carried.

A Voice Vote was taken on Motion as Amended...Carried.

ARTICLE 3: To see if the Town will vote to amend Section 5.8 A, 5.8B and 5.8C of the Personnel By-laws as follows:

by deleting the current Sections 5.8(A), 5.8(B) and 5.8(C) and inserting in their place and stead the following new Sections 5.8(A), 5.8(B) and 5.8(C):

"VACATION LEAVE"

5.8(A) To be eligible for vacation leave, an employee shall have been employed on a permanent, full-time basis, for a period of not less than three (3) continuous months.

The vacation year shall be the period January 1 – December 31. An employee who has resigned, retired, or otherwise separated from service within a given vacation year shall be paid for any unused vacation leave accrued at the time of separation.

YEAR 1: As reflected in the chart below, all new hires will receive ten (10) days', pro-rated vacation leave at the time of hire. The actual number of vacation days allocated will be based upon the date of hire up to a maximum of ten (10) days during the initial vacation year. Employees in their first year of employment may begin using vacation days no sooner than three (3) months of their hire date, and only when they have been continuously employed for said period. Newly hired employees may carry up to ten (10) vacation days into the following calendar year following their first date of employment. At least five (5) of these days must be taken no later than June 30th of the new calendar year.

YEARS 2-4: Beginning January 1st of the following calendar year, all employees shall accrue ten (10) days' vacation. These days may be used after initial completion of three (3) months continuous employment.

YEAR ONE

First Month of Employment	Year One Vacation Day allocation	First month vacation days available for use
January	10	April
February	10	May
March	10	June
April	9	July
May	8	August
June	7	September
July	6	October
August	5	November
September	4	December
October	3	January
November	2	February
December	1	March

5.8(B) Vacation leave for subsequent years of continuous employment shall be accrued in accordance with the following schedule, as of January 1st:

Upon completion of Five (5) Years	15 days
Upon completion of Eleven (11) years	20 days
Upon completion of Seventeen (17) years	25 days

Vacation entitlement shall not be cumulative from year to year. Said leave shall be taken within the year it is accrued, unless otherwise authorized under Section 5.08c.

An employee shall be eligible for increased vacation leave, as determined above, upon the actual date of his/her 5th, 11th, and/or 17th anniversary of continuous employment, notwithstanding when said date falls within the January-December vacation leave.

Any revisions to the allotted vacation leave for individual employees, up to four (4)

weeks of vacation, will be determined by the department head, HR Director, and the appointing authority (where applicable) on a case-by-case basis.

5.8 (C) Any employee may request, in writing, a carry-over of up to ten (10) unused vacation days into the following calendar year. However, five (5) of the carry over vacation days must be taken no later than June 30th of the new calendar year. Such request must be submitted in writing thirty (3) days prior to the end of the calendar year, and must be approved by the Department Head.

The revised vacation leave policy applies to those hired since January 1, 2019.”

or take any other action in relation thereto.

(Personnel Board)

A Motion was Made by Richard Villani (At Large/Pr. 6) to Pass over Article 3. A Voice Vote was taken on Motion to Pass Over Article 3...Voice Vote Carried.

ARTICLE 4: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to pay the cost items in a Collective Bargaining Agreement between the Town of Milford and the Milford Firefighter Local 2140, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote to transfer the sum of \$155,000 from the Excess and Deficiency Account, to supplement Account 220-5110 Personal Services, as voted upon and approved as Article 4 of the 5/20/2019 ATM, to be utilized to pay the cost items in a Collective Bargaining Agreement between the Town of Milford and the Milford Firefighter Local 2140.

A Voice Vote was taken on Motion as Presented...Carried Unanimously.

ARTICLE 5: To authorize the Board of Selectmen to petition the Legislature for special legislation to provide for the grant of an additional license for the sale of all alcoholic beverages to be consumed on the premises, which legislation shall provide substantially as follows:

“Section 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Milford may, upon receipt of a completed application, payment of any applicable fees, after a public hearing and all due process, and in its sole discretion grant one (1) additional license for the sale of all alcoholic beverages to be consumed on the premises, under Section 12 of said Chapter 138 to Rail Trail Flatbread Company and/or its designee, 221-223 Main Street, Milford, MA. The license shall be subject to said chapter 138, except Section 17.

Section 2. This act shall take effect upon its passage.”

or take any other action in relation thereto.

(Rail Trail Flatbread Company)

A Motion was Made by Richard Villani (At Large/Pr. 6) to Pass over Article 5. A Voice Vote was taken on Motion to Pass Over Article 5...Voice Vote Carried.

ARTICLE 6: To authorize, but not require, the Board of Selectmen to petition the Legislature for special legislation to provide for the grant of an additional license for the sale of all alcoholic beverages to be consumed on the premises, which legislation shall provide substantially as follows:

“Section 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Milford may, upon receipt of a completed application, payment of any applicable fees, after a public hearing and all due process, and in its sole discretion grant one (1) additional license for the sale of all alcoholic beverages to be consumed on the premises, under Section 12 of said Chapter 138 to Karmichael Holdings, LLC, 221 Main Street, Milford, MA. The license shall be subject to said chapter 138, except Section 17.

Section 2. This act shall take effect upon its passage.”

or take any other action in relation thereto.

(Karmichael Holdings, LLC)

A Motion was Made by Richard Villani (At Large/Pr. 6) to Pass over Article 6. A Voice Vote was taken on Motion to Pass Over Article 6...Voice Vote Carried.

A Motion was Made by Pamela Fields (Pr. 2) to Dissolve the Warrant. A Voice Vote was taken on Motion to Dissolve the Warrant...Carried.

The Warrant was Dissolved at 8:28 p.m.

A True Copy of the Record.

Attest:

Amy E. Hennessy Neves,
Town Clerk