

SPECIAL TOWN MEETING

October 15, 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 15th day of October, 2018 A.D. at 7:00 P.M. and then and there to act upon the following articles:

ARTICLE 1: To see if the Town will vote, pursuant to General Laws Chapter 60, Section 62A, to adopt a new "Article 40 of the General By-Laws" as follows:

"The Town Treasurer is authorized to enter into payment agreements between the treasurer and persons entitled to redeem parcels in tax title. Such agreements shall be for a maximum term of no more than 3 years, and may not waive any interest that has accrued on the amount of the tax title account. All such agreements shall be uniform for each class of tax titles. Any such agreement must require a minimum payment at the inception of the agreement of 25 per-cent of the amount needed to redeem the parcel. During the term of the agreement the treasurer may not bring an action to foreclose the tax title unless payments are not made in accordance with the schedule set out in the agreement or timely payments are not made on other amounts due to the town that are a lien on the same parcel."

or take any other action in relation thereto.

(Town Treasurer and Town Counsel)

ARTICLE 2: 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 Board of Selectmen, to implement a records management program at Town Hall to include destruction of records upon proper approval from the Commonwealth, to create a customized retention schedule and a locator system, and to include the microfilming or scanning of records to free-up available physical storage space, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 3: To see if the Town will vote to add a new standing vote of the Milford Town Meeting by inserting, in the next available numerical order, a standing vote as follows:

The proceedings of Town Meetings shall be conducted in accordance with the most recent edition of *Town Meeting Time* by Johnson, Trustman, and Wadsworth, except as modified by Massachusetts General Laws and the General By-laws, Standing Votes of Town Meeting and traditions in Milford.

or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 4: To see if the Town will vote to add a new standing vote of the Milford Town Meeting by inserting, in the next available numerical order, a standing vote as follows:

“Immediately after the call to order of any Annual or any Special Town Meeting, except for a Special Town Meeting immediately preceding or within an Annual Town Meeting, the Town Meeting members who so desire shall be given the opportunity to recite the Pledge of Allegiance to the United States.

After the beginning of the opening session of any Annual or October Special Town meeting but prior to consideration of any warrant articles, the Moderator, at his discretion, may invite a Milford school choir group to sing the National Anthem or other patriotic song.

There shall be no obligation or requirement imposed upon any individual Town Meeting member or other person present to participate in any way if he or she does not desire to do so.”

or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 5: To see if the Town will vote to add a new standing vote of the Milford Town Meeting by inserting, in the next available numerical order, a standing vote as follows:

“Main motions, amendments to main motions, secondary amendments, and motions to commit or refer shall be reduced to writing and copies of said motions are to be provided to the Moderator and Town Clerk at the time of introduction to the meeting.”

or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 6: To see if the Town will vote to add a new standing vote of the Milford Town Meeting by inserting, in the next available numerical order, a standing vote as follows:

“The Moderator shall second all motions that require a second.”

or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 7: To see if the Town will vote to add a new standing vote of the Milford Town Meeting by inserting, in the next available numerical order, a standing vote as follows:

“The Moderator, at his discretion, may entertain a motion to dispense with or waive the reading of a main motion or report. If said motion is entertained, the Moderator shall ascertain from the sponsor whether the main motion or report is exactly as it appears in the Warrant or other printed material made available to the voters prior to the opening of that Town Meeting session.

If the main motion or report is not the same, then the sponsor shall, for the record, note or indicate any differences.

This motion requires a second and a majority vote; may be debated and reconsidered, but not amended; and may interrupt the speaker.”

or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 8: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be used for payment for medical bills and other expenses incurred resulting from injuries to Police Officers or Fire Fighters to be deposited to the Special Injury Leave Indemnity Funds to be utilized for purposes of paying expenses incurred under G.L. c. 41, section 100 and/or 111F, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 9: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to obtain the services of a grant writer/consultant to provide grant writing services to the Town, including, but not limited to, the Milford Downtown Façade Program; to provide support and assistance for community and economic development efforts of the Town in implementing the Economic Development Strategy, the Community Development Strategy and the Comprehensive Plan, including the administration of grant programs and ensuring grant requirement compliance, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 10: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to obtain the services of an architect to provide general design services and assistance to the town, including, but not limited to the implementation of the Milford Downtown Façade Program, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 11: To see if the Town will vote to amend Section 2.3 of the Zoning By-Laws, Use Regulation Schedule relating to Self-Service Gasoline Stations as follows:

Section 2.3 Use Regulation Schedule

| ACTIVITY OR USE | DISTRICT | | | | | | | | | | | |
|---|----------|----|----|----|----|----|----|----|----|----|----|----|
| | RA | RB | RC | RD | OR | BP | CA | CB | CC | IA | IB | IC |
| <u>COMMERCIAL USES</u> | | | | | | | | | | | | |
| Gasoline Stations/Self-Service ¹ | O | O | O | O | O | O | O | A | A | A | A | A |

or take any other action in relation thereto.

(Volta Oil Company)

ARTICLE 12: To see if the Town will vote to amend the Zoning Bylaw by rezoning from Single Family Residential [RB] to Neighborhood Commercial [CB] the following 4 parcels of property: The northerly 120'+/- of Assessor's Map 33 Lot 35; The northerly 108'+/- of Assessor's Map 33 Lot 35A; The southerly 60'+/- of Assessor's Map 33 Lot 36; and, The southerly 60'+/- of a private way formerly known as Victory Road as shown on Assessor's Map 33. Said parcels being located northerly of East Main Street and easterly of Adams Road and consisting of a total of approximately 1.16 acres and more precisely described as follows:

Beginning at a point, said point being N70° 07' 10"E a distance of 166.34 feet from the easterly right of way of Hamilton Street at the most Northwest corner of the land of Jaylee Realty Corporation and the most Southwest corner of land of Andrew Tumolo:

Thence: N20° 12' 30"W a distance of 117.53 feet to a point at the corner of land of Michele L. Caldwell being the most northeasterly corner of the right of way of Adams Road. The last course bounding with the land of Lindsey M. Pirela, Milford East Main Street LLC and the former westerly right of way of Victory Road.

Thence: N70° 01' 30"E a distance of 300.80 feet to a point at the land of Keri-Ann Machado, the last course running through the former Victory Road and the land of Kevin P. Meehan.

Thence: S30° 28' 30"E a distance of 165.80 feet to a point, said point being 200.00 feet from the right of way of East Main Street. The last course bounding with the land of Keri- Ann Machado, Kevin P. Meehan, Carol A. Hiller and Rudolph W. Porotti.

Thence: S64° 54' 50"W a distance of 107.41 feet to a point. The last course running through the land of Rudolph W. Porotti, parallel with and 200.00 feet from East Main Street.

Thence: S63° 22' 05"W a distance of 138.23 to a point at the land of Jaylee Realty Corporation. The last course running through the land of Rudolph W. Porotti, Milford East Main Street LLC, parallel with and 200.00 feet from East Main Street.

Thence: N22° 18' 42"W a distance of 71.01 feet to a point at the corner of land of Jaylee Realty Corporation and Milford East Main Street LLC.

Thence: S70° 07' 01"W a distance of 83.36 feet to the point of beginning. The last two courses bounding with the land of Jaylee Realty Corporation and Milford East Main Street LLC.

Said parcel containing 1.16 acres, more or less.

or take any other action related thereto.

(Kevin Meehan, Rudolf Porotti)

ARTICLE 13: To see if the Town will vote to amend Article 37 of the General By-Laws, Sections 2, 3, 4 and 5 relating to Occupancy of Buildings as follows:

“SECTION 2. Certificate of Registration Required; Posting.

No person shall rent or lease, offer to rent or lease, or make or have available for rent or lease any building or any portion of a building to be used for human habitation without first registering with the Board of Health, or its designee, which shall determine the number of persons such building or portion of a building may lawfully accommodate under the provisions of the Massachusetts State Sanitary Code and applicable Board of Health Regulations, and without first also conspicuously posting within such building, or portion of a building, a Certificate of Registration provided by the Board of Health, or its designee, specifying the number of persons such building or portion of a building may lawfully accommodate under said code and regulations. This provision shall not apply to units or portions of buildings which are occupied by the record owner thereof.

SECTION 3. Number of Persons Restricted.

No tenant shall lease, rent, or occupy any building or any portion of a building subject to the provisions of this chapter if, at the time of such lease, rental or occupancy, the number of persons occupying such building or portion of a building exceeds the number of persons authorized to occupy such building or portion of a building by a Certificate of Registration, if issued and posted, or exceeds the number of persons that may be lawfully accommodated as determined by the Board of Health, or its designee, under the Massachusetts State Sanitary Code. Furthermore, nothing contained herein shall be construed to grant, permit, or license occupancy of any premises in excess of the number of persons authorized to occupy such building, or portion of a building, by any other applicable law, code, or regulation, including, but not limited to, building codes and fire codes. Any certificate issued hereunder shall notify the certificate holder to check with the Building Department to determine the maximum occupancy rates applicable under other applicable laws, codes, and/or regulations.

SECTION 4. Fee.

There shall be a fee of Fifty (\$50) Dollars to procure a Certificate of Registration for each unit which shall be valid for one year from the date of issue. Thereafter, upon application and review, the Certificate of Registration shall annually be renewed at no additional cost to the holder. Failure to obtain and pay for an initial Certificate of Registration within thirty (30) days of notice from the Board of Health, or it's designee, of the obligation to obtain such a certificate for a unit, or failure to renew within thirty (30) days of the expiration date of a certificate for a unit, shall require the payment of an additional Fifty (\$50) Dollars per unit as a late fee.

SECTION 5. Revocation or Suspension of Certificate.

A Certificate issued under this chapter may be suspended or revoked, if, at any time, the issuing authorities are satisfied that the certificate holder is operating, or permitting his premises to be operated or occupied, in violation of this Article. Such revocation and/or suspension shall not be undertaken until after investigation and a hearing providing the certificate holder with an opportunity to be heard. Notice of such hearing shall be delivered to the licensee not less than three (3) days before the time of said hearing."

or take any other action in relation thereto.

(Building Commissioner/Board of Health)

ARTICLE 14: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to fund the cost items contained within a Collective Bargaining Agreement between the Milford Dispatchers' Union and the Town of Milford including, but not limited to, wages and salaries, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 15: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to supplement certain Salary and Wage budgets as voted under Article 4 of the May 14, 2018 Annual Town Meeting for the purpose of fully funding the new Salary and Wage levels for Clerks, various Boards and Committees as recommended by the Personnel Board and passed under Article 2 of the May 14, 2018 Annual Town Meeting for the Fiscal Year beginning July 1, 2018, or take any other action in relation thereto.

(Town Accountant)

ARTICLE 16: 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 Tree Warden to remove dead, dying, dangerous, and/or compromised trees throughout the Town of Milford, thereby promoting public safety and simultaneously reducing the potential for power outages and road closings, or take any other action in relation thereto.

(Tree Warden)

ARTICLE 17: To see if the Town will vote to transfer a sum of money from the Sewer Department Retained Earnings to be used to increase the Sewer Stabilization Account, or take any other action in relation thereto.

(Treasurer)

ARTICLE 18: 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 Fire Chief for the purpose of purchasing and equipping a new Engine 1, or take any other action in relation thereto.

(Fire Chief)

ARTICLE 19: 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 Milford Youth Commission for the purpose of hiring a consultant to perform engineering and design services, prepare construction drawings, and complete installation of air conditioning for the headhouse of the Milford Youth Center, or take any other action in relation thereto.

(Youth Commission)

ARTICLE 20: To see if the Town will vote 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 malt beverages and wine not to be consumed on the premises (Package Store), 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 an additional license for the sale of wines and malt beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to Central Gas and Market Inc. at 186 Central Street in the town of Milford. The license shall be subject to all of said chapter 138 except said section 17.

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

or take any other action in relation thereto.

(Central Gas & Market, Inc.)

ARTICLE 21: To see if the Town will vote 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 not 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 an additional license for the sale of wines and malt beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to 138 to Water Street Meat Market, LLC d/b/a Water Street Meat Market at 3 Water Street, Milford, MA. The license shall be subject to all of said chapter 138 except said section 17.

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

or take any other action in relation thereto.

(Water Street Meat Market, LLC)

ARTICLE 22: To authorize the Board of Selectmen to petition the Legislature for special legislation to provide for current town meeting members to become candidates for re-election by giving written notice instead of by filing nomination papers, which legislation shall provide substantially as follows:

“SECTION 1. Chapter 271 of the acts of 1933 is hereby amended by striking out section 4, as most recently amended by section 1 of chapter 180 of the acts of 2011, and inserting in place thereof the following section:

Section 4. (a) Nominations of candidates for town meeting members to be elected under this act shall be made by nomination papers, which shall bear no political designation, shall be signed by not less than 30 voters of the precinct in which the candidate resides, and shall be filed with the town clerk at least 35 days before the election. No nomination papers shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto when filed.

(b) Notwithstanding subsection (a), the fourth paragraph of section 10 of chapter 53 of the General Laws or any other general or special law to the contrary, any incumbent town meeting member may, without collecting voter signatures or filing nomination papers, become a candidate for reelection as a town meeting member for the same precinct in which the incumbent member currently serves, or for reelection as a town meeting member at-large, by giving written notice thereof to the town clerk at least 30 days before the election.

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

or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 23: 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 Milford Highway Surveyor for the acquisition and installation of flex-post median markers within the Route 85/Cedar Street roadway immediately north of the intersection with Fortune Boulevard/Dilla Street, 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 in the amount of \$9,000, to be spent under the jurisdiction of the Parks Commission, to be utilized to provide labor and materials for holiday lighting and other associated electrical needs at Draper Memorial Park, or take any other action in relation thereto.

(Parks Commission)

ARTICLE 25: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$60,000, to be spent under the jurisdiction of the Parks Commission, to be utilized to conduct a feasibility study of the Fino Field pool to provide options for renovation, expansion, or replacing the pool, or take any other action in relation thereto.

(Parks Commission)

ARTICLE 26: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$34,000, to be spent under the jurisdiction of the Parks Commission, to purchase a new riding mower with a 104-inch cutting deck and associated trailer, or take any other action in relation thereto.

(Parks Commission)

ARTICLE 27: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$43,000, to be spent under the jurisdiction of the Parks Commission, to replace the current 2001 model-year truck with a new pickup truck, said truck also to be used for snow and ice removal, or take any other action in relation thereto.

(Parks Commission)

ARTICLE 28: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$190,000, to be spent under the jurisdiction of the Highway Surveyor, to purchase a new truck for plowing, sanding, hauling, and road maintenance, or take any other action in relation thereto.

(Highway Surveyor)

ARTICLE 29: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$180,000, to be spent under the jurisdiction of the Highway Surveyor, to purchase a sidewalk tractor equipped with a snow blower, power v-plow and a sander, or take any other action in relation thereto.

(Highway Surveyor)

ARTICLE 30: 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 Milford Highway Surveyor and/or the Town Engineer, for any and all items required to ensure that the Town remains in compliance with the Environmental Protection Agency's (EPA) Stormwater – General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems ("MS4s")-(Phase II of the Permit), or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 31: 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 Milford Highway Surveyor and / or the Town Engineer, for any and all items required to perform a Phase II Inspection/Evaluation Report, analysis and design work for the Milford Pond Dam (a.k.a. Cedar Swamp Pond Dam) as referenced in the Phase I Inspection / Evaluation Report performed and written by Weston & Sampson Engineers, Inc., Dated July 11, 2016, or take any other action in relation thereto.

(Highway Surveyor/Town Engineer)

ARTICLE 32: 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 used for the purpose of replacing the front stairs at the Milford Town Library including any necessary repairs or replacement of the railings and associated structures/elements, or take any other action relating thereto.

(Library Trustees)

ARTICLE 33: To see if the Town will vote to authorize the expenditure of the available balance in Fund 2696, Comcast Verizon PEG access account, for the purpose of performing upgrades in accordance with the PEG Access Agreements with the Town, or take any other action in relation thereto.

(School Committee)

ARTICLE 34: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$5,000, to be spent under the jurisdiction of the Town Meeting Study and Improvement Committee, for general expenses, or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 35: To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to be added to the Town's Stabilization Account, or take any other action in relation thereto.

(Finance Committee)

ARTICLE 36: To see if the Town will vote to appropriate a sum of money from available funds to be utilized to off-set operating, capital, and debt expenses to fix the tax rate for Fiscal Year 2019, 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 17th day of September, 2018

MILFORD BOARD OF SELECTMEN



Michael K. Walsh, Chairman

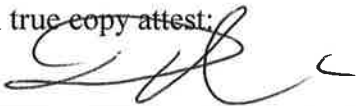


William D. Buckley



William E. Kingkade, Jr.

A true copy attest:



Thomas J. O'Loughlin, Chief of Police