



SPECIAL TOWN MEETING

**OCTOBER 25, 2021
MILFORD, MASSACHUSETTS**

COMMONWEALTH OF MASSACHUSETTS

The Special Town Meeting was held through remote participation. Milford TV recorded the Special Town Meeting.

The meeting was called to order at 7:00 p.m. by Moderator BonTempo. The Quorum was set at 122 members. Attendance was taken...91 members were present and 151 members were absent.. Quorum was not obtained so the Moderator announced he would temporarily recess the meeting for fifteen minutes.

The Moderator called the meeting back to order at 7:15 pm and the attendance was taken again...122 members were present and 120 members were absent. A quorum was obtained and the meeting began.

The Moderator asked those present to rise and recite the Pledge of Allegiance.

The Town Clerk, Amy E. Hennessy Neves swore in all Town Meeting Members present for the meeting.

The Moderator reviewed the meeting instructions and then Moderator asked for the pleasure of the meeting.

The Town Administrator, Richard Villani (AL) made a Motion that the Town vote to conduct the October 25, 2021 Special Town Meeting remotely by means of the Keypoint video or telephone conferencing platform.

It was Moved that the Town vote to conduct the October 25, 2021 Special Town Meeting remotely by means of the Keypoint video or telephone conferencing platform.

An Electronic Vote was then taken on the Motion as Presented...81 For...2 Against...Motion Carried.

The Town Clerk then read the Warrant. The Moderator made a motion to waive the reading the remainder of warrant as the text is the same as is in the Warrant that was mailed to all Town Meeting Members.

The Town Clerk then read the Return of Service. After the Return of Service was read, the Moderator then asked the Chairman of the Finance Committee Alberto Correia to present his report of the Finance Committee.

ARTICLE 1: 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 purpose of replacing two sections of the Godfrey Brook culvert; one section between West Street and Church Street and another section from Church Street to Water Street; and furthermore, to see if the Town will vote to authorize the Select Board to acquire by purchase, take by eminent domain, or otherwise acquire the rights in land being permanent and/or temporary easements, necessary for the above project, to provide the sum or sums of money necessary to pay the costs of damage thereof and to direct how all of said sums shall be raised whether from the current tax levy, by transferring from available funds, by borrowing, or otherwise, how expended, or take any other action in relation thereto.

(Highway Surveyor)

It was Moved that the Town vote to transfer the sum of \$300,000 from Fund 4028, to be utilized by the Milford Highway Surveyor for the purpose of replacing two sections of the Godfrey Brook culvert; one section between West Street and Church Street and another section from Church Street to Water Street; and furthermore, to see if the Town will vote to authorize the Select Board to acquire by purchase, take by eminent domain, or otherwise acquire the rights in land being permanent and/or temporary easements, necessary for the above project, to provide the sum or sums of money necessary to pay the costs of damage thereof from Fund 4028.

An Electronic Vote was Taken on the Motion as Presented...102 Voted For...0 Against...Carried Unanimously.

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 Fire Chief for roof and siding repairs at the Birch Street Fire Station, or take any other action in relation thereto.

(Fire Chief)

It was Moved that the Town vote to transfer the sum of \$35,500 from the Excess and Deficiency Account to be spent under the jurisdiction of the Fire Chief for roof and siding repairs at the Birch Street Fire Station.

An Electronic Vote was Taken on the Motion as Presented...103 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 3: To see if the Town will vote to raise and appropriate, or transfer from available funds, an additional sum of money to be added to the account established pursuant to General Laws Chapter 40, Section 13D approved as Article 24 of the October 21, 2013 Special Town Meeting Warrant, said sums to be utilized for future payment of accrued liabilities for compensated absences, or take any other action in relation thereto.

(Select Board)

It was Moved that the Town vote to transfer the sum of \$400,000 from the Excess and Deficiency Account to be added to the account established pursuant to General Laws Chapter 40, Section 13D approved as Article 24 of the October 21, 2013 Special Town Meeting Warrant, said sums to be utilized for future payment of accrued liabilities for compensated absences.

An Electronic Vote was Taken on the Motion as Presented...96 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 4: To see if the Town will vote to purchase a new web-based time and attendance tracking system for town employees, or take any other action in relation thereto.

(Finance Director)

It was Moved that the Town vote to transfer the sum of \$21,000 from the Excess and Deficiency Account to be utilized to purchase a new web-based time and attendance tracking system for town employees.

An Electronic Vote was Taken on the Motion as Presented...105 Voted For...2 Voted Against...Carried.

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 Milford School Committee for the purpose of an interior painting project at the Stacy Middle School, or take any other action in relation thereto.

(School Committee)

It was Moved that the Town vote transfer the sum of \$200,000 from the Excess and Deficiency Account to be utilized to by the Milford School Committee for the purpose of an interior painting project at the Stacy Middle School.

An Electronic Vote was Taken on the Motion as Presented...104 Voted For...3 Voted Against...Carried.

ARTICLE 6: 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 Police Chief for the purpose of replacing garage doors located at the Police Department, or take any other action in relation thereto.

(Police Chief)

It was Moved that the Town vote to transfer the sum of \$100,000 from the Excess and Deficiency Account to be spent under the jurisdiction of the Police Chief for the purpose of replacing garage doors located at the Police Department.

An Electronic Vote was Taken on the Motion as Presented...108 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 7: To see if the Town will vote to amend the Milford Personnel By-Laws, Section 3.13 by striking the word "grade" and inserting in its place the word "step", so that Section 3.13 shall read as follows: "All employees who are rendering satisfactory service, in the opinion of their Department Head, and who are under the maximum wage or salary rate for the positions in

which they are employed, shall be advanced to the next step annually (one year from the date of employment or date of advancement to present step)”; or take any other action in relation thereto.
(Personnel Board)

It was Moved that the Town vote to amend the Milford Personnel By-Laws, Section 3.13 by striking the word "grade" and inserting in its place the word "step", so that Section 3.13 shall read as follows: “All employees who are rendering satisfactory service, in the opinion of their Department Head, and who are under the maximum wage or salary rate for the positions in which they are employed, shall be advanced to the next step annually (one year from the date of employment or date of advancement to present step).”

An Electronic Vote was Taken on the Motion as Presented...96 Voted For...2 Voted Against...Carried.

ARTICLE 8: 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 Parks Commissioners, to renovate the Fino Field Pool based on the design and recommendations resulting from the feasibility study; the design shall include, but not be limited to, recreational swimming, lap swimming, an all-inclusive playground and infrastructure improvements to include compliance with the Americans with Disabilities Act, or take any other action in relation thereto.

(Parks Commission)

It was Moved that the Town vote to transfer the sum of \$4,600,000 from the Excess and Deficiency Account to be spent under the jurisdiction of the Parks Commissioners, to renovate the Fino Field Pool based on the design and recommendations resulting from the feasibility study; the design shall include, but not be limited to, recreational swimming, lap swimming, an all-inclusive playground and infrastructure improvements to include compliance with the Americans with Disabilities Act.

After debate, Park Commissioner Chair, Paul Pellegrini asked the body to allow Architect Thomas Scarlata to speak on behalf of the Article. The Moderator announced he will take a recess to allow Thomas Scarlata to present a slide show regarding Article 8 as he did not get Unanimous Consent of the Town Meeting Body.

Michael Visconti (Pr 8) Made a Motion to Amend Article 8 by striking out the sum of \$4,600,000 and inserting the sum of \$560,000.

An Electronic Vote was taken on the Amendment to the Original Motion....22 Voted For...89 Voted Against...Motion to Amend Defeated.

After debate...an Electronic Vote was Taken on the Original Motion as Presented...97 Voted For...16 Voted Against...Carried.

ARTICLE 9: To see if the Town will vote to accept as and for a public way, a private way known as Gordon Drive, or take any other action in relation thereto.

(Select Board)

Richard Villani (AL) Made a Motion to waive the reading of the legal description motion as the text is the same as the legal description and report of the Select Board that was mailed to all Town Meeting members...Motion to Waive the Reading Carried.

It was Moved that the Town vote to accept as and for a public way, a private way known as Gordon Drive, with appurtenant easements as follows:

LEGAL DESCRIPTION
MODIFICATION TO SOUTH CENTRAL ESTATES II
GORDON DRIVE, MILFORD, MA

August 5, 2021

A certain parcel of land located in the Town of Milford, County of Worcester, Commonwealth of Massachusetts depicted as GORDON DRIVE on a set of plans entitled "Layout Plan of Gordon Drive, Milford, Massachusetts" prepared by Guerriere & Halnon, Inc., Milford, MA, dated August 5, 2021, recorded herewith. Length from STA 00+00 to STA 25+35.64 to be accepted 2,535.64 feet, more or less, and more particularly bounded and described as follows:

Beginning at a concrete bound point on the Westerly side of Beaver Street at land now or formerly of Evergreen Center, Inc, marking the Southerly beginning of the Milford layout of the herein described parcel (Gordon Drive) at Beaver Street as depicted on the aforementioned plan;

Thence Westerly following a curve to the left having a radius of 25.00 feet for a distance of 43.25 feet to a railroad spike;

Thence South 82 degrees 24 minutes 09 seconds West 275.65 feet to a concrete bound at land now or formerly of Mancini as depicted on said plan, the previous 2 courses following along said land of Evergreen Center, Inc.;

Thence Westerly following a curve to the right having a radius of 125.00 feet for a distance of 38.60 feet to a railroad spike;

Thence North 79 degrees 54 minutes 16 seconds West 179.64 feet to a concrete bound;

Thence Westerly and Southerly following a curve to the left having a radius of 90.00 feet for a distance of 211.14 feet to a concrete bound, the previous 3 courses following along said land of Mancini;

Thence South 34 degrees 19 minutes 05 seconds East 152.11 feet following along said land of Mancini and land now or formerly of Saad as depicted on said plan to a concrete bound;

Thence Southerly following a curve to the right having a radius of 125.00 feet for a distance of 191.51 feet following along said land of Saad and land now or formerly of Rizza as depicted on said plan to a railroad spike;

Thence South 53 degrees 27 minutes 50 seconds West 363.60 feet following along said land of Rizza and land now or formerly of Hourihan & Li as depicted on said plan to a concrete bound;

Thence Southerly following a curve to the left having a radius of 375.00 feet for a distance of 155.25 feet following along said land of Hourihan & Li and land now or formerly of Li and Saad as depicted on said plan to a concrete bound;

Thence South 29 degrees 44 minutes 39 seconds West 238.62 feet following along said land of Li and Saad, land now or formerly of Vilmenay and land now or formerly of Migos as depicted on said plan to a railroad spike;

Thence Southerly following a curve to the left having a radius of 375.00 feet for a distance of 96.62 feet following along said land of Migos to a concrete bound;

Thence South 14 degrees 58 minutes 53 seconds West 366.96 feet following along said land of Migos, land now or formerly of Shain, and land now or formerly of Ribeiro Paall as depicted on said plan to a concrete bound;

Thence Southerly following a curve to the left having a radius of 175.00 feet for a distance of 91.50 feet following along said land of Ribeiro Paall to a concrete bound;

Thence South 14 degrees 58 minutes 39 seconds East 85.09 feet, more or less, following along said land of Ribeiro Paall to the Milford/Bellingham Town Line and Worcester/Norfolk County Line depicting the Southerly end of the Milford layout of the herein described parcel (Gordon Drive);

Thence South 46 degrees 37 minutes 24 seconds West 56.84 feet following said Town and County Line and crossing said Gordon Drive to a point at land now or formerly of Tiede depicting the Northerly end of the Milford layout of the herein described parcel (Gordon Drive);

Thence North 14 degrees 58 minutes 39 seconds West 112.12 feet, more or less, following along said land of Tiede to a concrete bound;

Thence Northerly following a curve to the right having a radius of 225.00 feet for a distance of 117.65 feet following along said land of Tiede and land now or formerly of Robertson as depicted on said plan to a concrete bound;

Thence North 14 degrees 58 minutes 53 seconds East 366.96 feet following along said land of Robertson, land now or formerly of Wisniewski, land now or formerly of Janikas and Foley, and land now or formerly of Payva as depicted on said plan to a concrete bound;

Thence Northerly following a curve to the right having a radius of 425.00 feet for a distance of 109.51 feet following along said land of Payva to a concrete bound;

Thence North 29 degrees 44 minutes 39 seconds East 238.62 feet following along said land of Payva and land now or formerly of Dignazio as depicted on said plan to a concrete bound;

Thence Northerly following a curve to the right having a radius of 425.00 feet for a distance of 175.95 feet following along said land of Dignazio and land now or formerly of Russo as depicted on said plan to a railroad spike;

Thence North 53 degrees 27 minutes 50 seconds East 363.60 feet following along said land of Russo and Parcel A and land now or formerly of Vieira as depicted on said plan to a concrete bound;

Thence Northerly following a curve to the left having a radius of 75.00 feet for a distance of 114.91 feet following along said land of Vieira to a concrete bound;

Thence North 34 degrees 19 minutes 05 seconds West 152.11 feet following along said land of Vieira to a concrete bound;

Thence Northerly and Easterly following a curve to the right having a radius of 140.00 feet for a distance of 328.43 feet following along said land of Vieira and land now or formerly of Silva as depicted on said plan to a concrete bound;

Thence South 79 degrees 54 minutes 16 seconds East 179.64 feet following along said land of Silva and land now or formerly of Gomes as depicted on said plan to a railroad spike;

Thence Easterly following a curve to the left having a radius of 75.00 feet for a distance of 23.16 feet following along said land of Gomes to a concrete bound at land now or formerly of Morais as depicted on said plan;

Thence North 82 degrees 24 minutes 09 seconds East 291.71 feet following along said land of Morais to a concrete bound;

Thence Northerly following a curve to the left having a radius of 25.00 feet for a distance of 35.29 feet following along said land of Morais to a concrete bound on said Westerly side of said Beaver Street marking the Northerly beginning of the Milford layout of the herein described parcel (Gordon Drive) at Beaver Street;

Thence South 01 degrees 31 minutes 37 seconds West 101.28 feet following along said Westerly side of said Beaver Street to the point of beginning.

The herein described Gordon Drive, being fifty (50) feet wide and consisting of 127,066 square feet (2.92 acres), is to be encumbered and serviced by Easements depicted on said aforementioned plan and is a portion of the property conveyed to F & D Central Realty Corporation, Inc. by deed recorded on September 11, 2009 in Book 44830, Page 59 in said Worcester District Registry of Deeds.

LEGAL DESCRIPTION
DRAINAGE EASEMENT LOT 9 & LOT 10
MODIFICATION TO SOUTH CENTRAL ESTATES II
MILFORD, MA

August 5, 2021

A certain parcel of land located in the Town of Milford, County of Worcester, Commonwealth of Massachusetts depicted as DRAINAGE EASEMENT on a set of plans entitled "Layout Plan Gordon Drive, Milford, Massachusetts" prepared by Guerriere & Halnon, Inc., Milford, MA, dated August 5, 2021, recorded herewith, and more particularly bounded and described as follows:

Said Easement being located on Lot 9 and Lot 10 as depicted on the aforementioned plan.

Beginning at a point on a curve on the Westerly side of Gordon Drive at Lot 9 marking the Southeasterly corner of the herein described parcel as depicted on said plan, said point being 21.25 feet along a curve having a radius of 225.00 from a concrete bound on said Westerly side of said Gordon Drive;

Thence South 77 degrees 09 minutes 03 seconds West 100.66 feet bounding through said Lot 9 to a point at Lot 10 as depicted on said plan;

Thence South 52 degrees 23 minutes 58 seconds West 85.16 feet to a point;

Thence South 82 degrees 07 minutes 15 seconds West 91.42 feet to a point on a stone wall at land now or formerly of Ferrucci marking the Southwesterly corner of the herein described parcel as depicted on said plan, the previous 2 courses following along the property line of said Lot 9 and said Lot 10;

Thence North 14 degrees 28 minutes 34 seconds West 107.75 feet to a drill hole;

Thence North 05 degrees 18 minutes 02 seconds West 22.92 feet to a point at land now or formerly of Wisniewski marking the Northwesterly corner of the herein described parcel as depicted on said plan, the previous 2 courses following along said stone wall and said land of Ferrucci;

Thence North 52 degrees 05 minutes 58 seconds East 168.22 feet following along said land of Wisniewski to a point;

Thence South 30 degrees 14 minutes 04 seconds East 161.30 feet to a point;

Thence North 77 degrees 09 minutes 03 seconds East 70.58 feet to a point on a curve on said Westerly side of said Gordon Drive marking the Northeasterly corner of the herein described parcel as depicted on said plan, the previous 2 courses bounding through said Lot 10;

Thence Southerly following a curve to the left having a radius of 225.00 feet for a distance of 20.11 feet following said Westerly side of said Gordon Drive to the point of beginning.

The herein described Drainage Easement consists of 31,600 square feet and is a portion of the property conveyed to F & D Central Realty Corporation, Inc. by deed recorded on September 11, 2009 in Book 44830, Page 59 in the Worcester District Registry of Deeds.

LEGAL DESCRIPTION
DRAINAGE EASEMENT LOT 13 & LOT 14
MODIFICATION TO SOUTH CENTRAL ESTATES II
MILFORD, MA

August 5, 2021

A certain parcel of land located in the Town of Milford, County of Worcester, Commonwealth of Massachusetts depicted as DRAINAGE EASEMENT on a set of plans entitled "Layout Plan Gordon Drive, Milford, Massachusetts" prepared by Guerriere & Halnon, Inc., Milford, MA, dated August 5, 2021, recorded herewith, and more particularly bounded and described as follows:

Said Easement being located on Lot 13 and Lot 14 as depicted on the aforementioned plan.

Beginning at a point on the Westerly side of Gordon Drive at Lot 13 marking the Southwesterly corner of the herein described parcel as depicted on said plan, said point being North 29 degrees 44 minutes 39 seconds East 29.60 feet from a concrete bound on said Westerly side of said Gordon Drive;

Thence North 60 degrees 12 minutes 58 seconds West 54.99 feet to a point;

Thence South 85 degrees 45 minutes 20 seconds West 86.78 feet to a point;

Thence North 68 degrees 58 minutes 52 seconds West 54.93 feet to a point;

Thence North 84 degrees 05 minutes 32 seconds West 81.12 feet to a point on a stone wall at land now or formerly of Ferrucci as depicted on said plan marking the Northwesterly corner of the herein described parcel, the previous 4 courses bounding through said Lot 13;

Thence North 08 degrees 29 minutes 18 seconds East 89.25 feet following along said stone wall and said land of Ferrucci to a point;

Thence North 58 degrees 43 minutes 58 seconds East 167.54 feet following along said land of Ferrucci and partially along a stone wall as depicted on said plan to a point marking the Northeasterly corner of the herein described parcel;

Thence South 58 degrees 48 minutes 52 seconds East 54.98 feet to a point;

Thence South 11 degrees 58 minutes 08 seconds East 62.34 feet to a point;

Thence South 18 degrees 16 minutes 56 seconds West 63.41 feet to a point;

Thence South 60 degrees 12 minutes 58 seconds East 97.56 feet to a point on said Westerly side of said Gordon Drive marking the Southeasterly corner of the herein described parcel, the previous 4 courses bounding through said Lot 14 as depicted on said plan;

Thence South 29 degrees 44 minutes 39 seconds West 30.00 feet following along said Westerly side of said Gordon Drive to the point of beginning.

The herein described Drainage Easement consists of 33,168 square feet and is a portion of the property conveyed to F & D Central Realty Corporation, Inc. by deed recorded on September 11, 2009 in Book 44830, Page 59 in the Worcester District Registry of Deeds.

LEGAL DESCRIPTION
DRAINAGE EASEMENT LOT 16
MODIFICATION TO SOUTH CENTRAL ESTATES II
MILFORD, MA

August 5, 2021

A certain parcel of land located in the Town of Milford, County of Worcester, Commonwealth of Massachusetts depicted as DRAINAGE EASEMENT on a set of plans entitled "Layout Plan Gordon Drive, Milford, Massachusetts" prepared by Guerriere & Halnon, Inc., Milford, MA, dated August 5, 2021, recorded herewith, and more particularly bounded and described as follows:

Said Easement being located on Lot 16 as depicted on the aforementioned plan.

Beginning at a point on the Westerly side of Gordon Drive marking the Southeasterly corner of the herein described parcel as depicted on said plan, said point being 38.37 feet along a curve having a radius of 140.00 feet along said Westerly side of said Gordon Drive from a concrete bound;

Thence South 60 degrees 47 minutes 16 seconds West 14.12 feet bounding through said Lot 16 to a point on a wall at land now or formerly of Ferrucci as depicted on said plan, said point marking the Southwesterly corner of the herein described parcel;

Thence North 29 degrees 12 minutes 44 seconds West 364.00 feet following along said stone wall and said land of Ferrucci to a point at land now or formerly of Marjani as depicted on said plan marking the Northwesterly corner of the herein described parcel;

Thence North 66 degrees 11 minutes 05 seconds East 142.04 feet following along said land of Marjani, land now or formerly of Nelson and land now or formerly of F & D Central Realty Corporation, Inc to a point at land now or formerly of Silva as depicted on said plan marking the Northeasterly corner of the herein described parcel;

Thence South 39 degrees 27 minutes 20 seconds East 110.83 feet following along said land of Silva to a point;

Thence South 29 degrees 45 minutes 39 seconds West 128.00 feet to a point;

Thence South 20 degrees 30 minutes 20 seconds West 30.00 feet to a point;

Thence South 00 degrees 47 minutes 12 seconds East 32.00 feet to a point;

Thence South 53 degrees 35 minutes 05 seconds East 72.00 feet to a point on a curve on said Westerly side of said Gordon Drive, the previous 4 courses bounding through said Lot 16 as depicted on said plan;

Thence Southerly following a curve to the left having a radius of 140.00 feet for a distance of 69.56 feet following along said Westerly side of said Gordon Drive to the point of beginning.

The herein described Drainage Easement consists of 29,253 square feet and is a portion of the property conveyed to F & D Central Realty Corporation, Inc. by deed recorded on September 11, 2009 in Book 44830, Page 59 in the Worcester District Registry of Deeds.

An Electronic Vote was Taken on the Motion as Presented...103 Voted For...4 Voted Against...Carried.

ARTICLE 10: To see if the Town will vote to amend Article 4 of the May 24, 2021 Annual Town Meeting Warrant, or otherwise vote, to establish a budget for a Water Department, or take any other action in relation thereto.

(Finance Director)

Motion was Made by Russell Abisla (Pr. 3) to Pass Over Article 10...an Electronic Vote was taken on the Motion to Pass Over...15 Voted For...89 Voted Against...Motion to Pass Over Defeated.

After debate the Moderator announced there would be a (5) minute recess at 8:35 pm to put the slide that includes the detail of the Motion on the screen for all Town Meeting Members to view. The Meeting resumed at 8:40 pm.

It was Moved that the Town vote to amend its vote under Article 4 of the May 24, 2021 Annual Town Meeting Warrant as follows:

1. by adding the following budget to department 450 – Water Department

	FY2018	FY2019	FY2020	FY2021 FINAL ART 4	FY2022 PROPOSED	PERCENTAGE INCREASE/ DECREASE
	EXPENDED	EXPENDED	EXPENDED	BUDGET	BUDGET	
450 WATER DEPARTMENT						
5110 PERSONAL SERVICES	-	-	-	-	712,098	0.0%
5300 GENERAL EXPENSES	833	-	-	-	805,300	0.0%
5310 PLANT REPLACEMENT FUND	-	-	-	-	500,000	0.0%
5440 REPAIR.MAINT: WATER PROJECTS	-	-	-	-	500,000	0.0%
5900 MATURING DEBT	-	-	-	-	-	0.0%
5910 SHORT/LONG TERM INTEREST	-	-	-	-	1,150,000	0.0%
TOTAL WATER DEPARTMENT	833	-	-	-	3,667,398	0.0%

2. by amending the introductory language of the final clause of the vote on article 4 of the May 24, 2021 Annual Town Meeting to read as follows;

And further of the total of \$120,276,245 as above, \$4,272,869 shall be raised from the Sewer Enterprise Fund, \$3,667,398 shall be raised from the Water Enterprise Fund; and further the following amounts be transferred from certain line items above to the accounts listed as set forth below:

3. further, \$3,667,398 shall be raised from the Water Enterprise Fund as follows:

Water Enterprise Receipts	\$2,918,231
Water Retained Earnings	\$ 749,167

An Electronic Vote was Taken on the Motion as Presented...101 Voted For...5 Voted Against...Carried.

ARTICLE 11: 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 Select Board for the purpose of removing the existing carpets and installing new vinyl flooring at the Milford Senior Center, or take any other action in relation thereto.

(Select Board)

It was Moved that the Town vote to transfer the sum of \$35,000 from the Excess and Deficiency Account to be spent under the jurisdiction of the Select Board for the purpose of removing the existing carpets and installing new vinyl flooring at the Milford Senior Center.

An Electronic Vote was Taken on the Motion as Presented...109 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 12: To see if the Town will vote to amend Article 2 of the May 24, 2021 Annual Town Meeting, or otherwise vote to establish rates of pay, hours of work, and certain benefits for employees of the Milford Water Department, or take any other action in relation thereto.

(Water Commissioners/Select Board/Personnel Board)

It was Moved that the Town vote to amend Article 2 of the May 24, 2021 Annual Town Meeting and to set the rates of pay, based upon a forty (40) hour work week, for positions under the Board of Water Commissioners of Milford for Fiscal Year 2022 as follows:

	<u>Hourly</u>			
Treatment plant Operator	\$29.03	33.33		
Distribution Crew	\$23.65	27.95	31.18	32.25
Machine Operator/Foreman	\$33.30			
Distribution/Treatment	\$32.25			
Meter Reader	\$25.80			
Office Mgr./Accounting	\$49.62			
Clerk/HR Rep.	\$25.26			
	<u>Annual</u>			
Operations Manager	\$82,732			
Minutes Recorder Stipend	\$3,968			

Commission Member

\$5,400

For hourly employees the starting rate for new employees shall be as above and where higher rates are shown for a category, movement to such higher rate shall be annual, subject to satisfactory service.

All employees working in any of the above positions for the Milford Water Company at the time of commencement of operations of the Milford Water Department who transfer to said Water Department, if such employee's rate of pay is higher than that reflected herein, shall continue to receive the rate of pay in effect for such position with the Company as of the date of this vote, which rate may include license achievement, increased in each case by 7.5%. Further, hourly employees achieving state operator's license Grade 1 through 4 after the date of this vote shall be entitled to an increase of \$.50 (fifty cents) per hour for each *additional* license grade achieved, to a maximum of an additional \$2.00 per hour. Water Company employees in the position of Treatment Plant Operator or Distribution Crew will be placed at the hourly rate above which is closest to, but greater than, their rate of pay as of the date of this vote. Employees on mandatory "on call" status shall receive a stipend of \$25.75 for each day of such "on call" status, in addition to any overtime pay in the event of a call out.

Benefits will otherwise be in accordance with the Personnel By-Laws of the Town and continuous time and service with the Milford Water Company will be counted in relation to all applicable benefits. In addition, if an employee's current vacation entitlement with the Milford Water Company exceeds that reflected in the Personnel By-Laws, he/she shall continue to receive that entitlement until such time as achievement of an entitlement to the same or greater vacation time under the Personnel By-Laws, after which said By-Laws shall control.

Personnel Board Chair James Ligor (AL) allowed Atty. Gerald Moody (Pr. 6) to present Article 12 on his behalf.

After debate...an Electronic Vote was Taken on the Motion as Presented...100 Voted For...4 Voted Against...Carried.

ARTICLE 13: 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.

(Select Board)

It was Moved that the Town vote to transfer the sum of \$200,000 from the Excess and Deficiency Account, said sum 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.

An Electronic Vote was Taken on the Motion as Presented...105 Voted For...2 Voted Against...Carried.

ARTICLE 14: To see if the Town will vote to amend the Zoning By-Law by striking the words "Board of Selectmen" whenever and wherever they appear and inserting the words "Select Board" in lieu thereof, or take any other action related thereto.

(Planning Board)



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
Bryan Cole
John H. Cook
Patrick J. Kennelly
Marble Mainini, III

Planning Board Report on Article 14 October 25, 2021 Special Town Meeting

TO: Town Meeting Members
FROM: Planning Board
DATE: October 6, 2021
SUBJECT: **Article 14:** Zoning Bylaw amendment – “Board of Selectmen” name change.

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board on October 5, 2021 remotely conducted a duly posted and noticed Public Hearing regarding the subject of Article 14, at which time the Planning Board voted to make a favorable recommendation to Town Meeting.

Article 14 is the application of the Planning Board to amend the Zoning Bylaw relating to changing the name of “Board of Selectmen” to “Select Board”.

Therefore, the Planning Board recommends Article 14 be adopted as printed in the warrant.

Article 14 Background & Narrative

Article 14 is a “housekeeping” Article sponsored by the Planning Board. It will provide for gender-neutral references throughout the Zoning Bylaw. The Town had adopted similar changes at the Town Meeting in January for all of the Town’s general and special bylaws. However, due to the additional notice, Planning Board hearing, and approval required for amendments to Zoning Bylaws, those changes did not affect the Zoning Bylaw. This amendment will complete the process.

The Planning Board urges your support on Article 14.

It was Moved that the Town vote to amend the Zoning By-Law by striking the words “Board of Selectmen” whenever and wherever they appear and inserting the words “Select Board” in lieu thereof.

An Electronic Vote was Taken on the Motion as Presented...107 Voted For...2 Voted Against...the Necessary 2/3rd Vote was Acquired...Motion Carried.

ARTICLE 15: To see if the Town will vote pursuant to M.G.L. c. 40, § 15 to transfer the care, custody and jurisdiction of the following two (2) Town-owned parcels, totaling 2.30 acres, to the Milford Conservation Commission:

Assessors			
Map	Block	Lots	Area/Acres
27	0	9	1.70
34	0	88	0.60

The purpose thereof is to preserve said parcels located off of Dilla Street and adjacent to Milford Pond for wetlands and open space protection, stormwater management, and conservation purposes, as recommended in the Milford Comprehensive Plan, or take any other action in relation thereto.
(Conservation Commission)

It was Moved that the Town vote pursuant to M.G.L. c. 40, § 15 to transfer the care, custody and jurisdiction of the following two (2) Town-owned parcels, totaling 2.30 acres, to the Milford Conservation Commission:

Assessors			
Map	Block	Lots	Area/Acres
27	0	9	1.70
34	0	88	0.60

The purpose thereof is to preserve said parcels located off Dilla Street and adjacent to Milford Pond for wetlands and open space protection, stormwater management, and conservation purposes, as recommended in the Milford Comprehensive Plan.

An Electronic Vote was Taken on the Motion as Presented...102 Voted For...2 Voted Against...the Necessary 2/3rd Vote was Acquired...Motion Carried.

ARTICLE 16: To see if the town will vote to appropriate a sum of money to supplement sums previously appropriated for Council on Aging line item: 541-5300 (Senior Center bus transportation contract), as voted under Article 4 of the May 24, 2021 Annual Town Meeting, or take any other action in relation thereto.

(Select Board/Finance Director)

It was Moved that the Town vote to transfer the sum of \$20,000 from the Excess and Deficiency Account to supplement sums previously appropriated for Council on Aging line item: 541-5300 (Senior Center bus transportation contract), as voted under Article 4 of the May 24, 2021 Annual Town Meeting.

An Electronic Vote was Taken on the Motion as Presented...106 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 17: 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 Select Board for the purpose of achieving Phase 1 of the Town of Milford's Plan for Compliance with the Americans with Disabilities Act, or take any other action in relation thereto.

(Select Board)

It was Moved that the Town vote to transfer the sum of \$150,000 from the Excess and Deficiency Account; \$50,000 to be spent under the jurisdiction of the Select Board; \$50,000 to be spent under the jurisdiction of the School Committee; and \$50,000 to be spent under the jurisdiction of the Parks Commissioners; for the purpose of achieving Phase 3 of the Town of Milford's Plan for Compliance with the Americans with Disabilities Act.

An Electronic Vote was Taken on the Motion as Presented...109 Voted for...0 Voted Against...Carried Unanimously.

ARTICLE 18: To see if the Town will vote to authorize the expenditure of the available balance in Fund 2507 MWRTA - Ride Assessment, under the jurisdiction of the Public Transportation Advisory Committee, for the purpose of promoting and enhancing the Milford bus route, or take any other action in relation thereto.

(Public Transportation Advisory Committee)

It was Moved the Town vote to authorize the expenditure of the available balance in Fund 2507 MWRTA - Ride Assessment, under the jurisdiction of the Public Transportation Advisory Committee, for the purpose of promoting and enhancing the Milford bus route.

An Electronic Vote was Taken on the Motion as Presented...104 Voted For...1 Voted Against...Carried.

ARTICLE 19: To see if the Town will vote to accept sections 42A through 42F of Chapter 40 of the General Laws, by which acceptance charges for supplying or providing for water or rendering service or furnishing materials in connection therewith to or for any real estate at the request of the owner or tenant are not paid on or before their due date, such rates and charges shall be a lien upon such real estate as provided for in said statutes, or take any other action in relation thereto.

(Water Commissioners/Select Board)

It was Moved that the Town vote to accept sections 42A through 42F of Chapter 40 of the General Laws, by which acceptance charges for supplying or providing for water or rendering service or furnishing materials in connection therewith to or for any real estate at the request of the owner or tenant are not paid on or before their due date, such rates and charges shall be a lien upon such real estate as provided for in said statutes.

An Electronic Vote was Taken on the Motion as Presented...102 Voted For...3 Voted Against...Carried.

ARTICLE 20: 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 Select Board for the purpose of finishing an unfinished second floor room at the Milford Senior Center, to be used as a fitness center, or take any other action in relation thereto.

(Select Board)

It was Moved that the Town vote to transfer the sum of \$100,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Select Board for the purpose of finishing an unfinished second floor room at the Milford Senior Center, to be used as a fitness center.

An Electronic Vote was Taken on the Motion as Presented...101 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 21 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 School Committee for the purpose of providing Stacy Middle School fire alarm panel/system upgrades, or take any other action in relation thereto.

(School Committee)

It was Moved that the Town vote to transfer the sum of \$125,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Milford School Committee for the purpose of providing Stacy Middle School fire alarm panel/system upgrades.

An Electronic Vote was Taken on the Motion as Presented...99 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 22: To see if the Town will vote to amend the Milford Personnel By-Laws, Section 5.13 – Longevity Pay by striking the existing dollar amounts and inserting new dollar amounts as follows:

“\$425.00 per year (Years 10-14)
\$525.00 per year (Years 15-19)
\$725.00 per year (Years 20-24)
\$925.00 per year (Years 25 and thereafter)”;
effective January 1, 2022; or take any other action in relation thereto.

(Personnel Board)

It was Moved that the Town vote to amend the Milford Personnel By-Laws, Section 5.13 – Longevity Pay by striking the existing dollar amounts and inserting new dollar amounts as follows:

“\$425.00 per year (Years 10-14)
\$525.00 per year (Years 15-19)
\$725.00 per year (Years 20-24)
\$925.00 per year (Years 25 and thereafter)”;

effective January 1, 2022.

A Motion was Made by Bryan Cole (Pr. 8) to Move the Question...An Electronic Vote was taken on the Motion to Move the Question...89 Voted For...12 Voted Against... Motion to Move the Question Carried.

An Electronic Vote was Taken on the Original Motion as Presented...86 Voted For...4 Voted Against...Carried.

ARTICLE 23: To see if the Town will vote to amend the Milford Personnel By-Laws, Section 5.8 (B) – Vacation Leave by striking the existing day amounts and inserting new day amounts as follows:

“Upon completion of five (5) years	15 Days
Upon completion of ten (10) years	20 Days
Upon completion of fifteen (15) years	25 Days”

And to amend Section 5.8 (C) – Vacation Leave by striking the existing sentence “If more than five (5) days are carried over, any days in excess of the five (5) days must be used by June 30th of the following calendar year”; effective January 1, 2022; or take any other action in relation thereto.

(Personnel Board)

It was Moved that the Town vote to amend the Milford Personnel By-Laws, Section 5.8 (B) – Vacation Leave by striking the existing day amounts and inserting new day amounts as follows:

“Upon completion of five (5) years	15 Days
Upon completion of ten (10) years	20 Days
Upon completion of fifteen (15) years	25 Days”

And to amend Section 5.8 (C) – Vacation Leave by striking the existing sentence “If more than five (5) days are carried over, any days in excess of the five (5) days must be used by June 30th of the following calendar year”; effective January 1, 2022.

An Electronic Vote was Taken on the Motion as Presented...99 Voted For...5 Voted Against...Carried.

ARTICLE 24: To see if the Town will vote to amend the Zoning By-Law relating to Warehouse and Transportation Terminal uses as noted hereinafter:

BY AMENDING Section 2.3 Use Regulation Schedule as follows:

Section 2.3 Use Regulation Schedule

ACTIVITY OR USE	<i>DISTRICT</i>											
	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC
<u>COMMERCIAL USES</u>												
Transportation Terminal	O	O	O	O	O	O	O	O	O	O	O	O
<u>INDUSTRIAL USES</u>												
Warehouses ¹	O	O	O	O	O	O	O	O	S	S	S	S
<u>ACCESSORY USES</u>												
Transportation Terminal ^{1, 33}	O	O	O	O	O	O	O	O	S	S	S	S

³³ Applications for transportation terminal special permits shall be accompanied by a transportation study prepared by a traffic engineer.

AND IN ADDITION, by replacing in Section 4.1 Definitions the current definition of Transportation Terminal with the following new definition:

“Transportation Terminal – Premises where passengers and/or freight originate, terminate, or are handled in the transportation process, including premises for the temporary storage and redistribution of goods, or for the parking and/or servicing of commercial vehicles.”

or take any other action related thereto.



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
Bryan Cole
John H. Cook
Patrick J. Kennelly
Marble Mainini, III

Planning Board Report on Article 24 October 25, 2021 Special Town Meeting

TO: Town Meeting Members
FROM: Planning Board
DATE: October 6, 2021
SUBJECT: **Article 24:** Zoning Bylaw amendment – Warehouse & Transportation Terminal uses.

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board on October 5, 2021 remotely conducted a duly posted and noticed Public Hearing regarding the subject of Article 24, at which time the Planning Board voted to make a favorable recommendation to Town Meeting.

Article 24 is the application of the Planning Board to amend the Zoning Bylaw relating Warehouse & Transportation Terminal uses.

The Planning Board recommends Article 24 be adopted as printed in the warrant.

Article 24 Background & Narrative

Article 24 proposes the prohibition of transportation terminals as stand-alone principal uses, and establishes them rather as accessory uses only, and then only via Planning Board Special Permit. All warehouses are being proposed to now be Planning Board Special Permit uses, and a new Footnote # 33 is proposed requiring a transportation study prepared by a traffic engineer for all transportation terminals. Also, a new definition for transportation terminals is being proposed. The effect of these amendments will eliminate the possibility of future stand-alone terminals operating as principal uses on sites that are distant from a warehouse use they serve that are located on another site in town.

The Planning Board urges your support for Article 24.

Richard Villani (AL) Made a Motion to Waive the remainder of the reading because the details of the Motion were mailed to the Town Meeting Members. Carried.

It was Moved that the Town vote to amend the Zoning By-Law relating to Warehouse and Transportation Terminal uses as noted hereinafter:

BY AMENDING Section 2.3 Use Regulation Schedule 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>																	
Transportation Terminal	O	O	O	O	O	O	O	<table><tr><td>O</td><td>O</td><td>O</td><td>O</td><td>O</td></tr></table>	O	O	O	O	O				
O	O	O	O	O													
<u>INDUSTRIAL USES</u>																	
Warehouses ¹	O	O	O	O	O	O	O	O	<table><tr><td>S</td><td>S</td><td>S</td><td>S</td></tr></table>	S	S	S	S				
S	S	S	S														
<u>ACCESSORY USES</u>																	
Transportation Terminal ^{1, 33}	O	O	O	O	O	O	O	O	<table><tr><td>S</td><td>S</td><td>S</td><td>S</td></tr></table>	S	S	S	S				
S	S	S	S														

³³ Applications for transportation terminal special permits shall be accompanied by a transportation study prepared by a traffic engineer.

AND IN ADDITION, by replacing in Section 4.1 Definitions the current definition of Transportation Terminal with the following new definition:

“Transportation Terminal – Premises where passengers and/or freight originate, terminate, or are handled in the transportation process, including premises for the temporary storage and redistribution of goods, or for the parking and/or servicing of commercial vehicles.”

An Electronic Vote was Taken on the Motion as Presented...97 Voted For...3 Voted Against...the Necessary 2/3rd Vote was Acquired...Motion Carried.

ARTICLE 25: To see is the Town will vote to establish a new Article 42 of the By-Laws for the Town of Milford, as follows:

Kennel Licenses

Section 1: Definitions.

“Animal control officer”, an appointed officer authorized to enforce sections 136A to 174E, inclusive.

“Commercial boarding or training kennel”, an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that “commercial boarding or training kennel” shall not include an animal shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

“Kennel”, a pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

“Personal kennel”, a pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops;

provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

Section 2: Personal Kennel License.

(a) Anyone wishing to keep more than three dogs, three months (13 weeks) or older, shall apply for a personal kennel license.

(b) The maximum number of dogs allowed to be kept under a personal kennel license is six.

(c) Any application for a personal kennel license shall be submitted to the Select Board's office on a form provided by the Select Board.

(d) In addition to meeting all of the requirements of MGL c. 140, §§ 137A to 137C, any person who receives a kennel license shall maintain the premises in accordance with the following specifications: a minimum ten-foot setback from the kennel to an adjacent property line and a minimum twenty-foot setback from the kennel to abutting habitable structure, 100 feet from a wetland, 200 feet from a high water mark of a source of drinking water or tributary thereof, and 10 feet from an occupied dwelling on the same property where the kennel is kept. No personal kennel license shall be issued unless the applicant demonstrates that the use of the subject property as a kennel is permitted under the Town's Zoning Ordinances.

(e) New applicants requesting a license must notify direct abutters by certified mail or constable. Proof of notification must be submitted with the application.

(f) The Milford Animal Control Officer shall inspect the facility before the personal kennel license shall be issued or renewed.

(g) Each personal kennel license may be issued by the Select Board from July 1 until June 30 of the next calendar year, and the annual fee for such shall be charged in accordance with statute and the Town fee schedule.

(h) The personal kennel shall be maintained in sanitary condition.

(i) The personal kennel shall not cause a nuisance to others, as such term is defined in MGL c. 140, § 136A.

(j) The animals within the kennel shall not be found at large and/or not under the control of the owner.

(k) The kennel shall not cause a health or safety hazard to the animals within the kennel or to the general public, or owner/operator of the kennel.

(l) All dogs within a personal kennel shall be vaccinated for rabies and certificates must be produced for inspection when requested.

(m) The annual fee for a personal kennel license will be set by the Select Board in accordance with the statute.

Section 3: Commercial Kennel Licenses.

(a) In addition to meeting all of the requirements of MGL c. 140, §§ 137A to 137C, applications for a new commercial kennel license shall be submitted to the Select Board's office, on a form provided by the Select Board, along with two copies of interior and exterior plans of the kennel, as well as a plot plan.

(b) No new or renewal kennel license will be issued until proof is submitted by the applicant that the location and operation of the kennel are in compliance with the Town of Milford's zoning and land use regulations and by-laws.

(c) No new kennel license will be issued unless the Milford Animal Control Officer, Milford Health Department, Milford Building Department review and recommend approval, and Select Board review and approve the application. All kennel license renewals must be inspected by the Milford Animal Control Officer before a kennel license can be renewed.

(d) Each kennel license may be issued by the Select Board from July 1 until June 30 of the next calendar year, and each kennel license application or renewal application shall be charged in accordance with the fee schedule per subsection **(f)**.

(e) First time applicants must notify all property abutters within one hundred fifty (150) feet in writing of the applicant's intent to operate a commercial kennel, and evidence of notification must be submitted with the application.

(f) The annual fee for a commercial kennel license will be set by the Select Board in accordance with the By-Law.

(g) Commercial kennel licensees shall be issued, for an additional fee, 35 dog tags, and any dog on the property other than 35 covered under the kennel license shall wear a town dog license tag from the town where the dog is licensed and shall be available for inspection upon request.

Section 4: Commercial Kennel Requirements.

(a) Housing facilities for dogs shall be maintained in good repair and in a sanitary condition in such a manner as to protect the dogs from injury or disease, to contain the dogs, and to restrict the entrance of other animals; and location, construction, arrangement and operation of commercial kennels shall not constitute a nuisance, as such term is defined in M.G.L. c. 140, § 136A.

(b) Reliable and adequate heating, cooling, and utilities are required (i.e., electric power, natural gas, propane, oil, water, sewer/septic). Adequate potable water shall be provided.

(c) Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin or other contaminant. Refrigeration shall be provided for supplies of perishable food or medication.

(d) Provision shall be made for the removal and disposal of dog and food wastes, bedding, and other debris. Waste facilities shall be provided and operated so as to control vermin infestation, odors, and disease hazards.

(e) Facilities, such as washrooms, basins or sinks, shall be provided in the kennel to maintain cleanliness among dog caretakers; hot and cold running water, soap, and towels shall be provided. Toilet facilities shall be provided in the kennel or nearby on the premises and shall be kept clean, sanitary, and in good repair.

(f) Premises shall be kept clean, sanitary and in good repair in order to protect the dogs from injury or disease. Premises shall remain free of accumulations of trash, feces, and the overgrowth of vegetation up to the property line or within 20 feet of the facility. Insects, parasites, rodents, and other pests shall be controlled effectively.

(g) All commercial kennels shall have an appropriately stocked animal first aid kits that shall be available and easily accessible at all times.

(h) All commercial kennels shall post Red Cross or similar animal CPR guidance in a conspicuous spot within the kennel and in compliance with the instructions imprinted thereon.

(i) All commercial kennels shall only administer medication to animals if it is in the original veterinary prescribed bottle or container.

(j) All commercial kennels shall have an on-call veterinarian on file that they may consult with for medical advice.

(k) Commercial kennels that offer grooming shall keep boarded dogs and groomed dogs separate at all times, unless proof of rabies vaccination is available. No dog shall be groomed that is not current on rabies vaccination.

Section 5: Indoor Commercial Kennel Requirements.

(a) Indoor dog facilities shall be provided for all pet shops, shelters and kennels in order to protect the dogs from adverse weather conditions.

(b) Indoor housing facilities for dogs shall be sufficiently heated when necessary to protect the dogs from cold, and to provide for their health and comfort. Adequate heat shall mean enough heat necessary to prevent physical damage to a dog from hypothermia. The dogs' age, physical condition and hair coat shall be taken into consideration. The temperature at the height level of the dogs shall not be allowed to fall below 55° F. in any indoor primary enclosures where dogs are housed.

(c) Indoor housing facilities for dogs shall be adequately ventilated to provide for the health and comfort of the animals at all times. Such facilities shall be provided with fresh air either by means of windows, doors, vents, or air conditioning and shall be ventilated so as to minimize drafts, odors and moisture condensation. Auxiliary ventilation, such as exhaust fans and vents or air conditioning, shall be provided when the ambient temperature is 80° F. or higher. Heat shall be provided when the ambient temperature is 64° F or lower. Efforts shall be to maintain a relatively constant ambient temperature of 68° F.

(d) Indoor housing facilities for animals shall have ample light, by natural or artificial means, or both, of good quality and well distributed. Such lighting shall provide uniformly distributed illumination or sufficient light intensity to permit routine inspection and cleaning during the entire working period, with the intention that all animals shall experience natural ambient light throughout the day.

(e) Primary enclosures shall be so placed as to protect the animals from excessive sunlight.

(f) The interior building surfaces of indoor housing facilities at commercial kennels shall be constructed and maintained so that they are impervious to moisture and may be readily cleaned and sanitized.

(g) Commercial kennels shall have a suitable method to eliminate excess wash water from indoor housing facilities. Drains, when used, shall be properly constructed and kept in good repair to avoid foul odors and backup. Facilities which are not connected to a municipal sewerage system shall have a system for the disposal of dog excrement that meets all applicable state and local standards.

(h) Commercial kennels shall have personnel on site at all times when dogs are present, unless adequate security measures are available to ensure the safety of the animals present, such as a security/fire protection system or live video.

(i) Commercial kennels shall have one person on site, at all times when staff is present, that is trained in Red Cross or similar dog CPR and first aid.

Section 6: Outdoor Commercial Kennel Requirements.

(a) When sunlight is likely to cause overheating or discomfort, sufficient shade shall be provided to allow dogs kept outdoors to protect themselves from the direct rays of the sun.

(b) Whenever dogs are kept outdoors, they shall be provided with access to shelter to allow them to remain dry during rain, snow, or other adverse weather conditions.

(c) A suitable method shall be provided to drain surface water rapidly.

(d) Surfaces of outdoor enclosures of pet shops, shelters and kennels shall be constructed and maintained so that they are impervious to moisture and may be readily cleaned and sanitized; runoff from outdoor enclosures shall be disposed of in accordance with all applicable regulations.

(e) Outdoor facilities shall be adequately secured to protect the dogs from predators, as well as to contain the dogs.

(f) All commercial kennels shall post the "signs/symptoms of heat stroke and hypothermia" in dogs within outdoor and indoor play areas.

(g) Clean water shall be supplied at all times at outdoor kennels.

Section 7: Primary Enclosures for Commercial Kennels.

(a) Primary enclosures shall be structurally sound and maintained in good repair so as to: contain the dogs; protect dogs from injury; keep predators out; enable dogs to remain dry and clean; permit dogs convenient access to food and water as required in these rules; provide sufficient space for each dog to turn about freely and to stand, sit and lie in a comfortable normal position; and have no sharp points or edges accessible to the dogs that could cause injury.

(b) Animals housed in the same enclosure shall be maintained in compatible groups.

(c) Sexually intact males and females shall not be housed in the same enclosure, except for breeding purposes as requested by the respective owner(s) in writing.

(d) Any dog exhibiting a vicious disposition shall be housed individually in a primary enclosure.

(e) Immature dogs shall not be housed in the same primary enclosure with adults other than their mother.

(f) Animals of different species shall not be housed in the same primary enclosures.

(g) Dogs shall not be placed in empty primary enclosures previously inhabited by other animals unless the enclosure has first been cleaned and disinfected.

(h) Animals showing signs of contagious illness shall be removed from rooms and enclosures containing healthy animals and housed in a separate isolation room.

(i) The floors of primary enclosures shall be constructed so as to protect the dogs' feet and legs from injury. Enclosures may have grid-type flooring, provided that the grid material is of adequate gauge to prevent sagging under the weight of the dog and that the mesh is small enough to prevent their feet from passing through or to cause cutting injuries to foot pads.

(j) Dogs confined in a primary enclosure shall be exercised in runs or walked on a leash at least three times a day, totaling 60 minutes of exercise.

(k) Dogs shall not be tied to fences or cages in lieu of being housed in primary enclosures.

Section 8: Commercial Kennel Care Requirements.

(a) Dogs being boarded overnight shall be fed at least once each day except as otherwise might be required to provide adequate care. Food from the previous day shall be discarded and fresh food supplied daily except when self-feeders are used.

(b) The food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritional value to meet the normal daily requirements for the condition and size of the dogs.

(c) Immature dogs shall be fed in accordance with generally accepted procedures: those animals less than three months of age shall be fed three times daily and those three to six months of age shall be fed twice daily.

(d) Containers of food shall be accessible to animals and shall be located so as to minimize contamination by excreta or other contaminants and sources of filth.

(e) Feeding pans shall be durable, cleaned and sanitized daily.

(f) Disposable food receptacles may be used but must be discarded after each feeding.

(g) Self-feeders may be used for the feeding of dry food and they shall be cleaned regularly to prevent molding, deterioration or caking of feed.

(h) Potable water must be accessible to dogs at all times unless contraindicated by a written veterinarian order. Receptacles for such purposes shall be cleaned daily.

Section 9: Sanitation of Commercial Kennels.

(a) Primary enclosures for animals shall be physically cleaned at least daily enough to prevent an accumulation of debris, excretions, and agents that may cause injury to animals or humans.

(b) Cages, floors, and hard surfaced pens or runs shall be sanitized at least once per day by washing them with hot water (180° F.) and soap or detergent as in a mechanical cage washer, or by washing all soiled surfaces with a detergent solution followed by a safe and effective disinfectant.

(c) Premises shall be kept clean, sanitary, and in good repair in order to protect the animals from injury and disease, to facilitate the prescribed sanitary practices as set forth in these rules, and to prevent nuisances.

(d) An effective program for the control of insects, parasites, rodents, and other pests shall be established and maintained.

(e) Excretions shall be removed from the primary enclosures as often as necessary to prevent contamination of the dogs contained therein and to control disease hazards and odors. When cleaning, any dog contained therein shall be removed from such enclosures during the cleaning process, and adequate measures shall be taken to protect the dogs in other such enclosures from being contaminated with water and other wastes.

Section 10: Disease Control and Vaccination Requirements for Commercial Kennels.

(a) Each animal shall be observed daily for signs of communicable disease or stress. Sick, diseased, injured or lame dogs shall be provided with at least prompt, basic veterinary care (that is, to alleviate pain and suffering), unless such action is inconsistent with the purposes for which the dog was obtained and is being held.

(b) Any dog under confinement for, or with signs of, a communicable disease shall be separated from other healthy animals and placed in an isolation area in order to minimize dissemination of such disease. Caretakers shall wash their hands after handling these dogs and follow procedures which control the dissemination of disease.

(c) Cleaning utensils for the isolation area shall be separate from those used for cleaning the general animal population area; such utensils shall either be washed separately from, or after, those used for the general population.

(d) All dogs within the kennel shall have current vaccinations for rabies, distemper and Bordetella.

(e) If, in the opinion of the Milford Animal Control Officer, or the advice of the Director of Public Health, additional vaccinations are necessary due to animal or public health concerns, additional vaccinations may be required. If additional vaccinations are required, license holders will be notified in writing by the Animal Control Officer.

Section 11: Administrative and Record Requirements of Commercial Kennels.

(a) There shall be kept at each kennel or private shelter a record of all dogs received. Such record shall state the date each animal was received, description of animal, breed, age, and sex of animal; name, address, contact information of person from whom acquired, and vaccination records for each animal being kept. These records shall be kept for two years.

(b) All commercial kennels shall maintain a list of all dogs' medical conditions, as well as medications.

(c) Each commercial kennel or private shelter shall have an adequate written emergency plan for the emergency medical treatment of its dogs, as well as in the case of a natural disaster. The kennel shall maintain proof that all employees have read, understood, and know the whereabouts of this document.

(d) A licensee shall promptly notify the licensing agency of any change in his or her name and address, or any change in operations which may affect his or her status.

(e) Any incident involving dog bites or any injuries requiring veterinarian care to a dog shall be reported to the Milford Animal Control Officer within eight hours of the incident.

(f) Any dog found deceased at a kennel must be reported to the Milford Animal Control Officer or Milford Police Department immediately after the dog is found.

Section 12: Right of Entry and Inspections of Commercial Kennels.

(a) Pursuant to MGL c. 140, § 137C, the Select Board, Chief of Police, his officers, or the Animal Control Officer may at any time inspect a kennel or cause the inspection of a kennel. Said inspection may include examination of any pertinent records pertaining to this by-law. Refusal to comply with an inspection may be grounds for an emergency license suspension or revocation, and may, at the discretion of the Milford Police Department, result in the filing of a criminal complaint.

(b) Random compliance inspections can occur on an annual basis or other time period as deemed appropriate for such facility. At the time of the inspection, or promptly thereafter, the inspecting authority will document any violations found.

Section 13: General Enforcement.

(a) This ordinance may be enforced by the Milford Animal Control Officer, Health Department, Building/Inspectional Services Department, or the Police Department, and if, in the judgment of Chief of Police, Animal Control Officer, investigative officer and/or the Health Department, the kennel is not being maintained in a sanitary and humane manner or if records are not properly kept as required by law, such person or body shall, by order, revoke or suspend the license for the kennel.

(b) This ordinance may also be enforced through appropriate criminal or civil process under Massachusetts General Laws.

Section 14: Fines and Violations.

(a) Penalties for violation of any provision of Sections 1 through 12 may result in the following fines and/or suspension or revocation of applicable license or permit:

- 1.** First offense: \$50;
- 2.** Second offense: \$75;
- 3.** Third offense: \$100.

Each day the violation exists shall be deemed a separate offense. This ordinance may be enforced through any means available in law or in equity, including a noncriminal disposition in accordance with MGL c. 40, § 21D.

Section 15: Severability.

If any portion, section or provision of this by-law be found invalid for any reason, that finding shall not affect the validity and force of any other section, portion or provision of this bylaw;

or take any other action in relation thereto.

(Select Board/Town Counsel)

A Motion was Made by Town Administrator to Waive the Reading of the Motion because the text is the same as in the warrant that was mailed to all Town Meeting Members...Carried.

Michael Visconti spoke on the article and then Made a Motion to Pass Over the Article which the Moderator ruled Out of Order.

It was Moved that ARTICLE 25: I move that the Town vote to establish a new Article 42 of the By-Laws for the Town of Milford, as follows:

Kennel Licenses

Section 1: Definitions.

“Animal control officer”, an appointed officer authorized to enforce sections 136A to 174E, inclusive.

“Commercial boarding or training kennel”, an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that “commercial boarding or training kennel” shall not include an animal shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

“Kennel”, a pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

“Personal kennel”, a pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

Section 2: Personal Kennel License.

(a) Anyone wishing to keep more than three dogs, three months (13 weeks) or older, shall apply for a personal kennel license.

(b) The maximum number of dogs allowed to be kept under a personal kennel license is six.

(c) Any application for a personal kennel license shall be submitted to the Select Board's office on a form provided by the Select Board.

(d) In addition to meeting all of the requirements of MGL c. 140, §§ 137A to 137C, any person who receives a kennel license shall maintain the premises in accordance with the following specifications: a minimum ten-foot setback from the kennel to an adjacent property line and a minimum twenty-foot setback from the kennel to abutting habitable structure, 100 feet from a wetland, 200 feet from a high water mark of a source of drinking water or tributary thereof, and 10 feet from an occupied dwelling on the same property where the kennel is kept. No personal kennel license shall be issued unless the applicant demonstrates that the use of the subject property as a kennel is permitted under the Town's Zoning Ordinances.

(e) New applicants requesting a license must notify direct abutters by certified mail or constable. Proof of notification must be submitted with the application.

(f) The Milford Animal Control Officer shall inspect the facility before the personal kennel license shall be issued or renewed.

(g) Each personal kennel license may be issued by the Select Board from July 1 until June 30 of the next calendar year, and the annual fee for such shall be charged in accordance with statute and the Town fee schedule.

(h) The personal kennel shall be maintained in sanitary condition.

(i) The personal kennel shall not cause a nuisance to others, as such term is defined in MGL c. 140, § 136A.

(j) The animals within the kennel shall not be found at large and/or not under the control of the owner.

(k) The kennel shall not cause a health or safety hazard to the animals within the kennel or to the general public, or owner/operator of the kennel.

(l) All dogs within a personal kennel shall be vaccinated for rabies and certificates must be produced for inspection when requested.

(m) The annual fee for a personal kennel license will be set by the Select Board in accordance with the statute.

Section 3: Commercial Kennel Licenses.

(a) In addition to meeting all of the requirements of MGL c. 140, §§ 137A to 137C, applications for a new commercial kennel license shall be submitted to the Select Board's office, on a form provided by the Select Board, along with two copies of interior and exterior plans of the kennel, as well as a plot plan.

(b) No new or renewal kennel license will be issued until proof is submitted by the applicant that the location and operation of the kennel are in compliance with the Town of Milford's zoning and land use regulations and by-laws.

(c) No new kennel license will be issued unless the Milford Animal Control Officer, Milford Health Department, Milford Building Department review and recommend approval, and Select Board review and approve the application. All kennel license renewals must be inspected by the Milford Animal Control Officer before a kennel license can be renewed.

(d) Each kennel license may be issued by the Select Board from July 1 until June 30 of the next calendar year, and each kennel license application or renewal application shall be charged in accordance with the fee schedule per subsection (f).

(e) First time applicants must notify all property abutters within one hundred fifty (150) feet in writing of the applicant's intent to operate a commercial kennel, and evidence of notification must be submitted with the application.

(f) The annual fee for a commercial kennel license will be set by the Select Board in accordance with the By-Law.

(g) Commercial kennel licensees shall be issued, for an additional fee, 35 dog tags, and any dog on the property other than 35 covered under the kennel license shall wear a town dog license tag from the town where the dog is licensed and shall be available for inspection upon request.

Section 4: Commercial Kennel Requirements.

(a) Housing facilities for dogs shall be maintained in good repair and in a sanitary condition in such a manner as to protect the dogs from injury or disease, to contain the dogs, and to restrict the entrance of other animals; and location, construction, arrangement and operation of commercial kennels shall not constitute a nuisance, as such term is defined in M.G.L. c. 140, § 136A.

(b) Reliable and adequate heating, cooling, and utilities are required (i.e., electric power, natural gas, propane, oil, water, sewer/septic). Adequate potable water shall be provided.

(c) Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin or other contaminant. Refrigeration shall be provided for supplies of perishable food or medication.

(d) Provision shall be made for the removal and disposal of dog and food wastes, bedding, and other debris. Waste facilities shall be provided and operated so as to control vermin infestation, odors, and disease hazards.

(e) Facilities, such as washrooms, basins or sinks, shall be provided in the kennel to maintain cleanliness among dog caretakers; hot and cold running water, soap, and towels shall be provided. Toilet facilities shall be provided in the kennel or nearby on the premises and shall be kept clean, sanitary, and in good repair.

(f) Premises shall be kept clean, sanitary and in good repair in order to protect the dogs from injury or disease. Premises shall remain free of accumulations of trash, feces, and the overgrowth of vegetation up to the property line or within 20 feet of the facility. Insects, parasites, rodents, and other pests shall be controlled effectively.

(g) All commercial kennels shall have an appropriately stocked animal first aid kits that shall be available and easily accessible at all times.

(h) All commercial kennels shall post Red Cross or similar animal CPR guidance in a conspicuous spot within the kennel and in compliance with the instructions imprinted thereon.

(i) All commercial kennels shall only administer medication to animals if it is in the original veterinary prescribed bottle or container.

(j) All commercial kennels shall have an on-call veterinarian on file that they may consult with for medical advice.

(k) Commercial kennels that offer grooming shall keep boarded dogs and groomed dogs separate at all times, unless proof of rabies vaccination is available. No dog shall be groomed that is not current on rabies vaccination.

Section 5: Indoor Commercial Kennel Requirements.

(a) Indoor dog facilities shall be provided for all pet shops, shelters and kennels in order to protect the dogs from adverse weather conditions.

(b) Indoor housing facilities for dogs shall be sufficiently heated when necessary to protect the dogs from cold, and to provide for their health and comfort. Adequate heat shall mean enough heat necessary to prevent physical damage to a dog from hypothermia. The dogs' age, physical condition and hair coat shall be taken into consideration. The temperature at the height level of the dogs shall not be allowed to fall below 55° F. in any indoor primary enclosures where dogs are housed.

(c) Indoor housing facilities for dogs shall be adequately ventilated to provide for the health and comfort of the animals at all times. Such facilities shall be provided with fresh air either by means of windows, doors, vents, or air conditioning and shall be ventilated so as to minimize drafts, odors and moisture condensation. Auxiliary ventilation, such as exhaust fans and vents or air conditioning, shall be provided when the ambient temperature is 80° F. or higher. Heat shall be provided when the ambient temperature is 64° F. or lower. Efforts shall be to maintain a relatively constant ambient temperature of 68° F.

(d) Indoor housing facilities for animals shall have ample light, by natural or artificial means, or both, of good quality and well distributed. Such lighting shall provide uniformly distributed illumination or sufficient light intensity to permit routine inspection and cleaning during the entire working period, with the intention that all animals shall experience natural ambient light throughout the day.

(e) Primary enclosures shall be so placed as to protect the animals from excessive sunlight.

(f) The interior building surfaces of indoor housing facilities at commercial kennels shall be constructed and maintained so that they are impervious to moisture and may be readily cleaned and sanitized.

(g) Commercial kennels shall have a suitable method to eliminate excess wash water from indoor housing facilities. Drains, when used, shall be properly constructed and kept in good repair to avoid foul odors and backup. Facilities which are not connected to a municipal sewerage system shall have a system for the disposal of dog excrement that meets all applicable state and local standards.

(h) Commercial kennels shall have personnel on site at all times when dogs are present, unless adequate security measures are available to ensure the safety of the animals present, such as a security/fire protection system or live video.

(i) Commercial kennels shall have one person on site, at all times when staff is present, that is trained in Red Cross or similar dog CPR and first aid.

Section 6: Outdoor Commercial Kennel Requirements.

(a) When sunlight is likely to cause overheating or discomfort, sufficient shade shall be provided to allow dogs kept outdoors to protect themselves from the direct rays of the sun.

(b) Whenever dogs are kept outdoors, they shall be provided with access to shelter to allow them to remain dry during rain, snow, or other adverse weather conditions.

(c) A suitable method shall be provided to drain surface water rapidly.

(d) Surfaces of outdoor enclosures of pet shops, shelters and kennels shall be constructed and maintained so that they are impervious to moisture and may be readily cleaned and sanitized;

runoff from outdoor enclosures shall be disposed of in accordance with all applicable regulations.

(e) Outdoor facilities shall be adequately secured to protect the dogs from predators, as well as to contain the dogs.

(f) All commercial kennels shall post the "signs/symptoms of heat stroke and hypothermia" in dogs within outdoor and indoor play areas.

(g) Clean water shall be supplied at all times at outdoor kennels.

Section 7: Primary Enclosures for Commercial Kennels.

(a) Primary enclosures shall be structurally sound and maintained in good repair so as to: contain the dogs; protect dogs from injury; keep predators out; enable dogs to remain dry and clean; permit dogs convenient access to food and water as required in these rules; provide sufficient space for each dog to turn about freely and to stand, sit and lie in a comfortable normal position; and have no sharp points or edges accessible to the dogs that could cause injury.

(b) Animals housed in the same enclosure shall be maintained in compatible groups.

(c) Sexually intact males and females shall not be housed in the same enclosure, except for breeding purposes as requested by the respective owner(s) in writing.

(d) Any dog exhibiting a vicious disposition shall be housed individually in a primary enclosure.

(e) Immature dogs shall not be housed in the same primary enclosure with adults other than their mother.

(f) Animals of different species shall not be housed in the same primary enclosures.

(g) Dogs shall not be placed in empty primary enclosures previously inhabited by other animals unless the enclosure has first been cleaned and disinfected.

(h) Animals showing signs of contagious illness shall be removed from rooms and enclosures containing healthy animals and housed in a separate isolation room.

(i) The floors of primary enclosures shall be constructed so as to protect the dogs' feet and legs from injury. Enclosures may have grid-type flooring, provided that the grid material is of adequate gauge to prevent sagging under the weight of the dog and that the mesh is small enough to prevent their feet from passing through or to cause cutting injuries to foot pads.

(j) Dogs confined in a primary enclosure shall be exercised in runs or walked on a leash at least three times a day, totaling 60 minutes of exercise.

(k) Dogs shall not be tied to fences or cages in lieu of being housed in primary enclosures.

Section 8: Commercial Kennel Care Requirements.

(a) Dogs being boarded overnight shall be fed at least once each day except as otherwise might be required to provide adequate care. Food from the previous day shall be discarded and fresh food supplied daily except when self-feeders are used.

(b) The food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritional value to meet the normal daily requirements for the condition and size of the dogs.

(c) Immature dogs shall be fed in accordance with generally accepted procedures: those animals less than three months of age shall be fed three times daily and those three to six months of age shall be fed twice daily.

(d) Containers of food shall be accessible to animals and shall be located so as to minimize contamination by excreta or other contaminants and sources of filth.

(e) Feeding pans shall be durable, cleaned and sanitized daily.

(f) Disposable food receptacles may be used but must be discarded after each feeding.

(g) Self-feeders may be used for the feeding of dry food and they shall be cleaned regularly to prevent molding, deterioration or caking of feed.

(h) Potable water must be accessible to dogs at all times unless contraindicated by a written veterinarian order. Receptacles for such purposes shall be cleaned daily.

Section 9: Sanitation of Commercial Kennels.

(a) Primary enclosures for animals shall be physically cleaned at least daily enough to prevent an accumulation of debris, excretions, and agents that may cause injury to animals or humans.

(b) Cages, floors, and hard surfaced pens or runs shall be sanitized at least once per day by washing them with hot water (180° F.) and soap or detergent as in a mechanical cage washer, or by washing all soiled surfaces with a detergent solution followed by a safe and effective disinfectant.

(c) Premises shall be kept clean, sanitary, and in good repair in order to protect the animals from injury and disease, to facilitate the prescribed sanitary practices as set forth in these rules, and to prevent nuisances.

(d) An effective program for the control of insects, parasites, rodents, and other pests shall be established and maintained.

(e) Excretions shall be removed from the primary enclosures as often as necessary to prevent contamination of the dogs contained therein and to control disease hazards and odors. When cleaning, any dog contained therein shall be removed from such enclosures during the cleaning process, and adequate measures shall be taken to protect the dogs in other such enclosures from being contaminated with water and other wastes.

Section 10: Disease Control and Vaccination Requirements for Commercial Kennels.

(a) Each animal shall be observed daily for signs of communicable disease or stress. Sick, diseased, injured or lame dogs shall be provided with at least prompt, basic veterinary care (that is, to alleviate pain and suffering), unless such action is inconsistent with the purposes for which the dog was obtained and is being held.

(b) Any dog under confinement for, or with signs of, a communicable disease shall be separated from other healthy animals and placed in an isolation area in order to minimize dissemination of such disease. Caretakers shall wash their hands after handling these dogs and follow procedures which control the dissemination of disease.

(c) Cleaning utensils for the isolation area shall be separate from those used for cleaning the general animal population area; such utensils shall either be washed separately from, or after, those used for the general population.

(d) All dogs within the kennel shall have current vaccinations for rabies, distemper and Bordetella.
(e) If, in the opinion of the Milford Animal Control Officer, or the advice of the Director of Public Health, additional vaccinations are necessary due to animal or public health concerns, additional vaccinations may be required. If additional vaccinations are required, license holders will be notified in writing by the Animal Control Officer.

Section 11: Administrative and Record Requirements of Commercial Kennels.

(a) There shall be kept at each kennel or private shelter a record of all dogs received. Such record shall state the date each animal was received, description of animal, breed, age, and sex of animal; name, address, contact information of person from whom acquired, and vaccination records for each animal being kept. These records shall be kept for two years.

(b) All commercial kennels shall maintain a list of all dogs' medical conditions, as well as medications.

(c) Each commercial kennel or private shelter shall have an adequate written emergency plan for the emergency medical treatment of its dogs, as well as in the case of a natural disaster. The kennel shall maintain proof that all employees have read, understood, and know the whereabouts of this document.

(d) A licensee shall promptly notify the licensing agency of any change in his or her name and address, or any change in operations which may affect his or her status.

(e) Any incident involving dog bites or any injuries requiring veterinarian care to a dog shall be reported to the Milford Animal Control Officer within eight hours of the incident.

(f) Any dog found deceased at a kennel must be reported to the Milford Animal Control Officer or Milford Police Department immediately after the dog is found.

Section 12: Right of Entry and Inspections of Commercial Kennels.

(a) Pursuant to MGL c. 140, § 137C, the Select Board, Chief of Police, his officers, or the Animal Control Officer may at any time inspect a kennel or cause the inspection of a kennel. Said inspection may include examination of any pertinent records pertaining to this by-law. Refusal to comply with an inspection may be grounds for an emergency license suspension or revocation, and may, at the discretion of the Milford Police Department, result in the filing of a criminal complaint.

(b) Random compliance inspections can occur on an annual basis or other time period as deemed appropriate for such facility. At the time of the inspection, or promptly thereafter, the inspecting authority will document any violations found.

Section 13: General Enforcement.

(a) This ordinance may be enforced by the Milford Animal Control Officer, Health Department, Building/Inspectional Services Department, or the Police Department, and if, in the judgment of Chief of Police, Animal Control Officer, investigative officer and/or the Health Department, the kennel is not being maintained in a sanitary and humane manner or if records are not properly kept as required by law, such person or body shall, by order, revoke or suspend the license for the kennel.

(b) This ordinance may also be enforced through appropriate criminal or civil process under Massachusetts General Laws.

Section 14: Fines and Violations.

(a) Penalties for violation of any provision of Sections 1 through 12 may result in the following fines and/or suspension or revocation of applicable license or permit:

1. First offense: \$50;

2. Second offense: \$75;

3. Third offense: \$100.

Each day the violation exists shall be deemed a separate offense. This ordinance may be enforced through any means available in law or in equity, including a noncriminal disposition in accordance with MGL c. 40, § 21D.

Section 15: Severability.

If any portion, section or provision of this by-law be found invalid for any reason, that finding shall not affect the validity and force of any other section, portion or provision of this bylaw.

An Electronic Vote was Taken on the Motion as Presented...99 Voted For...7 Voted Against...Carried.

ARTICLE 26: To see if the Town will vote to petition the General Court for the enactment of special legislation in relation to changing the number of members of the Town's Insurance Advisory Committee from eight to nine, which legislation would provide substantially as follows:

“SECTION 1: Notwithstanding the provisions of any general or special law to the contrary, and in particular notwithstanding the provisions of G.L. c. 32B, § 3 for an insurance advisory committee comprised of eight members, the Town of Milford shall have an insurance advisory committee comprised of nine members, as follows: seven persons to be duly elected or appointed to membership on such committee by organizations of the employees affected, one person who shall be a retiree of a governmental unit who shall be duly appointed to membership on said committee by the appropriate public authority, and one member who shall be a non-union employee of the Town who shall be duly elected or appointed to membership on such committee by the affected non-union employees of the Town;

SECTION 2: This Act shall take effect upon its passage.”

or take any further action in relation thereto.

(Human Resources Director)

An Electronic Vote was Taken on the Motion as Presented...99 Voted For...2 Voted Against...Carried.

ARTICLE 27: 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 pursuant to a vote

under Article 12 of the June 29, 2020 Annual Town Meeting, to be utilized for purposes of remediating any hazardous materials, demolishing any structures on property located at 72 Depot Street, and removing and disposing of the demolition debris at an appropriate location, or take any other action in relation thereto.

(Select Board)

It was Moved that the Town vote to raise and appropriate the sum of \$100,000, said sum to be added to those sums previously appropriated pursuant to a vote under Article 12 of the June 29, 2020 Annual Town Meeting, to be utilized for purposes of remediating any hazardous materials, demolishing any structures on property located at 72 Depot Street, and removing and disposing of the demolition debris at an appropriate location.

A Motion was Made by David Consigli (AL) to Pass Over Article 27...An Electronic Vote was taken on Motion to Pass Over...30 Voted For...74 Voted Against...Motion to Pass Over was Defeated.

An Electronic Vote was Taken on the Motion as Presented...92 Voted For...11 Voted Against... Carried.

The Moderator then announced it was after 10:00 pm and he was going to take a vote to see if Town Meeting Members wished to continue the Town Meeting after 10:00 pm.

An Electronic Vote was taken...60 Voted For...46 Voted Against...Motion to Continue the Town Meeting Carried.

ARTICLE 28: To see if the Town will vote to create a new hourly rated position of Fleet Maintenance Supervisor under Article 2, which salary will be determined at a later date, or take any other action relating thereto.

(Personnel Board)

It was Moved that the Town move that the Town vote to amend the Wage and Salary Schedule of the Wage and Salary Administration Plan of the Milford Personnel Board to create a new hourly rated position of Fleet Maintenance Supervisor, with a salary to be determined at a later date.

Harold Rhodes Doubted the Quorum....

The Moderator asked to verify the current attendance...it was reported 117 Present and 125 Absent. A Quorum was no longer present.

Town Counsel Boddy made a Motion to Recess the Special Town Meeting to Wednesday, October 27th at 7:00 pm.

The Moderator took an Electronic Vote on the Meeting Adjourning to Wednesday, October 27, 2021, at 7PM. 76 Voted For...22 Voted Against... Motion Carried and the Meeting was Adjourned.



OCTOBER 25, 2021 SPECIAL TOWN MEETING
ADJOURNED SESSION-OCTOBER 27, 2021 AT 7:00 PM
MILFORD, MASSACHUSETTS
COMMONWEALTH OF MASSACHUSETTS

ADJOURNED SESSION BEGAN AT 7:00 PM BY REMOTE PARTICIPATION

The Quorum was set at 122 members. The Town Moderator took attendance...79 Present...163 Absent. A quorum was not obtained so the Moderator announced he'd take a 15 minute recess.

At 7:15pm the Moderator took attendance... 110 Present...133 Absent. A quorum was still not obtained so the Moderator announced he'd take an additional recess for 15 minutes.

At 7:30 pm the Moderator took attendance... 113 Present...129 Absent. A quorum was still not obtained so a Motion was made by Town Counsel to recess the Special Town Meeting to Thursday, October 28th at 7:00 pm. The Moderator announced the Special Town Meeting will adjourn to Thursday, October 28, 2021 at 7:00 pm.

The Meeting was Adjourned.



OCTOBER 25, 2021 SPECIAL TOWN MEETING
ADJOURNED SESSION-OCTOBER 28, 2021 AT 7:00 PM
MILFORD, MASSACHUSETTS
COMMONWEALTH OF MASSACHUSETTS

ADJOURNED SESSION BEGAN AT 7:00 PM BY REMOTE PARTICIPATION

The Quorum was set at 122 members. The Town Moderator took attendance 96 Present...146 Absent. A Quorum was not obtained so the Moderator announced he'd take a 15 minute recess.

At 7:15pm the Moderator took attendance... 108 Present...134 Absent. A quorum was still not obtained so the Moderator announced he'd take an additional recess for 15 minutes.

At 7:30 pm the Moderator took attendance... 116 Present...126 Absent. A quorum was still not obtained.

A Motion was made by Thomas O'Loughlin (AL) to adjourn the Special Town Meeting to Monday, November 1, 2021 at 7:00 pm.

An Electronic Vote was taken on the Motion to Adjourn the Special Town Meeting to Monday, November 1, 2021 at 7PM...73 Voted For...13 Voted Against...Carried.

The Meeting was Adjourned.



OCTOBER 25, 2021 SPECIAL TOWN MEETING
ADJOURNED SESSION-NOVEMBER 1, 2021 7:00 PM
MILFORD, MASSACHUSETTS
COMMONWEALTH OF MASSACHUSETTS

ADJOURNED SESSION BEGAN AT 7:00 PM BY REMOTE PARTICIPATION

The Quorum was set at 122 members.

The Town Moderator took attendance 114 Present...128 Absent. A quorum was not obtained so the Moderator announced he'd take a 15 minute recess.

At 7:03 pm the Moderator took attendance... 124 Present...118 Absent. A quorum was obtained and the meeting came to order.

ARTICLE 28: To see if the Town will vote to create a new hourly rated position of Fleet Maintenance Supervisor under Article 2, which salary will be determined at a later date, or take any other action relating thereto.

(Personnel Board)

It was Moved that the Town move that the Town vote to amend the Wage and Salary Schedule of the Wage and Salary Administration Plan of the Milford Personnel Board to create a new hourly rated position of Fleet Maintenance Supervisor, with a salary to be determined at a later date.

After debate, Donna Niro (Pr. 8) Made a Motion to Pass Over the Article.

Michael Visconti wished to speak again after already speaking three times which required a 2/3rd vote... An Electronic Vote was taken on the Motion to allow a member to speak a fourth time...46 Voted For...70 Voted Against...Motion to Allow him to Speak Defeated.

James Buckley (Pr 7) wished to make an amendment which was refused by the Moderator as he didn't have anything prepared in writing ahead of time to present.

Bryan Cole made a Motion to Move the Previous Question to Pass Over the Article. An electronic Vote was taken on Motion to Move the Previous Question to Pass Over Article 28...71 Voted For...42 Voted Against... The Necessary 2/3rd Vote was not obtained...Motion to Move Question on Motion to Pass Over the Article Defeated.

Debate continued.

Russell Abisla asked for a point of order on previous vote and wanted to clarify on next step to vote on motion made by Donna Niro to Pass Over Article 28.

The Moderator then announced a majority vote was required on Motion to Pass Over the Article...73 Voted For...44 Voted Against...Motion Carried and Article 28 was Passed Over.

ARTICLE 29: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be used for the purpose of replacing the perimeter fencing at the Milford Town Library, or take any other action relating thereto.

(Library Trustees)

It was Moved that the Town vote to transfer the sum of \$40,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Library Trustees for the purpose of replacing the perimeter fencing at the Milford Town Library.

An Electronic Vote was taken on the Motion as Presented...111 Voted For...4 Voted Against...Carried.

ARTICLE 30: To see if the Town will vote to amend the Vernon Grove Cemetery Bylaws as amended by deleting Section 1 and inserting in its place and stead a new Section 1 as follows:

“Section 1. These Cemeteries shall hereafter be known as Vernon Grove Cemetery and North Purchase Cemetery, respectively.”;

Further, by substituting the word “Cemetery” with the word “Cemeteries” in Sections 2, 3, 4, and 6;

And finally, by substituting the words “this Cemetery” with the words “these Cemeteries” in Section 8, making such change consistent throughout the By-Law; or take any other action relative thereto.

(Vernon Grove Cemetery Trustees)

It was Moved that Town vote to amend the Vernon Grove Cemetery Bylaws as amended by deleting Section 1 and inserting in its place and stead a new Section 1 as follows:

“Section 1. These Cemeteries shall hereafter be known as Vernon Grove Cemetery and North Purchase Cemetery, respectively.”;

Further, by substituting the word “Cemetery” with the word “Cemeteries” in Sections 2, 3, 4, and 6;

And finally, by substituting the words “this Cemetery” with the words “these Cemeteries” in Section 8, making such change consistent throughout the By-Law.

An Electronic Vote was taken on the Motion as Presented... 116 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 31: To see if the Town will vote to amend Section 1.15 Site Plan Review of the Zoning By-Law relating to Planning Board procedures as noted hereinafter:

BY REPLACING Section 1.15.6.1 with the following:

“1.15.6.1 Within 65 days of the date any such application is filed with the Office of Planning and Engineering, and after review by the Planning Board at a public meeting, the Planning Board shall file a written decision detailing such action with the Building Commissioner indicating the Planning Board’s action regarding the application and accompanying plan.”

AND BY REPLACING Section 1.15.6.2 with the following:

“1.15.6.2 The Planning Board may approve the application, approve the application with specific conditions, or deny the application, except that for a change of use site plans required within the CA Central Commercial zoning district, the Town Planner may act in lieu of the Planning Board provided that relevant agency comments as per Section 1.15.4 herein have been received and considered. In exercising its authority under this Section 1.15, the Planning Board shall determine to what extent the plan addresses the following conditions:”

AND FURTHER BY REPLACING the last sentence of Section 1.15.7.2. with the following:

“Lack of compliance with an approved site plan or conditions, if any, of the written decision as provided in Section 1.15.6.1 herein, shall constitute a zoning violation enforceable by the Building Commissioner.”

or take any other action related thereto.

(Planning Board)

Richard Villani (AL) announced that the details in the remainder of the motion are the same as they appear in the Warrant. The Moderator announced he would waive the remainder of the reading for this reason.



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione

Bryan Cole
John H. Cook
Patrick J. Kennelly
Marble Mainini, III

Planning Board Report on Article 31 October 25, 2021 Special Town Meeting

TO: Town Meeting Members
FROM: Planning Board
DATE: October 6, 2021
SUBJECT: **Article 31:** Zoning Bylaw amendment – Site Plan Review Procedures.

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board on October 5, 2021 remotely conducted a duly posted and noticed Public Hearing regarding the subject of Article 31, at which time the Planning Board voted to make a favorable recommendation to Town Meeting.

Article 31 is the application of the Planning Board to amend the Zoning Bylaw relating to Site Plan Review Procedures.

The Planning Board recommends Article 31 be adopted as printed in the warrant.

Article 31 Background & Narrative

Article 31 in the Warrant will update and clarify the site plan review process to accurately reflect the customary practices already being followed, as well as require the Planning Board to apply the specific design criteria listed in the Bylaw, rather than refer to the criteria as advisory suggestions. They will also expedite simple change-of-use approvals within the downtown CA Commercial district by authorizing the Town Planner to issue such approvals. They will also clearly establish that the lack of compliance is a zoning violation.

The Planning Board urges your support for Article 31.

It was moved that the Town to amend Section 1.15 Site Plan Review of the Zoning By-Law relating to Planning Board procedures as noted hereinafter:

BY REPLACING Section 1.15.6.1 with the following:

“1.15.6.1 Within 65 days of the date any such application is filed with the Office of Planning and Engineering, and after review by the Planning Board at a public meeting, the Planning Board shall file a written decision detailing such action with the Building Commissioner indicating the Planning Board’s action regarding the application and accompanying plan.”

AND BY REPLACING Section 1.15.6.2 with the following:

“1.15.6.2 The Planning Board may approve the application, approve the application with specific conditions, or deny the application, except that for a change of use site plans

required within the CA Central Commercial zoning district, the Town Planner may act in lieu of the Planning Board provided that relevant agency comments as per Section 1.15.4 herein have been received and considered. In exercising its authority under this Section 1.15, the Planning Board shall determine to what extent the plan addresses the following conditions:"

AND FURTHER BY REPLACING the last sentence of Section 1.15.7.2. with the following:

"Lack of compliance with an approved site plan or conditions, if any, of the written decision as provided in Section 1.15.6.1 herein, shall constitute a zoning violation enforceable by the Building Commissioner."

After debate, an Electronic Vote was taken on the Motion as Presented...104 Voted For...17 Voted Against...the Necessary 2/3rd Vote was Acquired...Carried.

ARTICLE 32: 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 Parks Commission to purchase a compact trac loader with attachments, or take any other action in relation thereto.

(Parks Commission)

It was Moved that the Town vote to transfer the sum of \$80,000 from the Excess and Deficiency Account, said sum to be utilized by the Parks Commission to purchase a compact trac loader with attachments.

An Electronic Vote was taken on the Motion as Presented...118 Voted For...3 Voted Against...Carried.

ARTICLE 33: 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 Highway Surveyor for the purpose of replacing ten (10) garage doors located at the Highway Department garage, or take any other action in relation thereto.

(Highway Surveyor)

It was Moved that the Town vote to transfer the sum of \$90,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Highway Surveyor for the purpose of replacing ten (10) garage doors located at the Highway Department garage.

An Electronic Vote was taken on the Motion as Presented...123 Voted For...3 Voted Against...Carried.

ARTICLE 34: To see if the Town will vote to adopt a new By-Law regulating the appointment of members to all Town Boards, Committees and Commissions as follows:

"ARTICLE 41

QUALIFICATION TO SERVE ON TOWN BOARDS, COMMITTEES AND COMMISSIONS

Section 1. QUALIFICATION OF APPOINTEE

Upon majority vote of the appointing authority, unless otherwise called for by law, rule, or regulation, the Secretary or Clerk of the Appointing Authority shall forthwith transmit to the appointee, and simultaneously to the Town Clerk, a Notice of Appointment instructing the appointee that he/she shall need to qualify for appointed service by meeting with the Town Clerk to take her/his oath of office, acknowledge receipt of the Open Meeting Law Guide, acknowledge receipt of the Summary of the Conflict of Interest Law (M.G.L. c. 268A), to read any adverse “Open Meeting Law” determinations issued to the appointee’s board, committee or commission, to disclose any conflicts of interest and receive waivers, as necessary, required by law, or advisable, all within thirty days.

Section 2. SERVICE

No appointee who has failed to qualify under Section 1 of this Article shall serve.

Section 3. SECOND NOTICE

The Town Clerk, no sooner than thirty days after the Notice of Appointment issued, shall issue to any such appointee, at his or her address of record and/or usual and customary address, a written reminder (“Second Notice”) that the appointee appear at the Office of the Town Clerk to complete the qualifications for service in Section 1 of this Article.

Section 4. FAILURE TO QUALIFY AFTER SECOND NOTICE: VACANCY

The Town Clerk, no sooner than thirty days after the Second Notice issued, shall report to the appointing authority any appointee who has failed to qualify under Section 1 of this Article.

Upon receipt of any such notice of failure to qualify, the position shall be deemed vacant, and the appointee authority may, at its sole discretion, make a new appointment to the position deemed vacant by the appointee’s failure to qualify to serve.”

or taking any other action relative thereto.

(Town Clerk and Town Counsel)

Richard Villani (AL) made a motion to waive the remainder of the reading as the wording is the same as it appears in the Warrant that was mailed to all Town Meeting Members...Carried.

It was Moved that the Town vote to adopt a new By-Law regulating the appointment of members to all Town Boards, Committees and Commissions as follows:

QUALIFICATION TO SERVE ON TOWN BOARDS, COMMITTEES AND COMMISSIONS

Section 1. QUALIFICATION OF APPOINTEE

Upon majority vote of the appointing authority, or by decree of any individual appointing authority, such as the Town Moderator, unless otherwise called for by law, rule, or regulation, the Secretary or Clerk of the Appointing Authority shall forthwith transmit to the appointee, and simultaneously to the Town Clerk, a Notice of Appointment instructing the appointee that he/she shall need to qualify for appointed service by meeting with the Town Clerk to take her/his oath of office, acknowledge receipt of the Open Meeting Law Guide, acknowledge receipt of the Summary of the Conflict of Interest Law (M.G.L. c. 268A), to read any adverse “Open Meeting Law” determinations issued to the appointee’s board, committee or commission, to disclose any conflicts of interest and receive waivers, as necessary, required by law, or advisable, all within thirty days.

Section 2. SERVICE

No appointee who has failed to qualify under Section 1 of this Article shall serve.

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The Town Clerk, no sooner than thirty days after the Notice of Appointment issued, shall issue to any such appointee, at his or her address of record and/or usual and customary address, a written reminder (“Second Notice”) that the appointee appear at the Office of the Town Clerk to complete the qualifications for service in Section 1 of this Article.

Section 4. FAILURE TO QUALIFY AFTER SECOND NOTICE: VACANCY

The Town Clerk, no sooner than thirty days after the Second Notice issued, shall report to the appointing authority any appointee who has failed to qualify under Section 1 of this Article.

Upon receipt of any such notice of failure to qualify, the position shall be deemed vacant, and the appointee authority may, at its sole discretion, make a new appointment to the position deemed vacant by the appointee’s failure to qualify to serve.”

An Electronic Vote was taken on the Motion as Presented...120 Voted For...2 Voted Against...Carried.

ARTICLE 35: 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 five (5) self-contained breathing apparatus and ten (10) air cylinders, or take any other action in relation thereto.
(Fire Chief)

It was Moved that the Town vote to transfer the sum of \$47,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Fire Chief for the purpose of purchasing five (5) self-contained breathing apparatus and ten (10) air cylinders.

An Electronic Vote was taken on the Motion as Presented...125 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 36: 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 Select Board for interior painting at the Milford Senior Center, or take any other action in relation thereto.

(Select Board)

It was Moved that the Town vote to transfer the sum of \$81,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Select Board for interior painting at the Milford Senior Center.

An Electronic Vote was taken on the Motion as Presented...121 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 37: To see if the Town will vote to authorize the Select Board to petition the General Court for Special Legislation amending the Act Establishing Representative Town Meetings, being Chapter 271 of the Acts of 1933, as amended, in the following fashion:

Be it enacted, etc.

Section 1. Section 3 of Chapter 271 of the Acts of 1933, as amended, is further amended by inserting in the first sentence of said Section 3 after the words “director of municipal finance,” the words “chairperson of the board of water commissioners”.

Section 2. this Act shall take effect upon its passage.
or take any other action in relation thereto.

(Board of Water Commissioners)

It was moved that the Town vote to authorize the Select Board to petition the General Court for Special Legislation amending the Act Establishing Representative Town Meetings, being Chapter 271 of the Acts of 1933, as amended, in the following fashion:

Be it enacted, etc.

Section 1. Section 3 of Chapter 271 of the Acts of 1933, as amended, is further amended by inserting in the first sentence of said Section 3 after the words “director of municipal finance,” the words “chairperson of the board of water commissioners”.

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

An Electronic Vote was taken on the Motion as Presented...117 Voted For...3 Voted Against...Carried.

ARTICLE 38: To see if the Town will vote amend the Wage and Salary Schedule of the Wage and Salary Administration Plan of the Milford Personnel Board by reclassifying the position of Assessor/Administrator from Salary Level 3 to a Salary Level 4, or take any other action in relation thereto.

(Personnel Board)

It was Moved that the Town vote to amend the Wage and Salary Schedule of the Wage and Salary Administration Plan of the Milford Personnel Board by reclassifying the position of Assessor/Administrator from Salary Level 3 to a Salary Level 4, retroactive to July 1, 2021.

An Electronic Vote was taken on the Motion as Presented...108 Voted For...15 Voted Against...Carried.

ARTICLE 39: 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 Library Trustees for the purpose of purchasing and installing new light-emitting diode (LED) fixtures, or take any other action in relation thereto.

(Library Trustees)

It was Moved that the Town vote to transfer the sum of \$80,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Library Trustees for the purpose of purchasing and installing new light-emitting diode (LED) fixtures.

An Electronic Vote was taken on the Motion as Presented...120 Voted For...1 Voted Against...Carried.

ARTICLE 40: To see if the Town will vote pursuant to M.G.L. c. 40 § 15 to transfer the care, custody and jurisdiction of the following five (5) Town-owned parcels, totaling 26.85 acres, to the Milford Conservation Commission:

Assessors			
Map	Block	Lots	Area/Acres
53	0	15	13.50
53	0	16	2.50
53	86	B	0.05
54	0	7	4.30
54	0	9	6.50

The purpose thereof is to preserve said parcels located in the vicinity of Bear Hill for open space protection and conservation purposes, or take any other action in relation thereto.

(Conservation Commission)

Richard Villani (AL) made a Motion to Waive the remainder of the reading as the wording is the same as the text in the Warrant that was mailed to all Town Meeting Members...The Moderator announced he would waive the remainder of the reading for this reason..

It was Moved that the Town vote pursuant to M.G.L. c. 40 § 15 to transfer the care, custody and jurisdiction of the following five (5) Town-owned parcels, totaling 26.85 acres, to the Milford Conservation Commission:

Assessors			
Map	Block	Lots	Area/Acres
53	0	15	13.50
53	0	16	2.50
53	86	B	0.05
54	0	7	4.30
54	0	9	6.50

The purpose thereof is to preserve said parcels located in the vicinity of Bear Hill for open space protection and conservation purposes.

An Electronic Vote was Taken on the Motion as Presented...118 Voted For...2 Voted Against...the Necessary 2/3rd Vote was Acquired...Carried.

ARTICLE 41: 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 Vernon Grove Cemetery Board of Trustees for the purpose of purchasing a computer software program to upload cemetery burial and plot files, and related information, or take any other action in relation thereto.

(Vernon Grove Cemetery Board of Trustees)

It was Moved that the Town vote to transfer the sum of \$24,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Vernon Grove Cemetery Board of Trustees for the purpose of purchasing a computer software program to upload cemetery burial and plot files, and related information.

An Electronic Vote was taken on the Motion as Presented...114 Voted For...2 Voted Against...Carried.

ARTICLE 42: 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, to provide 10 percent (10%) matching funds to supplement a grant received for the purchase of a water tanker truck, or take any other action in relation thereto.

(Fire Chief)

It was Moved that the Town vote to transfer the sum of \$40,609 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Fire Chief, to provide 10 percent (10%) matching funds to supplement a grant received for the purchase of a water tanker truck.

An Electronic Vote was taken on Motion as Presented...120 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 43: 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 Select Board to paint the exterior of the Milford Senior Center, or take any other action in relation thereto.

(Select Board)

It was Moved that the Town vote to raise and appropriate the sum of \$80,000, to be spent under the jurisdiction of the Select Board to paint the exterior of the Milford Senior Center.

An Electronic Vote was taken on Motion as Presented...115 Voted For...3 Voted Against...Carried.

ARTICLE 44: 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 installing basement ventilation and dehumidification system, and a gymnasium HVAC system, or take any other action in relation thereto.

(Milford Youth Commission)

It was Moved that the Town vote to raise and appropriate the sum of \$650,000, to be spent under the jurisdiction of the Milford Youth Commission for the purpose of installing basement ventilation and dehumidification system, and a gymnasium HVAC system.

An Electronic Vote was taken on Motion as Presented...111 Voted For...5 Voted Against...Carried.

ARTICLE 45: To see if the Town will vote to authorize the Select Board 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 will provide substantially as follows:

Be it enacted, etc. as follows:

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the Licensing authority of the town of Milford may grant 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to Shiv Om Krupa, Inc. d/b/a Purchase Street Market located at 89 Purchase Street in the town of Milford. The license shall be subject to all of said chapter 138 except section 17.

(b) The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If a license issued pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority and the licensing authority may grant the license to a new applicant at the same location under the same conditions as specified in this act.

(d) The initial license authorized to be granted pursuant to subsection (a) shall be issued within one (1) year after the effective date of this act, if so issued, it shall be subject to reissuance pursuant to subsection (b) or (c) thereafter.

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

or take any other action in relation thereto.

(Shiv Om Krupa, Inc.)

It was Moved that the Town vote to authorize the Select Board 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 will provide substantially as follows:

Be it enacted, etc. as follows:

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the Licensing authority of the town of Milford may grant 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to Shiv Om Krupa, Inc. d/b/a Purchase Street Market located at 89 Purchase Street in the town of Milford. The license shall be subject to all of said chapter 138 except section 17.

(b) The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If a license issued pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority and the licensing authority may grant the license to a new applicant at the same location under the same conditions as specified in this act.

(d) The initial license authorized to be granted pursuant to subsection (a) shall be issued within one (1) year after the effective date of this act, if so issued, it shall be subject to reissuance pursuant to subsection (b) or (c) thereafter.

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

An Electronic Vote was taken on Motion as Presented...86 Voted For...33 Voted Against...Carried.

ARTICLE 46: 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 Highway Surveyor for the purpose of replacing the Highway Department sidewalk plow/snowblower, or take any other action in relation thereto.

(Highway Surveyor)

It was Moved that the Town vote to raise and appropriate the sum of \$169,000, to be spent under the jurisdiction of the Highway Surveyor for the purpose of replacing the Highway Department

sidewalk plow/snowblower.

An Electronic Vote was taken on Motion as Presented...121 Voted For...0 Voted Against...Carried Unanimously.

ARTICLE 47: 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 Vernon Grove Cemetery Board of Trustees for the purpose of purchasing a leaf blower machine for fall grounds clean up and leaf gathering, or to take any other action in relation thereto.

(Vernon Grove Cemetery Board of Trustees)

It was Moved that the Town vote to raise and appropriate the sum of \$10,500, to be spent under the jurisdiction of the Vernon Grove Cemetery Board of Trustees for the purpose of purchasing a leaf blower machine for fall grounds clean up and leaf gathering.

An Electronic Vote was taken on Motion as Presented...119 Voted For...1 Voted Against...Carried.

ARTICLE 48: To see if the Town will vote pursuant to M.G.L. c. 40 § 15 to transfer the care, custody and jurisdiction of the following six (6) Town-owned parcels, totaling 8.76 acres, to the Milford Conservation Commission:

Assessors			
Map	Block	Lots	Area/Acres
9	84	D	6.16
10	0	2	0.21
12	48	18, 19, 20	2.07
12	78	6	0.32

The purpose thereof is to preserve said parcels located off of Camp Street for stormwater management, wetlands and open space protection, and conservation purposes, as recommended in the Milford Comprehensive Plan, or take any other action in relation thereto.

(Conservation Commission)

Richard Villani made a motion that the details of the Motion are the same as the text that was mailed to all Town Meeting Members, the Moderator announced he will waive the remainder of the reading for this reason.

It was Moved that the Town vote pursuant to M.G.L. c. 40 § 15 to transfer the care, custody and jurisdiction of the following six (6) Town-owned parcels, totaling 8.76 acres, to the Milford Conservation Commission:

Assessors			
Map	Block	Lots	Area/Acres
9	84	D	6.16
10	0	2	0.21

12	48	18, 19, 20	2.07
12	78	6	0.32

The purpose thereof is to preserve said parcels located off Camp Street for stormwater management, wetlands and open space protection, and conservation purposes, as recommended in the Milford Comprehensive Plan.

An Electronic Vote was taken on Motion as Presented...115 Voted For...1 Voted Against...the Necessary 2/3rd Vote was Acquired...Motion Carried.

ARTICLE 49: 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 Director)

It was Moved that the Town vote to raise and appropriate the sum of \$1,000,000 and to transfer the sum of \$2,000,000 from the Excess and Deficiency Account, to be added to the Town's Stabilization Account.

An Electronic Vote was taken on Motion as Presented...114 Voted For...1 Voted Against...Carried.

A Motion was Made by Town Counsel Boddy to Dissolve the October 25, 2021 Special Town Meeting Warrant... An Electronic Vote was Taken on Motion to Dissolve the Warrant ...110 Voted For...0 Voted Against...Carried Unanimously. The Warrant was dissolved at 8:53 pm.

A True Copy of the Record.

**Attest: Amy E. Hennessy Neves,
Town Clerk**