



# **SPECIAL TOWN MEETING**

**NOVEMBER 14, 2022  
MILFORD, MASSACHUSETTS**

## **COMMONWEALTH OF MASSACHUSETTS**

**Milford TV recorded the Special Town Meeting.**

**In accordance with the provisions of General Laws, Chapter 39, Section 10, a Special Town Meeting shall be held in Milford's, Upper Town Hall. Those seeking reasonable accommodations under the Americans with Disabilities Act (ADA) due to incapacity or disability, who provide sufficient proof of such condition, and who pre-registered for the Special Town Meeting at individual locations selected by such members at the time of their pre-registration as part of the reasonable accommodation process, remote participation may be permitted. Instructions for those seeking reasonable accommodations were provided by the Town and included within the warrant mailing by the Town Clerk.**

***Moderator Michelangelo Bon Tempo called the meeting to order at 7:00 p.m. The quorum was set at 116. The Precinct Captains reported there were 118 members present and IT reported there were 3 remote members; a total of 121 members reported as present. A quorum was obtained.***

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

***The Town Clerk, Amy E. Hennessy Neves swore in all Town Meeting Members present.***

***The Moderator then explained the instructions regarding speaking and voting procedures.***

***Town Clerk Amy E. Hennessy Neves read the Warrant. The Moderator announced he would waive the reading of the remainder of the Warrant.***

***The Town Clerk then read the Return of Service.***

*The Moderator asked if there were any reports to present. There were no reports.*

**ARTICLE 1:** To see if the Town will establish an Audit Committee, or take any further action relative thereto.

(Harold Rhodes et al.)

**It was Moved that the Town vote to establish an Audit Committee by inserting a new by-law, as follows:**

**Section 1. There shall be an Audit Committee. The Select Board shall appoint a committee of five (5) persons for staggered terms of five years to be known as the Audit Committee within 30 days of enactment. The persons appointed by the Select Board shall include:**

**a. Milford's Finance Director;**

**b. The Chairman (or designee) of the Finance Committee;**

**c. One chartered public accountant with financial audit experience who is neither a municipal employee or special municipal employee of the Town of Milford; and,**

**d. Two persons each with at least 10 years corporate experience who are neither municipal employees or special municipal employees of the Town of Milford.**

**The Audit Committee shall be assisted by the Town Administrator and/or other Town employees as requested by the Audit Committee in its work.**

**Section 2. The Audit Committee shall annually develop a scope of audit services to be performed by an independent licensed public accounting firm. The Audit Committee shall develop and administer the selection process and shall recommend to the Select Board the appointment of an independent licensed public accounting firm to conduct of the annual audit.**

**Section 3. The Audit Committee, after the Select Board has received the audit report, shall review and discuss the findings with the Select Board and other elected Boards and Town officials, as appropriate. The Audit Committee shall report to the Annual Town Meeting. The Audit Committee shall annually review the performance and independence of the audit firm and report to the Select Board.**

**Section 4. Members of the Audit Committee shall receive compensation of \$1000 per year.**

A motion was made by Edward Bertorelli to Move the Question.

A remote vote was taken...1 In Favor...2 Against...Not Carried.

A Stading Vote was taken on Motion to Move the Question...81 In Favor...28 Against.

The Motion to Move the Question was Carried.

A remote vote was taken on the original motion as presented...0 In Favor...0 Against.

A voice vote was taken on original motion as presented...Not Carried.

Article 1 Defeated.

**ARTICLE 2:** To see if the Town will transfer the sum of \$100,000 from the Excess and Deficiency Account, said sum to be expended under the jurisdiction of the Audit Committee, or take any further action relative thereto.

(Harold Rhodes et al.)

A Motion was made by Thomas O'Loughlin (AL/P5) to Pass Over Article 2.  
Remote vote on motion to pass over...2 In Favor...1 Against.  
Voice Vote taken on Motion to Pass Over...Carried.  
Article 2 Passed Over.

**ARTICLE 3:** To see if the Town will amend Article 1 of the General By-Laws of the Town of Milford, entitled "Annual Town Meeting", by striking the words "first Tuesday in April" and inserting the words in their place and stead, "third Tuesday in May", or take any other action relative thereto.

(Harold Rhodes et al.)

**It was moved that the Town vote to amend Article 1 of the General By-Laws of the Town of Milford, entitled "Annual Town Meeting", by striking the words "first Tuesday in April" and inserting the words in their place and stead, "third Tuesday in May".**

A motion was made by Edward Bertorelli (P2) to Move the Question.  
Remote vote on motion to Move the Question...2 In Favor...1 Against...Carried.  
Standing Vote was taken on Motion to Pass Over...110 For...9 Against... Motion to Move Question was Carried.  
A remote vote was then taken on the original motion as presented...1 In Favor...2 Against...Not Carried.  
Voice Vote taken on Motion as Presented...Not Carried...Article 3 was Defeated.

**ARTICLE 4:** 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 Geriatric Authority for purposes of supplementing the operating budget and expenses of said Authority, said sum to be the first regular appropriation necessary to continue support of the operations of the Milford Countryside Health Care Facility, or take any other action in relation thereto.

(Milford Geriatric Authority)

**It was moved that the Town vote to raise and appropriate the sum of \$2,500,000, said sum to be spent under the jurisdiction of the Milford Geriatric Authority for purposes of supplementing the operating budget and expenses of said Authority.**

A motion was made by Chris Morin (P5) to give a speaker an additional 10 minutes. A remote vote on allowing the additional speaking time...3 in Favor...0 Against.  
A Standing Vote was taken on motion to allow extra speaking time...108 In Favor...2 Against.  
Motion to allow extra speaking time Carried.

A motion was made by Michael Visconti (P8) to pass over the Article... Remote Vote taken on Motion to Pass Over...0 In favor...3 Against...Motion not Carried.  
Voice Vote taken on Motion to Pass Over...Voice Vote Defeated.

Remote vote was then taken on the original motion as presented...3 In Favor...0 Against.  
Voice Vote taken on original motion as presented...Carried.

**ARTICLE 5:** To see if the Town will vote, in accordance with the relevant provisions of Chapter 76 of the Acts of 1982 and Section 16 of Chapter 30B of the General Laws to authorize the Geriatric Authority of Milford to sell and assign all assets of the Geriatric Authority, including necessary real estate, to a skilled nursing facility operator or similar entity after following all applicable provisions of General Laws Chapter 30B Section 16, and take any all actions necessary to effectuate such transfer or assignment, including actions necessary for the welfare of patients or residents: further, any proceeds received from such sale or transfer, over and above expenses of the transactions and satisfaction of debts and obligations of the Authority, shall be paid over to the Town of Milford for purposes of retiring any debt obligations of the Town arising from borrowing for Geriatric Authority facilities or purposes, or take any other action in relation thereto.

(Milford Geriatric Authority)

**It was Moved that the town vote, in accordance with the relevant provisions of Chapter 76 of the Acts of 1982 and Section 16 of Chapter 30B of the General Laws to authorize the Geriatric Authority of Milford to sell and assign all assets of the Geriatric Authority, including necessary real estate, to a skilled nursing facility operator or similar entity after following all applicable provisions of General Laws Chapter 30B Section 16, and take any all actions necessary to effectuate such transfer or assignment, including actions necessary for the welfare of patients or residents: further, any proceeds received from such sale or transfer, over and above expenses of the transactions and satisfaction of debts and obligations of the Authority, shall be paid over to the Town of Milford for purposes of retiring any debt obligations of the Town arising from borrowing for Geriatric Authority facilities or purposes.**

A remote vote was taken on motion as presented...2 In Favor...1 Against.

A standing 2/3<sup>rd</sup> vote was taken...96 Voted For...12 Against... 2/3<sup>rd</sup> vote was acquired and Motion was 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 utilized by the Milford Geriatric Authority for purposes of care and services to elderly residents in accordance with Chapter 76 of the Acts of 1982, said sum to be utilized, in addition, to support the Authority and care for residents while said Authority is in the process of planning for and implementing cessation of operations in accordance with provisions of law and regulation which may be applicable, and/or assignment of the facilities or functions to a third party provider, or take any other action in relation thereto.

(Milford Geriatric Authority)

A motion was made by David Consigli (AL) to pass over Article 6.  
Remote vote on motion to pass over... 2 In Favor...1 Against.  
Voice vote taken on motion to pass over... Carried.  
Motion to pass over Article 6 Carried.  
Article 6 Passed Over.

**ARTICLE 7:** To see if the Town will amend Section 3.9.12 Temporary Signs of the Zoning Bylaw as follows:

BY DELETING in Sub-Section 3.9.12.1 the term “March”,  
AND IN ADDITION, by inserting in Sub-Section 3.9.12.1 the term “May” after the term “April,” or to take any further action relating thereto.

(Harold Rhodes et al.)

A motion was made by Harold Rhodes (P2) to pass over Article 7.  
Remote vote on motion to pass over... 3 In Favor...0 Against.  
Voice vote taken on motion to pass over... Carried.  
Motion to pass over Article 7 Carried Unanimously.  
Article 7 Passed Over.

**ARTICLE 8:** To see if the Town will transfer the sum of \$5,000 from the Excess and Deficiency Account, said sum to be expended to increase the awareness of the 2023 Town Election, under the jurisdiction of the Town Clerk, or to take any further action relative thereto.

(Harold Rhodes et al.)

A motion was made by Harold Rhodes (P2) to pass over Article 8.  
Remote vote on motion to pass over... 1 In Favor...2 Against.  
Voice vote taken on motion to pass over... Carried.  
Motion to pass over Article 8 Carried.  
Article 8 Passed Over.

**ARTICLE 9:** To see if the Town will provide access to meetings by residents that is consistent with the Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board by requiring each committee, board, and commission to provide online and interactive access to each public meeting and to require meeting materials to be made available before each meeting, except as otherwise are governed by the General Laws of Massachusetts, or take any further action relative thereto.

(Harold Rhodes et al.)

A motion was made by Harold Rhodes (P2) to pass over Article 9.  
Remote vote on motion to pass over... 3 In Favor...0 Against.  
Voice vote taken on motion to pass over... Carried.  
Motion to pass over Article 9 Carried Unanimously.  
Article 9 Passed Over.

*A Motion was then made by Pamela Fields (P2) to dissolve the Warrant.  
Remote vote taken on motion to dissolve the warrant...3 In Favor...0 Against.  
Voice vote taken on motion to dissolve the warrant...Carried.  
Motion to dissolve the warrant Carried Unanimously.  
Warrant was dissolved at 9:22 pm.*

*A True Copy of the Record.  
Attest: Amy E. Hennessy Neves, Town Clerk*