



RECEIVED
MILFORD TOWN CLERK
10/30/23 OCT -4 PM 5:57

SPECIAL TOWN MEETING

**OCTOBER 30, 2023
MILFORD, MASSACHUSETTS**

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS:

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

GREETINGS:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the inhabitants of the Town of Milford, qualified by law to vote in town affairs, to meet in the Upper Hall of the Milford Town Hall, 52 Main Street, on the 30th day of October, 2023 A.D. at 7:00 P.M.

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. For 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-register 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 to register to participate at other locations shall be provided by the Town Clerk.

The Special Town Meeting will, there and then, act upon the following articles:

ARTICLE 1: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$150,000 to be utilized for the purpose of continuing to address the town wide ADA improvement plan, or for any other ADA improvement project to benefit the Town, said sum to be divided equally among the Park Department, School Department, and overall general government, or take any other action in relation thereto.

(Select Board)

ARTICLE 2: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to establish and/or maintain a regional Substance Abuse Outreach Program in the greater Milford area, or take any other action in relation thereto.

(Select Board)

ARTICLE 3: 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 Police Department to implement traffic surveillance infrastructure at locations throughout the Town, or take any other action in relation thereto.

(Police Chief)

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 Board of Library Trustees to be utilized to replace the Milford Town Library's main floor fire suppression system, or take any other action in relation thereto.

(Board of Library Trustees)

ARTICLE 5: To see if the Town will vote to amend the Personnel By-Laws of the Town of Milford as Follows:

- A. Section 2.2 – replace the word “it” with the words “The Board” in the first sentence and replace the word "shall" with the word "may" in the second sentence; and
- B. amend Section 5.5 of the Personnel By-Laws by deleting the current section in its entirety and replacing with the following:

“Bereavement leave without loss of pay, not to exceed four (4) days as the Department Head may determine, shall be granted by said Department Head on account of death in an employee's immediate family. For the purpose of this section, immediate family shall mean: mother, father, brothers, sisters, mother-in-law, father-in-law, sons, daughters, wife, husband, sons-in-law, daughters-in-law, grandparents, grandchildren, brother-in-law, sister-in-law, aunts, uncles, nieces and nephews and in the event of the unplanned death, stillbirth, or miscarriage of a fetus, at any time during the pregnancy, for the mother and/or her partner or spouse”; and

- C. amend Section 5.10, Personal Leave, by deleting the entire current section and replacing said section with the following:

“Permanent Full-Time employees may be allowed two (2) days per calendar year of Personal Leave with pay. Such request shall be made to the employee's Department Head at least forty-eight hours in advance. For the purpose of this section, an employee who works 35 hours per week will receive 14 hours and an employee who works 40 hours per week will receive 16 hours”; and

- D. amend Section 5.12 Earned Leave, by replacing the last sentence with the following new sentence:

“For the purpose of this section, three (3) days used shall equal 21 hours or less for a 35 hour per week position or 24 hours or less for a 40 hour per week position. Earned Personal day shall equal 7 hours for an employee who works 35 hours per week or 8 hours for an employee who works 40 hours per week”; and

- E. within the Personnel By-Law as a whole, whenever the phrase “Board of Selectmen” is utilized, replace that phrase with “Select Board” and whenever within the By-Law the words “Town Accountant” are utilized, replace those words with “Finance Director.”

- F. by deleting Section 5.11 “Sick Leave Buy-Back” in its entirety,

or take any other action in relation thereto.

(Personnel Board)

ARTICLE 6: To see if the Town will vote to amend Article 6 of the General By-Laws of the Town of Milford relating to the Industrial Development Commission as follows:

- A. by changing the title of said Article 6 from “Industrial Development Commission” to “Economic Development Commission,” and
- B. by deleting the current Section 1 (Composition, term of office) and replacing it with the following:

“There shall be an Economic Development Commission consisting of seven (7) members appointed by the Select Board for overlapping terms. The terms of the sitting members of the Industrial Development Commission shall continue uninterrupted as members of the Economic Development Commission.” and

- C. strike the current Section 2 and replace that section with the following:

Section 2 (Powers and Duties) – “The Economic Development Commission shall have all of the powers which Development and Industrial Commissions have under Section 8A of Chapter 40 of the General Laws and shall conduct research into industrial conditions, investigate and assist in establishment of educational and commercial projects, including projects involving private enterprise, for the purpose of expanding or strengthening the local economy, and shall seek to coordinate the activities of unofficial bodies organized for said purposes, and may advertise, prepare, print and distribute books, maps, charts

and pamphlets which in its judgment will further the purposes for which it is established and such commission shall exercise such other functions as may, from time to time, be assigned by the Select Board or the Town Meeting. Said Commission shall elect its own officers and adopt Rules and Regulations for its governance as may from time to time be necessary or appropriate.”

or take any other action in relation thereto.

(Industrial Development Commission/Select Board)

ARTICLE 7: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be spent under the jurisdiction of the Board of Library Trustees for the purpose of replacing worn and damaged library furnishings, or take any other action in relation thereto.

(Board of Library Trustees)

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 Milford Highway Surveyor for the acquisition and installation of security gates at the Haven Street and Walden Way wood road entrances to the 185-acre Town-owned “Waldenwoods” Planned Residential Development Open Space parcel, or take any other action in relation thereto.

(Conservation Commission)

ARTICLE 9: To see if the Town will vote to amend its vote under Article 39 of the October 24, 2022 Special Town Meeting so that said vote shall include the Milford Town Hall and Memorial Hall as buildings to have their elevator systems upgraded under the appropriation authorized by said Article 39, or take any other action in relation thereto.

(Select Board)

ARTICLE 10: To see if the Town will vote to amend its vote under Article 2 of the May 22, 2023 Annual Town Meeting by changing the Grade for the position of Director of Information Technology from Grade 13 to Grade 14, or take any other action in relation thereto.

(Personnel Board)

ARTICLE 11: To see if the Town will vote to amend Section 5.8(A) of the Personnel By-Laws of the Town as follows:

A. by deleting the first sentence of Section 5.8(A) and inserting in place thereof the following:

“All permanent full-time and permanent benefit eligible part-time employees shall accrue vacation on a monthly basis beginning immediately after hire as per the

following schedule. This accrual will be credited to the employee at the end of each month for actual service;" and

- B. by deleting the 3rd sentence within the paragraph of Section 5.8 entitled "YEAR 1" and replacing it with the following:

"Employees in their first year of employment may begin using accrued vacation days no sooner than three (3) months of their hire date, and only when they have been continuously employed for said period"; and

- C. by changing the title of the second column within Section 5.8(A) to "Year 1 Vacation Day Accrual"; and
- D. change the title of the third column within the chart as part of Section 5.8(A) so that the title thereof will be "First month vacation accrued is available for use;" and
- E. add a new Section 5.8D to the By-Law which will provide as follows:

For the purpose of Section 5.8(A), 5.8(B), and 5.8(C), one day shall equal seven (7) hours for an employee who works thirty-five (35) hours per week, or eight (8) hours for an employee who works forty (40) per week. Part Time benefit eligible employees vacation days will be calculated by taking the number of hours worked per week divided by five (5) days. One week's vacation equals the total hours worked per week,"

or take any other action in relation thereto.

(Personnel Board)

ARTICLE 12: To see if the Town will vote to amend Section 5.6 of the Personnel By-Laws of the Town of Milford by striking the first sentence thereof and replacing said sentence with the following:

"All permanent full-time and permanent benefit eligible part-time employees shall be credited with sick leave with pay at the rate of one and one-quarter (1¼) days for each month of service for up to fifteen (15) days per calendar year. Eligible employees' sick days will be calculated by taking the number of hours worked per week divided by five (5) days and multiply by 1.25 to get ones monthly accrual, and further to see if the Town will vote to replace the last sentence of Section 5.6 with the following:

"Employees may utilize up to five (5) days of accumulated sick leave each year for illness of a member of an employee's immediate family. Immediate family shall be those defined in Section 5.5. One day is equivalent to the employees regularly scheduled work day."

or take any other action in relation thereto.

(Personnel Board)

ARTICLE 13: To see if the Town will vote to amend Section 1.6 “Definitions” of the Personnel By-Laws of the Town of Milford by add the following definition:

“Benefit Eligible Employees – refer to M.G.L. c. 32B, §2.”
or take any other action in relation thereto.

(Personnel Board)

ARTICLE 14: To see if the Town will vote, in accordance with Section 12 of Chapter 30B of the General Laws, to authorize the extension of an Agreement dated August 28, 2023 between Milford Power LLC and the Town, acting through its Select Board and Board of Sewer Commissioners, to be made effective for a fifteen (15) year term from its execution; the aforesaid Agreement, among other terms, sets the rates of payment by Milford Power LLC for water purchased from the Sewer Treatment Plant, guarantees the payment to the Town during the term of the extension of a minimum of at least \$1,000,000 per fiscal year in real estate taxes, or take any other action in relation thereto.

(Select Board/Sewer Commissioners)

ARTICLE 15: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$100,000 to be spent under the jurisdiction of the Highway Surveyor for the purpose of purchasing a new truck mounted leaf vacuum, or take any other action in relation thereto.

(Highway Surveyor)

ARTICLE 16: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for renovation of both Town Park and the Pearl Street Court area which renovations and improvements will include new walkways, fencing, lighting, outdoor fitness court, tennis/pickle ball courts, basketball/street hockey courts, new bathrooms, and other upgrades to those parks, or take any other action in relation thereto.

(Park Commissioners)

ARTICLE 17: To see if the Town will vote to appropriate a sum of money in the amount of \$350,000, said sum to be spent under the jurisdiction of the Board of Sewer Commissioners for replacement of a High Pressure Jet Truck, and to determine how said sum shall be raised, whether by transfer from available fund, by taxation, by borrowing or otherwise, or take any other action in relation thereto.

(Board of Sewer Commissioners)

ARTICLE 18: To see if the Town will vote to dissolve the Town Meeting Study and Improvement Committee, and further vote to rescind the standing vote entitled “Town Meeting Study and Improvement Committee” in its entirety, said vote to take effect on January 25, 2024, or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 19: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to pay an unpaid bill from a prior fiscal year in the amount of \$10,600, or take any other action in relation thereto.

(Finance Director)

ARTICLE 20: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$103,000, said sum to be utilized by the Planning Board for consultant services associated with the preparation of a 2024 Milford Comprehensive Plan, or take any other action in relation thereto.

(Planning Board)

ARTICLE 21: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for the purchase of a 12 to 15 passenger van for use by the Milford Youth Commission, or take any other action in relation thereto.

(Milford Youth Commission)

ARTICLE 22: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized by the Board of Assessors for the purpose of purchasing a vehicle for property inspections, or take any other action in relation thereto.

(Board of Assessors)

ARTICLE 23: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$82,000 to supply and install carpet tiles at the Milford Police Station, or take any other action in relation thereto.

(Select Board)

ARTICLE 24: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for the purpose of upgrading and replacing the audio system in the Upper Town Hall, or take any other action in relation thereto.

(IT Department/Select Board)

ARTICLE 25: To see if the Town will vote to accept the provisions of Chapter 44, Section 54 of the General Laws, as amended by Section 26 of Chapter 28 of the Acts of 2023, which provisions to be accepted pertain to investment of Town Trust Funds, or take any other action in relation thereto.

(Town Treasurer)

ARTICLE 26: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to pay the cost items in a Collective Bargaining Agreement between the Town of Milford and the Milford Permanent Firefighters Association Local 2140, or take any other action in relation thereto.

(Select Board)

ARTICLE 27: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be expended under the jurisdiction of the Fire Chief to repair the training building located behind the Birch Street Fire Station, or take any other action in relation thereto.

(Fire Chief)

ARTICLE 28: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for the purpose of addressing compliance upgrades and replacement for public safety and Town Hall systems, or take any other action in relation thereto.

(IT Department/Police Chief)

ARTICLE 29: To see if the Town will vote to rescind \$2,000,000 of authorized, and unissued bonds for the Field Pond Sewer Project, or take any other action in relation thereto.

(Town Treasurer)

ARTICLE 30: 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 replace all exterior and interior lighting at the Birch Street Fire Station, or take any other action in relation thereto.

(Fire Chief)

ARTICLE 31: 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 engineering and replacing the Stacy School boilers, or take any other action in relation thereto.

(School Committee)

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 replenish the Compensated Absences Fund (Fund 245), or take any other action in relation thereto.

(Select Board)

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 Fire Chief for the purchase and equipping of a new rescue truck, or take any other action in relation thereto.

(Fire Chief)

ARTICLE 34: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to replace the HVAC system at the Milford Animal Control building, or take any other action in relation thereto.

(Select Board)

ARTICLE 35: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to demolish or replace all three basement locker rooms in the Milford Police Station, or take any other action in relation thereto.

(Police Chief)

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 Fire Chief for the purchase of a new staff vehicle, or take any other action in relation thereto.

(Fire Chief)

ARTICLE 37: 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 upgrading the Woodland School turf with a fence and safety net, or take any other action in relation thereto.

(School Committee)

ARTICLE 38: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be used for payment of medical bills and other expenses incurred in relation to injuries to police officers or fire fighters, said sum to be deposited in the Special Injury Leave Indemnity Funds to be utilized for the purpose of paying expenses incurred under General Laws Chapter 41, Sections 100 and/or 111F, or take any other action in relation thereto.

(Select Board)

ARTICLE 39: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be combined with funds appropriated under Article 7 of the October 24, 2022 Special Town Meeting, to be expended in accordance with the Massachusetts State-Subdivision for State wide opioid settlement funds; further said funds to be used to supplement and strengthen resources available to communities and families for substance abuse disorder prevention, harm reduction, treatment, and recovery, or take any other action in relation thereto.

(Police Chief)

ARTICLE 40: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for payment for the services of Labor Counsel representing the Town general government in labor negotiations and labor matters with all general government unions, or take any other action in relation thereto.

(Select Board)

ARTICLE 41: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to supply and install carpet tiles to the common area and offices of the Milford Town Hall, or take any other action in relation thereto.

(Select Board)

ARTICLE 42: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized supplement the Town Liability Claims Fund, or take any other action in relation thereto.

(Select Board)

ARTICLE 43: To see if the Town will vote to amend the Zoning Bylaw and Zoning Map by rezoning the following parcels from IA Central Industrial A District and RA General Residential District to BP Business Park District:

- Assessors Map 47 Block 0 Lots 1 and 2.
- Assessors Map 47 Block 82 Lot 4.
- Assessors Map 48 Block 0 Lots 2 thru 30, 30A, 31(pt), 32, 32B and 33A.
- Assessors Map 48 Block 0 Lots 47 and 48.
- Assessors Map 48 Block 82 Lots 1, 2 and 3.
- Assessors Map 52 Block 0 Lots 60 and 389.
- Assessors Map 53 Block 0 Lot 8.

BY rezoning the following parcels from IA Central Industrial A District to RA General Residential District:

- Assessors Map 48 Block 0 Lot 33.
- Assessors Map 52 Block 0 Lots 17 thru 21.
- Assessors Map 52 Block 0 Lots 58 and 59.

BY rezoning the following parcels from IA Central Industrial A District to RB Single Family Residential District:

- Assessors Map 47 Block 0 Lot 4.
- Assessors Map 48 Block 0 Lot 31(pt).
- Assessors Map 53 Block 0 Lots 6 and 7.

AND BY rezoning the balance of the following parcels not already entirely within the RA General Residential District from IA Central Industrial A District to RA General Residential District:

- Assessors Map 48 Block 0 Lots 34, 45, 46 and 51A.
- Assessors Map 52 Block 0 Lots 362 and 362B.

AND BY rezoning the balance of the following parcels not already entirely within the RB Single Family Residential District or the RC Rural Residential C District from IA Central Industrial A District to RB Single Family Residential District:

- Assessors Map 53 Block 0 Lots 3, 7A and 21.

AND IN ADDITION BY rezoning the balance of the following parcels not already entirely within the RC Rural Residential C District from IB Highway Industrial B District to RC Rural Residential C District:

Assessors Map 53 Block 86 Lots 22 thru 26.

AND FURTHER IN ADDITION by replacing in Section 2.1 Establishment of Districts Subsection 2.1.1 the words "Town of Milford Zoning Map, Updated October 2018" with the words "Town of Milford Zoning Map, Updated October 2023".

The 70 parcels or portions thereof referenced herein are generally located south of Central Street, along and in the vicinity of Depot Street and of the Charles River.

or take any other action relating thereto.

(Planning Board)

ARTICLE 44: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for repairs to the Purchase Street Fire House located at 279 Purchase Street, or take any other action in relation thereto.

(Select Board)

ARTICLE 45: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$175,000 to be spent under the jurisdiction of the Highway Surveyor for the purpose of purchasing a new loader mounted snow blower for winter snow removal and clearing operations, or take any other action in relation thereto.

(Highway Surveyor)

ARTICLE 46: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for renovations within the Fino Field baseball complex, or take any other action in relation thereto.

(Park Commissioners)

ARTICLE 47: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for a feasibility study and for the provision of conceptual design services at various locations to assist in determining a location for a skate park to be constructed in the Town of Milford, or take any other action in relation thereto.

(Park Commissioners)

ARTICLE 48: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized for repairs, paving and lining of parking lots and pathways throughout the town parks, or take any other action in relation thereto.

(Park Commissioners)

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 Stabilization Account, or take any other action in relation thereto.

(Finance Director)

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

HEREOF, FAIL NOT, and make due return of this warrant with your doings thereon to the Clerk of said Town at the time of said meeting.

Given under our hands at Milford this 2nd day of October, 2023

MILFORD SELECT BOARD


Paul A. Mazzuchelli, Chairman


Michael K. Walsh


Thomas J. O'Loughlin, Esq.


A true copy attest:


Robert Tusino, Chief of Police

Commonwealth of Massachusetts
Worcester, ss.
Milford

Date October 3, 2023.

By virtue of this warrant, I notified the legal voters of the Town of Milford to meet at the times and places and for the purposes within named as directed.


Robert Tusino, Chief of Police