

MILFORD
ANNUAL TOWN MEETING
UPPER TOWN HALL
JUNE 14, 2010

COMMONWEALTH OF MASSACHUSETTS

COMCAST Cable recorded the Town Meeting. Copies are available at the Office of the Board of Selectmen.

Moderator Michael J. Noferi called the meeting to order at 7:30 P.M. The quorum was set at 121

The monitors took attendance and reported *164 present....79 absent...a quorum was reached.*

The Town Clerk, Amy Hennessy Neves read the Warrant.

ARTICLE 1. To hear and act upon reports of all Town Officers and Committees of the Town.

(A motion was made to dispense the reading of the articles...Motion Carried)

The Town Clerk then read the Officer's Return of Service thereto.

Moderator Noferi asked the body to rise and recite the Pledge of Allegiance in recognition of Flag Day.

Moderator Noferi then requested for any resolutions to be presented.

RESOLUTION

WHEREAS, the citizens of Milford have learned, with great sorrow and deep regret, of the passing of Katherine Cullinan;

WHEREAS, Katherine Cullinan served for many years as Assistant Town Clerk and as our Town Clerk;

WHEREAS, Katherine Cullinan served this community faithfully and unselfishly as a loyal and sincere citizen,

THEREFORE, BE IT RESOLVED: that, as a mark of respect, the business of this meeting be suspended while members stand in solemn and silent tribute to her memory, and that a copy of this Resolution be forwarded to her family.

Respectfully submitted,

MILFORD BOARD OF SELECTMEN

William D. Buckley, Chairman

Dino B. DeBartolomeis

Brian W. Murray, Esq.

Moderator Noferi then asked if there were any committee reports to present. David Morganelli, Chairman of the Finance Committee presented a slideshow on behalf of the Finance Committee.

****(Copies of Finance Committee slideshow can be obtain in the Town Clerk's office)****

ARTICLE 2: To see if the Town will vote to amend the Wage and Salary Schedule of the Wage and Salary Administration Plan by establishing new position grades and salary levels, as recommended by the Personnel Board for the Fiscal Year beginning July 1, 2010, as follows:

A. Position Grades – Salaried Positions

<u>GRADE</u>	<u>POSITION TITLE</u>
8	Town Counsel
7	Police Chief
7	Fire Chief
6	Deputy Police Chief
6	Town Engineer
5	Police Lieutenant
5	Town Planner
5	Director of Sewer Operations
4	Health Agent
4	Building Commissioner
4	Town Accountant
4	Assessor/Administrator
3	Parks/Recreation Administrator
3	Community Development Director
2	Senior Center Director
2	Asst. Town Counsel

B. Compensation Schedule – Salaried Positions

<u>GRADE</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>
8	90,297	93,410	96,522	99,638	102,749
7	84,069	87,182	90,297	93,410	96,522
6	71,613	74,727	77,841	80,954	84,069
5	65,385	68,501	71,613	74,727	77,841
4	59,158	62,275	65,385	68,501	71,613

3	54,176	57,290	60,405	63,519	66,632
2	46,704	49,818	52,931	56,047	59,158
1	34,249	37,365	40,480	43,592	46,704

C. Position Grades - Hourly Rated Positions

<u>GRADE</u>	<u>POSITION TITLE</u>
8	Director, Milford Youth Center
7	Director, Tobacco Control Program PT
6	Animal Control Officer
6	Plumbing/Gas Inspector
6	Wiring Inspector
6	Local Building Inspector PT
6	Deputy Plumbing/Gas Inspector PT
6	Deputy Wiring Inspector PT
6	Health Inspector PT/FT
6	Property Rehab. Specialist PT
6	Asst. Town Treasurer
6	Admin. Asst./Town Administrator
6	Asst. Director, Milford Youth Center
6	Lister/Data Collector, Board of Assessors
5	Senior Building Custodian
5	Legal Assistant
5	Financial Analyst PT
5	Program Coordinator, Comm. Develop. Office PT/FT
4	Dispatcher/Police PT
4	Asst. Animal Control Officer PT
4	Asst. Zoning Enforce. Officer PT/FT
4	Assistant to Fire Chief
4	Assistant to Police Chief
3	Program Coordinator PT
3	Outreach Coordinator PT
3	Van Driver
3	Legal Secretary
3	Confidential Clerk/Parking Clerk
3	Planning Assistant
2	Coordinator, Volunteer Srvcs. PT
2	Junior Building Custodian
1	Clerk, Comm. Develop. Office. PT/FT
1	Senior Ctr. Receptionist/Clerk PT
1	Transportation Coordinator PT

D. Compensation Schedule - Hourly Rated Positions

<u>GRADE</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>
8	21.15	22.40	23.64	24.89	26.13
7	20.55	21.76	23.01	24.26	25.51
6	19.91	21.15	22.40	23.64	24.89

5	18.67	19.91	21.15	22.40	23.64
4	18.04	19.27	20.55	21.76	23.01
3	17.42	18.67	19.92	21.15	22.40
2	16.16	17.42	18.67	19.91	21.15
1	14.94	16.16	17.42	18.67	19.91

E. Hourly Non-Rated Positions

<u>POSITION TITLE</u>	<u>HRLY. RATE</u>
Veterans Agent FT	32.24
Clerk of Works/Senior Ctr. PT (Temp)	24.23
Pool Manager PT	16.40
Asst. Pool Manager PT	15.21
School Nurse PT	17.29
Transfer Station Supervisor PT	16.11
Laborers/PPT: Park, Cemetery, etc.	15.52
Pool Lifeguard PT	13.72
Call Firefighter PT: \$1200 stipend (plus)	12.83
Dental Health Specialist PT	16.11
Transfer Station Attendant PT	15.52
Cemetery Groundskeeper	16.11
Mosquito Spray Applicator PT	15.52
Seasonal Laborers/PT: Park/Cemetery, etc.	10.14
Clerk, Tobacco Control Program PT	16.11
Soils Testing Assistant PT	14.32
Matron/Police	16.11
Seasonal Clerks: All Departments	16.11
Substitute Clerks: All Departments	16.11
Highway Heavy Equip. Operator, (temp.)	20.29
Highway Light Equipment Operator (temp.)	18.23
Highway Dept. Seasonal Snow Plow Operator	20.29
Cemetery Working Foreman/Groundskeeper	22.14
Milford Youth Center Health Coordinator	18.49
Seasonal Workers/Tobacco Ctl. Prog. PT	9.53
Program Coordinator FT	17.12
Athletic Facilitator PT	11.41
Activities Supervisor PT	9.12
Program Facilitator PT	11.41
Front Desk Monitor PT	9.12
Concession/Equipment Monitor PT	8.27

F. MISCELLANEOUS POSITIONS

	<u>RATE</u>
Sealer of Weights/Measures PT	\$7,799 yr.
Assistant Health Agent PT	7,029 yr.
Board of Health Physician PT	6,148 yr.
Pest Control Officer PT	3,047 yr.
Board of Registrars/Chairman PT	2,541 yr.
Board of Registrars/Members PT (2)	2,033 yr.
Inspector of Animals PT	2,253 yr.
Fair Housing Director PT	1,935 yr.
Burial Agent PT	960 yr.
Municipal Hearings Officer	2,614 yr.

Foreign Language Translator

523 yr.

ELECTION WORKERS; STIPEND PER ELECTION

Election Wardens	\$ 153.75
Election Clerks	153.75
Election Deputies	79.96
Election Checkers	67.67
Election Custodian	150.00 per election

CLERKS TO VARIOUS COMMITTEES AND BOARDS (PT)

CLASS	POSITION	RATE
8	Clerk, Finance Committee	\$ 7,312
7	Unclassified	6,397
6	Minutes Recorder/Board of Selectmen	5,484
5	Clerk, Planning Board	4,570
5	Clerk, Personnel Board	4,570
4	Clerk, Conservation Commission	3,655
4	Clerk, School Building Committee (temp.)	3,655
4	Minutes Recorder/Library Bldg. Committee	3,655
3	Clerk, Board of Health	2,741
3	Clerk, Vernon Grove Cemetery Trustees	2,741
2	Clerk, Park Commission	1,827
2	Clerk, Board of Registrars of Voters	1,827
2	Minutes Recorder, Capital Improvement Comm.	1,827
2	Minutes Recorder, Industrial Development Comm.	1,827
1	Minutes Recorder, Library Board of Trustees	914

An employee in positions classified as Salaried or Hourly Rated, whose base rate of pay effective as of June 30, 2010, exceeds the maximum pay authorized for his/her position set forth above, shall continue to receive his/her current rate of pay for Fiscal Year 2011, but increased by a factor of one percent (1%).

- PT - Part Time
- FT - Full Time
- PPT - Permanent Part Time

or take any other action in relation thereto (Personnel Board)

It was moved to waive the reading of the article as presented above because it is the same as presented in the warrant . Voice Vote on Motion to waive reading...Motion Carried.

It was moved: That the Town amend the Wage and Salary Schedule of the Wage and Salary Administration Plan by establishing new position grades and salary levels, as recommended by the Personnel Board for the Fiscal Year beginning July 1, 2010, as follows:

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6	Health Inspector PT/FT
6	Property Rehab. Specialist PT
6	Asst. Town Treasurer
6	Admin. Asst./Town Administrator
6	Asst. Director, Milford Youth Center
6	Lister/Data Collector, Board of Assessors
5	Senior Building Custodian
5	Legal Assistant
5	Financial Analyst PT
5	Program Coordinator, Comm. Develop. Office PT/FT

4	Dispatcher/Police PT
4	Asst. Animal Control Officer PT
4	Asst. Zoning Enforce. Officer PT/FT
4	Assistant to Fire Chief
4	Assistant to Police Chief
3	Program Coordinator PT
3	Outreach Coordinator PT
3	Van Driver
3	Legal Secretary
3	Confidential Clerk/Parking Clerk
3	Planning Assistant
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- PT - Part Time
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Voice Vote on the Motion as Presented.....Motion Carried....Unanimous

ARTICLE 3: I move that the Town vote to fix the salary and compensation of all elected officers of the Town, as provided by Section 108 of Chapter 41 of the General Laws, as follows:

Town Clerk	\$ 71,614
Town Treasurer	77,840
Tax Collector	71,614
Assessor (Chairman)	7,139
Assessor (Members)	6,399
Highway Surveyor	84,069
Tree Warden	6,162
Selectmen (Chairman)	8,229
Selectmen (Members)	7,374
Vernon Grove Trustee (Clerk)	3,461
Board of Health (Chairman)	2,328
Board of Health (Members)	2,034
Sewer Commissioner (Chairman)	2,328
Sewer Commissioner (Members)	2,034
Park Commissioner (Chairman)	2,328
Park Commissioner (Members)	2,034
Planning Board (Chairman)	2,328
Planning Board (Members)	2,034
Moderator	2,238

(Board of Selectmen)

A motion (below) was then made by David Morganelli to amend the original article:

I move: that Article 3 of the Warrant be replaced with the following new Article 3:

(Proposed amended) ARTICLE 3: That the Town fix the salary and compensation of all elected officers , as follows:

Town Clerk	\$71,614
Town Treasurer	77,840
Tax Collector	71,614
Assessor (Chairman)	2,200
Assessor (Member)	2,000
Highway Surveyor	84,069
Tree Warden	6,162
Selectmen (Chairman)	4,400
Selectmen (Members)	4,000

Vernon Grove Trustee (Clerk)	3,461
Board of Health (Chairman)	1,100
Board of Health (Members)	1,000
Sewer Commissioner (Chairman)	1,650
Sewer Commissioner (Members)	1,500
Park Commissioner (Chairman)	550
Park Commissioner (Members)	500
Planning Board (Chairman)	1,100
Planning Board (Members)	1,000
Moderator	600

After discussion, a motion was made by Joseph DiAntonio to Move the Question requiring a standing 2/3rd vote.

130 voted FOR...and 43 voted AGAINST moving the question....Motion to move the question...carried.

A standing 2/3rd vote was taken on the amendment to the original motion, 28 voted FOR...and 148 voted AGAINST the amendment...

The amendment to the original motion DEFEATED.

A voice vote was then taken on the original motion of Article 3 as presented by the Board of Selectmen...Motion carried.

ARTICLE 4: To see if the Town will vote to raise and appropriate such sum or sums of money as may be necessary to defray expenses for the financial year beginning July 1, 2010, or take any other action in relation thereto. (Board of Selectmen)

A motion was then made by Finance Committee Chairman, David Morganelli (below)

I move: that the Town Meeting receive the report of the Finance Committee and that the Moderator inquire if any voter wishes to consider any item separately; that if any voter so wishes he or she may ask the Moderator to remove this item from the report and when this is done that the Town vote to raise and appropriate and transfer, where indicated in the report, the amount recommended in the Finance Committee Report as amended and that the Town Meeting shall then consider the items which have been removed from the report by taking up each item individually.

The Moderator then asked if anyone wished to have any of the line items removed. Gerry Moody then requested on behalf of the Police Department that line item 210-5110 Police Personal Services be removed from the Finance Committee Report.

A motion was made to accept the report without line item 210-5110. Voice vote on motion to accept the report...Motion Carried.

A motion was then made by Gerald Moody (below) to amend the Main Motion Under Article 4:

I move: that the Town vote to increase the amount proposed within Line Item 210-5110, Police Department Personal Services, by the sum of \$40,428 so that the total budget from said Line Item for fiscal year 2011 shall be \$4,248,463.

A motion was then made to accept Line Item 210-5110 as presented by Gerald Moody...Voice vote on accepting Line Item 210-5110...Carried Unanimous

(The Finance Committee Report below reflects the increase to line item 210-5110 as presented by Gerald Moody~additional copies of Finance Committee Report can be obtained in the Town Clerk's Office)

ARTICLE 5: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2010 in accordance with the provisions of General Laws, Chapter 44, Section 4 and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or take any other action in relation thereto. (Town Treasurer)

It was moved: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2010 in accordance with the provisions of General Laws, Chapter 44, Section 4 and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

Moderator Noferi said he will waive the standing 2/3rd vote and take a voice vote if the voice vote is unanimous. If the voice vote is not unanimous, the necessary standing 2/3rd vote will be taken.

Voice vote on the Motion as Presented....Carried Unanimous.

ARTICLE 6: To see if the Town will vote to authorize the Selectmen to take charge of all legal proceedings for or against the Town, or take any other action in relation thereto. (Board of Selectmen)

It was moved: That the Town authorize the Selectmen to take charge of all legal proceedings for or against the Town.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 7: To see if the Town will vote to authorize the Board of Selectmen to expend from funds received by the Town as fines for parking violations during Fiscal Year 2011, such sum or sums of money as are necessary to pay the costs and expenses of collecting such fines and otherwise complying with the provisions of Section 20A of Chapter 90 of the General Laws during said fiscal year, or take any other action in relation thereto. (Board of Selectmen)

It was moved: That the Town authorize the Board of Selectmen to expend from funds received by the Town as fines for parking violations during Fiscal Year 2011, such sum or sums of money as are necessary to pay the costs and expenses of collecting such fines and otherwise complying with the provisions of Section 20A of Chapter 90 of the General Laws during said fiscal year.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 8: To see if the Town will vote to authorize the Town Treasurer and/or Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2011 pursuant to Chapter 44, Section 53F of the General Laws, or take any other action in relation thereto. (Town Treasurer)

It was moved: That the Town authorize the Town Treasurer and/or Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2011 pursuant to Chapter 44, Section 53F of the General Laws.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 9: To see if the Town will vote for Fiscal Year 2011, to authorize any and all departments to utilize, without further appropriation, any amounts received from insurance companies or other third parties as damages or payment for damage to any Town-owned property, for the purpose of repairing or replacing such property, or, as deemed appropriate by the Board of Selectmen, directly depositing such funds to the Municipal Building & Property Insurance Fund established by vote under Article 45 of the June 11, 1990 Annual Town Meeting, or take any other action in relation thereto. (Board of Selectmen)

It was moved: That the Town for Fiscal Year 2011, authorize any and all departments to utilize, without further appropriation, any amounts received from insurance companies or other third parties as damages or payment for damage to any Town-owned property, for the purpose of repairing or replacing such property, or, as deemed appropriate by the Board of Selectmen, directly depositing such funds to the Municipal Building & Property Insurance Fund established by vote under Article 45 of the June 11, 1990 Annual Town Meeting.

Voice vote taken on motion as presented...Carried Unanimous.

ARTICLE 10: To see if the Town will vote to authorize all persons, boards or agencies of the Town otherwise authorized to contract for or on behalf of the Town, during Fiscal Year 2011 to enter into such contracts or agreements for up to five years, except in the case of contracts or agreements dealing with real estate which may be for up to ten years, or take any other action in relation thereto. (Board of Selectmen)

It was moved: That the Town authorize all persons, boards or agencies of the Town otherwise authorized to contract for or on behalf of the Town, during Fiscal Year 2011 to enter into such contracts or agreements for up to five years, except in the case of contracts or agreements dealing with real estate which may be for up to ten years.

Voice vote taken on motion as presented...Carried Unanimous.

ARTICLE 11: To see if the Town will vote for Fiscal Year 2011, pursuant to Section 4 of Chapter 73 of the Acts of 1986, to approve an additional exemption of up to 100% of the currently allowed exemptions for all eligible real estate tax exemptions under G.L. c.59, Section 5, or take any other action in relation thereto. (Board of Selectmen)

It was moved: That the Town, for Fiscal Year 2011, pursuant to Section 4 of Chapter 73 of the Acts of 1986, to approve an additional exemption of up to 50% of the currently allowed exemptions for all eligible real estate tax exemptions under G.L. c.59, Section 5.

After discussion, a motion was made by Donato Niro (below) to amend the motion:

I move: To amend the exemption from 50% to 100%.

Voice vote was taken to accept the amendment to the motion...Carried.

It was moved: That the Town, for Fiscal Year 2011, pursuant to Section 4 of Chapter 73 of the Acts of 1986, to approve an additional exemption of up to 100% of the currently allowed exemptions for all eligible real estate tax exemptions under G.L. c.59, Section 5.

Voice vote was then taken on the amendment as presented....Carried.

ARTICLE 12: To see if the Town will vote to authorize the Town Treasurer to accept deeds in lieu of foreclosure, pursuant to Chapter 60, Section 77C of the Massachusetts General Laws, or take any other action in relation thereto.
(Treasurer)

It was moved: That the Town authorize the Town Treasurer to accept deeds in lieu of foreclosure, pursuant to Chapter 60, Section 77C of the Massachusetts General Laws.

Voice vote taken on motion as presented...Carried Unanimous.

ARTICLE 13: To see if the Town will vote to authorize revolving funds for certain town departments which departments have previously been authorized, under M.G.L. c. 44, Section E ½, for the fiscal year beginning July 1, 2010, or take any other action in relation thereto.
(Various Departments)

A motion was made to waive the reading of the remainder of the motion because it is the same as it appears in the handout given to all Town Meeting Members...Voice vote on Motion to waive reading... Motion Carried.

It was moved: That the Town establish revolving funds for certain Town Departments under M.G.L. c.44, Section 53E ½ for the fiscal year beginning July 1, 2010 with the specific receipts credited to each fund the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year as follows:

Revolving Fund	Authorized to Spend	Revenue Source	Fund Use FY09	Spending Limit
Council on Aging Van	Council on Aging	Receipts Derived from Use on Council On Aging Van	Defray Cost of Providing transportation for the elderly and disabled	\$16,000
Lost or Damaged Library Property	Library Trustees	Restitution for Damages to and loss of Library property	Replacement of lost or damaged property	\$5,000
Zoning Board of Appeals Receipts	Zoning Board of Appeals	Receipts from the filing of applications with the ZBA	Funds to be expended processing of applications before the ZBA	\$40,000
Youth Commission Operations	Youth Commission	Receipts, grants and gifts derived from the Operations of the Youth Center	For the activities of and to defray the cost of providing youth activities and service	\$150,000
North Purchase Cemetery	Park Commission	Receipts from the Operation of the North Purchase	To be spent as necessary for the operations of the Cemetery	\$10,000

		Cemetery		
Commission on Disability Activities	Commission on Disabilities	All receipts, grants and gifts from the operation of the Commission on Disabilities	To fund the activities and to defray the costs of providing services	\$5,000

Voice vote taken on motion as presented...Carried Unanimous.

ARTICLE 14: To see if the Town will vote to authorize the Board of Selectmen to petition the legislature for special legislation to provide for the grant of an additional license for the sale of beer and wine to be drunk on the premises and which legislation shall provide substantially as follows:

Be it enacted, etc. as follows:

SECTION 1. Notwithstanding Section 17, Chapter 138 of the General Laws, the licensing authority for the Town of Milford may grant 1 additional license for the sale of wine and malt beverages to be drunk on the premises under Section 12 of said Chapter 138 to Tanglewood Drive, LLC located at 70 Sumner Street in the Town of Milford. Said license may be granted notwithstanding the fact that Tanglewood Drive, LLC is also the holder of a license under Section 15 of said Chapter 138 authorizing the sale of wine and malt beverages not to be drunk on the premises. In all other respects the license shall be subject to all of said Chapter 138.

Notwithstanding any general or special law or any rule or regulation to the contrary, the licensing authority shall not approve the transfer of the license to any other location. The license may be re-issued by the licensing authority at the same location if an applicant for the license files with the licensing authority a letter in writing from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license granted under this section 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. Notwithstanding said Section 17 of said Chapter 138 or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

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

or take any other action in relation thereto

(Tanglewood Drive, LLC)

It was moved: That the Town authorize the Board of Selectmen to petition the legislature for special legislation to provide for the grant of an additional license for the sale of beer and wine to be drunk on the premises and which legislation shall provide substantially as follows:

Be it enacted, etc. as follows:

SECTION 1. Notwithstanding Section 17, Chapter 138 of the General Laws, the licensing authority for the Town of Milford may grant 1 additional license for the sale of wine and malt beverages to be drunk on the premises under Section 12 of said Chapter 138 to Tanglewood Drive, LLC located at 70 Sumner Street in the Town of Milford. Said license may be granted notwithstanding the fact that Tanglewood Drive, LLC is also the holder of a license under Section 15 of said Chapter 138 authorizing the sale of wine and malt beverages not to be drunk on the premises. In all other respects the license shall be subject to all of said Chapter 138.

Notwithstanding any general or special law or any rule or regulation to the contrary, the licensing authority shall not approve the transfer of the license to any other location. The license may be re-issued by the licensing authority at the same location if an applicant for the license files with the licensing authority a letter in

writing from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license granted under this section 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. Notwithstanding said Section 17 of said Chapter 138 or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

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

After discussion a voice vote taken on motion as presented...Carried.

ARTICLE 15: To see if the Town will vote to amend the Personnel By-Laws by adding a new Section 2.07 thereto which section will provide as follows:

The Board of Selectmen may, upon recommendation of the Personnel Board, terminate the appointment of any regular or alternate member whose absence from Board meetings exceeds three (3) within any twelve (12) month period.

or take any other action in relation thereto.

(Personnel Board)

It was moved: that the Town amend the Personnel By-Laws by adding a new Section 2.07 thereto which section will provide as follows:

The Board of Selectmen may, upon recommendation of the Personnel Board, terminate the appointment of any regular or alternate member whose absence from Board meetings exceeds three (3) within any twelve (12) month period.

After discussion a voice vote taken on motion as presented...Carried.

ARTICLE 16: To see if the Town will vote to amend the Personnel By-Laws by adding a new Section 5.12, to be entitled "Earned Leave", and which section will provide as follows:

Commencing on January 1, 2010, personnel in the office support positions identified below who use (3) days or less of sick leave within any given year shall be granted one (1) day's earned leave to be used within the next year:

Assistant Town Treasurer, Admin. Asst./Town Administrator, Assistant Director, Milford Youth Center, Legal Assistant, Program Coordinator, Community Development Office, Assistant to Fire Chief, Assistant to Police Chief, Legal Secretary, and Confidential Clerk/Parking Clerk.

If the average sick leave for the positions identified above as a whole is four (4) days per year or less, any employee in those positions who has used six (6) days of sick leave or less within any given year shall be granted one (1) additional day's earned leave, to be used within the next year.

Earned leave based upon average personnel leave shall be in addition to the earned leave specified under the first paragraph above.

For the purpose of this section, one day's leave shall constitute an employee's regular full-time workday.

Earned leave shall not be cumulative and shall be used in the year following the year in which it was earned.

Or take any other action in relation thereto.

(Personnel Board)

It was moved: That the Town amend the Personnel By-Laws by adding a new Section 5.12, to be entitled "Earned Leave", and which section will provide as follows:

Commencing on January 1, 2010, personnel in the office support positions identified below who use (3) days or less of sick leave within any given year shall be granted one (1) day's earned leave to be used within the next year:

Assistant Town Treasurer, Admin. Asst./Town Administrator, Assistant Director, Milford Youth Center, Legal Assistant, Program Coordinator, Community Development Office, Assistant to Fire Chief, Assistant to Police Chief, Legal Secretary, and Confidential Clerk/Parking Clerk.

For the purpose of this section, one day's leave shall constitute an employee's regular full-time workday.

Earned leave shall not be cumulative and shall be used in the year following the year in which it was earned.

Voice vote taken on motion as presented...Carried.

ARTICLE 17: To see if the Town will vote to accept as and for a public way, a private way known as Lydia Lane, with appurtenant rights and easements, or take any other action in relation thereto.

(Selectmen)

A motion was made to waive the reading of the legal descriptions of the motion because it is the same as in the report of the Board of Selectmen....Voice vote taken to waive the reading of the legal descriptions...Motion carried to waive the reading.

It was moved: That the Town accept as and for a public way, a private way known as Lydia Lane, with appurtenant rights and easements, including Lot 9, as is described in the report of the Board of Selectmen dated April 12, 2010 as follows:

LEGAL DESCRIPTION
LYDIA LANE
MILFORD, MASSACHUSETTS

Legal description of Lydia Lane in Milford, Massachusetts from Station 0+00 to Station 5+20.59, length to be accepted 520.59 feet.

Beginning at a concrete bound at the northeasterly corner of Lydia Lane, said bound being on the westerly sideline of Purchase Street and being at the corner of Lot 8;

THENCE S 01° 11' 38" W a distance of 110.10 feet along said westerly sideline of said Purchase Street to a concrete bound at a point of curvature at Lot 9;

THENCE Northwesterly and southwesterly and curving to the left along the arc of a curve having a radius of 30.00 feet, a length of 48.42 feet to a concrete bound at a point of tangency;

THENCE S 88° 42' 43" W a distance of 256.60 feet to a railroad spike at a point of curvature. The previous two (2) courses bounding along said Lot 9;

THENCE Southwesterly and westerly and curving to the right along the arc of a curve having a radius of 175.00 feet, a length of 99.43 feet bounding along said Lot 9 and Lot 1A to a concrete bound at a point of reverse curvature;

THENCE Westerly and southerly and curving to the left along the arc of a curve having a radius of 30.00 feet, a length of 35.64 feet bounding along said Lot 1A and Lot 2A to a concrete bound at a point of reverse curvature;

THENCE Southerly, westerly, northerly, easterly and southeasterly and curving to the right along the arc of a curve having a radius of 60.00 feet, a length of 272.35 feet bounding along said Lot 2A, Lot 3A, Lot 4 and Lot 5 to a concrete bound at a point of tangency;

THENCE S 46° 43' 10" E a distance of 45.98 feet bounding along said Lot 5 to a concrete bound at a point of curvature;

THENCE Southeasterly and northeasterly and curving to the left along the arc of a curve having a radius of 125.00 feet, a length of 97.23 feet bounding along said Lot 5 and Lot 6 to a concrete bound at a point of tangency at Lot 7;

THENCE N 88° 42' 43" E a distance of 261.37 feet bounding along said Lot 7 and said Lot 8 to a concrete bound at a point of curvature;

THENCE Northeasterly and northerly and curving to the left along the arc of a curve having a radius of 30.00 feet, a length of 45.82 feet bounding along said Lot 8 to the point of beginning.

Said layout of Lydia Lane being fifty (50) feet wide and contains an area of 32,161 square feet, more or less, and is more particularly shown on a plan entitled: " 'Marino Estates' Layout Plan of Lydia Lane in Milford, MA, By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 20 feet to an inch, Date: March 10, 2010, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

LEGAL DESCRIPTION
DRAINAGE EASEMENT
MILFORD, MASSACHUSETTS

Legal description of Drainage Easement located on the southerly side of Lydia Lane. Said easement is located on Lot 9 and Lot 1A.

Beginning at a point on the southerly sideline of Lydia Lane, said point being S 88° 42' 43" W a distance of 91.50 feet from a concrete bound;

THENCE S 25° 16' 22" E a distance of 92.41 feet bounding through Lot 9 to a point at land now or formerly of Peter A. Trota;

THENCE S 79° 59' 41" W a distance of 88.38 feet by said land of Trota to a point at land now or formerly of Maureen D. Smith;

THENCE S 81° 20' 57" W a distance of 163.50 feet by said land of Smith, land now or formerly of John F. III and Paula J. Cassidy, land now or formerly of Martin T. and Mary-Ellen Frongillo and through Lot 1A to a point;

THENCE N 09° 38' 29" E a distance of 122.60 feet through said Lot 1A to a point on a curve on said southerly sideline of said Lydia Lane, said point being the corner of said Lot 1A and said Lot 9;

THENCE Northeasterly and curving to the left along the arc of a curve having a radius of 175.00 feet, a length of 23.68 feet along said southerly sideline of said Lydia Lane to a railroad spike at a point of tangency;

THENCE N 88° 42' 43" E a distance of 165.10 feet along said southerly sideline of said Lydia Lane to the point of beginning.

Said Drainage Easement contains an area of 22,588 square feet, more or less, and is more particularly shown on a plan entitled: " 'Marino Estates' Layout Plan of Lydia Lane in Milford, MA, By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 20 feet to an inch, Date: March 10, 2010, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

LEGAL DESCRIPTION
10-FOOT WIDE HIGHWAY EASEMENT
MILFORD, MASSACHUSETTS

Legal description of 10-Foot Wide Highway Easement for Lydia Lane in Milford, Massachusetts. Said Easement is located on Lot 9.

Beginning at a point on the southerly sideline of Lydia Lane and the northerly line of Lot 9, said point being S 88° 42' 43" W a distance of 40.93 feet from a concrete bound at a point of tangency on said southerly sideline of said Lydia Lane;

THENCE S 01° 17' 17" E a distance of 10.00 feet to a point;

THENCE S 88° 42' 43" W a distance of 225.67 feet to a point;

THENCE N 01° 17' 17" W a distance of 10.29 feet to a point on a curve on said southerly sideline of said Lydia Lane. The previous three (3) courses bounding through said Lot 9;

THENCE Northeasterly and curving to the left along the arc of a curve having a radius of 175.00 feet, a length of 10.01 feet to a railroad spike at a point of tangency;

THENCE N 88° 42' 43" E a distance of 215.67 feet to the point of beginning. The previous two (2) courses bounding along said southerly sideline of said Lydia Lane.

Said 10-Foot Wide Highway Easement contains an area of 2,258 square feet, more or less, and is more particularly shown on a plan entitled: " 'Marino Estates' Layout Plan of Lydia Lane in Milford, MA, By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 20 feet to an inch, Date: March 10, 2010, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

LEGAL DESCRIPTION
10-FOOT WIDE HIGHWAY EASEMENT
MILFORD, MASSACHUSETTS

Legal description of 10-Foot Wide Highway Easement for Lydia Lane in Milford, Massachusetts. Said Easement is located on Lot 7 and Lot 8.

Beginning at a point on the northerly sideline of Lydia Lane and the southerly line of Lot 8, said point being S 88° 42' 43" W a distance of 57.02 feet from a concrete bound at a point of tangency on said northerly sideline of said Lydia Lane;

THENCE S 88° 42' 43" W a distance of 143.04 feet along said northerly sideline of said Lydia Lane to a point on the southerly side of Lot 7;

THENCE N 01° 17' 17" W a distance of 10.00 feet bounding though said Lot 7 to a point;

THENCE N 88° 42' 43" E a distance of 143.04 feet bounding through said Lot 7 and said Lot 8 to a point;

THENCE S 01° 17' 17" E a distance of 10.00 feet bounding through said Lot 8 to the point of beginning.

Said 10-Foot Wide Highway Easement contains an area of 1,430 square feet, more or less, and is more particularly shown on a plan entitled: " 'Marino Estates' Layout Plan of Lydia Lane in Milford, MA, By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 20 feet to an inch, Date: March 10, 2010, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

LEGAL DESCRIPTION
LOT 9 LYDIA LANE
MILFORD, MASSACHUSETTS

Legal description of Lot 9 located on the southerly side of Lydia Lane and on the westerly side of Purchase Street.

Beginning at a concrete bound at a point on the westerly sideline of Purchase Street, said bound being the southeasterly corner of Lydia Lane;

THENCE S 01° 11' 38" W a distance of 20.26 feet to a point of curvature;

THENCE Southwesterly and curving to the right along the arc of a curve having a radius of 449.00 feet, a length of 33.81 feet to a point at land now or formerly of Alfredo J. Chong and Gloria M. Rosado. The previous two (2) courses bounding along said westerly sideline of said Purchase Street;

THENCE N 88° 57' 22" W a distance of 67.60 feet by said land of Chong and Rosado to a point;

THENCE S 79° 59' 41" W a distance of 101.28 feet by said land of Chong and Rosado, and land now or formerly of Peter A. Trota to a point at land now or formerly of Maureen D. Smith;

THENCE S 81° 20' 57" W a distance of 156.78 feet by said land of Smith, land now or formerly of John F. III and Paul J. Cassidy, and land now or formerly of Martin T. and Mary-Ellen Frongillo to a point at Lot 1A;

THENCE N 13° 47' 56" E a distance of 78.84 feet to a point;

THENCE N 06° 28' 35" W a distance of 43.58 feet to a point on a curve on the southerly sideline of said Lydia Lane. The previous two (2) courses bounding by said Lot 1A;

THENCE Northeasterly and curving to the left along the arc of a curve having a radius of 175.00 feet, a length of 23.68 feet to a railroad spike at a point of tangency;

THENCE N 88° 42' 43" E a distance of 256.60 feet to a concrete bound at a point of curvature;

THENCE Northeasterly and southerly and curving to the right along the arc of a curve having a radius of 30.00 feet, a length of 48.42 feet to the point of beginning. The previous three (3) courses bounding along said southerly sideline of said Lydia Lane.

Said Lot 9 contains an area of 29,953 square feet, more or less, and is more particularly shown on a plan entitled: 'Marino Estates' Layout Plan of Lydia Lane in Milford, MA, By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 20 feet to an inch, Date: March 10, 2010, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

Voice vote taken on motion as presented...Carried.

ARTICLE 18: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, to be utilized for purposes of expert assistance in relation to engineering and rate structure in support of efforts of the Town in the review of any proposed Milford Water Company rate increase before the Department of Public Utilities, or take any other action in relation thereto. (Legal Department)

It was moved: That the Town raise and appropriate the sum of \$20,000, said sum to be utilized for purposes of expert assistance in relation to engineering and rate structure in support of the efforts of the Town in the review of any proposed Milford Water Company rate increase before the Department of Public Utilities.

Voice vote taken on motion as presented...Carried.

ARTICLE 19: To see if the Town will vote to transfer a sum of money, consistent with the funds raised from vending machines in the Milford School District, to be spent under the jurisdiction of the School Committee for purposes of Student Activities not funded in the School Department Budget, or take any other action in relation thereto. (School Committee)

It was moved: That the Town transfer the sum of \$15,121.22 from the Excess and Deficiency Account, said sum of money, which represents funds raised from vending machines in the Milford School District, to be spent under the jurisdiction of the School Committee for purposes of Student Activities not funded in the School Department Budget.

Voice vote on motion as presented...Carried Unanimous.

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 \$30,000 to be spent under the jurisdiction of the Milford Town Library Board of Trustees for the purpose of continuance of the 2nd year of a 3 year lease for forty (40) computers and one (1) server, including their setup, installation, servicing and maintenance for patrons and staff, or take any other action in relation thereto.
(Library Trustees)

It was moved: That the Town raise and appropriate a sum of money in the amount of \$30,000 to be spent under the jurisdiction of the Milford Town Library Board of Trustees for the purpose of continuance of the 2nd year of a 3 year lease for forty (40) computers and one (1) server, including their setup, installation, servicing and maintenance for patrons and staff.

Voice vote on motion as presented...Carried.

ARTICLE 21: To see if the Town will vote to rescind balances remaining in various projects as follows:

4071	5 School Renovation	\$10,006
4079	Stacy Roof & Windows	\$70,000
4080	MHS Parking Lot	\$70,000

or take any other action in relation thereto.

(Treasurer)

It was moved: That the Town rescind balances remaining in various projects as follows:

4071	5 School Renovation	\$10,006
4079	Stacy Roof & Windows	\$70,000
4080	MHS Parking Lot	\$70,000

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 22: To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$285,000 to be utilized by the Board of Selectmen for continued consultant services associated with Planning, Permitting and Design, including Survey and Easements for the Godfrey, O'Brien and Hospital Brooks Restoration Project, or take any other action in relation thereto.

(Board of Selectmen)

It was moved: That the Town raise and appropriate the sum of \$285,000 to be utilized by the Board of Selectmen for continued consultant services associated with Planning, Permitting and Design, including Survey and Easements for the Godfrey, O'Brien and Hospital Brooks Restoration Project.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 23:To see if the Town will vote to dissolve the Library Building Committee created under Article 39 of the October 18, 2004 Special Town Meeting, or take any other action in relation thereto.
(Library Building Committee)

Richard Person, Chairman of the Library Building Committee presented a report (copies can be obtained in the Town Clerk's Office) and Joseph DiAntonio made a motion for the body to rise and applaud the work of the Library Building Committee.

It was moved: That the Town dissolve the Library Building Committee created under Article 39 of the October 18, 2004 Special Town Meeting.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 24:To see if the Town will vote to transfer the sum of \$38,944.75 from Capital Project Account 4029, Purchase Street Sewer Reconstruction as voted under Article 55 of the June 1993 Annual Town Meeting, to Project Account 4075, Sewer Infiltration and Inflow Study voted under Article 32 of the June 2005 Annual Town Meeting, or take any other action in relation thereto.
(Treasurer)

It was moved: That the Town transfer the sum of \$38,944.75 from Capital Project Account 4029, Purchase Street Sewer Reconstruction as voted under Article 55 of the June 1993 Annual Town Meeting, to Project Account 4075, Sewer Infiltration and Inflow Study voted under Article 32 of the June 2005 Annual Town Meeting.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 25: To see if the Town will vote to raise and appropriate or transfer from remaining Library Building Committee funds a sum of money for the purchase of 24 new chairs at \$200.00 each not to exceed a total of \$5000 to be spent under the jurisdiction of the Milford Town Library Board of Trustees for the purpose of replacing some of the twenty six year old chairs for patrons, or take any other action in relation thereto.
(Library Trustees)

A motion was made to pass over Article 25, requiring Majority Vote.

Voice vote taken on passing over the article...Carried Unanimous.

ARTICLE 26:To see if the Town will vote to accept as and for a public way, a private way known as Longwood Drive, or take any other action in relation thereto. (Board of Selectmen)

A motion was made to pass over Article 26, requiring Majority Vote.

Voice vote taken on passing over the article...Carried.

ARTICLE 27:To see if the Town will vote to accept as and for a public way, a private way known as Sunwood Drive, or take any other action in relation thereto. (Board of Selectmen)

A motion was made to waive the reading of the legal description because it is the same as in the report of the Board of Selectmen....Voice vote taken waiving the reading of the legal descriptions...Motion to waive reading Carried.

It was moved: That the Town accept as and for a public way, a private way known as Sunwood Drive, as is described in the report of the Board of Selectmen dated May 26, 2010 as follows:

LEGAL DESCRIPTION
SUNWOOD DRIVE, MILFORD, MA

Legal Description of Sunwood Drive from Station 0+00 to Station -0+66.66 length to be accepted 66.66 feet.

Beginning at a drill hole on a stone wall at the southeasterly corner of the existing portion of Sunwood Drive and the southwesterly corner of land now or formerly of Glenn R. and Kimberlee A. Chambeless, said drill hole being at land now or formerly of Jennifer Pixley Trustee of The Pixley Family Trust and at a point of curvature;

Thence Southerly, westerly, northerly and northeasterly and curving to the right along the arc of a curve having a radius of 40.00 feet, a length of 184.34 feet along said land of The Pixley Family Trust to a point on a stone wall at land now or formerly of William E. Allison;

Thence N 79° 32' 03" E a distance of 9.42 feet along said stone wall and along said land of Allison to a concrete bound at the southeasterly corner of said land of Allison, said bound being the southwesterly corner of said existing portion of said Sunwood Drive;

Thence N 79° 32' 03" E a distance of 11.16 feet to a point;

Thence N 81° 35' 13" E a distance of 38.86 feet to the point of beginning. The previous two (2) courses bounding by the southerly sideline of said existing portion of said Sunwood Drive.

Said layout of Sunwood Drive contains an area of 4,497 square feet, more or less, and is more particularly shown on a plan entitled: "Layout Plan of Portions of Longview Drive and Sunwood Drive in Milford, MA, By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 feet to an inch, Date: March 19, 2010, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

Voice vote on motion as presented...Carried.

ARTICLE 28:To see if the Town will vote to amend Article II of the Zoning Bylaw by adding the words "Office Residential...OR" to Section 2.1.1 after "Rural Residential...RD".

Club or lodge ^{1,4}	A	A	A	A	P	O	P	P	P	O	O	P
Adult Day Care Facility ¹	A	A	A	A	P	O	O	O	A	O	O	O

2.3 Use Regulation Schedule. (continued)

DISTRICT	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC
<i>RECREATIONAL USES</i>												
Camping, commercial	O	O	O	O	O	O	O	O	O	O	O	O
Camping, supervised	O	A	A	A	O	O	O	O	O	O	O	O
Games of Chance ¹⁶	O	O	O	O	O	O	O	O	O	O	O	O
Golf Course ¹	P	P	P	P	O	P	O	P	P	P	P	P
Indoor commercial recreation ¹	O	O	O	O	O	O	P	P	P	P	P	P
Outdoor commercial recreation ¹	O	O	O	O	O	O	O	O	P	O	O	O
Sportsman's club, game preserve ¹	O	O	O	O	O	O	O	P	P	P	P	P
Public Stables ¹	O	O	A	A	O	O	O	O	O	O	O	O
<i>BUSINESS USES</i>												
Business or Professional Offices ¹	O	O	O	O	S	P	P	P	P	P	P	P
Professional Buildings ¹	O	O	O	O	S	P	P	P	P	P	P	P
Financial Institution ¹	O	O	O	O	O	S	P	P	P	P	P	P
Check Cashing Facility	O	O	O	O	O	O	O	O	O	O	O	O
ATM, walk-up/drive-thru ¹	O	O	O	O	O	S	S	S	P	P	P	P
Computer Technology												
Research / Development ¹	O	O	O	O	O	P	O	O	O	P	P	P
Electronic Data Storage Centers ¹	O	O	O	O	O	P	O	O	O	P	P	P
Internet Service Providers ¹	O	O	O	O	O	P	O	O	O	P	P	P
Business Incubators (non-retail) ¹	O	O	O	O	O	P	O	O	O	O	P	O
Conference/Convention Center ¹	O	O	O	O	O	P	O	O	O	O	P	O
Food Service as Secondary Use ^{1,19}	O	O	O	O	O	S	O	O	O	O	P	O
<i>COMMERCIAL USES</i>												
Boarding or rooming house ¹	O	O	O	O	A	O	A	A	O	O	O	O
Motel, hotel ¹	O	O	O	O	O	O	A	A	A	A	A	A
Adult Entertainment Enterprises ^{1,15}	O	O	O	O	O	O	O	O	O	O	A	A
Animal Kennel or Hospital ¹	O	O	A	A	O	O	O	P	P	P	P	P
Funeral Home ¹	O	O	O	O	S	O	P	P	P	P	P	P
Commercial Car Wash ^{1,2}	O	O	O	O	O	O	O	A	A	O	O	A
New Motor Vehicle/Boat sales/rental ¹	O	O	O	O	O	O	O	P	P	A	P	P
Used Motor Vehicle/Boat sales/rental ^{1,20}	O	O	O	O	O	O	O	A	A	A	A	A
Motor Vehicle/Boat service/repair ^{1,20}	O	O	O	O	O	O	O	A	A	A	A	A
Printing Shop ¹	O	O	O	O	O	O	P	P	P	P	P	P
Restaurant ¹	O	O	O	O	O	O	P	P	P	P	P	P
Retail sales or service ¹	O	O	O	O	O	O	P	P	P	P	P	P
Wholesaling without storage	O	O	O	O	O	O	P	P	P	P	P	P
Wholesaling with storage ¹	O	O	O	O	O	O	O	P	P	P	P	P
Flea Market ¹	O	O	O	O	O	O	O	O	A	A	A	O
Transportation Terminal ¹	O	O	O	O	O	O	O	P	P	P	P	P
Attendant-Service Gasoline Stations ¹	O	O	O	O	O	O	A	A	A	A	A	A
Self-Service Gasoline Stations	O	O	O	O	O	O	O	O	O	O	O	O
Massage Parlor	O	O	O	O	O	O	O	O	O	O	O	O
Juice Bars	O	O	O	O	O	O	O	O	O	O	O	O
Drive Through Windows	O	O	O	O	O	S	S	S	P	P	P	P

2.3 Use Regulation Schedule. (continued)

DISTRICT												
ACTIVITY OR USE	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC
<u>INDUSTRIAL USES</u>												
Manufacturing, processing, research ¹	O	O	O	O	O	O	O	O	A	P	P	P
Asphalt Plants ¹⁸	O	O	O	O	O	O	O	O	O	O	O	O
Bulk storage ¹	O	O	O	O	O	O	O	O	O	P	P	P
Contractors yard ¹	O	O	O	O	O	O	O	O	O	P	P	P
Granite Quarrying	O	A	A	A	O	O	O	O	O	P	P	P
Earth Removal ³	O	A	A	A	O	O	O	A	A	A	A	A
Junk Yard	O	O	O	O	O	O	O	O	O	O	A	O
Warehouses ¹	O	O	O	O	O	O	O	O	P	P	P	P
Radio Transmission	O	O	O	O	O	P	O	O	O	P	P	P
Steam Laundry or Dry Cleaning Plant ¹	O	O	O	O	O	O	O	O	O	P	P	P
Hazardous Waste Facility	O	O	O	O	O	O	O	O	O	S	S	S
Gas fueled power generation plant	O	O	O	O	O	O	O	O	O	O	A	O
Power generation plant fueled by oil, coal or fuel other than gas	O	O	O	O	O	O	O	O	O	O	O	O
<u>OTHER PRINCIPAL USES</u>												
Temporary structures	P	P	P	P	P	P	P	P	P	P	P	P
Airport	O	O	O	O	O	O	O	O	O	O	O	O
Helistop ¹	O	O	O	O	O	P	O	O	O	P	P	P
Wireless Communications Link ¹⁷												
Indoor ¹	P	P	P	P	P	P	P	P	P	P	P	P
Building Mounted	A	A	A	A	A	A	A	A	A	A	A	A
Free Standing	O	O	O	O	O	A	O	O	A	A	A	A
<u>ACCESSORY USES</u>												
Home occupation (see Section 3.3)	P	P	P	P	P	O	P	P	P	P	P	P
Off-Street Parking:												
2 non-commercial vehicles per dwelling unit ^{6,7}	P	P	P	P	P	O	P	P	P	P	P	P
1 commercial vehicle not over 1 ½ ton ⁶	P	P	P	P	P	O	P	P	P	P	P	P
Residential animals	A	A	A	A	O	O	O	A	A	A	A	O
Scientific Research ⁸	A	A	A	A	A	A	A	A	A	A	A	A
Supplemental Apartment ⁹	A	A	A	A	A	A	A	A	A	A	A	A
Above Ground Storage Tanks ^{1,13}	O	O	O	O	O	P	O	P	P	P	P	P

And further by replacing the Intensity of Use Schedule within Section 2.5 with the following:

2.5 Intensity of Use Schedule.

	DISTRICT											
INTENSITY OF USE	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC
<u>MIN. LOT REQUIREMENTS</u>												
Area, total or first dwelling unit (1000 s.f.)	8	15	45	87	8	--	0 ^a	0 ^a	--	--	80	0 ^a
Area, two-family (1000 s.f.)	12 ^h	--	--	--	12 ^h	--	0 ^a	0 ^a	--	--	--	0 ^a
Width (l.f.)	80	100	140	140	80	--	0 ^a	0 ^a	--	--	250	0 ^a
Width, two family	100	--	--	--	100	--	0 ^a	0 ^a	--	--	--	0 ^a
Frontage (l.f.)	80	90	120	120	80	--	0 ^a	0 ^a	--	--	230	0 ^a
Frontage, two family	100	--	--	--	100	--	0 ^a	0 ^a	--	--	--	0 ^a
<u>MIN. YARD REQUIREMENTS^g</u>												

Front (feet) ^b	25	30	30	30	25	25	0 ^a	25	55	25 ^d	50 ^d	25
Side (feet) ^b	10	15	20	20	10	0 ^c	0 ^{a,c}	10	0 ^c	20	25	10
Rear (feet)	15	25	30	30	15	0 ^c	0 ^{a,c}	15	30	20	30	15
<i>MAXIMUM BUILDING</i>												
Coverage (percent of lot area)	25	25	25	25	25	35	100	25	35	50	35	25
Ratio, gross floor area to lot area (F.A.R.)	--	--	--	--	--	.50	2.0.	5.0.	--	.50	.50	.50
Width	-- ⁱ	--	--	--	--	--	--	--	--	--	--	--
<i>MINIMUM OPEN SPACE</i>												
Per Dwelling Unit (s.f.) ^c	2000	--	--	--	2000	--	500	2000	--	--	--	2000
Percent of lot area	--	--	--	--	--	20	--	20	20	--	20	20
<u>HEIGHT REQUIREMENTS^f</u>												
Maximum Height (feet) ^f	35	35	35	35	35	60	60	60	60	60	60	60
Maximum number of stories (whichever is less)	2	2 ^{1/2}	2 ^{1/2}	2 ^{1/2}	2	5	5	5	5	5	5	5

The Planning Board spoke on behalf of the article and also presented a report (below):

ARTICLE 28 - NARRATIVE

This article amends the Zoning Bylaw by creating a new OR Office Residential Zoning District. This new district is recommended in the Future Land Use Policies section of the Comprehensive Plan. It is intended to provide for the adaptive re-use of large older homes in and around the downtown area. This district will encourage continued maintenance and preservation of the neighborhood fabric by allowing limited office uses in certain buildings.

The list of uses in the proposed OR District is the same as the RA General Residential District, with only Business or Professional Offices, Professional Buildings, and Funeral Home uses being added. These additional uses would only be allowed by Planning Board special permit.

The increased rental income from office uses will partially off-set the expense of continued up-keep to homes within the new district. A likely scenario is a first-floor conversion would occur, without eliminating the residential uses on the second and third floors of a large house, thus retaining the residential character of the neighborhood. Obviously not every building within the proposed district will be suited for this kind of partial conversion to office uses. The special

permit requirement will guard against uses becoming too intense, will assure that houses are not improperly converted, and that adequate off-street parking is provided.

The Planning Board urges your adoption of this article.



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
John H. Cook
Patrick J. Kennelly
Marble Mainini, III
Lena McCarthy

Planning Board Report on Article 28 June 14, 2010 Annual Town Meeting

TO: Town Meeting Members
FROM: Planning Board
DATE: June 1, 2010
SUBJECT: Article 28: Zoning Bylaw Amendment – New OR District

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board conducted a duly posted and noticed Public Hearing on April 6, 2010 regarding the subject of Article 28, at which time it voted unanimously to recommend Town Meeting approval.

Article 28 amends the Zoning Bylaw by creating a new OR Office Residential Zoning District.

The Planning Board recommends that Article 28 be adopted as printed in the Warrant.

Moderator Noferi instructed he will waive the standing 2/3rd vote if the voice vote is unanimous, if not the precincts will be polled by a standing 2/3rd vote.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 29:To see if the Town will vote to amend the Zoning Bylaw by rezoning from Single Family Residential [RA], Central Commercial [CA] and Neighborhood Commercial [CB] to Office Residential [OR] the following 32 parcels of property; (RA to OR) Assessor's Map 48 Lots 318, 319, 320, 323(pt), 330(pt), 351, 352, 353, 354, 355, 357, 359(pt), 361, 362, 363, 364, 365, 366, & 367. (CA to OR) Assessor's Map 48 Lots 356, 358, 359(pt), 360, 360A, 376, 377, & 378. (CB to OR) Assessor's Map 48 Lots 323(pt), 324, 325, 326, 327, 328, 328, & 330(pt). Said parcels being located in the vicinity of Congress Street between West/Exchange Streets and Water Street and consisting of a total of approximately 9.14 acres, or take any other action in relation thereto.
(Planning Board)

It was moved: That the Town amend the Zoning Bylaw by rezoning from Single Family Residential [RA], Central Commercial [CA] and Neighborhood Commercial [CB] to Office Residential [OR] the following 32 parcels of property; (RA to OR) Assessor's Map 48 Lots 318, 319, 320, 323(pt), 330(pt), 351, 352, 353, 354, 355, 357, 359(pt), 361, 362, 363, 364, 365, 366, & 367. (CA to OR) Assessor's Map 48 Lots 356, 358, 359(pt), 360, 360A, 376, 377, & 378. (CB to OR) Assessor's Map 48 Lots 323(pt), 324, 325, 326, 327, 328, 328, & 330(pt). Said parcels being located in the vicinity of Congress Street between West/Exchange Streets and Water Street and consisting of a total of approximately 9.14 acres.

The Planning Board spoke on behalf of the article and also presented a report (below):

ARTICLE 29 - NARRATIVE

This article applies the OR Office Residential zoning district just created by the previous article. A map showing the 32 parcels to be rezoned is on each Town Meeting Members' chair. The 9.14 acre area proposed for re-zoning is located on Congress Street between West & Exchange Streets and Water Street, in the vicinity of the Post Office. The map also indicates the current zoning classifications. This area is currently characterized by a mix of primarily two-family and multi-family residences, several office uses, two churches, and a funeral home.

As discussed with the prior article, the Planning Board is proposing this rezoning to provide for the adaptive re-use of large older homes in and around the downtown area. This will encourage continued maintenance and preservation of the neighborhood fabric by allowing, via special permit, limited office uses in certain buildings.

The Planning Board recommends your adoption of this article.



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
John H. Cook
Patrick J. Kennelly
Marble Mainini, III
Lena McCarthy

Planning Board Report on Article 29 June 14, 2010 Annual Town Meeting

TO: Town Meeting Members
FROM: Planning Board
DATE: June 1, 2010
SUBJECT: Article 29: Zoning Bylaw Amendment – Rezoning RA, CA, CB to OR District

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board conducted a duly posted and noticed Public Hearing on April 6, 2010 regarding the subject of Article 29, at which time it voted unanimously to recommend Town Meeting approval.

Article 29 amends the Zoning Bylaw by rezoning a total of 32 parcels in the vicinity of Congress Street between West & Exchange Streets and Water Street from RA, CA, & CB Districts to the new OR Office Residential District.

The Planning Board recommends that Article 29 be adopted as printed in the Warrant.




(a copy of the map for Article 29 is on following page-was given as a handout to all Town Meeting members)

Moderator Noferi instructed he will waive the standing 2/3rd vote if the voice vote is unanimous, if not the precincts will be polled by a standing 2/3rd vote.

Voice vote on motion as presented...Carried Unanimous.



LEGEND

-  RA DISTRICT
-  CA DISTRICT
-  CB DISTRICT

**PROPOSED REZONING
PLAN
IN
MILFORD, MA**

SCALE: 1"=100'
DATE: MARCH 26, 2010



**Guerriere
&
Halnon, Inc.**

Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6650 FAX: (508) 473-8243

ARTICLE 30: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$25,000 to be utilized by the Board of Selectmen for consultant services to produce engineering drawings, plans, and specifications associated with FY 2011 CDBG Grant Applications, or take any other action in relation thereto.
(Board of Selectmen)

It was moved: That the Town raise and appropriate a sum of money in the amount of \$25,000 to be utilized by the Board of Selectmen for consultant services to produce engineering drawings, plans, and specifications associated with FY 2011 CDBG Grant Applications.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 31: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, to be utilized with funds previously appropriated, and to be spent under the jurisdiction of the Board of Selectmen for engineering, consulting and legal expenses looking towards the cleanup of environmental hazards on town property off of Charles River Trail behind property of Benjamin Moore Company and Sumner Realty Trust, or take any other action in relation thereto.
(Board of Selectmen)

It was moved: That the Town raise and appropriate a sum of money in the amount of \$50,000, to be utilized with funds previously appropriated, and to be spent under the jurisdiction of the Board of Selectmen for engineering, consulting and legal expenses looking towards the cleanup of environmental hazards on town property off of Charles River Trail behind property of Benjamin Moore Company and Sumner Realty Trust.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 32: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money in the amount of \$20,000 to be spent under the jurisdiction of the Highway Surveyor for the purpose of Storm Water Management compliance, or take any other action in relation thereto.
(Highway Surveyor)

It was moved: That the Town raise and appropriate a sum of money in the amount of \$20,000 to be spent under the jurisdiction of the Highway Surveyor for the purpose of Storm Water Management compliance.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 33: To see if the Town will vote to transfer a sum of money from available funds, a sum of money to be utilized to offset the deficit in the snow and ice account for Fiscal Year 2010, or take any other action in relation thereto.
(Board of Selectmen)

A motion was made to pass over Article 33, requiring a majority vote...Voice vote taken to pass over article....Motion to pass over Carried.

ARTICLE 34: To see if the Town will vote to authorize the Board of Selectmen to petition the legislature for special legislation to provide for the grant of an additional license for the sale of all alcoholic beverages not to be drunk on premises (Package Store), which legislation shall provide substantially as follows:

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding Section 17, of Chapter 138 of the General Laws, the licensing authority for the Town of Milford may grant one (1) additional license for the sale of all alcoholic beverages not to be drunk on premises (Package Store) under section 15 of said Chapter 138, to Paul J. Moffi, of 7 Charles Gate Road, Hopedale, Worcester County, Massachusetts for use in connection with premises situated at 134 South Main Street, in said Town of Milford. Said license shall be subject to all of the other provisions of said Chapter 138.

Notwithstanding any general or special law or any rule or regulation to the contrary, the licensing authority shall not approve the transfer of the license to any other location. The license may be re-issued by the licensing authority at the same location if an applicant for the license files with the licensing authority a letter in writing from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

If the license granted under this section 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. Notwithstanding said Section 17 of said Chapter 138 or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

SECTION 2. This act shall take effect upon passage,

or take any other action in relation thereto.

(Paul J. Moffi)

It was moved: That the Town authorize the Board of Selectmen to petition the legislature for special legislation to provide for the grant of an additional license for the sale of all alcoholic beverages not to be drunk on premises (Package Store), which legislation shall provide substantially as follows:

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding Section 17, of Chapter 138 of the General Laws, the licensing authority for the Town of Milford may grant one (1) additional license for the sale of all alcoholic beverages not to be drunk on premises (Package Store) under section 15 of said Chapter 138, to Paul J. Moffi, of 7 Charles Gate Road, Hopedale, Worcester County, Massachusetts for use in connection with premises situated at 134 South Main Street, in said Town of Milford. Said license shall be subject to all of the other provisions of said Chapter 138.

Notwithstanding any general or special law or any rule or regulation to the contrary, the licensing authority shall not approve the transfer of the license to any other location. The license may be re-issued by the licensing authority at the same location if an applicant for the license files with the licensing authority a letter in writing from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

If the license granted under this section 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. Notwithstanding said Section 17 of said Chapter 138 or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

SECTION 2. This act shall take effect upon passage.

After discussion a voice vote was taken on Motion as presented...Carried Unanimous.

ARTICLE 35:To see if the Town will vote to amend the Zoning Bylaw by rezoning from Single-Family Residential [RB] to Highway Commercial [CC] the following two parcels of property; Assessor's Map 59, Lot 19, except for the northerly seventy-five (75) feet thereof, and Assessor's Map 59, Lot 20A, except for the easterly one hundred ninety-eight (198) feet thereof. Said area to be rezoned being located westerly of South Main Street and southwesterly of Courtland Street and consisting of approximately 6.20 ± acres, or take any other action in relation thereto.
(Topsfield Associates, Inc.)

A motion was made to pass over Article 35, requiring a majority vote... Voice vote taken on passing over article....Motion to pass over Carried Unanimous.

ARTICLE 36:To see if the Town will vote to appropriate through a transfer from available funds a sum of money in the amount of \$206,646.30, said sum to be utilized to reimburse the Geriatric Authority for funds previously advanced to the Town in anticipation of borrowing, or take any other action in relation thereto.
(Town Treasurer)

It was moved: That the Town transfer the sum of \$206,646.30 from Account No. 4077-4899, said sum to be utilized to reimburse the Geriatric Authority for funds previously advanced to the Town in anticipation of borrowing.

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 37: To see if the Town will vote to accept Section 20 of Chapter 32B of the General Laws pursuant to which the Town may establish an Other Post Employment Benefit Liability Trust Fund, or take any other action in relation thereto.
(Town Treasurer)

It was moved: That the Town accept Section 20 of Chapter 32B of the General Laws pursuant to which the Town may establish an Other Post Employment Benefit Liability Trust Fund.

Voice vote on motion as presented....Carried.

ARTICLE 38:To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Other Post Employment Benefit Liability Trust Fund as established under Section 20 of Chapter 32B of the General Laws, or take any other action in relation thereto.
(Town Treasurer)

A motion was made to pass over Article 38, requiring a majority vote... Voice vote taken on passing over article....Motion to pass over Carried.

ARTICLE 39:To see if the Town will vote to authorize the Board of Selectmen to petition the legislature for special legislation to provide for the grant of an additional license for the sale of wines and malt beverages not to be drunk on the premises.

Be it enacted as follows:

SECTION 1. Notwithstanding Section 17, Chapter 138 of the General Laws, the licensing authority for the Town of Milford may grant one additional license for the sale of wines and malt beverages not to be drunk on the premises under Section 15 of said Chapter 138 to Tyco, Inc. located at 102 Central Street in the Town of Milford. In all other respects the license shall be subject to all other provisions of said Chapter 138.

Notwithstanding any general or special law or any rule or regulation to the contrary, the licensing authority shall not approve the transfer of the license to any other location. The license may be re-issued by the licensing authority at the same location if an applicant for the license files with the licensing authority a letter in writing from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

If the license granted under this section 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. Notwithstanding said Section 17 of said Chapter 138 or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

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

Or take any other action in relation thereto.

(Tyco, Inc.)

It was moved: That the Town authorize the Board of Selectmen to petition the legislature for special legislation to provide for the grant of an additional license for the sale of wines and malt beverages not to be drunk on the premises.

Be it enacted as follows:

SECTION 1. Notwithstanding Section 17, Chapter 138 of the General Laws, the licensing authority for the Town of Milford may grant one additional license for the sale of wines and malt beverages not to be drunk on the premises under Section 15 of said Chapter 138 to Tyco, Inc. located at 102 Central Street in the Town of Milford. In all other respects the license shall be subject to all other provisions of said Chapter 138.

Notwithstanding any general or special law or any rule or regulation to the contrary, the licensing authority shall not approve the transfer of the license to any other location. The license may be re-issued by the licensing authority at the same location if an applicant for the license files with the licensing authority a letter in writing from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

If the license granted under this section 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. Notwithstanding said Section 17 of said Chapter 138 or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

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

After discussion a voice vote on motion as presented...Carried Unanimous.

ARTICLE 40:To see if the Town will vote to close out certain Special Article Accounts to the General Funds of the Town, or take any other action in relation thereto. (Town Accountant)

It was moved to waive the reading of the article because it is the same as in the Finance Report (below)...Voice vote taken on waiving the reading...Motion to waive reading Carried.

It was moved: That the Town transfer any remaining balances in the following accounts to the Finance Committee Reserve account as voted under Article 4 of the May 18, 2009 Annual Town Meeting:

<u>Town Meeting</u>	<u>Purpose</u>	<u>Balance to be Transferred</u>
Article 16 10/09 STM	Mobile Light Generator (Police)	\$.12
Article 17 10/09 STM	Easy Up Shelters (Fire)	\$ 348.15
Article 13 Nov. 1999 STM	Tree Maintenance (Cemetery)	\$ 61.08
Article 28 6/05 ATM	Reconfig Library Space (Library)	\$1,105.80
Article 16 10/05 STM	Library Renovation (Library Bldg. Comm)	\$6,165.41
Article 26 10/01 STM	MHS Media Center (School)	\$1,260.72
Article 16 10/04 STM	Woodland Floor Repl (School)	\$1,182.50
Article 26 10/04 STM	MHS Rplc Carpets PH 1 (School)	\$3,181.88
Article 31 10/04 STM	All Sch-Furn Replc (School)	\$ 853.69
Article 13 10/06 STM	MHS Pkg Lot Survey	\$7,331.10

Voice vote on motion as presented...Carried Unanimous.

ARTICLE 41:To see if the Town will vote to transfer funds between certain line items voted under Article 4 of the June 15, 2009 Annual Town Meeting for the purpose of making funds available in line item accounts not sufficiently funded through the end of Fiscal Year 2010, or take any other action in relation thereto.

It was moved to waive the reading of the article because it is the same as in the Finance Report (below)...Voice vote was taken on motion to waive reading...Motion to waive reading Carried.

It was moved: That the Town transfer funds between certain line items voted under Article 4 of the June 15, 2009 Annual Town Meeting for the purpose of making funds available in line item accounts not sufficiently funded through the end of Fiscal Year 2010 as follows:

<u>AMOUNT</u>	<u>TRANSFER FROM</u>	<u>TRANSFER TO</u>
\$6,000	Personal Services-Fire 220-5110	Repair/Maint:Bldg/Grnds 220-5400
\$20,000	Personal Services-Fire 220-5110	Repair/Maint:Equip 220-5410
\$10,000	General Expense-Highway 422-5300	Repair/Maint:Vehicle/Equip 422-5420
\$4,000	General Expense-Parks 650-5300	Repair/Maint:Equip 650-5400
\$100,000	Short Term Interest 752-5920	Employee Health Insurance 914-5110
\$100,000	Retirement/Pensions 911-5110	Employee Health Insurance 914-5110
\$17,000	Personal Services-Library 610-5110	General Expense-Library 610-5300
\$8,000	General Expense-Selectmen 122-5300	General Expense-Veterans 543-5300

Voice vote on motion as presented...Carried Unanimous.

A motion was made by Precinct Member Anthony Grillo to dissolve the warrant.

A voice vote on motion to dissolve the warrant....Carried Unanimous.

The warrant was dissolved at 10:10 p.m.

A True Copy of the Record.

Attest: Amy E. Hennessy Neves
Town Clerk