

ANNUAL TOWN MEETING

May 18, 2015

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 18<sup>th</sup> day of May, 2015 A.D. at 7:30 P.M. and then and there to act upon the following articles:

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

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 levels and salary levels, as recommended by the Personnel Board for the Fiscal Year beginning July 1, 2015, as follows:

A. Position levels – Salaried Positions

| <u>LEVEL</u> | <u>POSITION TITLE</u>  |
|--------------|--|
| V            | Fire Chief<br>Police Chief<br>Town Accountant<br>Town Administrator<br>Town Counsel<br>Town Treasurer      |
| IV           | Deputy Police Chief<br>Town Engineer<br>Town Planner   |
| III          | Building Commissioner<br>Sewer Operations Director<br>Information Technology Director<br>Police Lieutenant |
| II           | Assessor/Administrator<br>Health Agent   |

Network Administrator  
Parks/Recreation Admin.  
Senior Center Director

I Assistant Town Counsel  
Community Development Director

B. Compensation Schedule – Salaried Positions

| <u>LEVEL:</u> | <u>STEP 1</u> | <u>STEP 2</u> | <u>STEP 3</u> | <u>STEP 4</u> | <u>STEP 5</u> |
|---------------|---------------|---------------|---------------|---------------|---------------|
| V             | 90,695        | 94,965        | 99,235        | 103,505       | 107,775       |
| IV            | 86,376        | 90,646        | 94,916        | 99,186        | 103,456       |
| III           | 75,433        | 79,121        | 82,809        | 86,497        | 90,185        |
| II            | 63,729        | 66,937        | 70,145        | 73,353        | 76,561        |
| I             | 43,778        | 45,912        | 48,046        | 50,180        | 52,314        |

Cont.

| <u>LEVEL:</u> | <u>STEP 6</u> | <u>STEP 7</u> | <u>STEP 8</u> |
|---------------|---------------|---------------|---------------|
| V             | 112,045       | 116,315       | 120,585       |
| IV            | 107,726       | 111,996       | 116,266       |
| III           | 93,873        | 97,561        | 101,249       |
| II            | 79,769        | 82,977        | 86,185        |
| I             | 54,448        | 56,582        | 58,716        |

C. Position Levels - Hourly Rated Positions

| <u>LEVEL</u> | <u>POSITION TITLE</u>   |
|--------------|---|
| III          | Animal Control Officer<br>Asst. Town Accountant<br>Asst. Town Treasurer<br>Client Services Coord., Senior Ctr.<br>Financial Analyst PT<br>Maintenance Supervisor<br>Youth Center Director   |
| II           | Admin. Services Coordinator<br>Adm. Asst. to Town Administrator<br>Asst. Animal Control Officer PT<br>Adm. Assistant, Senior Center<br>Asst. Director, Youth Center<br>Asst. Zoning Enforcement Officer PT<br>Assistant to Fire Chief<br>Assistant to Police Chief<br>Childcare Coordinator<br>Deputy Wiring Inspector PT |

Deputy Plumbing/Gas Inspector PT  
 Dispatcher PT  
 Health Inspector  
 Lister/Data Collector  
 Local Building Inspector PT  
 Outreach Coord., Senior Center  
 Paralegal/Legal Assistant  
 Plumbing/Gas Inspector  
 Program Coord., Senior Center  
 Program Coord., Comm. Dev.  
 Property Rehab Specialist/Comm. Dev.  
 Technology Support Technician  
 Transportation Coordinator/Senior Center  
 Wiring Inspector

I Clerk, Community Development  
 Clerk/Receptionist, Senior Center  
 Jr. Building Custodian  
 Legal Secretary  
 Planning Assistant  
 Van Driver, Senior Center  
 Volunteer Srvc. Coord., Senior Center

D. Compensation Schedule – Hourly Rated Positions

| <u>LEVEL:</u> | <u>STEP 1</u> | <u>STEP 2</u> | <u>STEP 3</u> | <u>STEP 4</u> | <u>STEP 5</u> |
|---------------|---------------|---------------|---------------|---------------|---------------|
| III           | 19.00         | 20.36         | 21.72         | 23.08         | 24.44         |
| II            | 18.51         | 19.77         | 21.03         | 22.29         | 23.55         |
| I             | 14.22         | 15.72         | 17.22         | 18.72         | 20.22         |

Cont.

| <u>LEVEL:</u> | <u>STEP 6</u> | <u>STEP 7</u> | <u>STEP 8</u> |
|---------------|---------------|---------------|---------------|
| III           | 25.80         | 27.16         | 28.52         |
| II            | 24.81         | 26.07         | 27.33         |
| I             | 21.72         | 23.22         | 24.72         |

| E. | <u>HOURLY NON-RATED POSITIONS</u>         | <u>HOURLY RATE</u> |
|----|---|--------------------|
|    | Assistant Pool Manager PT                 | 16.32              |
|    | Call Firefighter PT \$1200 Stipend (plus) | 13.77              |
|    | Cemetery Groundskeeper                    | 17.29              |
|    | Cemetery Working Foreman                  | 23.77              |
|    | Clerk of Works/Senior CT PT (temp.)       | 26.03              |

|  |       |
|--|-------|
| Clerks/Seasonal - All Departments                | 17.29 |
| Clerks/Substitute - All Departments              | 17.29 |
| Dental Health Specialist PT                      | 17.29 |
| Highway Heavy Equipment Operator (temp.)         | 21.79 |
| Highway Light Equipment Operator (temp.)         | 19.55 |
| Highway Seasonal Snow Plow Operator              | 21.79 |
| Laborers/PPT: Park, Cemetery, Other              | 16.67 |
| Laborers/Seasonal PT: Park, Cemetery, Other      | 10.88 |
| Matrons/Police                                   | 17.29 |
| Milford Youth Ctr., Activities Supervisor PT     | 9.79  |
| Milford Youth Ctr., Activities Facilitator PT    | 12.24 |
| Milford Youth Ctr. /Concession Equipment Monitor | 8.87  |
| Milford Youth Ctr. Front Desk Monitor PT         | 9.79  |
| Milford Youth Ctr. Health Coordinator PT         | 19.86 |
| Milford Youth Ctr. Program Coordinator PT        | 18.37 |
| Milford Youth Ctr. Program Facilitator PT        | 12.24 |
| Milford Youth Ctr. Summer Camp Counselor         | 9.79  |
| Mosquito Spray Applicator PT                     | 16.67 |
| Pool Lifeguard PT                                | 14.73 |
| Pool Manager PT                                  | 17.60 |
| School Nurse PT                                  | 18.56 |
| Soil Testing Assistant PT                        | 15.35 |
| Student Police Officer                           | 22.58 |
| Transfer Station Attendant PT                    | 16.67 |
| Transfer Station Supervisor PT                   | 17.29 |
| Veterans Agent                                   | 34.63 |

|    |                                    |                    |
|----|------------------------------------|--------------------|
| F. | <u>MISCELLANEOUS POSITIONS</u>     | <u>ANNUAL RATE</u> |
|    | Assistant Health Agent PT          | 7,554              |
|    | Board of Health Physician PT       | 6,607              |
|    | Board of Registrars/Chairperson PT | 2,730              |
|    | Board of Registrars/Members PT (2) | 2,184              |
|    | Burial Agent PT                    | 1,031              |
|    | Fair Housing Director PT           | 2,079              |
|    | Foreign Language Translator        | 563                |
|    | Inspector of Animals PT            | 2,421              |
|    | Municipal Hearings Officer         | 2,810              |
|    | Pest Control Officer PT            | 3,274              |
|    | Sealer of Weights and Measures     | 8,381              |

| <u>ELECTION WORKERS</u>                | <u>RATE</u> |
|--|-------------|
| Election Workers (hrly. rate)          | 14.42       |
| Election Clerks (hrly. rate)           | 14.42       |
| Election Deputies (hrly. rate)         | 12.36       |
| Election Checkers (hrly. Rate)         | 10.30       |
| Election Custodian (rate per election) | 161.17      |

| <u>CLASS</u> | <u>CLERKS/VARIOUS COMMITTEES &amp; BOARDS (PT)</u> | <u>RATE</u> |
|--------------|--|-------------|
| 8            | Clerk, Finance Committee                           | 7,780       |
| 7            | Unclassified                                       | 6,807       |
| 6            | Minutes Recorder/Board of Selectmen                | 5,836       |
| 5            | Clerk, Personnel Board                             | 4,863       |
| 5            | Clerk, Planning Board                              | 4,863       |
| 4            | Clerk, Conservation Commission                     | 3,890       |
| 4            | Clerk, School Building Committee (temp.)           | 3,890       |
| 4            | Minutes Recorder/Library Building Committee        | 3,890       |
| 3            | Clerk, Board of Health                             | 2,917       |
| 3            | Clerk, Capital Improvement Committee               | 2,917       |
| 3            | Clerk, Vernon Grove Cemetery Trustees              | 2,917       |
| 2            | Clerk, Board of Registrars of Voters               | 1,944       |
| 2            | Clerk, Park Commission                             | 1,944       |
| 2            | Clerk, Zoning Board of Appeals                     | 1,944       |
| 2            | Minutes Recorder/Capital Improvement Committee     | 1,944       |
| 2            | Minutes Recorder/Industrial Development Commission | 1,944       |
| 1            | Minutes Recorder/Library Board of Trustees         | 973         |

Upon the effective date hereof, salaried or hourly rated employee's shall be placed on such step within the foregoing schedules as exceeds, but is closest to, the rate of compensation applicable to such employee as of June 30, 2015. Thereafter, step movements shall be on an annual basis.

An employee on a salaried or hourly rated position, whose base rate of pay effective as of June 30, 2015, 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 2016, but increased by a factor of two percent (2.0%). An employee in an hourly non-rated or miscellaneous position, or an election worker, whose base rate of pay effective as of June 30, 2015 exceeds the maximum pay authorized for his/her position as set forth above, shall continue to receive his/her current rate of pay for Fiscal Year 2016, but increased by a factor of one percent (1.0%). An employee in a position of clerk to various committees and boards, whose base rate of pay effective as of June 30, 2015, 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 2016, but increased by a factor of one percent (1.0%).

(Personnel Board)

ARTICLE 3: To see if the Town will 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:

**FY 16**

|                               |             |
|-------------------------------|-------------|
| Town Clerk                    | \$79,454.00 |
| Tax Collector                 | \$79,454.00 |
| Assessor (Chairman)           | \$7,577.00  |
| Assessor (Members)            | \$6,791.00  |
| Highway Surveyor              | \$93,273.00 |
| Tree Warden                   | \$6,539.00  |
| Selectmen (Chairman)          | \$8,634.00  |
| Selectmen (Members)           | \$7,671.00  |
| Vernon Grove Trustee (Clerk)  | \$3,673.00  |
| Board of Health (Chairman)    | \$2,471.00  |
| Board of Health (Members)     | \$2,159.00  |
| Sewer Commissioner (Chairman) | \$2,471.00  |
| Sewer Commissioner (Members)  | \$2,159.00  |
| Park Commissioner (Chairman)  | \$2,471.00  |
| Park Commissioner (Members)   | \$2,159.00  |
| Planning Board (Chairman)     | \$2,471.00  |
| Planning Board (Members)      | \$2,159.00  |
| Moderator                     | \$2,376.00  |

(Board of Selectmen)

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, 2015, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 5: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2015 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)

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

(Board of Selectmen)

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 2016, 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)

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 2016 pursuant to Chapter 44, Section 53F of the General Laws, or take any other action in relation thereto.

(Town Treasurer)

ARTICLE 9: To see if the Town will vote for Fiscal Year 2016, 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)

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 2016 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)

ARTICLE 11: To see if the Town will vote for Fiscal Year 2016, 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)

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.

(Town Treasurer)

ARTICLE 13: 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)

ARTICLE 14: To see if the Town will vote to authorize revolving funds for certain Town Departments which departments have been previously authorized, under M. G.L. c. 44, Section E ½ for the fiscal year beginning July 1, 2015, or take any other action in relation thereto.

(Various Departments)

ARTICLE 15 :To see if the Town will vote to authorize the Board of Selectmen to execute an easement for utility purposes to the Massachusetts Electric Company, said easement to be utilized to establish an underground system in, through, under, over and across those parcels of land situated on the southerly side of North Vine Street, being more particularly shown as parcels 1 through 4, inclusive on a plan of land recorded in the Worcester District Registry of Deeds at Plan Book 304, Plan 107, and being the site of the Woodland School, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 16: To see if the Town will vote to authorize the Board of Selectmen to execute an easement for utility purposes to the Massachusetts Electric Company, said easement to be utilized to establish an underground system in, through, under, over and across the parcel of land on Pearl Street, owned by the Town of Milford, and occupied by the Milford Youth Center facility, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 17: To see if the Town will vote to raise and appropriate or transfer a sum of money from available funds, said sum to be utilized together with funds voted under Article 16 of the October 21, 2013 Special Town Meeting for purposes of retaining consultants and other expert services to evaluate, and represent the Town's interests in, acquisition of the Milford Water Company, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 18: 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 continued storm water mapping, or take any other action in relation thereto.

(Highway Surveyor)

ARTICLE 19: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$200,000 to be spent under the jurisdiction of the Highway Surveyor for the purpose of purchasing two new leaf pick-up machines, or take any other action in relation thereto.

(Highway Surveyor)

ARTICLE 20: To see if the Town will vote to amend the Zoning Bylaw by rezoning the following parcels from RB Single Family Residential District and/or IB Highway Industrial District to CB Neighborhood Commercial District:

Assessors Map 43, Block 0, Lots 51, 61, 61A, 62A, 62B, & 63.

The 6 parcels referenced herein total approximately 8.7 acres in area and are located in the vicinity of 55 Medway Street.

or take any other action relating thereto.

(Planning Board)

ARTICLE 21: To see if the Town will vote to amend the Zoning Bylaw relating to Farmers Market uses as noted hereinafter:

BY ADDING in Section 2.3 Use Regulation Schedule references to Farmers Market uses as follows:

2.3 Use Regulation Schedule  
DISTRICT

| ACTIVITY OR USE | RA | RB | RC | RD | OR | BP | CA | CB | CC | IA | IB | IC |
|-----------------|----|----|----|----|----|----|----|----|----|----|----|----|
| COMMERCIAL USES |    |    |    |    |    |    |    |    |    |    |    |    |

|                             |                 |   |   |   |   |   |   |   |   |   |   |   |
|-----------------------------|-----------------|---|---|---|---|---|---|---|---|---|---|---|
| Farmers Market <sup>1</sup> | S <sup>25</sup> | O | O | O | O | O | O | P | P | P | P | P |
|-----------------------------|-----------------|---|---|---|---|---|---|---|---|---|---|---|

<sup>25</sup> Farmers Market subject to the requirements of Section 3.17 herein.

AND BY ADDING in Article III General Regulations a new Section 3.17 relating to Farmers Market uses as follows:

Section 3.17 Farmers Market – A Farmers Market may be allowed by Special Permit within the RA General Residential District as provided for in Section 2.3 herein, provided the Special Permit Granting Authority finds all of the following standards can be met:

3.17.1 The minimum parcel size for a Farmers Market shall be 5 acres.

3.17.2 A Farmers Market shall have a designated manager whose responsibility it is to oversee the entire operation, including but not limited to the following:

3.17.2.1 The preparation and submittal of the initial site proposal and special permit/site plan application materials,

3.17.2.2 The presentation of the proposed application materials at the required public hearings and/or meetings, and

3.17.2.3 The provision of on-site supervision of the market and vendors during all hours of operation, set-up and assignments of booths, vendor registration, tear-down, and site cleanup.

3.17.3 A Farmers Market shall have adopted a written set of operating rules addressing the governance structure of the market, and the appointment of a Market Manager, which rules shall be submitted with the application materials.

3.17.4 The application shall also include a site plan depicting, in addition to the general requirements of Section 1.15 herein, the location and arrangement of vendor booths and/or tents, vendor parking, customer parking, handicap accessibility, and signage. The application shall also address the seasonal duration and daytime hours of operation, site maintenance and security of the specific portion of a parcel of land being used or occupied by the Farmers Market, provisions for recycling and waste removal, and any site restoration necessitated by the operation of the Farmers Market.

3.17.5 A Farmers Market may only be held on Saturdays in the months of May through October. The specific dates and hours of operation of a Farmers Market shall be determined by the Special Permit Granting Authority, however in no case shall such hours commence before 8:00 AM nor extend beyond 4:00 PM including set-up, tear-down, and site cleanup.

AND FURTHER BY ADDING in Section 4.1 Definitions a new definition for Farmers Market as follows:

Farmers Market – A temporary seasonal open air market for the retail sale directly to the consumer of only locally grown fresh vegetables or produce, where the vendors are individuals or co-operatives who have raised the vegetables or produce being offered for sale. Such produce may also include the following items: Baked goods, chocolates and candies, coffee (beans or ground), dairy products, eggs, flowers, herbs, honey, jams, jellies, manure, maple syrup, nut butters, oils, pasta, pickled vegetables, plants, salsas, seedlings, soap, spices, and tea (loose, or bagged), yarn. A Farmers Market may also include one booth for a local Community Service Organization and associated outreach activities, and one booth for a local uncommon tradesman or artisan. A Farmers Market shall specifically not include a Flea Market as defined herein, the sale of animals either live or dead, the re-sale of any product, the use or sale of tobacco products, nor the use or sale of alcohol.

or take any other action relating thereto.

(Planning Board)

ARTICLE 22: 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 utilized as reserve funds for future payment of accrued liabilities for compensated absences due any employees of the Fire Department or Police Department upon termination of an employee's employment, or take any other action in relation thereto.

(Police Chief & Fire Chief)

ARTICLE 23 : To see if the Town will vote to discontinue as a public way a street known as Orrin Street Extension, or take any other action in relation thereto.

(Milford Regional Medical Center, Inc.)

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to petition the legislature for special legislation to provide for the grant of an additional license for the sale of malt beverages and wine not to be 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 malt beverages and wine not to be drunk on premises (Package Store) under section 15 of said Chapter 138, to Water Street Meat Market, LLC of 3 Water Street, Milford, Worcester County, Massachusetts for use in connection with premises situated at 3 Water 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.

(Board of Selectmen)

ARTICLE 25: To see if the Town will vote to reallocate funds remaining in Fire Department Account #5220-5858-93, Fuel Pumps/Birch Street, currently in the amount of \$21,924.80, said funds to be available to the Fire Chief to be utilized to continue testing and repairs to the Birch Street Training Building, or take any other action in relation thereto.

(Fire Chief)

ARTICLE 26: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the enactment of special legislation which would authorize the creation of a Municipal Finance Department, and which legislation would provide substantially as follows:

**AN ACT AUTHORIZING A MUNICIPAL FINANCE DEPARTMENT FOR THE TOWN OF MILFORD**

**SECTION 1. ESTABLISHMENT AND SCOPE**

There shall be a department of municipal finance which shall be responsible for the performance of all fiscal and financial activities of the town, including those duties and responsibilities related to municipal finance activities which prior to the effective date of this act were performed by or under the authority of the town accountant, town treasurer and tax collector. Although the board of assessors shall be part of the department of municipal finance, the board of assessors shall continue to exercise all of the duties and responsibilities of a board of assessors under the General Laws, except as otherwise provided in section 3 of this act. The department of municipal finance shall have such additional powers, duties and responsibilities

with respect to municipal finance-related functions and activities as the town may from time to time provide by by-law.

## SECTION 2. DIRECTOR OF MUNICIPAL FINANCE

The department of municipal finance shall be under the direct control and supervision of a director of municipal finance who shall be appointed by and be responsible to the Board of Selectmen, upon the recommendation of the town administrator. The director of municipal finance shall be a person especially fitted by education, experience and training to perform the duties of the office. The educational qualifications shall consist of an advanced degree, preferably in accounting or business administration, granted by an accredited degree-granting college or university. The professional experience shall include at least 3 years of prior full time compensated service in accounting or business administration. Alternatively, 5 years or more of such professional experience and a bachelor's degree in an appropriate discipline shall qualify an applicant. Five years or more of prior full time compensated experience in accounting or business administration shall also qualify any applicant. The board of selectmen may waive the education or experience requirements of this section. The salary, fringe benefits and other conditions of employment of the director of municipal finance, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of his duties or office, liability insurance, conditions of discipline, termination, dismissal, reappointment, performance standards and leave may be established by contract.

## SECTION 3. DUTIES AND RESPONSIBILITIES

The director of municipal finance shall be responsible for the supervision and coordination of all activities of the department in accordance with the General Laws, town by-laws, administrative codes and rules and regulations. The director of municipal finance may also serve as the town accountant and shall be responsible for coordinating the fiscal management procedures of the office of the town treasurer, tax collector, board of assessors and town accountant, and shall be the administrator of budgeting, including financial reporting, accountability and control, as well as an advisor on financial and programmatic implications of current and future policies to all town departments, the town Administrator and the board of selectmen. The finance director shall be responsible for coordinating all financial tasks required by the General Laws, and shall accomplish such tasks in accordance with the dates specified in the Massachusetts department of revenue municipal calendar, as it may be amended from time to time.

## SECTION 4. TRANSITION

Upon the effective date of this act, the position of elected tax collector in Milford shall be abolished and the term of the elected incumbent shall be terminated. The appointed town accountant holding office as of the effective date of this act shall become the director of municipal finance. The appointed, or elected, incumbents holding the offices of town treasurer and tax collector as of the effective date of this act, shall thereupon become the first appointed town treasurer and tax collector, respectively. The town treasurer and tax collector shall, subject to appropriation, maintain the same salary and benefits as they have received in their elected or appointed capacities. Notwithstanding sections 108A & 108C of Chapter 41 of the General Laws and any By-Law adopted under those sections, the board of selectmen may establish an employment contract with a director of municipal finance, treasurer, or tax collector appointed hereunder upon the same terms and conditions, and subject to the same limitations as contained

within Section 108N of said chapter 41, applicable to other municipal employees as designated within that section. The town treasurer and tax collector shall be employees of the department of municipal finance under the direction and supervision of the director of municipal finance. Thereafter, appointments to the position of town treasurer and tax collector will be made by the board of selectmen upon consultation with the town administrator and director of finance.

#### SECTION 5.

This Act shall take effect upon its passage,  
or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 27: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized, together with those funds appropriated under Article 22 of the October 20, 2014 Special Town Meeting to fund a contract for the Town Hall roof/gutter replacement project, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 28: To see if the Town will vote to amend Article 3.9 Sign Regulations of the zoning by-law by adding a new 3.9.1.4 (e) as follows:

3.9.1.4 (e) Signs erected and maintained on publically owned athletic field facilities to the extent authorized and approved by such board or agency with jurisdiction over such facilities.

(Board of Selectmen)

ARTICLE 29: To see if the Town will vote to amend the Zoning Bylaw relating to Obstructions Permitted in Required Yards as noted hereinafter:

BY DELETING Section 3.8 (Deleted Annual Town Meeting, Article 47, 1976) in its entirety and by adopting in lieu thereof the following new Section 3.8 Obstructions Permitted in Required Yards:

3.8 Obstructions Permitted in Required Yards - All yards required by this By-Law shall be provided as open, unobstructed space except as provided for in this Section 3.8. (*Note: The prior Section 3.8 that provided for Planned Unit Developments was deleted by Article 47, Annual Town Meeting in 1976.*)

3.8.1 Permitted obstructions in all required yards: Awnings, shutters, canopies; arbors and trellises; chimneys projecting not more than two (2) feet (nominal) into the required yard; flag poles; steps necessary for access to a building or lot; fences, walls, hedges and other vegetation.

3.8.2 Permitted obstructions in required front yards: Bay windows, oriels, or balconies projecting not more than five (5) feet (nominal) into the required front yard; overhanging eaves and gutters projecting not more than three (3) feet (nominal) into the required front yard; off-street parking. Clear visibility shall be maintained on corner lots in accordance with Sections 2.4.6 and 2.4.7 of this By-Law.

3.8.3 Permitted obstructions in required side yards: Accessory uses, buildings or structures as otherwise permitted by Section 3.2 of this By-Law; bay windows projecting not more than three (3) feet (nominal) into the required side yard; overhanging eaves and gutters projecting not more than three (3) feet (nominal) into the required side yard; open off-street parking.

3.8.4 Permitted obstructions in required rear yards: Accessory uses, buildings or structures as otherwise permitted by Section 3.2 of this By-Law; open off-street parking spaces; balconies, breezeways, open unroofed porches, terraces and decks; bay windows projecting not more than five (5) feet (nominal) into the required rear yard; overhanging eaves and gutters projecting not more than three (3) feet (nominal) into the required rear yard.

or take any other action in relation thereto.

(Planning Board)

ARTICLE 30: To see if the Town will vote to amend Article 18 of the General By-Laws of the Town by striking therefrom the current Article 18 in its entirety and replacing with a new Article 18 as follows:

#### CAPITAL IMPROVEMENT COMMITTEE

Section One: Establishment of Committee

- (a) There shall be established a Capital Improvement Committee (hereinafter "Committee") which shall perform the duties set forth in the following sections of this By-Law and shall be governed by the provisions hereof.
- (b) The Committee shall consist of five (5) registered voters of the Town of Milford (hereinafter "Town"), none of whom is a Town employee or Town official (either elected or appointed), and shall be appointed as provided in Section Two. For purposes of this By-Law, no person shall be considered a Town official solely by serving as a Town Meeting Member.

Section Two: Selection of Members; Terms of Service; Vacancies

- (a) Of the five (5) members of the Committee, two (2) shall be appointed by the Town Moderator and three (3) by the Board of Selectmen. Subject to the provisions below, members shall be appointed for terms of (5) years.
- (b) Upon approval of the provisions of this By-Law, the two (2) most senior incumbent members of the Capital Planning Committee as previously in place, not otherwise in conflict with Section One (b) above, shall continue to serve. Such incumbents shall

serve as appointees of the Moderator, one to have a term expiring on June 30, 1997 and the other on June 30, 1999, as the Moderator shall designate.

- (c) The Board of Selectmen shall appoint three (3) members whose terms shall expire on June 30, 1996, 1998 and 2000, and shall thereafter upon expiration of each term appoint or reappoint for five (5) year terms.
- (d) Whenever a vacancy occurs on the Committee, it shall be filled by the appointing authority that appointed the member whose position has become vacant. Any person appointed to fill a vacancy shall hold office for the unexpired term of the person succeeded.

Section Three: Governance; Officers; Compensation

- (a) The Committee shall adopt such rules and regulations affecting its Governance as may be deemed necessary.
- (b) The Committee shall annually elect from among its members a Chairperson and such other officers, as it shall deem appropriate.
- (c) Committee members shall serve without compensation.

Section Four: Definitions

- (a) For the purpose of this By-Law, a “Capital Improvement” is defined as:
  - (1) any acquisition, disposition, lease or transfer of land or personal property; or
  - (2) any acquisition, disposition, lease or transfer of motor vehicles; or
  - (3) any acquisition or lease of any single item of equipment, or group of similar or related items of equipment to be used for a common purpose, with a total cost of twenty thousand dollars (\$20,000) or more, and a substantial useful life as determined by the Committee; or
  - (4) any construction, reconstruction, replacement, extension or other improvement of public buildings, highways, sidewalks, storm drains, sewerage installations, playgrounds, parks or substantially similar public works, or for a facility, structure or a utility appurtenant to any of the same, with a total cost of twenty thousand dollars (\$20,000) or more.
- (b) For the purpose of this By-law, a “Capital Expenditure” is defined as any expenditure, financed in whole or in part by Town funds, for a Capital Improvement. However, this does not include Capital Improvements to be paid entirely with funds from departmental budgets.

Section Five: Duties of Committee; Submittals & Deliverables; Town Meetings

- (a) In making determinations, the Committee shall consult with such officers of the Commonwealth of Massachusetts or of the Town and its various boards,

commissions, or committees, as in its discretion it shall deem appropriate and beneficial. The Committee may also consult with any other person, within the constraints of its approved budget.

- (b) The Committee shall ascertain annually what Capital Expenditures will be required by the Town during the current calendar year, plus the subsequent five (5) fiscal years. In addition, the Committee shall ascertain any potentially significant capital expenditures outside the scope of the aforementioned five (5) years. Department heads and Chairpersons of all boards, commissions, and committees of the Town, whether elected or appointed, shall submit to the Committee, not later than the end of February of each year, recommendations and statements of needs and/or proposed plans involving capital expenditure requirements for the subsequent five (5) fiscal years. By that same deadline, the Department heads and Chairpersons shall also submit a Capital Improvement Worksheet for each capital project to be presented to Town Meeting within the current calendar year.
- (c) The Committee shall publish an annual report in conjunction with the Finance Committee of the Town and shall include in such report its recommendations for the scheduling of capital expenditures and for the financing of such expenditures as in its judgment cannot or should not be paid for entirely from current revenues. The Committee shall assist the Town Meeting with regard to priorities of projects, financing costs, impact of recommended projects to the operating budget, and other related matters, with any assistance from the Finance Committee of the Town that may be necessary.
- (d) No capital improvement shall be voted upon at any Town Meeting until it has been presented in written form to the Capital Improvement Committee for recommendation. As such, the Committee shall report to the Town Moderator prior to any Town Meeting as to the overall status of all capital improvement articles requiring action by that Town Meeting. If, subsequent to said recommendation, a significant change is made to the scope of any capital improvement, as determined by the Committee, it shall be resubmitted to the Committee for reconsideration prior to Town Meeting action. Any capital request that has not been approved by Town Meeting within two (2) years of its original presentation to the Committee shall be presented to the Committee for reconsideration prior to re-submittal to any future Town Meeting.
- (e) In making its determinations, the Committee shall include a comparison of all capital improvement proposals to the goals and objectives of the most recent Comprehensive Plan for the Town, as adopted by the Planning Board. The Committee shall note the level of consistency of each proposed capital improvement with said Comprehensive Plan as part of the Committee's evaluation process of Capital Improvement Worksheets and subsequent recommendations to Town Meeting.

or take any other action in relation thereto

(Capital Improvement Committee)

ARTICLE 31: To see if the Town will vote to accept as and for a public way a private way known as Woodland Court, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 32: To see if the Town will vote to accept as and for a public way a private way known as Roland Way, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 33: To see if the Town will vote to amend the Zoning Bylaw of the Town as provided herein as follows:

BY ADDING at the end of Section 1.4.2(a) thereof relating to building permit procedure the words “Such grading plan shall comply with the individual lot drainage requirements of Section 3.16 herein.”

AND BY ADOPTING the following new Section 3.16:

“Section 3.16 Individual Lot Drainage - Individual lots shall be prepared and graded in such a manner that development of one lot shall not cause detrimental drainage onto another lot or onto streets, either during construction or upon completion. Therefore, the grading plan required by Section 1.4.2(a) herein shall provide following:

3.16.1 a soil erosion and sedimentation control plan for any land disturbing activity

3.16.2 that stormwater runoff leaving the site both cumulatively and at any point shall be no greater during or after construction than for pre-development conditions

3.16.3 that stormwater be discharged so that it does not pond in paved areas, yards, courts or open areas.

3.16.4 that drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance, create hazards to pedestrians, or cause damage to any structures on the same or neighboring property.”

or take any other action relating thereto.

(Planning Board)

ARTICLE 34: To see if the Town will vote to amend Section 1.5 Certificate of Zoning Compliance of the Zoning Bylaw relating to site improvements by deleting Section 1.5.4 Completion of Plantings and adopting in lieu thereof the following new Section 1.5.4:

“1.5.4 Completion of Plantings - All trees, landscaped open space and buffers, planting screens and other landscaping required by this By-Law or by any applicable decision of a designated special permit granting authority, shall be installed prior to occupancy or commencement of use.

No Certificate of Zoning Compliance shall be issued until all required plantings have been completed. Such Certificate shall be revoked if the owner fails to maintain such plantings or landscaping. However, where such compliance is impracticable due to the season of the year, the Building Commissioner may issue a temporary Certificate of Zoning Compliance as specified in Section 1.5.1 herein if appropriate surety has been provided as specified in Section 1.5.3 herein.”

or take any other action relating thereto.

(Planning 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 undertake necessary repairs to the Louisa Lake Dam, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 36: To see if the Town will vote to appropriate a sum of money to be utilized with any available State or Federal funds and to be spent under the jurisdiction of the Board of Selectmen, for the purpose of acquiring land and/or easements and for construction of culverts and other structures required to alleviate flooding, in the area of, and to make repairs to, the Godfrey Brook, and in particular the Congress Terrace and Main Street culverts and other structures required to alleviate flooding; and further, to authorize the Selectmen to pay the costs or damages thereof, said rights in land and land to be taken, or affected, being generally shown on plans on file in the Office of Planning and Engineering; and determine whether such sum or sums shall be raised by taxation, by transfer from available funds, by borrowing or otherwise, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 37: To see if the Town will vote to accept the provisions of Section 8J of Chapter 40 of the General Laws relating to the establishment of a Commission on Disability and further, to authorize, in accordance with General Laws Chapter 40 Section 22G that all funds received for violations of handicapped parking regulations in the Town of Milford be deposited in a separate account for utilization by the Milford Commission on Disability for the benefit of persons with disabilities, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 38: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be spent under the jurisdiction of the Board of Selectmen to undertake repair or replacement of boilers at the Milford Police Station, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 39: To see if the Town will vote, in accordance with General Laws Chapter 59, Section 5 Clause 41C to reduce the age eligibility requirements for senior citizens under the tax relief program established thereby from age 68 to age 66, or take any other action in relation thereto.

(Board of Selectmen)

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 to repair the cement patio at the Milford Senior Center, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 41: To see if the Town will vote to accept the provisions of Clause 54 of Section 5 of Chapter 59 of the General Laws and exempt \$1,000 of fair cash value on personal property accounts to be taxed for Fiscal Year 2016 and thereafter, or take any other action in relation thereto.

(Board of Assessors)

ARTICLE 42: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money in the amount of \$50,000 to be utilized to supplement the Police/Fire Medical (injured on duty) budget item line item 122-5303, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 43: 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 Stabilization Account, or take any other action in relation thereto.

(Finance Committee)

ARTICLE 44: To see if the Town will vote to transfer funds between certain line items voted under Article 4 of the May 19, 2014 Annual Town Meeting for the purpose of making funds available in line item accounts not sufficiently funded through the end of Fiscal Year 2015, or take any other action in relation thereto.

(Town Accountant)

ARTICLE 45: 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)

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.

