

**TOWN OF MILFORD
ANNUAL TOWN MEETING**

May 22, 2017

Milford, Massachusetts

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS:

Milford TV recorded the Town Meeting. Recorded copies are available at the Office of the Board of Selectmen.

A Special Election was held in Precinct 6, to elect Michelle Kinsella ...17 Votes in Favor...0 Opposed. Michelle Kinsella was sworn in by Town Clerk, Amy Hennessy Neves.

The Town Moderator, Michael Noferi, called the meeting to order at 7:30 p.m. and announced that the Precinct Captains will take attendance; the quorum was set at 126 Town Meeting Members. The Precinct Captains reported 167 members Present and 85 members Absent. A quorum was attained.

The Town Clerk, Amy E. Hennessy Neves then read the Annual Town Warrant. A Motion was made to dispense the Reading of the Warrant...*Voice Vote Carried*. The Town Clerk then read the Return of Service.

The Town Moderator asked if there were any Resolutions to present. The following Resolution was presented:

RESOLUTION

WHEREAS, the citizens of Milford have learned, with great sorrow and deep regret, of the passing of Dominic Morte Jr.;

WHEREAS, Dominic Morte Jr. was for many years an elected member of the Town Meeting;

WHEREAS, Dominic Morte Jr. 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 his memory, and that a copy of this Resolution be forwarded to his family.

Respectfully submitted,

MILFORD BOARD OF SELECTMEN

William E. Kingkade Jr., Chairman

William D. Buckley

Michael K. Walsh

The audience then stood for a moment of silence.

The Town Moderator then asked if there were any reports of Town Officers or Committees to present.

Reno Deluzio, of the Town Meeting Working Group and member of Pr. 6 presented a report on the findings of the Town Meeting Working Group Survey.

Christopher Morin, Chairman of the Finance Committee also presented a report on behalf of the Finance Committee.

(Copies of both reports can be obtained on the Town website and from the Town Clerk's Office)

ARTICLE 2: I move that the Town 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, 2017, as follows:

A POSITION LEVELS – SALARIED POSITIONS

LEVELS	POSITION TITLE
I	Assistant Town Counsel Community Development Director
II	Facilities Director Network Administrator Town Accountant Benefits Coordinator Tax Collector Town Treasurer*
III	IT Manager Highway Supervisor Senior Center Director Town Planner Assessor/Administrator Building Commissioner Parks and Recreation Administrator

Police Lieutenant
Health Agent

IV Town Engineer
Director, Sewer Operations
Finance Director*
Deputy Police Chief

V Town Counsel*
Town Administrator*
Police Chief*
Fire Chief*

*denotes contract

B COMPENSATION SCHEDULE – SALARIED POSITIONS

STEP	LEVELS:	I	II	III	IV	V
1		50,298	60,042	61,958	70,958	89,558
2		53,352	63,687	65,720	75,266	94,996
3		56,406	67,333	69,481	79,574	100,433
4		59,460	70,978	73,243	83,883	105,871
5		62,513	74,623	77,004	88,191	111,308
6		65,567	78,269	80,766	92,499	116,746
7		68,621	81,914	84,527	96,807	122,183
8		71,675	85,560	88,269	101,115	127,621

B1 COMPENSATION SCHEDULE – “MAXED” SALARIED POSITIONS

<u>LABOR GRADE</u>	<u>SALARY</u>	<u>POSITION TITLE</u>	<u>EMPLOYEE NAME</u>
III (FY-17 -\$89,480)	90,375	Health Agent	Paul Mazzuchelli
III	89,152	Police Lieutenant	James Falvey
III	89,152	Town Planner	Larry Dunkin

C POSITION LEVELS – HOURLY RATED POSITIONS

LEVELS	POSITION TITLE
I	Clerk, Community Development PT/FT Clerk/Receptionist, Senior Center Jr. Building Custodian Legal Secretary Planning Assistant Van Driver/Senior Center Volunteer Services Coordinator/Senior Center
II	Admin. Services Coordinator Adm. Asst. to Town Administrator Asst. Animal Control Officer Admin. Asst. to Senior Ctr. Director Asst. Director, Youth Center Asst. Zoning Enforcement Officer PT/FT

Asst. to Fire Chief
 Asst. to Police Chief
 Client Services Coordinator/Senior Ctr. PT
 Deputy Wiring Inspector
 Deputy Plumbing/Gas Inspector
 Dispatcher PT
 Health Inspector FT
 Health Inspector PT
 Lister/Data Collector
 Local Building Inspector PT
 Outreach Coordinator/Senior Ctr. PT
 Paralegal/Legal Assistant
 Plumbing/Gas Inspector
 Program Coordinator/Community Development PT/FT
 Program Coordinator/Senior Center PT
 Property Rehab. Specialist/Community Development PT
 Senior Custodian
 Technology Support Technician
 Transportation Coordinator/Senior Center
 Wiring Inspector

III Animal Control Officer
 Asst. Town Accountant
 Asst. Town Treasurer
 Financial Analyst PT
 Maintenance Supervisor
 Youth Center Director

D COMPENSATION SCHEDULE – HOURLY RATED POSITIONS

STEP	LEVELS	<u>I</u>	<u>II</u>	<u>III</u>
1		17.36	21.69	22.80
2		18.30	22.86	24.03
3		19.24	24.04	25.26
4		20.18	25.21	26.49
5		21.12	26.39	27.72
6		22.06	27.56	28.95
7		23.00	28.73	30.18
8		23.93	29.91	31.41

D1 COMPENSATION SCHEDULE – “MAXED” HOURLY RATED POSITIONS

<u>LABOR GRADE</u>	<u>HOURLY SALARY</u>	<u>POSITION TITLE</u>	<u>EMPLOYEE NAME</u>
I	24.17	Jr. Building Custodian	Paul Boisclair
I	24.17	Jr. Building Custodian	Burton Cormier
I	24.17	Jr. Building Custodian	Domingos Pinto

E	HOURLY NON-RATED POSITIONS	PER HOUR
	Assistant Pool Manager PT	16.64
	Call Firefighter \$100 Stipend (plus)	14.05
	Cemetery Groundskeeper	17.63
	Cemetery Working Foreman	24.28
	Clerk of Works/Senior Center PT (temporary)	26.55
	Clerks/Seasonal – All Departments	17.63
	Clerks/Substitute – All Departments	17.63
	Dental Health Specialist	17.63
	Highway Seasonal Heavy Equipment Operator	27.88
	Highway Seasonal Light Equipment Operator	24.15
	Laborers/Seasonal PT: Parks, Cemetery, Other	11.10
	Matrons/Police	17.63
	Milford Youth Center: Activities Supervisor PT	11.00
	Milford Youth Center: Activities Facilitator PT	12.48
	Milford Youth Center Concession Equipment Monitor PT	11.00
	Milford Youth Center: Front Desk Monitor PT	11.00
	Milford Youth Center: Health Coordinator PT	20.26
	Milford Youth Center: Program Coordinator FT	18.74
	Milford Youth Center: Program Facilitator PT	12.48
	Milford Youth Center: Seasonal Camp Counselor	11.00
	Milford Youth Center: Summer Camp Counselor	17.00
	Mosquito Spray Applicator/Control	17.01
	Pool Lifeguard PT	15.03
	Pool Manager PT	17.96
	School Nurse PT	18.94
	Soil Testing Assistant	15.66
	Student Police Officer	23.04
	Transfer Station Attendant	17.01
	Transfer Station Supervisor	17.63
	Veterans Agent	35.33
F	MISCELLANEOUS POSITIONS	ANNUAL
	Assistant Health Agent PT	7706
	Board of Health Physician PT	6740
	Burial Agent	1062
	Board of Registrars Chairperson	2785
	Board of Registrars Members PT (2)	2228
	Fair Housing Director PT	2121
	Foreign Language Translator	575
	Inspector of Animals	2469
	Municipal Hearings Officer	2866
	Pest Control Officer PT	3340
	Sealer of Weights and Measures	8550

G	ELECTION WORKERS	STIPEND
	Wardens and Clerks	200
	Deputies	175
	Checkers Full Day	150
	Checkers ½ Day	100
	Election Custodian (per day)	165

H	CLERKS, VARIOUS BOARDS AND COMMITTEES (PT)	ANNUAL
	Clerk, Finance Committee	7957
	Unclassified	6944
	Minutes Recorder/Board of Selectmen	5953
	Clerk, Personnel Board	4961
	Clerk, Planning Board	4961
	Clerk, Conservation Commission	3968
	Clerk, School Building Com. (temp)	3968
	Minutes Recorder, Library Building Committee	3968
	Clerk, Board of Health	2975
	Clerk, Capital Improvement Committee	2975
	Clerk, Vernon Grove Cemetery Trustees	2975
	Clerk, Registrars of Voters	1983
	Clerk, Park Commission	1983
	Clerk, Zoning Board of Appeals	1983
	Minutes Recorder/Capital Improvement Committee	1983
	Minutes Recorder/Industrial Development Committee	1983
	Minutes Recorder/Library Board of Trustees	973

PT: Part Time, FT: Full Time, PPT: Permanent Part Time

Upon the effective date hereof, salaried or hourly rated employees 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, 2017. Thereafter, step movements shall be on an annual basis.

(Personnel Board)

A Motion was made to Waive the Reading of the Article because the text is the same as it appears in the Warrant. Voice Vote Carried to Waive the Reading of the Article.

It was Moved: That the Town 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, 2017, as follows:

A POSITION LEVELS – SALARIED POSITIONS

LEVELS	POSITION TITLE
I	Assistant Town Counsel Community Development Director

- II Facilities Director
Network Administrator
Town Accountant
Benefits Coordinator
Tax Collector
Town Treasurer*

- III IT Manager
Highway Supervisor
Senior Center Director
Town Planner
Assessor/Administrator
Building Commissioner
Parks and Recreation Administrator
Police Lieutenant
Health Agent

- IV Town Engineer
Director, Sewer Operations
Finance Director*
Deputy Police Chief

- V Town Counsel*
Town Administrator*
Police Chief*
Fire Chief*

*denotes contract

B COMPENSATION SCHEDULE – SALARIED POSITIONS

STEP	LEVELS:	I	II	III	IV	V
1		50,298	60,042	61,958	70,958	89,558
2		53,352	63,687	65,720	75,266	94,996
3		56,406	67,333	69,481	79,574	100,433
4		59,460	70,978	73,243	83,883	105,871
5		62,513	74,623	77,004	88,191	111,308
6		65,567	78,269	80,766	92,499	116,746
7		68,621	81,914	84,527	96,807	122,183
8		71,675	85,560	88,269	101,115	127,621

B1 COMPENSATION SCHEDULE – “MAXED” SALARIED POSITIONS

<u>LABOR GRADE</u>	<u>SALARY</u>	<u>POSITION TITLE</u>	<u>EMPLOYEE NAME</u>
III (FY-17 -\$89,480)	90,375	Health Agent	Paul Mazzuchelli
III	89,152	Police Lieutenant	James Falvey
III	89,152	Town Planner	Larry Dunkin

C POSITION LEVELS – HOURLY RATED POSITIONS

LEVELS	POSITION TITLE
--------	----------------

- I
 - Clerk, Community Development PT/FT
 - Clerk/Receptionist, Senior Center
 - Jr. Building Custodian
 - Legal Secretary
 - Planning Assistant
 - Van Driver/Senior Center
 - Volunteer Services Coordinator/Senior Center

- II
 - Admin. Services Coordinator
 - Adm. Asst. to Town Administrator
 - Asst. Animal Control Officer
 - Admin. Asst. to Senior Ctr. Director
 - Asst. Director, Youth Center
 - Asst. Zoning Enforcement Officer PT/FT
 - Asst. to Fire Chief
 - Asst. to Police Chief
 - Client Services Coordinator/Senior Ctr. PT
 - Deputy Wiring Inspector
 - Deputy Plumbing/Gas Inspector
 - Dispatcher PT
 - Health Inspector FT
 - Health Inspector PT
 - Lister/Data Collector
 - Local Building Inspector PT
 - Outreach Coordinator/Senior Ctr. PT
 - Paralegal/Legal Assistant
 - Plumbing/Gas Inspector
 - Program Coordinator/Community Development PT/FT
 - Program Coordinator/Senior Center PT
 - Property Rehab. Specialist/Community Development PT
 - Senior Custodian
 - Technology Support Technician
 - Transportation Coordinator/Senior Center
 - Wiring Inspector

- III
 - Animal Control Officer
 - Asst. Town Accountant
 - Asst. Town Treasurer
 - Financial Analyst PT
 - Maintenance Supervisor
 - Youth Center Director

D COMPENSATION SCHEDULE – HOURLY RATED POSITIONS

STEP	LEVELS	<u>I</u>	<u>II</u>	<u>III</u>
1		17.36	21.69	22.80
2		18.30	22.86	24.03
3		19.24	24.04	25.26
4		20.18	25.21	26.49
5		21.12	26.39	27.72
6		22.06	27.56	28.95
7		23.00	28.73	30.18
8		23.93	29.91	31.41

D1 COMPENSATION SCHEDULE – “MAXED” HOURLY RATED POSITIONS

<u>LABOR GRADE</u>	<u>HOURLY SALARY</u>	<u>POSITION TITLE</u>	<u>EMPLOYEE NAME</u>
I	24.17	Jr. Building Custodian	Paul Boisclair
I	24.17	Jr. Building Custodian	Burton Cormier
I	24.17	Jr. Building Custodian	Domingos Pinto

E	HOURLY NON-RATED POSITIONS	PER HOUR
	Assistant Pool Manager PT	16.64
	Call Firefighter \$100 Stipend (plus)	14.05
	Cemetery Groundskeeper	17.63
	Cemetery Working Foreman	24.28
	Clerk of Works/Senior Center PT (temporary)	26.55
	Clerks/Seasonal – All Departments	17.63
	Clerks/Substitute – All Departments	17.63
	Dental Health Specialist	17.63
	Highway Seasonal Heavy Equipment Operator	27.88
	Highway Seasonal Light Equipment Operator	24.15
	Laborers/Seasonal PT: Parks, Cemetery, Other	11.10
	Matrons/Police	17.63
	Milford Youth Center: Activities Supervisor PT	11.00
	Milford Youth Center: Activities Facilitator PT	12.48
	Milford Youth Center Concession Equipment Monitor PT	11.00
	Milford Youth Center: Front Desk Monitor PT	11.00
	Milford Youth Center: Health Coordinator PT	20.26
	Milford Youth Center: Program Coordinator FT	18.74
	Milford Youth Center: Program Facilitator PT	12.48
	Milford Youth Center: Seasonal Camp Counselor	11.00
	Milford Youth Center: Summer Camp Counselor	17.00
	Mosquito Spray Applicator/Control	17.01
	Pool Lifeguard PT	15.03
	Pool Manager PT	17.96
	School Nurse PT	18.94
	Soil Testing Assistant	15.66
	Student Police Officer	23.04
	Transfer Station Attendant	17.01
	Transfer Station Supervisor	17.63
	Veterans Agent	35.33
F	MISCELLANEOUS POSITIONS	ANNUAL
	Assistant Health Agent PT	7706
	Board of Health Physician PT	6740
	Burial Agent	1062
	Board of Registrars Chairperson	2785
	Board of Registrars Members PT (2)	2228
	Fair Housing Director PT	2121
	Foreign Language Translator	575
	Inspector of Animals	2469
	Municipal Hearings Officer	2866
	Pest Control Officer PT	3340
	Sealer of Weights and Measures	8550
G	ELECTION WORKERS	STIPEND
	Wardens and Clerks	200
	Deputies	175
	Checkers Full Day	150
	Checkers ½ Day	100

H	CLERKS, VARIOUS BOARDS AND COMMITTEES (PT)	ANNUAL
	Clerk, Finance Committee	7957
	Unclassified	6944
	Minutes Recorder/Board of Selectmen	5953
	Clerk, Personnel Board	4961
	Clerk, Planning Board	4961
	Clerk, Conservation Commission	3968
	Clerk, School Building Com. (temp)	3968
	Minutes Recorder, Library Building Committee	3968
	Clerk, Board of Health	2975
	Clerk, Capital Improvement Committee	2975
	Clerk, Vernon Grove Cemetery Trustees	2975
	Clerk, Registrars of Voters	1983
	Clerk, Park Commission	1983
	Clerk, Zoning Board of Appeals	1983
	Minutes Recorder/Capital Improvement Committee	1983
	Minutes Recorder/Industrial Development Committee	1983
	Minutes Recorder/Library Board of Trustees	973

PT: Part Time, FT: Full Time, PPT: Permanent Part Time

Upon the effective date hereof, salaried or hourly rated employees 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, 2017. Thereafter, step movements shall be on an annual basis.

Voice Vote taken on Motion as Presented...Carried Unanimously

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 18

Highway Surveyor	\$97,042.00
Town Clerk	\$82,665.00
Assessor (Chairman)	\$7,806.00
Assessor (Members)	\$6,996.00
Tree Warden	\$6,737.00
Selectmen (Chairman)	\$8,895.00
Selectmen (Members)	\$7,903.00
Vernon Grove Trustee (Clerk)	\$3,784.00
Board of Health (Chairman)	\$2,547.00
Board of Health (Members)	\$2,225.00
Sewer Commissioner (Chairman)	\$2,547.00
Sewer Commissioner (Members)	\$2,225.00
Park Commissioner (Chairman)	\$2,547.00
Park Commissioner (Members)	\$2,225.00

Planning Board (Chairman)	\$2,547.00
Planning Board (Members)	\$2,225.00
Moderator	\$2,448.00

(Board of Selectmen)

It was Moved: 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:

	FY 18
Highway Surveyor	\$97,042.00
Town Clerk	\$82,665.00
Assessor (Chairman)	\$7,806.00
Assessor (Members)	\$6,996.00
Tree Warden	\$6,737.00
Selectmen (Chairman)	\$8,895.00
Selectmen (Members)	\$7,903.00
Vernon Grove Trustee (Clerk)	\$3,784.00
Board of Health (Chairman)	\$2,547.00
Board of Health (Members)	\$2,225.00
Sewer Commissioner (Chairman)	\$2,547.00
Sewer Commissioner (Members)	\$2,225.00
Park Commissioner (Chairman)	\$2,547.00
Park Commissioner (Members)	\$2,225.00
Planning Board (Chairman)	\$2,547.00
Planning Board (Members)	\$2,225.00
Moderator	\$2,448.00

Voice Vote on Motion as Presented...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, 2017, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote to 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 shall 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 meeting shall consider the items which have been removed from the report by taking up each line item individually.

A Motion was made to Waive the reading of Article 4/Finance Committee Report because it is the same as the Finance Committee Report that was given to each Town Meeting Member...Voice Vote taken on Motion to Waive Reading...Carried.

The Moderator asked if any Town Meeting Members wished to remove any items from the report...no one asked to remove any items.

(insert Finance Committee Report for Article 4)

And further of the total of \$98,954,326 as above, \$4,070,439 shall be raised from the Sewer Enterprise Fund; and further the following amounts be transferred from certain line items above to the accounts listed as set forth below:

TRANSFER FROM	TRANSFER TO	AMOUNT
Other Insurance 194-5740	Liability Claims 8501-4971	\$ 87,000
Sewer Liability Insurance 440-5740	Liability Claims 8501-4975	\$ 49,901
On-Street Parking 425-5740	Municipal Building Fund 8500-4971	\$ 400
Employee Health Liability 914-5176	OPEB Liability Fund 8475-4971	\$ 600,000

A Voice Vote was taken on the Motion as Presented...Carried Unanimously.

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, 2017 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 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, 2017 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.

The Moderator announced that this required a 2/3rd Vote and he will take a Voice Vote unless the Voice Vote is not Unanimous; in that case he would take a Standing Vote.

Voice Vote on Motion as Presented...Carried Unanimously.

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)

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

Voice Vote on Motion as Presented...Carried.

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 2018, 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 vote to authorize the Board of Selectmen to expend from funds received by the Town as fines for parking violations during Fiscal Year 2018, 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 Unanimously.

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 2018 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 vote authorize the Town Treasurer and/or Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2018 pursuant to Chapter 44, Section 53F of the General Laws.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 9: To see if the Town will vote for Fiscal Year 2018, 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 vote for Fiscal Year 2018, 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.

Voice Vote on Motion as Presented...Carried Unanimously.

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 2018 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 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 2018 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 on Motion as Presented...Carried Unanimously.

ARTICLE 11: 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)

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

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 12: 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 vote to transfer the sum of \$7,348.85 from the Excess and Deficiency Account, said sum being 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.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 13: To see if the Town will vote to amend the General By-Laws of the Town by adding a new section to establish and authorize revolving funds for use by certain Town

Departments, Boards, Committees, Agencies or Officers under Massachusetts General Laws Chapter 44, Section 53E ½, or take any other action in relation thereto.

(Various Departments)

A Motion was made to Waive the Reading of the Article because the wording is the same as it appears in the report given to all Town Meeting Members. A Voice Vote was taken on Motion to Waive the Reading...Carried.

It was Moved: That the Town vote to amend the General By-Laws of the Town by adding a new Article 38 as follows:

ARTICLE 38

DEPARTMENTAL REVOLVING FUNDS

1. **Purpose:** This By-Law establishes and authorizes revolving funds for use by town departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E ½.
2. **Expenditure Limitations:** A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:
 - A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 - B. No liability shall be incurred in excess of the available balance of the fund.
 - C. The total amount spent during a fiscal year shall not exceed the amount authorized by Annual Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and Finance Committee.
3. **Interest:** Interest earned on monies credited to a revolving fund established by this By-Law, shall be credited to the general fund.
4. **Procedures and Reports:** Except as provided in General Laws Chapter 44, § 53E ½ and this By-Law, the laws, charter provisions, By-Laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this By-Law. The Town Accountant shall include a statement on the collections credited to the fund, the encumbrances and expenditures charged to each fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency or officer on appropriations made for its use.
5. **Authorized Revolving Funds.** The Table which follows establishes:
 - A. Each revolving fund authorized for use by a town department, board, committee, agency or officer,
 - B. The department of agency head, board, committee or officer authorized to spend from each fund,

- C. The fees, charges and other monies charges and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant,
- D. The expenses of the program or activity for which each fund may be used,
- E. Any restrictions or conditions on expenditures from each fund;
- F. Any reporting or other requirements that apply to each fund, and
- G. The fiscal years each fund shall operate under this by-law.

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Revolving Fund	Department, board, committee, agency or officer authorized to spend from fund	Fees, Charges or other Receipts credited to fund	Program or Activity Expense Payable from Fund	Fiscal Years & Spending Limits
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	Fiscal Year 2018 and subsequent years. Spending Limit for 2018 \$16,000
Lost or Damaged Library Property	Library Trustees	Restitution for Damages to and loss of Library property	Replacement of lost or damaged property	Fiscal Year 2018 and subsequent years. Spending Limit for 2018 \$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	Fiscal Year 2018 and subsequent years. Spending Limit for 2018 \$40,000
Youth Commission Operations	Youth Commission	Receipts, grants & gifts derived from the Operations of the Youth Commission	For the activities of and to defray the cost of providing youth activities and service	Fiscal Year 2018 and subsequent years. Spending Limit for 2018 \$150,000
North Purchase Cemetery	Park Commission	Receipts from the operation of the North Purchase Cemetery	To be spent as necessary for the operations of the Cemetery	Fiscal Year 2018 and subsequent years. Spending Limit for 2018 \$10,000
Commission on Disability Activities	Commission on Disabilities	All receipts, grants & gifts from the operation of the	To fund the activities and to defray the costs of providing services	Fiscal Year 2018 and subsequent years. Spending Limit for 2018 \$5,000

		Commission on Disabilities		
--	--	----------------------------	--	--

Voice Vote on Motion as Presented...Carried.

ARTICLE 14: To see if the Town will vote to amend Article 26 of the General By-Laws of the Town, entitled “Tax Payments as License etc. Condition”, by adding after the word “annually” within Section 1 the words “, and may periodically,”; and further, in said Section 1, to strike the phrase “for not less than 12-month period”, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote to amend Article 26 of the General By-Laws of the Town, entitled “Tax Payments as License etc. Condition”, by adding after the word “annually” within Section 1 the words “, and may periodically,”; and further, in said Section 1, to strike the phrase “for not less than 12-month period”

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 15: To see if the Town will vote to accept the provisions of Section 193 of Chapter 218 of the Acts of 2016 allowing the Town to reduce the statutory speed limit from 30 mph to 25 mph on any and all Town owned roadways within a thickly settled or business district, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote to accept the provisions of Section 193 of Chapter 218 of the Acts of 2016 allowing the Town to reduce the statutory speed limit from 30 mph to 25 mph on any and all Town owned roadways within a thickly settled or business district.

Voice Vote on Motion as Presented...Carried.

ARTICLE 16: To see if the Town will vote to accept the provisions of Section 194 of Chapter 218 of the Acts of 2016 allowing the Town to reduce the statutory speed limit from 30 mph to 20 mph in Safety Zones on any and all Town owned roadways within a thickly settled or business district, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote to accept the provisions of Section 194 of Chapter 218 of the Acts of 2016 allowing the Town to reduce the statutory speed limit from 30 mph to 20 mph in Safety Zones on any and all Town owned roadways within a thickly settled or business district.

Voice Vote on Motion as Presented...Carried.

ARTICLE 17: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for Special Legislation amending the Act Establishing Representative Town Meetings, being Chapter 271 of the Acts of 1933, as amended, in the following fashion:

Be it enacted, etc.

Section 1. Section 3 of Chapter 271 of the Acts of 1933, as amended, is further amended by inserting in the first sentence of Section 3 after the words “town accountant,” the words “town administrator and finance director”.

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

(Board of Selectmen)

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

Be it enacted, etc.

Section 1. Section 3 of Chapter 271 of the Acts of 1933, as amended, is further amended by inserting in the first sentence of Section 3 after the words “town accountant,” the words “town administrator and finance director”.

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

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen to seek proposals in accordance with the provisions of Chapter 30B, Section 16 of the General Laws looking towards reuse through sale or lease of the former East Main Street School building located at 45 Main Street and shown on Assessors Sheet 41 as Lot 7A and further to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as necessary to sell or lease such parcel, and to set a minimum price for any sale, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote to authorize the Board of Selectmen to seek proposals in accordance with the provisions of Chapter 30B, Section 16 of the General Laws looking towards reuse through sale or lease of the former East Main Street School building located at 45 Main Street and shown on Assessors Sheet 41 as Lot 7A and further to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as necessary to sell or lease such parcel, and to set a minimum price for any sale.

The Town Moderator explained that a 2/3rd vote is required and that he will take a voice vote unless the voice vote is not unanimous, and then in that case a standing vote will be taken.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be utilized by the Milford Industrial Development Commission for consultant services to analyze the role and efficacy of said Commission and make any appropriate recommendations, or take any other action in relation thereto.

(Industrial Development Commission/Board of Selectmen)

It was Moved: That the Town vote to transfer the sum of \$18,000 from the Excess and Deficiency Account, said sum to be utilized by the Milford Industrial Development Commission for consultant services to analyze the role and efficacy of said Commission and make any appropriate recommendations.

Voice Vote on Motion as Presented...Carried.

ARTICLE 20: To see if the Town will vote to accept the provisions of Section 108P of Chapter 41 of the General Laws, which section provides for additional compensation for certain Treasurers and/or Tax Collectors, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote to accept the provisions of Section 108P of Chapter 41 of the General Laws, which section provides for additional compensation for certified Treasurers and/or Tax Collectors.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 21: To see if the Town will vote to amend Section 2.3 Use Regulation Schedule of the Zoning Bylaw relating to Residential Animals as noted hereinafter:

2.3 Use Regulation Schedule

DISTRICT

ACTIVITY OR USE RA RB RC RD OR BP CA CB CC IA IB IC

ACCESSORY USES

Residential animals A A A O O O A A A A O

or take any other action related thereto.

(Planning Board)

A motion was made to waive the reading of the Article because the text is the same as it appears in the warrant. Voice Vote taken on the Motion to Waive the Reading...Carried.



OFFICE OF PLANNING
AND ENGINEERING

TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

Larry L. Dunkin, AICP
Town Planner

May 2, 2017

Patrick J. Kennelly, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

RE: Article 21 - Zoning Amendment - Residential Animals

Dear Mr. Chairman:

Article 21 of the May 22, 2017 Annual Town Meeting Warrant is a Planning Board sponsored zoning amendment relating to Residential Animals.

Article 21 seeks to prohibit “residential animals” within the RA General Residential zoning district. Residential Animals are currently defined in the Zoning Bylaw as “the keeping of animals or fowl is an accessory use to a single-family or two-family residence”, and anything more than “three dogs or three cats.” Up to three dogs or three cats, or any household pet which is normally kept within a dwelling unit not considered Residential Animals.

The RA zone is located in the older neighborhoods of town, and is characterized by two-family and nonconforming multi-family homes on small lots. Given the density and compactness of the typical RA neighborhood, the Planning Board believes the keeping of animals beyond just household pets detracts from the quality of life within those tightly developed areas.

Residential Animals will still be allowed by Special Permit in all other residential districts.

Therefore, I recommend the Board approve Article 21 as printed in the Warrant and forward same to Town Meeting.

Respectfully,
Larry L. Dunkin, AICP
Town Planner

During debate a Point of Order was called by William Sanborn, Pr. 2.

A Motion was Made to Move the Question...A Standing Vote was taken... 109 For ...56 Against. 2/3rd Vote was not obtained... Debate continued.

It was Moved: That the Town vote to amend Section 2.3 Use Regulation Schedule of the Zoning Bylaw relating to Residential Animals as noted hereinafter:

2.3 Use Regulation Schedule

DISTRICT														
ACTIVITY OR USE	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC		
<u>ACCESSORY USES</u>														
Residential animals	<input checked="" type="checkbox"/>	A	A	A	O	O	O	A	A	A	A	O		

A Standing Vote was taken on Motion as Presented...59 For...110 Against...Motion Defeated.

ARTICLE 22: To see if the Town will vote to amend the Zoning By-Law by striking the last sentence of the definition of “Residential Animals” within Section 4.1 of said By-Law and replacing that sentence with the following:

“Residential Animals shall not include three (3) dogs, three (3) cats, four (4) hens or chicks, or any household pet which is normally kept within a dwelling unit”.

or take any other action in relation thereto.

(Michael Soares)



OFFICE OF PLANNING
AND ENGINEERING

TOWN OF MILFORD
52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

Larry L. Dunkin, AICP
Town Planner

May 2, 2017

Patrick J. Kennelly, Chairman
Milford Planning Board

52 Main Street
Milford, MA 01757

RE: Article 22 - Zoning Amendment – Residential Animals

Dear Mr. Chairman:

Article 22 of the May 22, 2017 Annual Town Meeting Warrant is a petitioner sponsored zoning amendment relating to Residential Animals.

Article 22 seeks to alter the definition of Residential Animals by adding chickens to the definition. The existing definition of Residential Animals is as follows:

“Animals or birds kept and maintained for the private use of the permanent residents of single-family or two-family residential property, upon the issuance of a special permit by the Board of Appeals after a specific finding that the keeping of such animals or fowl will not cause any discernible inconvenience or annoyance to abutters, and after a specific finding that the keeping of such animals or fowl is an accessory use to a single-family or two-family residence. Residential Animals shall not include three dogs or three cats, or any household pet which is normally kept within a dwelling unit.”

The amendment would add the words “four (4) hens or chicks” to the list in the last sentence. It would have the effect of short-circuiting the Special Permit process that requires a public hearing and abutter notification, since the long-standing practice has been to forward requests for the keeping of chickens to the Zoning Board of Appeals for their approval.

Also, the Animal Control Officer has noted a number of concerns on this issue in a 2-15-17 memo to the Town Administrator, which is attached for your reference.

Therefore, I recommend the Board deny Article 22 and forward an unfavorable report to Town Meeting.

Respectfully,

Larry L. Dunkin, AICP
Town Planner

During Debate a Motion was made to Move the Question... a Standing Vote was taken...154 For...4 Against...Motion to Move Question Carried.

It was Moved: That the Town vote to amend the Zoning By-Law by striking the last sentence of the definition of “Residential Animals” within Section 4.1 of said By-Law and replacing that sentence with the following:

“Residential Animals shall not include three (3) dogs, three (3) cats, four (4) hens or chicks, or any household pet which is normally kept within a dwelling unit”.

A Standing Vote was taken on Motion as Presented...81 For...83 Against...Motion Defeated.

ARTICLE 23: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money in the amount of \$125,000 to be spent under the jurisdiction of the Highway Surveyor for consulting services to complete the 100% engineering design drawings, plans and specifications associated with the Route 16/Main Street rebuilding project from Water Street to the Hopedale town line, or take any other action in relation thereto.

(Highway Surveyor)

It was Moved: That the Town vote to transfer the sum of \$125,000 from the Excess and Deficiency Account, said sum to be spent under the jurisdiction of the Highway Surveyor for consulting services to complete the 100% engineering design drawings, plans and specifications associated with the Route 16/Main Street rebuilding project from Water Street to the Hopedale town line,

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 24: To see if the Town will vote to raise and appropriate or transfer a sum of money from available funds to be utilized together with funds available under Article 16 of the October 21, 2013 Special town Meeting, thereafter supplemented, for purposes of retaining consultants and other expert services to evaluate, and represent the Towns interest in acquisition of the Milford Water Company and to effectuate any final agreement to transfer the Milford Water Company and its assets to the Town of Milford , or take any other action in relation thereto.

(Board of Selectmen/Legal Department)

During debate a Motion was Made to Move the Question... 146 For...22 Against...Motion to Move the Question Carried.

It was Moved: That the Town vote to raise and appropriate or transfer a sum of money from available funds to be utilized together with funds available under Article 16 of the October 21, 2013 Special town Meeting, thereafter supplemented, for purposes of retaining consultants and other expert services to evaluate, and represent the Towns interest in acquisition of the Milford Water Company and to effectuate any final agreement to transfer the Milford Water Company and its assets to the Town of Milford

Voice Vote was taken on Motion as Presented...Carried.

ARTICLE 25: To see if the Town will vote to discontinue, as a public way, and in accordance with G.L. c. 82, Section 21, a portion of the Park Terrace right-of-way as shown on the “Discontinuance Plan of Park Terrace Milford, MA Scale 1”=5’ Date: February 24, 2017, Guerriere & Halnon Inc., Engineers and Land Surveying 333 West Street, Milford, MA”; said area to be discontinued being shown more particularly as containing 43 sq. ft. on said plan and being bounded and described as follows:

Beginning at a point on the Easterly side of Main Street and the Southerly side of Park Terrace at the Northwesterly corner of land now or formerly of Milford Downtown LLC as depicted on the aforementioned plan:

- Thence North 36 degrees 38 minutes 21 seconds East 0.50 feet to a point;
- Thence South 53 degrees 21 minutes 39 seconds East 88.35 feet to a point at said Southerly line of Park Terrace at land of Milford Downtown LLC;
- Thence North 61 degrees 51 minutes 39 seconds West 3.38 feet to a point;
- Thence North 53 degrees 21 minutes 39 seconds West 85.00 feet to said point marking the place of beginning, the last two courses following said land of Milford Downtown LLC.

The herein described parcel, containing 43 square feet, is a portion of Park Terrace as accepted by the Town of Milford on March 12, 1915.

And further to see if the Town will vote to authorize the Board of Selectmen to transfer, upon such terms and conditions as it deems appropriate, any said discontinuance portion of Park Terrace as described in the aforesaid plan for a minimum price of not less than \$1.00 to the owners of land directly abutting, or take any other action in relation thereto.

(Board of Selectmen)

A Motion was made to Waive the reading of the Article because the text is the same as it appears in the Warrant. Voice Vote taken on Motion to Waive the Reading...Carried.

It was Moved: That the Town vote to discontinue, as a public way, and in accordance with G.L. c. 82, Section 21, a portion of the Park Terrace right-of-way as shown on the “Discontinuance Plan of Park Terrace Milford, MA Scale 1”=5’ Date: February 24, 2017, Guerriere & Halnon Inc., Engineers and Land Surveying 333 West Street, Milford, MA”; said area to be discontinued being shown more particularly as containing 43 sq. ft. on said plan and being bounded and described as follows:

Beginning at a point on the Easterly side of Main Street and the Southerly side of Park Terrace at the Northwesterly corner of land now or formerly of Milford Downtown LLC as depicted on the aforementioned plan:

- Thence North 36 degrees 38 minutes 21 seconds East 0.50 feet to a point;
- Thence South 53 degrees 21 minutes 39 seconds East 88.35 feet to a point at said Southerly line of Park Terrace at land of Milford Downtown LLC;
- Thence North 61 degrees 51 minutes 39 seconds West 3.38 feet to a point;
- Thence North 53 degrees 21 minutes 39 seconds West 85.00 feet to said point marking the place of beginning, the last two courses following said land of Milford Downtown LLC.

The herein described parcel, containing 43 square feet, is a portion of Park Terrace as accepted by the Town of Milford on March 12, 1915.

And further to see if the Town will vote to authorize the Board of Selectmen to transfer, upon such terms and conditions as it deems appropriate, any said discontinuance portion of Park Terrace as described in the aforesaid plan for a minimum price of not less than \$1.00 to the owners of land directly abutting.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 26: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be spent by the Vernon Grove Cemetery Trustees in order to replace the columbarium bronze markers for the niches at the Vernon Grove Cemetery, or take any other action in relation thereto.

(Vernon Grove Cemetery Trustees)

A Motion was Made by Jamie Luchini, Chairman of the Trustees of Vernon Grove Cemetery and Pr. 1 Member to Pass Over Article 26.

Voice Vote on Motion as Pass Over Article 26...Carried Unanimously.

ARTICLE 27: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be used to pay for operating costs, regular maintenance and repairs as well as any other items needed for the continued operation of the Middle School East Building, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote to raise and appropriate the sum of \$135,000, said sum to be used to pay for operating costs, regular maintenance and repairs as well as any other items needed for the continued operation of the Middle School East Building.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 28: To see if the Town will vote to accept the provisions of Clause Twenty-Second (G) of Section 5 of Chapter 59 of the General Laws which acceptance would allow property in Trust to meet the ownership requirements for veterans' exemptions and reduce the residency requirement from five years to one year, or take any other action in relation thereto.

(Board of Assessors)

It was Moved: That the Town vote to accept the provisions of Clause Twenty-Second (G) of Section 5 of Chapter 59 of the General Laws which acceptance would allow property in Trust to meet the ownership requirements for veterans' exemptions and reduce the residency requirement from five years to one year.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 29: To see if the Town will vote, in accordance with the third paragraph of General Laws Chapter 40, Section 3, to allow any balance remaining in an account for the upkeep of a

Town facility, at the close of the fiscal year, to remain in said account to be expended for the upkeep and maintenance of such facility under the control of a Board, Committee or Department of the Town, or take any other action in relation thereto.

(Board of Selectmen)

It was Moved: That the Town vote in accordance with the third paragraph of General Laws Chapter 40, Section 3, to allow any balance remaining in an account for the upkeep of a Town facility, at the close of the fiscal year, to remain in said account to be expended for the upkeep and maintenance of such facility under the control of a Board, Committee or Department of the Town.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 30: To see if the Town will vote to amend the Zoning By-Law by amending Section 3.9.12 so that the title shall read “Temporary and Portable Signs;” and further by adding the following sentence to Section 3.9.12.1:

“Notwithstanding the foregoing, each lot in such districts may at any time have one (1) portable sign per lot, inclusive of other temporary or portable signs permitted herein”.

or take any other action in relation thereto.

(Michael Soares)



OFFICE OF PLANNING
AND ENGINEERING

TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

Larry L. Dunkin, AICP
Town Planner

May 2, 2017

Patrick J. Kennelly, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

RE: Article 30 - Zoning Amendment – Temporary and Portable Signs

Dear Mr. Chairman:

Article 30 of the May 22, 2017 Annual Town Meeting Warrant is a petitioner sponsored zoning amendment relating to Temporary and Portable Signs.

Article 30 seeks to increase the number of temporary signs allowed in residential zones by adding “Portable Signs” to the title of Section 3.9.12 Temporary Signs. It would add language to Sub-Section 3.9.12.1 to allow one portable sign per lot in addition to all other permitted signs.

Town Meeting adopted the current Sign Section of the Zoning Bylaw by unanimous vote in May of 2016. The purpose of the current regulations is in part to specifically “avoid the proliferation of signs and minimize their adverse effect on nearby public and private property; to enhance economic development and the esthetic environment; to encourage the effective use of signs.” The proposed amendment works at cross purposes to the newly adopted Sign regulations, not only by introducing another sign type, but by increasing the number of signs being displayed in residential neighborhoods.

The amount of sign clutter in Milford has been dramatically reduced since the adoption of the current regulations. This amendment would result in a reversal of that progress. Therefore, I recommend the Board deny Article 30 and forward an unfavorable report to Town Meeting.

Respectfully,

Larry L. Dunkin, AICP
Town Planner

During debate a Motion was Made to Move the Question...152 For... 14 Against... Motion to Move the Question Carried.

It was Moved: That the Town vote to amend the Zoning By-Law by amending Section 3.9.12 so that the title shall read “Temporary and Portable Signs;” and further by adding the following sentence to Section 3.9.12.1:

“Notwithstanding the foregoing, each lot in such districts may at any time have one (1) portable sign per lot, inclusive of other temporary or portable signs permitted herein”.

A Standing Vote was taken on the Motion as Presented...76 For...79 Against...Motion Defeated.

ARTICLE 31: To see if the Town will vote to authorize the expenditure of the available balance in Fund 2696 Comcast Verizon PEG access account, for the purpose of performing upgrades in accordance with the PEG Access Agreements with the Town, or take any other action in relation thereto.

(School Committee)

It was Moved: That the Town vote to authorize the expenditure of \$150,000 of the available balance in Fund 2696 Comcast Verizon PEG access account, for the purpose of performing upgrades in accordance with the PEG Access Agreements with the Town.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 32: To see if the Town will vote to establish a Special Stabilization Fund for the purpose of reserving funds to pay expenses related to special education, as authorized by General Laws Chapter 40, Section 5B, or take any other action in relation thereto.

(School Committee)

It was Moved: That the Town vote to establish a Special Stabilization Fund for the purpose of reserving funds to pay expenses related to special education, as authorized by General Laws Chapter 40, Section 5B.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 33: 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 to be drunk on premises 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 to be drunk on the premises under section 12 of said Chapter 138, to Dee Zee, Inc.35 Anne Lane Pascoag, Rhode Island, d/b/a Trattoria, GiGi, for use in connection with premises situated at 198 East 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.

(Board of Selectmen)

A Motion was made to Waive the Reading of the Article because the text in the motion was the same as the text in the Warrant...Voice Vote to Waive the Reading... Carried.

It was Moved: That the Town 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 to be drunk on premises 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 to be drunk on the premises under section 12 of said Chapter 138, to Dee Zee, Inc. 35 Anne Lane Pascoag, Rhode Island, d/b/a Trattoria, GiGi, for use in connection with premises situated at 198 East 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.

Voice Vote on Motion as Presented...Carried Unanimously.

ARTICLE 34: To see if the Town will vote to amend the Zoning Bylaw relating to Marijuana Establishments as noted hereinafter:

BY ADDING in Article IV Definitions a definition for Marijuana Establishments as follows:

Marijuana Establishments – A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other marijuana-related business, but not to include a medical marijuana treatment center.

AND BY ADDING in Section 2.3 Use Regulation Schedule a reference to Marijuana Establishments as follows:

Section 2.3 Use Regulation Schedule

ACTIVITY OR USE	DISTRICT											
	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC
<u>OTHER PRINCIPAL USES</u>												
Marijuana Establishments ¹	O	O	O	O	O	O	O	O	S ²⁹	P ²⁹	P	P

²⁹ Marijuana Retailer only, but not to include a marijuana cultivator, marijuana testing facility, marijuana product manufacturer or other marijuana-related business, and not to include a medical marijuana treatment center.

or take any other action in relation thereto.

(Planning Board)

A Motion was made to Waive the Reading of the Motion because the text is the same as it appears in the Warrant...Voice Vote to Waive the Reading...Carried.



OFFICE OF PLANNING
AND ENGINEERING

TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

Larry L. Dunkin, AICP
Town Planner

May 2, 2017

Patrick J. Kennelly, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

RE: Article 34 - Zoning Amendment - Marijuana Establishments

Dear Mr. Chairman:

Article 34 of the May 22, 2017 Annual Town Meeting Warrant is a Planning Board sponsored zoning amendment relating to Marijuana Establishments.

Specifically, Article 34 provides a new definition for Marijuana Establishments as “a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other marijuana-related business, but not to include a medical marijuana treatment center.”

The amendment also provides for Marijuana Establishments as of right within the Commercial C and all three Industrial zoning districts. It provides for such uses generally within the CB Commercial zones, but only by special permit.

In addition, Article 34 would further limit Marijuana Establishments within the CB and CC Commercial zones to retail sales only, and would prohibit Marijuana Establishments altogether within the downtown CA Commercial zone.

Therefore, I recommend the Board approve Article 34 as printed in the Warrant and forward same to Town Meeting.

Respectfully,

Larry L. Dunkin, AICP
Town Planner

A Motion was made by William Buckley, Selectman, to Amend the Main Motion Under Article 34 to add the following proposed footnote 29:

“No Marijuana Retailer shall be located within 200 feet of a Residential Zone, dwelling unit, school, place of worship, church, park, playground, or youth center. Measurements to determine the 200’ separation shall be taken from property lines. Where a portion of the lot is within required separation, the entire lot shall be considered to be within the required separation.”

After debate a Motion was made to Move the Question on the Proposed Amendment to the Motion...a Standing Vote was Taken...151 For...7 Against...Motion to Move the Question on Amendment Carried.

A Voice Vote was taken on Accepting the Amendment to the Motion as Presented...Carried.

A Motion was made to allow Amy Leone to address the meeting...no one spoke in opposition.

William Sanborn (Pr. 2) presented a slide show.

It was Moved: That the Town vote to amend the Zoning Bylaw relating to Marijuana Establishments as noted hereinafter:

BY ADDING in Article IV Definitions a definition for Marijuana Establishments as follows:

Marijuana Establishments – A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other marijuana-related business, but not to include a medical marijuana treatment center.

AND BY ADDING in Section 2.3 Use Regulation Schedule a reference to Marijuana Establishments as follows:

Section 2.3 Use Regulation Schedule

ACTIVITY OR USE	DISTRICT												
	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC	
<u>OTHER PRINCIPAL USES</u>													
Marijuana Establishments ¹	O	O	O	O	O	O	O	S ²⁹	P ²⁹	P	P	P	

²⁹ Marijuana Retailer only, but not to include a marijuana cultivator, marijuana testing facility, marijuana product manufacturer or other marijuana-related business, and not to include a medical marijuana treatment center. No Marijuana retailer shall be located within 200 feet of a Residential Zone, dwelling unit, school, place of worship, church, park, playground, or youth center. Measurements to determine the 200’ separation shall be taken from property lines. Where a portion of the lot is within required separation, the entire lot shall be considered to be within the required separation.

A Standing Vote was Taken on Final Motion as Amended...139 For...15 Against...the Necessary 2/3rd Vote was Acquired...Motion Carried.

ARTICLE 35: To see if the Town will vote to revoke its acceptance of the provisions of the Massachusetts General Laws placing the Town of Milford Police Department under Civil Service Law, G.L. c. 31 which civil service status was accepted by vote of the 1925 annual town meeting; and further, such revocation of acceptance, in accordance with G.L. c. 4, § 4B(e) not to affect the civil service rights of any employee of the Milford Police Department entitled thereto prior to vote under this article, or take any other action in relation thereto.

(Chief of Police/Board of Selectmen)

Thomas O'Loughlin, Police Chief and Pr. 5 Member spoke on the Motion of Article 35 and Robert Tusino, Union Representative for Milford Police Department asked for permission to speak on the Motion of Article 35, no one spoke in opposition.

It was Moved: That the Town vote to revoke its acceptance of the provisions of the Massachusetts General Laws placing the Town of Milford Police Department under Civil Service Law, G.L. c. 31 which civil service status was accepted by vote of the 1925 annual town meeting; and further, such revocation of acceptance, in accordance with G.L. c. 4, § 4B(e) not to affect the civil service rights of any employee of the Milford Police Department entitled thereto prior to vote under this article

Voice Vote on Motion as Presented...Carried.

ARTICLE 36: To see if the Town will vote to authorize the Board of Selectmen to petition the legislature for special legislation to authorize appointed water commissioners in Milford, which legislation will provide substantially as follows:

Be it enacted, etc., as follows

Section 1. Notwithstanding the provisions of any general or special law to the contrary, and in particular Section 39A of Chapter 40 of the General Laws, at such time as the Town of Milford shall acquire the corporate property and all rights and privileges of the Milford Water Company in accordance with Section 9 of St. 1881, chapter 77, the Board of Selectmen may appoint a three (3) person Board of Water Commissioners, which Board is empowered to act as a board of water commissioners under the aforesaid Section 39A, and which board shall have all of the powers duties and responsibilities of a board of water commissioners thereunder or under the provisions of any other applicable law, until water commissioners have been elected as provided in said Section 39A.

Section 2. Notwithstanding sections 108A and 108C of Chapter 41 of the General Laws, and any By-Law adopted under those sections, the Board of Water Commissioners may establish an employment contract with a Water Department Manager 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 in that section.

Section 3. This Act shall take effect upon its passage.
or take any other action in relation thereto.

(Board of Selectmen)

A Motion was made to Waive the Reading of the Article because the text is the same as it appears in the Warrant....Voice Vote on the Motion to Waive the Reading...Carried.

It was Moved: That the Town vote to authorize the Board of Selectmen to petition the legislature for special legislation to authorize appointed water commissioners in Milford, which legislation will provide substantially as follows:

Be it enacted, etc., as follows

Section 1. Notwithstanding the provisions of any general or special law to the contrary, and in particular Section 39A of Chapter 40 of the General Laws, at such time as the Town of Milford shall acquire the corporate property and all rights and privileges of the Milford Water Company in accordance with Section 9 of St. 1881, chapter 77, the Board of Selectmen may appoint a three (3) person Board of Water Commissioners, which Board is empowered to act as a board of water commissioners under the aforesaid Section 39A, and which board shall have all of the powers duties and responsibilities of a board of water commissioners thereunder or under the provisions of any other applicable law, until water commissioners have been elected as provided in said Section 39A.

Section 2. Notwithstanding sections 108A and 108C of Chapter 41 of the General Laws, and any By-Law adopted under those sections, the Board of Water Commissioners may establish an employment contract with a Water Department Manager 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 in that section.

Section 3. This Act shall take effect upon its passage

Voice Vote on Motion as Presented...Carried Unanimously.

Kathryn Mastroianni, Pr. 4 announced that she Doubted the Quorum.

The Town Moderator announced for the Precinct Captains to take attendance to see if there was still a Quorum to be able to continue with the Town Meeting.

The Captains reported 122 Town Meeting Members still Present.

The Quorum was Not Obtained.

A Motion was made to Adjourn the Annual Town Meeting until Wednesday, May, 24, 2017 at 7:30 p.m.

A Voice Vote was taken on Motion to Adjourn the Annual Town Meeting...Carried.

The Meeting Adjourned at 12:40 a.m. on May 23, 2017.

A True Copy of the Record.

Attest: Amy E. Hennessy Neves, Town Clerk