

**ANNUAL TOWN MEETING
and SPECIAL TOWN MEETING**

May 18, 2015

Milford, Massachusetts

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS:

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

GREETINGS:

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

Town Moderator, Michael J. Noferi called the meeting to order at 7:30 pm. The quorum was set at 128 members.

Town Clerk, Amy E. Hennessy Neves swore in newly elected and re-elected members present that were elected at the April 7, 2015 Town Election.

The Precinct Captains took attendance and reported 155 Present and 103 Absent, a quorum was attained.

Town Clerk, Amy E. Hennessy Neves read the Annual Town Meeting Warrant and Return of Service.

Town Moderator, Michael Noferi asked if there were any Resolutions to present.

RESOLUTION

WHEREAS, the citizens of Milford have learned, with great sorrow and deep regret, of the passing of Patricia A. Genoa;

WHEREAS, Patricia A. Genoa was for many years an elected member of the Town Meeting;

WHEREAS, Patricia A. Genoa served this community faithfully and unselfishly as a loyal and sincere citizen;

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

Respectfully submitted,

MILFORD BOARD OF SELECTMEN

Atty. Brian W. Murray, Chairman

William D. Buckley

William E. Kingkade Jr.

May 18, 2015

RESOLUTION

WHEREAS, the citizens of Milford have learned, with great sorrow and deep regret, of the passing of Paul E. Curran;

WHEREAS, Paul E. Curran was for many years an elected member of the Town Meeting;

WHEREAS, Paul E. Curran 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

Atty. Brian W. Murray, Chairman

William D. Buckley

William E. Kingkade Jr.

May 18, 2015

A motion was made by Town Council Gerald Moody, to adjourn the Annual Town Meeting and to take up the two articles on the May 18, 2015 Special Town Meeting.

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

The Precinct Captains took attendance again and the Quorum was set at 128. Precincts Captains reported 161 Present and 91 Absent, a quorum was attained.

Town Clerk, Amy E. Hennessy Neves read the Special Town Meeting Warrant and Return of Service.

A motion was made to dispense the reading of the Special Town Meeting warrant...Voice Vote carried.

ARTICLE 1: To see if the Town will vote, pursuant to M.G.L. c. 40 §59, and M.G.L. c.23A, § 3E and § 3F, to approve a Tax Increment Financing Agreement between the Town and Consigli Construction Co. Inc. and Granite Building Realty, LLC. (collectively the “Company”), for property shown on Assessors Map 34, Lot 17D (the “TIF Agreement”), which TIF Agreement provides for real estate tax exemptions at the exemption rate schedule set forth therein and approve a Certified Project application submission to the Massachusetts Economic Assistance Coordinating Council (the “EACC”); and further to authorize the Board of Selectmen to execute the TIF Agreement, and approve submission to the EACC of the TIF Agreement and Certified Project application, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and to take such other actions as are necessary or appropriate to obtain approval of the TIF Agreement and Certified Project application, and related submissions and to take such other actions as necessary or appropriate to implement those documents; or take any other action relative thereto. (Board of Selectmen)

It was Moved: That the Town Vote , pursuant to M.G.L. c. 40 §59, and M.G.L. c.23A, § 3E and § 3F, to approve a Tax Increment Financing Agreement between the Town and Consigli Construction Co. Inc. and Granite Building Realty, LLC. (collectively the “Company”), for property shown on Assessors Map 34, Lot 17D (the “TIF Agreement”), which TIF Agreement provides for real estate tax exemptions at the exemption rate schedule set forth therein and approve a Certified Project application submission to the Massachusetts Economic Assistance Coordinating Council (the “EACC”); and further to authorize the Board of Selectmen to execute the TIF Agreement, and approve submission to the EACC of the TIF Agreement and Certified Project application, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and to take such other actions as are necessary or appropriate to obtain approval of the TIF Agreement and Certified Project application, and related submissions and to take such other actions as necessary or appropriate to implement those Documents.

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

ARTICLE 2: To see if the Town will vote to authorize the Board of Selectmen to utilize any unexpended balance of those funds transferred from the Excess and Deficiency Account under Article 18 of the May 19, 2014 Annual Town Meeting and any unexpended balance of those funds transferred from the Excess and Deficiency Account under Article 27 of the May 20, 2013 Annual Town Meeting for the purpose of procuring consultant services to produce engineering drawings, plans, and specifications along with grant writing associated with FY 2016 State and Federal grant applications, 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 utilize any unexpended balance of those funds transferred from the Excess and Deficiency Account under Article 18 of the May 19, 2014 Annual Town Meeting and any unexpended balance of those funds transferred from the Excess and Deficiency Account under Article 27 of the May 20, 2013 Annual Town Meeting for the purpose of procuring consultant services to produce engineering drawings, plans, and specifications along with grant writing associated with FY 2016 State and Federal grant applications.

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

A motion was made at 7:54 pm by Joseph DiAntonio to dissolve the Special Town Meeting.

Voice Vote was taken on Motion to dissolve the warrant...Carried.

Town Moderator made a Motion to resume with the Annual Town Meeting...Voice Vote taken on Motion to resume with the May 18, 2015 Annual Town Meeting...Carried.

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

A motion was made to dispense the reading of the warrant...Voice Vote carried.

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 Police Chief Town Accountant Town Administrator Town Counsel Town Treasurer
IV	Deputy Police Chief Town Engineer Town Planner
III	Building Commissioner Sewer Operations Director Information Technology Director Police Lieutenant
II	Assessor/Administrator 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 Asst. Town Accountant Asst. Town Treasurer Client Services Coord., Senior Ctr. Financial Analyst PT Maintenance Supervisor Youth Center Director
II	Admin. Services Coordinator Adm. Asst. to Town Administrator Asst. Animal Control Officer PT Adm. Assistant, Senior Center Asst. Director, Youth Center Asst. Zoning Enforcement Officer PT Assistant to Fire Chief Assistant to Police Chief Childcare Coordinator 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

<u>E. 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

CLASS	<u>CLERKS/VARIOUS COMMITTEES & 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)

A Motion was made by Town Council to waive the reading of the motion because it is the same as the handout given to all Town Meeting members...Voice Vote taken on motion to dispense the reading...Carried.

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>GRADE</u>	<u>POSITION TITLE</u>
8	Town Counsel
7	Police Chief
7	Fire Chief

6	Deputy Police Chief
6	Information Technology Director
6	Town Engineer
5	Police Lieutenant
5	Town Planner
5	Director of Sewer Operations
5	Assessor/Administrator
4	Health Agent
4	Building Commissioner
4	Town Accountant
3	Parks/Recreation Administrator
3	Community Development Director
3	Network Administrator
3	Benefits Coordinator
2	Senior Center Director
2	Asst. Town Counsel

B. Compensation Schedule – Salaried Positions

<u>GRADE:</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>
8	100183	103637	107091	110548	113998
7	93274	96728	100183	103637	107091
6	79453	82910	86364	89819	93274
5	72544	76001	79453	82910	86364
4	65636	69094	72544	76001	79453
3	60108	63562	67018	70474	73928
2	51818	55273	58727	62183	65636
1	37998	41456	44912	48366	51818

C. Position Grades - Hourly Rated Positions

<u>LEVEL</u>	<u>POSITION TITLE</u>
8	Asst. Town Treasurer
8	Director, Milford Youth Center
7	Asst. Town Accountant
7	Paralegal/Legal Assistant
6	Technology Support Technician
6	Animal Control Officer
6	Plumbing/Gas Inspector
6	Wiring Inspector
6	Local Building Inspector PT
6	Deputy Plumbing/Gas Inspector PT
6	Deputy Wiring Inspector PT
6	Health Inspector FT

6	Property Rehab Specialist PT
6	Admin. Assistant/Town Administrator
6	Assistant Director, Milford Youth Center
6	Lister/Data Collector, Board of Assessors
5	Maintenance Supervisor
5	Financial Analyst PT
5	Client Services Coordinator PT
5	Program Coordinator/Comm. Development Office PT/FT
4	Dispatcher/Police PT
4	Asst. Animal Control Officer
4	Asst. Zoning Enforce. Officer PT/FT
4	Assistant to Fire Chief
4	Assistant to Police Chief
3	Program Coordinator PT
3	Outreach Coordinator PT
3	Van Driver
3	Legal Secretary
3	Administrative Services Coordinator
3	Planning Assistant
2	Volunteer Services Coordinator PT
2	Junior Building Custodian
1	Clerk, Community Development Office PT/FT
1	Senior Ctr. Reception Clerk PT
1	Transportation Coordinator PT

D. Compensation Schedule – Hourly Rated Positions

<u>GRADE:</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>
8	23.45	24.83	26.21	27.61	28.97
7	22.78	24.12	25.52	26.89	28.28
6	22.06	23.45	24.83	26.21	27.61
5	20.70	22.06	23.45	24.83	26.21
4	19.99	21.37	22.78	24.12	25.52
3	19.31	20.70	22.07	23.45	24.83
2	17.91	19.31	20.70	22.06	23.45
1	16.55	17.91	19.31	20.70	22.06

E. HOURLY NON-RATED POSITIONS

	<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

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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 FT	18.37
Milford Youth Ctr. Program Facilitator PT	12.24
Milford Youth Ctr. Summer Camp Counselor	9.79
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Transfer Station Supervisor PT	17.29
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F.	<u>MISCELLANEOUS POSITIONS</u>	<u>ANNUAL RATE</u>
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	Board of Registrars/Chairperson PT	2,730
	Board of Registrars/Members PT (2)	2,183
	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	14.42
Election Clerks	14.42
Election Deputies	12.36
Election Checkers	10.30
Election Custodian (rate per election)	161.17

<u>CLASS</u>	<u>CLERKS/VARIOUS COMMITTEES & 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

An employee in 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%).

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

A motion was made by Michael Visconti (Pr 8) to amend Article 2 to read under the heading “Clerks Various Boards and Committees”,

Strike line item rate amounts for the following:

Clerk Finance Committee

Minutes Recorder/Board of Selectman

Clerk, Personnel Board

Clerk, Planning Board

Clerk, Conservation Commission

Clerk, School Building Committee

Clerk, Board of Health

Clerk, Capital Improvement Committee

Clerk, Vernon Grove Cemetery Trustees

Clerk, Board of Registrars of Voters

Clerk, Park Commissioners

Clerk, Zoning Board of Appeals

Minutes Recorder, Capital Improvements Committee

Minutes Recorder, Industrial Development Commission

Minutes Recorded Library Board of Trustees

Replace line item rate amounts listed with \$0.00”

A Motion was made to Move the Previous Question on the Amendment to the Motion...a Standing Vote was taken...172 For...3 Against Moving the Previous Question...Motion to Move Question Carried.

A Voice Vote was taken on the original motion as presented...Carried.

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)

A motion was made to waive the reading of the motion because it is the same as the text in the warrant...Voice Vote to waive reading...Carried.

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 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

A Motion was made by Michael Visconti (Pr. 8) to amend Article 3.

“Strike line item rate amounts for the following:

Selectman Chairman

Selectman Member

Board of Health Chairman

Board of Health Member

Sewer Commissioners Chairman

Sewer Commissioners Member

Park Commissioners Chairman

Park Commissioners Member

Planning Board Chairman

Planning Board Member

Replace line item rate amounts listed with \$0.00”

A Motion was made to Move the Previous Question... Voice Vote taken on Moving the Question...Carried Unanimously.

A Voice Vote was taken on the Amendment to the Motion presented...Defeated.

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

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)

It was Moved: That Town Meeting receive the report of the Finance Committee and that the Moderator inquire if any voter wishes to consider any line 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 then consider the items which have been removed from the report by taking up each item individually.

A motion was made by Donato Niro (Pr. 5) proposed to remove line item 300 School Committee...A Voice Vote was taken to Remove line item 300 School Committee...Carried.

A motion was made by Town Council to keep the amount of the School budget at \$42,600,000.

A motion was made to Move the Previous Question...A Standing Vote was taken... 159 For and 2 Against....Motion to Move the Question...Carried.

And further of the total of \$90,892,908 as above, \$3,993,413 shall be raised from the Sewer Enterprise Fund; and further the following amounts be transferred fro certain line items above to the accounts listed as set forth below:

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Other Insurance 194-5740	Liability Claims 8501-4971	\$86,800
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 original motion as presented...Carried.

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)

It was Moved: That the Town vote to authorize the Town Treasurer, with the approval of the Board of Selectman, 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 the General laws, Chapter 44, Section 17.

Moderator Noferi announced he will take a Voice Vote unless the vote is not unanimous, and at that point he will take a standing vote.

Voice Vote on the 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 taken on motion as presented...Carried Unanimously.

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)

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 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.

Voice Vote taken 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 2016 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 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.

Voice Vote taken on motion as presented...Carried Unanimously.

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)

It was moved: That the Town 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.

Voice Vote taken 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 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)

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 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.

Voice Vote taken on motion as presented...Carried Unanimously.

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)

It was Moved: That the Town vote, for Fiscal Year 2016 and thereafter, to accept the provisions of Section 5C ½ of Chapter 59 of the General Laws, and to approve an additional exemptions of up to 100% of the currently allowed exemptions for all eligible real estate tax exemptions under G.L. Chapter 59, Section 5.

Voice Vote taken on motion as presented...Carried Unanimously.

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)

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 taken on motion as presented...Carried Unanimously.

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)

It was Moved: That the Town vote to transfer from the Excess and Deficiency Account the sum of \$5,784.71, 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 taken on motion as presented...Carried Unanimously.

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)

A motion was made to dispense of the reading of the motion because it is the same as the handout given to all Town Meeting Members... Voice Vote on Motion to dispense of the reading...Carried.

It was Moved: That the Town vote to establish revolving funds for certain Town Departments under M.G.L. c.44, Section 53E1/2 for the fiscal year beginning July 1, 2015 with the specific receipts credited to each fund the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year as follows:

<u>Revolving Fund</u>	<u>Authorized to Spend</u>	<u>Revenue Source</u>	<u>Fund Use FY15</u>	<u>Spend. Limit</u>
Council on Aging Van	Council on Aging	Receipts derived from use on Council on Aging Van	Defray cost of providing transportation for The elderly and Disabled	\$16,000
Lost or damaged Library property	Library Trustees	Restitution for damages to and loss of library Property	Replacement of lost or damaged property	\$5,000
Zoning Board of Appeals receipts	Zoning Board of Appeals	Receipts from the filing of applications with the ZBA	Funds to be expended processing of applications before The ZBA	\$40,000
Youth Commission Operations	Youth Commission	Receipts, grants and gifts derived from the Operations of the Youth Commission	For the activities of and to defray the costs of providing youth activities and Service	\$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	\$10,000
Commission on Disability Disability Activities	Commission on Disabilities	All receipts, grants and gifts from the operation of the Commission on Disabilities	To fund the activities and to defray the costs of providing services	\$5,000

Voice Vote taken on motion as presented...Carried Unanimously.

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)

It was Moved: That the Town 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.

The Moderator announced he would take a Voice Vote unless the vote is not unanimous, in that case he would take a Standing Vote.

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

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)

It was Moved: That the Town 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.

The Moderator announced he would take a Voice Vote unless the vote is not unanimous, in that case he would take a Standing Vote.

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

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)

It was Moved: That the Town vote to transfer the sum of \$60,000 from the Excess and Deficiency Account, 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.

Voice Vote on Motion as Presented...Carried.

ARTICLE 18: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money 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)

It was Moved: That the Town vote to raise and appropriate the sum of \$100,000, said sum to be spent under the jurisdiction of the Highway Surveyor for the purpose of continued storm water mapping.

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

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)

It was Moved: That the Town vote to raise and appropriate the sum of \$200,000 to be spent under the jurisdiction of the Highway Surveyor for the purpose of purchasing two new leaf pick-up machines.

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

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)



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

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

**Planning Board Report on Article 20
May 18, 2015 Annual Town Meeting**

TO: Town Meeting Members
FROM: Planning Board
DATE: May 18, 2015
SUBJECT: Article 20: Zoning Bylaw Amendment re Medway Street CB Zoning

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board conducted a duly posted and noticed Public Hearing on April 21, 2015 regarding the subject of Article 20, at which time it voted unanimously to make a favorable recommendation to Town Meeting.

Article 20 amends the Zoning Bylaw by rezoning to the CB Neighborhood Commercial district approximately 8.7 acres in the vicinity of 55 Medway Street.

The Planning Board recommends the adoption of Article 20 as printed in the Warrant.

NARRATIVE - ARTICLE 20

The Planning Board is proposing Article 20 to accommodate redevelopment proposals in the vicinity of 55 Medway Street. This rezoning to CB Neighborhood Commercial will eliminate the pattern of conflicting residential and industrial districts in this area, and establish a consistent, rational scheme on the Zoning Map.

Currently the zoning in this area has no correlation to either existing or proposed development patterns. The IB industrial zone in this vicinity is a remnant of former zoning in a surrounding area of residential zoning, and even splits one property. The proposed amendment will expand the economic development potential for this area by establishing a contiguous 8.7 acre CB commercial zone for the entire frontage on the south side of Medway Street, from Maria’s Restaurant westward to include the entire Alamo Restaurant property.

The Planning Board recommends your adoption of Article 20 as printed in the Warrant.

The Moderator announced he would take a Voice Vote unless the vote is not unanimous, in that case he would take a Standing Vote.

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

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 ¹	S ²⁵	O	O	O	O	O	O	P	P	P	P	P
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²⁵ 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)

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.



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

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

**Planning Board Report on Article 21
May 18, 2015 Annual Town Meeting**

TO: Town Meeting Members
FROM: Planning Board
DATE: May 18, 2015
SUBJECT: Article 21: Zoning Bylaw Amendment re Farmers Market uses

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board conducted a duly posted and noticed Public Hearing on April 21, 2015 regarding the subject of Article 21, at which time it voted unanimously to make a favorable recommendation to Town Meeting.

Article 21 amends the Zoning Bylaw by providing for Farmers Markets as special permit uses in the RA General Residential.

The Planning Board recommends the adoption of Article 21 as printed in the Warrant.

NARRATIVE - ARTICLE 21

The Planning Board is proposing Article 21 to accommodate Farmers Markets in certain limited residential locations. Because Farmers Markets are classified as commercial uses that are allowed in most commercial and all industrial zoning districts, it has been determined that an appropriate way to allow for them in residential areas is to establish a special permitting mechanism in the zoning bylaw. Since the primary alternative locations for a Farmers Market are located in the RA General Residential district, the zoning amendment has been crafted to provide for that via special permit and site plan review.

The Planning Board recommends your adoption of Article 21 as printed in the Warrant.

It was Moved: That the Town 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 ¹	S ²⁵	O	O	O	O	O	O	P	P	P	P	P
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²⁵ 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.

The Moderator announced he would take a Voice Vote unless the vote is not unanimous, in that case he would take a Standing Vote.

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

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)

It was Moved: That the Town vote to transfer the sum of \$100,000 from the Excess and Deficiency Account, said sum to be utilized as reserve funds for the 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.

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

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.)

A motion was made to waive the reading of the motion because it is the same as it appears in the legal description...A Voice Vote was taken on motion to waive 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 public way known as Orrin Slip Extension, which was accepted as and for a public way by vote under Article 27 of the May 18, 2009 Annual Town Meeting, the area being discontinued being more fully described as follows:

LEGAL DESCRIPTION
ORRIN SLIP EXTENSION

Legal description of Orrin Slip Extension from Station 0+00 to Station 1+00.83, length to be accepted 100.83 feet.

Beginning at a railroad spike on the southwesterly side of said Orrin Slip at Lot 1, said point being the northerly end of the previously accepted public portion of said Orrin Slip and at a point of curvature;

THENCE northerly and curving to the right along the arc of a curve having a radius of 79.31 feet and an arc length of 59.42 feet by a said Lot 1 to a concrete bound at a point of tangency;

THENCE N 09° 17' 21" W a distance of 42.37 feet by said Lot 1 and Lot 2 to a concrete bound at a point of curvature;

THENCE northerly, easterly, southerly, and southwesterly and curving to the right along the arc of a curve having a radius of 50.00 feet and an arc length of 234.73 feet by a said Lot 2 and Lot 3 to a concrete bound at a point of reverse curvature;

THENCE southwesterly, southerly, and southeasterly and curving to the left along the arc of a curve having a radius of 19.97 feet and an arc length of 45.97 feet by said Lot 3 to a concrete bound at a point of tangency at land now or formerly of Kenneth Murray and at the northerly end of the public portion of Orrin Slip;

THENCE S 40° 54' 17" W a distance of 20.03 feet by the public portion of said Orrin Slip to the point of beginning.

Said layout of the Extension of Orrin Slip contains an area of 9,560 square feet, more or less and is more particularly shown on a plan entitled "Orrin Slip Extension' Layout Plan of the Extension of Orrin Slip in Milford, MA, Scale: 20 Feet to an Inch, Date : March 4, 2009, By: Guerriere & Halnon , Inc."

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

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)

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 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.

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

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)

It was moved: That the Town 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.

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

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)

A motion was made by Gerry Moody to waive the reading of the Motion because the text is the same as it is in the Warrant given to all Town Meeting Members...

Voice Vote on motion to Waive Reading...Carried.

It was Moved: That the Town 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,

*A Motion was made by Michael Visconti (Pr. 8) to amend the Article as follows:
"Strike the words "Tax Collector" entirely from Section 4.*

The Town Moderator ruled the amendment as "out of order".

A Voice Vote was taken on the original motion as presented...Carried.

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)

It was Moved: That the Town vote to transfer the sum of \$35,000 from the Excess and Deficiency Account said sum 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.

A Voice Vote was taken on the original motion as presented...Carried Unanimously.

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)

It was Moved: That the Town 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



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

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

Planning Board Report on Article 28 May 18, 2015 Annual Town Meeting

TO: Town Meeting Members
FROM: Planning Board

DATE: May 18, 2015

SUBJECT: Article 28: Zoning Bylaw Amendment re signs on town athletic fields

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board conducted a duly posted and noticed Public Hearing on April 21, 2015 regarding the subject of Article 28, at which time it voted 3 in favor, 1 opposed, to make a favorable recommendation to Town Meeting.

Article 28 amends the Zoning Bylaw by providing for signs on town athletic fields.

The Planning Board recommends the adoption of Article 28 as printed in the Warrant.

A standing vote was taken on the motion as presented...85 For...56 Against...the necessary 2/3rd Vote was not acquired...Motion Defeated.

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)

A motion was made to dispense of the reading of the Motion because the wording is the same as it appears in the Warrant.... Voice Vote taken on motion to dispense of the reading...Carried.

It was Moved: That the Town 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.



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

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

**Planning Board Report on Article 29
May 18, 2015 Annual Town Meeting**

TO: Town Meeting Members
FROM: Planning Board
DATE: May 18, 2015
SUBJECT: Article 29: Zoning Bylaw Amendment re Obstructions Permitted in Required Yards

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board conducted a duly posted and noticed Public Hearing on April 21, 2015 regarding the subject of Article 29, at which time it voted unanimously to make a favorable recommendation to Town Meeting.

Article 29 amends the Zoning Bylaw by providing for Obstructions Permitted in Required Yards.

The Planning Board recommends the adoption of Article 29 as printed in the Warrant.

The Moderator announced he would take a Voice Vote unless the vote is not unanimous, in that case he would take a Standing Vote.

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

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)

A Motion was made to dispense of the reading of the article because it is the same as it appears in the Warrant given to all Town Meeting Members. Voice Vote on Motion to dispense of the reading...Carried.

It was Moved: That the Town 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

- (c) 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.
- (d) 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

- (e) 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.

- (f) 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.
- (g) 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.
- (h) 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

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

Section Four: Definitions

- (c) For the purpose of this By-Law, a “Capital Improvement” is defined as:
 - (5) any acquisition, disposition, lease or transfer of land or personal property; or
 - (6) any acquisition, disposition, lease or transfer of motor vehicles; or
 - (7) 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
 - (8) 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.
- (d) 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

- (f) 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.
- (g) 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.
- (h) 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.
- (i) 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.
- (j) 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.

A Motion was Made by George Swymer (Pr. 7) to Pass Over Article 30...Voice Vote taken to Pass Over Article....Defeated.

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

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)

A motion was made to waive the reading of the Article because the wording is the same as it appears in the report of the Board of Selectmen...Voice Vote on motion to waive the reading...Carried.

It was Moved: That the Town vote to accept as and for a public way a private way known as Woodland Court, with appurtenant easements, in accordance with the report of the Board of Selectmen dated March 23, 2015 as follows:

LEGAL DESCRIPTION
WOODLAND COURT
IN "WOODLAND MEADOWS"
MILFORD, MASSACHUSETTS

February 26, 2014

Legal description of Woodland Court in "Woodland Meadows", Milford, Massachusetts. Length to be accepted 370.31 feet.

Beginning at a concrete bound at the northwest corner of Woodland Court, said bound being on a curve where said Woodland Court intersects the easterly sideline of Woodland Avenue at Lot 1;

THENCE Southerly and easterly and curving to the right along the arc of a curve having a radius of 10.00 feet, a length of 15.68 feet by said Lot 1 to a concrete bound at a point of tangency;

THENCE S 70° 07' 19" E a distance of 213.94 feet by said Lot 1 and Lot 2 to a concrete bound at a point of curvature at Lot 3;

THENCE Southeasterly and northerly and curving to the left along the arc of a curve having a radius of 20.00 feet, a length of 28.18 feet by said Lot 3 to a concrete bound at a point of reverse curvature;

THENCE Northerly, easterly, southerly, westerly and curving to the right along the arc of a curve having a radius of 60.00 feet, a length of 289.24 feet by said Lot 3, Lot 4 and Lot 5 to a concrete bound at a point of reverse curvature;

THENCE Westerly and northwesterly and curving to the left along the arc of a curve having a radius of 20.00 feet, a length of 5.41 feet to a concrete bound at a point of tangency;

THENCE N 70° 07' 19" W a distance of 271.36 feet to a concrete bound at a point of curvature;

THENCE Northwesterly and southwesterly and curving to the left along the arc of a curve having a radius of 10.00 feet, a length of 15.73 feet to a concrete bound on said easterly sideline of said Woodland Avenue. The previous three (3) courses bounding along said Lot 5;

THENCE N 19° 44' 01" E a distance of 70.00 feet by said easterly sideline of said Woodland Ave to the point of beginning.

Said Woodland Court contains an area of 24,197 square feet, more or less, and is more particularly shown on a plan entitled "Woodland Meadows Layout Plan of Woodland Court in Milford, MA, By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 Feet to an Inch, Date: October 4, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, MA 01757".

LEGAL DESCRIPTION
DRAINAGE EASEMENT
FOR WOODLAND COURT
IN "WOODLAND MEADOWS"
MILFORD, MASSACHUSETTS

February 26, 2014

Legal description of Drainage Easement for Woodland Court in "Woodland Meadows", Milford, Massachusetts located on Lot 4 and Lot 5.

Beginning at a point on a curve on the easterly sideline of Woodland Court, said point being easterly 172.74 feet from a concrete bound at Lot 3 on the northerly sideline of said Woodland Court;

THENCE N 79° 06' 46" E a distance of 53.48 feet to a point;

THENCE S 70° 53' 23" E a distance of 125.20 feet to a point. The previous two (2) courses bounding through Lot 4;

THENCE S 60° 41' 53" E a distance of 66.22 feet through said Lot 4 and Lot 5 to a point;

THENCE N 28° 54' 43" W a distance of 100.74 feet through said Lot 5 to a point at said Lot 4;

THENCE N 19° 52' 40" E a distance of 32.85 feet through said Lot 4 to a point at land now or formerly of the Inhabitants of the Town of Milford;

THENCE S 70° 07' 20" E a distance of 212.17 feet by said land of Inhabitants of the Town of Milford to a point;

THENCE S 19° 06' 37" W a distance of 137.56 feet through said Lot 4 to a point at Lot 5;

THENCE S 88° 38' 05" W a distance of 60.20 feet to a point;

THENCE N 41° 54' 42" W a distance of 80.39 feet to a point;

THENCE N 60° 41' 53" W a distance of 79.19 feet to a point;

THENCE N 70° 53' 23" W a distance of 118.05 feet to a point;

THENCE S 79° 06' 46" W a distance of 63.23 feet to a point on a curve on said easterly sideline of said Woodland Court. The previous five (5) courses bounding through said Lot 5;

THENCE Easterly and northerly and curving to the left along the arc of a curve having a radius of 60.00 feet, a length of 25.25 feet by said easterly sideline of said Woodland Court to the point of beginning.

Said Drainage Easement contains an area of 29,426 square feet, more or less, and is more particularly shown on a plan entitled "Woodland Meadows Layout Plan of Woodland Court in Milford, MA, By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 Feet to an Inch, Date: October 4, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, MA 01757".

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

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)

A motion was made to waive the reading of the Article because the wording is the same as it appears in the report of the Board of Selectmen...Voice Vote on motion to waive the reading...Carried.

It was Moved: That the Town vote to accept as and for a public way a private way known as Roland Way, with appurtenant easements, in accordance with the report of the Board of Selectmen dated March 23, 2015as follows:

LEGAL DESCRIPTION
SOUTH CENTRAL ESTATES II
ROLAND WAY, MILFORD, MA

Legal Description of Roland Way from Station 0+00 to Station 27+14.07, length to be accepted 2,714.07 feet.

Beginning at a concrete bound on the southeast corner of Roland Way, said bound being the point where the easterly sideline of Roland Way intersects with the westerly sideline of

Beaver Street at a point of curvature at land now or formerly of Kevin E. and Roberta A. Richards;

Thence Northerly and westerly and curving to the left along the arc of a curve having a radius of 25.00 feet, a length of 37.28 feet to a concrete bound at a point of tangency by said land of Richards;

Thence N 66° 19' 50" W a distance of 423.08 feet by said land of Richards, Lot 109 and Lot 110 to a concrete bound at a point of curvature;

Thence Northwesterly and curving to the right along the arc of a curve having a radius of 253.00 feet, a length of 89.43 feet by said Lot 110 to a concrete bound at a point of tangency;

Thence N 46° 04' 41" W a distance of 736.12 feet by said Lot 110, Lot 111, Lot 112, and Lot 113 to a concrete bound at a point of curvature at Parcel A;

Thence Northwesterly and curving to the left along the arc of a curve having a radius of 374.87 feet, a length of 93.26 feet by said Parcel A to a concrete bound at a point of tangency;

Thence N 60° 19' 58" W a distance of 310.46 feet by said Parcel A, Lot 114 and Lot 115 to a concrete bound at a point of curvature;

Thence Northwesterly, westerly and southwesterly and curving to the left along the arc of a curve having a radius of 240.71 feet, a length of 132.44 feet by said Lot 115 to a concrete bound at a point of tangency at Lot 116;

Thence S 88° 08' 34" W a distance of 517.55 feet by said Lot 116, Lot 117, Lot 118 and Lot 119 to a concrete bound at a point of curvature;

Thence Southwesterly, westerly, northwesterly and curving to the right along the arc of a curve having a radius of 325.00 feet, a length of 225.45 feet by said Lot 120 and Lot 144 to a concrete bound at a point of tangency;

Thence N 52° 06' 43" W a distance of 168.57 feet by said Lot 144 and Lot 145 to a point on the southerly sideline of Roland Way, said point being at the southeasterly corner of Roland Way as accepted by the Town of Milford on June 12, 2006;

Thence N 37° 53' 17 E a distance of 50.00 feet by said Roland Way to a concrete bound on the northerly sideline of Roland Way at Lot 93, said bound being the southeasterly corner of Huff Road;

Thence S 52° 06' 43 E a distance of 168.57 feet by said Lot 93 to a concrete bound at a point of curvature at Lot 94;

Thence Southeasterly, easterly and northeasterly and curving to the left along the arc of a curve having a radius of 275.00 feet, a length of 190.76 feet by said Lot 94 to a concrete bound at a point of tangency at Lot 95A;

- Thence N 88° 08' 34" E a distance of 517.55 feet by said Lot 95A, Lot 96A and Lot 97A to a concrete bound at a point of curvature at Lot 98A;
- Thence Northeasterly, easterly, and southeasterly and curving to the right along the arc of a curve having a radius of 290.71 feet, a length of 159.95 feet by said Lot 98A to a concrete bound at a point of tangency at Lot 99A;
- Thence S 60° 19' 58" E a distance of 310.46 feet by said Lot 99A and Lot 100A to a concrete bound at a point of curvature at Lot 101B;
- Thence Southeasterly and curving to the right along the arc of a curve having a radius of 424.87 feet, a length of 105.70 feet by said Lot 101B to a concrete bound at a point of tangency at Lot 102A;
- Thence S 46° 04' 41" E a distance of 736.12 feet by said Lot 102A, Lot 103A, Lot 104A, and Lot 105C to a concrete bound at a point of curvature at Lot 106A;
- Thence Southeasterly and curving to the left along the arc of a curve having a radius of 203.00 feet, a length of 71.75 feet by said Lot 106A to a concrete bound at a point of tangency at Lot 107A;
- Thence S 66° 19' 50" E a distance of 426.65 feet by said Lot 107A, Lot 108A and land now or formerly of Jessie JJ and Tanya L. Slobogan to a concrete bound at a point of curvature;
- Thence Southeasterly, easterly and northerly and curving to the left along the arc of a curve having a radius of 25.00 feet, a length of 35.49 feet by said land of Slobogan to a concrete bound at a point on a curve on said westerly sideline of said Beaver Street;
- Thence Southerly and easterly and curving to the left along the arc of a curve having a radius of 410.00 feet, a length of 94.52 feet by said westerly sideline of said Beaver Street to the point of beginning.

Said layout of Roland Way being fifty (50) feet wide, containing an area of 135,930 square feet, more or less, and is more particularly shown on a plan entitled " 'South Central Estates II' Layout Plan of Roland Way in Milford, Mass., By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 feet to an inch, Date: September 24, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

LEGAL DESCRIPTION
DRAINAGE EASEMENT LOT 104B
SOUTH CENTRAL ESTATES II
MILFORD, MASSACHUSETTS

Legal Description of drainage easement located on Lot 104B on the northerly side of Roland Way.

Beginning at a point on the northerly sideline of Roland Way, said point being S 46° 04' 41" E a distance of 414.28 feet from a concrete bound on said northerly sideline of said Roland Way at Lot 102B;

Thence N 43° 42' 36" E a distance of 21.00 feet to a point;

Thence S 46° 17' 24" E a distance of 37.58 feet to a point;

Thence S 43° 42' 36" W a distance of 21.14 feet to a point on said northerly sideline of said Roland Way. The previous three (3) courses bounding through Lot 104B;

Thence N 46° 04' 41" W a distance of 37.58 feet along said northerly sideline of said Roland Way to the point of beginning.

Said drainage easement contains an area of 792 square feet, more or less, and is more particularly shown on a plan entitled " 'South Central Estates II' Layout Plan of Roland Way in Milford, Mass., By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 feet to an inch, Date: September 24, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

LEGAL DESCRIPTION
DRAINAGE EASEMENT LOT 108A
SOUTH CENTRAL ESTATES II
MILFORD, MASSACHUSETTS

Legal Description of drainage easement located on Lot 108A on the northerly side of Roland Way.

Beginning at a point on the northerly sideline of Roland Way, said point being the corner of Lot 108A and land now or formerly of Jessy J J and Tanya L. Slobogan, and being N 66° 19' 50" W a distance of 174.57 feet from a concrete bound on said northerly sideline of said Roland Way;

Thence N 66° 19' 50" W a distance of 25.00 feet along said northerly sideline of said Roland Way to a point;

Thence N 24° 46' 51" E a distance of 233.44 feet through said Lot 108A to a point at said land of Slobogan;

Thence S 55° 22' 14" E a distance of 25.37 feet by said land of Slobogan to a point;

Thence S 24° 46' 51" W a distance of 228.62 feet by said land of Slobogan to the point of beginning.

Said drainage easement contains an area of 5,776 square feet, more or less, and is more particularly shown on a plan entitled " 'South Central Estates II' Layout Plan of Roland Way in Milford, Mass., By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40

feet to an inch, Date: September 24, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757”.

LEGAL DESCRIPTION
DRAINAGE EASEMENT LOT 111
SOUTH CENTRAL ESTATES II
MILFORD, MASSACHUSETTS

Legal Description of drainage easement located on Lot 111 on the southerly side of Roland Way.

Beginning at a point on the southerly sideline of Roland Way at Lot 111, said point being N 46° 04' 41” W a distance of 262.60 feet from a concrete bound on said southerly sideline of said Roland Way at Lot 110;

Thence S 41° 08' 18” W a distance of 17.32 feet to a point;

Thence N 48° 51' 42” W a distance of 37.58 feet to a point;

Thence N 41° 08' 18” E a distance of 19.14 feet to a point on said southerly sideline of said Roland Way. The previous three (3) courses bounding through Lot 111;

Thence S 46° 04' 41” E a distance of 37.63 feet along said southerly sideline of said Roland Way to the point of beginning.

Said drainage easement contains an area of 685 square feet, more or less, and is more particularly shown on a plan entitled “ ‘South Central Estates II’ Layout Plan of Roland Way in Milford, Mass., By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 feet to an inch, Date: September 24, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757”.

LEGAL DESCRIPTION
DRAINAGE EASEMENT
SOUTH CENTRAL ESTATES II
MILFORD, MASSACHUSETTS

Legal Description of drainage easement located on Lots 91, 92, 94, 95A, 96A, 97A, 98A, 99A, 100B, 101B, and Parcel “A” on the northerly side of Roland Way.

Beginning at a point on the northerly sideline of Roland Way at Lot 95A, said point being N 88° 08' 34” E a distance of 4.98 feet from a concrete bound at the corner of Lot 94 and said Lot 95A;

Thence N 11° 58' 45” E a distance of 128.80 feet through said Lot 95 to a point at said Lot 94;

Thence S 85° 09' 03" W a distance of 62.55 feet to a point;

Thence N 15° 43' 29" E a distance of 172.08 feet to a point at Lot 92. The previous two (2) courses bounding through said Lot 94;

Thence N 42° 19' 18" E a distance of 69.95 feet bounding through said Lot 92 to a point at Lot 91;

Thence N 81° 42' 21" E a distance of 70.94 feet bounding through said Lot 91 to a point at Parcel "A";

Thence S 36° 53' 37" W a distance of 50.00 feet bounding by said said Parcel "A" to a point at said Lot 92 and Lot 94;

Thence N 84° 43' 46" E a distance of 88.98 feet bounding through said Parcel "A" to a point;

Thence S 05° 14' 25" E a distance of 29.05 feet continuing through said Parcel "A" to a point at said Lot 95A;

Thence N 84° 45' 35" E a distance of 293.63 feet by said Lot 95A and Lot 96A to a point at Lot 97A;

Thence S 86° 01' 44" E a distance of 255.61 feet by said Lot 97A and Lot 98A to a point at the corner of said Lot 98A and Lot 99A;

Thence S 76° 11' 01" E a distance of 101.45 feet through said Parcel "A" to a point;

Thence S 62° 37' 45" E a distance of 217.87 feet through said Parcel "A" to a point at Lot 101B;

Thence S 26° 48' 14" W a distance of 75.02 feet to a point;

Thence N 60° 37' 06" W a distance of 14.55 feet to a point;

Thence S 29° 22' 54" W a distance of 70.43 feet to a point. The previous three (3) courses bounding through said Lot 101B;

Thence N 67° 53' 42" W a distance of 26.68 feet through said Lot 101B to a point at Lot 100B;

Thence S 19° 39' 17" W a distance of 202.23 feet through said Lot 100B and said Lot 101B to a point on the northerly sideline of said Roland Way;

Thence N 60° 19' 58" W a distance of 20.13 feet by said Lot 101B to a point at Lot 100B;

Thence N 19° 39' 17" E a distance of 199.55 feet through said Lot 100B to a point;

Thence N 67° 53' 42" W a distance of 355.74 feet through said Lot 100B and Lot 99A to a point at Lot 98A;

Thence S 10° 49' 43" W a distance of 42.43 feet through said Lot 98A to a point;

Thence S 73° 49' 19" W a distance of 140.01 feet through said Lot 98A to a point at Lot 97A;

Thence N 77° 43' 58" W a distance of 145.00 feet through said Lot 97A to a point at Lot 96A;

Thence N 12° 17' 05" W a distance of 85.00 feet through said Lot 96A to a point;

Thence N 49° 14' 08" W a distance of 51.61 feet through said Lot 96A to a point at Lot 95A;

Thence S 82° 55' 48" W a distance of 80.00 feet to a point;

Thence S 16° 34' 50" W a distance of 131.39 feet to a point;

Thence S 85° 09' 03" W a distance of 69.55 feet to a point;

Thence S 11° 58' 45" W a distance of 129.92 feet to a point on the northerly sideline of said Roland Way. The previous four (4) courses bounding through said Lot 95A;

Thence S 88° 08' 34" W a distance of 20.60 feet by said northerly sideline of said Roland Way to the point of beginning.

Said drainage easement contains an area of 153,260 square feet, more or less, and is more particularly shown on a plan entitled " 'South Central Estates II' Layout Plan of Roland Way in Milford, Mass., By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 feet to an inch, Date: September 24, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

LEGAL DESCRIPTION
DRAINAGE EASEMENT
LOT 93 AND LOT 94
SOUTH CENTRAL ESTATES II
MILFORD, MASSACHUSETTS

Legal Description of drainage easement located on Lot 93 and Lot 94 on the northerly side of Roland Way.

Beginning at a point on the northerly sideline of Roland Way, said point being S 52° 06' 43" E a distance of 67.28 feet from a concrete bound on said northerly sideline of said Roland Way at Lot 93, said bound being the southeasterly corner of Huff Road;

Thence N 30° 44' 56" E a distance of 71.98 feet to a point;

Thence N 82° 53' 17" E a distance of 14.00 feet to a point;

- Thence S 07° 06' 43" E a distance of 91.78 feet to a point on a curve. The previous three (3) courses bounding through said Lot 93;
- Thence Southeasterly and northeasterly and curving to the left along the arc of a curve having a radius of 261.00 feet, a length of 71.11 feet through said Lot 93 to a point at Lot 94;
- Thence N 75° 03' 02" E a distance of 51.93 feet to a point;
- Thence S 14° 56' 58" E a distance of 14.00 feet to a point;
- Thence S 13° 59' 07" W a distance of 36.36 feet to a point on a curve on said northerly sideline of said Roland Way. The previous three (3) courses bounding through said Lot 94;
- Thence Southwesterly and northwesterly and curving to the right along the arc of a curve having a radius of 275.00 feet, a length of 94.56 feet along said northerly sideline of said Roland Way to a concrete bound at a point of tangency;
- Thence N 52° 06' 43" W a distance of 101.29 feet along said northerly sideline of said Roland Way to the point of beginning.

Said drainage easement contains an area of 6,410 square feet, more or less, and is more particularly shown on a plan entitled " South Central Estates II' Layout Plan of Roland Way in Milford, Mass., By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 feet to an inch, Date: September 24, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

LEGAL DESCRIPTION
DRAINAGE EASEMENT
LOT 144 AND LOT 120
SOUTH CENTRAL ESTATES II
MILFORD, MASSACHUSETTS

Legal Description of drainage easement located on Lot 144 and Lot 120 on the southerly side of Roland Way.

Beginning at a point on the southerly sideline of Roland Way at Lot 144, said point being N 52° 06' 43" W a distance of 4.58 feet from a concrete bound on said southerly sideline of said Roland Way;

- Thence S 52° 06' 43" E a distance of 4.58 feet along said Roland Way to said concrete bound on said southerly sideline of said Roland Way at a point of curvature;
- Thence Southeasterly and northeasterly and curving to the left along the arc of a curve having a radius of 325.00 feet, a length of 101.33 feet along said southerly sideline of said Roland Way to a point at Lot 120;

Thence S 20° 01' 27" W a distance of 45.67 feet bounding through said Lot 120 to a point;

Thence S 72° 29' 36" W a distance of 14.00 feet bounding through said Lot 120 to a point at said Lot 144;

Thence N 17° 30' 24" W a distance of 54.34 feet to a point on a curve;

Thence Northwesterly and southwesterly and curving to the right along the arc of a curve having a radius of 339.00 feet, a length of 49.49 feet to a point;

Thence S 46° 15' 53" W a distance of 39.93 feet to a point;

Thence N 43° 44' 07" W a distance of 17.84 feet to a point;

Thence N 46° 15' 53" E a distance of 51.26 feet to the point of beginning. The previous five (5) courses bounding through said Lot 144.

Said drainage easement contains an area of 3,273 square feet, more or less, and is more particularly shown on a plan entitled " 'South Central Estates II' Layout Plan of Roland Way in Milford, Mass., By: Board of Selectmen, Owner: Inhabitants of the Town of Milford, Scale: 40 feet to an inch, Date: September 24, 2013, Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, Mass. 01757".

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

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)

A Motion was Made to dispense of the Reading of the Article because the text is the same as it appears in the Warrant given to all Town Meeting Members... Voice Vote on Motion to Dispense of the Reading...Carried.

It was Moved: That the Town 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.”



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
John H. Cook

Patrick J. Kennelly
Marble Mainini, III
Lena McCarthy

**Planning Board Report on Article 33
May 18, 2015 Annual Town Meeting**

TO: Town Meeting Members
FROM: Planning Board
DATE: May 18, 2015
SUBJECT: Article 33: Zoning Bylaw Amendment re individual lot drainage requirements

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board conducted a duly posted and noticed Public Hearing on April 21, 2015 regarding the subject of Article 33, at which time it voted unanimously to make a favorable recommendation to Town Meeting.

Article 33 amends the Zoning Bylaw by providing for individual lot drainage requirements.

The Planning Board recommends the adoption of Article 33 as printed in the Warrant.

NARRATIVE - ARTICLE 33

The Planning Board is proposing Article 33 to provide standards for on-site drainage and grading on individual lots. Currently the issue of grading and drainage is only addressed at the level of overall subdivision approval, where such standards are contained in the town's subdivision regulations. However, there are no specific standards for individual lot development. And lots that have been created by 81-P Plans (Approval Not Required Plans/ANR) are not subject to even the broader subdivision regulation standards. While the site plan review process and standards cover commercial and industrial developments, residential developments on individual lots are not subject to specific drainage and grading standards. This has caused negative effects on adjacent properties from improper or uncontrolled drainage.

The Planning Board recommends your adoption of Article 33 as printed in the Warrant.

The Moderator announced he would take a Voice Vote unless the vote is not unanimous, in that case he would take a Standing Vote.

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

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)

It was Moved: That the Town 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.”



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

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

**Planning Board Report on Article 34
May 18, 2015 Annual Town Meeting**

TO: Town Meeting Members
FROM: Planning Board
DATE: May 18, 2015
SUBJECT: Article 34: Zoning Bylaw Amendment re restore omitted language

Pursuant to M.G.L. Chapter 40A, Section 5, the Milford Planning Board conducted a duly posted and noticed Public Hearing on April 21, 2015 regarding the subject of Article 34, at which time it voted unanimously to make a favorable recommendation to Town Meeting.

Article 34 amends the Zoning Bylaw by restore language that had previously been inadvertently omitted in Section 1.5.4 Completion of Plantings.

The Planning Board recommends the adoption of Article 34 as printed in the Warrant.

NARRATIVE - ARTICLE 34

The Planning Board is proposing Article 34 to restore language that had, at some point in time, been inadvertently omitted. The new text restores those phrases, as well as clarifies the language so as to accurately reflect accepted procedures as well as the original intent of this section.

The Planning Board recommends your adoption of Article 34 as printed in the Warrant.

The Moderator announced he would take a Voice Vote unless the vote is not unanimous, in that case he would take a Standing Vote.

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

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)

A Motion was made by Selectman Brian Murray to Pass Over Article 35.

A Voice Vote was taken on Motion to Pass Over...Carried...Article 35 Passed Over.

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)

It was Moved: That the Town vote to appropriate the sum of \$2,600,000 to be utilized together with any available State or Federal funds, said sum 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 meet that appropriation that the Town raise the sum of \$500,000 on the tax levy and transfer the sum of \$1,000,000 from the Excess and Deficiency Account and authorize the Treasurer with approval of the Board of Selectmen to borrow the remaining sum of \$1,100,000 pursuant to the provisions of G.L. c. 44, §7, or any other authority enabling.

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

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)

It was Moved: That the Town 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.

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

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)

It was Moved: That the Town vote to raise and appropriate the sum of \$100,000 said sum to be spent under the jurisdiction of the Board of Selectmen to undertake repair or replacement of boilers at the Milford Police Station.

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

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)

It was Moved: That the Town 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.

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

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)

A Motion was made by Town Counsel Gerald Moody to Pass Over Article 40.

A Voice Vote was taken on Motion to Pass Over...Carried...Article 40 Passed Over.

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)

It was Moved: That the Town 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 person property accounts to be taxed for Fiscal Year 2016 and thereafter.

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

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)

It was Moved: That the Town vote to transfer the sum of \$50,000 from the Excess and Deficiency Account, said sum to be utilized to supplement the Police/Fire Medical (injured on duty) budget line item 122-5303 voted under Article 4 of the May 19, 2014 Annual Town Meeting.

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

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)

A Motion was made by Finance Committee Chairman, Marc Schaen to Pass Over Article 43.

A Voice Vote was taken on Motion to Pass Over...Carried...Article 43 Passed Over.

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)

A Motion was made to dispense of the reading of the article, because the text is the same as in the report from the Finance Committee that was given to all Town Meeting Members....Voice Vote to dispense of the readingCarried.

It was Moved: That the Town vote to transfer sums between certain line items voted under Article 4 of the May 19,2014 Annual Town Meeting as follows:

<u>Department</u>	<u>Transfer From</u>	<u>Amount</u>	<u>Transfer To</u>
151: Legal	Personal Services - General Govmnt 148-5110	650.00	Personal Services- Legal 151-5110
175: Planning Board	General Expenses-Planning Board 175-5300	105.00	Personal Services-Planning Board 175-5110
192: Public Bldg & Prop	Personal Services - General Govmnt 148-5110	15,500.00	Personal Services - Public Bldg & Prop 192-5110
192: Public Bldg & Prop	General Expenses - Public Bldg & Prop 192-5300	15,500.00	R & M: Building & Ground 192-5400
220: Fire	General Expenses- Fire 220-5300	7,500.00	R & M - Equipment 220- 5410
296: Hydrant Services	General Expense - General Govmnt 148-5300	3,315.00	General Expenses-Hydrant 296-5300
422: HWY Const. Maint.	General Expenses- HWY Const. 422-5300	15,000.00	R&M:VEHIC/EQUIP-HWY Const. 422-5420
650: Parks	Personal Services - Parks	13,000.00	General Expenses- Parks

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

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)

A Motion was made to dispense of the reading of the article, because the text is the same as in the report from the Finance Committee that was given to all Town Meeting Members....Voice Vote to dispense of the readingCarried.

It was Moved: That the Town vote to close out certain special article accounts to the General Fund as follows:

<u>Town Meeting</u>	<u>Purpose</u>		<u>Balance to be Closed</u>
Article 45 10/2004 STM	Rt. 16 Traffic Improvements	\$	13,345.10
Article 27 10/2005 STM	Alt. Rt. Study - Consultant		10,500.00
Article 15 10/2011 STM	Ramp Draper Park		10,800.96
Article 17 10/2012 STM	Replace Windows TH		10,313.95
Article 24 10/2012 STM	Replace Roof/Police Dept.		27,184.12
Article 9 10/2014 STM	Replace Phone System		40.29
Article 26 05/2014 ATM	Demo 11 Temple		20,824.65
Article 13 10/2013 STM	Breathing Air Compressor		3,240.62
Article 31	Replace Dispatcher Radio		196.70

10/2014 STM		
Article 41 05/2013 ATM	Replace HWY Truck	840.20
Article 36 05/2011 ATM	Vernon Grove; Purchase Lots	376.73
Article 23 10/2012 STM	Purchase New Truck	5.00
Article 6 10/2013 STM	Replace Roof - Library	86,136.64
Article 32 06/2004 ATM	Replace Fence - MHS Softball	2,022.00
Article 12 10/2014 STM	N. Purchase Cemetery. Tree Work	2,550.00
Article 7 10/2010 STM	Walnut Street Parking Lot	5,130.43
Article 14 10/2011 STM	Godfrey Brook Culvert	273.78

A Motion was made by Joseph DiAntonio (Pr. 2) to dissolve the warrant at 11:13 pm.

A Voice Vote was taken on the motion to dissolve the warrant...Carried Unanimously.

A True Copy of the Record.

*Attest: Amy E. Hennessy Neves,
Town Clerk*