



ANNUAL TOWN MEETING

May 20, 2013

Milford, Massachusetts

COMMONWEALTH OF MASSACHUSETTS WORCESTER, SS:

FINANCE COMMITTEE REPORT

**Marc Schaen, Chairman**

- |                             |                         |
|-----------------------------|-------------------------|
| Aldo Cecchi                 | Philip Ciaramicoli, CPA |
| Alberto Correia             | Robert Devita           |
| Jerry Hiatt                 | John Kelley             |
| Will Kingkade               | Joyce Lavigne           |
| Charles Miklosovich         | Chris Morin             |
| David Morganelli, Esq., CPA | Michael Schiavi         |
| John Tennaro, Esq.          | Vincenzo Valastro       |

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

GREETINGS:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the Inhabitants of the Town of Milford, qualified by law to vote in Town Affairs, to meet in the Upper Hall of the Milford Town Hall, 52 Main Street, on the 20<sup>th</sup> day of May, 2013 A.D. at 7:30 P.M. and then and there to act upon the following articles:

ARTICLE 1:

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

INFO: Recurring annual vote that allows reports to be presented to the town meeting

FINCOM: no discussion

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 2: Board of Selectmen

INFO: Planning Board proposed an increase of 2% for full time classes A,B,C,D and 1% for classes E&F.

FINCOM: Discussion was held to confirm this is in line with other raises.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

I move that the Town vote to amend the Wage and Salary Schedule of the Wage and Salary Administration Plan by establishing new position grades and salary levels, as recommended by the Personnel Board for the Fiscal Year beginning July 1, 2013, as follows:

**A. Position Grades – Salaried Positions**

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

**B. Compensation Schedule – Salaried Positions**

<u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
8	\$96,293	\$99,613	\$102,932	\$106,255	\$109,572
7	\$89,652	\$92,972	\$96,293	\$99,613	\$102,932
6	\$76,368	\$79,690	\$83,011	\$86,331	\$89,652
5	\$69,727	\$73,050	\$76,368	\$79,690	\$83,011
4	\$63,087	\$66,411	\$69,727	\$73,050	\$76,368
3	\$57,774	\$61,094	\$64,416	\$67,737	\$71,057
2	\$49,806	\$53,126	\$56,446	\$59,769	\$63,087
1	\$36,523	\$39,846	\$43,168	\$46,488	\$49,806

C. Position Grades - Hourly Rated Positions

<u>GRADE</u>	<u>POSITION TITLE</u>
8	Director, Milford Youth Center
7	Director, Tobacco Control Prog. PT
6	Animal Control Officer
6	Plumbing/Gas Inspector
6	Wiring Inspector
6	Local Building Inspector PT
6	Deputy Plumbing/Gas Inspector PT
6	Deputy Wiring Inspector PT
6	Health Inspector FT
6	Property Rehab Specialist PT
6	Asst. Town Treasurer
6	Admin. Asst./Town Administrator
6	Assistant Director, Milford Youth Center
6	Lister/Data Collector, Board of Assessors
5	Senior Building Custodian
5	Legal Assistant
5	Financial Analyst PT
5	Program Coordinator/Comm. Devel. Office PT/FT
5	Admin. Assistant/Board of Health
4	Dispatcher/Police PT
4	Asst. Animal Control Officer PT
4	Asst. Zoning Enforce. Officer PT/FT
4	Assistant to Fire Chief
4	Assistant to Police Chief
3	Program Coordinator PT
3	Outreach Coordinator PT
3	Van Driver
3	Legal Secretary
3	Confidential Clerk/Parking Clerk
3	Planning Assistant
2	Coord./Volunteer Svcs. PT
2	Junior Building Custodian
1	Clerk, Comm. Devel. 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	\$22.54	\$23.87	\$25.2	\$26.54	\$27.85
7	\$21.9	\$23.19	\$24.53	\$25.85	\$27.19
6	\$21.21	\$22.54	\$23.87	\$25.20	\$26.54
5	\$19.90	\$21.21	\$22.54	\$23.87	\$25.20
4	\$19.22	\$20.54	\$21.90	\$23.19	\$24.53
3	\$18.56	\$19.90	\$21.22	\$22.54	\$23.87
2	\$17.22	\$18.56	\$19.90	\$21.21	\$22.54
1	\$15.92	\$17.22	\$18.56	\$19.90	\$21.21

E. Hourly Non-Rated Positions

<u>POSITION TITLE</u>	<u>HOURLY RATE</u>
Assistant Pool Manager PT	\$15.85
Call Firefighter PT \$1200 stipend (plus)	\$13.37
Cemetery Groundskeeper	\$16.79
Cemetery Working Foreman	\$23.07
Clerk of Works/Senior Ctr. PT (temp.)	\$25.27
Clerk, Tobacco Control Program PT	\$16.79
Clerks/Seasonal – all Departments	\$16.79
Clerks/Substitute – all Departments	\$16.79
Dental Health Specialist PT	\$16.79
Highway Heavy Equipment Operator (temp.)	\$21.15
Highway Light Equipment Operator (temp.)	\$18.99
Highway Seasonal Snow Plow Operator	\$21.15
Laborers/PPT: Park, Cemetery, etc.	\$16.18
Laborers/Seasonal/PT: Park Cemetery, etc.	\$10.56
Matron/Police	\$16.79
Milford Youth Ctr. Activities Supervisor PT	\$ 9.50
Milford Youth Ctr. Athletic Facilitator PT	\$11.89
Milford Youth Ctr. Concession/Equip. Monitor PT	\$ 8.61
Milford Youth Ctr. Front Desk Monitor PT	\$ 9.50
Milford Youth Ctr. Health Coordinator	\$19.28
Milford Youth Ctr. Program Coordinator FT	\$17.84
Milford Youth Ctr. Program Facilitator PT	\$11.89
Milford Youth Ctr. Summer Camp Counselor	\$ 9.50
Mosquito Spray Applicator PT	\$16.18
Pool Lifeguard PT	\$14.30
Pool Manager PT	\$17.09
School Nurse PT	\$18.02
Seasonal Workers/Tobacco Control Prog. PT	\$ 9.92
Soils Testing Assistant PT	\$14.91
Transfer Station Attendant PT	\$16.18
Transfer Station Supervisor PT	\$16.79
Veterans Agent FT	\$33.62

F. MISCELLANEOUS POSITIONS ANNUAL RATE

Assistant Health Agent PT	\$7,332
Board of Health Physician PT	\$6,414
Board of Registrars/Chairperson PT	\$2,650
Board of Registrars/Members PT (2)	\$2,120
Burial Agent PT	\$1,001
Fair Housing Director PT	\$2,018
Foreign Language Translator	\$ 546
Inspector of Animals PT	\$2,350
Municipal Hearings Officer	\$2,727
Pest Control Officer PT	\$3,178
Sealer of Weights and Measures PT	\$8,135
<u>ELECTION WORKERS; STIPEND PER ELECTION</u>	
Election Wardens	\$160.36
Election Clerks	\$160.36
Election Deputies	\$ 83.38
Election Checkers	\$ 70.57
Election Custodian	\$156.44 per election

CLERKS TO VARIOUS COMMITTEES AND BOARDS (PT)

CLASS	POSITION	ANNUAL RATE
8	Clerk, Finance Committee	\$7,627
7	Unclassified	\$6,673
6	Minutes Recorder/Board of Selectmen	\$5,721
5	Clerk, Planning Board	\$4,767
5	Clerk, Personnel Board	\$4,767
4	Clerk, Conservation Commission	\$3,813
4	Clerk, School Building Committee (temp.)	\$3,813
4	Minutes Recorder/Library Bldg. Committee	\$3,813
3	Clerk, Board of Health	\$2,859
3	Clerk, Vernon Grove Cemetery Trustees	\$2,859
3	Clerk, Capital Improvement Committee	\$2,859
2	Clerk, Park Commission	\$1,906
2	Clerk, Board of Registrars of Voters	\$1,906
2	Clerk, Zoning Board of Appeals	\$1,906
2	Minutes Recorder/Capital Improvement Committee	\$1,906
2	Minutes Recorder/ Industrial Development Comm.	\$1,906
1	Minutes Recorder/Library Board of Trustees	\$ 953

An employee in a salaried or hourly rated position, whose base rate of pay effective as of June 30, 2013, 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 2014, but increased by a factor of two percent (2.0%). An employee in an hourly non-rated or miscellaneous position, an election worker, or a clerk to various committees and boards, whose base rate of pay effective as of June 30, 2013, 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 2014, but increased by a factor of one percent (1.0%).

PT - Part Time

FT - Full Time

PPT - Permanent Part Time

MILFORD PERSONNEL BOARD

**INFO:** This would provide increases of 2% for all except the selectmen.

**FINCOM:** Discussion was held inquiring about the consistency of the rate increases.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 3: Board of Selectmen

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

Town Clerk	\$ 76,369
Town Treasurer	\$ 83,010
Tax Collector	\$ 76,369
Assessor (Chairman)	\$ 7,282
Assessor (Members)	\$ 6,527
Highway Surveyor	\$ 89,651
Tree Warden	\$ 6,285
Selectmen (Chairman)	\$ 8,465
Selectmen (Members)	\$ 7,521
Vernon Grove Trustee (Clerk)	\$ 3,530
Board of Health (Chairman)	\$ 2,375
Board of Health (Members)	\$ 2,075
Sewer Commissioner (Chairman)	\$ 2,375
Sewer Commissioner (Members)	\$ 2,075
Park Commissioner (Chairman)	\$ 2,375
Park Commissioner (Members)	\$ 2,075
Planning Board (Chairman)	\$ 2,375
Planning Board (Members)	\$ 2,075
Moderator	\$ 2,283

INFO: Recurring annual vote that fixes the salary and compensation of all elected officers of the town.

FINCOM: Recurring annual vote approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 4: Board of Selectmen

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, 2013, or take any other action in relation thereto.

INFO: Recurring annual vote that allows the Selectmen to set the schedule for taxes that allow the town to meet the financial obligations approved by town meeting.

FINCOM: Recurring annual vote approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 5: Town Treasurer

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, 2013 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.

INFO: Recurring annual vote that allows the Treasurer to borrow money in order to assure efficient operations of the town.

FINCOM: Recurring annual vote approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 6: Board of Selectmen

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.

INFO: Recurring annual vote that allows the selectmen to take care of the town's legal business and proceedings.

FINCOM: Article approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 7: Board of Selectmen

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 2014, 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.

INFO: Recurring annual article that allows the Board of Selectmen to use funds collected as fines and violations in accordance with procedures and regulatory guidelines

FINCOM: Recurring annual vote approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 8: Town Treasurer

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 2014 pursuant to Chapter 44, Section 53F of the General Laws, or take any other action in relation thereto.

INFO: Recurring annual article that allows the Treasurer to negotiate with local banks for terms that may be required for the town's accounts.

FINCOM: Housekeeping article approved each year. This has not been used in many years but is set up in case it may be required.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 9: Board of Selectmen

To see if the Town will vote for Fiscal Year 2014, 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.

INFO: Recurring annual article that allows departments to use funds received from insurance companies to repair damage caused to town property.

FINCOM: Recurring annual article approved each year. An example is when a motorist hits a traffic light and the insurance company reimburses the town for repairs. This allows the repairs to occur without having to come back to town meeting for the repair approval.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 10: Board of Selectmen

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 2014 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.

INFO: Recurring annual article that allows the town departments to enter into routine contracts required to run the town within the limits stipulated.

FINCOM: Recurring annual article approved each year. This allows departments to sign annual contracts such as service contracts without having to come to town meeting for individual approval.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 11: Board of Selectmen

To see if the Town will vote for Fiscal Year 2014, 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.

INFO: Recurring annual article that allows the Selectman's office to offer tax exemptions to senior citizens and people eligible who perform services for the town

FINCOM: Recurring annual article approved each year. Typically cost is \$45,000 each year in forgiven taxes for 124 vets, 16 blind residents and 100 seniors (50%). There is no manner to quantitate the value of the work that is performed for the town by many of the seniors in conjunction with this program.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 12: Town Treasurer

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.

INFO: Recurring annual article that allows the town to accept land in lieu of having to foreclose on property.

FINCOM: Recurring annual article approved each year. This saves the town money as properties may be given to the town in lieu of taxes when they are not worth very much.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 13: School Committee

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.

INFO: Recurring annual article that allows the money collected from the school vending machines and paid into the general fund to be transferred back to the school.

FINCOM: Recurring annual article approved each year.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**



ARTICLE 14: Various Departments

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, 2013, or take any other action in relation thereto

INFO: Recurring annual article that allows the various revolving funds set up to facilitate department operations to be funded.

FINCOM: Recurring annual article approved each year. Discussion was held and the amount for the Youth center to be increased to \$150,000 since the expenses are increasing but in line with the revenue for the center to meet their financial goals.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 15: Legal Department

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to continue the review of the Milford Water Company rate increase case and for witness and expert services in relation thereto, or take any other action in relation thereto.

INFO: This is to fund experts in the proceedings regarding the Water Company's requested rate increase in addition to the \$35K we already set.

FINCOM: It is expected we will spend \$65K total so an additional \$30K. The water company is expected to spend \$400K of money to defend the rate request. It is expected that the money spent defending the rate increase will be charged back to the rate payers as well as the increase.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 16: Richard Morrison, et al.

To see if the Town will vote, in a non-binding resolution, to express its opposition to the siting of a casino in the Town of Milford.

INFO: non-binding resolution

FINCOM: The finance committee recommends that this be passed over as there is no plan to review at this time. The committee believed that once there is a plan in place, the entire town should be asked to weigh in on an actual plan.

**FINANCE COMMITTEE MOVED TO ASK FOR THIS ARTICLE TO BE PASSED OVER AS THERE IS NO PLAN TO CONSIDER AT THIS POINT. IF IT IS NOT PASSED OVER AT THIS TIME THE VOTE WAS UNFAVORABLE.**

ARTICLE 17: Veterans Department

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of money in the amount of \$75,000 said sum to be added to the Veterans Department fiscal year 2013 budget, or take any other action in relation thereto.

INFO: Veterans services have increased. It is difficult to anticipate the actual expenses that will be incurred as that depends on the number of veterans and the type of services required servicing them.

FINCOM: Accolades to John Pilla as he has kept the costs under control. We do get reimbursed 75% for expenses

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 18: Atty. Brian W. Murray

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized to hire an architect and/or engineer to provide architectural and/or engineering services and design plans and specifications looking toward the renovations of the Milford Youth Center in the former Armory on Pearl Street, or take any other action in relation thereto.

**INFO:** The Milford Youth Center is need of a new roof as it is leaking and the infiltrating water is causing damage to many parts of the building. The early inspections have deemed that the roof has to be replaced as well as the supporting roof structure which will cost \$300K. Since this is 30% or the building's assessed value of \$1M, we must now bring the building up to code. This money will provide the design services to prepare a budget and plan to bring the building up to code. The building plan will address issues such as handicap accessibility, plumbing, bathrooms, electricity etc.

**FINCOM:** The members discussed that this was a vote that inherently was leading to a multimillion vote in the fall to renovate the Youth Center as it would make no sense to spend \$300K on a study and then not use it. No firm figures are available but the discussion indicated that it would be at least \$2M. The fincom expressed support but concern that with the Woodland school project costs unknown, this may be the last large non-emergency project for a couple of years that can fit the debt schedule without removing some of the areas the committee seeks to protect in tax payer relief.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 19: Board of Selectmen

To see if the Town will vote to make the following findings and amend the General By-Laws of the Town as set forth below:

**INFO:** This requires a separation of alcohol and adult entertainment.

**FINCOM:** Discussion was held on the review performed by our attorney and Gerry Moody believes that this will stand a challenge. The main question is to ask the town meeting if they agree with this proposal.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

WHEREAS, sexually oriented businesses require special supervision from the public safety agencies of the Town of Milford in order to protect and preserve the health, safety, and welfare of the patrons of such businesses as well as the citizens of the Town of Milford; and

WHEREAS, the Town of Milford finds that sexually oriented businesses, as a category of establishments, are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature; and

WHEREAS, there is convincing documented evidence that sexually oriented businesses, as a category of establishments, have deleterious secondary effects and are often associated with crime and the downgrading of property values; and

WHEREAS, the Town of Milford desires to minimize and control these adverse effects and thereby protect the health, safety, and welfare of the citizenry; protect the citizens from crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods and deter the spread of urban blight; and

WHEREAS, the Town recognizes its constitutional duty to interpret, construe, and amend its by-laws to comply with constitutional requirements as they are announced; and

WHEREAS, it is not the intent of this by-law to suppress any speech activities protected by the U.S. Constitution or the Massachusetts State Constitution, but to enact a by-law to further the content-neutral governmental interests of the Town, to wit, the controlling of secondary effects of sexually oriented businesses.

(a) *Purpose.* It is the purpose of this by-law to regulate sexually oriented businesses in order to promote the health, safety, moral, and general welfare of the citizens of Milford, and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of sexually oriented businesses within the Town of Milford. The provisions of this by-law have neither the purpose nor effect of imposing a limitation or restriction on the content of, or reasonable access to, any communicative materials or activity, including sexually oriented materials or activity. Similarly, it is neither the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials or activity protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market.

(b) *Findings and Rationale.* Based on evidence of the adverse secondary effects of adult uses presented in hearings and in reports made available to the Board of Selectmen, and through the Board to the public at large, and on findings, interpretations, and narrowing constructions incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, L.L.C.*, 124 S. Ct. 2219 (2004); *City of Los Angeles vs. Alameda Books, Inc.* 535 U.S. 425 (2002); *Pap's A.M. v. City of Erie*, 529 U.S. 277 (2000); *City of Renton vs. Playtime Theatres, Inc.* 475 U.S. 41 (1968), *Young v. American Mini Theatres*, 426 U.S. 50 (1976), *Barnes v. Glen Theatres, Inc.* 501 U.S. 560 (1991); *California v. LaRue*, 409 U.S. 109 (1972);

and *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7<sup>th</sup> Cir. 2003); *Schultz v. City of Cumberland*, 26 F. Supp.2d 1128 (W.D. Wis. 1998), aff'd in part rev'd in part, 228 F.3d 831 (7<sup>th</sup> Cir. 2000); *Blue Canary Corp. v. City of Milwaukee*, 270 F. 3d 1156 (7<sup>th</sup> Cir. 2001); *DiMa Corp. v. Town of Hallie*, 185 F.3d 823 (7<sup>th</sup> Cir.1999); *Big Wolf Discount Video v. Montgomery County*, 256 F.Supp.2d 385 (D. Md. 2003); *World Wide Video of Washington, Inc. v. City of Spokane*, 277 F. Supp.2d 1143 (E.D. Wash. 2002) (including exhibits cited therein); *County of Cook v. Renaissance Arcade and Bookstore*, 122 Ill. 2d 123 (1988) (including cases cited therein); *World Wide Video of Washington, Inc. v. City of Spokane* 368 F. 3d 1186 (9<sup>th</sup> Cir. 2004); *181 South, Inc. v. Fischer et al*, 454 F.3d 228 (3<sup>rd</sup> Cir. 2006); *City of Chicago v. Pooh Pah Enterprises Inc.*, 224 Ill. 2d 390, 3865 N.E. 2d, 133 (2007)(including exhibits and cases cited therein); *Joelner, Fish, Inc. v. Village of Washington Park, Ill.*, 508 F.3d 427 (7<sup>th</sup> Cir. 2006); *Flanigan's Enterprises, Inc. of Georgia vs. Fulton County, Georgia*, 596 F.3d 1265 (11<sup>th</sup> Cir. 2010); *Showtime Entertainment, LLC v. Ammendolia et al* ---F. Supp 2d ---, 2012) WL 3518539;

and based upon reports concerning secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Phoenix, Arizona - 1979; Minneapolis, Minnesota - 1980; St. Paul Minnesota; Indianapolis, Indiana - 1984; El Paso, Texas - 1986; Bellevue, Washington - 1987; Adams County, Colorado - 1987; Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses, Minnesota-1989; Garden Grove, California - 1991; St. Croix County, Wisconsin - 1993; Centralia, Washington - 2004; Los Angeles, "Report to the City Attorney" - 2007; together with studies and summaries of reports, including but not limited to, "Strip Club Testimony" by Kelly Holsopple; "Report to: The American Center for Law and Justice on the Secondary Impacts of Sex Oriented Businesses" produced by: Peter R. Hecht, Phd. - 1996; Summaries of Key Secondary Effects Reports compiled by Louis F. Comus, III; and National Law Center for Children and Families - Summaries of "SOB Land Use" studies - 2005; "A Comparative Analysis of Infractions in Texas Alcohol Establishments and Adult Entertainment Clubs", James Jarrett et al - 2012; Expert Report of Richard McCleary, Ph.D. in *Illusions-Dallas Private Club, Inc. et al vs. John T. Steen, Jr. et al* C.A. No. 3:04-CV-0201 (U.S. Dist. Ct., Northern District of Texas);

the Town of Milford finds:

- (1) Sexually oriented businesses, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking, negative impacts on property values, urban blight, litter, and sexual assault and exploitation.
- (2) Nudity in combination with consumption of alcohol serves to exacerbate the negative secondary effects of sexually oriented businesses, particularly in relation to the potential for criminal activity.
- (3) Each of the foregoing negative secondary effects constitutes a harm which Milford has a substantial government interest in preventing and/or abating. This substantial government interest in preventing secondary effects, which is Milford's rationale for this by-law, exists independent of any comparative analysis between sexually oriented and non-sexually oriented businesses.

Additionally, Milford's interest in regulating sexually oriented businesses extends to preventing future secondary effects of either current or future sexually oriented businesses that may locate in Milford. Milford finds that the cases and documentation relied on in this by-law are reasonably believed to be relevant to said secondary effects.

having made the above findings, it is further moved that the Town vote to amend Article 15 of the General By-Laws of the Town by adding a new Section 15 as follows:

#### Section 15 – Adult Entertainment Establishments and Liquor

The following provisions apply to all Adult Entertainment or Use establishments consisting of an "adult book store", "adult motion picture theater" and/or an "establishment which displays live nudity for its patrons" as defined by M.G.L. Ch. 40A, § 9A, located within the Town of Milford as permitted under the provisions of the Milford Zoning By-Laws:

1. The Town of Milford shall not grant, or renew, any license for the sale of alcohol for consumption on the premises in accordance with the provisions of M.G.L. Ch. 138 § 12 to any Adult Entertainment or Use establishment, as defined above, as the presence of alcohol is documented to exacerbate negative secondary crime effects related to sexually oriented businesses.
2. The Town of Milford shall not grant any special licenses for the sale of alcohol for consumption on the premises in accordance with M.G.L. Ch. 138, § 14 to any Adult Entertainment or Use establishment, as defined above, as the presence of alcohol is documented to exacerbate negative crime effects related to sexually oriented businesses.

3. The owners or operators of an Adult Entertainment or Use establishment as defined above shall not allow any patron of such establishment(s) to consume alcoholic beverages within any Adult Entertainment or Use establishment, even if such beverages are brought to the premises by the patrons, as the presence of alcohol is documented to exacerbate negative secondary crime effects related to sexually oriented businesses. Violation hereof by a licensee holding a license under M.G.L. Ch. 138, §§12 and/or 14 shall in all respects be deemed to be a material breach of the terms of such license.
4. In addition to any other remedies available in accordance with applicable law, in violation of any provision of this article shall be punished by a fine of not more than \$300, with each day of violation being a separate offense.

or take any other action in relation thereto.

**ARTICLE 20: Board of Selectmen**

To see if the Town will vote to accept for and as a public way a portion of Iadarola Avenue, or take any other action in relation thereto.

**INFO:** This is a general motion made when the town has deemed that a road meets its criterion and will be accepted.

**FINCOM:** This article as usual is not discussed but referred to the sponsor.

**FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR**

**ARTICLE 21: Board of Selectmen**

To see if the Town will vote to accept for and as a public way a private way known as Rock Hill Farm Road, or take any other action in relation thereto.

**INFO:** This is a general motion made when the town has deemed that a road meets its criterion and will be accepted.

**FINCOM:** This article as usual is not discussed but referred to the sponsor.

**FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR**

**ARTICLE 22: Board of Selectmen**

To see if the Town will vote to amend Article 15A General By-Laws of the Town entitled "Dog Control Law" by making the following changes:

**INFO:** This sets forward what options are available and make it in line with the new state statutes

**FINCOM:** No substantive discussion was held as it was presented that the changes are to be in line with new state initiatives.

**FINANCE COMMITTEE RECOMMENDATION IS SPONSOR**

- A. Strike Section 2 thereof and insert a new Section 2 as follows:

Section 2 (Complaint of nuisance, investigation) – If any person shall make a complaint in writing to the Board of Selectmen of the Town of Milford that any dog owned or harbored within the limits of the Town is dangerous, or a nuisance by reason of vicious disposition or excessive barking or other disturbance, the Board of Selectmen shall, in accordance with G.L. c. 140, Section 157, as amended, cause such complaint to be investigated and may make such order concerning the restraint or disposal of such dog as may be necessary, in accordance with applicable law.

- B. Within Section 4, Section 5, Section 6 and Section 7 of Section 15A replace the phrase "Dog Officer" with the phrase "Animal Control Officer".

- C. Revise Section 6 so that it shall read in full as follows:

Section 6 (Penalty) – Except for violations of Section 3 which are punishable in accordance with the schedule of fines as set forth therein, any owner or keeper of a dog who shall fail to comply with the provisions of this Article or any order of the Animal Control Officer issued pursuant to this Article, shall be punished by a fine not to exceed Fifty (\$50) Dollars for each offense.

or take any other action in relation thereto.

ARTICLE 23: Personnel Board

To see if the Town will vote to amend Section 5:13 of the Milford Personnel By-Laws by the addition of the following: Longevity pay shall also be granted to eligible personnel in the following positions, based upon cumulative years of service in Article 2 positions: \$350 per year (for years 10-14), \$450 per year (for years 15-19), and \$650 per year (for years 20 and thereafter)

**INFO:** Amendment to the longevity pay bylaw approved at a past town meeting.  
**FINCOM:** no discussion

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

Salaried Positions

Deputy Police Chief	Police Lieutenant
Town Engineer	Town Planner
Director of Sewer Operations	Assessor/Administrator
Health Agent	Building Commissioner
Parks/Recreation Administrator	Community Development Director
Senior Center Director	Asst. Town Counsel

Hourly Rated Positions

Director, Youth Commission	Animal Control Officer
Inspector, Plumbing/Gas	Inspector, Wiring
Health Inspector	Lister/Data Collector
Asst. Zoning Enforc. Officer/FT	Senior Building Custodian
Junior Building Custodian	Planning Assistant

or take any other action in relation thereto.

ARTICLE 24: JDB Realty

To see if the Town will vote to amend the Milford Zoning By-Laws by amending the Zoning Map as follows:

**INFO:** These changes rezone property from residential to commercial.  
**FINCOM:** Typically these type changes result in increased revenue to the town as the property is now taxed at a commercial rate. The finance committee usually follows the recommendation of the planning board as they have evaluated the technical merits of the changes.

**FINANCE COMMITTEE RECOMMENDATION IS TO REFER TO PLANNING BOARD**

To change the existing General Residential (RA) district to Neighborhood Commercial B (CB) district, that area owned by JDB Realty, LLC and bounded as follows:

Beginning at a point on the existing RA/CB zone line at land of James J. Tullio, said point being 150 feet easterly of the easterly sideline of East Main Street;

Thence S. 82° 16' 09" E a distance of 96.20 feet along land of said Tullio and land of Joseph A. and Graziela E. Cimino to a point at land of Christopher and Jose Morais;  
Thence S 08° 33' 30" W. a distance of 113.61 feet along land of said Morais to a point at land of Louis and Claire Iannitelli;  
Thence N 82° 36' 48" W a distance of 95.26 crossing other land of JDB Realty, LLC and along land of Thomas and Jacqueline Kelly;  
Thence N 08° 05' 05" E a distance of 114.20 feet along said existing RA/CB zone line to the point of beginning.

Said Parcel contains an area of 10,903 square feet, more or less, to be rezoned. or take any other action in relation thereto.

**ARTICLE 25: Board of Selectmen**

To see if the Town will vote to transfer the sum of \$129,383.42 from the Town Hall Exterior Painting Account #5122.5241 and in addition thereto appropriate the sum of \$55,000 said total sum to be utilized for replacement of the Town Hall roof, or take any other action in relation thereto.

**INFO:** Currently there is \$130K left over from the painting project. This adds \$55K to make the total \$185K which is what is required for the Town Hall Roof project.

**FINCOM:** General discussion held, but the committee was pleased money was left over from a town hall improvement article approved by the town meeting members and felt it could be used for repairing the town hall roof once the town meetings members reviewed the idea and if they felt favorable would add the additional money.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**ARTICLE 26: The Gutierrez Company**

To see if the Town will vote to amend the Zoning Bylaw relating to Life Science, Scientific Research, and Wholesale uses as noted hereinafter:

**INFO:** This article deals with two new categories of business zoning that are not currently listed in the ZBL. The planning board is reviewing this article and it may be passed over to be reworked. It would restrict the use to Business Park Zone only.

**FINCOM:** Non money article.

**FINANCE COMMITTEE RECOMMENDATION IS TO REFER TO THE SPONSOR**

BY ADDING in Section 2.3 Use Regulation Schedule references to Life Sciences Research and Development, Scientific Research and Development, and Wholesale uses as follows:

**Section 2.3 Use Regulation Schedule**

ACTIVITY OR USE	DISTRICT												
	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC	
<b><u>BUSINESS USES</u></b>													
Life Sciences Research/ Development <sup>1</sup>	O	O	O	O	O	P	O	O	O	P	P	P	
Scientific Research/ Development <sup>1</sup>	O	O	O	O	O	P	O	O	O	P	P	P	
<b><u>COMMERCIAL USES</u></b>													
Wholesaling without storage <sup>1</sup>	O	O	O	O	O	S <sup>24</sup>	P	P	P	P	P	P	
Wholesaling with storage <sup>1</sup>	O	O	O	O	O	S <sup>24</sup>	O	P	P	P	P	P	
<b><u>ACCESSORY USES</u></b>													
Light manufacturing, fabrication, production, processing, assembly, and testing.	O	O	O	O	O	P	O	O	O	P	P	P	

AND BY ADDING in Section 2.3 Use Regulation Schedule the following new Footnote #24:

<sup>24</sup> The special permit granting authority shall limit such developments to an area not to exceed 25% of the overall acreage of the contiguous BP zoning district within which it is located.

ARTICLE 27: Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$25,000 said sum to be utilized by the Board of Selectmen for consultant services to produce engineering drawings, plans and specifications associated with the fiscal year 2014 CDBG Grant Applications, or take any other action in relation thereto.

INFO: This is an annual article to fund the writing of grants.

FINCOM: In the past this activity has resulted in obtaining many grants including two grants of \$700K and \$900K for the Heights as well as grants for improving the town.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 28: Finance Committee

To see if the Town will vote to establish a Long Term Debt Stabilization Account, pursuant to G.L. c. 40, Section 5B, and further, to raise and appropriate or transfer a sum of money from available funds to be transferred to said new Stabilization Account, or take any other action in relation thereto.

INFO: This is an article to move \$500,000 from free cash into an account that would be used to defer capital purchases (such as a ladder truck that costs \$1,000,000) in future years where those purchases would hamper our ability to address other capital needs

FINCOM:

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 29: Board of Selectmen

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

INFO: This is a general motion made when the town has deemed that a road meets its criterion and will be accepted.

FINCOM: This article as usual is not discussed but referred to the sponsor.

**FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR**

ARTICLE 30: Finance Committee

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 established under G.L. c. 40, Section 5B, or take any other action in relation thereto, or take any other action in relation thereto.

INFO: This is a motion to place money into the long term stabilization account.

FINCOM: This article will be passed over if article 37 is passed.

**FINANCE COMMITTEE RECOMMENDATION IS TO PASS THIS OVER**

ARTICLE 31: Legal Department

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized with funds earlier appropriated to finalize the litigation with MassDEP and to finalize the remediation efforts in relation to contamination in the area of the bicycle trail off of Sumner Street, or take any other action in relation thereto.

INFO: This article asks for \$35,000 to complete the paperwork necessary to close the activities on the contamination area. Although all activities have been completed and litigation settled, there are a series of legal tasks that must be taken to close out the project.



**FINCOM:** Discussion was held regarding the \$500K we have spent on this effort over the years and it appeared that this was the final set of expenses required and that we now have a clean site.  
**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**ARTICLE 32:** Board of Selectmen

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 replace the existing ten door frames and doors at the Milford Youth Center with energy efficient hollow metal frames and insulated doors and related safety and energy improvements related thereto, or take any other action in relation thereto.

**INFO:** This article asks for money to repair doors at the Youth Center.

**FINCOM:** The Youth Center Board indicated they will pass this over as all of the repairs would be done under the multimillion dollar renovation plan that will be presented to Town Meeting in the fall.

**ARTICLE 33:** Youth Commission

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized to remove and replace the flat roof at the Milford Youth Center with an energy efficient roofing system, or take any other action in relation thereto.

**INFO:** This article asks for money to repair the roof at the Youth Center.

**FINCOM:** The Youth Center Board indicated they will pass this over as all of the repairs would be done under the multimillion dollar renovation plan that will be presented to Town Meeting in the fall.

**ARTICLE 34:** Town Treasurer

To see if the Town will vote to transfer additional funds to the Sewer Stabilization Fund, or take any other action in relation thereto.

**INFO:** This would move the money collected from Hopkinton in 2012 (\$300K) and currently sits in the unrestricted account into the stabilization account which is currently at \$4.5M.

**FINCOM:** The sewer would have to get a 2/3 vote to remove it and it allows a higher rate of interest.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**ARTICLE 35:** Board of Selectmen

To see if the Town will vote to accept as and for a public way a portion of Broad Street, or take any other action in relation thereto.

**INFO:** This is a general motion made when the town has deemed that a road meets its criterion and will be accepted.

**FINCOM:** This article as usual is not discussed but referred to the sponsor.

**FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR**

**ARTICLE 36:** Board of Selectmen

To see if the Town will vote to accept by and for a public way a private way known as Diego Drive, or take any other action in relation thereto.

**INFO:** This is a general motion made when the town has deemed that a road meets its criterion and will be accepted.

**FINCOM:** This article as usual is not discussed but referred to the sponsor.



**FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR**

**ARTICLE 37: Town Treasurer**

To see if the Town will vote to transfer a sum of money from the Debt Reserve to be added to the Stabilization Fund established under G.L. c. 40, Section 5B, or take any other action in relation thereto.

**INFO:** Money that was paid back to us from the SBA has been sitting in a reserve account worth \$620,516 not gaining interest. The current account is restricted and this would place it into the stabilization account. This would place it into the stabilization account which has \$10,353,477.

**FINCOM:** General discussion on the merits.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

**ARTICLE 38: Board of Selectmen**

To see if the Town will vote to amend the Zoning Bylaw relating to Medical Marijuana Treatment Centers as noted hereinafter:

**INFO:** Medical marijuana is being permitted. Part of the statute provides for 35 treatment centers in the state. Milford may be one. The town cannot ban a center. The Selectmen want to regulate it. The locations will be in similar areas to the adult entertainment areas. Planning Board has recommended unfavorable action as they feel they should be the authority to approve the locations. The selectmen feel it should be the ZBA since this will be a site specific action.

**FINCOM:** Discussion was held that indicated this is necessary so that we control where a center would be.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

BY ADDING in Article IV Definitions a definition for Medical Marijuana Treatment Centers as follows:

Medical Marijuana Treatment Center - A not-for-profit entity, as defined by Massachusetts law only, duly registered by the Massachusetts Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

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

Section 2.3 Use Regulation Schedule

ACTIVITY OR USE	DISTRICT												
	RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC	
<u>OTHER PRINCIPAL USES</u>													
Medical Marijuana Treatment Center <sup>1,23</sup>	O	O	O	O	O	O	O	O	O	O	O	A	A

AND IN ADDITION by adding in Section 2.3 Use Regulation Schedule the following new Footnote #23:

<sup>23</sup> No Medical Marijuana Treatment Center shall be located within 200 feet of a Residential Zone, dwelling unit, school, place of worship, church, park, playground, or youth center. Measurements to determine the 200' separation shall be taken from property lines. Where any portion of a lot is within a required separation, the entire lot shall be considered to be within the required separation.

ARTICLE 39: Police Chief/ Board of Selectmen

To see if the Town will vote to amend the General By-Laws of the Town by inserting a new Article 38 to be entitled "Sex Offender Restrictions" and which would provide in full as follows:

**INFO:** Massachusetts law only requires sex offenders to register with the local police where they live and work. This proposed by-law regulates where level 2 (may reoffend) and level 3 (likely to reoffend) can reside or be present. There are 77 sex offenders registered in Milford (Level 3 – 15, Level 2 – 44, Level 1 – 16 and 2 unclassified). The police department has identified sex offenders who have relocated to Milford from cities and towns that have a sex offender by-law because Milford did not.

This by-law would prohibit Level 3 and Level 2 sex offenders from residing within 250 feet of a school, parks, daycare center, elderly housing facility, library, facilities providing services intellectually or physically disabled persons. Registered sex offenders are also prohibited from congregating within 250 feet of these same locations and school bus stops for more than 15 minutes. They may go to these facilities with permission of the person managing the facility and in the instance of the library or an event at a park they must identify themselves as a registered sex offender.

A recent audit by the State Auditor found 119 registered Level 3 and 2 sex offenders in Massachusetts had the same residential address as a licensed day care center. A recent investigation by WCVB TV-5 contrasted the number of Level 3 sex offenders against the population in each community in Massachusetts and Milford was ranked 46<sup>th</sup> out of 351 cities and towns. The City of Cambridge was tied with Milford at 46<sup>th</sup> and the Town of Framingham was ranked lower at 44<sup>th</sup>.

There are constitutional and statutory exceptions and exemptions within the by-law.

**FINCOM:** Discussion was held to better understand the provision.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

SEX OFFENDER RESTRICTIONS

SECTION 1. FINDINGS AND INTENT

- A. It is the intent of this by-law to serve and to protect the compelling interest of the Town of Milford to promote, protect and improve the health, safety and welfare of the people within the Town by creating areas around locations where children, elderly and people with an intellectual or physical disability congregate and wherein certain registered sex offenders are prohibited from loitering or establishing temporary or permanent residence.
- B. After careful consideration, the Town finds that this by-law is the most narrowly tailored means to exercise a compelling governmental interest to protect the health and safety of children, the elderly and the people with an intellectual or physical disability by limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach, interact with or otherwise come in contact with children, the elderly or people with an intellectual disability at places and locations where children, the elderly and the person with an intellectual disability would congregate.
- C. By the enactment of this or any other by-law, the Town understands that it cannot remove the threat posed to or guarantee the safety of children, the elderly and the person with an intellectual or physical disability, or assure the public that registered sex offenders will comply with the mandates of this by-law. The intent of this by-law is to protect children, the elderly and people with an intellectual disability to the extent possible under the circumstances.
- D. Registered sex offenders pose a clear threat to children, the elderly and people with an intellectual or physical disability as vulnerable groups residing in or visiting the Town because registered sex offenders are more likely than any other type of offender to re-offend by committing another sexual offense, the Town desires to impose safety precautions in furtherance of the goal of protecting children, the elderly and people with an intellectual or physical disability. The purpose of this by-law is to mitigate the potential risk of harm to children, the elderly and people with an intellectual or physical disability within the Milford community by deterring the ability of registered sex offenders to be in contact with children, the elderly and people with an intellectual or physical disability in locations that are primarily designed for use by children, the elderly or people with an intellectual or physical disability, namely the grounds of public and private schools for children, centers or facilities that provide day care or children's services, public parks, elderly housing facilities, facilities for persons with an intellectual or physical disability or public libraries. The Town desires to add location restrictions to sex offenders to the extent where State law is silent.

## SECTION 2. DEFINITIONS

### CHILD OR CHILDREN:

Person or persons under eighteen (18) years of age.

### DAY-CARE CENTER OR FACILITY:

Any establishment, whether public or private which provides care for children and is registered with and licensed pursuant to the laws of the Commonwealth of Massachusetts by the Department of Early Education and Care.

### ELDER OR ELDERLY:

Person or persons over sixty (60) years of age.

### ELDERLY HOUSING FACILITY:

Includes any building which provides a group residence for the elderly containing four or more dwelling units and is located within the Town of Milford.

### GENDER PRONOUN USAGE:

The use of a particular gender pronoun in this by-law shall refer equally to males and females.

### LIBRARY:

A public library operated or authorized by the Town of Milford.

### LOITERING:

To stand, sit or otherwise remain, whether in a vehicle or not, for more than fifteen (15) minutes within a two hundred and fifty (250) foot distance of any school, day-care center, park, recreational facility, elderly housing facility, facility for the person with an intellectual disability or library as defined in Section 2.; provided, however, that the prohibition contained in this section shall not apply to any Level 3 offender to the extent and in the manner such Level 3 offender is already governed by M.G.L. c. 6 s. 178K(2)(e).

### PERSON OR PEOPLE WITH AN INTELLECTUAL DISABILITY – FACILITY FOR:

Includes facilities under the jurisdiction of the Massachusetts Department of Developmental Services located within the Town of Milford.

### PERSON OR PEOPLE WITH AN INTELLECTUAL DISABILITY:

Pursuant to M.G.L. c. 123B s. 1, a person with an intellectual disability is a person who, as a result of inadequately developed or impaired intelligence, as determined by clinical authorities as described in the regulations of the Massachusetts Department of Developmental Services, is substantially limited in the person's ability to function in the community.; provided, however, that a person with an intellectual disability may be considered mentally ill; provided further, that no person with an intellectual disability shall be considered mentally ill solely by virtue of the person's intellectual disability.

### PERSON OR PEOPLE WITH A PHYSICAL DISABILITY – FACILITY FOR:

Includes facilities under the jurisdiction of the Massachusetts Rehabilitation Commission located within the Town of Milford.

### PERSON OR PEOPLE WITH A PHYSICAL DISABILITY:

Pursuant to M.G.L. c. 19C s. 1, a disabled person is a person between the ages of eighteen to fifty-nine, inclusive, who is a person with an intellectual disability as defined by section 1 of chapter 123B, or who is otherwise mentally or physically disabled and as a result of such mental or physical disability is wholly or partially dependent on others to meet his daily living needs.

### MINOR:

Any person or persons under the age of eighteen (18) years.

### ORGANIZED YOUTH ACTIVITY:

Any activity organized by a non-profit as defined in Massachusetts General Laws, Chapter 180, to provide activities for minors, children and youths.

### PARK:

Includes parks, playgrounds, and land designated for recreational or athletic use under the jurisdiction of the Town of Milford Parks Department.

**REGISTERED SEX OFFENDER:**

For the purposes of this By-Law, Registered Sex Offender shall mean: (a) any person who is designated as a sexually violent predator pursuant to Chapter 6, s. 178K(2)(c) or the Massachusetts General Laws and who is required to register as a sex offender pursuant to the guidelines of the Sex Offender Registry Board; (b) any person who is required to register as a sex offender pursuant to Chapter 6 s. 178C of the Massachusetts General Laws and who, for so long as such person is finally classified as a Level 3 offender pursuant to the guidelines of the Sex Offender Registry Board; and (c) any person who, is required to register as a sex offender pursuant to Chapter 6, s. 178C of the Massachusetts General Laws, who, for so long as such person is finally classified as a Level 2 offender pursuant to the guidelines of the Sex Offender Registry Board, and who has committed a sex offence against a child, and elder and/or person with an intellectual disability person.

**RESIDENCE – ESTABLISHING:**

To set up or bring into being a dwelling place or abode where a person sleeps, which may include one or more than one location, and may be mobile or transitory, by means of purchasing real property or entering into a lease or rental agreement for real property, to include but not be limited to a tenancy at free will or a renewal or extension or a prior agreement whether through written execution or automatic renewal.

**RESIDENCE - PERMANENT:**

A place where a person lives, abides, lodges or resides for five (5) consecutive days or fourteen (14) days in the aggregate within any calendar year.

**RESIDENCE – TEMPORARY:**

A place where a person lives, abides, lodges or resides for a period of less than five (5) consecutive days or less than fourteen (14) days in the aggregate within any calendar year, which is not the person's permanent address or place where the person routinely lives, abides, lodges or resides and which is not the person's permanent residence; but "temporary residence," shall include residence at a hospital or other health care or medical facility for less than five (5) consecutive days or less than fourteen (14) days in the aggregate within any calendar year

**SCHOOL:**

Any public or private educational facility that provides educational instruction to children in grades Pre-Kindergarten (Pre-K) through the twelfth grade (12).

**SCHOOL BUS STOP:**

Any area designated by the Milford Public Schools as a school bus stop.

**SEX OFFENDER, SEX OFFENSE OR SEXUALLY VIOLENT OFFENSE:**

The same definition and meanings as provided in M.G.L. c. 6 s. 178C, as amended.

**TOWN LIBRARY:**

The public library owned and operated by the Town of Milford.

**YOUTH:**

Person or persons under eighteen (18) years of age.

**SECTION 3. RESIDENCY RESTRICTIONS**

- A. **PROHIBITION:** A registered sex offender is prohibited from establishing a permanent residence or a temporary residence within two hundred and fifty (250) feet of any school, day-care center or facility, park, elderly housing facility, facility for people with an intellectual or physical disability or library as defined in Section 2.; provided, however, that the prohibition contained in this section shall not apply to any Level 3 offender only to the extent and in the manner such Level 3 offender is already governed by M.G.L. c. 6 s. 178K(2)(e).
- B. **EVIDENTIARY MATTERS – MEASUREMENTS:**  
For purposes of determining the minimum distance separation under this section, the distance shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest outer property line of any school, day-care center or facility, park, elderly housing facility or facility for people with an intellectual or physical disability or library.
- C. **EXCEPTIONS:**

A registered sex offender residing within two hundred and fifty (250) feet of any school, day-care center or facility, park, elderly housing facility or facility for people with an intellectual or physical disability or library does not commit a violation of this section if any of the following apply:

- 1) The registered sex offender established a permanent residence prior to the effective date of this chapter, and:
  - (a) Permanent residence was established by purchasing the real property where the residence is established, as long as the registered sex offender continues to reside in and does not move to another restricted location in the Town of Milford different from the permanent residence established prior to the effective date of this by-law and provided further that the sex offender reported and registered the residence pursuant to M.G.L. c. 6 s. 178C through 178P; or
  - (b) Permanent residence was established through a valid, fixed term, written lease or rental agreement, executed prior to the effective date of this by-law, as long as the registered sex offender continues to reside within and does not move to another location in the Town of Milford different from the permanent residence established prior to the effective date of this by-law and provided further that the sex offender reported and registered the residence pursuant to M.G.L. c. 6 s. 178C through 178P; or
  - (c) Permanent residence was established through a verbal lease or tenant at will rental agreement, as long as the registered sex offender continues to reside within and does not move to another restricted location in the Town of Milford different from the permanent residence established prior to the effective date of this by-law and provided further that the sex offender reported and registered the residence pursuant to M.G.L. c. 6 s. 178C through 178P.
- 2) The registered sex offender is a minor living with his parent(s) or legal guardian(s), which parent(s) or legal guardian(s) has (have) established permanent residence pursuant to Section 3(C)(1).
- 3) The school, day-care center or facility, park, elderly housing facility, facility for people with an intellectual or physical disability or library located within two hundred and fifty (250) feet for the registered sex offender's permanent residence was opened after the registered sex offender established the permanent residence.

D. FORFEIT OF EXCEPTION:

If, either after the effective date of this by-law or after a new school, day-care center or facility, park, elderly housing facility, facility for people with an intellectual or physical disability or library opens, a sex offender, otherwise enjoying an exception under Section 3(C), is convicted for commission of a sex offense as defined in this by-law and M.G.L. c. 6 s. 178C, he will immediately forfeit that exception and will be required to comply with the provisions of Section 3(A) of the by-law.

E. NOTICE TO MOVE

A registered sex offender who resides on a permanent or temporary basis within two hundred and fifty (250) feet of any school, day-care center or facility, park, elderly housing facility, facility for people with an intellectual or physical disability or library in violation of this section shall, within thirty (30) days of receipt of a written notice of the registered sex offender's non-compliance with this by-law, vacate and move from said location to a new location, however, said new location may not be within two hundred and fifty (250) feet of any school, day-care center or facility, park, elderly housing facility, facility for people with an intellectual or physical disability or a library. It shall constitute a separate violation for each day beyond the thirty (30) days that the registered sex offender continues to reside within two hundred and fifty (250) feet of any school, day-care center or facility, park, elderly housing facility, facility for people with an intellectual or physical disability or library. Furthermore, it shall be a violation each day that a registered sex offender shall move from one location in the Town of Milford to another that is within two hundred and fifty (250) feet of a school, day-care center or facility, park, elderly housing facility or facility for people with an intellectual or physical disability or library.

## SECTION 4. SAFETY ZONES

### A. PROHIBITIONS:

- 1) A registered sex offender is prohibited from entering upon the premises of a school unless the sex offender's entrance and presence is required because the sex offender is a student enrolled at the school or is the parent or guardian or guardian of a student, provided that the sex offender receives written authorization from the school administrator.
- 2) A registered sex offender is prohibited from entering upon the premises of a day-care center or facility, unless the sex offender's entrance and presence is required because the sex offender is the parent or guardian or guardian of a student or child in the care of a day-care and the sex offender receives prior written authorization from the day-care administrator.
- 3) A registered sex offender is prohibited from entering upon the premises of an elderly housing facility unless previously authorized specifically for that occasion, in writing, by the on-site manager of the elderly housing facility.
- 4) A registered sex offender is prohibited from entering upon the premises of a facility for people with an intellectual or physical disability unless previously authorized specifically for that occasion, in writing, by the on-site manager of the facility for people with an intellectual or physical disability.
- 5) A registered sex offender is prohibited from entering upon the premises of a park except if the sex offender is a minor enrolled and participating in an organized youth activity; or the sex offender is the legal parent or guardian of a child participating in the organized youth activity and provided further that the sex offender makes their presence and status as a sex offender known to the youth organization agent or representative and the sex offender.
- 6) A registered sex offender is prohibited from loitering within two hundred and fifty (250) feet of a school, day-care center or facility, park, elderly housing facility, or facility for people with an intellectual or physical disability for a period of more than fifteen (15) minutes. A registered sex offender found to be in violation by a police officer shall, upon demand of said police officer, provide his name, address, and date of birth. A registered sex offender, after having received notice from a police officer that they are loitering, as defined in this by-law, shall immediately cease and desist. For purposes of determining the minimum distance separation under this section, the distance shall be measured by following a straight line from the registered sex offender to the outer property line of the school, day-care center or facility, park, elderly housing, or facility for people with an intellectual or physical disability.
- 7) A registered sex offender is prohibited from loitering within five (250) feet of a school bus stop for a period of more than fifteen (15) minutes. A registered sex offender, after having received notice from a police officer that he is loitering as defined in this by-law shall immediately cease and desist. For purposes of determining the minimum distance separation under this section, the distance shall be measured by following a straight line from the registered sex offender to the location of the school bus stop. This prohibition shall apply and be in effect on the days and at the times when the schools within the Town of Milford are in session and when the school bus stops as defined in Section 2. are being utilized.
- 8) A registered sex offender is prohibited loitering within five (250) feet of a library, however, a sex offender may enter the library, provided that the sex offender makes their presence and status as a registered sex offender known to the library staff at the front desk of said library and provided further that the sex offender does not enter in or upon the children's section of said library.

### B. EXCEPTIONS:

- 1) The prohibitions defined in Section 4(A)(1), (2), (3), (4) and (5) shall not be construed or enforced so as to prohibit a registered sex offender from exercising his or her right to vote in a federal, state or municipal election.
- 2) The prohibitions defined in Section 4(A)(1), (2), (3), (4) and (5) shall not be construed or enforced so as to prohibit a registered sex offender from exercising his or her right to attend a religious service.

- 3) The prohibitions defined in Section 4(A) (6), (7) and (8) do not apply to registered sex offender's place of residence when such residence is excepted under Section 3.(C).
- 4) The prohibitions defined in Section 4(A) (6), (7) and (8) do not apply to registered sex offender's place of employment when such place of employment is located within the prohibited area, provided that the sex offender reported and registered the place of employment pursuant to M.G.L. c. 6 s. 178C through 178P.
- 5) The prohibitions defined in Section 4(A) (7), do not apply to registered sex offender's residence when such place of residence is located within the prohibited area, provided that the sex offender reported and registered the place of residence pursuant to M.G.L. c. 6 s. 178C through 178P.

#### SECTION 5. EXEMPTIONS:

The provisions of this by-law shall not be applicable to registered sex offenders if:

- 1) The sex offender is incarcerated in any facilities owned, maintained and/or operated by the Town of Milford; or
- 2) The sex offender is required to serve a sentence at a jail, prison, juvenile facility or other correctional institution or facility; or
- 3) The sex offender is admitted to and/or subject to an order of commitment at a public or private facility for the care and treatment of mentally ill persons pursuant to M.G.L. c. 123; or
- 4) The sex offender is a mentally ill person subject to guardianship pursuant to M.G.L. c. 201 s. 6 or a person with an intellectual disability person subject to guardianship pursuant to M.G.L. c. 201 s. 6A, residing with his or her guardian.
- 5) The sex offender is residing within a group residence that is licensed as a residential program and that provides twenty-four hour a day (24 Hour) staffing and supervision pursuant to M.G.L. c. 19 s. 19 and 104 C.M.R. 28.13 et seq., or M.G.L. c. 19B s. 15 and 115 C.M.R. 8.01 et seq.

#### SECTION 6. ENFORCEMENT:

- A. This by-law may be enforced by the Chief of Police and officers of the Milford Police Department or any officer having the authority to serve criminal process in the Town of Milford.
- B. A written list of the prohibited locations defined in this chapter, to include schools, day-care centers or facilities, parks, elderly housing facilities, facilities for people with an intellectual or physical disability, libraries and school bus stops shall be compiled by the Milford Police Department annually within thirty (30) days after the commencement day of the public school year, to determine what if any changes have been made to the location of school bus stops or safety zones. A copy of the list and this by-law will be mailed annually to all registered sex offenders residing or working within the Town of Milford on or before October 31<sup>st</sup>. The list will also be available at the Milford Police Department. and will then become effective under this bylaw on said date. Newly registered sex offenders will be provided with a copy of this by-law and the list of prohibited locations.

#### SECTION 7. PENALTIES

- A. **CRIMINAL COMPLAINT**  
Any violation of this by-law may be subject to criminal penalties and prosecution in a court of competent jurisdiction and shall result in a criminal fine of up to \$300. Said violation may constitute a violation of M.G.L. c. 272 s. 59 for which the violator is subject to arrest without a warrant.

- B. **NON-CRIMINAL DISPOSITION**

Any violation of this by-law may, in the discretion of the enforcing police officer, be enforced as a non-criminal disposition pursuant to M.G.L. c. 40 s. 21D as follows:

1. First Offense: Non-criminal fine of up to \$300.



2. Second or Subsequent Offense: Non-criminal fine of \$300.

C. LEGAL AND EQUITABLE REMEDIES

In addition to the remedies in Section 3.(G)(1) and (2) above, the Town may seek or obtain any or all other legal and equitable remedies to prevent or remove a sex offender who is in violation of this by-law, to include but not be limited to bringing an action in the name of the Town to permanently enjoin such violation as a public nuisance.

D. NOTIFICATION TO PAROLE, PROBATION AND/OR THE SEX OFFENDER REGISTRY BOARD

In addition to the remedies in Section 3.(G)(1), (2) and (3) above, the Town may make notification to the sex offender's parole officer and/or probation officer, and the Massachusetts Sex Offender Registry Board, that the sex offender has violated a Town By-Law

SECTION 8. SEVERABILITY Police Chief/ Board of Selectmen

If any word, clause, sentence, paragraph, subdivision, section or other part of this by-law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this by-law, and it shall be construed to have been the legislative intent to enact this by-law without such unconstitutional or invalid parts therein.

Or take any other action in relation thereto.

ARTICLE 40: Police Chief

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount \$5,000 to be spent under the jurisdiction of the Police Chief to purchase new uniforms and accessories for the Police Department Honor Guard, or take any other action in relation thereto.

INFO: Honor guard officers come in on their own time to attend civic events. In the past several years they have raised money. As the officers in the honor guard change some uniforms do not fit. This is above and beyond the normal clothes that are covered in their uniform allowance.

FINCOM: Discussion was held over whether there is money left over in the operational budget. Several items have drained any excess funds due to cost savings.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 41: Highway Surveyor

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, to be utilized in conjunction with funds to be made available through the Municipal Property Insurance Fund, to replace a truck and related equipment recently burned in the course of snow plowing operations, or take any other action in relation thereto.

INFO: A truck worth \$140K burned. \$87K is the net difference between the replacement cost and the payment from our self-insurance fund.

FINCOM: Discussion was held and the Highway department requires this truck.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 42: Commission on Disability

To see if the Town will vote to amend the General By-Laws of the Town by striking therefrom the current Article 22 and replacing said Article with a new Article 22 as follows:

INFO: These changes are refining the current law to better match the current laws.

FINCOM: One of the issues is that we have to make several issues clear such as people not being able to stand in handicap spots.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 22  
HANDICAPPED PARKING

Section 1 - Any person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, shall reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate, placard or other authorization pursuant to section 2 of chapter 90 of the General Laws. Such handicapped parking, associated signage, markings and other requirements shall all be in accordance with the 521 CMR 1.00 et seq., the Rules and Regulations of the Architectural Access Board, as amended.

Section 2 - It shall be unlawful to leave or park any vehicle attended or unattended, in a space designated for handicapped parking, including adjacent striped areas, without such vehicle having the distinguished license plate or placard, or park any vehicle in such a manner to obstruct a curb or ramp designed for use by handicapped persons as a means of egress to a street or public way, and the penalty for violation shall be as follows:

For each offense, One Hundred Twenty-Five Dollars; and the vehicle may be removed according to the provisions of Section one hundred and twenty D of Chapter two hundred and sixty-six of the General Laws.

or take any other action in relation thereto.

ARTICLE 43: Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to amend their agreement with Northbridge Solar LLC for net metering credit in relation to a solar electric generating facility in Northbridge, Massachusetts so that said agreement, now for a term of five (5) years, may be extended for a full term of twenty (20) years, or take any other action in relation thereto.

INFO: Selectmen voted to amend the agreement which represents 23% of our consumption. This would save us \$93K per year or \$3.3M. It also holds a limit to how high the price of electricity. The selectmen have the ability to sign up to 5 years which was done. This would extend it to 20 years.

FINCOM: Discussion was held as this seemed like an agreement that only has upside for the town as the rate would be set by the market which presently is much lower than our previous rate and we are protected with a maximum rate cap for the future.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 44: Town Accountant

To see if the Town will vote to transfer funds between certain line items voted under Article 4 of the May 21, 2012 Annual Town Meeting for the purpose of making funds available in line item accounts not sufficiently funded through the end of Fiscal Year 2013, or take any other action in relation thereto.

INFO: This is a Recurring annual article that allows departments to balance their budgets at year end by moving excess funds from either the salary area to the expense area or vice versa.

FINCOM: No discussion is required after the list was prepared and reviewed.

**FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE**

ARTICLE 45: Town Accountant

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.

INFO: This is a Recurring annual article that allows left over funds from previously approved articles and projects to be returned to the general fund.

FINCOM: No discussion is required.

**FINANCE COMMITTEE RECOMMENDATION is FAVORABLE**

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

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

Given under our hands at Milford this \_\_\_\_\_ day of \_\_\_\_\_, 2013

MILFORD BOARD OF SELECTMEN

\_\_\_\_\_  
Atty. Brian W. Murray, Chairman

\_\_\_\_\_  
Dino B. DeBartolomeis

\_\_\_\_\_  
William D. Buckley

A true copy attest:

\_\_\_\_\_  
Thomas J. O'Loughlin, Chief of Police

## Summary of Articles

1	Reports of Town Departments	Various	
2	FY14 Salaries & Wage Class	Personnel Board	
3	FY14 Salaries / Elected officials & Boards	Selectmen	
4	FY14 Town Budget	Selectmen	
5	Authorize Treasure to borrow	Treasurer	
6	Authorization to manage Legal Proceedings	Selectmen	
7	Authorization to expand Parking Fines	Selectmen	
8	Authorize Treasure – Compensating balance agreements	Treasurer	
9	Authorization to utilize insurance settlements	Selectmen	
10	Authorization for legal Contracts	Selectmen	
11	Exemption of Property Tax	Selectmen	
12	Accept Deeds in lieu of foreclosure	Treasurer	
13	Vending Machine Money for Schools	School Dept	
14	Establish Revolving Accounts	Various	
15	Milford Water Company Rate Increase Challenge	Legal Dept	
16	Anti Casino Resolution	R. Morrison	
17	Transfer to Veterans account	Veterans Dept	\$75,000
18	Youth Center Architect	Brian Murray	\$300,000
19	Amend By-law / Section 15	Selectmen	
20	Accept Iadarola Avenue	Selectmen	
21	Accept Rockhill Farm Road	Selectmen	
22	Amend general by-laws – Animal Control	Selectmen	
23	Amend Personnel By-law – Longevity Pay	Personnel Board	
24	Amend Zoning By-Law	JBD Realty	
25	Appropriate \$55,000 for Town Hall Roof	Selectmen	\$55,000
26	Amend Zoning By Law	Gutierrez Co.	
27	Consultant Services CDBG Grant	Selectmen	\$25,000
28	Establish Long Term debt Account	Finance Comm	\$500,000
29	Accept Madden Ave	Selectmen	
30	Add funds to the stabilization Account	Finance Comm	\$500,000
31	Sumner Street Remediation	Legal Dept	\$30,000
32	Youth Center Door Replacement	Youth Commission	\$50,000
33	Youth Center Roof Replacement	Youth Commission	\$75,000
34	Transfer funds to Sewer Stabilization Account	Treasurer	
35	Accept Broad Street	Selectmen	
36	Accept Diego Drive	Selectmen	
37	Transfer Funds from Debt Reserve to Stabilization Account	Treasurer	
38	Amend Zoning by-laws – Medical Marijuana Centers	Selectmen	
39	New By Law – Sex Offender Restriction	Selectmen	
40	Police Honor Guard Uniforms	Police Dept	\$5,000
41	Truck Replacement	Highway Dept	\$87,000
42	Amend By-Laws – Handicap Parking	Disability Comm	
43	Electricity Contract	Selectmen	
44	Transfer Funds between Accounts	Town Accountant	
45	Close out Old Projects	Town Accountant	

Article 44 Transfers to close accounts

<u>Town Meeting Article</u>	<u>Purpose</u>	<u>Balance to be Transferred</u>
2010-06 #30	Consulting CDBG	\$38,850
2012-05 #23	Consulting CDBG	\$23,325.75
2010-10 #1	Fireworks	\$3,500
2012-10 #22	Animal Van Control	\$888
2012-12 #27	Replace Senior Center Fence	\$175.17
2012-10 #35	Defend Land Taking	\$2,080.37
2011-11 #10	Highway Roof repair	\$0.84
2012-10 #28	Purchase Sidewalk tractor	\$106.04
2010-06 #20	Lease of computers	\$98.59
2012-05 #19	General Draper Statute	\$711.93
		\$69,736.69

Article 44 Transfers between line items

<u>Town Meeting</u>	<u>Purpose</u>	<u>Balance to be Transferred</u>
Selectmen 122-5300	Lou Cellozi retirement & Villani overlap	\$4,000
Selectmen 192-5300	Lou Cellozi retirement & Villani overlap	\$4,650
Planning Board	Budget refinement	\$19
Town Engineer	Retirement & overlap	\$14,000
		\$22,669.00