



SPECIAL TOWN MEETING
October 22, 2012
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 22nd day of October, 2012 A.D. at 7:30 P.M. and then and there to act upon the following articles:

ARTICLE 1: (Board of Selectman)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized for the July 4, 2013 celebration, or take any other action in relation thereto.

INFO: This is the annual article to provide funding for the fireworks related to the 4th of July celebration that the Town sponsors.

FINCOM: This is to fund the fireworks at the traditional 4th of July celebration at Plains Park. Discussion was held that this event provides a venue for residents to gather and celebrate the birth of our nation. It also provides an alternative to people going into Boston which can be too costly for many residents. One concern that was raised was that we are spending public funds on a celebration that is not essential.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 2: (Board of Selectman)

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

INFO: This is a mainly housekeeping article that accepts a road that meets the town's specifications.

FINCOM: The finance committee typically votes in favor of acceptance once recommended by the town officials after they have performed their due diligence

FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR

ARTICLE 3: (Board of Selectman)

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

INFO: This is a mainly housekeeping article that accepts a road that meets the town's specifications.

FINCOM: The finance committee typically votes in favor of acceptance once recommended by the town officials after they have performed their due diligence

FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR

ARTICLE 4: (Planning Board)

To see if the Town will vote to amend the Zoning Bylaw relating to sheds as follows:

BY DELETING in Section 4.1 Definitions the definition of “Shed”.

AND BY DELETING Section 3.2.4 Sheds in its entirety and adopting in lieu thereof the following new Section 3.2.4:

“3.2.4 Setback Reduction – Notwithstanding the above, the required side and rear yard setbacks may be reduced by not more than 50% for an accessory building or structure not exceeding 120 square feet in gross floor area and 10 feet in height.”

or take any other action in relation thereto.

INFO: This non money article was not reviewed by the finance committee.

FINCOM: This non money article was not reviewed by the Finance Committee

FINANCE COMMITTEE RECOMMENDATION IS Refer to Sponsor

ARTICLE 5: (Board of Selectman – Finance Committee)

To see if the Town will vote to delete the provisions of Article 18 of the General By-Laws entitled “Capital Improvement Committee” and at the same time amend Article 2 of said by-laws entitled “Finance Committee” by inserting a new paragraph within Section 4 thereof which paragraph shall state as follows:

The Finance Committee shall have a permanent sub-committee on Capital Improvements which sub-committee shall evaluate the capital needs of Town and its various departments and shall report and recommend thereon to the full Finance Committee.

or take any other action in relation thereto.

INFO: This article would eliminate the Capital Improvement Committee and assign its duties to the Finance Committee’s long range planning sub-committee. Over the past decade the CIC has not been able to obtain the information they require to evaluate capital articles and prepare a report in time for the information to be used in developing financial plans and budgets that are developed for the town meeting. Working with the department heads, the various sub committees of the finance committee has obtained the information months prior to the town meetings allowing the data to be discussed and evaluated in time to be incorporated into the budget. Over the years, department heads have raised objections to having to repeat their presentations multiple times. The CIC has also not had time to use the actual financial data available on available funds to prioritize what can actually be purchased. As the work is done by the finance subcommittee already in a timely fashion, the need for the CIC to repeat the effort and not submit it in a manner that can be used seems redundant.

FINCOM: The Board of Selectman and the Finance Committee are proposing this article to absorb the duties of the CIC into the existing finance committee subcommittee on long range capital planning.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 6: (Park Commission)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized by the Park Commission to purchase a new lawn tractor/mower, or take any other action in relation thereto.

INFO: This will fund a replacement of a lawn mower that has reached the end of its useful life.

FINCOM: No major discussion required as the unit needs to be replaced.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 7: (Retirement Board)

To see if the Town will vote to raise and appropriate a sum of money in the amount of \$44,000 to be utilized to increase the fiscal year 2013 appropriation for the Retirement Board to supplement the acceptance of the provisions of Subsection (j) of Section 103 of Chapter 32 of the General Laws as inserted by Section 19 of Chapter 188 of the Acts of 2010, or take any other action in relation thereto.

INFO: This article will fund the COLA increase for the town's retirees

FINCOM: The request seemed reasonable.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 8: (Legal Department)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, said sum to be added to the Legal Department Expense Account for purpose of replacement of items of electronic equipment, or take any other action in relation thereto.

INFO: The legal department is in need of a new PC for approximately \$2,000

FINCOM: The PC is to replace an existing unit

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 9: (Personnel Board)

To see if the Town will vote to amend the Personnel Bylaws of the Town by adding a new Section 5.13 as follows:

SECTION 5:13 LONGEVITY PAY:

Longevity Pay shall be granted to eligible personnel in the following positions:

Administrative Assistant to the Town Administrator
Confidential/Parking Clerk
Assistant Town Treasurer
Assistant to Police Chief
Assistant to Fire Chief
Legal Assistant
Legal Secretary
Community Development Office Program Coordinator
Milford Youth Center Assistant Director

in accordance with the following schedule:

\$350 per annum, effective years ten through fourteen
\$450 per annum, effective years fifteen through nineteen
\$650 per annum, effective years twenty and beyond.

said benefit to be effective as of the employee's 10th, 15th and 20th anniversary dates, and applicable retroactively to July 1, 2012, or take any other action in relation thereto.

INFO: The employees listed above have requested that longevity pay be granted to have the employees on parity with the MACE union members. Total impact over five years is \$15,050 and \$2,650 this year. This is a stipend and not an amount will be added to the base pay of the employee and eligible for raises.

FINCOM: Question came up as to whether we should evaluate each item requested, we should have a study performed and evaluate the entire compensation plan and vote on an overall plan versus the piecemeal approach where every year it appears that we try and vote on an isolated request.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 10: (Planning Board)

To see if the Town will vote to amend the Zoning Bylaw relating to Unregistered Vehicles as follows:

BY DELETING Section 3.10 Junk Cars in its entirety and adopting in lieu thereof the following new Section 3.10:

"3.10 Unregistered Vehicles - No person shall permit unregistered motor vehicles or parts thereof to remain on their premises except as provided for herein:

3.10.1 In Residential, Office Residential, Business Park, and Central Commercial Districts: The outdoor placement and/or storage of unregistered motor vehicles or parts thereof is prohibited.

3.10.2 In Neighborhood Commercial, Highway Commercial, and Industrial Districts: Outdoor placement and/or storage of unregistered motor vehicles is prohibited unless a Special Permit for such use is granted by the Zoning Board of Appeals.

3.10.3 Junk Cars: In all Districts the outdoor placement and/or storage of junk motor vehicles or parts thereof is prohibited.

3.10.4 The foregoing shall not apply to motor vehicles or parts thereof stored or garaged entirely inside of a building.”

or take any other action in relation thereto.

INFO: This non money article was not reviewed by the finance committee.

FINCOM: This non money article was not reviewed by the Finance Committee

FINANCE COMMITTEE RECOMMENDATION IS Refer to Sponsor

ARTICLE 11: (HIGHWAY SURVEYOR)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$190,000 to be spent under the jurisdiction of the Highway Surveyor for the purpose of the purchase of a front end loader with a snow plow and patrol wing, or take any other action in relation thereto.

INFO: This is to replace a 1989 front end loader that no longer can be used on the highway

FINCOM: This loader has been on the long range plan and should be replaced.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 12: (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 \$100,000 to fund the Health Insurance Mitigation Plan adopted under G.L. c. 32B §§ 21-23, or take any other action in relation thereto.

INFO: The town has benefited from moving to the new insurance plans. One part of the move was that we return a small part of the savings to a fund to assist people in the transition.

FINCOM: We have benefited to a large extent and this is a small part of the savings agreed to assure no individuals are placed in a negative position due to the change.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 13: (Board of Selectman)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized to fund the cost items in the Collective Bargaining Agreement between the Town of Milford and the Milford Firefighters' Association, or take any other action in relation thereto.

INFO: \$77,093 is required to fund the current labor contract.

FINCOM: This was negotiated and needs to be funded.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 14: (Milford Pond Restoration Committee)

To see if the Town will vote to appropriate a sum of money, to be utilized to dredge a portion of Milford Pond to re-establish deep water habitat for aquatic species and provide recreational fishing and boating benefits, such dredging to consist of an area of approximately 20 acres in the southern portion of the pond to a depth of approximately 12 feet using hydraulic dredging systems; and further to see how said sum shall be raised, whether from the current tax levy, by transfer from available funds, by borrowing or otherwise, or take any other action in relation thereto.

INFO: This is the funding that is required to meet the Federal Funding that has been allocated to the dredging of 20 acres of the 120 total acres. The funding was designated as 2/3 federal and 1/3 state/local. There has not been any commitment by the state. Milford has already invested approximately \$400K into the engineering side of this project. To complete it we must allocate the money for the remaining \$1,800,000 with \$300,000 due immediately. There is a small chance that the state may allocate some funding in the future, however we cannot count on it.

FINCOM: General discussion was held and it was felt that we must plan on funding the entire project and not being reimbursed. Our state representatives have been working to obtain funding but we cannot count on obtaining funding in time.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 15: (Parks Department)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$35,000 to be spent under the jurisdiction of the Park Commission for the purpose of purchase of a new truck, or take any other action in relation thereto.

INFO: The pickup truck has reached the end of its useful life and cannot be maintained within reasonable costs so it needs to be replaced.

FINCOM: The truck cannot be repaired for continued use and should be replaced.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 16: (Fire Chief)

To see if the Town will vote to appropriate a sum of money to be spent under the jurisdiction of the Fire Chief for the purpose of purchasing and equipping a new fire engine to replace Engine 5; and further to see how said sum shall be raised, whether from the current tax levy, by transfer from available funds, by borrowing or otherwise, or take any other action in relation thereto.

INFO: Engine #5 has reached the end of its usefulness. At present it serves as a backup for the two primary online engines. Four units are always required as at any time two must be online. During the year a single engine truck will be sent for maintenance. At that point you only have a single back up engine truck. Should anything happen and one of the online trucks go down the first back up would be brought on line and we would have no back up if we only have 3 trucks. Having the 4th truck allows for a safe situation that we always have a backup engine truck. The cost is now estimated at \$450,000

FINCOM: Discussion was held on the use of each of the trucks and options for deployment and the current strategy seemed reasonable and the most practical balancing the need for safety with available funds. The chief was able to reduce the cost of the implementation from \$550,000 to \$450,000 by not selecting all of the options available.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 17: (Board of Selectman)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized for the installation of new windows in Milford Town Hall, or take any other action in relation thereto.

INFO: The windows at the town hall are failing and have major issues. Many of the approximately 80 windows are large and of custom size with a cost of \$480,000

FINCOM: The cost of the windows is high due to the type and size of the windows. This year seems to be an opportune time to fund the windows since we have free cash.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 18: (Planning Board)

To see if the Town will vote to amend Section 4.1 Definitions of the Zoning Bylaw as follows:

BY DELETING the definition of the following words/phrases: "Building"; "Structure"; "Yard, Front"; "Yard, Rear" and, "Yard, Side"

AND ADOPTING in lieu thereof the following new definitions:

Building – Any structure used or intended for supporting or sheltering any use or occupancy.

Structure – That which is built or constructed, except a border wall or fence or a retaining wall.

Yard, Front - The required yard extending between side property lines across the front of a lot adjoining a street. In the case of corner lots and through lots, front yards shall be required at all frontages of the lot. The depth of a required front yard shall be measured at right angles to the front property line. The required front yard line shall be parallel to the front property line.

Yard, Rear - The required yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards. The depth of a required rear yard shall be measured at right angles to the rear property line. The required rear yard line shall be parallel to the rear property line.

Yard, Side - The required yard extending from the rear line of the required front yard to the rear property line. In the case of through lots, side yard shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after front yards have been established shall be considered side yards. The depth of a required side yard shall be measured at right angles to the side property line. The required side yard line shall be parallel to the side property line.

or take any other action in relation thereto.

INFO: This non money article was not reviewed by the finance committee.

FINCOM: This non money article was not reviewed by the Finance Committee

FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR

ARTICLE 19: (FINANCE COMMITTEE)

To see if the Town will vote to transfer the sum of \$78,709 from the Tree Warden Expense Budget Line Item No. 5300 and add said sum to the Highway Department Expense Budget Line Item No. 5300, both as voted under Article 4 of the May 21, 2012 Annual Town Meeting, or take any other action in relation thereto.

INFO: This article moves the tree warden's budget under the highway department to allow a more efficient use of funding and resources. The tree warden brought up a concern that he would have to check with the highway surveyor before expending funds.

FINCOM: The question of whether this is a legal issue or a policy decision was discussed. It was determined that it is a policy decision. A concern was brought up that having the tree warden under highway may add a timing delay for emergencies. A benefit that was brought up was that by having the tree warden and highway department talking about expenditures, we may have some efficiency realized from using open resources in the highway department versus automatically assigning work to outside contractors. One concern that was brought up to be evaluated was any delays that could be caused in processing emergencies.

The sub committee recommended that we pass over the article to allow future study.

FINANCE COMMITTEE RECOMMENDATION IS TO PASS OVER THE ARTICLE

ARTICLE 20: (Board of Selectmen/ 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 by the Board of Selectmen and the Legal Department for review and expert witness services in relation to any Milford Water Company applications to the Department of Public Utilities to increase rates for water in Milford, or take any other action in relation thereto.

INFO: The water company is trying to obtain a 90% increase one year after the 33% increase. The town will require experts to support our position to lower the increase. It is estimated that we will need \$35,000 to pay for the support.

FINCOM: The investment seems worth investing in as any reduction of the 90% will dramatically reduce the amount residents and the town pays.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 21: (Board of Selectmen)

To see if the Town will vote to transfer the sum of \$32,000 to the School Department fiscal year 2013 budget which sum represents the town general government share of the IT Director's salary, or take any other action in relation thereto.

INFO: Housekeeping article to allocate the town's portion of the IT manager's salary to be moved from the municipal budget to the school committee.

FINCOM: This seems like an efficient use of an employee as neither department needs a full time IT manager.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 22: (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 utilized to purchase a new van for the Milford Animal Control Department, or take any other action in relation thereto.

INFO: The \$25,000 is required to replace the van which has come to the end of its usefulness.

FINCOM: The vehicle was discussed and it was decided it should be replaced

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 23: (Board of Health)

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 Health to purchase a pickup truck to be used at the transfer facility and for other purposes deemed necessary by the Board of Health, or take any other action in relation thereto.

INFO: The pickup truck that is being used cannot be easily maintained and must be replaced. The cost will be \$25,000.

FINCOM: The Board of Health has \$17,000 in its transfer station account that will be set aside to offset the cost. The money will be moved to the general fund in the spring town meeting. The board of health agreed to not spend the \$17,000 so it will be available for transfer in the Spring.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 24: (Board of Selectmen)

To see if the Town will vote to appropriate a sum of money to be utilized to repair/replace the roof of the Milford Police Station; and further to see how said sum shall be raised, whether from the current tax levy, by transfer from available funds, by borrowing or otherwise, or take any other action in relation thereto.

INFO: Roof is leaking and in dire need of replacement. The actual cost will be \$385,000.

FINCOM: The roof needs replaced now and as we have the money it is felt we should do it this year.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 25: (Planning Board)

To see if the Town will vote to amend the Zoning Bylaw to provide for solar energy systems as follows:

BY ADDING the following to Section 2.3 Use Regulation Schedule:

<u>DISTRICT</u>		RA	RB	RC	RD	OR	BP	CA	CB	CC	IA	IB	IC
<u>ACTIVITY OR USE</u>													
OTHER PRINCIPAL USES													
Large Scale Solar Energy System ^{1,22}		O	O	O	O	O	O	O	O	O	P	P	P
ACCESSORY USES													
Small Scale Solar Energy System ^{1,22}		P	P	P	P	P	P	P	P	P	P	P	P
Large Scale Solar Energy System ^{1,22}		O	O	O	O	O	P	O	O	O	P	P	P

²² Solar Energy System subject to the requirements of Section 3.15 herein. ”

AND BY ADDING the following new Section 3.15 Solar Energy Systems:

3.15 Solar Energy Systems – It is the purpose and intent of this Section 3.15 to provide for Solar Energy Systems by establishing standards for the placement, design, construction, operation, monitoring, modification and removal of such systems to address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of certain such systems.

3.15.1 Small-Scale Solar Energy Systems as provided for in Section 2.3 Use Regulation Schedule of this By-Law may be installed as roof/building-mounted or as ground-mounted systems subject to the following development standards:

3.15.1.1 Capacity - Small-Scale Solar Energy Systems shall have a maximum rated nameplate capacity of less than 25 kW DC. For the purposes of this Section 3.15 the rated nameplate capacity shall mean the maximum rated output of electric power production of the solar energy system in Direct Current (DC).

3.15.1.2 Permit/Site Plan Requirements – A building permit shall be required for the installation of all small-scale roof/building-mounted and ground mounted systems. In addition to a building permit, Site Plan approval must also be received from the Planning Board for small-scale ground-mounted systems, however Site Plan approval is not required for small-scale roof/building-mounted systems.

3.15.1.3 Dimensional Requirements - Small-Scale Solar Energy Systems shall comply with all requirements of Section 2.5 Intensity of Use Standards of this bylaw except that there shall be no reduction in yard requirements as applies to certain accessory structures; except that the maximum height for a ground-mounted system shall be six (6') feet; and further, that such ground-mounted systems shall be included in the calculation of required Minimum Open Space.

3.15.1.4 Installation – Small-Scale Solar Energy Systems shall be permanently structurally mounted on either the ground or on a building.

3.15.2 Large-Scale Solar Energy Systems as provided for in Section 2.3 Use Regulation Schedule of this By-Law may be installed as roof/building-mounted or as ground-mounted systems subject to the following development standards:

3.15.2.1 Capacity - Large-Scale Solar Energy Systems are those systems that have a minimum rated nameplate capacity of at least 25 kW DC. For the purposes of this Section 3.15 the rated nameplate capacity shall mean the maximum rated output of electric power production of the solar energy system in Direct Current (DC).

3.15.2.2 Permit/Site Plan Requirements - A building permit shall be required for the installation of all large-scale roof/building-mounted and ground mounted systems. In addition to a building permit, Site Plan approval must also be received from the Planning Board for all large-scale roof/building-mounted and ground mounted systems.

3.15.2.3 Dimensional Requirements - Large-Scale Solar Energy Systems shall comply with all requirements of Section 2.5 Intensity of Use Standards of this bylaw, except that there shall be no reduction in yard requirements for a ground-mounted system as applies to certain accessory structures. Further, such ground-mounted systems shall be included in the calculation of required Minimum Open Space unless installed above paved off-street parking spaces sufficiently elevated so-as not to obstruct the use of and access to such parking spaces. The maximum height for a ground-mounted system shall be ten (10') feet, except that elevated installations over parking spaces shall have a maximum height of eighteen and one half (18.5') feet.

3.15.2.4 Installation - The system shall be permanently structurally mounted on the ground or on a building.

3.15.2.5 Operation & Maintenance Plan - The project proponent shall submit a plan for the operation and maintenance of the large-scale solar energy system, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

3.15.2.6 Utility Notification - No large-scale solar energy system shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the system is to be located has been informed of the system owner's or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this utility notification requirement.

3.15.2.7 Abandonment - Any large-scale solar energy system which has reached the end of its useful life or has been abandoned consistent with this Section 3.15.2.6 shall be removed. The owner or operator shall physically remove the system no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. For purposes of this Section 3.15.2.6 a large-scale solar energy system shall be considered abandoned when, absent notice to the Planning Board of a proposed date of decommissioning or written notice of extenuating circumstances, it fails to operate for more than one year without the written consent of the Planning Board.

3.15.2.8 Decommissioning - The decommissioning of a large-scale solar energy system shall include the physical removal of all structures, photovoltaic panels, equipment, security barriers and transmission lines from the site; the disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; and, the stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

3.15.2.9 Right of Entry - If the owner or operator of a large-scale solar energy system fails to remove the installation in accordance with the requirements of Sections 3.15.2.6 or 3.15.2.7 herein, the Town may enter the property and physically remove the system.

3.15.2.10 Financial Surety - Proponents of large-scale solar energy systems shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the system and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation. Such surety will not be required for town-owned or state-owned facilities.

or take any other action in relation thereto.

INFO: This non money article was not reviewed by the finance committee.

FINCOM: This non money article was not reviewed by the Finance Committee

FINANCE COMMITTEE RECOMMENDATION IS REFER TO SPONSOR

ARTICLE 26: (Park Department/Highway Department)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$20,000 to be utilized for maintenance of the Upper Charles Trail by the Park and Highway Departments, or take any other action in relation thereto.

INFO: Initially the Friends of the Trail were able to maintain the first phases of the trail at no cost to the town, with the Parks Department helping. When a portion of the trail is initially added the maintenance is minimal. As the trail ages the vegetation grows through the fence and becomes harder to maintain. This combined with the fact that we have added new sections to the trail has made it impossible for the Parks Department to maintain the entire length of the trail and it has become too large of an effort for volunteer work. We also have seen a large increase of utilization of the trail which increases the amount of trash and animal fecal matter that must be picked up. The Parks department has estimated that there is approximately \$15,000 of labor and \$5,000 of decal work that is required each year. The decals and lines are painted over 3 years.

FINCOM: Discussion was held and some members felt that since the highway department said they could cover some of the labor with their staff and not have to contract all the labor out and spend the entire funds, the budget should be placed in the Highway department budget to see how much we can save. The parks department noted they cannot absorb any labor since they are too busy and will plan to hire a temporary worker to complete these tasks outsourcing all of the work. The Parks department felt it should be outsourced and managed by them. It was recommended that we pass this for one year and obtain data on how much work was actually required and what could have been done internally and revisit this next year.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 27: (Board of Selectman)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,400 to be utilized to replace fencing at the Milford Senior Center adjacent to the rail trail area, or take any other action in relation thereto.

INFO: Maintenance on the fence is required due to normal wear and tear.

FINCOM: The amount seemed reasonable and the work should be completed.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 28: (Highway Surveyor)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of money in the amount of \$196,000 said sum to be spent under the jurisdiction of the Highway Surveyor for the purpose of purchasing a sidewalk tractor equipped with snow blower, snowplow, boom flail mower and a 13 foot mowing deck, or take any other action in relation thereto.

INFO: This replaces an existing sidewalk tractor that is necessary to plow sidewalks. Extra attachments expand the scope of the tractor. One of them is a Brush cutter attachment that will be used to maintain the brush on the Trail. The Parks department was uncertain if the large grass cutter will be acceptable by them due to its turning radius.

FINCOM: Each of the uses and costs were evaluated and it is felt that we should purchase this item and try and use it for grass cutting for a year to determine if it can save money.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 29: (Parks Commission)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$9500 said sum to be utilized to repair the Town Park basketball court, or take any other action in relation thereto.

INFO: The town park facilities are one of the most heavily used areas in town. General maintenance is required to allow continued use.

FINCOM: The use of the town park is well known and the deterioration has been confirmed and should be repaired.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 30: (Parks Commission)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized for purposes of work at Plains Park to include correcting differential settlement issues; funding application to reduce environmental monitoring; and funding replacement and repair to monitoring stations, or take any other action in relation thereto.

INFO: In all landfills it is expected that over a matter of time there will be decomposition of organic matter. When a membrane is placed over a landfill, eventually it is expected that there is maintenance required to fill in areas that have settled. This article provides the funding for the maintenance that is required as areas have had dramatically settled.

FINCOM: The individual tasks required were discussed and the individually evaluated and the \$125,000 seemed reasonable.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 31: (Capital Improvement Committee)

To see if the Town will vote to amend Article 18, "Capital Improvement Committee" of the General Bylaws of the Town by replacing the entire article with the following revised language:

ARTICLE 18 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 for serving as a Town Meeting Member or as a Constable or for performing any specific service authorized by Town Meeting.

Section Two: Term of Service; Selection of Members; 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 to terms of five (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. If there are no such incumbents, the Moderator shall otherwise appoint or reappoint such eligible individuals to terms expiring as aforesaid.
- (c) The Board of Selectmen shall appoint three (3) members whose terms shall expire on June 30 of 1996, 1998, and 2000, and shall thereafter upon expiration of each term appoint or reappoint eligible individuals to 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: Committee Resources; Officers & Governance; Compensation

- (a) The Committee shall be allowed support staff and a budget suitable for staff compensation and general expenses, consistent with established Town policies for personnel and budgeting, subject to Town Meeting approval.
- (b) The Committee shall annually elect from among its members a Chairperson, and such other officers as it shall deem appropriate, and shall adopt such rules and regulations affecting its governance as may be deemed necessary.
- (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 and; or
 - (2) any acquisition, disposition, lease, or transfer of a motor vehicle; 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 costs of twenty thousand (\$20,000) dollars 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 its 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, subject to the available funds in its budget, where it comes to hiring experts and expenses related to transportation or other logistics that may be associated with consulting persons outside of the government.
- (b) The Committee shall ascertain annually what Capital Expenditures will be required by the Town during the current fiscal 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 six (6) fiscal 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 February 15th of each year, recommendations and statements of needs and/or proposed plans involving capital expenditure requirements for the subsequent five (5) fiscal years and a Capital Improvement Worksheet for each capital project to be presented to Town Meeting within that current calendar year. The Town Administrator may act on behalf of any department head or chairperson.
- (c) In conjunction with the Finance Committee of the Town, the Committee, shall publish a report and shall include in such report its recommendations for the scheduling of capital expenditures including any advice for the scheduling or 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 required.
- (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 at least two (2) weeks 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) The Committee shall compare all capital improvement proposals to the goals and policies of the most recent Comprehensive Plan for the Town as adopted by the Planning Board. The Committee shall report as to whether each proposed capital improvement is actionable, consistent, inconsistent, or not inconsistent, 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.

INFO: The CIC noted that they are not able to obtain the information required to make useable recommendations and reports until after the warrant is closed and this is not enough time. These changes are meant to streamline the process in an attempt to have information available earlier.

If article five passes then this article is mute as the duties of the CIC would be absorbed into the Finance Committee

FINCOM: The finance committee agreed with the CIC on the impracticality of the CIC obtaining the information they need in a timely fashion and the process that has the information from the department heads to the finance sub committees typically 3-6 months earlier. This process allows the finance committee to be ready for town meetings and plan the long term capital needs of the town.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE IF ARTICLE 5 is defeated. If article 5 is approved this article is mute as these responsibilities will continue to be performed by the Finance Committee's long range planning subcommittee.

ARTICLE 32: (Treasurer)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$400,000 to be added to the Other Post Employment Benefit Liability Trust Fund, or take any other action in relation thereto.

INFO: It has been estimated that we have a long term liability in the neighborhood of \$60,000,000. We have already invested \$200,000 in the fund.

FINCOM: The committee recommended that we place an additional \$200,000 this year into the fund.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 33: (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 utilized to fund the cost items in a collective bargaining agreement between the Town of Milford and the Milford Police Association, or take any other action in relation thereto.

INFO: In order to fund the collective bargaining commitments, it is required to allocate \$81,198

FINCOM: This is part of the contract and was expected.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 34: (Treasurer)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$3,000 to be added to the Treasurer's Professional Services Line Item as voted under Article 4 of the May 21, 2012 Annual Town Meeting as Line Item No. 145-5300, or take any other action in relation thereto.

INFO: This is to correct an oversight that this item was in the budget presentation but left out of the final budget.

FINCOM: This was an oversight that should be corrected.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 35: (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 \$17,500, said sum to be expended under the jurisdiction of the Board of Selectmen to be utilized for the design/permitting of a handicapped accessible fishing platform at Louisa Lake, or take any other action in relation thereto.

INFO: This funding was to be used for an engineering study

FINCOM: No discussion was necessary as it will be passed over.

THIS ARTICLE WILL BE PASSED OVER

ARTICLE 36: (Board of Library Trustees)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of \$45,000 to be utilized for the replacement of worn out furniture and fixtures at the Milford Town Library, or take any other action in relation thereto.

INFO: The actual amount is \$38,000 for replacing some of the original furniture, adding rolling desk cubicles and shelving as well as adding a unit to assist people with sight disabilities.

FINCOM: Each item was evaluated and made sense to replace at this time.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 37: (Board of Selectman)

To see if the Town will vote to raise an appropriate or transfer from available funds a sum of money to be spent under the jurisdiction of the board of selectman to supplement funds previously appropriated for purposes of rebuilding the steps to both entrances of the town hall and or construction of a handicap accessible ramp at Draper park or take any other action there to:

INFO: During repairs of the town hall steps conditions were found that were not anticipated and required additional change orders and work. This is a transfer from the account for painting the town hall as it has extra funding. The transfer will be approximately \$19,000

FINCOM: There does not seem to be any alternative but to correct the issues.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 38: (Finance Committee)

To see if the Town will vote to transfer a sum of money from available funds to be added to the Town Stabilization Fund, or take any other action in relation thereto.

INFO: In order to have the town in the fiscal condition we desire, we need to continue to add money to the stabilization account.

FINCOM: The finance committee has recommended that we add \$500,000 to the stabilization account. Additions of the amount are being built into the long range capital spending plan to allow the Woodland School to be built without override or debt exclusion. The plan will be presented to the Town meeting by the Chairman of the Finance Committee. The use of the stabilization account as a buffer will allow us to absorb the expense.

FINANCE COMMITTEE RECOMMENDATION IS FAVORABLE

ARTICLE 39: (Finance Committee)

To see if the Town will vote to appropriate a sum of money from available funds to be utilized to off-set operating, capital and debt expenses to fix the tax rate for fiscal year 2013, or take any other action in relation thereto.

INFO: This fulfills the commitment to the residents that if we were able to, we should reduce the amount of taxes taken from the residents. This

FINCOM: The finance committee has recommended that we reduce the levy this year by \$1,000,000. This will provide tax relief to the residents of the town

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 , 2012

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