

SPECIAL TOWN MEETING
October 26, 2015
Milford, Massachusetts

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS:

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

GREETINGS:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the Inhabitants of the Town of Milford, qualified by law to vote in Town Affairs, to meet in the Upper Hall of the Milford Town Hall, 52 Main Street, on the 26th day of October, 2015 A.D. at 7:30 P.M. and then and there to act upon the following articles:

ARTICLE 1: To see if the Town will vote to accept Clause 5B of General Laws Chapter 59, Section 5 exempting the real and personal estate belong to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of \$700,000 to commence effective Fiscal Year 2016, or take any other action in relation thereto.

(Board of Assessors)

ARTICLE 2: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended under the jurisdiction of the Personnel Board to fund additional expenses anticipated for continuance of the Classification and Compensation Study involving salaried and hourly rated positions under the jurisdiction of the Personnel Board, or take any other action in relation thereto.

(Personnel Board)

ARTICLE 3: To see if the Town will vote to amend the Personnel By-Laws of the Town so that the current Section 5.12 of the Milford Personnel By-Law, EARNED LEAVE shall be deleted and replaced with the following new section 5.12:

EARNED LEAVE: Permanent, full time personnel in salaried and hourly rated positions who use three (3) days or less sick leave within any given year shall be granted one (1) days earned leave to be used within the next year. Earned leave shall not be cumulative and shall be used in the year following the year in which it was earned.

This change shall take effect retroactive to July 1, 2015, or take any other action in relation thereto.

(Personnel Board)

ARTICLE 4: To see if the Town will vote to amend Article 2 of the May 18, 2015 Annual Town Meeting so as to insert within the schedule therein the position of Administrative Assistant/Senior Center, Grade 3, within the Hourly Rated Positions approved under said Article 2, or take any other action in relation thereto.

(Personnel Board)

ARTICLE 5: To see if the Town will vote to rescind Article 38 of the General By-Laws of the Town entitled Sex Offender Restrictions, in light of the decision of the Massachusetts Supreme Judicial Court rendered August 28, 2015 in the matter of John Doe et al. v. City of Lynn, in which the Court determined that sex offender restrictions beyond those enacted by the Legislature are violative of provisions of law and the Massachusetts Constitution, or take any other action in relation thereto.

(Legal Dept./Police Chief)

ARTICLE 6: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money 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.

(Board of Selectmen)

ARTICLE 7: To see if the Town will vote to amend Section 3.9.2 Sign Size Restrictions of the Zoning Bylaw to provide for signs within the OR Office Residential and the BP Business Park zoning districts as provided for hereinafter:

BY REPLACING in Section 3.9.2.1 the words "In the RA, RB, RC and RD Districts" with the words "In the RA, RB, RC, RD, and OR Districts",

AND IN ADDITION, by replacing in Section 3.9.2.2 the words "In the CA, CB CC, IA, IB and IC Districts" with the words "In the CA, CB CC, BP, IA, IB and IC Districts",

AND FURTHER IN ADDITION, by replacing in Section 3.9.2.3 the words "In the CA, CB CC, IA, IB and IC Districts" with the words "In the CA, CB CC, BP, IA, IB and IC Districts".

Or take any other action relating thereto.

(Planning Board)

ARTICLE 8: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be transferred to the appropriate line item within the fiscal year 2016 budget to be utilized to pay the salary of an Assistant Director at the Milford Youth Center, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 9: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized by the Milford Youth Center to pay for expenses of temporary location and the cost of movement back in to the renovated former Milford Armory, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 10: To see if the Town will vote to amend its vote under Article 4 of the May 18, 2015 Annual Town Meeting so that Line Item 155 thereunder shall be amended to reflect as follows:

155 INFORMATION TECHNOLOGY

General Government

5110A PERSONAL SERVICES	\$103,389
5300A GENERAL EXPENSES	\$79,100

School Department

5110B PERSONAL SERVICES	\$55,000
5300B GENERAL EXPENSES	\$230,388

Or take any other action in relation thereto.

(School Committee)

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized to install new heater controls at the Milford Police Station, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 12: 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 Police Chief for the replacement of computer and related equipment and software at the Police Department, or take any other action in relation thereto.

(Police Chief)

ARTICLE 13: 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 Vernon Grove Cemetery Trustees for the purchase of a one (1) ton dump truck with snow plow, or take any other action in relation thereto.

(Vernon Grove Trustees)

ARTICLE 14: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to install a new roof and undertake other needed repairs to the Animal Control Building, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 15: To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to undertake improvements to interior railings at the Milford Town Hall, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 16: To see if the Town will vote to affirm the findings made by the Town through its vote under Article 19 of the May 20, 2013 Annual Town Meeting and further vote to amend Article 15 of the General By-Laws of the Town by striking the current Section 15 and replacing with a new Section 15 as follows:

Section 15 – Adult Entertainment Establishments and Liquor

The following provisions apply to all Adult Entertainment establishments which are “establishment[s] which displays live nudity for its patrons” as defined by M.G.L. Ch. 40A, § 9A, and the dominant theme of material presented in such establishments, taken as a whole, appeals to the prurient interest in sex, portrays sexual conduct in a patently offensive way, and taken as a whole, such material lacks serious literary, artistic, political or scientific value, 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 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 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 establishment as defined above shall not allow any patron of such establishment(s) to consume alcoholic beverages within any Adult Entertainment 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.

(Legal Department)

ARTICLE 17: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money, said sum to be utilized to further reduce the amount of money authorized to be borrowed under Article 24 of the May 19, 2014 Annual Town Meeting for the renovation of the Milford Youth Center and Facility; said sum further to be utilized with funds appropriated for all purposes as authorized under said Article 24, or take any other action in relation thereto.

(Milford Armory Renovation Committee)

ARTICLE 18: To see if the Town will vote to raise and appropriate or transfer a sum of money from available funds, said sum to be utilized together with funds previously appropriated for purposes of retaining consultants and other expert services to evaluate, and represent the Towns' interest in, acquisition of the Milford Water Company, or take any other action in relation thereto.

(Legal Department)

ARTICLE 19: To see if the Town will vote to appropriate a sum of money to be spent under the jurisdiction of the Armory Renovation Committee for the purpose of completing additional work to the Youth Center site and to the building that was not in the original renovation contract; to contract for oversight and additional construction assistance from the Architect to cover additional time added to the project schedule; to cover additional Architect and Engineering services related to changes in the Scope of Work; and further, to see if the Town will vote to direct how said sum shall be raised whether from the current tax levy, by transfer from available funds, by borrowing or otherwise, and how expended, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 20: 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 for the purpose of retrofitting ninety (90) downtown decorative lights to LED lights, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 21: To see if the Town will vote to appropriate a sum of money to be spent under the jurisdiction of the Highway Surveyor for the purpose of updating the Town's Hazard Mitigation Plan, in accordance with FEMA guidelines; and further, to see if the Town will vote to direct how said sum shall be raised whether from the current tax levy, by transfer from available funds, by borrowing or otherwise, and how expended, or take any other action in relation thereto.

(Highway Surveyor/Board of Selectmen)

ARTICLE 22: To see if the Town will vote to appropriate a sum of money to be spent under the jurisdiction of the Highway Surveyor to contract with an Engineering firm to provide permitting, design, bidding, and construction services for repairs to the West Spruce St. Culvert and portions of the Godfrey Brook; to conduct survey and appraisal of proposed temporary and permanent easements; to see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, take by eminent domain, or otherwise acquire the rights in land, being permanent and/or temporary easements, necessary for the above project, to provide the sum or sums of money necessary to pay the costs or damage thereof; and further, to see if the Town will vote to direct how said sum shall be raised whether from the current tax levy, by transfer from available funds, by borrowing or otherwise, and how expended, or take any other action in relation thereto.

(Highway Surveyor/Board of Selectmen)

ARTICLE 23: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized to replace the boiler and repair or remove the fireplace at the Purchase Street School, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 24: 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 Fire Chief for the purposes of purchasing and equipping a new staff car/SUV to replace Car-3, or take any other action in relation thereto.

(Fire Chief)

ARTICLE 25: 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 upgrade of the circulation desk, replacement of library materials, security devices and installation of a self check-out work station at the Milford Town Library, or take any other action in relation thereto.

(Board of Library Trustees)

ARTICLE 26: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be utilized to replace the Library fence which marks the Town Library property line, or take any other action in relation thereto.

(Board of Library Trustees)

ARTICLE 27: To see if the Town will vote to transfer a sum of money from available funds to be added to the Town Stabilization Funds, or take any other action in relation thereto.

(Finance Committee)

ARTICLE 28: 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 2016, or take any other action in relation thereto.

(Board of Selectmen)

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 5th day of OCTOBER, 2015

MILFORD BOARD OF SELECTMEN


Atty. Brian W. Murray, Chairman


William D. Buckley


Will E. Kingade, Jr.

A true copy attest:


Thomas J. O'Loughlin, Chief of Police