



SPECIAL TOWN MEETING

NOVEMBER 9, 2020

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 Milford High School, 31 West Fountain Street, Milford, MA on the 9th day of November, 2020 A.D. at 7:00 P.M.

The Special Town Meeting will be held using a hybrid format (In-person and remote): Town Meeting members choosing to participate remotely will participate by means of the Keypoint video or telephone conferencing platform requested by the Moderator. Those choosing to participate remotely will be supplied with instructions for registering and using the Keypoint conferencing platform.

Members of the public desiring to access the Special Town Meeting remotely may view the meeting in real time on Milford Public Television.

The Special Town Meeting will, there and then, act upon the following articles:

ARTICLE 1: To see if the Town will vote to continue conducting the November 9-10, 2020 Special Town Meeting remotely by means of the Keypoint video or telephone conferencing platform, or take any other action in relation thereto.

(Town Moderator)

ARTICLE 2: To see if the Town will vote to amend its vote under Article 2 of the June 29, 2020 Annual Town Meeting by increasing rates of compensation for certain Salaried and Hourly Rated positions with more than one step applicable thereto, so as to reflect an increase in all such steps of 2.5% over rates as in effect on July 1, 2020, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 3: To see if the Town will vote to amend Article 3 of the June 29, 2020 Annual Town Meeting, to adjust the salary and compensation of the following full time elected officers of the Town: Town Clerk, Highway Surveyor, as provided by Section 108 of Chapter 41 of the General Laws, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 4: To see if the Town will vote to amend its vote under Article 4 of the June 29, 2020 Annual Town Meeting by increasing amounts under certain line items as voted thereunder by such sums as may be necessary to fund any increases in pay effectuated by vote under Article 3 and 4 of this meeting, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 5: 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 achieving Phase 1 of the Town of Milford's Plan for Compliance with the Americans with Disabilities Act, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 6: 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 the purposes of Student Activities not funded in the School Department budget, or take any other action in relation thereto.

(School Committee)

ARTICLE 7: 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 Milford Highway Surveyor for the purpose of evaluating, designing, repairing, or replacing the Central Street Bridge over the Charles River, or take any other action in relation thereto.

(Milford Highway Surveyor)

ARTICLE 8: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be used for the purpose of replacing the Community (Quarry/Granite) Room carpeting at the Milford Town Library, or take any other action relating thereto.

(Library Trustees)

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 School Committee for the purchase of a new yellow passenger bus, or take any other action in relation thereto.

(School Committee)

ARTICLE 10: 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 contained within a Collective Bargaining Agreement between the Milford Clerical Union and the Town of Milford including, but not limited to, wages and salaries, or take any other action in relation thereto.

(Board of Selectmen)

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 under the jurisdiction of the Board of Selectmen and/or the Milford Highway Surveyor and/or the Town Engineer, for any and all items required to design a safe pedestrian crossing of Route 85, to be located in the vicinity of the Walden Woods Planned Residential Development's northern entrance, which crossing will provide pedestrian and bicycle access between the existing path on Assessors Map lot 6-0-8 and the Milford Upper Charles Trail, or take any other action in relation thereto.

(Walden Woods Homeowners' Association et al.)

ARTICLE 12: 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 Highway Surveyor for the procurement of a replacement of Highway Department #7 plow and sand truck, or take any other action in relation thereto.

(Highway Surveyor)

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 to fund the cost items contained within a Personal Services Agreement between the Town Accountant and the Town of Milford including, but not limited to, wages and salary, or take any other action in relation thereto.

(Board of Selectmen)

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 under the jurisdiction of the Board of Assessors, for property appraisals, expert witness and professional consultant fees, and costs and expenses associated with Appellate Tax Board litigation, or take any other action in relation thereto.

(Board of Assessors)

ARTICLE 15: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to funds previously appropriated, to be used to fund litigation and remediation costs associated with the construction of the Woodland School, or take any other action in relation thereto.

(Finance Director)

ARTICLE 16: To see if the Town will vote to amend its action under Article 38 of the October 18, 2019 Special Town Meeting which authorized the one-time trial use of (anonymous) electronic voting equipment by deleting the language “the 2020 Annual Town Meeting” and inserting in its place and stead the language “At any Annual or Special Town Meeting, as voted upon and approved by the Town Meeting Study and Improvement Committee”, or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 17: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to those sums previously appropriated to be utilized for the legal, engineering, or other expert consulting services necessary to effectuate the final acquisition, and transfer, of the Milford Water Company and its assets to the Town of Milford, or take any other or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 18: 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 School Committee for the procurement of the equipment needed for a Biomedical Science classroom which will encompass anatomy, physiology, pre-medical, pre-veterinarian, pre-dental and pre-nursing studies by purchasing equipment, or take any other action in relation thereto.

(School Committee)

ARTICLE 19: 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 Milford Youth Commission for the purpose of purchasing and installing additional snow guards to the Milford Youth Center gymnasium roof, or take any other action in relation thereto.

(Milford Youth Commission)

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 to paint the exterior of Town Hall, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 21: To see if the Town will vote pursuant to M.G.L. c. 40 § 15 to transfer the care, custody and jurisdiction of the following 18 Town-owned parcels, totaling 26.34 acres, to the Milford Conservation Commission:

Assessors			
Map	Block	Lots	Area/Acres
9	84	D	6.16
10	0	2	0.21
12	48	18, 19, 20	2.07
12	78	6	0.32
27	0	9	1.70
34	0	88	0.60
35	37	17B	0.11
37	0	4, 11	10.85
38	0	5	1.26
40	10	1	0.39
49	0	265	0.12
50	0	9	1.30
52	0	252	0.10
58	0	10	0.85
60	0	3	2.00

The purpose thereof is to preserve said parcels for stormwater management, wetlands and open space protection, and conservation purposes, as recommended in the Milford Comprehensive Plan, or take any other action in relation thereto.

(Conservation Commission)

ARTICLE 22: To see if the Town will vote pursuant to M.G.L. c. 40 § 15 to transfer the care, custody and jurisdiction of the following 38 Town-owned parcels, totaling 55.29 acres, to the Milford Conservation Commission:

Assessors

Map	Block	Lots	Area/Acres
31	129	32, 33	1.63
43	0	13, 15, 15A, 15B, 15C, 15D, 15E, 15F, 15G, 16	1.52
43	0	18, 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18J	1.10
43	0	33, 35, 36, 38, 40, 40A, 42, 43, 58, 59, 60	2.69
44	0	8, 23, 28	7.20
45	0	10B	39.29
47	0	115	2.20

The purpose thereof is to preserve said parcels located in the general vicinity of Stall Brook, for water resource protection, wetlands and open space protection, stormwater management, and conservation purposes, as recommended in the Milford Comprehensive Plan, or take any other action in relation thereto.

(Conservation Commission)

ARTICLE 23: To see if the Town will vote to petition the General Court for the enactment of special legislation in relation to changing the title of Board of Selectmen to Select Board, which legislation would provide substantially as follows:

“SECTION 1: Notwithstanding the provisions of any Special Law to the contrary, whenever and wherever the terms “Board of Selectmen” are used in any General or Special Law pertaining to the Town of Milford, such terms shall be struck and inserted in their place and stead shall be the words “Select Board”;

SECTION 2: This Act shall take effect upon its passage.”

or take any further action in relation thereto.

(Lauren Wilton/Board of Selectmen)

ARTICLE 24: To see if the Town will vote to take the following action in order to change the title of the Board of Selectmen to Select Board: to amend the Town's General By-Laws by striking the words "Board of Selectmen" whenever and wherever they appear and inserting the words "Select Board" in their place and stead, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 25: To see if the Town will vote to authorize the expenditure of the available balance in Fund 2696, Comcast Verizon-PEG access, to be spent under the jurisdiction of the School Committee for the purposes of performing upgrades in accordance with the PEG Access Agreements, or take any other action in relation thereto.

(School Committee)

ARTICLE 26: To see if the Town will vote to amend Section 3.9 Sign Regulations of the Zoning Bylaw relating to Inflatable Signs as noted hereinafter:

BY ADDING in 3.9.3 Definitions, the words "except for balloons under two feet in diameter." at the end of the current definition of Inflatable Sign.

or take any other action related thereto.

(Planning Board)

ARTICLE 27: To see if the Town will vote to amend Article IV Definitions of the Zoning Bylaw relating to Massage Parlor uses as noted hereinafter:

BY DELETING in Article IV, the current definition of Massage Parlor and adopting in lieu thereof the following new definition:

"Massage Establishment - Any establishment in which a person practices an activity of treating the soft tissues of the body by manipulation with the hands through touching, handling, rubbing, or the use of pressure, friction, stroking, percussion, kneading, and vibration by manual or mechanical means, but excluding an athletic club or gymnasium the primary use of which is physical conditioning or athletics, or any establishment such as a hospital or medical clinic where such activity is performed by or under the direction of a licensed medical practitioner, a licensed chiropractor, a licensed massage therapist, or a licensed physical therapist."

or take any other action related thereto.

(Planning Board)

ARTICLE 28: To see if the Town will vote to amend the Town Meeting Study and Improvement Committee Standing vote as amended by deleting section **(b) Committee Appointments; Term of Office; Termination of Membership; Committee Vacancies** in its entirety and inserting a new section **(b)** as follows:

Committee Appointments.

Applications are to be submitted to the Town Clerk to be considered for the appointment by the Town Moderator to the Committee.

Term of Office.

Each member's term shall commence only after notification of appointment, and immediately upon swearing in by the Town Clerk. Each member's term shall expire upon the sixth anniversary of the date sworn in, or upon the termination of that committee member's term as a Town Meeting member, whichever is sooner. When any committee membership terminates due to resignation or expiration of the member's Town Meeting membership, the membership termination shall be automatic, without any further action by the member, the Town or by the Town Meeting.

Annually, on May 1, the Town Clerk shall notify the Moderator and the Committee Chair, in writing, of the expiration of the term of any and all committee members. Such notice shall identify the meeting member, the meeting member's precinct, and the date of that term's expiration. Such notice shall be mailed, via first-class mail, and also by electronic mail, if available, to the respective addresses of the Moderator and Committee Chair then currently on record with the Town Clerk.

Committee Vacancies.

When an appointment to the Committee becomes vacant, for any reason, the Moderator shall appoint a new member in the following order until the requisite number of members is reached:

- From amongst those applicants whose applications are currently on file with the Town Clerk who still desire to serve;
- From the Town Meeting body

The Moderator shall appoint a member from each precinct where possible. The term of office shall be as specified in Section **(b) Term of Office.**

Termination of Membership.

Membership on the Committee shall immediately and automatically terminate when the member ceases to be a Town Meeting member. Membership on the Committee shall also cease, immediately, unless a delay is otherwise specified, and without further action, when a member submits a letter of resignation, addressed to the Town Moderator and delivered to the Town Clerk, who, upon receipt of the resignation shall forward a copy to both the Town Moderator and Committee Chair.

And further to delete section **(c) Committee Internal Organization and Procedures: Officers, subcommittees, Minutes – Subcommittees** subsection in its entirety and insert a new *Subcommittees* subsection as follows:

Subcommittees.

The Committee may, from time to time, constitute subcommittees as it deems appropriate. Subcommittees may include Applicants and members of the Committee. Each subcommittee shall be chaired by a member of the Committee and appointed by the Chair of the Committee. or take any other action in relation thereto.

(Town Meeting Study and Improvement Committee)

ARTICLE 29: 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 School Committee for the purpose of assessing and upgrading the district-wide network infrastructure. Said sum would represent the Town's contribution with supplemental funds up to the amount of \$700,000 from the Federal E-Rate grant at a 70% E-Rate grant, 30% Town funded ratio, or take any other action in relation thereto.

(School Committee)

ARTICLE 30: 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 Milford Youth Commission for the purpose of procuring engineering and design work and proper installation of an HVAC system in the basement and gymnasium of the Milford Youth Center, along with a review of the steam boiler heating system which will provide proper air exchange and dehumidification, and heating, or take any other action in relation thereto.

(Milford Youth Commission)

ARTICLE 31: 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 Building Commissioner for the purpose of procuring and installing a software system to be used by the Building Department for field work, and for preparing needed reports and records, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 32: To see if the Town will vote to raise from the Enterprise Fund or otherwise transfer from available funds, a sum of money to be utilized to fund the cost items contained within a Collective Bargaining Agreement between the AFSCME Council 93, Local 1709, WWTP, and the Town of Milford including, but not limited to, wages and salaries, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 33: To amend Section 5.5 (Bereavement Provisions) of the Personnel Wage and Salary Administration Plan of the Town of Milford, Massachusetts by adding the following provisions:

Leave with pay for four (4) days shall be granted in the event of the unplanned death, stillbirth, or miscarriage of a fetus, at any time during the pregnancy, for the mother and/or her partner or spouse.

So that Section 5.5 will now read as follows:

Section 5.5 (Bereavement Provisions)

Bereavement leave without loss of pay, not to exceed four (4) days as the Department Head may determine, shall be granted by said Department Head on account of death in an employee's immediate family. For the purpose of this section, immediate family shall mean: mother, father, brothers, sisters, mother-in-law, father-in-law, sons, daughters, wife, husband, sons-in-law, daughters-in-law, and grandchildren, and in the event of the unplanned death, stillbirth, or miscarriage of a fetus, at any time during the pregnancy, for the mother and/or her partner or spouse.

Leave with pay for two (2) days shall be granted in the event of death of an employee's grandparents.

Leave with pay for one (1) day shall be granted in the event of death of an employee's brother-in-law, sister-in-law, aunts, uncles, nieces and nephews.

(Personnel Board)

ARTICLE 34: To see if the Town will vote to authorize the School Department to enter into a Memorandum of Understanding, or other agreement consistent with these purposes, with DCF (Department of Children and Families), EOHHS (Executive Office of Health and Human Services), and DESE (Department of Elementary and Secondary Education) for the federal reimbursement of transportation expenditures for children in foster care under the Every Student Succeeds Act, or take any other action in relation thereto.

(School Committee)

ARTICLE 35: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be utilized by the Milford Highway Surveyor for the procurement and installation of a new Highway Department salt shed roof, or take any other action in relation thereto.

(Highway Surveyor)

ARTICLE 36: 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 Parks Commission for the purpose of providing matching funds for a MassDevelopment crowd funding grant to be used towards on-going revitalization efforts for Draper and Calzone Parks, or take any other action in relation thereto.

(Parks Department)

ARTICLE 37: To amend Section 5.8 C (Vacation Leave Requests) of the Personnel Wage and Salary Administration Plan of the Town of Milford, Massachusetts by deleting the following language:

“Any employee may request, in writing, a carryover of up to ten (10) unused vacation days into the following calendar year. However, five (5) of the carryover vacation days must be taken no later than June 30th of the new calendar year. Such request must be submitted in writing thirty (30) days prior to the end of the calendar year and must be approved by the Department Head. The revised vacation leave policy applies to those hired since January 1, 2019.”

and inserting in its place and stead:

“Any employee may request, in writing, a carryover of up to ten (10) unused vacation days into the following calendar year (unless other contractual agreements are in place). If more than five (5) days are carried over, any days in excess of the five (5) days must be used by June 30th of the following calendar year. Such request must be submitted in writing thirty (30) days prior to the end of the calendar year and must be approved by the Department Head.”

or take any other action related thereto.

(Personnel Board)

ARTICLE 38: To see if the Town will vote to amend Section 3.10 of the Personnel By-laws by replacing the existing Section 3.10 with the following language:

“The starting rate shall be the minimum of the rate range for the position as classified. Under special circumstances, upon the recommendation of the department head, and with approval of both the appointing authority and the Personnel Board, such a person may: 1) start at a higher rate than the minimum, or 2) be advanced to a higher pay rate, but not in excess of the maximum, without regard to normal pay review schedules, periods or cycles. *Refer to Administrative Requirements in Appendix A for additional information.*”

or take any other action related thereto.

(Personnel Board)

ARTICLE 39: To see if the Town will vote to authorize the Board of Selectmen to undertake decertification of the property and facilities at 31 Maple Street, in Milford, which property and facilities are the subject of a Tax Increment Financing Agreement between the Town and Interactions LLC, for reason of the company's decision not to expand its operations and not to relocate to Milford which move was the subject of the incentives provided for in said Agreement, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 40: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to supplement Department 431-Waste Collection as voted under Article 4 of the June 29, 2020 Annual Town Meeting, or take any other action in relation thereto.

(Board of Health)

ARTICLE 41: 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 Town's Stabilization Account, or take any other action in relation thereto.

(Finance Committee)

ARTICLE 42: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be utilized to off-set operating, capital and debt expenses to fix the tax rate for Fiscal year 2021, 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 13th day of October, 2020


MILFORD BOARD OF SELECTMEN



William E. Kinglade, Jr., Chairman



Michael K. Walsh



Thomas O'Loughlin

A true copy attest:



Mark Calzolaio, Constable

Commonwealth of Massachusetts

Worcester, SS.

Milford, MA

Date: October 15, 2020

Pursuant to the within warrant, I have notified the inhabitants of the Town of Milford to meet at the time and place for the purpose within mentioned, by posting attested copies of this warrant in ten or more public places in Milford.

Michael Pighetti, Police Chief

A TRUE COPY OF THE RECORD
ATTEST: *Adriana Newell*
MILFORD TOWN CLERK

September 29, 2020

William E. Kingkade, Jr., Chairman
Milford Board of Selectmen
52 Main Street
Milford, MA 01757

Re: Fall 2020 Special Town Meeting

Dear Chairman Kingkade, Jr. and Members of the Board:

As you are aware, Governor Charles D. Baker's March 10, 2020 declaration of a state of emergency due to COVID-19 remains in effect. In diligently exercising my responsibilities as Milford Town Moderator, where we have a representative town meeting form of government, I determined that it is not possible to safely assemble the town meeting members and interested members of the public in a common location while complying with the applicable state or local orders, directives or guidance concerning public assemblies. Accordingly, I respectfully request the Milford Board of Selectmen call for a representative town meeting to be held through remote participation, including, but not limited to, by means of the Keypoint video or telephone conferencing platform.

In making this request, I consulted with the local disability commission and coordinator for Americans with Disabilities Act compliance. I certify that I, along with Christopher George, Milford's Information Technology Director, have tested the video or telephone conferencing platform; and the platform satisfactorily enables the town meeting to be conducted in substantially the same manner as if the meeting occurred in person at a physical location and in accordance with the operational and functional requirements set forth in law. The platform provides for, at a minimum: (i) the moderator, town meeting members, town officials and any other interested members of the public to identify and hear the moderator and each town meeting member who attends and participates in the remotely-held town meeting, as well as any other individuals who participate in the remotely-held town meeting; (ii) the ability to determine whether a quorum is present; (iii) a town meeting member, town official or other individual to request recognition by the moderator without prior authorization; and, to the extent technologically feasible, the request will be visible or audible to the public in real time and upon review of the recording of the town meeting proceedings, preserved according to subsection; (iv) the moderator to determine when a town meeting member wishes to be recognized to speak, make a motion, raise a point of order or object to a request for unanimous consent; (v) the

moderator to recognize a town meeting member, town official or other individual to speak and to enable that person to speak; (vi) the ability to conduct a roll call vote; (vii) any interested members of the public to access the meeting remotely for purposes of witnessing the deliberations and actions taken at the town meeting; and (viii) the town meeting to be recorded.

I also request that the Fall 2020 Special Town Meeting be conducted in a hybrid fashion to accommodate those who prefer to participate in person.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Noferi".

Michael Noferi, Esq.,

Town Moderator