

MINUTES OF REGULAR SESSION – APRIL 25, 2011

ROOM 03-TOWN HALL

7:00PM

PRESENT: Chairman Dino B. DeBartolomeis; Selectmen Brian W. Murray and William D. Buckley; Town Administrator Louis J. Celozzi; and Minutes Recorder Jean M. DeTore.

1. Mr. Murray moved, seconded by Mr. Buckley: To sign the warrant and approve the minutes of April 11, 2011 as submitted, UNANIMOUS.
2. Chairman DeBartolomeis noted that the scheduled appointment with Thomas J. Scanlon, Auditor regarding the FY10 Management Letter was postponed this evening due to the unavailability of John P. Pyne Jr., Town Accountant.
3. Members of the Milford Baseball Association were present including: Joseph P. Arcudi, President, Atty. Michael J. Noferi, Treasurer, and Steven Doyle, Chairman of the Board. Mr. Arcudi thanked the Board for allowing them to present the Milford Baseball President's Award to Maureen Hutchins, Concession Director at this meeting as the Little League Parade and Opening Day ceremonies were cancelled due to rain on Saturday, April 23. Mr. Arcudi stated that Ms. Hutchins has dedicated her time over and above the call of duty and on behalf of the Association and the community he thanked her for her efforts.
4. Citizen Participation – None.
5. Mr. Jeffrey Batta, Milford Nissan, Inc., 320 East Main Street, was present seeking a Class I license. Also in attendance was Anthony Pinto, local realtor. Mr. Batta stated that he presently owns and operates Marlboro Nissan and has been working on acquiring permits, etc. for the opening of the Milford facility. He also indicated that he is in the process of obtaining bids for landscaping and the first order of business is refurbishing the building. The projected opening date is in the vicinity of June 15-July 1, 2011 with a base of 30 employees increasing to 50 within a twelve (12) month period. Mr. Murray moved, seconded by Mr. Buckley: To approve the license contingent upon fire systems being tested and inspected, UNANIMOUS.
6. A Public Hearing was held at the request of Massachusetts Electric and Verizon New England Inc. for the installation of a new pole #44 along with anchor rod 150' +/- northwest of existing pole 43 in order to provide electric service to lot 15 house #83 on Camp Street, Plan #10199436. Crystal Tognazzi, representing Massachusetts Electric, was present. All abutters were notified and there was one abutter present, Mr. Jeffrey Hale of 8 Brook Hollow Road to voice his support. After a brief discussion relative to the placement of the pole; Mr. Murray

moved, seconded by Mr. Buckley: To approve the petition with the placement of the pole as close to the property line as possible, UNANIMOUS.

7. David L. Condrey, Manager of the Milford Water Company was present to update the Board on the corrective actions instituted as a result of the recent Mass DEP violations. He stated that there were scattered mailings, thus preventing notification to customers of potential water quality issues in a timely manner and that he was working with the mailing service to correct this flaw. He also advised the Board of staff hirings and other improvements, including working with Paul Mazzuchelli, Health Agent in clarifying verbiage to customers. He also submitted, for the Board's review, a draft Emergency Management System Manual. After a brief discussion, the Board offered the following suggestions: To review the emergency response plan with the Police and Fire Chiefs and to update the Table of Contents to reflect this and to continue to meet with the Board on a quarterly basis to update them on various outstanding issues.

#### 8. TOWN ADMINISTRATOR'S REPORT

- The Milford Park Commissioners will be prohibiting all use, even if previously approved, at the Fino Field Annex from April 26, 2011 thru August 1, 2011. Milford Youth Football and Cheerleading has raised sufficient funds and solicited and acquired donations of labor and materials valued at well over \$150,000 to completely renovate the site. The Annex will be regraded, loamed, and seeded. Further, an irrigation system will be installed as well as field lighting.

To that end, all use of the Fino Field Annex will be prohibited as of April 26, 2011.

Unfortunately, that means revoking existing permits and rejecting permission of groups or individuals wishing to use the facility prior to August 1.

- 62 North Bow Street – Under Correspondence (G-2), you have a report from ENSTRAT which informs us that abatement activities at this site are completed. Some may recall that this process began in the 90's as a result of the Town acquiring the property and razing the buildings of the former shoe factories. I believe that in 1996 this was one of my first concerns at Town Hall. I'm sure that you are as pleased as I am that this site is now closed. As you recall, we have paying a yearly cost to the DEP which I hope will now end also.

Town Administrator Celozzi offered his best wishes for a quick recovery to Anthony F. DeLuca, Jr., Building Commissioner on his recent hospitalization and John P. Pyne Jr., Town Accountant on his upcoming surgery. He also commended Zachery Taylor, Assistant Town Accountant and John Erickson, Local Building Inspector for providing leadership within the Departments.

9. In regard to the discussion and recommendation on Article 3 (Elected Officials), Chairman DeBartolomeis stated that he had attended the special meeting of the Personnel Board to request that they reconsider their recommendation of a 2 ½% increase for FY12 wage adjustments for Article 2 salaried and hourly rated positions. He reported that the Personnel Board provided justification and unanimously affirmed their previous recommendation of a 2 ½ % wage adjustment. Mr. DeBartolomeis recommended a 2 ½ % increase for the four Full-Time officials: Town Clerk, Town Treasurer, Tax Collector and Highway Surveyor, with the remaining Part-Time officials receiving a 0% increase. Mr. Murray moved, seconded by Mr. Buckley: to recommend a 2 ½ % increase for the four Full-Time officials: Town Clerk, Town Treasurer, Tax Collector and Highway Surveyor, with the remaining Part-Time elected officials receiving a 0% increase, UNANIMOUS.

10. The Board reviewed the proposed Memorandum of Understanding (MOU), advocated at the last meeting, by David Nunes, Crossroads MA LLC. This agreement allows the Town of Milford to negotiate solely with his company as he pursues a casino/resort in the Town of Milford. Mr. Murray expressed his support stating that many hurdles remained including passage of a Casino bill by the Legislation, site selection and various local approvals and town-wide referendums. Mr. Buckley was opposed to giving any developer “exclusivity” as he could not see any benefit to the town, only to the developer. Mr. Murray moved, seconded by Chairman DeBartolomeis: To sign the updated Memorandum of Understanding between Crossroad Massachusetts, LLC and the Town of Milford. Two in favor, One opposed (Mr. Buckley in opposition). IT IS A VOTE.

11. Mr. Buckley requested that the Planning Board provide the Board with an update prior to the Annual Town Meeting on any recent public hearings and/or information available relative to the proposal for apartments on Main Street. He also requested an additional meeting with the Planning Board with no consensus reached.

12. Chairman DeBartolomeis requested that a Financial Team Meeting be scheduled with the following individuals: Board of Selectmen, Paul Abbondanza, Financial Analyst/Finance Committee; Barbara A. Auger, Town Treasurer; Gerald M. Moody, Town Counsel; Executive Committee/Finance Committee and John P. Pyne Jr., Town Accountant; to discuss the FY12 Budget and other subjects relative to the financial situation of the Town of Milford; and further requested that they be invited to a future meeting to present their recommendations to the board.

13. Mr. Murray moved, seconded by Mr. Buckley: To approve the request of the Nite Lite Lounge, 31 Central Street for an extension of hours from 11:00 AM to 10:00 AM on Sundays only, to serve alcoholic beverages, UNANIMOUS.

14. Mr. Murray moved, seconded by Mr. Buckley: To approve a One-Day Wine and Malt License for Saint Mary of the Assumption Church, 27 Pearl Street: Friday, June 10, 2011 6:00 PM – 11:00PM, UNANIMOUS.

15. Mr. Murray moved, seconded by Mr. Buckley: To approve a One-Day Wine License for Sacred Heart Parish, 5 East Main Street: Saturday, April 30, 2011 5:30 PM – 11:30PM, UNANIMOUS.

16. Mr. Murray moved, seconded by Mr. Buckley: To approve the request from Stephen Scioli, amending the Automatic Amusement License for Scioli Corporation d/b/a Scioli's Pizza Bar, 146 South Main Street to add two (2) coin operated machines and eliminate one (1) pool table, UNANIMOUS.

17. Mr. Murray moved, seconded by Mr. Buckley: To accept the \$2,500.00 gift from Benjamin Moore & Company to be deposited in the Gift Account for use by the Milford Fire Department, UNANIMOUS.

18. In response to the request received from the Milford School Committee: Mr. Murray moved seconded by Mr. Buckley: To waive any inspection fees associated with electrical work being performed at Middle School East to update the primary cable, UNANIMOUS.

19. In response to correspondence from the Milford Industrial Development Commission seeking a joint work session with the Board for the purpose of discussing the possibility of moving forward with Phase I of the Veterans Memorial Drive proposal, it was the consensus of the Board to schedule a meeting with them after the Annual Town Meeting.

20. Mr. Murray moved, seconded by Mr. Buckley: To accept, with regret, the retirement notification submitted by Anthony J. DeLuca, Jr., Building Commissioner which is effective September 6, 2011, UNANIMOUS.

The Board reviewed correspondence from Town Administrator Celozzi outlining his recommendations for the recruitment process to fill the Building Commissioner vacancy. Mr. Murray suggested changes including: Change Minimum of an Associate's degree to Bachelor degree preferred and change the wording from preferred to essential with reference to State Building code. Mr. Buckley suggested changing Certification as an Inspector of Building/Building Commissioner is preferred to ***required and the job description as well.***

After further discussion, it was the consensus of the Board to contact the Town Administrator with any additional changes, with a revised job description and advertisement being provided at the next meeting for approval.

21. The Board reviewed correspondence from the Alcoholic Beverages Control Commission, which upheld the decision of the Board of Selectmen to suspend the license of Mui T. Tran. d/b/a The Cedar Street Market for a period of five (5) days for sale to a minor of an alcoholic beverage, Mr. Murray moved, seconded by Mr. Buckley: To begin the suspension of the license at 12:00AM on Thursday, May 26, 2011 and extend through 11:59PM on Monday, May 30, 2011, UNANIMOUS. After discussion, Mr. Murray requested that Town Counsel Moody provide an opinion relative to the Alcoholic Beverage Control Commission guidelines under which underage compliance checks or so-called "sting" operations would be conducted in the future. Police Chief O'Loughlin was present and stated that the Police Department followed the ABCC guidelines relative to advertising the sting.

22. INFORMATIONAL CORRESPONDENCE

1. Dept. of Inspections, re: March 2011 Monthly Report
2. Police Chief, re: Grant- Mental Health Service and Training
3. Council on Aging, re: Minutes of 1/11/11
4. Ed Roth, re: Application for Appointment-Council on Aging
5. Rep. John V. Fernandes, re: Milford DTA Office Closure
6. Town Administrator, re: Updated FY12 Budget Information
7. Police Chief, re: Article 23-ATM
8. Milford Youth Commission, re: Notification of Appointments
9. Health Agent/Board of Health, re: Article 25-ATM
10. Finance Committee, re: Minutes of 2/9/11; 3/9/11; and 4/6/11
11. Schedule of Meetings
12. Highway Surveyor, re: Article 23-ATM
13. MADEP, re: Municipal Grant Program

23. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 8:45PM, UNANIMOUS. ROLL CALL VOTE: Chairman DeBartolomeis, Selectmen Murray and Buckley all vote in the affirmative to go into Executive Session to discuss a Police Department grievance, Litigation Issues and a Stipend Adjustment for Labor Counsel.

Respectfully submitted:

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Jean M. De Tore  
Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Dino B. DeBartolomeis, Chairman

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Brian W. Murray, Esq.

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William D. Buckley