

MINUTES OF REGULAR SESSION –MAY 6, 2013

ROOM 03 – TOWN HALL

7:00PM

PRESENT: Chairman Brian W. Murray; Selectmen Dino B. DeBartolomeis and William D. Buckley; Town Administrator Richard A. Villani; and Minutes Recorder Jean M. DeTore.

1. Selectman DeBartolomeis opened the meeting for re-organizational purposes. He thanked Town Administrator Villani; Jean DeTore and Liz Fernandes, support staff in the Selectmen's Office; all town employees and all the volunteers on the various town committees for their professional manner working with the people of the community. He congratulated Selectman Murray on his re-election and for his excellent job as Chairman this past year, his knowledge, passion and focus to help the people of Milford, as there were a number of difficult issues; and he thanked Selectman Buckley for his support and service to the Town. He then turned the meeting over to the Town Administrator for the election of a new Chairman. Mr. DeBartolomeis moved, seconded by Mr. Murray: To nominate William D. Buckley as Chairman, UNANIMOUS. Mr. Buckley also congratulated Selectman Murray on his re-election, his hard work and dedication and indicated that he looked forward to working with the Board for the benefit of the community.
2. Mr. DeBartolomeis moved, seconded by Mr. Murray: To sign the warrant, UNANIMOUS.
3. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the minutes of April 22, 2013 as submitted, UNANIMOUS.
4. Citizen Participation - Chairman Buckley recognized Mr. Steven Trettle, a resident who expressed his concerns regarding the casino timeline proposed by the Massachusetts Gaming Commission and listed as Exhibit B in the Report by Shefsky & Froelich, Attorneys for the town.
5. Chairman Buckley welcomed scouts Michael Weber, Ashby Hobart, Evan Kehoe, Anthony Matondi, Chris Watson, Matthew Hughes, Brian Spiegelman and Scout Leader Brian Weber from Troop 4 who were in attendance as a requirement for their Citizenship in the Community Merit Badge.
6. The members of the Board welcomed newly appointed Town Engineer, Vonnie Maureen Reis. Ms. Reis stated that she is a graduate of WPI and Northeastern University, a registered Civil Engineer and has twenty-five years of civil/environmental engineering experience and is very excited to begin working for the town of Milford. The Board expressed best wishes to Michael Santora for a happy and healthy retirement and expressed their sincere gratitude for his professionalism and dedicated efforts in guiding the town through all of its development.

7. Riad Geara, was present seeking a transfer of a Class II License. Mr. Geara indicated that Arthur Pigeon, A&S Detailing, 232 West Street seeks to transfer the license to Riad Geara, Geara Enterprises, Inc. d/b/a Milford Good Year Getty. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the above transfer, UNANIMOUS.

8. Atty. Kimberly M. Copp, partner in the Chicago-based law firm of Shefsky & Froelich, provided an update on progress to date regarding the engagement of town consultants, update on developer's consultants' progress and a revised timeline based upon the Massachusetts Gaming Commission revised schedule. Atty. Copp stated that since the April 8th meeting, they have continued to follow up with the Developer concerning its proposed Project. She further noted that Mr. Allan Kronberg, the Developer's Project manager, has had continuing conversations with the Town Administrator, and also met with various town officials and departments. She also summarized the following information:

I. Town Consultants –During the past two weeks, they have discussed with the Developer the need for the Town to engage various consultants (i.e. traffic, utility, environmental, mitigation, etc.) and worked to engage such consultants. They are working with each consultant to obtain a fee quote as well as signed engagement agreement. They hope to finalize agreements in the next week. She further explained, once all consultants are engaged, they will have each consultant meet with the Developer's consultants as well as with individuals from the appropriate Town departments.

II. Developer Progress –They have had several follow up calls with the Developer. The Developer has been working on community outreach efforts including holding meetings with various neighborhood concerns and Town officials, engaging its consultants and engineers and working on its Project design and concept.

III. Revised Timeline – Attorney Copp also provided a Revised Timeline assuming that the Massachusetts Gaming Commission will accept Phase Two Applications from June 1, 2013 to December 1, 2013.

Also submitted was a report from Tetra Tech regarding transportation infrastructure, conceptual design and related project information which were discussed at a meeting with representatives from Mass DOT on April 26, 2013. The report also included information regarding meetings with officials from the Water Co, Sewer Department and National Grid.

Mr. DeBartolomeis suggested that Atty. Copp schedule a meeting with the Consultants and town officials to determine if there are any issues and provide a current update. Mr. Murray also suggested that Atty. Copp pass on the concerns of the board to the consultant and inquire as to the probability of success on some of these issues.

9. Mr. Louis Piazza, Manager, Richard Innis, President, Hoboken Citizens Club, Inc, 252 Central Street, represented by Attorney Michael Noferi, along with Police Chief Thomas J. O'Loughlin were present for a hearing to consider whether or not to modify, suspend or revoke the license issued

for the establishment, pursuant to Chapter 138, section 64. The hearing was necessitated due to actions as a result of activity which took place in the establishment on the evening of April 5, 2013. Police Chief O'Loughlin read his report of the violations. Attorney Noferi stated that the members and their families were embarrassed and this establishment has always served as a gathering place for weddings, holiday parties and fund raisers. The manager has also taken steps to alleviate any similar episodes by revising the rental application and rules for the bar tenders to follow. He also requested that the Board consider the circumstances and impose a warning or a suspension less than 10 days.

After a brief discussion, Mr. DeBartolomeis made a motion to suspend the Alcoholic Beverages license from May 8, 2013 through Friday, May 17, 2013, excluding May 10 and May 11 for upstairs functions only. On May 10 and 11 the downstairs bar and area may not be used and must be securely locked with no access to the public, Mr. Murray seconded for discussion: Mr. Murray stated that in his opinion this situation was different from the Tradesman violation and therefore would urge the board to consider less than 10 days. Chairman Buckley suggested informing the owners of the clubs that the same rules that apply to Restaurant All-Alcohol licenses also apply to private clubs and in his opinion, no license suspension is warranted. Mr. Murray made a motion to amend the motion to take the matter under advisement. THERE WAS NO SECOND. Mr. Murray made a motion to suspend the Alcoholic Beverages license for five (5) days May 13,14,15,16,17, 2013. THERE WAS NO SECOND. After further discussion, Mr. Murray seconded the original motion. Two in favor, One opposed. (Mr. Buckley in opposition). IT IS A VOTE.

10. TOWN ADMINISTRATOR'S REPORT

Town Hall Windows Update – We learned from the architect, Max Ferro that the State Architect would not permit the Town replace the windows as they feel new windows would not be as “historic” as the old ones. This means the windows will have to be remanufactured. Therefore, we have cancelled the bid and we will have to rebid the project. We may also need to test the Upper Town Hall windows for lead and asbestos. I am informed by our architect the remanufactured windows will likely give us better infiltration and insulation as the quality of the existing wood is better than what is available today. I am setting up a meeting with the architect to discuss the best way to proceed. I will keep the Board updated.

Financial Team Meeting – A second Financial Team Meeting was held on May 3, 2013. Present at the meeting were the Town Treasurer, Town Accountant, Town Counsel, Chairman of the Board of Selectmen, Chairman of the Finance Committee, Financial Analyst and myself. We reviewed the Articles for the May 20 Town Meeting as well as the Funding Sources. All the Team Members are in agreement on the Funding Sources.

Update Traffic Lights - Water Street and Route 140 – The traffic lights are fully operational.

Request to Close Birch Street – The work on Birch Street to install a sewer line and main for the new assisted living facility was completed on May 2, 2013.

Chapter 90 Funding for Local Road Improvements – The Senate passed a bill appropriating \$300 million in Chapter 90 Funding for road improvements during Fiscal Year 2014. This is an increase of

\$100 million from the Fiscal Year 2013. The House has already passed a bill allocating this amount. If passed into law, this will represent an increase for the Town of \$407,056.00.

Budgets – All Budgets under the jurisdiction of the Board of Selectmen are on target for fiscal year 2013, except as previously noted.

11. The Board reviewed correspondence submitted by Police Chief O'Loughlin regarding Alcohol Compliance Checks of sixteen (16) establishments. After a brief discussion, Mr. DeBartolomeis moved, seconded by Mr. Murray: To schedule hearings with the four (4) establishments in violation, UNANIMOUS.

12. Town Administrator Villani summarized the timeline regarding the appointment of a Senior Center Director. Mr. DeBartolomeis suggested adding budgeting experience to the job description and eliminating Physical requirements. Mr. Murray requested consolidating items #3 and #4 of the timeline so that the weeks of June 24, 2013 through July 5, 2013, Town Administrator, Council on Aging member and selected individual from the town review applications and conduct interviews. The Town Administrator, Council on Aging member will provide a recommendation or recommendations to the Board for the July 8th meeting.

13. After reviewing correspondence regarding the removal of the remaining Christmas wreaths from the light poles on Main Street, Town Administrator Villani stated that he spoke to Building Commissioner John Erickson and the wreaths will be removed within the next several days.

14. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request of the Greenleaf Garden Club of Milford to hold their Annual Plant Sale on Saturday, May 18, 2013 from 8:00AM-12:00PM, at the Kiwanis Park, UNANIMOUS.

15. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve a One-Day Wine and Malt License for St. Mary of the Assumption, Saturday, May 11, 2013-6:00PM-12Midnight, UNANIMOUS.

16. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve a One-Day Wine and Malt License for Alianca Cultural Portuguesa, Saturday, June 1, 2013-5:00PM-12Midnight, UNANIMOUS.

17. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve a permit to obstruct for Saint Mary's of the Assumption Church Portuguese community of Milford in celebration of Our Lady of Fatima procession beginning at 7:00PM on Sunday, May 12, 2013, UNANIMOUS.

18. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request submitted by David Breen, CEO of Fun Zone Milford, LLC d/b/a Pinz to extend the hours of operation of his Common Victualler license from 10:00PM to 6AM on the following days: Friday, May 24, 2013 and

Friday, June 7, 2013, to allow the serving of food for several After-Prom/After-Graduation parties for local area schools, UNANIMOUS.

19. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve a "Poppy Days" permit for the John W. Powers Post 59, American Legion Auxiliary (May 24-27, 2013), UNANIMOUS.

20. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the Memorial Day Parade scheduled for Monday, May 27, 2013, UNANIMOUS.

Mr. Murray suggested extending an invitation to participate in the parade to a contingent of the Watertown Police Department.

21. Mr. DeBartolomeis moved, seconded by Mr. Murray: To appoint Margaret Myatt to the Commission on Disability, UNANIMOUS.

22. The Board reviewed correspondence from Representative John V. Fernandes, regarding the Massachusetts Gaming Commission workshop scheduled for Tuesday, May 14, 2013. Chairman Buckley noted that he would be attending.

23. INFORMATIONAL CORRESPONDENCE

1. Central Mass. Mosquito Control Project, re: Earth Day 2013
2. COMCAST, re: Price Adjustment – July 1, 2013
3. Milford Youth Commission, re: Minutes of March 4, 2013
4. Michael Meurant, re: Application for appointment
5. Daniel Awuku-Asante, re: Application for appointment
6. Margaret Myatt, re: Application for appointment
7. Edward L. Bertorelli, re: Application for appointment
8. Michael Soares, re: Application for appointment
9. Schedule of Meetings
10. Robert L. Allen Jr., Esq., re: FCX Massachusetts LLC

24. Mr. Murray suggested that Town Administrator Villani provide a list of talent bank applicants and a list of vacancies so that the Board can review them for the annual reappointment/appointments.

25. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 9:08PM, UNANIMOUS.

Respectfully submitted:

Jean M. DeTore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

William D. Buckley, Chairman

Dino B. DeBartolomeis

Brian W. Murray, Esq.