

MINUTES OF REGULAR SESSION –JUNE 3, 2013

DAVID I. DAVOREN AUDITORIUM MILFORD HIGH SCHOOL

7:00PM

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

1. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To sign the warrant, UNANIMOUS.
2. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the Minutes of May 6, 2013 as submitted, UNANIMOUS.
3. Citizen Participation – None
4. Chairman Buckley thanked Superintendant Tremblay for setting up the lighting, sound and access to the auditorium for tonight's meeting and outlined the protocol for the FCX Massachusetts LLC Casino public Presentation Proposal as follows:
  - There will be an opportunity for an "Open Mike"
  - There will be a sign-up sheet at the entrance for those Milford residents and business owners who want to ask a question and will be called according to the order that they signed in.
  - Residents and business owners speaking will be limited to one question -not an opportunity to state an opinion for or against the casino.
  - Question will be addressed to Chairman of the Board and he will direct the question to the proper expert to answer the question.

Town Administrator Villani stated that all of tonight's presentation information will be posted on the town's website tomorrow and updated as new correspondence is received.

5. Barbara A. Auger, Town Treasurer along with Margaret MacLean, Financial Advisor, Unibank, were present seeking approval to award a General Obligation Municipal Purpose Bond. Ms. Auger noted that she initiated the refunding (similar to refinancing) of the Municipal Bond Issues dated 1/2002 and 3/2003. The refunded issue, a General Obligation Municipal Purpose Bond dated June 15, 2013, has a face value of \$5,940,000 which includes refunding for the remaining balances due for the Godfrey O'Brien Brook, Sewer Construction, Senior Center, Memorial Hall and Consigli Land Acquisition projects. She further noted that in preparation for the bond sale, the Town prepared an Official Statement and sought a bond rating from Moody's Investment Services. Moody's Investors assigned an Aa2 rating on the \$6 million general obligation bond and has reaffirmed the Town's Aa2 on the current \$33 million of outstanding long term debt. The full report detailing Moody's rationale for assigning the Aa2 rating was submitted for the Board's

review. She further stated that Moody's cited the Town's sizable tax base with above average wealth levels; manageable debt burden; and stable operating budget with satisfactory financial position as rating positives. Ms. Auger submitted a Notice of Sale and an Official Statement (available upon request) which was prepared to notify the public of this general obligation bond sale. The Town received twelve responses to this request for bid, the results are as follows:

<b><u>Bidder</u></b>	<b><u>TIC</u></b>
Eastern Bank Capital Markets	1.419568
Piper Jaffray	1.469350
Robert W. Baird & Co., Inc.	1.495046
Stifel, Nicolaus & Co., Inc.	1.525422
UBS Financial Services Inc.	1.568890
BMO Capital Markets	1.584829
Janney Montgomery Scott LLC	1.595367
UMB Bank N.A.	1.626669
Hutchinson, Shockey, Erley & Co.	1.695720
Fidelity Capital Markets	1.807458
Sterne, Agee & Leach, Inc.	1.807799
Raymond James & Associates, Inc.	1.930154

The award went to Eastern Bank Capital Markets of Boston, MA, the bidder who offered the lowest true interest cost (TIC) to the Town. Mr. DeBartolomeis moved, seconded by Mr. Murray: To accept the recommendation of Barbara Auger, Town Treasurer to award the bid to Eastern Bank Capital Markets of Boston, MA, UNANIMOUS.

6. Ms. Liz Duffy, General Managing Partner and Mr. Jon Wright were present to discuss the application of 99 West, Inc, d/b/a 99 Restaurant, 196B East Main Street seeking a change of manager from James Houley to Jon Wright. Mr. Wright noted that he had worked at various locations and most recently was transferred to Milford. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the change of Manager, UNANIMOUS.

7. Tony Mitchell was present seeking a Fortune Teller License for Miss Mello Palm and Tarot Card Readings, 20 Main Street, HOURS OF OPERATION: MONDAY-SUNDAY 9:00AM-7:00PM. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the license and requested that Town Administrator Villani work with the owner of the property to establish a payment plan seeking a resolution on the outstanding sewer lien and income and expense lien, UNANIMOUS.

8. Ningfeng Guan, Beijing Dumpling House, Inc., 163 Main Street was present seeking a Common Victualler License for 163 Main Street, HOURS OF OPERATION: MONDAY-SATURDAY 11:AM-8:00PM. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the license subject to Board of Health approval, UNANIMOUS.

9. 7:30PM Scott Butera, CEO of FCX Massachusetts LLC along with other officials and consultants, narrated a power point presentation of the proposed casino relative to the property design and engineering as well as the design and construction of transportation and utility infrastructure. At 8:50PM Chairman Buckley called for a short recess before allowing Milford residents and business owners an opportunity to present a question relative to the proposed casino.

At 9:10PM Chairman Buckley called the meeting to order. Chairman Buckley called upon the residents that signed-in allowing them to ask a question. At 10:55PM Chairman Buckley called for a short recess allowing time for anyone who wished to leave the meeting. At 11:00PM Chairman Buckley called the meeting to order. A complete viewing of the meeting can be accessed by logging on to Milfordtv.net or the town's website Milford.ma.us.

#### 10. TOWN ADMINISTRATOR'S REPORT

- Fishing Platform Update – A meeting with the Highway Surveyor, Building Commissioner, Town Engineer, Chairman of the Milford Commission on Disability, Carlo Molinari and myself was held on May 23, 2013 to discuss the work to be performed to complete the Fishing Platform at Louisa Lake. Mr. Molinari will be performing the work to complete the Platform. He will be paying prevailing wages to his employees, but he kindly agreed to do the work for his original estimate of \$7,100.00. Work is expected to begin the second week in June and take 2 to 3 weeks to complete. The Highway Department will assist in bringing in loam and seed, purchasing concrete and performing any required paving. Mr. Crisafulli is also getting quotes for the Railing to be installed which will allow a person in a wheelchair to get right to the edge of the Platform. All work is being performed in accordance with the Specifications and Plans prepared by former Town Engineer, Michael Santora.
- Milford Upper Charles Trail – Phase 3 – Memo from Reno DeLuzio, Chairman (Veterans Memorial Drive to Mount Pleasant Street)
- Budgets – All Budgets under the jurisdiction of the Board of Selectmen are on target for fiscal year 2013, except as previously noted.
- Town Treasurer Resignation – As the Board knows, Town Treasurer, Barbara Auger has submitted a letter of resignation. Barbara has served the Town of Milford for many years in a highly skilled, professional and dedicated manner and will be extremely difficult to replace. Town Counsel Moody has provided the Board a Memorandum detailing the procedure to fill the Vacancy as well as information for the Board to consider regarding the process to be followed should you seek to make the Town Treasurer an appointed position. I will await direction from the Board.

The members commended and thanked Mrs. Auger for her many years of service to the town and extended best wishes to her on her new endeavor. Since the Board also received notification from Paula Fortin, Tax Collector announcing her retirement in August, they requested that Town Administrator Villani provide information on the possibility and procedure of combining the two positions as one and making it an appointed position rather than an elected position---Tax Collector/Treasurer for an upcoming meeting after

discussing the matter with Town Counsel. Chairman Buckley noted that he was not in favor of making this an appointed position.

Mr. Murray moved, seconded by Mr. DeBartolomeis: To appoint Ms. Kelly Capece as Acting Town Treasurer effective June 22, 2013. Two in favor, One opposed. (Mr. Buckley in opposition) IT IS A VOTE.

11. The Board reviewed correspondence from Town Administrator Villani regarding the bids received for the roof replacement at the Milford Police Station. Mr. Villani noted out of the seven (7) bids received by the deadline of May 17, 2013, Meadows Construction was the lowest bidder. He also noted that in a letter submitted from Richard J. Gorham, Project Manager, Russo Barr, - Design Architect for the Milford Police Station Roof that Meadows Construction submitted all required paperwork and they averaged 91 (out of 100) on projects evaluated by Division of Capital Asset Management (DCAM) and all references reviewed were positive. Mr. DeBartolomeis moved, seconded by Mr. Murray: To award the contract to Meadows Construction for the sum of \$294,000.00, UNANIMOUS.

12. Mr. DeBartolomeis moved, seconded by Mr. Murray: To amend the term of the Original Net Metering Credit Sale and Purchase Agreement dated January 22, 2013 from five (5) years to twenty (20) years as authorized by Town Meeting on May 20, 2013, Article 43, UNANIMOUS.

13. The Board reviewed correspondence from Larry L. Dunkin, AICP Town Planner which noted that in early 2012, the Board of Selectmen joined Eastland Partners in their application to the Planning Board to amend the "Waldenwoods" PRD Special Permit. The amendment was to permit the construction of Phase 3 of the Upper Charles Trail in lieu of providing designated "over 55" units in the PRD development. In this manner the PRD density bonus was retained. Mr. DeBartolomeis moved, seconded by Mr. Murray: To grant permission to Eastland Partners to use the southerly (upper) portion of the former Cueroni parcel for a temporary construction staging area located north of Carroll Street, and limited to the existing paved portion of the property near the former building locations and limit access to the site during the construction season from June 4, 2013 to November 30, 2013 and again from April 1, 2014 to October 1, 2014, UNANIMOUS.

14. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the recommendation of Town Engineer Reis to convert Prentice Avenue from parking allowed on both sides to parking allowed on one side only, UNANIMOUS

15. Mr. DeBartolomeis moved, seconded by Mr. Murray: To accept the \$9,000.00 gift from Harold and Marcia Rhodes to be used toward the construction of the Louisa Lake Accessible Fishing Platform and the balance deposited in the Commission on Disability Gift Account, UNANIMOUS.

16. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve a permit to obstruct for the Music & Arts, 163 Main Street for Saturday, August 10, 2013 from 8:00AM-5:00PM subject to the Police Chief's approval, UNANIMOUS.

17. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request from The Military Peer Support Program for the annual 5K Road Race and Walk, Sunday, June 23, 2013, 9:00AM-11:30AM, UNANIMOUS.

18. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the request from the Café Sorrento for a One-Day All Alcohol License for June 16, 2013 1:00PM to 6:00PM, UNANIMOUS.

19. The Board reviewed correspondence from Town Administrator Villani regarding the Request for Qualifications for Designer Services for the Milford Youth Center renovation. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the RFQ, UNANIMOUS.

20. Mr. DeBartolomeis moved, seconded by Chairman Buckley: To establish a Designer Selection Committee consisting of the Town Engineer, the Building Commissioner, and two members of the Milford Youth Commission and recommended appointing Mr. Murray as the board's representative, UNANIMOUS.

21. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the recommendation of Police Chief O'Loughlin and Town Engineer Reis to designate two parking spaces on Spruce Street commencing at the bank driveway and moving toward Main Street as LOADING ZONE-NO PARKING MONDAY THRU FRIDAY 6:00am TO 4:00PM, UNANIMOUS

## 22. INFORMATIONAL CORRESPONDENCE

1. COMCAST, re: Digital network enhancement July 23, 2013
2. Richard Dean, re: Application for appointment
3. Robert L. Allen, Jr. Esq., re: FCX Massachusetts LLC
4. Sidney DeJesus, Director/Milford Youth Center, Donation/Tree
5. MassDevelopment, re: Milford Regional Medical Center
6. Finance Committee, re: Minutes of April 10, 2013; April 17, 2013
7. Larry L. Dunkin, AICP Town Planner,  
re: MAPC/CTPS Traffic Analysis Update-Rt.140/So. Main St. Traffic Signal
8. Schedule of Meetings
9. Department of Telecommunications and Cable, re: Public Hearing October 16, 2013
10. David C. Morganelli, re: "Farmer's Market"

23. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 11:21PM, UNANIMOUS. ROLL CALL VOTE: Chairman Buckley, Selectmen DeBartolomeis and

6-3-13

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Murray vote in the affirmative to go into Executive Session to discuss Firefighter Association Collective Bargaining issues, UNANIMOUS.

Respectfully submitted:

MILFORD BOARD OF SELECTMEN

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Jean M. DeTore  
Minutes Recorder

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William D. Buckley, Chairman

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Dino B. DeBartolomeis

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Brian W. Murray, Esq.