

MINUTES OF REGULAR SESSION – JULY 11, 2011

ROOM 03-TOWN HALL

7:00PM

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

1. Mr. Murray moved, seconded by Chairman DeBartolomeis: To sign the warrant, UNANIMOUS.

2. Citizen Participation – None.

3. Susan Clark, Community Development Director, updated with the Board on the following:

1. A Community Development Block Grant application was submitted to the Department of Housing and Community Development on December 15, 2010 for Phase 3 of the Prospect Heights Improvement Project. Ms. Clark stated that the Town of Milford was not awarded the FY11 CDBG grant even though the application was quite thorough. Apparently, the community wide need is not as great as other communities and therefore Milford was eliminated from funding. She will continue to seek funding sources and will submit an alternate plan to the Board at the July 25, 2011 meeting. At 7:07PM Selectman Buckley joined the meeting.

Ms. Clark added that:

2. Phases 1 and 2 of this project have been completed.

3. The Department of Housing and Community Development has released a memo outlining preliminary proposed changes in the FY12 CDBG applications. She noted that these changes included lower grant amounts and limitations on applications in successive years with no community being funded two (2) years in a row. She also stated that she is working on Plan "B" and will submit it to the Town Administrator as soon as it is completed. Recently, she was informed that the Town was awarded a grant for brook improvements on Church Street, and in addition, NStar has installed a new gas line and other work is being proposed on the infrastructure. She agreed with Highway Surveyor Scott Crisafulli that this section of Town was in most need of improvements and investigated the eligibility of this as an upcoming CDBG project. She stated that to be eligible for funding the activity must meet a National Objective of benefit to low to moderate income residents or the elimination of slum and blight. Work must be done to determine if this area meets the criteria. Preliminary work was done to determine if this area would meet one of these threshold objectives, and a property inventory was prepared to assess the properties on Church Street, Draper Park, and Bancroft Ave. to determine the income status of the residents of this neighborhood. Ms. Clark is requesting

the Board's permission to send an income survey that would be anonymous and confidential to the residents of the 33 properties representing 63 units on the three streets. (Church, Draper Park, Bancroft Avenue).

Mr. Murray moved, seconded by Mr. Buckley: To approve mailing of the 2011 Community Development Block Grant Neighborhood Income Survey, UNANIMOUS.

5. Bradlee T. Farrin, Corporate Facility Manager for Southworth-Milton, Inc. d/b/a Milton Cat, 179 Fortune Boulevard was present seeking a Class I license. Mr. Murray moved, seconded by Mr. Buckley: To approve the license, UNANIMOUS.

6. Bradlee T. Farrin, Corporate Facility Manager for Southworth-Milton, Inc. d/b/a Milton Cat, 330 East Main Street was present seeking a Class I license. Mr. Murray moved, seconded by Mr. Buckley: To approve the license, UNANIMOUS.

7. Amy Leone of the Juvenile Advocacy Group (JAG) updated the Board on the Substance Abuse Initiative. She stated that after completing three years of Grant funding they have been extended for another two years. She further noted that:

A survey of Milford Middle School students revealed that fewer students are starting to drink alcohol. In 2010, 20% of youth reported drinking in their lifetime, a decrease from 28% in 2006.

A survey of Milford High School students revealed that lifetime alcohol use has decreased between 2006 and 2010 from 67.3% to 55%.

According to the Milford Police Department, in reference to compliance checks, there was only one bar out of twenty and five liquor stores out fifteen that failed in July.

Ms. Leone noted that due to Newsletters and social media utilization, traffic to their website www.jagnetwork.org has increased and attendance has increased from 50 to 150 to 200. She stated that moving forward, she will be collaborating with Blackstone Valley Tech, other organizations and the town for social marketing and materials. Another newly formed organization is the Milford Play Initiative which is a local organization that is working to raise donations through Grant Funding and the United Way of Tri-County to build a playground at Fino Field and to date has raised \$10,000. Ms. Leone noted that after seeking permission from the Parks Department, there are two potential sites at Fino Field.

8. Mr. William Spalke, representing Agenor Pereira d/b/a Rios' Auto Sales, Inc., 20 Beaver Street was present seeking a Class II license. After a review of the decision from the Zoning Board of Appeals, Mr. Murray requested that the applicant seek an amended decision relative to clarification of Item #1 of the conditions and approval of an amended site plan from the Planning Board on the placement and number of cars for sale. Mr. Murray moved, seconded by Mr. Buckley: To table the request, UNANIMOUS.

9. Keith Gazaille, Senior Biologist at Aquatic Control Technology updated the Board on the current aquatic vegetations management and recommendations for Louisa Lake. He stated that the assessment and management of Louisa Lake began in 1998 and the current maintenance aquatic vegetation management program has targeted the selective control of non-native variable milfoil and floating-leaf water lilies through the application of USEPA/State registered aquatic herbicides. He further noted that on the whole this management approach has provided good control of the target species, however, recent budgetary constraints have required the scope of the program to be scaled back to where only priority public access/usage areas are managed resulting in re-growth of milfoil and water lilies in previously managed areas. Further, they have tried to rotate the management of some discretionary treatment areas over the years in an attempt to provide the greatest level of control possible within the Town's budget. Mr. Gazaille recommended expanding the program to include more acreage from 10 to 15 acres and an additional treatment per season thus increasing the cost to \$8,500 for the total program.

Although it was the consensus of the Board to seek additional money at the Special Town Meeting for the additional treatment for next year's maintenance, Mr. Buckley requested that Town Administrator Celozzi look into the possibility of obtaining \$3,250 for the additional treatment for FY12.

Chairman DeBartolomeis requested that Mr. Gazaille forward a summary of tonight's discussion to the Conservation Commission.

10. Mr. Murray moved, seconded by Mr. Buckley: To approve the minutes of June 20, 2011 as submitted, Two in favor One abstention (Mr. DeBartolomeis abstains). IT IS A VOTE.

11. TOWN ADMINISTRATOR'S REPORT

- Budget Update – Since this is the first month of FY12, everything is fine. I believe Gov. Patrick signed the FY12 budget today.
- Gov. Patrick's Visit – As you know Gov. Patrick will be in town tomorrow at 6:00PM at Draper Park for a Town Meeting type program. All residents are being invited to share their thoughts and concerns. I believe the meeting is scheduled for 1 ½ hours.
- On behalf of the Park Commissioners, I would like to thank the Milford Lions Club for sponsoring the entertainment at Plains Park for the annual Fireworks Display on July 3, 2011. A great crowd gathered at the park and enjoyed the fireworks as well as the music and entertainment supplied by Ron Auger. The donation by the Lions Club made this possible.
- As we suspected, despite the wording in the statute of G.L. c138, Section 12 allowing for local "written approval", the ABCC through Counsel Bill Kelly, has ruled that the adding of "cordials" to the license must now have a regular hearing including notice, etc. We have contacted Mr. Benjamin and informed them and we have scheduled a hearing for them on July 25, 2011.
- Under C-4, you'll find information that I had requested from the Chief relative to apartments or locations in town that have been problematic. I thought the Board would be interested in targeting some of these areas.

- Italian Station – In response to concerns, I contacted Frank Foss of COMCAST who informed me that the station has been removed from Channel 22, the old Analog system, and is now on Channel 679 under the digital system.
- 8 Blanchard Road- Since June 15, 2011 when we first met with Mr. Sprague, who stated his intentions of razing the structure within 30 days, since extended to July 31, John Erickson has taken the following action:
After several days without contact, Mr. Erickson attempted to contact Mr. Sprague with the phone number provided on June 15 and the phone has been disconnected. Since then at least one call per week has been made with the same result.
Due to the lack of response by Mr. Sprague, Mr. Erickson has requested a survey of the structure by the Fire Chief and Town Engineer as required by law. (MGL C. 148, § 8) He is awaiting their responses.
On July 6, Mr. Erickson sent a letter to Mr. Sprague requesting that he contact the building department to advise them of his status and progress.
Mr. Erickson will continue his obligation under MGL C. 148, § 8 by requesting a survey by a “disinterested person” as prescribed. He has reached out to several contacts and is waiting for their response. Once all three reports are in hand, Mr. Erickson will make a decision as to declaring the structure safe or whether it should be demolished.

12. The Board reviewed correspondence requested by the Town Administrator from Police Chief O’Loughlin relative to the number of disturbance calls related to loud noise, parties, and other disturbances listed alphabetically by street address. Mr. Murray expressed his concern for the amount of calls to 42 Bancroft Park totaling fourteen. He further requested that a list of the actual calls be obtained from the Police Chief on any calls of five or more and the ownership and property description be obtained from the Assessor’s Office. Mr. Buckley suggested initiating a plan to establish a Task Force.

13. Town Counsel Moody was present to discuss his proposal of a bylaw that would provide a better tool to address such issues of Nuisance and Vacant Property. After a brief discussion, Mr. Murray recommended several changes for Town Counsel to incorporate and Mr. Buckley suggested forwarding a draft to the Police Chief, Building Inspector and Board of Health for their input before final Board approval and presentation of an article at Town Meeting.

14. The Board discussed the process to be used to fill the Building Commissioner vacancy. Town Administrator Celozzi reported that there were fourteen applicants for the position and that he and Town Engineer Santora will be interviewing five on July 13, 2011. Chairman DeBartolomeis requested that Mr. Celozzi provide the Board with a list of three names and the Board will then interview the candidates at an open meeting on an off night. Mr. Murray moved, seconded by Mr. Buckley: To approve the above process for appointing the Building Commissioner, UNANIMOUS.

15. In response to correspondence from the Vernon Grove Trustees requesting approval to expend \$2,900.00 from the Avis Pond Bequest Interest Fund for the restoration of the slate stone in the cemetery, Mr. Murray moved, seconded by Mr. Buckley: To approve the request, UNANIMOUS.

In response to the Board's request for an explanation of the condition of the Vernon Grove Cemetery over the Memorial Day Weekend, the Trustees responded by apologizing for the incident and explaining that personnel changes had been made. Mr. Murray expressed his dissatisfaction with the condition of the cemetery on that holiday and stated that in the future, he will not tolerate these conditions under any circumstances.

16. After reviewing correspondence from Town Counsel Moody regarding the proposed Milford Water Company Water Demand Mitigation Program, it was the consensus of the Board to schedule a meeting with the Water Company to review the policy.

17. Mr. Murray moved, seconded by Mr. Buckley: To approve the FY11 Appropriation Transfers as submitted and approved by the Finance Committee at their July 6, 2011 meeting, UNANIMOUS.

18. Mr. Buckley expressed his displeasure with the most recent water quality issue specifically the discoloration of the water as well as the incident of exceedance of the Trihalomethane (TTHH) levels and failure to again notify the Board and residents in a timely manner. He noted that the water quality brochure that was distributed to customers from the Milford Water Company stated that "in the "third quarter of 2010, the company failed to take all of the required Total Chlorine Residual samples: 35 required, 26 submitted." After a discussion, Mr. Buckley stated that he would like a meeting scheduled with the Board of Health, the DEP and Mr. White, Vice President of the Water Company to discuss the following agenda:

1. A history of the violations occurring at the Milford Water Company since the Boil Water was issued in 2009.
2. A review of the recent discoloration issue and the lack of proper and prompt notification.
3. Discussion of the Milford Water Company's recent request to seek more time for the build-out of the plant.
4. Assurances from the MassDEP and the Milford Water Company that residents in our community receive timely and honest information at all times relative to any issues with the quality of our drinking water.

19. Mr. Murray moved, seconded by Mr. Buckley: To approve the First Congregational Church of Milford, UCC's request to hold a 10K CROP Hunger Walk on Saturday, October 1, 2011, after seeking the Police Chief's approval of the walk route, UNANIMOUS.

20. Mr. Murray moved, seconded by Mr. Buckley: To forward the Carpenters Local #475 request to hold a Boot Drive Collection for Jimmy Fund on Saturday, August 27, 2011 with a rain date of Saturday, September 10, 2011, to the Police Chief for a recommendation on the proposed location or recommendation of an alternate location, UNANIMOUS.

21. After reading a story in the July 11, 2011 edition of the Milford Daily News highlighting a blighted building on 194 East Main Street, Mr. Murray requested that the Building Commissioner, Board of Health and Fire Department visit the site to determine if any building, health, fire or other violations exist and to determine the overall safety of the structure.

22. After reviewing correspondence from both the Police and Fire Chiefs regarding their concerns about the recent carnival at 154-160 East Main Street, including recommendations, for future events, the Board directed Town Administrator Celozzi to revise the current Carnival Policy incorporating the recommendations. The Board will review the proposed policy at a future meeting.

23. The Board reviewed correspondence submitted by Police Chief O'Loughlin regarding Annual License establishment's activity report January 1, 2011 – June 30, 2011. Chairman DeBartolomeis noted that no action by the Board was necessary at this time.

24. Mr. Murray moved, seconded by Mr. Buckley: To appoint Larry L. Dunkin, AICP Town Planner as the town's Representative to the Metropolitan Area Planning Council, term to expire August 11, 2014, UNANIMOUS.

25. In response to Alberto A. Correia, Member of the Finance Committee, who had requested a determination under G.L. c 268A, sec. 19 as outlined in his letter of June 28, 2011: Mr. Murray moved, seconded by Mr. Buckley: That it has been determined that, your daughter's service in the Milford Public Schools is not likely to affect your service as Finance Committee member so long as you refrain from direct participation in discussions of, or votes upon, specific areas of the School Department budget which might be decreased, or increased. You may also continue to attend meetings where such discussion otherwise take place, and may vote upon the final or "bottom line" school budget recommendation, UNANIMOUS.

26. After reviewing correspondence from the Attorney General's office, regarding OUI Last Drink Information-First Quarter 2011, Town Administrator Celozzi stated that he will be providing a spread sheet of the number of the offenses from establishments since the inception of the program and provide it to the Board.

27. Mr. Murray requested that a copy of the correspondence from Police Chief O'Loughlin regarding "A Draper Park Diary", be forwarded to Mr. and Mrs. George Swymer.

28. After reviewing correspondence from Senator Richard T. Moore relative to the Liberty Tree Memorial Program, Mr. Buckley requested that a copy be forwarded to the Park Commissioners as they may wish to participate in the program.

29. INFORMATIONAL CORRESPONDENCE

1. Town Planner, re: 495/MetroWest Compact Priority Development Zone Mapping
2. Town of Oxford, re: Scratch Ticket Bill
3. COMCAST, re: Changes – Standard Cable Package
4. Police Chief, re: Disturbance Calls
5. Sen. Moore, re: Liberty Tree Memorial Program
6. Sen. Moore, re: ARRA Impact
7. Attorney General, re: OUI Last Drink Information-First Quarter 2011
8. Milford Water Company, re: Discolored Water
9. Schedule of Meetings
10. Police Chief, re: "A Draper Park Diary"

30. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 8:55PM, UNANIMOUS. ROLL CALL VOTE: Chairman DeBartolomeis, Selectmen Murray and Buckley all vote in the affirmative to go into Executive Session to discuss Sewer Department Collective Bargaining Issues and a Land Proposal.

Respectfully submitted:

Jean M. DeTore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

Dino B. DeBartolomeis, Chairman

Brian W. Murray, Esq.

William D. Buckley