

MINUTES OF REGULAR SESSION – JULY 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 July 11, 2011 as submitted, UNANIMOUS.

2. Citizen Participation – None.

3. Susan Clark, Community Development Director, explained that the purpose of tonight's Public Hearing was to discuss amending the FY2010 Community Development Block Grant by reprogramming the remaining funds. She stated the following:

1. Construction of Phase 2 of the Prospect Heights Reconstruction Project is now complete. The project was completed under budget which resulted in remaining funds and according to the cost estimates provided by the engineer (Guerriere and Halnon) the improvements proposed for Phase 3 on Prospect Street can be completed with the remaining grant funds.

2. In addition to the Prospect Street project, improvements to the drainage system on Water Street including the replacement of catch basins could also be completed. She recommended the procurement consist of: completion of Prospect Street as the base bid, and the drainage on Water Street as an add alternate. She also stated that Scott Crisafulli, Highway Surveyor offered to re-surface this section in order to complete the project. A map detailing the proposed area and the improvements to be made was submitted to the Board for review. She also noted that the goal is to aggressively move the time frame to complete this project in order to utilize all remaining funds totaling \$290,000. She will apply for new grant monies in December. Mr. Murray stated that he would support an Article at the Fall Special Town Meeting for monies to complete the resurfacing. Mr. Murray moved, seconded by Mr. Buckley: To approve the recommendations for reprogramming of the remaining funds from the FY 2010 Community Development Block Grant, as submitted, UNANIMOUS.

4. A Public Hearing was held at the request of Carlos Benjamin, Manager of EMZ Mart LLC, d/b/a Isabel's, 335 ½ Main Street, seeking an amendment to his Wine & Malt license by adding a Cordials and Liqueurs Permit. Mr. Murray moved, seconded by Mr. Buckley: To approve the amendment, UNANIMOUS.

5. The Board had tabled the request of Agenor Pereira d/b/a Rios' Auto Sales, Inc., 20 Beaver Street for a Class II license at the July 11, 2011 meeting. At that time, they had requested clarification of Condition No. 2 of the ZBA's Special Permit condition. Larry L. Dunkin, AICP

Town Planner, after conferring with Town Counsel Moody, reported that the decision limited the total number of unregistered vehicles on the entire site to six. The existing muffler shop is not authorized to have any unregistered vehicles. Mr. Murray moved, seconded by Mr. Buckley: To approve the request for a Class II License with the stipulations set forth by the Zoning Board of Appeals to include a maximum of six unregistered vehicles at any one time, all of which are to be offered for sale; and subject to payment of all outstanding taxes, UNANIMOUS.

6. TOWN ADMINISTRATOR'S REPORT

- The meeting between the Board of Selectmen, MADEP, and officials from the Milford Water Company has been scheduled for August 4, 2011 at 6:00PM in Room 03 at Milford Town Hall.
- 8 Blanchard Road It has been over five weeks since Mr. Erickson last spoke with Mr. Sprague. At this time, he has still not contacted him to make arrangements to visit the site in order to further assess the safety of the structure so that he may remove personal possessions, and or advise him of his progress with his effort to raze the property. Mr. Erickson attempted to contact him at the phone number he provided numerous times and as recently as this morning but that has still proved to be a non working phone number. (508) 547-4864.
Mr. Erickson also attempted to reach Mr. Sprague in writing over two weeks ago in a letter dated July 6, 2011 with no result. He had responded to the previous letter immediately after receipt.
Mr. Erickson has received written surveys from both Fire Chief John Touhey and Town Engineer Mike Santora. Mr. Erickson has visited the site with a disinterested person as outlined in a previous memo and is awaiting his survey which will complete the steps necessary for Mr. Erickson to make a final evaluation of the structure. Mr. Erickson is sending a letter (certified mail) today, in a final attempt to reach Mr. Sprague. A public hearing is scheduled for August 8, 2011 at 7:30PM.
- Town Accountant John P. Pyne Jr. has returned to work today after being out several months due to by-pass surgery in April. Although he is doing well, he has decided to retire and his last day of work will be July 29, 2011 and official date of retirement sometime in September. Mr. Pyne has been an asset to the Town of Milford.

7. Mr. Murray moved, seconded by Mr. Buckley: To accept, with regret, the notice to retire effective September 16, 2011 from Town Accountant John P. Pyne, Jr., UNANIMOUS.

8. Mr. Murray moved, seconded by Mr. Buckley: To approve 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, at the intersection of Rt. 140 and Rt. 16 based on recommendation from Police Chief O'Loughlin, UNANIMOUS.

9. The Board reviewed correspondence from Town Administrator Celozzi relative to the Building Commissioner position. At the Board's request, Mr. Celozzi and Michael Santora, Town Engineer, reviewed the fourteen (14) resumés of individuals seeking the position. Five interviews were conducted. After interviews and based on a review of each individual's qualifications, experience, certification and a thorough check of references, Mr. Celozzi and Mr. Santora recommended three individuals to the Board: John Erickson, John Field and Michael Mendoza. The Board will interview the three candidates at an open meeting on Wednesday, August 3, 2011 at 6:00PM in Room 03 at Town Hall.

10. The Board again reviewed correspondence from Town Counsel Moody, including the changes suggested by the Board, for the Proposed Nuisance By-Law. The Board supports the proposal noting that this was still a work in progress and any recommendations from the Building Commissioner, Health Agent and Police Chief may be incorporated prior to submitting the article to Town Meeting.

11. The Board reviewed correspondence from Police Chief O'Loughlin to Town Administrator Celozzi detailing the **actual** nuisance calls at properties with at least five or more calls for assistance. Mr. Celozzi provided a list of the owners as well as a property description from the Assessor's office. After a brief discussion, it was the consensus of the Board to have Mr. Celozzi meet with Police Chief Thomas J. O'Loughlin, Fire Chief John P. Touhey, Building Commissioner Anthony J. DeLuca, Jr. and Health Agent Paul A. Mazzuchelli to develop a plan to address the concerns outlined in the report of the Police Chief.

12. Mr. Murray moved, seconded by Mr. Buckley: To approve a Permit to Obstruct – MDA Toll Road sponsored by the Milford Permanent Firefighters Local 2140 at the intersection of Winter and Main Streets and Spruce and Main Street Fire Station on Saturday, September 17, 2011 from 9:00AM-12:00 Noon, UNANIMOUS.

13. The Board reviewed correspondence from Town Administrator Celozzi relative to Chapter 28 of the Acts of 2009, the "New Ethics Law" specifically the release of Executive Session Minutes and the need to establish a procedure that is responsive to the requirements of the law, Mr. Murray moved seconded by Mr. Buckley: To approve the Record Management Policy as proposed by Mr. Celozzi which is to create a master list identifying each Executive Session, including the date-when they were taken, whether the Board of Selectmen has approved the minutes and whether they have been released to the public and incorporate this as part of the Selectmen's Policies and Procedures, UNANIMOUS.

14. . Mr. Murray moved, seconded by Mr. Buckley: To accept the \$585.00 gift from the following individuals in memory of former Fire Chief John DePaolo: Marilu DePaolo and

Pamela Dexter, Mr. and Mrs. Frederick R. Boehm, Mr. and Mrs. John Taddei, John P. Touhey, Mr. and Mrs. Mark Titlebaum, Gail Locke, Barbara Morganelli, Henry Bertulli, Dorothy Lowell, Mr. and Mrs. Robert Tocchi, Mr. and Mrs. Paul Womersley, Mr. and Mrs. Donald McElman Jr., Virginia Davis, Mr. and Mrs. Thomas Dixon, Rosemarie Parente to be deposited in the Fire Department Gift Account, UNANIMOUS.

15. The Board reviewed the proposed Carnival Policy which includes recommendations of both the Fire and Police Chiefs. Mr. Murray requested postponing approval until consulting with Town Administrator Celozzi on some revisions.

16. Mr. Murray moved, seconded by Mr. Buckley: To approve the Traffic Aids request seeking a stop sign at the end of Sample Road where it intersects with Jionzo Road as recommended by Town Engineer Santora, UNANIMOUS.

17. 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 the Woodland Modular Classroom project, UNANIMOUS.

18. The Board reviewed correspondence from Michael Santora, Town Engineer summarizing the Stormwater Utility Study Steering Committee Meeting #4 held on June 29, 2011. The focus of the meeting was the study prepared by the Horsley Witten Group (HWG) relative to the cost of complying with the proposed regulations to reduce phosphorus. According to HWG, the proposed cost estimates were \$64M-\$110M. After a brief discussion, it was the consensus of the Board to forward both documents and invite Senator Scott P. Brown, Senator John F. Kerry, Congressman Richard E. Neal, Congressman James McGovern, Senator Richard T. Moore, Representative John V. Fernandes, Governor Deval Patrick, Lt. Governor Timothy P. Murray, Denis C. Fraine, Town Administrator/Bellingham, Jeffrey D. Nutting, Town Administrator, Franklin, Town Engineer and Town Counsel to a meeting on Wednesday, August 24, 2011 at 1:00PM at Milford Town Hall. At that time the Board will seek support for reconsideration of the EPA decisions regarding the Ms4 permit.

19. INFORMATIONAL CORRESPONDENCE

1. Dept. of Inspections, re: June 2011 Monthly Report
2. Finance Committee, re: Town Meeting Report
3. COMCAST, re: Internet Essentials Program
4. Dept. of Telecommunications & Cable, re: Verizon – Licensing
5. Police Chief, re: Portuguese Picnic Wrap-Up
6. Tony Chiarelli, re: Application for Appointment
7. Police Chief, re: Nuisance calls
8. Attorney General's Office, re: OUI Notice
9. Schedule of Meetings

- 10. Building Commissioner, re: 194 East Main Street
- 11. Building Commissioner, re: 190 East Main Street

20. The Board reviewed correspondence from the Attorney General's office, regarding OUI Last Drink Information-First Quarter 2011, and requested that the information be forwarded to Scioli Corporation d/b/a Scioli's Pizza Bar, Briarwood Restaurant, LLC d/b/a The Alamo and Turtle Tavern, Inc. in order that they become aware of the issue and address it accordingly. Town Administrator Celozzi stated that he will be providing the Board with a spread sheet of the number of the offenses from establishments since the inception of the program.

21. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 7:52PM, 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.

Respectfully submitted:

Jean M. DeTore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

Dino B. DeBartolomeis, Chairman

Brian W. Murray, Esq.

William D. Buckley