

MINUTES OF REGULAR SESSION –AUGUST 5, 2013

ROOM 03 – TOWN HALL

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. Murray: To sign the warrant, UNANIMOUS.
2. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the minutes of July 22, 2013 as submitted, UNANIMOUS.
3. Ryan Fitzpatrick, Boy Scout Troop 02 presented pictures for the boards review and gave a brief explanation of the Octagon Gazebo which was completed and placed at the entrance of Louisa Lake as part of his Eagle Scout project. The members congratulated him on his accomplishment.
4. Citizen Participation - Chairman Buckley recognized Mr. Rob Mitchell, 4 Kraft Road, who submitted a written opinion asking the Board to consider issues of water usage and the traffic report and what documents should remain on the website if a host agreement is signed for the proposed casino.
5. A Public Hearing at the request of Massachusetts Electric Plan #13615779 to install underground primary cable from P2 Cemetery Street to provide new service to Blair House Nursing Home was scheduled for this evening. Town Administrator Villani was notified by Crystal Tognazzi, a representative from Massachusetts Electric, that they are requesting a change of the pole location at the customer's request and therefore will be submitting a new Petition and Plan. Mr. DeBartolomeis moved, seconded by Mr. Murray: To continue the public hearing after a new Petition and Plan is submitted and abutters are notified, UNANIMOUS. Mr. Murray requested amending the motion to include that National Grid provide an updated list of the status of the removal of double poles. Mr. DeBartolomeis moved, seconded by Mr. Murray to continue the public hearing after a new Petition and Plan is submitted and abutters are notified and National Grid provides an updated list of the status of the removal of double poles UNANIMOUS.
6. Prior to the opening of the scheduled appointment for Scioli Corporation, d/b/a Scioli's Pizza Bar, 146 South Main Street, Chairman Buckley recused himself. He left the meeting at 7:15PM. Mr. DeBartolomeis recognized Attorney Louis A. Cassis representing Scioli Corporation. Atty. Cassis noted that on April 30, 2012, the Board of Selectmen reduced the hours of operation from 1:00a.m. (2:00 a.m. on Fridays) to 11:00p.m.; for a period of six months. He further stated that Mr. Scioli began serving that penalty on February 15, 2013 and on August 15, 2013 six months will have elapsed. He also stated that Mr. Scioli has taken the necessary steps to rectify the prior situation and therefore he is requesting that the Board consider the restoration of its former

hours. Mr. Murray moved, seconded by Mr. DeBartolomeis: To restore the hours of operation to 1:00AM (2:00AM on Friday) effective August 15, 2013, UNANIMOUS.

At 7:17PM Chairman Buckley joined the meeting.

7. Joseph Fitzpatrick, representing DG Cleanpower LLC, outlined a second Solar Net Metering proposal for the Town of Milford. He stated that DGCleanpower LLC (DGCP) has developed 10mw of solar capacity in four communities in the state (Uxbridge, Douglas, Plympton and Northbridge)- all four projects are operational and generating net metering credits including those purchased by the Town of Milford last January from the Northbridge project. The value of these 2.3mm kwh/credits over twenty years is \$4.1million-a thirty five percent discount to the town retail electric rate of 14.5 cents-representing a first year savings of \$115,000. The net metering program for municipalities is authorized by the Green Communities Act and has a three percent cap for National Grid or 150mw of net metering load. There are already 94mw committed to the program and the participation has been increasing. He further stated that DGCP now has two projects in advanced development in Norton and Dighton which are expected to be operational by Q1 2014. The combined credits would be 5.3mm. The pricing term would be the same as the Northbridge agreement. The additional credit value would be 9.4mm kwh over twenty years and \$266,000 in the first year.

Mr. DeBartolomeis moved, seconded by Mr. Murray: To start the process of drafting a second five year contract with DG Cleanpower, LLC then petitioning town meeting into entering a 20 year contract, UNANIMOUS.

8. David C. Morganelli, Esq. and Lisa Tomagni from the Board of Health were present to discuss the application process to establish a Farmer's Market. Atty. Morganelli submitted a site plan of the proposed location subject to planning board approval. He stated that after several discussions with Town Planner Larry Dunkin relative to site location, the Town Hall parking lot would be the most feasible at this time. If the market is well received, a new location may be considered. After a brief discussion regarding the application and fee process that governs the type of foods that can be sold, start date, hours of operation, and vendor liability, it was the consensus of the board to allow a Farmer's Market on a trial basis at town hall parking lot and suggested working with Town Counsel, Town Planner and Town Administrator to assist in establishing any needed regulations.

9. Steve Trettle and John Seaver, co-chairs for Casino Free Milford were present to voice their concerns and presented a report to the board relative to their evaluation of casino impacts relative to traffic, water, sewer, crime, property values, environment, influx of workers, social costs, and to offer suggestions if the town were to enter into a host agreement.

10. TOWN ADMINISTRATOR'S REPORT

Water Street – House on 24 Water Street has been taken down. I want to thank Building Commissioner John Erickson for his efforts in overseeing this matter.

Main Street Reconstruction Application- I have been informed by Highway Surveyor, Scott Crisafulli that he received notification from MassDOT that the project he submitted for the reconstruction of Main Street from Water Street to the Hopedale Town Line is eligible for Federal Aid Highway Funding. The application includes new drainage, granite curb, concrete sidewalk, replacement of the failing culvert crossing at Green Street, redesign and rebuild of the intersection at Route 140 and Route 16 and complete surface replacement of the roadway. The approved cost will be \$2,400,000.00 which includes the estimated construction cost of \$1,920,000.00 plus an additional 25% for construction contingencies and police details. Estimated design costs of \$100,000.00 are to be paid by the Town.

Technology Task Force Update –The Technology Task Force has had four (4) meetings. We have decided to do a full IT Assessment and Inventory for both Town Hall and the School System. We have solicited three (3) quotes for the Assessment. The assessment is designed to provide a complete accounting of the physical hardware and report on existing and future IT consumption from the system's and users perspective. Specific emphasis is also being placed on the technology required for the school system. The assessment will provide three (3) separate Reports which will include: A.) Complete Equipment Inventory; B.) Analysis of Needs Based Assessment, and C.) a Recommendation for equipment replacement cycles and a recommendation for how to handle IT services. The goal is to present a Technology Plan to include a Technology Department to be properly staffed and properly budgeted.

11. Mr. DeBartolomeis moved, seconded by Mr. Murray: To enter into discussions with Cross Roads Massachusetts, LLC doing business as Foxwoods Massachusetts to begin negotiating a Host Community Agreement under the Massachusetts Gaming statutes; and further that Town Counsel, with the assistance of the law firm of Shefsky & Froelich, be directed to meet with officials of the applicant and return to this Board, after discussions with the applicant, with a draft Host Community Agreement addressing, to the fullest and most comprehensive extent, the concerns and issues identified by this Board and the Board's consultants, in relation to the proposed casino over the past several months. Mr. Buckley expressed his concern for the environmental impact the proposed casino would have on the town and in his opinion not enough information was received on Traffic and Water data, etc. and a host agreement would not provide much more information. (Two in favor. One opposed. Mr. Buckley in opposition). IT IS A VOTE.

12. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the date of October 21, 2013 for a Special Town Meeting, with the warrant opening this evening and closing at 12:00 noon on Thursday, September 12, 2013, UNANIMOUS.

13. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request of Powerless, Inc. d/b/a The Tradesman, 284 West Street for a One Day All Alcohol License for Sunday, September 1, 2013 from 11:00AM-1:00AM, UNANIMOUS.

14. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request from WMRC-First Class Radio for a Permit To Obstruct to hang a banner at 173 and 174 Main Street from August 12 to August 27, 2013, UNANIMOUS.

15. INFORMATIONAL CORRESPONDENCE

1. Alternatives, Unlimited, Inc., re: Community building activities
2. Department of the Army, re: Milford Pond Aquatic Habitat Restoration Project
3. Massachusetts Dept. of Telecommunications and Cable, re: Petitions for Special Relief
4. Mass DOT, re: MassDOT Highway Division Project 607428
5. Schedule of Board Meetings

16. After reviewing correspondence from Alternatives, Unlimited, Inc. regarding community building activities, Mr. DeBartolomeis requested that Town Administrator Villani contact John Tower, Job Developer, Alternatives Unlimited Inc. to identify any type of projects that mutually benefit local groups or civic organizations, and that Alternatives Unlimited, Inc. can collaborate with and work on.

17. After reviewing correspondence from the Department of the Army in reference to the Milford Pond Aquatic Habitat Restoration Project and the Project Partnership Agreement (PPA), signed March 25, 2013, between the town of Milford, MA, and the Corps of Engineers for the design and construction of the project, Mr. Buckley suggested that Town Administrator Villani contact Town Engineer Reis to see if there were any Work-in-kind (WIK) performed by the sponsor, specifically, participation on the project coordination team (PCT).

Mr. DeBartolomeis noted that this letter was an update on expenses through June 30, 2013 noting that the Project was delayed Eight (8) months because of Hurricane Sandy. He further stated that he and Town Engineer Reis had a conference call with the Army Corp of Engineers from Concord last week regarding a revised timeline for the project and he will have more information after the September meeting.

18. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 8:26PM, UNANIMOUS.

8-5-13

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Respectfully submitted:

Jean M. DeTore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

William D. Buckley, Chairman

Dino B. DeBartolomeis

Brian W. Murray, Esq.