

MINUTES OF REGULAR SESSION – August 8, 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 25, 2011 and August 3, 2011 as submitted, UNANIMOUS.

2. Citizen Participation – None.

3. Chairman DeBartolomeis recognized Valerie Comerford, Director of Crossroads Clubhouse along with several program members commending them for their volunteer efforts in the clean- up of the Louisa Lake area. Ms. Comerford thanked the Board for the opportunity to participate in this community project. She noted that of the 300 clients from area towns attending the Clubhouse that 70 are residents of Milford. The Clubhouse operates a program for individuals with mental illness and provides various services including employment, education, and social assistance. As part of the program for recovery, the project was designed to raise awareness and responsibility to better the community. The Board expressed their appreciation to the group.

4. Zong Ju Zou, d/b/a Asia Café, 94 Main Street, represented by Ms. Andrea Kor, was present seeking a Common Victualler License. After reviewing the information provided by the various department heads regarding the need for a site plan, outstanding taxes, a tax lien, Fire Department approval, Board of Health concerns and the Sewer Department requirement of a grease trap, Mr. Murray moved, seconded by Mr. Buckley: To table the request, UNANIMOUS.

5. No action was taken on the application for a Common Victualler License for Sean Olson, Five Olsons Milford Plains LLC, d/b/a Five Guys, 9 Medway Road #A as the applicant was not present.

6. Barbara A. Auger, Town Treasurer was present seeking approval to award a General Obligation Municipal Purpose Bond. Ms. Auger noted that the Town had received bids to borrow \$2,250,000 for a General Obligation Municipal Purpose Bond dated August 15, 2011. This issue includes funding for the \$2.0 million authorized for the M.H.S. Field Project, and \$250,000 authorized for the Geriatric Authority. 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 \$2.25 million general obligation bond and has reaffirmed the Town's Aa2 on the current \$38.6 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 sound available reserves 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 three responses to this request for bids, the results are as follows:

<u>Bidder</u>	<u>Coupon Rates</u>	<u>Premium</u>	<u>NIC</u>
UBS Financial Services	2.0-3.3%	\$35,100.00	2.6335%
Janney Montgomery Scott	2.0-4.4%	\$76,534.15	2.7509%
First Southwest	2.0-3.375%	\$37,785.58	2.7723%

The award went to UBS Financial Services of New York, NY, the bidder who offered the lowest net interest cost (NIC) to the Town. Mr. Murray moved, seconded by Mr. Buckley: To accept the recommendation of Barbara Auger, Town Treasurer to award the bid to UBS Financial Services of New York, NY, UNANIMOUS.

Mr. Buckley requested that a copy of Moody's Investors Service-Town of Milford/Bond Rating Information be forwarded to the Finance Committee.

7. After notification, a public hearing was held in accordance with G.L. c39 Section 1, and other applicable law on the question of whether or not the building and property at 8 Blanchard Road, owned by Mr. William Sprague is a nuisance to the neighborhood, or otherwise dangerous. Also in attendance were Town Counsel Moody and Local Building Inspector John Erickson. Chairman DeBartolomeis called upon Town Counsel Moody to open the hearing and he in turn, submitted a letter of findings and order of taking to the Board for review. Chairman DeBartolomeis then recognized Mr. Sprague. Mr. Sprague stated that he was seeking three proposals for razing the house and to date he has received one in writing, he is awaiting two more. He admitted that the Town had been very patient and that the house must be razed. Mr. Murray moved, seconded by Mr. Buckley for discussion. After a brief discussion concerning the time frame and removal of the building in full compliance with the State Building Code and all applicable laws and rules and regulations, Mr. Murray moved, seconded by Mr. Buckley: To approve the letter of findings and order of taking recommended by Town Counsel Moody as follows:

(A.) The owner of the building at 8 Blanchard Road shall demolish and fully remove the building from the site within 30 days of the date hereof. In addition, removal of the building shall be undertaken in full compliance with the State Building Code and all applicable laws and rules and regulations.

(B.) After demolition, the 8 Blanchard Road site shall be made safe and all construction debris, foundation and other materials which could cause a danger or harm to the public shall be removed, UNANIMOUS.

8. TOWN ADMINISTRATOR'S REPORT

- Monthly Finance Report – All budgets under the jurisdiction of the Board of Selectmen are on target.
- In regard to the Board's August 24, 2011 meeting with Federal and State officials, the following individuals have responded:
Senator Moore will be present.
Jerry McDermott from Sen. Brown's office will be present.
Justin Newton from Lt. Gov. Murray's office called to inform us that the Lt. Gov. would be unable to attend but they were coordinating with Gov. Patrick's staff and someone would be here.
Rep. Fernandes will be present.

Under C-2 and C-4, Mr. Celozzi has made arrangements with Aquatic Control Technology for the increased vegetation control program to begin this year as opposed to FY13.

Mr. Celozzi also stated that he will be meeting Thursday, August 11, 2011 at 10:00AM with the newly formed task force consisting of Police Chief O'Loughlin, Fire Chief Touhey, Building Commissioner DeLuca, Mr. John Erickson and Health Agent Paul Mazzuchelli to discuss a strategy to confront and eliminate some of the problem areas as well as a long-term plan to deal with neighborhood blight relative to the Police Report- Nuisance Calls.

9. Town Counsel Moody reviewed his proposed Noise Bylaw that would provide the Police Department with the authority and ability to provide enforcement whenever and wherever, the officers respond and find a problem relative to: noise which typically emanates and cause disturbance in residential areas, set hours of operation for equipment used in construction for commercial activities; address noise from motor vehicles generated by mufflers or sound systems. It was the consensus of the Board to support an article at Special Town Meeting.

10. Town Counsel Moody updated the Board on the Milford Water Company's proposed Water Mitigation Policy. He stated that he met with Town Administrator Celozzi, Dave Russell, P.E., Consultant, Jon Bonsall of Keegan and Werlin, counsel to the Milford Water Company and David Condrey, Manager of the Water Company for discussions on the proposed Water Use Mitigation Policy. He noted that the policy as proposed provides for payments for new installations of various kinds. Those payments are based upon new users providing funds to allow for development of additional sources of supplies, water conservation and other methods to protect the supply. Mr. Moody indicated that he and Mr. Celozzi were concerned with: the magnitude of the proposed charge; whether or not the imposition of a water use mitigation fee will be an addition to, or exclusive of, System Development Charges which are already assessed to certain new commercial units, the importance of clarifying that the funds will be utilized not to supplement Water Company operations, but to develop new sources and/or reduce consumption in a focused way and in a way that benefits Milford users.

Part of the proposed use of the funds would be to create a pool of money that would be utilized to assist residents in retrofitting homes and facilities with more water efficient facilities. Town Counsel Moody further indicated that the Water Company is reviewing the proposal and will meet again to discuss the refinements in more detail.

11. After reviewing the proposed Carnival Policy which incorporates the recommendations from both the Police and Fire Chiefs. Mr. Murray moved, seconded by Mr. Buckley: To adopt the revised Carnival Policy, UNANIMOUS.

12. The Board reviewed correspondence from Town Administrator Celozzi recommending the release of the following Executive Session Minutes: July 12, 2010, July 26, 2010, August 9, 2010, August 23, 2010, August 30, 2010, September 13, 2010, September 20, 2010, September 27, 2010, October 4, 2010, October 18, 2010, November 1, 2010, November 15, 2010, November 29, 2010, December 8, 2010, December 13, 2010, December 21, 2010, January 24, 2011, February 7, 2011, March 7, 2011, March 21, 2011 and April 11, 2011. Mr. Murray moved, seconded by Mr. Buckley: To release the above, UNANIMOUS.

13. After reviewing the article in the summer edition of The Beacon relative to proposed bill H.1769, relative to "Double-Poles", it was the consensus of the Board to send a letter of support to Senator Benjamin B. Downing and Representative John Keenan, Co-Chairs- Joint Committee-Telecommunications, Utilities & Energy seeking their support for this legislation.

14. Mr. Buckley recommended sending a letter to the Milford Water Company requesting information from David H. White, President relative to his comments made at the August 4, 2011 meeting in which he proposed reimbursing or issuing a rebate to individuals in need of a filtration system due to various health concerns.

15. Mr. Murray moved, seconded by Mr. Buckley: To approve the date of October 24, 2011 for a Special Town Meeting, with the warrant opening this evening and closing at 12:00 noon on Thursday, September 15, 2011, UNANIMOUS.

16. Mr. Murray moved, seconded by Mr. Buckley: To approve the Traffic Aids request seeking additional signage along South Free and Domenick Streets recommended by Town Engineer Santora as follows: Install "Children" warning signs (a). Attached to the existing street name sign post as at South Free Street and Dominick Street (b). Attached to the existing street name sign post at the intersection of Middleton and Dominick Street, UNANIMOUS.

17. After reviewing correspondence from Town Administrator Celozzi recommending the appointment of Zachery Taylor to the position of Town Accountant, Mr. Murray moved, seconded by Mr. Buckley: To appoint Zachery Taylor to the position of Town Accountant effective September 16, 2011, UNANIMOUS.

Mr. Celozzi stated that the current Article 2 Position Grade for Town Accountant is Grade 4 and in light of Mr. Taylor's performance, recommended placing him on Step 2 and proposed an oral contract for one (1) year. Mr. Murray moved, seconded by Mr. Buckley: To place Mr. Taylor at Position Grade 4, Step 2 with a verbal contract for one year at a salary of \$63,832.00, UNANIMOUS.

18. Mr. Celozzi recommended that John Erickson, newly appointed Building Commissioner also be placed at Position Grade 4, Step 2 or 3. Mr. Murray made a motion to place at Step 2. Mr. Buckley seconded for discussion. He indicated that based on his prior experience that he recommended placing Mr. Erickson at Step 3. After a brief discussion: Mr. Murray moved, seconded by Mr. Buckley: To place Mr. Erickson at Position Grade 4, Step 2 at an annual salary of \$63,832.00 subject to Personnel Board approval, UNANIMOUS.

19. Mr. Murray moved, seconded by Mr. Buckley: To approve the request from the Milford Youth Center for a One-Day Wine and Malt License for October 22, 2011 (Paul Seaver Benefit) 6:00Pm to 12Midnight, UNANIMOUS.

20. In response to the request received from the Community Field Committee: Mr. Murray moved seconded by Mr. Buckley: To waive any building and electrical permit fees associated with the renovation and improvement to the high school football field, track, tennis court and softball field project, UNANIMOUS.

21. The Board discussed the request from Scioli's Pizza Bar, 146 South Main Street, for a One-Day Malt Beverages License for Sunday, September 4, 2011, Hours 12Noon to 12Midnight in front of the building in a fenced in area with a tent. The event is for the "My One Wish" bike run. Mr. Buckley expressed concerns with hours of operation and noise level and wished to seek the Police Chief's recommendation for time and conditions.

Mr. Murray moved, seconded by Mr. Buckley: To approve the request, subject to Police Chief O'Loughlin's recommendation relative to hours of operation and any or other conditions, UNANIMOUS.

22. Mr. Murray reviewed correspondence from Town Accountant Pyne relative to the Milford Youth Commission's Revolving Account. Mr. Celozzi indicated that revenue sources have been reduced while expenditures remain at a higher level. He also noted that the Youth Commission has been invited to the Finance Committee's Executive Board meeting August 24, 2011 to address this issue. Mr. Buckley requested a copy of the Milford Youth Commission's minutes for the last two years.

23. INFORMATIONAL CORRESPONDENCE

1. Stephen Manguso, re: Application for Appointment
2. Town Administrator, re: Louisa Lake Vegetation Control
3. Town Planner, re: Boston MPO
4. Mike Bresciani, re: Louisa Lake Weed Control
5. Asst. Town Accountant, re: June FY2011-"Financial Facts"
6. Schedule of Meetings

24. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 8:30PM, UNANIMOUS.

Respectfully submitted:

Jean M. DeTore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

Dino B. DeBartolomeis, Chairman

Brian W. Murray, Esq.

William D. Buckley