

MINUTES OF REGULAR SESSION – September 12, 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 August 22, and September 7, 2011 as submitted, UNANIMOUS.
2. Mr. Murray moved, seconded by Chairman DeBartolomeis: To approve the Minutes of August 24, 2011 as submitted. Two in favor, One abstention (Mr. Buckley abstains) IT IS A VOTE.
3. Citizen Participation – None.
4. Attorney Jason Panos, on behalf of Atty. Joseph H. Devlin, representing Applebee's Neighborhood Grill & Bar, 91 Medway Road, was present seeking a Transfer of their existing Restaurant, All Alcoholic beverage license to Apple New England LLC d/b/a Applebee's Neighborhood Grill & Bar. They also seek a Pledge of License and a Pledge of Inventory to Bank of America. Legal notice was published on 9/1/11. This transfer is part of a transaction involving the sale of all 29 Applebee's restaurants in Massachusetts and the ABCC has approved the "inverted" approval process. Mr. Murray moved, seconded by Mr. Buckley: To approve the above transfers, UNANIMOUS.
5. Susan Clark, Director of the Community Development Office, reviewed the bids for the Prospect Heights Phase 3 Improvement Project. The project was advertised in the Central Register, El Mundo, and the Milford Daily News on August 17, 2011. Bid packages were requested by eleven (11) General Contractors and two (2) returned proposals. Bids were opened on September 7, 2011, at Milford Town Hall. Proposals ranged from \$186,000 to \$211,000, with the low bid being submitted by D & F Afonso Builders, 189 Main Street, Milford, MA. The proposals were reviewed by Town Engineer Santora, Guerriere & Halnon, and the Community Development Office. The project includes installation of new drainage, repaving the road, and installation of new concrete sidewalks and granite curbing. Mr. Murray moved, seconded by Mr. Buckley: To award the bid, based on the recommendation of Ms. Clark, to the low bidder, D & F Afonso Builders in the amount of \$186,000.00, UNANIMOUS.

6. TOWN ADMINISTRATOR'S REPORT

- All budgets under the jurisdiction of the Board of Selectmen are in order for FY12.
- I would like to take a minute to recognize Fire Chief Touhey, Police Chief O'Loughlin, Scott Crisafulli, Highway Surveyor; Chuck Reneau, Tree Warden; as well as the respective departments for their efforts during the week of Hurricane "Irene". As you know, we had daily meetings to stay ahead of the problems and to help as many people as we could. We had residents with power out for days. We are now working with FEMA and MEMA trying to determine reimbursement costs and I'll report to the Board when we receive more definite information.
- Railroad Crossings – At your August 22, 2011, I had sought your approval to apply for a grant with the Town of Hopedale to replace Railroad Crossings after being informed by Representative Fernandes that money was available and that Towns were responsible. This fact now seems to be in dispute and I wish to make it clear to you.
- 8 Blanchard Road - As you know, the 30 day deadline set by the Board expired on Thursday, September 8, 2011. We are soliciting quotes but since the building may contain asbestos, we have contacted Jackie Lees/Enstrat who promised a site visit and quote within a week. I received that this morning and the cost is \$2,975.00 to determine and estimate the cost of removal. I have spoken to Mr. Schaen and indicated that we will be placing an article on the Special Town Meeting warrant to fund the demolition. As an aside, Mr. Sprague called this morning at 8:20AM and reported that he was still trying to work with a bank to get the money for demolition. I told him to let me know if he had any success.
- This week the Task Force will be on Water and Oliver Streets.
- For what it is worth, you are aware that Governor Patrick has had Secretary Heffernan from the Executive Office of Public Safety and Security respond to your letter relative to Secure Communities. Also, I have a letter from Police Chief O'Loughlin requesting access to participate in the program through the Department of Criminal Justice Information Services.

Mr. Murray expressed concern on discovering that a passenger was present in the automobile driven by Nicolas D. Guaman which struck and killed Matthew Denice. It was subsequently determined by ICE that this individual was an illegal immigrant who was then released. He requested that the Town Administrator and the Police Chief work with ICE officials to set up a meeting with the Board of Selectmen to discuss solutions to this problem. Mr. Buckley echoed Mr. Murray's concern and recommended contacting Mrs. Beatriz G. Almeida Stein, Consulado Ad-Honorem del Ecuador, and requesting that she join the Board of Selectmen, Senator Richard T. Moore, Representative John V. Fernandes and the Denice family in contacting Governor Deval Patrick to reconsider his opposition to the Secure Communities program.

Mr. Buckley also requested that Town Counsel Moody review all businesses permitted by the Town of Milford to ensure that these businesses are hiring individuals who are legally in this country and that he provide the residents of our community with an information sheet advising them on how to screen prospective contractors who are legally permitted to work in this community.

7. Chairman DeBartolomeis requested that Town Administrator Celozzi schedule a Financial Team meeting consisting of the Town Administrator; Paul Abbondanza, Financial Analyst/Finance Committee; Barbara A. Auger, Town Treasurer; Gerald M. Moody, Town Counsel; and Zachery Taylor, Town Accountant for a general discussion of all financial matters, including recommendations for the upcoming Special Town Meeting articles.

8. Town Administrator Celozzi outlined the progress of the Neighborhood Task Force consisting of himself, Town Counsel Moody, Police Chief O'Loughlin, Fire Chief Touhey, Building Commissioner Erickson, Health Agent Mazzuchelli and Assistant Zoning Officer Braza-Butts as follows:

- A series of meetings began in July concentrating on identifying the problem areas and neighborhoods in the community.
- At each site, officials reviewed the following:
 - illegal units/apartments.
 - Construction without proper permits
 - Overcrowding.
 - Unsafe or latent conditions. (Such as dangerous or insufficient means of egress or abandoned buildings)
 - illegal commercial vehicles parked at properties.
 - Improper use of property such as illegal Contractor Yards.
 - Unregistered vehicles.

Mr. Celozzi also noted that the neglect and deterioration of our neighborhoods did not happen overnight, rather, it has been a slow and uneven process and that the restoration of our neighborhoods and our community will take time, effort and perseverance. He explained that the first neighborhood visit was September 7, 2011 and enclosed reports from the Building Commissioner and the Health Agent detailing the violations on Bancroft Avenue. The Task Force will visit a different neighborhood each Wednesday. The Nuisance By-Law and Noise By-Law currently being proposed by the Board at the upcoming Special Town Meeting will be valuable tools in the task force efforts. This week's focus will be on the Water and Oliver Street areas. The Board expressed their support for this initiative.

9. Town Administrator Celozzi provided the Board with a list of Articles submitted to date for the October 24, 2011 Special Town Meeting. Chairman DeBartolomeis stated that since more articles will be submitted, the Board will discuss them at a future meeting.

10. Mr. Murray moved, seconded by Mr. Buckley: To appoint the following: UNANIMOUS.

<u>LIMITED DUTY CONSTABLES (for traffic control only)</u>	<u>TERM EXPIRES</u>
Kerry Asam	6/30/12
Suzanne Banderest	6/30/12
Richard Brigioli	6/30/12
Dawn Carbary	6/30/12
Peggy Farrell	6/30/12
Don Iacovelli	6/30/12
Denise Kaufman	6/30/12
Sue Kozlowski	6/30/12
Francis O'Neill	6/30/12
Nadene Ladeau	6/30/12
Joan Lawton	6/30/12
Gerry Linnell	6/30/12
Gloria Linnell	6/30/12
Lawrence Lowther	6/30/12
Sharon Maclean	6/30/12
Donna Mason	6/30/12
Raymond Pagucci	6/30/12
Anne Roccanti	6/30/12
Marianne Wood	6/30/12

11. Town Administrator Celozzi reported to the Board that after soliciting bids for #2 fuel oil, one bid was received for the bid opening held on August 29, 2011-Peterson Oil Services, Inc. Mr. Murray moved, seconded by Mr. Buckley: To award the three year contract to Peterson Oil Services, Inc. at a per gallon cost of \$3.216, UNANIMOUS.

12. The Board reviewed correspondence from Town Counsel Moody regarding G.L. c. 258, Section 13 – Indemnity of Municipal Officials. This statute is part of the Municipal Tort Claims Act and is the statute which, if accepted in the manner stated, requires indemnification of municipal officials for damages, legal fees and costs, incurred by them for claims against them for acts arising out of the scope of their employment, except intentional torts and intentional civil rights violations. Mr. Murray moved, seconded by Mr. Buckley: To support the above and to place the item on the ballot for the next annual election, UNANIMOUS.

13. Mr. Murray moved, seconded by Mr. Buckley: To approve the request from Italian American Veterans Post #40, 4 Hayward Field for a One-Day All Alcoholic License for September 25, 2011 11:AM-4:00PM in an outdoor tent for the Plains Reunion, UNANIMOUS.

14. Mr. Murray moved, seconded by Mr. Buckley: To approve the request from Café Sorrento, 143 Central Street for a One-Day All Alcoholic License for September 18, 2011 1:00PM-8:00PM in the parking lot for a clambake, UNANIMOUS.

15. Mr. Murray moved, seconded by Mr. Buckley: To proclaim October 24, 2011 as United Nations Day, UNANIMOUS.

16. INFORMATIONAL CORRESPONDENCE

1. Boston Globe, re: Stormwater Regulations
2. Robert P. DeVita, re: 8 Blanchard Road
3. Schedule of Meetings
4. Executive Office of Public Safety and Security, re: Gov. Patrick's Response-Secure Communities

Invitations

1. Milford Upper Charles Trail Committee, re: Ribbon Cutting-Phase 2/September 24, 2011

17. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 7:45PM, UNANIMOUS. ROLL CALL VOTE: Chairman DeBartolomeis, Selectmen Murray and Buckley all vote in the affirmative to go into Executive Session to discuss 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