

**MINUTES OF REGULAR SESSION – SEPTEMBER 13, 2010**

**ROOM 03- TOWN HALL**

**7:00 P.M.**

PRESENT: Chairman William D. Buckley; Selectmen Dino B. DeBartolomeis and Brian W. Murray; Town Administrator Louis J. Celozzi; Minutes Recorder Jacqueline Pratt.

1. Mr. DeBartolomeis moved, seconded by Mr. Murray: To sign the warrant and approve the minutes of August 23, and August 30, 2010 as submitted.  
UNANIMOUS.
2. Citizen Participation – None.
3. James Turtellot, owner, and Heidi Turtellot, Manager, Turtle Tavern, Inc., 72 Main Street, Police Chief Thomas J. O’Loughlin and Town Counsel Gerald M. Moody were present for a hearing to discuss the public need for possible change in the hours of operation of the licensed premises. Pursuant to G.L.c 138, §12, the Board of Selectmen are empowered, after conducting a public hearing and making proper findings, to reduce the closing hours of the establishment licensed under §12 to a time not earlier than 11:00 P.M. Attorney Pacifico M. DeCapua, Jr., who represents the Turtellots, was unable to attend the meeting but did send correspondence addressing the issues that concerned the Board. Town Counsel Moody reviewed the various incidents that have occurred at the establishment and noted that the Board of Selectmen has the ability to reduce hours without appeal to the Alcoholic Beverages Control Commission. Chairman Buckley reviewed Attorney DeCapua’s letter, which noted the significant changes made including: “Last Call” starting at 1:30 A.M., an additional security/bouncer on Fridays and the installation of a security camera. Mr. Turtellot stated that there have been only three calls since April and he apologized again to the Board for not responding to their correspondence. The Board recommended that the Tortellots meet with Police Chief O’Loughlin to seek his input and to maintain communication with the Town. They all agreed that punitive action was not necessary at this time and that the zero tolerance policy should prevail.
4. A Public Hearing was held on the application of Daniel and Lucia Ribeiro seeking a Ch. 148 Fuel Storage License at 186 Central Street. The applicants seek to operate a Gas Station/Convenience Store and to install two (2) underground 12,000-gallon tanks to store gasoline. Legal notice was published on August 25, 2010 and abutters were also notified on August 25, 2010. Attorney Ernest P. Pettinari, representing the Ribeiros, stated the applicants have met with the Zoning Board of Appeals and the Planning Board for approval and received a Special Permit in 2008. Improvements have been made to the site and they are

now ready for the final application. Unpaid taxes have been paid on the 186 Central Street property but there are outstanding taxes on property at 20 Main Street. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the Chapter 148 Fuel Storage License subject to payment of taxes at the 20 Main Street site, UNANIMOUS.

## 5. TOWN ADMINISTRATOR'S REPORT

- Monthly Financial Update – All budgets under the jurisdiction of the Board of Selectmen are on target. Also, I am pleased to inform you that the Town Accountant has reported that Free Cash for FY11 has been certified in the amount of \$2.2 M. (Includes \$535,154 of Free Cash from last year).
  - EPA Stormwater Regulations – As the Board is aware, I attended a meeting on Tuesday, August 31, 2010 in Bellingham with officials from the EPA, Federal, State as well as officials from Bellingham and Franklin. At that time, the EPA announced that Milford, Bellingham, and Franklin had been awarded a grant of \$300,000 to study the feasibility of the Stormwater Utility. I would especially like to acknowledge Congressman Neal and Congressman McGovern as well as our local officials, Representative Fernandes and Senator Moore. We have a meeting on October 5, 2010 with EPA officials to review the grant the process moving forward.
  - I'd like to remind the Board that Lt. Gov. Tim Murray will be here on Thursday, September 16 at Town Hall for a Municipal Cabinet Meeting from 9:30 AM – 11 AM. I have provided more information for you under C-4 in your packet.
  - Senior Volunteer Tax Relief Program – I'd like to remind department heads and residents that the program for FY12 is now beginning. We will operate from November 2, 2010 – October 15, 2011. Volunteers must complete 94 hours of service to receive a credit on their property tax bills. Applications and information available at the Senior Center (473-8334).
6. Mr. DeBartolomeis moved, seconded by Mr. Murray: To set the date of October 25, 2010 for a Special Town Meeting, with the warrant opening this evening and closing at 12:00 noon on Thursday, September 23, 2010, UNANIMOUS.
7. Mr. DeBartolomeis moved, seconded by Mr. Murray: To amend the Common Victualler License of Isabel's Coffee Shop, 335 ½ Main Street. Hours will be Monday-Saturday 5:30 AM – 11:00 PM and Sunday 6:30 AM – 11:00 P.M., UNANIMOUS.
8. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request of Isabel's Coffee Shop, 335 ½ Main Street for an extension of hours from 11:00 AM to 10:00 AM on Sundays only to serve alcoholic beverages, UNANIMOUS.

9. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the Traffic Aids request, as recommended by Town Engineer Santora, for the installation of a stop sign at the end of Ravenna Street where it intersects with Cedar Street, UNANIMOUS.
10. Police Chief O'Loughlin outlined his reasoning to support his recommendation to remove a crosswalk extending across Fountain Street from #31 to the intersection of DiVittorio Drive near #2 citing a lack of documented use as well as the potential for conflict with motorists. Mr. Murray moved, seconded by Mr. DeBartolomeis: To remove the crosswalk as recommended by Chief O'Loughlin and to remove it from the Town of Milford's Traffic Control Rules and Orders, UNANIMOUS.
11. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve a One-Day All Alcoholic Beverages License for Café Sorrento, 143 Central Street: Sunday, September 19, 2010 1:00 PM – 6:00 PM, UNANIMOUS.
12. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve a One-Day Wine and Malt License for Saint Mary of the Assumption Church, 27 Pearl Street: Saturday, September 18, 2010 5:00 PM – Midnight, UNANIMOUS.
13. Fire Chief John P. Touhey outlined his request for the Board to approve a Proclamation designating September as National Preparedness Month. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the Proclamation, UNANIMOUS.
14. In response to the Board of Assessors' correspondence seeking storage facilities for permanent records, Mr. Murray requested that Town Administrator Celozzi research the issue and report back to the Board. Mr. Celozzi noted that he was aware of the problem and a solution will be sought for all town departments.

Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 8:00 P.M., UNANIMOUS. ROLL CALL VOTE: Chairman Buckley, Selectmen DeBartolomeis and Murray vote in the affirmative to go into Executive Session to discuss the Police and Fire Chief's Employment Contracts and Library Association Collective Bargaining issues. We will not return to Open Session.

Respectfully Submitted:

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Jacqueline Pratt  
Minutes Recorder

MILFORD BOARD OF SELECTMEN

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William D. Buckley, Chairman

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Dino B. DeBartolomeis

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Brian W. Murray, Esq.