

MINUTES OF REGULAR SESSION – October 17, 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 October 3, 2011 as submitted, UNANIMOUS.
2. Citizen Participation – None.
3. Atty. Joseph H. Devlin and Brian J. Maguire, Manager, representing Bugaboo Creek Steak House, 124 Medway Road, were present seeking a Transfer of their existing Restaurant, All Alcoholic beverage license to Capital BC Restaurants, LLC d/b/a Bugaboo Creek Steak House as a result of a sale in bankruptcy. They also seek a Pledge of License to Stanley S. Shuman Rev Trust, Reiss Capital Management and Glenn Krevlin and a Pledge of Inventory. Legal notice was published on 10/3/11. Atty. Devlin submitted a letter of withdrawal of the pledge of license and pledge of inventory request, as he stated that the lenders are now not requiring such, so the original request is unnecessary. Mr. Murray moved, seconded by Mr. Buckley: To approve the above transfer contingent upon payment of FY11 personal property taxes, UNANIMOUS.
4. TOWN ADMINISTRATOR'S REPORT
 - At last week's meeting, I had reported that Scott Crisafulli, Highway Surveyor had volunteered to remove the structure at 26 Dilla Street. Our costs would have been for the rental of the equipment and dumpsters. At this time, I'm pleased to report that the demolition took place last Thursday, October 13, 2011. Further, I would like to express the town's appreciation to Hillview Equipment and especially Pat Kennelly and David Pyne who donated the equipment to the Town of Milford. I wish to thank both gentlemen for their generosity.
 - I'm pleased to report that we received a premium audit on our Workers' Comp policy from MEGA. This was for the period 7/1/10-7/1/11. Because our payrolls were less than estimated, we received a return premium of \$10,644.00.

Chairman DeBartolomeis requested that letters of appreciation be sent to Mr. David Pyne and Mr. Patrick Kennelly of Hillview Equipment for donating the excavation machine to the Highway Surveyor for the removal of the building at 26 Dilla Street. The Board also expressed appreciation to Highway Surveyor Scott Crisafulli for razing the building resulting in a savings to the Town of Milford.

Mr. Murray requested that the signs remaining on the former Consigli property on Dilla Street, (now owned by the Town of Milford) which cautioned residents about the environmental cleanup, be removed from the property.

5. Chairman DeBartolomeis requested that Town Administrator Celozzi review correspondence submitted to the Board regarding the recommendations of the Financial Team consisting of himself, Paul Abbondanza, Financial Analyst/Finance Committee; Barbara A. Auger, Town Treasurer; Gerald M. Moody, Town Counsel and Zachary Taylor, Town Accountant as follows:

SUMMARY

1. \$600,000 is set aside for road repair above and beyond Highway Surveyor's budgeted amount.
2. Fund OPEB (Other Post Employment Benefits) for \$200,000.00.
3. \$500,000 of Free Cash will be utilized to reduce the tax rate.
4. Recommend funding of all Special Town Meeting articles except for Article #6 which the Fire Chief will be passing over.
5. \$2.5M placed in Sewer Stabilization Fund.
6. Levy capacity will be approximately \$63,266.00.
7. \$250,000 will be put in Stabilization Account.
8. The final Free Cash figure is \$1,090,747.00 (\$600,000 for roads, referred to above).

After a discussion, it was the unanimous consensus of the Board to accept the recommendations of the Financial Team.

Mr. Celozzi noted that the Finance Committee proposal differed slightly from the Financial Team recommendations.

6. Chairman DeBartolomeis requested that Town Administrator Celozzi review correspondence submitted to the Board regarding his recommendations on the financial status of the Milford Youth Commission.

Mr. Celozzi summarized as follows:

After meeting with Ms. Amy Tamagni and Ms. Sandra Caproni Cicciu on October 5, 2011 and also on October 12, 2011 with Paul Seaver, Ms. Amy Tamagni, Michael Walsh and Stephen Manguso of the Milford Youth Commission; Barbara A. Auger, Town Treasurer; Gerald M. Moody, Town Counsel; Paul Abbondanza, Financial Analyst/Finance Committee; Marc Schaen, Chairman/Finance Committee; Zachary Taylor, Town Accountant; and Selectman Brian W. Murray, he was prepared to make the following recommendations for the Board's consideration:

- I would support seeking \$60,000 at the Special Town Meeting which would be in the form of a non-interest bearing loan, to be repaid to the Town's General Fund by the Commission from proceeds of the anticipated annual payments of \$30,000 in July 2012 and July 2013 by the United Way to be disbursed as follows:
- \$48,099.59 to reduce negative Fund Balance to \$0
\$ 9,804.74 to pay unpaid bills
\$57,904.33 Total
Balance of \$2,095.67 will result in positive Fund Balance

- I would support the independent audit as recommended by the Finance Committee. Hopefully, the results of the “Management Report” will be used to effect positive improvements. Also, a transparent review would restore credibility and support of the program.
- The Finance Committee has requested a report from the Milford Youth Commission, due in November, for a plan moving forward. It is clear that the current business model is neither effective nor practical. The Commission is exploring other options, ranging from affiliations with the Milford Community School Use Program or the YMCA. The exploration of those options should be expedited, and an alternate business model developed as soon as practically possible. In the interim, I would suggest that the Commission report no less frequently than monthly to this Board and the Finance Committee, on the progress made in the development of such a business model, and on the financial condition of the Youth Center. In this way, the Town would be assured that the expenditure of the funds to be appropriated at Town Meeting will prevent further budget problems.
- Rental Policy-I am recommending that the Milford Youth Commission establish a clear rental policy. I would recommend priority and reduced rental for non-profit groups, e.g. Boy and Girl Scouts, and a more realistic rental policy for entities operating for profit, perhaps based on number of attendees and cost of participation.
- In FY13, again based on a determination by the Milford Youth Commission, they may decide to seek town funding to cover utility costs. I have had this discussion with Mr. Schaen, Chairman/Finance Committee and they will consider this for FY13. I would recommend this approach with the money being placed in the Selectmen’s budget. However, I would need an accurate number by December in order that I include it in my budget preparation for next year.

Mr. Celozzi further stated that these are some of the immediate recommendations he has been able to recognize. He believes a more concrete proposal should await the results of the financial audit and the Milford Youth Commission’s report to the Milford Finance Committee. Finally, he recommended that if the Milford Youth Commission operates for the remainder of FY12 that the Treasurer of the Commission meet monthly or, if necessary, weekly with the Town Accountant to ensure budgetary obligations are being met.

Finally, Mr. Celozzi noted that as a result of today’s conversation with Paul Mina, President of the United Way, Mr. Mina has agreed to advance six (6) months of their annual donation which amounts to \$12,498. This amount plus the positive fund balance of \$2,095.67 resulting from the \$60,000 being sought as an article at the Special Town Meeting to reduce the negative Fund Balance to \$0 should allow the Milford Youth Commission to operate for the remainder of the year.

Mr. Murray was encouraged by the conversation with Mr. Mina but questioned the practicality of repaying the loan. He also took issue with the proposed rental policy and recommended the takeover of the Youth Commission’s utility bills.

He requested that the Town Administrator provide him with a copy of the last three years' budgets of the Public Properties and Building accounts as well as the actual money expended.

Mr. Buckley supported the need for an audit, and suggested that once completed, the Board receive weekly updates, expense receipts along with current balance, the warrants be signed by the Youth Director, at least three (3) members of the Youth Commission, one being the Treasurer. Also as the appointing authority, he suggested that the Director and members receive annual training regarding the conflict of interest laws and also requested full disclosures from the members within a week. Also in attendance were Michael Walsh, Milford Youth Commission Treasurer and Amy Tamagni, who submitted an updated Milford Youth Commission Revenue and Expense Sheet. Mr. Walsh noted that mistakes were made but going forward the Commission needs the Board's support.

After discussion, it was the consensus of the Board to support the request of the Youth Commission on Article 10 for \$60,000 after reviewing the motion provided by Town Counsel.

7. The Board reviewed the articles on the warrant for the October 24, 2011 Special Town Meeting sponsored by the Selectmen. Mr. Murray moved, seconded by Mr. Buckley: To support all articles, passing over Article 16 at this time, UNANIMOUS.

Mr. Murray recommended favorable approval of Article 16 on the warrant for the October 24, 2011 Special Town Meeting. There was no second. Mr. Buckley indicated that he had issues with portions of the by-law and that he wished to discuss them further.

Mr. Murray, Chairman of the Community Field Committee updated the Board on the current Field Renovations project. He noted that since there is a remaining balance in the account as a result of bids coming in under budget, he requested the Board's support for Article 7 at the Special Town Meeting which requests an additional appropriation for the construction of a concession stand/bathroom facilities at the Field Facility at 31 West Fountain Street.

Mr. Murray moved, seconded by Chairman DeBartolomeis: To support the Article.
Two in favor, One opposed. (Mr. Buckley in opposition). IT IS A VOTE.

Mr. Murray moved, seconded by Mr. Buckley: To support Article 10, UNANIMOUS.

Mr. Murray moved, seconded by Mr. Buckley: To recommend unfavorable action on Article 13, UNANIMOUS.

Mr. Murray moved to support Article #27 submitted by the Geriatric Authority. Mr. Buckley abstained and disclosed that his daughter is occasionally employed there on a per diem basis. He indicated that there is no conflict, however, he will seek further guidance.
Two in favor, One abstention (Mr. Buckley abstains). IT IS A VOTE.

8. Chairman DeBartolomeis tabled a discussion of the correspondence from Town Counsel Moody regarding Citizen Review of Contractors' Use of Illegal or undocumented Workers at this time.
9. After reviewing correspondence from Town Engineer regarding a resident's request for a handicap parking space at 36 Franklin Street: Mr. Murray moved, seconded by Mr. Buckley: To approve the request as recommended, UNANIMOUS.
10. Mr. Murray moved, seconded by Mr. Buckley: To approve a One-Day Wine and Malt License for Alianca Cultural Portuguesa, Saturday, November 12, 2011-5:00PM-12Midnight, UNANIMOUS.
11. After reviewing correspondence from Police Chief O'Loughlin regarding the annual license establishments' activity report, Chairman DeBartolomeis indicated he saw no immediate concerns but the members could discuss the issue at the next meeting.
12. The Board reviewed correspondence from John Erickson, Building Commissioner detailing the recent efforts of the Neighborhood Task Force. A list of violations for properties on a portion of Water Street, Poplar, Grove and Church Streets was submitted.
13. **INFORMATIONAL CORRESPONDENCE**
 1. Town of Bellingham, re: Phosphorus Free Fertilizer Legislation/Representative Fernandes
 2. Police Chief, re: Promotion-Michael Jones/Sgt.
 3. Police Chief, re: Activation of Milford ORI
 4. Finance Committee, re: Minutes of September 28, 2011
 5. COMCAST, re: Internet Service/Schools
 6. Loriann Braza-Butts, re: Resignation/Milford Youth Commission
 7. Council on Aging, re: Minutes of September 13, 2011
 8. Department of Inspections, re: September 2011 Monthly Report
 9. Schedule of Meetings
 10. Police Chief, re: Neighborhood Meeting – October 12, 2011
 11. Highway Surveyor, re: Update-Road Repairs
- Invitations
 1. Dept. of Veterans' Service, re: Veterans' Day Parade-November 11, 2011
 2. Milford Nissan, re: Grand Opening Ribbon Cutting Luncheon-October 21, 2011
14. Chairman DeBartolomeis requested sending a letter of appreciation to Marc Schaen, Chairman of the Finance Committee for the publication of the Special Town Meeting report and noted that this information will be beneficial to Town Meeting Members and the public as well.
15. Mr. Murray moved, seconded by Mr. Buckley: To accept, with regret, the resignation of Loriann Braza-Butts from the Milford Youth Commission, UNANIMOUS.

16. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 8:20PM, UNANIMOUS. ROLL CALL VOTE: Chairman DeBartolomeis, and Selectmen Murray and Buckley vote in the affirmative to go into Executive Session in order to meet with officials from the Federal Immigration and Customs Enforcement Office, and Milford Police Department and other officials, in order to discuss the deployment and utilization of ICE personnel and/or officials in the investigation and/or enforcement of Federal law and regulations relating to activities of illegal immigrants and/or those who employ them, including the consideration of detailed criminal investigation and possible prosecution, said authority to enter into executive session being pursuant to G.L.c. 30A, Section 21 (a)(4)(5) and (7) and further that the Board will not reconvene in open session, UNANIMOUS.

Respectfully submitted:

Jean M. DeTore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

Dino B. DeBartolomeis, Chairman

Brian W. Murray, Esq.

William D. Buckley