

MINUTES OF REGULAR SESSION –OCTOBER 28, 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 October 7, 2013 as submitted, UNANIMOUS.

3. CITIZEN PARTICIPATION - None

4. Phillip Lucien Villiard, Manager; Apple New England LLC d/b/a Applebee's Neighborhood Grill & Bar, 91 Medway Road; Police Chief Thomas J. O'Loughlin, and Town Counsel Gerald M. Moody were present for a hearing to consider whether or not to modify, suspend or revoke the license issued for the establishment, or reduce the hours of sales, pursuant to Chapter 138, section 64. The hearing was necessitated due to actions of September 20, 2013 at or about 9:27PM at which time an employee of the establishment did sell alcoholic beverages to a minor, without any inquiry as to identification. Mr. Villiard stated that the employee has been with the establishment for a total of seven (7) years (5 in Milford and 2 in Franklin), and admitted that she did serve the alcoholic beverage without any inquiry as to identification because it was very busy that evening. He also noted that the employee has been terminated. Mr. Murray expressed concern that the termination of the employee seemed rather severe and that the purpose of the compliance checks was to promote awareness rather than a criminal investigation. Ms. Eleanor Clancy, Area Director stated that all employees of Applebee's are asked to sign a zero tolerance policy. Mr. DeBartolomeis moved, seconded by Mr. Murray: To send a letter of reprimand as this was his first offense and corrective action has been taken, stating however, that any further violation will result in a suspension of the license, UNANIMOUS.

5. Police Chief Thomas J. O'Loughlin and Detective Jay Ball were present for the second public hearing to discuss the following changes made to the first draft of the Rules and Regulations for Second Hand Dealers addressing the concerns from both the board and license holders. Chief O'Loughlin summarized the changes as follows:

1. Auctions were removed.
2. Consignments were removed.
3. Licensing for Second Hand Dealers and Collectors of Junk Utilizing A Vehicle Or Other Conveyance are now separate categories having different responsibilities under the regulations.

4. Only the items in Paragraph 4, are subject to record keeping and photographing.
5. Only the items in Paragraph 4 A-D, are subject to the thirty (30) day hold.
6. Retention of the records was changed from 3 years to 1 year.
7. The disqualification for licensing in Paragraph 6 iii, was reduced from 15 years to 5 years and the Continued Without A Finding language was deleted.
8. Second Hand Businesses or Collectors of Junk are subject to administrative inspections by the Milford Police.
9. Any police officer, upon probable cause, has the legal authority to recover stolen or lost property from a dealer. This is made clear in Paragraph 17.

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the Revised Rules and Regulations for Second Hand Dealers as submitted, UNANIMOUS.

6. A hearing was held on the application of Galway Milford, Inc. d/b/a TD's Pub, 68 Water Street seeking a change of manager from Patricia O'Toole to Dana Larson. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the change of Manager, UNANIMOUS.

7. TOWN ADMINISTRATORS REPORT

- Town Hall Roof Update – Work on the re-shingling of the Town Hall Roof began this past Saturday. The work will also include, an advanced ridge vent and replacement of the existing flashing at the vent stacks. The work is expected to be completed by November 8th, weather permitting. Parking will be limited while work is ongoing so we ask for the public's understanding and patience.
- Budgets – All Budgets under the jurisdiction of the Board of Selectmen are on target.
- Capital Projects – As a result of the Special Town Meeting action, I am in the process of updating the Capital Projects List. This updated List can be presented to the Board at a future meeting.

8. After reviewing correspondence from Town Counsel Moody recommending the addition of a new section 1.08 to the Rules and Regulations under G.L. c. 138 relative to limited language dealing only with setting a requirement for a one day suspension on a first offense for the failure upon a compliance check for either a pouring license or a package store license: Mr. DeBartolomeis moved, hearing no second Chairman Buckley seconded the motion to approve the addition of section 1.08 as stated above. Two in favor, One opposed. (Mr. Murray in opposition.) IT IS A VOTE

9. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request for the annual Veterans Day Parade, Monday, November 11, 2013, UNANIMOUS.

10. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request from the Milford Permanent Firefighters Association Local 2140 for the Annual Santa Parade, Sunday, December 1, 2013, UNANIMOUS.

11. After reviewing correspondence requesting a Traffic Aid on West Fountain Street, Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request and recommendation of Chief O'Loughlin and Town Engineer Reis to install "No Parking ANYTIME" – TOW ZONE signs on the field side, from the High School driveway (services the High School to the right and the fields to the left) to the property line of 25 West Fountain Street, UNANIMOUS.
Mr. Murray suggested that Town Administrator Villani consult with Scott Crisafulli, Highway Surveyor the possibility of requesting that the highway vehicles not be allowed to park in the softball field parking lot allowing for more resident parking at school and town events.

12. Mr. DeBartolomeis moved, seconded by Mr. Murray: To appoint Charles C. DiAntonio to the Zoning Board of Appeals as an alternate member, UNANIMOUS.

13. After reviewing correspondence from Edward Bertorelli, Chairman of the Milford Republican Town Committee requesting to fill the vacancy on the Registrar of Voters: Mr. DeBartolomeis moved, seconded by Mr. Murray: To appoint Rosemary Bellacqua effective November 1, 2013, UNANIMOUS.

14. INFORMATIONAL CORRESPONDENCE

1. Francis Saba, CEO Milford Regional Medical Center, re: Impact of Casino on Milford Regional
2. Schedule of Board Meetings
3. Verizon, re: Fios TV Channel and Programming Changes

15. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 7:44PM, UNANIMOUS. ROLL CALL VOTE: Chairman Buckley, Selectmen DeBartolomeis and Murray vote in the affirmative to go into Executive Session to discuss Collective Bargaining for Milford Police Association, Town Hall Personnel and Milford Town Library, UNANIMOUS.

Respectfully submitted:

MILFORD BOARD OF SELECTMEN

Jean M. DeTore
Minutes Recorder

William D. Buckley, Chairman

Dino B. DeBartolomeis

Brian W. Murray, Esq.