

MINUTES OF REGULAR SESSION –NOVEMBER 19, 2012

ROOM 03-TOWN HALL

7:00PM

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

1. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To sign the warrant and approve the Minutes of November 5, 2012 as submitted, UNANIMOUS.

Mr. Buckley noted that he agreed with Chairman Murray's statement in Item #20 of the November 5, 2012 minutes whereby he suggested that the Capital Improvement Committee meet the terms of the current by law as it is written, and noted that in order for the committee to meet these obligations effectively, they need to recruit citizens to fill several vacancies. Mr. Celozzi indicated that after reviewing the list of applicants in the Talent Bank, there were none seeking to be appointed to this committee.

2. Citizen Participation – None.

3. Atty. Laura A. Mann, representing Central 31 Realty, LLC, was present for the Public Hearing seeking to transfer Nite Lite Lounge, Inc.'s Restaurant All Alcohol, Common Victualler and Entertainment licenses to Central 31 Realty, LLC, and change of Manager to Ronald A. Pagnini, Jr. Atty. Mann stated that the establishment will remain closed until a reputable owner can be found but the property will be maintained and payment of taxes will be current. She also noted that Mr. Pagnini is willing to re-open the establishment if necessary, but hopes to be back before the Board to transfer the license. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the transfer of Restaurant All Alcohol, Common Victualler and Entertainment licenses to Central 31 Realty, LLC., and change of manager to Ronald A. Pagnini Jr., UNANIMOUS.

4. At 7:11PM, Chairman Murray recognized Assessor/Administrator Priscilla Hogan for the Public Hearing regarding the allocation of percentage of the tax levy. He explained that since this was a Public Hearing scheduled for 7:15PM he will address several agenda items until such time.

5. The Board reviewed correspondence from Town Administrator Celozzi recommending the release of the following Executive Session Minutes: May 9, 2011, January 09, 2012, January 23, 2012, February 6, 2012, March 19, 2012, April 9, 2012, June 4, 2012, June 18, 2012, July 9, 2012, July 23, 2012, September 10, 2012 and September 24, 2012. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To release the above, UNANIMOUS.

6. After reviewing the petition from David D. Nolta et al, seeking to make Bancroft Avenue a one way street as well as the recommendations of Police Chief Thomas J. O'Loughlin, Fire Chief John P. Touhey, Town Engineer Michael Santora and Highway Surveyor Scott Crisafulli: It was the consensus of the Board to support the recommendations of the above officials to not make any change to Bancroft Avenue at this time since it would not be beneficial to the neighborhood traffic patterns. Town Administrator Celozzi will notify Mr. Nolta of the decision.

7. Chairman Murray reviewed correspondence from the Industrial Development Commission requesting that the Selectmen consider maintaining the current 1.48 shift stating that by doing so, the average Industrial tax bill will increase by 2.68%, the average commercial tax bill will increase by 1.63%, and the average Residential tax bills will increase by 3.06%.

The Public Hearing for the determination regarding the allocation of the percentage of the tax levy was held at 7:15PM. Board of Assessor Members Joseph Arcudi and Joseph Niro were present along with Assessor/Administrator Priscilla Hogan, who gave the FY13 property classification presentation. According to Ms. Hogan, the town's budget for FY13 is \$89,969,385.58 as determined by Town Meeting and using the shift of 1.48 that was adopted last year; after deducting estimated local receipts, of \$35,143,652.23, the town must raise \$54,825,733.35 in taxes. She stated that there has been a significant change in property values. Single family homes decreased 1.68%, condos decreased 3.60%, two families decreased 1.46%, three family homes increased .80% and the multi-families decreased 3.33%. She also noted that this year the condos had the most significant decreases in value and the only group that increased slightly are the three families which are reflective in their tax bill increase. It shows that the three families bottomed out last year and in the other groups things are now starting to stabilize. Based on the 1.48 shift, average residential tax bills will increase approximately \$132.42 and the average commercial bill will increase approximately \$355.55. The town set aside \$1,000,000 which did save average commercial taxpayers approximately \$408.40 and residential homeowners approximately \$81.49.

Mr. DeBartolomeis moved seconded by Mr. Buckley: To maintain the dual tax rate and set the rate at 1.48%, UNANIMOUS.

Mr. DeBartolomeis moved, seconded by Mr. Buckley: To not grant an exemption up to 20% of the value on properties categorized as the principal residence of the owner, UNANIMOUS.

Mr. DeBartolomeis moved, seconded by Mr. Buckley: To not grant a small commercial exemption, UNANIMOUS.

8. Town Counsel Moody presented documented evidence regarding Secondary Effects Studies and Judicial Decisions relative to a draft proposal for an Adult Entertainment General By-Law. He stated that he also submitted a copy to Police Chief O'Loughlin for his input and

recommendations. Town Counsel Moody recommended that after the Board has reviewed the draft proposal, that they then schedule a Public Hearing and then submit as an article for Town Meeting approval. After a brief discussion, it was the consensus of the Board to take the proposal under advisement until the Police Chief reviewed the proposal.

Mr. Buckley noted that he had reviewed Town Counsel Moody's memo relative to the recent election that approved the medical use of marijuana through what will be referred to as "Medical Marijuana Treatment Centers". Under the law, the Department of Public Health can only approve, as the law is currently drafted, thirty-five locations for medical marijuana treatment centers and as it is likely to be approved in regional centers, Milford could be the location of such a facility. He also noted that before any license applications are brought forward, the Board be pro-active in reviewing the current zoning by-law and determine what zoning districts might be appropriate for such use. Chairman Murray requested that Town Counsel Moody send a memo to the Planning Board to take a look at the statute and our zoning by-law and determine what zoning districts might be appropriate for such use through zoning amendments.

9. TOWN ADMINISTRATOR'S REPORT

- Senior Center – Fence Project –The replacement of the damaged fence is complete.
- Town Hall Painting –The painting project was completed over the weekend-The vestibules have been painted and the railing on the Court Street side of the steps will be installed sometime this week.
- Winter Parking Ban - I'd like to remind everyone that the parking ban is in effect from December 1-March 15, 2013. Parking on the street is prohibited between Midnight-6AM regardless of weather conditions. Individuals will be subject to a \$25.00 fine.
- License Holders - Anyone who has not renewed their license for 2013 is now officially late. Any liquor license holder who does not sign their renewal form in November will have to re-apply for their license. This is an ABCC regulation. Please be at the office tomorrow.
- Thanksgiving Eve – I'd like to remind all of our residents that Town Hall will be closed at 1:00PM on Wednesday, November 21, 2012, the day before Thanksgiving. We will be open Friday, November 23, 2012.
- I spoke to Joe Fitzpatrick many times since his presentation at the last meeting. I have also spoke to National Grid and Ted Kozak, the Northbridge Town Manager. Northbridge and Grafton are currently negotiating with Mr. Fitzpatrick and now there may be 900,000 or 2.2M kw available. I also raised the issue of a contract for 5 years now with approval of a 20 year contract at the Annual Town Meeting.

Mr. Fitzpatrick also raised the issue of CONNED expanding the Northbridge "field." We will be speaking again after Thanksgiving.

10. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the request from the Milford Permanent Firefighters Association Local 2140 for the Annual Santa Parade, Sunday, December 2, 2012, UNANIMOUS.

11. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the request to dispose of Surplus Vehicles (2001 Chevrolet Express Cargo Van/Animal Control) submitted by Town Administrator Celozzi, UNANIMOUS.

12. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve a permit to obstruct for the Milford High School-Varsity Cheerleaders, 31 West Fountain Street, re: Tag Days at the intersections and businesses approved by Police Chief O'Loughlin on November 21, 23, 25, December 1 and 2, 2012, UNANIMOUS.

Mr. Buckley requested that the Permit To Obstruct Form be updated to include the Police Chief's signature which would indicate approval for locations prior to being submitted to the Selectmen's Office.

13. After reviewing correspondence from Town Administrator Celozzi regarding Pending Capital Projects, it was the consensus of the Board: To authorize Mr. Celozzi to proceed with his recommendations as submitted for repairing the Town Hall Roof, Replacement of Town Hall Windows and the Police Station Roof, UNANIMOUS.

14. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve a One-Day Wine and Malt License for St. Mary of the Assumption, Sunday, December 9, 2012, 12Noon-5PM, UNANIMOUS.

15. In response to the request received from the Milford Park Commission: Mr. DeBartolomeis moved seconded by Mr. Buckley: To waive any building permit fees associated with the Fino Field pool building rehab project, UNANIMOUS.

16. After reviewing correspondence from John P. Byrnes, Chairman of the Milford Board of Library Trustees regarding the Trustee vacancy, the Board requested that Mr. Byrnes and the Board of Library Trustees be invited to the December 3, 2012 meeting to fill the vacancy. Also a press advisory indicating the intent to fill the vacancy and letters of interest be submitted to both the Selectmen and Library Trustees.

17. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve Temple Beth Shalom's placing of the Menorah in Draper Park one week prior to December 8, 2012, the first evening of Hannukah, UNANIMOUS.

18. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the request to dispose of Two (2) Surplus Police Vehicles (2008 and 2009 Ford Crown Victoria) submitted by Thomas J. O'Loughlin, Police Chief, UNANIMOUS.

19. Chairman Murray requested that Leonard Beaudry, Chief Technology Officer provide a report including a list of projects completed to date, a list of any issues that have been identified and future plans for the Town of Milford municipal offices be forwarded to the Board. He also requested that a separate memo be issued to Department Heads seeking input relative to any technology improvements, completed projects, or outstanding issues.

20. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To appoint Kristen Kibbee to the Milford Youth Commission, UNANIMOUS.

21. INFORMATIONAL CORRESPONDENCE

1. Dept. of Inspections, re: September 2012 Monthly Report
2. Kristen Kibbee, re: Application For Appointment
3. PERAC, re: FY14 Appropriation
4. Schedule of Meetings

22. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 8:26PM, UNANIMOUS. ROLL CALL VOTE: Chairman Murray, Selectmen DeBartolomeis and Buckley vote in the affirmative to go into Executive Session to discuss salary negotiations for Town Counsel and a sick leave transfer request from the Library Trustees, UNANIMOUS.

Respectfully submitted:

MILFORD BOARD OF SELECTMEN

Jean M. DeTore
Minutes Recorder

Atty. Brian W. Murray, Chairman

Dino B. DeBartolomeis

William D. Buckley