

MINUTES OF REGULAR SESSION – November 28, 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 November 14, 2011 as submitted, UNANIMOUS.
 2. Chairman DeBartolomeis welcomed Scout Leaders Joseph Grillo and Martin Frongillo and several Boy Scouts from Troop 18 who were in attendance as part of a badge requirement.
 3. Citizen Participation – None.
 4. Susan Clark, Community Development Director, met with the Board for the third and final meeting prior to the December 16, 2011 application deadline for the FY12 Community Development Block Grant. She stated that the purpose of tonight's Public Hearing was to receive input and approve activities for the upcoming 2012 CDBG application which will include approximately \$500,000 for infrastructure improvements to the Church Street, Bancroft Avenue and Draper Park area of town, including updating and replacing the inadequate drainage system, installation of new concrete sidewalks, granite curbing and road resurfacing. The application will also include \$75,000 to continue the Housing Rehabilitation Program with the remaining funds allocated to Program Delivery and General Administration. Ms. Clark noted that she received estimates today from the engineer preparing the plans for the project which were higher than anticipated but with the combination of Community Development funds and cooperation and support from the Highway Surveyor she is confident that the project will come together and noted that the final application will total \$800,000.00.
As this was a public hearing, Chairman DeBartolomeis invited comments. No comments or questions were raised by the audience.
- Mr. Murray moved, seconded by Mr. Buckley: To support the application submission for the 2012 Community Development Block Grant which will seek improvements to the Church Street, Bancroft Avenue and Draper Park neighborhood and continue the Housing Rehabilitation program, UNANIMOUS.
5. Chairman DeBartolomeis requested that the Public Hearing scheduled for 7:15PM for Aida Café, Inc. regarding a Transfer of License be postponed as Atty. Heller was en route.

6. TOWN ADMINISTRATOR'S REPORT

- Winter Parking Ban – I'd like to remind everyone that the parking ban is in effect from December 1-March 15, 2012. Parking on the street is prohibited between Midnight-6AM regardless of weather conditions. Individuals will be subject to a \$25.00 fine.
- 8 Blanchard Road – This morning, I received a telephone call from Paul Germano informing me that he had received a commitment letter from the Rockland Trust, a copy of which I have provided for you.
- Main Street Lights – A number of lights on the decorative poles along Main Street have been replaced. I'd like to thank Chief Touhey and his men for their help.

7. Atty. Ernest P. Pettinari representing Mr. Robert Sheehan, Friendly Car Wash, LLC, 39 Green Street was present seeking a Class II license. Mr. Murray moved, seconded by Mr. Buckley: To approve the license with the following conditions:

1. The Special Permit shall not be deemed to run with the land but shall be personal to the applicant.
2. There shall be no more than three (3) unregistered motor vehicles upon the premises at any one time.
3. No more than three (3) vehicles shall be displayed for sale at any one time.

In regard to the outstanding tax issue, Mr. Sheehan indicated that he had entered into an agreement with the Tax Collector to pay \$2,500.00/month to clear the outstanding debt.

8. Amy Hennessy Neves, Town Clerk, was present seeking approval for precinct locations. She noted that on June 6, 2011, she had requested approval for a new division of precincts as a result of the increase in population as reported on the 2010 Federal Census. She further stated that on that evening, the Board approved her request and on August 4, 2011 the Secretary of State sent notification of approval. Therefore, she is requesting the following Precinct Locations:

Precincts 1 and 4 at the Senior Center (Previously 1 & 3)

Precincts 2 and 3 at the Italian American War Veterans Hall (Previously 2)

Precincts 5, 6, 7, 8 at the Portuguese Club (Previously 4,5,6,7)

*Changes to take effect Dec. 31, 2011

Mr. Murray moved, seconded by Mr. Buckley: To approve the Precinct Locations as requested, UNANIMOUS.

9. Attorney Albert DeNapoli, representing TGI Friday's, 240 Fortune Boulevard, was present seeking a Change of Manager from James Taylor to Timothy L. Pryer. He noted that Mr. Pryer had several years of experience at the Leominster location. Mr. Murray moved, seconded by Mr. Buckley: To approve the Change of Manager, UNANIMOUS.

10. At the Board's request, Town Administrator Celozzi provided a list of individuals from the "Talent Bank" interested in serving on the Finance Committee. (only one was received). Mr. Murray moved seconded by Mr. Buckley: To appoint Christopher Morin to the Finance Committee to fill the vacancy, term to expire on June 30, 2012, UNANIMOUS.

11. The Board again reviewed correspondence from Town Counsel Moody regarding a new licensing authority regulation that can be adopted under G.L. c138, Section 23 in relation to all alcoholic beverage licenses. The new regulation would replace the current Section 1.07 of the Liquor License rules and regulations and would make it a condition of the license that licensees shall not knowingly use undocumented workers and that they comply with Federal Department of Homeland Security requirements including the I-9 process. Town Counsel Moody also recommended striking Section 1.02(B) of the existing regulations which purports to forbid nudity in licensed establishments which he stated is unconstitutional. Mr. Murray moved, seconded by Mr. Buckley: To approve the two recommendations and to schedule a Public Hearing for liquor license holders to voice any concerns, UNANIMOUS.

12. Mr. Murray moved, seconded by Mr. Buckley: To approve a One-Day Wine and Malt License for St. Mary of the Assumption, Saturday, January 14, 2012-4:00PM-12Midnight, UNANIMOUS.

13. Mr. Murray moved, seconded by Mr. Buckley: To appoint the following Limited Duty Constables (Traffic control only):

Peggy Farrell, Gloria Linnell, Dawn Carbary, Nadine Ladeau, Sue Kozlowski, Joan Lawton, Ann Roccanti, Suzanne Banderest, Sharon Maclean, Donald Iacovelli, Francis O'Neill, Lawrence Lothar, Michelle Abitanozzi, Karin Campbell. Substitutes by Seniority: Raymond Pagucci, Donna Mason, Richard Brigioli, Joseph Sherillo, Christina DiBiase, UNANIMOUS.

14. 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 Grove, Chestnut, Claflin, Forest, Franklin, Hayward and North Bow Streets was submitted.

15. INFORMATIONAL CORRESPONDENCE

1. XFINITY, re: Programming Contracts
2. Planning Board, re: Class II Licenses-189/193 East Main Street
3. Town Planner, re: Bear Hill Business Park Sign at Rt. 109/Birch Street
4. Town Accountant, re: October FY12-"Financial Facts"
5. Schedule of Meetings

16. After reviewing correspondence from Larry Dunkin, AICP Town Planner relative to the repair of the Bear Hill Business Park sign at Route 109 and Birch Street, it was the consensus of the Board to notify the members of the Industrial Development Commission that the town would be willing to split

the cost of repairing the sign and to seek input from Town Engineer Santora relative to the design and location of the sign.

17. At 7:50PM Chairman DeBartolomeis called for a short recess.

18. At 7:53PM the meeting reconvened.

19. Atty. Warren Heller, representing Robert DeDominick, Manager Aida Café, Inc. d/b/a The Tradesman, 284 West Street, and Ms. Janice Spencer Travers were present to request a transfer of the Restaurant, All Alcoholic License, Common Victualler, Automatic Amusement and Entertainment Licenses to Powerless, Inc. d/b/a The Tradesman. Mr. Murray moved, seconded by Mr. Buckley: To approve the above transfer of licenses to Powerless, Inc., UNANIMOUS.

20. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 7:58PM, UNANIMOUS. ROLL CALL VOTE: Chairman DeBartolomeis, and Selectmen Murray and Buckley vote in the affirmative to go into Executive Session in order to discuss Health Insurance issues relative to Collective Bargaining, UNANIMOUS.

Respectfully submitted:

Jean M. DeTore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

Dino B. DeBartolomeis, Chairman

Brian W. Murray, Esq.

William D. Buckley