

MINUTES OF REGULAR SESSION –DECEMBER 2, 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 November 18, 2013 as submitted, UNANIMOUS.
3. Chairman Buckley commended the members of the Board, town Department Heads and town employees for the professional manner and consciences effort in which they provided information relative to the proposed casino for the referendum question. In his opinion it allowed for positive dialogue and there was hard work done by people on both sides and the public took the time to be informed. He also noted that he would like to review some of the improvements suggested by the developers and consultants mentioned throughout the discussions and to review funding sources through grants or the town's budget for the possibility of:
 - increasing enforcement on East Main Street by creating pull-offs for police officers and adding speed monitors.
 - re-striping the Dilla Street intersection

Mr. DeBartolomeis agreed that the discussions were very informative and as a result suggested looking into the possibility of extending the sewer line up to the Holliston town line along East Main Street.

Mr. Murray was also pleased with the process and stated that in his opinion the role of the Selectmen was to see if this was a feasible proposal and to provide good information through the consultants and engineers and let the voters decide through the referendum question.

4. CITIZEN PARTICIPATION - None

5. A hearing was held on the application of Hoboken Citizens Club, Inc., 252 Central Street seeking a change of manager from Louis H. Piazza to Charles A. Tomaso, Jr. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the change of Manager, UNANIMOUS.

6. Town Administrator's Report

1. Budgets – All Budgets under the jurisdiction of the Board of Selectmen are on target.

2. Biomeasure, Inc. – Decertification of TIF (Tax Increment Financing) – I received a telephone call from Eileen Rogan, Economic Development Incentive Program (EDIP) Manager of Mass Office of Business Development. She is adding Biomeasure, Inc. to the list of Projects to be decertified at their December State Board Meeting. By way of background Biomeasure had an EDIP project in November 2004 with a 12 year local Incentive Agreement. Their intent was to build a research and manufacturing facility at 27 Maple Street. In March 2013 they sold the site to Baxter Health Care Corp. who is not interested in taking advantage of the Tax Credits and has agreed to decertify the project. Unless the Board has an objection there appears to be no reason to oppose decertification.
3. Town Hall Window Restoration Project – As the Board knows, the Town opened bids for the Town Hall Window Restoration Project on September 18, 2013. The low bidder, GVW, Inc. of East Boston was awarded the contract. As this project is very important to the Town and we are committed to making sure that the best possible work is done, I along with the Town Engineer propose using a Resident Engineer with experience in Historic Renovations to monitor the Contractor's work. The Town appropriated \$480,000 for the project. The GVW bid is \$283,900, so additional funds are available in the original budget to employ a Resident Engineer. It is estimated that these part-time services will cost no more than \$35,000.

A Request for Qualifications was published last week in the Central Register and the Milford Daily News. The proposals will be opened on December 5th. The Selection Committee is composed of the Town Engineer, Building Inspector and me. We expect to make a recommendation to award at the December 16th Selectman's Meeting.

Finally, we have a pre-construction meeting scheduled with GVW for Friday, December 6th. We will establish a start date, a construction schedule and review the process for the removal and restoration of the windows as well as the sealing of the removed window area.

7. Mr. DeBartolomeis moved, seconded by Mr. Murray: To cancel the Special Town Meeting scheduled for December 9, 2013 since the referendum question for the casino did not pass in the recent special election on November 19, 2013, UNANIMOUS.

8. The Board reviewed correspondence from Town Administrator Villani recommending the release of the following Executive Session Minutes: August 22, 2011, August 6, 2012, October 15, 2012, November 5, 2012, December 3, 2012 December 19, 2012 and January 28, 2013. Mr. DeBartolomeis moved, seconded by Mr. Murray: To release the above, UNANIMOUS.

9. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Automatic Amusement Licenses for 2014, UNANIMOUS:

Automatic Amusement

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|------------------------------|-----------------------|
| 1. Italian American Veterans | 4 Hayward Field |
| 2. Milford Hotel Group, LLC | 11 Beaver Street |
| 3. Papa Gino's | 42 Cape Road |
| 4. Galway Milford | 68 Water Street |
| 5. Club Portuguese | 119 Prospect Heights |
| 6. Milford Sports Club, Inc. | 340 East Main Street |
| 7. Powerless, Inc. | 284 West Street |
| 8. Royal Buddha | 121 Depot Street |
| 9. Fun Zone of Milford, LLC | 110 South Main Street |
| 10. Scioli Corporation | 146 South Main |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Auctioneer Licenses for 2014, UNANIMOUS:

Auctioneer

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|--------------------|-------------------|
| 1. Friends Auction | 4 Congress Street |
| 2. Watson Auctions | 4 Congress Street |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Boarding Licenses for 2014, UNANIMOUS:

Boarding

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|---|-----------------------|
| 1. Anne K. Mahaney | 40 Jefferson Street |
| 2. Milford Development Realty Trust | 38 Spring Street |
| 3. Russet Rentals LLC (Robert Ruggiero) | 22 Congress Street |
| 4. Russet Rentals LLC (Robert Ruggiero) | 51-53 Exchange Street |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Class I Licenses for 2014, UNANIMOUS:

Class I

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|--------------------------------------|----------------------|
| 1. Danvers T III Inc. | 300 Fortune Blvd. |
| 2. Imperial Municipal Partners, Inc. | 154 East Main Street |
| 3. Milford Nissan Corporation | 320 East Main Street |
| 4. Southworth-Milton, Inc. | 100 Quarry Drive |
| 5. Southworth-Milton, Inc. | 179 Fortune Blvd. |
| 6. Southworth-Milton, Inc. | 330 East Main Street |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Class II Licenses for 2014, UNANIMOUS:

Class II

1. 16&85 Automotive Service LLC	2-4 Cedar Street
2. Geara Enterprises	232 West Street
3. AP Enterprises Inc. (Tony's Auto Serv.)	60 West Street
4. Accurate Auto Care, LLC	193 East Main Street
5. Stephen Antinarelli d/b/a Plains Automotive	293 West Street
6. Berardi Automotive Inc.	233 East Main Street
7. Michael Bonnell d/b/a Bob's Motor Workshop	49 East Main Street
8. Bradley J. Kaye d/b/a Art's Auto Service	93 Cedar Street
9. Campos Auto Detailing and Accessories	3 Beach Street
10. Annantuonio Corp. d/b/a Dan's Auto Body	457 East Main Street
11. Dunbars Inc.	70 Haven Street
12. Jose Goncalves d/b/a Jack's Auto Sales	59 East Main Street
13. Danvers T III Inc.	300 Fortune Blvd.
14. Fafama Auto Sales, Inc.	13 Cape Road
15. Hillview Equipment & Leasing, Inc.	11 Commercial Way
16. Mark's Auto Sales, LLC	51 East Main Street
17. Mark Rizoli Auto Village	227 East Main Street
18. Nixon Aguilar	63 Central Street
19. Pierrott Abirama	187 West Street
20. Mainline Garage	170 East Main Street
21. DLNR Enterprises, Inc.,	61 Main Street
22. Milford Collision	36 Main Street
23. Geara Enterprises, Inc. d/b/a Milford Getty	80 Prospect Street
24. Abraham Hanna Jreij d/b/a Mobico Auto Serv.	234 West Street
25. Niro Auto Body and Used Car Sales	196 West Street
26. Old Time Auto Sales	294 West Street
27. Sprint Lube & Repair LLC	81 Prospect Street
28. Star Car Rental, Inc.	231 East Main Street
29. Santos Garage, Inc. –Louiz Santos	12 South Free Street
30. South Free Auto Body, Inc.	14 South Free Street

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Class III Licenses for 2014, UNANIMOUS:

Class III

Bradley J. Kaye d/b/a Art's Auto Service	93 Cedar Street
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Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Common Victualler Licenses for 2014, UNANIMOUS:

Common Victualer

1. AJR Associates d/b/a Bronx Bagel	196 East Main Street
2. Hany Nyrouz d/b/a Bill's Pizza	126 Main Street
3. Beijing Dumpling House, Inc.	163 Main Street
4. Brunelle's Restaurant & Pizzeria	55 Water Street
5. Burger King Northeast Foods, Inc.	22 Beaver Street
6. Charlie's Express Pizza	40 Spruce Street
7. Chung, Inc.	93 Water Street
8. D&T Donut Shop	118 Prospect Street
9. D&T Donut Shop	140 South Main Street
10. Delop's Inc.	195 East Main Street
11. Delop's Inc.	138 South Main Street
12. Dunkin Donuts	350 East Main Street
13. Dunkin Donuts	31 Main Street
14. Dunkin Donuts	146 South Main Street
15. Dunkin Donuts	13 Medway Road
16. Eric M. Marsland d/b/a Gourmet Pizza & Grill	196 East Main Street
17. Sodexho Operations, LLC at EMCU	31 Maple Street
18. Five Olsons Milford Plains LLC d/b/a Five Guys	9 Medway Road
19. Friendly's	17 Medway Road
20. Garden Pizza	92 Prospect Street
21. Garden Restaurant	156 West Street
22. JR's Diner	206 East Main Street
23. Kentucky Fried Chicken	15 Medway Road
24. Sodexho (Milford-Whit.Reg. Hosp)	14 Prospect Street
25. Great Taste Restaurant	201 Main Street
26. Wing Hua Inc. d/b/a Hunan Gourmet	130 Main Street
27. Eldridge Kitchen & Catering Corp.	178 East Main Street
28. Lamaka, Inc. d/b/a Ray & Dick's	20 Exchange Street
29. McDonald's	139 South Main Street
30. McDonald's	143 Medway Road
31. Pirperis, Inc.(DQ Grill & Chill)	190 West Street
32. Milford Pizza Palace	8 Beach Street
33. Padaria Brasil Bakery	173 Main Street
34. Panera LLC d/b/a Panera Bread	91 Medway Road
35. Papa Gino's	42 Cape Road
36. Papa Gino's	91 Medway Road
37. Pizza 85	130 Cedar Street
38. Pizza Chef	179-181 Main Street
39. Rosa's Villa	189 West St. (Units 1&2)
40. Sodexho USA @ Waters Corp.	34 Maple Street

41. Sodexo @Waters	5 Technology Drive
42. SDM Corporation d/b/a Sabor DeMinas	122 East Main Street
43. Sabor Latino	126 Main Street
44. Subway #47555	94 Prospect Street
45. MPHH, Inc. d/b/a Subway	9F Medway Road
46. CTG Enterprises, Inc. (Sal's)	206 East Main Street
47. Wendy's Old Fashioned Hamburgers	128 Cedar Street
48. Yum Yum Froyo	196 East Main Street

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Common Victualler All Alcoholic Licenses for 2014, UNANIMOUS:

Common Victualler All Alcoholic

1. 99 West, Inc.	196B East Main Street
2. Din-Din Rest. d/b/a Pepperoncini's	201 East Main Street
3. Powerless, Inc.	284 West Street
4. Applebee's New England	91 Medway Road
5. Briarwood Restaurants, LLC	55 Medway Road
6. Dulang Enterprises, Inc. d/b/a Central Tavern	31 Central Street
7. Galway Milford, Inc. d/b/a TD's Pub	68 Water Street
8. Club Portuguese E&R	119 Prospect Heights
9. James Todd Crivello	45 Depot Street
10. Scioli Corporation	146 South Main
11. El Taco, Inc.	231 East Main Street
12. Capital BC Rest. LLC (Bugaboo)	124 Medway Road
13. Linchris Hotel, Corp.	11 Beaver Street
14. Fun Zone Milford, LLC d/b/a Pinz	110 South Main Street
15. The Crystal Room Inc.	49 Cedar Street
16. Prezo Grille & Bar, Inc.	229 ½ East Main Street
17. TGI Friday's Inc.	240 Fortune Blvd.
18. Mario Topuzi and Vasil Isildakli	220 Main Street
19. Mango Thai Cuisine, Inc.	9 Medway Road
20. Courtyard Management Corporation	10 Fortune Blvd.
21. Milford Mandarin Restaurant, Inc.	196 East Main Street
22. Natalia Marques	113 Central Street
23. Richard's Food and Drink	67 Medway Road
24. Royal Buddha, Inc.	121 Depot Street
25. Turtle Tavern, Inc.	72 Main Street
26. Two Medals LLC d/b/a 89 Main	89 Main Street
27. Milford Sports Club, Inc.	340 East Main Street
28. Café Sorrento, Inc.	143 Central Street

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| 29. Top of the Court, Inc. | 189 Main Street |
| 30. Imperial Buffet, Inc. | 350 East Main Street |
| 31. Truffles Grille & Wine Bar | 198 East Main Street |
| 32. Marchegiano Club, Inc. | 60 Meade Street |
| 33. Hoboken Citizens Club, Inc. | 252 Central Street |
| 34. Italian American World War Vets of US Inc. | 4 Hayward Field |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Common Victualler Wine and Malt Licenses for 2014, UNANIMOUS:

Common Victualler Wine and Malt Restaurant

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| 1. EMZ Mart, LLC | 335 ½ Main Street |
| 2. Chim Thai, Inc. | 196 East Main Street |
| 3. Thavatchai Vitunitaya d/b/a Thai Pepper | 178 East Main Street |
| 4. LJJ, Inc. d/b/a Gourmet Pizza | 196 East Main Street |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Common Victualler Wine and Malt with Cordials Licenses for 2014, UNANIMOUS:

Common Victualler Wine and Malt with Cordials

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| 5. Ivahy, Inc. d/b/a Casa Brasil | 112 Main Street |
| 6. KH& Company LLC | 194 West Street |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Entertainment Licenses for 2014, UNANIMOUS:

Entertainment

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| 1. Briarwood Restaurants, LLC d/b/a The Alamo | 55 Medway Road |
| 2. Café Sorrento | 143 Central Street |
| 3. Club Portuguese | 119 Prospect Street |
| 4. The Crystal Room Corp. | 49 Cedar Street |
| 5. Milford Sports Club, Inc. | 340 East Main Street |
| 6. Milford Hotel Group LLC | 11 Beaver Street |
| 7. Dulang Enterprisees, Inc. d/b/a Central Tavern | 31 Central Street |
| 8. Pepperoncini's Pizzeria & Grill | 201 East Main Street |
| 9. Powerless, Inc. | 284 West Street |
| 10. Fun Zone of Milford, LLC d/b/a Pinz | 110 South Main Street |
| 11. Royal Buddha, Inc. | 121 Depot Street |
| 12. Scioli Corporation | 146 South Main Street |
| 13. Top of The Court, Inc. | 189 Main Street |
| 14. Turtle Tavern | 72 Main Street |

15. Richard's Food & Drink

67 Medway Road

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Fortune Teller License for 2014, UNANIMOUS:

1. Miss Mello Palm and Tarot Card Readings 20 Main Street

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Retail Package All Alcoholic Licenses for 2014, UNANIMOUS:

Retail Package All Alcoholic

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| 1. Geara Marketing, Inc. d/b/a MacPackage | 96 Prospect Street |
| 2. C.L. Burnham, Inc. d/b/a West Street Liquors | 61 West Street |
| 3. Thomas A. Hickey, Inc. | 396 East Main Street |
| 4. Jonsin, LLC d/b/a Countryside Liquors | 170 Central Street |
| 5. Bapanu Corp. d/b/a Milford Package Store Inc. | 270 Main Street |
| 6. JenJes Corp. (Milford Liquors) | 9 Medway Rd. Unit 5 |
| 7. Paul J. Moffi | 134 South Main Street |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following Retail Package Wine and Malt Licenses for 2014, UNANIMOUS:

Retail Package Wine and Malt

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| 1. John J. LeBlanc d/b/a Gene's | 80 Water Street |
| 2. Contemporary Concepts, Inc. | 134 Cedar Street |
| 3. A&A Fuel, Inc. | 140 Medway Road |
| 4. Trushkush Corporation | 315 Main Street |
| 5. Pinehurst Enterprises, Inc. d/b/a Purchase Mkt. | 89 Purchase Street |
| 6. 75 Purchase Street Corporation | 75 Purchase Street |
| 7. Mui T. Tran-Cedar St. Market | 100 East Main Street |
| 8. Adonis, Inc.-Quick Mart | 58 South Main Street |
| 9. James G. Guido | 194 West Street |
| 10. Jose and Theresa Cerqueira | 34A Main Street |
| 11. Tyco, Inc. d/b/a Casa Nova Market | 102 Central Street |

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following establishments' applications for extension of serving hours on **New Year's Eve**, UNANIMOUS:

The Alamo

55 Medway Road

Café Sorrento	142 Central Street
Doubletree Hotel	11 Beaver Street
EMZ Mart, LLC dba Isabelles	3351/2 Main Street
Fun Zone Milford LLC/d/b/a Pinz	110 South Main Street
Milford Portuguese Club	119 Prospect Heights
Powerless, Inc. dba The Tradesman	284 West Street

Scioli's Pizza Bar	146 South Main Street
Truffles Grille & Wine Bar	198 East Main Street

Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the following amendments, UNANIMOUS:

Fun Zone Milford LLC/d/b/a Pinz Change of Common Victualler Hours: Sunday –Thursday: 10AM-1:00AM, Friday 10:00AM-2AM and Saturdays 10:00AM-1:00AM.

Papa Gino, 42 Cape Road (1) Additional automatic amusement machine-(Key Master)
Total (2) Machines

After reviewing the list of license holders with outstanding taxes provided by Acting Tax Collector Theresa Dias, Chairman Buckley suggested that the Board adhere to Article 26 of the Town of Milford General By-Laws relative to non- payment of taxes. He suggested that we provide 14 day notice to the appropriate license holders and schedule Public Hearings for January 6, 2014 to determine whether to deny, revoke, or suspend a license holder for nonpayment of taxes. Further the Board suggested that the Tax Collector provide a list of written agreements made with license holders prior to the hearings.

After reviewing the correspondence from Larry L. Dunkin, AICP Town Planner regarding Class I and Class II zoning violations, it was the consensus of the Board to forward the information to Building Commissioner John Erickson to monitor the progress of resolving the violations.

10. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request from Eastland Partners to extend authorization to use the southerly (upper) portion of the former Cueroni parcel for a temporary construction staging area to be used in connection with the completion of the trail and access to the site is extended until November 30, 2014, UNANIMOUS.

11. Mr. DeBartolomeis requested that Town Administrator Villani look into the status of the holiday decorations on Main Street.

12. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve a One-Day Wine and Malt License for Hoop Crew, LLC ,Saturday, December 21, 2013 from 7:00PM – 12 Midnight, UNANIMOUS.

13. After reviewing correspondence from Town Administrator Villani regarding his recommendation on the position of Departmental Clerk/Accountant's Office: Mr. DeBartolomeis moved, seconded by Mr. Murray: To appoint Shannon L. Sanches to the position of Departmental Clerk in the Accountant's Office at Position Grade 3/Step 1 effective December 16, 2013, UNANIMOUS.

14. Mr. DeBartolomeis noted the memorable ceremony for the lighting of the Menorah at Draper Park this past week and praised the efforts of Firefighter Ted DePaolo and the Milford Permanent Firefighters for organizing this year's spectacular Santa Parade. A letter of appreciation will be sent to them.

15. The Board reviewed correspondence submitted by Police Chief O'Loughlin regarding Annual License establishment's activity report January 1, 2013 – November 17, 2013. It was noted that the establishments are working closely with the Police Department and other than the stabbing at the Portuguese Club on October 6, 2013 in which detectives are investigating, no action by the Board was necessary at this time.

16. Mr. DeBartolomeis moved, seconded by Mr. Murray: To accept, with regret, the resignation of Johnna L. O'Loughlin, Program Coordinator for the Ruth Anne Bleakney Senior Center, UNANIMOUS.

17. INFORMATIONAL CORRESPONDENCE

1. MassDevelopment, re: Milford Regional Medical Center, Inc.-Emergency Room expansion

After reviewing correspondence from Mass Development requesting that the town advise them of any proposed project conflicts on the proposed Milford Regional Medical Center expansion project site, it was the consensus of the Board to request that Larry L. Dunkin AICP Town Planner respond

18. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 7:48PM, UNANIMOUS. ROLL CALL VOTE: Chairman Buckley, Selectmen DeBartolomeis and Murray vote in the affirmative to go into Executive Session to discuss a litigation issue as well a grievance, UNANIMOUS.

Respectfully submitted:

Jean M. DeTore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

William D. Buckley, Chairman

Dino B. DeBartolomeis

Brian W. Murray, Esq.