

MINUTES OF REGULAR SESSION –DECEMBER 3, 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. Chairman Murray observed a moment of silence in memory of his uncle Dr. Joseph Murray. He stated that it was a privilege to be his nephew and noted that his medical accomplishments affected people throughout the world. He also noted that Dr. Murray always spoke highly of the education that he received in the Milford School System as well as his love of Milford.

2. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To sign the warrant and approve the Minutes of November 19, 2012 as submitted, UNANIMOUS.

3. Citizen Participation – None.

4. John P. Byrnes, Chairman of the Milford Board of Library Trustees and members Rory A. D'Alessandro and Giancarlo BonTempo were present to fill, with the Board of Selectmen, the vacancy created by the resignation of Victor R. Valenti. Chairman Murray explained the Roll Call Vote procedure and called for nominations. Mr. Byrnes moved, seconded by Mr. D'Alessandro to nominate Kate Mastroianni. Roll Call Vote: Mr. Byrnes, Mr. D'Alessandro, Mr. BonTempo, Chairman Murray, Mr. DeBartolomeis and Mr. Buckley vote in the affirmative to appoint Kate Mastroianni to the position of Library Trustee. UNANIMOUS. Ms. Kate Mastroianni is elected to fill the unexpired term of Mr. Valenti.

5. Town Counsel Gerald M. Moody provided an overview of the impact to school and town budgets as well as the residential bills which will result from the proposed rate increase by the Milford Water Company. He also encouraged the public, including business owners, to attend the Department of Public Utilities Public Hearing scheduled for December 12, 2012 at 7:00PM as the proposed increase will have a significant impact to their bills. He explained that the Milford Water Company will seek to prove that proposed impacts from "Revenue Deficiency" and that which they need to operate would be \$3,817,870 which signifies the 82% increase which they seek. The revenue deficiency allowed on March 1, 2011 (last rate hike) was \$1,179,579. The 82% increase would result in a \$20,000 increase to the School Department Budget and a \$40,000 increase to Town Government. The Hydrant increase would be \$437,688.79 per year. An **Average** residential bill will increase by \$21.49 per month.

Town Counsel Moody explained that the DPU Hearing is the first step followed by evidentiary hearings and discovery process. The Water Company's goal is to determine a revenue deficiency. The Board concurred with Town Counsel's presentation and urged all residents to attend the upcoming hearing.

6. TOWN ADMINISTRATOR'S REPORT

- Monthly Financial Update – I'm pleased to report that all budgets under the jurisdiction of the Board of Selectmen are on target. I would, again, like to advise the members that the Milford Youth Commission or actually the Armory facility remains problematic. On the heels of last month's expenditure of \$3,700 for condensation pumps, last week the boiler room flooded and the repair cost could approach \$1,500-\$2,000.00. This concerns me going forward as this represents a significant portion of the Maintenance Budget and we are not prepared for large expenditures for this building. It is something that should be addressed in the upcoming budget.
- Painting/Masonry Projects – Town Hall – Both projects have now been completed.
- Double Poles – On Thursday, November 29, 2012, I met with David Mullen who had e-mailed me last month and whom I spoke with to discuss his proposal for ridding towns of Double Poles. Mr. Mullen is a retired Verizon worker currently working with Marlboro on a similar proposal. As I expected, he has developed a software program to track and identify Double Poles.

I have a packet of information for you which includes an outline of Mr. Mullen's company, a set-up page with a status update, a report listing all double poles in the town, a utility notification report, a utility status report and a remediation report.

The proposed cost for a three year contract which is "standard" would be \$20,000 in the first year for the Initial Field Survey and a maintenance fee of \$8,300 in the second and third year. If the Board has any interest in such a program, I can arrange a meeting with Mr. Mullen. As I told him, my concerns are that we have such documents and there are no guarantees contained within his proposal for the actual removal of the poles. I believe the problem is still the actual removal by National Grid even after the identifications are done.

- As the Board know, Ms. Carmen Lebron Sanchez, a long time and dedicated employee has notified us of her retirement. Her last day of work will be January 4, 2013 and retirement in February. I will be posting this position within the MACE union, per their contract. Depending on the movement, that will determine future postings.

7. Town Administrator Celozzi reviewed the proposal from David Mullen, DPR LLC, which seeks to address the Double Pole issue by simplifying and tracking the transfer process. Mr. Celozzi provided correspondence provided by Mr. Mullen outlining the program which included a cost of \$36,600 for a three year contract. Mr. Celozzi suggested that it was an impressive software program but the problem was still convincing National Grid to commit to pole removal. The Board agreed to table the proposal. Mr. Buckley suggested inviting representatives from Comcast,

Verizon, National Grid and the Fire Department to a future meeting to discuss a commitment for removal of the double poles.

8. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the following Automatic Amusement Licenses for 2013, 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. TGI Friday's | 240 Fortune Blvd. |
| 11. Scioli Corporation | 146 South Main |

Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the following Auctioneer Licenses for 2013, UNANIMOUS:

Auctioneer

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

Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the following Boarding Licenses for 2013, UNANIMOUS:

Boarding

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|---|-----------------------|
| 1. John D. 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. Buckley: To approve the following Class I Licenses for 2013, UNANIMOUS:

Class I

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| 1. Danvers T III Inc. | 300 Fortune Blvd. |
| 2. Imperial Municipal Partners, Inc. | 154 East Main Street |

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| 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. Buckley: To approve the following Class II Licenses for 2013, UNANIMOUS:

Class II

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| 1. 16&85 Automotive Service LLC | 2-4 Cedar Street |
| 2. A&S Detailing & Auto Sales | 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. Dale L. Kamishlian d/b/a Auto Connection | 99-101 East Main Street |
| 12. Dunbars Inc. | 70 Haven Street |
| 13. Jose Goncalves d/b/a Jack's Auto Sales | 59 East Main Street |
| 14. Danvers T III Inc. | 300 Fortune Blvd. |
| 15. Fafama Auto Sales, Inc. | 13 Cape Road |
| 16. Friendly Car Wash, LLC | 39 Green Street |
| 17. Mark's Auto Sales, LLC | 51 East Main Street |
| 18. Mark Rizoli Auto Village | 227 East Main Street |
| 19. Nixon Aguilar | 63 Central Street |
| 20. Pierrott Abiramia | 187 West Street |
| 21. Mainline Garage | 170 East Main Street |
| 22. *Milford Auto Repair, Inc. | 61 Main Street |
| 23. Milford Collision | 36 Main Street |
| 24. Geara Enterprises, Inc. d/b/a Milford Getty | 80 Prospect Street |
| 25. Abraham Hanna Jreij d/b/a Mobico Auto Serv. | 234 West Street |
| 26. Niro Auto Body and Used Car Sales | 196 West Street |
| 27. Old Time Auto Sales | 294 West Street |
| 28. Sprint Lube & Repair LLC | 81 Prospect Street |
| 29. Star Car Rental, Inc. | 206 East Main Street |
| 30. Santos Garage, Inc. -Louiz Santos | 12 South Free Street |
| 31. South Free Auto Body, Inc. | 14 South Free Street |

*Amend the existing Class II License of Milford Auto Repair, Inc., 61 Main Street to DLNR Enterprises, Inc.,

Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the following Class III Licenses for 2013, UNANIMOUS:

Class III

Bradley J. Kaye d/b/a Art's Auto Service 93 Cedar Street

Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the following Common Victualler Licenses for 2013, UNANIMOUS:

Common Victualler

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| 1. AJR Associates d/b/aBronx Bagel | 196 East Main Street |
| 2. Adirondack Smokehouse Deli | 134 South Main Street |
| 3. Hany Nyrouz d/b/a Bill's Pizza | 126 Main Street |
| 4. Burger King Corporation | 22 Beaver Street |
| 5. Charlie's Express Pizza | 40 Spruce Street |
| 6. Chung, Inc. | 93 Water Street |
| 7. D&T Donut Shop | 118 Prospect Street |
| 8. D&T Donut Shop | 140 South Main Street |
| 9. Delop's Inc. | 195 East Main Street |
| 10. Delop's Inc. | 138 South Main Street |
| 11. Dunkin Donuts | 350 East Main Street |
| 12. Dunkin Donuts | 31 Main Street |
| 13. Dunkin Donuts | 146 South Main Street |
| 14. Dunkin Donuts | 35 Medway Road |
| 15. Sodexho Operations, LLC at EMCU | 31 Maple Street |
| 16. Five Olsons Milford Plains LLC d/b/a Five Guys | 9 Medway Road |
| 17. Friendly's | 17 Medway Road |
| 18. Garden Pizza | 92 Prospect Street |
| 19. Garden Restaurant | 156 West Street |
| 20. JR's Diner | 206 East Main Street |
| 21. Kentucky Fried Chicken | 15 Medway Road |
| 22. Sodexho (Milford-Whit.Reg. Hosp) | 14 Prospect Street |
| 23. Great Taste Restaurant | 201 Main Street |
| 24. Wing Hua Inc. d/b/a Hunan Gourmet | 130 Main Street |
| 25. Eldridge Kitchen & Catering Corp. | 178 East Main Street |
| 26. Lamaka, Inc. d/b/a Ray & Dick's | 20 Exchange Street |
| 27. McDonald's | 139 South Main Street |
| 28. McDonald's | 143 Medway Road |

29. Pirperis, Inc.(DQ Grill & Chill)	190 West Street
30. Milford Pizza Palace	8 Beach Street
31. Padaria Brasil Bakery	173 Main Street
32. Panera LLC d/b/a Panera Bread	91 Medway Road
33. Papa Gino's	42 Cape Road
34. Papa Gino's	91 Medway Road
35. Pizza 85	130 Cedar Street
36. Pizza Chef	179-181 Main Street
37. Rosa's Villa	189 West St. (Units 1&2)
38. Sodexho USA @ Waters Corp.	34 Maple Street
39. Sodexho @Waters	5 Technology Drive
40. SDM Corporation d/b/a Sabor DeMinas	122 East Main Street
41. Sabor Latino	126 Main Street
42. Subway #47555	94 Prospect Street
43. MPH, Inc. d/b/a Subway	9F Medway Road
44. CTG Enterprises, Inc. (Sal's)	206 East Main Street
45. Tony's Place Fine Dining Inc.	283 Main Street
46. Wendy's Old Fashioned Hamburgers	128 Cedar Street
47. Eva's Restaurant and Pizzeria	55 Water Street

Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the following Common Victualler All Alcoholic Licenses for 2013, 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. Nite Lite Lounge, Inc.	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 Krystal Room Corp.	49 Cedar Street
16. Prezo Grille & Bar, Inc.	229 ½ East Main Street
17. TGI Friday's Inc.	240 Fortune Blvd.

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| 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 |
| 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. Buckley: To approve the following Common Victualler Wine and Malt Licenses for 2013, 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. Buckley: To approve the following Common Victualler Wine and Malt with Cordials Licenses for 2013, 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. Buckley: To approve the following Entertainment Licenses for 2013, UNANIMOUS:

Entertainment

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| 1. Applebee's Neighborhood Grill & Bar | 91 Medway Road |
| 2. Briarwood Restaurants, LLC d/b/a The Alamo | 55 Medway Road |
| 3. Café Sorrento | 143 Central Street |

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|---|-----------------------|
| 4. Club Portuguese | 119 Prospect Street |
| 5. The Krystal Room Corp. | 49 Cedar Street |
| 6. Milford Sports Club, Inc. | 340 East Main Street |
| 7. Milford Hotel Group LLC | 11 Beaver Street |
| 8. Nite Lite Lounge | 31 Central Street |
| 9. Pepperoncini's Pizzeria & Grill | 201 East Main Street |
| 10. Powerless, Inc. | 284 West Street |
| 11. Fun Zone of Milford, LLC d/b/a Pinz | 110 South Main Street |
| 12. Royal Buddha, Inc. | 121 Depot Street |
| 13. Scioli Corporation | 146 South Main Street |
| 14. Top of The Court, Inc. | 189 Main Street |
| 15. Turtle Tavern | 72 Main Street |
| 16. Richard's Food & Drink | 67 Medway Road |

Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the following Retail Package All Alcoholic Licenses for 2013, 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. Buckley: To approve the following Retail Package Wine and Malt Licenses for 2013, 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. Tanglewood Drive, LLC | 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 |

After reviewing the list of license holders with outstanding taxes provided by Tax Collector Paula Fortin , Chairman Murray 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 7, 2013 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.

Mr. DeBartolomeis moved, seconded by Mr. Buckley: 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
Doc's Sports Bar	340 East Main Street
Doubletree Hotel	11 Beaver Street
Fun Zone Milford LLC/d/b/a Pinz	110 South Main Street
Marchegiano Club, Inc.	62 Beaver Street
Milford Mandarin Restaurant, Inc.	196 East Main Street
Milford Portuguese Club	119 Prospect Heights
Richard's Food & Drink	67 Medway Road
T.G.I. Friday's	240 Fortune Blvd.
Truffles Grille & Wine Bar	198 East Main Street

9. The Board reviewed correspondence from Michael Nicholson, Chairman of the Commission on Disability and Town Engineer Santora regarding the offer of private funding for engineering services for a proposed handicap platform at Louisa Lake. They agreed that the Louisa Lake Parking Expansion Project was their top priority at this time and wished to include this as part of the five year plan and to notify the Capital Improvement and Finance Committees of the Board's intentions. They also requested that the Commission on Disability be notified. Mr. DeBartolomeis noted that he will pursue alternate plans with the group.

10. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve a permit to obstruct for the Reach the Beach Relay, Inc. for May 17 and 18, 2013 from 7:45PM-2:15AM, UNANIMOUS.

11. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve a permit for the sale of Christmas Trees to Jamison Mendall Tree Removal, 235 East Main Street, December 4-December 25, 2012, Monday-Sunday 9AM-9PM, UNANIMOUS.

12. The Board reviewed correspondence from Atty. Walter J. Sullivan, Jr. on behalf of his client inquiring as to whether the Town of Milford is interested in a slot parlor and where it would like to see it located within the town. Chairman Murray stated that the Town of Milford currently has a Memorandum of Understanding

with Crossroads Massachusetts, LLC (David Nunes), effective until December 31, 2012 which includes an "Exclusivity Clause" which states that the town cannot entertain any other request for a gaming facility. He suggested that Atty. Sullivan and his client follow the state guidelines for pre-approval and at a later date, if feasible, return with a proposal. At this time, the Board believes there is no need for a discussion.

13. Mr. DeBartolomeis 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.

14. The Board reviewed correspondence from the Board of Assessors seeking their approval to authorize an annual stipend for Rui Pereira as a Foreign Language Translator. Town Administrator Celozzi explained that since Mr. Pereira's position is part of the MACE bargaining unit, this request would have to be bargained between MACE and the Board. After a brief discussion, the Board took the request under advisement to review the overall number of translators in Town Hall. They also requested a copy of the job description from the Personnel Board.

15. The Board reviewed correspondence from Lynn Lovell, Secretary of the Historical Commission of Milford requesting funding for the installation fee of \$1,100.00 for an alarm system and the yearly monitoring fee of \$250.00 per year for Memorial Hall. It was the consensus of the Board to have Town Administrator Celozzi look into the possibility of incorporating this expenditure in this fiscal year's Public Property Budget and provide a report for the next meeting.

16. The Board reviewed the Proposed Zoning Bylaw for the Planning Board for Medical Marijuana Treatment Centers. Town Administrator Celozzi indicated that any comments or concerns needed to be forwarded to the Town Planner as soon as possible as the Planning Board is meeting on December 11, 2012. If the by-law is approved at the Planning Board meeting, it would negate the scheduling of a Special Town Meeting.

17. After reviewing the Milford Youth Commission Minutes of October 22, 2012, Chairman Murray requested that Town Administrator Celozzi check with the Milford Youth Commission on the motion to amend the Milford Youth Center's Program Coordinator job description. He was concerned as to whether they followed the correct procedure to amend the position to full time if it was originally a part-time position.

18. INFORMATIONAL CORRESPONDENCE

1. Milford Youth Center, re: Minutes of 10/15/12 and 10/15/22
2. MADEP, re: Milford Water Company – Sanitary Surveys
3. Schedule of Meetings

19. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 8:34PM, 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 pending litigation, UNANIMOUS.

Respectfully submitted:

MILFORD BOARD OF SELECTMEN

Jean M. DeTore
Minutes Recorder

Atty. Brian W. Murray, Chairman

Dino B. DeBartolomeis

William D. Buckley