

MINUTES OF REGULAR SESSION – OCTOBER 18, 2010

ROOM 03-TOWN HALL

7:00PM

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

1. Mr. DeBartolomeis moved, seconded by Mr. Murray: To sign the warrant and approve the minutes of October 4 and October 6, 2010 as submitted, UNANIMOUS.

2. Citizen Participation – None

3. John P. Touhey, Fire Chief/Emergency Management Director was present seeking the Board's approval and adoption of the Hazard Mitigation Plan developed by the Metropolitan Area Planning Council and conditionally approved by FEMA. Chief Touhey stated that the town must have a plan in place in order to access federal dollars for grants for future projects resulting from natural hazards. He further stated that this is a living document and a work in progress and the town can change the plan at any time by adding or deleting projects citing for example, the generator at the High School and various brook repairs. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adopt the Hazard Mitigation Plan for the Town of Milford, and review it in six (6) months, UNANIMOUS.

4. Gurmit Pabla, Manager, 75 Purchase Street Corporation, d/b/a Peter's Market, 75 Purchase Street, 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 28, 2010 at or about 8:00PM at which time an employee of the establishment did sell alcoholic beverages to an intoxicated male. Chief O'Loughlin provided excerpts of Chapter 138 that clearly states that no alcohol shall be sold to an intoxicated person. He reported that the alcohol level of the individual was .27 which is almost two and one half (2 ½) times the legal limit to operate a motor vehicle, which is .08. Mr. Pabla indicated that he was not at the store when the incident occurred and that he was sorry that it happened. Suraj Damrakar, an employee of Peter's Market submitted a letter to the Board regarding the establishment's recent passing of a compliance check and stated that they are conscious of the various patrons entering the establishment. He further stated that he did not notice any signs of intoxication of the individual seeking to purchase wine that evening. The Board members expressed their concern and grave disappointment with this egregious offense. Mr. Murray suggested a five (5) day suspension.

Mr. DeBartolomeis made a motion to suspend the liquor license for fifteen (15) days with Mr. Murray suggesting ten (10) days. Mr. DeBartolomeis recommended compromising on twelve (12) days. Chairman Buckley stated that this was a serious offense and based on the police

report he was not in favor of anything under ten (10) days and any future violation will risk revocation of the license. Mr. Murray moved, seconded by Mr. DeBartolomeis: To suspend the license for a period of twelve (12) full days: November 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 2010, UNANIMOUS.

5. Susan Clark, Community Development Director, met with the Board to conduct the first of three meetings prior to the December 10, 2010 application deadline for the FY11 Community Development Block Grant. She stated that the purpose of tonight's meeting was to open the discussion and seek public input in determining the community's overall priorities for specific community development goals. The second meeting, a public hearing, is scheduled for November 1, 2010 and will allow Selectmen to receive input from the community, town boards and officials on projects or activities that are included or should be included in the Community Development Strategy. The final meeting will be held November 15, 2010 and Selectmen will be asked to approve the revised CDS that reflects input of the two previous meetings, which will include affirming target area(s) and updating the project list. At the conclusion of this meeting the Board will authorize the activities that will be submitted in the FY11 CDGB application.

Mr. DeBartolomeis stated that items he would like to see prioritized include: the continued handicap accessibility at the Town Park, Louisa Lake, and Milford High School fields and the Towns economic development. He also suggested that Ms. Clark submit recommendations to the Board to improve and revamp the Housing Rehab Program. Mr. Murray suggested deleting from Goal #1 under Open Space and Recreation investigating the use of the vacant Shell gas station on Main Street as a park as it is listed under Goal #2. Chairman Buckley stated he would like to continue to ensure that the priorities of the community continue to be identified and remain a priority.

Ms. Clark also stated that the Community Development Office recently advertised for consulting services for the FY10 Community Development Block Grant and for the preparation of the FY11 Community Development Block Grant Application. She noted that: two (2) proposals were received: Breezeway Farms Consulting, Inc. for \$19,500 and William Scanlan for \$20,000.00.

Mr. DeBartolomeis moved, seconded by Mr. Murray: To award the bid, based on the recommendation of Ms. Clark, to the low bidder, Breezeway Farms Consulting, Inc. in the amount of \$19,500, UNANIMOUS.

6. Glen Howard of Camp, Dresser & McKee provided a power point presentation of the proposed Milford High School Field project (Article 15 of the October 25, 2010 Special Town Meeting) which will include new artificial turf for the Milford High School fields, repairs to the tennis courts, softball field, track, lights, bleachers, fencing, walkways, parking areas, press box and a drop-off area. Mr. Howard stated that the proposed project budget summary totals \$3million.

The presentation included a listing of several communities which have recently installed artificial turf as well as an evaluation of the use of artificial turf vs. natural grass. The Board members all voiced their support of the project indicating that safety was a primary concern as well as the need for an all purpose field that can be utilized year round. The Board also supported the funding formula which will recommend a \$2M Bond and \$1M of Free Cash.

7. TOWN ADMINISTRATOR'S REPORT

- After a series of telephone calls and meetings, Ken Moraff of the EPA has confirmed that he will be at our meeting of November 15, 2010 at 7:30PM. The Board had requested the opportunity to talk to the engineers that have been hired by the EPA for the Stormwater Utility study.
- Senior Volunteer Tax Relief Program - As of this morning, there were 31 applications for the 25 spots that have been approved and funded. Twenty-two are renewals. Mrs. Bleakney is reviewing the applications to determine if all qualify. I will bring that information to the Board at the next meeting.

- Town of Milford Website/Update

On or before October 28th

The "public" site will be available so that we can review the data entered so far and complete all the missing data entry. The visual aspects of the site **may not** be finalized at that point, but will be an indication of how the site will look. The site will **not** necessarily be ready for final review of the visuals at this time.

On or before November 12th

The visual aspects of the site will be ready for final review, and resolve any database issues that may arise. There will be some additional information needed from the town (outside of the database entries) before the site can be completed. Specifically the working and images the Town would like on the home page (welcome letter from the Selectmen, for example). We will detail these requirements by this date.

Final Review and Approval to go Public

The target launch date will depend on completion of the data entry, and our completion of any issues which come up in the final review. As such, **November 29th** would be a good date to consider for the site to be given final approval to go live. That will give us 4 weeks to complete the data entry, and us 2 weeks to deal with issues arising from the

review of the visuals on November 12th. If things go faster than that, the date could be brought forward.

- Grant Award

I was informed today that Lt. Gov. Murray will be at the Town Hall on Friday, October 22, 2010 to announce a grant award for the Town of Milford relative to the sewer agreement with the Town of Hopkinton.

8. The Board reviewed the 24 articles on the warrant for the October 25, 2010 Special Town Meeting. Mr. DeBartolomeis moved, seconded by Mr. Murray: To support the entire warrant, and to pass over Article 16 at this time with the intent to support the article at the Annual Town Meeting, UNANIMOUS.

9. Mr. DeBartolomeis moved, seconded by Mr. Murray: To establish a three member sub-committee consisting of one (1) member of the Board of Selectmen and two (2) members of the Finance Committee to review the numerical composition of the Finance Committee, UNANIMOUS.

10. Town Administrator Celozzi informed the Board that the Lease Agreement between the Town of Milford and First Class Radio Corporation (WMRC) will be expiring soon. Mr. DeBartolomeis moved, seconded by Mr. Murray: To extend the Lease Agreement with the same terms and conditions for three years (January 1, 2011-December 30, 2013), UNANIMOUS.

11. The Board reviewed correspondence from Sen. Moore and Rep. Fernandes to Commissioner Kehoe which expressed concerns regarding the planned closing of the Department of Transitional Assistance office in Milford. It was the consensus of the Board to send a letter to the Department of Transitional Assistance supporting the Senator and Representative's concerns and requesting that the Dept. of Transitional Assistance reconsider their decision and explore alternative sites in Milford.

12. After reviewing the memo submitted by Police Chief O'Loughlin regarding License establishments activity report January 1 – September 30, 2010, the Board noted that there was a decrease in the number and severity of the reported calls and it was encouraging that business owners were working with the Police Department to report potential problems.

13. After reviewing correspondence from the Economic Assistance Coordinating Council relative to the decertification of the Midtown Family Fitness facility; Chairman Buckley requested that the Town Administrator contact Priscilla Hogan, Assessor/Administrator to determine the actual taxes for that property and the ramifications of the decertification.

14. The Board reviewed correspondence from Atty. Francis Small on behalf of the Acquafresca family regarding property at 19 Middleton Street. The Acquafresca family, owners of the property for more than 75 years is now in the process of selling the property. A mortgage survey has revealed the garage to be partly on Town of Milford property. Atty. Small, on behalf of his clients, seeks to purchase the minor parcel of land. Mr. DeBartolomeis moved, seconded by Mr. Murray: To appoint Barbara Auger, Town Treasurer as “custodian” of the property with the intent to auction the property at a minimum price of \$750.00, UNANIMOUS.

15. Mr. DeBartolomeis moved, seconded by Mr. Murray: To accept, with regret, the resignation of Cheryl Hayes from the Finance Committee, UNANIMOUS.

16. INFORMATIONAL CORRESPONDENCE

1. Sen. Moore/Rep. Fernandes, re: Milford D.T.A. Office Closing
2. Jeffrey C. Howard, re: Milford Upper Charles Trail Committee
3. Saint-Gobain Containers, re: FY10 EDIP Annual Reporting Form
4. MA State Lottery Commission, re: KENO Monitor – Route 109 Mobil
5. MA Collectors and Treasurers Association, re: Renewal Certification/Town Treasurer
6. MA Office of Business Dev., re: Consigli Construction Co./Recertification
7. MA Office of Business Dev., re: Midtown Family Fitness/Decertification
8. Finance Committee/Executive Meeting, re: Minutes of 7/14/10
9. Attorney General’s Office, re: OUI “Last Drink” Information
10. Town Administrator, re: Finance Committee-Article 16/Reduction of Members
11. Schedule of Meetings

Invitations

1. Verallia (Saint-Gobain), re: VIP Reception – October 27, 2010

17. The Board reviewed correspondence from the Attorney General’s Office relative to licensed establishments where defendants convicted of operating under the influence had their last drink, and in keeping with past practice, they requested that the information be forwarded to Aida Café, Inc. d/b/a The Tradesman in order that they become aware of the issue and address it accordingly.

18. Mr. Murray moved, seconded by Mr. DeBartolomeis: To appoint Jeffrey C. Howard to the Milford Upper Charles Trail Committee, UNANIMOUS.

19. After reviewing correspondence from the Massachusetts Collectors and Treasurers Association which advised that Barbara A. Auger, Town Treasurer had achieved Certification renewal for a period expiring December 31, 2015, the Board requested a letter of recognition be sent to Mrs. Auger.

20. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 8:35PM, UNANIMOUS. ROLL CALL VOTE: Chairman Buckley, Selectmen DeBartolomeis and Murray vote in the affirmative to go into Executive Session to discuss Collective Bargaining issues with the Town Library Association as well as the Employment Contracts of the Police, Fire Chief, and Town Administrator. We will not return to Open Session.

Respectfully submitted:

Jean M. De Tore
Minutes Recorder

MILFORD BOARD OF SELECTMEN

William D. Buckley, Chairman

Dino B. DeBartolomeis

Brian W. Murray, Esq.