

MINUTES OF REGULAR SESSION – November 15, 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 November 1, 2010 as submitted, UNANIMOUS.

2. Citizen Participation – None.

3. Susan Clark, Community Development Director, met with the Board for the third and final meeting prior to the December 17, 2010 application deadline for the FY11 Community Development Block Grant. She stated that the purpose of tonight's Public Hearing was to seek the Selectmen's approval of the revised Community Development Strategy that reflects input of the two previous meetings, including the affirmed target area(s) and updated project list. As this was a public hearing, Chairman Buckley invited comments.

Alberto Correia, representing the Portuguese Club's Mayors Association, Scott Crisafulli, Highway Surveyor and Michael Santora, Town Engineer expressed their support for the Prospect Heights project.

Mr. DeBartolomeis moved, seconded by Mr. Murray: To adopt the updated 2011 Community Development Strategy, amending Goal #1 under Open Space and Recreation providing more detail on the proposed Milford Pond Restoration, UNANIMOUS.

Ms. Clark also reviewed the Board the FY10 Community Development Block Grant. She stated that this grant for \$934,291.00 was awarded to the Town in July, 2010 and these funds will be used for Phase 2 of the Prospect Heights Improvement Project and Housing Rehabilitation. This project will go out to bid in January with a bid opening in February and construction is expected to begin by early spring.

Mr. DeBartolomeis moved, seconded by Mr. Murray: To authorize the Community Development Office to continue efforts to secure funds for Phase III of the Prospect Heights Improvement Project and the continuation of the Housing Rehabilitation Program, UNANIMOUS.

4. A Public Hearing, continued from November 1, 2010, was reopened with Massachusetts Electric and Verizon New England, Inc. seeking to relocate Pole #1, Plain Street, in the southerly direction approximately 8', to accommodate a driveway at 81 East Main Street. Bruce Kut, representing Massachusetts Electric, was present. He indicated that he had met with Mr. Wright and they have reached an agreement to move the pole 6 feet off the property line as indicated in the revised plan dated November 3, 2010. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the revised pole relocation and the removal of Pole 1 from its original location, UNANIMOUS.

5. TOWN ADMINISTRATOR'S REPORT

- I'd like to remind all license holders especially liquor license holders, that renewal forms were due in our office by Friday November 12, 2010. If you have not already done so, I would urge to do this tomorrow. Remember, there are no exceptions, the ABCC will make you re-apply if the renewal is not signed in November.

The businesses that have not submitted a **renewal** include:

The Krystal Room Corp.	49 Cedar Street
TGI Friday's Inc.	Fortune Blvd.
Johnny Jacks	220 Main Street
Pago Pago Rest.	396 East Main Street
Richard's Food and Drink	67 Medway Road
Isabelle's	335 ½ Main Street
Thai Pepper Rest.	178 East Main Street
MacPackage Store	96 Prospect Street
Countryside Liquors	170 Central Street
Gene's	80 Water Street
A&A Fuel, Inc.	140 Medway Road
Purchase Street Market	89 Purchase Street
Tyco Inc. d/b/a Casa Nova	102 Central Street

- Winter Parking Ban I'd like to remind our residents that the Winter Parking Ban begins on December 1, 2010 and extends until March 15, 2011. Residents are reminded that they can't park on streets during the hours of Midnight-6AM regardless of weather conditions. Signs announcing the ban are posted on all major roadways leading into Milford, on tax bills, cable TV, etc. Violations will result in a \$25.00 fine.

6. The Public Hearing for the determination regarding the allocation of the percentage of the tax levy was held at 7:15PM. Samuel Bonasoro, Chairman; members Joseph Niro and Joseph Arcudi were present along with Assessor/Administrator Priscilla Hogan, who gave the FY11 property classification presentation. According to Ms. Hogan, the town's budget for FY11 is \$81,267,544.16 as determined by Town Meeting. After deducting estimated local receipts, of \$30,064,742, the town must raise \$51,202,802.16 in taxes. Further, she stated that the total value of the town has decreased by 5.5% with residential values decreasing by 6.4%. Ms.

Hogan explained that the percentage cannot go above 150%. The residential class (these are single family, multi-family, apartments and residential vacant land) cannot pay a lower percentage of the levy than the percentage of the previous year. In FY10, the residential share of the levy was .682021. If the shift went to 150%, the residential share of the levy will be .669845 and if it were shifted just 1% more to 151% the residential share of the levy will be .667644 which is below last year's share. This will result in a residential tax rate of \$15.12, which would decrease the average tax bill by \$6.38. The commercial tax rate will be \$26.41 resulting in an average commercial tax bill increase of \$1,298.60. She further noted the town stayed under the 2.5% increase allowed by Proposition 2 ½% as the town applied \$500,000 in Free Cash to offset the tax rate.

Chairman Buckley reviewed correspondence from the Industrial Development Commission which noted that they agree that business and industry should pay their fair share, however to prevent a detrimental cumulative effect on the business sector, excessive disparities in the shift should be avoided and urged the Selectmen to consider reducing the shift.

As this was a public hearing, Chairman Buckley opened the meeting for discussion. Mr. Rudolph Lioce, owner of Milford Woodworking, submitted a petition signed by 31 small businesses in town requesting that the town ease the burden on small business. After a lengthy discussion including comments from Mr. Lioce, Cindy Oldfield of SOS Corp, Dr. Richard Heller, Laurie Sullivan, Steven Antinarelli and Helen Wright, Mr. Murray indicated that he would consider recommending a shift from 1.5% to 1.48% as businesses were incurring more of the tax burden this year.

Mr. DeBartolomeis moved to maintain the dual tax rate and set the rate at 150% of the residential tax rate. Mr. Murray indicated that the economic climate called for a shift at this time and there was no second.

Mr. Murray moved seconded by Chairman Buckley: To maintain the dual tax rate and set the rate at 1.48%. **Two** in favor, **One** Opposed. (Mr. DeBartolomeis in opposition). IT IS A VOTE.

Mr. DeBartolomeis moved, seconded by Mr. Murray: To not grant a residential exemption for properties that are the principal resident of the owner, UNANIMOUS.

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

7. At 8:35PM, Chairman Buckley called for a two minute recess to allow the residents that were in attendance for the tax classification hearing to exit the room. At 8:40PM, he reconvened the meeting.

8. Ken Moraff, Deputy Director, Environmental Protection Agency and Richard Claytor, principal engineer from the Horsely Witten Group reviewed a work plan for the stormwater feasibility assistance project. Mr. Moraff indicated that the Clean Water Act authorizes the EPA to control stormwater pollution by designating certain categories of stormwater discharges as requiring Clean Water Act permits. He further stated that as part of the EPA grant, the EPA has contracted Horsley Witten Group, Inc. to evaluate the feasibility of and provide recommendation and facilitation for establishing one or more stormwater utilities for the Upper Charles River communities of Bellingham, Franklin and Milford. Mr. Claytor noted that the completion of this project will likely result in reductions in phosphorus loading to the Upper Charles River basin (including wetlands, ponds, lakes, tributaries as well as the main stem of the Charles River. The feasibility study will determine what it may cost Milford, Bellingham and Franklin to comply with the new stormwater regulations.

Mr. Murray voiced his displeasure with the regulations and the unfairness of focusing on the three towns as it is another tax on communities already facing difficult economic conditions. The Board members each urged both Mr. Moraff and Mr. Claytor to work with local officials and to incorporate their comments as the process moves forward.

9. Ms. Yolanda Rivera, Thrifty Lady, 14-18 Main Street was present seeking a Second Hand/Antique Dealer License. Hours of operation would be Wednesday-Sunday 11:00AM - 7:00PM. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the license, UNANIMOUS.

10. In response to the request submitted by Justine Southwick Brewer, President of Southwick Wild Animal Farm, Inc. d/b/a Southwick's Zoo seeking permission to erect trailblazing signs at the intersection of Route 109/Route 16 and the intersection of Route 85/Route 16, Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request, on Town Engineer Santora's recommendation, contingent on approval from the Zoning Board of Appeals for a Special Permit, UNANIMOUS.

11. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve Temple Beth Shalom's placing of the Menorah in Draper Park one week prior to December 1, 2010, the first evening of Hannukah, UNANIMOUS.

12. Mr. DeBartolomeis moved, seconded by Mr. Murray: To accept the \$200.00 gift from the Milford Lions Club to be deposited in the Auxiliary Officer's Gift Account, UNANIMOUS.

13. Mr. DeBartolomeis moved, seconded by Mr. Murray: To approve the request from the Milford High School Boosters Club, Inc. for a 5K Turkey Run on November 25, 2010, contingent upon Police Chief O'Loughlin's approval, UNANIMOUS.

14. In response to correspondence submitted by Thomas J. O'Loughlin, Chief of Police, relative to Deputy Chief Ronald Marino's request to extend his retirement date, Mr. DeBartolomeis stated that he was not in favor as it would set a precedent. Mr. Murray stated his support of Chief O'Loughlin's recommendation and made a motion to place an article on the Annual Town Meeting warrant. There was no second. Mr. DeBartolomeis requested that Chief O'Loughlin provide the Board with information on the present operational supervisory structure; whether the officers are being given sufficient supervision; whether accountability is being sought, whether staffing by shifts is acceptable, or are changes necessary. He also requested an evaluation of the present command structure and whether the present one or an alternative would be more effective.

15. INFORMATIONAL CORRESPONDENCE

1. Dennis Carroll, re: Application for Appointment-Personnel Board (Alternate)
2. Greater Milford Business Alliance, re: Proposed Casino
3. Town Accountant, re: October FY11 – "Financial Facts"
4. Schedule of Meetings

16. After reviewing correspondence from the Greater Milford Business Alliance supporting a proposed Casino, it was the consensus of the Board to send a letter noting at this time that the Massachusetts Legislature has not approved a casino bill for the Commonwealth of Massachusetts and until such time, all and any discussion is purely speculative.

17. Mr. DeBartolomeis moved, seconded by Mr. Murray: To appoint Dennis Carroll to the Personnel Board as an Alternate member, UNANIMOUS.

18. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 9:58PM, UNANIMOUS. ROLL CALL VOTE: Chairman Buckley, Selectmen DeBartolomeis and Murray vote in the affirmative to go into Executive Session to discuss Collective Bargaining issues for the Fire Department 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.