

MINUTES OF REGULAR SESSION –November 16, 2015

ROOM 03 – TOWN HALL

7:00PM

PRESENT: Selectmen William D. Buckley; William E. Kingkade Jr.; Town Administrator Richard A. Villani; and Minutes Recorder Jean M. DeTore. Chairman Brian W. Murray, Esq. was absent.

1. Mr. Kingkade moved, seconded by Mr. Buckley: To sign the warrant, UNANIMOUS.
  2. Mr. Kingkade moved, seconded by Mr. Buckley: To amend the Regular Minutes of October 19, to include in Item #19 Mr. Buckley requested that three (3) names be advanced to the board, UNANIMOUS.
  3. Mr. Buckley requested that the Minutes of October 20, 2015 be placed on the next agenda since the required votes could not be obtained to approve them this evening.
  4. INVITATION TO SPEAK- Mr. Buckley recognized Ms. Christine Crean, a resident of Milford, who voiced her concerns regarding the proposed Spectra Pipeline. Mr. Buckley suggested inviting a representative from Spectra to a future meeting to discuss the concerns as a Public Forum.
  5. The Public Hearing for the determination regarding the allocation of the percentage of the tax levy was held. Board of Assessor Members Joseph Niro and Joseph Arcudi were present along with Assessor/Administrator Jennifer Sclar who gave the FY16 property classification presentation.
- Mr. Kingkade moved seconded by Mr. Buckley: To maintain the dual tax rate and set the rate at 1.48%, UNANIMOUS.
- Mr. Kingkade moved, seconded by Mr. Buckley: To not grant a Residential exception for properties that are the principal residence of the owner, UNANIMOUS.
- Mr. Kingkade moved, seconded by Mr. Buckley: To not grant a small commercial exemption, UNANIMOUS.
- Mr. Kingkade moved, seconded by Mr. Buckley: To not grant an open space discount, UNANIMOUS.
6. Ivahy de Oliveira, Manager, Ivahy, Inc. d/b/a Casa Brasil, 112 Main Street; and Police Chief Thomas J. O'Loughlin 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 17, 2015 at or about 9:00PM at which time an employee of the establishment did sell alcoholic beverages to a minor, without any inquiry as to identification. Mr. deOliveira noted that since the incident, he has made a change in the employee's position and responsibilities. The Board stressed the seriousness of the offense but was pleased with the corrective measures and stated that this was their first offense. Mr. Kingkade moved, seconded by Mr. Buckley: To send a letter of reprimand as this was a first offense and corrective action has been taken, stating however, that any further violation could result in a suspension of the license, UNANIMOUS.

7. Police Chief Thomas O'Loughlin updated the board on the recent complaint received by the Milford Police Department on October 20, 2015 regarding a trailer (vehicle) parked on Beaver Street near the LaQuinta Inn. After investigation, he noted that the vehicle is properly registered until November 30, 2015, and after speaking to the Manager of the establishment, no one is living in the trailer as they are staying in the hotel until November 19, 2015.

Mr. Buckley requested that Town Administrator Villani look into the ownership of the land and where the trailer is parked and request that the trailer be parked in the parking lot of the hotel as required by the site plan.

8. A Public Hearing was held on the application of Water Street Meat Market, LLC d/b/a Water Street Meat Market, 3 Water Street seeking a Retail Package, Wine and Malt License. The proposed Manager is Lisa M. Carneiro. Atty. Ernest P. Pettinari stated that Ms. Carneiro's request for Special Legislation was approved at the May 18, 2015 Annual Town Meeting, approved by the Legislature and signed by Governor Baker on October 16, 2015 as Chapter 103. Mr. Kingkade moved, seconded by Mr. Buckley: To approve the license, UNANIMOUS.

9. Mr. Buckley stated that regarding the name listed in the Recapture Agreement presented by Attorney Pettinari, it was his son-in-law's aunt and although there is no conflict of interest, he wanted to make a public disclosure. After reviewing correspondence from Attorney Ernest P. Pettinari regarding the property of Joan Bonina, 6 Rogers Avenue, Milford, MA requesting the permission of the Town to prepare, execute and record the necessary transfer of the property, Mr. Kingkade moved, seconded by Mr. Buckley: To approve Mrs. Bonina's request to transfer the property subject to the Recapture Agreement, UNANIMOUS.

#### 10. TOWN ADMINISTRATOR'S REPORT

1. Thanksgiving Eve- A reminder that Town Hall will be closed at 1:00 PM on Wednesday, November 25, 2015, the day before Thanksgiving. Town Hall will be open on Friday, November 27, 2014.
2. Winter Parking Ban – I also want to remind everyone as we approach the winter that the total prohibition of overnight parking from December 1st through March 15th has been replaced with a prohibition of parking only when an Emergency Parking Ban is declared. The complete amendment is posted on the Town Website for review.

3. National Grid Work Along Upper Charles Trail- National Grid will be performing maintenance work on their line that runs parallel to the Upper Charles Trail. Most work will be done from pads that are close to, but off the bike path. They will have a safety spotter on site to assist with public safety. They anticipate short times when they will need to restrict bike and foot traffic while equipment will be driven on and off the bike path to access pad locations. During these times they will use escorts and police details as needed. The work will be done from 7 AM to 5 PM, seven (7) days per week from November 9th to November 19th and from December 14th to December 24th.
4. Godfrey Brook – Main Street/Congress Terrace Replacement Project- The Culvert Installation work at Main Street has been completed. All new concrete channel walls have been poured. Backfilling around the new structure is complete. Utility relocations and repairs to Route 16 have been completed as is final paving, new sidewalks and curbing. Clean up activities at the Main Street fencing will be completed this fall. The planting of trees will not be completed until spring. The sewer line relocation at Congress Terrace is complete and 80 % of the new culvert box has been installed and backfilled. We expect the Project to be completed by the end of the year, except for the Spring Planting. Finally, the Project is tracking on budget. Also, we have received the \$250,000.00 from the State under the Environmental Bond Bill. This money will be applied to this current phase of the project. I want to again thank Senator Fattman and Representative Fernandes for their efforts in helping to secure these funds for the Town.
5. Boy Scout Troop 118- I want to thank Jim Dorval and members of Boy Scout Troop 18 for volunteering to do cleanup of those areas the Selectmen have designated for the placement of temporary signs as their Community Service Project. Their efforts are most appreciated.
6. Purchase Street School- The chimney at the Purchase Street School has been repaired. The next part of the project will be to replace the boiler.
7. Milford Town Library- I have been informed by Library Director, Sue Edmunds that the Town Library will be closed on Saturday, December 26, 2015 and Saturday, January 2, 2015.

11. Mr. Kingkade moved, seconded by Mr. Buckley: To approve the request from Robert A. Tremblay, Superintendent of Schools to dispose of the Woodland Elementary School Furniture/Equipment to be Declared Surplus as noted in correspondence dated October 19, 2015, UNANIMOUS.

12. Mr. Kingkade moved, seconded by Mr. Buckley: To appoint the following Traffic Supervisors for 2015-2016: Peggy Farrell, Mary Jo Bently, Gloria Linnell, Dawn Carbary, Ann Roccanti, Sue Kozlowski, Suzanne Lytwynec, Sharon Maclean, Francis O'Neill, Donald Iacovelli, Larry Lowther, Donna Mason, Joh Sherillo, Donna Lane, Paul Davidson.

Mr. Kingkade moved, seconded by Mr. Buckley: To appoint the following Subs for Traffic Supervisors for 2015-2016: Michelle Abitinozzi, Richard Brigioli, Lauris Connoly, Michael Mobilia, Manny Fonseca, and Christine Wyspianski, UNANIMOUS.

13. Mr. Buckley acknowledged the work that Milford TV has done to date and noted that since there was no one present, he requested that they be invited to a future meeting to discuss what they plan to do in the next five (5) years and the renewal of the contract agreement between the Town of Milford, MA and Milford Community Media Center, Inc..

14. Mr. Buckley reviewed the recommendation from Dog Hearing Officer Murray, on the Milford Animal Control vs. Amy Reed Dog Complaint Hearing reading the following Findings of Fact:

1. Amy Reed resides at 24 North Street, #3, Milford and is the owner of a German Shephard male dog, age three, named "King".
2. Ms. Reed, on various occasions from September 29, 2015 until October 7, 2015, left King outside for all of the day and portion of the night, tied and unattended.
3. During that time period and on those various occasions, King barked excessively such that it annoyed and disturbed Ms. Reed's neighbors.
4. Pursuant to G.L. ch. 140 §157, I find that Ms. Reed's dog, King, is a nuisance dog.

Mr. Kingkade moved, seconded by Mr. Buckley: To approve the following recommendations of the Hearing Officer, UNANIMOUS.

1. King shall not be on a tie, outside, unattended on occasions when Amy Reed is not at home.
2. Should King bark excessively for an unreasonable length of time while outside at any time, then he shall be immediately brought inside.
3. If Ms. Reed is found in violation of this order, King shall be subject to seizure and impoundment by the Milford Police Department and further Ms. Reed would be ordered to immediately surrender to the Milford Town Clerk the license and tags in her possession and prohibited from licensing a dog with the Commonwealth for five (5) years.
4. These findings shall be reported to the Milford Town Clerk in accordance with G.L. ch. 140 §157(h).

15. After reviewing correspondence from Town Administrator Villani and Building Commissioner Erickson regarding the appointment of an Assistant Zoning Enforcement Officer; Mr. Buckley voiced his concerns:

- not receiving many applicants for the position
- ability for appointed employee to receive certification within 2 years
- salary amount listed for the position

Mr. Kingkade made a motion to appoint Erika Robertson at Grade 4/Step 1 with a starting hourly rate of \$19.99. Mr. Buckley seconded it for discussion. He stated that in his opinion, the applicant does not meet the qualifications listed in the job description such as a second language or certification. There is NO VOTE.

Mr. Buckley suggested ways to attract the best candidates with the best skills by possibly upgrading the salary, the amount of hours and also suggested that Mr. Villani look at surrounding communities and possibly changing the job description to attract candidates. He also stated that the current candidates may re-apply,

16. Mr. Kingkade moved, seconded by Mr. Buckley: To approve the request from the Milford High School Boosters Club, Inc. for a 5K run/walk on November 26, 2015, UNANIMOUS.

17. Mr. Kingkade moved, seconded by Mr. Buckley: To approve the request from the Milford Youth Football & Cheer for a Permit To Obstruct on November 25, 27, 28, 29, December 5 and December 6, 2015, UNANIMOUS.

18. Mr. Kingkade noted that as a result of monthly meetings with residents, one of the concerns was the question of approval for self-serve gas stations as opposed to full service. He requested that Mr. Villani seek input from the Police and Fire Chiefs and any historical information regarding the issue. He further requested that this be placed on a future agenda for discussion.

19. Mr. Kingkade moved, seconded by Mr. Buckley: To accept with regret the resignation of Francis O'Neill from the Commission on Disability, UNANIMOUS.

Mr. Buckley requested a list of committee vacancies as well as talent bank applications.

## 20. INFORMATIONAL CORRESPONDENCE

1. Fios TV, re: Fios TV Channel and Programming Changes
2. Xfinity, re: Installation Rates

21. Mr. Kinkade moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 8:50PM, UNANIMOUS.

Respectfully submitted:

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Jean M. DeTore  
Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Atty. Brian W. Murray, Chairman

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William D. Buckley

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William E. Kingkade, Jr.