

MINUTES OF REGULAR SESSION –NOVEMBER 3, 2014

ROOM 03 – TOWN HALL

7:00pm

PRESENT: Chairman Dino B. DeBartolomeis; Selectmen Brian W. Murray, Esq. and William D. Buckley; Town Administrator Richard A. Villani; and Minutes Recorder Jean M. DeTore.

1. Chairman DeBartolomeis stated that earlier in the day, he had met with the Police and Fire Chief, Health Agent and Town Administrator who notified Frank Saba CEO of Milford Hospital to discuss a situation that was taking place. He further noted that he invited Police Chief Thomas J. O'Loughlin and Fire Chief William J. Touhey Jr. tonight to update the board and the public on the status of the event that took place outside town hall on the morning of November 3rd. Chief O'Loughlin explained that the Police Department responded to a 911 call for a well-being check at Court Square behind Town Hall. Upon arrival, the woman stated she had a temperature and just arrived from Africa about nine days ago. As a precaution, both the Police and Fire Departments followed all the guidelines in determining if the women had Ebola. Chief O'Loughlin noted that she had been taken to Milford Hospital for unrelated issues, she is an American Citizen, and she has a medical condition that affects her day to day life. After a brief discussion, the members commended both the Police and Fire Chief who determined that all the proper guidelines and protocols were followed.

2. Mr. Murray moved, seconded by Mr. Buckley: To sign the warrant, UNANIMOUS.

3. Mr. Murray made a motion to approve the minutes of the October 6, 2014 minutes and amending Item #11 to include "and the Murray Building," , seconded by Mr. Buckley, UNANIMOUS.

4. Chairman DeBartolomeis welcomed several Scout Leaders and Webelos Scouts from Milford Cub Scout Pack 67 who were in attendance as part of their Citizen Badge requirement.

5. INVITATION TO SPEAK –None

6. Marilyn Lovell, Anne Lamontagne, members of the Historical Commission, along with Librarian Deborah Eastman, provided an update of their recent book, Milford Images, which is a pictorial history of Milford.

7. Town Treasurer, Irene Larivee was present to discuss a recommendation to implement a health insurance premium holiday for current health care participants (as of January 1, 2015) for the months of January and February of 2015. She stated that the reason for recommending a health insurance premium holiday is to address surplus funds in the amount of \$1,512,013.22

remaining in an Old Claims Trust collected prior to and including Fiscal Year 2009. She further noted that in accordance with Massachusetts General Law Chapter 32B, Section 3A, the excess funds must be used to pay future benefits. This is accomplished through offsetting premiums for participants (as of January 1, 2015) to be paid by the current employees, retirees, and the employer. Mr. Buckley moved, seconded by Mr. Murray: To approve the recommendation to implement a health insurance premium holiday for current health care participants (as of January 1, 2015 for the months of January and February of 2015, UNANIMOUS.

8. At the request of Mr. Murray, Priscilla Hogan, Assessor/Administrator provided the following information regarding qualifications for a Small Business Exemption:

1. The property where the business is located must be assessed under \$1 Million dollars.
2. Businesses that have an average annual employment of no more than 10 employees.
(The Assessors are sent a list from the Executive Office of Labor & Workforce development department of Unemployment Assistance).
3. The commercial parcel must be occupied by an eligible business as of January 1st, the assessment date.
4. If a parcel has multiple commercial occupants or tenants, **ALL OCCUPANTS MUST BE ELIGIBLE BUSINESSES.**

Ms. Hogan stated that after reviewing the list from the Executive Office of Labor and Workforce Development Department of Unemployment Assistance, 48 out of 294 parcels would qualify for the exemption. She further noted that this number excludes sole proprietors who could apply for an abatement from the overlay account once this exemption is in place.

After reviewing the information that was provided: It was the consensus of the Board that the application of the exemption is inequitable and would benefit only a limited number of small businesses.

9. Vonnie Reis, Town Engineer, Larry L. Dunkin, AICP Town Planner, Thomas J. O'Loughlin, Police Chief and Scott Crisafulli, Highway Surveyor were present to discuss possible Traffic Aids for Rt. 16 and Rt. 109. Ms. Reis provided a power point presentation on:

- Rt. 16 and Rt. 109-ADA Issues and Traffic Flow
- Rt. 109 and Beaver Street – Intersection Improvements to Reduce Accidents
- Rt. 140 and S. Main Street – Intersection Improvements to Reduce Accidents
- Rt. 16 and Rt. 85 – Increase Intersection Capacity
- Miscellaneous Sign Issues – Safety and Line of Sight

The board also reviewed correspondence from the Massachusetts Department of Transportation informing the town that the Highway Division's Project Review Committee has evaluated Route 16, from 109 to Beaver Street and determined that it is eligible for Federal Aid funding. Based on the project's estimated construction cost, plus contingencies and police details, the PRC has approved this project at a cost of \$2,700,000.

Ms. Reis noted that she continues to work with the consultants to have the state push these projects forward. Mr. Buckley requested a schedule prioritizing projects and a timeline for each project. Mr. Murray suggested incorporating a stipulation by the Planning Board as a requirement for any new developer that it would be the responsibility of the developer to provide a roundabout at the location of Beaver Street and 109.

After reviewing correspondence from Chief O'Loughlin regarding MassDOT acceptance of a local road curve location into the systematic safety program to address curves: Mr. Murray moved, seconded by Mr. Buckley: To agree to the conditions as stated, UNANIMOUS.

Mr. Murray suggested that the Highway Surveyor place a "Not a Thru Way to Milford High School" sign at the top of Congress Terrace and Carolyn Drive to inform drivers.

Ms. Reis provided an update for the EPA MS4 Massachusetts Stormwater Permit. She noted that she attended two meetings on the new Draft EPA MS4 Permit for Massachusetts – at the 495 Partnership on October 21 where general requirements for Massachusetts were discussed and at EPA Boston on October 30, 2014 specific requirements for Charles River Watershed Communities were discussed and stated that one key point was that the comment period on the Draft Permit ends December 29. The Final Permit will not be issued for at least a year (Dec. 2016) and it will not be effective until July 1, 2016.

Mr. Buckley requested that Ms. Reis provide comments on the Draft and meet with the board at a future meeting to discuss financing for the Permit. Chairman DeBartolomeis suggested meeting with State Representatives at a future meeting to discuss the process.

10. TOWN ADMINISTRATORS REPORT

1. Budgets – All Budgets under the jurisdiction of the Board of Selectmen are on target.
2. Upper Town Hall Ceiling – There were four (4) areas of the ceiling which needed repair and repainting. This work was completed last week.
3. Downtown Decorations – The Flags and brackets have been installed. I want to thank the members of the Highway Department, Parks Department and Custodial Department for their efforts. I also want to thank Braza and Mancinci for the use of their lift truck. The Fire Department will also be replacing sixteen (16) street lights throughout Town.
4. Woodland School – The 90% Construction Document submittal for the Woodland School Elementary School have been submitted to the MSBA as well as the cost estimates and updated project budget. Also, the Request for Bid Schedule for the Main Bid Package for the sixteen (16) Trade Contractors has been set. The bids will be due on Tuesday, December 23rd. I will continue to keep the Board updated as the project proceeds.

11. After reviewing correspondence from Dog Hearing Officer Brian W. Murray regarding the Dog Hearing of Sheehan vs. Cristino which specifies as the first requirement to have Mr. Cirstino's dog Tasha spayed. Mr. Murray stated that he was recently contacted by Mr. Cristino after it was brought to his attention by the Animal Control Officer that since the hearing, the dog had not been spayed. He further noted that at this point, Mr. Cristino informed him that Tasha is now 8 years old, deaf, sight impaired and suffering from terminal cancer. He brought Tasha to Holliston Animal Hospital on October 6, 2014 and provided a report. To have the dog spayed at this time would serve no useful purpose. Mr. Buckley moved, seconded by Chairman DeBartolomeis: To amend the Order of September 27, 2011 to delete item #1 as a requirement, UNANIMOUS.

12. Dog Hearing Officer Murray, reviewed the Phillips vs. Burke Dog Complaint Hearing reading the following Findings of Fact:

1. Virginia Burke resides at 70 High Street, second floor apartment, in Milford.
2. She is the owner of a neutered male Coton de Tulear dog named "Baxter."
3. On September 12, 2014, Baxter, without provocation, attacked and bit the right leg of George Phillips, a resident of 70 High Street, first floor apartment.
4. Baxter, when outside in a penned area, constantly barks in such a fierce, aggressive manner that neighbors are unable to remain outside or experience the quiet enjoyment of their homes.
5. On at least two prior occasions, Baxter has nipped at individuals, but without causing serious injury.
6. Pursuant to G.L. Chapter 140, Section 157, I find that Ms. Burke's dog, Baxter, is a dangerous dog.

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

1. Ms. Burke's dog, Baxter, shall at all times, except herein stated, be confined in-doors to Ms. Burke's premises.
2. Baxter shall be allowed outdoors for walks, but only by Virginia Burke with a hand-held leash and further, Baxter shall be securely and humanely muzzled.
3. If Ms. Burke is found in violation of this order, Baxter shall be subject to seizure and impoundment by the Milford Police Department and further Ms. Burke would be ordered to immediately surrender to the Milford Town Clerk the license and tags in her possession and prohibited from licensing a dog within the Commonwealth for (5) years.
4. This finding shall be reported to the Milford Town Clerk in accordance with G.L. Chapter 140, Section 157 (h).

13. Mr. Murray noted that in his opinion, there was some confusion on the process of what articles are allowed for submission at the recent Special Town Meeting by comments made that unless the article is part of the 5 year Capital Plan they cannot be submitted. He stated that the

Finance Committee is an Advisory Board and Policies are established by the Selectmen. He suggested the board discuss drafting a policy for submission of articles at a future meeting.

14. Mr. Murray moved, seconded by Mr. Buckley: To approve the request from The Milford High School Boosters Club, Inc. for the annual 5K Turkey Day Road Race, Thursday, November 27, 2014, beginning at 7:30AM, UNANIMOUS.

15. Mr. Murray moved, seconded by Mr. Buckley: To approve the request from the Milford Permanent Firefighters Association Local 2140 for the Annual Santa Parade, Sunday, December 7, 2014, UNANIMOUS.

16. After reviewing correspondence from Harold S. Rhodes, Chairman of the Milford Commission on Disability: Mr. Murray moved, seconded by Mr. Buckley: To appoint Susan Clark to the Commission on Disability, UNANIMOUS.

17. Mr. Buckley moved, seconded by Mr. Murray: To approve the request from the Milford Lion's Club to hang a banner across 169-171 to 208 Main Street from November 17th to November 24, 2014 to announce the Pancake Breakfast at Milford High School on December 7, 2014, UNANIMOUS.

18. After reviewing correspondence from Lyn Lovell, Secretary of the Vernon Grove Trustees, Mr. Murray moved, seconded by Mr. Buckley: To approve the expenditure of funds from the Avis Pond Fund to process a past due bill in the amount of \$104.33 for the Port-a-Potty at the Vernon Grove Cemetery, UNANIMOUS.

19. The Board reviewed correspondence from Chief O'Loughlin recommending the removal of "No Turn on Red" at South Main at Main Street. After a brief discussion: Mr. Murray moved, seconded by Mr. Buckley: To approve the recommendation of Chief O'Loughlin to remove the "No Turn on Red" sign at South Main at Main Street, UNANIMOUS.

20. After reviewing correspondence from National Grid requesting the approval for a Grant of License covering property on 24 Pearl Street, Milford, MA: Mr. Murray moved, seconded by Mr. Buckley: To approve the Grant of License which will be in effect pending town meeting approval of the actual signing of the easement, UNANIMOUS.

21. After reviewing correspondence from Atty. Ernest P. Pettinari on behalf of Italian American Veterans' Post #40, Hayward Field relative to snow plowing, it was the consensus of the Board to take the request under advisement and to request more information.

22. After reviewing a proposal from Russo-Barr Associates for designer services for the Town Hall Gutter Replacement & Repairs Project: Mr. Buckley moved, seconded by Mr. Murray: To approve the proposal as submitted, UNANIMOUS.

23. Mr. Murray moved, seconded by Mr. Buckley: To approve the request from the Milford Youth Football & Cheer for a Permit To Obstruct for Tag Days at the intersections located at the Post Office, Police Station, Rt. 16, Tedeschis and 7/11 on November 26, 28, 29,30, December 6 and 7, 2014, UNANIMOUS.

24. INFORMATIONAL CORRESPONDENCE

1. Town Engineer Vonnie M. Reis, P.E., re: Monthly Status Report- September 2014

25. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 9:20PM, UNANIMOUS. ROLL CALL VOTE: Chairman DeBartolomeis, Selectmen Brian W. Murray, Esq. and William D. Buckley all vote in the affirmative to go into Executive Session to discuss an Employment Contract, UNANIMOUS.

Respectfully submitted:

MILFORD BOARD OF SELECTMEN

Jean M. DeTore
Minutes Recorder

Dino B. DeBartolomeis, Chairman

Brian W. Murray, Esq.

William D. Buckley