

MINUTES OF REGULAR SESSION – JANUARY 7, 2013

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

2. Citizen Participation – None.

3. Anna C. Pires and Club President Jose B. Goncalves , Club Portuguese de Instrucao e Recreio, 119 Prospect Heights, , were present seeking a Change of Manager from David Soares to Anna C. Pires. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the change of manager, UNANIMOUS.

4. TOWN ADMINISTRATOR'S REPORT

- Monthly Financial Update – As we enter the second half of FY13, I'm pleased to report that all budgets under the jurisdiction of the Board of Selectmen are on target. The Finance Committee is meeting on Wednesday of this week to begin discussion of the FY14 budget.
- Department of Energy Resources – LED Replacement Project
Memo under C-1.
- Local Aid Reminder – I would just remind the members again that Gov. Patrick has revealed a \$540 M shortfall in the FY13 budget. He has made cuts of \$225M in state agencies but he is also requesting that the Legislature approve \$9M in unrestricted local aid. Naturally, the MMA has expressed opposition to the plan as cities and towns have lost \$416M in Local Aid or a 32% cut since 2009.
- The Design Selection Committee for the Police Station Roof opened proposals last Thursday, January 3, 2012. We received seven (7) proposals and we are now in the process of reviewing and rating them. After interviewing and settling on a fee, we will be prepared to make a recommendation to the Board.
- Double Pole Issue - At the last meeting, we had discussed again this issue as well as the prospect of inviting a Commissioner from the D.P.U. to this or another meeting. I immediately contacted Rep. Fernandes who not only contacted the DPU but also Joe Newman at National Grid and Joe Kozlowski at Verizon. Rep. Fernandes met with both individuals on more than one occasion. Firstly, according to John, the DPU sees the situation as a "valid, safe way to operate, as we need electricity and it is not a safety hazard." So, the prospect of a resolution on that end is probably nonexistent. The good

- news is that 36 poles have been removed and John has indicated that this will not be a “one and done.” He will be checking with both utilities every 30 days to monitor the progress and he will be in contact with our office regularly. I can’t thank him enough for his efforts. Finally, John had also contracted the Fire Chief who provided an updated list of poles. The Chief did confirm that some poles had been removed. The Chief also met with representatives at National Grid who indicated that more poles would be down soon.

Town Administrator Celozzi reviewed a proposal from DOER for a LED Replacement Project. He stated that he was advised by John Tehan, Chairman of the Renewable Energy Committee that a DOER project was available with a deadline of Wednesday, December 12, 2012. He met with Michael Mancini, Wiring Inspector; John Erickson, Building Commissioner; and Charlie Skaff, Maintenance Supervisor and to their credit, each individual indicated their willingness to assist and the application was submitted by the deadline. He thanked them for their cooperation and the various department heads for their support.

5. After a brief discussion regarding the removal of 36 double poles: Mr. Buckley moved, seconded by Mr. DeBartolomeis: To invite a representative from National Grid to attend a meeting to discuss the number of double poles still remaining and a time frame for the removal of additional poles, UNANIMOUS.

6. Town Administrator Celozzi informed the Board that the following scheduled Public Hearings for License renewals relative to delinquent taxes have been cancelled as a result of the payment of their taxes:

- *7:15PM Fun Zone Milford, LLC --- Cancelled/Paid
- *7:16PM Campos Auto Detailing & Accessories --- Cancelled/Paid
- *7:18PM Nelly’s Sandwich Shop ---Cancelled/Paid
- *7:19PM Cedar Street Market ---Cancelled/Paid
- *7:20PM Tyco, Inc.---Cancelled/Paid

At 7:17PM A public hearing pursuant to the provisions of c138, §64 seq. of the Massachusetts General Laws and Article 26 of the Town of Milford General By-Laws was scheduled for the Friendly Car Wash, LLC to consider the suspension, revocation or cancellation of their license due to failure to pay prior years’ real estate and/or personal property taxes. Mr. Robert Sheehan, co-owner of Friendly Car Wash was present to discuss the proposed payment plan approved by the Tax Collector. After a brief discussion: Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the payment plan proposed by Mr. Sheehan, Friendly Car Wash, 39 Green Street, and to issue a certificate indicating the limitations to the license or permit and the validity of the license shall be conditioned upon the satisfactory compliance with the agreement, UNANIMOUS.

7. Town Counsel Moody provided guidelines from the Atty. General regarding CMR 29.10.-the "Remote Participation" provision. He explained that remote participation for meetings of public bodies is not permitted unless adopted by the Board of Selectmen, as defined in M.G.L. c 4, sec. 7, and that they must authorize by a simple majority, a vote to allow remote participation in accordance with the requirements of these regulations, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality. He also noted that available technology must be considered when determining acceptable methods i.e. video, phone, internet. After a brief discussion relative to parameters, restrictions, allowable emergencies, it was the consensus of the Board to seek input from the School Department, Finance Committee, Conservation Commission, Planning Board and Zoning Board of Appeals to see if the proposal is something that would be of interest.

8. The Board reviewed correspondence from Town Administrator Celozzi regarding the DG Cleanpower LLC/Net metering proposal based on twenty-three (23%) of the Town's consumption and a yearly savings of \$93,000 and \$3.4mm over twenty (20) years: Mr. DeBartolomeis moved, seconded by Mr. Buckley: To sign a five (5)-year contract at this time, with a commitment from the Board, to seek approval at the May, 2013 Annual Town Meeting for an additional 15 year span, UNANIMOUS.

9. Town Administrator Celozzi provided the Board with correspondence outlining the interview process that was conducted to fill the Junior Building Custodian position at the Milford Police Station. Mr. Celozzi and Mr. Skaiff, Maintenance Supervisor conducted the interviews and provided the Board with a recommendation. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To appoint Lester G. Simmons to the position of Junior Building Custodian. He will begin his duties on February 4, 2013 at Grade 2/Step 1 with an hourly rate of \$16.89, UNANIMOUS.

10. After reviewing correspondence from Town Administrator Celozzi for Capital Projects- updating five-year plan/ten-year plan, it was the consensus of the Board to take the recommendations under advisement. The Board also reviewed correspondence from the Milford Youth Center Director regarding a 5/10 year Capital Plan. Chairman Murray suggested that the Town Administrator advise the Director of the Youth Center to review the Feasibility Study that was done for the Armory and to base their plan on the recommendations that were detailed as to short and long range improvements.

11. Town Administrator Celozzi provided the Board with correspondence outlining the interview process that was conducted to fill the Departmental Clerk position in the Town Accountant's office. Mr. Celozzi and Zachary Taylor, Town Accountant, conducted the interview and provided the Board with a recommendation. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To appoint Cindy A. Taylor to the position of Departmental Clerk/Accounting subject

to the standard thirty (30) day trial and training period as outlined in the MACE contract. She will begin her duties on February 14, 2013 at Grade 3/Step 2 with an hourly rate of \$19.61. UNANIMOUS.

12. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To amend the Boarding House License for 40 Jefferson Street from John Mahaney to Anne K. Mahaney, UNANIMOUS.

13. Mr. DeBartolomeis recommended that we solicit input from Chief O'Loughlin for any safety improvements in all municipal buildings in light of the recent tragedy in the Sandy Hook, Connecticut school tragedy. It was also recommended that any discussion of these plans be conducted in Executive Session.

14. Mr. Buckley stated that after hearing the various negative comments made by Milford residents at the DPU Public Hearing relative to the proposed rate increase for the Milford Water Company, it was apparent that the loss of confidence in the Milford Water Company is overwhelming and widespread. He requested that Town Counsel Moody provide the Board with the process and timeline on how to proceed in the possible acquisition of the Milford Water Company. Chairman Murray suggested delaying any action while the proposed rate increase is still pending with the Department of Public Utilities.

15. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the Milford High School Cheerleaders request to hold Tag Days on January 12, 13, 19, 20 and February 2 and 3, 2013, UNANIMOUS.

16. The Board reviewed the report from Leonard Beaudry, Chief Technology Officer as well as those submitted by Department Heads relative to a technology update. A brief discussion took place regarding the hiring of an independent consultant to review the town's overall use of technology and to develop a comprehensive plan for personnel, hardware, software, anti-virus protection, etc. After debate, it was the consensus of the Board to have Town Administrator Celozzi request an assessment from Mr. Beaudry of the current technology situation and to develop a set of recommendations going forward for both the School and municipal components.

17. The Board reviewed correspondence from Biomeasure Incorporated, an affiliate of Ipsen, outlining the cancellation of their expansion project and request for decertification and TIF Agreement between the Town of Milford and Biomeasure. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To request that the Economic Assistance Coordinating Counsel revoke the certification of the project in accordance with 402 CMR 2.16 and any other statutory or regulatory authority, UNANIMOUS.

18. The Board reviewed correspondence from Michael Santora, P.E. Town Engineer informing them of his intent to retire on June 17, 2013. The Board expressed gratitude for his superior work performance and cooperation throughout the years. The Board will discuss the selection process at an upcoming meeting.

19. The Board reviewed correspondence from Police Chief Thomas J. O'Loughlin relative to the appointment of Antonio Dinis and Paulo Pinto to the position of Police Officers. It was the consensus of the Board to invite them to a future meeting to introduce them to the community.

20. The Milford Permanent Firefighters' Association has notified the Board of their Intent to Bargain. Town Counsel Moody will begin the negotiation process.

21. The Board reviewed a Disclosure of Appearance of Conflict of Interest as required under G.L. c 268A, sec. 23(b)(3) submitted by Michael Santora, Town Engineer. This was necessitated as a result of Mr. Santora's position on the Design Selection Committee for the Milford Police Station roof and notification that his brother-in-law was listed as a sub consultant for one of the architects submitting a proposal. Town Administrator Celozzi stated that Town Counsel Moody has advised that no action is necessary other than to forward a copy to the Town Clerk's office.

22. INFORMATIONAL CORRESPONDENCE

1. Town Administrator, re: DOER-LED Replacement Project
2. Milford Youth Center, re: 5/10 year Capital Plan
3. Police Chief, re: Commendable Actions/Highway Employee John Perry
4. Schedule of Meetings

23. The Board reviewed correspondence from Police Chief O'Loughlin regarding the commendable actions of Highway Employee John Perry and his son Jack. The Board suggested inviting them to an upcoming meeting to recognize them for their efforts.

24. Chairman Murray noted the Grand Opening of the Milford TV Community Media Center on Saturday, January 19, 2013 from 2:00PM-7:00PM located at 138 South Main Street. The public is invited.

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

MILFORD BOARD OF SELECTMEN

Respectfully submitted:

Jean M. De Tore
Minutes Recorder

Atty. Brian W. Murray, Chairman

Dino B. DeBartolomeis

William D. Buckley