

MINUTES OF REGULAR SESSION –FEBRUARY 11, 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. Chairman Murray observed a moment of silence in memory of Paul F. “Wally” Seaver, who recently passed away after fighting a courageous battle with ALS. He was a devoted citizen of the town of Milford and instrumental in opening the Milford Youth Center to different groups making it a true community center.
2. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To sign the warrant and approve the Minutes of January 28, 2013 and February 6, 2013 as submitted, UNANIMOUS.
3. Chairman Murray presented Citations to John Perry and his son Jack acknowledging their swift, decisive and heroic action on December 24, 2012 which resulted in the prevention of a tragedy.
4. Citizen Participation – None.
5. Police Chief Thomas J. O’Loughlin and Town Counsel Gerald M. Moody submitted information relative to Alcohol and the negative secondary effects related to adult entertainment and particularly the increased level of these effects when adult entertainment and alcoholic beverages are provided at the same locale. They also provided a draft of a proposed by-law seeking to amend the General By-Laws of the town. After a brief discussion: Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the draft proposal as submitted and seek approval at Town Meeting to see if the Town will vote to accept the findings as submitted and amend Section 15 of the General By-Laws of the Town by adding a new Section 15-Adult Entertainment Establishments and Liquor, UNANIMOUS.
6. Police Chief Thomas J. O’Loughlin submitted a copy of the Milford Police Department revised rules and regulations for the Board’s consideration. He stated that the present rules and regulations were issued in August of 1999. He further stated that he reviewed each section with the Police Association discussing topics including: Authority, Receipt, Introduction, Professional conduct and responsibilities, Conflict of Interest, Neglect of Duty, Incompetence, Public Statements, Orders, Uniforms and Appearance, Attention to Duty, General Requirements, Departmental Property and Equipment, Reports, and Fitness for Duty. Also a “CD” copy of these rules and regulations is issued to each newly appointed officer. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the revised Rules and Regulations for the Milford Police Department as submitted, UNANIMOUS.

7. Police Chief Thomas J. O'Loughlin submitted a copy of a proposed by-law seeking to restrict the movement of sex offenders within the Town of Milford. The Chief stated that he also consulted with Town Counsel Moody on the wording and the proposed by-law would place the restrictions specified only on Level 3 and Level 2 offenders as they are the ones who pose a greater risk to reoffend and a greater degree of danger as determined by the SORB. He noted that he is offering this proposal as a result of his conversation with Officer Pasacane, who reported that, on several occasions he has had sex offenders come to the Milford Police Department to register as they are relocating from another community to Milford. Chief O'Loughlin also noted that he researched Sex Offender By-Laws and reviewed twenty-one (21) such By-Laws from Massachusetts cities and towns and six (6) from outside of Massachusetts. After reviewing the proposed by-law: Mr. DeBartolomeis suggested inserting the word **physical** after intellectual throughout the proposed by-law so that it would state "**intellectual and physical disability**". Mr. Buckley suggested inserting the word "KNOWINGLY in the paragraph starting with **RESIDENCE-ESTABLISHING** to read: **RESIDENCE-KNOWINGLY ESTABLISHING**. Chairman Murray stated that he found the by-law to be very onerous and that he wished to be provided with additional information including the number of communities with a by-law, the number of offenders coming into town and a solid rationale for the proposal. It was the consensus of the Board to request that Chief O'Loughlin provide this information and to discuss this proposal again at a future meeting.

8. TOWN ADMINISTRATOR'S REPORT

- Monthly Financial Update – All budgets under the jurisdiction of the Board of Selectmen are on target with the exception of the previously noted concerns.
- Rep. Fernandes has informed our office that no local changes or cutbacks are part of the House Supplemental Budget bill.
- I'd like to remind our residents that the Boston Symphony Orchestra will be presenting a Community Chamber Concert in the upper Town Hall on Sunday, February 17, 2013 at 3:00PM. The concert is free and open to the public and will be followed by a dessert reception provided by the BSO. Tickets are required for this free admission and they are available on a first-come, first-serve basis by calling Symphony Charge at 617-266-1200 or toll free at 888-266-1200.
- I received an e-mail from Bill Sansone of I.C.E. on Wednesday informing me that they have completed the I-9 audit and everything came out fine and that they are in the process of issuing the town a compliance letter.
- As we agreed, I purchased the portable Handicap Ramp from Amramp and it was delivered this past Thursday and we are storing it at the Police Station. It was agreed that the company will return and assist us with the installation in May.
- Mr. Celozzi informed the Board that he received an e-mail from Mark Stankiewicz, applicant for the Town Administrator's position informing him that he would like to withdraw from Milford's selection process for Town Administrator.

Chairman Murray commended the Highway Surveyor, Fire Chief, and Police Chief for their efforts in organizing emergency personnel, the preparation of snow removal equipment and especially the Town Administrator for organizing pre-storm meetings so that emergency plans were in place prior to this weekend's blizzard.

9. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To schedule the Annual Town Meeting for Monday, May 20, 2013 at 7:30PM with the Warrant opening Monday, February 11, 2013 and closing at 12 Noon on Thursday, March 21, 2013, UNANIMOUS.

10. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve a One-Day Wine and Malt License for the Milford Youth Center, Saturday, March 16, 2013-7:00PM-12Midnight, UNANIMOUS.

11. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To award a three-year contract (July 1, 2013-June 30, 2016) with options for 4th and 5th years for Comprehensive Maintenance and Support to ENE, Systems, Inc., UNANIMOUS.

Mr. Buckley requested that the Town Administrator forward a copy of the contract to the School Department and other Department Heads as a sample of the policy which prohibits hiring of undocumented workers.

12. The Board reviewed correspondence from Police Chief Thomas J. O'Loughlin recommending the creation of the title "Student Officer" in Article II, Section E, Hourly Non-Rated Positions. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the recommendation to create the title of "Student Officer" in Article II, Section E, Hourly Non-Rated Positions and authorized him to make the presentation to the Personnel Board, UNANIMOUS.

13. Prior to the discussion on correspondence from Town Counsel Moody regarding the Superior Court Ruling on the Scioli Corporation vs. the Town of Milford, Mr. Buckley recused himself at 8:26PM. Mr. DeBartolomeis moved, seconded by Chairman Murray: To lift the stay of their decision, rolling back the hours of the establishment to a daily 11PM closing, effective Friday, February 15, 2013 extending until August 15, 2013. At that time, upon application, the Board will review the hours of operation of the establishment, UNANIMOUS.

At 8:30PM, Mr. Buckley returned to the meeting.

14. The Board reviewed correspondence from Michael Bresciani, Park Director requesting to dispose of surplus property. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the request to dispose of the 1990 Ford Pick-up Truck, UNANIMOUS.

15. Chairman Murray requested that Town Administrator Celozzi address the request from Martha C. Dunbar, Dunbar's Inc, 70 Haven Street, to amend her Class II license. After an explanation, Mr. DeBartolomeis moved, seconded by Mr. Buckley: To approve the request to amend the Class II license to include the following stipulation:

"This license is limited to wholesale use only."

Two in favor, One abstention (Chairman Murray abstains) IT IS A VOTE.

16. Chairman Murray provided information to the Board on last week's meeting of the "Anti-Casino" group chaired by Ken Rockett, held in Room 03 at Milford Town Hall. He indicated that he invited Mr. Rockett and his associates to attend an upcoming Selectmen's meeting to present their views and also requested that Town Administrator Celozzi send a letter of invitation to the Holliston and Hopkinton Selectmen for the purpose of discussing the casino issue.

17. The Board reviewed correspondence from Susan Clark, Director of the Community Development Office relative to her decision to relocate the office to the Highway Department. It was the consensus of the Board to support her decision as it would result in a cost savings and the Highway Surveyor supported the move.

18. INFORMATIONAL CORRESPONDENCE

1. C.I.C., re: Article 18 – General By-Laws
2. COMCAST, re: 2012 Form 500
3. Verizon, re: 2012 Form 500
4. Tax Collector, re: License Payment Agreements
5. Milford Youth Commission, re: Minutes of 1/14/13
6. Schedule of Meetings

19. Mr. DeBartolomeis moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 8:35PM, UNANIMOUS. ROLL CALL VOTE: Chairman Murray, Selectmen DeBartolomeis and Buckley vote in the affirmative to go into Executive Session to discuss security issues and pending litigation, UNANIMOUS.

Respectfully submitted:

MILFORD BOARD OF SELECTMEN

Jean M. DeTore
Minutes Recorder

Atty. Brian W. Murray, Chairman

Dino B. DeBartolomeis

William D. Buckley