

MINUTES OF REGULAR SESSION –APRIL 28, 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. Mr. Murray moved, seconded by Mr. Buckley: To sign the warrant, UNANIMOUS.
2. Mr. Murray moved, seconded by Mr. Buckley: To approve the minutes of April 7, 2014 as submitted, UNANIMOUS.
3. Mr. Murray moved, seconded by Mr. Buckley: To approve the minutes of March 24, 2014 as submitted, UNANIMOUS.
4. CITIZEN PARTICIPATION - Chairman DeBartolomeis recognized the following residents:
  - Steve Trettle and John Seaver representing Citizens For Milford. Mr. Trettle voiced several concerns relative to Article 17 of the May 19, 2014 Annual Town Meeting Warrant and suggested that the Board consider deferring any decision on the second part of the article until a future town meeting.
  - Jamie Wheelock also raised several questions.

After hearing their concerns, Chairman DeBartolomeis thanked everyone for their input and stated that since the article is on the warrant it would be discussed and voted on by Town Meeting members.

5. Nina Guan, Manager of Beijing Dumpling House, Inc., 163 Main Street was present seeking a Restaurant Wine and Malt License. Mr. Murray moved, seconded by Mr. Buckley: To approve the request, UNANIMOUS.

6. A Public Hearing was held at the request of National Grid and Verizon New England, Inc. regarding Plan #16528475 for Naples Street at #3 and #4 which stated that these poles are presently located within the customer's driveways for house numbers 6 and 8. Pole 3-relocate 22' +/- southwest of present location, old location to be abandoned. Pole 4-relocate 10' +/- southwest of present location, old location to be abandoned. Dana Larson representing National Grid was present. Mr. Murray moved, seconded by Mr. Buckley: To approve the above Plan #16528475 as submitted, UNANIMOUS.

7. Jeffrey W. Birchler, Birchler's Automotive Inc., 35 Birch Street was present requesting a Class I License. Mr. Birchler submitted a site plan for the board to view. After a brief discussion and

review of the DECISION for Special Permit and/or Variance granted by the Zoning Board of Appeals: Mr. Murray moved, seconded by Mr. Buckley: To approve the Class I license with the following stipulations:

1. There shall be no more than thirty one unregistered motor vehicles upon the premises for sale and/or repair at any one time.
2. There shall be no outside repair of vehicles.
3. There shall be no outside storage of motor vehicle parts or junk.
4. This Special Permit relief shall be deemed to run with the applicant and not to run with the land.
5. The fence that currently surrounds the property shall be kept in good condition and repair.
6. Sales shall be permitted only for fleet and commercial type vehicles and trucks. Sale of cars or automobiles shall not be permitted. UNANIMOUS.

8. Benjamin Eng, Royal Buddha, Inc., 121 Depot Street along with Atty. Warren Heller, were present seeking a change of manager from Tong Yau Eng to Benjamin Eng. Atty Warren Heller noted that Tong Yau Eng passed away on July 15, 2012. Since that time, his son, Benjamin Eng has served as the de facto Manger and further that it was an oversight on the part of Tong Eng's family not to previously seek approval to formally request a change of manager. Mr. Murray moved, seconded by Mr. Buckley: To approve the change of Manager, UNANIMOUS.

9. Michael Nicholson, Chairman of the Handicap Commission submitted an updated Project Progress Report to the Board. He stated that since the last review in 2011, the handicap commission has participated in numerous Site & Building Plan reviews such as

- Countryside Health Care – Expansion, reviewed plans with state assistance
- Cornerstone Assisted Living – New construction
- MRMC Expansion – still under discussion
- Pending-Woodland School

The following Projects were completed with the generous *support from donors and major assistance from Town departments:*

- Acquired Accessible Voting booths (9)
- Donor-Funded Hearing Loop - Senior Center Reception Area
- Funded Youth Center chair lift repair & maintenance
- Funded WWI Memorial Ramp annually for Memorial Day until Town bought (2013)
- Advocated for & coordinated a new permanent ramp at Fairfield Court (MHA)
- Petitioned HS Fields Committee during design phase to increase accessible parking
- Strengthened HP parking by-law via Town Meeting, (conform to AAB + tow option w/1<sup>st</sup> offense)
- Petitioned Board of Selectmen to replace HP parking near Post Office
- Petitioned Mass AAB to include Universal Access Symbol stencil as part of regulations

Current: Projects:

- Donor-Funded Accessible Platform - Louisa Lake (picture, pg 2) - ribbon cutting
- Donor-Funded Accessible Trailside Benches (picture, Pg 2) (Initial Locations)
- Address public way concerns (sidewalks, steps, etc) - Main Street

Pending Projects::

- Donor-Funded Trailside Family Rest Area near CVS/109 - ribbon cutting
- Concern: Trail/public crossing Medway Rd at Friendly's - Westbound dangers. V Reis -> State?
- Plan: Include FM Hearing Assist capability w/ a sound upgrade for Upper Town hall [no CART]
- Accessible Transportation - MWRTA, Hackney (% HP)

Ongoing:

- Public Awareness, MCOB website
- AAB violations and issues to Bldg Commissioner
- Sidewalk / public ways monitoring

10. Melanie Nagy, Carnivores All American BBQ, 134 South Main Street, along with Arthur Siipola, Landlord were present seeking a Common Victualler License. Mr. Murray moved, seconded by Mr. Buckley: To approve the license, UNANIMOUS.

11. TOWN ADMINISTRATOR'S REPORT

1. Windows – Nineteen (19) of the windows on the second floor of Town Hall have been removed. Ten (10) of those windows have been re-glazed, repainted and reinstalled and the balances installed. Last week 9 additional windows were reinstalled. The project is on track to be completed by the end of June.
2. Pot Hole Repair Program – The Governor's Office has established a \$40 million "Pothole and Winter Recovery Program" that will provide cities and towns with \$30 million as direct aid to be apportioned via the Chapter 90 formula and funded this spring to repair potholes and other damage to roads, signs, facilities and equipment caused by the punishing winter. Milford will receive the sum of \$122,593.00. It is required that the funds be obligated for specific projects no later than June 30, 2014 with the expectation that the projects and all related expenditures are completed by September 30, 2014. There will be no exceptions to the "use it or lose it" provisions of this agreement. Highway Surveyor, Scott Crisafulli is developing plans for areas of the Town where work can be undertaken.
3. Project List Status :
  - A. Library Roof - Roof Project has been designed and Plans and Specifications will be available to bidders on April 30<sup>th</sup> with Bids to be opened on May 15<sup>th</sup>. The work entails the replacement of the existing roof with a new PVC membrane roof.

B. Upper Charles Trail Project Phase 3 – Work will resume in May and Eastland Partners will be completing the construction of the trail which includes improvement of drainage and installation of signage and fencing.

4. Beach Street Remediation – This involves the cleanup of a contaminated industrial site at 11 Beach Street. NSTAR is conducting a Release Abatement Measure on the former manufactured gas plant. The site is also under and Order of Conditions from the Conservation Commission.
5. Fire Chief – I am pleased to report the contract with incoming Fire Chief William J. Touhey, Jr. is completed and he will begin his duties as Chief on May 25, 2014.
6. Telephones for Town Hall – I am pleased to report the new telephone system was completely installed at Town Hall on April 23<sup>rd</sup>. It is a Voice Over Premises Based IP (Internet Protocol) System. The installation and change over went smoothly. We also have the ability to more effectively conference call in all Town Hall conference rooms.

12. Town Engineer Vonnie Reis updated the board on the Beach Street Remediation Project. She noted that the GZA Company on behalf of NStar is overseeing the project with the use of Air monitors, workers are wearing white Tyvek suits (decontaminating suits), special mats are used so that trucks get the dirt removed from their tires before leaving the site. She further noted that the work should be completed in about a month.

13. Town Engineer Vonnie Reis provided a power point presentation and Town Planner Larry Dunkin, Robert Buckley, Chairman of the Conservation Commission, and Reno DeLuzio, Chairman of the Upper Charles Trail Committee were present to discuss the benefits of the proposed Conservation Restriction for Article 17 of the Annual Town Meeting.

14. After reviewing the May 19, 2014 annual town meeting articles: Mr. Murray moved, seconded by Mr. Buckley: To make a favorable recommendation to support articles: 3, 4, 6, 7, 9 and 10, UNANIMOUS.

15. Mr. Murray moved, seconded by Mr. Buckley: To make a favorable recommendation to support articles: 11, 15, 18, 22, 25 and 26, UNANIMOUS.

16. Mr. Murray moved to make a favorable recommendation to support article 17, Mr. Buckley seconded for discussion. Mr. Buckley noted that in his opinion the circumstances are different than the previous 189 acres for Walden Woods placed in a conservation restriction but would be in favor of letting town meeting decide and is opposed to the article. Two in favor, One opposed. (Mr. Buckley in opposition). IT IS A VOTE.

17. Mr. Murray moved to make a favorable recommendation to support article 24 for the Renovation of the Milford Youth Center on Pearl Street, Mr. Buckley seconded for discussion. Mr. Buckley noted that in his opinion Middle School East has significant space, a gym facility and is in favor of using the building for the youth center, therefore he is not in favor of using any money for the renovation of the Armory. Two in favor, One opposed. (Mr. Buckley in opposition). IT IS A VOTE.

18. Mr. Buckley moved, seconded by Mr. Murray: To approve a One-Day Wine and Malt License for St. Mary's of The Assumption Parish, Winter Street, Saturday, May 10, 2014 5:00PM – 12:00Midnight, UNANIMOUS.

19. Mr. Buckley moved, seconded by Mr. Murray: To approve a permit to obstruct for Saint Mary's of the Assumption Church Portuguese community of Milford in celebration of Our Lady of Fatima procession beginning at 7:30PM on Sunday, May 11, 2014, UNANIMOUS.

20. Mr. Buckley moved, seconded by Mr. Murray: To approve a One-Day All Alcohol License for TD's Pub, 68 Water Street, Saturday, May 31, 2014 11:00AM – 9:00PM with a rain date of June 1, 2014, UNANIMOUS.

21. Mr. Murray moved, seconded by Mr. Buckley: To approve the request of the Greenleaf Garden Club of Milford to hold their Annual Plant Sale on Saturday, May 17, 2014 from 8:00AM-12:00Noon, at the Kiwanis Park, UNANIMOUS.

22. Town Engineer Vonnie Reis reviewed correspondence from John Wallace regarding concerns surrounding the culvert crossing of O'Brien Brook on Farese Road. She stated that the town does not technically own the crossing, however, the town does maintain the brook and the road over the culvert is narrow and without fencing or guard. Mr. Murray moved, seconded by Mr. Buckley: That the Town obtain a right-of-entry (ROE) from each of the abutting properties to allow the Highway Department to install fencing along this portion of the road, just in the vicinity of the culvert. Other areas where the open brook channel flows adjacent to yards are privately owned and should be addressed by the individual property owners as recommended by the Town Engineer, UNANIMOUS.

23. Mr. Murray moved, seconded by Mr. Buckley: To approve a permit to obstruct for Joseph & James MacDonald, 100 Main Street beginning April 29 for approximately 30 days for building repairs at 80-82 Main Street, UNANIMOUS.

24. Mr. Murray moved, seconded by Mr. Buckley: To approve a One-Day Wine and Malt License for Sacred Heart Parish, 5 East Main Street, Saturday, May 17, 2014 5:00PM – 10:00PM, UNANIMOUS.

Chairman DeBartolomeis requested that a citation be presented to the Sacred Heart Women's Club in recognition of their 90<sup>th</sup> Anniversary.

25. After reviewing correspondence from Police Chief Thomas J. O'Loughlin regarding MassDOT's response to speed sign posting: Mr. Murray moved, seconded by Mr. Buckley: To authorize the removal of the 30MPH signs that are presently posted on Dilla Street in accordance with M.G.L. c.90 s.17 because Dilla Street is a thickly settled area, the speed limit will be 30MPH, UNANIMOUS.

26. Mr. Murray moved, seconded by Mr. Buckley: To accept with the regret the notification of retirement from Jacqueline Pratt, UNANMOUS.

27. Mr. Murray noted that in his opinion, the suggestion from the Industrial Development Commission (IDC) regarding the possibility of the future reuse of Middle School East by Quinsigamond Community College (QCC) as a Satellite Campus noted in the correspondence from Larry L. Dunkin, AICP was a good idea.

28. INFORMATIONAL CORRESPONDENCE

1. Milford Finance Committee, re: Minutes of March 26, 2014
2. MassDOT, re: Winter Rapid Recovery Road Program(WRRRB) REVISED RULES & REGULATIONS
3. John Erickson, Building Commissioner, re: Neighborhood Task Force

29. Mr. Murray moved, seconded by Mr. Buckley: To adjourn the Selectmen's meeting at 9:13PM, UNANIMOUS.

Respectfully submitted:

MILFORD BOARD OF SELECTMEN

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Jean M. DeTore  
Minutes Recorder

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Dino B. DeBartolomeis, Chairman

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Brian W. Murray, Esq.

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William D. Buckley