

**BOARD OF
SELECTMEN
MEETING
MINUTES**

September 10, 2013

Fire & EMS Headquarters, 20 Church Street , Training Room
Chairman James Brochu; Selectman Robert J. Fleming; Selectman
Kenneth Picard; Town Manager, Blythe C. Robinson; Executive
Assistant, Sandra Hakala.

1 The meeting was called to order at 6:00pm. Chairman Brochu opened the meeting and after the
2 pledge of allegiance he reviewed the agenda
3

4 **MINUTES**

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6 **Motion #1:** Motion made by Selectman Picard to approve the August 20, 2013 Regular Session
7 Meeting Minutes.
8

9 Second: Selectman Fleming, Unanimous: Chairman Brochu
10

11 **Motion #2:** Motion made by Selectman Picard to approve the August 26, 2013 Regular Session
12 Meeting Minutes.
13

14 Second: Selectman Fleming, Unanimous: Chairman Brochu
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16 **Motion #3:** Motion made by Selectman Picard to approve the August 20, 2013 Executive
17 Session Meeting Minutes.
18

19 Second: Selectman Fleming, Unanimous: Chairman Brochu
20

21 **Motion #4:** Motion made by Selectman Picard to approve the August 27, 2013 Executive
22 Session Meeting Minutes.
23

24 Second: Selectman Fleming, Unanimous: Chairman Brochu
25

26 **INVITED GUESTS**

27
28 **Cemetery Commissioners**

29 Chairman Brochu invited the Cemetery Commissioners to partake in a joint election to fill the
30 vacancy due to the resignation of Bill Sadler from the Commission. The Selectmen reviewed the
31 letter of interest Mr. Richard N. Randall submitted.
32

33 Chairman Brochu opened the nominations
34

35 Selectman Picard nominated Richard N. Randall to fill the vacancy until the May, 2014 election.
36

37 Second: Selectman Fleming
38

39 Chairman Brochu called for any other nominations, hearing none, nominations were closed and a
40 poll was taken.
41

42 James Brochu; aye, Robert Fleming; aye, Kenneth Picard; aye, Leo Lamanuzzi; aye, Bob
43 Richards; aye.

44

45 **TOWN MANAGER'S REPORT**

46

47 The town celebrated the opening of municipal well field #3 prior to the meeting at #169 West
48 River Street. DEP was on site on Tuesday of this week to perform the inspection; the controls
49 worked as designed, and the water chemistry looked well. The excess capacity will allow the
50 town to conduct more extensive maintenance on its existing water sources and will ensure the
51 town's water needs are met for years to come.

52

53 The milling of School, Fisk Ave and a portion of Mendon streets is complete. Repaving is
54 expected to take place on Thursday and Friday.

55

56 It has been reported in the news that the Milford Board of Selectmen signed a host community
57 agreement with Foxwoods Massachusetts. The Town had sought a higher level of compensation
58 than previously proposed by the developer, and in order to be able to provide that the developer
59 had said they would increase the size of the facility by adding 150 more hotel rooms and more
60 slots and gaming tables. Since the agreement is in place the developer can focus on negotiating
61 surrounding community agreements. The planning agencies are scrambling to review and
62 consider the change in size of the development that will most likely have a greater impact to the
63 surrounding communities as well. The Town Manager is continuing to work with the planning
64 agencies to obtain their counsel on these issues and considering the next steps to take to make
65 sure Upton's concerns are adequately addressed.

66

67 Work continues on the Town Hall project with the focus on the basement. Ledge removal is
68 continuing, as evidenced by the large pile of rock in front of the building. Once it is out and
69 shoring of the interior walls is in place to protect the structure, removal of the old steam boiler
70 can be addressed. While that work continues the contractor removed the final safe from the
71 building that used to be in the Town Clerk's vault. It had been installed around 1895 and was no
72 longer useful in the vault, taking up valuable space needed for records storage. The dropped
73 ceiling in the main hall is gone the contractor will be bringing in staging to begin work in that
74 area. The exterior the masonry work will commence next week.

75

76 **INVITED GUESTS cont.**

77

78 **Public Hearing – Class II – 44 Milford Street**

79

80 Chairman Brochu opened the Public Hearing at 6:10PM and Mr. Georgis Fisseha appeared
81 before the Selectmen requesting approval of a Class II license to sell used cars at his business –
82 Gasco 44 Milford Street. This location has had a Class II license in the past with a previous
83 owner. Mr. has received approval from the ZBA for a variance from the zoning by-laws. Mr.
84 Fisseha confirmed that all abutters have been notified.

85

86 Georgis Fisseha the new owner of Gasco was asked the Selectmen to review this application for
87 a class II license at 44 Milford Street to sell 15 cars, although Mr. Fisseha has received approval

88 from the ZBA to sell up to 10 cars at this location. The prior licenses for this property had
89 allowed up to 15 cars, but the ZBA has reduced it at this time. Mr. Fisseha asked the Selectmen
90 to increase the number of cars back to 15. The Selectmen agreed with the ZBA to approve the
91 license for 10 and suggested that Mr. Fisseha appeal the ZBA's decision at the time of his
92 renewal.

93

94 The hearing was closed at 6:14PM.

95

96 ***Motion #5:*** Motion made by Selectman Picard to authorize the issuance of a Class II license to
97 Georgis Fisseha at 44 Milford Street; on the following described premises: Approximately 300'
98 X 300' lot with 30' X 40' block building with two bays, office and restroom, gas station and
99 convenience store. Restrictions: no more than ten cars repaired to a saleable, drivable condition
100 may be parked outside of building. No spare or junk parts to be stored outside, no repair work
101 shall be done outside of building. No spray painting at this location. Vehicles for sale are limited
102 to passenger cars and/or pickup trucks. No semi's, busses, etc. for sale on the premises. Lot must
103 be kept clean and maintained at all times.

104

105 Second: Selectman Fleming, Unanimous: Chairman Brochu.

106

107 *South Street Gravel Permit*

108 Chairman Brochu opened the Public Hearing at 6:15PM. The owners of the South Street gravel
109 pit were present to participate in a public hearing on the proposed permit to continue operations
110 at this site. The draft permit had been posted on the website for the public's review prior to the
111 meeting, all abutters were notified.

112

113 The residents, citing traffic and safety concerns spoke out against the renewal of a gravel
114 removal permit. The residents were specifically concerned that the road was too narrow and that
115 trucks would be on the roads at the same time as school buses and that the Town had been
116 laidback in its oversight over the gravel removal and hauling.

117

118 Selectman Robert Fleming said restricting truck traffic would be difficult to enact, as they would
119 apply to all traffic on the street. Chief Bradley concurred.

120

121 In response to resident concerns that the Town would be held liable if they demanded a
122 restoration of the property and was operating illegally. Ms. Robinson stated that she had been in
123 contact with U.S. Army Corps of Engineers, and that the corps had told her that it was behind on
124 such approvals and to move forward with the process. Owner Henry Poirier added that the corps
125 wouldn't have the town undo the mining work, as earth removal would add water retention
126 capacity to the corps' dam.

127

128 The Selectmen will take the concerns of the residents into consideration as they continue to
129 refine the permit at the same time respecting the rights of the property owners. They will review
130 the permit again at their next meeting.

131

132 The hearing was closed at 7:30PM.

133

134 **Motion #6:** Motion made by Selectman Fleming at 7:30pm, to recess for 10 minutes.

135

136 Second: Selectman Picard; Chairman Brochu Unanimous Action of the Board.

137

138 **DISCUSSION ITEMS:**

139

140 Vote to accept the resignation of Kathleen Kelly, COA

141 **Motion #7:** Motion made by Selectman Picard to accept the resignation with regret from
142 Kathleen Kelly, COA and thanked her for her service.

143

144 Second: Selectman Fleming, Unanimous: Chairman Brochu.

145

146 Vote to accept the resignation of Kelly Hurd, Cultural Council

147 **Motion #8:** Motion made by Selectman Picard to accept the resignation with regret from Kelly
148 Hurd, Chairman of the Cultural Council and thanked her for her service.

149

150 Second: Selectman Fleming, Unanimous: Chairman Brochu.

151

152 Vote to accept the resignation of Frank Braney, Community Preservation Committee

153

154 **Motion #8:** Motion made by Selectman Picard to accept the resignation with regret from Frank
155 Braney CPC and thanked him for his service.

156

157 Second: Selectman Fleming, Unanimous: Chairman Brochu.

158

159 **BOARD OF SELECTION'S ACTION PLAN REVIEW**

160

161 The Board will take this under advisement.

162

163 **RECOGNITION**

164

165 Chairman Brochu recognized the citizens and the many contributors that led to the successful
166 opening of the Third Well field that was celebrated earlier in the evening. He thanked former
167 Selectpersons, Paul, Shanahan, Holman, Rosenfield, and former DPW Director Curley Teautrault
168 and Jim Bates for their dedication over the past 8 years.

169

170 **ADJOURN MEETING**

171

172 **Motion #9:** At 7:58pm motion was made by Chairman Brochu to adjourn the regular meeting.

173

174 Second: Selectman Fleming, Unanimous: Selectman Picard.

175

176 Respectfully submitted,

177 Sandra Hakala, Executive Assistant