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**MINUTES OF REGULAR SESSION – NOVEMBER 18, 2019**  
**ROOM 03 – TOWN HALL**  
**7:00 PM**

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PRESENT: Chairman William D. Buckley, Selectmen William E. Kingkade, Jr. and Michael K. Walsh and Town Administrator Richard A. Villani.

1. Mr. Kingkade moved, seconded by Mr. Walsh: To sign the warrant, UNANIMOUS.
  2. Mr. Kingkade moved, seconded by Mr. Walsh: To approve the Regular Session Minutes of October 21, 2019 as submitted. Mr. Buckley moved to amend the minutes to add that State Representative Brian Murray and Senator Ryan Fattman were present to speak in favor of the proposed Tax Increment Financing Agreement Applications filed by Rentschler Biopharma, Inc. and Interactions, LLC. Also, Kevin Kuros, Regional Director Central Mass Office of Business Development was present and provided a history of the TIF Agreements signed by Milford. Mr. Kingkade seconded the motion. UNANIMOUS.
  3. Mr. Buckley recognized Scout Jason Tominsky who was present in furthering the earning of his Merit Badge.
  4. **Invitation to Speak** – Jamie Wheelock requested to speak, but was not recognized by the Chairman.
  5. A Public Hearing was held for the determination of the allocation of the percentage of the tax levy. Board of Assessor Chairman Joseph F. Niro and Members Joseph F. Arcudi and Josh Lioce were present along with Joanne Dillon, Assistant Assessor, and Assessor/Administrator Jennifer Sclar who gave the FY20 property classification presentation.
- Mr. Kingkade moved seconded by Mr. Walsh: To maintain the dual tax rate and set the rate at 1.58.
- To not grant a Residential exception for properties that are the principal residence of the owner.
- To not grant a small commercial exemption.
- To not grant an open space discount, IT IS A VOTE. 2 to 1 (Mr. Buckley dissenting).

6. Town Counsel Charles D. Boddy, Jr. was present for a Hearing pursuant to MGL chapter 139, Section 1 requesting an Order adjudging 72 Depot Street to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition by razing the fire damaged and dilapidated structure making it safe. Mr. Boddy provided the Board with a history of the notices sent to the property owner regarding the condition of the property and the owner's initial lack of cooperation. The attorney for the owner has contacted Town Counsel and was informed the owner has agreed to make repairs and meet with the Local Building Commissioner on November 26<sup>th</sup> to discuss bringing the property into compliance. After discussion: Mr. Kingkade moved, seconded by Mr. Walsh: To declare the property dilapidated and dangerous and a nuisance pursuant to MGL chapter 139, Section 1. UNANIMOUS. Mr. Kingkade moved, seconded by Mr. Walsh: To require the owner demolish the building, clear debris and remove any vehicles on or before December 31, 2019. UNANIMOUS. Jamie Wheelock spoke and stated he was happy to hear of a cooperative effort between the owner and the Town and he believed the main building has value. Mr. Buckley closed the Hearing.

7. Cantinho Goiano Restaurant, Inc. filed an application to request a transfer of the Common Victualler license from Cantinho Goiano Restaurant, Inc. to Encuentro Latino Restaurant, Inc. of 163 Main Street, Milford. Mr. Kingkade moved, seconded by Mr. Walsh: To approve the transfer, UNANIMOUS.

#### 8. ADMINISTRATOR'S REPORT – November 18, 2019

A. Youth Center – I want to thank the United Way, ANP Bellingham and Nydam's Landscaping for donating their services for a Fall Clean-up at the Youth Center. They provided weed and trash removal, sidewalk and parking area cleanup, bed mulching, lawn irrigation, fertilization and flowers for the entry way. Again, thank you.

B. Welcome Santa Parade/Christmas Tree Lighting- The Milford Firefighters Association wants to remind everyone the Annual Welcome Santa Parade will be held on Sunday, December 1st starting at 4:15 PM. Also, the Christmas Tree Lighting will be Friday, November 29th at 6:30 PM in Draper Park. There will be Holiday Carol singing and a visit from Santa at 5:45 PM.

C. Thanksgiving Eve- A reminder that Town Hall will be closed at 1:00 PM on Wednesday, November 27, 2019, the day before Thanksgiving. Town Hall will be open normal hours on Friday, November 29, 2019.

D. Unused "Pocket" Licenses- I was asked by the Board to research and determine if there are any current liquor licenses not being used by the holder of the license. In Massachusetts, the law is clear that a "licensee cannot cease operations, sit silent and avoid contact with the Board without facing the peril of the cancellation of the license." "Pocket Licenses" are considered to be in violation of the law and subject to cancellation by the local licensing board. The licensee may appeal to the ABCC and the decision of the ABCC upon such appeal shall be final." On October 24, 2019, we sent letters to four (4) license holders asking them to contact us

regarding the current status of their licenses. One of the licensees contacted me and informed me they are in the process of negotiating to transfer their license at their existing location. As we have not heard from the other three (3) licensees, the Board can schedule a Hearing to determine whether to cancel or revoke the license for non-use. The Board may afford a six-month grace period to transfer or reactivate the license. This is the established practice. However, pursuant to Massachusetts law, the local board or ABCC may still find after a hearing that if the evidence supports a conclusion that a licensee has ceased doing

**9.** The Board discussed the issue of unused or “Pocket Licenses.” Town Counsel Boddy stated there are area businesses who are in the market for unused liquor licenses. He recommended the Board schedule a Hearing for any business not currently using their license. The Board agreed to schedule Hearings at their next meeting. Mr. Kingkade moved, seconded by Mr. Walsh: To schedule Public Hearings for any licensed considered as “Pocket Licenses” at the next Selectmen meeting.

**10.** Mr. Kingkade asked about the status of the old Purchase Street School. Town Counsel Boddy stated he is working on drafting an Invitation to Bid. Mr. Buckley stated the Town should wait to sell the property until the end of the School year. The members also discussed whether it would be prudent to sell the property at Public Auction. Town Counsel Boddy will research to determine if it is permissible to sell at a Public Auction under the Procurement Statute MGL Chapter 30B.

**11.** Mr. Buckley updated the Board on the negotiations with Rentschler Biopharma, Inc. and Interactions, LLC on potential Tax Increment Financing (TIF) Agreements. He informed the Board that the Working Group consisting of Town Counsel, Finance Director, Town Administrator and himself, has met with both companies and will have TIF recommendations for the full Board at their next meeting. If there is to be a Special Town Meeting it will be scheduled for January 2020. Town Counsel is working on draft language for the actual TIF Agreements.

**12.** Mr. Kingkade informed the Board he has spoken with the owner of the Rail Trail Flatbread Restaurant and was advised the owner will be requesting Special Legislation to add an additional All Alcohol License. He would request that this be included on the January 20, 2020 Special Town Meeting Warrant.

**13.** 99 Restaurants of Boston, LLC or 99 West, LLC d/b/a 99 Restaurant and Pub filed an application for a Change of Officer and Change of Beneficial Interest relative to all of their Massachusetts locations using the “Inverted Approval Process”, whereby the majority of the paperwork and fees are submitted to the ABCC. The ABCC has found that the transaction is in compliance with M.G.L. Chapter 138. There will be no change to the management, operation or physical structure of the restaurant. Mr. Kingkade moved, seconded by Mr. Walsh: To approve the application for a Change of Officer and Change of Beneficial Interest relative to all of their Massachusetts locations using the “Inverted Approval Process”. UNANIMOUS.

**14.** Mr. Kingkade moved, seconded by Mr. Walsh: To accept the gift of \$2,500.00 from ANP Bellingham to the Milford Youth Center. UNANIMOUS.

**15.** Mr. Kingkade requested the Board schedule an IT update for the next meeting. He requested information regarding the Organizational Structure, Vacancies and Staffing and Budget.

**16.** Mr. Buckley read a letter from Fire Chief William J. Touhey, Jr. commending Police Sergeant Carlos Sousa for his actions on November 5th in responding to a medical emergency at 30 Highland Street. He applied a tourniquet to a resident's arm which likely saved his life. The Board asked the Town Administrator to draft a letter to be signed by the Board members acknowledging Sergeant Sousa for his actions.

**17. INFORMATIONAL CORRESPONDENCE - NONE.**

**18.** Mr. Kingkade moved, seconded by Mr. Walsh: To adjourn the Selectmen's meeting at 8:40PM, UNANIMOUS.

Respectfully submitted:

MILFORD BOARD OF SELECTMEN

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Richard A. Villani  
Minutes Recorder

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William D. Buckley, Chairman

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William E. Kingkade, Jr.

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Michael K. Walsh