

MINUTES OF REGULAR SESSION –September 4, 2013

UPPER TOWN HALL

6:30PM

PRESENT: Chairman William D. Buckley; Selectmen Dino B. DeBartolomeis and Brian W. Murray, Esq.; Town Administrator Richard A. Villani; and Minutes Recorder Jean M. DeTore.

1. Scott Butera, CEO of FCX Massachusetts LLC, Town Counsel Gerald M. Moody along with Atty. Cezar (“Cid”) M. Froelich, Atty. Kimberly M. Copp, from the firm of Shefsky & Froelich, were present to discuss the revisions to the draft Host Community Agreement in relation to the proposed casino.

Chairman Buckley welcomed representatives from FCX Massachusetts, LLC and expressed his displeasure to the comments made on WMRC Radio by Foxwoods Chief Developer.

Mr. Butera thanked the Board and Town Counsel Moody commending them for their leadership and was respectful of their efforts in drafting the host agreement. He offered his apologies for the comments made by his Chief Developer. He also noted that in an effort to meet the towns request for an increase in economic return, Foxwoods is seeking to increase the size of the project and increase the amount of money upfront and annually to the community. Plans call for a 980,000 square foot development previously 660,000 square feet and additional hotel rooms, gambling space and restaurants. He stated they took elements of the proposed Phase II and incorporated them into Phase I.

Town Counsel Moody summarized some of the items that have been addressed and incorporated in the second Draft Host Community Agreement as follows:

There will be an estimated \$25M dollar tax revenue annually which is the minimum amount guaranteed in the agreement, town officials would be able to adjust tax rate for tax payers, part of \$32M is to be set aside for assessed valuation protection for neighbors, provisions for annual payments to the town for any increased school enrollment. Formula for annual determination of any “loss” of Chapter 70 money and payment by the Developer of any such loss, infrastructure - Distributer roads have to be designed, approved and contracted for construction before permit issued, Sewer and Water must be operational before permit issued, sound barriers will need to be approved by Federal Highway administration and DOT and Foxwoods will work for their approval, language included for requirement of Foxwoods to use “best efforts” to recruit Milford residents, Foxwoods is required to fully comply with ICE program and provide handicap accessibility to the facility.

Chairman Buckley called upon the following consultants:

Joe Balskus-Traffic Consultant from Tighe & Bond, Gerry Preble-Environmental Consultant from Beals & Thomas, Amanda Cavaliere –Sewer Consultant from Tata & Howard and David

Goncalves-Water Consultant from Tighe & Bond. It was noted by all of the consultants that there were no significant changes to the data previously submitted since all of the data was compiled based on the total project consisting of Phase I and Phase II.

Police Chief O'Loughlin stated that he based his request on both Phase I and Phase II and he is comfortable with additional personnel in the Agreement and the increase in size will not change how Police patrol that area.

Fire Chief Touhey also stated that he is comfortable with the revised Host Agreement which includes the new ladder truck.

Town Engineer Reis also noted that the consultants' reports were of the right magnitude since every department head based their original reports on Phase I and Phase II of the proposal.

David Condrey, Manager Milford Water Company noted that the numbers he used were calculated for Phase I and Phase II of the project and based on the numbers, he feels comfortable with the changes.

Mr. DeBartolomeis noted that determining a Host Agreement for the proposed Casino has been a long process but in his opinion, he feels that it has been done "The Milford Way" with good discussions and he feels the major aspects and protections are in the current Draft Host Agreement. He also feels that the casino is a good thing for the town and feels confident that the town should proceed with finalizing the host agreement.

Mr. Murray commended Town Counsel for his time and effort, Atty. Cezar ("Cid") M. Froelich, and Atty. Kimberly M. Copp for their expertise. In his opinion he feels that the clause regarding the resident's impact fund is one of the most important parts of the agreement and a real benefit to those residents. He stated the process has been great and he was pleased that many people have become involved in this important issue and the referendum question will provide the opportunity for people to have a choice.

Chairman Buckley stated that in his opinion, he feels that he did not have a chance to review the revisions made to the Draft Host Agreement and it would be better to wait until Monday so that there would be more time to review the Agreement. He also noted that the mitigation dollars are insufficient for the Resident Impact Fund and it needs to be funded in a greater amount. He also stated that 5 years is insufficient for this Fund and that it should be 10 years. He further stated that the local hire provisions are weak. He also had issue with the local aid language and indicated rather than money going to the Chamber of Commerce it should be placed in an Economic Development Fund.

Mr. DeBartolomeis moved, seconded by Mr. Murray: To proceed with Community Host Agreement and direct Town Counsel and Atty. Cezar ("Cid") M. Froelich and Atty. Kimberly M. Copp of Shefsky & Froelich to prepare a clear and comprehensive final document for acceptance on Monday night.

Two in favor, One opposed. (Mr. Buckley in opposition). IT IS A VOTE.

2. Mr. DeBartolomeis moved, seconded by Mr. Murray: To adjourn the Selectmen's meeting at 8:14PM, UNANIMOUS.

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Respectfully submitted:

MILFORD BOARD OF SELECTMEN

Jean M. DeTore
Minutes Recorder

William D. Buckley, Chairman

Dino B. DeBartolomeis

Brian W. Murray, Esq.