

MINUTES OF REGULAR SESSION –APRIL 23, 2018

ROOM 03 – TOWN HALL

7:00PM

PRESENT: Chairman Michael K. Walsh; Selectmen William D. Buckley and William E. Kingkade, Jr; Town Administrator Richard A. Villani; and Minutes Recorder Jean M. DeTore.

1. Chairman Walsh noted that as the newly appointed Chairman, he would make an opening statement of what he would like to accomplish as Chairman. He would like to establish open conversations with the owners of several blighted properties in the community and ask for their cooperation in the cleanup of those properties. He also stated that in his opinion, our community is a safe one and he will make sure the needed services are provided to protect the residents.

2. Brenda Wheelock, leader of the 7<sup>th</sup> grade Girl Scout Troop, and Troop (Cadette) members were present to discuss their Service Project to make the Town of Milford a member of Tree City USA. Ms. Wheelock noted that one of the requirements is to host an Arbor Day celebration where a member of the Board of Selectmen recites an official Arbor Day Proclamation. Chairman Walsh presented a Proclamation to Ms. Wheelock proclaiming April 27, 2018 to be a day of celebration. Charles Reneau, Tree Warden was also in attendance and stated that he is working on a service project with the Troop to plant trees in the future to make the Town of Milford a member of Tree City USA.

3. Mr. Buckley moved, seconded by Mr. Kingkade: To sign the warrant, UNANIMOUS.

4. Mr. Buckley moved, seconded by Mr. Kingkade: To approve the Minutes of April 9, 2018 as submitted, UNANIMOUS.

5. **Invitation to Speak** - None

6. Finance Director Zachary Taylor, Thomas Brown Town Accountant and Chris Morin Finance Committee Chairman were present to discuss several articles for the May 14, 2018 Annual Town Meeting. Finance Director Taylor provided correspondence to clarify Article 22. He stated that the article will address several issues such as the necessity to appropriate additional funds to the Woodland School project as well as financially assist the Geriatric Authority. He provided a comprehensive explanation and noted that the Board and the Geriatric Authority Trustees can enter into an agreement to forgive reimbursement to the town for the amount that the town will be utilizing.

Town Accountant Brown provided an explanation of Article 28-Close Out of Special Articles for a total amount of \$168,050.52 and Article 29 which requests a vote to transfer funds between certain lines items voted under Article 4 of the May 22, 2017 Annual Town Meeting for the purpose of making funds available in line-item accounts not sufficiently funded through the end of the fiscal year 2018.

7. Milford Community Media Center, Inc. Treasurer Josh Ingemi; and Board Member Steve Minichiello along with Rob O'Keefe, Executive Director were present to provide the annual report as required under the provisions of Milford TV's Agreement with the Town. Mr. O'Keefe stated that the report summarizes the expansion of coverage and improvements made to the facility; equipment as well as future improvements. After a brief discussion, Mr. Buckley requested that in the future, a formal audit rather than an informal report be submitted.
8. Chairman Walsh noted that the board received an informational letter from the Milford Baseball Association inviting them to their Annual Opening Day Parade for Youth Baseball on April 28, 2018, as well as the opening day ceremonies.
9. After reviewing correspondence from Police Chief O'Loughlin regarding a request to place a Stop Sign at Covino Road at Muriel Lane; Mr. Buckley moved, seconded by Mr. Kingkade: To approve the recommendation of the Police Chief to place a "STOP" sign on Covino Road at the intersection with Muriel Lane, UNANIMOUS.
10. Mr. Buckley moved, seconded by Mr. Kingkade: To approve the request from St. Mary of the Assumption Parish for a Permit to Obstruct Winter Street to Granite Street, June 2, 2018 for the Brazilian Country Festival, UNANIMOUS.
11. Mr. Buckley moved, seconded by Mr. Kingkade: To approve the request from St. Mary of the Assumption Parish for a Permit To Obstruct for May 19<sup>th</sup> – June 2, 2018 for placement of an electronic reader board on the sidewalk at 45 Main Street to promote their Brazilian Country Festival scheduled for June 2, UNANIMOUS.
12. Mr. Buckley moved, seconded by Mr. Kingkade: To approve the request from St. Mary of the Assumption Parish for a One-Day Wine and Malt License for May 12, 2018 from 6:00PM to 12Midnight, UNANIMOUS.
13. Mr. Buckley moved, seconded by Mr. Kingkade: To approve the request from St. Mary of the Assumption Parish for a One-Day Wine and Malt License for June 2, 2018 from 5:00PM to 12Midnight, UNANIMOUS.

14. Dog Hearing Officer Villani, reviewed the Rochelle Thomson, Animal Control Officer vs. John Falcone and Janet Higgin Dog Complaint Hearing reading the following **Findings of Fact**:

1. Janet Higgins resides at 2 Lyndon Road #6, Milford and is the owner of a neutered male, Chow Retriever Mix dog, age 7, named "Samm".
2. John Falcone resides at 5 SanClemente Circle, Milford. Mr. Falcone frequently has possession of the dog at 5 SanClemente Circle.
3. On numerous occasions the dog, Samm was wandering in the SanClemente neighborhood without supervision and not on a leash.
4. Six (6) citations for an unleashed dog were issued.
5. "Samm" is an annoyance and disturbance to the neighborhood.
6. Pursuant to G.L. ch. 140, sec. 157, I find "Samm" is a nuisance dog.

Mr. Buckley moved, seconded by Mr. Kingkade: To approve the following recommendations of the Hearing Officer, UNANIMOUS.

1. "Samm" shall not be allowed outside either on or off of the Falcone property without being on a leash.
2. "Samm" shall not be tied to an inanimate object, but must be on a leash when walked by hand.
3. If the Falcones' or Janet Higgins are found in violation of this order, "Samm" shall be subject to seizure and impoundment by the Milford Police Department and/or Animal Control Department and further Janet Higgin would be ordered to immediately surrender to the Milford Town Clerk the license and tag in her possession and be prohibited from licensing a dog within the Commonwealth for five (5) years.
4. This finding shall be reported to the Milford Town Clerk in accordance with G.L. ch. 140 sec. 157(h).

15. Dog Hearing Officer Villani, reviewed the Beverly A. Raymond vs. Callie Bush Dog Complaint Hearing reading the following **Findings of Fact**:

1. Beverly A. Raymond resides at 11 Pond Street, Milford.
2. Callie Bush resides at 12 Pond Street and is the owner of a neutered male, Lab Mix dog, age 3 to 4, named "Thomas".
3. Paul Beatrice resides at 12 Pond Street.
4. On February 25, 2018, the dog, Thomas, attacked Beverly suddenly and without provocation and severely bit Beverly A. Raymond on her right leg and right arm, breaking the skin.
5. Ms. Raymond's injuries were serious in nature such that hospital and subsequent medical care were required.
6. Pursuant to G.L. ch. 140, sec. 157, I find "Thomas" is a dangerous dog.

Mr. Buckley moved, seconded by Mr. Kingkade: To approve the following recommendations of the Hearing Officer, UNANIMOUS.

1. Thomas shall be confined to the premises of Callie Bush, either securely confined indoors or outdoors in a securely enclosed and locked pen or dog run area. The pen or dog run area shall have a secure roof and if there is no floor secured to the sides, then the sides shall be embedded into the ground for not less than two (2) feet. Within the confines of such pen or dog run, a dog house or proper shelter from the elements shall be provided to protect the dog.
  2. Ms. Bush shall have thirty (30) days from the date of this order to construct the said locked pen or dog run area and it shall be constructed to the satisfaction of Animal Control Officer Rochelle Thomson.
  3. When Thomas is removed from Ms. Bush's premises, he shall be securely and humanely muzzled and restrained with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding three (3) feet in length.
  4. Thomas shall not be allowed outside either on or off of the Bush property without being on a leash.
  5. If Callie Bush is found in violation of this order, Thomas shall be subject to seizure and impoundment by the Milford Police Department and/or Animal Control Department and further Callie Bush would be ordered to immediately surrender to the Milford Town Clerk the license and tag in her possession and be prohibited from licensing a dog within the Commonwealth for five (5) years.
  6. This finding shall be reported to the Milford Town Clerk in accordance with G.L. ch.140 sec. 157(h)
- 
16. Mr. Buckley requested that Town Administrator Villani provide the following:
    - Status on drainage problem at Wendy's
    - Obtain input from the Police Chief regarding the dangerous situation by no "left turn" into Stop & Shop parking lot from Route 109.
- 
17. After reviewing the May 14, 2018 Annual Town Meeting articles; Mr. Buckley moved, seconded by Mr. Kingade: To support Articles 22, 28, 29, 5 , 7, 8, 9,10 and 27, UNANIMOUS.
- 
18. Mr. Buckley moved to support Article 21, seconded by Mr. Kingade for discussion. Mr. Walsh requested more information and discussing it at the next meeting. Mr. Villani provided clarification on the article. Chairman Walsh voted in favor of supporting Article 21. The vote was UNANIMOUS.
- 
19. Mr. Kingade requested that the grievances filed by the Firefighters Union be placed on the agenda for the next meeting. Town Administrator Villani noted that it is already scheduled on the next agenda.

20. TOWN ADMINISTRATORS REPORT

1. Verizon – Application to Attach Flags – I want to update the Board on the progress of requesting permission from Verizon to attach Flags to their utility poles. We have completed and submitted the Municipal Decorative Pole Attachment Agreement. The next step was to do a survey of the poles owned by Verizon. Fire Chief William Touhey completed the survey and has submitted an application for forty (40) flag permits to Verizon. Verizon has approved the survey and we can now purchase the flags. Jason Mack, the Veteran who has raised money to purchase the flags, has delivered a check to the Town in the amount of \$1,500.00. Highway Surveyor, Scott Crisafulli, will now purchase the flags. I want to publicly thank Jason Mack for his efforts in raising monies for the flags. I also want to thank Fire Chief Touhey for his hard work in completing the required survey. I would ask the Board to VOTE to accept this gift tonight so we can proceed with purchasing and installing the new flags.
2. Middle School East - We have completed the sale of Middle School East building as the closing was held on Friday, April 20th. I have cancelled the Insurance for the building as well as the utilities and alarm system. We will be returning the balance of the monies appropriated to the Town at the may Town Meeting.
3. Opioid Tort Litigation – I would like to provide the Board with information regarding the Mass Tort litigation filing against the world’s largest pharmaceutical manufacturers and distributors seeking to hold them accountable for their role in the devastating opioid epidemic. Massachusetts Opioid Litigation Attorneys (MOLA) is a consortium of six national and three local law firms joining together to file the lawsuit. They are suing on behalf of individual municipalities. These lawsuits will then be consolidated for pretrial and discovery purposes. They are not suing individual doctors or pharmacies. The MOLA believes the most effective approach to this litigation is to focus on the primary sources of the epidemic. The Town will not have to bear the cost of the litigation. The attorneys will front all costs of the lawsuit and will only get paid from the verdict or settlement. I have spoken with Attorney Tucker Merrigan of Sweeney Merrigan Law, one of the Massachusetts firms. He is willing to attend a Board meeting if the Town is considering joining the litigation.

Town Administrator Villani stated that he received a check in the amount of \$1,500 from Jason Mack as a gift to be used to purchase flags and related hardware to install flags along the parade route.

Mr. Buckley moved, seconded by Mr. Kingkade: To accept the gift in the amount of \$1,500 from Jason Mack, UNANIMOUS.

21. Mr. Buckley moved, seconded by Mr. Kingkade: To support the Town of Milford joining the Mass Opioid Tort litigation filing against the world’s largest pharmaceutical manufacturers on behalf of individual municipalities, UNANIMOUS.

22. Mr. Buckley moved, seconded by Mr. Kingkade: To accept with regret the letter of resignation from Laura Crisafulli from the Personnel Board, UNANIMOUS.

**23. INFORMATIONAL CORRESPONDENCE - NONE**

24. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn the Selectmen's meeting at 8:26PM, UNANIMOUS. ROLL CALL VOTE: Chairman Michael K. Walsh; Selectmen William D. Buckley and William E. Kingkade, Jr. all vote in the affirmative to go into Executive Session to discuss the Police Chief and Town Counsel's contracts.

Respectfully submitted:

---

Jean M. DeTore  
Minutes Recorder

MILFORD BOARD OF SELECTMEN

---

Michael K. Walsh, Chairman

---

William D. Buckley

---

William E. Kingkade, Jr