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**MINUTES OF REGULAR SESSION – August 10, 2020**  
**ROOM 03 – TOWN HALL**  
**7:00 PM**

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PRESENT: Chairman William E. Kingkade, Jr. and Selectmen Michael K. Walsh, Selectman Thomas J. O’Loughlin and Town Administrator Richard A. Villani.

Also present: Town Counsel Charles Boddy, Jr., Police Chief Mike Pighetti and IT Director, Chris George.

1. Mr. Walsh moved, seconded by Mr. O’Loughlin: To sign the warrant, UNANIMOUS.
2. Mr. Walsh moved, seconded by Mr. Kingkade: To approve the Regular Session Minutes of July 27, 2020 as submitted. (Mr. O’Loughlin abstained).
3. Invitation to Speak –Chris Morin, Finance Committee Chairman, stated the Public Safety Finance Sub-Committee and Finance Committee had knowledge of the restructuring of the Police Department. He also said he was advised to be brief at Town Meeting. He came in to “clear up any confusion” at the prior Selectmen Meeting. Mr. O’Loughlin stated the Sub-Committee Meeting during which the restructuring plan was presented was declared illegal by Town Counsel. The restructuring Plan was not presented to the Board of Selectmen or the Finance Committee. Mr. Morin said he will check to see if the Sub-Committee Meeting was legal. Mr. O’Loughlin stated a Finance Committee member said at Town Meeting that Police and Fire “are holding back hiring.”
4. Thomas Oliveri and Jon Oliveri were present on behalf of Prezo Grille & Bar requesting the Board approve a Change of Manager. The new Manager will be Jon M. Oliveri. Mr. Walsh moved, seconded by Mr. O’Loughlin: To approve the Change of Manager request. UNANIMOUS.
5. The Board reviewed the Town Administrator’s Decision to issue a Temporary Amendment of Liquor License for outdoor seating for Southside Bar & Grill of 146 South Main Street. Mr. Walsh moved, seconded by Mr. O’Loughlin: To adopt the Town Administrator’s decision to grant a Temporary Outdoor License to Southside Bar & Grill. UNANIMOUS.
6. Harold Rhodes, Chair of the Personnel Board, was present to discuss proposed Town Meeting Articles to update Personnel Bylaws. The updates include to amend section 3.10 concerning starting salary for Article II employees, section 3.5 bereavement Policy, section 5.8 vacation carryover and section 5.11 Sick Leave Buyback for Police and Fire Superior

Officers. Mr. O'Loughlin said the Personnel Board may not want to repeal the Sick Leave Buyback section as no Officer is eligible. Town Counsel Boddy stated they may want to limit it to non-contract employees and to look at the limited individuals to whom it would be applied.

## 7. ADMINISTRATOR'S REPORT – August 10, 2020

- A. Library Update – I am informed by Sue Edmonds, Library Center Director, that, starting August 11th, the Milford Town Library is adding night hours. The schedule until Labor Day is Mon/Wed/Fri 9 AM to 6 PM and Tues/Thurs from 9 AM to 9 PM. Patrons still can request items to be packaged and be placed outside the library for pickup. Also, Friends of the Milford Town Library is having a month-long books sale two day a week during August. Social distancing and mask are required to attend the book sale. The book sale is in the Community rooms located in the lower level of the library. Book sale hours are Thursdays 5 PM to 8 PM and Fridays 3 PM to 6 PM.
- B. Storm Update- I want to commend the Police, Fire, Tree, Highway Departments and Parks Departments for their cooperative efforts in dealing with the severe storm last Tuesday. Their work throughout the evening in clearing debris and dealing with power outages was most appreciated.
- C. Draper Park Crowd Funding Campaign- I mentioned at the last meeting that Mass Development has awarded up to \$42,500.00 to Milford for the rejuvenation of Draper Park. I inadvertently neglected to mention that the War Memorial Renovation Committee worked Mitch Ruscitti of Tillrock Consulting on this Grant and Project.
- D. FY20 Budget – We have been informed by the State that the Governor and Legislature are committing to no less than the level funding of Unrestricted General Government Aid and Chapter 70 Education Aid. The Governor's Budget Proposal is \$3,334,213 which is an increase of \$90,815.00 and \$31,117,885 which is an increase of \$3,864,917.00 over FY 20.
- E. Small Bridge Grant- I am informed by Highway Surveyor Scott Crisafulli that the Town has received a Small Bridge Grant from Mass Department of Transportation (MassDOT). The grant is for \$500,000 and will go towards the reconstruction of the Central St. bridge that crosses the Charles River. The bridge is failing rapidly and is in need of total reconstruction. It is currently on Mass DOT's three-month inspection plan which means it could be closed if the Town doesn't move forward with repairs. We have hired Green International Engineering to start work on the design and specifications for the bid work. The rest of the funding has been on the Highway Department's 5-year plan.

8. The Board discussed whether or not we need to fill the vacant Assistant Zoning Inspector position in the Inspections Department. The Chair asked this matter be placed on the next meeting Agenda.
9. Mr. Walsh moved, seconded by Mr. O'Loughlin: To accept the resignation of Kathleen Irwin, Program Coordinator at the Youth Center. UNANIMOUS.
10. The Board reviewed a request from Dr. Michael Fitzpatrick Superintendent of the Blackstone Valley Vocational Regional School District for assistance from the Town for a contribution of \$75,000.00 from the Town's CARES Act allotment. They also reviewed a Memo from Finance Director, Zach Taylor, who determined the Town could support the request with a Vote by the Board. Mr. Walsh moved, seconded by Mr. O'Loughlin: To support the request up to the amount of \$75,000.00.
11. The Board reviewed a proposed motion by Mr. O'Loughlin delegate the day to day supervisory responsibility of the Board for certain personnel, facilities and equipment presently under the supervision of the Board of Selectmen to the Town Administrator. Mr. O'Loughlin recommended if personnel need to get information to the Board they would "go through" the Town Administrator who would serve as a gateway to the Board members. The members asked if there is a statute or a contract provision requiring certain personnel report to the Board of Selectmen. Town Counsel Boddy said we may need more "off record" discussion to review the job descriptions, Department Head contracts, State laws and Bylaws. Mr. O'Loughlin said the intent is for the Town Administrator, at Town Hall, be a conduit to get information to the Board or from the Board to Department Heads. Mr. Walsh agreed information should "go through" the Town Administrator. Town Counsel Boddy said we may need to tweak the language of the motion, namely "day to day". Mr. O'Loughlin suggested tabling this motion and he will speak with Town Counsel regarding this language.
12. The next item on the Agenda was a proposed motion by Mr. O'Loughlin regarding hiring and promotions within the Milford Police Department. Chairman William Kingkade, stated he spoke with a representative from the State Ethics Commission who advised him he had a conflict of interest because his brother, Kenneth Kingkade is a Sergeant with the Milford Police Department. Mr. Kingkade stated he was going to abstain from the discussion and leave the room. Mr. O'Loughlin stated he may have a conflict of interest or a perception of a conflict given that his son, Kevin O'Loughlin, is a Police Officer with the Milford Police Department. Mr. O'Loughlin stated that he did not believe that his son has a financial interest in the matter that was scheduled to be discussed. He then stated that he was invoking the Rule of Necessity so that the Board of Selectmen could carry out its legally

required responsibilities. Mr. Kingkade turned the Chair over to Mr. Walsh. Mr. Kingkade left the room at 8:05 PM. Town Counsel Charles Boddy, Jr. was present at the meeting via telephone conferencing. Police Chief Mike Pighetti was present at the Meeting. Mr. O'Loughlin stated that the Police Budget and Restructuring Plan was not presented publicly to the Finance Committee, Board of Selectmen or at Town Meeting. He said Chief Pighetti created a new organization of the Police Department. The Finance Sub-Committee meeting during which the Police Budget and Restructuring Plan was discussed was deemed illegal. The Police Chief has no authority to create new positions. He further stated the 10<sup>th</sup> Sergeant was originally funded through the vacant Deputy Chief position. When James Falvey was appointed Deputy Chief this was funded from the Lieutenant position. When former Police Chief Vin Liberto implemented three (3) Lieutenants positions, it did not work. The overtime for Sergeants increased greatly. He further said keeping supervisors on the street is critical. He does not agree with the change and it was not presented to the Board of Selectmen. This was a 4% increase in the budget. Chief Pighetti said there has been a "great deal of innuendo and conjecture." He provided the Budget and an Organizational Chart to the Finance Sub-Committee and met with them on May 20<sup>th</sup>. He met with the Finance Committee on June 8<sup>th</sup>. The overall budget increase is 4.3 % which is 3% contract pay raises and 1.3% for the remainder of the budget. He did add \$20,000 to the Police cruisers line item. He said the overall budget is level funded. He further stated he did not create any new positions. He intends to fill Lieutenants positions in the budget. Mr. O'Loughlin stated the Lieutenants positions were eliminated. Chief Pighetti said he funded one (1) Lieutenants position and if the Plan works out there would be three (3) Lieutenants and seven sergeants. He further stated he was advised by the Finance Committee, Finance Sub-Committee and the Finance Director to fully fund the positions now and if the money is not spent it would go back to the General Fund. Mr. Walsh asked "why the Plan was not on the Agenda." Chief Pighetti said he was told by the Finance Sub-Committee that they would talk to the full Finance Committee. He said he is looking to create more levels of supervision and to create a succession plan like that used by the Fire Department. Mr. O'Loughlin moved, seconded by Mr. Walsh: To direct the Police Chief as follows: The Organizational Plan developed by or on behalf of the police department as part of the departments proposed FY 2021 Budget, and as shown in the attached document, shall not be implemented. Promotions shall only be made upon notice to the Board of Selectmen and only within the following parameters or positions: One Deputy Chief. One Lieutenant, provided there are only 9 Sergeant positions. Nine Sergeants. Ten if the Lieutenant position is vacant. Thirty-Seven Police Officers. For a total of forty-nine (49) sworn police personnel, which includes the above listed positions and the position of Chief of Police. Any promotions to the position of Lieutenant or Sergeant shall be conducted in conformance with Milford Police Department Policy and Procedures, 4.18 PROMOTIONS POLICY AND PROCEDURE. Any hiring to the position of police officer shall be conducted in conformance with Milford Police Department Policy and Procedures 4.23 – PERSONNEL

SELECTION – POLICE OFFICERS. 2 to 0. It is a VOTE. Mr. Kingkade recused himself. Mr. Kingkade returned to the meeting at 9:07 PM and resumed the duties as Chairman.

13. Mr. Walsh moved, seconded by Mr. Kingkade: To schedule the date for the Special Town Meeting for October 26, 2020 and open the warrant this evening and close at 12 Noon on September 17, 2020, UNANIMOUS.
14. Mr. Walsh moved, seconded by Mr. O’Loughlin: To approve a request from Reno Deluzio for the Selectmen to include three (3) Articles for the October Special Town Meeting. These articles were not included in the May Annual Town Meeting Warrant. UNANIMOUS.
15. The Board reviewed a draft COVID 19 Employee Policy regarding Recreational Travel & Mandatory Self-Quarantine prepared by the Human Resources Director and Town Counsel. Mr. Walsh moved, seconded by Mr. O’Loughlin: To approve the Travel Policy. UNANIMOUS.
16. The Board reviewed a letter from Lawrence F. Bonetti, Jr. requesting the Town accept a Deed in Lieu of Foreclosure for property located south of Medway Street and northerly and easterly of Beaver Street which is currently in Tax Title. The Board also reviewed a Memo from Treasurer Chris Pilla recommending the Town accept the Deed in Lieu of Foreclosure. Mr. Walsh moved, seconded by Mr. O’Loughlin: To accept the Deed in Lieu of Foreclosure. UNANIMOUS.
17. The Board reviewed a Memo from Treasurer Chris Pilla providing an update for the public auction for Town owned foreclosed properties. The Memo indicated that the Zeikos Group is no longer interested in overseeing the auction, and therefore Chris and Town Counsel Boddy will run the auction in house. Mr. Walsh asked why we are not hiring “a professional” to handle the auction. The Board asked for “a breakdown” of all 81 properties that were foreclosed. Mr. O’Loughlin asked if there are any other lots of land the Town could add to the list of properties to be auctioned.
18. The Board reviewed a Memo from Finance Director Zach Taylor regarding a resident request to waive personal property taxes and reduce real estate taxes and License application fees. The Board requested the matter be placed on a future Selectmen Agenda for further discussion.
19. **INFORMATIONAL CORRESPONDENCE – NONE**
20. Mr. Walsh moved, seconded by Mr. O’Loughlin: To adjourn the Selectmen’s meeting at 9:28 PM, UNANIMOUS. ROLL CALL VOTE: Chairman William E. Kingkade, Jr., Selectmen

Michael K. Walsh and Thomas J. O'Loughlin all vote in the affirmative to go into Executive Session to meet with Town Administrator to discuss a new contract for the Town Accountant.

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Richard A. Villani  
Minutes Recorder

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William E. Kingkade, Jr. Chairman

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Michael K. Walsh

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Thomas J. O'Loughlin