
MINUTES OF REGULAR SESSION – November 8, 2021

ROOM 03 – TOWN HALL

7:00 PM

PRESENT: Chairman Michael K. Walsh and Select Board members Thomas J. O’Loughlin and Paul A. Mazzuchelli and Town Administrator Richard A. Villani.

1. Mr. O’Loughlin moved, seconded by Mr. Mazzuchelli: To sign the warrant, UNANIMOUS.
2. Mr. O’Loughlin moved, seconded by Mr. Mazzuchelli: To approve the Regular Session Minutes of November 1, 2021 as submitted. UNANIMOUS.
3. Mr. O’Loughlin moved, seconded by Mr. Mazzuchelli: To approve the Executive Session Minutes of November 1, 2021 as submitted. UNANIMOUS.
4. Invitation to Speak –
 - Harold Rhodes told the Board he is concerned there has been “no movement” in implementing Article 32 to form a Police Chief Selection Committee. He is also concerned the Board will change the contract of the current Chief so as to “make it not necessary for a Selection Committee to be formed”. He said he sent an email to the Select Board members and to Town Counsel asking if Article 32 must be followed, given the removal of Chief Pighetti. He read a letter from Attorney Margaret Pinkham to Town Counsel stating that since Mr. Rhodes did not receive a response from the Town, she is “making a formal presentment to the Town seeking an answer as to whether the Board will follow the requirements of Article 32.” Chairman Walsh read a statement on behalf of the Board stating there are issues with regard to the validity of the Article 32 process that remain to be addressed due to a Superior Court decision that essentially concluded the Board did not have to comply with Article 32 in appointing an “Administrative Police Chief.” He stated two former Select Board members voted to appoint a Permanent Police Chief, but instead appointed an “Administrative Chief of Police.” Further, the Board has received two distinct proposals to “dramatically change the existing language of the By-Law.” To allow time to afford Town Meeting to address the issues and concerns related to the By-Law and given that the prior Committee required fifteen months, the Board has decided to extend the appointment of acting Chief Falvey for two years. Mr. O’Loughlin stated it took the prior Committee 22 months or so to pick a Chief. He wants to have Town Meeting tell the Board what to do regarding Article

32. He also said he received two proposals to change the language of Article 32. Mr. Mazzuchelli said there are issues with the validity of the By-Law. Mr. O'Loughlin said once Town Meeting approves an amended By-Law and once the Attorney General approves it, the Board will then convene a Selection Committee.

5. Attorney Jed Nosal, Attorney Gerry Moody, Finance Director Zach Taylor, Treasurer Chris Pilla and the Town Administrator were present to discuss the acquisition of the Water Company. Attorney Nosal presented the final draft of the Asset Purchase Agreement. The price to purchase is \$77,174,201.60 to purchase all the assets. The price includes the value of the Company as determined by the DPU as of December 31, 2018, the cost of depreciation, the cost of additions and improvements less depreciation, accounts receivable and loan termination fee. The transaction excludes all Water Company liabilities, unless specifically agreed to be assumed. All current employees were offered and have accepted Town positions, including the manager. There will be post closing adjustments. Attorney Nosal thanked everyone from the Town and Attorney Gerry Moody for their hard work to acquire the Milford Water Company. The closing is contingent on the Town securing bond financing for the purchase. Treasurer Pilla said he was advised today by Moody's Investment that Milford will stay at a bond rating of AA2. The Bond sale will be held on November 17th. Mr. O'Loughlin informed the Board he did not participate and recused himself from any Select Board meetings regarding Water Company employees as his son is a current employee. Mr. O'Loughlin moved, seconded by Mr. Mazzuchelli: To sign the Asset Purchase Agreement to acquire the Water Company. UNANIMOUS.
6. Finance Director, Zach Taylor and the Town Administrator were present to discuss potential uses of ARPA Funding. Mr. Taylor said the Board of Health has made a request for funds to hold clinics and Covid screenings. Mr. Mazzuchelli said there are clinics scheduled Tuesday and Wednesday at the Woodland School to vaccinate children between the ages of 5 and 11. They hope to administer 600 vaccine doses. They need people such as nurses, EMT's and interpreters to hold the clinics. They also do screenings and follow up tracing for individuals exposed to Covid. Mr. O'Loughlin moved, seconded by Mr. Mazzuchelli: To authorize the Town to spend up to \$50,000.00 to assist the Board of Health in administering vaccinations. UNANIMOUS. Mr. Taylor said ARPA does allow premium pay. The intent is to prioritize lower income individuals such as gas station attendants and grocery personnel. He believes this would be difficult to implement. He also stated the ruling by the Federal Government allows premium pay to those earning less than 150% of the State of Federal Annual Average Income or \$90,000.00. If premium pay is to be given to individuals earning above \$90,000.00, then justification as to why the premium pay would be a priority must be provided to the Federal Government. He and the Town Administrator are recommending a four (4) tiered system from \$500.00 up to \$2,000.00. He also said this could be collectively bargained with the Unions. Town Administrator

Villani said we have discussed this issue in depth. He acknowledged that Public Safety Personnel and some other personnel did have to work 40 hours per week and did not have the option of zoom meetings or to work from home. He believed they would be a priority. Mr. O'Loughlin said those individuals who could work from home had less exposure to Covid than did Public Safety personnel, the Facility Director and his staff. He said it would be a "nightmare" to try to decide which grocery clerks, gas station attendants and private personnel to issue premium pay. He would "draw the line" to those who were required to work full time. He would start with these individuals. Mr. Mazzuchelli said he also would start with full time personnel. He is not in favor of "going Town wide." He would also look at Sewer, Highway, Board of Health and Inspectors. Those with the highest exposure risk should be considered first for Premium Pay. Mr. Walsh said he would start with the front line people first. The Finance Director and Town Administrator will continue to review the matter of Premium Pay and this will continue to be discussed at future Select Board meetings.

7. The Board met with Human Resources Director, Kristin Melpignano to review revised Job Descriptions. She also reviewed a Job Analysis Questionnaire which each employee will be required to fill out and then it will be sent to the consultant doing the Wage and Salary Plan. Mr. O'Loughlin moved, seconded by Mr. Mazzuchelli: To approve the job descriptions for the following positions: Fire Chief, Maintenance Supervisor, Legal Secretary, Financial Analyst, Parks & Recreation Administrator, Plumbing and Gas Inspector, Wiring Inspector, Assistant Wiring Inspector, Assistant Plumbing and Gas Inspector, Local Building Inspector, Senior Center Director, Tax Collector, Paralegal/Office Manager, Town Accountant, Transportation Coordinator, Program Coordinator, Town Counsel and Town Administrator. UNANIMOUS.

8. TOWN ADMINISTRATOR REPORT – November 8, 2021

- A. National Grid Work Upper Charles Trail - This letter is to notify residents of some work in Milford to improve the Millbury to Milford transmission line. National Grid has authorized construction to be done in and around the transmission line right of way. The work you may see happening is the installation of fiber optic wire to improve reliability. The work is expected to occur through December 2021. Part of the upcoming construction activity will be vegetation management and matting activities. If you have questions or concerns about this project, please contact Gary St. Fleur, Stakeholder Specialist at 508-243-8125 or email him at Gary.stfleur@nationalgrid.com.
- B. Veterans Day Parade – Just a reminder the Veterans Day Parade will be held on Thursday, November 11th. Assembly of Divisions will take place at 9:30 AM on Veterans Memorial Drive (located off Route 109), next to the IHOP Restaurant). Step

Off will be at 10 AM. The parade will proceed up Main Street and Stop at Calzone Park for a ceremony commemorating the 100th Anniversary of the Doughboy Monument. It will then continue to the Draper Park War Memorial where a celebration of the revitalization of Draper Park will be held. If the Parade is cancelled because of weather, a speaking ceremony will be held at the Italian American Veterans Post 40 on Hayward Field at 10 AM. The Draper Park ceremony will be held on Saturday, November 13, 2021. The Calzone Park ceremony will be postponed until next Memorial Day.

9. Mr. O'Loughlin left the meeting at 8:28 PM. The Board reviewed a Memo from Police Chief James Falvey recommending a "No Parking Here to Corner" sign at 2 Claflin Street. Mr. Mazzuchelli moved, seconded by Mr. Walsh: To approve the No Parking Sign. IT IS A VOTE. (2 To 0 – Mr. O'Loughlin not voting). Mr. O'Loughlin returned to the meeting at 8:30 PM.
10. The Board reviewed two (2) Memos from the Building Commissioner requesting the Board approve new Fee Schedules for Plumbing, Gas and Wiring Permits. Mr. O'Loughlin moved, seconded by Mr. Mazzuchelli: To approve the new Fee Schedules. UNANIMOUS.
11. Police Chief James Falvey was present to discuss his Memo requesting the Board adopt a Small Unmanned Aircraft Policy. The Chief said this will help locate missing individuals, check traffic patterns, check out wooded and difficult areas before sending in Police Officers. Mr. O'Loughlin said this will assist the Police Department and is not meant to be intrusive to the public. Mr. Mazzuchelli said it is a good addition to the Police Force. Mr. O'Loughlin moved, seconded by Mr. Mazzuchelli: To approve the Unmanned Aircraft Policy as recommended by the Police Chief. UNANIMOUS.
12. Mr. O'Loughlin moved, seconded by Mr. Mazzuchelli: To accept the letter from Paige Brown informing the Board of her resignation as a member of the Milford Youth Commission. UNANIMOUS. The Board requested that the Town Administrator put the matter of the vacancy on the next Select Board Agenda and provide all Talent Bank applications on file for the position.
13. The Board reviewed a letter from Jackie Murphy, Director of Public Health asking the Board to designate her as the Town's representative to the Charles River Climate Compact. Mr. O'Loughlin moved, seconded by Mr. Mazzuchelli: To designate Board of Health Director as the Town's representative to the Charles River Climate Compact. UNANIMOUS.
14. Mr. O'Loughlin moved, seconded by Mr. Mazzuchelli: To accept the letter from Justin Dulak informing the Board of his resignation as a member of the Fair Housing Committee. UNANIMOUS.

15. The Board reviewed a letter from Fire Chief Mark A. Nelson requesting the Board vote to approve the Comprehensive Emergency Management Plan. The Board previously reviewed the Plan. Mr. O’Loughlin moved, seconded by Mr. Mazzuchelli: To approve the Plan. UNANIMOUS.

16. INFORMATIONAL CORRESPONDENCE – NONE.

17. Mr. O’Loughlin provided an update on the communications with Amazon. He said signs for National Street were delivered to Highway Surveyor Scott Crisafulli. The barrier on South Main Street and Depot Street has been put in place. Also, Amazon has agreed to contact the resident on Vine Street whose fence and lawn were damaged by an Amazon truck.

18. Mr. O’Loughlin moved, seconded by Mr. Mazzuchelli: To adjourn the Select Board meeting at 8:53 PM, UNANIMOUS. ROLL CALL VOTE: Selectmen Michael K. Walsh, Thomas J. O’Loughlin and Paul A. Mazzuchelli all vote in the affirmative to go into Executive Session to meet with Attorney Jed Nosal, re: Water Company Update, to discuss a contract for the Police Chief and to meet with Town Counsel, re: Police Union Contract Negotiations.

Richard A. Villani
Minutes Recorder

Michael K. Walsh, Chairman

Thomas J. O’Loughlin

Paul A. Mazzuchelli