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MINUTES OF EXECUTIVE SESSION – JANUARY 8 2018

ROOM 03 – TOWN HALL

8:48PM

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

1. Police Chief Thomas O'Loughlin was present seeking to renew his contract for three years. The board discussed Term of contract; compensation; longevity pay; vacation, personal and sick leave as well as uniform allowance. After a discussion, it was the consensus of the board to schedule a meeting to discuss the chief's contract.

2. Gerald M. Moody, Town Counsel; Chris Morin, Chairman/Finance Committee; Town Treasurer Christopher Pilla; and Jed M. Nosal, Attorney from Brown Rudnick were present to update the board on the status of the Milford Water Company. Attorney Nosal noted that they have begun the formal process to file the Town of Milford's petition with the Supreme Judicial Court for Appointment of the Department of Public Utilities to render a valuation determination for the purchase of Milford Water and provided a copy of the petition to the board. He also stated that a notice to update the public of the town initiating the DPU process will be published in the Milford Daily news on January 9, 2018. He also stated that they will need to hire an outside Utility Accountant and Engineer to help determine the value and assets of the water company. Town Counsel Moody also informed the board that he will be participating in a conference call with the DPU on the water rate case this week. After a brief discussion, the board requested an updated spread sheet on invoices paid to date and an outline of the proposed budget to discuss at the January 22, 2018 meeting.

3. Town Treasurer Pilla was present to discuss the status of the property at 23 Princeton Drive. After a discussion; Mr. Buckley moved, seconded by Mr. Walsh: To authorize Town Counsel to begin eviction proceedings with the court and to auction the property and appoint the Town Treasurer as Tax Title Custodian setting the minimum price at \$110,000.00, UNANIMOUS.

4. Town Counsel Moody updated the board on correspondence received from Attorney Burton Berg formally objecting to the Town's proposed taking of the Stone property at 32 Central Street. Several issues were raised rejecting the current proposal but they believe they can "work it out". It was the consensus of the board not to take any further action until Town Counsel speaks to Attorney Berg.

5. Town Counsel Moody updated the board on the recent negotiations with the Dispatchers Union. After a discussion: Mr. Buckley moved, seconded by Mr. Walsh: To allow Town Counsel Moody to offer the following:

**Union Positions - Wages**

7/1/17	2%
7/1/18	2 ½%
7/1/19	2 ½%

**Night Differential**

Increase by 1% effective 7/1/18 and 1% effective 7/1/19

**Uniforms**

Accept town position of \$400 on 7/1/18 and \$425 effective 7/1/19 and include corrective lenses.

**Senior Day**

No

**Holiday Pay**

No change

**Training Opportunity**

None

**Forced Shifts**

Remain the same

**Private Detail Responsibility**

No

**Sick Leave**

Allow one (1) "Admin" day for each quarter (3 months) where no sick leave is utilized.

**Stipend for Certifications**

No

6. Mr. Buckley moved, seconded by Mr. Walsh: To adjourn executive session at 10:01PM, UNANIMOUS.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

\_\_\_\_\_  
William E. Kingkade, Jr.

\_\_\_\_\_  
William D. Buckley

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Michael K. Walsh

MINUTES OF EXECUTIVE SESSION – JANUARY 22 2018

ROOM 03 – TOWN HALL  
8:01PM

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

1. Attorney Ernest P. Pettinari provided a copy of the recent draft 2017-2020 contract relative to the town's Highway and Parks Departments. He also provided two (2) side letters which directly affect the draft agreement. After a review of the changes and the date change on page 14 from March 31 to March 1 of the contract; Mr. Buckley moved, seconded by Mr. Walsh: To approve the contract and side letters as well as the date change on page 14 of the contract, UNANIMOUS.

2. Town Counsel Moody provided an update on the status of the DPU valuation case for the Milford Water Company as well as an update from Attorney Jed M. Nosal of Brown Rudnick outlining the proposed budget to hire outside consultants. After a brief discussion, it was the consensus of the board to submit an article for the annual town meeting requesting additional monies.

3. Mr. Buckley moved, seconded by Mr. Walsh: To accept the Stone settlement offer as presented by Town Counsel Moody, UNANIMOUS.

4. Mr. Buckley moved, seconded by Mr. Walsh: To adjourn executive session at 8:27PM, UNANIMOUS.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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William E. Kingkade, Jr.

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William D. Buckley

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Michael K. Walsh

MINUTES OF EXECUTIVE SESSION – FEBRUARY 12 2018

ROOM 03 – TOWN HALL  
8:22PM

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

1. Chairman Aldo Cecchi and Vice Chairman Jonathan Bruce, Woodland School Building Committee informed the board that they will be retaining Town Counsel Moody for mediation regarding the Woodland School project, utilizing Woodland School Building Committee monies.

2. Town Counsel Moody; Finance Director Zachary Taylor and Attorney Jed M. Nosal of Brown Rudnick were present. Attorney Nosal provided an update on the status of the DPU valuation case for the Milford Water Company stating that the case was filed January 29, 2018 with the SJC and would soon be referred to the DPU. He also provided proposals received to hire outside consultants.

Woodard and Curran                \$100,000

Concentric Energy Advisors    \$ 80,000

Attorney Nosal also recommended allocating \$20,000 for additional support which may include and not be limited to the Lincoln Group.

Mr. Buckley moved, seconded by Mr. Walsh: To authorize Attorney Nosal to obtain the firms of Woodard and Curran and Concentric Energy Advisors noting that both contracts are subject to town meeting appropriation, UNANIMOUS.

3. Town Counsel Moody updated the board on the recent contract negotiations with the Milford Police Dispatchers. After a brief discussion: Mr. Buckley moved seconded by Mr. Walsh: To allow Town Counsel to offer the existing package with a change effective in the third year of a .5% increase plus the additional four (4) hours holiday pay, UNANIMOUS.

[REDACTED]

[REDACTED]

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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William E. Kingkade, Jr.

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William D. Buckley

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Michael K. Walsh

MINUTES OF EXECUTIVE SESSION – MARCH 12 2018

ROOM 03 – TOWN HALL  
7:58PM

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

1. Attorney Zachary M. Ballin was present requesting a lien reduction on behalf of his client, Detective Nathan Hathaway who was injured on May 9, 2016. After a brief discussion, it was the consensus of the board to obtain more information from the Police Chief regarding wage payments and seek a new proposal from Attorney Ballin.
2. Town Counsel Moody provided a Draft of Rate Case Settlement Language between the Town of Milford and the Milford Water Company. After a brief discussion: It was the consensus of the board to approve the proposed changes recommended by Town Counsel.
3. At 8:19PM Attorney Christopher Brown from Petrini & Associates, P.C. was present to discuss the Open Meeting Law Complaint filed by Sergeant James Heron.
4. At 8:19PM, Town Administrator Villani and Minutes Recorder Jean M. DeTore were dismissed.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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William E. Kingkade, Jr.

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William D. Buckley

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Michael K. Walsh

**MINUTES OF EXECUTIVE SESSION – MARCH 12 2018**

**Part 2**

**ROOM 03 – TOWN HALL**

**8:19PM**

**PRESENT: Chairman, William E. Kingkade, Jr., Selectmen William D. Buckley and Michael K. Walsh and Attorney Christopher Brown from Petrini & Associates.**

**1. A discussion between the Board of Selectmen and Attorney Brown regarding the request for release of executive session meeting minutes for October 24, 2017 and January 8, 2018 made by Sgt. James Heron of the Milford Police Department.**

**A motion was made by Selectman Buckley to deny the request to release the executive session meeting minutes for October 24, 2017 and January 8, 2018 because the purpose for which the executive sessions were held has not yet been served as contract negotiations are ongoing. The motion was seconded by Selectman Walsh and made unanimous by Selectman Kingkade. A roll call vote was made and supported unanimously.**

**A motion to adjourn executive session and return to open session was made by Selectman Buckley, seconded by Selectman Walsh and made unanimous by Selectman Kingkade.**

**Respectfully submitted:**

**William E. Kingkade, Jr., Minutes Recorder    MILFORD BOARD OF SELECTMEN**

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**William E. Kingkade, Jr.**

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**William D. Buckley**

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**Michael K. Walsh**



MINUTES OF EXECUTIVE SESSION – MARCH 26 2018

ROOM 03 – TOWN HALL

8:36PM

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

1. After reviewing the proposal from Attorney Zachary M. Ballin requesting a lien reduction on behalf of his client, Detective Nathan Hathaway who was injured on May 9, 2016; Mr. Buckley moved, seconded by Mr. Walsh: To approve the release in the amount of \$18,294.71, UNANIMOUS .

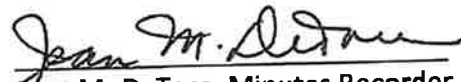
2. James Curley, Vice President Milford Firefighters Local 2140; Patrick Evans and Fire Chief William Touhey were present to discuss vacation day pay. After a discussion, Mr. Buckley moved, seconded by Mr. Walsh: That the Union provide a Side Letter consistent with the Fire Chief and Union viewing that the calculation of each vacation day equals twelve (12) hours, UNANIMOUS.

3. Highway Surveyor Scott Crisafulli; Tree Warden Charles Reneau; Brian Welch, Attorney for Vineyard Point Ventures; Andre Blanchard and Keith Usher were present to discuss a Complaint which was filed in Milford District Court for the illegal removal of trees on Asylum Street. After a lengthy discussion, the board took the matter under advisement.

4. Town Counsel Moody provided a Draft of Rate Case Settlement Language between the Town of Milford and the Milford Water Company. Mr. Buckley made a motion not to accept the offer of settlement in the Rate Case of 24.63%. THERE WAS NO SECOND.  
MR. BUCKLEY WITHDREW THE MOTION.  
After further discussion, Mr. Buckley moved, seconded by Mr. Walsh: To take the matter under advisement, UNANIMOUS.

5. Mr. Buckley moved, seconded by Mr. Walsh: To adjourn executive session at 9:48PM, UNANIMOUS.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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William E. Kingkade, Jr.

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William D. Buckley

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Michael K. Walsh

**MINUTES OF EXECUTIVE SESSION – APRIL 9, 2018**

**ROOM 03 – TOWN HALL  
8:44PM**

**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. Town Administrator Villani provided a draft agreement between the Town of Milford and Charles D. Boddy, Jr. Town Counsel. After reviewing the proposed contract; It was the consensus of the board to offer as a rate of compensation up to \$125,000.00 for the period from April 30, 2018 through April 29, 2019. Also, in addition, upon an agreed stipend, he will be responsible for handling labor negotiations involving the following Unions: Police, Fire and Dispatchers. Delete the term "LONGEVITY" and under "RENEWAL" add at least three (3) months' notice.

2. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 9:01PM, UNANIMOUS.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – APRIL 23, 2018

ROOM 03 – TOWN HALL  
8:26PM

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. Police Thomas J. O'Loughlin was present to discuss changes to the terms of his present contract agreement. Mr. Buckley stated that last time the board met, he expected a strategy meeting would be scheduled. Mr. Kingkade concurred. Chairman Walsh made a motion to accept the Chief's contract agreement. THERE WAS NO SECOND.

2. Town Administrator Villani provided a draft agreement between the Town of Milford and Charles D. Boddy, Jr. Town Counsel. After reviewing the proposed contract; Mr. Buckley moved, seconded by Mr. Kingkade: To approve the three year contract as submitted with a rate of compensation as follows:

-\$122,000 for the period April 30, 2018 through April 29, 2019

-\$125,050 for the period April 30, 2019 through April 29, 2020

-\$128,177 for the period April 30, 2020 through April 29, 2021

UNANIMOUS.

3. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 8:48PM, UNANIMOUS.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION –MAY 7, 2018

ROOM 03 – TOWN HALL

6:00PM

PRESENT: Chairman Michael K. Walsh; Selectmen William D. Buckley and William E. Kingkade, Jr; and Town Administrator Richard A. Villani. Mediator Carol Dookin; Claire Schroeder, Representative for the Dispatcher Association; Town Counsel Charles Boddy and Dispatcher Kim St. Amant. Minutes Recorder Jean M. DeTore was absent.

1. Mediator Carol Dookin noted that she was concerned that the Selectmen were not aware of some issues and thought this would be a way to get everyone together.
2. Claire Schroeder, Representative for the Dispatcher Association requested taking a look at a comparison of benefits. She stated that the only issue was the Holiday pay. Other unions such as Police and Fire receive 12 hours for Holiday pay and Dispatchers receive eight (8) hours Holiday pay. The Dispatchers union was agreeable to the holiday pay of 12 hours beginning July 1, 2018 (FY19). In their opinion this was an issue of fairness and equity.
3. Mr. Buckley stated that it is not the goal of the Selectmen to even out Benefits across all unions.
4. Mr. Kingkade noted that he is in support of everyone receiving 12 hours Holiday pay. He also stated where there are differences is in pay rates.
5. At 6:12PM the Mediator left the room along with Claire Schroeder and Kim St. Amant.
6. Mr. Kingkade stated that he agrees that the Dispatchers should receive 12 hours Holiday pay as do the Police and Fire Unions.
7. Mr. Walsh stated that in his opinion there is a risk factor, as Police & Fire Personnel have a more significant risk in their jobs.
8. At 6:22PM the Mediator, Claire Schroeder and Kim St. Amant returned to the meeting.
9. The Board requested that the union make a counter offer to the town's last offer. The union will put a comprehensive offer together which they will forward to Town Counsel.
10. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn the meeting at 6:48PM, UNANIMOUS.

Respectfully submitted:

Richard A. Villani  
Richard A. Villani  
Minutes Recorder

MILFORD BOARD OF SELECTMEN

Michael K. Walsh, Chairman

William D. Buckley

William E. Kingkade, Jr

MINUTES OF EXECUTIVE SESSION – May 7, 2018

ROOM 03 – TOWN HALL

8:44PM

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. Chris L. Brown, Attorney for the Selectmen, was present to discuss the open meeting law complaint filed by James C. Heron to the Attorney General. After a brief discussion, it was the consensus of the board to have Attorney Brown draft a letter to the Attorney General as well as providing the additional information requested by the Attorney General.

2. Town Counsel Boddy was present to update the board on Litigation regarding the illegal removal of town trees. Town Administrator Villani provided a proposed settlement amount. After a discussion it was consensus of the board to have Town Counsel provide a draft settlement proposal.

[REDACTED]

[REDACTED]

4. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 9:39PM, UNANIMOUS.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – May 21, 2018

ROOM 03 – TOWN HALL  
8:15PM

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. Town Counsel Boddy provided copies of the following for informational purposes on the Open Meeting Law:

- ✚ Evaluations – Updated
- ✚ Public Body Checklist for Entering Into Executive Session
- ✚ Union and Non-Union Contracts
- ✚ Collin v. Wayland Bd. of Selectmen-WestlawNext

2. After a brief discussion regarding the Fire Department "Side Letter" that was submitted; Mr. Buckley moved to allow Town Counsel to draft a "Side Letter" as long as it is consistent with the draft letter submitted "The value of a vacation day for the purposes of employee buyback upon retirement shall be twelve (12) hours pay" and authorizing the Chairman of the Board of Selectmen to sign on the board's behalf. Mr. Kingkade seconded for discussion. Mr. Kingkade asked if the union would be reviewing the draft? It was the consensus of the board to provide a copy to the Milford Permanent Firefighters Association. **UNANIMOUS.**

3. After reviewing the offer by the Dispatchers to settle the contract; Mr. Buckley moved, seconded by Mr. Kingkade: To approve the following changes requested:

- July 1, 2017 -2.0%
- July 1, 2018 -2.0%
- July 1, 2019 – 2.0%

**Holidays**

Amend the last paragraph to read "Each fulltime employee shall receive for each holiday above one and one half additional day's pay (12hours), computed at 1/5 of his/her weekly compensation, in addition to his/her regular weekly compensation. - **UNANIMOUS**

4. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 8:40PM, **UNANIMOUS.**

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – June 4, 2018

ROOM 03 – TOWN HALL  
7:58PM

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. Town Counsel Boddy was present to discuss clarification of two questions on holiday pay raised by the Dispatchers Union before settlement of the contract. It was the consensus of the board to allow Town Counsel to provide the clarification discussed to the dispatchers.

2. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 8:07PM, UNANIMOUS.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – June 25, 2018

ROOM 03 – TOWN HALL  
8:17PM

PRESENT: Chairman, Michael K. Walsh, Selectman William D. Buckley; Town Administrator Richard A. Villani and Minutes Recorder Jean M. DeTore. Selectman William E. Kingkade, Jr. recused himself due to conflict of interest.

1. Town Counsel Boddy provided correspondence regarding the recent police contract negotiations. A discussion ensued regarding monetary demands, non-monetary demands and contract language changes. After a brief discussion. Town Counsel Boddy recommended that he draft a contract with the changes for the boards input.

2. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 8:29PM, UNANIMOUS.

Respectfully submitted:

  
Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.



MINUTES OF EXECUTIVE SESSION – August 20, 2018

ROOM 03 – TOWN HALL  
8:56PM

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

1. Town Counsel Boddy provided correspondence regarding a claim from William D'Alessandro, 27 Mount Pleasant Street, for damage caused from sewer water in his basement. Mr. Buckley moved, seconded by Mr. Kingkade for discussion noting that if it goes any further, he suggested asking the Sewer Commissioners for a more detailed report. Mr. Buckley moved, seconded by Mr. Kingkade: That as a result of it not going through the sewer pipe, take the recommendation of Town Counsel to deny the claim, UNANIMOUS.

2. At 9:16PM Selectman William E. Kingkade, Jr. recused himself due to conflict of interest.

3. Town Counsel Boddy provided correspondence regarding the recent police contract negotiations. A discussion ensued regarding monetary demands, non-monetary demands and contract language changes. After a brief discussion, it was the consensus of the board to have Town Counsel re-negotiate within the parameters discussed.

4. Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 9:41PM, UNANIMOUS.

Respectfully submitted:

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Jean M. DeTore, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – AUGUST 27, 2018

ROOM 03 – TOWN HALL  
6:00PM

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

Also present, Attorney Christopher L. Brown of Petrini & Associates, P.C. and Attorney Adam Simms of Pierce Davis & Perritano, LLP.

Chairman Walsh opened the meeting at 6:00 PM.

Mr. Buckley moved, seconded by Mr. Kingkade to enter into Executive Session to discuss litigation strategy with respect to Carroll v. Town of Milford et al, Worcester Superior Court Civil Action No. 1885CV01228, and that the Chair declare that an open meeting may have a detrimental effect on the litigation position of the body. UNANIMOUS. Roll Call Vote.

The Chairman stated that to have the meeting in open session would have a detrimental effect on the litigation position of the Town of Milford.

Rule of Necessity was invoked to vote on the retaining of counsel.

Mr. Buckley moved, seconded by Mr. Kingkade to retain the law firm of Petrini & Associates, P.C. to represent the Town of Milford in the lawsuit filed by Dennis Carroll and to authorize the Town Administrator to sign the letter agreement. UNANIMOUS.

Mr. Buckley moved, seconded by Mr. Kingkade to retain the law firm of Pierce Davis & Perritano, LLP to represent William D. Buckley and William E. Kingkade, Jr. individually and as members of the Board of Selectmen in the lawsuit filed by Dennis Carroll and to authorize the Town Administrator to sign the letter agreement. UNANIMOUS.

There was a discussion of the Complaint and pleadings filed by Dennis Carroll. The Board authorized Attorney Brown and Attorney Simms to contact Attorney Warren Heller and discuss resolving the lawsuit upon certain terms and conditions.

Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 7:19 PM, UNANIMOUS.

Respectfully submitted:

Richard A. Villani, Minutes Recorder

MILFORD BOARD OF SELECTMEN

Michael K. Walsh, Chairman

William D. Buckley

William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – September 17, 2018

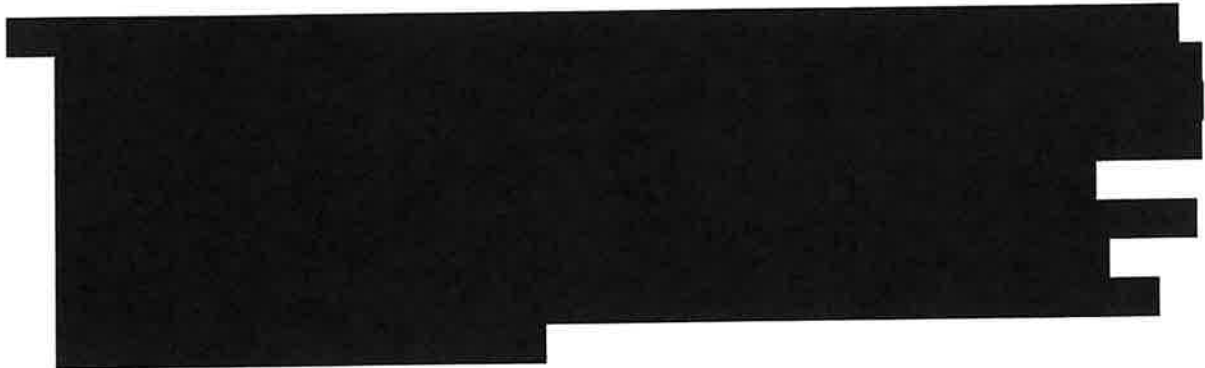
ROOM 03 – TOWN HALL  
7:00PM

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

Also present, Attorney Christopher L. Brown of Petrini & Associates, P.C. and Town Counsel Charles D. Boddy, Jr.

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 Firefighter Sick Leave Buyback; Police Chief Contract Negotiations and the Lawsuit Carroll v. Town of Milford et al. and that the Chair declare that an open meeting may have a detrimental effect on the litigation position of the body. UNANIMOUS. Roll Call Vote.

The Chairman stated that to have the meeting in open session would have a detrimental effect on the litigation position of the Town of Milford.



2. The Board met with Attorney Chris Brown to discuss the Carroll v. Town of Milford case. Attorney Brown informed the Board that he spoke again with Warren Heller, Attorney for the Plaintiff Dennis B. Carroll regarding trying to negotiate a settlement of the lawsuit. He also discussed a letter he received from Attorney Heller dated September 9, 2018 outlining a proposed Settlement proposal. The Board authorized Attorney Brown to advise Attorney Heller that they would agree to not remove Mr. Carroll from the Personnel Board in the future because of his residency. They also stated to inform Attorney Heller they will not admit to any Judgment that states the Board members violated Mr. Carroll's rights. Attorney Brown also informed the Board he will respond to the Freedom of Information Request from a resident asking for copies of Statements, Invoices and Bills from any attorney representing the town or individual Selectmen in the Carroll case.

3. The Board met with Attorney Chris Brown to discuss the negotiations with the Police Chief for a new contract. He informed the Board that if they choose not to renew the Chief's contract they need to give the Chief notice by December 31st. The Board next discussed what amount the Chief should receive for a raise for the period July 1, 2018 to June 30, 2019. Mr. Buckley moved to offer the Police Chief a 2 ½ % pay raise from July 1, 2018 to June 30, 2019. There was no second. Mr. Kingkade moved, seconded by Mr. Walsh to offer the Police Chief a 3 % pay raise from July 1, 2018 to June 30, 2019. UNANIMOUS. The Board next discussed whether or not to renew the Police Chief contract after June 30, 2019. Chairman Walsh stated he would offer the Chief a new contract as outlined in his Memo dated November 16, 2017. Selectman Buckley and Selectman Kingkade stated they would not vote to renew the contract. Mr. Kingkade moved, seconded by Mr. Buckley not to renew the Police Chief contract after June 30, 2019. Two in favor. One opposed. (Mr. Walsh in opposition). IT IS A VOTE.

The Board then authorized Attorney Brown to prepare a proposed Amendment to the Police Chief's contract to include a 3% raise from July 1, 2018 to June 30, 2019. He is also to prepare a letter informing the Police Chief of the Board's vote not to renew his contract. Finally, he will prepare a Memo providing a recommendation on the Bylaw regarding the selection of a new Police Chief.

Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 9:05 PM, UNANIMOUS.

Respectfully submitted:

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Richard A. Villani, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – October 1, 2018

ROOM 03 – TOWN HALL  
7:00PM

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

Also present, Town Counsel Charles D. Boddy, Jr.

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 Police Union Collective Bargaining. UNANIMOUS. Roll Call Vote.

1. Selectman Buckley indicated a correction was needed to the September 17, 2018 Executive Session Minutes as it was Chairman Walsh who seconded the motion to offer the Police Chief a 3% raise. Mr. Buckley moved, seconded by Mr. Kingkade: To amend the September 17, 2018 Executive Session Minutes to reflect that Chairman Walsh seconded the motion to offer the Police Chief a 3% raise. UNANIMOUS.
2. Town Counsel Boddy provided a Memo to the Board indicating he spoke with Union Representatives and they reduced their COLA demand from 4% to 3%. The Union will also agree to forego retroactive compensation from June 30, 2018 to the contract date. Board members had questions regarding the clothing allowance as to whether it was \$50.00 per year or would increase by \$50. 00 more each year. They also had questions regarding night differential such as who gets the differential, what is defined as nighttime, and what is the cost to the Town. They also questioned the request to use up to ten vacation days as individual days. They also had questions regarding the 1% increase in the 28 year increment. Town Counsel will continue to negotiate with the Union and get answers to the Board's question to be discussed at a future meeting.

Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 8:53 PM, UNANIMOUS.

Respectfully submitted:

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Richard A. Villani, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – October 22, 2018

ROOM 03 – TOWN HALL  
7:00PM

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

Also present, Town Counsel Charles D. Boddy, Jr. and Special Counsel Christopher Brown.

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 a proposed Settlement with Allied Waste, Discussion with Counsel regarding Carroll v. Milford et al, Discussion with Counsel regarding Police Chief Contract Negotiations and Potential Litigation, Discussion with Counsel regarding Potential Release of Executive Session Minutes and Police Union Collective Bargaining. UNANIMOUS.

1. Attorney Christopher Brown was present to discuss the proposed Agreement for Judgment sent to the Board from Attorney Warren Heller who represents Dennis Carroll in the Carroll v. Milford et al lawsuit. Attorney Brown recommended to the Board to delete the language in Paragraph 2 of the Agreement for Judgment which states "or any other Personnel Board appointee from the Personnel Board" and to also add in Paragraph 4 that the dismissal be "With Prejudice." Selectman Buckley stated that paying in this lawsuit is a disappointment and his preference would have been to continue the case. However he said it is not in the best interest of the Town to continue the lawsuit and to incur more bills. Selectman Kingkade said it was not worth spending more money on this case. Selectman Walsh stated the Board needs to focus on other things and end the suit. Mr. Buckley moved, seconded by Mr. Kingkade: To settle the lawsuit Town of Milford v. Carroll et al under the parameters set forth by Attorneys Chris Brown and Adam Simms, but to accept the language in Paragraph 2 if Attorney Heller will not agree to delete it. UNANIMOUS.
2. Town Counsel Charles Boddy reviewed the claim of the Town of Milford against Allied Waste for damage to a pole and Police Cameras as a result of a truck hitting a pole near the Police Station. He explained the total loss to the Town was \$14,276.28. The Insurance Company for Allied Waste offered the sum of \$13,732.28 to settle the claim as they deducted 10% for depreciation as the cameras were 5 years old. Attorney Boddy recommended the Board accept the settlement offer. Mr. Buckley moved, seconded by Mr. Kingkade: To settle the claim for the amount of \$13,732.28 with Allied Waste. UNANIMOUS.

3. Attorney Chris Brown was present to discuss Police Chief Contract Negotiations and Potential Litigation. The Board discussed a letter from Attorney Horn dated October 18, 2018 which stated Chief O'Loughlin did attempt to respond to the Board's March 26, 2018 letter to him by "inquiring to Selectman Walsh on multiple occasions". Mr. Walsh indicated the Police Chief did not respond to him to the March 26th letter. Mr. Buckley moved, seconded by Mr. Kingkade: To request that Attorney Brown respond to the October 18, 2018 letter from Attorney Horn refuting the Chief's assertion he spoke with Mr. Walsh in response to the March 26th letter and to request the Chief provide a written response to the letter. UNANIMOUS. Mr. Buckley moved, seconded by Mr. Kingkade: To not release the Executive Session Minutes relative to the Police chief contract negotiations at this time. UNANIMOUS. Mr. Buckley moved, seconded by Mr. Kingkade: To authorize Attorney Brown to release to the Milford Daily News, Town Crier and WMRC a statement on the Board's behalf regarding the nonrenewal of the Police Chief's contract. UNANIMOUS.

The Board adjourned for a recess at 8:53 PM.

The Board reconvened to resume Executive Session at 9:06 PM. Selectman Kingkade recused himself from the discussion regarding Police Union Collective Bargaining.

4. Town Counsel Boddy was present and provided a Memo to the Board updating them on the status of the negotiations with the Police Union regarding a new contract. The Board discussed the following items:
- A. 28 Year Increment - Mr. Buckley moved, seconded by Mr. Kingkade: To agree to the 1% increase only for the eleven (11) current employees. UNANIMOUS.
  - B. Allow ten vacation days to be used individually - Mr. Buckley moved, seconded by Mr. Kingkade: To agree to allow up to ten (10) vacation days to be used individually only if scheduled in advance. UNANIMOUS.
  - C. Remove the words Civil Service in calculating vacation leave - Mr. Buckley moved, seconded by Mr. Kingkade: To agree to remove the words Civil Service, but to bargain the point with the Union. UNANIMOUS.
  - D. Excluding the Special Operations Team from Shift Bidding and adding a new subsection G concerning the operations of Special Operations Team - Mr. Buckley moved, seconded by Mr. Kingkade: To agree to exclude the Special Operations Team from Shift Bidding and add a new subsection G concerning the operations of Special Operations Team. UNANIMOUS.
  - E. Delete the reference to call back after a tour of duty and replace it with ordered to duty- Mr. Buckley moved, seconded by Mr. Kingkade: To agree to the requested contract language, but to bargain the point with the Union. UNANIMOUS.
  - F. Night differential 1% increase - The Board discussed this request and would not agree to it.



- G. Article XII, Section 1 (a) Delete the words "assigned to the position of detective", and delete the reference to particular shifts – The Board decided to discuss this request at the next Selectmen's meeting.

Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 9:35 PM, and to return to Open Session. UNANIMOUS.

Respectfully submitted:

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Richard A. Villani, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

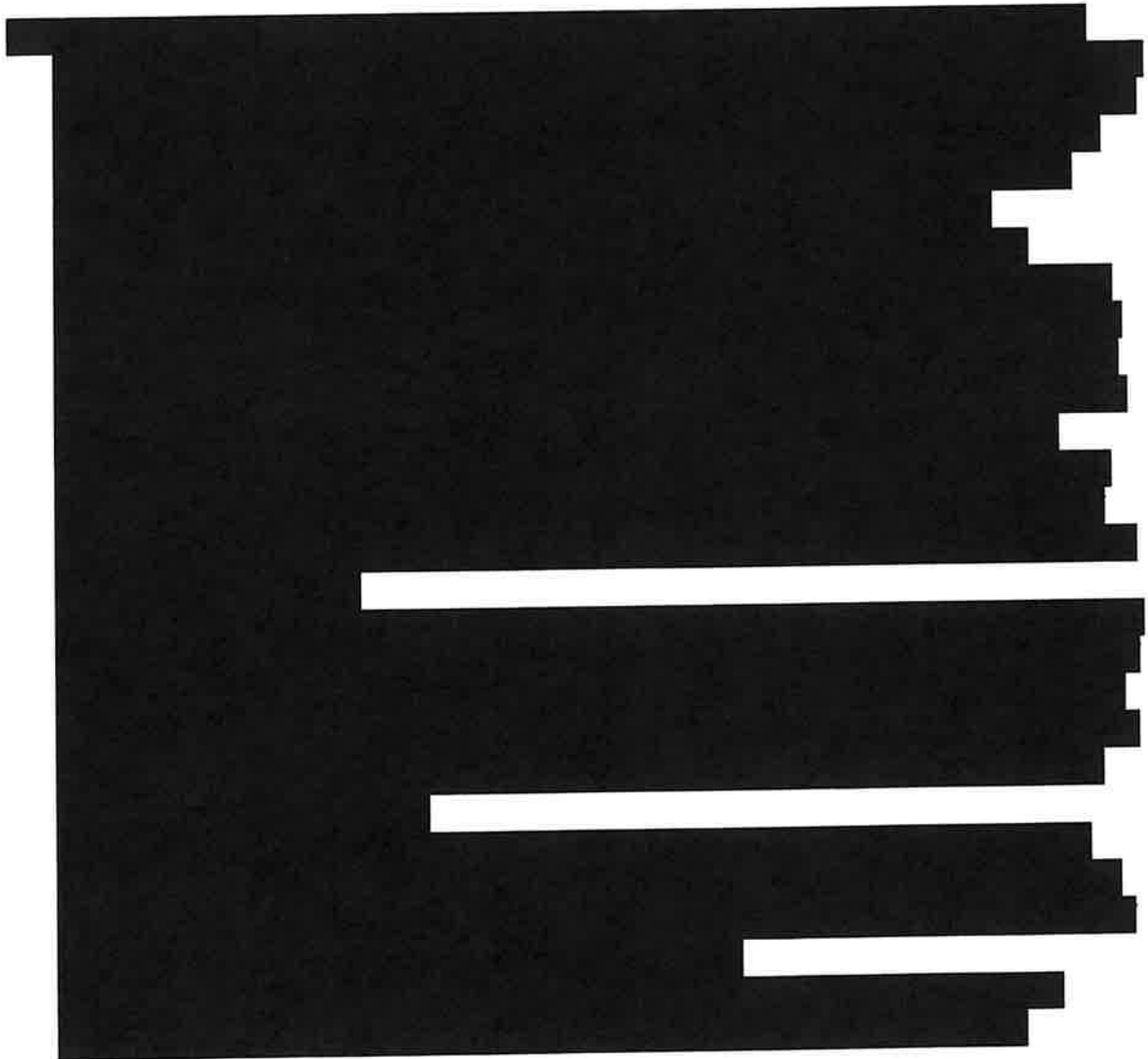
MINUTES OF EXECUTIVE SESSION – November 5, 2018


ROOM 03 – TOWN HALL  
7:00PM

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

Also present Special Counsel Christopher Brown.

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 for a Discussion with Counsel regarding Police Chief Contract Negotiations and Potential Litigation. UNANIMOUS. The Chair declared that an open meeting may have a detrimental effect on the negotiating or litigating position of the Board of Selectmen.



  
Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 9:02 PM, and to return to Open Session. UNANIMOUS.

Respectfully submitted:

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Richard A. Villani, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – November 26, 2018

ROOM 03 – TOWN HALL  
7:00PM

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

Also present Special Counsel Christopher Brown and Special Counsel Seth Barnett.

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 for a Discussion with Counsel regarding O'Loughlin v. Milford et al, Worcester Superior Court Civil Action No. 1885CV01750 and O'Loughlin v. Milford et al, MCAD Docket No. 18WEM03260/EEOC Docket No. 16-C-2019-00332. UNANIMOUS.

The Chair declared that an open meeting may have a detrimental effect on the litigating position of the Board of Selectmen.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Buckley moved, seconded by Mr. Kingkade adjourn executive session at 7:44 PM.  
UNANIMOUS.

Respectfully submitted:

Richard A. Villani, Minutes Recorder

MILFORD BOARD OF SELECTMEN

Michael K. Walsh, Chairman

William D. Buckley

William E. Kingkade, Jr.

MINUTES OF EXECUTIVE SESSION – December 10, 2018

ROOM 03 – TOWN HALL  
7:00PM

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

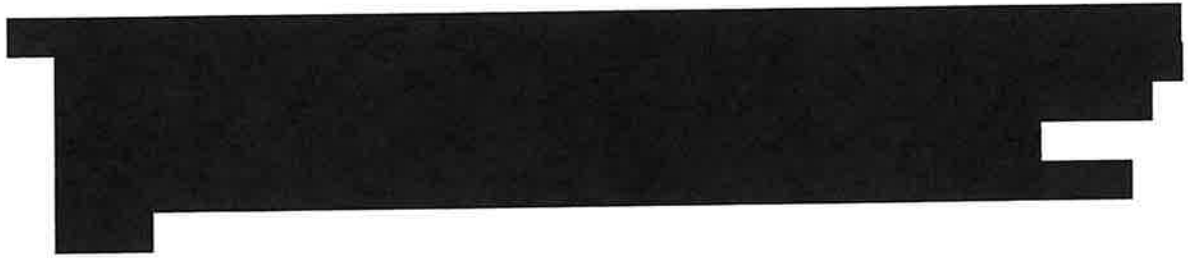
Also present, Town Counsel Charles D. Boddy, Jr., Finance Director Zach Taylor, Town Accountant Tom Brown and Special Counsel Jed Nosal.

1. Town Counsel Boddy was present and provided a Memo to the Board updating them on the status of the negotiations with the Police Union regarding a new contract. Town Counsel indicated that items 1 through 9 in his Memo have been agreed to by the parties. The unresolved issues are:
  - A. 3% COLA – Attorney Boddy indicated the Union is now not willing to waive retroactive payment so the Town will need to revisit this issue.
  - B. Clothing Allowance - The Union also wants an additional \$50.00, \$100.00 and \$150.00 in clothing allowance.
  - C. Remove the words Civil Service in calculating vacation leave – The Board members want to know the cost to the Town if agreed to.

After discussion, the Board authorized Town Counsel to offer the Union 2 ½% COLA each year with retroactive payment provided the Union does not request removing Civil Service language regarding vacation time. The Board wants to stay at \$50.00 for the clothing allowance. They also want to confirm a vacation day will not count as overtime.

Selectman Kingkade, Finance Director Taylor and Town Accountant Brown entered the meeting at 7:03 PM.

2. Attorney Jed Nosal of Brown Rudnick was present to update the Board on the DPU timeline for the acquisition of the Water Company. He reviewed the Discovery Process as well as the Evidentiary Hearing stage of the proceedings. He will need the Board to vote in January to approve the Town consultant's valuation of the Company. He estimates the DPU will issue a decision as to the value of the Water Company in October 2019. The Supreme Judicial Court enters the final order. At that point the parties negotiate a closing date. The Board asked if we will need to go to Town Meeting for approval of the purchase price. Selectman Buckley requested Attorney Nosal update the Board on the legal and consultant costs to the Town to date. He also asked if Carol Brennan could prepare a narrative of the timeline of the Water Company acquisition process to date.



Mr. Buckley moved, seconded by Mr. Kingkade: To adjourn executive session at 7:43 PM.  
UNANIMOUS.

Respectfully submitted:

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Richard A. Villani, Minutes Recorder

MILFORD BOARD OF SELECTMEN

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Michael K. Walsh, Chairman

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William D. Buckley

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William E. Kingkade, Jr.