Town Clerk Stamp

TOWN OF MILFORD
Milford, Massachusetts

NOTICE OF MEETING

Board or Commission ____Milford Board of Selectmen_____
Date and Time of Meeting __July 13, 2020 7:00 PM
Place of Meeting__ Room 03, 52 Main Street

RECEIVED
MILFORD TOWN CLERK
2020 JUL -9 PM 1:30

A.) SIGNING OF WARRANT, APPROVAL of Minutes, June 18, 2020, June 22, 2020

B.) INVITATION TO SPEAK

The Board of Selectmen invites public participation on an in-person basis during its July 13, 2020 meeting. Due to restrictions imposed by Governor Baker's March 2020 Declaration of a State of Emergency prohibiting gatherings of more than ten people, participation in Invitation to Speak shall be limited to one such participant entering the meeting room at a time, wearing appropriate protective equipment, and leaving immediately upon conclusion of the participation to allow others to enter the room and participate equally. Those wishing to participate shall be cued outside the building, at least six-feet apart, and permitted to enter one at a time.

C.) PUBLIC HEARINGS- CALL IN TEL NO. 1-857-444-0744 - Conference Code 143644

Note for public testimony - All comments or testimony at a public hearing including documents or exhibits must be in connection with the matter being considered and confined to the matter at hand and will be limited to 5 minutes to allow for the opportunity for others to speak.

1. 7:00 PM Caney Los Panas, LLC, re: New Common Victualler License

D.) SCHEDULED APPOINTMENTS

1. Adoption of the Town Administrator's Decisions on the following Applications to Temporarily Amend Liquor Licenses and/or Food Licenses Pursuant to Governor Baker's June 1, 2020 Executive Order:
   a) **EMZ Mart d/b/a Isabel's**
   b) **Marchegiano Club, LLC**

E.) TOWN ADMINISTRATOR'S REPORT

F.) OLD BUSINESS

1. Town Counsel, re: Policy Regarding Electioneering

G.) NEW BUSINESS

1. Police Chief, re: Proposed Loading Zone- Central Street
2. Town Administrator, re: Handicap Parking Sign
3. Police Chief, re: Wendy's- Police Detail

H.) CORRESPONDENCE

1. Police Chief, Memo- Opioid Protocol

I.) EXECUTIVE SESSION

1. Town Counsel, re: Worker's Comp. Claim
2. Town Counsel, re: Purchase Street School Transfer
3. Town Counsel, re: Roux v. Milford

The listing of matters above are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Signature R L G. Vellani **Dated** 7/9/20

C-1
7-13-20

MILFORD BOARD OF SELECTMEN

Room 11, Town Hall, 52 Main St. (Route 16), Milford, Massachusetts 01757-2679
508-634-2303 Fax 508-634-2324
www.milfordma.gov

LICENSE APPLICATION
(*CHECK ONE*)

_X_ APPLICATION FOR A **NEW** LICENSE
____ TRANSFER OF AN **EXISTING** LICENSE
____ **AMENDMENT** TO EXISTING LICENSE (Change of operating days/hours, change of location, etc.) *describe on reverse*

1. ____ AUCTIONEER
2. ____ BOARDING HOUSE
3. ____ BOWLING ALLEY(S)
4. _X_ COMMON VICTUALLER
5. ____ FORTUNE TELLER
6. ____ HAWKERS/PEDDLERS
7. ____ INNHOLDERS
8. ____ POOL TABLES
9. ____ 2ND HAND/ANTIQUE DEALER
10. ____ PAWNBROKER
11. ____ LIVE ENTERTAINMENT (*describe on reverse*)
12. ____ AUTOMATIC AMUSEMENT (Coin-Operated Games)
13. ____ TRANSIENT VENDORS
14. ____ CARNIVAL/CIRCUS
    Location: ____
15. ____ CHRISTMAS TREE SALES
    $____ VALUE OF GOODS
16. ____ CLASS I (NEW CARS)
    ____ CLASS II (USED CARS)
    ____ CLASS III (JUNK CARS) - Public Hearing Required (Describe on Reverse)
17. ____ *WORKERS COMPENSATION IF NEEDED*

SEE ADDITIONAL INFORMATION REQUIRED BELOW

BUSINESS NAME: Caney Los Panas LLC

BUSINESS ADDRESS: 20 Exchange St, Milford, MA 01757

DAYS/HOURS OF OPERATION Monday to Sunday / 9:00 Am to 9:00 Pm.
(Some Sunday licenses may require approval of State DPS)

I/We, the undersigned, apply for this license in accordance with the provisions of all Statutes relating thereto. I/We further certify, under penalties of perjury, that, to the best of my/our knowledge and belief, I/We have filed all state tax returns and paid all state taxes required under law.

NAME OF APPLICANT: Carla Palencia

MAILING ADDRESS: 4 Purchase St Apt 3, Milford, MA 01757

EMAIL ADDRESS: palenciacarl@gmail.com

APPLICANT'S DATE OF BIRTH: 01/04/1983

____ Or ____
Social Security No. Federal Identification No. (Mandatory)

APPLICANT'S SIGNATURE: Carla Palencia **DATE:** 06/12/2020
(Individual or Corporate Officer)

Carla Palencia (508) 488 7301
Type or print name on this line Daytime Telephone Number

IMPORTANT: Read this section carefully. Provide required information on reverse side. *Additional Information Required:*

License # Above	
1	Provide copy of State and/or County Auctioneer's License
3, 8, 12	Indicate number of alleys, pool tables and number and types of coin-operated games
6, 9, 10, 13	Request Town By Laws, which states applicant's responsibility
6, 13	Describe in detail: type, quantity, and cost (to you) of goods to be offered for sale
11	Describe in detail: type of live entertainment to be licensed
14	Applicant must request and agree to abide by established policy

CONTINUE APPLICATION PROCESS ON REVERSE SIDE OF THIS FORM

DEPARTMENT HEAD REVIEW FORM

1. Name of Business: **Caney Los Panas, LLC**
2. Business Address: **20 Exchange Street**
   Assessors ID#: Map _____ Block _____ Lot___

3. Has applied for: NEW COMMON VICTUALLER LICENSE
4. Selectmen will take action on: _____**JULY 13, 2020**_____
5. Hearing Continued/Postponed/MGL Deadline:_____
6. Abutters Notified: _____ Published: _____
7. **Inquiry Sent To Dept. Heads on: ____6/22/2020**_____
8. **Please Respond By: ___6/26/2020**
9. License Approved: _____Denied: _____Tabled: _____On_____

.....

Building Commissioner: (Zoning, Occupancy, Building/Handicap Access, Restroom Handicap Access, etc) **CA ZONE, OCC LOAD 20, NO VIOLATIONS, ACCESSIBLE BUILDING, RESTROOMS ARE PRE EXISTING NONCONFORMING**

Town Planner: (Site Plan/Special Permit; Other Requirements/Stipulations) **NO CHANGE OF ACTUAL USE- SO SITE PLAN NOT REQUIRED. HOWEVER, THE REQUIRED PLANNING BOARD SPECIAL PERMIT FOR THE PROJECTING SIGN WAS NEVER OBTAINED. THIS IS STILL REQUIRED**

Tax Collector: (Outstanding Taxes)- **NO OUTSTANDING TAXES**

Town Treasurer: (Outstanding Tax Liens) **NONE**

Fire Chief: (Information/Comment) **APPROVED**

Police Chief: (Information/Comment) **NO CONCERNS**
Criminal Offense Record Info: (CORI) Approved ☐ Disapproved ☐

Board of Health: (Information/comment**) NO CONCERNS**

Sewer Commission: (Information/Comment) _____

Milford Water Company: (Information/comment) _____

Commission on Disability: (Information/comment) _____

Dept. Head Signature: _____ Date: _____

.....

Contact Name/Manager: *Carla Palencia* ***D.O.B.*** ***SS #***

Phone: *_508-488-7301* ***e-mail***: *palenciacarl@gmail.com*

D-1
7-13-20

LICENSING DECISION

This decision is entered on the application of **EMZ Mart, LLC dba Isabel's, 335 1/2 Main Street, Milford, MA** pursuant to Governor Baker's June 1, 2020 Executive Order entitled, "Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces", and the Executive Office of Housing and Economic Development, whereby licensees for on-premises consumption of alcohol may commence outdoor seated service, provided food is prepared on-site under a retail food permit issued by a municipal authority pursuant to 105 CMR 590.000.

Upon receipt of the above application, a public hearing was scheduled for **Monday, June 29, 2020 at 12:00 P.M.** via remote participation pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A, § 18 due to the novel COVID 19 pandemic. Notice of the time, place and subject matter of the petition were given as required by law.

The matter came on for hearing at the time and place set forth above. Present were Richard A. Villani, Town Administrator and Christopher George, Information Technology Director.

The Applicant **was not** present remotely to give evidence in favor of the application. At the close of the hearing, the licensing authority considered the matter and thereafter granted the temporary license extension based upon the following conditions:

1. This license is granted and accepted upon the express condition that the license shall, in all respects conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws as amended, and any rules or regulations made thereunder by the Board of Selectmen.

2. The outdoor area shall remain fenced or cordoned off area, adequately supervised, having at least 50 % of the perimeter of any covered dining space open and unobstructed by any form of siding or barriers at all times, and operated in conformance with the social-distancing and other guidelines set forth by the Massachusetts Department of Public Health, as submitted in the Application to Amend the License.

3. The outdoors premises shall remain accessible to the disabled with the ground surface firm, stable, and smooth; a width of 36 inches shall be maintained between chairs at their normal position; aisles and passageways shall be kept clear, especially around poles; the licensee shall not remove or reduce the number of handicapped parking spaces; handicapped individuals shall be seated closest to the exits; the outdoor space shall be safe to consumers even during inclement weather.

4. The temporary amended licenses shall expire no later than November 1, 2020, by operation of law.

MILFORD BOARD OF SELECTMEN

June 29, 2020

BY: _____
Richard A. Villani, Town Administrator

LICENSING DECISION

This decision is entered on the application of **Marchegiano Club, Inc., 60 Meade Street, Milford, MA** pursuant to Governor Baker's June 1, 2020 Executive Order entitled, "Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces", and the Executive Office of Housing and Economic Development, whereby licensees for on-premises consumption of alcohol may commence outdoor seated service, provided food is prepared on-site under a retail food permit issued by a municipal authority pursuant to 105 CMR 590.000.

Upon receipt of the above application, a public hearing was scheduled for **Wednesday, July 8, 2020 at 12:00 P.M.** via remote participation pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A, § 18 due to the novel COVID 19 pandemic. Notice of the time, place and subject matter of the petition were given as required by law.

The matter came on for hearing at the time and place set forth above. Present were Richard A. Villani, Town Administrator and Christopher George, Information Technology Director.

The Applicant **was not** present remotely to give evidence in favor of the application. At the close of the hearing, the licensing authority considered the matter and thereafter granted the temporary license extension based upon the following conditions:

1. This license is granted and accepted upon the express condition that the license shall, in all respects conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws as amended, and any rules or regulations made thereunder by the Board of Selectmen.

2. The outdoor area shall remain fenced or cordoned off area, adequately supervised, having at least 50 % of the perimeter of any covered dining space open and unobstructed by any form of siding or barriers at all times, and operated in conformance with the social-distancing and other guidelines set forth by the Massachusetts Department of Public Health, as submitted in the Application to Amend the License.

3. The outdoors premises shall remain accessible to the disabled with the ground surface firm, stable, and smooth; a width of 36 inches shall be maintained between chairs at their normal position; aisles and passageways shall be kept clear, especially around poles; the licensee shall not remove or reduce the number of handicapped parking spaces; handicapped individuals shall be seated closest to the exits; the outdoor space shall be safe to consumers even during inclement weather.

4. The temporary amended licenses shall expire no later than November 1, 2020, by operation of law.

MILFORD BOARD OF SELECTMEN

July 8, 2020

BY: _____
Richard A. Villani, Town Administrator

F-1
7-13-20

MILFORD
Massachusetts

Policy Regarding Electioneering During Annual Town Election Periods, Early and Absentee Voting Periods at the Town Hall

I. PURPOSE

The purpose of this policy is to establish written guidelines prohibiting electioneering on the parcel of land upon which is situated Milford Town Hall, 52 Main Street, including the sidewalks and vehicular parking areas associated therewith, bounded by Main Street, Court Street, Court Square, and North Bow Street during Town election periods, including early and absentee Voting periods.

II. POLICY

Chapter 54, Section 65 of the General Laws of Massachusetts prohibits "electioneering" (the display or distribution of material intended to influence the actions of voters) on the parcel of land upon which is situated Milford Town Hall, 52 Main Street, including the sidewalks and vehicular parking areas associated therewith, bounded by Main Street, Court Street, Court Square, and North Bow Street during Town election periods and at an election of federal, state or local officers.

An increasing percentage of Milford voters are taking advantage of their right and opportunity to vote in-person by absentee ballot or during the Early Voting Period established by the Legislature, and come to the Town Hall at 52 Main Street to obtain absentee ballots or cast early ballots. Such voters should be given the same right and opportunity to cast or obtain ballots free of electioneering activity as is enjoyed by voters who cast their vote on the day of the election.

Observance of a no-electioneering buffer area on the parcel of land upon which is situated Milford Town Hall, 52 Main Street, including the sidewalks and vehicular parking areas associated therewith, bounded by Main Street, Court Street, Court Square, and North Bow Street during in-person absentee voting or the Early Voting Period would not unduly restrict the ability of any person to display or distribute campaign messages to prospective voters approaching the Town offices.

The Board of Selectmen has the care, custody and control of the Town Hall at 52 Main Street and the surrounding sidewalks, and may regulate activity thereon, hereby adopts the following regulation:

"Electioneering" (the display or distribution of material intended to influence the actions of voters), other than those expressly authorized by G.L. c. 54, § 65, and also prohibiting the gathering of nomination signatures within the Town Hall and on the parcel of land upon which is situated Milford Town Hall, 52 Main Street, including the sidewalks and vehicular parking areas associated therewith, bounded by Main Street, Court Street, Court Square, and North Bow Street for the periods designated for the Annual Town Electioneering period, in-person Absentee Voting and the State's Early Voting Period established by the Legislature.

We also wish to propose this policy for all nomination periods for the Annual Town Elections.

Adopted by the Board of Selectmen on _____, 2020.

G-1
7-13-20

MILFORD POLICE DEPARTMENT

Michael A. Pighetti
Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 634-2346

TO: Richard Villani
Town Administrator

FROM: Michael A. Pighetti
Chief of Police

DATE: June 24, 2020

RE: Proposed Loading/Delivery Zone (Central Street)

Dear Mr. Villani:

I respectfully request the creation of a Loading/Delivery Zone on Central St. at #31. Upon receipt of a request to your office submitted by Mr. Michael Aghajanian, I initiated an investigation into the matter. The result of said investigation revealed the area of Central St., from Main St. to approximately Baker Slip, to have no safe place for delivery vehicles to park and on/off-load goods, packages, etc. without blocking the travel lane of Central St. which causes a significant safety hazard to motorists and pedestrians. As you are aware, this area of Central St. is designated as one-way traffic with on-street parking on both sides which only provides one travel lane. When delivery vehicles, up to and including tractor trailer units, stop to pick up or deliver, they have no option except to block the travel lane. This action prevents any and all emergency apparatus (police, fire, ambulance) from accessing the area. Clearly, lost response time to any emergency is critical to the public safety and welfare. This newly created area will eliminate these concerns.

Therefore, to alleviate the current condition and enhance motor vehicle and pedestrian traffic, safety and efficiency, I recommend the following:

1) Relocate the Handicap Parking space from the easterly side of the alleyway between #25 and #31 Central St. and place it on the westerly side by repurposing one existing parking space. This will include repositioning respective signage and road painting to clearly identify the new space consistent with all prior approved Handicap Parking spaces in the downtown area.

2) Remove one regular parking space immediately easterly of the handicap space also located in front of #31 Central St.

3) From the curb cut of said alleyway, easterly for approximately 55 feet, designate this area for the loading and unloading of goods and equipment in the service of area businesses within reasonable distance to the proposed new zone. (See attached overhead photo of proposed area)

Repurposing the aforementioned space will greatly enhance the free flow of traffic in this very congested section of Central St., while providing continuous access of emergency response vehicles at all times.

Thank you for your time and consideration of this important public safety matter. Should you or the Board of Selectmen have questions or concerns, please contact me at your convenience.

Respectfully,

Michael A. Pighetti
Chief of Police

Cc: Enclosure
Files

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GUINNESS
GUINNESS
GUINNESS
GUINNESS
DRAUGHT

BUD
GHT
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BUD
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CENTRAL
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GUINNESS
KILLIAN'S
Heineken
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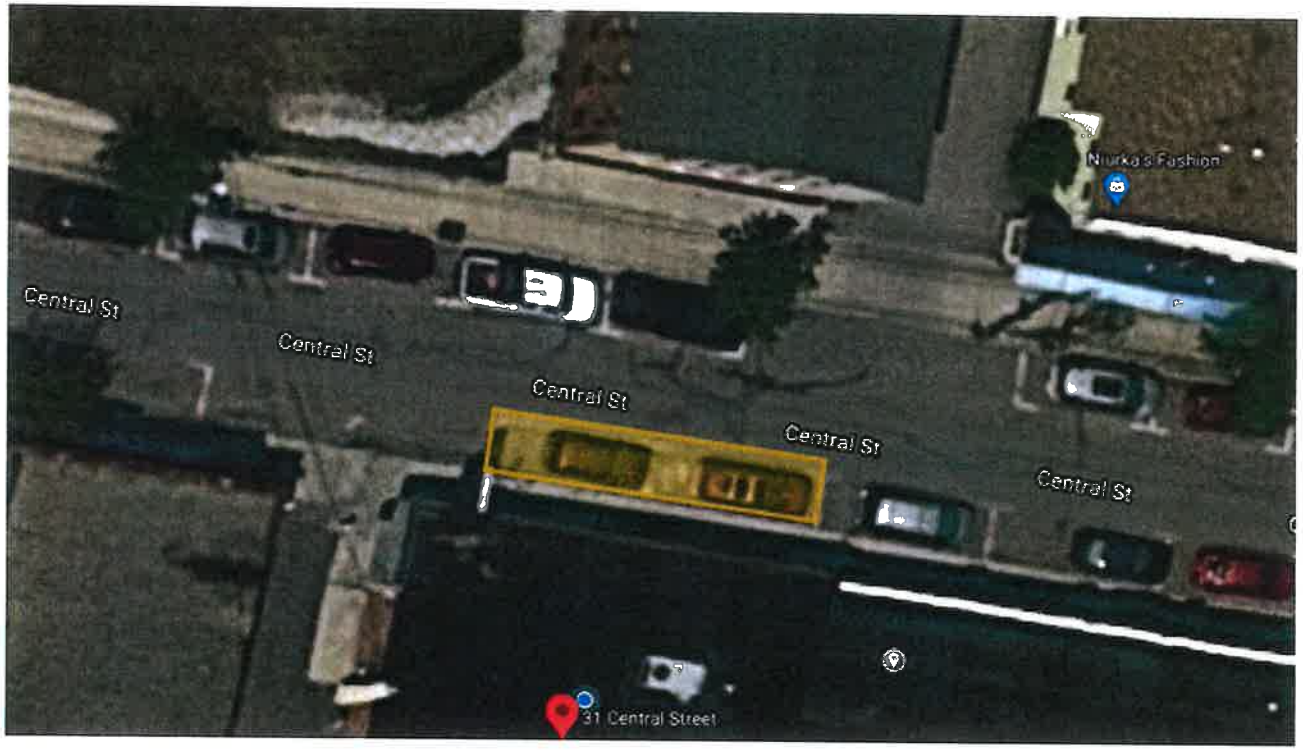
Corona
Heineken
NO PARKING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E-2
7-13-20

MILFORD POLICE DEPARTMENT

Michael A. Pighetti
Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 634-2346

TO: Richard Villani

FROM: Michael A. Pighetti, Chief of Police

DATE: July 9, 2020

RE: Handicap Parking @ 29 South Main Street

Dear Mr. Villani,

Upon your request, the Police Department conducted an inquiry as to the status of (2) handicap parking spaces located in front of 29 South Main St. Previously, the residents of the address had a child who is severely handicapped and required transportation in a special "bus" type vehicle that was oversized for a normal parking space. As a result, I believe the town added a second space to accommodate this vehicle. A check of current ownership of 29 South Main St. indicates the property was sold recently to a Ms. Tacuri and the previous owners (parents of the handicapped child) no longer reside at the address. Therefore, the handicap parking designations are no longer necessary or required.

Based on this information, it is my recommendation that the Board of Selectmen consider having the handicap signage and road markings (paint) removed as soon as possible. This will allow two additional regular parking spaces in this neighborhood for residents to utilize.

Should you have any questions or require further information, please contact me at your convenience.

Cc: Files

G-3
7-13-20

MILFORD POLICE DEPARTMENT

Michael A. Pighetti
Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 634-2346

TO: Richard Villani

FROM: Michael A. Pighetti, Chief of Police

DATE: July 8, 2020

RE: Wendy's Rest., 128 Cedar St. (Request to Discontinue Detail Officer)

Dear Mr. Villani,

Mr. Stephen Ruggiero, District Manager for Wendy's Restaurant, is requesting to discontinue the assignment of Police Officers at their location on Friday and Saturday nights from 9:00pm- - 1:00am due to the cost factor. As you may know, this is a longstanding practice resulting from a directive from the Board of Selectmen many, many years ago in response to the high level of complaints and incidents arising from the late hours of operation at the restaurant. It is my recollection that the Board at that time approved the extended hours of operation with the strict stipulation that a police detail officer be on the premises during those hours to alleviate the problems arising during that timeframe at the expense of Wendy's Restaurant.

Upon researching calls for service for the past three years, the Police Department logged 47 calls during the 9:00pm – 1:00am timeframe. The nature of these calls range from motor vehicle crashes, to larceny, domestic disputes, loitering, disturbances and medical emergencies. Total calls overall for the address were approximately 240, however, it should be noted that many are not related to the Wendy's Restaurant. A large number of them are for the intersection nearby, roadway incidents, traffic light malfunctions, etc. which are not connected to the Wendy's property or their operations.

If I may suggest, in light of our troublesome times and lost revenue for local businesses, would be for the Board to take into consideration, a moratorium on the police detail officer requirement for a period of time, to be determined by the Board of Selectmen, and monitor the amount and seriousness of calls at the location. The Police Department can provide patrols and oversight of Wendy's, their lots, and the adjacent properties which become subject to undesirable activity generated from Wendy's patrons. As always, the Town reserves the right to revisit the issue at any time it may deem necessary.

Thank you for your time and consideration.

H-1
7-13-20

MILFORD POLICE DEPARTMENT

Michael A. Pighetti
Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 634-2346

TO: Richard Villani, Town Administrator

FROM: Michael A. Pighetti, Chief of Police

DATE: July 3, 2020

RE: Response To Opioid Related Calls For Service

Dear Mr. Villani,

As per your request dated June 23, 2020 regarding notifications and police response to Opioid related calls for service, the Police Department has created a system to make notification to town officials identified by your office as follows:

William Kingkade, Selectmen Chairman
Michael Walsh, Selectman
Thomas O'Loughlin, Selectman
Richard Villani, Town Administrator
Jacquelyn Murphy, Director of Public Health
Community Impact, Inc.

The system is designed to notify these individuals within several minutes or less that an incident has occurred and the required information is obtained and verified to the best of our ability. The information provided will be:

Gender
Age
Location (Street name only)
If Naloxone is administered
If victim is transported to a medical facility (i.e. Milford Regional Medical Center) for treatment

The system of notification shall proceed upon the approval of the Board of Selectmen and guidance from your office as to a specific date to begin.

MILFORD POLICE DEPARTMENT

Michael A. Pighetti
Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 634-2346

TO: Richard Villani, Town Administrator

FROM: Michael A. Pighetti, Chief of Police

DATE: July 3, 2020

RE: Response To Opioid Related Calls For Service

Dear Mr. Villani,

As requested, this memo will outline the police response to incidents involving overdose of narcotics:

- 911 call received by Dispatch.
- Police/Fire/Ambulance dispatched simultaneously.
- Suspected overdose notification sent to all recipients on page list.
- Responding units arrive and assess victim(s).
- If victim is in cardiac distress, emergency aid is provided by first on-scene, to include maintaining the airway, administering Naloxone, performing CPR if necessary, while additional medical procedures can be administered by an ALS level EMS responder, if on-scene. (i.e. Paramedic).
- If victim remains unresponsive and/or unconscious, they are immediately transported to MRMC for emergency life-saving treatment.
- If resuscitation is successful, the victim is stabilized and transported by ambulance to MRMC for further treatment.
- Community Impact Recovery Coach's and Officer's conduct follow up interviews with the victim to assist in obtaining services for substance abuse treatment and recovery as soon as possible. Investigative Services Detectives typically conduct follow up's with victims on a case-by-case basis upon the direction of the Unit Commander.

- In the case of an overdose death, responding Patrol Officers and Investigative Services Detectives will preserve the location as a crime scene involving an unattended death and process it in accordance with policy, procedure and accepted practices of crime scene preservation and processing. The State Medical Examiner is notified and will direct our personnel as to the disposition of the deceased victim. Typically, the deceased is removed by the Medical Examiner or a selected Funeral Director. State Police investigators assigned to the Worcester District Attorney's office are also notified.
- Naloxone (Narcan) kits are available and issued to every Officer on duty on every shift on a daily basis. Each kit includes (2) doses, (2mg) each which can be administered to a victim by police, fire and EMS personnel.
- Naloxone supplies to the Police Department constantly remain at the same level of availability. Whenever Naloxone is administered in the field, it is immediately replaced by Community Ambulance personnel, either on-scene or at the hospital. This practice is an agreement with the ambulance service and is a one-for-one exchange; one used, one replaced.
- Community Impact's Regional Substance Navigation Program contact information is also included in the Narcan kits which are provided to the victim, a family member and others on-scene.
- Community Impact Recovery Coach's respond to the scene, the hospital and third party locations with victims of overdose and their families. Their response is often dictated by timing and availability with regard to each individual case.
- Every call for service involving an overdose is concluded with a police report which includes information such as the administration of Narcan, how many milligrams administered, victim response, etc., as well as, other vital information which is monitored by the Investigative Services Unit.

Respectfully,

Michael A. Pighetti
Chief of Police