# MILFORD BOARD OF SELECTMEN: AGENDA January 28, 2019 – 7:00PM, ROOM 03, TOWN HALL

### **CITATION – WILLIAM WELCH**

- A. SIGNING OF WARRANT and APPROVAL OF November 26, 2018, January 14, 2019 & January 22, 2019 MINUTES
- **B. INVITATION TO SPEAK**
- C. PUBLIC HEARINGS

### **D. SCHEDULED APPOINTMENTS**

- 1. 7:00PM Finance Director, RE: FY 17 Management Letter
- 2. 7:20PM Finance Director, RE: Budget FY20
- 3. 7:30 Town Engineer, RE: Update Route 16 TIP Project

### E. TOWN ADMINISTRATOR'S REPORT

#### F. OLD BUSINESS

1. Town Administrator, RE: Police Chief Selection Committee

### **G. NEW BUSINESS**

- 1. Town Administrator, RE: Annual Town Meeting Date
- 2. Town Administrator, RE: Special Municipal Employee Classification
- 3. Milford Special Olympics, RE: Permit to Obstruct
- 4. Canvas n' Cup, RE: One Day Wine & Malt License
- 5. Tree Warden, RE: Gift Acceptance
- **6.** St. Mary's Assumption, RE: One Day Wine & Malt License
- 7. Town Administrator, RE: Spanish Translator Position
- 8. Milford Girl Scouts, RE: Permit to Obstruct

### H. CORRESPONDENCE

- 1. Verizon FiOS, RE: Information/Price Change
- 2. Maggie McIsaac, RE: Resignation Milford Cultural Council

### I. EXECUTIVE SESSION

 Discussion with Town Counsel regarding Amy Shook, as parent and next friend of Jonathan Shook, a minor v. Town of Milford Worcester Superior Court Docket No. 18CV 1218-C pursuant To G.L. C. 30A, 5. 21 (a) (3) and (7) and Suffolk Construction v. DCAM, 449 MASS 444 (2007)

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.



### TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757 508-634-2317 Fax 508-473-2394 mdean@townofmilford.com

Michael Dean, P.E. *Town Engineer* 

### MEMORANDUM

TO:

Rick Villani, Town Administrator

FROM:

Michael Dean, P.E. MD

DATE:

January 24, 2019

SUBJECT:

TIP Project- Main Street (From Water St. to Rt. 140 / Hopedale)

The Traffic Improvement Project (TIP) for Main Street, begins at the intersection of Main Street and Water Street, continues up to Prospect Street (Route 140) and slightly into the town of Hopedale (Adin Street & Rt. 16 Intersection). Approximately 3,200 linear feet (0.60 miles).

The project is on the TIP Target Program at approximately \$3.2 million, MassDOT has the construction listed as the Fall of 2019. The projects funding through MassDOT includes the construction of the infrastructure, oversight, inspections and administration.

The Town of Milford is required to pay for the Design Consultants, Land Appraisals, Land Takings and Temporary Construction Easements.

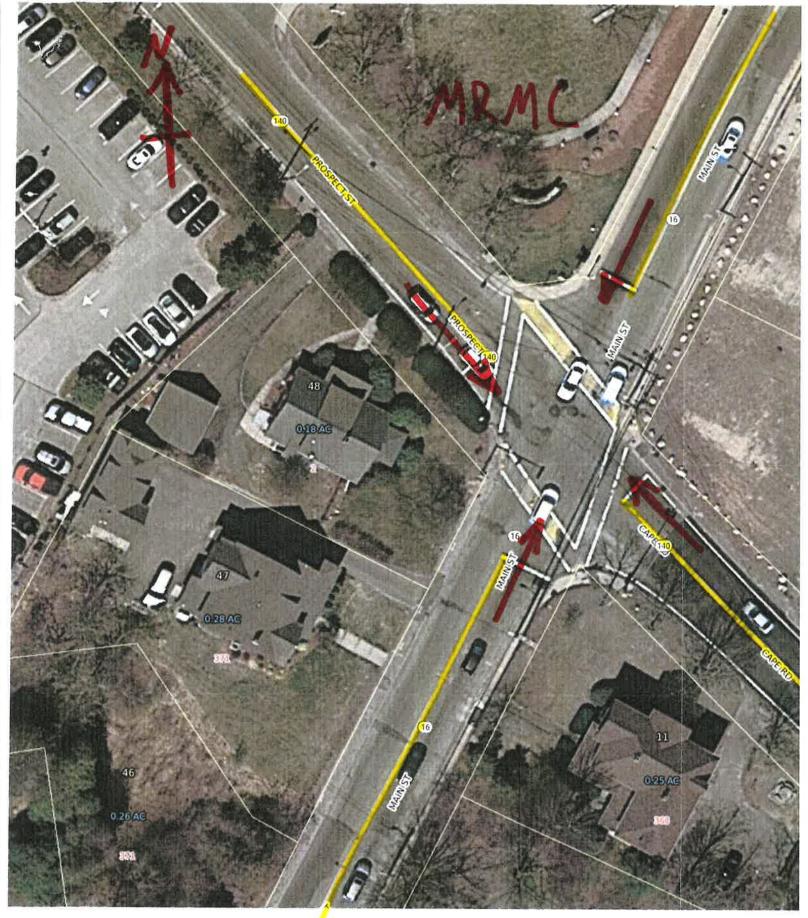
The construction is similar to the most recent improvements to Route 16.

- Reconstruction of the Roadway, New Curbing, New Pavement, New Sidewalks that will be ADA compliant, designated Bike Lanes and Upgrade Drainage Components.
- Major Upgrades to the Route 16 and Route 140 Intersection, adjacent to the Milford Regional Medical Center (MRMC).

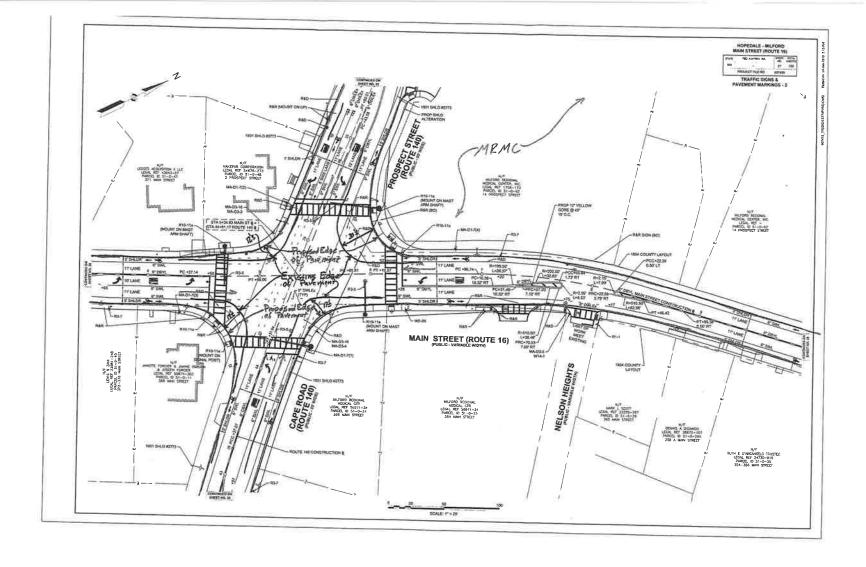
The project upgrades the infrastructure in the Town of Milford (Approx. \$3.2 million). The project will make pedestrian and Bike travel safer by incorporating modern ramps, crosswalks and designated bike lanes and will better manage traffic at the Milford Regional Medical Center Intersection allowing for a more efficient and safer intersection.

### Update as of January 24, 2019

- The design plans are 95% completed. The Towns consultant is currently addressing a few minor comments from MassDOT.
- The Town has completed the land appraisals, notifications to the land owners, checks have been processed for payment to land owners.
- The Order of Taking and associated Survey Plans have been recorded at the Registry of Deeds.
- The Project is scheduled to go out to Bid this Summer (2019).
- The start of Construction is listed with MassDOT for the fall of 2019.
- One of the major improvements of the project will be the intersection of Route 16 and Route 140.
  - o The intersection will be substantially widened
  - o Introducing larger turning radii for tractor trailer movements
  - o Introducing additional turning lanes (left turns and a right turn lane) to allow for better traffic flow
  - o Introducing designated Bike Lanes
  - New accessible sidewalks
  - New and modern signalization with preemptive control for emergency vehicles approaching the intersection



Existing Single Lanes





### ANNUAL TOWN MEETING: MONDAY, MAY 20, 2019

1.	Monday, January 28, 2019	Selectmen set date for Annual Town Meeting and open Warrant, which closes at 12 noon Thursday, February 28, 2019
2.	Monday, March 4	Town Counsel begins preparation of official Warrant
3.	Monday, March 25*	Selectmen approve final Warrant
4.	Tuesday, March 26*	Warrant to printer for reproduction
5.	March 11-May 20	Finance Committee, Personnel Board and Selectmen schedule meetings to review articles, as necessary
6.	Monday, April 30*	Town Clerk posts copies of Warrant in all precincts (a minimum of) 14 days prior to Special and 7 days prior to Annual Town Meeting, per MGL.
7.	Monday, May 6*	Town Clerk posts copies of Warrant in ten (10) public places and mails Warrant to Town Meeting membership (at least) 7 days prior to Special or Annual Town Meeting, per Article 37 of June 13, 1989 ATM
8.	Monday, May 20, 2019	TOWN MEETING CONVENES AT 7:00PM @MILFORD TOWN HALL, 52 MAIN STREET.
9.	Wednesday, May 22, 2019	Adjourned Town Meeting, if required.

<sup>\*</sup>Denotes action must be taken on or before specified date.

CC: Selectmen, Town Administrator, Town Counsel, Town Clerk, Moderator, Finance Director, Town Accountant, Personnel Board, Finance Committee, Maintenance

#### **REFERENCES:**

MASS.GEN.LAWS: Warrant shall be posted in all precincts at least 14 days prior to Special Town Meeting and at least 7 days prior to Annual Town Meeting.

Annual Town Meeting of June 13, 1989. Article 37: (Amends standing vote of 9/16/35 TM)

Notice of every Town Meeting shall be given at least 7 days before such meeting by posting attested copies of the Warrant therefore in ten or more public places located in the Town of Milford, and by publishing a summary of the Warrant in a newspaper having a general circulation in the Town of Milford. A copy of the Warrant shall be received by first class mail to all Town Meeting members at least 7 days before such meetings. UNAN. VOICE VOTE.

Special Town Meeting of October 25, 2000. Article 2: Amends standing vote of 6/13/89 Notice of every Town Meeting shall be given at least 7 days before such meeting by posting attested copies of the Warrant therefore in ten or more public places located in the Town of Milford. A copy of the Warrant shall be mailed by first class mail to all Town Meeting members at least 7 days before said meetings. UNAN. VOICE VOTE.

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Gerald M. Moody

Attorney at Law 8 Fern Street Milford, MA 01757

(508) 634-3607 Cell: (508) 797-8377 moody\_gerald@yahoo.com

January 4, 2019

Michael K. Walsh, Chairman Board of Selectmen 52 Main Street Milford, MA 01757

RE: Conflict of Interest Law Classification as Special Municipal Employee

Dear Mr. Walsh:

As I think you are aware, since my retirement as Town Counsel in March of 2018 I have continued to serve as part-time Labor Counsel for the Milford School Committee pursuant to G.L. c. 71, § 37E. I have also served the Zoning Board of Appeals on a very part-time basis as their Chapter 40B Coordinator. I expect the services as Labor Counsel to go on until the School Committee decides that it should make a change. As to the 40B Coordinator functions they are largely complete with the approval of the three (3) 40B projects this past year. There will be times when I will be asked by the Zoning Board of Appeals to undertake review and analysis of submissions prior to construction but I do not anticipate that will entail much more than 20 hours per year paid for from funds supplied by the developers. My time with the School Committee is estimated by the Committee and myself, for purposes of our stipend agreement, at approximately 75 hours per year.

I am writing this to ask that your Board consider classifying these two positions, School Committee Labor Counsel and Zoning Board of Appeals 40B Coordinator, as "special municipal employee" positions. This classification would be made pursuant to G.L. c. 268A, §1, which allows the Board of Selectmen to classify positions as special. Back in 1966 the then Board classified the vast majority of the part-time volunteer or low hour compensated positions as "special municipal employees". This was updated in 1996 when a number of new positions were added to the classifications and has been updated periodically on a position by position basis as they have come into to being. Under the law, which is contained at G.L. c. 268A, §1, positions may be classified for "special municipal employee" status when a position is one for which no compensation is provided or is one in which the employee does not earn compensation as a municipal employee for an aggregate of not more than 800 hours during the preceding 365 days.

In the case of either position, or together, they did not even come close to that mark and would not come close in any particular year in the future.

The reason for my requesting this classification, (as was done some years ago for the part-time general government labor counsel position) is the possibility that in the future I might have a need or desire to represent parties before Town Boards or agencies other than those employing me as Special Counsel. To do that I would need this classification. At the current time I do not have any parties I am representing before any Town Boards or Agencies, but I do anticipate it could happen in the future and it would be best, from every perspective, to ask your Board to classify these positions as Special Municipal Employee at this time.

If you have any questions in relation to the above, please do not hesitate to advise.

Very truly yours,

Gerald M. Moody Special Counsel GMM/mt

Cc: Selectmen

Town Administrator Town Counsel



# MILFORD BOARD OF SELECTMEN

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

# PERMIT TO OBSTRUCT APPLICATION

- Read appropriate By-Law on reverse side (Article and Section is identified below) 1)
- An Insurance Certificate (\$1,000,000/\$3,000,000) is required, worded as follows: 2) THE TOWN OF MILFORD IS AN ADDITIONAL INSURED.
- If requesting a Permit to hang a Sign or Banner, first obtain a permit for the Sign or Banner itself from the Building 3) Commissioner. Attach a copy of that permit.
- two weeks prior to date requested below.

If a Banner overhanging a public street is to be attached to a building, you must obtain permission from the property owner. 4) Applicant shall engage a responsible individual to hang banner: town employees are prohibited from engaging in this 5) Submit complete application, including Insurance Certificate and any other required documents, to Selectmen's Office at least 6) Detach and retain top section for future use; Complete and submit boltom section to Selectmen's Office MAILING ADDRESS: CONTACT PERSON: PHONE # CHECK ONE: PERMIT TO OVERHANG PUBLIC WAY (Article 13, Section 5) PERMIT TO OBSTRUCT A PUBLIC WAY (Article 12, Section 3) PERMIT TO OBSTRUCT SIDEWALK (MERCHANDISE DISPLAY) (Article 13, Sec. 6) DESCRIBE IN DETAIL WHAT YOU PLAN TO DO: INDICATE EXACT LOCATION (Street(s) & Number(s), EXACT DAY(S) AND DATE(S), TIMES OF DAY, AND ALL OTHER RELEVANT INFORMATION: Signature of person authorized to apply for permit Police Chief's Signature Comments:

Go gle Maps

35 W Fountain St, Milford, MA 01757 to Milford High School

Walk 4.3 km, 53 min

Middlew Spaces Styrican SK Programma are not as



Map data @2019 Google

1006 ft ...

via Congress St and Highland St

53 min

≞∃km

Board of Selectmen Milford Town Hall 52 Main St. Milford, MA 01757

January 7, 2019

Dear Sirs,

On behalf of the Milford Community Programs I would like to request your permission to hold our annual road race to benefit the Milford Special Olympics on Saturday, September 21st, 2019 at 9:00AM. We will be starting at the back of the high school.

Through the years with your support as well as the help of the Milford Police and the Tri Valley Runners Club, and many other volunteers, our annual road race, walk, and kids run was a huge success and we would like to build on this once again.

If you need any further information or have any questions please feel free to contact me at Milford High School, 508-478-1100 ext. 1121 or <a href="mailto:jwalsh@milfordma.com">jwalsh@milfordma.com</a>.

Thanks so much for your time and consideration.

Sincerely yours,

Jennifer S. Walsh

Coordinator of Special Programs

## MILFORD BOARD OF SELECTMEN



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www.milford.ma.us.com

### APPLICATION FOR ONE-DAY LICENSE PER MGL, C138, S14

Please contact this office with any licensing questions you may have. This application must be returned at least two (2) weeks prior to requested date (s)

Name of Organization Canvas n. Cup
Address 189 Main Street, MilFord, MA 01757
Contact Person Weekday Telephone 677 - 947-885
License is requested for the sale of: (check one) Fee = \$100.00 per day
All-alcoholic Beverages Wine Only Wine & Malt Only Malt Beverages Only
Purpose of Event Fundraising for Kem For Kids
Name of Applicant/Organization Kem For Kids
Address
Telephone <u>508-633-1115</u> Email
Non-Profit Organization Yes No
Date of Event March 3, 2019
Event will take place at the following location: 189 Main Street, MIFred
Between the hours of $2pm - 5pm$
Is the event held by, or held for the benefit of, a business or non-profit group? Yes No
If the answer to ANY of these questions is YES: A One-Day Special license is required. License applications must go before the Board of Selectmen. <i>ALL</i> alcohol must be purchased by the licensee from a <i>wholesaler</i> . (List can be found at <u>www.mass.gov/abcc</u> )
I certify under the pains and penalties of perjury that the above information is true and that I will comply with all applicable Alcohol Control Laws of the State of Massachusetts and policies and regulations of the Town of Milford.  Applicant's Signature





189 Main St • 1st Floor • Milford, MA 01757 Phone 508-478-7286 • www.afonsorealestate.com • Fax 508-478-0664

January 14, 2019

Town of Milford Attn: Richard Villani Town Administrator 52 Main Street Milford MA 01757

To the Town of Milford:

In recent weeks, dead and fallen trees have been removed and/or cut back in efforts to make the roadways safe for travelers.

In appreciation of the work that was done, under the leadership of the Tree Warden, enclosed please find a check for \$5,000; our contribution to the town of Milford.

Sincerely,

Domenic & Tina Afonso

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# APPLICATION FOR ONE-DAY LICENSE PER MGL, C138, S14

Please contact this office with any licensing questions you may have. This application must be returned at least two (2) weeks prior to requested date (s)

Name of Organization It Mary of the Assumption
Address In Winter ST, Milford - MA
EM 1 6 2 500 215-9132
Contact Person Tr. 1 19+605 3 002a Weekday Telephone 300 - 313 - 4132
License is requested for the sale of: (check one) Fee = \$100.00 per day
All-alcoholic Beverages Wine Only Wine & Malt Only Malt Beverages Only
Purpose of Event Fundraiser for the church
Name of Applicant/Organization St. Mary of the Assumption Church
Address 17 Winter ST, Milford -MA
Telephone 508-473-2000 Email fr. mateussoura @ gmail.com
Non-Profit Organization Yes No
Date of Event February 16 2019
Event will take place at the following location: St. Mary's Parish Center - Milford -MA
Between the hours of 8:00 pm to 12 am
Is the event held by, or held for the benefit of, a business or non-profit group? Yes \( \setminus \) No  Will there be a cash bar? Yes \( \setminus \) No  Is there an entrance fee or donation required? Yes \( \setminus \) No  Is the event open to the general public? Yes \( \setminus \) No
If the answer to ANY of these questions is YES: A One-Day Special license is required. License applications must go before the Board of Selectmen. <i>ALL</i> alcohol must be purchased by the licensee from a <i>wholesaler</i> . (List can be found at <u>www.mass.gov/abcc</u> )
I certify under the pains and penalties of perjury that the above information is true and that I will comply with all applicable Alcohol Control Laws of the State of Massachusetts and policies and regulations of the Town of Milford.  Applicant's Signature

# Certificate of Coverage

**Date:** 1/14/2019

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Robert J. McManus, Roman Catholic Bishop of Worcester, A Corporation Sole and Trustees, Members of the Board of Governors, Clergymen and Catholic Charities 49 Elm Street

Worcester, MA 01609

#### Covered Location

ST MARY OF THE ASSUMPTION CHURCH 17 WINTER STREET MILFORD, MA 01757 This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.

Company Affording Coverage

THE CATHOLIC MUTUAL RELIEF SOCIETY OF AMERICA 10843 OLD MILL RD OMAHA, NE 68154

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
Property				Real & Personal Property	
D. General Liability				Each Occurrence	1,000,000
				General Aggregate	
Occurrence	8440	8/31/2018	9/21/2010	Products-Comp/OP Agg	
Claims Made	8440	8/31/2018	8/31/2019	Personal & Adv Injury	
				Fire Damage (Any one fire)	
		12		Med Exp (Any one person)	
Excess Liability				Each Occurrence	
				Annual Aggregrate	
Other				Each Occurrence	
				Claims Made	
				Annual Aggregrate	
				Limit/Coverage	

Description of Operations/Locations/Vehicles/Special Items (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)

Coverage is verified for claims arising out of St. Mary of the Assumption's Valentine's Dinner Dance to be held on February 16, 2019. Includes liquor liability.

Holder of Certificate

Cancellation

Town of Milford Town Hall 52 Main Street Milford, MA 01757 Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

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6) two weeks prior to date requested below.

Applicant shall engage a responsible individual to hang banner: town employees are prohibited from engaging in this Submit complete application, including Insurance Certificate and any other required documents, to Selectmen's Office at least Detach and retain top section for future use: Complete and submit bottom section to Selectmen's Office NAME OF ORGANIZATION \_\_ Milford Girl Scouts MAILING ADDRESS: 3 Dogwood Lane Milford, Ma 01757 CONTACT PERSON: Kathy Mahoney 508-328-5154 \*HONE CHECK ONE: PERMIT TO OVERHANG PUBLIC WAY (Article 13, Section 5) PERMIT TO DESTRUCT A PUBLIC WAY (Article 12, Section 3) PERMIT TO OBSTRUCT SIDEWALK (MERCHANDISE DISPLAY) (Article 13, Sec. 6) DESCRIBE IN DETAIL WHAT YOU PLAN TO DO: Sell GS cookies in the Town Hall parking lot (left of the building) No signs allowed on the sidewalk. Girls may hold signs on the sidewalk with adults Certificate of Insurance from GSCWM has been received by Mr Villani Saturday Feb 9 10am - 4pm and Saturday Feb 23 10am - 4pm (T11276) INDICATE EXACT LOCATION (Street(s)& Number(s), EXACT DAY(S) AND DATE(S), TIMES OF DAY, AND ALL OTHER RELEVANT INFORMATION:

Police Chief's Signature Conuments:

1/24/19 Date



From:

'Connors, Niall S' via Richard Villani <rvillani@milfordma.com>

Sent:

Thursday, January 17, 2019 3:38 PM

Subject:

Attachments:

Verizon Fios TV - LFA Notification - Rate Increases Customer Notice - Fios TV Rate Notification.pdf

Dear Municipal Official:

This is to notify you of certain upcoming Fios® TV pricing changes.

On or after April 1, 2019 -

- The Broadcast Fee for consumer and business will increase from \$4.49 to \$6.49 per month. This monthly fee helps cover a portion of the costs local TV stations charge Verizon for their programming and is subject to change.
- The base monthly rate for the consumer only Fios® Bundle will increase by \$5.
- The base monthly rate for the consumer only Fios® Standalone TV will increase by \$3.

Verizon will notify affected subscribers of the above by means of bill message beginning on or after February 1, 2019. A sample customer notice is attached. For existing customers with term contracts or promotional price guarantees, rate increases become effective after the term contracts or promotional price guarantees expire.

Access to the Fios® TV channel lineup is available 24/7 online at verizon.com/fiostvchannels.

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact me.

Sincerely,



Niall Connors Fios Franchise Service Manager Massachusetts and Rhode Island

6 Bowdoin Square, 10th Floor Boston, MA 02114

O <u>857.415.5123</u> | M <u>781.715.7058</u> <u>niall.s.connors@verizon.com</u>



#### Fios® TV Rate Notification

Broadcast Fee (Consumer & Business)

Effective on or after 30 days from the date of this message, you will receive a Fios TV Broadcast fee of \$6.49/month. If you currently have a Broadcast Fee on your bill, this will be increased to \$6.49/month. This monthly fee helps cover a portion of the costs local TV stations charge Verizon for their programming and is subject to change.

Fios Bundle Rate Increase (Consumer only)

In order to continue to bring you quality service, at times we need to raise our rates. On or after 30 days from the date of this bill, the base monthly rate for your Fios Bundle, Fios TV or Fios Internet plan will increase by \$5. If you would like to keep your current service as is, no action is required and any credits or discounts remain in effect until their original expiration date.

If you have recently signed up for a new 2-year bundle agreement, you may disregard this notice. We offer many other bundle options that can help you get the most for your money. Just call and a Fios rep will help find the best value for you. You may even be eligible for a special offer when you switch to a new Fios bundle with a 2-year agreement and 2-year price guarantee. Call 1.888.637.7544 (Monday – Friday 8 AM – 9 PM; Saturday 9AM - 5 PM) or go to verizon.com/fios/5oi for more information. Be sure to have your Verizon bill handy for reference.

Fios Standalone Rate Increase (Consumer only)

In order to continue to bring you quality service, at times we need to raise our rates. On or after 30 days from the date of this bill, the base monthly rate for your Fios TV or Fios Internet plan will increase by \$3. If you would like to keep your current service as is, no action is required and any credits or discounts remain in effect until their original expiration date.

If you have recently signed up for a new 2-year bundle agreement, you may disregard this notice. We offer many other bundle options that can help you get the most for your money. Just call and a Fios rep will help find the best value for you. You may even be eligible for a special offer when you switch to a new Fios bundle with a 2-year agreement and 2-year price guarantee. Call 1.888.637.7544 (Monday - Friday 8 AM - 9 PM; Saturday 9 AM - 5 PM) or go to verizon.com/fios/5oi for more information. Be sure to have your Verizon bill handy for reference.

Town of Milford Selectmen
52 Main Street
Milford MA 01757

January 18th 2019

Good Afternoon Selectmen,

I will be resigning from the position of Milford Cultural Council Chair effective January 30<sup>th</sup> 2019 due to the fact that I no longer am able to keep up with the duties and responsibilities of Council Chair. The participation has declined in the last few years, and there is not another interested person on the current council that would like to step up and be the new Council Chair. I can help provide any necessary resources as needed for a new Cultural Chair. Thank you for the opportunity as I have enjoyed being involved with the Milford Cultural Council the last few years.

Sincerely.

Maggie McIsaac