MILFORD SELECT BOARD: AGENDA March 8, 2021 – 7:00 PM, ROOM 03, TOWN HALL

A.) SIGNING OF WARRANT, APPROVAL of Minutes, February 22, 2021, EXECUTIVE SESSION Minutes, February 22, 2021

B.) INVITATION TO SPEAK

The Select Board invites public participation on an in-person basis during its March 8, 2021 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 two such participants 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 two at a time.

Remote Public Hearing/Invitation to Speak access now requires advanced registration. Please register online here: http://tiny.cc/o61rtz Any member of the public may now register to access the zoom webinar as an attendee. Public attendees will be able to view the zoom LIVE and request to speak at the "Public Hearing/Invitation to Speak."

C.) PUBLIC HEARINGS

D.) SCHEDULED APPOINTMENTS

- 1. Joint Meeting, Board of Assessors/Select Board, re: Assessor Appointment
- 2. Benefits Coordinator and Insurance Advisory Commission, re: Health Insurance Rates

E.) TOWN ADMINISTRATOR'S REPORT

F.) OLD BUSINESS

- 1. Amazon, re: Update
- 2. Letter from Board of Assessors, re: Appellate Tax Board Legal Services

G.) NEW BUSINESS

- 1. Discussion-Voting by Mail-Local Election
- 2. Lobisser & Ferreira Construction Corp., re: Permit to Obstruct
- 3. Planning Board, re: Remand Proposed Zoning By-Law Amendment
- 4. Highway Surveyor, re: No Parking Signs-National Street
- 5. Police Chief, re: No Tractor Trailer Sign-Beaver Street

H.) CORRESPONDENCE

I.) EXECUTIVE SESSION

- 1. Town Administrator, re: Water Company Acquisition
- 2. Town Administrator, re: Tax Collector Contract

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.

3/8/21

MILFORD SELECT BOARD

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

William E. Kingkade, Jr., Chairman Michael K. Walsh Thomas J. O'Loughlin, Esq.

Richard A. Villani Town Administrator

TO:

William E. Kingkade, Jr., Chairman

Michael K. Walsh Thomas J. O'Loughlin

FROM:

Richard A. Villani

RE:

Milford Board of Assessors Vacancy

DATE:

March 8, 2021

As the Board knows, there is a vacancy on the Milford Board of Assessors due to the passing of longtime member Joseph Niro. Notice of the vacancy was posted as required by M.G.L. Chapter 41, section 11. A joint meeting of the Board of Assessors and Select Board was posted for Monday, March 8, 2021 at 7 PM.

We received four (4) letters of interest for the position. The interested applicants are Jeffrey Niro, Charles R. Piscia, Charles W. Skaff and James Wheelock. Attached are their Letters of Interest and/or Resumes. The vacancy can be filled with a roll call vote of the members of the Milford Board of Assessors present and the members of the Board of Selectmen.

The individual appointed will serve on the Board of Assessors only until April 5, 2022. The position will be placed on the April 5, 2022 Local Election ballot. **The Board must also VOTE to place this position on the April 5, 2022 Election Ballot.**

Please let me know if you have any questions.

cc Files



TOWN OF MILFORD Benefits Department

A Division of the Municipal Finance Department

KELLY A. CAPECE

Benefits Coordinator

KARA GEROMINI

Assistant Benefits Coordinator

March 1, 2021

William E. Kingkade Jr., Chairman Select Board 52 Main Street Milford, MA 01757

RE: Health Insurance Renewal

Dear Chairman Kingkade,

At the March 8, 2021 Select Board meeting, I will be presenting, on behalf of the Insurance Advisory Committee (IAC), the group health, dental and life insurance renewal rates for our upcoming plan year effective May 1, 2021. The IAC is seeking a vote from your Board to approve the rates as voted upon at the committee's meeting on February 18, 2021.

Blue Cross and Blue Shield has submitted a renewal rate that reflects a 5.9% increase for this upcoming plan year. The past two year's renewals were a -3.7% rate decrease and a 3% increase, respectively. We also had an increase in our Large Loss claims this past year, so an increase was not unexpected.

We are pleased to report that Boston Mutual Life Insurance Company submitted a renewal that reflects a rate hold for this plan year. In addition, we are entering into year 2 of a 2-year agreement with Delta Dental of Massachusetts, which had a rate hold for both years.

Summarized below are the renewal rates for the employee health, dental and life insurance plans as voted upon by the Insurance Advisory Committee:

	2021 Rate	2020 Rate	\$	%	Employee
	Monthly	Monthly	Change	Change	cost Monthly
HMO Blue New England – Ind.	983.39	928.60	54.79	5.9%	295.02
HMO Blue New England – Fam.	2,579.43	2,435.72	143.71	5.9%	773.83
Blue Care Elect PPO – Ind.	1,516.57	1,432.08	84.49	5.9%	758.29
Blue Care Elect PPO – Fam.	3,978.06	3,756.43	221.63	5.9%	1,989.03
Delta Dental – Ind. (yr. 2 of 2)	44.79	44.79	0.00	0.0%	22.40
Delta Dental – Fam. (yr. 2 of 2)	116.28	116.28	0.00	0.0%	58.14
Boston Mutual Life – Actives	15.15	15.15	0.00	0.0%	7.58
Boston Mutual Life – Retirees	7.35	7.35	0.00	0.0%	3.68

If you have questions concerning this information, I am available to meet at your convenience.

Respectfully,

Kelly A. Capece Benefits Coordinator

CC: Michael K. Walsh Sr., Select Board Member

Thomas J. O'Loughlin, Esq., Select Board Member

Richard A. Villani, Town Administrator Zachary Taylor, Finance Director



From:

Charles Boddy

Sent:

Tuesday, February 9, 2021 2:43 PM

To:

Jennifer Sclar; Richard Villani

Subject:

RE: Assessors Hiring Outside Counsel

I think that is fine, but you should refer to the hourly rate and the name of counsel. I think your request should also include the right to pay for expert reports and fees.

Charles D. Boddy, Jr. ESQ

Town Counsel Town of Milford Legal Department 52 Main Street (Room #16) Milford, MA 01757 508.634.2302 p 508.634.2324 f





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From: Jennifer Sclar < jsclar@townofmilford.com>

Sent: Tuesday, February 9, 2021 2:03 PM

To: Richard Villani <rvillani@townofmilford.com> Cc: Charles Boddy <cboddy@townofmilford.com> Subject: RE: Assessors Hiring Outside Counsel

Rick and Charles,

I am preparing a memo for my board to review to request the BOS hire outside counsel for our ATB cases. Below is all I have for a scope of services, if you think it needs changing please let me know. Thanks,

Jen

Memo

The Board of Assessors requests the Town retain outside legal services for Appellate Tax Board representation. We currently have three appeals requiring representation.

321 Fortune Boulevard for fiscal years 2018, 2019, 2020, 1 parcel Milford Square Plaza fiscal year 2020, 4 parcels Blaire House fiscal years 2018, 2019, 2020, 4 parcels

These services were funded through an article at the January 2021 Special Town Meeting.

Attached is a suggested scope of services which can be incorporated into the Town's standard contract. The scope is specifically for the properties listed above. We would come back to the Board of Selectmen for any future representation.

Scope

The fiscal years 2018-2020 Appellate Tax Board cases regarding Charles V. Zarba Trustee Sixteen Hundred Realty Trust, Linear Retail Milford #1 LLC, Claflin Street LLC, Claflin Street Limited Partnership, and Railroad Street Holdings LLC and their real property, located at 321 Fortune Boulevard (Zarba), 138, 140 and Rear South Main Street (Linear), 1 Seena Heller Way (Claflin St. LLC), 20 Claflin Street (Claflin St. Limited Partnership), and 1 Railroad Street (Railroad Street Holdings LLC); said cases being between the subject property owners and the Assessors of Milford regarding the valuation, assessment and taxation of said real property.

The Attorney requires no (\$0.00) monies as a retainer or payment on account. In consideration of the Client's promise to pay for legal services rendered by the Attorney, the Attorney will render legal services in connection with the above matters and keep the Client fully informed of all significant developments, and send copies of relevant documents necessary to achieve that purpose.

The Client and the Attorney/Firm agree that the scope of services to be provided by the Attorney/Firm may include responding to discovery requests, promulgating discovery requests, drafting motions and handling said motions as needed, review and analysis of all information necessary to render a legal opinion as to a range of values for the subject property's fair market value, a recommendation as to a legal strategy for the Client, discussion of settlement with subject property owner, and representing Client at the trial of these matters, and doing all things reasonably determined to be necessary by Attorney in representing Client in these matters.

In the event the Client shall discharge the Attorney/Firm, or in the event the Attorney determines to terminate the representation of the Client, the Attorney shall be paid for all work performed up to the point of termination of services, and this payment shall include all services which have been completed, as well as reimbursement of costs, expended up to the time of termination of the Attorney/Client relationship.

The Client agrees that the final bill submitted by the Attorney for legal fees and costs will be due and payable at the conclusion of this matter, or at the termination of the Attorney/Client relationship.

The Attorney and Client state that no results have been guaranteed by the Attorney to the Client and that this Agreement is not based upon any such promises or anticipated results.

The Client agrees to pay for costs incurred and out-of-pocket disbursements made by the Attorney, including, but not limited to filing fees, witness fees, travel, sheriff's and constable's fees, expenses of depositions, court reporters, investigative expenses, expert witness fees, appraisal fees, non-in house photocopying (i.e. extraordinary photocopying done at a copy center) and other incidental expenses as well as administrative costs (e.g. express mailings). The Attorney/Firm agrees to obtain the Client's approval before incurring any single cost or disbursement in excess of \$50.00.

Assessors Administrator Assessors' Office Town of Milford 52 Main Street (Room 13) Milford, MA 01757 508.634.2306 508.634.2324 (fax)





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From: Richard Villani < rvillani@townofmilford.com >

Sent: Friday, November 6, 2020 4:08 PM

To: Jennifer Sclar < jsclar@townofmilford.com> Subject: FW: Assessors Hiring Outside Counsel

Please see Town Counsel's response to your regarding hiring outside counsel for Appellate Tax Board cases.

Should you have any questions, please feel free to contact me.

Rick

Richard A. Villani

Town Administrator Town of Milford 52 Main Street (Room #11) Milford, MA 01757 508.634.2303 p 508.634.2324 f





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From: Charles Boddy < cboddy@townofmilford.com>

Sent: Friday, November 6, 2020 3:23 PM

To: Richard Villani < rvillani@townofmilford.com Subject: Assessors Hiring Outside Counsel

Rick you asked me to explain how the Assessors my hire outside counsel for Appellate Tax Board Cases.

The authority to hire legal counsel in Milford rests exclusively with the Board of Selectmen. This authority applies to all legal matters, even if the purview of some litigation may be exclusive to one board or another. A recent example of this is the hiring of outside counsel to address construction concerns at both the Woodland School and the Youth Center. One could argue that one was within the purview of the school building construction committee and the other the youth commission.

The Selectmen's exclusive authority is statutory. It is also derived from standard language that appear in every Milford Annual Town Meeting Warrant by which Town Meeting members vote to "authorize the Board of Selectmen to take charge of all legal proceedings for or against the Town..."

The procedure for hiring outside counsel is simply for the Board of Assessor to take a vote to forward a letter to the Select Board requesting that outside counsel be hired, and the scope of services for which counsel will be hired. It is then, appropriately, up to the Select Board to consider the matter and act upon it in due fashion. Charles

Charles D. Boddy, Jr. ESQ

Town Counsel Town of Milford Legal Department 52 Main Street (Room #16) Milford, MA 01757 508.634.2302 p 508.634.2324 f



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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

PERMIT TO OBSTRUCT APPLICATION

- 1) Read appropriate By-Law on reverse side (Article and Section is identified below)
- 2) An Insurance Certificate (\$1,000,000/\$3,000,000) is required, worded as follows: 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.
- 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) activity.
- Submit complete application, including Insurance Certificate and any other required documents, to Selectmen's Office at least 6) two weeks prior to date requested below.

Detach and retain top section for future use; Complete and submit bottom section to Selectmen's Office NAME OF ORGANIZATION Lobisser & FEVELER CONSTRUCTION COLD **MAILING ADDRESS:** 1 Charlesview RO CONTACT PERSON: John CHECK ONE: PERMIT TO OVERHANG PUBLIC WAY (Article 13, Section 5) \$10.00 Fee PERMIT TO OBSTRUCT A PUBLIC WAY (Article 12, Section 3) \$5.00 PER DAY Fee

PERMIT TO OBSTRUCT SIDEWALK (MERCHANDISE DISPLAY) (Article 13, Sec. 6) \$5.00 PER DAY Fee DESCRIBE IN DETAIL WHAT YOU PLAN TO DO: The first phase of the protect is to dome The east side fortions of the building, Roward as the Gym & CAFETENIA of the old middle school east building, phase 2 is to exciouate and Install New Foundations For Adultion. We the Recording 3 months of obstruction of the sidewalk three, Then we will Relocate the Fewer within out property Location For the Remaining Construction period INDICATE EXACT LOCATION (Street(s) & Number(s), EXACT DAY(S) AND DATE(S), TIMES OF DAY, AND ALL OTHER RELEVANT INFORMATION: Building is 45 main st, sideworld is Localed on summer st Running the Lought of middle school enst. start Dute, Harch 9, 2021. Signature of person authorized to apply for permit Agreed to hiredebail officer while fence is up during working hours during the day will move fencing back to allow citizens to use when not working. Will notify bolice of there are any changes in when not working. Will notify bolice of there are any changes in



MILFORD POLICE DEPARTMENT

James F. Falvey Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 473-5087

TO:

Richard Villani, Esq., Town Administrator

FROM:

James F. Falvey, Chief of Police

DATE:

March 1, 2021

RE:

Application for Sidewalk Obstruction

Dear Mr. Villani,

I have spoken with the applicant John Mastroianni for the permit to obstruct application. They want to erect a fence on the sidewalk along the entire building on Sumner Street during demolition. He said there will be no construction vehicles on Sumner Street and has agreed to the following: pushing the fencing back after each day of work to allow citizens use of the sidewalk after hours, hiring a detail police officer to assist pedestrians and traffic safe passage during working hours and notifying the police for any change in work such as blasting. They wish to start as soon as possible and anticipate the demo until sometime in May.

Sincerely,

James F. Falvey Chief of Police

Town of Milford



TOWN OF MILFORD

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

Larry L. Dunkin, MCRP

Town Planner

MEMORANDUM

TO:

Board of Selectmen

FROM:

Larry L. Dunkin, MCRP

DATE:

3-3-2021

SUBJECT:

Proposed Zoning Bylaw Amendments

At their regular meeting on 3-2-21, the Planning Board voted to forward the following Zoning Bylaw amendment proposal to the Board of Selectmen for inclusion on the up-coming Annual Town Meeting Warrant. The amendment relates to the following:

1. Amend Section 4.1 of the Zoning Bylaw relating to the definition of Massage Parlor.

A full Warrant Article for the proposed amendment is attached hereto. I recommend that you refer these amendments to the Planning Board for public hearing and report to Town Meeting for the 5-24-21 Annual Town Meeting.

ARTICLE _____: To see if the Town will vote to amend Article IV Definitions of the Zoning Bylaw relating to Massage Parlor uses as noted hereinafter:

BY DELETING in Section 4.1 the current definition of Massage Parlor and adopting in lieu thereof the following new definition:

"Massage Parlor - Any establishment in which a person practices an activity of treating the soft tissues of the body by manipulation with the hands through touching, handling, rubbing, or the use of pressure, friction, stroking, percussion, kneading, or vibration by manual or mechanical means, but excluding an athletic club or gymnasium the primary use of which is physical conditioning or athletics, or any establishment such as a hospital or medical clinic where such activity is performed by or under the direction of a licensed medical practitioner, a licensed chiropractor, a licensed massage therapist, or a licensed physical therapist."

OR IN THE ALTERNATIVE by substituting in Section 4.1 the term "Massage Parlor" for the term "Massage Establishment".

Or take any other action related thereto.

(Planning Board)

7 3-8-2 Richard Villani

From:

Scott Crisafulli

Sent:

Wednesday, March 3, 2021 1:46 PM

To:

Richard Villani

Subject:

National St Parking

Rick,

I want to recommend the town install "no parking" signs on the North side of National St. the full length of street, 100' apart. Also on the south side of National Street from Depot St. to the corner of the Amazon property. The trucks that park there now are not paying attention to the existing four "no parking" signs. The trash they are leaving behind is obvious and it is starting to make its way into the town owned Vernon Grove Cemetery. It is also an eyesore for the families visiting loved ones at the cemetery. I would like to see the area cleaned up as soon as possible. The Highway Department will install the signs with Select Boards consent.

Please advise.

Regards, Scott J. Crisafulli Highway Surveyor Milford Highway Department

P: 508-473-1274 F: 508-634-2348



MILFORD POLICE DEPARTMENT

James F. Falvey Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 473-5087

TO:

Richard Villani, Esq., Town Administrator

FROM:

James F. Falvey, Chief of Police

DATE:

March 3, 2021

RE:

Dear Mr. Villani,

On Wednesday March 3, 2021, we reviewed Highway Surveyor Scott Crisafulli's recommendations and concerns about No Parking Signs and littering on National Street. An officer was assigned to investigate and speak with Amazon facilities manager on National Street identified as Bill Sheraton. The manager was more than willing to assist and both the officer and manager stated observing large amounts of trash along National Street. Sheraton stated that Amazon is going to hire a landscaping company to remove all the trash alongside the roadway on National Street over the next several weeks. He further informed the officer that the company is currently looking into having no parking signs placed alongside National Street in order to deter all vehicles from parking and littering there. Officer Pokornicki then documented in his report # 21-5437-OF which I will include with this memo.

I also personally observed the area along National Street and observed large amounts of trash alongside the roadside. There are No Trailer Parking Signs on the side next to Vernon Grove Cemetery and some small No Parking Signs on Amazon building side. I would also recommend all NO PARKING SIGNS for both sides of the street. A message was sent to all Milford Police Supervisors directing their officers to conduct frequent checks of the area and enforcement of any observed infractions.

Sincerely,

James F. Falvey Chief of Police Town of Milford

1



Milford Police Department Incident Report

Page: 1 03/03/2021

Incident #: 21-5437-OF Call #: 21-5437

Date/Time	Reported:	03/03/2021	1430
Report	Date/Time:	03/03/2021	1502

Status: No Crime Involved

Reporting Officer: Officer Edward Pokornicki Approving Officer: Sergeant Brian Araujo

Signature:

Signature:

EVENTS(S)

LOCATION TYPE: Commercial/Office Building Zone: B Sector

AMAZON

NATIONAL ST MILFORD MA 01757

1 LITTERING

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	AMAZON 1 NATIONAL ST MILFORD MA 01757	Business					401-597-2362
	CONTACT INFORMATION: Work Phone (Primary) Work Phone	4 01-597-2362 774-244-8358					
2	SHERATON, BILL 1 NATIONAL ST MILFORD MA 01757 DOB: NOT AVAIL	OTHER	M	W	00	NOT AVAIL	401-597-2362
	**************************************	*****					

Milford Police Department

Page: 1

NARRATIVE FOR OFFICER EDWARD POKORNICKI JR

Ref: 21-5437-OF

(1) On March 3, 2021 at approximately 1430 hours I, Officer Edward W. Pokornicki Jr., of the Milford Police Department was instructed by Sergeant Araujo to go to the Amazon facility, 1 National Street, and speak with the facilities manager regarding the excessive amount of litter alongside the roadway leading to the business.

- (2) Upon arrival I was greeted by the facilities manager, identified as Bill Sheraton. I advised Sheraton of the town's concern regarding the litter, to which he was more then willing to assist. Sheraton stated that he has observed the excessive amounts of trash and litter alongside the roadway and that he will address the matter with his driver's. Sheraton also stated that Amazon is going to hire a landscaping company to remove all the trash alongside the roadway on National Street over the next several weeks. Sheraton further informed me that the company is currently looking into having no parking signs placed alongside National Street in order to deter all vehicle's from parking and littering there.
- (3) Sergeant Araujo was then updated in regards to my conversation with Sheraton.

Respectfully submitted,

Edward W. Pokornicki Jr.

** Portions of this report have been redacted **



MILFORD POLICE DEPARTMENT

James F. Falvey Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 473-5087

TO:

Richard Villani, Esq., Town Administrator

FROM:

James F. Falvey, Chief of Police

DATE:

March 3, 2021

RE:

Traffic Signs on Beaver Street (larger and additional verbiage)

Dear Mr. Villani,

On Wednesday March 3, 2021, Officer Crosson investigated concerns for a larger sign and additional signage on Beaver Street as requested by you. The officer's observations are documented in police report #21-5439-OF. He also recommended both a larger sign and additional one with verbiage to add "No Tractor Trailers". While he was there for approximately 30 minutes he did not observe any infractions as to the restrictions. I have also seen the signs and are in agreement with the recommendations due to the increase in Commercial Vehicle Traffic in the area.

Sincerely,

James F. Falvey Chief of Police

Town of Milford



Milford Police Department Incident Report

Page: 1 03/03/2021

Incident #: 21-5439-OF Call #: 21-5439

Date/Time Reported: 03/03/2021 1443 Report Date/Time: 03/03/2021 1532

Occurred Between: 03/03/2021 1143-03/03/2021 1532 Status: No Crime Involved

Reporting Officer: Officer Patrick Crosson Approving Officer: Sergeant Brian Araujo

Signature:

Signature: _____



EVENTS(S)

LOCATION TYPE: Highway/Road/Alley/Street Zone: A Sector 122 BEAVER ST @ 66 MAPLE ST MILFORD MA 01757

1 Police Information/ TRAFFIC COMPLAINT

Milford Police Department

NARRATIVE FOR OFFICER PATRICK K CROSSON

Ref: 21-5439-OF

On Wednesday March 3, 2021 I, Officer Patrick Crosson was assigned to the area A patrol sector in the Town of Milford for a regularly scheduled 8a.m to 4p.m. patrol shift. At approximately 2:43p.m I began moving traffic enforcement in the area of Beaver Street a public way within the Town of Milford.

During this enforcement post I focused on enforcing the two signs posted at the island of Beaver Street and Maple Street "COMMERCIAL VEHICLES OVER 2 ½ TON EXCLUDED". This sign is posted southbound on Beaver Street and Northbound on Maple Street where the two roads intersect.

I have attached a photo of this sign to this report as a recommendation to make this sign larger and more visible along with the verbiage to add "No Tractor Trailers".

During my traffic post, I observed no violations from the hours of 2:43p.m. to 3:13p.m.

** Portions of this report have been redacted **

Page: 1

Milford Police Department Images Associated with 21-5439-OF



