

TOWN OF MILFORD
Milford, Massachusetts
NOTICE OF MEETING

RECEIVED
 MILFORD TOWN CLERK
 2020 JUL 22 PM 3:53

Board or Commission _____ Milford Board of Selectmen _____
 Date and Time of Meeting ___ July 27, 2020 7:00 PM _____
 Place of Meeting ___ Room 03, 52 Main Street _____

A.) SIGNING OF WARRANT, APPROVAL of Minutes, July 13, 2020
EXECUTIVE SESSION Minutes, July 13, 2020

B.) INVITATION TO SPEAK

The Board of Selectmen invites public participation on an in-person basis during its July 27, 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 Cafeteria & Restaurant de Dõna Blanquita, Inc. re: 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) Taqueria La Estrella

b) Garden Restaurant

2. Cultural Council Chair, re: Public Art Policy

3. Personnel Board Chair, re: Update Personnel By-Laws

E.) TOWN ADMINISTRATOR'S REPORT

F.) OLD BUSINESS

G.) NEW BUSINESS

1. Warren Heller, re: Permit to Obstruct

H.) CORRESPONDENCE

1. Assistant Zoning Enforcement Officer, re: Resignation

I.) EXECUTIVE SESSION

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.R. Sullivan* Dated 7/22/20



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)

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

SEE ADDITIONAL INFORMATION REQUIRED BELOW

BUSINESS NAME: Cafeteria & Restaurante De Doña Blanquita, Inc.

BUSINESS ADDRESS: 163 Main Street milford MA 01757

DAYS/HOURS OF OPERATION Sunday thru Saturday 5am - 10 p.m.
(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: Angel C. Carchipulla Cuenca

MAILING ADDRESS: 43 Exchange Street #5 milford MA 01757

APPLICANT'S DATE OF BIRTH: October 17, 1989

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

APPLICANT'S SIGNATURE: **DATE:** 7/16/2020
(Individual or Corporate Officer)

Angel Carchipulla Cuenca (508) 933-1536
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

7-27-20

LICENSING DECISION

This decision is entered on the application of Taqueria La Estrella, 134 South 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 Tuesday, July 14, 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. Applicant must place physical barriers around the seating area.
5. Applicant must continue to work with the Building Commissioner to resolve any outstanding Code Compliance Issues.
6. The temporary amended licenses shall expire no later than November 1, 2020, by operation of law.

MILFORD BOARD OF SELECTMEN

July 14, 2020

BY: _____
Richard A. Villani, Town Administrator

LICENSING DECISION

This decision is entered on the application of Garden Restaurant, 138 South 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.

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4. Applicant must clean the oven hoods prior to opening.
5. The temporary amended licenses shall expire no later than November 1, 2020, by operation of law.

MILFORD BOARD OF SELECTMEN

July 14, 2020

BY: _____
Richard A. Villani, Town Administrator

D-2
7-27-20

Milford Public Art Policy: A Proposal to the Board of Selectmen to Appoint a Public Art Task Force



July 22, 2020

Overview

The Milford Cultural Council is interested in pursuing and supporting public art projects in Milford in order to:

- Enrich our public spaces.
- Foster community pride by celebrating Milford's diverse voices and collective history.
- Enhance the long-term beauty of the community for generations to come.

Before we can actively pursue projects, we recommend that a Public Art Policy be put in place to provide a path for implementing public art in Milford. A public art policy would enable Milford to plan smartly and to control both temporary and permanent public art installations by providing guidelines and procedures for commissioning and approving public art.

Why Public Art... and Why NOW?

Milford is home to several beloved monuments and memorials (such as the General Draper Statue by Daniel Chester French in Draper Memorial Park), as well as beautiful architecture—but very little public art. One notable exception is the Dewey the Dog Statue at the Milford Town Library (*pictured at right*).



Milfordians are asking for the creation of more public art, and the community could benefit in many ways:

- Inviting artists to enrich our public spaces brings both cultural and economic vitality to the community.
- Incorporating public art in downtown could serve as a key ingredient in its revitalization.
- Milford pride is on the rise! Public art can help celebrate Milford's history, foster cultural and generational understanding, and bring the community together.

Please refer to the Appendix for photos of public art in other Massachusetts communities.

continued

Background and Timeline

Members of the Milford Cultural Council met with the Town Planner for the first time in June 2019. Mr. Dunkin advised us that the current sign bylaw does not include exceptions to allow for public art. Knowing that many other communities in Massachusetts support extensive public art, we sought advice from the Massachusetts Cultural Council. Program Manager Luis Cotto recommended that we work with town officials and other stakeholders to create a public art policy. We submitted the initial version of this proposal to the Board of Selectmen in October 2019.

In February 2020, we met with members of the Downtown Revitalization committee to see if they had considered public art as part of their revitalization plans. All members voted unanimously to send a letter to the Board of Selectmen supporting public art.

In April 2020, we met with the War Memorial Revitalization committee (WMRC) to propose the creation of a mural in Calzone Park. They voted unanimously to support this project and to send a letter to the Board of Selectmen urging their support.

At the June 1, 2020 Selectmen's meeting, the board read the letter from the WMRC and voted unanimously to support the mural.

In a meeting on June 8, 2020, Mr. Dunkin explained that murals are allowed by the sign bylaw as long as they do not exceed 20% of the side of the building or structure on which they are painted. In order to create something larger, we need to seek a variance from the Zoning Board of Appeals.

How to Proceed?

We request that the Board of Selectmen appoint a Public Art Task Force to include stakeholders in the community. The task force would meet for approximately six months to one year and would be tasked with researching and creating a public art policy that specifies the standards and guidelines for both temporary and permanent art installations in Milford, as well the procedures for commissioning and approving public art.

A public art policy could address the following topics:

- Definitions of public art project types, including temporary vs. permanent art.
- Step-by-step commissioning process for creating new works of art, including calls to artists.
- Criteria for selection.
- Step-by-step selection and approval process, including community input.
- Maintenance plan.
- Deaccession criteria and procedures.

continued

Milford Public Art Policy: A Proposal to the Board of Selectmen (continued)

Whom to Appoint?

Following are suggested members to be appointed to the task force. We recommend that all be registered voters in Milford.

- 2 Members of the Milford Cultural Council
- 3 Art Professionals
- 1 Member of the Board of Selectmen
- 1 Member of the Planning Board

An operating goal for this task force would be for its members to meet with all stakeholders at Town Hall throughout the policy development process to seek input, including town counsel, town planner, Planning Board, and Parks Commission.

Residents who have expressed interest in being appointed include:

- Ashley MacLure, Artist and Art Teacher at BVT
 - Patty Salomon; Artist and Art Teacher at MHS, Cultural Council Member
 - C.C. Chapman; Storyteller, Educator, and Photographer
 - Geri Eddins, Milford Cultural Council Chair
 - Christine Daddario, Milford Cultural Council Member
-

Conclusion

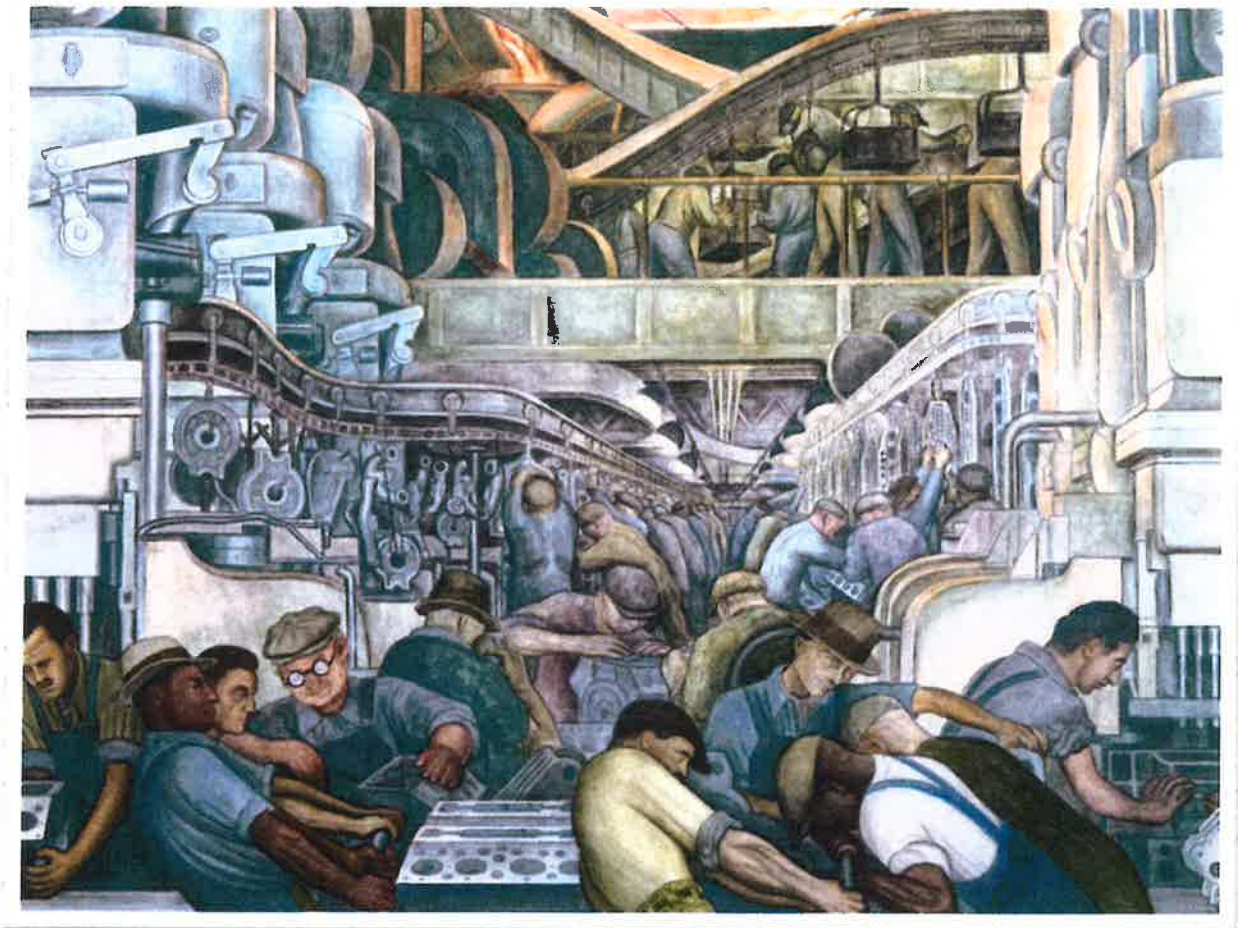
The Milford Cultural Council can offer grants to help fund public art projects. Having a definitive Public Art Policy will help guide us in ensuring public art installations meet an agreed-upon set of standards and can be accomplished as smoothly and swiftly as possible.

This proposal has been respectfully submitted by the members of Milford Cultural Council Public Art Subcommittee:

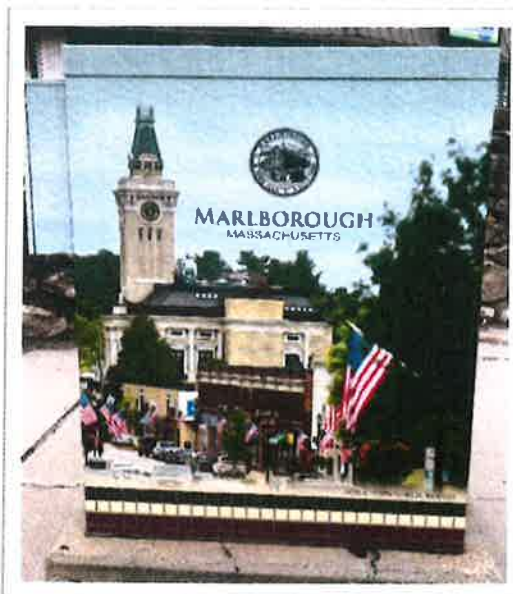
- Bryan Cole
- Christine Daddario
- Geri Eddins
- Jenny Lyons
- Nicole Romiglio
- Mike Visconti

Thank you for your kind consideration.

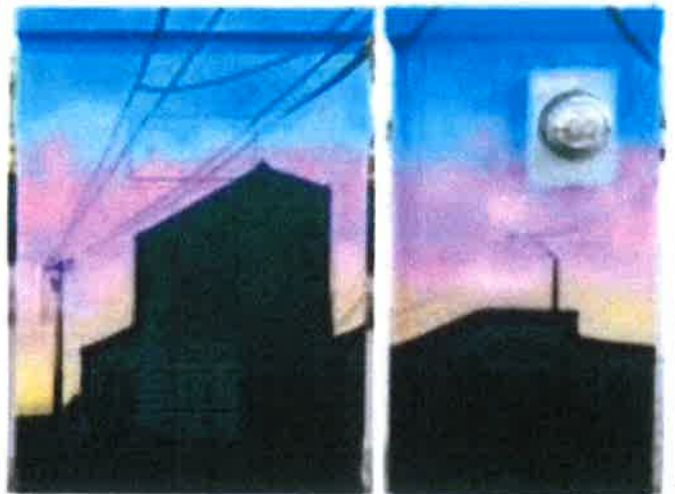
Appendix: Samples of Permanent Installations



Mural in Springfield, Massachusetts



Utility Box in Marlborough



Front View

Side View

Utility Box in Boston

Appendix: Samples of Temporary Installations



“Tunnel of Love” in Natick (Summer 2019)



Pavement Art by David Zinn
in Northampton



Pavement Art by Julian Beaver

D-3
7-27-20



MILFORD PERSONNEL BOARD

Brief Review with Milford Board of Selectmen

July 27, 2020

Responsibilities for FY2021 – Article 2 Employees

1. To propose useful updates to Milford’s Personnel By-Laws

- **Approved Update to By-Law 3.10 (previously approved) – Starting Salary**

“The starting rate shall be the minimum of the rate range for the position as classified. Under special circumstances, upon the recommendation of the department head, and with approval of both the appointing authority and the Personnel Board, such a person may: 1) start at a higher rate than the minimum, or 2) be advanced to a higher pay rate, but not in excess of the maximum, without regard to normal pay review schedules, periods or cycles. Refer to Administrative Requirements in Appendix A for additional information.”

Example: Enable an Out-of-Cycle change in Level/Step due to a change in an employee’s responsibilities and duties.

- **Possible Update to By-Law 5.5 – Bereavement Policy**
- **Possible Update to By-Law 5.8 – Vacation Carry Over (*clarification only*)**
- **Review of By-Law 5.11 – Sick Leave Buy-Back for Superior Officers of the Milford Police and Fire Departments**

All proposals Update Personnel By-Laws are comprehensively vetted before presentation to the Board of Selectmen.

2. To review the Classification and Compensation Plan

- ***No plan to review during FY2021***

3. To have developed job descriptions for new employees

- ***As Needed***

4. To propose updates to existing job descriptions

- ***As Needed***

5. To propose new employee hiring priority list for BoS review

- ***Not Started***

6-1
7-27-20



MILFORD BOARD OF SELECTMEN

Room 11, Town Hall, 52 Main St. (Route 16), Milford, Massachusetts 01757-2679

508-634-2303

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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.
- 3) If requesting a Permit to hang a Sign or Banner, first obtain a permit for the **Sign or Banner** itself from the Building Commissioner. Attach a copy of that permit.
- 4) If a Banner overhanging a public street is to be attached to a building, you must obtain permission from the property owner.
- 5) Applicant shall engage a responsible individual to hang banner: **town employees are prohibited from engaging in this activity.**
- 6) Submit complete application, including Insurance Certificate and any other required documents, to Selectmen's Office at least **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

WARREN S. HELLER

MAILING ADDRESS:

61 Exchange Street

MILFORD, MA 01757

CONTACT PERSON:

Warren Heller

PHONE # (508) 473-7500

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 Fee
- PERMIT TO OBSTRUCT SIDEWALK (MERCHANDISE DISPLAY) (Article 13, Sec. 6) \$5.00 Fee

DESCRIBE IN DETAIL WHAT YOU PLAN TO DO:

I have hired Charles Painting Services, Inc. of Milford, MA to wash, scrape and paint the exterior of my building located on the corner of Exchange and Congress Streets.

INDICATE EXACT LOCATION (Street(s) & Number(s), EXACT DAY(S) AND DATE(S), TIMES OF DAY, AND ALL OTHER RELEVANT INFORMATION:

*Location is 61 Exchange Street. Work will start on or about August 3, 2020 and should conclude on or before ~~the~~ * AUGUST 17, 2020 from 7am to 7pm. Obstruction of the*

Warren S. Heller
Signature of person authorized to apply for permit

7-22-2020
Date

Police Chief's Signature

Comments:

Date

** sidewalk will occur for a few hours on 3 or 4 days for work on 3rd floor peak area.*



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 23, 2020
RE: Permit To Obstruct (61 Exchange Street)

A handwritten signature in black ink, appearing to be "MP", enclosed within a hand-drawn circle.

Dear Mr. Villani,

I am in receipt of the permit to obstruct filed by Mr. Heller for his property at 61 Exchange Street. I will address the application as follows:

For a permit to "obstruct a sidewalk" my review of the location revealed it is a corner lot with one sidewalk on Exchange Street and the other sidewalk on Congress Street. Not fully knowing the scope of the work, I would recommend the following:

- 1) Only (1) sidewalk be blocked at any given time during the length of the project so as to minimize any potential hazards or impediment to pedestrian foot traffic.
- 2) Proper signage, reflective cones, barricades, caution tape, etc., must be utilized to warn the public of the work zone.
- 3) Create a temporary walkway during the hours the sidewalk will be closed to provide a safe walkway for pedestrians to traverse the work zone.
- 4) All materials and equipment, to include ladders and any scaffolding or similar erected equipment be removed at the end of each work day and any potential debris removed, so as to make the sidewalks safe and passable during all non-work and/or nighttime hours.

Should the scope of the work be such that it is not feasible to disassemble equipment such as scaffolding every day, for example, I can work with the property owner and your office to develop a more comprehensive plan to accomplish the work to be done.

Thank you for your consideration of this matter.



Town of Milford
Department of Inspections
52 Main Street Milford, MA 01757
Tel. (508)634-2313 * Fax (508) 473-2358

Matthew Marcotte
Building Commissioner/Zoning Officer
email: mmarcotte@townofmilford.com

Christopher Williams
Assistant Zoning Enforcement Officer
email: cwilliams@townofmilford.com

To: Matt Marcotte, Building Commissioner/Zoning Officer
Town of Milford, MA 01757

July 13, 2020

From: Christopher B. Williams

Subj: Letter of Resignation

Matt,

It is with deep regret that I must submit my letter of resignation to you as the Town of Milford Assistant Zoning Enforcement Officer. I will be relocating out of state due to a family hardship.

I would be remiss if I did not take this opportunity to thank you personally, as well as your department staff for welcoming me to the department. I am especially grateful to Rick Villani, Maureen Giffin and you for bringing me aboard. Everyone's patience, assistance and continued support have made my time here at the Town Hall in Milford enjoyable as well as educational. My last day of employment will be Friday, July 24th, 2020. I wish you and everyone here continued success. Please stay well and again, thank you.

Sincerely,

Chris Williams
Assistant Zoning Enforcement Officer