TOWN OF MILFORD Milford, Massachusetts

NOTICE OF MEETING

Board or Commission ____Milford Select Board_ Date and Time of Meeting __January 24, 2022, 7:00PM Place of Meeting __Room 03, 52 Main Street MILFORD TOWN CLERK
2022 JAN 20 Ph 2: 55

A.) SIGNING OF WARRANT, APPROVAL of Minutes, January 10, 2022

B.) INVITATION TO SPEAK

Remote Public Hearing/Invitation to Speak access now requires advanced registration. Please register online here: http://tiny.cc/hunnuz 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

1. 7:00 PM Canaan Realty 2, LLC, re: Chapter 148 License

D.) SCHEDULED APPOINTMENTS

- 1. Trustees of Vernon Grove Cemetery, re: Vacancy
- 2. Police Chief, re: Proposal to Restructure Command Ranks
- 3. Police Chief, re: U and T Visa Certification Policy
- 4. Police Chief, re: Cross Walk/ Lighting-Depot Street

E.) TOWN ADMINISTRATOR'S REPORT

F.) OLD BUSINESS

1. Amazon, re: Update

G.) NEW BUSINESS

- 1. Planning Board, re: Remand-Zoning Amendments
- 2. Town Administrator, re: Annual Town Meeting Date
- 3. Veteran's Advisory Council, re: Removal

H.) CORRESPONDENCE

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_	ah	9. Vilan	Dated/	20	22

C-1 1-24-22

DEPARTMENT HEAD REVIEW FORM

 Owner of Land: Address: 	Canaan Realty 2, 204 East Main St			
Assessors ID#:	Map32Blo	ck8L	ot14A Zone_ IC/I	B
3. Has applied for:	25,000 Gallons of Combustible Liqu	f Flammable ids.	plicant seeks the st Liquids and 5,000 Convenience Stor	Gallons of
4. Select Board will5. Abutters Notified:6. Inquiry Sent To D7. Please Respond B	:1/14/22P Dept. Heads on: _1/1 By:1/14/2022	ublished:1 10/2022	1/14/22	
8. License Approved				=
Restroom Handicap Acc Town Planner: (Site Pla Ok-Site plan app Tax Collector: (Outstar	cess, etc.) IB Zone, a constructed an/Special Permit; (oroved 10/5/21, ZF	allowable us I but will be Other Require BA Special P	e, building not yet fully accessible ements/Stipulations ermit approved 8/	s)
Town Treasurer: (Outsi	tanding Tax Liens) I	None		
Fire Chief: (Information	ı/Comment) The Fi	re Departm	ent has no objectio	ns
Police Chief: (Informati	on/Comment) No Is	ssues		
Criminal Offense Record	l Info: (CORI) Appr	roved 🛚 Di	sapproved	
Board of Health: (Inforthe Board of Health	mation/comment) I	No concerns	, for tobacco sales	contact
Dept. Head Signature:		Date:		
	•••••			

Contact Name: Halim Choubah, P. E. President, Choubah Engineering Group

email: hchoubah@gmail.com Phone: (508) 858-5040



MILFORD FIRE DEPARTMENT

21 BIRCH STREET MILFORD, MASSACHUSETTS 01757

MARK A. NELSON, CHIEF MICHAEL J. DETORE, DEPUTY

Telephone: 508-473-1214 • Fax: 508-473-4858 • Inspections: 508-473-2256

January 4, 2022

Richard Villani, Esq. Town Administrator 52 Main Street Milford, Massachusetts 01757

RE: Fuel Storage License Application for 204 East Main Street

Dear Mr. Villani:

The Fire Department recommends approval of the proposed quantities of flammable and combustible fuel. The fuel will be stored in underground tanks located at this new gas station and convenience store business. In addition, storage of propane cylinders included in the application for the on-site exchange service is recommended for approval.

Please contact me if I can assist with any questions.

Sincerely,

Mark Nelson





Application For License

Massachusetts General Law, Chapter 148 §13

☑ New License

Am	en	de	d I	ic	en	Qe
	ΙСΙΙ	uci	u 1	J1€	CH	SC

GIS Coordinates 42.151630 LAT. -71.497063 LONG.

License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 204 EAST MAIN STREET, MILFORD, MA 01757

Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: CANAAN REALTY 2, LLC.

Address of Land Owner: 53 COURT STREET. TAUNTON, MA 02780

Use and Occupancy of Buildings and Structures: Gasoline Filling Station With Convenience Store

(Occupancy Classification: Mercantile)

If this is an application for amendment of an existing licence, indicate date of original licence and any subsequent amendments

Attach a copy of the current license

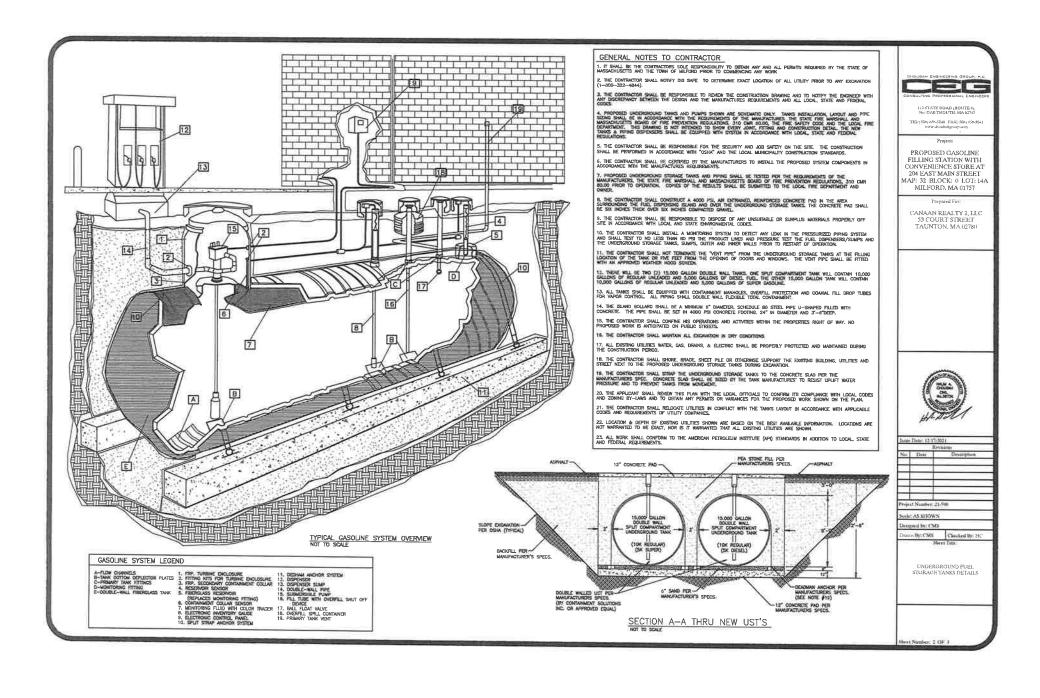
Flammable and Combustible Liquids, Flammable Gases and Solids

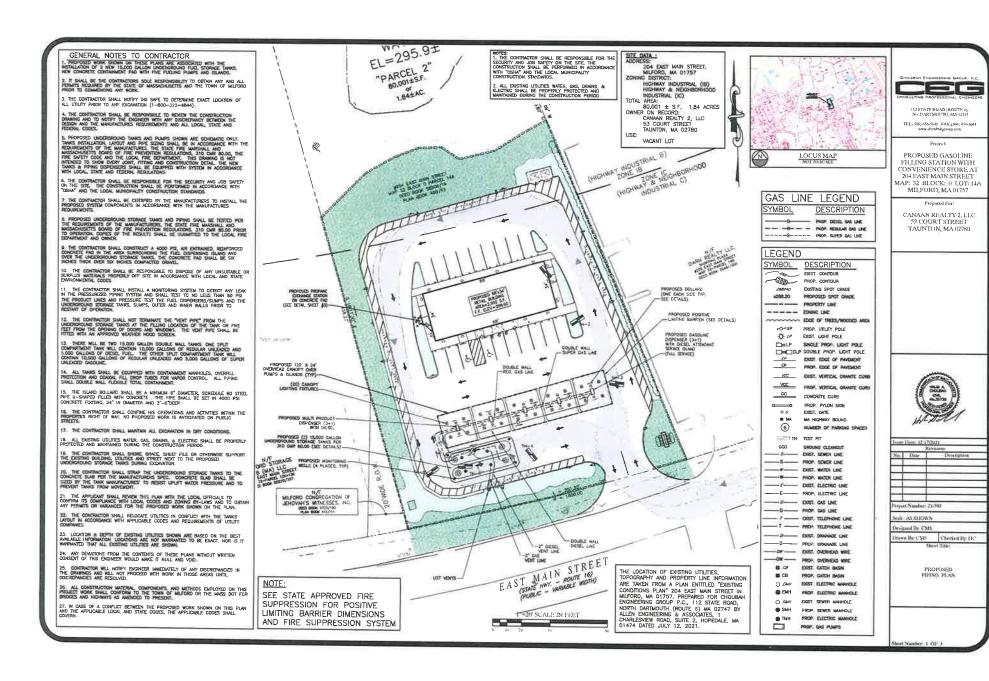
Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

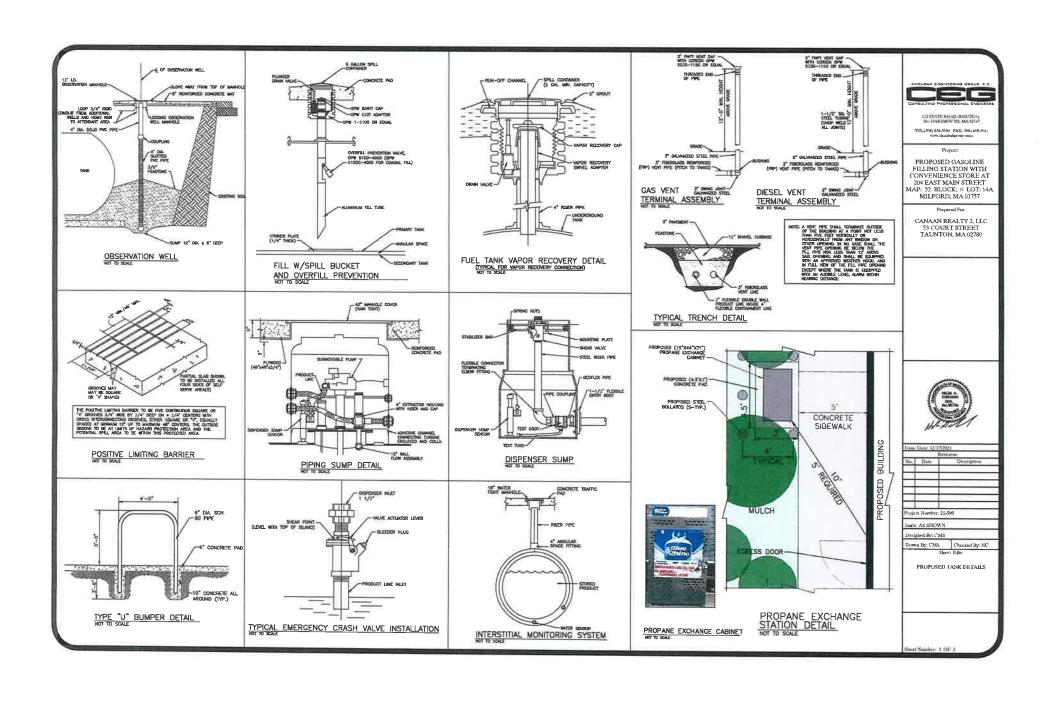
PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs,	CONTAINER UST, AST, IBC,
Gasoline (Regular)	I	10,000	Cubic feet Gallons	drums UST
Gasoline (Regular)	I	10,000	Gallons	UST
Gasoline (Super)	I	5,000	Gallons	UST
Diesel Fuel	II	5,000	Gallons	UST

Total quantity of all flammable liquids to be stored:	25,000 Gallons
Total quantity of all combustible liquids to be stored:	5,000 Gallons
Total quantity of all flammable gases to be stored:	-
Total quantity of all flammable solids to be stored:	-

LP-gas (Complete this section for the storage of LP-g	as or propane)
(See 527 CMR 1.00 Table 1.12.8.50)	be stored and the sizes and capacities of all storage containers.
Maximum quantity (in gallons) of LP-gas to be	
contains 2 50 selless	ners used for storage: 21 containers (each container
	stored in underground containers:
List sizes and capacities of all underground conta	iners used for storage:
Total aggregate quantity of all LP-gas to be stored:	
Fireworks (Complete this section for the storage of fir	eworks)
Indicate classes of fireworks to be stored and Maximum amount (in pounds) of Class 1.3G:	maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50) Type/class of magazine used for storage:
Maximum amount (in pounds) of Class 1.4G:	
Maximum amount (in pounds) of Class 1.4:	Type/class of magazine used for storage:
Total aggregate quantity of all classes of firewo	
Explosives (Complete this section for the storage of exp	plosives)
Indicate classes of explosive to be stored and	maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)
Maximum amount (in pounds) of Class 1.1:	Number of magazines used for storage:
Maximum amount (in pounds) of Class 1.2:	Number of magazines used for storage:
Maximum amount (in pounds) of Class 1.3:	Number of magazines used for storage:
Maximum amount (in pounds) of Class 1.4:	Number of magazines used for storage:
Maximum amount (in pounds) of Class 1.5:	Number of magazines used for storage:
Maximum amount (in pounds) of Class 1.6:	
all materials stored pursuant to any license granted he laws, codes, rules and regulations, including but not l Code (527 CMR 1.00). I further acknowledge that the hereunder may not exceed the maximum quantity spe	that I am authorized to make this application. I acknowledge that plete to the best of my knowledge and belief. I acknowledge that creunder must be stored or kept in accordance with all applicable imited to Massachusetts Chapter 148, and the Massachusetts Fire e storage of any material specified in any license granted cified by the license.
Signature Date 12-17	-2021 Name Canaan Realty 2, LLC
Fire Department Use Only	
I, Mark Nelson, Head of the Mi	Fire Department endorse this application with my
Approval Disapproval	r sacono uno approunon viun'ny
Tribue	12/27/2021
Signature of Head of the Fire Department	Date
Recommendations:	







D-9 1-24-23



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:

01/03/2021

RE:

Proposal to Restructure Command Ranks

Dear Mr. Villani,

I respectfully request the Select Boards consideration for the following proposal to restructure the managerial staff for the Milford Police Department by adding one more Deputy Police Chief. Currently the rank structure of the Milford Police Department is staffed the following: one Police Chief, one Deputy Police Chief, one vacant Police Lieutenant and nine Police Sergeants. From past Select Boards decisions the Board has determined that there could be a tenth Police Sergeant in lieu of a Police Lieutenant. As it is now there are only two non-union police management members, the Deputy and myself. The Deputy has to directly supervise and manage nine sergeants and one Lieutenant or ten sergeants. In addition there are currently thirty-seven patrol officers, a few patrolmen vacancies, approximately fifteen Auxiliary Police Officers, nine full-time dispatchers and three part-time dispatchers. Furthermore over time there has been much more duties and responsibilities placed on police officers especially Command Staff from passed legislation such as Police Reform mandating Police to perform a number of required tasks some including changing of policies, training, certification and reporting to only name a few. Many of these tasks both the Deputy and I are currently in the process of updating. There are many other tasks both the Deputy and I do, too numerous to mention. The increasing amount of employees reporting directly to the Deputy has happened when first line supervisors have been out of work for a variety of reasons to include the pandemic, injuries and time off. This may result in a decrease in communications, effectiveness, productivity and mistakes. The current staffing ratio of manager to supervisors is double above the optimal span of control and the addition of another Deputy Chief will help improve the department operations and accountability.

In lieu of filling a vacant Police Lieutenant position I would ask the Select Board permission to create a second Deputy Police Chief position. The costs between the two positions would be minimal as the difference between the two wages detailed in Article 2 of the Personnel Bylaws. I will attach both pay scales and job descriptions for the Select Board's review. The Lieutenant's position would entail taking a police promotion exam and assessment center testing after posting the position for six months in advance. The cost for such test in hiring a professional company such as we did with the past two sergeants exams is costly plus having to give officers time off for testing as required in the CBA is an additional overtime cost. Last year's exam cost the department \$8400.00 plus other overtime expenses to fill shifts to allow officers to participate in both a written exam and an assessment exercises. The Deputy's position would require posting and interviews but no testing and associated costs. The Deputy's position is also a salary position with no overtime and more responsibilities and authority, whereas the Police Lieutenant's position is hourly and subject to receiving overtime pay and is eligible to join a union. The last Lieutenant was myself in which I averaged 257 overtime hours in years 2015-

2017. The present overtime rate for a top step Lieutenant is \$68.28 per hour and will increase yearly due to cost of living raises each year. Based on average hours worked in the past, times the current rate of \$68.28 equals = \$17,540.25 in anticipated annual overtime. I believe the Lieutenant's salary and overtime pay could make the Deputy's position less costly to the town. Both Deputy's and Lieutenant's position currently do not receive any sick time buyback upon retirement unlike union employees which can be significant.

In conclusion I believe this change will improve the police department by creating a stronger management team, increase communications, accountability, efficiency and effectiveness in police services to better serve the citizens of the community. It would also give officers interested in moving up the ladder into management more opportunities and provide more leadership especially in the absence of other managers and leaders for a variety of other issues such as training and time off. It will also prepare more police managers in the Milford Police Department to be future Police Chiefs to serve the citizens.

Attachments include: Job Descriptions for Deputy Chief and Police Lieutenant, Pay Scales for both positions and proposed organizational chart for Milford Police Department.

Sincerely

James F. Falvey Chief of Police

Town of Milford

Falvey, James

From:

Christopher Pilla <cpilla@townofmilford.com>

Sent:

Monday, January 3, 2022 12:03 PM

To: Subject:

Falvey, James RE: Pay scales

Hi Chief, Here you go:

	Police Lieutenant	Deputy Chief
Steps		
1	66,722.00	76,414.00
2	70,773.00	81,054.00
3	74,823.00	85,692.00
4	78,875.00	90,333.00
5	82,925.00	94,972.00
6	86,976.00	99,611.00
7	91,026.00	104,251.00
8	95,056.00	108,890.00

Thanks, Chris

Christopher C. Pilla, CMMT

Town Treasurer Department of Municipal Finance Office of the Town Treasurer 52 Main Street (Room #18) Milford, MA 01757 508.634.2300 p 508.634.2324 f cpilla@townofmilford.com

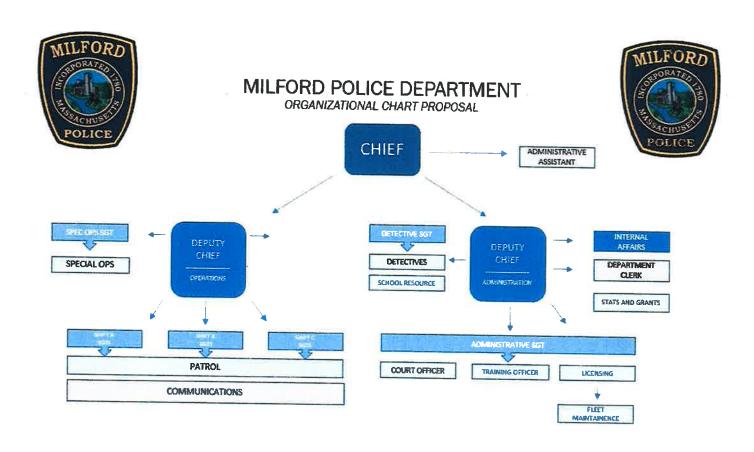




Please consider the environment before printing this e-mail.

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Job Description

Position:

Deputy Police Chief

Primary Location:

Police Station

Employment Status:

Full-time, Salaried, Exempt

Reports To:

Police Chief

Description Updated On:

October 5, 2021

Summary/Objective

The Deputy Police Chief performs routine and specialized police law enforcement administrative and supervisory work assisting the Police Chief in overseeing the day-to-day operations and business of the department including field operations, criminal investigations, administration, and emergency management divisions to protect lives and property in carrying out the enforcement of laws and ordinances in the Town of Milford. May serve as the Department Head in the event of the temporary absence of the Police Chief. Employee is required to perform all similar or related duties.

Essential Functions

- Oversees the daily activity of department personnel, issues verbal and written directives and oversees the training needs of department personnel to ensure that all officers are receiving assigned training; recommends personnel actions to the Chief including promotions, demotions, and shift assignments or transfers, etc.
- Oversees and coordinates the various elements and requirements of employee recruitment, selection, and promotion process.
- Develops, implements, and distributes copies of the Department's Policies and Procedures, Rules, and Regulations.
- Responsible for department-wide inventory of equipment.
- Coordinates the Personnel Evaluation System for the department.
- Coordinates and directs the department's Evidence and Property Management function.
- Develops and maintains professional standards and accreditation.
- Coordinates and directs crime analysis, crime mapping, planning, research and development activities.
- Maintains all records of internal affairs and/or criminal complaints against officers.
- Assists the Police Chief in all labor relations matters including grievance hearings, union/management relations, collective bargaining, and appearances before State or Federal agencies.
- Oversees the overtime and paid detail assignments, ensuring compliance with department policies, orders, rules, and procedures as well as collective bargaining obligations.
- Ensures that the department complies with Equal Employment Opportunity policies, rules, and procedures of the Town as required by law.

Deputy Chief Operational Duties

- Conducts both announced and unannounced staff inspection of patrols to ensure proper standards of police duty, supervision, and command.
- Meets with the shift/bureau/area commanders and supervisors on a regular basis to discuss activities of that duty or unit; conveys information from the Chief of Police and advises the Chief of Police of all issues.
- Directs, coordinates, and plans activities of the School Resource Officers.
- Directs, coordinates, and plans the activities of the Investigative Services Bureau, Uniform Patrol Division and the Anti-Crime unit.
- Provides and exchanges information with command and supervisory personnel concerning the
 performance of officers in their command. Ensures that measures are taken to correct situations that
 are deficient, to include administering discipline; may administer up to a 5- day suspension to meet the
 Civil Service laws for those officers who have civil service protection.
- Coordinates the direct Crime Scene Services personnel and activities.
- Directs the Department's Communication section.
- Assists the Housing Authority and Neighborhood Task Force.
- Participates in a wide range of community service boards and coordinates, hosts, and participates in community or neighborhood meetings.
- Communicates to the Massachusetts Police Officer Standards and Training (POST) by submission of mandatory reports for complaints against police officers.

Deputy Chief Emergency Management Duties

- Manages the four (4) major areas of emergency management for the Town (Planning, Mitigation, Response and Recovery).
- Responsible for updating the Town's Emergency Management Plan and reporting changes to MEMA.
- Advises the Town Manager and Board of Selectmen during major emergencies and disasters and makes recommendations for local disaster declarations and assistance from State and/or Federal agencies.
- Serves as the Town's liaison to State and Federal emergency management agencies.
- Coordinates Town-wide requests for financial assistance from MEMAS and/or FEMA and other state and federal agencies related to storm-related expenses and disaster services.
- Manages the Town's Emergency Operations Center including site security and message center and provides resource support to the Incident Commander during activation.
- Participates in planning for large-scale events, emergencies, and disasters that are classified as long duration incidents and mass evacuations throughout the Town including the sheltering provisions for evacuees at various locations within the Town and coordinates planning for mutual aid agreements for sheltering Framingham residents in other communities.
- Coordinates volunteer resources and training for first responders and public employees including the maintenance of training records in compliance with the National Response Plan and the National Incident Command System (NIMS).
- Serves as the Director of Homeland Security for the Town; collaborates with the School
 Department to coordinate transportation assets during emergencies; responsible for planning,
 training and exercising the Notification and Alerting capabilities of the Town.
- Researches innovative technology and communications in an effort to enhance interoperability and redundancy of public safety systems within the Town.
- Attends various State and/or Federal meetings as representative of the Chief of Police and the Town.

Required Qualifications, Education, and Experience

Bachelor's Degree; minimum of ten (10) years of progressively responsible law enforcement operational and supervisory experience or any equivalent combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Must have a valid Massachusetts Driver's License and possess a First Responder/CPR Certification.

Graduate of the MA Police Training Academy or must be properly waived by Massachusetts Police Training Committee (MPTC). Must attend a minimum of 40 hours of in-service training and maintain a level of proficiency in accordance with the standards as established by the MA Police Training Committee.

Knowledge, Skills & Abilities

- Knowledgeable about Massachusetts Laws, the U.S. Constitution, and Town ordinances related to the
 operating divisions of the police department (Support Services, Field Operations and Criminal
 Investigations; knowledge of and ability to safely handle weapons, search and seizure, evidence and
 court proceedings and to apprehend violent persons; knowledge of proper operation of various police
 equipment including radar; working knowledge of department administrative and budgetary practices
 and procedures.
- Excellent oral and written communication skills; excellent physical skills to be able to protect self and
 others. Common sense operational and employee management skills to determine the most
 appropriate response to emergency situations; technical skill in operating police vehicles, firearms, and
 various types of police equipment such as radar in a safe and effective manner often under adverse
 weather and life-threatening conditions; self- motivational skills; good computer and negotiation skills.
- Ability to handle and carry out law enforcement duties during emergency situations often under adverse weather and stressful, life threatening conditions in an impartial manner; ability to deal with disgruntled or violent members of the public in a safe and tactful manner; ability to independently research laws or legal briefs for guidance. Prior experience supervising personnel; maintains confidential information.
- Must have knowledge of emergency response procedures; public disaster preparedness organizations, plans, and communications; search and rescue operations; the National Incident Management System (NIMS); emergency communications techniques such as automated alerts; and conducting risk assessments and implementing mitigation procedures.

Physical and Mental Job Requirements

- Work involves frequent and recurring assignments requiring strenuous effort and endurance or quick reflexes to perform the work, such as lifting and carrying on a continuous basis for extended periods of time, or regular travel on foot or bicycle over rough terrain or barriers, or the potential need to subdue or restrain violent or uncooperative persons.
- Duties may involve exposure to hazardous conditions. Job duties may entail the possibility for serious
 personal injury or exposure to conditions that could result in total permanent disability or loss of life
 such as when restraining violent persons. For example, danger of physical attack or work during
 extreme weather conditions. Extreme care and safety precautions are to be taken at all times in order
 to prevent personal injury.
- Mental requirements:
 - o Understand and apply routine verbal and/or written instructions
 - o Understand and apply non-routine verbal and/or written instructions
 - Understand complex problems and collaborate to explore alternative solutions
 - Organize actions to complete sequential and/or routine tasks
 - o Organize and prioritize individual work schedule to manage multiple tasks and/or projects
 - O Organize and prioritize the work schedules of others to manage multiple tasks and/or projects
 - o Make decisions that have an impact on the individual's work
 - o Make decisions that have an impact on the immediate work unit's operations and/or services

- Make decisions that have significant impact on a department's credibility, operations, and/or services
- o Communicate and exchange routine/basic information
- o Communicate and explain a variety of information
- o Communicate in-depth information for the purpose of interpreting, and/or negotiating
- Memorization/concentration
- Learning/knowledge retention
- o Emotional/behavioral self- regulation
- o Interacting with others

Work Environment

Work requires a high degree of individual tolerance to combinations of extremely unpleasant elements, such as mental stress from constant conflicting urgent time and attention demands of the utmost priority. The nature of the physical environment may be such that the employee's personal well-being and/or safety may be compromised.

Hours of Work

- This role is paid on a salaried basis.
- Typically, full-time salaried employees work 40 hours during a Monday through Friday workweek. However, this is a salaried position; therefore, the individual is expected to work as required to complete the duties of the position. Employee may be required to work beyond normal business hours in response to emergency situations or to attend evening meetings.

AAP/EEO Statement

The Town of Milford is committed to a firm policy in favor of equal employment opportunity and will abide by all applicable state and federal regulations by not discriminating against any applicant or employee on the basis of race, religion, color, creed, sex, age, national origin, citizenship status, marital status, sexual orientation, gender identity and expression, disability or veteran status. Our commitment to equal employment opportunities shall include employment, upgrading, promotion, demotion, transfer, leaves or other absences from work, layoff, compensation and benefits, selection for training or other education, professional opportunities, and conflict resolution.

It is also the policy of the Town of Milford to take affirmative action to employ and to advance in employment, all persons regardless of their status as women, minorities or individuals with disabilities or protected veterans, and to base all employment decisions only on valid job requirements.

Please inform us of any necessary accommodations required during the application process and/or at any time during employment.

Other Duties

Please note this job description is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities that are required of the employee for this job. Duties, responsibilities, and activities may change at any time with or without notice.

Signatures

Employee signature below constitutes employee's understanding of the requirements, essential functions, and duties of the position.

Employee	Date
Hiring Manager	Date



Job Description

Position:

Police Lieutenant

Primary Location:

Police Station

Employment Status:

Full-time, Salaried, Exempt

Reports To:

Police Chief

Description Updated On:

October 22, 2021

Summary/Objective

The Lieutenant is responsible for administrative and supervisory work in commanding an assigned staff of police personnel or for performing specialized police work of comparable responsibility such as patrol administration, prosecution, detective investigations, and public relations in accordance with federal and state laws and by-laws, department rules and regulations in the protection of life and property and in the prevention and suppression of crime; the employee is required to perform all similar or related duties. Employee is responsible for the supervision of approximately sixty-one (61) full-time, eleven (11) part-time employees, and twenty (20) volunteer auxiliary police officers.

Essential Functions

- In the absence of the Police Chief and Deputy Police Chief, may assume responsibility for the continuation of command.
- Determines personnel and equipment assignments, reviews progress of investigations and arrests through the case management system and determines disposition requirements.
- Coordinates, directs, or participates in the work of personnel engaged in the investigation of crimes and other offenses against persons or property. Reviews reports ensuring completeness in accordance with department regulations and statutory requirements.
- Records and maintains daily attendance and activity reports for the respective shifts; prepares and submits monthly FBI reports, and various statistical reports.
- Organizes and directs traffic regulatory activities; has thorough knowledge of state laws, federal laws,
 Supreme Court decisions and Town Ordinances, informing of same to subordinates and the public.
- Prepares or supervises the preparation and maintenance of specialized records for department use such as patrol statistics, budget requirements, schedules, and daily observation logs. Processes applications for pistol permits and Firearms Identification (FID) cards and forwards names of applicants to Board of Probation for review.
- Reviews and/or prepares court documents, including affidavits, complaints, arrest, and search
 warrants; prosecutes adult and juvenile cases in court, takes complaints, conducts follow-up
 investigations, responds to court motions and filings, drafts appropriate charges, answers motions and
 pleadings.
- Recommends and/or provides training, identifies training needs and objectives, receives and discusses
 with other officers' problems in discipline, assignments, progress of investigations, and report writing;
 makes suggestions to superiors for improvements in general departmental policies and procedures.

- Supervises felony level investigations including most sex offenses and offenses against children, special
 operations, and searches; coordinates activities with other law enforcement agencies to facilitate the
 flow of information concerning criminal activity and the cooperative enforcement of state and federal
 laws; supervises undercover and surveillance operations.
- Assists Police Chief in conducting research for pro-active patrol in the areas of burglaries, robberies, stolen motor vehicles, roadways, and rapes.
- Coordinates the job application and hiring process for new officers and other department personnel; assists in and approves background investigations, making recommendations to the Chief of Police regarding applicants to be hired.
- Manages the Department Evidence Room, including the return and destruction of evidence, and the delivery, and return of items to the State laboratory.
- Prepares and disseminates written press releases to media.
- Operates and maintains department-issued firearms.
- Prepares applications for several grants and manages the grants including planning, reporting, and budgeting.
- Directs Patrol, Communications, Internal Affairs, Auxiliary Police, and Training Divisions.
- Plans, coordinates, manages, and supervises several projects and large- scale events.
 Oversees the daily activities of departmental personnel, issuing verbal and written directives;
 recommends personnel actions to the Chief and Deputy Chief, including promotions, shift assignments or transfers, etc.
- Develops, implements, and distributes copies of Departmental Orders, Policy/Procedures, and Rules/Regulations.

Required Qualifications, Education, and Experience

Bachelor's degree in Law Enforcement/Criminal Justice preferred; minimum of seven (7) years full-time experience as a sworn police officer with a record of progressively responsible law enforcement, operational, and supervisory experience, or any equivalent combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job. Must have a valid motor vehicle license and completion of police recruit academy recognized by the Commonwealth of Massachusetts is required; must be able to carry a firearm in the Commonwealth of Massachusetts.

Knowledge, Skills, & Abilities

- Considerable knowledge of modern police practices, techniques, and methods; thorough knowledge of controlling laws, ordinances, and court decisions, particularly concerning arrest and evidence; thorough knowledge of the geography of the town and the rules and regulations of the department.
- Must be skilled in the use of a firearm and a skilled motor vehicle driver.
- Must possess the ability to:
 - o Plan, assign, and supervise the work of subordinates and to command their respect;
 - Obtain information through interview and interrogation;
 - Deal firmly and courteously with the public and subordinates;
 - Analyze situations quickly, objectively, and to determine proper course of action and resources required;
 - Communicate orally and in writing;
 - Develop and maintain effective working relationships with employees, town officials, and the public;
 - Manage multiple tasks and provide clear and concise instructions to subordinates.

Physical and Mental Job Requirements

- Work requires some agility and physical strength, such as standing or walking most of the work period.
 Occasionally, work may require lifting heavy objects and carrying them. There may be a need to stretch and reach to retrieve materials. Usually, the work will require extended physical effort over a significant portion of the workday.
- Mental requirements:
 - Understand and apply routine verbal and/or written instructions
 - Understand and apply non-routine verbal and/or written instructions
 - Understand complex problems and collaborate to explore alternative solutions
 - Organize actions to complete sequential and/or routine tasks
 - Organize and prioritize individual work schedule to manage multiple tasks and/or projects
 - Organize and prioritize the work schedules of others to manage multiple tasks and/or projects
 - Make decisions that have an impact on the individual's work
 - o Make decisions that have an impact on the immediate work unit's operations and/or services
 - Make decisions that have significant impact on a department's credibility, operations, and/or services
 - o Communicate and exchange routine/basic information
 - o Communicate and explain a variety of information
 - Communicate in-depth information for the purpose of interpreting, and/or negotiating
 - o Memorization/concentration
 - Learning/knowledge retention
 - o Preparing/analyzing numerical figures
 - o Emotional/behavioral self- regulation
 - o Interacting with others

Work Environment

Work requires a high degree of individual tolerance to combinations of extremely unpleasant elements, or mental stress from constant conflicting urgent time and attention demands of the utmost priority. The nature of the physical environment may be such that the employee's personal well-being and/or safety are constantly compromised.

Hours of Work

- This role is paid on a salaried basis.
- Typically, full-time salaried employees work 40 hours during a Monday through Friday workweek. However, this is a salaried position, and the individual is expected to work as required to complete the duties of the position; this may mean hours beyond 40 per week are required.

AAP/EEO Statement

The Town of Milford is committed to a firm policy in favor of equal employment opportunity and will abide by all applicable state and federal regulations by not discriminating against any applicant or employee on the basis of race, religion, color, creed, sex, age, national origin, citizenship status, marital status, sexual orientation, gender identity and expression, disability or veteran status. Our commitment to equal employment opportunities shall include employment, upgrading, promotion, demotion, transfer, leaves or other absences from work, layoff, compensation and benefits, selection for training or other education, professional opportunities, and conflict resolution.

It is also the policy of the Town of Milford to take affirmative action to employ and to advance in employment, all persons regardless of their status as women, minorities or individuals with disabilities or protected veterans, and to base all employment decisions only on valid job requirements.

Please inform us of any necessary accommodation during employment.	s required during the application process and/or at any time
Other Duties	
	cover or contain a comprehensive listing of activities, duties
or responsibilities that are required of the employe change at any time with or without notice.	ee for this job. Duties, responsibilities, and activities may
Signatures	
Employee signature below constitutes employee's duties of the position.	understanding of the requirements, essential functions, and
Employee	_ Date

Hiring Manager______ Date___



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:

01/03/2021

RE:

Proposal to add one Deputy Police Chief

Dear Mr. Villani,

I respectfully request the Select Boards consideration for the following proposal to increase the managerial staff for the Milford Police Department by adding one more Deputy Police Chief. Currently the rank structure of the Milford Police Department is allotted the following: one Police Chief, one Deputy Police Chief, one vacant Police Lieutenant and nine Police Sergeants. From past Select Boards decisions the Board has determined that there could be a tenth Police Sergeant in lieu of a Police Lieutenant. As it is now there are only two non-union police management members, the Deputy and myself. The Deputy has to directly supervise and manage nine sergeants and one Lieutenant or ten sergeants. In addition there are currently thirty-seven patrol officers, a few patrolmen vacancies, approximately fifteen Auxiliary Police Officers, nine full-time dispatchers and three part-time dispatchers. Furthermore over time there has been much more duties and responsibilities placed on police officers especially Command Staff from passed legislation such as Police Reform mandating Police to perform a number of required tasks some including changing of policies, training, certification and reporting to only name a few. Many of these tasks both the Deputy and I are currently in the process of updating. There are many other tasks both the Deputy and I do, too numerous to mention. The increasing amount of employees reporting directly to the Deputy has happened when first line supervisors have been out of work for a variety of reasons to include the pandemic and injuries. This may result in a decrease in communications, effectiveness, productivity and mistakes. The current staffing ratio of manager to supervisors is above the optimal span of control and the addition of another Deputy Chief will help improve the department operations and accountability.

In lieu filling a vacant Police Lieutenant position I would ask the Select Board permission to create a second Deputy Police Chief position. The costs between the two positions would be minimal as the difference between the two wages detailed in Article 2 of the Personnel Bylaws. I will attach both pay scales and job descriptions for the Select Board's review. The Lieutenant's position would entail taking a police promotion exam and assessment center testing after posting the position for six months in advance. The cost for such test in hiring a professional company such as we did with the past two sergeants exams is costly plus having to give officers time off for testing as required in the CBA is an additional overtime cost. Last year's exam cost the department \$8400.00 plus other overtime expenses to fill shifts to allow officers to participate in both a written exam and an assessment exercises. The Deputy's position would require posting and interviews but no testing and associated costs. The Deputy's position is also a salary position with no overtime and more responsibilities and authority, whereas the Police Lieutenant's position is an hourly one and subject to receiving overtime pay and is eligible to join a union. The last Lieutenant was myself and I averaged 257 overtime hours the last three

full years from 2015-2017 calendar years. The present overtime rate for a top step Lieutenant is \$68.28 per hour and will increase yearly due to cost of living raises each year. Based on an average hours I worked in the past of 257 hours times the current rate of \$68.28 equals = \$17,540.25. I believe the Lieutenant's salary and overtime pay could make the Deputy's position less costly to the town. Both Deputy's and Lieutenant's position currently do not receive any sick time buyback upon retirement unlike union employees.

In conclusion I believe this change will improve the police department by creating a stronger management team, increase communications, accountability, efficiency and effectiveness in police services to better serve the citizens of the community. It would also give officers interested in moving up the ladder into management more opportunities and provide more leadership especially in the absence of other managers and leaders for a variety of other issues such as training and time off.

Attachments include: Job Descriptions for Deputy Chief and Police Lieutenant, Pay Scales for both positions and proposed organizational chart for Milford Police Department.

Sincerely,

James F. Falvey Chief of Police Town of Milford



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:

January 18, 2022

RE:

New Policy (U and T Visa Certification Policy)

Dear Mr. Villani,

I respectfully request the Select Board to review for approval the following new Policy concerning U and T Visa Certification Policy. In July 2021, the Massachusetts legislature passed new legislation, M.G.L. ch. 258F (Section 65 of the General Appropriations Bill for FY22), titled Certification for Victims of Violent Crime and Human Trafficking, which requires local and state certifying agencies (e.g., Police departments, DA's Offices) to issue a Policy about U and T visa certifications and respond to requests for certification within ninety (90) days absent extenuating circumstances beyond the control of the agency.

Officer Jhan Wade who previously expressed an interest in this area of policing assisted me in completing this policy and will continue to be involved in the areas of reporting. I'd like to publicly acknowledge and thank him for all his assistance.

Sincerely,

James F. Falvey Chief of Police

Town of Milford

POLICE DEP	Department Manual: Policy			
Subject U and T Visa Certification Policy				
MASSACHUSETTS POL STANDARDS REFEREN 55.2.3a; 55.2.4b; 1	CED: 55.1.1 ; 55.2.1 ;	GENERAL ORDER		
Effective Date: See the following Publications: USCIS Form I-918 USCIS Form I-914	Issuing Authority	MILFORD		
USCIS Form I-914 <u>U Visa Resource Guide</u>	James F. Falvey Chief of Police	POLICE		

I. <u>Historical BACKGROUND:</u>

The Milford Police Department recognizes that a crime victim's cooperation, assistance, and safety are essential to the effective detection, investigation, and prosecution of all criminal offenses. However, certain crime victims who are deemed to be without lawful immigration status and are present in this country without proper inspection by federal authorities may often times be hesitant or reluctant to come forward to report their victimization and fail to cooperate and assist in the legal process against their perpetrator for fear of detention and even possible deportation. Undocumented immigrants, especially women and children, can be particularly vulnerable to criminal activity like human trafficking, domestic violence, sexual assault, stalking, and other crimes due to a variety of factors, including but not limited to: language barriers, separation from family and friends, lack of understanding of U.S. laws, fear of deportation, and cultural differences.

As a result, in 2000, Congress created the U and T Visa Programs within the Victims of Trafficking and Violence Protection Act (TVPA). The purpose of this program is to encourage immigrant crime victims to come forward and report criminal activity to law enforcement agencies thereby strengthening the ability of both local and state law enforcement agencies to investigate and prosecute serious crimes. At the same time, this U and T visa program offers much needed protections to these victims of such crimes without the immediate risk of being removed from the country and without having any

fear of detention and/or deportation by federal law enforcement officials. In addition, this program has the added advantage of strengthening relationships between the Milford Police Department and the community that we serve. **55.2.3a**

II. Policy:

Pursuant to M.G.L. Chapter 258F Sections 1-4, it shall be the Policy of the Milford Police Department to assist immigrant victims of crime with their U or T Visa applications when requested and when they are found to be cooperating with the detection, investigation, or prosecution of criminal activity and to respond to such requests for nonimmigrant status certifications forms within ninety (90) days. 55.1.3

III. Statute: M.G.L. Chapter 258F §§ 1-4 – Certification for Victims of Violent Crime and Human Trafficking

- A <u>certifying entity</u> shall adopt a policy for completing and signing <u>nonimmigrant</u> <u>status certification forms</u> for: (i) victims of criminal activity who intend to petition for nonimmigrant visas under 8 U.S.C. 1101(a)(15)(U); and (ii) victims of severe forms of trafficking in persons who intend to petition for nonimmigrant visas under 8 U.S.C. 1101(a)(15)(T). <u>See M.G.L. Chapter 258F Section 2.</u>
- A <u>certifying entity</u> <u>shall respond</u> to a <u>nonimmigrant status certification request</u> from a victim of criminal activity who intends to petition for a nonimmigrant visa under 8 U.S.C. 1101(a)(15)(U) or from a victim of severe forms of trafficking in persons who intends to petition for a nonimmigrant visa under 8 U.S.C. 1101(a)(15)(T) <u>not later than ninety (90) days after receiving the request for certification</u>.
 - See M.G.L. Chapter 258F Section 3.
- The certifying entity shall respond to the request by either:
 - (i) completing and signing the certification forms; or
 - (ii) issuing a written denial of the request, without prejudice, informing the victim of the reason that the request does not meet the requirements of the certifying entity's policy under section 2; or
 - (iii) in extenuating circumstances outside the control of the certifying entity that prevent the certifying entity from responding to the certification request in the required time period, issuing a written explanation of the delay, the process the certifying entity will undertake to respond and a projected time frame for such response. See M.G.L. Chapter 258F Section 3.
- Annually, <u>not later than February 1</u>, each <u>certifying entity</u> shall <u>report</u> to the executive office of public safety and security:
 - (i) the number of individuals that requested nonimmigrant status certification;
 - (ii) the number of certification forms that were completed and signed; and
 - (iii) the number of such requests that were denied.

<u>Note</u>: The information reported under this subsection shall not include any personal identifying information of an individual requesting nonimmigrant status certification. <u>See M.G.L. Chapter 258F Section 4(a)</u>.

- Annually, not later than April 1, the executive office of public safety and security shall file a report with the clerks of the senate and house of representatives, the joint committee on the judiciary and the joint committee on public safety and homeland security on the information received under subsection (a).
- The report from EOPSS shall include, but not be limited to:
 - (i) the number of individuals that requested nonimmigrant status certification, delineated by certifying entity;
 - (ii) the number of certification forms that were completed and signed, delineated by certifying entity;
 - (iii) the number of such requests that were denied, delineated by certifying entity; and
 - (iv) <u>total statewide statistics on nonimmigrant status certifications and</u> denials.
- The report shall not include information that would allow the public to ascertain the identity of an individual requesting nonimmigrant status certification. The executive office shall also make the report publicly available on its website.

 See M.G.L. Chapter 258F Section 4(b).

IV. Definitions:

- <u>Certifying entity</u>: A law enforcement agency, prosecutor or other state or local entity that has the authority to detect, investigate or prosecute severe forms of trafficking in persons or criminal activity. See M.G.L. Chapter 258F Section 1.
- <u>Criminal Activity</u>: as described in 8 U.S.C. 1101(a)(15)(U)(iii). See M.G.L. Chapter 258F Section 1.
- Severe forms of trafficking in persons: as defined in 22 U.S.C. 7102. See M.G.L. Chapter 258F Section 1.
- <u>U Visa</u>: A Visa issued by the <u>United States Citizenship and Immigration Service</u> (USCIS) conferring legal status for up to <u>four (4) years</u> to an immigrant victim who meets the following statutory requirements:

- They have suffered substantial physical and/or mental abuse as a result of having been a victim of a listed criminal activity;
- o They possess information concerning such criminal activity;
- They have been helpful, are being helpful, or are likely to be helpful in the investigation or prosecution of stated crime; and
- O They have been the victim of criminal activity that occurred in the United States or have knowledge of some violation of the laws of the United States

Note: To be eligible for a U Visa, the applicant must submit an application packet that includes a certification from a certifying official (i.e., Police Chief, Prosecutor, DCF Official) or agency that they have been, are being, or are likely to be helpful in the detection, investigation, or prosecution of a qualifying criminal activity.

- <u>U Visa Certification Form</u>: A sworn statement (<u>USCIS Form I-918</u>, Supplement B) that affirms the immigrant victim's past, present, or future helpfulness in the detection, investigation, and/or prosecution of certain qualifying criminal activity.
- T Visa: A Visa issued by the United States Citizenship and Immigration Service (USCIS) conferring legal status for up to four (4) years to an immigrant victim who meets the following statutory requirements:
 - Are or were a victim of a severe form of human trafficking;
 - Are in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or at a port of entry due to trafficking;
 - Comply with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking (unless you are under the age of 18 or you are unable to cooperate due to physical or psychological trauma. In either case, you may not need to show that you complied with reasonable requests from law enforcement)

Note: To be eligible for a T Visa, the certification from a certifying official (i.e., Police Chief, Prosecutor, DCF Official) or agency that they complied with reasonable requests for cooperation is helpful evidence for the application.

- T Visa Certification Form (Declaration of Law Enforcement Officer for Victim of Trafficking in Persons): A sworn statement (USCIS Form I-914, Supplement B) that affirms the immigrant victim's compliance with reasonable requests for assistance from law enforcement.
- Designated Certifying Officials: A law enforcement official who is authorized to issue a U or T Visa certification that verifies an immigrant victim's past, present, or future helpfulness in the detection, investigation, or prosecution of certain qualifying

crimes. The Chief of Police of the Milford Police Department shall be the certifying official for the MPD. 12.1.1

• Qualifying Criminal Activity for U Visas: U Visa qualifying criminal activity includes, but is not limited to: rape, torture, trafficking, incest, domestic violence, sexual assault, abusive sexual contact, prostitution, sexual exploitation, female genital mutilation, being held hostage, peonage, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, false imprisonment, blackmail, extortion, manslaughter, murder, felonious assault, witness tampering, obstruction of justice, perjury, solicitation to commit any of the above mentioned crimes, or any similar activity in violation of federal, state, or local criminal law. The attempt or conspiracy to commit any of the above crimes also qualifies.

<u>Note</u>: "Any similar activity": accounts for the wide variety of state and federal criminal laws that may have names different from the criminal activity listed above but are comparable in nature and elements to the aforementioned criminal activity.

V. How do U and T Visas actually work?

U and T Visas allow the victims of serious crimes who are helpful to police to temporarily stay in the United States for up to four (4) years. U Visas are approved and granted by <u>U.S. Citizenship and Immigration Services</u> (USCIS), which is a component of DHS. U and T Visas provide recipients with nonimmigrant status that comes with certain benefits, including the ability to work in the United States.

If certain conditions are met, U or T Visa holders can apply for lawful permanent resident status (i.e., seek a green card), which can provide a pathway to citizenship. When Congress created the U-Visa program, it explained that the <u>purpose of U and T Visas was primarily twofold</u>:

- (1) to provide humanitarian relief to immigrant crime victims, and
- (2) to provide a mechanism that encourages immigrants to come forward and report crimes to local police to improve public safety.

The U Visa is especially important for immigrant victims of <u>domestic violence</u>, sexual assault, and human trafficking, who comprise roughly 75 percent of U Visa holders. This is because abusers often use the threat of deportation as a tool to control victims; for example, abusers often tell their victims that they will contact federal immigration authorities if the victim calls the police to report the abuse. In fact, research shows that more than a quarter of U Visa applicants were reported to immigration authorities by their abusers at some point during their abuse. Knowing that a U Visa can provide safety and protection allows many domestic violence and sexual assault victims to feel more comfortable seeking help and following through with legal action against their abusers.

VI. Similarly, T visas are important for immigrant victims because human traffickers often take advantage of those who are vulnerable. Immigrants, particularly those without status, may be susceptible to human trafficking for a variety of reasons including the lack of a social safety net, language barriers, less knowledge of U.S. laws and their legal rights, as well as fear of deportation. Due to these vulnerabilities, Congress created the T Visa to protect immigrant victims and strengthen the relationship between law enforcement and immigrant communities.

VII. Why are U and T Visas Important to the Milford Police Department:

When an immigrant applies for a U or T Visa, local **police have a limited role** in the process: they *certify* to federal authorities whether the applicant was in fact a victim of such a crime and was helpful to the police. Crime victims who wish to obtain a U or T Visa are responsible for submitting their own applications and putting together documentary evidence for USCIS. Victims usually do this with assistance from an immigration attorney – although that is not required. One part of the application process for a U Visa requires so-called outside **certification**. An applicant must obtain **verification from a law enforcement** agency, stating that the applicant was a **victim of a qualifying crime** and that the **victim was helpful to the police**. Signing a U or T certification does not confer any immigration benefit to the victim. Nor is a signed certification a guarantee that USCIS will approve their application. There are many other requirements that USCIS will evaluate to determine if the victim qualifies for a U or T visa.

For a U Visa, this certification is documented in an USCIS Form I-918, Supplement B form, which is an attachment that accompanies the U Visa application. The head of a police agency, such as the police chief or sheriff, is automatically designated as a certifying official. As mentioned the Chief of Police shall serve as the designated certifying official for the Milford Police Department. The Police Chief is responsible for completing Part (2) and (6) illustrated below which is address information and signature with the date.

For a T Visa, the applicant is not required to obtain the certification form, but it is helpful evidence that the individual has been a victim of a severe form of trafficking and has complied with reasonable requests for assistance from law enforcement. For T Visas, the certification is documented in an **USCIS Form I-914**, **Supplement B** form, or the Declaration of Law Enforcement Officer for Victim of Trafficking in Persons, which would accompany the T Visa application. As with the U Visa, the head of a police agency, such as the police chief or sheriff, is automatically designated as a certifying official. As mentioned the Chief of Police shall serve as the designated certifying official for the Milford Police Department. The Police Chief is responsible for completing Part (B) and the section of Part (F) referring to the Supervisor illustrated below.

Note: Police agencies are not the only organizations that can certify an USCIS Form I-918, Supplement B or USCIS Form I-914, Supplement B form. Prosecutors, judges, and government agencies with investigative functions (e.g., DCF) may also make these

Supplement B form. Prosecutors, judges, and government agencies with investigative functions (e.g., DCF) may also make these certifications. In practice, however, applicants most often approach police departments for U or T Visa certification requests. See below.

Part 2. Agency Information	
Name of Certifying Agency	
Name of Certifying Official	Title and Division/Office of Certifying Official
Name of Head of Certifying Agency	
Agency Address - Street Number and Na	ame Suite No.
City State/I	Province Zip/Postal Code
Daytime Phone No. (with area code and	Vor extension) Fax No. (with area code)
Agency Type	
Federal State	Local
Case Status	
On-going Completed	Other:
Certifying Agency Category	
Judge Law Enforcement	Prosecutor Other:
Case Number	FBI No. or SID No. (if applicable)

Part 6. Certification			
I am the head of the agency listed in Part 2 or I am the person in the agency who agency to issue U nonimmigrant status certification on behalf of the agency. Bas penalty of perjury, that the individual noted in Part 1 is or has been a victim of or that the above information is true and correct to the best of my knowledge, and the above victim's ability to obtain a visa from the U.S. Citizenship and Immigrat certify that if the victim unreasonably refuses to assist in the investigation or proshe/she is a victim. I will notify USCIS.	sed upon investigation of the facts, I certify, under one or more of the crimes listed in Part 3. I certify nat I have made, and will make no promises regarding tion Services, based upon this certification. I further		
Signature of Certifying Official Identified in Part 2.	Date (mm/dd/yyyy)		
Sign Here			
	Form I-918 Supplement B (01/15/13) Y Page 3		

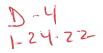
Part B. Agency Inform	nation		
Name of Certifying Agen	ry		
Name of Certifying Office	al Title and	Division'Office	of Certifying Official
Agency Address - Street N	Sumber and Name		Suite Number
City	State Province		Zip/Postal Code
Daytime Phone # (area an	de and/or extension) 1	ax # (with area	czniki)
Agency Type Federal State	te Local		
Case Status On-going Cor	npleted Local_		
Certifying Agency Catego Judge Law Enf	ry droement Prosecuto	or Other_	
Case Number	FBI o	r SID Number (if applicable)

Part F. Attestation	
Based upon investigation of the facts, I certify, under penalty of perjury, that the a severe form of trafficking in persons as defined by the VTVPA. I certify that the my knowledge, and that I have made, and will make, no promises regarding the all Citizenship and Immigration Services, based upon this certification. I further certific investigation or prosecution of the acts of trafficking of which he she is a victible investigation of Law Enforcement Officer (identified in Part 8) (sign in ink)	above information is true and correct to the best of bove victim's ability to obtain a visa from U.S. tify that if the victim unreasonably refuses to assist in
Signature of Supervisor of Certifying Officer (sign in luk)	Data (mm/dd/yyyy)
Printed Name of Supervisor	

Summary:

Step	Police Action Taken
1	When an investigator encounters an <u>immigrant victim</u> of a crime who has filed a police report and it is determined that they are willing to assist - or have assisted or cooperated - with the detection, investigation, or prosecution of qualifying criminal activity or human trafficking, the investigator should inform the immigrant victim of the U-Visa or T-Visa application process. 55.1.3
2	The U or T Visa certification may be issued at any time after detecting a qualifying criminal activity and the investigator has determined that the victim is being or will be helpful in the investigation. 55.2.1 There is no statute of limitations as to when a U or T Visa certification may be issued. Note: The investigation need not be complete prior to issuing the certification. The law was
	designed to assist victims at very early stages of crime detection and investigation. The Chief of Police is authorized to complete the certification.
3	The U Visa Certification Form (USCIS Form I-918, Supplement B) or T Visa Certification Form (USCIS Form I-914, Supplement B) needs to completed and signed by the investigator and approved by his immediate supervisor.
	It should provide specific details about the nature of the crime being detected, investigated, or prosecuted. 55.2.3a
	It should also describe the victim's helpfulness in the case. 55.2.4b
	When the Chief signs the <u>USCIS Form I-918</u> , Supplement B or the USCIS I-914, Supplement B, this does not confer any immigration status upon the victim, but rather enables the victim to meet one of the eligibility requirements on the victim's application to USCIS.
4	The investigator should work with a Victim Witness Advocate and/or the District Attorney's Office if available in helping the victim with the U Visa application (USCIS Form I-918 Petition for U Nonimmigrant Status") and assisting in securing legal representation.
	The U Visa Certification Form (<u>USCIS Form I-918</u> , Supplement B) or T Visa Certification Form (USCIS Form I-914 , Supplement B) which has been completed and signed a by a certifying official should be given to the victim.
	A U Visa Certification is required to complete the U Visa application process. The Victim will then submit the completed application packet and supporting documents to the Victims and Human Trafficking Unit of USCIS, located in Vermont. A T Visa Certification Form is helpful evidence for the application process. The Victim will submit the completed application packet and supporting documents to the victims and Human Trafficking Unit of USCIS, located in Vermont.

A Victim who received a certification and was granted a U Visa or T Visa has an ongoing obligation to provide assistance. Certifying officials may notify USCIS directly for cases in which victims are no longer helpful. However, such notification is appropriate only when the victim's lack of cooperation is not reasonable. 55.2.4b In addition, in some cases the USCIS will contact a certifying official, or require a re-certification, to confirm that the victim remains, or remained, cooperative throughout the detection, investigation or prosecution of a crime.





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:

January 15, 2022

RE:

Recommended Safety Traffic Controls

Dear Mr. Villani,

I respectfully request the Select Board to approve the following traffic safety changes on Depot Street near the Depot Tavern. My recommendations are the following:

- 1. For the town to approve the addition of a crossing walk for pedestrians to cross the street more safely in the area of 43 and 44 Depot Street. This will cause taking away two (2) parking spots on the street.
- 2. For the town to request updated and improved overhead lighting from National Grid.

Officer Kevin O'Loughlin has extensively investigated and reported to me based on past motor vehicle accidents close to the area and I will include his detailed report. In addition the officer has spoken with the business owner who has cooperated and said he will also improve lighting from his business to help improve safety for pedestrians crossing. The owner will also be asked to encourage patrons to his business to use the crosswalk which is the side away from the railroad side and entrance and exit for the local ambulance company.

Sincerely,

James F. Falvey Chief of Police

Town of Milford



MILFORD POLICE DEPARTMENT

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 634-2364

To: Chief James Falvey

Cc:

From: Sgt. Kevin O'Loughlin

Re: Depot Street Tavern, 45 Depot St.

Date: January 15, 2022

Chief Falvey,

I am submitting report 21-31953-OF for your review. I conducted a follow-up on this matter and attached a supplemental report. I am also returning the Manual on Uniform Traffic Control Devices.

Respectfully Submitted,

Sgt. Kevin O'Loughlin 580



Milford Police Department Incident Report

Page: 1 01/15/2022

PHONE

Incident #: 21-31953-OF Call #: 21-31953

Date/Time Reported: 12/20/2021 1848 Report Date/Time: 12/20/2021 1900 Status: No Crime Involved

Reporting Officer: Officer Kevin O'Loughlin

Approving Officer: Chief James Falvey

Signature:

Signature:

INVOLVED

SSN 508-958-9237 39 ******

HICKS, ADAM JAMES

16 TAFT ST

UXBRIDGE MA 01569

Military Active Duty: N

BODY: NOT AVAIL. DOB: 11/23/1982

LICENSE NUMBER: MA S70954637

COMPLEXION: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: NOT HISPANIC

SEX

[CONTACT INFORMATION]

Home Phone

(Primary)

508-958-9237

RACE AGE

EMPLOYER/SCHOOL: DEPOT ST TAVERN

45 DEPOT ST

MILFORD MA 01757

OCCUPATION: OWNER

EVENTS(S)

LOCATION TYPE: Bar/Night Club DEPOT STREET TAVERN

45 DEPOT ST MILFORD MA 01757

PUBLIC SAFETY

Zone: B Sector

Milford Police Department NARRATIVE FOR OFFICER KEVIN O'LOUGHLIN

Ref: 21-31953-OF

On Monday December 20, 2021 at approx. 6:48 p.m., I (580) was on patrol in the Town of Milford. I contacted Sgt. Varteresian regarding filing a report for 45 Depot St., Depot Street Tavern. As a community member and police officer in Milford I have noticed a public safety concern regarding lighting and crossing at 45 Depot St.

Depot Street Tavern is a popular restaurant in Milford and attracts large amounts of patrons on a daily basis. There is currently no pedestrian crosswalk leading to Depot Street Tavern. The restaurant utilizes a private parking lot and public roadway parking for their business. Patrons are forced to cross Depot St. to access the restaurant and there is minimal lighting. Milford Town By Laws allow parking on both sides of the road, this causes a narrow roadway too form in front of Depot Street Tavern. Community Ambulance also houses and operates out of an access road connecting to Depot Street Tavern's private parking lot. There is little to no lighting allowing vehicles to see ambulances entering Depot St. even with their emergency lights and siren activated.

I observed two street lights mounted on utility poles across from Depot Street Tavern as well as lighting on the front of the restaurant. This lighting does not provide appropriate amounts of lighting for vehicles to have reactionary time to crossing pedestrians.

I reviewed calls for service at 45 Depot St. dating back to 1999. 45 Depot St. was previously a restaurant, Crivello's, where public roadway parking was utilized as well. I observed twenty five (25) motor vehicle accidents at 45 Depot St. I then reviewed Depot St. in its entirety and observed a total of one hundred and ninety eight (198) motor vehicle accidents dating back to 1999. I observed on November 1, 2006 there was a fatal motor vehicle accident involving a pedestrian (06-15796-AC). In more recent years I observed on March 14, 2015 a pedestrian was struck crossing the roadway at 45 Depot St. This accident occurred at 12:00 p.m., showing just how dangerous crossing in the area of 45 Depot St. can be. I have attached the calls for service for 45 Depot St. to this report and will be attaching them to hard copies submitted as well.

I will be submitting this report to Sgt. Varteresian for review. I will also be forwarding this report to Deputy Chief Sanchioni and Chief Falvey for their review. It is my opinion that this public safety matter can be fixed through the installation of a pedestrian crosswalk and installation of additional lighting in the area of 45 Depot St. This will create a safe environment for all patrons of Depot Street Tavern and allow the restaurant to continue to thrive.

Milford Police Department

SUPPLEMENTAL NARRATIVE FOR OFFICER KEVIN O'LOUGHLIN

Ref: 21-31953-OF

On Monday January 10, 2022 at approx. 10:00 a.m., I met with Chief James Falvey regarding my report 21-31953-OF. Chief Falvey wanted me to follow-up with Depot Street Tavern regarding the installation of any traffic control equipment. Chief Falvey was also looking for my recommendation on where the pedestrian crosswalk would be located. Chief Falvey also provided me with the Manual on Uniform Traffic Control Devices to review.

I reviewed the MUTCD packet, specifically regarding pedestrian regulations, which I found located on pages 10, 16, 48, and 49. I learned that Chapter 90 Section 18A allows cities and towns to regulate pedestrian controls (speed control, pedestrian cross walks, signs, etc.). Having a marked cross walk provides pedestrians with a safe area to cross the street. This also allows police officers an enforcement option under Ch. 89 Sec. 11 for failure to yield to a pedestrian in a cross walk. Without the cross walk in place operators have a valid argument on a motor vehicle stop regarding the pedestrian, i.e. they did not see them, they did not know they were crossing, or any number of excuses.

I returned to Depot St. on Thursday January 13, 2022 and took a look at the area around Depot Street Tavern. I am unsure of the land owned by the Town of Milford and will follow-up with Milford Town Hall zoning enforcement this week. There could be issues installing a pedestrian crosswalk close to a rail road crossing and I will look for further information on that. I did locate a spot that could be used for a pedestrian crosswalk in the area between 44 Depot St. and 43 Depot St. This would provide a safe crossing area that could have directed light from the overhead National Grid street lights, Pole 10 and Pole 11, and possibly additional lighting provided by Depot Street Tavern. However, the installation of a pedestrian cross walk would remove one parking space from each side of Depot St. (total 2 spaces). I will be contacting the owner of Depot Street Tavern, ADAM HICKS, about the possibility of them being involved in the installation of lighting.

I spoke with Adam on January 13, 2022 at approx. 5:57 p.m. Adam stated he would like to be involved in the process and stated he was willing to install additional lighting on his business to better illuminate a possible cross walk. I will be following up with National Grid and Milford Town Hall on 01/14/22.

On January 14, 2022 at approx. 10:42 a.m., I spoke with National Grid Foreman Chris Alves on the phone. Chris advised me that the current lights on the Depot St. poles are not the brightest option that National Grid offers. National Grid places single LED street lights which is the current street lights on Depot St. The next brightest option is a triple LED street light. Chris also stated there is an option to put an extension on the single LED light that would extend it further over the roadway and over a cross walk if there was to be one installed. Chris stated the lights are town owned and the request to update them would need to come from Milford Town Hall.

I also spoke with the Milford Town Hall Assessors Office. They provided me with the link to the Map GEO for the Town of Milford. This allowed me to see the property line of Depot Street Tavern and the rail road. The location of 44 Depot St. to 43 Depot St. would be an appropriate placement away from the rail road property for pedestrians to safely cross.

My recommendation is that a pedestrian cross walk be installed in the area from 44 Depot St. across the road to 43 Depot St. I also recommend the town request light extensions or brighter lighting through National

Milford Police Department

Page: 2

SUPPLEMENTAL NARRATIVE FOR OFFICER KEVIN O'LOUGHLIN

Ref: 21-31953-OF

Grid. Lastly I recommend that Adam Hicks install additional lighting to Depot Street Tavern to illuminate the cross walk and roadway for pedestrians to cross. This report will be filed with Chief James Falvey.

** Portions of this report have been redacted **

E-1 1-24.22



TOWN OF MILFORD

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

> Larry L. Dunkin, MCRP Town Planner

MEMORANDUM

TO:

Milford Select Board

FROM:

Larry L. Dunkin, MCRP

DATE:

1-19-2022

SUBJECT:

Proposed Zoning Bylaw Amendment

At their regular meetings on 1-4-2022 and 1-18-2022, the Planning Board voted to forward the following Zoning Bylaw amendment proposals to the Select Board for inclusion on the upcoming Annual Town Meeting Warrant. The amendments relate to the following:

- 1. <u>Supplemental Apartments</u> This amendment replaces "Supplemental Apartment" uses with new provisions for "Supplemental Suites", including specific special permit standards, and a new definition.
- 2. <u>Residential Uses in CB zones</u> This amendment eliminates Residential Uses within the CB Neighborhood Commercial Zoning District.

The complete proposed amendment articles are attached. I recommend that you remand these proposed zoning amendments to the Planning Board for public hearing and report to Town Meeting for the Annual Town Meeting.

ARTICLE _____: To see if the Town will vote to amend the Zoning Bylaw relating to Supplemental Apartments as follows:

BY REPLACING in Section 2.3 Use Regulations Schedule <u>Accessory Uses</u> the term "Supplemental Apartment⁹" with the term "Supplemental Suite⁹", and by replacing the text of footnote # 9 with the words "Subject to the requirements of Section 3.19 herein.",

AND BY ADOPTING a new Section 3.19 Supplemental Suite as follows:

- "3.19 <u>Supplemental Suite</u> All Supplemental Suites require a special permit. In making its determination, the special permit granting authority must find that all of the following standards are being met:
 - 3.19.1 A Supplemental Suite may only be created within an owner-occupied detached single-family dwelling that is the year-round primary residence of the owner(s), and only as an integral part thereof, and shall remain accessory to the occupancy of the residence as a single-family dwelling.
 - 3.19.2 A Supplemental Suite shall have access only from inside the residence, shall have no direct access to the outside, unless otherwise required by the State Building Code.
 - 3.19.3 The creation of a Supplemental Suite shall not alter the exterior appearance of the dwelling as a single-family residence, shall not provide separate utility services for the Supplemental Suite, and shall be limited to no more than one Supplemental Suite established within the dwelling.
 - 3.19.4 A Supplemental Suite shall not exceed 720 sq.ft. of gross floor area, and shall be limited to one bedroom, one bathroom, one kitchen, and one other room that is not a bedroom.
 - 3.19.5 A Supplemental Suite shall be occupied as the primary residence by not more than two persons, one of whom must be either a grandparent, parent, sibling or child of the owner-occupant of the single-family dwelling in which such Supplemental Suite is located, or of the spouse of such owner-occupant, and shall not be sublet or subleased at any time.
 - 3.19.6 The application for a Supplemental Suite special permit shall include a sworn affidavit executed by the owner-occupant of the subject dwelling, reciting the names and family relationship among all of the parties residing in said dwelling and attesting that the property is the year-round primary residence of the property owner and of the family member(s) residing in the Supplemental Suite.
 - 3.19.7 Subsequent to the receipt of an occupancy certificate for a Supplemental Suite, additional sworn affidavits similar in content to that required in Section 3.19.6 herein shall be executed annually thereafter by the owner-occupant and submitted to the Building Commissioner to confirm continued compliance therewith.
 - 3.19.8 Any Supplemental Suite special permit issued shall lapse in the event that title to the dwelling in which the Supplemental Suite is created is transferred from the original applicant(s) to any other person.

- 3.19.9 For any Supplemental Suite being proposed within a dwelling not connected to the municipal sanitary sewer system, compliance with DEP 310 CMR 15.000: The State Environmental Code, Title 5, shall be a condition of the Special Permit.
- 3.19.10 Within sixty (60) days from the date the authorized family member(s) vacate the Supplemental Suite, the owner or their agent shall remove any kitchen facilities in the Supplemental Suite and notify the Building Commissioner to inspect the premises."

AND IN ADDITION by deleting in Article IV Definitions the term "Supplemental Apartment" and its definition, and adopting in lieu thereof the following new definition for "Supplemental Suite":

"Supplemental Suite – Accessory living quarters within a detached single-family dwelling intended to provide shelter and personal support for an immediate relative of the owner-occupants of the dwelling, creation of which shall be in accordance with the requirements of Section 3.19 herein."

Or take any other action related thereto.

(Planning Board)

: To see if the Town will vote to amend Section 2.3 Use Regulation Schedule of the Zoning Bylaw relating to Residential Uses within the CB Neighborhood Commercial District as follows: 2.3 Use Regulation Schedule. DISTRICT **ACTIVITY OR USE RA RB RC** RD OR BP CA CB CC IA IC IB **RESIDENTIAL USES**

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 A^{21}

Or take any other action related thereto.

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 A^{21}

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Dwelling/Single-family

Dwelling/Two-family

(Planning Board)

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ANNUAL TOWN MEETING: MONDAY, MAY 23, 2022

1.	Monday, January 24, 2022	Select Board set date for Annual Town Meeting and open Warrant, which closes at 12 noon Thursday, March 10, 2022
2.	Monday, March 14	Town Counsel begins preparation of official Warrant
3.	Monday, March 28*	Select Board approve final Warrant
4.	Tuesday, March 29*	Warrant to printer for reproduction.
5.	March 28-May 23	Finance Committee, Personnel Board and Select Board schedule meetings to review articles, as necessary
6.	Monday, May 9*	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 19*	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.	Tuesday, May 17th	Pre Town Meeting Forum at 7:00 PM
9.	Monday, May 23, 2022	TOWN MEETING CONVENES AT 7:00PM @MILFORD TOWN HALL, 52 MAIN STREET OR REMOTELY.
10.	Wednesday, May 25, 2022	Adjourned Town Meeting, if required.
		5 (2)

*Denotes action must be taken on or before specified date.

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

REFERENCES:

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



Richard Villani

From:

Jo-ann Morgan <joann.d.morgan@verizon.net>

Sent:

Wednesday, December 15, 2021 8:20 PM

To:

Richard Villani

Subject:

Veterans aAdvisory Council

CAUTION: This email originated from outside the **Town of Milford**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Per our conversation today the person who has never attended a meeting is Ariel Lopez.

Please advise as what needs to be done to remove him from the Council so that we can fill the position from the Talent Bank.

Thank you, Jo-Ann Morgan, Chairperson

166, c. 115