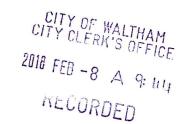


City of Waltham

Jeannette A. McCarthy Mayor



February 8, 2018

TO: The City Council

RE: Constable Re-Appointment – Robert P. Millian, Jr.

Dear Councillors:

Pursuant to the provisions of City Ordinance Section 2-30, I respectfully request the reappointment of Robert P. Millian, Jr. of 16 Bither Avenue, Waltham, MA 02453 as a Constable.

Enclosed please find his application, and the chief's response to the background check.

Mr. Millian is available to answer any questions you may have.

Sincerely,

Jeannette A. McCarthy

JAM/ccb Enclosures

cc: Robert P. Millian, Jr.

Monaghan, Julie A.

[00:c0:ee:a6:e3:2c]

Monaghan, Julie A.	
From: Sent: To: Subject:	MacPherson, Keith Tuesday, January 09, 2018 11:21 AM Monaghan, Julie A. RE: Robert Millian background
Julie,	
Robert Millian passed the ba	ckground check for reappointment as constable.
Chief	
Original Message From: Monaghan, Julie A. Sent: Wednesday, January 03 To: MacPherson, Keith <kma backg="" chief:<="" millian="" robert="" subject:="" td=""><td>cpherson@police.waltham.ma.us></td></kma>	cpherson@police.waltham.ma.us>
Robert Millian is looking to be investigation. I have enclosed	e reappointed as a constable. Could you please have someone perform a background d his personal information.
Sent: Wednesday, January 03	ma.us [mailto:copier@city.waltham.ma.us] 5, 2018 4:10 PM onaghan@city.waltham.ma.us>
TASKalfa 3500i	

Dear Mayor Jeannette McCarthy,

I have served as a Constable for the Towns of Weston, Watertown, Lincoln, the City of Waltham for over twenty seven years. I am also authorized to serve process for the Massachusetts Department of Revenue Child Support Enforcement Task Force and have been for the past twenty three years. The position of Constable has enabled me to gain knowledge about investigative methods and techniques together with researching and applying relevant laws and statutes as part of an investigation. My duties have also afforded me a great deal of experience in judicial procedures, including obtaining evidence, preparing documentation, seizing assets, dealing with hostile and combative people, testifying in our courts, and coordinating with other law enforcement agencies.

I am also currently the Regional Field service manager for the State Lottery's Worcester Office; I oversee seven Field Technicians, one Field Service Specialist, and one Field Service Supervisor. I am responsible for the installation and operation of all Lottery equipment in the Worcester District

I have attached a copy of my resume for your perusal. I look forward to meeting you to discuss my re appointment as Constable.

Sincerely

Robert P. Millian, Jr.

ROBERT P. MILLIAN, JR 16 BITHER AVENUE WALTHAM, MA. 02453 (781) 894-4919

RE: RE-APPOINTMENT AS CONSTABLE FOR THE CITY OF WALTHAM

As Per Rule 35,

Enclosed please find a copy of my current resume, Please note as per Rule 35, I have no employees, I have no interest in any Corporations, Businesses, Partnerships, Trust, or other entities in which I have any material interest. I am not an Officer or board member, or officially represent in any capacity, where any such relationship would create a conflict of interest involving my being re-appointed a Constable

Robert P. Millian, Jr.

12-21-2017

Robert P. Millian, Jr. 16 Bither Avenue Waltham, MA. 02453

Experience

MASSACHUSETTS STATE LOTTERY COMMISSION Field Service Regional Manager

1992-Present

- * Provide the necessary technical training and development in order for the field Service staff to perform their assigned duties.
- * Maintain all necessary reports and forms in a timely and accurate manner, i.e. time sheets, work schedules, state vehicles, expense vouchers for private vehicles, etc.

* Dispatch, assign and clear Field Technicians to service calls locally and state wide

* Maintain control and inventory for all ISYS terminals, Bandits, on-line and off-line vending machines, Flex Terminals & all associated equipment assigned to agents & to the Regional Office

* Provide guidance, assistance, and training to Field staff where required

* Submit all service reports, Inventories, Attendance, State assigned vehicle mileage logs, etc. to the Manager for further analysis.

* Analyze and resolve problem situations with staff, Agents, and the general public.

* Monitor the field staff's productivity & effectiveness to insure accountability is maintained

* Administer the collective bargaining agreement within the department

CONSTABLE'S OFFICE Constable

1990-Present

* Serve Civil, Criminal, Probate process, Physical Arrest Warrants, Seize Assets

Arrest and transport prisoners to Court.

* Authorized by the Massachusetts Department of Revenue Child Support Enforcement
 Division to apprehend deadbeat parents throughout the Commonwealth
 1991 - 2015

Conduct investigations pursuant to foregoing duties, preparing reports; and testifying at hearings in District, Probate and Superior Courts

* Coordinate with State; Federal; and Municipal Police Departments the apprehension of Defendants.

CERTIFIED FIREARMS INSTRUCTOR

MA. State Police and National Rifle Association

1990 - Present

- * Instruct students on the safe handling and legal responsibilities of owning; operating and securing firearms together with ammunition as required by M.G.L. Chapter 140
- * Test students with written exams; Safe handling of firearms and marksmanship skills
- * Forward all passing student information to the Massachusetts State Police Head Quarters

R.P. MILLIAN& SON Co.

Technician / Owner

1990 - 2013

- * Perform repairs and maintenance on automobiles and light trucks
- * Maintain accounts payable; receivables; manage daily cash reconciliations

* Manage inventory control of replacement parts, equipment and tools

* Coordinate & perform all other functions inherent in the operation of a small business

NEWTON STREET GULF CO., INC. Manager

1980 - 1990

* Hired; trained and terminated staff as required

* Supervised staff of four full time employees & two part timers

* Maintained employee work schedules and pay roll

Performed station openings and closings

Maintained inventory control of all Company owned assets

Functioned as head ASE Certified Automotive Technician

Maintained ASE Automotive Certifications and training

Certifications and Licenses

- * C.D.T. Non-Deadly Force Level 1 Certified No.:MA-DD-092-11R
- * Massachusetts Commercial Drivers Licensed Class BM
- Federal Aviation Administration Licensed Private Pilot
- * Auto External Defibrillator & C.P.R. Certified by the American Red Cross
- * Certified in the use of Oleoresin Capsicum for Law Enforcement use
- * Massachusetts State Police Certified Firearms Instructor
- * N.R.A. Certified Rifle; Shotgun; and Pistol Instructor
- * Massachusetts State Police Certified L.E.O. S.A. Firearms Instructor
- * M.O.A.B. Certified in the Management of Aggressive Behavior

Official Appointments / Memberships

- * Middlesex County Reserve Deputy Sheriff
- * Waltham Lions Member
- * Massachusetts Bay Constable Assoc. Secretary of the Board of Directors
- Certified Notary Public
- * Commissioner to Qualify all Public Officers Appointed by the Governor
- * Massachusetts State Lottery Safe Workplace Team member
- * Member of the Blue Knights MA. Chapter 12 Law Enforcement Motorcycle Club

Education

*	Framingham State College	1980 - 1981
	Business Management related courses	
*	Beechcraft East Hanscom	1981 – 1982
	Federal Administration Certified Flight School	
*	General Motors Automotive Training Center	1988 – 1991
	Certified to repair diagnosis GM Electrical systems; ABS	
	Braking Systems; Heating, AC Systems and Fuel systems	,
*	Massachusetts Bay Constables Association	1991 & 2014
	Training in Civil/Criminal Laws and Procedures	
*	C.D.T. Non-Deadly Force Training	2003 - 2005
	Tactical control training on the use of "Justified Force"	
*	MOAB Training International, Inc.	2004
	Certification in Management of Aggressive Behavior	5

Received JAN 0 9 2006

Rule 35

Rewrite as follows:

Mayor's Office

All appointments of persons as regular employees of the City submitted for confirmation, by the Mayor, to the City Council, shall be accompanied by a written resume of the appointee's background and qualifications for that position. The resume shall include the appointee's full name and residential address, educational history, work background and experience, and any current certifications or licenses held by the appointee. The resume shall also include the names and addresses of all current employers, and shall disclose the names and addresses of any corporations, businesses, partnerships, trust, or other entities in which the appointee has any material interest, is an officer or board member, or officially represents in any capacity.

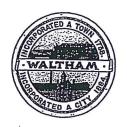
In addition, all appointments of persons as regular employees of the City submitted for confirmation, by the Mayor, to the City Council, shall be accompanied by a certification indicating that satisfactory CORI and background checks were conducted by the Mayor or his designee, reviewed and signed by the Mayor, and in the following format:

1	Name of Candidate: Appointed To: Date of Appointmen		
 .;	A backgrou Type of inv Date invest Results:	nd investigation has been estigation: Police igation was completed: Satisfactory	conducted for this candidate. Private Unsatisfactory
-	A Criminal Results:	Offender Record Informa Satisfactory	tion (CORI) report was obtained. Unsatisfactory
•			•
М	ayor's Signature		ale

All other appointments of persons, not as regular employees of the City, submitted for confirmation, by the Mayor, to the City Council, shall be accompanied by a written resume of the appointee's background and qualifications for that position. The resume shall include the appointee's full name and residential address, educational history, work background and experience, and any current certifications or licenses held by the appointee where such certifications and licenses are relevant to the appointed position. The resume shall also include the names and addresses of all current employers, and shall disclose the names and addresses of any corporations, businesses, partnerships, trust, or other entities in which the appointee has any material interest, is an officer or board member, or officially represents in any capacity, where any such relationship would create a conflict of interest involving the appointed position.

Read & Adopted October 28, 2002

Attest Rosario C. Malone, City Clerk



CITY OF WALTHAM Application For Re-Appointment as Constable

TO HER HONOR, THE MAYOR:

I HEREBY APPLY FOR RE-APPOINTMENT TO THE POSITION OF CONSTABLE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 2, ARTICLE II, SECTION 2-30 (5) OF THE CITY OF WALTHAM GENERAL ORDINANCES AND IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE GENERAL LAWS OF MASSACHUESETTS. THE MAYOR RESERVES THE RIGHT TO REJECT ANY APPLICATIONS. ANY APPOINTMENT IS SUBJECT TO A CONFIRMATION BY THE CITY COUNCIL. (See attached Section 2-30 of City Charter regarding constables and Council rule)

PLEASE PRINT OR TYPE:

1.	NAMEROBERT P. MILLIAN, JR.
2.	HOME ADDRESS 16 BITHER AVENUE
**	WALTHAM, MA. 02453
e e	MAILING ADDRESS POST OFFICE BOX 427
	(If different) WESTON, MA. 02493
y	Daytime Number (781) 760-2036 Evening Number (781) 894-4919
3.	LIST RESIDENTIAL ADDRESSES FOR THE PAST FIVE YEARS: 16 BITHER AVENUE WALTHAM, MA. 02453
4.	SOCIAL SECURITY NO.
5.	PLACE OF BIRTH CAMBRIDGE, MA.
	(If the place of birth is outside of the United States, proof of United States citizenship may be required)

6.	PHYSICAL CHARACTERISTICS: Attach a copy of a picture ID.
7.	HAVE YOUR EVER BEEN CONVICTED, IN ANY JURISDICTION, OF ANY FELONY AND/OR MISDEMEANOR?
5 -	YES or NO X (Check one)
	IF YOUR RESPONSE TO QUESTION 7 IS "YES", PLEASE DESCRIBE BRIEFLY, INCLUDING A REFERENCE TO THAT JURISDICTION IN WHICH THE CRIMINAL PROSECUTION RESULTING IN YOUR CONVICTION WAS UNDERTAKEN:
.e.	
•	
8.	HAVE YOU EVER BEEN APPOINTED OR ELECTED AS A CONSTABLE IN ANY CITY OR TOWN IN THE COMMONWEALTH OF MASSACHUSETTS?
	YESX or NO (Check one)
APPOINT APPOINT APPOINT APPOINT	IF THE RESPONSE ABOVE IS "YES", PLEASE STATE THE DATE OF APPOINTMENT OR ELECTION AND THE TERMS OF OFFICE IN WHICH YOU SERVED AS CONSTABLE 1) WALTHAM ORIGINALLY APPOINTED ON 3-26-1990 - CURRENT WILL EXPIRE ON 10-13-2018 2) WATERTOWN ORIGINALLY APPOINTED ON 10-13-1992 - CURRENT MENT WILL EXPIRE ON 03-05-2018 4) FINCOL N ORIGINALLY APPOINTED ON 01-15-1991 - CURRENT MENT WILL EXPIRE ON 03-01-2018 HAVE YOU EVER BEEN DENIED AN APPOINTMENT AS A CONSTABLE?
i i	YESX or NO (Check one)
02-1997 SPOTTED MOVE HIS FORTHWIT OF MY LC PLACED I	F "YES" GIVE THE DATE, THE CITY/TOWN OF DENIAL, AND A DETALED EXPLANATION/REASON FOR THE DENIAL. WALTHAM, ON 02-24-1996 I ATTEMPTED TO SERVE A CIVIL CAPIAS (ARREST WARRANT) ON A DEFENDANT THAT AT FRED WOODSIDE'S GAS STATION. I IDENTIFIED MYSELF TO THE DEFENDANT, HE THEN SAID HE WANTED TO STRUCK AWAY FROM THE PUMPS SO WE COULD TALK. BUT INSTEAD HE DROVE OFF, I CALLED THE WALTHAM POLICE TO ALERT THEM OF WHAT JUST TOOK PLACE. I FOLLOWED THE DEFENDANT AND INFORMED THE WALTHAM POLICE DEATION THEY CALLED THE STATE POLICE TO ASSIST ME WHO EVENTUALLY STOPPED THE DEFENDANT. HE WAS INDER ARREST AND STOOD TRIAL IN COURT. THE FOLLOWING YEAR I WENT TO RENEW MY APPOINTMENT FOR AND MAYOR STANLEY RETURNED MY APPLICATION BACK TO ME DENIED.
_	

SUBMIT A WRITTEN STATEMENT DESCRIBING THE TYPES OF WRITS AND PROCESSES SERVED BY YOU UNDER THE PROVISION OF WALTHAM CODE 2-30, SECTION 5, SUBPARAGRAPH (e) (ATTACHED)

I HAVE BEEN SERVING AS A CONSTABLE FOR OVER 26 YEAR. DURING THAT TIME I HAVE HAD THE FORTUNE OF MEETING AND HELPING CITY OFFICIALS, LOCAL BUSINESS OWNERS, LAWYERS, AND LANDLORDS. INLIKE MOST JOBS THE JOB OF CONSTABLE ALLOWS YOU TO MEET PEOPLE OF ALL WALKS OF LIFE AND GAIN KNOWLEDGE OF HOW THE LEGAL SYSTEM WORKS. I REALLY HAVE ENLOYED THE OPPORTUNITIES I HAVE HAD TO BE ABLE TO HELP PEOPLE SETTLE DISPUTES CUTSIDE OF COURT AND WORKING WITH ATTORNEYS. I HAVE ALSO HELPED THE CITY BY COLLECTING HUNDREDS OF DOLLARS IN FEES OF WHICH I SEND INTO THE WALTHAM CITY TREASURER'S OFFICE EACH QUARTER UNDER THE MUNICIPAL RELIEF ACT. I HAVE SERVED SUBPOENAS, SUMMONS, CHILD SUPPOR SUMMONS, TRESPASS NOTICES, NOTICE TO SHOW CAUSE, DIVORCE SUMMONS AND COMPLAINTS, FEDERAL SUBPOENAS PROBATE CITATIONS, EXECUTIONS, WRITS AND TRUSTEE PROCESS AND LETTERS AND NOTICES OF ALL KINDS

10. HAVE YOU FILED WITH THE COUNTY TREASURER A TRUE COPY OF THE ACCOUNT REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF G.L.M. CHAPTER 262, SEC. 8A?

YES	or	NO	χ	•	(Check one)
					(,

As noted above every quarter as required under the Municipal Relief Act M.G.L. Chp. 262 Sec. 8 and M.G.L Chp. 41 Sec. 95A and 95B I am required to send an account of the process served and deposit the fees collected for the same to the Waltham City-Treasurer for each quarter. The Middlesex County Treasurer's Office has been abolished.

BONDING IS REQUIRED FOR THIS APPOINTMENT

IT IS UNDERSTOOD THAT ALL APPOINTMENTS TO THE POSITION OF THE CITY OF WALTHAM ARE SUBJECT TO THE APPOINTEE IMMEDIATELY UPON APPOINTMENT OBTAINING A SURETY BOND IN THE MAXIMUM AMOUNT SPECIFIED IN G.L.M. CHAPTER 41, SECTION 92, THAT SAID BOND BE APPROVED BY THE MAYOR, AND THAT SAID BOND BE FILED IN THE OFFICE OF THE CITY CLERK. THIS SURETY BOND MUST BE KEPT IN FULL FORCE AND EFFECT DURING THE TERM OF OFFICE.

FIREARMS

IN ACCORDANCE WITH CITY OF WALTHAM GENERAL ORDINANCES, NO INDIVIDUAL APPOINTED TO THE POSITION OF CITY OF WALTHAM CONSTABLE SHALL CARRY OR BE IN POSSESSION OF ANY FIREARM WHILE IN THE EXERCISE AND PERFORMANCE OF THE POWERS, DUTIES, AND RESPONSIBLITIES OF CONSTABLE.

THE FACTS SUBMITTED ON THIS APPLICATION ARE MADE UNDER OATH AND ANY FALSE STATEMENTS WILL BE CAUSE FOR REVOCATION OF REAPPOINTEMENT.

12-21-2017

APPLICANT'S SIGNATURE

DATE



The Hanover Insurance Company | 440 Lincoln Street, Worcester, MA 01653 Citizens Insurance Company of America | 645 West Grand River Avenue, Howell, MI 48843 Massachusetts Bay Insurance Company | 440 Lincoln Street, Worcester, MA 01653

PUBLIC OFFICIAL BOND

				Во	nd No.: BON93939	22	
Know all men	by these presents,						
That Robert P. Mi	llian, Jr.						
as Principal, and	d The Hanover Insurar	nce Company a	and/or Massach	nusetts Bay Ins	urance Compan	y having its	executive
office in	Worcester		Massachusetts	, as Suret	y, are held and	firmly bound	d unto the
		City of V	Valtham			in the	penal
and truly to be severally, firmly	Five Thousand made, we bind ours by these presents, th nd remains in force or	elves, our hei ne liability of th	rs, executors, ne Surety being	administrators g limited to sai	s, successors ar d penal sum reg	nd assigns, gardless of t	jointly and he numbe
The con	dition of this obliga	ition is such,	That, Whereas	the said Princ	ipal was elected	or appointe	d as
			Constable				
Now, th	erefore, if the Princip	oal shall, durin	g the term thre	<u>ee years</u> begini	ning on the	31st	_ day of
	r position, then this o d may be extended at	bligation shall	be void; other	wise it shall be		uties incumb ull force and	ent upon virtue.
This bon- specifying the ef	d may be terminated ffective date of cance cellation shall be at th	and cancelled	l, at any time, the Surety mai	by the Oblige	e giving written otice to the Obli		
In Witne	ess Whereof, the Pri	ncipal has here	eunto set <u>its</u> ha	and and seal ar	nd the Surety ha	s affixed its	
corporate seal an	nd caused these prese	ents to be signe	ed by its Attorr	ney-in-Fact this	s11th da	ay of	
Decem	iber	2017					
Witness:		_	Robert P. Mill	ian, Jr.			
			☐ THE HANG	OVER INSURAN	ICE COMPANY		
•			Ву:				. AAA
			MASSACH	IUSETTS BAY I	NSURANCE COM	IPANY	BAYINS
			By:			4 ३ ₩	CONTOROLED !

David O. Smith,

Attorney-in-Fact

MASSACHUSETTS BAY INSURANCE COMPANY CITIZENS INSURANCE COMPANY OF AMERICA

POWER OF ATTORNEY

THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

KNOW ALL PERSONS BY THESE PRESENTS:

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

David O. Smith

Of Burgin, Platner & Company, LLC, Quincy, MA

each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

Constable

in the amount of: \$5,000.00
That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 30th day of **January**, **2017**.

The Hanover Insurance Company Massachusetts Bay Insurance Company Citizens Insurance Company of America

John C. Roche, EVP and President



The Hanover Insurance Company Massachusetts Bay Insurance Company Citizens Insurance Company of America

A Kawiell

James H. Kawiecki, Vice President

THE COMMONWEALTH OF MASSACHUSETTS COUNTY OF WORCESTER

)) ss.

On this 30th day of January, 2017 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.

OIANE J. MARINO
Notary Public
Commonwealth of Messachusettte
My Commission Epites
March 4, 8022

Diane J. Marino, Notary Public My Commission Expires March 4, 2022

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 11th day of December 2017

CERTIFIED COPY

Thereby 4. Charles
Theodore G. Martinez, Vice President





Certificate of Completion

Conflict of Interest Law

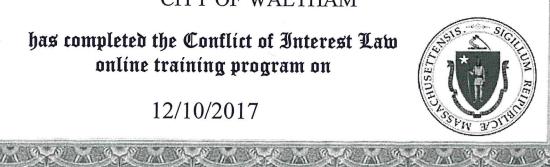
ROBERT P. MILLIAR, JR.

CONSTABLE

CITY OF WALTHAM

has completed the Conflict of Interest Law online training program on

12/10/2017



Print Certificate

Return to Data Form

