

**TOWN OF MILFORD  
Milford, Massachusetts  
NOTICE OF MEETING**

RECORDED  
MILFORD TOWN CLERK  
2020 AUG 20 PM 3:53

Board or Commission \_\_\_\_\_ Milford Board of Selectmen  
Date and Time of Meeting \_\_\_\_\_ August 24, 2020 7:00 PM  
Place of Meeting \_\_\_\_\_ Room 03, 52 Main Street

**A.) SIGNING OF WARRANT, APPROVAL of Minutes, August 10, 2020**

**EXECUTIVE SESSION Minutes, August 10, 2020**

**B.) INVITATION TO SPEAK**

The Board of Selectmen invites public participation on an in-person basis during its August 24, 2020 meeting. Due to restrictions imposed by Governor Baker's March 2020 Declaration of a State of Emergency prohibiting gatherings of more than ten people, participation in Invitation to Speak shall be limited to one such participant entering the meeting room at a time, wearing appropriate protective equipment, and leaving immediately upon conclusion of the participation to allow others to enter the room and participate equally. Those wishing to participate shall be cued outside the building, at least six-feet apart, and permitted to enter one at a time.

**C.) PUBLIC HEARINGS- CALL IN TEL NO. 1-857-444-0744 - Conference Code 143644**

**D.) SCHEDULED APPOINTMENTS**

1. Adoption of the Town Administrator's Decisions on the following Applications to Temporarily Amend Liquor Licenses and/or Food Licenses Pursuant to Governor Baker's June 1, 2020 Executive Order:

**a) El Taco, Inc. D/B/A Acapulco's**

2. Perfect Storm, LLC D/B/A Milford Nutrition, re: New Common Victualler License

**E.) TOWN ADMINISTRATOR'S REPORT**

**F.) OLD BUSINESS**

1. Resident request- waive/reduce taxes/fees
2. Selectman O'Loughlin, re: Personnel and Facilities under Selectmen Jurisdiction

**G.) NEW BUSINESS**

1. LCT Construction & Services, Inc., re: Permit to Obstruct
2. Natalia Marques, D/B/A Nelly's Sandwich Shop, re: Extension of Serving Hours-Sundays

**H.) CORRESPONDENCE**

1. Milford Retirement Board, re: Resignation
2. Building Commissioner, re: Assistant Zoning Officer Position

**I.) EXECUTIVE SESSION**

1. Town Treasurer/Town Counsel, re: Public Auction of Properties
2. Town Counsel, re: 15 Draper Park Foreclosure
3. Town Counsel, re: License for use of a portion of Milford Youth Center
4. Town Counsel, re: Discussion concerning the strategy for the sale of 229 Purchase Street
5. Town Counsel, re: MYC -Potential Litigation

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  Dated 8/20/20

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8-24-20

## LICENSING DECISION

This decision is entered on the application of El Taco, Inc. d/b/a Acapulco's, 231 East Main Street, Milford, MA pursuant to Governor Baker's June 1, 2020 Executive Order entitled, "Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces", and the Executive Office of Housing and Economic Development, whereby licensees for on-premises consumption of alcohol may commence outdoor seated service, provided food is prepared on-site under a retail food permit issued by a municipal authority pursuant to 105 CMR 590.000.

Upon receipt of the above application, a public hearing was scheduled for Monday, August 24, 2020 at 12:00 P.M. via remote participation pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A, § 18 due to the novel COVID 19 pandemic. Notice of the time, place and subject matter of the petition were given as required by law.

The matter came on for hearing at the time and place set forth above. Present were Richard A. Villani, Town Administrator and Christopher George, Information Technology Director.

The Applicant **was not** present remotely to give evidence in favor of the application. At the close of the hearing, the licensing authority considered the matter and thereafter granted the temporary license extension based upon the following conditions:

1. This license is granted and accepted upon the express condition that the license shall, in all respects conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws as amended, and any rules or regulations made thereunder by the Board of Selectmen.
2. The outdoor area shall remain fenced or cordoned off area, adequately supervised, having at least 50 % of the perimeter of any covered dining space open and unobstructed by any form of siding or barriers at all times, and operated in conformance with the social-distancing and other guidelines set forth by the Massachusetts Department of Public Health, as submitted in the Application to Amend the License.
3. The outdoors premises shall remain accessible to the disabled with the ground surface firm, stable, and smooth; a width of 36 inches shall be maintained between chairs at their normal position; aisles and passageways shall be kept clear, especially around poles; the licensee shall not remove or reduce the number of handicapped parking spaces; handicapped individuals shall be seated closest to the exits; the outdoor space shall be safe to consumers even during inclement weather.
4. The temporary amended licenses shall expire no later than November 1, 2020, by operation of law.
5. This Temporary License is for two (2) additional seats to bring the total outside seating to forty (40).

MILFORD BOARD OF SELECTMEN

August 24, 2020

BY: \_\_\_\_\_  
Richard A. Villani, Town Administrator



# MILFORD BOARD OF SELECTMEN

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

508-634-2303

Fax 508-634-2324

[www.milfordma.gov](http://www.milfordma.gov)

## LICENSE APPLICATION

(CHECK ONE)

- ☒ APPLICATION FOR A NEW LICENSE  
☐ TRANSFER OF AN EXISTING LICENSE  
☐ AMENDMENT TO EXISTING LICENSE (Change of operating days/hours, change of location, etc.) describe on reverse

- |  |  |
|--|--|
| 1. _____ AUCTIONEER                                      | 11. _____ LIVE ENTERTAINMENT (describe on reverse)                             |
| 2. _____ BOARDING HOUSE                                  | 12. _____ AUTOMATIC AMUSEMENT<br>(Coin-Operated Games)                         |
| 3. _____ BOWLING ALLEY(S)                                | 13. _____ TRANSIENT VENDORS  |
| 4. <input checked="" type="checkbox"/> COMMON VICTUALLER | 14. _____ CARNIVAL/CIRCUS  |
| 5. _____ FORTUNE TELLER                                  | Location: _____  |
| 6. _____ HAWKERS/PEDDLERS                                | 15. _____ CHRISTMAS TREE SALES   |
| 7. _____ INNHOLDERS                                      | \$ _____ VALUE OF GOODS  |
| 8. _____ POOL TABLES                                     | 16. _____ CLASS I (NEW CARS)   |
| 9. _____ 2 <sup>ND</sup> HAND/ANTIQUA DEALER             | _____ CLASS II (USED CARS)   |
| 10. _____ PAWNBROKER                                     | _____ CLASS III (JUNK CARS) - Public Hearing Required<br>(Describe on Reverse) |
|  | 17. _____ WORKERS COMPENSATION IF NEEDED                                       |

SEE ADDITIONAL INFORMATION REQUIRED BELOW

BUSINESS NAME: Perfect Storm, LLC D/B/A Milford Nutrition

BUSINESS ADDRESS: Beach St Milford MA

DAYS/HOURS OF OPERATION m - F 7 - 3pm Sat 8 - 3pm SUN 10 - 3pm  
(Some Sunday licenses may require approval of State DPS)

I/We, the undersigned, apply for this license in accordance with the provisions of all Statutes relating thereto. I/We further certify, under penalties of perjury, that, to the best of my/our knowledge and belief, I/We have filed all state tax returns and paid all state taxes required under law.

NAME OF APPLICANT: James Lozano

MAILING ADDRESS: 10-12 Beach St

EMAIL ADDRESS: MilfordNutrition24@gmail.com

APPLICANT'S DATE OF BIRTH: 4/29/1973

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

APPLICANT'S SIGNATURE: James Lozano DATE: \_\_\_\_\_  
(Individual or Corporate Officer)

Type or print name on this line James Lozano (302) 420 - 4417  
Daytime Telephone Number

**IMPORTANT:** Read this section carefully. Provide required information on reverse side. Additional Information Required:  
License # Above

- |              |   |
|--------------|---|
| 1            | Provide copy of State and/or County Auctioneer's License                              |
| 3, 8, 12     | Indicate number of alleys, pool tables and number and types of coin-operated games    |
| 6, 9, 10, 13 | Request Town By Laws, which states applicant's responsibility                         |
| 6, 13        | Describe in detail: type, quantity, and cost (to you) of goods to be offered for sale |
| 11           | Describe in detail: type of live entertainment to be licensed                         |
| 14           | Applicant must request and agree to abide by established policy                       |

**CONTINUE APPLICATION PROCESS ON REVERSE SIDE OF THIS FORM**

## DEPARTMENT HEAD REVIEW FORM

1. Name of Business: **Perfect Storm, LLC D/B/A Milford Nutrition**

2. Business Address: **10-12 Beach Street**

3. Assessors ID#: Map **47** Block **0** Lot **159**

4. Has applied for: **New Common Victualler License**

5. Selectmen will take action on: **Monday August 24, 2020**

6. Hearing Continued/Postponed/MGL Deadline: \_\_\_\_\_

7. Abutters Notified: **N/A** Published: \_\_\_\_\_

8. **Inquiry Sent To Dept. Heads on: 8/18/2020**

9. **Please Respond By: 8/20/2020**

10. License Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Tabled: \_\_\_\_\_ On \_\_\_\_\_

.....  
**Building Commissioner:** (Zoning, Occupancy, Building/Handicap Access, Restroom Handicap Access, etc.) **IA ZONE, OCC. LOAD 20, ACCESSIBLE BUILDING, PRE EXISTING NON CONFORMING BATHROOM**

**Town Planner:** (Site Plan/Special Permit; Other Requirements/Stipulations)  
**SITE PLAN APPROVED, 6/23/2020**

**Tax Collector:** (Outstanding Taxes)  
**NO OUTSTANDING TAXES**

**Town Treasurer:** (Outstanding Tax Liens)  
**NONE**

**Fire Chief:** (Information/Comment)  
**APPROVED**

**Police Chief:** (Information/Comment)  
**NO CONCERNS**

Criminal Offense Record Info: (CORI) Approved ☐ Disapproved ☐

**Board of Health:** (Information/comment) **MILFORD NUTRITION OPENED LAST SATURDAY WITHOUT SEATING. THEY HAVE A WALK-UP BAR AND WOULD LIKE TO DO SEATING WHEN COVID-19 IS UNDER CONTROL**

**Sewer Commission:** (Information/Comment) \_\_\_\_\_

**Milford Water Company:** (Information/comment) \_\_\_\_\_

**Commission on Disability:** (Information/comment) \_\_\_\_\_

**Dept. Head Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

.....  
**Contact Name/Manager:** *James Lozano* **D.O.B.** **SS #**

**Phone:** *302-420-4417* **e-mail:** *milfordnutrition24@gmail.com*

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8-24-20



**TOWN OF MILFORD, MASSACHUSETTS  
DEPARTMENT OF MUNICIPAL FINANCE  
FINANCE DIRECTOR**

**ZACHARY A. TAYLOR**  
FINANCE DIRECTOR

**THOMAS BROWN**  
TOWN ACCOUNTANT

TOWN HALL  
52 MAIN STREET, ROOM 19  
MILFORD, MASSACHUSETTS 01757

Telephone (508) 634-2309

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E-Mail: [ztaylor@townofmilford.com](mailto:ztaylor@townofmilford.com)

E-Mail: [tbrown@townofmilford.com](mailto:tbrown@townofmilford.com)

August 7, 2020

TO: Richard Villani, Town Administrator

FROM: Zachary A. Taylor  
Finance Director

RE: Citizen Participation - Request of Certain Financial Assistance

At the July 13, 2020 Board of Selectmen meeting, during Invitation to Speak, a resident asked the Board to consider the following requests:

1. Waive the collection of the Personal Property Tax for this year.
2. Reduce the fee for All Alcohol License from \$2,000.00 to \$1,200.00.
3. Reduce the commercial real estate tax by an agreed upon percentage.

As I can appreciate and understand the financial hardships that many business owners are experiencing during this unprecedented time, unfortunately there are not many options available to the Town to support these requests. Absent the recent legislation, as outlined in the attachment from the Division of Local Services that allowed the collection of the last quarters Real Estate and Personal Property taxes of fiscal year 2020 to be delayed without penalty, there is no legal avenue for the Town to "waive" the collection of Personal Property taxes to any individual business, group, or in total. Further, even if there were, it would have a significant impact on the Town's financial health as recent total Personal Property levy has surpassed \$4 million annually.

The second request, to reduce the Alcohol License fee, is possible through a vote of the Board of Selectmen, as the Board is responsible for setting fee levels. The annual total of this particular license is approximately \$110,000 per year. If the Board were to take this vote, the impact would be a loss of approximately \$44,000 in total budgeted revenue. I will caution the Board that we had not considered this reduction in fees when presenting a balanced budget to Town Meeting on June

29<sup>th</sup> 2020. A \$44,000 loss of revenue may not seem significant against a \$116 million revenue projection, however, I will remind the Board that the revenue versus expense, as estimated, currently does not have significant room for error. Further, please keep in mind that a reduction of local revenue, of which license cost are a component, would result in a shift to the Levy of equal value absent the removal of expenditures of equal value. Finally, on a more positive note, the Town recently has received an updated version of the expected Cherry Sheet (state Aid) for fiscal year 2021. I am please to report that the figures are more promising than we conservatively projected, primarily through Chapter 70 resulting from the formula changes within allocation of funds to cities and towns. These figures are not final and still moving through the various stages of state government. Currently we are still receiving the same monthly funding of state aid as FY20. I provide this information to you to assist the Board in making an informed decision. Also, as a reminder, there are many other forms of licenses and fees in Town that make up our local receipts.

The final request, related to the agreed upon percentage of lowering the Real Estate levy is similarly situated as the Personal Property request. I am uncertain at this time if the request is related to the dual tax rate or the overall tax levy. As you know the Board has the power to set the tax shift that makes up the dual tax rate, within certain parameters. This process historically takes place in November, following the traditional October Special Town meeting. If the dual tax rate is the topic requested, we certainly can provide various options available to the Board when the tax rate hearing is conducted. If the request is in reference to reducing the current quarterly tax billing, it is not possible. As described in the Personal Property request and as you will read in the attachment from the Division of Local Services, there is no ability to reduce a Real Estate bill. Further, if there were a way to satisfy this request, it would have a significant impact on the annual revenue projection requiring a significant budget reduction.

If you have any further questions or concerns please do not hesitate to ask.

Thank you  
Zachary Taylor



### and MA IAAO Co-hosting Class 504 Workshops via Zoom

State Class Code 504 property is business personal property owned by regulated public utility companies used in the distribution of natural gas to customers or used in electric power transmission and distribution within each municipality. This property is subject to taxation based on assessed values determined by local boards of assessors under M.G.L. Ch. 59 and subject to review and certification by DOR.

Instructor: Gary McCabe, CAE

Continuing Education Credits: 2.0 hours

Cost: Free

Workshop 1: Tuesday, May 12th at 1:00pm

Workshop 2: Thursday, May 14th at 9:30am

To sign up for a workshop, please complete [this registration form](#). A confirmation will be provided along with instructions for access instructions via email. Questions? Please contact Ellen Brideau at [ebrideau@medford-ma.gov](mailto:ebrideau@medford-ma.gov)

### U.S. Department of Commerce Grant Availability

The Coronavirus Aid, Relief, and Economic Security (CARES) Act provides the Economic Development Administration (EDA) with \$1.5 billion for economic development assistance programs to help communities prevent, prepare for, and respond to coronavirus. [Click here for additional information.](#)

### CANCELLED: 2020 New Officials Finance Forum

Due to the ongoing uncertainty surrounding the current COVID-19 state of emergency, the Division of Local Services (DLS) has cancelled its annual New Officials Finance Forum (NOFF) previously scheduled for Thursday, June 4th at the College of the Holy Cross in Worcester. Please note that DLS remains committed to providing helpful guidance and instruction to municipal officials through our recently developed [Municipal Finance and Training Resource Center](#).

### New 2020 IGRs

practice from across a variety of areas. These best practices are unique and reflect an opportunity to improve services within each municipality.

The flexible, community-tailored focus, and fiscal resources offered under the Community Compact Program have helped each of our Commonwealth's unique 351 cities and towns over the last four years. I write today to remind you that even though these are unprecedented times, we are currently accepting applications for participation and encourage you to submit an application by no later than mid-June.

The Governor and I have always said that our Commonwealth is only as strong as each of its 351 cities and towns. As we work together to battle this epidemic, that remains true. We will continue to work closely to address the needs of each one of our Commonwealth's municipalities and remain in constant contact with local officials. For non-COVID related municipal solutions, the [Compact program](#) is an additional tool to help serve the needs of your communities and we will continue to support them.

For more information on the Community Compact Program, reach out to DLS Senior Deputy Commissioner Sean Cronin at [croninse@dor.state.ma.us](mailto:croninse@dor.state.ma.us).

## Potential Impacts of COVID-19 on Property Taxes: Things to Consider

Joanne Graziano – Local Assessment Bureau Chief

The following article is intended to help local officials navigate challenges related to assessing property taxes.

### Assessing at Fair Cash Value

Assessors are required by Massachusetts law to assess all real and personal property at its fair cash value as of January 1 each year. Fair cash value correlates to fair market value, the price a willing buyer and a willing seller would settle upon in an open market transaction. Property assessments are retrospective in Massachusetts and based on the market conditions that occurred in the previous calendar year. The date of value for the assessments

The Division of Local Services has issued the following Informational Guideline Releases (IGRs) regarding the form and content of tax bills and cost of living adjustments for FY2021 and the LOLV value limit for calendar 2020. You can view other recent IGRs on [this webpage](#).

[IGR 20-1 Fiscal Year 2021 Tax Bills Semi-annual Payment System](#)  
[IGR 20-2 Fiscal Year 2021 Tax Bills Semi-annual Payment System – Optional Preliminary Bills](#)  
[IGR 20-3 Fiscal Year 2021 Tax Bills Semi-annual Payment System – Annual Preliminary Bills](#)  
[IGR 20-4 Fiscal Year 2021 Tax Bills Quarterly Payment System](#)  
[IGR 20-5 Social Security Deduction for Fiscal Year 2021](#)  
[IGR 20-6 Optional Cost of Living Adjustment for Fiscal Year 2021 Exemptions](#)  
[IGR 20-7 Calendar Year 2020 Adjustment in Land of Low Value Foreclosure Valuation Limit](#)

### **GFOA Financial Policy Challenge**

For 2020, the Government Finance Officers Association (GFOA) has launched a [Financial Policy Challenge](#) to encourage members to adopt and share financial policies. Financial policies provide guidelines for financial decision making and set the strategic intent for financial management and are central to a strategic, long-term approach to financial management.

To support this effort by GFOA, the Division of Local Services has built over a dozen financial policy manuals for cities and towns in Massachusetts. [Click here](#) to learn more about how the DLS Technical Assistance Bureau can help your community build a set of formal written financial policies to meet this challenge.

### **DLS Links:**

[COVID-19 Resources and Guidance for Municipal Officials](#)

[Municipal Finance Training and Resource](#)

for the upcoming FY2021 reflects January 1, 2020. The LA3 Sales Analysis report demonstrates that assessments are at or near the statutory standard of fair market value and that there are not significant variances in assessment levels among the property classes. This is measured by an assessment to sales ratio with a median that must range between 90% to 110% for all classes. This requirement maintains an equitable approach to the allocation of the property tax burden.

Finalizing assessments for FY2021, the assessor will review the real estate market in calendar year 2019. While it's not possible to completely ignore the financial collapse of certain businesses due to the COVID19 crisis, the assessor is expected to minimize the influence of this new information by viewing through the eyes of market participant as of the assessment date, the beginning of the year. To learn more about property taxes, please view our [Property Taxes webpage](#).

*COVID19 Impact on Assessments:* While the COVID19 crisis has severely impacted unemployment and certain businesses, it is unclear what effect it will have on the market for real estate. Because assessments are retrospective, any abatement due to overvaluation filed in FY2021 must be based on the analysis of market conditions that occurred in 2019 or an actual error in data and not on the COVID19 impact. It will be essential to continually communicate this message to taxpayers through information provided on community's websites. Over this next year, assessors will be monitoring the real estate market and see its impact on sales and investment properties in preparation for assessments for FY2022.

### **New Growth**

*Tools Available for Tracking New Growth with Restrictions on Inspections:* This will likely be the most challenging area for assessor in the current situation. When property has changed due to building permits and other improvements to the property, it requires onsite inspections. For personal property, it requires visits to a business. Alternative approaches that allow for necessary inspections and adhere to public safety protocols are underway.

Tracking building permits in a database for new growth is important throughout the year. This will assist with monitoring the status of



[Center](#)

[Local Officials Directory](#)

[Municipal Databank](#)

[Informational Guideline](#)

[Releases \(IGRs\)](#)

[Bulletins](#)

[Publications & Training  
Center](#)

[Tools and Financial  
Calculators](#)



completion. Also, there are many tools available that assist assessors with online parcel imagery. Products available in the market use oblique imagery (three dimensional views) that assist with measurements and parcel change detection software that can detect changes in property using aerial photography. GIS software can also assist with measurements. Be sure to review the [Bureau of Local Assessment's](#) resources on tracking new growth at [BLA Tax Rate and New Growth Forms](#). For additional information on new growth, please see the [DLS Municipal Finance Training and Resource Center's](#) recently posted [video on the subject](#).

#### **Preparing for Preliminary Tax Bills**

It is always a priority for municipalities to generate timely tax bills to maintain a predictable and relied upon cash flow to the community. Communities sending quarterly tax bills mail the 1st quarter tax bill by July 1. The 1st quarter bill is a preliminary or estimated tax bill primarily based on last year's assessed value. With the current situation, many of the data changes normally made by assessors, prior to the creation of the preliminary tax bill file, have been delayed. As May begins, time has become an important factor in the effort to generate timely 1st quarter tax bills. It is important to prioritize the data changes that most need to be accomplished before generating the preliminary tax bill file, such as new homes and condominium units, lot splits and new commercial development. The priority is to generate timely tax bills. The 1st and 2nd quarter tax bills are preliminary and the final tax amounts will be reconciled with the actual tax bills in the 3rd and 4th quarter.

#### **Options for Valuation Related Delay**

Given the current uncertainties, setting the FY2021 tax rate may present unique challenges locally due to valuation related delays caused by the pandemic. Assessors can choose the following options to prepare for any delay in the tax rate setting process.

- Semi-annual tax billing communities can issue semi-annual optional preliminary tax bills.
- Quarterly tax billing communities can issue third quarter preliminary tax bills.

These options would provide the community with a continued source of revenue until the tax rate is set and the actual tax bills issued.

### **Conducting a Virtual Hearing**

The Classification Hearing is subject to the requirements of the Open Meeting Law. On March 12, 2020, Governor Baker issued an Executive Order modifying certain requirements of the Open Meeting Law. The Attorney General's website notes the following.

*The Executive Order relieves public bodies from the requirement in the Open Meeting Law that meetings be conducted in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body through adequate, alternative means. "Adequate, alternative means" may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body in real time. A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable afterwards.*

In addition, all members of a public body may participate in a meeting remotely; the Open Meeting Law's requirement that a quorum of the body and the chair be physically present at the meeting location is suspended.

For more detailed information on Governor Baker's Executive Order, please visit [the Attorney General's website](#).

### **Reviewing Options to Shift the Tax Rate**

Each year, before the tax rate can be set, the select board, town council or city council hold the Classification Hearing and decide what percentage of the tax burden will be paid by each of the classes of property: residential, open space, commercial and industrial real estate and personal property. A policy choice is made between a single rate (taxing all property owners at the same rate) or a split tax rate (taxing the Commercial, Industrial and Personal Property (CIP) classes at a higher rate than the Residential and Open Space (RO) classes). This shift in the tax burden between

classes can only be done within legally defined limits. If the board or council votes for a split tax rate, a decision is made about how much to shift, within those legally defined limits.

It's not the assessors' job to make these decisions. However, it is the assessors' responsibility to provide the select board, town council or city council with the information they need to make informed decisions about tax rates and the effects different shifts in the tax burden between classes will have on the tax rates.

In the coming months, assessors will be analyzing the real estate market and the effects of these changes to prepare the FY2021 property assessments. The pandemic crisis could impact new growth estimates. There could also be changes in assessment levels between classes. There is a tool in Gateway that could help assessors monitor the effects of these changes in anticipation of their responsibilities for the Classification Hearing. Here is an excerpt from a previous [City & Town](#) article (October 5, 2017).

*Gateway's Options Table, found in the Reports section of the Tax Rate and District Tax Rate modules, is a useful tool for reviewing shift options prior to the classification hearing. It can be used to investigate the impact of various CIP shifts, residential exemptions and small commercial exemptions. Note, the resulting data is not saved in Gateway but can be exported to Excel for distribution. The table is meant to be independent of most tax rate forms, making it useful year-round. Valuation data loads from the LA-4 form if available, or it can be data entered or changed as necessary while values are still being finalized. The Max Shift Allowed field uses the same logic found on the LA7 and Chapter 200 reports, but it uses the valuation totals on the Options Table instead of the actual LA4.*

Assessors can use the Gateway Options Table even before they've generated final assessed values. They can test "what if" scenarios with estimated values to measure the impact of any potentially dynamic changes in the local real estate market that could impact decisions about possible shifts in the tax rate.

#### **Important Upcoming Release Dates for FY2021 Valuations**

The following valuation programs will be issued timely. On June 1, the Bureau of Local Assessment will post the 2020 Equalized Valuations (EQVs) representing the full and fair cash value of all

taxable property for each municipality as of January 1, 2020 to the DLS [Gateway website](#).

In early June, informal virtual hearings will be conducted for the convenience of communities who wish to question their proposed EQV. A formal hearing will follow. Details will be noted in the release as to how this will be conducted. Final State-Owned Land Values and DCR Water Supply Protection Land Values for FY2021 will also be posted on June 1 on the DLS website and by June 15 assessors can review the FY2021 Central Valuation of Telephones and Pipelines assessments.

## **Data Highlight of the Month: FY2021 Community Preservation State Match**

**Lisa Krzywicki – Data Analytics & Research Bureau**

### **FY2021 Community Preservation State Match - *May 1, 2020***

DLS customarily provides guidance on the estimated first round state match for the Community Preservation Act (CPA). While current events have made estimating the state match a challenge, we have calculated a conservative estimate for use in municipal budget discussions.

A change to fees collected by the Registry of Deeds went into effect on January 1, 2020. This change was implemented to boost the CPA trust fund balance to provide for a greater state match. The COVID-19 outbreak will undoubtedly have an impact on the transactions at the Registry of Deeds. Unfortunately, the magnitude of that impact is impossible to project. The best estimate we can provide, based on the current fund balance and an estimate of locally committed surcharges, would be a match of 11.2%.

We will provide updated guidance on the state match percentage as additional data becomes available. This can be found on the DLS website by clicking [here](#). For more information or help using any of these reports, contact us directly at [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us).

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8-24-20

**MOTION CONCERNED WITH THE DAY TO DAY MANAGEMENT OF THE  
PERSONNEL, FACILITIES AND EQUIPMENT WITHIN THE JURISDICTION  
AND RESPONSIBILITY OF THE BOARD OF SELECTMEN**

I MOVE THAT ON BEHALF OF THE BOARD OF SELECTMEN, THE TOWN ADMINISTRATOR WILL BE THE FIRST POINT OF CONTACT ON A DAILY BASIS FOR THE DEPARTMENT HEADS OR POSITIONS LISTED IN PARAGRAPH "A".

THE BOARD OF SELECTMEN WILL RETAIN ITS LEGAL AND CUSTOMARY MANAGEMENT RESPONSIBILITIES AND AUTHORITY, TO INCLUDE BUT NOT BE LIMITED TO HIRING, APPOINTING, DISCIPLINARY MEASURES OR OTHER DUTIES AND RESPONSIBILITIES.

AS IT RELATES TO FACILITIES AND EQUIPMENT LISTED IN PARAGRAPH "B", THE TOWN ADMINISTRATOR WILL HAVE DAILY OVERSIGHT ON BEHALF OF THE BOARD OF SELECTMEN TO ENSURE THAT THE FACILITIES AND EQUIPMENT ARE OPERATIONAL.

THE BOARD OF SELECTMEN WILL RETAIN ITS LEGAL AND CUSTOMARY MANAGEMENT RESPONSIBILITIES AND AUTHORITY TO MANAGE THESE FACILITIES AND EQUIPMENT.

**A. DEPARTMENT HEADS/ POSITIONS:**

Animal Control

Building Commissioner

Facilities Director

Finance Director

Fire Chief

Human Resources

Information Technology Director

Police Chief

Senior Center Director

Town Counsel

Town Engineer

Town Planner

Veteran's Agent

**B. TOWN FACILITIES AND EQUIPMENT UNDER THE DAY-TO-DAY SUPERVISION OF THE TOWN ADMINISRATOR:**

Animal Control Facility

Fire Headquarters – Mechanical Systems Only

Fire Station – Spruce Street – Mechanical Systems Only

Main Street Decorative Street Lights

Memorial Hall

Police Headquarters

Purchase Street Fire Station

Senior Center

Town Hall

Youth Center





## MILFORD BOARD OF SELECTMEN

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

508-634-2303

Fax 508-634-2324

[www.milfordma.gov](http://www.milfordma.gov)

### PERMIT TO OBSTRUCT APPLICATION

- 1) Read appropriate By-Law on reverse side (Article and Section is identified below)
- 2) An Insurance Certificate (\$1,000,000/\$3,000,000) is required, worded as follows:  
**THE TOWN OF MILFORD IS AN ADDITIONAL INSURED.**
- 3) If requesting a Permit to hang a Sign or Banner, first obtain a permit for the **Sign or Banner** itself from the Building Commissioner. Attach a copy of that permit.
- 4) If a Banner overhanging a public street is to be attached to a building, you must obtain permission from the property owner.
- 5) Applicant shall engage a responsible individual to hang banner: **town employees are prohibited from engaging in this activity.**
- 6) Submit complete application, including Insurance Certificate and any other required documents, to Selectmen's Office at least **two weeks prior to date requested below.**

*Detach and retain top section for future use; Complete and submit bottom section to Selectmen's Office*

NAME OF ORGANIZATION

MAILING ADDRESS:

LCT Construction & Services, Inc.

4 Evergreen Lane Suite F

Hopedale, MA 01747

CONTACT PERSON:

Sara Castro

PHONE #

774-573-8335

CHECK ONE:

- ☐ PERMIT TO OVERHANG PUBLIC WAY (Article 13, Section 5) \$10.00 Fee
- ☐ PERMIT TO OBSTRUCT A PUBLIC WAY (Article 12, Section 3) \$5.00 Fee
- ☒ PERMIT TO OBSTRUCT SIDEWALK (MERCHANDISE DISPLAY) (Article 13, Sec. 6) \$5.00 Fee

#### DESCRIBE IN DETAIL WHAT YOU PLAN TO DO:

We're stripping & re-roofing on 14 Pine Street and to keep the pedestrians safe we need to close Pine Street and entrance of laundry mat on pine street on August 27 to the August 31.

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

14 Pine Street and laundry mat entrance on pine Street.

Signature of person authorized to apply for permit

Date

Police Chief's Signature

Comments:

Date

E-2  
8-24-20



## MILFORD BOARD OF SELECTMEN

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

### APPLICATION FOR EXTENSION OF SERVING HOURS ON SUNDAY MORNINGS

**\*\*An additional one (1) hour of sale on Sundays is now available for Section 12**

**License holders, i.e., Restaurants, Hotels, Clubs, and General on Premises license holders\*\***

Liquor serving establishments who wish to extend serving hours on Sunday mornings from 11:00am to 10:00am must complete this form and return it to this office for consideration for approval.

The undersigned hereby applies for an extension to serve alcoholic beverages on premises on Sundays only beginning at 10:00am.

NAME OF ESTABLISHMENT Nelly's Sandwich Shop

ADDRESS 113 Central St.

WEEKDAY PHONE NO. 508-634-8144

SOCIAL SECURITY (OR) FEDERAL IDENTIFICATION NO. \_\_\_\_\_

SIGNATURE Natalia Maples DATE 8-11-20

\*\*\*\*\*

FOR OFFICE USE ONLY: RECEIVED 8/13/20

APPROVED X

NOT APPROVED \_\_\_\_\_

R. E. Vell...  
Town Administrator RICHARD A. VICONI

cc: Police Chief  
Files

H-1  
8-24-20

**ERNEST P. PETTINARI**  
**ATTORNEY AT LAW**  
Mailing Address: 52 DILLA STREET  
Email Address: ernie@fplaw.net  
**MILFORD, MASSACHUSETTS 01757**

**TELEPHONE**  
**(508) 473-1070**

**FACSIMILE**  
**(508) 358-8188**

c

**BY EMAIL – July 23, 2020**

July 23, 2020

Mr. Zachary Taylor, Chairman  
Milford Retirement Board  
Town Hall – 52 Main Street  
Milford, Ma 01757

Dear Zach, Rick, Chris and Gerry:

Please accept this letter as notice of my resignation from the Milford Retirement Board, effective immediately. It has been a pleasure to have served with all of you.

Please also extend my deepest respect and thanks to Mrs. Farley, who has so ably assisted the Board over the past several years.

I also want to extend my best wishes to the newest member of the Board. I know Martha will bring talent, intellect and enthusiasm to the position.

Thank you

  
**ERNEST P PETTINARI**



***Town of Milford***  
***Department of Inspections***

52 Main Street, Milford, MA 01757  
Tel. (508) 634-2313 Fax (508) 473-2358

Matthew Marcotte  
Building Commissioner / Zoning Officer  
E-mail: mmarcotte@townofmilford.com

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***MEMO***

To: Rick Villani

August 21, 2020

As requested by Selectman O'Loughlin regarding the Assistant Zoning Officer position, I have attached a copy of the job description to this memo.

The Assistant Zoning Officer is essential in the everyday operations of The Department of Inspections and has been a full-time position for several years. This department deals with approximately 300- 400 zoning complaints/violations on a yearly basis. So far this year, we have received and documented over 200 zoning violations. This position also assists with 325 multi-family inspections required by 780 CMR Massachusetts Building Code, illegal structures, illegal apartments/boarding houses, overcrowding, illegal land use, sign violations, work without permits, contractor yards, and several other Zoning violations. In previous years that this position was vacant for a period of time, the department struggled with customer service, and the town suffered financially losing approximately \$100,000.00 revenue due to decreased work capacity in the office. Financially this year as a fully operational department, which includes the Assistant Zoning Officer, we are approximately \$85,000.00 ahead of last year at this time when the position was vacant for approximately 3 months.

In a post Covid-19 period, inspections have increased urgency and priority. With an expected decrease in state local aid, maintaining the level of inspection revenues should be a priority. As the Department Head, I feel that not filling the position as soon as possible would be a great disservice to the Residents, Department of Inspections, Task Force, and other departments within the Town, and may result in negative financial and safety consequences for residents. Please contact me with any specific questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Marcotte", with a stylized, cursive script.

Matt Marcotte

Building commissioner

**Town of Milford MA**  
**Job Description**

<b>Position Title:</b>	Asst. Zoning Enforcement Officer	<b>Grade Level:</b>	II
<b>Department</b>	Department of Inspections	<b>Date:</b>	2015
		<b>Date Revised</b>	2019
<b>Reports to:</b>	Building Commissioner	<b>FLSA Status</b>	Non-exempt

**Job Summary:** The Assistant Zoning Enforcement Officer enforces the provisions of the Town of Milford Zoning By-Law by recognizing independently and responding to, the complaints of violations such as illegal apartments, site-plan violations, illegal motor vehicles, illegal signs, nuisance by-law violations, and illegal businesses.

**Supervision Required:** The employee is familiar with the work routine and uses initiative in carrying out recurring assignments independently with specific instruction, guidelines, laws and/or code regulation. The supervisor provides instruction for new or unusual assignments. Unusual situations are referred to the supervisor for advice and further instructions. Supervisor reviews work to remain aware of progress, work methods, and technical accuracy.

**Accountability:** Consequences of errors, missed deadlines or poor judgment could jeopardize programs and present a danger to public health/safety. They could result in excessive costs, delay of service delivery, adverse public relations, or legal repercussions.

**Supervisory Responsibility:** The employee is not required to regularly supervise any employees.

**Confidentiality:** In accordance with State Public Records law, the employee has regular access at the departmental level, to a variety of confidential information.

**Judgement:** Work requires the employee to examine, analyze, and evaluate facts and circumstances surrounding individual problems, situations or transactions, and determine actions to be taken within the limits of standard or accepted practices. Guidelines include a large body of policies, practices, and precedents which may be conflicting at times. Independent judgement is used to analyze or evaluate specific situations to determine appropriate actions.

**Complexity:** The work consists of a variety of duties that generally follow standardized practices, procedures, regulations, or guidelines. The sequence of work and/or the procedures followed vary according to the nature of the transaction and/or the information involved or sought in a particular situation.

**Work Environment:** The work environment involves everyday discomforts typical of offices, with occasional exposure to outside elements. When conducting work in the field, the individual may be exposed to loud noises, confined spaces/high places, and traffic. The individual is often required to inspect both interior and exterior of private properties, often going into houses, apartments, and business with the owner's permission.

Assistant Zoning Enforcement Officer  
Inspections Department



**Town of Milford MA**  
**Job Description**

**Nature and Purpose of Relationships:** The employee interacts with co-workers, the public, and external contracts such as vendors or contractors to explain or interpret procedures or guidelines, plan or coordinate work, or resolve problems. More than ordinary courtesy, tact, and diplomacy may be required to resolve complaints or deal with challenging situations

**Occupational Risk:** Duties generally do not present occupational risk to the employee. Minor injury could occur, however, through employee failure to properly follow safety precautions or procedures. Examples of injury include minor bruises from falls, minor cuts or burns, or minor muscular strains from lifting or carrying department equipment and/or materials.

**Essential Functions:**

*The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

- Enforces Zoning By-Laws which includes written and verbal communication (including citations and monetary penalties) to remediate violations with respect to: work being done without permits; unregistered and/or illegal motor vehicles; illegal use of property, such as rooming houses, contractor yards, or other illegal businesses within a zoning district.; Illegal apartments, structures and signs, and site plan violations, and other zoning violations.
- Enforces Article 31 By-Law Nuisances and Vacant Property.
- Court filings and appearances. Filing and pursuing Application for Criminal Complaint at Milford District Court due to outstanding violation of the Zoning By-Law. Filing and appearance at Worcester Housing Court for violations of the Zoning By-law, to obtain an injunction to remediate zoning violations(s). May appear as a witness in court.
- Knowledge and familiarity of Special Permit and Variance Process.
- Enforces regulations and requirements of special permits used by the Zoning Board of Appeals and the Planning Board.
- Inspects residential and commercial properties to ensure compliance with use requirements. Confers with builders, architects, engineers, property owners and the general public regarding requirements, application of the zoning bylaw and other related matters.
- Educates and assists public in understanding content and purpose of zoning bylaws.
- Documents all field violations and compliance inspections and maintains records.
- Enforces the regulations and requirements of comprehensive permits issued by the Zoning Board of Appeals under Chapter 40B.
- Works with Board of Assessor's, Zoning Board of Appeals, Planning, Conservation, Worcester County Registry of Deeds, Registry of Motor Vehicles, to research records as needed, using computer and hard copy.
- Documents all field violations and compliance inspections, and maintains necessary records.
- Interact and consult with residents and contractors as to the legal use of land per Use Regulation Schedule, which regulates allowed and prohibited use within each zoning

Assistant Zoning Enforcement Officer  
Inspections Department

## Town of Milford MA Job Description

district, and with respect to requirement of the Intensity of Use Schedule, which regulates physical properties such as minimum parcels size, minimum yard requirements, maximum building sizes, minimum open space, and lot shape factor.

- Enforce Handicap Accessibility requirements of approved Site Plans.
- Neighborhood Task Force inspections
- Coordinate required periodic Inspections. (The inspections are required to be performed at a maximum of every five (5) years and a recent as annually.)

**Secondary Responsibilities:** These responsibilities are performed occasionally, but are not critical to the primary function of the position.

- Interact and advise contractors and residents with respect to general building permit requirements.
- Data entry of building permit applications and fees.
- General office duties. Phone calls, answer general questions, filing, providing public records requests and scanning.

### **Recommended Minimum Qualifications:**

**Education and Experience:** High School diploma or equivalent, plus 5+ years work-related experience; Associates Degree in Planning preferred; experience as a member of a zoning regulatory board helpful. Must have extensive customer service experience, with ability to resolve differences amicably.

### **Special Requirements:**

Valid Motor Vehicle Driver's License and vehicle; multi-lingual a plus.

### **Knowledge, Abilities and Skill**

**Knowledge:** Must have thorough knowledge of the local and state Zoning By-Laws and working knowledge of both the GL C. 40A: Massachusetts Zoning Act and pertinent 521 CMR Architectural Access Board Regulations. Must be familiar with current OSHA standards and requirements. Working knowledge of Town Wetlands bylaw and Wetlands Protection Act; building permit applications, Zoning Board of Appeals applications.

**Abilities:** Ability to: deal effectively and diplomatically with other town employees and the general public; communicate in a clear and concise manner, both orally and in writing; operate a personal computer and office software; prioritize and manage multiple tasks in an environment where frequent interruptions occur. Requires the ability to interpret technical bylaws and assess situations independently in the field; enforce regulations firmly, tactfully and impartially.

**Skill:** Excellent planning, communication and organization skills; exceptional customer service skills required. Ability to establish and maintain cooperative working relationships with co-workers and the public, which by nature of enforcement actions are often of a negative nature with an elevated level of emotion.

Assistant Zoning Enforcement Officer  
Inspections Department

**Town of Milford MA  
Job Description**

**Physical and Mental Requirements**

*The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.*

**Physical Skills:** Work required some agility and physical strength, such as moving in and about construction sites, over rough terrain, or standing/walking most of the work period.

**Motor Skills:** Duties may involve assignments requiring application of hand and eye coordination with finger dexterity and motor coordination. Examples include operating a motor vehicle, using a personal computer or climbing a ladder.

**Visual Demands:** Visual demands require constantly reading documents for general understanding and analytical purposes; routinely reviewing non-written materials (such as maps and blueprints). The need to determine color differences is rarely needed.

*This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.*

Assistant Zoning Enforcement Officer  
Inspections Department