

MILFORD SELECT BOARD: AGENDA
November 21, 2022 – 6:00 PM, ROOM 03, TOWN HALL

- A.) SIGNING OF WARRANT, APPROVAL of Minutes, October 31, 2022
EXECUTIVE SESSION Minutes, November 8, 2022**
- B.) INVITATION TO SPEAK**
Remote Public Hearing/Invitation to Speak access now requires advanced registration. Please register online here: <http://tiny.cc/z5z0vz> 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. 6:00 PM Tax Classification Hearing
 2. 6:05 PM Shiv Om Krupa, Inc. dba Purchase Street Market, re: Retail Package Store All Alcohol Beverages License.
 3. 6:10 PM Theresa Cerqueira dba Arcos Market, re: Approval of Manager
- D.) SCHEDULED APPOINTMENTS**
1. Paulo’s Kitchen, LLC, re: Common Victualler License
 2. JR’S Diner, Inc. re: Common Victualler License
 3. Police Chief, re: Internal Investigations Policy
- E.) TOWN ADMINISTRATOR’S REPORT**
- F.) OLD BUSINESS**
1. West Fountain Street, re: Install 25 MPH Sign and Crosswalk sign
- G.) NEW BUSINESS**
1. Milford Lions Club, re: Eye Glass Collection Boxes
 2. Commission on Disability, re: Appointment
 3. Finance Director, re: Appointment-Assistant Town Accountant
 4. Town Administrator, re: Appointment-Town Counsel
 5. Milford Youth Center, re: Activation Fund Grant
 6. Milford Youth Center, re: Acceptance of Gift from Teacher’s Driving Academy (TDA)
 7. Milford Youth Center, re: Worcester County District Attorney’s Office-Funding to assist with “after school program”
 8. Town Administrator, re: Appointment-Building Custodian
 9. IT Director, re: Appointment-IT Technician
 10. Building Commissioner, re: Appointment-Full Time Local Building Inspector
- H.) CORRESPONDENCE**
- I.) EXECUTIVE SESSION**
1. Milford Firefighter, re; Brave Act Grievance
 2. To receive attorney/client communication of legal advice regarding reasonably anticipated litigation or legal issues the disclosure of which would compromise the Town’s position
 3. To discuss the reputation, character, physical condition, or mental health of a Town employee
 4. Town Counsel, re: Water Department-Collective Bargaining

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.



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11-21-22

TOWN OF MILFORD BOARD OF ASSESSORS

JENNIFER M. SCLAR, MAA
ASSESSOR/ADMINISTRATOR

52 MAIN STREET
MILFORD, MA 01757
508-634-2306 • FAX 508-634-2324

JOSHUA M. LIOCE
CHAIRMAN


PAUL G. SIMAS

STEVEN BORGES

ASSESSORS@TOWNOFMILFORD.COM
WWW.MILFORDMA.GOV

November 15, 2022

To: Select Board

From: Jennifer Sclar, Assessor/Administrator 

Re: Small Commercial Exemption

The following information is provided for your consideration of the small commercial exemption at the classification hearing scheduled for November 21, 2022.

Small Commercial Exemption

The Select Board has the option of exempting up to 10% of the value of commercial parcels occupied on January 1, 2022 by qualifying small businesses. If adopted, the tax burden is shifted to the remainder of the commercial and industrial taxpayers (not including personal property).

For a property to qualify:

1. The class 3 commercial real estate must have a valuation of less than \$1,000,000. Mixed use properties would only receive the exemption on the commercial portion of their value.
2. A qualifying business must have an average annual employment of no more than ten people. The Massachusetts Department of Unemployment Assistance identifies these businesses and reports them to the Board of Assessors annually.
3. If a parcel has multiple tenants, all occupants must have less than ten employees.

This year there are 672 employers listed with an average of ten or fewer employees. 105 of these are class 3 or mixed use under one million in value. The list is further reduced by unqualified multi-tenant properties resulting in approximately 87 eligible properties.

The Town has 658 commercial and industrial properties, including mixed use. 571 of these properties would have a higher tax rate for the estimated 87 eligible parcels to receive this exemption.

Estimated tax impacts are attached for your review.

Estimated Tax Rates with 1.58 Shift

Estimated Tax Rates **Without** a Small Commercial Exemption

Three Tax Rates **With** 10% Small Commercial Exemption

Residential	\$14.45	Residential		\$ 14.45
Commercial, Industrial	\$26.45	Commercial, Industrial		\$ 26.58
Personal Property	\$26.45	Personal Property		\$ 26.45

Tax Impact on Eligible and Non-eligible Parcels Valued

No exemption adopted		Com Value	1,000,000
		Exempt Value	-
		Taxable Value	1,000,000
		Tax Rate	26.45
		Tax	\$26,450.00
Eligible property with 10% exemption		Com Value	1,000,000
		Exempt Value	100,000
		Taxable Value	900,000
		Tax Rate	26.58
		Tax	\$23,922.00
		Savings	-\$2,528.00
Ineligible commercial property with 10% exemption adopted		Com Value	1,000,000
		Exempt Value	-
		Taxable Value	1,000,000
		Tax Rate	26.58
		Tax	\$26,580.00
		Increase	\$130.00
Ineligible commercial property with 10% exemption adopted		Value	500,000
		Exempt Value	-
		Taxable Value	500,000
		Tax Rate	26.58
		Tax	\$13,290.00
		Increase	\$65.00
		Value	6,000,000
		Exempt Value	-
		Taxable Value	6,000,000
		Tax Rate	26.58
		Tax	\$159,480.00
		Increase	\$780.00

TOWN OF MILFORD
CLASSIFICATION HEARING
FY2023

Jennifer Sclar, MAA
Assessor / Administrator

Board of Assessors
Joshua M. Lioce, Chairman
Paul G. Simas
Steven Borges

Discussion

- New Growth
- Personal Property Values
- Value Changes 2022 to 2023
- Single Tax Rate Calculation
- Split Tax Rate Options / Impact
- Valuation by Class /Share of Levy
- Average Tax Bill 2022 to 2023
- Residential Exemption
- Small Commercial Exemption
- Open Space Discount
- Motions

New Growth

Property taxable for the first time, exempt to taxable, new construction or additions, new personal property accounts, subdivided land, and condo conversions.

Noteworthy growth this year:

- 11 new sf homes
- 36 new condos
- Quill and Landmark Place Apts
280 residential units 38.1MM
- Cannabis grow facility 7.6 MM
- 56 new PP accounts
- 9.5 million utility growth value

Residential Growth

- Value 60,980,400 triple
- Tax \$938,488

C/I/P Growth

- Value 34,932,927 double
- Tax \$993,492

2022 Growth	\$ 834,386
2023 Growth	\$ 1,931,980 +131.5%

Valuation Changes 2022 to 2023

2021 market data (sales, rents, property expenses) was used to establish 2023 values.

Property Type	2022 Average Value *rounded to nearest 100	2023 Average Value *rounded to nearest 100	Percent Change
Single Family	377,100	421,900	+ 11.9%
Condominiums	282,100	325,500	+15.4%
Two Family	362,200	403,200	+11.3%
Three Family	409,200	456,500	+11.57%
Apartments 111-112	588,200	646,700	+9.95%
Vacant Land	141,700	158,500	+11.8%
Commercial	969,900	1,052,500	+8.52%
Industrial	1,374,500	1,483,300	+7.92%

Single Tax Rate Calculation

Taxable Value	
2023	4,654,251,337
2022	4,149,626,856
12.16% Increase	

Levy	
2023 Levy Limit	\$83,214,032
2023 Actual Levy	\$77,910,190
2022 Actual Levy	\$74,691,925
4.31% Increase	

Excess Levy Capacity	
2023	\$5,303,841.80
2022	\$4,598,165.16

Single Tax Rate	
Amount to Raise	\$151,164,148.20
Less estimated receipts and other revenue	\$ 73,253,958.00
Equals Tax Levy	\$ 77,910,190.20
Divided by taxable value	4,654,251,337
x 1000 Equals single tax rate	\$16.74 / 1000
Average Single Family Tax Bill	\$7,063
Average Commercial Tax Bill	\$17,619

Options – Rate Shifts and Impact on Average Assessed Value

CIP Shift	Res Factor	Res Rate	SF Tax Bill	SF \$ Change	SF % Change	Res % of Levy	Com Rate	Com Tax Bill	Com \$ Change	Com % Change
1.5200	0.8774	14.69	\$6,198	\$395	6.80%	71.00	25.44	\$26,776	-\$808	-2.93%
1.5300	0.8750	14.65	\$6,181	\$378	6.51%	70.81	25.61	\$26,955	-\$629	-2.28%
1.5400	0.8727	14.61	\$6,164	\$361	6.22%	70.62	25.78	\$27,133	-\$451	-1.63%
1.5500	0.8703	14.57	\$6,147	\$344	5.93%	70.43	25.95	\$27,312	-\$272	-0.98%
1.5600	0.8680	14.53	\$6,130	\$327	5.64%	70.24	26.11	\$27,481	-\$103	-0.37%
1.5700	0.8656	14.49	\$6,113	\$310	5.35%	70.04	26.28	\$27,660	\$76	0.27%
1.5800	0.8632	14.45	\$6,096	\$293	5.06%	69.85	26.45	\$27,839	\$255	0.92%
1.5900	0.8609	14.41	\$6,080	\$277	4.77%	69.66	26.62	\$28,018	\$434	1.57%
1.6000	0.8585	14.37	\$6,063	\$260	4.48%	69.47	26.78	\$28,186	\$602	2.18%
1.6100	0.8562	14.33	\$6,046	\$243	4.18%	69.28	26.95	\$28,365	\$781	2.83%
1.6200	0.8538	14.29	\$6,029	\$226	3.89%	69.09	27.12	\$28,544	\$960	3.48%

Valuation by Class

Share of Levy

Property Class	Taxable Valuation	Share of Levy Without Shift	Share of Levy With 1.58 Shift	Totals With 1.58 Shift
Residential	3,766,229,805	80.9202%	69.8503%	69.8503%
Open Space	0	0	0	
Commercial	458,079,974	9.8422%	15.5525%	
Industrial	256,990,552	5.5216%	8.7252%	
Personal Property	172,951,006	3.7160%	5.8720%	30.1497%
Totals	4,654,251,337	100.0000%	100.0000%	

Average Tax Bill 2022 vs. 2023

Property Type	2022 Tax Using FY22 AAV	2023 Average Value	Tax Rate With 1.58 Shift	2023 Tax Bill	Tax Change	% Change
Single Family	\$5,804	421,900	14.45	\$6,096	\$292	5.03%
Condo	\$4,342	325,500	14.45	\$4,703	\$361	8.32%
Two Family	\$5,574	403,200	14.45	\$5,826	\$252	4.52%
Three Family	\$6,298	456,500	14.45	\$6,597	\$299	4.75%
Apartments	\$9,052	646,700	14.45	\$9,345	\$293	3.23%
Commercial	\$27,584	1,052,500	26.45	\$27,839	\$255	0.92%
Industrial	\$39,090	1,483,300	26.45	\$39,233	\$143	0.37%

Residential Exemption

Boston	35%
Chelsea	35%
Somerville	35%
Waltham	35%
Cambridge	30%
Malden	30%
Watertown	30%
Everett	25%
Nantucket	25%
Provincetown	25%
Truro	25%
Wellfleet	25%
Brookline	21%
Barnstable	20%
Tisbury	18%
Oak Bluffs	4%

The Board of Selectmen can grant an exemption up to 35% of the average assessed value of residential properties used as the principal residence of the owner.

This exemption, if adopted, would increase the residential tax rate because the residential share of the levy must still be met.

This exemption would shift the residential burden from moderately valued homes to apartments and higher valued homes and residential properties not occupied by the owner.

There are only 16 communities that adopted this exemption last year.

Milford has not adopted this exemption in prior years.

Small Commercial Exemption

N. Attleborough	5%
Auburn	10%
Avon	10%
Bellingham	10%
Berlin	10%
Braintree	10%
Chelmsford	10%
Dartmouth	10%
Erving	10%
New Ashford	10%
Seekonk	10%
Swampscott	10%
Westford	10%
Wrentham	10%

The Town may exempt up to 10 percent of the value of class three commercial parcels if the property is occupied by small businesses (having an annual employment of 10 or fewer employees) and the value of the property is less than \$1 million.

In effect, the option shifts the tax burden from parcels occupied by small businesses to those occupied by other commercial and industrial taxpayers. If a multi-tenant property, all employers must qualify.

87 properties would likely qualify for the exemption this year.

The CI tax rate would be \$26.58. The average commercial property not receiving the exemption would have a tax increase of \$137; industrial increase \$193.

The average valued eligible parcel (416,200) would save \$1,052 with the exemption.

14 out of 351 Towns have adopted this exemption.

Open Space Discount

The levy percentages presented tonight are based on no discount to open space parcels. The Board of Assessors has not classified any property as open space to apply this discount.

If there were open space the Board of Selectmen could reduce the valuation of these parcels to not less than 75% of their full and fair cash value.

Any discount given to open space would result in a higher residential tax rate, since the discount is absorbed solely by the residential class. Only one open space discount was adopted in the state last year (Town of Bedford, 25%).

Motions

- I move the Town adopt a residential factor of .8632.
- I move the Town not grant an open space discount.
- I move the Town not adopt a residential exemption.
- I move the Town not adopt a small commercial exemption.
- The Board has been made aware of excess levy capacity in the amount of \$5,303,841.80.
- Questions
- Thank You

C-2
11-21-22

DEPARTMENT HEAD REVIEW FORM

- 1. Name of Business: **Shiv Om Krupa, Inc. dba Purchase Street Market**
- 2. Address: **89 Purchase Street**
Assessors ID#: **Map _34_ Block _0_ Lot _27_ Zone _____**
- 3. Has applied for: **Retail Package Store All Alcohol Beverages License**
- 4. Selectmen will take action on: **11/21/2022**
- 5. Abutters Notified: **_11/10/2022_** Published: **_11/10/2022**
- 6. Inquiry Sent To Dept. Heads on: **Monday November 7, 2022**
- 7. Please Respond By: **__**
- 8. License Approved: **_____** Denied: **_____** Tabled: **_____** On **_____**

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Building Commissioner: (Zoning, Occupancy, Building/Handicap Access, Restroom Handicap Access, etc.) **RB Zone, pre-existing non-conforming use, Group M occupancy, building is not accessible**

Town Planner: (Site Plan/Special Permit; Other Requirements/Stipulations) **OK-No Change of Actual Use**

Tax Collector: (Outstanding Taxes) **No outstanding taxes**

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

Fire Chief: (Information/Comment) **No Objections**

Police Chief: (Information/Comment) **No Issues**

Criminal Offense Record Info: (CORI) Approved Disapproved

Board of Health: (Information/comment) **No Violations**

Dept. Head Signature: _____ **Date:** _____

.....
Contact Name/Manager: *Kishan A. patel* **D.O.B.** **SS #**
Phone: 781-975-6818 **e-mail:** *map9397@yahoo.com*



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR A NEW LICENSE

Municipality

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="Off-Premises-15"/>	<input type="text" value="§15 Package Store"/>	<input type="text" value="All Alcoholic Beverages"/>	<input type="text" value="Annual"/>

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Applicant seeks a license for the sale of all alcoholic beverages at its retail facility in Milford. Applicant is currently licensed and in good standing for the sale of malt beverages and wine. Facility is a family owned and operated neighborhood market consisting of a one story wood structure with cellar storage. Premises have one front entrance and one side entrance. No structural change or change in the type, manner, or intensity of use is proposed.

Is this license application pursuant to special legislation? Yes No Chapter Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name FEIN

DBA Manager of Record

Street Address

Phone Email

Alternative Phone Website

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Premises consist of a one-story wood structure with one room of approximately 1,100 square feet in area and cooler and storage facilities thereon. Premises also possess a cellar of approximate area of 700 square feet. Premises have one front door and one side door.

Total Square Footage: Number of Entrances: Seating Capacity:

Number of Floors: Number of Exits: Occupancy Number:

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name: Phone:

Title: Email:

APPLICATION FOR A NEW LICENSE

5. CORPORATE STRUCTURE

Entity Legal Structure	Corporation	Date of Incorporation	06/12/2018
State of Incorporation	Indiana	Is the Corporation publicly traded? <input type="radio"/> Yes <input checked="" type="radio"/> No	

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
Off Premises(Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Kishan A Patel			
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
President and Director	50%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Meena Patel			
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
Treasurer	35%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
			MA Resident
			<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Reshma A. Patel			
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
Secretary and Director	15%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached? Yes No

CRIMINAL HISTORY
 Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. Yes No

APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Kishan A. Patel	Wine-Malt-Pkg	Purchase Street Market	Milford
Meena Patel	Wine-Malt - Pkg	Purchase Street Market	Milford
Reshma A. Patel	Wine-Malt-Pkg	Purchase Street Market	Milford

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes No

APPLICATION FOR A NEW LICENSE

8. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	n/a
B. Purchase Price for Business Assets	n/a
C. Other * (Please specify below)	\$50,000 Estimated
D. Total Cost	\$50,000 Estimated

*Other Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Shiv Om Krupa, Inc.	All-From Corporate Funds
	Only expenses anticipated are cost of inventory and minor interior modifications. All to be borne by applicant from available funds.
Total:	\$50,000 estimated

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
Rockland Trust		Existing financing in place-No new funds	<input type="radio"/> Yes <input checked="" type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

Rockland Trust possesses a present collateral interest in the existing wine and malt beverage license via pledge. Rockland Trust has requested that the new license be pledged on the existing terms. Applicant has agreed.

9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? Yes No

Please indicate what you are seeking to pledge (check all that apply) License Stock Inventory

To whom is the pledge being made?

Rockland Trust

10. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?* Yes No *Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? Yes No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
05/2017	08/2017	Intern-Mech'l Design	The Hart Companies	Robert Cole
05/2018	08/2018	Cashier	Rosie's Liquors	Suhas Patel
01/2019	Current	Manager	Purchase Street Market	

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature Date

APPLICANT'S STATEMENT

I, Kishan A. Patel the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory

of Shiv Om Krupa, Inc.
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: 

Date: 11/2/2022

Title: President and Director

C-3
11-21-22

10. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?* Yes No *Manager must be a U.S. Citizen
If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? Yes No
If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature Date

D-1
11-21-22

DEPARTMENT HEAD REVIEW FORM

1. Name of Business: **Paulo's Kitchen**
2. Mailing Address: **206 East Main Street, Unit 12**
Assessors ID#: **Map _32_ Block _0_ Lot _14B_ Zone _IC/IB_**
3. Has applied for: **Common Victualler License**
4. Selectmen will take action on: **11/21/2022**
5. Abutters Notified: **_N/A_** Published: **_N/A_**
6. Inquiry Sent To Dept. Heads on: **10/27/2022**
7. Please Respond By: **_____**
8. License Approved: **_____** Denied: **_____** Tabled: **_____** On **_____**

.....
Building Commissioner: (Zoning, Occupancy, Building/Handicap Access, Restroom Handicap Access, etc.) **IB Zone, Occ. Load 35, Buildings & Restrooms Accessible, Group B Use & Occupancy**

Town Planner: (Site Plan/Special Permit; Other Requirements/Stipulations) **Ok-No change of actual use in Unit 12**

Tax Collector: (Outstanding Taxes) **No Outstanding Taxes**

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

Fire Chief: (Information/Comment) **No Objections**

Police Chief: (Information/Comment) **Approved**

Criminal Offense Record Info: (CORI) Approved Disapproved

Board of Health: (Information/comment) **No Violations**

Commission on Disability: (Information/comment) _____

Dept. Head Signature: _____ **Date:** _____

.....
Contact Name/Owner: *Fabricio Fernandes D.O.B. SS #*
Phone: *774-244-9527* **e-mail:** *ffernandes.ma@gmail.com*



MILFORD SELECT BOARD

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

www.milfordma.gov

LICENSE APPLICATION (CHECK ONE)

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

- 1. AUCTIONEER
- 2. BOARDING HOUSE
- 3. BOWLING ALLEY(S)
- 4. COMMON VICTUALLER
- 5. FORTUNE TELLER
- 6. HAWKERS/PEDDLERS
- 7. INNHOLDERS
- 8. POOL TABLES
- 9. 2ND HAND/ANTIQUA DEALER
- 10. PAWNBROKER

- 11. LIVE ENTERTAINMENT (*describe on reverse*)
- 12. AUTOMATIC AMUSEMENT
(Coin-Operated Games)
- 13. TRANSIENT VENDORS
- 14. CARNIVAL/CIRCUS
Location: _____
- 15. CHRISTMAS TREE SALES
- 16. \$ VALUE OF GOODS
- 16. CLASS I (NEW CARS)
- 16. CLASS II (USED CARS)
- 16. CLASS III (JUNK CARS) - Public Hearing Required
(Describe on Reverse)
- 17. WORKERS COMPENSATION IF NEEDED

SEE ADDITIONAL INFORMATION REQUIRED BELOW

BUSINESS NAME: PAULO'S KITCHEN LLC

BUSINESS ADDRESS: 206 EAST MAIN ST UNIT 12 MILFORDMA 01757

DAYS/HOURS OF OPERATION MONDAY THRU SUNDAY - 11:30AM TILL 10:30PM
(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: FABRICIO A. FERNANDES

MAILING ADDRESS: _____

EMAIL ADDRESS: FFERNANDES.MA@GMAIL.COM

APPLICANT'S DATE OF BIRTH: _____

Social Security No. (Mandatory) _____ and _____ Federal Identification No. (Mandatory)

APPLICANT'S SIGNATURE: FABRICIO A. FERNANDES DATE: 10/21/2022

(Individual or Corporate Officer) _____ (774) 244 9527
Type or print name on this line Daytime Telephone Number

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

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

CONTINUE APPLICATION PROCESS ON REVERSE SIDE OF THIS FORM

D-2
11-21-22

DEPARTMENT HEAD REVIEW FORM

- 1. Name of Business: **JR'S Diner, Inc.**
- 2. Mailing Address: **296 Main Street**
Assessors ID#: **Map _48_ Block _0_ Lot _197_ Zone _CB_**
- 3. Has applied for: **Common Victualler License**
- 4. Selectmen will take action on: **11/21/2022**
- 5. Abutters Notified: N/A Published: N/A
- 6. Inquiry Sent To Dept. Heads on: **11/14/2022**
- 7. Please Respond By:
- 8. License Approved: Denied: Tabled: On

.....
Building Commissioner: (Zoning, Occupancy, Building/Handicap Access, Restroom Handicap Access, etc.) **CB Zone, allowable use, building, and restrooms are accessible**

Town Planner: (Site Plan/Special Permit; Other Requirements/Stipulations) **OK-No change of Actual Use**

Tax Collector: (Outstanding Taxes) **No Outstanding Taxes**

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

Fire Chief: (Information/Comment) **No objections**

Police Chief: (Information/Comment) **No Issues**

Criminal Offense Record Info: (CORI) Approved Disapproved

Board of Health: (Information/comment) **No violations**

Commission on Disability: (Information/comment) _____

Dept. Head Signature: _____ **Date:** _____

.....
Contact Name/Owner: *Darlene Ferreira* **D.O.B. SS #**
Phone: *774-287-2052* **e-mail:** *darlencristian@hotmail.com*



MILFORD SELECT BOARD

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

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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
- 2. _____ BOARDING HOUSE
- 3. _____ BOWLING ALLEY(S)
- 4. COMMON VICTUALLER
- 5. _____ FORTUNE TELLER
- 6. _____ HAWKERS/PEDDLERS
- 7. _____ INNHOLDERS
- 8. _____ POOL TABLES
- 9. _____ 2ND HAND/ANTIQUA DEALER
- 10. _____ PAWNBROKER

- 11. _____ LIVE ENTERTAINMENT (*describe on reverse*)
- 12. _____ AUTOMATIC AMUSEMENT
(Coin-Operated Games)
- 13. _____ TRANSIENT VENDORS
- 14. _____ CARNIVAL/CIRCUS
Location: _____
- 15. _____ CHRISTMAS TREE SALES
- 16. \$ _____ VALUE OF GOODS
- 16. _____ CLASS I (NEW CARS)
- 16. _____ CLASS II (USED CARS)
- 16. _____ CLASS III (JUNK CARS) - Public Hearing Required
(Describe on Reverse)
- 17. _____ WORKERS COMPENSATION IF NEEDED

SEE ADDITIONAL INFORMATION REQUIRED BELOW

BUSINESS NAME: JK'S Diner Inc

BUSINESS ADDRESS: 296 main st. milford MA. 01757

DAYS/HOURS OF OPERATION 9:00am to 11:00pm
(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: Darlene C. Ferrera

MAILING ADDRESS: darleneccristeam@hotmail.com

EMAIL ADDRESS: _____

APPLICANT'S DATE OF BIRTH: _____

Social Security No. (Mandatory) _____ and _____ Federal Identification No. (Mandatory)

APPLICANT'S SIGNATURE: DATE: 11/10/2022
(Individual or Corporate Officer)

Darlene C. Ferrera (374) 287 2052
Type or print name on this line Daytime Telephone Number

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

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

CONTINUE APPLICATION PROCESS ON REVERSE SIDE OF THIS FORM

D-3
11-21-22


MILFORD POLICE DEPARTMENT		Department Manual: Policy 200
Subject: INTERNAL INVESTIGATIONS POLICY		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 1.29; 26.1.4; 26.1.6; 26.1.7; 26.1.8; 35.1.9; 42.1.6; 42.2.6; 52.1.1; 52.1.2; 52.1.3; 52.1.4; 52.2.1; 52.2.2; 52.2.3; 52.2.4; 52.2.5; 52.2.6; 52.2.7; 52.2.8; 55.1.3 b; 82.1.4; 82.2.2 b; 82.3.5;		GENERAL ORDER 2022-01
Effective Date: January 24, 2022 <i>Police Reform Legislation</i> Ref.: M.G.L. C. 149, S. 19B; C. 6E Section 8, 9, 19	Issuing Authority James Falvey Chief of Police	

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I. RESCISSION:

Effective immediately, “*Internal Affairs Investigation Policy 200*”, is hereby rescinded and replaced with General Order 2022-01 by the same title. In the event that this order is in conflict with any previously issued order, rule, regulation, directive, policy or procedure, then this order shall take precedence.

II. PURPOSE:

Historically, police departments have been an instrument utilized to maintain law and order. To be fully effective, the police need to have and maintain the highest level of public trust and confidence in order to ensure the faith, allegiance and cooperation of the citizenry.

Note: Any mention of the word “citizen(s)” in this policy shall mean any individual, regardless of any official documentation status, that the Milford Police have occasion to interact with.

Trust and confidence can exist only if the public recognizes that their police department always polices and uses its enforcement procedures in a fair and impartial manner with the utmost respect and integrity and according to statutory and constitutional law. By not adhering to a policy that assures public trust and confidence, barriers and obstacles will inevitably emerge causing unnecessary tension between the police and the public that they serve. Hence, effective law enforcement efforts within the community will become increasingly more difficult and even counterproductive.

To maintain the highest quality of police services it is imperative that every police department have an effective, efficient, streamlined and thorough civilian complaint procedure. With such a policy in place, community confidence in the integrity of all police conduct and actions will invariably increase and assure their collective support, cooperation and confidence in their police department.

At all times, the employees of the Milford Police Department, sworn and civilian are expected to conduct themselves in a manner that will reflect favorably both on the Department and the Town of Milford. By maintaining high standards the members of the Department will be able to ensure an atmosphere of trust and spirit of cooperation between the community and the Department. Increased cooperation will also enhance the Department’s ability to achieve the mission as well as the articulated goals of the department.

Therefore, the internal affairs function is vital for the maintenance of professional conduct within the Milford Police Department. The integrity and professionalism of the Department is in direct proportion to the integrity and discipline of each of its members. The public image of the Department is largely determined by the response and quality of the internal affairs function in responding to any and all allegations of employee wrongdoing or misconduct by the Department or its members.

The Milford Police Department must provide all individuals that they have occasion to interact with a fair and effective avenue for redress of legitimate complaints against its officers. The Internal Affairs Unit also protects the members of the department by investigating and dismissing any false and unfounded allegations of misconduct that may directed towards an employee. The

Internal Affairs Unit also assures that each officer receives every protection and right, including due process that he/she is entitled, under both the State and Federal Constitutions. **26.1.6**

The Chief of Police shall always adhere to his/her affirmative duty and responsibility to impose the reasonable disciplinary sanctions when appropriate, including training, counseling, reprimand, suspension and up to and including separation of employment for sustained misconduct for just cause after notice and a hearing.

The Internal Affairs Investigator will be responsible for recording, registering and supervising the investigation of all complaints against all employees. Because internal affairs investigations can be extremely complex, it is imperative that the process be not only lawful but completely confidential during the duration of the investigatory process. The Internal Affairs Investigator shall also be charged with maintaining the confidentiality of the internal affairs investigations and records while any case is active and ongoing. Once a case is closed, the application of the state's public records laws shall take precedence thereafter.

The Internal Affairs Investigator will ensure that the integrity of the Department is maintained by conducting investigations in a fair, impartial, objective, and judicious manner. All findings will be prepared in writing and submitted to the Chief of Police for his/her approval who will thereafter impose any and all additional training and/or disciplinary sanction(s) if applicable.

Employees of the Milford Police Department will be held to the highest standards of professional conduct. Employees who do not adhere to the Department's standards of conduct, either through deliberate action or by way of negligence or neglect of duty, will be subject to disciplinary action such as corrective training, counseling, and/or disciplinary sanctions that shall be applied in a prompt and specific manner. **26.1.4 a, b, c**

The objectives of the internal affairs investigation shall always be to:

1. Protect the public;
2. Protect employees from false allegations;
3. Protect the image and reputation of the Department;
4. Correct any and all procedural or training deficiencies; and
5. Removal of any officer that is deemed to be unfit for continued duty.

All alleged or suspected violations of laws, ordinances, department rules, regulations, policies, procedures and/or orders (whether verbal or written) shall be investigated according to the procedures outlined herein. These include, but are not limited to:

1. Alleged violations reported to superior officers by other members of the Department, either orally or in writing.
2. Alleged violations observed or suspected by superior officers.
3. Civilian complaints of alleged misconduct by members of the Department that are made in person, in writing, by phone, by email or anonymously. **52.1.1**
4. Complaints or allegations made by those held in custody referred to as detainees.

III. POLICE REFORM LEGISLATION

On 12/31/20, Governor Charles Baker signed a comprehensive piece of legislation into law titled, *An Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth*. This historic legislation established a new nine (9) member Commission known officially as the *Massachusetts Peace Officer Standards and Training Commission* (hereinafter "POST") which was granted with very broad investigatory, enforcement and licensing powers pertaining to all sworn law enforcement officers and agencies in the Commonwealth. Of particular note, this legislation created a new statute, M.G.L. Chapter 6E, whereby certain Sections of this new law shall have a direct impact on law enforcement agencies across the state pertaining to information that is derived from the complaint investigation procedures of all police departments.

IV. POLICY:

It is the policy of the Milford Police Department to accept and investigate all complaints of misconduct or wrongdoing against the department or department employees, regardless of the source of such complaint, by conducting a regulated, thorough, fair and impartial investigation which shall include an examination of all available factual information and evidence. **52.1.1**

V. COMPLAINT PROCEDURE: **82.2.2 b**

A. Complaint Control Form:

1. A standard complaint report form shall be used to record all complaints of misconduct, mistreatment or unethical practices against Department personnel, whether registered by a member of the public, initiated from within the Department or forwarded by another governmental agency. This Complaint Control Form (MPD Form 98-04) which is available in both English and Spanish shall be located behind the Front Desk at Police Headquarters.
2. The following information shall be included on the complaint control form:
 - a. The date and time the complaint is reported;
 - b. The name, address and phone number of the complainant (unless it is an anonymous complaint);
 - c. The name, address, and phone number of any witness to the reported incident;
 - d. The name, rank, badge number and/or the description of the employee against whom the complaint is made;
 - e. The date, time and location of the alleged incident;
 - f. The complainants description of the events that resulted in the complaint;
 - g. Signature of the complainant;
 - h. Signature of parent or guardian if complainant is under eighteen (<18) years of age;
 - i. The name, rank and signature of the department employee receiving the complaint report.

3. Any person requesting to make a complaint against an employee of the Department shall, upon request, be given a copy of the Complaint Form so that they may complete it on their own. When Complaint Forms are given out in this manner the complainant should be instructed to return them, as soon as possible, to the Internal Affairs Unit.
4. Any person completing a Complaint Form shall, upon request, be given a copy of the completed form. This may act as their receipt to verify that the complaint was received.

B. RECEIVING AND RECORDING EMPLOYEE MISCONDUCT OR COMPLAINTS OF CRIME:

1. The Officer-in-Charge at the time the complaint is made shall be responsible for receiving and recording all complaints, specifically against the department or employee misconduct, or a specific crime regardless of whether they are reported in person, by phone, mail or by email. In some cases a complaint can be resolved to the complainant's satisfaction at the time by the Officer-in-Charge of Headquarters, in which case this fact should be reported in writing by the Officer-in-Charge to the Supervisor of Internal Affairs Investigations, the Deputy Chief and the Chief of Police.
35.1.9d; 52.1.1; 52.2.1 a; 52.2.2; 84.1.14
2. ALL complaints, whether resolved at the time of the initial complaint or not, shall be entered by the OIC into the dispatch log under the dispatch call reason "I.A. Complaint." The complainant's name, D.O.B., address, and phone number(s), as well as other information sought by POST pursuant to 550 CMR 1.00, shall be entered when available, if available and unless anonymous. The call number shall be written on the upper right hand corner of the Complaint Control Form. The Internal Affairs Supervisor, Deputy Chief and Police Chief shall be notified in writing of ALL complaints, including complaints resolved by the OIC.
3. The utmost respect and courtesy shall be afforded to all persons filing a complaint or inquiring about the civilian complaint procedure. The initial contact between the complaining party and the police is the most important stage in the process. The complainant is often emotionally upset and the potential for hostility is at its greatest.
4. No person should be denied the opportunity to file a civilian complaint or to report a crime. No person should ever be directed to return at a later time or to call back later.
5. The Internal Affairs Supervisor shall review each Complaint Form, and upon determining that an official report or investigation be conducted, shall assign an identifying number to the complaint (e.g., last two digits of the year – complaint number for that year in sequential order, IA 21-01-IA)
6. If the substance of the employee misconduct warrants it, the Officer-in-Charge may immediately place the employee on administrative leave for the remainder

of his/her assigned shift pending notification of the Internal Affairs Supervisor, Deputy Chief and the Chief of Police by phone. The employee shall only be relieved from duty at the direction of the Chief of Police in accordance with applicable statutory and collective bargaining provisions. **52.1.2 b; 52.2.2; 52.2.7**

C. IN PERSON COMPLAINTS OF MISCONDUCT:

Reports of employee misconduct that are made in person should be reduced to writing and the complainant should be *requested* to sign the complaint form. If the complainant is a minor, the signature of a parent or guardian should be obtained. If the complainant refuses to sign, the officer accepting the report should make a notation that the complainant would not sign the report and cite reasoning if appropriate.

D. PHONE COMPLAINTS OF CRIME OR MISCONDUCT:

When an employee misconduct complaint is received by phone the complainant should be informed that a signed complaint is recommended. Phone complaints about a crime or employee misconduct should not be refused or rejected because the complainant does not wish to come into Police Headquarters to report the crime or sign a complaint form. Anonymous complaints should not be rejected whether against a specific employee or against the department as an agency. If the complaint is anonymous, the OIC receiving the complaint shall complete and sign the complaint form and submit same to the IA Unit. All complaints should be considered on their individual merits. Although appropriate caution must be taken so that Department employees are not subjected to unjust or malicious complaints, all complaints must be taken very seriously and vetted based on the evidence or leads that are available and/or may be pursued based on the willingness of the complainant to assist in the investigation. **52.1.1; 82.2.5**

E. COMPLAINTS OF CRIME OR MISCONDUCT RECEIVED BY U. S. MAIL OR INTERNET EMAIL: 82.2.5

1. If a complaint of a crime or employee misconduct is received by U. S. Mail or email, the information contained shall be incorporated into an incident report for follow-up or Civilian Complaint Form for investigation and the original communication shall be attached thereto. **52.1.4; 84.2.14**
2. If the information about employee misconduct is incomplete or insufficient, the Internal Affairs Investigator shall contact the complainant, if possible, and obtain the necessary information. Information about a crime in progress should be forwarded to the on duty OIC for immediate on scene response and shall be documented. **82.2.5**

F. DEPARTMENTAL COMPLAINTS:

A formal complaint of employee misconduct shall be initiated by the preparation of the standard Milford Police Department Complaint Control Form (Form MPD 98-04).

G. COMPLAINTS BY PRISONERS and DETAINEES:

Any prisoner or detainee who alleges any misconduct or mistreatment by a department employee, including but not limited to an excessive force allegation in violation of M.G.L. Chapter 6E Section 14, shall be advised by the Officer-in-Charge of the applicable Shift of his/her right to submit a Complaint Control Form in the usual manner and such complaints should be investigated and processed in the same manner as other civilian complaints.

H. COMPLAINTS FROM OTHER GOVERNMENTAL AGENCIES:

When information is received or obtained from other governmental agencies alleging specific acts of misconduct against a Department employee, this information shall be recorded on the standard Complaint Control Form and an investigation initiated in the usual manner.

I. OUTSIDE COMPLAINTS TO PATROL OFFICERS:

- i) If a patrol officer is approached by a member of the public regarding a complaint of alleged misconduct against an employee of the police department, the officer shall inform such person that his or her complaint should be directed to the Officer-in-Charge of Police Headquarters. The Patrol Officer shall inform the concerned member of the community the name of the OIC and the address of Police Headquarters (250 Main Street Milford, MA) and the OIC's number if needed (508-473-1113).
- ii) Persons making an allegation or complaint of "racial profiling" shall also be advised of the state's complaint line (1-866-6-RACIAL)

J. VERIFICATION OF RECEIPT:

- i. Every person making a complaint against a department employee shall receive a copy of his/her complaint to serve as a receipt verifying that such complaint has been received. **52.2.4 a**
- ii. When a complaint is made in person, the officer receiving the complaint will ensure that the complainant receives a copy of his/her complaint to serve as a written verification that the complaint has been received.
- iii. When a complaint is received over the phone, through the mail, or by email, the officer-in-charge of Internal Affairs shall be responsible to ensure that the complainant is sent a copy of his/her complaint to serve as a written verification that the complaint has been received. **52.2.4 a**

VI. INVESTIGATIVE PROCEDURES:

A. CATEGORIES OF COMPLAINTS / INVESTIGATIONS:

1. The Department has established specific guidelines regarding which categories of complaints shall be handled and investigated by the Internal Affairs Unit, which

by subject employee's Commanding Officer (OIC) as a part of routine discipline, and which by an outside investigator retained by the Milford Police Department.

2. **Outside Investigator Investigations:** Certain types of complaints shall be investigated by an outside investigator retained by the Milford Police Department which complaints include, but are not limited to, allegations of: **52.1.1 b**
 - a. An officer-involved injury or death;
 - b. Improper use of force;
 - c. Biased behavior. **1.2.9 a;** or
 - d. Any other matter as directed by the Chief of Police.
3. **Internal Affairs Unit Investigations:** Certain types of complaints shall be investigated by the Internal Affairs Unit which complaints include, but are not limited to, allegations of: **52.1.1 b**
 - a. Corruption;
 - b. Brutality;
 - c. Any allegation of criminal misconduct (felony or misdemeanor);
 - d. Any other matter as directed by the Chief of Police.
4. **Discharge of Firearms:** The manner in which police officers use firearms is an extremely critical issue to the department, one in which the community and the courts allow little margin for error. Pursuant to Departmental Policy pertaining to Use of Force, in order to ensure that proper control in this area is maintained, **ALL** reported discharges of firearms by officers of this department, whether on or off duty, will be thoroughly investigated by the Internal Affairs Unit for the purpose of determining the extent to which officers comply with departmental policy. **52.2.1 b**
5. **Commanding Officer Investigations:** Criteria for the assignment of an investigation to the employee's Commanding Officer (OIC) may include violations of departmental rules and regulations such as: **52.2.1 a. b.**
 - a. Alleged courtesy violations or rudeness towards a member of the public;
 - b. Tardiness for their assigned shift; and
 - c. Minor cases of insubordination
 - d. Any other matter as directed by the Chief of Police

B. COMMENCEMENT OF AN INVESTIGATION:

1. The agency shall commence, as soon as practicable, but in any case within 14 days of the receipt of the complaint by the agency, an internal investigation of the subject matter of any complaint forwarded to the division of standards under 555 CMR 1.01(1)(b).
2. If the agency anticipates that the investigation cannot be commenced within 14 days due to investigatory efforts by another governmental body, the agency shall promptly request an extension of time from the division of standards and provide in the request a proposed schedule for commencing the investigation and the reasons for the need for additional time to commence the investigation, prior to the expiration of the 14 days.

C. GENERAL REQUIREMENTS FOR AN INVESTIGATION:

1. Preserve Evidence.
 - a. The Investigator shall begin the investigation by taking all reasonable steps necessary to preserve, and consider, all potentially relevant evidence including, but not limited to, documents, e-mails, text messages, photographs, audio and video recordings, and the like;
2. Officer Notification.
 - a. The Investigator shall, after taking all reasonable steps necessary to preserve all potentially relevant evidence as described in 555 CMR 1.01(2)(c)1., as soon as reasonably possible, to the extent it will not prejudice the internal investigation, notify the officer and the head of their collective bargaining unit that an internal investigation is being conducted; and
3. Interviews
 - a. The Investigator shall conduct, to the extent feasible, interviews of relevant witnesses, including but not limited to the complainant, the alleged victim if different from the complainant, the officer implicated by the complaint, and all other officers and individuals who were present at or witnessed the incident. such interviews should be audio recorded if feasible. officers and other interviewees shall have the right to be represented by counsel, union representatives, or other representatives, to the same extent they would under their agency's policies or other applicable authority. the agency shall, at its expense, provide translation services where necessary to conduct an interview.
4. Confidentiality.
 - a. The investigation shall be conducted confidentially to the extent permitted by law.

5. Completion

- a. The investigation shall be completed as soon as practicable, but in any case, within 90 days of the Milford Police Department's receipt of the complaint. If the agency anticipates that the investigation will take longer than 90 days, the Milford Police Department shall promptly request an extension of time from the division of standards and provide in the request a proposed schedule for completion of the investigation and the reasons for the need for additional time to complete the investigation, prior to the expiration of the 90 days.

D. IMMEDIATE RESOLUTION OF A COMPLAINT:

1. In some cases a complaint can be resolved to the complainant's satisfaction at the time by the Officer-in-Charge of the station, in which case this fact should be reported in writing by the Officer-in-Charge and, if possible, acknowledged in writing by the complainant on the Departmental Complaint Control Form.
 - a. This immediate resolution can often be accomplished if the incident is clearly not of a serious nature. If the complaint arises from a misunderstanding, lack of knowledge of the law or the employee's limitation of authority in a given circumstance, then the OIC should seek the easiest resolution to the problem to the agreed upon satisfaction of the complainant. **35.1.9e**
 - b. Under no circumstances, however, will a justifiable complaint be refused, delayed, or otherwise rejected in this manner.

E. INVESTIGATION OF COMPLAINTS:

- a. The Officer-in-Charge of Internal Affairs investigations shall be responsible for conducting Internal Affairs investigations and shall also have the authority to report directly to the Chief of Police on any sensitive matter which impacts the integrity of the department. **52.1.3**
 - i. The affected employee shall be provided a written statement of the allegations against him/her (Notification of Charges/Allegations Form) unless the Police Chief determines that the premature disclosure might jeopardize an ongoing investigation involving a sensitive matter. **52.2.5**

NOTE: If the employee was not notified by order of the Police Chief, [s]he must receive written notification prior to any interrogation or administrative or criminal hearing.

- ii. The Officer-in-Charge of Internal Affairs investigations shall be responsible for providing the Chief of Police with status reports on the progress of the investigation **every seven (7) days when applicable.** These reports shall contain all pertinent information relating to the

progress of the investigation. In certain situations a verbal update will suffice.

- iii. If the substance of a complaint, if proven, would be of grave nature or is an accusation of a serious crime and an immediate action is deemed necessary, the Police Chief, and Deputy Chief shall be notified forthwith by phone in order that an investigation can be initiated without any significant delay. **52.1.3, 52.2.2**
 - iv. Before a department employee is questioned or directed to submit a report regarding a complaint, and unless the Chief determines that disclosure might jeopardize the investigation, such employee shall be issued a written statement of the allegations and in either case the employee will be advised of his/her rights and responsibilities relative to the investigation. **52.2.5**
- b. Any Internal Affairs investigation must be commenced immediately upon receipt of the complaint and **must be completed within thirty (30) days.** **52.2.3**
- i. If extenuating circumstances preclude completion within thirty (30) days, the Officer in charge of Internal Affairs shall request an extension from the Chief of Police in writing, and provide written notification to the employee (if previously notified of the complaint and investigation) and complainant of the delay. **52.2.3**
 - ii. If the investigation is not completed within thirty (30) days, the complainant shall be provided a brief summary progress report every thirty (30) days until the completion of the investigation. **52.2.4 b**
 - iii. Extensions beyond the deadlines set forth in this Section E. shall also be subject to those deadlines set forth in Section C.5.a.
- c. An internal administrative investigation may inquire into a department employee's on-duty or off-duty conduct if such inquiry is reasonably related to the employee's performance of duty, if such conduct affects the employee's fitness or ability to continue in the police service, or reflects discredit on the reputation of the department.
- d. Upon notice of a complaint or other notice by POST, the Department shall complete an Internal Affairs Investigation into officer misconduct and issue a final disposition within ninety (90) days of receiving a complaint or notice from the commission of the complaint being filed, unless the Milford Police Department has received an extension from POST.
- e. **CRIMINAL PROCEEDINGS:** If it is determined after a preliminary investigation, that allegations against a department employee could result in a criminal prosecution, the accused employee must be granted all applicable constitutional and statutory rights.

- i. Prior to being questioned regarding alleged personal involvement in criminal activity, a department employee shall be given the *Miranda* warnings, including the right to have an attorney present during any such questioning, prior to any custodial interrogation or its functional equivalent.
 - ii. After *Miranda Warnings* have been given, any voluntary statement made thereafter may be admissible in a criminal proceeding, and it may also otherwise be used for departmental disciplinary purposes if appropriate.
 - iii. A department employee who is being questioned about alleged personal involvement in criminal activity which could result in a criminal prosecution cannot be discharged or otherwise penalized, solely for invoking the right to remain silent as guaranteed by the Fifth Amendment or for refusing to sign a waiver of immunity.¹
- f. **DEPARTMENTAL DISCIPLINARY ACTION**: If it is determined as a result of a preliminary investigation, that allegations made against a department employee could result in departmental disciplinary action, the accused employee is entitled to a fair and objective investigation and resolution of the charges made.
- i. All department employees, when requested by the Police Chief, Superior Officer or outside investigator designated by the Chief, must respond fully and truthfully to all questions regarding their performance of official duties or their off-duty misconduct which affects their fitness or ability to remain in the police service (that they do not reasonably believe would tend to incriminate themselves for an alleged violation of the law), and any failure to answer completely and truthfully to such inquires may be punished by the appropriate disciplinary action, including separation from the department if appropriate.²
 - (a) The official conducting the interrogation must, at the time of the interrogation, specify to the employee or to his/her counsel or representative the precise repercussions (i.e., suspension, discharge, or the exact form of discipline) that will result if the officer fails to respond.³
 - ii. When a department employee is *ordered* to submit a report or to answer questions the responses to which could be used in a criminal prosecution against that employee, the employee may choose either to answer the questions posed or to assert their rights under Article 12 of the Mass.

¹ *Uniformed Sanitation Men Ass'n, Inc. v. Comm. of Sanitation of New York*, 392 U.S. 280, 88 S.Ct. 1917(1969); *Gardner v. Broderick*, 392 U.S. 273, 88 S.Ct. 1913 (1968).

² *Carney v. Springfield*, 403 Mass. 604, 532 N.E.2d 631 (1988)

³ *Id.*

Declaration of Rights not to answer such questions unless and until they are granted transactional immunity from criminal prosecution.⁴ By operation of law⁵, use immunity attaches to employee responses against potential criminal interest.

- (a) The Supreme Judicial Court has held that Article 12 of the Massachusetts Declaration of Rights requires "transactional" immunity to supplant the privilege against self-incrimination when a public employee is being compelled to answer questions concerning possible criminal activities connected with his employment. Transactional immunity grants "immunity from prosecution for offenses to which compelled testimony relates."⁶

Therefore, investigators must be extremely CAUTIOUS when interviewing employees when there is a potential crime involved in the investigation of the officer in order to stay clear of this unintended consequence of coercing statements which may trigger use immunity for the subject of the coerced statements. It is important that the DA's Office is always contacted if there is a potential crime in the picture to be part of and potentially lead the investigation.

- iii. If the questions specifically, directly, and narrowly relate to the employee's performance of official duties or his/her off-duty conduct which affects his/her fitness or ability to remain in the police service, such employee shall be informed that [s]he does not have to answer questions which [s]he reasonably believes would tend to incriminate [her]himself and advised that [s]he will not be disciplined for lawfully invoking [her]his right against self-incrimination, [s]he must answer or face disciplinary action, including dismissal from the department, for refusing to answer such questions once granted a promise of Transactional Immunity in writing by the appropriate granting authorities.
- iv. In consultation and approval with the District Attorney's Office, the Chief may opt to secure a written grant of transactional immunity from the Attorney General's Office and all District Attorneys in certain circumstances. An employee may decline to answer any questions in a criminal investigation until such documentation granting the entitled immunity is received.
- v. Nothing herein prevents the Internal Affairs Investigator from moving forward on the investigation by pursuing other leads.

⁴ Transactional Immunity can only be granted by all of the Commonwealth's district attorneys and the attorney general.

⁵ Garrity v. New Jersey, 385 U.S. 493 (1967).

⁶ Id.

- vi. In addition, the employee who is the target of the investigation can also offer to make a voluntary statement to investigators at any time during the investigation with proper notice.
- g. **DOUBLE JEOPARDY**: No double jeopardy exists when a department employee is found not guilty in court of criminal charges and is then found to be responsible for violating departmental charges after the appropriate notice and an opportunity for a disciplinary hearing.
- h. In conducting an investigatory interview of an employee, which could result in discipline of that employee, that employee shall be informed of their right to union representation.⁷ If the employee does request union representation, the employee shall be given reasonable time to arrange for such representation. If the employee, once so informed, declines union representation, the investigation may proceed without such representation.
 - i. Except in unusual situations, any interview or questioning should take place during the Day Shift hours of 8am – 4pm whenever possible.
 - ii. Any interview or questioning should not be prolonged without reasonable rest periods and the opportunity for meals and such other personal necessities as are reasonably required.
 - iii. A department employee shall not be improperly harassed or threatened during this period of questioning.
- i. In conducting investigations of alleged employee misconduct, all appropriate investigative techniques and methods should be employed, consistent with legal requirements and all necessary concern for the individual rights of the accused employee.
 - i. An internal administrative investigation should be conducted with the same degree of professional competence as is devoted to a criminal investigation.
 - ii. Upon orders of the Chief of Police or his/her designee, an employee may be required to submit to a medical or psychological exam or inquiries under applicable state and federal law and in accordance with the applicable collective bargaining agreement. **52.2.6 a**
- j. **IDENTIFICATION**: A police officer may also be required to be photographed and can be compelled to stand in a lineup for identification in connection with an administrative investigation, and a refusal can be the basis for an additional disciplinary charge of refusal to obey a lawful order. Such a lineup should be fairly constructed and not be unfairly or unduly suggestive and should not be used

⁷ *NLRB v. Weingarten*, 420 U.S. 251, 95 S.Ct. 959 (1975)

for an administrative investigation where criminal charges are also contemplated.
52.2.6 b, c

k. **SEARCHES**

- i. A police officer's personal property, including his/her home, car and other property, is protected from unreasonable search and seizure under the Massachusetts Constitution, and it is possible that any evidence illegally obtained may not be used as evidence in an administrative proceeding.⁸
- ii. Department property that is furnished to the officer as a convenience, and which is non-exclusive in nature, such as desks, lockers, offices or vehicles, where it is clearly understood in advance that an officer or supervisor has "no reasonable expectation of privacy," may be searched without a warrant.

- l. Under the provisions of M.G.L. c. 149, s. 19B, police officers may be required to submit to a polygraph or lie detector test in connection with an internal administrative investigation if such test is conducted by a law enforcement agency in the course of a departmental investigation of criminal activity, and under such circumstances, officers may face disciplinary action for refusal.⁹ Note the results of the polygraph cannot be used in a criminal investigation. **42.2.6, 52.2.6 e**

- m. **RECORDING INTERVIEWS**: Whenever possible, the complete interview with an employee who is the subject of an internal investigation in all internal administrative investigations should be recorded both audibly and visually.

- n. **WITHDRAWN COMPLAINTS**: If during the progress of an internal investigation, the complainant indicates a desire to withdraw the complaint, every effort should be made to ensure that this decision is made voluntarily, and a signed statement to this effect should also be secured from the complainant.

- i. Even though a complaint is withdrawn, a full report of the investigation to date should be prepared for the Police Chief and his/her approval obtained for the termination or the possible continuation of the investigation.
- ii. Any attempt, directly or indirectly, on the part of a department employee to obstruct any internal investigation or to threaten or persuade any complainant to withdraw or abandon his/her complaint, is strictly prohibited and will be treated as a serious violation of department policy which may result in separation from employment if sustained.

⁸ *Board of Selectmen of Framingham v. Municipal Ct. of City of Boston*, 373 Mass. 783, 369 N.E.2d 1145 (1977)

⁹ M.G.L. c. 149, s. 19B

VII. INVESTIGATION REPORT CLASSIFICATIONS: 52.2.8

- A. After the investigation has been completed, a full written report and a “*conclusion of fact*” shall be prepared for submission to the Chief of Police which shall include the following: 52.1.3
1. A copy of the original complaint report, or a statement of the evidence or allegation of the complaint;
 2. Copies of any additional statements taken from the complainant or statements obtained from witnesses;
 3. Copies of any statements made or reports submitted by the department employee under investigation;
 4. A summary of all evidence gathered;
 5. A description of the investigation and disposition of the complaint, including any disciplinary action recommended by the investigator or a supervising officer to the Police Chief and any disciplinary action imposed by the Police Chief;
 6. A list of any witnesses interviewed, whether each interview was recorded and if not, the reasons for not recording the interview, and a description of all evidence collected;
 7. A statement as to whether any witness or evidence was inaccessible and a description of the circumstances evidencing the unavailability of said witness, and whether any relevant evidence was destroyed or lost and a description of the circumstances of such a destruction or loss;
 8. A determination by the investigator of whether the facts sufficiently reflect conduct proscribed by law or standards applicable to officers;
 9. A statement of the reasons for any delay in completion of the investigation report beyond the 90 days set forth in 555 CMR 1.01(2)(e);
 10. If any disciplinary action recommended by the investigator or a supervising officer, or imposed by the Police Chief included retraining, suspension, or termination, a recommendation by the Police Chief as to whether and how the commission should impose the recommended disciplinary action including, but not limited to, retraining, suspension, or revocation of the officer's certification; and
 11. A statement whether the officer is represented by counsel or other authorized representative.
 12. Any mitigating circumstances;

13. Conclusion of Fact found by the Investigator,
 - a. **Sustained:** The allegation has been investigated and the facts show that the allegation is true and the action taken was not consistent with Department policy.
 - b. **Misconduct Not Based on Complaint:** Investigation reveals employee was found to be responsible for misconduct that was not part of original complaint.
 - c. **Not Sustained:** [Inconclusive] The allegation has been investigated and there is insufficient proof to confirm or refute the allegation because of inadequate or insufficient evidence.
 - d. **Unfounded:** The allegation has been investigated and either the allegation is demonstrably false or there is no credible evidence to support it.
 - e. **Exonerated:** The allegation has been investigated and the facts indicate that the action taken was consistent with departmental policy.
14. The Internal Affairs Investigator shall maintain a record of all complaints against the department or employees and protect the confidentiality of those records by securely maintaining them in his/her office in locked file cabinets.
42.1.6b, 52.1.2, 82.3.5, 26.1.8

B. Upon receipt of the report of investigation, the Chief should take further action as is necessary based upon findings in the particular case.

1. Every person who has filed a complaint against an employee shall be notified promptly as to the final results of the investigation, in terms of conclusion of fact, personally if possible or otherwise by mail. **52.2.4 c**
2. If a disciplinary hearing is deemed necessary, the complainant shall be notified that his/her testimony will be required at that time.
2. The employee and his or her supervisor shall be notified promptly, in writing, as to the completion of the investigation.
 - (a) If the Department employee is cleared of the charges made, he or she shall be officially exonerated and the employee and his or her supervisor shall be notified in writing.

C. Upon determining the final disposition of the complaint and final discipline to be imposed by the agency, if any, the Police Chief shall immediately transmit to the division of standards a final report in a form to be prescribed by the commission, which shall include:

1. a description of the adjudicatory process;

Policy # 200, Internal Investigations Policy

2. any disciplinary action initially recommended by the investigator or a supervising officer;
 3. any discipline imposed by the Police Chief;
 4. if the disciplinary action recommended by the investigator or a supervising officer, or imposed by the head of the agency included retraining, suspension, or termination, a recommendation by the Police Chief with supporting facts based on the investigation report and other relevant information as to whether and how the commission should impose the recommended disciplinary action including, but not limited to, retraining, suspension, or revocation of the officer's certification; and
 5. whether the officer is represented by counsel or other authorized representative.
- D. Notice of Officer Resignation Pending Agency Internal Investigation or Discipline.** If an officer resigns prior to the conclusion of an internal investigation by the Milford Police Department or prior to the imposition of agency discipline:
1. The Police Chief shall immediately transmit to the division of standards a report in a form to be prescribed by the commission, which at a minimum shall include:
 - a. the officer's full employment history, including dates of hire, resignation, retirement, any promotions and assignments; a chronology of any complaints, internal investigations, reprimands, discipline imposed, retraining, or other applicable sanctions; and any commendations and awards received by the officer related to his or her duty as an officer.
 - b. a description of the circumstances, events or complaints surrounding the officer's resignation;
 - c. the status or results of any investigation as of the date of the transmission of the report to the commission regarding those events or complaints; and
 - d. a recommendation by the Police Chief as to whether and how the commission should impose disciplinary action by the commission, including suspension or revocation of the officer's certification, or the conditions the officer must meet prior to applying for any reinstatement or certification, if such reinstatement or certification is appropriate.

VIII. CONFIDENTIALITY OF INTERNAL AFFAIRS:

1. In order to ensure that the individual rights of employees who are the subject of an Internal Affairs investigation are protected, all materials relevant to those investigations and investigations against the Department shall be kept strictly confidential and under lock and key by the Officer in Charge of Internal Affairs. **42.1.6 b, 52.1.2, 26.1.8**

2. Internal Affairs investigators should note in their reports any instances where victims or witnesses refused or were reluctant to speak with them unless they were assured that their statements would be kept confidential, at least to the extent legally allowed.

55.1.3 b

3. No statement regarding an Internal Affairs investigation will be made or issued to the public or the media unless the charges have been sustained and action has been taken or initiated against the officer or employee.

4. A copy of the completed investigation summary should be kept in a summary file in the Internal Affairs Supervisors Office and will be the only source of public information about citizen complaints, other than the statistical log which may be prepared and published annually by the Chief of Police in the Annual Report and on the Police website.

IX. LIAISON WITH DISTRICT ATTORNEY'S OFFICE:

Any Internal Affairs investigations which may, or does, result in potential criminal charges being brought against an officer shall require the District Attorney's and/or the Attorney General's office to be appraised of the case for the purpose of advising on any legal issues and ultimate prosecution, if necessary. Contact shall be made through the Officer-in-Charge of Internal Affairs through the Chief of Police.

X. INVESTIGATIVE FILES:

- A. A complete file of records on the investigation of all civilian and internal complaints shall be kept in the office of the Officer in Charge of Internal Affairs. These files shall contain supporting investigative information, as well as notes taken during the investigation and documentation resulting from the investigation. These files shall be treated as confidential investigative files and shall only be applicable to the state's public records laws once the case is closed subject to all applicable exemptions. **26.1.7, 26.1.8, 42.1.6b, 46.1.6 b, 52.1.2**

1. If the misconduct of the employee results in dismissal, the investigative file shall also contain the following documentation provided to the employee;

- i. a written statement citing the reason for the dismissal; **26.1.7 a**

- ii. the effective date of the dismissal; and **26.1.7 b**

- iii. a letter from the Human Resource Director for the Town of Milford outlining any external or fringe benefits available to the dismissed employee and directing the dismissed employee to the Director of Retirement Benefits for the Town of Milford for any accrued retirement benefits, if applicable. **25.1.7 c**

- B. A copy of the completed investigation summary should be kept in a separate summary file in the office of the Internal Affairs Investigator and will be the only source of public information about civilian complaints, other than the statistical

log which may be prepared and published annually by the Chief of Police. If the complaint is sustained, those specific findings and the corresponding sanctions which are addressed to the involved employee shall be kept in the employee's personnel folder.

XI. ANNUAL REPORT

The Chief of Police shall publish, in the Department's Annual Report, a summary of complaint statistics (both citizen complaints and internal affairs), indicating the number of complaints filed (by type of complaint), and the outcome of the investigations undertaken (by outcome classification). In addition, the Annual Report should outline the procedures the public may follow in filing a complaint. This shall be included on the Police Department's website. **35.1.9c, 52.1.11; 52.1 12**

XII. DISCIPLINARY RECORDS SUBMITTED TO POST

On or before September 30, 2021, each law enforcement agency in the Commonwealth, including the Milford Police Department, shall provide to the *Massachusetts Peace Officer Standards and Training Commission* ("POST"), in a form to be determined by the Commission, a comprehensive disciplinary record for each law enforcement officer *currently employed* by said agency, including, but not limited to:

- (i) every complaint of which the officer was the subject of during the course of their employment with the agency; and
- (ii) all disciplinary records of the officer, including the final disposition of a complaint, if any, and any discipline imposed.
- (iii) at the conclusion of each calendar year, the Chief of Police shall submit an updated list of the criteria listed in (i) and (ii) above of each officer currently employed or separated from service for any reason directly to POST.

On December 1, 2021, each law enforcement agency in the Commonwealth, including the Milford Police Department, shall provide to the *Massachusetts Peace Officer Standards and Training Commission* ("POST"), in a form to be determined by the Commission, a comprehensive disciplinary record for each law enforcement officer *previously employed* by said agency or a transfer or agency for which the agency is the transferee agency, including, but not limited to:

- (i) every complaint of which the officer was the subject of during the course of their employment with the agency; and
- (ii) all disciplinary records of the officer, including the final disposition of a complaint, if any, and any discipline imposed.

XIII. DECERTIFIED OFFICERS NOT ELIGLE FOR EMPLOYMENT

Pursuant to G.L. Chapter 6E Section 11, neither any agency, nor a sheriff, nor the executive office of public safety nor any entity thereunder shall employ a decertified officer in any capacity, including, but not limited to, as a consultant or independent contractor.

XIV. PROTECTIONS FOR TESTIFYING BEFORE POST

Pursuant to G.L. Chapter 6E Section 12, no officer or employee of the Commonwealth or of any county, city, town or district shall discharge an officer or employee, change their official rank, grade or compensation, deny a promotion or take any other adverse action against an officer or employee or threaten to take any such action for providing information to the commission or testifying in any commission proceeding.

XV. POLICY CONCLUSION:

Every complaint received against the Milford Police Department or an employee of the Department shall be considered a serious matter. Therefore, every Superior Officer assigned to investigate such matters shall be directly responsible and accountable for the appropriate disposition of these investigations. A fair, just and thorough internal affairs investigation policy helps maintain our Department's integrity and ongoing sustainable community support. **52.1.1; 52.2.1 a, b**

E-1
11-21-22



**Milford Lions Club
P.O. Box 639
Milford, MA 01757**

October 26, 2022

Dear Mr. Villani

The Milford Lions would like to locate our Eye Glass Collection Box in front of the Milord Town Hall. It was previously located at Purchase Street Market. That area was a very dangerous intersection for the public to drop off eyeglasses. Placing in front of the town hall is a much safer location and more visible for residents to drop off their used eyeglasses. The eyeglasses that are donated are recycled and refurbished and go back out into communities. Please let us know if this is possible and if there are any permits or other steps, we much complete to make this happen

Regards,

Loriann M Braza

Milford Lions President

E-2
11-21-22

From: Julie Gonzalez <jgonzalez@salmonhealth.com>

Sent: Thursday, November 3, 2022 9:01 AM

To: marsha mancuso <mmarsha955@gmail.com>; Lena Pires <lpires@townofmilford.com>

Subject: Re: Mcod

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.

Great. Thanks Marsha!

Good morning Lena,

Do you mind sending this application over to the selectmen so they can approve?

Thank you so much!!

Thank you,

Julie Gonzalez RN, BSN

Clinical Nurse Liaison



MILFORD SELECT BOARD

Room 11, Town Hall, 52 Main Street (Route 16), Milford, MA 01757
508-634-2303 Fax 508-634-2324

APPLICATION FOR APPOINTMENT TO BOARD OR COMMITTEE

If you would like to serve on any of the local government boards whose members are appointed by the Board of Selectmen, please complete this application, providing all information requested, and return to the Board of Selectmen at the above address. Your application will remain on file for **three years**. If you have not had an opportunity for appointment within that time period, please reapply, so that your application can remain current. Thank you for your interest. (All information required on this form should be typed or printed clearly.)

YOUR NAME Marsha Mancuso

YOUR ADDRESS _____

TELEPHONE NO. FOR WEEKDAYS _____ & EVENINGS() Same

EMAIL ADDRESS mmarsh955@gmail.com

PLEASE INDICATE BELOW, INFORMATION PERTINENT TO YOUR EDUCATION, EXPERIENCE, AND/OR INTERESTS WHICH WOULD BE RELEVANT TO THE BOARD(S) YOU HAVE CHOSEN.

EDUCATION B.A. Psychology, Framingham State College (96)

EXPERIENCE Yoga Certification, The Yoga Studios, Millis (13)

Have an adult son with Down syndrome, who has been involved in Special Olympics, Best Buddies. Have been advocate for him for 24 years.

INTERESTS Writing, reading, yoga and meditation, town history

Please indicate below if you are a Town Employee or serve on any Town Board.
I teach yoga at Milford Senior Center

Please place "x" beside the Board(s) on which you are interested in serving:

- | | |
|---|--|
| <input type="checkbox"/> Cedar Swamp Pond Development Committee | <input type="checkbox"/> Historical Commission |
| <input checked="" type="checkbox"/> Commission on Disability | <input type="checkbox"/> Industrial Development Commission |
| <input type="checkbox"/> Community School Use Committee | <input type="checkbox"/> Memorial Hall Cultural Center Committee |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Milford Cultural Council |
| <input type="checkbox"/> Council on Aging | <input type="checkbox"/> (formerly Arts Lottery Council) |
| <input type="checkbox"/> Fair Housing Committee | <input type="checkbox"/> Milford Geriatric Authority |
| <input type="checkbox"/> Finance Committee | <input type="checkbox"/> Milford Youth Commission |
| | <input type="checkbox"/> Personnel Board |
| | <input type="checkbox"/> Zoning Board of Appeals |
| | <input type="checkbox"/> Other (Describe Below) |

FOR OFFICE USE ONLY: Date Rec'd 11-1-22 Recorded 11-1-22 Application Expires 11-1-25
Referred to Board Chair for Review/Comment/Recommendation _____



B-5
11-21-22

TOWN ACCOUNTANT

52 Main Street, Milford, MA 01757
Phone: 508-634-2309 * Fax: 508-634-2324

Email to Accountant

Email to Town Admin.

GIFT ACCEPTANCE FORM

Donor Name The Health Foundation of Central MA Address 446 Main St., 20th Floor
City, State, & Zip Worcester, MA 01608 Phone 508-438-0009

Name of Gift 2022 Activation Grant

Purpose Final Phase of the HVAC Renovation of the Milford Youth Center Building project

Total Amt. of Gift \$115,250.00

Contact Person Amie Shei, PH.D, President and CEO

Attached is a copy of correspondence received

There was no written correspondence with this gift

The Board of Selectmen/School Committee have been notified of this gift and have approved of the expenditures for the purpose stated

Board of Selectmen

School Committee

Chairman

Chairman

Contact Person _____

Town Accountant Use

Assigned Account Number _____

Date Received _____



AMIE SHEI, PhD
PRESIDENT AND CEO

September 16, 2022

BOARD OF DIRECTORS

Ms. Jennifer Ward
Director

EXECUTIVE COMMITTEE

Milford Youth Center
24 Pearl Street
Milford, MA 01757

TIMOTHY M. BIBAUD, JD
CHAIRMAN

RANDALL V. BECKER, CPA, MBA
TREASURER

Dear Jen:

GISELA VELEZ, MD, MPH
SECRETARY

It is my pleasure to notify you that the Board of The Health Foundation of Central Massachusetts has approved the application from the Milford Youth Center for an Activation Fund grant in the amount of \$115,250 for its Final Phase of the HVAC Renovation of the Milford Youth Center Building project.

SEJAL M. DAGA, MD
ASSISTANT SECRETARY

DENNIS M. DIMITRI, MD
VICE CHAIRMAN

Attached is the grant contract for your signature as Project Director and the signature of Mr. Paul Mina of the United Way of Tri-County, as the fiscal sponsor for the project. We have also attached an ACH form for the United Way of Tri-County to complete so that we may make the grant payments electronically. Please sign the contract as indicated and e-mail scanned copies of the signed contract and completed ACH form to dgermain@hfc.org. The first grant payment will be made in October upon receipt of both documents.

FRANCIS M. SABA, MHSA
IMMEDIATE PAST CHAIRMAN

BOARD MEMBERS

ALEX CORRALES, C-PHM

Please note the Special Conditions section of the contract that lists the dates when reports and meetings are due. We will email you these reporting forms within the next week and also approximately six weeks before the reports are due. We also ask you to schedule progress meetings with the Foundation's Senior Program Officer, Ms. Jennie Blake, at jblake@hfc.org.

DIANE E. GOULD, LICSW

LINDSAY F. GREENFIELD, MBA

J. MICHAEL GRENON, CIMA

CHRISTIE L. HAGER, JD, MPH

In the next few weeks, the Foundation plans to release a public announcement to the media about all of the 2022 Activation Fund grants that have been awarded. After the Foundation's announcement, if the Milford Youth Center would like to publicize this project, we would appreciate your recognition of the Foundation's grant in the announcement as explained in Section 12 of the contract.

CAROLYN S. LANGER, MD, JD, MPH

KATHRYN Y. LEE, MD

CAROLE M. STEEN, MSA

We wish you success in this important effort and stand ready to be supportive when asked.

446 MAIN STREET

20TH FLOOR

WORCESTER, MA 01608-2361

PHONE: (508) 438-0009

FAX: (508) 438-0020

www.hfc.org

Sincerely,

Amie Shei, Ph.D.
President and CEO

Attachments: Contract; ACH Form

c: Mr. Paul Mina



United Way
of Tri-County



TOWN OF MILFORD, MASSACHUSETTS
MILFORD YOUTH CENTER
24 Pearl St., Milford, MA 01757
(508) 473-1756 Phone
(508) 381-0759 FAX
milfordyouthcenter@milfordma.gov
www.milfordyouthcenter.org



FOR IMMEDIATE RELEASE: November 1, 2022

Jennifer Ward
Milford Youth Center
508-473-1756
jward@townofmilford.com

Milford Youth Center Receives \$115,250 Grant from The Health Foundation of Central Massachusetts

Milford, MA: The Milford Youth Center has received a \$115,250 grant from The Health Foundation of Central Massachusetts. The Center was one of 11 organizations to be awarded funding in 2022 through its Activation Fund program, which aims to support one-year projects that will have a longstanding benefit to the community. This grant is for the final phase of the HVAC Renovation of the Milford Youth Center building project. The Town of Milford previously appropriated just under \$800,000 for a HVAC Architectural and Engineering Study, heating and cooling units for the 2nd floor and for an air conditioning and dehumidification system in the gymnasium and basement of the Center. This grant of \$115,250 will allow for the replacement of the steam unit heating systems for the gym and basement areas of the facility to address any remaining air quality issues and help increase operating efficiency.

Director of the Center, Jennifer Ward, commented, "Without the support of The Health Foundation of Central Massachusetts, this final step of the HVAC project would not be able to come to fruition and for that we are very grateful." She added, "We would like to thank the Town of Milford for the initial funding, the United Way of Tri-County, our fiscal sponsor, and volunteer grant writer, Francoise Elise, for working with us on the grant proposal.

About Milford Youth Center: The mission of the Milford Youth Center (MYC) is to provide a safe environment that promotes self-esteem, builds character, and fosters the notion of community and the importance of respecting and serving others. The MYC works together with other community organizations to provide resources and opportunities for youth to make healthy decisions. The MYC works to provide local youth with the necessary activities and events that help them develop physically, mentally, socially and emotionally through their childhood years. By providing Milford youth with these types of programs and a safe environment during the after-school hours and during our monthly events, we hope to address adolescent risk factors as well as promoting the partnership among community members to ensure a comprehensive vision and plan for the health of the youth in the town of Milford.

About The Health Foundation of Central Massachusetts: The Health Foundation was established in 1999 with the proceeds from the sale of Central Massachusetts Health Care, Inc., a physician-initiated, not-for-profit



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HMO. The Foundation has assets of approximately \$90 million, as of this spring, and has awarded grants totaling over \$50 million since it began its grantmaking in 2000. For further information about these grants or about the Foundation's grantmaking programs and application process, please visit the Foundation's website at www.hfcm.org or call (508) 438-0009.



E-6
11-21-22

TOWN ACCOUNTANT

52 Main Street, Milford, MA 01757
Phone: 508-634-2309 * Fax: 508-634-2324

Email to Accountant

Email to Town Admin.

GIFT ACCEPTANCE FORM

Donor Name Teacher's Driving Academy Address PO Box 2205
City, State, & Zip Attleboro, MA 02703 Phone 774-203-3245

Name of Gift N/A

Purpose Support MYC programming

Total Amt. of Gift \$2,8213.50

Contact Person Tom Murray

Attached is a copy of correspondence received

There was no written correspondence with this gift

The Board of Selectmen/School Committee have been notified of this gift and have approved of the expenditures for the purpose stated

Board of Selectmen

School Committee

Chairman

Chairman

Contact Person _____

Town Accountant Use

Assigned Account Number _____

Date Received _____



12-7
11-21-22

TOWN ACCOUNTANT

52 Main Street, Milford, MA 01757

Phone: 508-634-2309 * Fax: 508-634-2324

Email to Accountant

Email to Town Admn.

GIFT ACCEPTANCE FORM

Donor Name Office of District Attorney Joseph D. Early, Jr. Address 255 Main St., G301

City, State. & Zip Worcester, MA 01608 Phone 508-755-8601

Name of Gift Community Reinvestment and Crime Prevention Program

Purpose Funds to help prevent crime, gang activity and substance use

Total Amt. of Gift \$10,000.00

Contact Person Worcester DA, Joseph D. Early Jr.

Attached is a copy of correspondence received

There was no written correspondence with this gift

The Board of Selectmen/School Committee have been notified of this gift and have approved of the expenditures for the purpose stated

Board of Selectmen

School Committee

Chairman

Chairman

Contact Person _____

Town Accountant Use

Assigned Account Number _____

Date Received _____

COMMONWEALTH OF MASSACHUSETTS

Office of

District Attorney Joseph D. Early, Jr.

Worcester County
(Middle District)
(508)-755-8601Worcester County Courthouse
225 Main St. G301 Worcester, MA 01608
www.worcesterda.com

October 3, 2022

Milford Youth Center
Attn: Jennifer Ward
24 Pearl Street
Milford, MA 01757**Re: Funding to assist with "After School Program"**

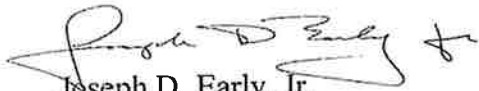
Dear Ms. Ward,

Pursuant to the District Attorney's Community Reinvestment and Crime Prevention Program, these monies are awarded to you by the Office of the District Attorney to involve youth in programs that help to prevent crime, gang activity and substance abuse. As you are aware, the District Attorney is authorized to expend money received by judicial drug forfeiture orders for the purposes of crime prevention and other law enforcement purposes. Understand that the drug forfeiture fund fluctuates greatly based on the amount of seized money. If a need should arise feel free to apply again, but we can't always assure that we will have the assets to annually provide this donation. If that proves to be true, other sources of revenue should be explored. Please accept the enclosed check in the amount of \$10,000.00 to be used in conformity with your funds request form application. Please return the enclosed spending report within 30 days to:

Worcester County District Attorney's Office
Joseph D. Early, Jr.
225 Main Street, Room G-301
Worcester, MA 01608

Thank you for your commitment to our community and the Worcester County District Attorney's crime prevention initiatives by offering positive alternatives to crime, gangs and substance abuse.

Sincerely,


Joseph D. Early, Jr.
District Attorney

JDEjr