

Town of Milford

Docket No.: 17330-97RA

ORDER

This order responds to the Department of Revenue Administration's ("DRA") May 11, 2001 motion for clarification ("Motion"). The Motion requests the board "clarify" its April 26, 2001 Order to allow, in effect, different or additional DRA employees ("most knowledgeable in ratio studies") besides Mr. James Gibney be involved in the collective review of the assessment-to-sales ratio studies prepared by the "Town," Cole-Layer Trumble ("CLT") and DRA.

Although "responsibility" rests with the DRA, and not specific employees, the board grants the Motion to the extent that DRA may assign additional employees to be involved with the Town and CLT in submitting an agreed upon assessment-to-sales ratio study. Given Mr. Gibney's involvement in the review of sales within the Town and his presence and testimony at the April 19, 2001 hearing, Mr. Gibney should continue to be involved in the meetings between the Town and CLT.

Further, as it is somewhat unclear from the wording of the Motion as to DRA's understanding of Mr. Gibney's, or other DRA employees', involvement in this process, the board emphasizes that the DRA should meet and attempt to come to agreement with the Town and CLT as to what sales are appropriate to include in an April 1, 2000, to September 30, 2000

assessment-to-sales ratio study, noting any exceptions, if necessary, rather than just “reviewing” any agreed upon study between the Town and CLT.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Paul B. Franklin, Chairman

Michele E. LeBrun, Member

Douglas S. Ricard, Member

Albert F. Shamash, Esq., Member

Certification

I hereby certify that copies of the within Order have this date been mailed, postage prepaid, to William R. Drescher, Esq., counsel for the Town; Chairman, Selectmen of Milford; Paul M. Flynn, Cole-Layer Trumble Company; and Guy Petell, Director of Property Appraisal, DRA; and Roy W. Tilsley, Jr., Esq., counsel for Paul M. Flynn.

Date: May 17, 2001

Lisa M. Moquin, Temporary Clerk