

**BOARD OF ASSESSORS' MINUTES
COMMUNITY ROOM – FIRE STATION**

WEDNESDAY – MARCH 14, 2007

Assessors Present: Chairman Jonathan L. Fein and Dennis Kennedy

Also Present: Assistant Assessor Robert P. Leclair

Chairman Fein called the meeting to order at about 7:00 p.m.

Public Comment

Mr. Joseph Occhiuti of 23 Hawthorn Street addressed the Board with general questions pertaining to triennial certification, assessed values and the abatement process.

Acceptance of Minutes

Minutes of the February 26, 2007 meeting were accepted as presented.

Correspondence, etc.

The March 2007 issue of *City and Town* was distributed mailed to the members.

Old Business

Cingular Wireless

They requested an extension of the filing deadline for their personal property. The extension request used fiscal and calendar year references and the Board asked the assistant assessor to send a letter to Cingular requesting clarification. The **Form of List** for fiscal 2008 from Cingular Wireless was received a day or two after the Board's meeting.

Bell Atlantic Mobile

On March 2, 2007 the findings of fact from the DOR were included in an e-mail attachment to Bob. Bob forwarded this to Dave Martel for his opinion. The ATB found that this is not a telephone company subject to central assessment by the DOR. It is anticipated that this decision will be appealed in the courts.

Appellate Tax Board (ATB) – FY2006

780 Converse Street aka, Ruth's House

An ATB hearing is scheduled for May 16, 2006. Dave Martel sent notes from their appraiser with an estimate of value that is much lower than the assessment of \$8,386,600. Bob spoke with the MAI appraiser at VISION (Mike Tarello) who handles these types of cases. A few days of consulting time was incorporated into the fiscal 2006 certification contract with VISION

Bob e-mailed and discussed with the finance director and town manager anticipated costs to defend this case should it get to the point of a hearing at the ATB. Until now, the ATB hearing date has been a catalyst for both sides to discuss the matter. If this case goes to court, there will be expenses for an appraisal report, attorney's time and expert witness testimony.

Typically, in a case of this magnitude and importance town assessors do not “rest on their value”, even though the assessment is presumed to be correct. In a “worse case” scenario, the assessed value could be reduced from the just over 8 million in assessed value to 4 or five million. The loss to the town in taxes could be significant if the taxpayer were to receive a favorable decision.

May 10, 2007 ATB hearing date for the following cases:

- 942 Longmeadow Street
- 168 Williamsburg Drive
- 93 Longview Drive
- 113 Berwick Road
- 99 Berwick Road
- 106 Longview Drive
- 44 Elmwood Avenue
- 170 Williams Street
- 29 Belleclaire Avenue

All owners with the exception of 29 Belleclaire Avenue are represented by attorney Elliott on the basis of a “disproportionate assessment. The Board discussed the ramifications of this type of claim. Dave Martel is representing the town and has sent interrogatories to Ms. Elliott requesting support for her claims.

Misc. / New Business

The Assessors voted to abate the Collector’s uncollected Motor Vehicle and Trailer Excise as follows:

- \$5,782.49 for fiscal 2002,
- \$9,686.03 for fiscal 2003

Executive Session

At about 7:35 p.m. the Assessors (Fein – yes, Kennedy – yes) voted to go into executive session to discuss property abatements, personal exemptions and community preservation act abatements and to return to public session to announce the results.

Community Preservation Act (CPA)

Three applications were reviewed and approved for owners of the following property;

- 38 Fairview Street
- 248 Inverness Lane
- 57 Oak Hollow Drive

Personal Exemptions

- Chapter 59 §5 Clause 18 Hardship (Infirmed & Elderly & Impoverished),
 - None
- Chapter 59 §5 Clause 22 (a-f) Veteran,
 - None

- Chapter 59 §5 Clause 22E Veteran,
 - 3 Approved
- Chapter 59 §5 Clause 37 Blind,
 - 1 Approved,
- Chapter 59 §5 Clause 41A, Deferral,
 - 1 Approved,
- Chapter 59 §5 Clause 41C Senior (Age, limited assets and income.)
 - 2 Approved

Property Abatements

Denied:

- 108 Berwick Road
- 369 Bliss Road
- 780 Converse Street
- 224 Crestview Circle
- 31 Ely Way
- 39 Eunice Drive
- 158 Lawnwood Avenue
- 120 Homestead Boulevard
- 111 Nevins Avenue
- 37 Meadow Road
- 26 Riverview Avenue
- 82 Williamsburg Drive

Approved:

- 22 Bark Haul Road
- 71 Benedict Terrace
- 170 Dwight Road
- 38 Fairview Street
- 669 Frank Smith Road
- 19 Greenacre Avenue
- 693 Longmeadow Street
- 180 Lawrence Drive
- 161 Lawnwood Avenue
- 912 Longmeadow Street
- 22 Meadowlark Drive
- 36 Quinnehtuk Circle
- 61 Tabor Crossing
- 46 Village Drive
- 46 Longfellow Drive
- 134 Wenonah Road
- 128 Williams Street
- 456 Wolf Swamp Road

- 550 Wolf Swamp Road

Adjournment

The meeting was adjourned around 8:55 p.m.

Next Meeting: Wednesday, March 21, at 7:00 p.m.
 Community Room of the Fire Station

Respectfully Submitted,

Robert P. Leclair, CMA, RMA, MAA
Assistant Assessor