

**BOARD OF ASSESSORS' MINUTES
COMMUNITY ROOM – POLICE STATION
WEDNESDAY – JULY 19, 2006**

Assessors Present: Chairman Jonathan L. Fein, Dennis Kennedy and Peter Graczykowski
Also Present: Assistant Assessor Robert P. Leclair

Assessors' Chairman Fein called the meeting to order at about 7:05 p.m.

NOTE: This meeting was rescheduled from Monday, July 17, 2006

Public Comment

No one was present to speak with the Board.

Acceptance of Minutes

Minutes of the May 15, 2006 meeting were accepted with changes.

Correspondence, etc.

- May 2005 issue of *City and Town* was handed out to the Assessors.
- Letter from Joseph & Linda Feigen, owners of 669 Frank Smith Road discussed. They questioned the changes in the property card resulting from Bob's visit. Bob's response to the owners was also discussed.
- Peter brought in his certificate from the select board dated July 10th appointing him to a three year term to the Board of Assessors expiring June 30, 2009. Of the four original candidates (Peter Graczykowski, James Miller, Kevin Lonergan, Lauren Elliott), two showed up for the June 12, 2006 interview with the Select Board.
 - Bob brought in the "ANNUAL BOARD/COMMITTEE VACANCY APPLICANT INPUT REQUEST FROM CHAIR PERSONS" form that he filled out highly recommending Peter for re appointment.

Old Business

Public Comment

- During the public comment portion of last month's meeting, a question arose as to how the living area of a property could change and how assessed values could go down. Bob sent a copy of the property record card for 107 Normandy Road to the Board members. The original size of the house was listed on the property card, but it lacked the dimensions to support the square footage. During the "measure and list" that was performed by VISION Appraisal, the house was re-measured and the dimensions were noted on the property card. In this example the square foot area of the house for fiscal 2006 was less than it had been in previous years resulting in a lower assessment. For properties in general, it was well publicized that higher end properties came down in value from the last update based on sales in the market during calendar year 2004.

U/Mass Assessors' School

- Chairman Fein is scheduled to take another appraisal/assessing class at this year's MAAO sponsored class in Amherst. Peter asked that he be forwarded the information

about the classes and times. Amy O'Connor will be taking her second class on administering abatements, betterments, excise, etc. that is sponsored by the Assessors' Association. This is an enhanced version of the DOR course that she took with Peter at Holyoke Community College with less emphasis on the law and more emphasis on the practical application of the programs in the office.

ATB (Appellate Tax Board) FY2005 Cases

Bob brought in a copy of a recent ATB decision. The ruling was in favor of the town in the fiscal 2005 case of Louis S. Robin et al (942 Longmeadow Street) vs. Board of Assessors of Longmeadow.

The final fiscal 2005 real estate ATB case concerns a commercial property that will involve town counsel and an expert witness/appraiser. Bob met with the Finance Committee and Paul Pasterczyk on Wednesday, June 28, 2006 to discuss a Reserve Fund Request to finance the defense of this case. The Finance Committee approved the \$8,000 request with the request/hope/stipulation that the "dispute" be completely resolved and not be a recurring issue.

Misc./New Business

- **Assessors' Reorganization**
 - Typically the Board reorganizes after each town election when there is a new assessor or a newly elected incumbent assessor. Since the charter provides for the appointment rather than the election of members, it was decided that the Board should discuss reorganization at this time. (Jonathan Fein is the only remaining elected Assessor.) Peter G. made a motion to have Chairman Fein remain as chairman. Motion was seconded by Dennis K. Vote was unanimous in favor of the motion.

- **July 17, 2006 Board of Assessors Meeting**
 - This meeting date was cancelled and rescheduled for July 19, 2006.

- **Public Comment Follow-up**
 - Bob provided a letter dated September 15, 2000 from Town Counsel Dave Martel to Joseph A. Occhiuti. This letter states
"With respect to the methodology used by Assessors in valuing real estate, I am enclosing a copy of the guidelines from the Massachusetts Department of Revenue which all assessors, including the Longmeadow Assessors, are required to utilize in valuing real estate."

This letter is interesting because the same taxpayer complained in 2006 that he was not able to get information on the methodology used by the Assessors in valuing real estate, and went so far as to complain to the town manager.

- **Bay Path College**
 - A letter from town manager Robin Crosbie was read and discussed. This letter asked the question about exempt status of property owned by Bay Path College at 45 Farmlea Road. Apparently they were denied a permit to occupy the property as a sport's meeting room unless certain accessibility issues are addressed.

It is the opinion of the Board of Assessors that this “change in use” does not invalidate the college’s exempt status of the property. As long as it is owned by the college and is not rented or used by a taxable entity it will continue to be exempt. It can be used as storage or as an interim use to be determined by the college at a later date.

- **Real Property Abatement Application**

- The owner of 123 Wild Grove Lane produced a copy (not date stamped by the Assessors’ Office) of an application that he claims was submitted prior to the February 1, 2006 deadline. The Assessors believe that a request under Section 8 of Chapter 58 should be submitted to the DOR on behalf of the taxpayer if one of the attorney’s agrees when Bob calls that office. The Board is in favor of giving taxpayers the benefit of the doubt and intervening on their behalf.

- **Community Preservation Act (CPA)**

- Bob presented the Assessors with a brochure that created to disseminate to the public who are looking for information on how to qualify for exemption from this surcharge/tax. Finance director Paul P. already met with Bob to go over the brochure and it is also going to be reviewed by the town manager.

There was a lengthy discussion about administrative costs and time spent by the Assessors’ staff dealing with the exemption process of the CPA. It was suggested that Bob speak with Paul P. to see if the lead petitioner for the CPA could attend the next Board meeting. The Board would like to find out if

1. there are funds to assist with the administration of the program and
2. how involved will the committee (which will be formed) going to get with informing the public of the requirements for filing an exemption application, etc.

Personal Exemptions

The Assessors were presented with two letters Bob sent to the DOR requesting permission under Section 8 of Chapter 58 to review two exemptions that were not filed timely. One was for a veteran’s clause 22 and one for a blind clause 37. Both requests were denied.

Adjournment

The meeting was adjourned around 8:00 p.m.

Next Meeting: Wednesday, August 23, 2006 at 7:00 p.m.
Community Room of the Fire Station

Respectfully Submitted,

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