

Board of Assessors
Minutes
Town Hall
May 2, 2017
6:00 pm

Present: Tim Hammond, Bob Cumming, Helen Townsend, Kathleen Stanley and Terri Longtine.

Interested Parties: Susan Getz

Regular Meeting Opened: 6:06 pm

Approved Minutes: (HT) made a motion and (TH) seconded to approve the minutes of March 28, 2017, vote unanimous.

- Reviewed and signed various RE and MV Commitments and Abatement certificates.
- Voted on Annual Town Meeting warrant article for Section 40 of Chapter 653 of the Acts of 1989 Article 23.
HT moved to include Section 40 of Chapter 653 of the Acts of 1989 Article 23 on the warrant to be voted at the upcoming Annual Town meeting. TH seconded. Vote unanimous.
- Verizon litigation - Board signed the settlement agreement regarding the abatement for FY'10 & FY'11 personal property in the amount of \$7,108.86. Refund will be submitted and mailed.
- Vision contract - KS stated that she is still in the process of reviewing the contract and will keep board updated moving forward.
- Mosher - Isaac Way split and Christian - 7 Isaac Way - need intent to keep in Chapter. The liens need to be amended/added. Tabled to next meeting of 6/6/17.

Next Meeting: June 6, 2017

Adjourn to Executive Session:

(HT) moved and (TH) seconded to go into executive session, and return to regular session, to discuss Abatements and Exemptions pursuant to General Laws Chapter 30A Section 21(a) Exemption (7) - to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements and M.G.L. c59 section 60; statutory right to privacy and to discuss non-public records, and to secure information regarding any potential future litigation on abatement applications.

(HT) moved to adjourn executive session. (TH) seconded.
Vote unanimous. Board adjourned from executive session at 7:12 pm.

Appt. 7:15 pm Susan Getz re: M.G.L. Ch. 58, S. 8 request on property owned off of Brooks Station Rd. that was incorrectly assessed due to the error in lot size.

KS explained the procedure to be taken under the 8 of 58 statute which is used "where extraordinary or clearly mitigating circumstances are demonstrated which justify a taxpayers failure to have utilized the standard abatement process provided by M.G.L. Ch. 59, S59 or other applicable law". An application is filed by the Assessors and submitted to the Commissioner of Revenue for approval. The Assessors would need to unanimously agree to submit the application.

The board then asked Ms. Getz what she feels are the mitigating circumstances in this case.

Ms. Getz stated that she had no knowledge of the taxes due or the size of the lot. She stated that she discovered the acreage error while in the process of preparing the paperwork with her attorney to sell the parcel to the abutting neighbor.

Ms. Getz stated what she believed to be the “extraordinary mitigating circumstances” were that the house was foreclosed on and she was unaware of the mortgage holders plans for the land, the incorrect lot size, she couldn’t get to the land without trespassing on the abutters land and that she moved from the area. She stated that an abatement was not filed because she did not have access to the facts surrounding this error in lot size.

The board pointed out that the information she claims that she was unaware of, is provided on the tax bill that she was sent, including lot size. She acknowledges that she received the tax bill.

The board then stated that it is the property owners’ obligation to make sure that the bill is paid. There is a provision in place to correct or address any questions or concerns by way of an abatement application. Ms. Getz failed to do either. The board felt that the criteria mentioned above does not constitute any mitigating circumstances that would warrant submitting an 8 of 58 application to the State Commissioner. (BC) moved to deny filing an 8 of 58 application-the taxes shall be paid as assessed. (TH) seconded. Vote unanimous.

KS stated that the parcel size will be corrected and assessed as such moving forward. She will contact Ms. Getz with this information in two weeks.

Board adjourned at 8:10 pm

Respectfully submitted, Terri Longtine