



TOWN OF MILTON

525 Canton Avenue

Milton, Ma. 02186

Tel. 617-898-4863

Fax. 617-696-6972

assessor@townofmilton.org

BOARD OF ASSESSORS

Brian M. Cronin, Chair

James A. Henderson, Vice Chair

William E. Bennett

Robert L. Bushway

Chief Appraiser

The Board of Assessors Meeting Minutes – October 12, 2016

The meeting was called to 6:35pm in the Assessor's Office of Town Hall. In attendance were Brian Cronin and James Henderson, a majority of the Board. Also present was Chief Appraiser Robert Bushway.

Mr. Cronin presided and Mr. Bushway took the minutes.

The Board reviewed and unanimously approved the minutes of the meeting held on September 15th.

The Board reviewed and signed the following documents relating to the fiscal year 2017 valuations:

- LA-13 Tax Base Levy Growth
- LA-4 Assessment/Classification Report
- LA-15 Interim Year Adjustment Report
- LA-3 Sales Report
- Amended FY2017 Tax Base Levy Growth (LA-13A)

Mr. Bushway explained an issue regarding an upcoming ATB hearing for 23 Parkwood Drive. Below is a synopsis of the issue:

*Mr. Rowe and Mr. Johenning filed an abatement application with the Board of Assessors on January 28th for their property located at 23 Parkwood Drive. The Board of Assessors granted an abatement at a posted meeting on March 28th. On July 1st, the taxpayers filed appeal with the Appellate Tax Board (ATB), seeking a further reduction of their property value. When preparing for the case, the ATB needs the following jurisdictional documents: a copy of the abatement application filed with the town, a record of timely tax payments from the applicant, an affidavit as to the timely mailing of the tax bills and a copy of the appeal filed with the ATB. They check the dates of these documents so that they have legal standing to hear the case. Chapter 59 Section 65 states in part: A person aggrieved as aforesaid with respect to a tax on property in any municipal, appeal to the appellate tax board by filing a petition with such board **within three months after the date of the assessors' decision on an application for abatement.***

The taxpayer filed their appeal with the ATB on July 1st, which is after the 3 month deadline of the assessors' decision (and formal vote) of March 28th. Upon noticing this, I immediately called the ATB and spoke with the clerk assigned to Milton, Ms. Rebecca Burnham. After explaining this to her, she told me that the commissioner would indeed dismiss the case for lack of jurisdiction. She said that I could call the taxpayer and tell him about the lack of jurisdiction, and that if he wanted to file a withdrawal, he could eliminate the trip to Boston.

I also conferred with town council Mr. John Flynn, as well as informed my Board.

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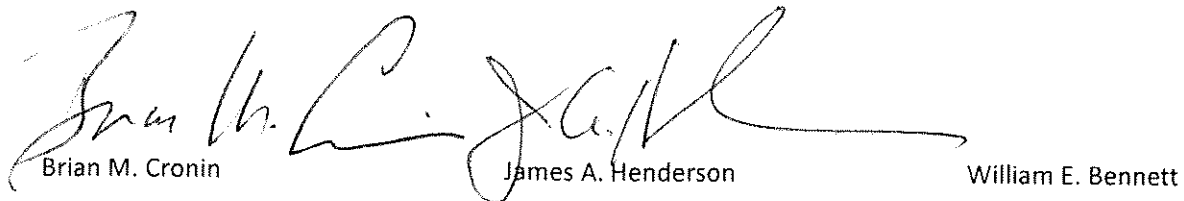
The reason why I called and left a message for Mr. Johenning and Mr. Rowe was done on the advice of both the ATB and town council, and was done on a good faith effort to have them avoid a trip to 100 Cambridge Street in Boston.

Mr. Rowe informed me that he had every intention on attending the hearing. After reviewing the jurisdictional documents, the commission (Patricia Good) ruled that the case could go forward because the abatement certificate mailed to the taxpayer was dated April 1st. I filed a formal objection on the advice of town council and we proceeded with the hearing.

Mr. Bushway briefly went over a PowerPoint presentation that he had prepared for the Personnel Board meeting schedule for later that evening. This was done in an effort to demonstrate the need to hire additional personnel to assist in the inspection of residential and commercial properties.

The Board voted unanimously to adjourn at 6:55pm and proceeded to the Personnel Board Meeting.

Respectfully submitted, Robert Bushway.

The image shows three handwritten signatures in black ink. The first signature on the left is for Brian M. Cronin, the middle one is for James A. Henderson, and the one on the right is for William E. Bennett. Each signature is written in a cursive, flowing style.

Board of Assessors