

FINAL

Board of Assessor Public Meeting Minutes

January 30, 2012, 4:00 p.m.

Attendance:

Principal Assessor, William B. Mitchell (WM)

Dan Matte, Chairman (DM)

Kevin Arena, Vice Chair (KA)

Meeting called to order: DM called meeting to order at 4:00 p.m.

Meeting Minutes:

01/23/2012 Draft Public Minutes: KA motion to approve as written; DM 2nd; AIF.

Assessor Signatures Required:

- 2012 Motor Vehicle Excise Tax Commitment #1
- Assessors to Accounting Officer Notice of Commitment for the 2012 Motor Vehicle Excise Tax Commitment #1
- Assessors Warrant to Collector for the 2012 Motor Vehicle Excise Tax Commitment #1
- 2011 Motor Vehicle Excise Tax Commitment #7
- Assessors to Accounting Officer Notice of Commitment for the 2011 Motor Vehicle Excise Tax Commitment #7
- Assessors Warrant to Collector for the 2011 Motor Vehicle Excise Tax Commitment #7
- Assessors to Accounting Officer Notice of Commitment for a sewer betterment payoff
- Assessors Warrant to Collector for a sewer betterment payoff
- Abatement Application #99 which was voted on at the January 23, 2012 meeting
- 2 Motor Vehicle Abatement Applications
- 1 Boat Excise Tax Abatement Application
- Log onto the DOR Gateway system and electronically sign the state reimbursement forms for all exemptions that have been granted in FY2012

New Business:

Abatement Application # 84:

179 Main Street, Sturbridge, MA,

Bob McCarthy of Vision Government Solutions, Inc. inspected the exterior of the subject property, reviewed all income and expense information and made the following conclusions and recommendation:

Due to the property being vacant since 2010, it not being of good grade and in fair to poor condition, the topography of the site reducing the utility of expansion; he recommends reducing the value of this property from \$1,000,100 to \$521,200 and abate the real estate taxes from \$18,177.06 to \$9,464.42.

This is accomplished by making the following adjustments:

An adjustment of 50% good on the second acre of site and the rear land for low topography should be applied. The grade should be adjusted to "03", the condition to "F". The Income should be adjusted as follows: Use to "F", Location to "A", Vacancy to "P", Expenses to "F". This gives us an indicated income value of \$557,700. The cost approach should add a 10% economic obsolescence for the vacancy. The sprinklers and lights should be removed resulting in a cost value of \$521,200.

FINAL

Vote:

Due to the resignation of Carol Childress from the Board of Assessors and Dan Matte having a conflict of interest because of a financial interest in the above property; Shaun Suhoski the town administrator with guidance from the Town's counsel made the following suggestions:

Dan Matte files a conflict of interest form with the Town Clerk's office and the Massachusetts Department of Local Services.

and

Due to the application deadline for the abatement being February 2, 2012 and the inability to fill the empty seat on the Board of Assessors that quickly, invoke the "Rule of Necessity":

Because a quorum may occasionally be unattainable due to the applicability of the conflict of interest laws as noted above, the courts and the Massachusetts Ethics Commission have fashioned a remedy in certain very limited circumstances. In these instances, the Board of Assessors can use what is called a "Rule of Necessity" to permit the participation of the disqualified members in order to allow the board to act.

In order to satisfy MGL chapter 268A, Section 23(b)(3), Dan Matte in advance of this meeting filed a disclosure with the Town Clerk's office stating that he will be the owner of the property as of January 31, 2012, thus having a financial interest in the property and necessitating use of the rule in order to obtain a quorum. The Board of Assessors invoked the "Rule of Necessity" and acted as follows:

Kevin Arena made a motion to approve the abatement of the property as recommended, DM 2nd; AIF.

Abatement Application # 109:

682 Main Street, Sturbridge, MA

The application was received on January 30, 2012 by mail at the assessor's office. Due to the lack of timely filing, it is the recommendation of the principal assessor that it be denied as the Board has no jurisdiction to act on said abatement.

Kevin Arena made a motion to deny the above application as recommended, DM 2nd; AIF.

Review the following Chapter 61B application:

63 Hillside Drive, Sturbridge, MA has been recently purchased by Edward T. & Carol A. Goodwin. The new owners wish to enter the said parcel into Chapter 61B for recreational use. The property meets all requirements for Chapter 61B and it is the recommendation of the principal assessor to grant in favor of this application.

Kevin Arena made a motion to approve the above application as recommended, DM 2nd; AIF.

Document Locations:

All documents are located on file in the Assessor's office in the town of Sturbridge.

Next Meeting Date: February 6, 2012, 4:00pm, Town Hall Assessor's Office.

Meeting Adjournment: DM Motion; KA 2nd, AIF. 5:00 p.m.