



**TOWN OF WAREHAM
Board of Assessors**

54 Marion Rd
Wareham, Massachusetts 02571

Telephone: (508) 291-3160
FAX: (508) 291-3167

Elsa Miller, MAA
Director of Assessment

Steven F. Curry, Chairman
Brenda Eckstrom Vice Chairman, Clerk
James M. McCahill
David A. Smith
John T. Donahue

Meeting Minutes May 1, 2012

Meeting called to order at 1pm.

Members Present:

Steve Curry
David Smith
Brenda Eckstrom

Also Present:

Elsa Miller

Approval of the minutes of 4/24/12: Mrs. Eckstrom requested the minutes be tabled in order to give Nancy Roth (staff) to place them on letterhead. The Board concurred.

New Business: We received a letter from the Department of Revenue regarding the Extensions discussed last week. Ms. Miller showed the Board the form letter she sent out to the residents who requested abatements. She also called every applicant. Several applicants have come in to sign and several have returned them via mail.

The minutes were delivered at this time, and the Chairman took them off the table. Mrs. Eckstrom motioned to approve; Mr. Smith seconded: VOTE: 3 - 0 - 0.

Chairman Curry handed out a letter dated May 1, 2012 that Attorney Bowen wrote on behalf of the MAAO (in a pro bono capacity) to the Attorney General's office regarding the issue of executive session. Discussion ensued re: Attorney Bowen's status and reasoning for writing letter.

Ms. Miller stated that she had not been able to get together with Mr. Foster to determine what to do with the Assistant Assessor position. She wanted to bring the Board's attention to a proposal submitted by Vision back in January to do an interim update. The idea was rather than a full-time Assistant Assessor / Data Collector; we could use this and then have a 19 hrs per week, no benefits. Derek Sullivan (town's financial analyst) had suggested 2 part-timers, no benefits, but Ms. Miller stated that would not work, as a data collector inputs what he sees.

Ms. Miller stated that the Vision proposal came about because there was concern by the town that she does not carry a commercial license. Chairman Curry stated that he feels that she has proven that her knowledge in this area is extensive. Mr. Foster suggested Vision; but Ms. Miller feels what Vision offers will not help; she believes we need a full-time Assistant. The Board agreed to have Ms. Miller discuss pursuing hiring someone full-time with Mr. Foster.

Ms. Miller brought our attention to an Exemption Form that came in but it was filed late (it needed to be in by 4-2-12); it was deemed denied. The taxpayer was in FLA and had taken ill; by the time the family got the messages from the Assessor's office, it was past due. The Board signed the denial.

Chairman Curry discussed the need to go into Executive session for abatements. He stated that he knew her position on this, but asked Mrs. Eckstrom if she would consider going into Executive session, because if she leaves, they will not have a quorum. Mrs. Eckstrom was concerned that there has been no response from the Attorney General. Ms. Miller stated that Mr. Bowen told her that he told Mrs. Eckstrom they could go into Executive Session; Mrs. Eckstrom stated she has requested it in writing, and has received nothing. Chairman Curry suggested a recess for five minutes so he could go upstairs to see if Attorney Bowen could put something in writing.



Town of Wareham
Board of Assessors
5-1-3012 Meeting (con't)

NOTE: Chairman Curry returned; Attorney Bowen was not upstairs. Chairman Curry got his phone number and left him a message.

Mrs. Eckstrom stated she will oppose going into Executive session and will abstain from any votes, but will not leave. Her objections to going into Executive session have been in principle; so she would like to see what the Chairman and the other members feel cannot be done in open session. Chairman Curry suggested that upon the vote, she will make a statement on the record.

Mr. Smith made a motion to go into Executive Session under reason #7 - to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (Chapter 59, Section 60) and then to reconvene in Open Session. Chairman Curry seconded.

ROLL CALL VOTE:

Mr. Smith - YES

Chairman Curry - YES

Mrs. Eckstrom: NO

NOTE: Mrs. Eckstrom stated that she is participating in Executive session under protest. She feels these matters can and should be done in Open session and it is wrong to go into Executive session. There is no reason in which a board **must** go into executive session. Unless and until we receive a written response from the Attorney General (or at least a written opinion from Town Counsel) she believes it is wrong.

*****The Board Entered into Executive Session at this time*****

The Board returned to open session at 3:06pm.

Mrs. Eckstrom stated that she did not find anything discussed in Executive that could not be discussed in open session, except the abatement issue.

Chairman Curry made a motion approve abatements #73, 77, 79, 86, 91, and 159 on Real Estate and #14P, personal property for reasons discussed. Mr. Smith seconded.

VOTE: 2 - 0 - 1 (Mrs. Eckstrom abstained)

Chairman Curry made a motion to deny abatements #52, 53, 61, 65, 87, 88, 95, 115, 126, 163, 168 on Real Estate and #12P, personal property for reasons discussed. Mr. Smith seconded.

VOTE: 2 - 0 - 1 (Mrs. Eckstrom abstained)

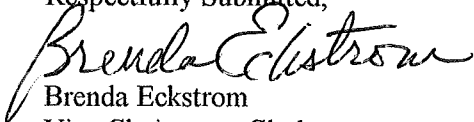
Mr. Smith made a motion to accept the offer of settlement by Lowe's contingent upon their withdrawal of their appeal at the Appellate Tax Board. Mrs. Eckstrom seconded.

VOTE: 3 - 0 - 0. Mrs. Eckstrom noted that this issue was the only item she felt should have been in Executive; Ms. Miller stated that there were others with photos that she thought should not be public.

Mrs. Eckstrom noted that the photos were submitted with the form that is not a public record; therefore, the photos would not be either.

Mrs. Eckstrom made a motion to adjourn at 3:11 pm, seconded by Mr. Smith. VOTE: 3 - 0 - 0.

Respectfully Submitted,


Brenda Eckstrom
Vice Chairman - Clerk

Approved: 5-15-12
vote: 3-0-1

