

Board of Assessors  
Meeting: April 2, 2012  
Wayland Town Building

Meeting called to order by Chair Jayson Brodie at 7:08 pm

Present: Members: Chair Jayson Brodie, Vice-Chair Susan Rufo, Bruce Cummings, Molly Upton  
Zacharah Ventress  
Staff: Director Ellen Brideau  
Public: No Public in Attendance

**Overlay Review:** Chair Brodie reviewed the overlay account balances as listed on the “Steps to Determine Overlay Account Balances” spreadsheet (and labeled as “Working Papers”, see attachment) with the BoA members. He outlined the overlay balances and the potential surplus/deficits for the Fiscal Years as follows:

<u>Fiscal Year</u>	<u>Overlay Balance as of 2-29-12</u>	<u>Potential Surplus/Deficit</u>
FY '07	\$22,868.77	\$22,068.77
FY' 08	\$5,709.08	\$2,609.08
FY '09	\$221,346.79	\$81,418.58
FY '10	\$769,267.17	\$556,389.33
FY '11	\$1,428,161.43	\$1,159,024.49

After his review, Chair Brodie suggested that the board review each year for potential action. Before welcoming any motions, Chair Brodie asked board members if there were any questions, of which there was one posed by B Cummings inquiring how Wayland's frequency of action compared to other cities/towns? It was unknown, and all that could be reported was that Wayland's BoA had initiated its first release of overlay in November 2011, and any overlay action was at the discretion of the Board of Assessors. With no further question or comments, Chair Brodie opened the meeting up to motions related to the overlay.

Fiscal Year 2007

B Cummings made a motion to transfer \$20,000 from the excessive Fiscal Year 2007 overlay to the overlay reserve surplus account. M Upton seconded the motion. The vote by raising of hands was 5-0. Unanimous.

Fiscal Year 2008

Chair Brodie suggested leaving as is with a balance of \$2,609.08. No action taken.

Fiscal Year 2009

B Cummings made a motion to transfer \$78,000 from the excessive Fiscal Year 2009 overlay to the overlay reserve surplus account. M Upton seconded the motion. The vote by raising of hands was 5-0. Unanimous.

Fiscal Year 2010

B Cummings made a motion to transfer \$500,000 from the excessive Fiscal Year 2010 overlay to the overlay reserve surplus account. M Upton seconded the motion. The vote by raising of hands was 5-0. Unanimous.

Fiscal Year 2011

B Cummings made a motion to transfer \$750,000 from the excessive Fiscal Year 2011 overlay to the overlay reserve surplus account. Z Ventress seconded the motion. The vote by raising of hands was 5-0. Unanimous.

The total amount of overlay transferred to the overlay surplus account was \$1,348,000.00. A request was made by B Cummings to have Finance Director Mike DiPietro take action on the Board of Assessors vote of the overlay within two days. Director Brideau would relay the request.

**Public Comment:** M Upton had requested the topic be revisited and placed on the agenda. The discussion centered around the placement of Public Comment on the BoA agenda. A prior discussion and Vote of the BoA had resulted in Public Comment being placed at the end of the meeting.

M Upton had heard from others that it should be placed at the beginning of the agenda and that it was perceived that the BoA was unfriendly. Identification of those that expressed the sentiments remained anonymous.

Z Ventress addressed the first concern that he was troubled by the description of unfriendly when seldom had there been anyone from the public attending BoA meetings. He also commented that by holding Public Comment at the end of the meeting, the public benefitted from staying and observing the activities and work undertaken during the course of the meeting.

S Rufo expressed that holding Public Comment at the end of the agenda offered more flexibility to residents who wanted to take part in various board/committee meetings, but were unable to because the majority of meetings take place on Monday evenings and generally begin at 7 pm. If Public Comments were staggered it would allow more opportunity for residents to take part in Public Comment.

B Cummings had reservations about Public Comment as there wasn't the opportunity to have dialogue with residents, but rather afforded one-sided conversations.

J Brodie pointed out that the overlay topic had appeared on the agenda ten times and yet with such an important topic no one from the public had attended any meetings.

M Upton made a motion to return Public Comment to the beginning of the Assessor's meeting agenda. There was no second.

B Cummings expressed the feeling that the process in place by contacting the Chair with the potential to put a citizen's concern/question on the agenda an offered a better outcome and use of time. By holding that type of mechanism for dialogue it allows the concern/question to be researched and a potential discussion to occur and better address a resident's concern/question.

**Documents for Board Signature/Vote:** One 41 C Exemption, one 17D Exemption, and two Tax Deferrals applications were recommended for approval by Director Brideau, having met qualifying criteria. BoA approved the applications by individual signature.

Two Tax Deferrals applications were presented and recommended for denial by Director Brideau, as they did not meet the required qualifying criteria. BoA members had an opportunity to individually review the applications. The BoA denied those applications by individual signature.

Before the abatement review, M Upton asked that going forward that denied abatement applications be discussed. Since this was at the end of the current abatement review, the discussion centered on this action for the next fiscal year abatement process.

**FY12 Abatement Application Review:** 15 Real Estate Abatement Applications were presented to the BoA, after their review by the Director, with 13 recommended denials and two recommended approvals by Director Brideau. B Cummings made a motion to accept the two abatement applications that had been recommended for approval. Motion seconded by M Upton. Vote was unanimous by signature.

Thirteen abatement applications were recommended for denial by Director Brideau after her review, those abatements were denied by individual BoA signature on each application.\*  
\*(Board members have an opportunity to review all abatement applications prior to their vote.)

**Chapter Land Application:** Director Brideau presented 12 Claypit Hill Road application to modify Chapter Land status. Having met all the state required guidelines the Director recommended approval. A motion was made by S Rufo to approve 12 Claypitt Hill Road's application for modification of their Chapter Land status. Seconded by B Cummings. Voice vote 4-0-1 with M Upton abstaining.

**Executive Session:** At 8:10 pm, Motion made by Chair Brodie to go into Executive Session to discuss ATB settlements. Seconded by B Cummings. Role call vote 5-0 J Brodie, B Cummings, S Rufo and M Upton, Z Ventress voting affirmative. The Board voted at 8:20 by role call vote to return to open session 5-0. BoA member Z Ventress left the meeting after Executive Session.

**Town Warrant Articles:** B Cummings reviewed his final planned presentation of the BoA's warrant Article at Town Meeting. He distributed a draft of a "Board of Wayland Scorecard" that he developed to help to illustrate an overview of the Assessors and Assessing Department from a historical standpoint of recent activities, events and achievements. The finalized version will be Available at Town Meeting for distribution.

#### **ASSESSING OFFICE UPDATES:**

**Assistant Assessor Position:** After posting the position for over a month and receiving 15 applications, including three from other assessing departments and two appraisers, it was determined that our current Administrative Assessor Denise Ellis, best met the needs of the position. After interviewing with both Director Brideau and John Senchyshyn it was their recommendation that the position be offered to D Ellis.

S Rufo made the motion to extend the offer of Assistant Assessor to Denise Ellis. B Cummings seconded the motion. The vote was J Brodie, B Cummings, and S Rufo voting in favor of the motion and M Upton abstained. D Ellis will be invited to a future BoA meeting for formal introduction.

**Assessing Office Activity Report** will be deferred until after Town Meeting.

Director Brideau spoke briefly concerning the identifying of “unsafe” properties in town, given the recent tragedy of a resident’s death in a house fire. There is no “requirement or obligation” to identify residents who’s living situation may be compromised. And it is a fine line of privacy and requesting or obtaining permission in intervening in such situations.

The BoA will explore drafting a policy to guide the Director in addressing such situations and potential reporting mechanism. An initial draft of such a policy will be addressed by the Director.

**Correspondence:** None

**Thoughts and Concerns of BoA:** None

Next BoA meeting to be held on April 16<sup>th</sup>, 2012, (after the Annual Town Meeting concludes). A motion to adjourn the meeting was made at 9:00 pm. Vote unanimous.

Respectfully submitted.

  
Susan Rufo



**Town of Wayland**  
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WAYLAND MASSACHUSETTS 01778  
www.wayland.ma.us TEL. 508-358-3788

**OFFICE STAFF**

Ellen M. Brideau, MAA Director of Assessing

Denise Ellis, Administrative Assessor  
Savitri Ramgoolam, Department Assistant

**BOARD OF ASSESSORS**

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Bruce Cummings  
Molly Upton  
Zachariah L. Ventress

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**MEMO**

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**TO:** MIKE DIPIETRO, FINANCE DIRECTOR  
**FROM:** BOARD OF ASSESSORS  
**SUBJECT:** OVERLAY ACCOUNT  
**DATE:** 4/2/2012

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The Board of Assessors by a vote of 5-0 released the following amounts from the Overlay Account to Overlay Surplus on April 4, 2012

Fiscal Year	Amount Released
2007	\$20,000
2009	\$78,000
2010	\$500,000
2011	\$750,000
Total	\$1,348,000

*Jayson S. Brodie 4/2/12*  
*Susan M. Rufo*  
*Zachariah L. Ventress*  
*Mary R Upton*  
*Bruce Cummings*

STEPS TO DETERMINE OVERLAY ACCOUNT BALANCES

WORKING PAPERS

line #	FY'03	FY'04	FY'05	FY'06	FY'07	FY'08	FY'09	FY'10	FY'11
1.				2,530.00	22,868.77	5,709.08	221,346.79	769,267.17	1,428,161.43
2.									
3.							325.97	32,476.04	80,423.17
4.	550.00	1,200.00	800.00	750.00	800.00	3,100.00	137,800.00	147,800.00	138,500.00
5.	550.00	1,200.00	800.00	750.00	800.00	3,100.00	137,800.00	176,000.00	185,100.00
6.	550.00	1,200.00	800.00	750.00	800.00	3,100.00	1,802.24	2,401.80	3,613.77
7.	(550.00)	(1,200.00)	(800.00)	1,780.00	22,068.77	2,609.08	81,418.58	556,389.33	1,159,024.49
8.									
9.									
10.					20,000	0	78,000	500,000	750,000

notes:

1. verify agreement between accounting office records and assessor's records
2. seeking clarification as to whether to include any portion of real property taxes secured by tax title
3. request data from Collector and verification that records agree with accounting office
4. assume greatest difference between applicable assessment and taxpayer's estimated value noted on abatement form or for ATB or other documentation (pending cases as of February 1, 2012)
5. review with Collector
6. line 1 minus line 2 minus line 7
7. all account balances as of 29 February 2012. Pending ATB cases as of February 29, 2012



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**MEMO**

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**TO:** BOARD OF ASSESSORS  
**FROM:** ELLEN BRIDEAU, DIRECTOR OF ASSESSING  
**SUBJECT:** EXEMPTIONS AND DEFERRAL APPLICATIONS  
**DATE:** 4/2/2012

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I recommend approval on the following two exemption and two deferral applications:

Name	Address	Clause
Patricia DeFlorio	8 Anthony Rd	41C
Irene Rizzo	14 Emerson Rd	17D
Patricia DeFlorio	8 Anthony Rd	Deferral
Jane McGonigle	25 Leary St	Deferral

*Jayson S. Brodie 4/2/12*  
*Susan M. Rufo*  
*Zachariah L. Ventress*  
*Molly Upton*  
*B. Cummings*



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**MEMO**

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**TO:** BOARD OF ASSESSORS  
**FROM:** ELLEN BRIDEAU, DIRECTOR OF ASSESSING  
**SUBJECT:** FY 12 ABATEMENT APPLICATIONS  
**DATE:** 4/2/2012

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I recommend approval on the following two abatement applications:

Map/Lot	Address
43C-069	59 Lakeshore Drive
019-038	12 Claypit Hill Rd

*Jayson S. Brodie 4/2/12*  
*Susan M. Rufo*  
*Zachariah L. Ventress*  
*Ellen M. Brideau*