# Wayland Board of Assessors Monday, September 21<sup>st</sup>, 2015

Attendees: J. Brodie, D. Hill, Chair S. Rufo, C. Kane, Z. Ventress, Director E. Brideau, Assistant Assessor D. Ellis and Administrative Assessor J. Marchant

S. Rufo called the meeting to order at 7:15pm.

# Review of minutes from August 10<sup>th</sup> and September 9<sup>th</sup>, 2015

- J. Brodie moved to approve the minutes of August 10<sup>th</sup>, 2015. Z. Ventress seconded. Vote: 4 in favor with D. Hill abstaining as he was absent from the meeting.
- J. Brodie moved to approve the minutes of September 9<sup>th</sup>, 2015. C. Kane seconded. Vote: 4 in favor with D. Hill abstaining as he was absent from the meeting.

# ATB Status Update- 400 Boston Post Rd., 440 Boston Post Rd., Andrew Ave.

Director Brideau updated the board on the ATB case, which was scheduled for September 17<sup>th</sup>. Two days before the hearing, the representative for the appellate dropped off documents for the board to review. Director Brideau explained to him that the board had already met and wasn't scheduled to meet prior to the hearing. He spoke to Town Counsel, Mark Lanza, and was advised he would not be given an extension. The FY14 ATB case was withdrawn. The FY15 case is still pending.

# **Overlay: BOA Overlay Surplus Review**

The board discussed the effect of the 400 Boston Post Rd ATB withdrawal on the overlay. The June 30<sup>th</sup> overlay surplus document was reviewed. This was also the document that the auditors reviewed. The board was presented the updated September 21<sup>st</sup> overlay surplus document. Director Brideau reviewed the chart with the board, explained the reasons for the amounts listed and stated which ATB cases are still pending for each fiscal year. Discussion:

- S. Rufo spoke with Town Counsel, Mark Lanza to find out if there is any reason not to release the money that was being held for the ATB case that was just withdrawn. He suggested it would be best to release it since the withdrawal is final. D. Hill agreed that the board should release the money that was being held for the case. Director Brideau believes that there aren't any cases pending for FY03 and therefore that year is closed out. She will confirm. The board discussed closing out the overlay for FY06, FY07 and FY08. The board also discussed FY09, FY10, FY11, FY12, FY13 and FY14 to determine if money could be released at this time. Director Brideau clarified that for FY13 the updated ATB amount is \$9,100.
- J. Brodie moved that for FY06 the BOA transfer \$1,403.28 in excess overlay from the overlay reserve account to the overlay surplus reserve. Z. Ventress seconded. Vote unanimous.
- J. Brodie moved that for FY07 the BOA transfer \$1,535.84 in excess overlay from the overlay reserve account to the overlay surplus reserve. D. Hill seconded. Vote unanimous.
- J. Brodie moved that for FY08 the BOA transfer \$5,514.95 in excess overlay from the overlay reserve account to the overlay surplus reserve. D. Hill seconded. Vote unanimous.
- Z. Ventress moved that for FY12 the BOA transfer \$29,000 in excess overlay from the overlay reserve account to the overlay surplus reserve. C. Kane seconded. Vote unanimous.
- Z. Ventress moved that for FY13 the BOA transfer \$63,000 in excess overlay from the overlay reserve account to the overlay surplus reserve. D. Hill seconded. Vote unanimous.
- J. Brodie moved that for FY14 the BOA transfer \$200,000 in excess overlay from the overlay reserve account to the overlay surplus reserve. Z. Ventress seconded. Vote unanimous.

The total amount released was \$300,454.07. A memo of the release will be drafted and sent to the Director of Finance.

## **BOA Overlay Forecast Review**

The board reviewed the document showing the past and potential overlay forecast. Since the 2016 number was estimated, the Valor act was added (\$15,000).

Enter into Executive Session to review for potential release the following approved Executive Session Minutes regarding Appellate Tax Board cases for 400 Boston Post Rd, 440 Boston Post Rd, Andrew Avenue, 12 Ellie Ln and 46 Cedar Crest Rd. from: May 12, 2014, June 2, 2014, September 29, 2014, March 9, 2015 & June 1, 2015

At 8:03pm, S. Rufo moved to enter into executive session for the purpose of releasing these approved executive session minutes: May 12, 2014, June 2, 2014, September 29, 2014, March 9, 2015 & June 1, 2015.

The chair stated that upon review with Town Counsel, Mark Lanza, I will not be sighting the Massachusetts General Law Chapter and Section for Executive Session due to advice of Counsel. Per Town Counsel, the law does not specifically identify the mechanism for reentering Executive Session for reviewing approved minutes to be released.

# Z. Ventress seconded.

The chair declared that discussion regarding the aforementioned Executive Session minutes may have a detrimental effect on the bargaining, litigating or negotiating position of the Town.

Roll call vote C. Kane-yes, Z. Ventress-yes, J. Brodie-yes, D. Hill-yes, S. Rufo-yes.

The chair invited attendance by Director E. Brideau, Assistant Assessor D. Ellis and Administrative Assessor J. Marchant. The chair declared the BOA will return to open session in approximately 10 minutes for the purpose of returning to open session.

The board returned to open session at 8:10pm.

While in executive session, the BOA released the executive session minutes of May 12, 2014, June 2, 2014, September 29, 2014, March 9, 2015 & June 1, 2015. There are no outstanding executive session minutes for approval or release.

# Solar Tax Agreement- Vice Chair, Jayson Brodie & Director to provide BOA with status update

J. Brodie and Director Brideau recapped a meeting held with Town Counsel, Mark Lanza; BOS Chair, C. Karlson; and Energy Committee Member J. Harper to review the proposed Solar Tax Agreement. J. Brodie emphasized that the BOA does not advocate tax policy and will implement the BOS decisions as long as it is deemed legal. The Town entered into a purchase power agreement two months ago agreeing to a \$30,000 solar value. The director explained the process that will be necessary each year to back into the value. Z. Ventress stated he could help with the mathematic formula that will be needed. Director Brideau stated she still needs a list of all the equipment including the original cost to submit to the DOR. D. Hill stated the authority for determining the \$30,000 value was given to the selectman by a vote at town meeting.

# **FinCom-Liaison Assignment**

As of August 17<sup>th</sup> Gordon Cliff is the new FinCom liaison to the BOA. S. Rufo and Director Brideau will meet with him to go over the BOA calendar and overlay process.

# FY16 Interim Valuation Director Update - DOR status and public disclosure timeline

The BOA met last Wednesday, September 9<sup>th</sup> to sign the necessary paperwork to be submitted to the state for preliminary approval of values. Wayland received approval the following day. DoR status: the tables were approved. The next step is public disclosure. Vision is taking the data base this week and will send out impact notices to the residents on October 2<sup>nd</sup>. Public disclosure is planned for Monday October 5<sup>th</sup> through Tuesday October 13<sup>th</sup>. Monday October 12<sup>th</sup> is a holiday and the office will be closed.

## Correspondence

Beth Klein- Conflict of Interest

# Documents for BOA Signature (review)

**FY 15 Supplemental Real Estate Abatements** 

Director Brideau recommended three supplemental real estate abatements for approval. The board signed their approval.

# **Annual Town Report submission**

Director Brideau presented the recap of the information required. The board suggested including the amount of overlay released in the appropriate year.

# **Warrants and Commitments**

**FY16 Excise Commitment Five** 

\$73,740.86

**Month End Reports** 

August 2015

**Excise Abatement** 

\$877.72

# Circuit Breaker Application(s)

Director Brideau recommended one circuit breaker application for approval that has been reviewed and meets the criteria. The board approved the application by signature.

Topics not reasonably anticipated by the Chair 48 hours in advance of Meeting, if any None

# **Thoughts and Concerns from BOA members**

D. Hill suggested putting the BOA packets out electronically before the board meetings rather than on paper. Regarding the impact notices, C. Kane suggested giving the residents access to the information on line instead of mailing letters out to save paper and postage. The board members confirmed it's not a requirement to mail them out and they are only mandatory in a revaluation year if the increase is over 8%. S. Rufo raised a concern that all seniors may not have internet access, and she felt the overall process helps everyone by allowing tax payers to raise concerns about their property card information ahead of the abatement timeframe. If necessary changes can be made during this process it helps to reduce the amount of abatement applications. J. Brodie stated the process also helps identify any areas of concern in town that require further review.

# **Public Comment**

None

Next meeting: October 19<sup>th</sup>

# **Meeting Adjourned**

D. Hill moved to adjourn at 8:40pm. Z. Ventress seconded. Vote Unanimous

Respectfully Submitted, Jessica Marchant

# STEPS TO DETERMINE OVERLAY SURPLUS

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- notes:

  1. verify agreement between accounting office records and assessor's records.
- excluding real property taxes secured by tax title.
- 3. request data from Collector and verification that records agree with accounting office.
- assume greatest difference between applicable assessment and taxpayer's estimated value
  noted on abatement form or for ATB or other documentation. FY15 applicants for ATB have until mid-July to apply.
- 5. review with Collector for pending abatement requests
- 6. line 1 minus line 2 minus line 7
- 7. Circuit Breaker applications are processed through 12/31
- 8. Historical records show that overlay deficit funds had to be raised on the tax recaps of FY 07 (\$399,674) & FY 08 (\$15,029)

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# STEPS TO DETERMINE OVERLAY SURPLUS

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- notes:

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# Outstanding ATB Cases as of September 21, 2015

Property	Fiscal Docket					ASSESSED
Туре	Year Number	MAP	LO	T #	STREET	VALUE
Telecom	2010 F301187				0 Various - Verizon	8,255,700
Telecom	2011 F306776				0 Various - Verizon	7,784,300
5 15						
Real Estate	2012 F316811	18	3	4 5	9 Old Sudbury Rd	469,200
Real Estate	2012 5220716	40				
	2013 F320716	18	34		9 Old Sudbury Rd	472,100
Real Estate	2013 F320442	30	96	5 54	4 Boston Post Rd	1,015,500
Telecom	2013 F320202				OMerican ATOT Com	
Telecom	2013 F320202 2013 F320262				0 Various - AT&T Corp.	139,700
relecom	2013 F320262				0 Various - Teleport Communications	939,000
Real Estate	2014	18	2/		) Old Codboo Rd	
Near Litate	2014	10	34	- 35	Old Sudbury Rd	489,400
	2014 F323767				0 Various - AT&T Corp.	120,300
Telecom	2014 F320262				O Various - Teleport Communications	•
					o various Teleport communications	1,024,900
	2015 F323767				0 Various - AT&T CORP	130,700
Telecom	2015 F323713				0 Various - Teleport Communications	1,124,100
	2015 F323595				0 Various - Level 3 Communications	847,900
Real Estate	2015 F325938	43A	8	46	Cedar Crest Rd	593,200
	2015 F326780	11	38	12	Ellie Ln	2,048,700
	2015 F327823	49	57	29	Rice Rd	459,800
	2015 F328272	23	52	400	Boston Post Rd	21,712,600
	2015 F328273	23 0			Andrew Ave	4,196,600
	2015 F328274	23 0	52C	440	Boston Post Rd	3,157,300
	2015 F328268	18	34		Old Sudbury Rd	656,300
	2015 F328309	21	3		Boston Post Rd	3,338,500
	2015 F328310	21			Boston Post Rd	330,900
			•			330,300

WORKING PAPERS

1							* avg w/o Telecom
							14. Final FY16 OVERLAY Forecast
	IJ						13. Tax Rate Rounding (not to exceed) (note 7)
					5/14	- established BOA 12/15/14	12. Preliminary FY 16 OVERLAY Forecast - establish
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	1				9	0	10. Certain taxes (note 5)
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60,000 36,500 245,000	90,00	T	249,314	60,000	365,600	322,343	3. Total Abatement-ATB initial liability (note 1)
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1,206,447 973,215 614,727	)6,44	1,20		1,206,447	1,039,311 1,206,447	387,629	Initial Allowance for Overlay  1. Abatements
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STEPS TO DETERMINE FY'16 OVERLAY FORECAST (see note 9)	9	FY16	DETERMINE	STEPS TO			

- 1. assume greatest difference between applicable assessment and taxpayer's estimated value noted on abatement form or for ATB or other documentation

  2. "uncollected taxes" (real and personal property) excluding those secured by tax title.

  Review to IGR 11-101

  Review to IGR 11-101

- any significant assessment factor known to the Assessors
   Property Owners can apply for CB match until 12/31
   Certain taxes that are budgeted elsewhere.
   Line 6 plus line 9 voted on 12/15/14
   Include sufficient funds to allow rounding of tax rate (per \$1,000) to whole penny This requirement driven by DOR software used in "recap" preparation.

- FY 14 CB data as of November 2014
   Forecast for FY16 budgeting purposes only

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WORKING PAPERS

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- notes:
  1. assume greatest difference between applicable assessment and taxpayer's estimated value noted on abatement form or for ATB or other documentation
  2. "uncollected taxes" (real and personal property) excluding those secured by tax title.

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# Town of Wayland

# 41 COCHITUATE ROAD WAYLAND MASSACHUSETTS 01778

www.wayland.ma.us TEL. 508-358-3788

OFFICE STAFF Ellen M. Brideau, MAA Director of Assessing Denise Ellis, Assistant Assessor Jessica Marchant, Administrative Assessor Savitri Ramgoolam, Department Assistant BOARD OF ASSESSORS Susan M. Rufo, Chair Jayson Brodie, Vice Chair Molly Upton Zachariah L. Ventress David Hill

# **MEMO**

TO:

NAN BALMER, TOWN ADMINISTRATOR

BRIAN KEVENY, FIANANCE DIRECTOR

FROM:

ELLEN BRIDEAU, DIRECTOR OF ASSESSING

**SUBJECT: RELEASE OF EXCESS OVERLAY** 

DATE:

9/22/2015

On September 21, 2015, the Board of Assessors unanimously voted to release the following Excess Overlay from the Overlay Reserve Account to Overlay Surplus Account:

Fiscal Year	Amount	Date of BOA Vote
FY 06	\$ 1,403.28	9/21/2015
FY 07	\$ 1,535.84	9/21/2015
FY 08	\$ 5,514.95	9/21/2015
FY 12	\$ 29,000.00	9/21/2015
FY 13	\$ 63,000.00	9/21/2015
FY 14	\$ 200,000.00	9/21/2015
Total	\$ 300,454.07	



# Town of Wayland

41 COCHITUATE ROAD WAYLAND MASSACHUSETTS (1778

www.wayland.ma.us TEL 508-358 3788

OFFICE STAFF Ellen M. Brideau, MAA Director of Assessing Denise Ellis, Assistant Assessor

Jessica Marchant, Administrative Assessor Savitri Ramgoolam, Department Assistant

BOARD OF ASSESSORS Susan M. Rufo, Chair Jayson Brodie, Vice Chair Zachariah L. Ventress David Hill Cheryl Kane

# **MEMO**

TO:

**BOARD OF ASSESSORS** 

FROM:

ELLEN BRIDEAU, DIRECTOR OF ASSESSING

**SUBJECT:** FY 15 SUPPLEMENTAL ABATEMENTS

DATE:

9/21/2015

I have reviewed the following three(3) supplemental abatement applications and recommend approval:

PID

NO

**ADDRESS** 

**FY15 SUPPLEMENTAL** 

**ASSESSMENT** 

10

**COVERED BRIDGE LN** 

**REVISED** \$1,372,100

35-030M 35-030X

25(27)

**COVERED BRIDGE LN** 

\$1,305,000

23-167

**LILLIAN WAY** 

\$636,200

Jaips Morade Fadina Stantin Cheryl Kane

Extended 01. 2015

# **FINANCE**

# **BOARD OF ASSESSORS**

At the April 2015 elections Zachariah Ventress was re-elected and Cheryl Kane was elected, both to serve three year terms. Susan Rufo was elected to chair and Jayson Brodie to vice chair by the Board.

The Board of Assessors are responsible for administering Massachusetts property tax laws effectively and equitably and to produce accurate and fair assessments for all taxable property.

As required by the code of Wayland, Section 19-8 the Board of Assessors makes the following Report:

# A. Annual Report

(1.) The calendar year 2013 sales used in the determination of the FY'15 assessed values were posted to the Assessors web page and provided at Town Meeting.

# (2. a, b, c) Report for the previous six years of abatement history:

FISCAL YEAR	# RECD (a)	# GRANTED (b)	AVG ABMT (c)
2010	104	63	\$1,946.22
Supplemental	4	1	\$1,297.64
2011	66	30	\$1,089.27
Supplemental	0	0	\$0.00
2012*	71	44	\$1,912.65
Supplemental	0	0	\$0.00
2013	34	18	\$1,854.20
Supplemental	1	1	\$616.87
2014	35	13	\$2,387.39**
Supplemental	0	0	\$0.00
2015*	89	66	\$1,152.16
Supplemental	3		

<sup>\*</sup>DOR Triennial Revaluation year

# (2. d) ATB filings last six years:

Fiscal Year	ATB Filings
2010	13
2011	12
2012	5

Fiscal Year	ATB Filings
2013	6
2014	7
2015	5

# (2. e) Dollar change granted by ATB:

FISCAL YEAR	NO.	STREET	CHANGE IN ASSESSMENT
FY'10	8	BIGELOW RD	\$20,600
FY'10	12	ELLIE LN	\$173,200
FY'11	12	ELLIE LN	\$204,500

FISCAL YEAR	NO.	STREET	CHANGE IN ASSESSMENT
FY'12	59	OLD SUDBURY RD	\$42,800
FY'13	12	ELLIE LN	\$55,500

<sup>\*\*</sup>The average abatement without 400 Boston Post Rd was \$685.67

# (3). Inspections conducted during Fiscal Year 2015

Total Property Visits:	683 *				
<b>Building Permits:</b>		Cyclical:		Sales:	
Interior and Exterior	41	Interior and Exterior	38	Interior and Exterior	57
Exterior Only	82	Exterior Only	127	Exterior Only	48
Interior Only	28	Interior Only	35	Interior Only	39
Refusals	6_	Refusals	4	Refusals	5
Total	158	Total	204	Total	147
Quality Control:		Abatements:		Informal Hearings:	
Interior and Exterior	7	Interior and Exterior	66	Interior and Exterior	49
Exterior Only	24	Total	66	Exterior	18
Interior Only	4			Interior	5
Total	35			Total	72

<sup>\*</sup>Please note that some of the data verification visits addressed several requirements in one visit, such as a property requiring an abatement visit may also have required a sales visit. One visit would have met both obligations of data verification.

Respectfully submitted,

Susan M. Rufo, Chair Zachariah Ventress Cheryl Kane

Jayson Brodie, Vice Chair David Hill

# ASSESSORS WARRANT TO COLLECTOR MOTOR VEHICLE AND TRAILER EXCISE FITH COMMITMENT 2015-05

# THE COMMONWEALTH OF MASSACHUSETTS WAYLAND OFFICE OF THE BOARD OF ASSESSORS

	To
	Greeting:
	IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby required to levy on and collect from the several persons named in the excise list herewith committed to you the amount of the MOTOR VEHICLE AND TRAILER EXCISE assessed to each such person for the privilege of registration, as therein set forth, with interest, the sum total of such list being <b>SEVENTY THREE THOUSAND SEVEN HUNDRED AND FORTY DOLLARS AND EIGHTY SIX CENTS.</b> (\$73,740.86)
	And you are to pay over said taxes and interest toZoe Pierce Treasurer of <b>Wayland</b> , or to her successor in office, at the times an in the manner provided by General Laws, Chapter 60, Section 2, and also to give to the treasurer as aforesaid an account of all charge and fees collected by you. And you are to make written return of said excises and interest with your tax list and of your doing thereon at such times as the assessors shall in writing require.
	But you are to complete, and make up an account of, the collection of the whole sum hereby committed to you, with interest, on or before December 31 of the current year.
	And if a person refuses or neglects to pay his excise for fourteen days after demand, you shall issue a warrant to collect said excise including interest, charges and fees. If a person refuses or neglects to pay his excise after you or your designee have notified the person by mail or other mean that a warrant to collect has been issued, and you our your designee have exhibited a copy of the said warrant to collect, or delivered a copy thereof to the taxpayer, or left it at his last and usual place of abode, or of business, you or your designee may request a hearing in the district court having jurisdiction. If the court finds that the debt is owed and there is sufficient property and an ability to pay, a warrant to distrain or commit and take the body of such person and commit him to jall shall issue to you or your designee to serve upon said person, according to law. Upon the issuance of the warrant to distrain or commit, you or your designee shall proceed to enforce the collection of said excise in accordance with the provisions of said court warrant.
	And in the levy and collection of the amounts hereby committed to you, and of interest, and charges, and fees as provided by law, you are to have and to exercise all the powers conferred by the laws of this Commonwealth upon collectors of taxes.
	Given under our hands this 215 day of Depleader, 2015
/	Lugar Ar. Quefu
	Board of Assessors
	Japa from Of Wayland  Tacheryl Kane
	cheryl Kane

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

# FISCAL YEAR 2016 (calendar year 2015 excise)

# NOTICE OF **FIFTH** COMMITMENT 2015

The Commonwealth of Massachusetts The Town of Wayland Office of the Board of Assessors

To: Town Accountant/Finance Director

You are hereby notified that a **Commitment**, as shown below, has this day been made by the Board of Assessors to Zoe Pierce Collector of taxes.

TAX

# **AMOUNT OF COMMITMENT**

MOTOR VEHICLE EXCISE	\$73,740.86
PERSONAL PROPERTY TAX	\$0.00
REAL ESTATE TAX	0.00
CONSERVATION PRESERVATION ACT TAX\$	0.00
OMITTED ASSESSMENT	
REAL ESTATE TAX\$	0.00
PERSONAL PROPERTY	0.00

**ALL SPECIAL ASSESSMENTS** 

Board of Assessors Wayland, MA 01778

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DATE Sept 1/ 20

# COMMONWEALTH OF MASSACHUSETTS TOWN OF WAYLAND OFFICE OF THE BOARD OF ASSESSORS

TO: TOWN ACCOUNTANT/FINANCE DIRECTOR

TREASURER/COLLECTOR

RE: EXCISE ABATEMENT

DUE IN THE MONTH OF AUGUST 2015

TYPE/REASON	QI	UANTITY	TOTAL
60A (2015)		11	\$877.72
	TOTAL	11	\$877.72

You are hereby notified that excise taxes were <u>abated</u>, as specified in the above schedule, to the aggregated <u>amount of EIGHT HUNDRED SEVENTY SEVEN DOLLARS AND SEVENTY TWO CENTS</u>.

BOARD OF ASSESSORS WAYLAND

Date Xepterher 21,2015