

Approved and released 9-18-17

Wayland Board of Assessors  
Town Building- Assessor's Office  
41 Cochituate Rd Wayland MA 01778  
Monday June 12, 2017-Executive Session

**Attendees:** Chair S. Rufo, J. Brodie, Z. Ventress, S. Glovsky

**Also present:** Director E. Brideau and Administrative Assessor J. Marchant

**Purpose:** The session was called at 7:18pm by a roll call vote of the board for the board to

- 1) Review and consider for approval and potential release the Executive Session minutes of May 8, 2017 relative to discuss settlement agreement with Verizon New England Inc.
- 2) Review and consider for approval and potential release the Executive Session minutes of May 8, 2017 relative to status update and discuss strategy with respect to Pending Appellate Tax Board Cases: 400 Boston Post Rd, 440 Boston Post Rd, Andrew Ave, 4 Meadow View Rd, 46 Cedar Crest Rd, and 533 Boston Post Rd
- 3) Provide update and discuss strategy with respect to Pending Appellate Tax Board Cases: 46 Cedar Crest Rd which was not anticipated within 48 hours.

**Discussion:**

The board reviewed the executive session minutes of May 8<sup>th</sup>.

**J. Brodie moved to approve the executive session minutes of May 8<sup>th</sup>. Z. Ventress seconded.**

Roll call vote: J. Brodie- yes, S. Rufo- yes, Z. Ventress-yes, S. Glovsky-yes

**J. Brodie moved to not release the executive session minutes of May 8<sup>th</sup> to the public at this time.**

**S. Glovsky seconded.**

Roll call vote: J. Brodie- yes, S. Rufo- yes, Z. Ventress-yes, S. Glovsky-yes

**46 Cedar Crest**

An email was received late in the day on Thursday, June 8, 2017, from Town Counsel indicating he planned to meet with the taxpayer and his attorney today, Monday, June 12, at 2 pm to discuss the case and possible settlement.

Since Director Brideau was out of the office due to a family death, S Rufo, Chair followed up with Town Counsel on the proposed meeting by phone. Due to the change in Town Counsel from when the ATB case was first filed, the current Town Counsel was not aware of the interchanges of emails and phone calls that had been made up to this point related to the ATB filing of the property.

S Rufo conveyed to Town Counsel the issues surrounding the ATB filing such as the architect's drawings reflecting a three-bedroom addition over the three-car garage, when the taxpayer stated there was a two-bedroom deed restriction. After inspection of the property it was found that it was at least a three-bedroom home. The two-bedroom restriction could have been addressed if the property owner had applied to the health department by the process available, but had not.

As a result of the review of the information by the Director and Chair, in addition to other supporting properties where deed restrictions did not impact values, S Rufo told Town Counsel the assessors would be confident in their value and no discussion of settlement would be entertained. As a result she asked that the meeting be canceled. It was further conveyed to Town Counsel that if the case did appear before the ATB, the Director was comfortable defending her value without Town Counsel.

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Since this activity occurred after the posting of the BOA's meeting of June 12, 2017, and Town Counsel expressed some concerns related to the case, S Rufo stated she would share their conversation at the BOA's next meeting scheduled for June 12, 2017.

Director Brideau spoke to the owner's attorney. She explained in Wayland there is no change to value when bedroom count is changed. The value is based on the square footage. He requested copies of documents showing both the square footage and the as-is bedroom count and an altered bedroom count so he can verify this. The board said they were in favor of the Director providing this information to the attorney.

Director Brideau further stated that if this case goes to the ATB, she is comfortable defending her value without Town Counsel.

**S. Rufo moved to exit executive session at 7:43pm. Z. Ventress seconded.**

Roll call vote: J. Brodie- yes, S. Rufo- yes, Z. Ventress-yes, S. Glovsky-yes

Respectfully submitted, Jessica Marchant