

OPEN SESSION

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TOWN CLERK

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The Board of Assessors met on Wednesday, January 8, 2020 at approximately 6:00 P.M. Present were Acting Chairman/Clerk Cheryl Smith, Member Paula Bunker, Principal Assessor John Donahue, and Principal Secretary Daniela Nilsson. The following members of the public were in attendance: Deborah Cauley. Chairman McCarthy was unable to attend.

The Acting Chairman/Clerk announced that the meeting was not being recorded by community access television.

The Principal Assessor discussed the status of the town's Right of First Refusal to purchase Map 24 Lot 175 (formerly known as Stoney Road and now known as Nancy's Way) which is a parcel of land being removed from Classified Land Use subject to MGL Chapter 61A. The Principal Assessor stated that the Conservation Committee is interested in the parcel because it abuts land currently owned by the town of West Bridgewater and managed by the Conservation Commission. This property could be used by residents for the purpose of parking motor vehicles and therefore providing access to a nearby town owned property. The Principal Assessor noted that the Board typically makes a negative recommendation to the Board of Selectmen, however, in this instance the Board could defer its recommendation to the Conservation Commission. A **motion** was made by Acting Chairman/Clerk Smith to defer its recommendation to the Conservation Commission's interest in having the town exercise its right of first refusal to purchase Map 24 Lot 175. Seconded by Member Bunker. Voted 2-0-0.

Warrants, Motor Vehicle Excise, Exemption denials, vetted Statutory Exemptions, Exemption Certificates, and the Commitment of Taxes were all presented for approval/signatures.

Minutes of the Board's Open Session meeting of September 18th were discussed. The Principal Assessor stated that he and Principal Secretary Daniela Nilsson had reviewed the videotape of the September 18th meeting to clarify the disputed wording on page 3, paragraph 3, of the September 18th minutes. The paragraph originally ended with "Member Bunker stated that she would be happy to help with the minutes but understands Chairman McCarthy and Clerk Smith's concerns with Open Meeting law violations." This sentence was removed and replaced with "Member Bunker repeated that it has been approximately a year since any executive session minutes have been released. The Principal Assessor repeated that he would review them again with the Chairman to determine if any qualify for release." The Principal Assessor stated this revision was made to reinforce the fact that Executive Session minutes are regularly reviewed and will continue to be reviewed for the Board's approval. He also stated that he has tasked Principal Secretary Daniela Nilsson with the duty of reviewing Executive Session minutes for completeness. Member Bunker repeated that she is concerned with the scarcity of Executive Minutes that have been posted. The Principal Assessor called attention to improved protocols, such as the approval of Executive Session minutes 'subject to full adjudication of all appeals', to make the release of minutes more efficient. Member Bunker believes this is a better system but still believes we are in violation due to infrequent postings of Executive Session minutes.

The minutes of December 4, 2019 Open Session meeting were also presented for review. Member Bunker requested more time to review both sets of minutes.

Member Bunker inquired about the current budget and how long the Principal Assessor thinks Principal Secretary Daniela Nilsson will be able to continue recording minutes of the Board's meetings. The Principal Assessor stated that the budget is always very tight but he hopes to cut back on line items such as 'equipment' and 'travel/mileage' expenditures because he considers recording of minutes to be a high priority. Member Bunker asked with the budget the way it is now and not cutting back on these legitimate expenditures how the budget looked. The Principal Assessor stated he believed the Board could afford to continue to engage the services of Secretary Nilsson for at least another three months. He also stated he will review the budget from time to time as the Fiscal Year draws towards an end.

The consensus of Acting Chairman/Clerk Smith and Member Bunker was to table discussion of the FY21 budget until the Board's next meeting, when a full Board was expected to be present.

A **motion** was made by Acting Chairman/Clerk Smith to enter Executive Session for the purpose of discussing Applications for Abatement/Exemption, relative to Purpose 7 of the Open Meeting Law (OML), in compliance with MGL CH 59, § 60, and also to review and discuss pending Appellate Tax Board litigation, relative to Purpose 3 and 7 of the OML - because to do so in open session could have a detrimental effect on the litigating position of the Board of Assessors - and to reconvene in open session at the conclusion of the Executive Session in order to continue reviewing the minutes of 09/18/19 and 12/04/19. A **roll call vote** was taken as follows: Acting Chairman/Clerk Smith = affirmative, Member Bunker = affirmative. The Board adjourned its Open Meeting and entered Executive Session at approximately 6:19 P.M.

The meeting reconvened in Open Session at approximately 6:50 P.M. Acting Chairman/Clerk Smith made a **motion** to accept the revised Open Session Minutes for September 18, 2019 and the Open Session Minutes for December 4, 2019. Member Bunker seconded the motion. Voted 2-0-0.

A **motion** was made to adjourn by Clerk Smith and seconded by Member Bunker. Voted 2-0-0. The meeting adjourned at approximately 6:51 P.M.

Next Meeting: January 15, 2020

I certify that the minutes of this meeting are true and accurate to the best of my recollection.

Respectfully submitted,



Cheryl Smith, Acting Chairman/Clerk

Prepared by Principal Secretary, Daniela Nilsson

Documents referenced during the meeting:

- Bills payable, Motor Vehicle Excise, Exemption denials, Statutory Exemptions, Exemption Certificates, Commitment of Real and Personal Property Taxes, and other administrative documents referenced during the meeting