

**MINUTES OF THE BOARD OF ASSESSORS PUBLIC MEETING
TOWN OF CHARLEMONT**

November 10, 2014

Members Present: Jacqueline Cashin; Chair, Sarah Reynolds, Karen LaClair.

The meeting was convened at 7:00 p.m.

1. The Board reviewed the minutes from their meeting of 10/27/14. On a motion by Reynolds and seconded by Cashin, the Board voted unanimously to approve the minutes as written.
2. The Board reviewed and signed the warrant for 2014 motor vehicle re-commitment #5A.
3. The Board discussed their overlay balance and noted that there were 3 additional Verizon ATB appeals this year. Verizon does not provide the Assessors with copies of these appeals and Millett noted that the only reason she was aware of them was because the Tax Collector fortunately provided her with a copy of a letter from Verizon stating that they were paying their taxes under protest and that there were ATB appeals pending. Millett will pursue having Verizon provide the Assessors with copies of these. After discussion, on a motion by Cashin and seconded by LaClair, the Board voted unanimously to raise \$30,000 on the recap and to not release any funds to overlay surplus due to outstanding appeals.
4. A Fiscal Year 2015 Chapter 61B application came in and as the application was still timely filed, on a motion by Cashin and seconded by Reynolds, the Board voted unanimously to approve the application.
5. Town Counsel had indicated that the Shea's would likely agree to settle and pay the taxes and pursue a payment plan with the Tax Collector. The Collector however has not heard from the Shea's to date.
6. In an email from DEP, a property was found which was in Chapter 61A that had several acres of gravel bank, which is not an agricultural use. Aerial photos of the property were provided. Upon reviewing the file, documentation showed that after obtaining the property, in 1999 when owner Doug Dean notified the Assessors of the gravel pit and inquired about Chapter 61A, he was told that Assessors do not get into gravel bank assessment. It was also noted in the file that Dean would pursue the matter and report back to the Assessors. Documentation later noted that Dean had everything straightened out and the matter appears to have been dropped. After discussion, it was decided that while the acreage in gravel bank use could not continue to be enrolled under Chapter 61A, the Board would not assess a roll-back penalty on Dean as he had attempted to be transparent from the start and the Assessors had failed to act on this. The Board noted that they will require Dean to delineate the amount of acreage that is currently in gravel use. That acreage will be removed from Chapter 61A and going forward until such use is returned to agricultural.
7. A Veteran who currently receives an exemption on real estate taxes inquired as to whether an exemption of motor vehicle excise could be granted. Per the Registry of Motor Vehicles Medical Advisory Bureau (MAB) and recent policy passed, a Vet is eligible for a motor vehicle excise exemption if the MAB determines that the Vet is permanently disabled due to a specific loss, as spelled out in MGL Ch. 60A, §1 and issues a letter stating this or if the Vet has a DAV plate. The Vet had neither but stated that the MAB said it was up to the Assessors discretion to grant this. It was discussed that this conflicts with the policy and that if granted for this individual, there were 7 other similar Vets who would qualify. It was also noted that they would not be reimbursed from the State for the excise lost, as the MAB letter or DAV plate would be required as proof for a reimbursement. Therefore, the Board will follow the policy of requiring either a DAV plate or letter from the MAB as proof for excise exemptions.
8. It was noted that the LA-3, LA-4, LA-15 and LA-13 reports have been approved by the DOR and that the tax rate classification hearing for next Monday has been moved to 8:45 p.m.
9. At 7:50 p.m., on a motion by Reynolds and seconded by Cashin, the Board voted unanimously to adjourn their meeting.

At 7:50 p.m., on a motion by Cashin and seconded by Reynolds, the Board voted unanimously to enter into Executive Session with the intent to not return to open meeting afterwards, in order to deliberate on pending abatement and/or exemption applications.

Roll Call:

Voting yes: Cashin, Reynolds, LaClair

Voting no: None

Motion passed unanimously.

Respectfully Submitted,
Carlene Millett,
Assessor's Secretary

List of Documents Viewed in Public Meeting of November 10, 2014*

1. Minutes from Assessors meeting of 10/27/14.
2. Warrant for 2014 motor vehicle re-commitment #5A, dated 10/8/14.
3. OL-1 Overlay sheet from Gateway.
4. Chapter 61B application for Sharon McCutchen, dated 10/28/14.
5. Notice of Action on Application for recreational land classification, dated 11/10/14.
6. Email from DEP and aerial photos regarding 1605 & 1675 Route 2 (Dean) property, dated 11/4/14.
7. Notes and documentation from Douglas Dean Chapter 61A file.
8. MGL Chapter 60A, Section 1; motor vehicle exemption for disabled veterans ex-prisoners of war.
9. Email from Select Board's Office regarding change in time for tax rate hearing, dated 11/10/14.

***Documents are stored in their respective files in the Assessor's office.**