

MINUTES OF THE BOARD OF ASSESSORS MEETING – OCTOBER 22, 2021

THE BOARD OF ASSESSORS MET AT THE FRANKLIN MUNICIPAL BUILDING IN COUNCIL CHAMBER, 355 EAST CENTRAL STREET, FRANKLIN, MASSACHUSETTS ON FRIDAY, OCTOBER 22, 2021; MEETING CALLED TO ORDER AT 9:00 AM.

MEMBERS: KEN NORMAN, CHAIRMAN – present
CHRIS FEELEY, CLERK – present
DAN BALLINGER, MEMBER – not present

STAFF: KEVIN W. DOYLE, DIRECTOR OF ASSESSING – present
SUSAN M. REAGAN, APPRAISER - present

JAMIE HELLEN, TOWN ADMINISTRATOR – present

A. APPROVAL OF MINUTES – Regular minutes and Executive Session minutes of October 7, 2021 were approved, and the Executive Session minutes were voted to be released into the Public Record.

B. ADMINISTRATION: OLD BUSINESS & NEW BUSINESS

1. Director of Assessing Kevin W. Doyle reported briefly on the progress of the FY 2022 Revaluation. He advised the Board that the DOR had been onsite on Wednesday, October 20, 2021 to formally begin the Certification Review. The DOR Rep requested and the Board agreed to authorize in writing its approval for Director Doyle to sign various DLS documents in Gateway.
2. The Board reviewed and signed the FY 2022 Norfolk County Assessment Warrant to be provided to the Treasurer-Collector as authorization to pay the Norfolk County “tax” in two (2) semi-annual installments.

C. MOTOR VEHICLE EXCISE

D. PERSONAL PROPERTY

E. BOAT EXCISE

F. REAL ESTATE

Roll call vote to go into Executive Session under Purpose 7 to comply with, or act under authority of, any MA General Law (citing MGL Ch. 59, Sec. 60 as MA Statute requiring confidentiality) in regard to abatements and exemptions. At close of the Executive Session, the Board will reconvene the Open Session.

Norman – yes

Feeley – yes

Ballinger – n/a

RE Exemption Applications were reviewed and voted; roll call votes were taken.

Attorney Andrew Rubenstein made a request on behalf of his client Schmidt Farm regarding its FY 2023 Chapters 61A & 61B Applications. The matter was reviewed and voted; roll call votes were taken.

Roll call vote to come out of Executive Session and reconvene Open Session:

Norman – yes

Feeley – yes

Ballinger – n/a

The following RE exemptions were approved:

	Property
72	East Central Street, U-802
457	Chestnut Street
40	Dean Avenue
16	Harmon Road
627	King Street
100	Lewis Street
31	North Park Street
15	Old Forge Hill Road
257	Partridge Street
517	Pond Street
508	Union Street
736	Washington Street

In the matter of Schmidt Farm through its Attorney requesting to withdraw its FY 2023 Applications for Chapter 61A and 61B, in accordance with the provisions of these Chapters in MGL, having already approved/allowed these Special Land Classifications, the Board declined since under MGL the Applications cannot and shall not be withdrawn.

Further, the Board authorized Director Doyle to prepare and send notice as such to Schmidt Farm Attorney Andrew Rubenstein.

G. EXECUTIVE SESSION

1. There was an Executive Session at this meeting on October 22, 2021.

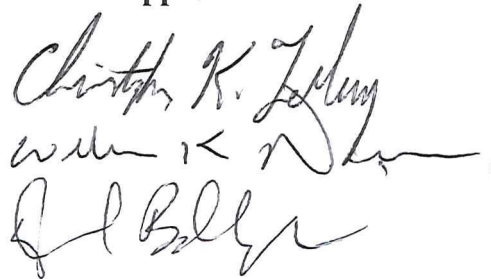
Board adjourned, agreeing to meet again.

Respectfully submitted,



Kevin W. Doyle, Director of Assessing

Board Approval:



EXECUTIVE SESSION MINUTES OF ASSESSORS – OCTOBER 22, 2021

THE BOARD OF ASSESSORS MET AT THE FRANKLIN MUNICIPAL BUILDING IN COUNCIL CHAMBER, 355 EAST CENTRAL STREET, FRANKLIN, MASSACHUSETTS ON FRIDAY, OCTOBER 22, 2021. MEETING CALLED TO ORDER AT 9:00 AM.

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DAN BALLINGER, MEMBER – not present

STAFF: KEVIN W. DOYLE, DIRECTOR OF ASSESSING – present
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JAMIE HELLEN, TOWN ADMINISTRATOR – present

Roll call vote to go into Executive Session under Purpose 7 to comply with, or act under authority of, any MA General Law (citing MGL Ch. 59, Sec. 60 as MA Statute requiring confidentiality) in regard to abatements and exemptions. At close of the Executive Session, the Board will reconvene the Open Session.

Norman – yes
Feeley – yes
Ballinger – n/a

RE Exemptions were considered; roll call:

	Property	Norman	Feeley	Ballinger
72	East Central St U802	yes	yes	n/a
457	Chestnut Street	yes	yes	n/a
40	Dean Avenue	yes	yes	n/a
16	Harmon Road	yes	yes	n/a
627	King Street	yes	yes	n/a
100	Lewis Street	yes	yes	n/a
31	North Park Street	yes	yes	n/a
15	Old Forge Hill Road	yes	yes	n/a
257	Partridge Street	yes	yes	n/a
517	Pond Street	yes	yes	n/a
508	Union Street	yes	yes	n/a
736	Washington Street	yes	yes	n/a

In Executive Session, the Board reviewed and discussed a letter received from Attorney Andrew Rubenstein on behalf of Schmidt Farm, Inc. The following is a timeline of what occurred regarding the Schmidt Farm Chapters 61A and 61B Applications for FY 2023.

1. Completed Applications for both MGL Chapter 61A and 61B were filed in the Assessors' Office on Monday, September 27, 2021 prior to the Oct. 1 deadline.
2. Assessors' Office Staff reviewed the Applications including signatures on the State forms acknowledging the property owner's Chapter Rights and Obligations.
3. The completed Applications including supporting documentation were presented to the Board to consider at their October 7, 2021 Meeting; they were approved.
4. As required by MGL, Approval Notices were sent by USPS Certified Mail on October 13, 2021; USPS Tracking states they were delivered October 14, 2021.
5. A FedEx mailer was sent from Attorney Rubenstein to "KEVIN DOYLE, FRANKLIN BOARD OF ASSESSORS" containing a letter requesting "to withdraw and remove the application in regard to this filing". This was received at the Assessors' Office on October 14, 2021.

Director of Assessing Kevin W. Doyle spoke with MA Department of Revenue Division of Local Services Attorney Don Gorton regarding the request to withdraw. Attorney Gorton indicated that in accordance with the provisions in both MGL Chapter 61A and MGL Chapter 61B, once the Municipal Board of Assessors has allowed, meaning approved, Chapter 61A and 61B Classification, the taxpayer property owner has no right to withdraw the Application(s).

Feeley moved and Norman seconded a motion to authorize Director Doyle to notify Attorney Rubenstein by letter that in accordance with the provisions of MGL the voted approved/allowed Fiscal Year 2023 Applications cannot and shall not be withdrawn.

Roll call vote:

Norman – yes

Feeley – yes

Roll call vote to come out of Executive Session and reconvene Open Session:

Norman – yes

Feeley – yes

Ballinger – n/a

Respectfully submitted,



Kevin W. Doyle
Director of Assessing

Board Approval:



Release into the Public Record:

