

MINUTES
TOWN OF MONTAGUE ASSESSING DEPARTMENT
Second Floor - Montague Town Hall - 1 Avenue A Turners Falls, MA
October 31, 2022

A meeting of the Montague Board of Assessors was held on Monday, October 31, 2022. Assessors present: Chairman Ann Cenzano, Ann Fisk, Rebecca Sabelawski and Karen Tonelli, Director of Assessing. The meeting was called to order 3:38 p.m. MCTV was not present. Chris Pinardi was in attendance. Chairman Cenzano asked if anyone was recording the meeting and there was no response.

Upon a motion made and seconded it was voted to accept the minutes of the previous meeting.

The Board signed monthly summary of abatements issued in October, 2022.
The Board signed a MVE Recommitment for \$20.06 (2020 bill)
The Assessors reviewed the new growth report for Fy2023.

Assessor Sabelawski stated that she will be unavailable the week of November 14, 2022 which is our next scheduled meeting. It was agreed to move that meeting to November 21, 2022 pending the status of the Tax Classification Hearings which may be scheduled sometime during the end of November. It was decided that Karen will notify all members of the next meeting date.

The Board reviewed and took action on the following Chapter Applications for FY2024 as follows:

Patterson 61A (APR) approved
Dougherty/Ricks 61 approved
Fraser/Bye 61A Approved
Garvin 61B Approved
Hemond 61A denied
Spatcher 61A Approved
Garbiel 61A Approved
Greene 61A approved
Komosa 61A denied
Jukebox Realty 61B approved
Freeman 61 Approved
Diemand 61 Approved
Chestnut Loop Realty 61 Approved

Williamson 61 approved

The Board reviewed the open meeting law complaints filed by C Pinardi. Chairman Cenzano began by reading aloud Pinardi's first complaint which is:

"Line item number 2 on the agenda was a review of emails, communications, and correspondence. They skipped this line item altogether. The chair made no mention of it and did not ask the assessor if there were any to review. I waited until they had completed all the other line items on the agenda to see if they would circle back, and they did not. I made a point of order to the chair, who acknowledged me and I expressed concern. As I understand the rules, a line item made by pushed up or back on an agenda so long as it is acknowledged at the point of the meeting where it was scheduled to occur. In the case of the BOA they failed to acknowledge this line item and did not review as is posted on the agenda.

Karen stated that this agenda item was a placeholder in the event that a communication of any type were to be received by the Assessing Department that needs the attention of the board of assessors. The Assessors were in agreement that not every email or communication that comes to our office can or should be brought up at an Assessors Meeting. Rebecca suggested that we add language to the agenda that indicates states "emails, correspondence or other communications that require action by the Board". All were in agreement. The Board then reviewed the suggestions made by Pinardi in response to his complaint. The Assessors do not believe this was a violation.

The Board then reviewed the second Open Meeting Law Complaint filed by Pinardi which was again read aloud by Chairman Cenzano:

I arrived several minutes before the scheduled start of the meeting. Upon arriving, I found all three members of the board as well as the assessor in discussion of a property card. The property card was being reviewed by Karen Tonelli (assessor) with all the members. I have no way of knowing what else was discussed before I arrived and for how long. In reviewing the agenda, I noted this took place prior to the start of the meeting and additionally no executive session was listed on the upcoming agenda. Shortly after I arrived, they ceased discussion and then opened the meeting when it went live on MCTV at 3:30 p.m. My understanding of the rules are that no discussion of Town business should take place amongst a quorum of members at any time outside a scheduled meeting.

While waiting for the meeting to be called order, the board members and the Director of Assessing engaged in general conversation about the real estate market. Karen had several

photographs (some with property cards attached) of properties that had recently sold in Montague. This information is common knowledge and in fact these photographs are put up on the internet for public review on our Town website under "2021 & 2022 Sales Slideshow". No changes or other actions to the property cards were discussed, decided upon or made. The conversation among the group was very general in nature about the continued increase in real estate sale prices in town. The Board agreed that they did not believe they violated the open meeting law. Rebecca did suggest that we be mindful going forward and noted that the Town is hosting an open meeting law review to be put on by KPLaw on November 17, 2022 from 5 - 7 p.m. The board members agreed to attend.

Upon a Motion that was made and seconded, it was voted to go into Executive Session under purposes 7 & 9 to comply with or act under the authority of and general or special law such as MGL C 59 §60 to discuss and take action on a pending real estate abatement application and to revisit a prior action on a pending exemption application. Chairman Cenzano stated that we will not be returned to open session. Roll call vote: AC "aye" AF "aye" RS "aye".

At 4:28 p.m. motion was made and seconded to adjourn the regular session meeting. All were in favor.

Submitted by,

Karen M. Tonelli, M.A.A.

Approved:_____

List of Documents

Summary of Abatements October 2022

Excise Recommitment

New Growth report Fy23

Various Chapter Applications Fy24

Open Meeting Law Complaints Pinardi