

BOARD OF ASSESSORS
October 24, 2012
BEDFORD TOWN HALL

CALL TO ORDER: Chairman Bruce Murphy called the meeting to order at 7:00 PM in the first floor conference room.

ROLL CALL: Members Present: Chair Bruce Murphy, Clerk John Linz, member Ron Cordes, and Associate Assessor Bruce Morgan.

GUESTS: None.

MINUTES: Minutes from the open meeting of 10/3/2012 were reviewed. Ron Cordes made a motion to approve the minutes, seconded by John Linz. The minutes were approved as written by unanimous vote. Minutes from the open meeting of 10/10/2012 were reviewed. John Linz made a motion to approve the minutes, seconded by Ron Cordes. The minutes were approved as written by unanimous vote. Minutes from the open meeting of 10/17/2012 were reviewed. John Linz made a motion to approve the minutes, seconded by Ron Cordes. The minutes were approved as written by Mr. Linz and Mr. Cordes, with Chairman Bruce Murphy abstaining because he was not in attendance at that meeting.

BUSINESS:

1. John Linz presented information on all known Appellate Tax Board cases for FY2003-FY2009 as part of the process of determining how to allocate the necessary funds to settle the Verizon New England, Inc. case. Following Board discussion, Mr. Linz made a motion to release overlay funds to be transferred to overlay surplus as follows: FY2004 = \$75,000; FY2005 = \$30,000; FY2006 = \$40,000; FY2007 = \$60,000; and FY2008 = \$25,000. The motion was seconded by Ron Cordes and the Board voted 3-0-0 to approve the overlay action as stated.

2. The Board discussed the language of the settlement letter regarding the Verizon New England, Inc. case. Ron Cordes made a motion to accept the following language as part of the settlement letter to be presented by Verizon's attorney to the Board: Pursuant to language in the letter of September 14, 2012, from Attorney William Hazel representing Verizon New England to the Bedford Board of Assessors, the Board of Assessors authorizes settlement in the amount of \$179,456.91 plus statutory interest at eight percent from May 1, 2009 to the date of payment. The settlement is in accordance with the Massachusetts Supreme Judicial Court decision regarding poles and wires over public ways for FY2009. This agreement is contingent upon Verizon New England withdrawing the remaining FY2009 Personal Property case and any and all cases in fiscal years prior to FY2009 with the Appellate Tax Board and/or any civil cases for the same time period. John Linz seconded the motion and it was approved unanimously (3-0-0 vote).

3. The Board asked Bruce Morgan to provide a list of all exempt Personal Property accounts, i.e., those with a value less than \$2,000.

4. Bruce Morgan discussed the protocol regarding those taxpayers who did not file an Income and Expense report with the office for FY2013. Notices sent to all relevant taxpayers several months ago stated that failure to respond would result in a penalty of \$50 for residential properties and \$250 for commercial and industrial properties. Following Board discussion, the decision was made to assess the penalty as stipulated by state law on the third quarter tax bills.
5. The regularly-scheduled meeting for 10/31/2012 will be canceled and a meeting will be scheduled for 10/30/2012 instead if determined to be necessary.
6. John Linz noted that there is the need for further review and investigation of pending Appellate Tax Board cases, i.e., some companies have filed for some years and not for others even though values were higher in non-filing years. Bruce Morgan will begin collecting data with John Linz's assistance.
7. Signatures were completed as required.

Adjournment:

Being no other business, John Linz made a motion to adjourn the Open Meeting, seconded by Ron Cordes. There was no discussion on the motion and all members present voted affirmative. The meeting was adjourned at 9:20 PM.

Bruce Morgan, Associate Assessor

Approved by the BOA November 14, 2012

John Linz, Clerk