

Town of Fairhaven  
Massachusetts  
BOARD OF ASSESSORS  
Meeting Minutes  
May 11, 2021

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TOWN CLERK

2021 JUL 29 A 11: 14

FAIRHAVEN,  
MASS.

**PRESENT:** Chair Pamela Davis, MAA, Board of Assessor; Ellis Withington, Board of Assessor; and Secretary & Principal Assessor, Delfino Garcia (Ronnie Manzone, Chair - Excused)

**Present via Zoom:** Chair Pamela Davis, MAA; Board of Assessor, Ellis Withington; Board of Assessor and Secretary & Principal Assessor Delfino Garcia

This meeting was videotaped on Cable Access and Zoom meeting applications.

**MEETING TO COME TO ORDER:**

Chair reads the following statement:

"This Open Meeting of the Fairhaven Board of Assessors is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting, allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will allow public comment related to the posted agenda items only. For this meeting, Fairhaven Board of Assessors is convening by telephone conference/video conference via Zoom App as posted on the Town's Website identifying how the public may join."

Call to order and reading of Open Meeting Law, M.G.L. Chapter 30A, Section 10(F).

Pursuant to the Open Meeting Law, any person may make an audio or video recording of this public meeting or may transmit the meeting through any medium. Attendees are therefore advised that such recordings or transmissions are being made whether perceived or unperceived by those present and are deemed acknowledged and permissible.

**CALLED THE MEETING TO ORDER:**

Can I have a motion from the board to open the session and call the meeting to order.

Motion made by: Ellis B. Withington

Any second? Pamela Davis

Any discussions? None

Hearing none we will now have a ROLL CALL.

**CHAIR:** *When I state your name please respond that you are present and in favor to the motion to call the meeting to order by stating "Aye":*

Pamela Davis Aye

Ellis Withington Aye

All in favor of the motion 2 to 2

Announcing minutes will be taken by Delfino Garcia, Secretary & Principal Assessor.

Please confirm and state your name:

Aye.....Delfino Garcia

The Chair will call the meeting to order of the Board of Assessors and the time right now is 6:20 p.m.

**MINUTES:**

Can I have motion from the board to disperse the reading of the minutes of the April 29, 2021 meeting to be posted on the Assessor's Website.

Motion made by: Pamela Davis

Any seconded: Ellis B. Withington

Any discussions: None

Hearing none we will now have a **ROLL CALL**.

**When I state your name please respond with Aye in favor to the motion:**

Pamela Davis AYE

Ellis Withington AYE

All in favor of the motion 2 to 2

So moved to sign the meeting minutes of April 29, 2021.

**BILLS PAYABLE:**

The following invoices were reviewed by the board.

- a. MAAO Spring Conference - \$60.00

Can I have motion from the board to accept the incurred expenses:

Motion made by: Pamela Davis

Any second: Ellis B. Withington

Any discussions: None

Hearing none we will now have a **ROLL CALL**.

**When I state your name please respond Aye in favor to the motion:**

Pamela Davis AYE

Ellis Withington AYE

All in favor of the motion 2 to 2

So moved to accept and sign the incurred expenses to date.

**WARRANTS:**

None

**MONTH END REPORTS:**

The following Month End Reports of abatements and exemption to be signed:

- a. RE Abatements - \$750.97
- b. MVX Abatements - \$2,628.49
- c. Boat Abatements - \$347.67

Can I have motion from the board to accept the Month End Report:

Motion made by: Pamela Davis

Any second: Ellis B. Withington

Any discussions: None

Hearing none we will now have a **ROLL CALL**.

**When I state your name please respond Aye in favor to the motion:**

Pamela Davis AYE

Ellis Withington AYE

All in favor of the motion 2 to 2

So moved to accept and sign the Month End Reports to date.

**BETTERMENTS:**

The following betterments were paid in full and require signatures:

1. 41 Sedgewick Rd - \$3,025.94
2. 5 Grandview Ave - \$3,027.15

Can I have motion from the board to accept the betterments:

Motion made by: Pamela Davis

Any second: Ellis B. Withington

Any discussions: None

Hearing none we will now have a **ROLL CALL**.

Pamela Davis AYE

Ellis Withington AYE

All in favor of the motion 2 to 2

So moved to accept and sign the betterments to date.

**CORRESPONDENCE:**

Letter from attorney David Saliba dated May 7th, 2021; to be discussed in executive session.

**NEW BUSINESS:**

None

**OLD BUSINESS:**

None

**EXEMPTIONS:**

None

**CHAPTER LAND:**

None

**ABATEMENT APPLICATIONS REVIEW:**

Any abatements to be reviewed by the Board of Assessors will be in Executive Session.

FY21 Abatements received to date:

Real Estate – 34      Personal Property – 6      Total to date: 40

To date the board decided on the following abatements:

Granted - 22      Denied - 12

Acted on – 2 approved and 4 deemed denied

**APPELLATE TAX BOARD CASES:**

ATB cases to be reviewed by the Board of Assessors will be in Executive Session.

There were 25 cases in ATB

Current open are 2 ATB cases

21 have settled prior to ATB hearings before the Commissioner

One case was settled at ATB based on the Commissioner's decision in favor of the taxpayer.

There are no hearings at ATB in May or June.

**NOTES and ANNOUNCEMENTS:**

The next Board of Assessors will be: June 8, 2021 @ 6:00 PM.

**PRIOR TO THE EXECUTIVE SESSION:**

Prior to the Board of Assessors entering into Executive session, we will be discussing the following items:

1. Settlement potential of 11-39 Plaza Way
2. 8 of 58 on 1 Stetson Way response to DOR Legal

Other subjects of discussion or correspondence unable to be put on the agenda within the 48 hour rule will be discussed in the Executive session.

**EXECUTIVE SESSION Pursuant to MGL Ch. 30A ss 21(A): ADJOURNMENT**

Can I have a motion to adjourn the open session and enter in Executive Session and not return to Open Session pursuant to MGL c30A section 21(A)(7) and to review ATB matters pursuant to G.L. 30A section 21(a)(3) since discussion in public would be detrimental to the Town of Fairhaven Board of Assessors legal position.

Do I hear a motion:

Motion made by: Pamela Davis

Any second: Ellis B. Withington

Any discussions: None

Hearing none we will now have a **ROLL CALL**.

**When I state your name please respond with Aye in favor to the motion:**

Pamela Davis AYE

Ellis Withington AYE

All in favor of the motion 2 to 2

We will now go into the Executive Session and the time right now is 6:39 p.m.

Respectfully submitted:

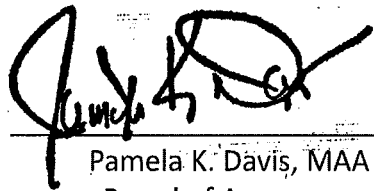
***Delfino R. Garcia***

Principal Assessor

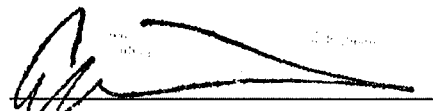
Secretary

Notary Public

Board of Assessors / Date of Filing: July 20, 2021



Pamela K. Davis, MAA  
Board of Assessors



Ellis Withington  
Board of Assessors