

IN BOARD OF SELECTMEN  
WEDNESDAY, JANUARY 21, 2004

Present: Chairman Kirsten D. Roopenian, and Selectmen John C. Drobinski and Lawrence W. O'Brien.

The statutory requirements as to notice having been complied with, at 8:15 a.m., Chairman Roopenian called the special meeting to order in the lower Town Hall.

Annual Town Meeting - Senior Tax Relief Article

Present: Co-chairs Tara Reed and David Levington, William Maloney, Ralph Tyler, and Susan Iuliano of the Property Tax Equity Review Committee (PTERC).

Chairman Kirsten Roopenian stated this meeting with the PTERC had been requested in order to obtain the Committee's reactions to suggested changes to the Senior Tax Relief article submitted for the 2004 Annual Town Meeting Warrant and to discuss the process henceforth to bring the article to a vote.

Town Manager Maureen Valente continued by saying she desired to recap the project's status and clarify any unclear items in her draft of the article. In reviewing the process to date, she stated that she had prepared the draft article from the recommendations and conclusions in the PTERC's report, and has since obtained feedback from the Selectmen and staff. She distributed copies of the draft article marked with further changes she and the Board are recommending. A copy is attached and made a part of these minutes.

Ms. Valente advised that the article as proposed may still have some constitutionality issues.

Ms. Valente stated that the Town's financial departments had advised that PTERC's proposal would have greater chance of adoption and be easier to administer if it mirrored the CPA more closely in the matter of the surcharge. She suggested setting a certain percentage and not having the Board of Assessors face the challenge of setting it at some amount that provides "only the amount needed."

PTERC member Ralph Tyler also recommended a simplified procedure so that everyone would know what the program would provide and what it would cost - suggesting setting 25% for seniors who might qualify.

Selectman O'Brien raised the question of tying the numbers to a three-year period of review.

Ms. Reed noted that the surcharge method had been selected so that taxpayers might see the cost of the program.

Different aspects of the proposed tax relief program which were discussed, included the following:

**Exemption of the first \$100,000 of assessed value from the surcharge.** Mr. Tyler did not recommend this exemption, as he felt it would cut 20% of the funding.

**How other statutory exemptions would enter into this program.** Would they affect eligibility? Do we need to insert language to there can be more than one exemption?

**Program enactment.** The Town Manager pointed out that if this is set up as needing appropriation, funds must be collected before they can be spent; thus a year of collection needed to take place prior to beginning grant of benefits.

**Should there be a deferral requirement. Or some cap?** Selectman O'Brien opined a) there is need of a requirement for an eligible resident to enter into a property tax deferral of some minimum amount. Otherwise, there will be the concern that some taxpayers will be maintaining the assets of others; and b) as appreciation continues, the average assessed value will increase, as well as the disparity between income and assets; in order to make the program more saleable, he suggested some sort of cap. Both Mr. Levington and Mr. Tyler indicated their disagreement with a cap. In support of their position, Ms. Reed advised that the program PTERC crafted was a balance of income and assets.

**The issue of going to the ballot and timing for same.** Town Manager Valente explained she had reviewed this component with Town Counsel. The special act must be enacted by the Legislature before it goes on the ballot, and any major tax proposal must go on the ballot. (A Town Meeting vote accounts for only a small proportion of the Town's voters.)

Selectman O'Brien stressed that the Legislature has heard this issue from many other communities as well as Sudbury and is working on creating a statewide program. He stated there may be opportunity for Sudbury's proposal to be adopted by the Commonwealth if the Town is able to present something plausible. He warned that Sudbury had worn out its welcome at the state offices by its last initiative and expressed the need to strike a fine balance to come up with a program that will receive serious attention.

It was agreed that the Town Manager will further refine the draft article and forward it to PTERC, and PTERC will discuss the article once more on January 27. The Selectmen will meet once more on Wednesday, January 28, at 8 a.m., to finalize the article by the deadline of January 30.

There was a brief discussion relative to Town Meeting preparation, and it was agreed the PTERC will assist in this regard, submitting wording for the Selectmen's warrant report and writing letters to the editor, etc.

The meeting was adjourned at 10:10 a.m.

Attest: \_\_\_\_\_  
Maureen G. Valente  
Town Manager-Clerk