

**Minutes of the Board of Assessors
Meeting of May 16, 2019**

A meeting of the Board of Assessors was held on Thursday May 16, 2019 at 8:15AM in room 208 at City Hall, 229 Main Street, Nashua, NH 03060.

Members Present:

Daniel Hansberry

Robert Earley

Assessing Staff Present:

Greg Turgiss

Louise Brown

Gary Turgiss

Doug Dame

Cheryl Walley

Other City of Nashua Staff Present:

Administrative Services Director Kimberly Kleiner, Chief Financial Officer John Griffin, Deputy Corporation Counsel Celia Leonard

Mr. Earley

Good Morning, welcome to the May 16, 2019 board of assessor meeting. I am Robert Earley and to my left is Daniel Hansberry. Also with us are Deputy Corporation Counsel Celia Leonard, Director of Administrative Services Kim Kleiner, Gary Turgiss from the Assessing Department and Cheryl Walley.

This meeting is recorded by a written transcript and also by audio tape. Please direct all testimony into a microphone and only one person to speak at a time. If you do not already have a copy of today's agenda, please feel free to get a copy at the rear of the room. Today we will be hearing requests for abatements from property owners who are disputing their assessments and approvals or denials of exemptions and/or credits. A decision may be taken under advisement and involved parties will be notified at a later date. Per the City of Nashua bylaws a minimum of two or more affirmative votes are required to approve any application. In addition, this board will hear any and all scheduled cases as long as a quorum of two voting board members are present at this meeting. Any citizen has the right to contest a decision that this board makes. To appeal a municipality's decision on an abatement application the taxpayer may appeal to either the Board of Tax and Land Appeals or to the Superior Court but not to both. Please contact the Assessing Department for more information. Please direct all testimony to this board and not to anyone in the audience. If you have questions they are to be directed to the board and we will get them answered. Please silence or turn off your cell phones. If you need to have a conversation please feel free to step out into

the hallway. Ms. Walley are there any changes to today's agenda? Does anyone have any questions?

Ms Walley

Yes, there is a change to the agenda. #3 motion for the board to go into a nonmeeting session is being moved to the very end after the possible nonpublic session.

Mr. Earley

This is the ninth meeting of 2019. The first item on the agenda is the election of a new chair. Are we any closer to doing that Dan?

Mr. Hansberry

I guess we should defer, because the person withdrew. So we are still at two.

Mr. Earley

Well I wonder if it's wise to have a new person who is just joining the board who doesn't know either one of us, be the person to make that decision. It's kind of putting a burden on the person in a no-win situation. I am willing to flip a coin. I think it is important to finalize this so that logistically we know who the chairman will be each meeting.

Mr. Hansberry

That's democracy though. The reason for having three people on the board is so there are not tie votes.

Mr. Earley

OK, then I would suggest that when that person does join the board that we should present them with a resume of our backgrounds so that they have something to go on.

Mr. Hansberry

You can if you want.

Mr. Earley

Alright then we will pass on that then for now.

MOTION BY Daniel Hansberry to approve the minutes of the board of assessors meeting held on Thursday, May 2, 2019 accept them and place them on file.

SECONDED BY Robert Earley

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

MOTION BY Daniel Hansberry to waive the reading of the minutes (and that would be plural because there are two sets of minutes) for the nonpublic sessions that were held on Thursday, May 2, 2019 accept them and place them on file.

SECONDED BY Robert Earley

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

MOTION BY Daniel Hansberry to approve the board of assessors decision report from the May 2nd meeting as presented.

SECONDED BY Robert Earley

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Earley

Staff items, Gary you have the floor. You have some abatements.

Mr. Turgiss

Yes, the first abatement I have is 35 Hawthorne Village Rd. Staff recommendation is approval. Any questions on that?

Mr. Earley

I have a general question. There are three units in Hawthorne Village, do you usually do them around the same time? Do you know that you have three and use those comparables?

Mr Turgiss

Yes, typically when we have a condominium complex you get an abatement and you kind of try and see what other ones might show up with it so you can do them all at the same time to make sure you are inline with the other two or three that file.

Mr. Earley

Did number 35 have any issues? They seemed to take the biggest reduction from the other two. Were there any issues with 35 Hawthorne Village, it had been the highest assessed property of the three and it went to being the lowest?

Mr. Turgiss

Number 35 in comparison to the other two, is slightly larger in square footage by 160 square feet. However, it does not have a finished basement at all. The other two have

finished basements. Number 125's finished basement is quite large. I believe it's 1,075 square feet of finished. Number 127 is 600 and something.

MOTION BY Robert Earley to accept the abatement reduction for the property located at 35 Hawthorne Village Rd.

SECONDED BY Daniel Hansberry

Mr Hansberry

I have a question. This is off Gilson Rd.

Mr. Turgiss

Hawthorne Village is Sky Meadow off East Dunstable Rd.

Mr. Hansberry

Alright thank you.

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Earley

125 Hawthorne Village Rd. 11% reduction.

Mr.Turgiss

Yes, 125 Hawthorne Village Rd. Staff recommendation is approval. Any questions on that one.

Mr. Earley

No, do you have any questions Dan?

Mr. Hansberry

No.

MOTION BY Robert Earley to accept the abatement reduction for the property located at 125 Hawthorne Village Rd.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Earley

Next is 127 Hawthorne Village Rd.

Mr. Turgiss

127 Hawthorne Village Rd. Staff recommendation is approval. Any questions on 127?

Mr. Earley

I don't have any questions, Dan?

Mr Hansberry

No.

MOTION BY Robert Earley to accept the abatement reduction for the property located at 127 Hawthorne Village Rd.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Earley

Next one, 17 Adelaide.

Mr. Turgiss

17 Adelaide Ave. Staff recommendation is approval. Any questions on 17 Adelaide?

Mr Earley

I see they purchased it for \$389,900 on 9/14/17.

Mr. Turgiss

Yes.

Mr Earley

I don't have any other questions. Dan?

Mr. Hansberry

I guess, it's a reflection of what is happening. This is a 6 room, 3-bedroom 2 ½ bath cape on about a sixth of an acre, right? Going for about \$400,000?

Mr. Turgiss

It sold for \$389,900.

Mr. Hansberry

\$389,900, it's just interesting to see how things are trending. If you look at, historically, go back to the 60's some people would start off with a 5 room 3-bedroom ranch on 9,000 square feet and then move up to this type of a house and fast forward to the 80's and you may be looking at a 5 room 2-bedroom bath and a half townhouse and then they move up to this type of property. Now you are looking at something that is out of reach for a lot of people. \$400,000, it just seems to be a testament to what people are saying about the middle class shrinking and you have poverty that is growing in Nashua and then for a house that is a step up above a starter home you have to have a significant income and you just begin to believe the observation that people are making about the shrinking middle-class poverty and wealth growing at the same time and the middle class being squeezed. This just seems to represent a prime example of what is happening in our own community. It's just an observation.

Mr. Turgiss

Right, I agree.

MOTION BY Robert Earley to accept the abatement reduction for the property located at 17 Adelaide Ave.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Earley

Gary, are you handling Mike's?

Mr. Turgiss

Yes, Mike had a family matter that he had to take care of.

Mr. Earley

First assessment is 117 Chestnut St.

Mr. Turgiss

117 Chestnut St. Staff recommendation is for approval.

Mr. Earley

9% reduction.

Mr Turgiss

Any questions on 117 Chestnut St?

Mr. Earley

Do you have any questions?

Mr Hansberry

No.

MOTION BY Robert Earley to accept the abatement reduction for the property located at 117 Chestnut St.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Earley

Next one is 44 Cross St.

Mr. Turgiss

44 Cross Street Staff recommendation is for approval. Any questions on 44 Cross Street?

Mr. Earley

How's the foundation issues , close to \$50,000 to make repairs. How is that figured into the assessment?

Mr. Turgiss

Mike added a depreciation. Numerous cracks were noted in the foundation were created by an unstable foundation. Added functional depreciation was added. There is a picture here that indicates, it's kind of small, but this is the measuring tool that they use that shows the crack. They bolt it into the concrete and line up, it's like a plus and minus with grid lines to it, and as the crack expands the plastic shifts and marks how the foundation crack has increased or decrease and I guess there is about a dozen of those in the house.

Mr. Earley

Wow, this was built in 2004.

Mr Turgiss

2004 and was built on the side of... in this picture here you can see. It looks like the fill settled in the foundation and started to break away.

Mr. Earley

Do you have any questions?

Mr. Hansberry

I don't, no.

MOTION BY Robert Earley to accept the abatement reduction for the property located at 44 Cross St.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Earley

Next is 105 Chestnut St. Reduction 25%.

Mr. Turgiss

Staff recommendation is for approval. Any questions on 105 Chestnut St.?

Mr. Earley

I don't have any questions, you Dan?

Mr Hansberry

I just have to comment again, this type of assessment speaks to the integrity of the entire process and the professionalism of the staff. If you look at this it was assessed at \$297,900. The owner asked that it be, the value be reset at \$245,000 and Mr. Mandile went out there inspected the property, saw additional depreciation as a department we had been unaware of and he made a further down adjustment price to \$223,700. It think it says the staff, the department and the city itself are trying to treat people as fairly as they possible can. I think it reflects positively on the entire department and on city government.

MOTION BY Robert Earley to accept the abatement reduction for the property located at 105 Chestnut St.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES
MOTION PASSED

Mr Earley

Next one is 10 Briarcliff Dr.

Mr. Turgiss

10 Briarcliff Dr. Staff recommendation is approval. Any questions on 10 Briarcliff Dr?

Mr. Earley

No questions.

Mr Hansberry

I don't have any.

Ms. Ortolano

I'm the Tax Rep. I was supposed to be invited to the meeting.

Mr. Earley

Go ahead.

Ms. Ortolano

I just wanted to, just because I signed the paperwork. The parties here, the property owner is pleased with this reduction. The only thing they wanted noted on the record was that they had done an abatement in 2005, the fireplace had been removed and the condition of the pool was very poor and they were told it was going to be changed on the card and when they abated again and received the property card the fireplace had been left on. You saw the data. So, they asked me to represent that publicly that they had wanted a refund for that. I explained to them that counsel was not going to accept that because it sets a precedence to go back and ultimately it is their responsibility to make certain that their card is correct. I made a recommendation to the administration that I think the settlement pages should be emailed to people. Anyone that does an abatement and people I have talked to, I have said to them ask for your settlement papers and come get, when they mail out the approval or denial send out the property card, because you're mailing it and they can say check the card to make certain it's right. The people I have said get your settlement papers, I've received calls back saying I've asked for them, they don't know what I'm talking about because it's not a language we use so what I'm telling them is to ask for, the assessors are not used to being asked for that so I asked Kim to come up with a term. Now, it's funny as I go through this, we use the word settlement in here. Settlement values, settlement. So we do call it settlement I just picked settlement papers and maybe it's not the right word. You guys

make up the word you want to call it and when people call in they'll know what their papers look like and you could email them to them. I think this is all part, and I represent the owner and this is all part of a public campaign to educate the public. I think it's really important that you have the papers and have the property card. Just for clarification, this property did not receive the ratio and my assumption is because the changes made were based on changes to the property card and physical characteristics and not the sales data. Is that correct? When it is sales compared, we apply the ratio. When it is just physical changes to the card, we don't. Is that correct?

Mr. Turgiss

That's correct.

Ms. Ortolano

Good, ok so that is why it wasn't, I just wasn't positive of that and I just wanted to make certain. Those are my only comments is let's see if we can get those settlement papers out to people and mail them their property card. I'm going to say to this couple check your card to make certain it's right, because it's on them. I do want to agree this was well done by Mike. I thought this is another example to me of a card that was really looked at, fixed worked with and corrected at a full level. I thought the other one you pointed out was, I agree with you, was an excellent example of an abatement well done, thank you.

Mr. Earley

Next abatement is 192 Cannongate III Rd.

Mr. Turgiss

Yes, the staff recommendation for 192 Cannongate III Rd is for an approval.

Mr. Earley

7% reduction. Minor data card changes.

Mr. Turgiss

Yes.

Mr. Earley

I don't have any question, Dan?

Mr. Hansberry

No.

MOTION BY Robert Earley to accept the abatement reduction for the property located at 192 Cannongate III Rd.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Earley

Last one is 44 Gillis St. Unit D

Mr. Turgiss

Yes, 44 Gillis St. Unit D staff recommendation is for denial. Any questions on 44 Gillis St. Unit D?

Mr. Earley

No, I don't have any questions,

Mr. Hansberry

No.

MOTION BY Robert Earley to deny the abatement reduction for the property located at on 44 Gillis St. Unit D.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Mr. Turgiss

Thank you very much for your time.

Mr. Hansberry

Thank you

Mr. Earley

Thank you

Mr. Earley

Next we have Amanda's exemptions.

Ms. Brown

Good morning. Louise Brown with the Assessing Department. I'm going to be presenting for Amanda, she has a lot of applications she is processing right now so she is diligently working on those. First we have the Veteran's Credit approvals. Any questions on the list you received?

Mr. Hansberry

When it is a double vet, does that mean they get twice the amount? Both the husband and wife get the... You would take it and multiply the amount by 2 so it's \$1,000 rather than \$500?

Ms. Brown

Correct. That is the only scenario where they would each get the \$500 credit as husband and wife and they supply us with the necessary paperwork to show that.

Mr. Hansberry

Okay, thank you.

MOTION BY Daniel Hansberry to approve the Veterans' Credits as presented
SECONDED BY Robert Earley

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Ms. Walley

Would you like to be presented with this at the end of as they are approved? The list to sign.

Mr. Earley

The end.

Mr Hansberry

What was that? Oh, the list to sign. At the end is fine.

Mr. Earley

Is there another one?

Ms. Brown

The rest are nonpublic.

Mr. Earley

Any other business for the public session? Not hearing any.

Mr. Hansberry

Mrs. Ortolano wanted to address us, correct? She has exited? OK.

We'll do the nonpublic first and the non-meeting after?

Mr. Earley

Yes.

MOTION BY Robert Earley to go into nonpublic session for reason that matters which if discussed in public would likely affect adversely the reputation of any persons other than a member of this board unless such person would want an open meeting. This exemption shall extend to include any application for assistance, tax abatement or waiver of a fee, fine or other levy based on inability to pay or poverty of the applicant.

Ms Walley

Keep the tape on?

Ms. Leonard

Yes, nonpublic is still recorded for minutes. Then the decision needs to be made and the vote taken in public session whether or not you are going to seal the nonpublic minutes. You do take minutes.

Mr. Earley

I move to go into nonpublic session. (at 8:39 AM)

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Motion by Mr. Earley to reconvene public session. (at 8:43 AM)

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Motion by Robert Earley to seal the minutes of the nonpublic session because divulgence of the information will likely affect adversely the reputation of any person other than a member of this public body.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Motion by Daniel Hansberry to approve the disabled exemptions as recommended per the submitted list.

SECONDED BY Robert Earley

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Motion by Daniel Hansberry to deny the disabled exemptions as recommended per the submitted list.

SECONDED BY Robert Earley

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Motion by Daniel Hansberry to approve the elderly exemption per the attached list.

SECONDED BY Robert Earley

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Motion by Daniel Hansberry to approve the veteran's credit as submitted per the attached list.

SECONDED BY Robert Earley

VOTE:

Daniel Hansberry-YES

Robert Earley-YES
MOTION PASSED

Ms. Walley

We should probably sign these in the public, right?

Ms. Leonard

Absolutely, and as you are doing that, a non-meeting is just that. You would adjourn your meeting and we could stay here or if you'd like we can go up to the Legal conference room. There's no minutes, it's a meeting with counsel.

Mr. Hansberry

Is there nothing else to come before us in public session?

Ms. Walley

No.

Mr. Hansberry

Ok, we just need to sign these. Do we need to sign these while the meeting is going on?

Ms Leonard

No you do not, however you want to do it. If you want to adjourn and sign or sign and adjourn.

Cheryl, I'll email you the public meeting minutes that I handed out so you'll have them electronically.

Ms. Walley

Okay, perfect.

Ms Leonard

I know Ms. Ortolano requested them so you can email those to her. The nonpublic sealed minutes, the board had copies. I can take those back. I'm going to make that change to note they are sealed pursuant to vote and then we will put them on record. Those, until they are unsealed are not subject to disclosure. They are official records.

Ms. Walley

So the one I'm sending to Laurie is the one you gave me.

Mr. Hansberry

I have one question before we adjourn. Two things, one – abatements. Do we need to meet every Thursday in June to get the work done, should we plan on doing that? We were at 299 before this meeting, right? That was the last number that I heard. What did we knock off, I didn't count them, maybe about 10 or 15 something like that. Should we plan on doing that?

Ms. Kleiner

We know we have KRT probably coming to the first meeting in June to address some. I would suggest we wait until that meeting if we could and then figure out how we want to proceed for the rest of the month.

Mr. Hansberry

Okay, alright.

Second question that I had is the work session, since it might be a while before we get a third member because the Personnel Administrative Affairs Committee won't meet until the first Monday in June and then the board will meet on the second Tuesday in June. Do we want to wait until there is a third member or do we want to go ahead and have the work session?

Ms. Kleiner

So, you are correct. The mayor has a candidate he is putting forth to the board of aldermen at their next meeting. That candidate will go in front of the Personnel and Administrative Affairs the first Monday in June and then not be sworn in until the first Aldermen meeting the second week of June, so that is the timeframe. That candidate was with me at the training the past three days in Concord. I would suggest we wait for the workshop.

Mr. Hansberry

Okay.

Ms. Kleiner

But, it is ultimately up to the board.

Mr. Hansberry

If that's how you want to proceed that's fine with me. Is that okay with you Bob?

Mr. Earley

That's fine.

Motion by Robert Earley to adjourn.

SECONDED BY Daniel Hansberry

VOTE:

Daniel Hansberry-YES

Robert Earley-YES

MOTION PASSED

Adjourned at 8:51 AM