

## BOARD OF SELECTMEN MEETING

Wednesday January 12, 2022 – 6:00 PM – Hybrid Meeting

Richmond Town Hall, 1529 State Road, Richmond, MA 01254

**PRESENT:** Neal Pilson, Chair; Alan Hanson, Selectman; Roger Manzoloni, Selectman; Danielle Fillio, Town Admin.; Harald Scheid, Principal Assessor; Dick Stover; Holly Stover; Tom Grizey; Sewers; Rick Bell; Barry Rose; Patrick Seckler; Matt Mozian, Attorney; Doreen Donovan, Resident;

At 6:03, Neal opened the meeting with a welcome to the first meeting of 2022.

**Approval of Minutes of the December 12, 2021 meeting of the Board of Selectmen:** All requested changes having been incorporated into the minutes before the Board, Roger moved to approve them. The motion was seconded by Neal and adopted by unanimous consent.

**Update from the Town Administrator:** Danielle reported that the Dublin Road Bridge Project is complete, and the road is now open. Drivers are advised to proceed with caution as the road is currently only gravel in the bridge area. In the spring paving and planting on each side of the road will be done.

Danielle is currently working on a grant for the Swamp Road culvert and the Sleepy Hollow culvert upgrades. The grant will permit the Town to do a storm water assessment study, which will make the Town eligible to apply for more grants in the future.

Danielle reported that the budget process is underway and that departments have received budget forms which they must return by February 15. Articles for the Annual Town Meeting must be submitted to the Board of Selectmen by the first Monday in March.

Bids for the new Municipal Building: Filed sub-contractors must return bids by February 2, the General Contractor by February 16.

The newest member of the Highway Department, Travis Searing, will begin work on January 3<sup>rd</sup>.

**Balderdash Special Permit Annual Review:** Neal pointed out that, given the upcoming trial on January 19, 2022, it would make sense to postpone, once again, any discussion of the Special Permit until the issue either goes to trial or there is a settlement. There being no objection, Neal moved to postpone the review of the Balderdash Special Permit until after the trial. The motion was seconded by Al and passed by unanimous vote.

**Explanation of Recent Tax Increases:** Harald Scheid, Principal Assessor for the Town, provided an explanation of the increase in valuation for properties in Richmond. He provided a worksheet to show how assessed values were driven by sales in a base year and how the recent drastic uptick in the real estate market has led to reevaluations required by the State. Assessors

are mandated to bring the assessment of each property at or near 100% valuation. There is never a reassessment of only recently sold properties – all properties in the area are reassessed using specific criteria. He pointed out that several factors will go into determining whether a property is over or under assessed in order to achieve a greater uniformity across the area. Therefore, some previously undervalued properties were brought into parity.

The techniques used will sometimes create an over evaluation, which is where the process of abatement requests comes in. The procedure: Requests for abatements of Massachusetts residents must be filed by the due date of the third quarter bill. February 1<sup>st</sup> will be the last date to file. The Board of Assessors then has thirty days to respond, review the arguments and determine if there is a data issue. If so, they will make an appointment to inspect the property, create an analysis of comparative sales and assessments of other properties in the area.

Usually, in communities where property values go up to the extent that they did in Richmond, there is an offset in the tax rate to create a modest tax increase. The tax rate in Richmond did not go down but went up by 2 cents.

Roger explained that what happened this year is that \$560K increased spending was approved at the Annual Town Meeting: \$330K increase in the school budget driven mostly by SPED requirements; \$190K Increase for the Municipal Building Project, (\$340K project bond offset by the \$150K School bond, which has been paid off.) and \$40K increase for the remaining line items and articles. There was also a \$98K decrease in funds expected to come from the State. Collectively, this increase of \$658K is what is driving the tax increase.

**Public Comment:**

Rick Bell – asked whether the \$175,000.00 for SPED expenses at the school were for Richmond resident students. He was assured that it was.

Barry Rose questioned how a 70% increase in the value of his property was equitable. Roger assured him that no individual property was targeted and that he feels a similar pain in the increase of his own property value, which is 5 times what it was since he purchased his house. He assured Mr. Rose that the Board of Assessors and their sub-contractors are doing the best job they can.

Patrick Seckler raised the issue of taxing residents and non-residents at different rates. The Board of Selectmen plans to look at the possibility of instituting a different tax rate for residents.

Harald cautioned people that, in making a comparison of last year's taxes and this year's they keep in mind that 3<sup>rd</sup> quarter and 4<sup>th</sup> quarter bills include the unpaid portion from the 1<sup>st</sup> and 2<sup>nd</sup> quarter bills, which were estimates. Third and fourth quarter bills are based on the actual yearly rate, which includes an amount that allows for "catch-up" from the lower earlier bills.

Neal thanked Harald for his explanation and for the work he does for Richmond.

**Zoning Bylaw Proposal for Submittal to Planning Board:** Matt Mozian, Attorney, of Campoli, Monteleone and Mozian, representing the Morse family, the Caligari family and the Grossman family of Perry's Peak Road, addressed the Board about a proposed amendment to the Town's Zoning Bylaws that deals with recreational uses and to request a meeting to with the Planning Board to discuss the amendment. The case is pending before the Land Court.

The amendment would require a Special Permit for any user promoting the use of a property to the public. Mr. Mozian's clients contend that it is the public promotion and advertising that drives an intensity of use at a particular location. They believe that a Special Permit is required under those circumstances in order to protect abutters' rights. The amendment was referred to Donna McNichol, attorney for Richmond. She has reviewed it and has suggested that it be presented to the Planning Board.

Mr. Mozian noted that he is at this meeting merely as a courtesy, to advise the Board of Selectmen that the proposal will go to the Planning Board who will conduct an open meeting and discuss it.

**Donovan Sewer Betterment Exemption:** Doreen Donovan came before the Board to ask that a recently purchased lot behind her house be granted a Deed Restriction so that no house may be built on that land.

Some discussion on the matter included Roger's request that input on the issue from Paul Lisi, Town Tax Collector, be obtained and that the final decision whether to approve the request be made at the next meeting of the Board.

Dick Stover voiced his objection to the granting of that Restriction and asked that the Sewer Advisory Council be included in the discussion.

**School Negotiation Committee Opening – Possible Appointee:** There was no resolution to this matter, which was deferred to the next meeting.

**Conservation Committee Member Appointment:** Ron outlined the membership losses and the need to bring the committee up to full membership: John Scorpa will move to full membership from Associate. Dan Scorpa resigned his full-time membership but will remain available as an Associate. Christian Marzotto is seeking a full-time seat on the Con. Com. and Shep and Ron met with him and fully support his application. Ernie Smith also seeks a full-time membership. Ron and Shep have met with him and support his application as well. Those changes will restore the membership of the Con.Com. to its appropriate levels.

Roger moved to appoint Ernie Smith and Christian Marzotto to full-time membership and move John Scorpa from Associate to full-time and Dan Scorpa from full-time to Associate memberships. The motion was seconded by Neal and approved by unanimous vote.

**Review and Approval of Town Boundary Line and Easement Agreements:** Neal said that he had not seen the revised version of the Agreement and would defer review until the Board has the final version in hand, hopefully, at the next meeting.

**Public Comment:**

Rick Bell raised an objection to the fact that Parcel #4 has not been included in the Boundary Line Agreement. Neal explained that Parcel #4 was not pertinent to the Agreement, that the drawing Rick refers to has been deemed irrelevant by the lawyers for both parties and that this kind of confusion caused by inaccurate and confusing historic materials was addressed and settled by the Agreement and Easements. That Agreement when signed by the Board, will be submitted for a vote at the Annual Town Meeting, where it will require a simple majority for passage.

There was a discussion of the status of Church Lane and whether it is a private way or a public road. Danielle noted that in May, at the Annual Town Meeting, a formal layout of the road will be submitted to a vote for it to be made acceptable to the State as a legal Public Road and declared as such.

Ron Veillette reported that the Con. Com. had a good meeting with the DCR last night on the View Drive Restoration. They have provided preliminary drawings that the Con. Com. and the abutters will review and comment on. There is reason to believe a resolution may now be achieved after many years. Ron also noted that the Con. Com. has advised the DCR that the easements on the sides of the mountain are confusing. They have been asked to sort it out legally.

They are working on a survey of the Beach Rd. property that was given to the Con. Com. as Conservation land. They are working on creating deeds to make that conservation land permanent.

Neal thanked Ron and the Con. Com for their work.

Holly Stover expressed her thanks to the Highway Department for handling the recent icy roads so efficiently. She asked that they plan a restoration of the size of the road and remove the gravel in the fields and among the vegetation back onto the road before grading in the spring.

She also noted that a bad mud season was inevitable and that there is a need to put in trapped rock, not 1-1/4" stone, but layer trap rock to firm it up until they can get gravel on it.

She discussed the damage done on the corner of East and Sleepy Hollow Extension, where it was pushed back six feet with the plowing. She asked that that material be pulled back down when it thaws.

Dick Stover spoke about 59 Willow Road in Richmond Shores, which has been in violation of zoning laws for several years. There was a discussion of this ongoing issue and what steps have been taken and what remains to be done to resolve it.

Danielle advised that after the Con. Com issues a certain number of tickets, advisements, etc. that are ignored, the issue can be brought to court. The Zoning Enforcement Officer can write a letter to the resident, that says, “ you are in violation – stop what you are doing. If you disagree, you can go to the ZBA.” Or if a resident wrote a complaint to the Zoning Enforcement Officer, it would then go to the ZBA for appeal.

The Con. Com. has been waiting action from the Zoning Board before beginning the process of levying fines. Roger commented that since both Boards have separate issues they should be working in concert and not waiting for action from each other.

It was decided that Danielle will advise Paul Greene, the Zoning Enforcement Officer, to follow through with the process discussed at this meeting.

**Sewer Matters:** There were no issues to bring before the Board

**Selectmen’s Matters:** Neal stated that he intends to write a letter of commendation to Benjamin, the dog whose alerting averted a disaster at the Hilltop Orchards Fire.

Alan asked whether there was a “Plan B” in place if the bids on the new Municipal Building come in higher than anticipated. The Municipal Building Committee will meet to discuss costs and draft a future plan if it becomes necessary. Neal noted that there will be time to consider other options if problems arise, but there is no need for a plan b before we have the necessary information.

Roger thanked Lauren Broussal for the excellent article on the tax increase in the *Richmond Record*.

There being no further business before the Board, Roger moved that the meeting be adjourned. Neal seconded the motion, which was carried by unanimous consent.

The meeting was adjourned at 8:20 PM

Signed:

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Neal Pilson, Chair