

**Minutes of the Board of Assessors  
Meeting of August 27, 2020**

An online meeting of the Board of Assessors was held via Zoom on Thursday, August 27, 2020. The meeting was called to order at 9:00 AM by Chair Daniel Hansberry

**Members Present:**

Daniel Hansberry

Robert Earley

Paul Bergeron

**Assessing Staff Present:**

Doug Dame

Gary Turgiss

Amanda Mazerolle

Louise Brown

**Other City of Nashua Staff Present:**

Administrative Services Director Kimberly Kleiner, Rex Norman CAE, Deputy Corporation Counsel Celia Leonard

**Mr. Hansberry**

I call the meeting of the Nashua Board of Assessors to order at 9:00 AM on Thursday, August 27, 2020. I would ask everyone to bear with me because I'm obliged to read a fairly lengthy opening statement.

Good morning and welcome to the August 27, 2020 Board of Assessor meeting. As Chair of the Board of Assessors, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing Zoom through the City's IT Department for this electronic meeting. All members of the Board of Assessors have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen into this meeting through dialing the following number 929-205-6099, once again that number is

929-205-6099 and using the Meeting ID number 647-437-0083. Once again the Meeting ID number is 647-473-0083 and password of 229644, once again the password is 229644. The Public may also view this meeting on Comcast Channel 16.

b) Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, through Public Postings. Instructions have also been provided on the City of Nashua's website at [nashuanh.gov](http://nashuanh.gov) and publicly noticed at City Hall and the Nashua Public Library.

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

If anybody has a problem accessing the meeting via phone or Channel 16, please call 603-821-2049, once again that number is 603-821-2049 and they will help you connect.

d) Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting via the methods mentioned above, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, the reason they are not able to attend the meeting in person, please also state whether is anyone in the room with you during this meeting, which is required under the Right to Know Law. Mr. Earley?

Mr. Bergeron

Bob you're on mute.

Mr. Hansberry

Mr. Earley are you with us?

Mr. Dame

He's there, I see him.

Mr. Hansberry

Mr. Earley I think you need to unmute.

Mr. Earley

Can you hear me?

Mr. Hansberry

Yes, we can now.

Mr. Earley

I'm sorry. This is Robert Early; I'm a member of the Board of Assessors. I'm joining the meeting from my home. I'm following the governor's recommendation to joining the meeting remotely. There's no one here in the room with me.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

I'm Paul Bergeron, a member of the Board of Assessors, following the governor's advisory, I'm joining the meeting remotely from my home and there's no one else in the room with me.

Mr. Hansberry

I'm Dan Hansberry, member of the Board of Assessors. I'm joining the meeting remotely and following the governor's advisory. There is no one here in the room with me.

Today, we will be hearing various requests as listed on the agenda. Please note that decisions may be taken under advisement and involved parties will be notified at a later date.

Per the City of Nashua by-laws, 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 quorums of two voting Board Members are present at this meeting.

Any citizen has the right to contest the 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.

Ms. Brown, are there any changes to today's agenda?

Ms. Brown

There are no changes.

Mr. Hansberry

Ms. Brown I think you may be muted and you need to unmute also.

Ms. Brown

There are no changes.

Mr. Hansberry

Thank you.

Does anyone have any questions before we begin?

Seeing none we will get underway. Is there a motion to wave the reading of the Board of Assessors meeting minutes from July 30<sup>th</sup>, 2020, accept them and place them on file?

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr. Hansberry

Are there any errors or corrections?

Mr. Bergeron

Mr. Hansberry, we received some edits to the minutes that were provided to us previously. Are we voting on the edited transcripts?

Mr. Hansberry

That's correct.

Mr. Bergeron

Okay, thank you.

Mr. Hansberry

You're welcome. Are there any other questions? All those in favor of accepting the minutes as presented signify by saying aye.

Mr. Bergeron

Roll call.

Mr. Hansberry

That's right, sorry. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry? Yes.

Is there a motion to wave the reading of the minutes of the non-public session meeting of the July 30<sup>th</sup>, 2020, accept them and place them on file?

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr. Hansberry

Any errors or corrections? Seeing none, all those in favor of accepting the minutes as presented, I'll call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry, yes. Communications, there are none.

At this time I will recognize Director Kimberly Kleiner, who is the director of Administrative Services and also has responsibility within that position for oversight of the Assessing Department. Director Kleiner.

Ms. Kleiner

Good morning. With the Board's permission I will share my screen so that members of the public may see the memo. So for members of the public that may be watching, we put this up on the screen and it's also attached to the meeting minutes. Anything that I discuss with the Board. Today's memo which will have attached to it, the latest update from Vision Government Solutions on the status of the Full Measure and List. I'd like to let residents know that these are also published to the website. Every update that we receive from Vision, you will find there. This last week staff met with the Vision team to finalize the Commercial Data Collection guidelines, which will be submitted to the Board of Tax and Land Appeals with the next quarterly report. As I reported to you in June, Assessing is scheduled for a remodel which will include a new customer service area and reconfiguration of the assessing office area. A second Request for Proposals, or rebid, was issued on August 19th with proposals due on August 31st. To share a little bit about that remodel with the Board, I'm going to switch to a proposed outline of that remodel. So as you can see on the sketch that I've displayed, this is the proposal and I just wanted to quickly go over it with the Board so you understand our goals. Currently, when you walk down the main staircase in the rotunda, you walk into an area that now has the printshop here and the maintenance shop here and you have an employee entrance to assessing here. We will be building a brand new customer service area in that opening space between the hallway and the maintenance shop. This will be a brand new room that you will see once you reach the bottom of the stairs. It will also, for the first time, include an ADA accessible counter area. That was one of our goals. Currently when you walk down the stairs, this does not exist. You enter the hallway and you enter assessing here. Which will now, the office will be switched. Now the assessors will be located currently where the customer service area is and the administrative staff will be housed where the assessors are. We're doing that so the administrative staff is closest to the customer service, the new customer service area. The assessors can be closest to the new Chief's Office, which will be located here with the assessors and GIS. The other reason for doing that is currently the chief assessors office houses the only conference room, which isn't best suited when other staff need to meet with someone and the chief is in his office. We are creating a new conference room that will be accessible from the hallway but also from within the assessing suite. What we hope this will do is allow administrative staff that need to meet with residents,

and actually sit down and maybe discuss an exemption or credit, that this will allow them to bring those residence into this new conference room space and have an area where they may discuss details of their exemption or credit or business that you wouldn't want discussed out in the open. This has been a goal of ours. We're anxious to get started and what we hope is that we can start the construction in early September. So right now the plan is, September 9<sup>th</sup>, that's a Wednesday, will be the last day that assessing will be accepting appointments by the public within the building. On September 10<sup>th</sup> & 11<sup>th</sup> our Information Technology Department will relocate the Assessing and the GIS computer systems out of that area. The area does have to be completely empty before they will begin construction. Those computer systems will be housed, relocated within City Hall so that our staff can work remotely and access them remotely. The department will continue to provide our residents service by email, mail and the drop off box located at our Elm Street entrance. All this will be up on our website and a press release will be issued. The assessing department modifications are estimated to be completed within 8-10 weeks.

As all of you know, with the COVID-19 pandemic, we have modified the way that we gather information to update property record cards either due to a property transfer or building permit work, which has been completed. In lieu of conducting an interior inspections, we have sent out questionnaires to obtain the data and hopefully speak with the property owner. Of 535 building permit questionnaires mailed, we've had 155 returned, sadly that's about 28%. Of the 1,024 sales letters, we've had 271 returned. That's about 26%. Our assessors have been actively conducting exterior inspections and contacting residents for the capture of building permit data prior to the submittal of the October 1st MS-1.

Our administrative staff has been extremely busy. They've been preparing our property record files for delivery to Inception Technology. Inception Technology is the vendor that has been contracted to scan our property record files into a digital database. These files have been prepared for the first round of scanning. Approximately 50 boxes and that requires us to create manifests for each box of exactly what property record files are contained and that's a lot of work to complete. When you look in the vault, I would say those 50 boxes might represent maybe an eighth of what is contained in the vault. The vendor estimated each round of scanning to be completed within 3 weeks. That shows you a little bit of how long this process is going to be considering that's maybe about an eighth of the vault and it's three weeks at a time. So Chair, that's all I have for you today unless there's any questions.

Mr. Hansberry

Thank you very much Director Kleiner. Are there any questions for Director Kleiner?

Mr. Bergeron

I have a few Mr. Chariman.

Mr. Hansberry

Go right ahead.

Mr. Bergeron

Ms. Kleiner I guess my first question is, I couldn't tell from the layout of the plans for the renovation. Is building maintenance going to have a separate doorway to their area or are they going to be walking through the customer service area of assessing?

Ms. Kleiner

Very good question. They will still have their current doorway. The room will start right after their doorway.

Mr. Bergeron

Okay. My second question--maybe it's a group of questions--deals with the scanning of the records. Do you know, or perhaps you can respond to me later, I'm wondering what kind of digital file is being created. Is it PDF or TIFF or some other image. I'm wondering what the plans are for the paper records and I'm wondering what the... if there is any image verification planned once the documents have been scanned to verify that the images were captured properly, accurately and completely.

Ms. Kleiner

Certainly. The software that's utilized is Docuware and it creates PDF's of the files.

Mr. Bergeron

Is it PDF or PDF/A? PDF/A would be an archive.

Ms. Kleiner

It's a PDF file.

Mr. Bergeron

Okay.

Ms. Kleiner

What they do create, they will send back to us and we will QC those records. They are scanning the complete property record file. Those property record files will still need to be looked at to determine what is a public document and what is a non-public document. We will have the ability to redact certain information document by document. If there was a small section of financial document, of financial information within that one document we could just redact that portion of the document. It will be a review process that we will have to complete as the files are scanned. Then your third question as to what will happen to the property record files, it's still being discussed. Currently they will be returned and whether we continue with the vault and just

keep the property record files as they are and from this date forward, move more to a digital database. Ultimately you want to lessen that paper footprint. Number one, we just don't have the room to hold all those records. But, for right now they're coming back to the vault and we will refile them as they are.

Mr. Bergeron

Okay, if I might Mr. Chairman. Just one last comment. Under the State records retention schedule, any record that has a retention period of ten years or more must be retained as a paper record or microfilm record. If some of these files need to be retained permanently, and sometimes certain building records do. Plans will need to be put into place to ensure that those records are preserved.

Ms. Kleiner

If I may. We have actually had that conversation of whether we wanted to go to microfiche versus keeping the paper records. But yes, good point.

Mr. Bergeron

Thank you, thank you very much

Mr. Hansberry

Other questions for Director Kleiner?

Mr. Earley

No.

Mr. Hansberry

Director Kleiner, I would just say that I think the redesign is going to be a tremendous plus for the public. Right now when you walk into the entry area when there's another citizen there, when I walk in it's already just two people. I think that's going to be a tremendous enhancement.

New business. Mr. Gary Turgiss have you joined us?

Mr. Turgiss

Yes, I'm here. I believe you can hear me now.

Mr. Hansberry

We can hear you, we can see you. Live and direct.

Mr. Turgiss

Live and direct. I've had experience with Zoom before but I'm not sure why I couldn't get this in but eventually I figured it out.

Mr. Hansberry

If you want to go ahead with your abatements.

Mr. Turgiss

Sure. The first abatement that I have is the abatement for 29 Monica Drive. Mr. LaPointe's property. It's a cape style home located at 29 Monica Drive. It is a unique home where it has a solar system as its main heating with wood and gas as its backup. The City did an evaluation on the property, we did an inspection, exterior inspection and spoke with the taxpayer by phone and in person at the property. The analysis that the City came up with was that the assessment was inline and to recommend denial.

Mr. Hansberry

Questions for Mr. Turgiss?

Mr. Earley

No questions.

Mr. Bergeron

No, I don't have any.

Mr. Hansberry

Mr. Turgiss the concrete wall that he references, he loses living space because of the concrete wall. Can you address that?

Mr. Turgiss

Sure. The concrete wall of the exterior of the house on the south side of the house, is about 3 feet...it's almost like two concrete walls. There's a three foot gap between the exterior of the house and the actual start of the interior of his house. It's just space that absorbs through the windows, through passive solar and the concrete it absorbs the heat. And then basically on the inside they open the windows once the heat builds up and it lets the heat filter in through the windows into the finished basement area and into the first floor area. It's definitely a three foot gap. You can see it from the outside of the house. The three foot gap is basically the thickness of the concrete cinderblock and then approximately two feet of dead air space that heats up.

Mr. Hansberry

Thank you. Is there a motion to deny the abatement for the property located at 29 Monica Drive?

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr. Hansberry

Okay, is there any discussion? Seeing none I will call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry? Yes. Mr. Turgiss.

Mr. Turgiss

The next abatement that I have is a property located at 78 Concord Street. The subject property is an antique style home. The taxpayer felt that the market value of the property 579,900, basically. They arrived at supplying some assessment comps on Concord Street and came up with a cost, an assessment per square foot based on the averages. A phone interview with the two taxpayers...the two homeowners and an inspection of the exterior of the property as well as conversations at the site resulted in a couple of data changes, nothing major. The City put an analysis together and in the analysis the City's market value was \$650,000, equalized the value is 577,200 and the City is recommendation is to change the assessment from 737,600 to an equalized assessment of 577,200.

Mr. Hansberry

Are there any questions for Mr. Turgiss?

Mr. Earley

Mr. Chairman.

Mr. Hansberry

Yes.

Mr. Earley

Of the eight homes the homeowner provided that were on Concord Street, only one was used. Were the others not applicable?

Mr. Turgiss

They were not sales. They hadn't sold.

Mr. Earley

Okay, I thought that was a high number of sales in a small area, okay.

Mr. Hansberry

Any other questions? Seeing none. Is motion to approve the assessment reduction for the property located at 78 Concord St to \$577,200?

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr. Hansberry

Any discussion? Seeing none, I'll call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry? Yes. Motion is adopted. Does that conclude your report Mr. Turgiss?

Mr. Turgiss

That concludes my report.

Mr. Hansberry

Thank you.

Mr. Turgiss

Thank you very much. Have a great day everyone.

Mr. Hansberry

Thanks, you too. There is no unfinished business. We will move to public comment and just so members of the public know we recently revised our policies and procedures and we now have a specific length of time noted. Within those policies and procedures, excuse me, so each person is allowed a 5 minute period, up to a five minute period to address the Board. Are there people that have signed up for public comment?

Ms. Ortolano

Can you hear me?

Mr. Hansberry

Yes.

Ms. Ortolano

Okay, so I didn't sign up. I'm not certain how you sign up but I'm just here. My name is Laurie Ortolano, 41 Berkeley Street. I just want you to know I could not dial in on the phone. It would allow me to dial in and then it would put me on hold and say I have to wait until you allow me to enter. So, I just want to let you know that was a problem and I use my phone more than my computer. I'm on the computer now but there's a big internet problem over here with xfinity on

Berkeley and Concord Street, and I've had a lot of trouble. Unfortunately I haven't been able to get in. I tried to send a text to Ms. Kleiner but her number wasn't valid anymore that I had either. Just a couple of things. The permit and sales data that was discussed in the report by the Director, I thought that Vision was handling permit and sales but it sounds like our assessors are doing some things as well with the questionnaires certainly going out, which is fine. I see the percentage of returns is fairly low. Sales, though we still have the advantage of still being able to use MLS data. I'm just wondering, are we still on the schedule where we're not, or are we following the plan where we're not doing any depreciation, condition or grade changes on these properties using MLS data, and we're only correcting based on physical items? That's a question I have because there's quite a lot of 2019 data that the adjustments to depreciation were not made, and I knew when Vision came on for the 2020 work, we were told they weren't going to make those adjustments until 2023, but that leaves some really big disparities on homes that have been completely redone. And that's going to create a very low ratio if there's no correcting going on in that. That's just a concern I have. Also, I would ask that the board revisit the policy on how we handle documenting property record cards in the file. There's a policy I have from Angelo Marino that was dated in 2012 that detailed out the process, and now the existing policy, I feel, is missing elements of what we do, which is, you know, when we update a property record card for a permit, we pencil-mark the old, we take it back to the office, a clerk or assessor inputs the changes, we check it, we staple the old to the new, it becomes a record in the file that's a public record. That process is not really outlined in policy, and I think it should be. And I'm concerned, you know, it seems to be we're still doing that, but it leaves the door open to say, did somebody change it and we're not? So I want to be very clear on what our practice is, and I think documenting our practice in very clear terms is important. And also, I feel strongly that the board of assessors should be reviewing the abatement applications. You know, the RSA states that abatements applications are to be reviewed by the board, and I feel that I have been told that way we process abatements is a first-come first-serve basis, but you have no idea that's happening because you never see the applications of who came first, and what is first come first serve? I don't feel I was handled first come first serve in 2018; certainly wasn't handled at all in 2019. But when I went and looked at all the abatement applications, I don't really believe people whose applications stamped with dates are necessarily getting first come first serve. And I also think that if you're going to be an impartial board, you need to see both sides of the story, and that means people who've done appraisals, who've submitted sales data, take a look at what they put in. I understand that you fully trust our assessors to be the voice on what the value should be, but since the law states that it's incumbent on the property owner to present the... the burden of proof is on us, then I think our information should be reviewed by the board. And like I said, I'm particularly concerned that the first come first serve nature of what's supposed to be happening in there isn't really happening. Thank you.

Mr. Hansberry

Thank you. Are there other members of the public who would care to comment? Are there comments by board members?

Mr. Earley

No.

Mr Bergeron

No.

Mr. Hansberry

Okay. Alright, so is there a motion to go into non-public session for two reasons, first to discuss matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant, pursuant to RSA 91-3, -A, , :3, II(c). Second, under 91-A: 3, II (1), for the consideration for the consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr Hansberry

Okay, I will call the roll. Earley?

Mr Earley

Yes.

Mr. Hansberry

Mr. Bergeron.

Mr Bergeron

Yes.

Mr Hansberry

Yes. Let the record show we are in non-public session at 9:34 AM.

Let the record show that we are out of non-public at 10:07 AM. Is there a motion to seal the minutes of the non-public session because divulgence of the information likely would one affect adversely the reputation of any person other than a member of this public body and two render the proposed action ineffective?

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I will second that.

Mr. Hansberry

I will call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry? Yes. Motion is adopted.

Is there anything else to come before the board.

Ms. Kleiner

No, there is not.

Mr. Hansberry

Our next meeting is when?

Ms. Kleiner

September 3<sup>rd</sup>.

Mr. Hansberry

And do we need one next week? I don't have a problem if we do but do we need one?

Ms. Kleiner

Yes Chair, we believe we may.

Mr. Hansberry

Okay. Alright, the next meeting will be next Thursday the 3<sup>rd</sup> of September.

Anything else to come before us? Is there a motion to adjourn.

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I will second that.

Mr. Hansberry

I'll call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry? Yes.

Meeting is adjourned at 10:08 AM. Thank you everybody and thank to IT.

DRAFT