Minutes of the Enfield BAA
Special Meeting
November 1, 2022
DRAFT

1. **Roll Call:** Donna Dubanoski, Lori Longhi & Tom Tyler were present when meeting was called to order at 3:00 p.m.

2. **Approve Minutes**: No Action Taken

3. **Correspondence:**

   a) Receipt of written correspondence dated 7/5/22 and postmarked 7/6/22 from Enfield Town Manager Ellen Zoppo-Sassu addressed to
   "Tom Tyler, Esq.
   B.A.A.
   92 High Street
   Enfield, CT 06082"

   Town Manager addressed her letter to "Chairman and Members of the Board of Assessment Appeals" regarding two motor vehicle appeal forms from a resident filed with the TM who apparently discussed and resolved the taxpayer's grievances indicating to BAA his "desire to have his Veteran's Exemption applied to his vehicles instead of his house for subsequent tax years." The letter concluded as follows:
   "I am forwarding you the forms for your files."

   The envelope contained TM's letter and two signed BAA Appeal forms.

   Discussion: The appeal forms submitted were made out on real estate property appeal forms with a filing deadline of March 18, 2022 which had already long since passed. Also, the forms pertained to motor vehicle appeals but were submitted a couple of months before they could be officially received since Motor vehicle appeal hearings, deliberations and decisions were not undertaken until September, 2022. Finally, TM and Taxpayer appeared to have reached an accord outside of any valid appeal having been filed; accordingly, no action was required by BAA.

   The Chairman indicated this correspondence was treated as for "informational purposes only" letter requiring no action by B.A.A..

b) Receipt of oral communications as correspondence to various members; however, no BAA action was taken or required at this time.

4. **<u>Status and Review of Appeals to BAA during 2022.</u>**

The Chair briefly summarized and reviewed all real estate appeals which were heard, deliberated and decided by BAA during April and May (Note: Statutory time period to appeal RE matters to the Superior Court expired about August 1, 2022); and, the Chair then summarized and reviewed all motor vehicle appeals which were heard, deliberated and decided by BAA during September (Note: Statutory time appeal period MV matters to Superior Court will not expire until on or about December 1, 2022).

Throughout this time BAA maintained as its regular office or place of business the office of its Chairman (92 High Street, Enfield, CT) with an additional mailing address to Chairman's residence (18 Bridge Lane, Enfield, CT).

Also, throughout this time, BAA continued to accumulate evidence (i.e. public records) introduced at hearings, which was used in deliberations in reaching BAA decisions completed about a month ago. BAA maintained custody and control of these records, primarily through Lori Longhi, as its "Recording Secretary" and/or Donna Dubanoski, in the absence or unavailability of Lori Longhi. Those records were accessible and made available to the public for inspection or copying, upon request; and, certified copies of requested records were made by Lori Longhi, as Recording Secretary, since March, 2022.

In the Chairman's view, for the BAA to have relinquished custody of documents last summer would have been premature. BAA had not yet heard motor vehicle appeals which took place two months later (in September, 2022). In fact, the final deliberation and decision special meeting did not take place until September 26, 2022. There is an automatic statutory appeal period of two months from the date decisions were mailed by the Tax Assessor. As such, about half of that appeal period remains today. BAA recognizes that not only the taxpayers may still appeal as the town may still appeal any of the BAA's September decisions, also.

BAA has been trying to shine light on the tax assessment (including VISION) practices, procedures and/or actions during the Revaluation and Appeals process. Chairman Tyler suggested BAA follow the provisions of CGS 1-210 (Copy attached) in turning over custody of BAA's records to the Town Clerk, as soon as practicable, to expedite these public records being made more accessible now, instead of waiting until expiration of the statutory appeal period.

MOTION MADE BY DONNA DUBANOSKI, PURSUANT TO THE PROVISIONS OF CGS 1-210, THE BAA TURNOVER TO THE ENFIELD TOWN CLERK (AS SOON AS PRACTICABLE) BAA RECORDS REGARDING 2022 REAL ESTATE, PERSONAL PROPERTY AND MOTOR VEHICLE APPEALS HEARD, DELIBERATED AND DECIDED DURING 2022, FOR THE FOLLOWING REASONS:

WHEREAS, the BAA is a "public agency" and, as such, has kept and maintained all public records received and thereafter retained in its custody throughout the appeal process this year either by its Recording Secretary (Lori Longhi), its Assistant Vice Chair (Donna Dubanoski) or its Chairman (Tom Tyler) using as its regular office or place of business the Chairman's offices at 92 High Street, Enfield, CT; and,

WHEREAS, throughout this entire time it has assured public accessibility and records integrity by maintaining custody and control of BAA public records primarily through Lori Longhi, as its "Recording Secretary" and/or Donna Dubanoski, in the absence or unavailability of Lori Longhi. Those public records were made available to the public for inspection and/or copying, upon request; moreover, a certified copy of requested records were made from time to time by Lori Longhi, as BAA Recording Secretary, since March, 2022 as provided for in CGS 1-210; and,

WHEREAS, the BAA Appeal process has not yet been completed since the Motor Vehicle Statutory Appeal Period (expires on or about December, 1, 2022) within which either the Taxpayer or the Town still may file an appeal to the Superior Court as a matter of right; and,

WHEREAS, the BAA's intentions and efforts throughout 2022 has been to shine a light on some of the questionable/objectionable actions/practices attributed to the Office of the Tax Assessor (including VISION).

NOW, THEREFORE, BE IT RESOLVED THAT, PURSUANT TO THE PROVISIONS OF CGS 1-210, THE BAA TURNOVER TO THE ENFIELD TOWN CLERK (AS SOON AS PRACTICABLE) BAA RECORDS REGARDING 2022 REAL ESTATE, PERSONAL PROPERTY AND MOTOR VEHICLE APPEALS HEARD, DELIBERATED AND DECIDED DURING 2022.

MOTION WAS SECONDED BY CHAIRMAN TOM TYLER

FOLLOWING DISCUSSION ON THE MOTION, IT WAS **APPROVED UNANIMOUSLY, BY A 3-0 VOTE** AS DONNA DUBANOSKI, LORI LONGHI AND TOM TYLER VOTED IN FAVOR AT A SPECIAL MEETING OF BOARD OF ASSESSMENT APPEALS ON NOVEMBER 1, 2022. **MOTION PASSED**

5. **Adjournment: Motion to Adjourn by Donna Dubanoski and Seconded by Lori Longhi was Approved Unanimously 3-0.**

Meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Lori Longhi, BAA Recording Secretary

Lori Longhi
Recording Secretary

NOTE: Copy of CGS 1-210 provided by Tom Tyler follows:

Sec. 1-210. (Formerly Sec. 1-19). Access to public records. Exempt records. (a) Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212. Any agency rule or regulation, or part thereof, that conflicts with the provisions of this subsection or diminishes or curtails in any way the rights granted by this subsection shall be void. Each such agency shall keep and maintain all public records in its custody at its regular office or place of business in an accessible place and, if there is no such office or place of business, the public records pertaining to such agency shall be kept in the office of the clerk of the political subdivision in which such public agency is located or of the Secretary of the State, as the case may be. Any certified record hereunder attested as a true copy by the clerk, chief or deputy of such agency or by such other person designated or empowered by law to so act, shall be competent evidence in any court of this state of the facts contained therein.