

ACTS, 1985. – Chap. 23.

Chapter 23. AN ACT RELATING TO THE ELECTION AND COMPOSITION OF THE BOARD OF ASSESSORS OF THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. Title VI of chapter 240 of the acts of 1899 is hereby amended by striking out section 36 and inserting in place thereof the following section:-

Section 36. ASSESSORS

(a) Composition of Board; Term of Office – The board of assessors shall consist of three members. They shall be appointed by the mayor subject to the approval of the board of aldermen. Each Assessor shall serve a three year term. Their terms shall be staggered so that only one term elapses at the end of each year.

The chairman of the board of assessors shall serve full-time. He shall be nominated as chairman by the mayor at the time of his appointment. As chairman of the board he shall also serve as the department head in the administration of the department.

The other two assessors shall serve part-time and constitute the other members of the Board of Assessors.

QUALIFICATIONS

(b) The members of the board of assessors shall possess the following minimum qualifications before assuming their official duties: a bachelor's degree from an accredited four year college or university with major course work in accounting, business or public administration, economics, statistics, real estate, computer science, engineering or mathematics and not less than three years of paid, full-time experience in the public or private sector where the primary task involved the assessment or appraisal of real property; provided, however, that possession of any one or more of the following certificates or memberships may be substituted for the bachelor's degree requirement: (1) Certified Massachusetts Assessor (CMA), (2) Certified Appraisal Evaluator (CAE), (3) Designated member of Society of Real Estate Appraisers (SREA), (4) Designated member of the American Institute of Real Estate Appraisers. The provisions of this paragraph may be waived by the mayor, with the approval of a two-thirds vote of the board of aldermen taken by a call of the yeas and nays, if the mayor determines that there is no reasonable expectation that qualified persons will be able and willing to accept appointment as an assessor, but in no case shall such a waiver be made for the position of chairman of the board of assessors; provided, however, that a waiver granted pursuant to this paragraph shall be renewed annually. If such waiver is not sought by the mayor by the first regularly scheduled meeting of the board of aldermen in February, then that assessor shall cease to hold office. If the board of aldermen fail to act upon the request for waiver by the end of March, then that assessor shall cease to hold office. The waiver provided for herein shall be granted for not more than three consecutive times as to each person.

(c) Powers and Duties – The members of the board of assessors shall

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have all the powers and perform all the duties imposed upon them. They shall confer on a regular basis but not less frequently than twice each year, with the mayor and the board of aldermen in relation to matters involving local taxes and taxation, state and federal taxes or charges levied against the city and revenues received by city, and such other matters as they or the mayor and the board of aldermen shall deem necessary.

(d) Compensation of Members – The salary of members of the board of assessors shall be established by ordinance by the board of aldermen with the approval of the mayor.

(e) Quorum, Voting – A majority of the full board of assessors shall constitute a quorum. Every member of the board of assessors may vote on any question coming before it. The affirmative vote of at least two assessors (a majority of the assessors present and voting) shall be necessary for the approval of any matter, including, but not limited to, statutory and discretionary tax abatements.

(f) Rules – The board of assessors shall, from time to time, establish, amend or alter rules for its proceedings.

(g) Meetings – Regular meetings of the board of assessors shall be held at a time and place fixed by rule; provided, however, that at least one meeting shall be held each month. The chairman of the board of assessors or any two members thereof may, at any time, call a special meeting by causing written notices, stating the time of holding such meeting and the subject to be acted upon, and signed by the members calling the same, to be delivered in hand to each member of the board of assessors or left at his usual dwelling place, at least forty-eight hours in advance of the time set for such meeting. Except as may be authorized by law, all meetings of the board of assessors shall be open to the public and press.

(h) Journal – A full and accurate journal of the proceedings of the board of assessors shall be kept. Every matter which comes before the board of assessors for a vote shall be included in the journal.

(i) Roll Call Votes – All final votes of the board of assessors on questions involving the abatement of taxes in the amount of one thousand dollars or more or the granting of any special tax agreement, or upon the request of one member of the board of assessors, shall be taken by a call of the yeas and nays and shall be entered upon the records.

(j) Filling of Vacancies – If a vacancy shall occur in the office of assessor at any time, the mayor shall, subject to confirmation by the board of aldermen, appoint a qualified person to fill such vacancy for the balance of the unexpired term.

SECTION 2. Notwithstanding any election of assessors having occurred in November of nineteen hundred and eighty-one and in November of nineteen hundred and eighty-three, section one of this act shall operate to dissolve the currently elected board of assessors and their terms of office and powers shall terminate on the sixtieth day after the effective date of this act.

The first term of each assessor appointed pursuant to section one of this act shall be as follows: (1) the chairman shall be appointed for a full

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three year term, (2) the two part-time assessors shall be appointed for a term of two years and one year, respectively and thereafter each assessor shall be appointed to a three year term or to fill an unexpired three year term.

Approved April 9, 1985.

Chapter 24. AN ACT ESTABLISHING A SPECIAL ACCOUNT FOR THE AMESBURY MUNICIPAL HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws or any other provisions of law to the contrary, the town of Amesbury is hereby authorized to establish a special account to be known as the "Amesbury Municipal Hospital Operations Account", into which account shall be deposited all receipts, revenues and funds from any source derived from any activity of Amesbury Municipal Hospital. For the purpose of providing health care said town may, at any time during the fiscal year, appropriate monies into said account. Donations from private sources also may be received and placed into said account, as well as monies from other sources as authorized by law.

SECTION 2. Said account shall be maintained by the town treasurer of said town. Said treasurer may invest the monies in said account in the manner authorized by sections fifty-five and fifty-five A of chapter forty-four of the General Laws. The interest accruing upon said account shall inure solely to the benefit of Amesbury Municipal Hospital. Said account shall be maintained in accordance with law. The books and records of the hospital pertaining to said account shall be maintained in accordance with generally accepted principles of accounting. Said account shall be audited annually by an independent certified public accountant. Such audit reports shall be submitted to the board of trustees of said hospital and to the town manager, town accountant, town treasurer, finance committee, and the board of selectmen of said town.

SECTION 3. The administrator of Amesbury Municipal Hospital, with the town treasurer of said town, shall file with the board of trustees of said hospital; the board of selectmen, finance committee, town accountant, and the bureau of accounts of the commonwealth, a written report of the said account established pursuant to section one of this act within one hundred and twenty days after the books of said hospital are closed for each fiscal year. Such report shall include audited financial statements relating to the operations, maintenance, capital, and real and personal properties of said hospital.