

City and Town



FY2011 Levy Limits Notice

The [Division of Local Services](#) has posted preliminary FY2011 levy limit worksheets and instructions to our website at this [link](#). This information should assist local officials in developing their community's FY2011 budget.

The worksheets include final data from FY2010 which provides the basis for the FY2011 calculation. The instructions detail how the FY2011 worksheet is completed.

All local officials and other interested parties are welcome to view this information. For more information, please contact your [Bureau of Accounts](#) field representative or your [Bureau of Local Assessment](#) certification advisor.

2010 Corporation Book is now available online

The updated Corporation Book On-line Search is now available. The 2010 list of Corporations Subject to Taxation in Massachusetts, issued pursuant to G.L. c. 58, § 2, was published on our Internet website (<http://dorapps.dor.state.ma.us/corpbok/home/home.asp>) on April 28, 2010. We publish this list solely on the Internet to facilitate keyword and community based searches.

The Corporations Subject to Taxation in Massachusetts listing contains business entities registered to do business in Massachusetts as of January 1, 2010, including corporations that were granted "manufacturing" status or whose manufacturing status was revoked. The financial institutions and insurance companies are listed separately under their own section headings because they are taxed differently from business corporations. Corporations included in these lists that are not classified as manufacturing have been listed based solely on registrations or returns they filed; such inclusion does not indicate DOR's approval of any applications for classification or other review and determination of their corporate status.

Every effort is made to include all manufacturing (M) and revocation (R) decisions made by the Massachusetts' Department of Revenue's Manufacturing Unit in this listing. However, some decisions occur after the listing release and are retroactive to January 1 of the current year. It is the policy of DOR to notify assessors of the subsequent decisions by letter. For informational purposes, a separate compilation of subsequent manufacturing and revocation decisions applicable in the current calendar year will be posted (updated) on our website throughout the year until the next list is issued. Assessors should periodically check the website for these updates.

Please click [here](#) for more information ...

The Final Report of the Regionalization Advisory Commission

The Joint Legislative Committee on Municipalities and Regional Governments, Lieutenant Governor Timothy Murray, and the Massachusetts Association of Regional Planning Agencies Invite municipal officials and citizens to attend hearings to provide feedback on the Final Report of the Regionalization Advisory Commission

Tuesday, May 4
Greenfield Community College – 270 Main Street --Greenfield, MA 01301-9739
10 am

Tuesday, May 11

New Bedford Main Free Public Library -- Third Floor Meeting Room
613 Pleasant Street (enter through William St. entrance), New Bedford, MA 02740.

10 am

Friday, May 14

Cape Cod Community College -- 2240 Iyannough Road -- West Barnstable, MA 02668
The Lorusso Atrium

10 am

Tuesday, May 18

The State House, Boston, MA 02133 Room A-2

10 am

Friday, May 21

Ayer Town Hall --1 Main Street -- Ayer, MA 01432

10 am

The Regionalization Advisory Commission was established in July of 2009. It is a nineteen member Commission, consisting of agency representatives, legislators, municipal representatives, and regional planners. The Commission was charged with reviewing all aspects of regionalization, including possible opportunities, benefits, and challenges to regionalizing services in the Commonwealth.

The Commission will report on opportunities in the areas of education, elder services, municipal finance, energy, housing and economic development, information technology, libraries, public health, public safety, public works and transportation and veterans services. The Commission will report its findings and recommendations into effect, by April 30, 2010.

The report will be available at the following link: www.mass.gov/governor/regional

Further questions – contact the offices of
Chairman Paul Donato 617-722-2090 Rep.PaulDonato@Hou.State.MA.US
or Senator James Eldridge 617-722-1120 James.Eldridge@state.ma.us

Tax Status of Leased Historic Property

James Crowley, Esq. [Bureau of Municipal Finance Law](#)

The taxability of a historic mansion owned by the Commonwealth and leased to a private business was the subject of the recent [Appellate Tax Board \(ATB\)](#) decision of [Willowdale LLC v. Board of Assessors of Topsfield, \(ATB, docket ## F288893, F297036, March 15, 2010\)](#).

Pursuant to [Ch. 85 Sec. 44 of the Acts of 1994](#), the [Legislature](#) authorized the Department of Environmental Management (DEM) to lease 23 named historic properties to private parties for the purpose of rehabilitating and maintaining them at no cost to the Commonwealth. Under the [Historic Curatorship Program](#), the [Department of Conservation and Recreation \(DCR\)](#), which was the legal successor to DEM, entered into a 50 year lease of the [Bradley Palmer Mansion](#) (Mansion) in September 1999. Built in 1901, the Mansion is located in [Topsfield](#) at the Bradley Palmer State Park. As some may be aware, the former owner, Bradley Palmer, was a noted attorney who represented President Wilson at the Versailles Peace Conference at the conclusion of World War I. The leased parcel contained 6.1 acres of land improved by an historic residence, a coach house and pump house. The lessee, Willowdale LLC, planned to operate the Mansion as a bed and breakfast with facilities for weddings, banquets, and conferences. Extensive renovations were required which were costly and time consuming. A certificate of occupancy was only issued to the lessee in August 2007. All renovation work had to receive prior approval from DCR and the [Massachusetts Historical Commission](#). Full cost for the renovation was paid by the lessee, which in return received a credit toward the long-term lease of the premises equal to the value of the provided improvements, maintenance and management services. The lease agreement for the Mansion also expressly required the lessee to pay all real estate taxes.

Originally published on April 22, 2010.

Click [here](#) to read more ...

FY2011 House Local Aid Proposals

Yesterday, the House Ways and Means Committee (HWM) released their version of the state's FY2011 budget. The language determining Section 3: Local Aid Proposals is available by clicking [here](#).

The Division of Local Services has also posted updated local aid estimates based on the HWM budget recommendations to our website at this [link](#).

The HWM budget proposal supplements Chapter 70 with additional funding from State Fiscal Stabilization Funds (SFSF). The SFSF is a grant and should not be considered part of general fund revenue for budgeting purposes. Click [here](#) for a complete list of FY2010 actual Chapter 70 and SFSF and potential FY2011 HWM Chapter 70 and SFSF.

The HWM budget has funded the FY2011 State-owned Land reimbursement program at the FY2010 level. However, local officials should be aware that these estimates are based on the recent revaluation of property eligible for reimbursement under the State-owned Land program. In many cases, this results in significant changes from the FY2010 estimates.

Please note that Charter School and School Choice assessments may change significantly when updated to reflect spring enrollment data and final tuition rates.

To review additional information about how the estimates were determined and what may cause them to change in the future, click on the link at the bottom of the local aid estimates for an index of the FY2011 programs and links to individual explanations.

If you have questions about these estimates please call Lisa Juskiewicz at (617) 626-2386, Jared Curtis at (617) 626-2320, or Donnette Benvenuto at (617) 626-2360.

Originally released on April 14, 2010 as a DLS Alert.

Meals Tax Statewide Snapshot

Robert Bliss, DOR Director of Communications

As of the end of March, the Commonwealth had collected \$556 million in meals tax for the fiscal year to date, an increase of \$81 million from the same period a year ago. That \$556 million does not include revenue from the .75 percent local option that goes directly to cities and towns.

The \$82 million increase is \$8 million above the benchmark for the year to date.

Originally published on April 15, 2010.

Classification of Property in Holbrook

James Crowley, Esq. [Bureau of Municipal Finance Law](#)

If a community has a split tax rate, the classification of a parcel can have a big impact on the tax obligation. The proper classification of real property was the subject of a recent [Appellate Tax Board \(ATB\) decision](#). The case is [Union Street Realty Trust v. Board of Assessors of Holbrook, \(ATB, docket ## F283385, F288853 November 3, 2009\)](#).

Joseph R. Mullins and Michael Mullins, Trustees of Union Street Realty Trust, acquired the subject 78.6 acre parcel at 229 Union Street in [Holbrook](#) in August 2002. The northern 8.6 acre portion of the parcel was described as containing a 13,000 square foot structure which had been operated as a bowling alley. The remaining 70 acres were described as vacant land. For some years the entire parcel had been zoned as business/commercial property. Pursuant to a master development plan, the owners planned to use the northern 8.6 acres for retail and office space with the remainder of the land being used for residential condominiums and a four lot residential subdivision. When the Holbrook assessors continued to classify the entire tract of land as Class 3, commercial property for fiscal years 2006 and 2007, the trustees applied for abatements which were denied. Prompt appeals were then made to the ATB. The assessed value of the parcel was not at issue. Only the Class 3, commercial classification of the property was challenged by the owners. They contended that the lower residential tax rate should have been applied to 70 acres of the land.

Originally published on April 8, 2010.

Click [here](#) to read more ...

Bulletin 2010-03B: Summary of 2009 Municipal Finance Law Changes Now available from the Bureau of Municipal Finance Law

Kathleen Colleary, Bureau Chief, [Bureau of Municipal Finance Law](#)

To keep you informed of legislative developments during the year, the [Division of Local Services](#) publishes on a periodic basis a BULLETIN summarizing any new laws enacted that affect municipal budgets and local tax assessment, administration and collection. Each issue contains a cumulative summary of session laws enacted to that time and indicates whether the Division has issued or will issue any further implementation guidelines. final edition of the 2009 LEGISLATIVE BULLETIN. It includes any legislative changes affecting municipal finance found in Chapters 1 – 204 of the Acts of 2009. Summaries of legislation enacted since the September 2009 edition was issued begin on page 6 with Chapter 120. Any changes in or additions to the previously issued material are in boldface and underscored.

Originally published on April 1, 2010.

Click [here](#) to read the full Bulletin ...

Telecommunications Competition Status Report

Massachusetts Department of Telecommunications and Cable Competition

The Massachusetts Department of Telecommunications and Cable Competition recently released a *Competition Status Report* in February that is something that many of our readers will find worthwhile reading. If you are interested in the current state of communications in the Commonwealth that include landline and wireless voice services as well as cable television, this report presents a comprehensive, well written and easy to understand document that is chock full of great graphics that analyze the competitiveness, and lack thereof, of the industries across the state. We suggest that you start by reading the Executive Summary to see how your community stacks up in relation to others.

Originally published on April 1, 2010.

Click [here](#) to read more (or copy and past the following into your browser http://www.mass.gov/Eoca/docs/dtc/compreport/CompetitionReport_Ccombined.pdf) ...

Partnering with Lawrence

Commentary by Robert G. Nunes, Deputy Commissioner

These times of unprecedented fiscal stress are hitting all communities to some extent, but those most severely struck are cities and towns that lack the resources and reserves needed to balance budgets in tough times. The [City of Lawrence](#) is one such community.

From the start, [Governor Deval Patrick's approach](#), which received support from the [Legislature](#), has been to give newly elected Lawrence [Mayor William Lantigua](#) and the nine-member [City Council](#) (six of whom are also new to office, having taken office for the first time in January) a chance to make the tough decisions and hard choices on behalf of the citizens of Lawrence.

Originally published on April 1, 2010.

Click [here](#) to read more ...

Editor's Note:

Beginning with this issue of City and Town, on the last Thursday of each month a compiled edition will appear containing both a new article or note and all information and articles from the preceding month. For example, today's edition includes each item published under the City and Town name during the month of April.

We hope that this will allow those subscribers who want a less frequent newsletter to check-in with us monthly and those subscribers who miss a week to catch up, while maintaining a timely and relevant e-letter.

Per usual, if images do not appear above or the document does not print as a complete page, it may be due to your individual computer settings.

Best,
S.J. Port
Editor

[Mark Your Calendar](#)

The Municipal Affairs Coordinating Cabinet chaired by Lt. Governor Tim Murray, will hold its 27th meeting on Tuesday, May 3, from 10:00 - 11:30 a.m. in the Town of Lee. The meeting will be held in Lee Memorial/Town Hall, 32 Main Street. For more information contact portsj@dor.state.ma.us.

New Officials Finance Forum (NOFF) will be held on Wednesday, June 2nd at the Hogan Center at the College of the Holy Cross in Worcester.

Municipal Calendar

May 1: Taxpayer: Deadline for Payment of Semi-Annual and 4th Quarterly Tax Bill Without Interest According to M.G.L. Ch. 59, Sec. 57, this is the deadline for receipt of the 2nd half actual tax payment, or the actual tax payment if an optional preliminary bill was issued. According to M.G.L. Ch. 59, Sec. 57C, this is the deadline for the 4th Quarter tax payment.

May 1: Treasurer: Deadline for Payment of 2nd Half of County Tax

May 1: Accountant/Treasurer: Notification of Amount of Debt Due in Next Fiscal Year
As required by M.G.L. Ch. 44, Sec. 28, the Accountant or Treasurer must notify the Assessors of all debt due in the next fiscal year because the municipality is required to pay its debts, appropriated or not. Since all debt service must be paid, any debt service not covered by appropriations is added to the "Other Local Expenditures" category, found on page 2 of the Tax Recapitulation Sheet. It is important that the Assessors have this information in order to avoid setting a tax rate lower than required and raising insufficient revenue to cover the municipality's expenditures.

May 15: Treasurer: 3rd Quarterly Reconciliation of Cash

May 15: DOR/BLA: Commissioner Determines and Certifies Telephone and Telegraph Company Valuations

June 1: Clerk: Certification of Appropriations This is done after City/Town Council or Town Meeting so the Accountant may set up accounts for each department in the municipality.

June 1: Assessors: Determine Valuation of Other Municipal or District Land In certain communities where land is owned by another community or district, the value of the land is determined by the Assessors in the year following a revaluation year, for in-lieu-of-tax payments.

June 1: DOR/BLA: Notification of Proposed EQVs (even numbered years only)

June 1: DOR/BLA: Notification of SOL Valuations (every 4th year after 2005)

June 10: DOR/BLA: Public Hearing on Proposed EQVs (even numbered years only)

June 10: DOR/BLA: Public Hearing on Proposed SOL Valuations (every 4th year after 2005)

June 15: DOR: Commissioner Determines and Certifies Pipeline Valuations


June 15: Assessors: Deadline for Appealing Commissioner's Telephone & Telegraph Valuations

June 15: Assessors: Make Annual Preliminary Tax Commitment The preliminary tax commitment must be based on the prior year's net tax on the property and may not exceed, with limited exceptions, 50% of that amount. This should be done early enough for the annual preliminary quarterly or semi-annual bills to be mailed by July 1.

June 20: Assessors: Final Date to Make Omitted or Revised Assessments As required by M.G.L. Ch. 59, Sections 75 and 76, if a property is inadvertently excluded or mistakenly under-assessed on the warrant for property taxes, it is the Assessors' role to correct the mistake and assess the property correctly. Such an assessment may not be made later than June 20 of the taxable year or 90 days after the date the tax bills are mailed, whichever is later.

June 30: State Treasurer: Notification of Quarterly Local Aid Payments Before June 30.


June 30: Assessors: Overlay Surplus Closes to Surplus Revenue Each year, any balance in the overlay reserve accounts in excess of the remaining amount of the warrant to be collected or abated in that year, is certified by the Assessors. The transfer from overlay reserves to the overlay surplus is done on the Assessors' initiative or within 10 days of a written request by the chief executive officer. Once in overlay surplus, these funds may be appropriated for any lawful purpose. Any balance in the overlay surplus at the end of the fiscal year shall be closed to surplus revenue and, eventually, free cash.




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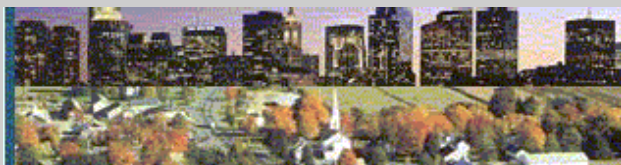


DLS Gateway

Please remember to update the online Local Officials Directory so that both municipal and state officials have accurate contact information.



City and Town welcomes the submission of municipal Best Practice articles and ideas. To do so please contact us at: cityandtown@dor.state.ma.us or by calling 617-626-2377.



City & Town

City & Town is published by the Massachusetts Department of Revenue's Division of Local Services (DLS) and is designed to address matters of interest to local officials.

S.J. Port, Editor

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- website: www.mass.gov/dls
- e-mail: cityandtown@dor.state.ma.us
- telephone: 617-626-2377
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Contact City and Town at cityandtown@dor.state.ma.us or by calling 617-626-2377.