

**TOWN COUNCIL SPECIAL MEETING  
WEDNESDAY EVENING - JANUARY 27, 2010**

PRESENT: Marshall, Cordeiro, Parella (arrived at 7:42 o'clock PM), Barboza and Herreshoff

ALSO PRESENT: (for Tax Assessment Workshop)  
Diane C. Mederos, Town Administrator  
Michael A. Ursillo, Esq., Town Solicitor  
Evelyn A. Spagnolo, Tax Assessor

The Council met in special session on Wednesday evening, January 27, 2010 in the Town Hall, Council Chambers beginning at 7:08 o'clock PM, Council Chairman Marshall presiding:

Items Discussed

1. Interviews re various boards/commissions
2. Workshop re upcoming property revaluation
3. Town Treasurer Day re audit report

Documents Received

1. a. Brian Clark to Deputy Clerk Walsh re withdrawal of application to Economic Development Commission  
b. Michael A. Ruggiero re withdrawal of application for position as Assistant Harbor Master
2. a. Appraisal Resource re revaluation proposal  
b. Tyler Technologies, Inc. re revaluation proposal  
c. Clipboard Inc. re revaluation proposal  
d. Tax Assessor Spagnolo to Town Administrator Mederos re Revaluation Proposals  
e. (Town Clerk Cirillo) proposed timeline for 2010 - 2011 Statistical Update/Revaluation  
f. (Town Solicitor Ursillo) draft legislation re limitation and control on the maximum amount of increase in any annual assessment
3. Town Treasurer Day re Audit Report

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*It is hereby noted for the record that the Council suspended the order of business and considered agenda item #3 at this time. The action on this agenda item is reflected below.*

1. Interviews

Economic Development Commission

William Grapentine - 10 Monterey Drive

Council Chairman Marshall noted the resume and letter of application as provided by Mr. Grapentine and asked him to expand upon his application by sharing ideas with the Council.

Mr. Grapentine informed the Council that he would like to bring his experiences to the Commission since he was from a "family of small business owners" having owned CJ's Video in the 1980s. He also stated a goal to "reach out to young people" in order to attract those students, etc., who may wish to remain in Bristol and perhaps establish a business after attending college.

Mr. Grapentine also stated that the Economic Development Commission may wish to sponsor events marketing local business opportunities and undertake on-line marketing activities on those websites frequented by young persons. Mr. Grapentine noted that his young age allows him to "relate" to other similarly aged persons.

Mr. Grapentine also stated that he was of the opinion that the Economic Development Commission might wish to "do something" to keep law students in Town and therefore keep revenues local.

Councilman Cordeiro agreed that a goal of the Economic Development Commission should be to "keep only the good (graduates in town)." He also stated that he wishes that more architectural students would remain as residents.

Mr. Grapentine theorized that the Town may be able to retain more of these college-educated professions if the Economic Development Commission could provide more "conduits."

Councilman Barboza asked Mr. Grapentine if he was aware of the workings of an Enterprise Zone with Mr. Grapentine responding that he was not certain as to the definition of same.

Councilman Cordeiro explained some of the aspects of an Enterprise Zone.

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Mr. Grapentine informed the Council that he was "willing to learn" about the Enterprise Zone and also that he would like to participate in an "underground ad campaign" in order to target the young people; this consisting of advertisements on those websites popular with young people adding "edgy" catch phrases.

Councilman Cordeiro noted that there is a Bristol business which constructed a cello played by the renowned cellist Yo-yo Ma at the inauguration of President Obama. Councilman Cordeiro concluded that this was not a widely known fact but that perhaps should be and perhaps the Economic Development Commission might make a goal of disseminating this type of information regarding Bristol businesses.

Mr. Grapentine informed the Council that he has a background in public relations. He also stated that the cello story might be a good feature article in business and enterprise magazines.

Councilman Herreshoff noted that Bristol no longer has large businesses but rather these have "morphed" into small or medium sized businesses. He also stated that a goal of the Economic Development Commission should be to help the Town to keep the businesses that it has in addition to attracting new businesses with the additional goal of keeping the jobs that the existing businesses provide.

Councilman Herreshoff also noted that the Town has a capable work force and that this fact might be emphasized to interested new businesses. He added that the Town is also a great place to live; this being attractive to businesses wishing to become established or relocate.

Mr. Grapentine informed the Council that the Economic Development Commission may wish to focus on retail businesses.

Councilman Cordeiro reported that the Economic Development Commission is already working on some of the proposals made by Mr. Grapentine and that the Town should find ways to streamline its business application process.

Mr. Grapentine stated that he was not in favor of complicated bureaucracies and that he was a team-player.

Council Chairman Marshall stated that he was in favor of team players and informed Mr. Grapentine that the Council will likely

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make its appointment at its next scheduled regular meeting (February 10, 2010).

Redevelopment Agency - Third Alternate

David Charette - 134 Bay View Avenue

Mr. Charette informed the Council that he was interested in recycling.

Council Chairman Marshall noted Mr. Charette's qualifications and stated that he may also be interested in serving on the Economic Development Commission.

Mr. Charette informed the Council that he was aware of the Redevelopment Agency since he lives near one of the buildings on the Agency's 'blighted' listing.

Council Chairman Marshall asked Mr. Charette to explain his duties as a structural engineer with Mr. Charette noting that he has worked for ten (10) years in the construction field and has dealt with redevelopment projects. He also noted that he has been a Bristol resident for seven (7) years.

Council Chairman Marshall asked to know if Mr. Charette was familiar with some work in process and completed by the Redevelopment Agency with Mr. Charette responding that he read the Town's Comprehensive Plan and received background information from Director of Community Development Williamson prior to this interview.

Council Chairman Marshall noted that the Redevelopment Agency is "a good board" responsible for the renovations to the former Harriet Bradford Hotel (Belvedere) and that this property was formerly blighted.

He also noted that the Agency has worked to revitalize the downtown block from Hope to Thames Streets and that the Franklin Corridor was a "big success" of the Agency.

Councilman Cordeiro noted the pending success of the Agency in the revitalization of the former Tuplin's Garage on Thames Street with Councilman Barboza adding that the Agency sometimes uses a "carrot and donkey" approach to its projects; this being one.

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Mr. Charette explained that he was in favor of the work of the Redevelopment Agency since the condition of neighboring properties has an impact upon the property of the abutters.

Council Chairman Marshall explained that the Agency has been successful in "reaching out" to lending institutions, architects, etc., on behalf of those wishing to improve their blighted properties. He also stated that the Agency does not often use a heavy-handed approach to encourage property improvement.

Mr. Charette stated that he was interested in "getting-involved" in the Community and that he enjoys "doing things." He also explained that he has worked for the King Philip Little League and also the Cub Scouts.

Conservation Commission

Kathleen Keating - 35 Burton Street

Council Chairman Marshall stated that the Conservation Commission is "an exciting board with a lot of possibilities." He noted that the board works on open space projects and that it is "on the verge of reinventing itself."

Ms. Keating reported that she has time to devote to the duties of Conservation Commissioner and that she left her full-time job in order to care for her toddler.

Ms. Keating further noted that her schooling indoctrinated her interest in serving the community and that she loves outdoor activities, including sailing and gardening. She also reported that she has certain skills to bring to the table and that she is a hard worker.

Council Chairman Marshall noted Ms. Keating's legal background and stated that this may be useful as a member of the Commission with Ms. Keating reporting that her experience was in criminal law.

2. Workshop re Revaluation

Councilman Herreshoff stated that since the previous revaluation he has posed some "radical ideas" these revolving around increasing the duration of the State-mandated revaluation three-year cycle and to eliminate "sharp changes" in property

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valuations. He also stated that another "radical idea" might be to postpone the planned revaluation for one year.

Town Solicitor Ursillo informed the Council that he has a good deal of experience with revaluation issues and that any modification to the legislated revaluation schedule would require the enactment of an amendment to the General Laws. He also noted that other towns have proposed similar action and the General Assembly did not agree to any changes.

Councilwoman Parella arrived at this point in the meeting (7:42 o'clock PM).

Town Solicitor Ursillo reported that he has drafted legislation that would limit and control the maximum amount of increase in any annual assessment. Town Solicitor Ursillo also reported that he believes that the draft legislation could be approved since it works within the current framework of the Rhode Island tax laws.

Town Solicitor Ursillo also noted that other proposals discussed at the Council level would require sweeping changes to the established tax laws leaving passage of these difficult if not impossible.

Councilman Herreshoff stated that his goal in this instance is to prevent "sticker shock" caused by high-percentage increases in valuations and/or property taxes from one year to the next.

Councilman Barboza asked to know if the Solicitor's proposed legislation would address the issue of teardowns with Town Solicitor Ursillo reporting that in many cases a large proportion of value rests in the value of the land.

Tax Assessor Spagnolo agreed with Town Solicitor Ursillo and stated that the land values are often the reason for high valuation increases.

Council Chairman Marshall noted that the "sticker shock" was evident in last year's valuation of property at Bristol Highlands.

Councilwoman Parella asked to know where the "Ohio Plan" was in use with Town Solicitor Ursillo responding that this plan was in use in Ohio, Georgia and Florida but that it was not universally applied in all communities.

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Councilman Herreshoff stated that the objective is to avoid spot-valuation and provide a "safety valve" against large scale property tax increases. He suggested that the Council should focus on the selection of the tax revaluation firm as provided for in the Request for Proposals and pick the firm most suited to fulfill the needs of the Town. Councilman Herreshoff noted also that the applicant firms appeared to be all qualified by State standards but he was disappointed that there were only three (3) applicants and that he was expecting more interest.

Councilman Herreshoff noted that the Town had 375 appeals based upon the last revaluation and also noted that not many of these were taken to court but that these were adjudicated locally by the Board of Tax Assessment Review.

He suggested that the Council might consider expanding the Board to five (5) members and that these members might be granted greater autonomy.

Councilman Herreshoff further suggested that the Assessor might assume a less active role in the operation of the Board of Tax Assessment review; presenting only the Town's position, the appellant presenting his or her case and the Board acting in the capacity of "judge," deciding the case on the merits.

Councilman Herreshoff also expressed concern that the revaluation process needs better communication since many taxpayers appear to be surprised when "the hammer falls."

Council Chairman Marshall stated that the Town must look at the options and also get the professional opinion of the revaluation firm. He further stated that revaluation is not an easy task but it must be accomplished in a fair and orderly manner. Council Chairman Marshall also expressed concern that since the property value "bubble popped" there may be greater confusion with new property values versus the most recent ones.

Council Chairman Marshall also stated that he had concerns how the Town was "carved up into neighborhoods" and that he believes that there should not be specific valuation "regions."

Council Chairman Marshall also expressed his opinion that the revaluation company should be charged with guiding the Town through the process. He asked that the parties be provided with the revaluation suggestions as provided by Councilman Herreshoff.

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Councilman Herreshoff noted the suggestion of citizens who assert that there might be a penalty assessed against the revaluation firm if there are too many appeals and also that the firm might receive a bonus if fewer than expected appeals are filed.

Councilwoman Parella stated that there may be outside influences that impact the number of appeals these being out of the direct control of the revaluation company these including a general dissatisfaction of the government, etc. She further stated that the company should not be punished or rewarded based upon the number of appeals.

Councilman Herreshoff asked to know the average number of appeals in a revaluation case with Tax Assessor Spagnolo agreeing to provide statistics regarding same.

Councilman Herreshoff reiterated that sudden drastic changes to property values appear to be the largest problem in any revaluation.

Councilwoman Parella stated that the Town must do a better job of explaining the difference between property values and the tax rate with Councilman Herreshoff noting that he anticipates that the revaluation will result overall in lower property values and a proportionally higher tax rate.

Councilman Barboza informed those present that the opinions expressed by Councilman Herreshoff are not necessarily those of the remainder of the Council. He also stated that Town Solicitor Ursillo attended a Board of Tax Assessment Review hearing and found the process to be acceptable.

Councilwoman Parella noted that there do not appear to be complaints regarding the process.

The Council considered the following revaluation firms:

Tyler CLT

Appearing on behalf of this firm were Bob Marshall, Sales and Deborah Christie, Rhode Island Manager.

Mr. Marshall indicated that his is a publicly traded company and can bring its many resources to the Town if selected as supplier of the revaluation.

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Mr. Marshall also noted that his company is "rock solid" and traces its origins to 1938; that the senior staff has a minimum of nine (9) years of experience.

Mr. Marshall stated that his company will undertake a public relations initiative prior to the revaluation and that public relations will be part of the process, that the process will be "transparent" and that they will "treat people fairly."

Mr. Marshall also shared that his company policy is to meet with the Tax Assessor and others as appropriate and that they consider this to be an important step.

Councilwoman Parella asked to know what Tyler would consider as an average number of citizen appeals with Ms. Christie responding that 5 to 10 per cent would represent the average in her experience.

She also observed that the Providence revaluation resulted in a large than average appeal rate and that she was uncertain as to the reason for same.

Ms. Christie also observed a much lower than average inquiry rate in North Haven and Thompson, Connecticut and confirmed the earlier statement that public relations is the key to any revaluation.

The representatives noted that their company is "aggressive" in providing information to citizen taxpayers and provide informational workshops for veterans, senior citizens, etc., providing statistical data via Power Point presentations.

Ms. Christie stated that she is a resident of Warwick for 12 years and that the revaluation process carefully considers neighborhood delineation. She noted that the appraiser "get to know" the various neighborhoods.

It was noted that Tyler has worked in Providence since 1999 and West Warwick since 1997. Also this year they are not working in Warwick but have done so since 1997.

Councilwoman Parella noted that the company works mostly in Rhode Island cities. She asked to know if they have experience in smaller Towns with Mr. Marshall explaining that price is a critical factor in gaining the contracts. He also noted that the firm has worked previously in South Kingstown, Smithfield, and Charlestown.

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Councilman Herreshoff noted that there has been a problem with the most recent revaluation when neighboring lots were valued differently. He asked to know how this problem can be avoided in the future with Ms. Christie explaining that property valuation "is not an exact science." She further noted that the process takes a good deal of careful analysis and that distance from the water, etc., can be an important consideration.

Councilman Herreshoff noted that the most recent revaluation resulted in a "checkerboard" arrangement of neighborhoods; further explaining that he believes that there should not be solid lines but rather curved delineation as neighborhoods intersect.

Ms. Christie responded that she tries to use curves and that sales data must be analyzed. She added that the appraisers must be "creative" in the absence of actual sales data.

Councilwoman Parella questioned if an even system is possible noting that Bristol does not have the neighborhood physical diversity that is found in Providence using the East Side as an example.

Ms. Christie noted that there are some pockets of lower-value areas on Providence's East Side.

Councilwoman Parella stated that she was not in agreement with some of the other Council members regarding the problems described with the last revaluation. She stated that she is aware that property valuation is not an exact science. She asked how the Town may avoid public perception problems with Ms. Christie responding that the goal is to work closely with the Assessor and others to attempt to make the values as equitable as possible.

Councilman Herreshoff stated that he was impressed with the credentials as presented by Tyler with Ms. Christie informing the Council of her opinion that her company's "power is in its people." She further stated that she has a "great staff" which has worked together as a group for many years.

Councilman Herreshoff asked to know if the field work is reviewed by supervisory personnel with Ms. Christie reporting that there is a higher level review.

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Councilwoman Parella asked to know if the higher level review is typical with Ms. Christie reporting that she is not certain what might be done in other companies but the size of their company allows for personnel to double-check.

Mr. Marshall shared that he had run revaluation projects for sixteen (16) years and that no employee is indispensable. A discussion ensued regarding the fact that Bristol has an independent arrangement with Clipboard for its software services with Mr. Marshall informing the Council that Tyler can work with another company's software. He also noted that his company can provide its own proprietary software if needed for an additional fee (perhaps \$20,000 more).

Mr. Marshall noted that there are seven (7) states which use his company's software in their entirety.

Councilman Herreshoff asked to know if it was as efficient to work with the Clipboard software with Mr. Marshall stating that Tyler would prefer to work with its own product. He did note, however, that his company works with others' software "all of the time" and that he did not see this presenting any impediment. He further stated that towns are typically reluctant to change software due to the added cost.

Council Chairman Marshall asked to know if Tyler would be acceptable to the 10% retainer provision of the RFP with Mr. Marshall responding that he did not take any exception to the provision and that it was a typical requirement.

A discussion ensued regarding the access to the software for updates of tables, etc., with Owen Hartnett, owner of the software, indicating that he would provide access for updates at no charge and that the chosen revaluation company would provide the data for the updates. Tax Assessor Spagnolo noted that the Town pays approximately \$2,500 per year for the software license.

Appraisal Resource

Rick Nagle and Bob Battie from Appraisal Resource informed the Council that their company is established in Rhode Island and had completed the revaluations in Bristol during 2001 and 2004.

Mr. Nagle reported that the public is more aware of the revaluation process since the State adopted a three (3) year revaluation cycle. He noted that the public is informed of the

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process through publication on his company's website. He also noted that a revaluation in the Town of Norwich, Connecticut in 2008-2009 made national news due to plummeting property values.

Mr. Nagle also reported that approximately ten percent (10%) of those seeking hearings withdraw their objections due to the public information sessions which explain the process. He noted that the public relations campaign includes radio and cable television interviews, Rotary Club meetings; these being focused upon educating the public. He also noted that the benefit derived from the public relations campaign is an appeal rate of approximately two and one half percent (2.5%).

Mr. Nagle also reported that his company focuses upon customer service and that the town assessors hear reports daily from his company. He explained that his company is experienced with his partner having thirty (30) years experience and his data manager having twenty-eight (28) years experience.

Council Chairman Marshall asked to know how many staff Appraisal Resource has in its revaluation group with Mr. Nagle responding that this group has nine (9) staff.

Mr. Nagle also reported that his company is working in Central Falls which contains three (3) neighborhoods and also Madison, Connecticut which contains approximately seventy (70) neighborhoods. He added that the revaluation of Madison did not result in a "checkerboard" of property values.

Mr. Nagle explained that field review is critical to the revaluation process and that the information is verified by the supervisors.

Councilman Herreshoff stated that Mr. Nagle's comment was "comforting" since he (Councilman Herreshoff) objects strongly to checkerboards.

Council Chairman Marshall referred to the summary as provided by Tax Assessor Spagnolo and asked if Appraisal Resource will charge separately for local appeals with Mr. Nagle responding that his firm will not charge extra for the local appeal process.

Councilman Herreshoff asked to know if Appraisal Resource's staff is certified with Mr. Battie responding that the company has staff certified to work in Connecticut but that the State of Rhode Island does not have a certification program. Mr. Battie

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also noted that the State of Rhode Island considers the various cities and towns responsible to select a qualified revaluation company.

Councilman Herreshoff asked to know if Mr. Battie was certified in Connecticut with Mr. Battie responding that he does not work in Connecticut and is not certified in Connecticut.

Mr. Nagle noted that his company is acceptable to the RFP provision requiring a ten percent (10%) retainer.

Councilwoman Parella asked to know if Appraisal Resource can work with the existing software with Mr. Nagle responding that his company can work with other companies' software. He added that his company has its own software, also and the Town would have the option to convert.

Councilwoman Parella asked to know the cost of the Appraisal Resource annual software maintenance with Mr. Nagle responding that the annual software maintenance fee is \$4,500 with an additional \$1,000 required to utilize the GIS module. He further noted that the GIS option provided for reports and also enhances the process with Mr. Battie explaining that the GIS option would help in identifying spikes in property values.

Councilwoman Parella asked to know where this might be in use already with Mr. Nagle responding that it is in use in North Providence and will begin in Attleboro starting tomorrow.

Tax Assessor Spagnolo noted that the Town already has a GIS capability through the State.

Clipboard

Representing this company were Owen Hartnett and also Michael Pratt and John Valade.

Mr. Hartnett informed the Council that he has a technical background and that he wrote a version of revaluation software in 1989. He also noted that he and Mr. Pratt completed three revaluations previously in Bristol.

Mr. Hartnett explained that Mr. Valade is licensed in Rhode Island and Massachusetts and is familiar with the appraisal of commercial properties.

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Mr. Hartnett reported that during the last revaluation in Bristol the company employed twelve (12) persons and now it employs three (3) persons all present.

Councilman Barboza asked to know Mr. Hartnett's criteria for hiring appraisers with Mr. Hartnett explaining that he will bring-on licensed consultants as needed. He also noted that he has been "blessed" in the past since there were qualified persons in need of work when he required them.

Mr. Hartnett noted that it would be an advantage to the Town to retain his firm since he is familiar with the software and pricing model.

Mr. Hartnett explained some of the technical aspects of the revaluation process and noted that the actual sell prices as compared to the property values as set by him during the last revaluation fell within acceptable limits.

Councilwoman Parella noted a report received in November from Tax Assessor Spagnolo and recalled that said report surprised her since most of the sales fell within a small margin of the assessed values.

Mr. Hartnett recalled the same report and commented that "the numbers came out well."

Mr. Hartnett also explained that his company provides free web hosting and that his site is advertisement-free unlike those that might be available otherwise. He also noted that the website is updated every day at approximately 3 o'clock AM and that he arranges for off-site backup of the data and that new technology will be launched to allow access via i-phone.

Mr. Hartnett informed the Council that he "would love to do this (Bristol's revaluation) job again."

A discussion ensued regarding the compatibility with the Town's GIS program.

Councilwoman Parella noted the "patchwork checkerboard" issues as raised by Council Members and asked what Clipboard might do in the future to prevent this with Mr. Hartnett responding that his company's philosophy is to value "everything (the taxpayer has) and nothing more."

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Mr. Hartnett also theorized that there tend to be many complaints about property values because these are presented at 100%.

Councilwoman Parella noted that it appears that all revaluation suppliers use the same methodology based upon the requirements stipulated by the State Statute.

Mr. Hartnett commented that values can fluctuate due to changing tastes and that analysis of the current sales is "the arbiter" since these are hard facts. He also noted that the State's adoption of a three year cycle was instituted to address the matter of changing tastes and fads.

Mr. Hartnett informed the Council that the Commonwealth of Massachusetts requires annual revaluations.

Tax Assessor Spagnolo noted that the decision to change from Appraisal Resource was not based upon price. She explained that the commercial properties were done poorly at the statistical update and that pictures were not provided. She also noted that the project lacked uniformity.

Tax Assessor Spagnolo also explained that the revaluation was completed "at the 11<sup>th</sup> hour" with minimal information provided. She further explained that the last revaluation, completed by Clipboard, uncovered errors in the previous Appraisal Resource revaluation.

Tax Assessor Spagnolo stated that she thought it prudent to bring this information for the Council's consideration and that her statements were not of a personal nature.

Tax Assessor Spagnolo also noted that the public relations efforts concerning the most recent revaluation were lacking and that she was responsible for this shortfall. She pledged to institute a more effective public relations campaign during the upcoming revaluation.

Councilman Cordeiro stated that he was uneasy with the revaluation process since it is based upon the sale of property when greater than ninety percent (90%) of property owners have no plans to sell their properties.

Tax Assessor Spagnolo also expressed concern that Tyler CLT was interested in only the "big jobs."

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Town Solicitor Ursillo noted that the draft ordinance he provides considers only those issues that can be amended within the framework of the existing statute. He again explained that the change to an "Ohio Plan" would require a revamp of the Rhode Island tax laws.

Councilwoman Parella stated that the Council may wish to examine a "need based" system providing tax relief to those with limited income, etc.

Councilman Herreshoff stated that he preferred the system as proposed in the draft legislation as presented by Town Solicitor Ursillo.

*It is hereby noted for the record that the matter concerning the upcoming revaluation will appear on the meeting docket of February 10, 2010.*

3. Town Treasurer Day re Audit Report

Cordeiro/Barboza - Voted unanimously to allow Town Administrator Mederos to accept the audit report on behalf of the Town and to schedule a Special Meeting/Workshop at a later date in order to discuss this report.

There being no further business upon a motion by Councilman Barboza seconded by Councilman Cordeiro and voted unanimously, the Chairman declared this meeting to be adjourned at 9:29 o'clock PM.

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Louis P. Cirillo, CMC, Council Clerk