

**TOWN OF BRAINTREE
IN COUNCIL**

ORDER NO. 08 071

November 5, 2008

ORDERED: Mayor and Board of Assessors

FY2009 TAX CLASSIFICATION

His Honor Mayor Sullivan and the Braintree Board of Assessors has submitted to the Braintree Town Council their recommendation for Fiscal Year 2009 Tax Classification.

Be it ordained that the Town of Braintree, through the Braintree Town Council, adopt the recommendation of the Mayor and The Board of Assessors to approve the Classification Tax Rate Shift of 175% to be applied to commercial, industrial and personal property.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
 Mullaney, Randolph, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
 Mullaney, Randolph, Ryan

Further, Be it ordained by the Town Council of the Town of Braintree that pursuant to M.G.L. Chapter 59, Section 5, Clause 41c (the "statute") hereby adjusts the eligibility requirements within the limits set forth in this statute, commencing with Fiscal Year 2009 as follows:

- a. The requisite age of eligibility shall be reduced from 70 years or older to 65 years or older;
- b. The gross receipts limit contained in subclause (B) of said first sentence of this statute whenever they appear in said subclause shall be increased from the existing \$13,000 to \$16,085, if single, and from the existing \$15,000 to \$19,302 if married;
- c. The asset limits contained in subclause (C) of said first sentence of this statute whenever they appear in said subclause shall be increased from the existing \$28,000 to \$29,881, if single, and from the existing \$30,000 to \$32,015 if married.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
 Mullaney, Randolph, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
 Mullaney, Randolph, Ryan

- d. To approve the "Small Business Exemption" as recommended by the Mayor and Board of Assessors.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
 Mullaney, Randolph, Ryan (Councilor Kokoros Abstained)

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
 Mullaney, Randolph, Ryan

- e. To approve the adoption of the "Open Space" discount as recommended by the Mayor and Board of Assessors.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

- f. To approve the adoption of the "Supplemental Assessments" as recommended by the Mayor and Board of Assessors.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

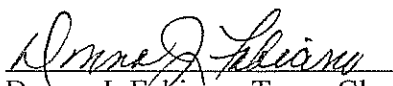
- g. To approve the adoption of the "Residential Exemption" as recommended by the Mayor and Board of Assessors.

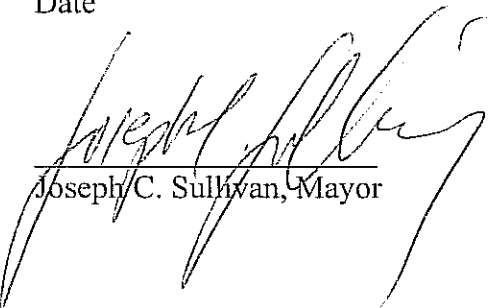
YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

Passed in Council: December 2, 2008
Presented to Mayor: December 9, 2008

Approved December 9, 2008
Date


Donna J. Fabiano, Town Clerk


Joseph C. Sullivan, Mayor

Clause 41C Exemption Options
Chapter 184 §51 of the Acts of 2002
(Amending G.L. Ch. 59 §5 (41C))

The Commissioner of Revenue is hereby notified that the City/Town of **Braintree**, voted on **December 2, 2008**, to adjust Clause 41C eligibility requirements amended by Chapter 184 §51 of the Acts of 2002. Please provide us with the allowable adjustments that you have accepted by filling in the following table:

Allowable Adjustments	Change Adopted
Minimum Age (may be reduced from 70 to 65)	Change to 65
Exemption Amount (may be increased by any percentage up to 100%)	No Change
Gross Receipts Limit (may be increased to any amount up to \$20,000 if single and \$30,000 if married)	Change to \$16,085 if single Change to \$19,302 if married
Whole Estate Limit (may be increased to any amount up to \$40,000 if single and \$55,000 if married)	Change to \$29,881 if single Change to \$32,015 if married
Whole Estate Exclusion (may be increased no more than 2 units in addition to the unit occupied by the applicant)	No Change

This legislation creates an option for communities that grant property tax exemptions under Clause 41C. Communities still operating under Clause 41 or 41B cannot use this option. For further details, please review Informational Guideline Release (IGR) No. 02-209, September 2002.



(City/Town Clerk)

December 2, 2008
(Date)

Please submit this form in one of three ways to:

databank@dor.state.ma.us
(617) 660-7023 (fax)

Municipal Databank
PO Box 9569
Boston, MA 02114-9569