

MINUTES OF THE BOARD OF ABATEMENT

December 3, 2015

Chairman Lou Faivre called the meeting to order at 6:20 pm. The delayed start was due to lack of a quorum. Board Members present were: Susan Gage-Clerk, Douglas Bailey-Selectman, Tracy Wyman-Selectman, Joan Thomas- Justice of the Peace, Lou Faivre-Justice of the Peace, Marge Munger-Justice of the Peace, Bud Coolidge- Justice of the Peace, Seth Hopkins-Selectman, Sally Cook- Justice of the Peace, Del Cook-Justice of the Peace.

1) **Brandon Senior Citizens Center, Inc;** Location: 1591 Forest Dale Rd, Brandon, VT; Sewer Account 0089; Request for abatement of excessive sewer charges due to unknown causes.

Hearing opened at 6:21 pm. Kathy Mathis and friends attended the hearing for the Brandon Senior Citizens Center. Clerk, Susan Gage passed out copies of the letter requesting abatement and information provided by the Brandon Senior Citizens Center, Inc., as well as usage history provided by Ms. Gage. Ms. Gage indicated that there was excessive usage of water for the most recent billing period. Mr. Faivre asked whether there was a leak or any other issue that might have resulted in excessive water usage. Kathy Mathis stated that there is no leak that they are aware of, and that they use less water as they do not run the dishwasher in the summer and instead use paper plates to reduce heat in the building during the summer. Several board members questioned an increase in 2008, but it was determined that there was a childcare center in the building at that time. Ms. Mathis stated that there is a hose outside the building, but the shutoff is inside and that they did not use the outside hose. Ms. Thomas asked whether someone from the water department has been there to check the meter. Ms. Mathis said that the water department has not been there to check anything. Ms. Mathis stated that the water bill did not increase. Ms. Gage clarified that the water bill would have increased as well because the sewer readings come from the water department, although the rates are less than the sewer rates so the increase may not have been so dramatic. Ms. Gage suggested that Ms. Mathis have the water department do an interim reading to see if there is continued excessive use. Marge Munger agreed that the center should check with the water department to make sure all is well with the meter, and to do an interim reading to ascertain whether there is an ongoing problem. Doug Bailey concurred and stated that abatement might happen once but not for more than one billing. They should address any problems as soon as possible.

Discussion and questions ensued about facts presented.

Hearing was closed at 6:35 pm

2) **Christina and Michael Coombs;** Location: 60 Park St., Brandon, VT 05733; Account # 0210; Request for abatement of sewer charges due to leaks at furnace and in upstairs shower.

Hearing opened at 6:36 pm. Christina Coombs attended the hearing. Clerk Susan Gage passed out copies of letter requesting abatement and usage history for their account as well as previous bills from the property owner. Ms. Munger asked how long the leak from the furnace went on. Ms. Coombs thinks it may have gone on for months. Ms. Munger asked whether there was a large accumulation of water in the basement from the furnace and Ms. Coombs stated that there was not. Ms. Gage asked whether the shower leak was a larger leak than the furnace. Ms. Coombs was unclear which was more substantial. Ms. Coombs stated that she did not know how bad these two leaks were, as her daughter and husband did not indicate they were significant leaks. She stated they called a plumber several times but the plumber did not respond. They now have a new shower fixture, new furnace and new plumber. Ms. Coombs stated that Ray Counter adjusted her water bill by half. The board members asked whether Ms. Coombs brought along a copy of the adjustment from Ray. She stated that she did not bring it along. Mr. Faivre clarified that they were looking for relief on this single bill.

Hearing closed 6:44 pm

3) **Thomas Scheck/Double Bogey Real Estate**; Location: 34-1 Conant Square, Brandon, VT 05733; Account #0411; Abatement of sewer charges due to waterline break.

Hearing opened at 6:45 pm. Thomas Scheck attended the meeting. Clerk Susan Gage passed out copies of Mr. Scheck's letter requesting abatement as well as usage history for the account and previous bills from the property owner. Mr. Scheck described that a frozen water pipe burst overnight and two inches of water filled his empty commercial space. He stated that the water department was forced to shut off the main water line in order to stop the flow. Mr. Scheck also testified that none of the water went into the waste water system, and he is requesting abatement of all usage charges, leaving the minimum charge. The water department reduced his bill by half, but Mr. Scheck stated that he did indeed use the water. He did not use the waste water system. Mr. Faivre asked whether there was a single meter on the entire building encompassing three commercial rentals. Mr. Scheck stated that the units were metered separately. Mr. Scheck stated that the usage should be next to nothing as the space is vacant. He has had some usage but it is minimal.

Discussion and questions ensued about facts presented.

Hearing closed at 6:54 pm.

4) - **Joseph & Crystal Bresette**, Spellman Way Mobile Home Park, Bridge Park Mobile Home Park, Brookdale Mobile Home Park, and Conway Terrace Mobile Home Park; Account # 0748, 0055, 0743, and 1121; Request by Town Manager for abatement of sewer charges stemming from improper installation and billing from single meters at the mobile home parks in 2010 and 2011.

Clerk Susan Gage reported that this case will not be coming before the board of abatement. The Town Manager is pursuing this in another manner at this time and has withdrawn these properties from consideration.

5) **Joseph & Crystal Bresette / Joe Brown Sr**; 61 Conway Terrace, Brandon, VT, 05733; Account # 1151; Court ordered abatement due to abandonment of mobile home. Sewer.

6) **Joseph & Crystal Bresette / Joe Brown Sr**; 61 Conway Terrace, Brandon, VT, 05733; Parcel ID 0007-0020; Court ordered abatement due to abandonment of mobile home. Taxes.

Clerk Susan Gage reported that she has not received confirmation from the court on the abandonment of this property, so this property will not be addressed at this meeting.

Motion to go into deliberative session at 6:55 pm.

At 7:00 pm the board came out of deliberative session. Motion was made to table the request from the **Brandon Senior Citizens Center, Inc.** until more information can be provided on the likely reason for the large increase in water usage by Joan Thomas, seconded by Marge Munger. Approved unanimously, except for recused member, Bud Coolidge.

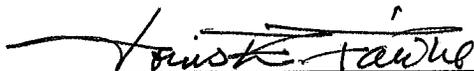
At 7:04 pm the board went back into deliberative session.

At 7:08 pm the board came out of deliberative session. Motion was made to deny the request for abatement from **Christina and Michael Coombs** by Doug Bailey, seconded by Del Cook. Approved unanimously.

Board returned to deliberative session at 7:10

At 7:20 pm the board came out of deliberative session. Motion was made to grant an abatement in the amount of \$1,646.98, which after application of the reduction by the Town Manager brings the total bill down to \$200. Motion made by Doug Bailey, seconded by Seth Hopkins. Approved unanimously.

Meeting was recessed at 7:30 pm to reconvene at a later date to continue the abatement hearing for the Brandon Senior Citizen Center once additional information is gathered.



Louis Faivre, BCA Chair



Susan Gage, Clerk