

MINUTES OF THE BOARD OF ABATEMENT

Thursday, February 11, 2016, 6:30 PM

Board of Abatement Meeting

1) **Theresa and Michael Driscoll**; Location: 25 Church St., Brandon, VT 05733; Account # 0616; Request to abate penalties and interest on outstanding sewer charges.

Hearing opened at 6:41 pm. Seth Hopkins questioned whether the Board of Abatement should be hearing sewer fee abatement requests at all. After some discussion, the Board decided not to hear the appellant's case, and instead sewer abatement requests should be turned over to the Board of Sewer Commissioners to establish a policy for future adjustments. Hearing was closed at 6:51 pm, and Theresa Driscoll was told that a Selectboard member would be contacting her.

2) **James Miner**; Location: 20 acres of land, Brandon, VT 05733; Parcel 0080-3013; Request for abatement of taxes due on revised tax bill due to dispute with assessor over contiguous parcels of land.

Hearing was opened at 6:55 pm. Clerk Susan Gage presented a letter from James Miner, and explained that Mr. Miner is seeking abatement on additional taxes he was assessed because of revised tax bills issued in December of 2015. Mr. Miner was present and further explained the facts in his case. He stated that the Brandon Tax Maps are not accurate, and his twenty acre parcel is actually contiguous with a nearby 227 acre parcel. These two parcels were taxed as a single parcel in July of 2015 on the 2015-2016 property tax invoice, and he paid two installments for the 2015-2016 tax year. In December after the assessor was contacted by the Vermont Department of Taxes, Property Valuation and Review, the parcels were separated and Mr. Miner was sent two revised bills. Mr. Miner explained that he has contracted with a surveyor to straighten out this disagreement which has waged for a number of years. Mr. Miner would be seeking abatement of \$84.24 which is equal to the first two installments of the revised tax bill on the 20 acre parcel. Mr. Miner feels this situation is temporary and once he files his survey, the tax maps will be corrected and his properties will be recognized as contiguous and will be taxed as a single parcel, reducing the assessed value by \$3,800.

Discussion and questions ensued about facts presented.

Hearing closed at 7:20 pm. Board went into deliberative session. Board came out of deliberative session at 7:23pm. Marge Munger made a motion to abate the 1st two quarters of the revised bill, in the amount of \$42.12 each on the 20 acre parcel and to abate any interest accrued on same. Motion was seconded by Richard White. Approved unanimously.

3) - **Trev Warshauer**, 16 acres of land, Champlain St, Brandon, VT 05733; Parcel 0080-3015; Request for abatement of interest and penalties on taxes owed.

Hearing was opened at 7:28 pm. Clerk Susan Gage gave an overview and discussed paperwork that was attached to the appellant's request. Seth Hopkins made a motion to deny the request for

abatement, seconded by Douglas Bailey. The motion was approved unanimously. The request for abatement is denied.

Hearing was closed at 7:35 pm.

4) - Robert Read, .06 acres land, 33 Center St, Brandon, VT 05733; Parcel 0137-0033; Request for abatement of past-due taxes, interest and penalty, in exchange for an easement for the culvert overflow.

Hearing was opened at 7:35 pm. Clerk Susan Gage introduced the case and addressed paperwork attached to the request. She then introduced Dave Atherton, Brandon Town Manager who explained the situation and the reason for the abatement request. Mr. Read purchased the property, with a delinquent property tax balance. The property is located on an area of the Neshobe River that will be used for the Overflow Culvert. There was hope by both Mr. Read and Mr. Atherton that the taxes could be abated in exchange for an easement for the Overflow Culvert. Seth Hopkins stated that this decision is beyond the scope of the Board of Abatement, and does not fall under any of the statutory reasons for abatement. Mr. Hopkins moved that the request be denied as it does not meet statutory requirements, seconded by Marge Munger. Approved unanimously.

Hearing was closed at 7:40 pm.

5) - **Robert Kerr**, 87 North St, Brandon, VT 05733; Parcel 0005-0087; Request for abatement of taxes, interest and penalty due to undue hardship.

Hearing was opened at 7:40 pm. Clerk Susan Gage addressed the request and explained information attached to the appellant's letter. Board questioned how the taxes would be paid going forward. Without a plan in place the board felt the appellant should pay the taxes due. Marge Munger moved to deny the abatement request, seconded by Del Cook. Motion was approved unanimously to deny request for abatement.

Hearing was closed at 7:45 pm.

6) - **William Rudolph**, 51 Forest Dale Rd, Brandon, VT 05733; Parcel 0083-0051; Request for abatement of taxes due to illness.

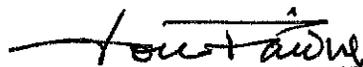
Hearing was opened at 7:45 pm. Clerk Susan Gage introduced the case and addressed paperwork attached to the request. Board discussed situation. Seth Hopkins moved to deny the abatement request, seconded by Douglas Bailey. Motion was approved unanimously to deny request for abatement.

Hearing was closed at 7:55 pm.

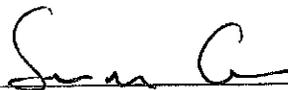
7) - **Joseph & Crystal Bresette / Joe Brown Sr**; 61 Conway Terrace, Brandon, VT, 05733; Parcel ID 0007-0020; Sewer Account 1151; Court ordered abatement due to abandonment of mobile home.

Discussed abandonment orders from the court. Board of Abatement decided that it was not necessary to present these court orders to the BOA prior to abatement, but instead the Clerk may abate any balances and report to the BOA after the fact. This should expedite the process and hopefully allow the property transfers to occur more timely.

Motion to adjourn by Richard White, seconded by Joan Thomas. Meeting was adjourned at 8:00 pm.



Louis Faivre, BCA Chair



Susan Gage, Clerk