

Town of Springfield - Board of Abatement

Organization Meeting

Selectmen's Hall - 96 Main Street - Third Floor

Thursday, February 7, 2019 at 6:00 pm Minutes

Board of Civil Authority Members Present:

Ernest Lamphere

Mark Greenvall

Kathleen Stankevich

Cynthia Martin

Charlotte Osterlund

Warren Cross

Melissa MacKenzie

Michael Martin

Elizabeth Gray

Kristi Morris

Stephen Matush

Peter MacGillivray

Barbara A. Courchesne, Town Clerk

Others:

Maxine Aldrich, Assistant Town Clerk

The meeting was called to order at 6:00pm by Chairperson Ernest Lamphere.

1. Additions to Agenda

None.

2. Nomination and Election of Chairperson and Vice-Chairperson

MOTION: Mike Martin moved to nominate Ernest Lamphere to serve as Chairperson for a two-year term. Peter MacGillivray seconded the motion. There were no further nominations. Warren Cross moved to close nominations, which was seconded by Walter Martone. The nomination of Ernest Lamphere as Chairperson voted and passed unanimously.

MOTION: Ernest Lamphere moved to nominate Mark Greenvall to serve as Vice-Chairperson for a two-year term. Walter Martone seconded the motion. There were no further nominations. Kristi Morris moved to close nominations, which was seconded by Warren Cross. The motion to appoint Mark Greenvall as Vice-Chairperson for a two-year term was voted and passed unanimously.

3. Review and adoption of VLCT Board of Abatement Rules of Procedure

Barbara Courchesne stated the rules haven't change: they are the same from the previous year.

MOTION: Walter Martone moved the approval of the adoption of the VLCT Board of Abatement Rules of Procedure. Motion seconded by Kathleen Stankevich. Mark Greenvall questioned rules on interest. Barbara Courchesne confirmed that whatever we collect in interest, we have to pay back the same way if we are abating interest, which is in the statute. No further discussion. Motion passed unanimously.

4. Public Comment

None.

5. Adjournment

Peter MacGillivray moved to adjourn. Motion seconded by Mike Martin. No discussion. Motion passed. Meeting was adjourned at 6:03pm.

Respectfully submitted,

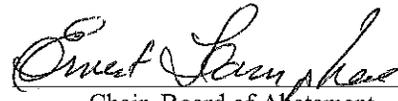


Maxine M. Aldrich
Assistant Town Clerk

2019 Rules of Procedure
Town of Springfield Board of Abatement

- A. **Purpose.** The Board of Abatement of the Town of Springfield is authorized under 24 V.S.A. §§ 1533-1537 to conduct hearings on requests for abatement of real and personal property taxes. The purpose of these rules is to establish uniform procedures for conducting abatement hearings and to ensure compliance with 24 V.S.A. §§1533-1537 and Vermont's Open Meeting Law.
- B. **Application.** These rules of procedure will apply to all abatement hearings conducted by the Town of Springfield Board of Abatement. A copy of these rules will be provided to each taxpayer requesting abatement.
- C. **Procedure.** A majority of the members of the Board of Abatement must be present in order to hold a hearing. In the alternative, a hearing may be held if the town treasurer, a majority of the listers, and a majority of the selectpersons are present. A concurrence of a majority of those present at the hearing is required to grant an abatement.
1. The chair of the Board will preside over each abatement hearing. The chair will rule on all questions or order and procedure. The chair may make motions and may vote on all questions before the Board. If the chair is absent, a chair *pro tem*, elected by the Board, will preside. All hearings will be audio recorded.
 2. Each taxpayer requesting abatement will be afforded a 15 minute hearing. If a taxpayer does not appear, the Board's decision will be based upon any information submitted by the taxpayer with his/her abatement hearing request form.
 3. The chair may exclude any irrelevant, unreliable or unnecessarily repetitive evidence. Relevant evidence is any verbal testimony or document that tends to prove or disprove the appropriateness of abatement. Reliable evidence is any relevant evidence commonly relied upon by reasonably prudent people in the conduct of their affairs.
 4. The chair will conduct abatement hearings in the following sequence:
 - a. Open the hearing, stating the name of the taxpayer, property location and parcel ID number, pass out to the members of the Board a copy of the taxpayer's written abatement request.
 - b. Ask the taxpayer and witnesses to take the following oath: *Under the pains and penalties of perjury, do you solemnly swear that the evidence you give in the cause under consideration shall be the whole truth and nothing but the truth?*
 - c. Request Board members to disclose any conflict of interest and/or *ex parte* communication.
 - d. Ask the taxpayer if he has received a copy of the Board's rules of procedure and whether he has any questions about how the hearing will proceed.
 - e. Ask the taxpayer to identify the statutory abatement category that the abatement request is being made under. These categories are set out at 24 V.S.A. § 1535(a)(1)-(9).
 - f. Allow the taxpayer to present verbal and documentary evidence supporting the abatement request to the Board.
 - g. Invite questions from the Board.
 - h. Close the hearing and explain that the Board will enter deliberative session and will issue a written decision within 30 days.
 - i. Upon motion, the appellant may be excused from deliberative session.
- D. **Amendment.** These rules may be amended by [two-thirds/majority] vote of the Board of Abatement.

Adopted by the Town of Springfield Board of Abatement at its organizational meeting held February 7, 2019.



Chair, Board of Abatement