

MINUTES

Thursday, September 21, 2017 at 5:30 pm

Town of Springfield - Board of Abatement

Selectmen's Hall - 96 Main Street - Third Floor

Board of Civil Authority Members Present:

Warren Cross
Mark Greenvall
Cynthia Martin
Elizabeth Gray
Ernest Lamphere
Stephen Matush
Kristi Morris
Chuck Gregory
Steven Sysko
David Yesman
John Stettner
Michael Martin
Barbara A. Courchesne, Town Clerk

Others:

Maxine Aldrich, Assistant Town Clerk
Nichole Knight, Assessor

Board of Abatement:

1. Call to Order

The meeting of the Board of Abatement was called to order at 5:30pm by Chairman Ernest Lamphere.

2. Additions to Agenda

None.

3. Discussion on abatement guidelines until 6:00pm

The Board spent the first half hour discussing abatement procedures. Barbara Courchesne confirmed that interest must be paid on an abatement if the Town has held the taxpayer's money. Mark Greenvall asked the rate of interest. Barbara Courchesne explained it is at the same rate the Town assesses interest. Barbara Courchesne advised that she talked to representatives of surrounding towns as to their abatement policy, but they did not have policies as such and decided abatements case by case. Kristi Morris asked if there is any guidance on questions to ask of Appellant in a hardship request. Barbara Courchesne confirmed that the Board can ask any questions to determine the facts. Appellant's testimony is evidence and the evidence does not need to be in written form. Michael Martin questioned abatement under Rule 5, reference to real property. Barbara Courchesne confirmed normally it is not the real property that is abated. The Assessor will break down the costs between land and structure. There was discussion on the meaning of conflict of interest.

4. Swearing in of Board/Witness(es)

Board Members were sworn in by Clerk.

5. Requests for Tax Abatement

Mary Schaefer– 35 Perley Gordon Road

Appellant, Mary Schaefer, and Assessor, Nichole Knight, were sworn in by Clerk. Barbara Courchesne introduced into evidence Appellant's letter requesting abatement, copy of current tax bill, tax sale warrant and notice to owner regarding abatement and distributed copies to all parties. Chairman Lamphere stated owner's name, property address 35 Perley Gordon Road and parcel id 011-1-30. Chairman Lamphere questioned any conflict of interest. Hearing none, testimony proceeded. Chairman Lamphere confirmed Appellant received a copy of the Board's Rules of Procedure. Appellant testified that she has been ill and due to health issues and change of management in her jobs she either lost her job or her hours were cut. It was a full year before she started feeling well. All bills fell behind and she received assistance and had her tax refund to catch up on her mortgage payments. She has lived in the house for 30 years. Chairman Lamphere asked under which rule Appellant was requesting abatement. Appellant confirmed her abatement request was under 24 VSA 1535(a)(3). Chairman Lamphere asked if Appellant is working. Appellant stated she does not have a job but is working with vocational rehab and a special program to find another job. Michael Martin asked if appellant is asking for permanent abatement of taxes or taxes for last year. Appellant confirmed just last year's taxes. Barbara Courchesne advised that any reduction in taxes will have the tax sale go forward with a reduced price. Appellant stated she just needs more time. Stephen Matush questioned if Appellant had discussed a payment schedule with the Barbara Courchesne. Barbara Courchesne explained that happens before getting to tax sale and explained the tax sale process and the letter which is mailed to a property owner explaining their options. Appellant confirms she did not pursue this with Barbara Courchesne because she was working on the mortgage and avoiding foreclosure. Appellant pointed out the difference in the amount due on the current tax bill due to her receiving a state payment for the current year. Nichole Knight confirmed that the entire amount on warrant must be paid to avoid tax sale. John Stettner asked if Appellant wanted to abate \$1,273.65. Appellant replied as much as she can get. Kristi Morris asked if Appellant had been current on taxes prior to getting sick. Appellant confirmed. Stephen Matush asked the total amount to be abated. Barbara Courchesne explained the tax sale warrant amounts. The Board cannot abate the attorney fees and publication fees. She would have to discuss that with Steve Ankuda, town attorney. John Stettner confirmed that they may be waived. Barbara Courchesne confirmed it's possible but if not the Town pays those fees. Kristi Morris asked Appellant if this would be reoccurring. Appellant confirmed that it will not happen again. Chairman Lamphere advised Appellant the Board would deliberate and that a written decision would be issued within 30 days.

Naomi Barrows/Heidi Stillings – 258 Fairground Road Lot 2

Appellant, Heidi Stillings, and Assessor, Nichole Knight, were sworn in by Clerk. Barbara Courchesne introduced into evidence Appellant's letter requesting abatement, copy of 2017-2018 tax bill and town clerk's letter of instruction and notice and distributed copies to all parties. Chairman Lamphere stated owner's name, property address 258 Fairground Road Lot 2 and parcel id 01B-3-63.2L. Chairman Lamphere questioned any conflict of interest. Hearing none, testimony proceeded. Chairman Lamphere confirmed Appellant received a copy of the Board's Rules of Procedure. Appellant confirmed her abatement request was under 24 VSA 1535(a)(4). Appellant stated that her mother sold the mobile home to her and it was moved to New Hampshire. Neither one of them was aware that they needed to do anything other than what they had done, which was to pay the 2016-17 taxes through the end of that tax year and be current with the water bill. When Naomi Barrows received the new tax bill for this year, they thought they were all set because they had permission to move the mobile home and got a permit to

move the mobile home into Charlestown. They were not aware of the paperwork they needed to file with the Town of Springfield. Stephen Matush asked if these are taxes for something that is not here. Appellant confirmed. Kristi Morris confirmed the taxes are not on the land; the land is owned by someone else. Barbara Courchesne confirmed the Appellant has since recorded the mobile home bill of sale and property transfer tax return with the Town of Springfield. Mark Greenvall asked if the assessor's office agrees the mobile home is not there. Nichole Knight confirmed that it is gone. The assessor was not aware of that until after the grand list was issued. Michael Martin questioned the period of taxes paid. Barbara Courchesne confirmed taxes were paid through June 30, 2017 because moving a mobile home out of town requires all taxes to be paid for that year. Mark Greenvall confirmed the request is to abate the current 2017-18 tax bill. Chairman Lamphere advised Appellant the Board would deliberate and that a written decision would be issued within 30 days.

6. Deliberation

At 6:35 PM, the Board entered deliberative session. The following discussion was had and motions were made in deliberation:

Schaefer – 35 Perley Gordon Road

MOTION: David Yesman moved to abate \$1,077.78 under Rule 3. John Stettner seconded. Kristi Morris commented that Appellant was not delinquent before she became sick. Motion passed: 1 opposed (Barbara Courchesne).

Barrows/Stillings – 258 Fairground Road Lot 2

MOTION: Stephen Matush moved to abate 2017-2018 taxes under Rule 4. John Stettner seconded. Barbara Courchesne confirmed tax amount is \$538.32 and stated further interest had accrued and requested to amend motion to include specific amount plus accrued interest. Stephen Matush confirmed amendment of motion. John Stettner confirmed second. No further discussion. Motion passed.

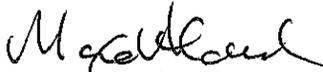
7. Public Comment

None.

8. Adjournment

David Yesman moved to adjourn. Warren Cross seconded. Adjourned at 6:40 PM.

Respectfully submitted,



Maxine M. Aldrich
Assistant Town Clerk