

Town of Springfield - Board of Abatement

Selectmen's Hall - 96 Main Street - Third Floor

Thursday, September 7, 2017 at 5:30pm Minutes

Board of Civil Authority Members Present:

Warren Cross

Scott Farr

Mark Greenvall

Cynthia Martin

Ernest Lamphere

Kathleen Stankevich

Tom Hall

Stephen Matush

Chuck Gregory

Steven Sysko

David Yesman

John Stettner

Kristi Morris

Michael Martin

Barbara A. Courchesne, Town Clerk

Others:

Maxine Aldrich, Assistant Town Clerk

Nichole Knight, Assessor

1. Call to Order

After the quorum being met, the meeting of the Board of Abatement was called to order at 5:30 pm by Chairman Ernest Lamphere.

2. Additions to Agenda

Barbara Courchesne advised the Board that she will notice another meeting for September 21, 2017 for additional abatement requests resulting from tax sale.

3. Swearing in of Board/Witness(es)

The Board was sworn in by Barbara Courchesne. Nichole Knight, Assessor, was sworn in by Barbara Courchesne.

4. Request for Tax Abatement

Stalker's Enterprise – Filion Drive

Appellant was not present. Clerk distributed copies of letter to Appellant, abatement request under "Reason No. 4" (24 V.S.A. § 1535(a)(4)), tax map and tax calculation. Barbara Courchesne confirmed that appellant received all documents and signed for the certified mail. Chairman Lamphere confirmed the appellant is Stalker's Enterprise LLC with the property on Filion Drive, parcel id 005-2-44.2 and asked if there were any conflicts of interest. Hearing none, he then asked if there were any questions by the Board. Chairman Lamphere confirmed

the amount to be abated is \$2,967.07. Mark Greenvall asked if the assessor agreed or disagreed with the request. Nichole Knight confirmed the Appellant had brought this to the Assessor's attention this year when she asked for a grievance. Nichole Knight confirmed it is the assessor's responsibility to enter the change but the landowner must also be responsible to check that the acreage is correct after a sale of property.

Mark Greenvall asked if the individuals who bought the 4 acres have been paying taxes since that time? Nichole Knight confirmed that is correct. Chuck Gregory asked if there is a process when a parcel is split off like this? Nichole Knight confirmed that a transfer tax return is filed and for some reason this did not get changed in 2012. Michael Martin confirmed the tax year and asked when the new owner started paying taxes. Nichole Knight confirmed they would have started paying taxes in the 2013-2014 tax year. Mark Greenvall asked if all acres are valued the same regardless of parcel size. Nichole Knight confirmed that is correct. Steven Sysko commented he thought the Board could only go back two years. Barbara Courchesne confirmed VLCT advises the law is not clear how far back an abatement can go and that the abatement is a discretionary process. The calculations show what appellant is asking for not necessarily what the abatement must be.

MOTION: Stephen Matush moved to abate the last two years of taxes. Michael Martin seconded motion. Kathleen Stankevich asked that if the Board abates two years, that means the town is collecting twice on that piece of property for two years. Nichole Knight confirmed that is correct. Kristi Morris asked if the property is just land and asked how many property owners would know the acreage of their properties. Michael Martin agreed property owners may not know acreage but appellant is in the business of developing and selling real estate so it would behoove them to be a little more careful about inspection of bills relating to acreage when that is their primary business. Barbara Courchesne commented that the acreage shows on the face of the tax bill so that the property owner could check that. John Stettner commented that people should be responsible for their land but the town should be responsible for its job. Motion put to vote: 7 for; 7 against. Chairman Lamphere voted against to break the tie. Motion failed.

MOTION: John Stettner moved to abate the entire amount. Kathleen Stankevich seconded. Mark Greenvall questioned the requirement for paying interest. Barbara Courchesne understood the Board could abate penalties and interest if it had been paid. Ms. Courchesne believes the payment of interest is discretionary. Michael Martin commented the Appellant is requesting the abatement of real estate taxes. Chuck Gregory commented if the Board was to pay interest, they would be rewarding the Appellant for their negligence and encourage others to do the same. Motion put to vote: 9 for; 4 against. Motion passed.

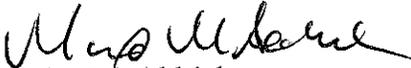
5. Public Comment

None.

6. Adjournment

Warren Cross moved to adjourn. David Yesman seconded. No discussion. Motion passed. Meeting adjourned at 5:53 pm.

Respectfully submitted,


Maxine M. Aldrich
Assistant Town Clerk