

**BOARD OF CIVIL AUTHORITY AGENDA
ABATEMENT MEETING**

May 4, 2016

1. Call to Order 6:40 p.m.
2. Amendments to the Agenda (if needed)
3. Approve the minutes of February 24, 2016
4. This meeting is being audio taped. Be sure to speak distinctly and state your name for the record.
5. Role Call and BCA oath:
"I do solemnly swear (or affirm) that I will well and truly hear and determine all matters at issue relating to the abatement of taxes and other levies submitted for my decision."
6. Review the Treasurer requests:
 1. Gaudette ambulance bill - Geoffrey Fitzgerald, agent
 2. Deutsche Bank/Roggensack - Oliver Twombly, agent
7. Other Business:
 - ✓ Next abatement meeting is June 15, 2016 - let the Town Clerk know if you will be unable to attend.
8. Adjourn

**BOARD OF ABATEMENT MEETING MINUTES
May 4, 2016**

The duly warned Board of Abatement Meeting was held on May 4, 2016, Barre Town Municipal Building, Selectboard meeting room, in Lower Websterville at 6:40 p.m.

The following members were present: Chair Paul Malone, Jeff Blow, Town Clerk-Treasurer Donna Kelty, Pearl Bugbee, William Bugbee, Charles "Chip" Castle, Tracy Delude, J. Guy Isabelle, JP Isabelle, W. John "Jack" Mitchell, Edward Paquin, Virginia Poplawski, Christopher Violette, R. Lee Walther, Sheila Walther, and Assessor Joseph Levesque.

Those absent included: Gordon Booth, Phil Kolling, Robert LaClair, and Jay Perkins.

Chair Malone called the Board of Abatement meeting to order at 6:42 p.m.

CHANGES TO THE AGENDA - None

MINUTES

On a motion by Mitchell, seconded by Paquin, the Board of Abatement voted to approve the Abatement Meeting Minutes of February 24, 2016 as presented. Guy Isabelle abstained from the vote as he did not attend the meeting. Booth, Kolling, LaClair, and Perkins were not present for the vote.

During discussion it was stated that the discussion items mentioned in the February 24, 2016 minutes were not put on the agenda for this meeting due to time constraints. The topics will be on the June 15, 2016 Abatement agenda.

OATH TO VOTING MEMBERS

Role Call was taken those Board members present took the following oath:

I do solemnly swear (or affirm) that I will well and truly hear and determine all matters at issue relating to the abatement of taxes and other levies submitted for my decision.

BOARD OF ABATEMENT MEETING OF MAY 4, 2016 continued:

REQUESTS FROM THE TREASURER

For the record: The Town Clerk-Treasurer abstained from voting on the following requests as she is the applicant.

1. James Gaudette

3 Ambulance Bills from September and October 2016

Request: \$4,152.60

Background: The Treasurer was contacted by attorney Geoffrey Fitzgerald. This particular individual does have an estate. However, the property is being foreclosed on by the Bank. There will be no additional income to the estate. The few other minor assets are being sold but will not be enough to pay the creditors. In an attempt to get the estate closed the Town is being asked to abate the ambulance bills citing the person liable is deceased and the estate has no income to pay. The Board received copies of the bills, death certificate and email correspondence from Attorney Fitzgerald.

On a motion by Edward Paquin, seconded by Guy Isabelle, the Board of Abatement voted unanimously to approve the abatement request of the Barre Town Treasurer for abatement of three (3) ambulance bills for James Gaudette, (Trip #14-14075 for \$730.20, date of service September 28, 2014; Trip #14-14077 for \$1,711.20, date of service September 28, 2014; and Trip #14-14421 for \$1,711.20, date of service October 3, 2014) totaling \$4,152.60 citing the person liable for the debt is deceased and there are no funds to pay the bill. Booth, Kolling, LaClair, and Perkins were not present for the vote. Kelty had abstained from voting due to her status as applicant.

2. Deutsch Bank/Ocwen Loan Servicing/Jennifer Roggensack

Tax Map 025 Lot 155-00, 12 Carnes Road

Sewer Use Charge and Property Taxes

Amount: \$1,378.10 (plus penalties) Property tax = \$1,220.10 Sewer = \$158.00

The Town Clerk-Treasurer's office has a posted procedure for staff to run a specific report (by the map and lot number) to find all outstanding amounts due and owing when an outstanding amount is needed. The reason for this report is because items can be missed if a property sells during a fiscal year. The bill will remain in the sellers name care of the new owner.

Attorney Oliver Twombly was doing a title search and asked staff for the total amount due as a sale was pending. This is one of the properties which changed title frequently (Deutsche Bank, Ocwen Bank, and DES Investment) during a couple of fiscal years. When the current owner received the delinquent bill she contacted Attorney Twombly, who immediately contacted me. The delinquent bill is a result of my office staff not running the correct report.

Since the lack of payment for the delinquent amount is a result of the Town providing misinformation, the Treasurer is requesting the abatement of property tax and sewer (plus penalties) citing the collection would work an injustice.

On a motion by Mitchell, seconded by Lee Walther, the Board of Abatement voted to approve the abatement request of the Barre Town Treasurer for the abatement of Deutsch Bank-Ocwen Loan Servicing-DES Investment-Jennifer Roggensack, Tax Map 025 Lot 155-00, located at 12 Carnes Road in the amount of \$1,378.10 (\$1,220.10 property tax and sewer use charge of \$158.00) plus penalties citing the collection would work an injustice. Booth, Kolling, LaClair, and Perkins were not present for the vote. Kelty had abstained from voting due to her status as applicant.

BOARD OF ABATEMENT MEETING OF MAY 4, 2016 continued:

OTHER BUSINESS

The next Board of Abatement meeting will be held on Wednesday, June 15, 2016, 6:30 p.m.

ADJOURN

On a motion by Pearl Bugbee, seconded by Tom White, the Board of Abatement voted unanimously to adjourn at 6:47 p.m.

Board of Civil Authority

Donna J. Kelty, Town Clerk-Treasurer

Chair/Vice Chair

DRAFT