

TOWN OF BARRE - TAX GRIEVANCE HEARING
September 23, 2015

AGENDA

(This meeting is being audio taped.)

1. Reconvene Tax Hearing 6:30 p.m.
2. Changes to the Agenda
3. Approve minutes of August 4, 2015 Tax Grievance Hearing.
4. Administer Oath to Board Members:
I do solemnly swear (or affirm) that I will well and truly hear and determine all matters at issue between taxpayers and Assessor submitted for my decision. So help me God (or under the pains and penalties of perjury).
5. Hear the appeal of Christopher Colby 6:40 p.m.
6. Appoint Inspection Committee.
7. Other Business:
A) Next Meeting - Set meeting date to hear Inspection Committee Report.
B) Any other business which may come before the Board.
8. Recess meeting to date certain.

TAX GRIEVANCE HEARING MINUTES
September 23, 2015

CALL TO ORDER - Chair Paul Malone Isabelle called the Tax Grievance Hearing meeting to order on this 4th day of August 2015 at 6:30 p.m.

ROLE CALL - The following members were present: Chair Paul Malone, Town Clerk-Treasurer Donna J. Kelty, Jeff Blow, Pearl Bugbee, William Bugbee, Gordon Booth, Charles "Chip" Castle, Tracey Delude, J.P. Isabelle, Philip Kolling, Robert LaClair, W. John "Jack" Mitchell, Jay Perkins, Virginia Poplawski, Rolland Tessier, Christopher Violette, R. Lee Walther, Sheila Walther, and Tom White. J. Guy Isabelle was not present.

Others present included Assessor Joseph Levesque.

AMEND THE AGENDA

The agenda Item 7 was amended to add discussion for scheduling a special Abatement Meeting to coincide with hearing inspection committee report; and to hear a second tax grievance.

MINUTE APPROVAL

On a motion by Jack Mitchell, seconded by Rolland Tessier the BCA voted to approve the meeting minutes of August 4, 2015 as amended:

- 1. Page 1, Agenda, Item 3 change date to June 25, 2014;*
 - 2. Page 1, Agenda, Item 10, make a notation the meeting date was changed to September 23, 2015 due to a conflict with Barre City;*
 - 3. Page 4, 5th paragraph, last line. Place a period after meeting and insert words "The motion" before the word failed;*
 - 4. Page 4, last paragraph on the page, last line, change the second word and to "an".*
- J. Guy Isabelle was not present for the vote.*

BCA OATH

The BCA members present were administered their oath. The Chair reminded the Board members and those present the tax grievance hearings are being audio taped. Please speak clearly and identify yourself prior to speaking.

The appellant was scheduled to appear before the Board at 6:40 p.m. With time to spare the BCA by consensus agreed to proceed with Other Business

OTHER BUSINESS

The Town Clerk is recommending the next meeting be scheduled for Wednesday, October 14, 2015 for three reasons. The first is to hear the Inspection Committee report on the Colby appeal; to hear a second tax grievance from Novus Barre Town Solar LLC, and the third is to have a special abatement hearing immediately following the tax grievance hearing.

The Clerk stated that Novus Barre Town Solar LLC filed a timely grievance with the BCA. However, the envelope containing the request was misdirected to another Office and was never received by the Town Clerk. The error was just discovered when the business inquired on a hearing date. Upon consulting with the Town Attorney he recommended the Town give the appellant due process and hear their appeal.

Barre Town will be holding a tax sale on October 15, 2015. The property in question is part of a recently opened estate which has requested abatement. Our Town Attorney stated it would fiscally be in the best interest of the Town to hear the abatement request prior to October 15th. If not then the tax sale would have to be rescheduled, costing more money in recording and advertising. The Clerk is recommending the Board hear only this request during this meeting.

The Board consensus is to set the next meeting for Wednesday, October 14, 2015, 6:30 p.m., in the Municipal Building and to hold a Special Abatement meeting to hear the one request as noted by the Town Clerk.

COLBY APPEAL

The appellant, Christopher Colby, was not present as of 6:45 p.m. The hearing proceeded with Assessor Levesque being sworn in.

The Town Clerk informed the Board that Mr. Colby sold his property in early September 2015. The Assessor and Town Clerk spoke to Mr. Colby, by telephone, who stated the new owners (Fosters) wished to continue his appeal. During the phone conversation Mr. Colby was informed written authorization would be needed from him to allow the new owner to continue his appeal. He stated he would contact them and provide the document. Neither party appeared before this Board nor has there been any notification of withdrawal for this appeal.

The Assessor had provided his evidence to the Board prior to the meeting for their review. He noted the majority of increase in value was associated with the change in grading from Good - to Good +. Clarifications were made regarding deck replacement.

The Board discussed "the law" versus what does not seem to quite fair when determining whether or not a new owner should be required to have written authorization to continue an appeal of the seller. Isabelle stated that our Legislators would have to "clean up the process by amending the Tax Grievance laws."

It was noted that Mr. Colby owned the property at the time of the appeal and therefore had a legal interest in the property which entitles him to due process. This means the Board must continue the appeal even though he was not present. During discussion the Board concurred that the Inspection Committee Chair should make it point when contacting the new owner to ensure they understand what has transpired to date, what the Committee is requesting, and what the consequences of the inspection could mean to the value of their property (decrease, increase, or no change).

On a motion by Jeff Blow, seconded by JP Isabelle, the Tax Grievance Board voted to close the evidence on the Christopher Colby appeal. The motion passed with Lee Walther voting no.

INSPECTION TEAM

The consensus of the Board is to appoint Sheila Walther (Chair), Jay Perkins, and Rob LaClair to the Inspection Team for the Christopher Colby appeal. Ms. Walther will find the contact information and speak with the new property owner(s).

RECESS UNTIL OCTOBER 2015

On a motion by Tracey Delude, seconded by William Bugbee, the Tax Grievance Hearing was recessed at 7:10 p.m. to reconvene on Wednesday, October 14, 2015 at 6:30 p.m.

Donna J. Kelty, Town Clerk-Treasurer

B.C.A. Chair

BARRE TOWN BOARD OF CIVIL AUTHORITY REPRESENTATIVES

Oaths are on the next page.

TOWN OF BARRE - TAX GRIEVANCE HEARING
OATH OF BOARD MEMBERS

Commencing August 4, 2015

I do solemnly swear (or affirm) that I will well and truly hear and determine all matters at issue between taxpayers and Assessor submitted for my decision. So help me God (or under the pains and penalties of Perjury).

Name	Signature
Jeff Blow	x <i>Jeff C. Blow</i>
Gordon Booth	x <i>Gordon Booth</i>
Pearl Bugbee	x <i>Pearl Bugbee</i>
William Bugbee	x <i>William Bugbee</i>
Charles "Chip" Castle	x <i>Charles Castle</i>
Tracy Delude	x <i>Tracy Delude</i>
J. Guy Isabelle	x <i>J. Guy Isabelle</i>
JP Isabelle	x <i>JP Isabelle</i>
Donna J. Kelty	x <i>Donna J. Kelty</i>
Philip Kolling	x <i>Philip Kolling</i>
Robert LaClair	x <i>Robert LaClair</i>
Paul Malone	x <i>Paul Malone</i>
W. John "Jack" Mitchell	x <i>W. John Mitchell</i>
Edward Paquin	x <i>Edward Paquin</i>
Jay Perkins	x <i>Jay Perkins</i>
Virginia Poplawski	x <i>Virginia Poplawski</i>
Roland Roland Tessier	x <i>Roland Tessier</i>
Christopher Violette	x <i>Chris Violette</i>
R. Lee Walther	x <i>R. Lee Walther</i>
Sheila Walther	x <i>Sheila M. Walther</i>
Tom White	x <i>Tom White</i>