TOWN OF MORRISTOWN
43 PORTLAND STREET
MORRISVILLE, VERMONT 05661-0748

BOARD OF CIVIL AUTHORITY MEETING
MINUTES OF BOARD OF ABATEMENT

The Board of Civil Authority/Board of Abatement for the Town of Morristown met at the Community Meeting Room of the Municipal Building, 43 Portland Street in said town on Monday, the 28th day of September 2009, at 5:30 P.M.

Members present: Dawn Andrews, Theresa Breault, Kenneth Campbell, Margaret Demars, Francis Favreau, Donald Blake, Rhoda Bedell, Steve Leach, Edward Wilson, David Yacovone, Bob Beeman, Todd Yando and Mary Ann Wilson.

Listers present: Charles McArthur, Duane Sprague and Julia Compagna

1. Pursuant to Title 24 V.S.A § 1535, the Board considered abatement of real estate and personal property taxes assessed:

A. Evelyn Geer: Parcel #11034: Clerk Wilson read Ms. Geer's letter requesting abatement - specifically requesting abatement of "school district taxes for as many years past as possible". Ms. Geer testified in person and reiterated that her husband is a disable veteran, that they are living on a fixed income and that they no longer have children in the school system. Clerk Wilson testified that the current taxes for FY09 have been paid in full and that the tax bills for FY10 had just been mailed out. No payment is due until November 16, 2009. Dave Yacovone moved to agree to Ms. Geer's letter requesting abatement. Motion seconded by Peg Demars. After discussion and upon vote, the request as stated by Ms. Geer for abatement of property taxes - specifically school district taxes was denied. There are no criteria under Vermont Statutes to accommodate her request.

B. Norman Laird and Frances Hill: Parcel #07303: Clerk Wilson read a letter from Allison Joyal, Service Coordinator for CVCAC on behalf of Laird and Hill. Ms. Joyal's letter was received on 9/9/09 requesting abatement of "any further taxes due, including penalties and other fees". She stated that the request was being made "due to the fixed income of Mr. Laird and Ms. Hill (Social Security disability) which allows only for their living expenses". Ms. Joyal and Ms. Hill appeared at the hearing. Ms. Joyal stated that the appellants' incomes are at or below the poverty level, and they qualify for disability. In addition to CVCAC, they have sought assistance from area churches to help with expenses. The appellants have been made aware of the need to submit an HS122 to the State of Vermont Department of Taxes to qualify for a reduction in the amount of education and municipal taxes that are billed on the residence. CVCAC will assist them in the process. Clerk Wilson stated that taxes are delinquent for FY09 in the amount of $416.80. The amount due for FY10 will be $954.50. Upon motion, the board went into deliberative session. Upon returning from deliberative session back to the public meeting, Dave Yacovone moved to abate any further taxes due, including penalties and other fees as requested. Motion seconded by Theresa Breault. After discussion and upon vote, the request for abatement of property taxes was denied.

C. Ginger Dwinell: Parcel #70051: Clerk Wilson read Ms. Tamar Bouchard's letter dated 9/8/09 requesting abatement on behalf of her mother, Ginger Dwinell who owns a mobile home at 2 First Street in Pinecrest Park. Mrs. Dwinell lives on a small disability payment and has recently been hospitalized with kidney failure. The letter requested that a reasonable payment plan be set up "to avoid tax sale on their home". No one appeared at the hearing on behalf of the appellant. Clerk Wilson stated that there were delinquent taxes due for FY09 in the amount of $363.09. The account has already been turned over to the tax attorney for collection, making it impossible for the Town to set up a payment plan for the FY09 property taxes. It was also noted that the mobile home was being taxed at the non-residential rate. Julia Compagna moved to abate taxes due for FY09. Motion seconded by Theresa Breault. After discussion and upon vote, the request for abatement of property taxes was denied.

D. Richard Chandler: Parcel #06047: Clerk Wilson read Mr. Chandler's letter dated 9/9/09 requesting abatement in the amount of $1,400. On October 9, 2009, Mr. Chandler will be purchasing a home in Morristown that is currently being taxed as non-residential property. Because this will be his residence, he would like to pay the amount of property taxes that would have been billed if the property was listed as a homestead, thereby reducing his tax burden.

No one appeared at the hearing on behalf of the appellant. Clerk Wilson stated that taxes due for FY09 had been paid in full, and the FY10 tax bills have been sent to the current owner. Ed Wilson moved to agree to Mr. Chandler's request for abatement. Motion seconded by Peg Demars. After discussion and upon vote, the request for abatement of property taxes was denied based on the criteria set forth in Title 24, VSA §1535(a): The board may abate in whole or part taxes, interest and collection fees, other than those arising out of a corrected classification of homestead or nonresidential property.

E. Jason Wescom: Parcel # 70082. The Listers presented this account for abatement. This mobile home was moved out of town in July 2008. Before the move, the FY09 taxes were paid. The property was never removed from the Grand List, and taxes for FY10 were assessed in error. Upon motion by David Yacovone, with a second by Theresa Breault, the board voted to abate FY10 taxes in the amount of $113.44 under criteria 24VSA§1535(a)(4) – mistake of the listers.

2. BCA members continued to review the Town Clerk's additions, removals and challenges to the voter checklist for the Biennial Purge – 17 VSA §2150(c).

3. With no other business to come before the BCA, the meeting was adjourned at 6:35 PM upon motion.

Respectfully submitted,

Mary Ann Wilson

Mary Ann Wilson, Clerk.