

Town of Morristown
Board of Civil Authority Meeting
Date: July 6, 2000

Members present: Donald Anderson, Dawn Andrews, Theresa Breault, Kenneth Campbell, Alan Deuso, Paul Griswold, Cathy Voyer, Edward Wilson, Brian Greenia, Donald Anderson, Lee Sturtevant, Steven Leach, Jim Paige and Mary Ann Wilson.

Listers present: Lynn Miller and Francis Favreau.

Guests: Stearns Allen and David Bolton of the Vermont Dept. of Property Valuation and Review; and Stella Martin, Evelyn Earle and Howard Manosh, appellants.

Meeting called to order at 5:30 PM by Clerk Wilson.

5:30 PM - Tax Abatements:

1. Stella Martin presented information to the BCA stating her reason for requesting abatement. Her property is located on the Upper Elmore Mountain Road, and the parcel ID# is 089064-17006-. She purchased the property in 1991. Ms. Martin stated that she believed that errors by the Listers' Office in prior years had resulted in an over-assessment of her property that resulted in higher taxes. She had addressed this matter with the Listers several times over the years, but had never been satisfied with their decisions. The current Listers did a field inspection, and found cause to recalculate the assessment based on criteria set forth in the Marshall Swift Appraisal Program. With the help of Lister, Lynn Miller, a calculation was made to show the effects of the correct assessment on her taxes. This showed that Ms. Martin had overpaid property taxes since 1991. (See attached.) On a motion by Paul Griswold, with a second by Alan Deuso, the BCA voted to abate taxes in the amount of \$5,818.81 and issue a credit toward taxes to cover past due taxes, penalty, and interest, current taxes and future taxes until the credit is brought to a zero balance. Steve Leach and Brian Greenia opposed.
2. Evelyn Earle was present to request abatement of taxes charged to her over the past several years on the assessment of a non-functioning pond. Her property is located on Moran Loop Road, and the parcel ID# is 017001-11034. She purchased the property in April 1995, and previously had asked the Listers to make a field inspection to reassess the property without the pond. This was not done. At Ms. Earle's request this year, the current Listers did a field inspection and concurred that there was no value to the pond. Lee Sturtevant moved to abate taxes and issue a credit for two years at the 1998-99 tax rate for the value of the pond site, which was calculated at \$3,000. Motion seconded by Dawn Andrews. The board was opposed, and the motion failed. Paul Griswold moved, with a second by Jim Paige, that Ms. Earle's taxes be abated on the pond only, back to 1995 at the prevailing tax rates, and that a credit be issued toward payment of current and/or future taxes. All but four members voted in favor, and the motion carried. The Town Treasurer with the assistance of the Listers calculated that the amount to be abated should be \$249.60.
3. Listers recommended the following abatements:
 - Leslie Hancock – ID# 016005-21095. His dwelling was purchased by State of Vermont on 3/28/00 for the by-pass right of way. Motion made to abate taxes in the amount of \$376.87 by Brian Greenia with a second by Ken Campbell. All in favor.
 - Howard and Patricia Beskin - ID# 099028-16111. An error in assessing the land value resulted in a reduction of the total assessment. Motion made to abate taxes in the amount of \$237.62 by Lee Sturtevant with a second by Paul Griswold. All in favor.

Clerk Wilson will send a written decision to the appellants.

The Town Clerk presented the revisions to the Voter Checklist for the Special Village Meeting to be held on 7/10/00. On a motion by Francis Favreau, with a second by Lee Sturtevant, the board voted to accept the additions and deletions to the checklist as presented. (See attached.)

BCA members were scheduled to help at the Village Meeting on 7/10/2000 at 7:00 P.M.

On a motion by Lee Sturtevant, with a second by Don Anderson, the BCA voted to designate the V.F.W. Hall on Pleasant Street, Morrisville as the official polling place, with the hours for voting officially set from 9:00 AM to 7:00 PM for the State Primary 9/12/2000 and the General Election 11/7/2000.

New information was handed out to JP's regarding Civil Unions that became legal on July 1, 2000. The JP's advised the clerk if they would be performing ceremonies of marriage and/or civil union, and she will establish a list for the public.

6:30 PM - Tax Appeal - Howard Manosh:

Mr. Manosh, aggrieved by the action of the Board of Listers, timely filed a written grievance. The property in question is his new sawmill on Stafford Ave., Morrisville. BCA members, Mr. Manosh and all other witnesses were sworn in by Mary Ann Wilson, Notary Public. The clerk read Mr. Manosh's letter of appeal. Then Mr. Manosh, in the absence of counsel, presented evidence and testimony. He disagreed with the assessment of the sawmill as documented by the Listers in accordance with the Marshall Swift Appraisal Program.

David Bolton from the State of Vermont Division of Property Valuation and Review responded to and confirmed the validity of the Marshall Swift Program in setting consistent and equitable assessments worldwide. He stated that the Morristown Listers had chosen to assess the sawmill facility as light manufacturing rather than heavy industrial, leading to a substantial reduction in the overall assessment.

The Listers presented the details of their assessment and submitted a handout as Exhibit I.

Mr. Manosh presented details of his cost evaluation and submitted a handout as Exhibit II.

After hearing the evidence presented, the BCA selected an Inspection Committee made up of Paul Griswold, Chair, Lee Sturtevant and Ed Wilson. This committee will make an appointment with Mr. Manosh to inspect the sawmill and report back to the board within thirty days from this hearing.

With no other business to come before the board, Ken Campbell moved to recess this hearing until Thursday, August 3, 2000 at 5:30 PM. at the Municipal Office Conference Room, 18 Lower Main Street, Morrisville. Meeting recessed at 7:53 PM.

Respectfully submitted,



Mary Ann Wilson, Clerk
Board of Civil Authority