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

BOARD OF CIVIL AUTHORITY MEETING

The Board of Civil Authority of the Town of Morristown was notified and warned to meet at the Community Meeting Room of the Municipal Building, 43 Portland Street in said town on Thursday, the 20th day of March 2008, at 5:30 P.M.

Members present: Margaret Demars, Francis Favreau, Don Blake, Rhoda Bedell, Thomas Hirchak, Steve Leach, Edward Wilson, David Yacovone, Bob Beeman and Mary Ann Wilson.

Listers present: Charles McArthur and Thomas Williams.

Guests: Ted Nelson, Listers' Consultant.

Chairman Favreau opened the meeting at 6:32 PM.

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

a. Parcel ID #12153.02: Thomas and Joanne Damon were not present for the hearing. Clerk Wilson read the letter submitted by them to the BCA for abatement, but there was no specific amount of tax relief requested. Their letter stated that they wanted a hearing "to get our taxes lowered". In matters of abatement, the BCA has no authority to change the assessed value of the property, and therefore, cannot lower taxes. It can only abate taxes under the circumstances detailed in Title 24 VSA § 1535. D.Yacovone moved to abate property taxes due for FY08. M. Demars seconded the motion. Motion voted and failed. Abatement was denied.

b. Parcel ID # 11061: Gregory Pavlovich was present for the hearing. Clerk Wilson read the letter requesting "a rebate of real estate taxes for the last 8 years back to 2000, when the addition was started on my home". Mr. Pavlovich gave further testimony. Lister McArthur clarified that there had been an error in the measurements of the addition of some 233 sq. ft., but this has been rectified. In deliberative session a calculation was arrived at to abate $211.96 for FY07 and $229.48 for FY08. Following deliberative session and upon motion by D. Yacovone with a second by M. Demars, the board voted unanimously to abate a total of $441.44 for FY07 and FY08, and to credit that amount to the FY08 tax liability under Criteria #4 – error of the Listers.

c. Alliance Property Management was represented by Chris Lee and Rita Pilkin. The assessment for Lamoille Housing Partnership, Inc. should have been based on a modified income approach, and entered on a form provided by the State of Vermont. The derived income for the purposes of assessing value for these subsidized housing units should be calculated by using the HUD FMRS. This was done correctly. However, "tenants' contribution" of $30,000 was stated in error by the Listers on that report. See the following corrections:

Parcel ID#:	Orig. Assmt:	Taxes Due:	Recalculated Assmt:	Recalc. Taxes Due:	Abatement:
23186	$301,300	$5346.32	$148,200	$2629.68	$2716.64
23138	$149,000	$2643.88	$ 31,700	$ 562.50	$2081.38
23166	$181,700	$3224.13	$126,300	$2241.09	$ 983.04
					$5781.06

After deliberative session and upon motion by T. Hirchak with a second by M. Demars, the board voted to accept the Listers' corrections to the properties as stated above and to abate an amount of $5781.06 for the 3 properties under Criteria #4 – Listers' error, and that abatement amounts will be credited toward future property tax liabilities on these properties. BCA member D. Yacovone is a Lamoille Housing Partnership board member, and recused himself from deliberations and abstained from voting. Revised tax bills will be issued.

d. Parcel ID #07313: In November 2007, John O'Neil sold his property to the State of Vermont. Taxes were prorated, and Mr. O'Neil paid his obligation. The State of Vermont is exempt from property taxes. Upon motion by D. Yacovone with a second by M. Demars, the board voted to abate $526.04. No refunds or credits will be issued.

e. Parcel ID #07129.01: Stewart and Christina Williamson. The Listers' added the value of a garage to the property assessment in error. Upon motion by T. Hirchak with a second by D. Yacovone, the board voted unanimously to abate $197.16 under criteria #4 – Listers' error, and to credit that amount to the FY08 tax liability.

2. Pursuant to 17 VSA § 2144b(d), the BCA reviewed additions and deletions by the Town Clerk to the voter checklist.

3. With no other business to come before the board, the meeting was adjourned at 7:45 PM upon motion.

Respectfully submitted,

Mary Ann Wilson

Mary Ann Wilson, Clerk
Board of Civil Authority