



Town of Barre VERMONT

BOARD OF ABATEMENT MEETING

April 25, 2024

AGENDA

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1. Call to order.....6:00 p.m.
2. Roll call
3. Approve the agenda
4. Public Comment
5. Approve the March 21, 2024 meeting minutes
6. Hear requests for abatement
7. Consider approving new abatement documents: a) Cover Sheet for Application; b) Application; c) Information Sheet; d) Rules of Procedure; e) Notice of Decision
8. Adjourn

BOARD OF ABATEMENT MINUTES

The duly warned Board of Abatement meeting was held at the Municipal Building, Selectboard meeting room, in Lower Websterville on Thursday, April 25, 2024, at 6:00 p.m.

Board of Abatement Member Present: Randy Treis, Justin Bolduc, Jeanne Daniele, Mike Gilbar, JP Isabelle, Norma Malone, Paul Malone, Virginia Poplawski, Dean Preston, Terry Reil, Frederick Thumm, R. Lee Walther, Sheila Walther, Tina Lunt, Lori Cohen (arrived at 6:07 p.m.), and Assessor Russ Beaudoin. Those present virtually: Ed Paquin.

Board of Abatement Members Absent: J. Guy Isabelle, Donna Kelty, Thomas Koch, Bob Nelson, and Paul White, and Jen Allard.

Others Present: Ed Hrubovcak

CALL TO ORDER: Chair Malone called the meeting to order at 6:00 p.m. and proceeded with roll call.

APPROVE THE AGENDA:

On a motion by Mike Gilbar, seconded by Terry Reil, the Board of Abatement voted unanimously to approve the amended agenda as follows:

1. Add item 7f. Other Business: pertaining to Vermont Open Meeting Law and exemption for deliberative session.
2. Add item 6a. Chair to open abatement hearings and ask Board members if there are any conflicts of interest and/or ex parte communications.

BOARD OF CIVIL AUTHORITY MEETING OF April 25, 2024 continued:

3. Add item 6b. Consider motion to review requests in deliberative session and render decisions after hearing all requests.

PUBLIC COMMENT: None.

APPROVE THE MINUTES:

On a motion Fred Thumm, seconded by Jeanne Daniele, the Board of Abatement voted unanimously to approve the March 21, 2024 meeting minutes with amendments as provided to the Clerk.

ABATEMENT REQUESTS:

1. Edward & Dawn Hrubovcak
Abatement request for: Property Taxes
Amount: \$26,971.67

Mr. Hrubovcak was present and sworn in by Clerk Lunt. Mr. Hrubovcak lives at 95 Orchard Terrace. He stated he is requesting reimbursement for property taxes that were over assessed on his property.

Chair Malone asked Board members if there were any conflicts of interest or ex parte communications, and none were disclosed.

Discussion began as Chair Malone invited Board members to ask Mr. Hrubovcak questions related to his abatement request. Mrs. Walther questioned the 2016 combined tax bill (parcels 017/030.00 and 017/030.02). She asked Mr. Hrubovcak if this property was two different parcels at one point. Mr. Hrubovcak confirmed it was, noting he currently only owns 017/030.02. Additionally, Mrs. Walther asked Mr. Hrubovcak if he had ever filed HS.122 (Homestead Declaration). Mr. Hrubovcak stated he was not aware that he was supposed to do this.

Mr. Gilbar raised questions regarding the delinquent property taxes dated back to 2016. Mr. Hrubovcak stated he has not paid these as these were assessed at the higher value. Additional questions were raised regarding the attorney fees and the status of Mr. Hrubovcak's current property taxes.

Mrs. Malone asked Mr. Hrubovcak how he became aware that he was being over assessed. Mr Hrubovcak said it was during the 2021 reappraisal. The staff member working for the Assessor's Office at the time helping with inspections found the error. Furthermore, Mr. Gilbar asked if he spoke to the Assessor at this time regarding an appeal. Mr. Hrubovcak said he did not as he was told his taxes would go down after finding this error, and assumed they would. Mr. Walther asked Mr. Hrubovcak if over the 14-year period of being over assessed if he ever filed a formal grievance with the Assessor's Office. Mr. Hrubovcak confirmed he did not.

Additional questions were raised regarding permitting and whether Mr. Hrubovcak obtained a Certificate of Occupancy for his current residence. Conversation continued as Board members addressed the history of the sub-division of this property.

Assessor Beaudoin reported that Mr. Hrubovcak was not aware that the property was over assessed prior to 2016. This issue came to Assessor Beaudoin's attention following communication with Town Attorney Mike Monte. The Assessor discovered this after he was asked to evaluate the assessment of the property in 2016. He met with Mr. Hrubovcak at this time, and when he was looking at the values, he discovered errors prior to

BOARD OF CIVIL AUTHORITY MEETING OF April 25, 2024 continued:

2016. Assessor Beaudoin then created a spreadsheet showing the 14 year over assessment totaling \$14,149.29. The conversation continued as Assessor Beaudoin disclosed a building permit was issued in 2023 for this property. As of April 1, there is only a foundation. Mr. Beaudoin said he will be assessing the foundation as part of the improvement of the property.

On a motion by Mike Gilbar, seconded by Lee Walther the Board of Abatement closed the hearing for Ed and Dawn Hrubovcak.

On a motion by Sheila Walther, seconded by Mike Gilbar, the Board of Abatement voted unanimously to review and render decisions in deliberative session after hearing all requests.

2. Jessi Robinson
Abatement request for: Property Taxes
Amount: \$231.00

Assessor Beaudoin stated that Ms. Robinson's 2022 and 2023 tax bills were combo bills. The land portion of the property was not put in at a homestead rate, causing the resident to pay a higher amount for the land on her tax bill. The Assessor explained the methodology behind this. A reclassification was missed on the land as it was not included in the housesite.

On a motion by Justin Bolduc, seconded by Lee Walther the Board of Abatement closed the hearing for Jessi Robinson.

DELIBERATIVE SESSION:

On a motion by Norma Malone, seconded by Sheila Walther, the Board of Abatement voted unanimously to move into deliberation session at 7:08 p.m.

On a motion by Justin Bolduc, seconded by Terrie Reil, the Board of Abatement voted unanimously to come out of deliberation session at 7:59 p.m.

DECISIONS:

The following decisions were rendered.

1. Jessi Robinson
3 Barre View Street
Tax Map: 031/087.00
Abatement request for: Property Tax
Amount: \$231.00

The Board of Abatement voted to abate property taxes totaling \$231.00 citing there is a manifest error or mistake of the Assessor. This is with the understanding that the approved abatement amount will be applied as a tax credit for the May 15, 2024 installment, and if this has been paid, it will be applied as a credit toward the 2024-2025 tax bill.

2. Ed Hrubovcak
95 Orchard Terrace
Tax Map: 017/030.02

BOARD OF CIVIL AUTHORITY MEETING OF April 25, 2024 continued:

Amount: \$26,971.67

The Board of Abatement voted to abate property taxes totaling \$3,335.69 citing that the tax was not properly assessed for FY2021 – FY2024 and deny the remainder of the request. This is with the understanding that the approved abatement amount will be applied towards outstanding delinquent property taxes.

CONSIDER APPROVING NEW ABATEMENT DOCUMENTS:

Clerk Lunt shared the following documents for consideration:

1. Cover sheet for application
2. Abatement application
3. Information sheet
4. Rules of Procedure
5. Notice of Decision

Board consensus is to send Clerk Lunt edits to the above documents by Wednesday, May 1. The next Board of Abatement meeting is tentatively scheduled for May 8, 2024 at 5:30 p.m. These documents will be reviewed at that time.

OTHER BUSINESS:

Mr. Walther shared information from Vermont League Cities and Towns regarding deliberative session requirements. Mr. Walther is proposing the Board of Abatement adopt a policy that everything that occurs in deliberative session is off record. This would remove the decision section of the minutes.

Board discussion focused on transparency and the means of public record. Overall, the Board agreed that, moving forward, the decisions will be declared in the minutes, but the names of the Board members moving and seconding the question and the votes names will not appear.

ADJOURN:

On a motion by Justin Bolduc, seconded by Mike Gilbar, the Board of Abatement voted unanimously to adjourn the meeting at 8:17p.m.

These are the minutes as taken by the Clerk of the Board.

Filed in the Barre Town Clerk’s Office on this _____ day of _____, 2024.

Barre Town Clerk.
Tina Lunt, Town Clerk