



Town of Barre VERMONT

BOARD OF ABATEMENT MEETING

March 21, 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 August 10, 2023 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, March 21, 2024, at 6:00 p.m.

Board of Abatement Member Present: Tina Lunt, Fred Thumm, Jeanne Daniele, Mike Gilbar, Justin Bolduc, Norma Malone, Paul Malone, Terry Reil, Virginia Poplawski, Donna Kelty, Lee Walther, Sheila Walther, Tom Koch, Ed Paquin, Guy Isabelle, Paul White.

Board of Abatement Members Absent: Lori Cohen, Jennifer Allard, Dean Preston, Assessor Russ Beaudoin, JP Isabelle and Bob Nelson.

Others Present: Maria and James Genega.

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 Justin Bolduc, the Board of Abatement voted unanimously to approve the amended agenda as follows:

1. Add item #6a.: Discussion of tax year

BOARD OF CIVIL AUTHORITY MEETING OF March 21, 2024 continued:

PUBLIC COMMENT: None.

APPROVE THE MINUTES:

On a motion Ed Paquin, seconded by Paul White, the Board of Abatement voted unanimously to approve the August 10, 2023 meeting minutes with amendments as provided to the Clerk.

ABATEMENT REQUESTS:

1. Maria Genega
Abatement request for: Property Taxes
Amount: \$377.00 or \$441.99 (includes state payment)

Mr. and Mrs. Genega were present and sworn in by Clerk Lunt.

Mr. and Mrs. Genega lost their home located at 33 McHugh Road in Graniteville to a fire on January 3, 2024. The home was a total loss. Mr. Genega shared they are looking to put a new double-wide on the property in June.

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

Mrs. Malone asked Mr. and Mrs. Genega if there was anything else other than the mobile home that was lost in the fire. Mr. Genega confirmed that a car port was also destroyed in the fire.

2. Michele G. Murphy
Abatement request for: Ambulance Bill
Amount: \$250.00

Clerk Lunt shared that this application has been withdrawn.

3. Karen Safford
Abatement request for: Ambulance & Property Tax
Amount: \$1,679.36 (\$1645.90 ambulance bills & \$33.46 property taxes)

Clerk Lunt shared that the two ambulance bills have been withdrawn for abatement. EMS Director David Danforth has submitted these bills to CVMC for payment. Due to this change, the revised total amount requested for abatement is \$33.46 in property taxes. The amount is for reimbursement of two late fees that were assessed on the November and February property tax installments.

DELIBERATIVE SESSION:

On a motion by Sheila Walther, seconded by Mike Gilbar, the Board of Abatement voted unanimously to move into deliberation session at 6:17 p.m.

On a motion by Paul White, seconded by Mike Gilbar, the Board of Abatement voted unanimously to come out of deliberation session at 7:32 p.m.

BOARD OF CIVIL AUTHORITY MEETING OF March 21, 2024 continued:

DECISIONS:

The following decisions were rendered.

1. Maria Genega
33 McHugh Road
Tax Map: 014/058.03
Amount: \$377.00 or \$441.99 (includes state payment)

On a motion by Tom Koch, seconded by Justin Bolduc, the Board of Abatement voted unanimously to abate property taxes in the amount of \$772.83 on the property of Maria Genega located at 33 McHugh Road, Tax Map 014/058.03 citing the home that was lost due to a fire on January 4, 2024.

2. Karen Safford on behalf of Matthew Safford
4 Dianne Lane
Tax Map: 016/032.00
Abatement request for: Property Tax
Amount:\$33.46

On a motion by Norma Malone, seconded by Virginia Poplawski, the Board of Abatement voted unanimously to deny the abatement request of Karen Safford, in the amount of \$33.46, citing the evidence presented did not support the criteria selected by the applicant (that the persons liable for the tax are financially unable to pay).

TAX YEAR DISCUSSION:

A discussion took place regarding what constitutes a tax year. The definition of “tax year” is not defined in state statute. Various legal opinions regarding this matter have been received. A lengthy conversation took place due to this conflicting information. Board members shared their opinions, as they discussed if the “tax year” should be considered April 1 – March 31 or July 1 – June 30 (fiscal year). It was suggested that the Selectboard look at reviewing this item and adding language into the Town Charter that specifies the tax year.

On a motion by Ed Paquin, seconded by Lee Walther, the Board of Abatement voted that when the Board considers abatement requests, they consider the tax year and fiscal year the same. Motion passed 12-4.

Mrs. Malone shared concerns about the motion, stating it did not address the issue of property losses after the April 1st deadline. This item will be discussed further at the Selectboard level.

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 OF CIVIL AUTHORITY MEETING OF March 21, 2024 continued:

Mr. Bolduc welcomed the new look of the Board of Abatement forms. Overall, this process will be more helpful for applicants and help explain the Abatement process. Board members shared feedback regarding the forms, including minor edits and suggestions for Clerk Lunt.

On a motion by Ed Paquin, seconded by Lee Walther, the Board of Abatement voted unanimously to table this item to the next Board of Abatement meeting.

Board consensus is to have Clerk Lunt present a new draft of the forms at the next meeting.

ADJOURN:

On a motion by Justin Bolduc, seconded by Ed Paquin, the Board of Abatement voted unanimously to adjourn the meeting at 8:05p.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 _____, 2023.

_____, Barre Town Clerk.
Tina Lunt, Town Clerk