

BOARD OF ABATEMENT MEETING MINUTES
SEPTEMBER 8, 2011
RANDOLPH TOWN HALL
CONFERENCE ROOM B
6:30 P.M.

Present: Justices of the Peace: Barbara Angell, Sheila Jacobs, Ellen Baker, Patricia Meyer, Ruth Lutz, Pamela Stafford, Jack Cowdrey, and Richard Burstein
Selectboard: Frank Reed, Stephen Webster, Dennis Brown, Larry Richburg and Jon Kaplan
Board of Listers: Donald Sweetser, Polly Frankenburg and Linda Nissl
Town Clerk & Treasurer: Joyce Mazzucco
Others: Patrick French, Town Assessor, Wendy Kelly and Andrew Myrick

The Board of Abatement meeting was called to order at 6:30 p.m. by board chair Richard Burstein. The first order of business was to consider the abatement request of Wendy Kelly, property located at 15 Dudley Street, parcel #209011-000. The request was made under 24 V.S.A. §1535(3). Mr. Burstein turned the floor over to Ms. Kelly to present her case for an abatement of her FY 2011 property taxes.

Ms. Kelly told the board that her inability to pay her property taxes is due to circumstances beyond her control. She has no income. She lost her job 12/31/2010 and has been looking for work since then. She applied for unemployment compensation, but her former employer appealed to the court about the unemployment. The court sided with her former employer and her unemployment was denied. She has applied for disability but was denied. She is living on food stamps and her daughter is paying the interest on the mortgage and paying the utilities. Ms. Kelly said she has applied to several businesses for work without success.

A discussion followed with the following people participating in the discussion: Barbara Angell, Wendy Kelly, Richard Burstein, Patricia Meyer, Stephen Webster, Sheila Jacobs, Pam Stafford, Joyce Mazzucco, Dennis Brown, Ruth Lutz, and Ellen Baker. The board members asked a number of questions about unemployment, whether Ms. Kelly had reapplied for unemployment benefits, if she had been in contact with her lender about getting a loan to pay the property taxes, how much she has remaining on her mortgage, if she has contacted Community Action for assistance, if she had any long term plans to address her financial difficulties, if she is current with her water and sewer bills, and if she has discussed options with Gary Champy, Delinquent Tax Collector.

Ms. Kelly told the board she had not reapplied for unemployment as she did not think she would qualify to apply. She has contacted Northfield Savings Bank, the lender holding her mortgage, about her financial situation and about getting a loan to help her pay the delinquent property taxes. An arrangement was made with Northfield Savings Bank to allow her to make interest only payments on her mortgage, which are being paid by her daughter. There is no set limit as to how long she will be allowed to pay interest only. The remaining principal on her mortgage is about \$32,000.00. She has not pursued getting another loan to cover the property taxes because she has no income to repay the loan. Ms. Kelly did apply for SSI but was denied.

She has also been in contact with Community Action, but they were not able to offer her any services. Ms. Kelly also has spoken with Gary Champy, but he was not open to many suggestions. She told the board members that she believes the water and sewer payments are current—her daughter is making the payments. Ms. Kelly also said she is considering selling her home or seeking assistance from a family member, but this would only mean she will owe someone else money that she doesn't have.

The board members made a number of suggestions to Ms. Kelly. Sheila Jacobs suggested Ms. Kelly contact Vermont Developmental Credit Union. Ms. Jacobs said this credit union works with people who are experiencing tough times. Other members suggested that she reapply for unemployment compensation. It was also suggested that she work with her lender about paying the property taxes. A loan through the bank is less costly than letting the property taxes go delinquent.

Stephen Webster made a motion to deny Ms. Kelly's abatement request and recommended that she formerly apply to Northfield Savings Bank for a loan for funds to pay the delinquent property taxes and to apply for unemployment compensation. Jack Cowdrey seconded the motion. A discussion followed, with the following people participating: Dennis Brown, Stephen Webster, Richard Burstein, Barbara Angell and Sheila Jacobs. The discussion covered the impact of abatements on other taxpayers, the role of the Town Service Officer in facilitating connections to services, about unemployment and a 6-12 week disqualification period, and that a denial of this abatement request did not preclude Ms. Kelly from applying again. There was no further discussion. Chair Richard Burstein called the vote and a voice vote was taken. The motion carried by majority vote, with one abstention, to deny the abatement request of Ms. Kelly. A written decision will be sent to Ms. Kelly.

The next order of business was under other business. Joyce Mazzucco, Town Clerk and Treasurer, told the board members that she is beginning to receive abatement requests related to the August 28th flooding and thought the board should discuss possible approaches to these requests. Pat French, Town Assessor told the board he has begun making a list of properties that were damaged in Randolph. He asked the board if they would like the Listers' Office to make recommendations about the properties damaged by the flooding. A discussion followed with the following people participating in the discussion: Joyce Mazzucco, Richard Burstein, Patricia Meyer, Sheila Jacobs, Barbara Angell, Pam Stafford, Ellen Baker, Ruth Lutz, Jon Kaplan, Andrew Myrick, Stephen Webster, and Jack Cowdrey. The abatement requests will need to be addressed on a case by case basis. There is a huge difference between individuals who had damage that can be repaired versus individuals who lost everything. There is still the potential for a huge hit because the town will still need to pay the school taxes to the school. The question was asked if there was any assistance from the State to deal with these potential abatements. Businesses have some other resources, such as VEDA to assist with damage recovery. Mr. Myrick mentioned that businesses should be applying for casualty loss on their income tax returns. It was suggested that abatement hearings be pushed back a while. Town Clerk Joyce Mazzucco will send letters acknowledging receipt of the taxpayer's request for abatement and informing the taxpayer that a meeting date will be set in the near future.

There was no further business to consider. Pat Meyer made a motion to adjourn the meeting. The motion was seconded. A voice vote was taken and the motion carried by majority vote. The meeting adjourned at 7:18 p.m.

Attest: _____
Joyce L. Mazzucco, Town Clerk