

BOARD OF ABATEMENT MEETING MINUTES
NOVEMBER 17, 2011
RANDOLPH TOWN HALL
CONFERENCE ROOM B
IMMEDIATELY FOLLOWING BOARD OF CIVIL AUTHORITY MEETING

Present: Justices of the Peace: Ellen Baker, Tom Harty, Richard Burstein, Sheila Jacobs, William Brigham, Ruth Lutz and John Jackson
Selectboard: Frank Reed, Stephen Webster, and Larry Richburg
Board of Listers: Donald Sweetser, and Polly Frankenburg
Town Clerk & Treasurer: Joyce Mazzucco
Others: Patrick French, Town Assessor, Katrina Lumbra, William Tufts, Carol Tufts, John Pease and Audrey Pease

The Board of Abatement meeting was called to order at 7:02 p.m. by board chair Richard Burstein. A discussion followed about how to deal with abatement requests for properties that sustained flood damage due to Tropical Storm Irene. There are no guidelines from the State to assist in making a decision. There was discussion about postponing action on the abatement requests. Participating in the discussion were the following individuals: Tom Harty, Stephen Webster, Richard Burstein, Ellen Baker and Joyce Mazzucco. The board agreed to move forward with hearing the abatement requests.

The first abatement request was from Village Auto and Tire, Inc., owned by James and Katrina Lumbra, parcel #239003.010, located at 12 Prince Street, Unit #1. Mr. Burstein read the letter which described the flood damage to the building. The abatement request letter was labeled as "Exhibit 1". Katrina Lumbra was present at the meeting and talked about the damage and what was done to repair the damage. A discussion followed, with the following individuals participating: Sheila Jacobs, Richard Burstein, Tom Harty, Stephen Webster, Joyce Mazzucco, Frank Reed, Don Sweetser, Larry Richburg, Katrina Lumbra and Ruth Lutz. The discussion touched on the damage done to the building, on the repairs done, on whether any of the damage was covered by insurance, on possible Small Business Administration assistance, on proposed state legislation about properties with at least 50% damage to the main building and loss of use over 90 days, on the need to look at each abatement request on a case by case basis, and on a suggestion to abate \$300.00 of the municipal taxes.

Mr. Webster made a motion to abate \$300.00 of the municipal taxes. There was no second to the motion. John Jackson made a motion to ask the Listers to go look at the property and provide a recommendation to the board. The motion was seconded by Stephen Webster. A discussion followed, with Don Sweetser, Patrick French, Frank Reed, Stephen Webster, Richard Burstein and Katrina Lumbra participating. Some guidelines to the Listers were discussed. The Listers will be asked to determine the estimated value of the property as of August 29, 2011, and to determine estimated value as of their inspection date. There was no further discussion. A voice vote was taken and the motion carried by majority vote.

The next abatement request was from William and Carol Tufts, parcel #246015.000, property located at 566 Thayer Brook Road. The Tufts' abatement request letter was labeled as

“Exhibit 1”. The property sustained significant damage from Tropical Storm Irene. By their estimates, the loss in value to the structures on the property and the land is \$60,000.00.

The third abatement request was from John and Audrey Pease, parcel #113045.000, property located at 348 Vermont Route 14 North. The Peases’ abatement request letter was labeled as “Exhibit #1”, and the photos of the damage were labeled as “Exhibit #2”. The board received a letter, dated November 15, 2011, from Attorney Kelly Green. This letter was labeled as “Exhibit #3”. She represents Victor Montgomery, who is the third owner of the property, and was requesting the board continue the hearing to a later date because she was not able to attend this scheduled hearing. There is a restraining order against Mr. Montgomery and he is not allowed within 500 feet of the Peases or the property. The Peases are responsible for all household expenses and property upkeep while litigation proceeds about the ownership of the property. A discussion followed, with the following individuals participating: John Pease, Richard Burstein, Stephen Webster and Audrey Pease. The property sustained loss of land and trees eroding into the river and damage to the septic leach field.

The Listers will be asked to visit all three properties, determine the estimated property value of each property due to flood damage as of August 29, 2011, determine the estimated value of each property as of their inspection date. The next meeting will probably be set in January, 2012.

There was no further business to consider. William Brigham made a motion to adjourn the meeting. The motion was seconded by Frank Reed. A voice vote was taken and the motion carried by majority vote. The meeting adjourned at 8:01 p.m.

Attest: _____
Joyce L. Mazzucco, Town Clerk