

**BOARD OF ABATEMENT MEETING  
SEPTEMBER 18, 2019  
RANDOLPH TOWN HALL  
CONFERENCE ROOM B  
5:30 P.M.**

**Present: Justices of the Peace:** Richard Burstein, Martha Lawrence, Ruth Lutz, Patrick French (J.P. & Selectboard), Jim Sault, Janice Russell, Tom Ayres, Dennis Brown (J.P. & Lister)

**Town Clerk & Treasurer:** Joyce Mazzucco

**Listers:** Ed Luce

**Selectboard:** Larry Satcowitz

**Others:** Sandra Lawrence, Ron Bingham and Ann LaPerle

**1. Call to order.**

Board Chair Richard Burstein called the meeting to order at 5:33 p.m. when a quorum of the Board was present.

**2. Public Comment.**

There was no public comment.

**3. Approve Agenda.**

Jim Sault made a motion to approve the agenda as presented. Janice Russell seconded the motion. A voice vote was taken and the motion carried by majority vote. The agenda was approved.

**4. To consider the property tax abatement and water/sewer abatement request from Sandra Lawrence, executrix of the Eugene Bingham estate, property located at 14 Park Street, Parcel #236011-000, SPAN #507-159-13703, Water/Sewer Account #133000. Abatement request is being made under 24 V.S.A. §1535(a)(1), “taxes or charges of persons who have died insolvent.”**

Mr. Burstein opened the hearing to consider the property tax abatement and water/sewer abatement request from Sandra Lawrence, executrix of the Eugene Bingham estate, property located at 14 Park Street, Parcel #236011-000, SPAN #507-159-13703, Water/Sewer Account #133000. Abatement request is being made under 24 V.S.A. §1535(a)(1), “taxes or charges of persons who have died insolvent.” The following documents were entered into evidence as follows:

Exhibit #1 – Abatement Hearing Request application from Sandra Lawrence, dated 08/28/2019.

Exhibit #2 – Utility (water & sewer) Bill dated 09/03/2019.

Exhibit #3 – Delinquent Tax Statement dated 09/03/2019

Exhibit #4 – FY 2014 Property Tax bill.

Exhibit #5 – FY 2015 Property Tax bill.

Exhibit #6 – FY 2016 Property Tax bill.

Exhibit #7 – FY 2017 Property Tax bill.

Exhibit #8 – FY 2018 Property Tax bill.

Exhibit #9 – FY 2019 Property Tax bill.

The following oath was administered to Sandra Lawrence and Ron Bingham: “Do you solemnly swear (or affirm) that the evidence you shall give relative to the cause now under consideration shall be the whole truth and nothing but the truth so help you God? (or under the pains and penalties of perjury). Mr. Burstein asked Ms. Lawrence and Mr. Bingham to present their case for abatement of the water and sewer charges and the abatement of the property taxes, penalty and interest charges. Ms. Lawrence informed the Board that her parents, Eugene and Freda Bingham, both passed away three (3) years ago. The estate is insolvent. This property is in poor condition and is potentially a hazard to the public. Ms. Lawrence disclosed to the Board that the current owner of 12 Park Street is interested in purchasing the property. The potential buyer is a young woman with two small children and is concerned about her children’s safety due to pieces of the building at 14 Park Street coming off in strong wind storms and coming onto her property. She would like to purchase the property and demolish the house and clean the property up so that it is safe. Ms. Lawrence stated they were seeking some flexibility in forgiving some the charges. The property is being sold for what is owed for delinquent taxes and water and sewer charges and other associated costs. By abating some of the amount due will make it easier for the potential buyer to afford to demolish the dilapidated house. The floor was opened for discussion. The following individuals participated in the discussion: Richard Burstein, Jim Sault, Joyce Mazzucco, Sandra Lawrence, Ed Luce, Ron Bingham, and Larry Satcowitz. The Listers have the property valued at \$30,800, which is essentially the value of the land and improvements. The house has no value. The property is still billed for water and sewer charges on a quarterly basis at the minimum usage rate. To eliminate the water and sewer charges, the owner would need to give up allocation.

Dennis Brown made a motion to abate \$9,310.43 in water, sewer, interest, penalties and other fees, leaving the current water and sewer billing of \$115.00 due; and a motion to abate in the interest charges, penalty charges and other fees due on the property taxes (\$1,897.10 in interest charges, \$320.18 in penalty charges, and \$46.59 in other fees, for a total of \$2,245.87), leaving \$4,019.60 in taxes due. Patrick French seconded the motion. A discussion followed, with the following individuals participating in the discussion: Dennis Brown, Jim Sault, Richard Burstein, Joyce Mazzucco and Larry Satcowitz. Mr. Brown explained his motion. The water and sewer services have not been used for years and the property continues to be billed the minimum usage charges. The water and sewer charges are also the largest part of the amount due on the property. Abating the water/sewer charges and the penalty and interest and other fees due on the property taxes will provide some relief to the taxpayer and the Town will still be paid the property taxes. There was no further discussion. Mr. Burstein restated the motion and took a voice vote. The motion carried by majority vote. (10-0-1) (Abstention-Richard Burstein). \$9,310.43 in water, sewer and other fees will be abated, and \$2,245.87 in interest charges, penalty charges and other fees on the property taxes will be abated. The tax will be responsible for payment of \$115.00 for the current water and sewer billing, and for \$4,109.60 in property taxes. A written decision will be sent to Ms. Lawrence within 14 days.

## **5. Other Business**

There was no other business.

**6. Adjournment**

Joyce Mazucco made a motion to adjourn the meeting. Janice Russell seconded the motion. A voice vote was taken and the motion carried by majority vote. The meeting adjourned at 5:52 p.m.

Attest: \_\_\_\_\_  
Joyce L. Mazucco, Town Clerk

DRAFT