

TOWN OF HIGHGATE

Board of Abatement

Thursday, July 21, 2016 @ 6:15pm

NOTE: All actions taken are unanimous unless otherwise stated.

A. Call to Order & Roll Call

The meeting was called to order by John Ferland @ 6:15pm.
Present for this meeting were Board of Abatement Members; Chris Yates, Randy Connelly and Sharon Bousquet (Selectboard members); Claude Chevalier, John Ferland, Dennis Nolan, Anne Harper, Patty Rainville (arrived @ 6:26pm), Clarence Miller (Justices of the Peace); Wendi Dusablon (Town Clerk); Shelley Laroche (Town Treasurer); Shirley Fecteau (Assessor); Peter St. Germain (Lister).

B. Nominations

Motion by Clarence Miller to nominate John Ferland as Chair. The motion was seconded by Anne Harper – **APPROVED.**

C. Overview

John Ferland gave a brief overview of why we are here this evening and the cases that are being put before the Board of Abatement. John read some sections of the publication "About Abatement" regarding what can and cannot be abated by this board. John also asked if any member of the board had any conflict of interest with regard to anything being presented tonight – no one did.

D. Cases warned for this meeting

- **Ronald Johnston**
623 Franklin Road
Reason for abatement request – LISTER ERROR

Shirley Fecteau gave some background that there has been a mistake on Mr. Johnston's property card for a number of years. It has the property listed as 9.1 acres and should be 4 acres. He submitted a letter which was received on 7/12/16 and John read it aloud into the record.

Dear town listers, I am writing you because it has come to my attention I have been getting taxes on ten acres of land since 2009 for my property tax. My deed has listed four acres. I think I am entitled to get reimbursed for the six acres I have been paying on for the last seven years. My wife just passed away in December 2015 and she handled all our finances, so I am in the process of taking out a home equity loan to consolidate my wife's debt, and that is how it was brought to my attention. I am a very responsible person and have always paid my taxes on time, even when times were tough and money was very tight, our bills came first. Please let me know what the next step is to clear this matter up. Sincerely, Ron Johnston

Chris Yates asked for clarification on how many years the error has existed. Shirley has found the error to be there since as far back as 1995. It is listed on the tax bill what acreage is being charged and it was never noticed by the town or by the owners. Mr. Johnston is asking for reimbursement back to 2009 in his letter, which was the year after our town wide reappraisal. It has been calculated that for the tax year 2015 his reimbursement would be \$329.30 and we would have to go back an additional six years after that to calculate the total based on each year's tax rate. At an average of \$300.00 per year for seven years, he is looking at approximately \$2,100.00 as a refund, but John agrees that we should do it right and go year by year with the exact tax rate to determine his refund. Motion by Claude Chevalier to have the listers determine seven years of tax rates on the five acres that Mr. Johnston was billed on in error and refund Mr. Johnston accordingly. This abatement is based on reason #4 in the "About Abatement" publication "taxes in which there is a manifest error or mistake of the listers". The motion was seconded by Clarence Miller – **APPROVED.**

- **Town of Highgate (properties now owned by)**
Simmons, Larry & Katherine (38 Riverview Lane – former owners)
Garey, Brian & Wendy (70 Riverview Lane – former owners)
Reason for abatement request – DWELLINGS DESTROYED (both)

Both these properties were built in 2003 on Riverview Lane (off VT Route 78) and the properties were in danger due to bank erosion moving closer to the homes. The town worked with the homeowners and acquired FEMA grants to purchase the homes from the owners and the homes were ultimately destroyed. The Town of Highgate purchased the properties on 5/28/15 (70 Riverview Lane \$260,000.00) and 6/1/15 (38 Riverview Lane \$255,000.00) with the FEMA grants and put the demolition work out to bid. The homes were destroyed later in 2015. Because the transactions took place after April 1st in 2015, the tax bills were generated in the names original owners. These bills are what need to be abated this evening. The town now owns the property, which cannot be developed again, and the town needs to maintain it (mow) it annually. There is a third home, 26 Riverview Lane, which was not impacted and is still there. Clarence Miller had some questions about the town being compensated for the loss of revenue to the tax roll. Shelley Laroche presented the figure to be abated as follows;

38 Riverview Lane	\$3,969.98	includes penalty and interest good through 7/28/16
70 Riverview Lane	\$4,431.88	includes penalty and interest good through 7/28/16

The total for both properties combined is \$8,401.86 to be abated. Motion by Claude Chevalier to abate the taxes in the total amount of \$8,401.86 for 38 & 70 Riverview Lane in Highgate, due to the fact that the homes no longer exist. This abatement is based on reason #5 in the "About Abatement" publication "taxes upon real or personal property lost or destroyed during the tax year". The motion was seconded by Patty Rainville – **APPROVED**.

E. Adjournment

Motion by Claude Chevalier to adjourn the Board of Abatement meeting @ 6:35pm. The motion was seconded by Anne Harper – **APPROVED**.

Minutes respectfully submitted by,

Wendi Dusablon
Town Clerk
July 22, 2016