

# TOWN OF HIGHGATE

## Board of Abatement

Thursday, July 25, 2019 @ 5:00pm

*NOTE: All actions taken are unanimous unless otherwise stated.*

### A. Call to Order & Roll Call

The meeting was called to order by Claude Chevalier @ 4:58pm.

Present for this meeting were:

Board of Abatement Members: Wendi Dusablon; Shelley Laroche; Clarence Miller; Richard Flint; Peter St. Germain; Aimee Reynolds; Dennis Nolan; Claude Chevalier; Anne Harper

Public/Other: Michael Gawne; Wuanita Hughes; Debra Craig

Motion by Clarence Miller to nominate Claude Chevalier as the Chair for this meeting. The motion was seconded by Dennis Nolan – **APPROVED**. There were no other nominations.

### B. Abatement Hearings

**Howard H. Chandler, Revocable Trust**

**Michael S. Gawne, Successor Trustee**

**14 Arthur Drive – 00300000101**

**63 Virginia Lane – 0030000100**

Michael Gawne, Successor Trustee, was present, as well as tenant Wuanita Hughes (14 Arthur Drive) and neighbor Debra Craig. The tenants of 63 Virginia Lane were not present. Mr. Gawne recapped the letter dated 6/25/19 which was sent to the Board of Abatement. This letter was received by the town on 6/28/19. Mr. Gawne, Ms. Hughes and Ms. Craig were all also present at the Selectboard meeting on 7/18/19 regarding the health order at 14 Arthur Drive. Mr. Gawne recapped the letter he sent and updated the board on what has transpired with Mr. Chandler's Estate/Revocable Trust since that time. There are several properties in multiple towns involved, and two of them are in the Town of Highgate. Mr. Gawne outlined the gross value of the trust, minus various liabilities, including medical expenses. Mr. Gawne estimates the gross value of the trust to be at \$196,400.00. Mr. Chandler passed away in 2017 and there are over \$70,000.00 in unpaid medical expenses. The Estate of Phyllis Young has filed a claim of \$60,000.00 against the trust and administrative expenses are in excess of \$20,000.00 at this point, as well as other expenses. At this point, there is no money in the trust, with the exception of \$600.00 +/- to handle things as they come up. The property at 14 Arthur Drive has been transferred via mobile home bill of sale to Wuanita Hughes, subject to the delinquent taxes owed to the town and whatever delinquent lot rent may remain. The MH is worth something to Ms. Hughes because it is her home of 23 years. As the owner (not renter) she will be eligible for various improvement programs. The other MH at 63 Virginia Lane has been offered to the occupants, Jessica Hatterick and her husband/boyfriend. Mr. Gawne has not heard back from them on this. The MH at 63 Virginia Lane is in similar condition to 14 Arthur Drive. Claude asked to confirm that the land is owned separately – yes, ANDCO MH Park (residents of the park) own the land and those taxes are paid separately and are current. The MH bill of sale (copy) has been brought to Wendi, Town Clerk, but it cannot be acted on and accepted into the land records because of the delinquent taxes. Ms. Hughes lives on disability benefits and is paying an extra \$100.00 per month to get caught up on her lot rent. When she was paying rent on the MH it was \$615.00 per month, which included lot rent. It was clarified by Mr. Gawne that he has not been charging rent at either of the properties. The total delinquent taxes at 14 Arthur Drive are \$641.76 as of the time of this meeting. The total delinquent taxes at 63 Virginia Lane are \$472.59. Mr. Gawne had listed his grounds for the abatement requests as the following in his letter (referring to the "About Abatement publication): *criteria #1) taxes of persons who have died insolvent; criteria #3) taxes of persons who are unable to pay their taxes, interest and collection fees; criteria #4) taxes in which there is a manifest error or a mistake of the listers; criteria #5) taxes upon real or personal property lost or destroyed during the tax year.* Wendi asked Mr. Gawne to explain how this would be considered an error or mistake of the listers. There was discussion on the value of the mobile homes and how they are assessed by the town. Ms. Hughes had her water lines freeze in December 2018 and she also had no heat. She used portable space heaters and relied on the help of her

neighbor, who was present with her. The State of VT will hopefully be able to assist her with a heating system when the taxes are resolved and she becomes the owner of record of the MH. The furnace was red tagged by Mr. Pigeon. Clarence had questions about the lot rent and how much she has been saving since the trust has not been charging her rent. She has been paying \$300.00 per month towards lot rent and catching up on the arrears. By not paying rent to the trust she has saved about \$3,600.00 in the last year. A health order was issued by the town due to the condition and lack of water, heat and septic issues. Merry Souza, Health Officer, has been working closely with Ms. Hughes to rectify the issues. This was all addressed at the Selectboard meeting on 7/18/19. The trust did assist Ms. Hughes with \$100.00 as partial reimbursement for some of her expenses. If the taxes are not abated, Ms. Hughes will work with Shelley on a payment plan. There is no plan in place for the Virginia Lane property. Mr. Gawne had asked for an answer from the tenants by today and he did not hear anything. Claude asked for verification on the insolvency of the estate. The deadline for claims against the estate is August 8<sup>th</sup>. Shelley noted that claims were filed in small claims court by the town for the delinquent taxes. Mr. Gawne noted that a property on Greenwoods Road in Alburgh was sold for \$25,000.00 but is being paid over time at \$675.00 per month. There is another property on Route 2 in Alburgh that an interested party is trying to obtain financing on. He also stated that a property in Swanton is likely to have an offer submitted soon. There were more questions about the MH bill of sale for 14 Arthur Drive to Ms. Hughes. Mr. Gawne did say that he wasn't supposed to transfer the property to her with delinquent taxes, but he did so she could get help to fix up the property. Ms. Hughes let the board know that she plans to look to every program possible to get the assistance she needs. This is her home and she stated she would not be back next year for another abatement request. Dennis asked for more info on the location of both mobile homes. The ANDCO MH Park is located off Frontage Road. Ms. Hughes was hoping for an answer tonight, but she will have to wait. She plans to call the office in the morning.

Motion by Richard Flint to enter into deliberative session @ 5:37pm. The motion was seconded by Anne Harper – **APPROVED**.

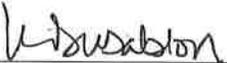
Motion by Clarence Miller to exit deliberative session @ 5:58pm. The motion was seconded by Anne Harper – **APPROVED**.

Motion by Clarence Miller to approve the request to abate the taxes in the amount of \$641.76 for the property located @ 14 Arthur Drive, based on criteria #1 and #3 found on page six of the "About Abatement" publication. The motion was seconded by Richard Flint – **APPROVED**.

Motion by Anne Harper to deny the request to abate any portion of the taxes for the property located @ 63 Virginia Lane because the Estate of Howard H. Chandler has the potential to not be insolvent. The motion was seconded by Richard Flint – **APPROVED**.

Motion by Anne Harper to adjourn the meeting @ 5:59pm. The motion was seconded by Clarence Miller – **APPROVED**.

Minutes respectfully submitted by,

  
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Wendi Dusablon  
Town Clerk  
July 29, 2019