

## MINUTES

Thursday, July 31, 2014 at 5:45 pm

Town of Springfield - Board of Abatement

Selectmen's Hall - 96 Main Street - Third Floor

Board of Civil Authority Members Present:

Franklin Poole

Steve Sysko

Paul Gibbs

Kathleen Stankevich

Cynthia Martin

Mark Greenvall

Alice Emmons

Ernest Lamphere, Chair

David Shuffleburg

Stephen Matush

David Yesman

George McNaughton

Barbara A. Courchesne, Town Clerk

Others:

Maxine Aldrich, Assistant Town Clerk

Cy Bailey, Assessor

Board of Abatement:

The meeting of the Board of Abatement was called to order at 5:40pm by Chairman Ernest Lamphere. Chairman Lamphere asked for changes to agenda. None were presented.

### 1. Swearing in of Board/Witness(es)

Board Members were sworn in by Clerk.

### 2. Requests for Tax Abatement

#### **James Millay – 8 Orchard Lane**

Appellant James Millay and Assessor Cy Bailey were sworn in by Clerk. Appellant explained his reasons for requesting an abatement. Assessor Bailey stated that Appellant contacted the town last year and requested a reassessment of his property. Assessor Bailey stated the reassessment found manifest errors made by the town, and Appellant was advised of those errors. Assessor Bailey explained the errors in detail. Questions and discussion by the Board, Assessor and Appellant ensued.

**MOTION:** Steve Sysko moved to abate taxes in the amount of \$5,458.22 for "Reason No. 4" (24 V.S.A. § 1535(a)(4)). The motion was seconded by David Yesman. Discussion ensued. Barbara Courchesne advised the Board of VLCT's note as to interest and Board's being mindful of that part of the statute in any motion. Barbara Courchesne read VLCT's interpretation of the statute and explained how Springfield assesses interest and that the Board can go into deliberation. David Yesman moved to amend the motion that the abatement of \$5,458.22 does not include any interest that the total abatement be for that amount. Amendment was not seconded. Discussion ensued. George McNaughton moved to amend the motion that the figure be \$5,458.22 and that amount includes interest so that the total amount,

principal and interest, being abated is \$5,458.22. The amended motion was seconded by David Yesman. Discussion ensued. Amended motion put to vote. Amended motion defeated. Discussion ensued. Barbara Courchesne read 24 VSA §1535(d) and reread VLCT's interpretation of the statute. David Yesman read the first sentence of 24 VSA §1535(a). Chairman moved original motion to abate taxes in the amount of \$5,458.22. No discussion. Motion passed by show of hands. Appellant agreed to meet Barbara Courchesne next day to discuss payment by credit or check.

### **Leslie R. Kanerva – 150 Trombly Road**

Appellant Leslie Kanerva was sworn in by Clerk. Chairman Lamphere asked if there were any conflicts of interest or ex parte communication. No conflicts were presented. Barbara Courchesne stated that she discussed the tax sale process with Appellant. Appellant explained her background as property owner and discussed her reasons for requesting an abatement. Questions and discussion by the Board and Appellant ensued. The Town's tax agreement process was discussed.

**MOTION:** George McNaughton moved to deny the abatement request, stating once the taxes are delinquent again the Appellant should negotiate an agreement. The motion was seconded by David Yesman. No further discussion. Motion passed.

### **Scott Denyou – 386 Brockway Mills Road**

Appellant was not present. Chairman Lamphere asked if there were any conflicts of interest or ex parte communication. No conflicts were presented. Barbara Courchesne stated that she discussed the tax sale process with Appellant. Barbara Courchesne read Appellant's second letter and read the Town's reply denying Appellant's attorney's request to avoid tax sale. Discussion ensued.

**MOTION:** David Yesman moved to deny Appellant's abatement request. The motion was seconded by Franklin Poole. No further discussion. Motion passed. Mark Greenvall abstained.

### **Bernard V. Blais, Jr. – 3 Hartness Avenue**

Appellant was not present. Chairman Lamphere asked if there were any conflicts of interest or ex parte communication. No conflicts were presented. Barbara Courchesne stated that she discussed the tax sale process with Appellant. Discussion ensued.

**MOTION:** David Yesman moved to deny abatement request. The motion was seconded by Mark Greenvall. No further discussion. Motion passed.

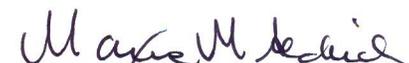
### **3. Other Business**

None.

### **4. Adjournment**

**MOTION:** David Shuffleburg moved to adjourn at 7:05pm. The motion was seconded by Steve Sysko. No discussion. Motion passed unanimously.

Respectfully submitted,

  
Maxine M. Aldrich  
Assistant Town Clerk