HARTFORD BOARD OF ABATEMENT
Tuesday, September 24, 2024
Hartford Town Hall, Room 2
171 Bridge Street, White River Jct., VT 05001

MINUTES (DRAFT)

Members present: Ken Baldwin; Sara Blood; Lynn Bohi; Susan Buckholz; Kevin Christie; Lannie Collins; Pat Cook; Mary Erdei; Scott Farnsworth; Nancy Howe, Chair; Susan Kirincich; Joseph Major, Treasurer; Brett Mayfield; Mike Morris; Lisa O'Neil, Clerk; Gayle Ottmann; Nancy Russell, Vice-Chair; Brandon Smith; Rick Vincent, Assessor; Ryan Walther.

5:30pm: Nancy Howe opened the meeting of the Board of Abatement (BoA). She announced Town Clerk, Lisa O'Neil, had recently achieved the designation of Certified Vermont Clerk. She highlighted BCA member Mike Morris' participation in a joint Press Conference held by the Vet the Vote organization and the VT Secretary of State's Office held in Montpelier recently. The focus of the event was to encourage and recruit Veterans and their families to volunteer as poll workers.

Nancy also reminded members of recent legislation related to the Abatement process which clarifies language around lister errors and has added language regarding water/sewer/utility charges. She also mentioned changes to the Open Meeting Law that now requires the recording of the meeting be publicly posted for 30 days. She noted the Hartford BoA has always recorded meetings, but the posting requirement is new. She did a brief overview of the Abatement process and procedures the Hartford BoA follows.

Hearing #1: **Jeffery & Jackie Fenner**
Property Location: **105 Williams Ln., #7F**
Parcel ID #7-8071-KWC-7F/SPAN #285-090-10859

The Chair opened the hearing and identified the property. The applicants were not present. The Chair explained the applicant stated in their application they thought the postmark was accepted as date of payment like tax bills. There were no questions from the BoA. The Chair closed the hearing.

Mike Morris made a motion to move the Luce hearing up since there was a time gap before the next scheduled applicants on the agenda. Sara Blood seconded the motion. The motion carried.

Hearing #2: **Kimber Luce**
Property Location: **43 Luce Meadow Rd.**
Parcel ID#12-117/SPAN #285-090-13284

The Chair opened the hearing and identified the property. Ms. Luce was unable to attend due to illness. Sue Buckholz recused herself from this hearing. Ms. Buckholz is a friend of Ms. Luce and presented the application on Ms. Luce's behalf. Brett Mayfield, who serves as the Hartford Health Officer, recused himself from this hearing. Ms. Buckholz took the applicant's oath.

Ms. Buckholz explained Ms. Luce is suffering from dementia which has been compounded by the death of her grandson a year ago. Ms. Luce had two tenants move into her home to provide income and other assistance to her, but according to Ms. Buckholz, they did not pay and treated her terribly to the extent the police became involved. The house needs work. Ms. Buckholz explained Ms. Luce's only source of income is social security and she also may receive some EBT support for food. According to the application, the monthly income from SSDI is $1,147.00. Ms. Buckholz indicated the monthly income barely covers her mortgage; there are no other financial resources to pay the taxes. They are trying to work with Ms. Luce to clean out the house and make it saleable.

Gayle Ottmann asked if Ms. Luce is currently living in the house. Ms. Buckholz indicated she is, but it is a shambles. Pat Cook noted, according to the tax bill, Ms. Luce is no longer receiving a State Payment to offset the property taxes. It is unclear why this change has occurred. Ken Baldwin asked what statutory criteria is being stated for the request; the response was "…unable to pay taxes…". Lannie Collins asked what the fair market value (FMV) of the property is and how far into the future before the property is sold. Ms. Buckholz indicated the FMV is unknown, and the timeline of a sale is not certain given Ms. Luce's condition. The home is in poor shape and seems to have some mold. She added there remains a sizeable mortgage balance. Scott Farnsworth asked when the "tenants" moved out; Ms. Buckholz indicated it was very recently, but she did not know the specific date. It was noted the 1st payment for the 2025 bill has been paid. Ms. Buckholz is unsure how the payment was made; it is possible taxes are escrowed through the mortgage company, but Ms. Buckholz is unsure. Joe Major asked if Ms. Luce had continued to pay the mortgage. Ms. Buckholz stated she did not know. The Chair closed the hearing.

Hearing #3: Catherine (aka Kasia) and Peter Novak
<u>Property Location:</u> 2448 Quechee Main St.
Parcel ID# 7-65/SPAN#285-090-12802

Nancy Howe opened the hearing and identified the property. Peter Novak was present and affirmed the applicant's oath. Mr. Novak explained they had construction of an addition done last year. They leave for the winter typically in late December and they return in May. Before they left, he turned off both toilets. He indicated they do not know the cause of high usage, but assume it is related to unfinished work. Rick Vincent asked if the contractors had access to water on the interior of the home during their work in the winter. Mr. Novak stated they did. Mary Erdei asked if the leak had stopped. Mr. Novak indicated there is no longer a problem, but a leak was never detected. Mr. Novak also indicated in the past they had issues with the boiler. They turn off the outdoor shower and faucet for the winter, but a pipe broke in a previous incident in a prior year. Lannie Collins asked if someone checks on the house during the winter. Mr. Novak stated they have a caretaker, they but do not have a formal property maintenance agreement with anyone. Nancy Howe asked if any steps were taken to detect the problem. He restated they are unsure how the high usage occurred; they do not know if the contractor had an issue during construction that was not revealed to them or if it was something else. Lynn Bohi asked what type of basement they had; Mr. Novak replied they do not have a basement. Sue Kirincich noted the Department of Public Works (DPW) report (dated 6/21/24) indicated they "found outside shower left on and outdoor spigot left on." Mr. Novak stated the DPW inspection was done after the high usage incident occurred and those items were not on during the winter. There did not seem to be an issue with the meter. Lannie Collins asked what construction had been done. Mr. Novak said a garage was added with a room above the garage that included a bathroom and mini splits. Scott Farnsworth noted, according to the billing statement, the high usage was noted on the bill date of April 30, 2024/due date of May 31, 2024, during a time when the Novaks were not occupying the property. The Chair closed the hearing.

Hearing #4: **Sandra Rhoades**
<u>Property Location:</u> 45 Marshall Ave.
Parcel ID #45-54/SPAN #285-090-15529

Nancy Howe opened the hearing and identified the property. Sandra Rhoades was present and affirmed the applicant's oath. Ms. Rhoades discovered a leaking hot water tank; she does not know how long the leak was occurring. She turned off the water when she discovered the problem and had DPW come to the property. She had a new hot water heater installed. Ms. Rhoades indicated her basement does not have a drain leading into the Town sewer; she said there is a hole under a dry sink where she thinks the water drained. She indicated there was one to two inches of water on the floor. Mike Morris asked if she made an insurance claim. Ms. Rhoades stated she did not since the only damage was to some insulation she removed. The water/sewer bill was about $1000 when it is normally around $150. The Chair closed the hearing.

Hearing #5: **Jonathan Schechtman**
<u>Property Location:</u> 87 Waterman Hill Rd
Parcel ID #12-56/SPAN #285-090-15221

Nancy Howe opened the hearing and identified the property. Jonathan Schechtman was present and affirmed the applicant's oath. Sue Buckholz recused herself from this hearing. Mr. Schechtman stated a year ago March he had a new heating system installed. Around Thanksgiving they had an issue with the system. The property built in 1833 has a dirt floor with no drain into the public sewer. Mr. Schechtman is requesting a $300 refund for the excess sewer billing. The Chair closed the hearing.

The BoA was ahead of schedule and the applicant for the final hearing was not yet present. The BoA decided to review the revisions to the Abatement Request Form reflecting the legislation passed during the 2024 legislative session. Lisa O'Neil presented the changes. Members noted a few formatting changes to be addressed. The members also recommended some clarification on applicant signatures to include multiple owners. They also addressed making it clear the owner(s) need to draft, sign and submit a statement if authorizing another party/designee to present the application on their behalf. Brett Mayfield moved to adopt the Draft Abatement Request Form with the recommended changes by the BoA. Lannie Collins seconded the motion. The motion carried. Lisa will revise the draft, and staff will begin using the form as soon as it is complete.

Hearing #6: **Tribhuvan Maharaj & Darcel Saunders-Maharaj**
<u>Property Location:</u> 951 Christian St.
Parcel ID #40-7-1/SPAN #285-090-15862

Nancy Howe opened the hearing and identified the property. Tribhuvan Maharaj was present and affirmed the applicant's oath. Mr. Maharaj explained they bought the house in July 2022. The previous owner had done renovations which increased the assessed value; he became aware of the value change when the mortgage company increased the escrow amount for the property taxes. Mr. Maharaj contacted the Assessor, Rick Vincent, to discuss. At that time, he discovered the Property Card noted a shed on the property. Mr. Maharaj indicated there is not a shed on the property nor was there one present when they purchased the property. He has paid taxes on the non-existent shed since the purchase. Mr. Vincent stated he reviewed aerial footage of the property and saw no evidence of a shed. The Chair closed the hearing.

7:00pm: Gayle Ottmann made a motion to go into Deliberative Session beginning at 7:10pm after a ten-minute break; Mike Morris seconded the motion. The motion carried.

8:00pm: Mike Morris made a motion to come out of Deliberative Session. Gayle Ottmann seconded the motion. The motion carried.

<u>Hearing # 1:</u> Jeffery & Jackie Fenner-105 Williams Ln, #7F

Nancy Russell made a motion to deny the request. Mike Morris seconded the motion. The motion passed unanimously. The BoA determined the water bill clearly states the due date, the time online payments must be made, and does not indicate a postmark is acceptable.

<u>Hearing #2:</u> Kimber Luce-43 Luce Ln. (Sue Buckholz & Brett Mayfield recused themselves from this hearing, deliberation & vote).

Nancy Russell made a motion to refund the first installment for the 2025 tax bill paid in August in the amount of $1,725.23. Mike Morris seconded the motion. The motion passed unanimously. The BoA felt this instance was a financial hardship for the taxpayer and a refund of the first payment could assist as Ms. Luce moves forward.

<u>Hearing #3:</u> Catherine (aka Kasia) & Peter Novak-2448 Quechee Main St.

Lannie Collins made a motion to deny the request for abatement. Sara Blood seconded the motion. The motion passed unanimously. The BoA did not feel there was sufficient information provided to determine the cause of the increased water usage.

<u>Hearing #4:</u> Sandra Rhoades-45 Marshall Ave.

Sara Blood made a motion to grant an abatement in the amount of $550 to cover excess sewer costs. Lynn Bohi seconded the motion. The motion passed unanimously. The BoA determined the water did not go into the public sewer.

<u>Hearing #5:</u> Jonathan Schechtman-87 Waterman Hill Rd. (Sue Buckholz recused herself from this hearing, deliberation & vote).

Lannie Collins made a motion to abate $300 for excess sewer charges. Lynn Bohi seconded the motion. The motion passed unanimously. The BoA determined the water did not go into the public sewer.

<u>Hearing #6:</u> Tribhuvan Maharaj & Darcel Saunders-Maharaj-951 Christian St. (Rick Vincent, Assessor, abstained from the vote on this Hearing).

Nancy Russell made a motion to abate the amount of $134.00 representing the estimated amount of taxes assessed for the shed for two years. Ryan Walther seconded the motion. The motion carried. Based upon testimony of the applicant and the Assessor, the BoA determined the shed did not exist. The Assessor estimated the amount of taxes charged for the shed to be $67 per year.

8:20pm Lannie Collins made a motion to adjourn. Gayle Ottmann seconded the motion. The motion passed unanimously.

Submitted By Lisa O'Neil, Town Clerk