

MINUTES OF THE MEETING OF THE BOARD OF ABATEMENT

Thursday, April 6, 2023 6:00 pm

Brandon Town Hall

1 Conant Square, Brandon, VT

Board Members Present: Chair, Laura Peterson, Seth Hopkins, John Peterson, Wendy Rowe Feldman, Jeff Stewart, Linda Stewart, Cecil Reniche-Smith, Brian Coolidge, Bud Coolidge, Bob Clark, Doug Bailey, and Sue Gage, Clerk (Note: Bob Clark and Wendy Rowe-Feldman arrived at 6:06)

Guests Present: Ryan Delaney and Cecil Reniche-Smith

Chair, Laura Peterson called the hearing to order at 6:01 pm.

6:00 pm Hearing – Ryan Delaney, 51 Pearl St, Brandon, VT; Abatement of Taxes or charges of persons who are unable to pay their taxes, charges, interest, and/or collection fees. 24 VSA § 1535(a)(3).

Hearing was opened at 6:01pm. Chair Peterson administered the oath to guest, Ryan Delaney. Chair Peterson then asked if there were any conflicts of interest on the board or any ex parte communications. There were none.

Clerk Sue Gage handed out Mr. Delaney's letter requesting an abatement hearing, along with copies of unpaid tax bills and balances, which are part of the evidence in this hearing. Mr. Delaney read a letter which was then added to the evidentiary package along with copies of his tax returns, balance sheets and photographs of the property. Mr. Delaney explained that he purchased the home, intending to rehabilitate it and move in with his family. Once he began the rehab process, he found several things that needed attention that he hadn't accounted for prior to the purchase of the home. The home was purchased at a foreclosure auction in 2016.

Mr. Delaney explained that he would like relief from the back taxes so that he can sell the home to a purchaser with the financial resources to finish the rehabilitation of the home. He would then be able to pay off the mortgage and personal loans he has incurred during the owning and rehabbing of the property. Mr. Delaney currently owes \$19,217.02 in unpaid property taxes spanning the years 2018 – current.

Hearing was closed at 6:33 pm. Ms. Gage explained that the board would enter deliberation and make a decision on Mr. Delaney's abatement request and that he would receive a decision in the mail in a couple of weeks.

6:30 pm Hearing – Cecil Reniche-Smith, 28 Pearl St, Brandon VT; Abatement of Sewer fees charged in error.

Chair Laura Peterson then opened the next hearing at 6:34 pm. Cecil Reniche-Smith stepped from the board to attend as property owner. The oath was administered and the board was asked if there were any conflicts of interest or ex parte communications. Seth Hopkins asked to be recused due to a conflict of interest, and left the hearing. Clerk Sue Gage noted that there was still a quorum present after both Ms. Reniche-Smith and Mr. Hopkins recused themselves from the board.

Clerk, Sue Gage handed out an accounting of the utility fees that Ms. Reniche-Smith has been charged since she purchased the property. The charges include usage of both water and sewer and base fees charged at a per unit flat rate. Ms. Reniche-Smith was asked by Town Office personnel if there was still an apartment in her home, as she has been billed for two units since owning the home. The home was

converted to a single family home some time ago, and those records were never updated at the town office. It is likely that a change of use permit was never sought, and the town office had no way of knowing that the second unit was eliminated.

Ms. Reniche-Smith is requesting an abatement of the fees she was overcharged in the amount of \$622.50 in sewer unit fees and \$637.00 in water unit fees. Ms Gage explained that Ms. Reniche-Smith will need to seek separate reparations from the Water District as the town is not able to perform abatements or adjustments of water fees.

The hearing was closed at 6:47 pm.

ABATEMENT OF TAXES AND SEWER FEES ON TOWN-OWNED PROPERTY

6:45 pm Hearing

Town of Brandon, 17 Burke Park, Brandon, VT – Abatement of Taxes (\$424.72) for town-owned property. Town of Brandon purchased this from Norman Legault on March 8, 2023.

Town of Brandon, 301 Newton Rd, Brandon, VT – Abatement of Taxes (\$1,101.39) and Sewer fees (\$199.73) for town-owned property. Town of Brandon purchased this from Van and Sharon Denton on October 25, 2022.

Town of Brandon, 389 Newton Rd, Brandon, VT – Abatement of Sewer fees (\$130.03) for town-owned property. Town of Brandon purchased this from Rochon in June of 2022.

Chair Peterson opened the hearing at 6:47 pm. Clerk Sue Gage explained that the properties under review were all purchased by the town through the FEMA flood zone buyout. The abatements are for charges that should not have been assessed and for taxes for the remainder of the year.

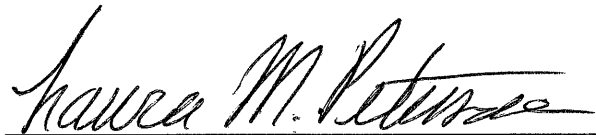
Hearing was closed at 6:50 pm and the Board of Abatement entered deliberations.

Board left deliberations at 6:56 pm. Decisions will be written by Clerk, Susan Gage, and distributed to Board members. Ms. Gage noted that the Board is considered in deliberations until decisions are finalized.

Meeting was adjourned at 6:56 pm.



Susan Gage, Clerk



Laura Peterson, Chair