

HARTFORD BOARD OF ABATEMENT
Monday, September 26, 2022
Hartford Town Hall, Rm 2-171 White River Jct., VT 05001

MINUTES (Revised Draft)

Members Present: Mike Morris; Linda Trombley; Nancy Russell; Kim Souza; Don Foster; Nancy Howe; Rebecca White; Pat Cook; Lannie Collins; Joe Turner, Assessor; Mary Erdei; Kevin Christie; Joe Major, Treasurer; Rocket; Dan Fraser; Bonnie Fields; Gabrielle Lucke (arrived at 6pm); and Lisa O'Neil, Town Clerk.

Nancy Howe called the meeting to order. She explained Sue Buckholz submitted her resignation from the Board of Civil Authority (BCA); both the Clerk and the Democratic Party had been notified of the vacancy. Sue had been elected as the Chair for the Board of Abatement (BoA) in May, therefore a Chair for the September Board of Abatement Hearings would need to be selected. Nancy Russell nominated Nancy Howe for BoA, Chair; Mike Morris seconded the nomination. No other nominations were put forth. The nomination was approved by unanimous vote.

Lisa O'Neil distributed the draft minutes from the May 23, 2022, BoA Hearing for review and approval. Rebecca White made a motion to accept the minutes; Nancy Russell seconded the motion. Rocket noted there was a typographical error. He suggested an amendment to remove the extra \$ sign in paragraph two of the hearing notes. The minutes were adopted unanimously as amended. Gabrielle Lucke was not present for the vote to accept the minutes. Kim Souza and Linda Trombley abstained because they had not attended the May 23, 2020, BoA meeting.

Nancy Howe reviewed the General Abatement Rules of Procedure with the Board. She asked if any member had a conflict of interest related to applications or any ex parte communication with any of the applicants. The Chair indicated the deliberations would happen after all the hearings had concluded; deliberative sessions are not public.

Hearing #1: Carl C. and Ralph C. Hybels (Applicants)-Both present
Property Location: 36 Iris Way
Parcel ID #4-30-55/SPAN #285-090-15561

The Chair introduced the first hearing. Dan Fraser indicated he would abstain from voting on this application. She administered the oath to the applicants. She asked if any board members have a conflict of interest or any ex parte communication; the members did not. She asked the applicants if they received copy of the procedures. They acknowledged they had.

The applicants indicated their request is based upon Abatement Criteria "Unable to pay" as stated on their application. Ralph Hybels spoke first. He stated he has been unable to pay his share of the taxes and expenses due to medical issues limiting his ability to work since he has been able to pay his portion. He said his health continues to improve and he is now working doing carpentry. He asked for some forbearance due to the hardship caused by the issues he enumerated. Carl Hybels indicated the two of them share the expenses; he added the remaining debt is Ralph's and Carl has contributed his portion. Carl further explained the home they now occupy had been the home of their aunt. When they first moved to Town, they were not eligible for Homestead Exemption state payment to provide some property tax relief. The pandemic also played role in the challenges. He also has a disability limiting his ability to work. They have applied for various forms of assistance to help with the financial stress. Carl receives social security. They were able to pay the HOA fees by borrowing funds from credit cards and family. Their expenses need two incomes to manage. They are asking for help to get them through this period.

Bonnie Fields asked if Ralph is back to work full-time. He responded he is currently about half-time. Lannie Collins asked if they have a property tax payment plan with the Town. Ralph indicated they do not. Mary Erdei asked if the HOA fees will be an ongoing burden? Carl feels they will be able to manage it with Ralph working. Mike Morris asked if there is a specific amount they are requesting. Ralph replied saying whatever you can do to help, especially interest fees. Lannie Collins asked if they are aware of payment plan availability. The Hybels indicated Ralph did not have employment at that time, so they had not proceeded with a payment plan. Bonnie Fields asked if Ralph would be increasing work to full-time. He indicated he

hopes to increase hours as his health continues to improve. Lannie inquired about a timeline for paying taxes due via a payment plan. Based upon the applicant's response, Rocket noted it could take a year to pay the principle off. He asked how that would impact the ability to pay future property taxes. Ralph said now that he is working, they anticipate paying off back taxes and remain current. Carl stated now that they are eligible, the Homestead Exemption State Payment helps to keep taxes manageable under normal circumstances. Pat Cook asked Ralph if he receives disability or a pension. He stated he does not. Joe Major asked Ralph whether he has a 401k he is currently paying into. Ralph indicated he has a 401K but is no longer paying into it. Joe noted some 401K plans permit borrowing against the balance. Ralph stated he had already looked into it and had borrowed some against it and is paying it back. Joe suggested he may want to explore borrowing additional funds to help him.

Hearing #2: Patricia Barbour (Applicant)
Property Location: 1873 Old River Rd.
Parcel ID # 8-118/SPAN # 285-090-10227

The applicant was not present. The members of the board indicated they had reviewed the application and information sent to them.

Hearing #3: Michael and Beverly Copp (Applicant)
Property Location: 703 Route 14
Parcel ID # 8-127/SPAN # 285-090-11052

The applicants were not present. Linda Trombley recused herself from this hearing. The members of the board indicated they had reviewed the application and information sent to them.

At 6:45 the BoA went into deliberative session to discuss the three applications. After deliberations, the BoA voted on each application.

Hearing #1 (Hybels): Linda Trombley made a motion to abate the 2020 delinquent taxes in the amount of \$2209.80; Rocket seconded the motion. The motion carried on a vote of 13-3 (Dan Fraser, abstained. In favor: N. Russell, L. O'Neil, L. Trombley, P. Cook, M. Erdei, D. Foster, K. Christie, J. Turner, G. Lucke, K. Souza, R. White, Rocket, Nancy Howe; Opposed: L. Collins, B. Fields, M. Morris).

Hearing #2 (Barbour): Gabrielle Lucke made a motion to deny abatement request; Mike Morris seconded the motion. The motion passed by unanimous vote; Joe Turner and Joe Major abstained).

Hearing #3 (Copp): Mike Morris made a motion to deny the abatement request; Rocket seconded the motion. The motion carried by unanimous vote; Linda Trombley recused herself; Joe Major abstained from the vote).

Other Business(Board of Civil Authority):

Voter Registration Drive: Lisa let the BCA know HHS student, Wren Parker, expressed interest in holding two voter registration drives at the High School for students and staff prior to the November election. Several BCA members expressed interest in participating once dates are set.

Assistant Election Officers (17 VSA, 2454): Lisa noted statute requires the BCA prior to election day to "appoint a sufficient number of voters from the municipality to serve as assistant election officers". After discussion the BCA asked the Clerk to provide a list of Assistant Election Workers via e-mail for review shortly before each election.

Additions to checklist by Town Clerk (17 VSA, 2144d): Lisa reviewed the statute stating "periodically, or at least five days prior to each election, the town clerk shall forward to the board of civil authority a list of additions to the checklist." The BCA suggested sending a list of new additions 10+/-days prior to an election.

Meeting Adjourned at 7:45pm

Submitted by Lisa O'Neil, Town Clerk