

Town of Middlebury Board of Abatement
February 24, 2015
Minutes submitted by Ann Webster, Clerk

Present: Board Members: Nick Artim, Laura Asermily, Gary Baker, Brian Bauer, Walter Calhoun, Julie Coons, David Dorman, Alice George, Dean George, Margaret Klohck, Robert Poppenga, Susan Shashok, Jackie Sullivan, Hudson Tilford, Ann Webster.
Witnesses: None Present.

The meeting was called to order at 5:40pm by Webster. Webster noted that a quorum of the Board of Abatement was met with 15 members present. Webster called for nominations for Chair of the Hearing. Hudson Tilford nominated Ann Webster, seconded by David Dorman. With no other nominations **Motion passed unanimously.**

Webster introduced request for abatement from Bryan E. Jones Trust regarding 36 Seymour Street. Parcel # 024194.000. Webster noted that a fire had taken place in November of 2014 and that the packet that had been sent to members prior to the hearing had included Jones request for abatement, an adjuster's estimate from Jones insurance company, and a memo from the town assessor indicating calculations for an abatement due to damage and loss. With no witnesses present Webster opened the floor for discussion.

Bauer questioned if the amount of \$1049.04 on Benton's memo was what Benton thought should be abated and if so what was the amount of tax due prior to any adjustment? Webster confirmed that Benton does recommend abating \$1049.04 and calculated with an assessed value of \$176,500 at the current tax rate the tax liability is \$4,569.59 before that adjustment.

Dean George moved to abate taxes in the amount recommended by the assessor in the amount of \$1049.04, seconded by Julie Coons.

Bauer asked if Mr. Jones had received Benton's calculations and if he had provided any response. Webster noted that he had received the memo and had not made any response.

Sullivan had concerns about abating lost rental income and possibly setting a precedent. She felt this would be covered in Mr. Jones insurance policy. Coons responded that Jones had addressed loss of rent in his request, but that Benton was making a calculation based on the loss of use of a portion of the square footage due to damage for a shorter period of time than the portion of property that had been completely destroyed.

Coons requested making a friendly amendment, and George agreed, to include in the motion to abate taxes based on V.S.A. Title 24 § 1535(a)(5) taxes upon real or personal property lost or destroyed during the tax year.

The motion is to abate taxes in the amount recommended by the assessor in the amount of \$1049.04 based on V.S.A. Title 24 § 1535(a)(5) taxes upon real or personal property lost or destroyed during the tax year. **Motion passed unanimously.**

Motion to adjourn by Walter Calhoun, seconded by Susan Shashok. **Motion passed unanimously.** Hearing adjourned at 6:10pm.

Respectfully submitted by Ann F. Webster, Middlebury Town Clerk