

**WILMINGTON BOARD OF ABATEMENT
WEDNESDAY, OCTOBER 22, 2014 AT 6:00PM
MINUTES OF MEETING**

The Wilmington Board of Abatement convened at 6:01pm on October, 2014 in the second floor meeting room of Town Hall.

IN ATTENDANCE: A quorum was achieved with 13 out of 17 members present. Selectboard – Jake White, Susie Haughwout (also as Town Clerk), Diane Chapman, Tom Fitzgerald (also as Justice of the Peace); Justices of the Peace – Elizabeth McEwen, Fred Houston, Marcia Dorey, Tom Consolino; Listers – Len Chapman, Lynne Matthews, Diane Schipke, Jerry Osler; Town Treasurer – Christine Richter

Clerk went over the information packets with Board.

Board for the Abatement of Taxes was sworn in by Chair Elizabeth McEwen. Witnesses were sworn in before each case by the Chair.

The Board heard the following requests for sewer and/or property tax abatements:

ANN COLEMAN-SPECHT/JOSEPH SPECHT – 23 West Main St – TAX ID#02020069.BD2

Ann Coleman-Specht appeared and read a letter to the Board requesting abatement of her sewer tax for FY15 ending June 30, 2014. Her building was destroyed in Irene flooding, she has not yet rebuilt, and is still exploring all avenues. The Board has abated the sewer tax for three previous tax years – this is the fourth request.

CRAFTS INN OWNERS ASSOCIATION INC – 10 West Main St – TAX ID#02020082.000

Alice Richter, Manager of Crafts Inn, appeared representing the owners. This is the first request made by Crafts Inn for relief since incurring damage from Irene flooding. Alice presented a timeline for the period the building was offline from 8/28/11 through 4/1/2012. There were some brief periods of time that the building was opened with limited use during those 7 months. The sewer was out of service from 8/28/11 through 10/1/11. Crafts Inn requested relief for both sewer and property taxes.

WILLIAM & MARLENE HANUSA – 78 Pond Loop – 00CHM002.000

William Hanusa appeared by phone. Mr. Hanusa requested relief from the penalty and interest on his property tax. He currently owns 31 Howes Loop which he purchased in May of 2011. He purchased a second property at 78 Pond Loop in October of 2013 and believed that the taxes were collected at closing and forwarded to the town. The taxes for the first half of the tax year were paid, and he did not know that the second half was due. The Town sends out only one tax bill per year which contains two payment coupons. When asked if he was aware that the Town does not send out a second bill in January, Mr. Hanusa mentioned that someone takes care of paying his bills and he doesn't see them.

GERARD & KATHLEEN COSTELLO – 213 Haynes Road – TAX ID#00303034.000

Gerry Costello appeared along with his attorney, Alexander Shriver. The Costellos requested relief from all penalties and interest due and owing on the residence property at 213 Haynes Road, Tax ID#00303034.000. The request is based on damage done to the property by a tornado in 2002; inability to pay due to personal illness, bankruptcy, death of their son, and loss of their business occurring during the period from 2002 until present; and manifest error of the listers because other parcels of land owned by Costello were combined with #00303034.000 on the tax bill. The owner did not request a grievance of value from the Listers after the tornado. The owner was not allowed to request that the Bankruptcy Trustee pay any taxes. Bankruptcy law exempts \$125,000 of value for the homesteads. State law requires that certain properties held by the same owner be combined on the tax bill, it is not in error. When asked if there was an insurance payout for the tornado damage, Gerry thought they received around \$180,000. Gerry testified that the home was uninhabitable from June 2002 through all of 2006. The owners are working with Brattleboro Savings & Loan on a refinance in order to pay the taxes on 00303034.00 so they can save their home.

MOTION TO GO INTO DELIBERATIVE SESSION made by Christine Richter, seconded by Tom Consolino. VOICE VOTE – ALL IN FAVOR.

MOTION TO EXIT DELIBERATIVE SESSION made by Tom Fitzgerald, seconded by Marcia Dorey. VOICE VOTE – ALL IN FAVOR

MOTION TO ABATE SEWER TAXES/PENALTIES/INTEREST for FY15 for property owned by ANN COLEMAN-SPECHT & JOSEPH SPECHT at 23 West Main Street made by Marcia Dorey, seconded by Susie Haughwout.
VOICE VOTE – 1 IN FAVOR (Marcia Dorey) – 12 OPPOSED. MOTION FAILED.

MOTION TO ABATE SEWER TAXES for a period from 8/28/11 through 10/1/11, and TO ABATE PROPERTY TAXES for a period of 150 days in FY12, to be issued as credits, for property owned by CRAFTS INN OWNERS ASSOCIATION INC at 10 West Main Street made by Diane Chapman, seconded by Tom Consolino.
VOICE VOTE – 12 IN FAVOR – 1 ABSTAINED (Christine Richter). MOTION PASSED.

MOTION TO ABATE PENALTIES & INTEREST ON PROPERTY TAXES for property owned by WILLIAM & MARLENE HANUSA at 78 POND LOOP, made by Tom Fitzgerald, seconded by Fred Houston.
VOICE VOTE – NONE IN FAVOR – 13 OPPOSED. MOTION FAILED.

MOTION TO ABATE PENALTIES & INTEREST ON PROPERTY TAXES in the amount of \$35,000 issued as a credit applied to penalty first and remainder to interest, conditioned upon payment in full of all remaining outstanding taxes/penalties/interest by January 20, 2015 for property owned by GERARD & KATHLEEN COSTELLO at 231 Haynes Road (00303034.000), made by Marcia Dorey, seconded by Len Chapman.
VOICE VOTE – 9 IN FAVOR – 4 OPPOSED (Fred Houston, Christine Richter, Jerry Osler and Susie Haughwout). MOTION PASSED.

MOTION TO ADJOURN made by Tom Consolino, seconded by Lynne Matthews.
VOICE VOTE - ALL IN FAVOR - ADJOURNED – 8:19pm

TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THESE MINUTES ARE A TRUE AND OFFICIAL RECORD OF ALL ACTION TAKEN AT THE BOARD OF ABATEMENT MEETING HELD, OCTOBER 22, 2014.

MINUTES PREPARED ON FRIDAY, OCTOBER 24, 2014 & SUBMITTED TO WEBMASTER ON MONDAY, OCTOBER 27, 2014 AT 2:30PM.



ATTEST: _____
Susan Joy Haughwout, Wilmington Town Clerk

OCTOBER 27, 2014
DATE: _____

TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THESE MINUTES ARE A TRUE INDICATION OF THE BUSINESS OF THE BOARD OF ABATEMENT MEETING HELD, OCTOBER 22, 2014.

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