

**TOWN OF WILMINGTON
BOARD OF CIVIL AUTHORITY
MONDAY, JULY 25, 2016
MINUTES**

The meeting of the Board of Civil Authority was convened by the Town Clerk at 5:30pm.

IN ATTENDANCE: A quorum was achieved A quorum was achieved with 8 members present. Selectboard – Tom Fitzgerald (also as JOP), Vince Rice, John Gannon & Susie Haughwout (also as Town Clerk); Justices of the Peace – Elizabeth McEwen, Marcia Dorey, Fred Houston & Rosemarie Blair.

Also Present: Listers – Len Chapman & Jerry Osler; Consulting Appraiser – Brian DeCesare; Appellant – John Oates (agent for Colleen & John Cranny) Others: Cathy Oates

1. PUBLIC INPUT: none

2. NOMINATE & ELECT CHAIR:

Fred Houston nominated Elizabeth McEwen as Chair, seconded by Tom Fitzgerald
Fred moved nominations be closed – hearing no other nominations – nominations closed.
Voice Vote - All in favor – So Voted – Elizabeth McEwen elected Chair of BCA

3. SET MEETING SCHEDULE:

August 22, 2016 at 5:30pm in the Meeting Room – remaining 5 hearings & Cranny Report/Decision
September 12, 2016 at 5:30pm in the Meeting Room – remaining 5 Reports/Decisions

4. INTRODUCE BCA:

BCA members introduced themselves

5. BRIEF EXPLANATION OF QUASI-JUDICIAL HEARING:

Chair gave brief explanation on composition of the BCA and its duties during tax assessment appeal hearings. Instructed that all testimony be given to the BCA, questions of any party should be directed to the Chair, and no cross-talk is allowed among parties.

6. NO CONFLICTS OF INTEREST WERE DECLARED

7. ADMINISTER OATHS TO BCA, LISTERS, CONSULTANT, APPELLANT/AGENT:

Chair swore in the BCA. Chair swore in the Listers, Consultant, Appellant/Agent for the hearing.

8. HEARING OF TAX ASSESSMENT APPEAL:

CRANNY, COLLEEN & JOHN – 76 DAVIS DRIVE – ID#00301060.000 - \$222,000 – SPAN 762-242-13328

APPELLANT TESTIMONY: Mr. Oates submitted his case in letter form and went over it with the BCA. He presented 3 reasons why the property is over-assessed and inequitably assessed. (1) The property is over assessed at a level not consistent with market value. The highest offer the listing real estate agent has received in the last 6 months is \$185,000. He attempted to retrieve that letter from the evidence he submitted to the Listers at grievance, however the file was not available when he asked. He questioned why a raise of 12% in the assessment is appropriate when the Town's CLA is currently 100.33%. (2) The property is inequitably assessed. He presented reasons why the three comparables used by the listers were not equitable. He presented his own comparable of 15 Center Rd, which sold in 2015 for \$188,000. He also listed

8 other properties in the same neighborhood with lower assessments than the subject property. (3) The condition of the property is overrated. The condition of the house is below average with some deficiencies as mentioned in a home inspection report which he submitted. There is also a shared well which has been a bone of contention with prospective buyers. Mr. Oates requested an assessed value of \$195,000.

LISTERS: Brian DeCesare went over in great detail the three comparables used by the Listers to assess the subject property. He explained the differences in the properties and how they were adjusted against the subject. Two of the comps are in the same development and one is in the neighborhood. The Listers did not enter the subject physically, but viewed the interior via the photographs on MLS. He explained that the Town's CLA is in fact very good at 100.33. For the last few years the Listers have been reassessing large categories of 400-500 properties per year. They study the sales and decide which need to be revisited. The Listers used customary and appropriate method to assess the property. The Listers assert the valuation of \$222,000 for the subject property.

7. ASSIGN INSPECTION COMMITTEE:

The Inspection team is comprised of Marcia, Fred and Rosemarie. Appellant gave consent to inspect.

8. SET DATES/TIMES FOR INSPECTON AND NEXT MEETING:

Appellant and BCA agreed to Wednesday, August 3, after 5:00pm for the Inspection. Listers were invited to attend. Appellant will confirm time with Clerk. Clerk will confirm with team and Listers.

9. ADJOURN & RECESS:

MOTION TO ADJOURN the BCA organizational meeting made by Marcia, seconded by Fred. Voice Vote – All in favor.

MOTION TO RECESS the BCA Tax Assessment Appeal Hearing to August 22 for Inspection Report/Decision meeting made by Marcia, seconded by Fred. Voice Vote – All in favor.

Adjourned & Recessed at 6:45pm.

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 CIVIL AUTHORITY MEETING HELD, JULY 25, 2016.

MINUTES PREPARED ON TUESDAY, JULY 27, 2016 & SUBMITTED TO WEBMASTER ON WEDNESDAY, JULY 27, 2016 AT 7:55PM.



ATTEST: _____
Susan Joy Haughwout

DATE: July 27, 2016

TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THESE MINUTES ARE A TRUE INDICATION OF THE BUSINESS OF THE BOARD OF CIVIL AUTHORITY MEETING HELD, JULY 25, 2016.

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