

**WILMINGTON BOARD OF ABATEMENT
TUESDAY, JUNE, 25, 2019 AT 5:30PM
MINUTES OF MEETING**

The Wilmington Board of Abatement convened at 5:30pm on June 25, 2019 in the second floor meeting room of Town Hall.

IN ATTENDANCE: A quorum was achieved with 14 out of 18 members present. Selectboard – Vince Rice and Sarah Fisher; Justices of the Peace – Elizabeth McEwen, Tom Consolino, Fred Houston, Linda Green, Rhea Clark; Listers – Jerry Osler, Lynne Matthews, Len Chapman, Diane Schipke and Kay Schwader; Town Treasurer – Christine Richter; Town Clerk – Susie Haughwout.

1. CALLED TO ORDER at 5:30pm by Clerk
2. NO CHANGES TO AGENDA
3. ELECTION OF CHAIR – Fred Houston nominated Elizabeth McEwen as Chair, seconded by Tom Consolino. There were no other nominations. Nominations closed. Elect Elizabeth McEwen as Chair VOICE VOTE – ALL IN FAVOR.
4. NO PUBLIC COMMENT
5. MOTION TO APPROVE Minutes of August 22, 2018 made by Tom Consolino, seconded by Fred Houston. VOICE VOTE – ALL IN FAVOR
6. No conflicts of interest were declared. Chair Elizabeth McEwen swore in the Board of Abatement, Requestor and Agent.
7. The Board heard a request of MWJG LLC/Geregthy, 218 West Lake Road. Liz Geregthy presented a letter from the Wilmington Fire Chief stating that a fire on February 4, 2019 rendered the house a total loss. Deb Kingsley sent an email to the Board stating that the Listers categorized the house a total loss as well. Mrs. Geregthy stated that the property taxes for the year had been paid in full.

The Board heard a request by phone from Peter Giarratano CPA, agent for Arlene Palmiter and Adam/Ashley Palmiter. Mr. Giarratano stated that he was the preparer for the Palmiters' 2018 tax returns. He requested an abatement for Homestead Declaration penalties assessed against Arlene Palmiter in the amount of \$343.97 and against Adam/Ashley Palmiter in the amount of \$297.26. As their tax professional, he failed to file the HS-122s due to serious illness he suffered caused by "extreme amount of stress associated with working long hours in a short period of time to meet the filing deadline for Vermont Income tax return and related form[s] HS-122." Upon questioning, Mr. Giarratano answered that he had refunded the amount of the penalties to his clients.

The Board heard the request for abatement of small amounts of taxes made by Christine Richter in accordance with the Town Resolution adopted by the Wilmington Selectboard on July 3, 2012:

8. No Deliberative session requested. Discussion: Abatement of Taxes upon real or personal property destroyed during the tax year per 24 V.S.A. § 1535(a)(5) applies to MWJG LLC/Geregthy house. Giarratano request does not qualify under 32 V.S.A. § 5410(l)(2)(3) as the illness was that of the preparer, not the taxpayer/declarant nor an immediate family member of same. The Palmiters had, in fact, been made whole by Giarratano, so there was no basis for requesting an abatement on their behalf. Request of Treasurer qualifies for abatement.

10. MOTION TO ABATE SMALL AMOUNTS OF TAXES presented as below, made by Tom Consolino, seconded by Vince Rice as presented by the Treasurer.

Abatement Request FY19		
01003017-000	Charles Clark	1.74
00CHM153-000	Bruce & Susan Ennis	1.72
00CHA128-000	Bonnie LeMay	3.38
02220046-000	Stephen J Malloy	0.80
00901062-000	Donald M McClosky	0.08
00202021-000	Jaroslaw Nanowski	4.74
HSSADDLE-043	Jon & Tash Wysocki	0.16
		12.62

VOICE VOTE – ALL IN FAVOR – MOTION PASSED.

MOTION TO ABATE PROPERTY TAXES assessed against the house valued at \$730,000, located on 218 West Lake Road, Owned by MWJG LLC/Gereghty for the period of February 4, 2019 through June 30, 2019 made by Linda Green, seconded by Tom Consolino.

VOICE VOTE – ALL IN FAVOR – MOTION PASSED.

MOTION TO DENY the request of Peter Giarratano (Palmiters) for Abatement of Homestead Declaration Penalties made by Fred Houston, seconded by Susie Haughwout.

VOICE VOTE – ALL IN FAVOR – MOTION PASSED.

OTHER BUSINESS: The BOA asked the Chair to write a letter to the Town Manager requesting an agenda item before the Selectboard to discuss designating the Selectboard as the appropriate body to hear Abatements of Homestead Declaration Penalties.

MOTION TO ADJOURN made by Tom Consolino, seconded by Linda Green.

VOICE VOTE - ALL IN FAVOR - ADJOURNED – 6:10pm.

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, JUNE 25, 2019.

MINUTES PREPARED ON TUESDAY, JULY 2, 2019 & SUBMITTED TO WEBMASTER ON TUESDAY, JULY 2, 2019 AT 3:55PM.



ATTEST: _____
Susan Joy Haughwout, Wilmington Town Clerk

DATE: JULY 2, 2019