

CITY OF RUTLAND, VERMONT
Board of Tax Abatement Minutes
November 16, 2022

MINUTES OF OPEN SESSION

Members present; BOA President Doenges, Aldermen Franco, Savage, Talbott, Tadio, Gillam, Davis, Treasurer Markowski and Assessor Langlois. Also present, City Clerk Heck. Aldermen Ettori, Franco, Tadio, Gillam and DePoy were absent. Mayor Allaire was absent.

Chair Doenges called the meeting to order at 5:33 PM.

Chair Doenges opened the meeting noting five (5) requests and moved to start with 7 Hill pond Rd.

Mary Crowley; 7 Hill Pond Rd. Water & Sewer

Mary Crowley was present. President Doenges asked if any member of the Tax Abatement Board would be testifying, seeing none, Chair Doenges noted the oath to be administered and had Clerk Heck swear Mrs. Crowley in. Chair Doenges then sought if any member of the Board needed to disclose any conflict of interest or ex parte communications that had taken place Chair Doenges noted a conflict, but noted he would not be deliberating on this request. Mrs. Crowley noted she had received the Board rules and procedure and had no questions.

President Doenges sought the criteria to which the applicant was requesting abatement. Mrs. Crowley noted 24 V.S.A. § 1535(a)(3).

Mrs. Crowley then presented her evidence. Mrs. Crowley stated she had a row of cedar trees planted and used a soaking hose to water them basically around the clock. Mrs. Crowley stated that she had no issue with the water portion of her bill, but noted that the sewer charges could be waived as the water never entered the sewer and sought a credit of \$639.00.

Gail Gorruso, Business manager of DPW noted the ordinance states non-essential water use and there were no exceptions for lawn & garden or other related items, swimming pools ect.

There were no questions from the Board. Mrs. Crowley had no further debate or questions. President Doenges moved to close the hearing and moved on to 144 Woodstock Avenue.

Erwin West; 144 Woodstock Ave. Water & Sewer

Tom West was present to represent Mr. Erwin West.

Chair Doenges asked if any member of the Tax Abatement Board would be testifying, seeing none, Chair Doenges noted the oath to be administered and had Clerk Heck swear Mr. West in. Chair Doenges then sought if any member of the Board needed to disclose any conflict of interest or ex parte communications that had taken place, seeing none Chair Doenges asked Mr. West if he had received the Board rules and procedure and had any questions. Mr. West replied he had and he had no questions and stated he had also received Gail Gorruso's handout.

Chair Doenges sought the criteria to which the applicant was requesting abatement. Mr. West noted 24 V.S.A. § 1535(a)(3). Chair Doenges then asked Mr. West to present his case.

Tom West noted in April past, that his father was contacted about high water use. Mr. Erwin West found a leaking toilet at this property and fixed it. Tom West stated that he and his father were working on the furnace at this property in mid-September and heard running water. They discovered another leaking toilet and repaired it. Tom West has been monitoring the water usage since then. Tom West then noted the City

website and information on high water use criteria and noting his father should have only been billed twice the average use, approximately \$400 and not \$1,600. The Board had several questions. Gail Gorruso noted the high water usage criteria has since been removed/ amended back in November of 2020 and noted monthly high usage letters being sent to Erwin West. Tom West stated he felt that the information was posted and he meets the criteria and should be granted the request. There was no further questions or debate. Chair Doenges moved to close the hearing and stated the Boards decision would be sent within the next thirty (30) days.

Chair Doenges noted 269 North Main Street was next.

Joan & Rosairio Cormier; 269 N. Main St. Property Tax.

Clerk Heck spoke briefly on receiving a request for an abatement back in late August. Clerk Heck noted that he sent an application, but never received it back. Chair Doenges asked Joan Cormier to take the stand. Chair Doenges asked if any member of the Tax Abatement Board would be testifying, seeing none, Chair Doenges noted the oath to be administered and had Clerk Heck swear Mrs. Cormier in. Chair Doenges then sought if any member of the Board needed to disclose any conflict of interest or ex parte communications that had taken place, seeing none Chair Doenges asked Mrs. Cormier if he had received the Board rules and procedure and had any questions. Mrs. Cormier replied she had and she had no questions and stated she was here only for the penalties and interest.

Chair Doenges sought the criteria to which the applicant was requesting abatement. Mrs. Cormier noted 24 V.S.A. § 1535(a)(3). Chair Doenges then asked Mrs. Cormier to present her case.

Mrs. Cormier noted that COVID-19 really sent them back and explained the history that lead to the unpaid taxes for 269 North Main Street until the eventual sale. Mrs. Cormier noted the apartment finally sold and the taxes are paid in full. Mrs. Cormier was looking to get back the penalties and interest. There were no questions from the Board. Mrs. Cormier stated she was set as well. Chair Doenges moved to close the hearing and explained that the Boards decision would be sent out in the next thirty (30) days.

Crystal Rock; Personal Property

Chair Doenges sought a representative for Crystal Rock. None were present. Chair Doenges noted the request form DS Services of America, INC. DBA: Primo Water North America, formally Crystal Rock. Chair Doenges noted the request and sought any questions from the Board. Seeing none, Chair Doenges sought to close the hearing and moved on.

Optos North America; Personal Property

Chair Doenges noted the request received via email. Chair Doenges noted the documentation presented. Chair Doenges asked if there was any conflict with Board members and Optos. Seeing none, Chair Doenges sought to close the hearing and to move into deliberative session.

At 6:03PM a motion was made and seconded (Davis, Savage) closing the hearing. **Motion passed.**

President Doenges noted a motion was in order to move into deliberative session. That request was so moved and seconded (Davis, Gillam). **Motion passed.**

At 6:04 PM the Board moved into deliberative session.

At 6:20 PM the Board of Tax Abatement came out of deliberative session.

A motion was made and seconded (Davis, Talbott) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A. Heck
Clerk, Board of Tax Abatement