CITY OF RUTLAND, VERMONT
Board of Tax Abatement Minutes
August 9, 2021

MINUTES OF OPEN SESSION

Members present; BOA President Whitcomb, Aldermen Clifford, Savage, Talbott, Franco, and Davis. Treasurer Markowski and Assessor Langlois. Also present, City Clerk Heck. Members absent, Mayor Allaire, and Aldermen Gillam, Neary, DePoy and Gorruso.

Chair Whitcomb called the meeting to order at 5:30 PM.

Chair Whitcomb noted that the Board had four (4) abatement requests that evening and started with a request from Paul Arnado.

Paul Arnado, 90 Strongs Avenue Parcel ID #17787

Chair Whitcomb followed the new rules of procedure and stated the applicant, property location and parcel ID#. Chair Whitcomb then asked members of the Board if they were going to testify or present evidence. All responded no. Chair Whitcomb asked Clerk Heck to swear in Mr. Arnado. Clerk Heck swore in Mr. Arnado. Chair Whitcomb noted there were no conflicts of interests nor ex-parte communication amongst members of the Board. Chair Whitcomb asked Mr. Arnado if he had received the Board rules on procedure for this hearing. Mr. Arnado acknowledged that he had and he had no questions. Chair Whitcomb read the criteria checked by Mr. Arnado for his request for abatement. Taxes or changes upon real or personal property lost or destroyed during the tax year. 24 V.S.A. § 1535(a)(5).

Chair Whitcomb asked Mr. Arnado to present his case. Mr. Arnado noted that he was looking to get on with his life and wanted to rid himself of this property and pay the City past due taxes. Mr. Arnado gave a very brief history on the parcel. There were several questions from the Board about the history and the associated fire in 2018. Mr. Arnado noted he did not understand why he was forced to tear down the house as no one else in the City had. Chair Whitcomb asked Mr. Arnado what dollar figure he was requesting from the Board. Mr. Arnado noted he was trying to sell the property for what the City is owed. There were no further questions.

Chair Whitcomb explained to Mr. Arnado the Board would close his hearing and that they would move into deliberative session at the end of all hearings and the Board would make a decision on his request. That decision would be mailed within thirty (30) days. Mr. Arnado thanked the Board for their time.

A motion was made and seconded (Davis, Clifford) to close the hearing. **Motion passed.**

Chair Whitcomb then moved on to the request for 17 Hillside Lane.

Debby A. Rist, 17 Hillside Rd, Parcel ID #14673

Chair Whitcomb followed the new rules of procedure and stated the applicant, property location and parcel ID#. Chair Whitcomb then asked members of the Board if they were going to testify or present evidence. All responded no. Chair Whitcomb asked Clerk Heck to swear in Nicholas Marchese. Clerk Heck swore in Mr. Marchese. Chair Whitcomb noted there were no conflicts of interests nor ex-parte communication amongst members of the Board. Chair Whitcomb asked Mr. Marchese if he had received the Board rules on procedure for this hearing. Mr. Marchese acknowledged that he had. Chair Whitcomb read the criteria checked by Mr. Marchese for his request for abatement. Taxes or changes of persons who are unable to pay their taxes, water charges, sewer charges, interest, and/or collection fees. 24 V.S.A. § 1535(a)(3).

Mr. Marchese noted that he paid his normal rate for water and sewer and had no issue with that. He was here to contest the scheduled rate. Chair Whitcomb asked Mr. Marchese to present his case. Mr. Marchese noted that he made an appointment for installation. Mr. Marchese and the Board reviewed the handout provided by Gail Gorruso the business manager from DPW. There were Q&A from the Board and Mr. Marchese. Mr. Marchese was questioned as to why he did not have the meter replaced in 2019. Mr. Marchese noted water in the basement and family issues as main reasons for the delay to install. Mr. Marchese did note he did not want to be "first in the pool" when it came to changing over meters with new technologies. He did state as soon as he got his first "Standard Rate Bill/Flat Rate" he knew he had to change the meter.

Chair Whitcomb explained to Mr. Marchese the Board would close his hearing and that they would move into deliberative session at the end of all hearings and the Board would make a decision on his request. That decision would be mailed within thirty (30) days.

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

Mark Gibeault, MLG Properties, 104 River Street, Parcel ID # 11745

Chair Whitcomb noted Mr. Gibeault had requested to call into the hearing as he just recently tested positive for COVID-19. Clerk Heck connected the Board with Mr. Gibeault. Chair Whitcomb followed the new rules of procedure and stated the applicant, property location and parcel ID#. Chair Whitcomb then asked members of the Board if they were going to testify or present evidence. All responded no. Chair Whitcomb asked Clerk Heck to swear in Mark Gibeault. Clerk Heck swore in Mr. Gibeault. Chair Whitcomb noted there were no conflicts of interests nor ex-parte communication amongst members of the Board. Chair Whitcomb asked Mr. Gibeault if he had received the Board rules on procedure for this hearing. Mr. Gibeault acknowledged that he had. Chair Whitcomb read the criteria checked by Mr. Gibeault for his request for abatement. Taxes or changes of persons who are unable to pay their taxes, water charges, sewer charges, interest, and/or collection fees. 24 V.S.A. § 1535(a)(3).

Mark Gibeault testified that he has owned the property at 104 River Street since 2004 and had received the water bill at his requested Clarendon Vt. address. Upon the building becoming vacant Mr. Gibeault noted that the water bill had not been paid for some time and that the property had accumulated penalties and interest in the amount of $379.29. Mr. Gibeault noted he paid the water and sewer bill and was asking for the penalty and interest to be abated as he had no idea the bill was not being paid. There was brief discussion with the Board and Mr. Gibeault.

Chair Whitcomb explained to Mr. Gibeault the Board would close his hearing and that they would move into deliberative session at the end of all hearings and the Board would make a decision on his request. That decision would be mailed within thirty (30) days.

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

Personal Property Payments; Key Bank/GE Industrial Financing Solutions LLC. ID # 21139
Chair Whitcomb noted Maggie Miller that was on the phone and proceeded to follow the outline of the rules and procedures for the hearing. Chair Whitcomb asked Clerk Heck to swear in Ms. Miller. Clerk Heck swore in Ms. Miller. Chair Whitcomb asked if there were any conflict of interests amongst members, there were none. Chair Whitcomb asked Ms. Miller if she had received documents on the process of tonight's hearing. Ms. Miller acknowledge she had. Chair Whitcomb noted there was no criteria checked. Ms. Miller noted there was some confusion as there was no criteria for double taxation and then noted an abatement in which there is a manifest error or a mistake of the lister, 24 V.S.A. § 1535(a)(4). Chair Whitcomb restated the criteria and asked Ms. Miller to give her testimony.

Ms. Miller then proceeded to explain the double payment of taxes from Key Bank and GE Industrial Financing Solutions on personal property located at 210 Columbia Avenue in Rutland City. Ms. Miller noted items with similar ID numbers with double payments from 2018, 2019, 2020. Completing her testimony Alderman Talbott stated he understood the issue, but did not see how it was a mistake of the lister. Assessor Langlois asked if this issue/error had ever happened before. Ms. Miller noted that it has. Alderwoman Savage noted the ID numbers were not exact and asked if they represented the same piece of equipment. Ms. Miller noted it was the same piece of equipment and was not sure why the numbers were different. With no further questions Chair Whitcomb noted that the hearing would be closed and that the Board's decision would be forwarded within thirty (30) days.

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

At 6:23 PM the Board of Tax Abatement moved to enter into deliberative session. (Davis, Langlois). **Motion passed.**

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

Respectfully submitted,

Henry A. Heck
Clerk, Board of Tax Abatement