

CITY OF RUTLAND, VERMONT
Board of Tax Abatement Minutes
November 8, 2021

MINUTES OF OPEN SESSION

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

Chair Whitcomb called the meeting to order at 5:31 PM.

Chair Whitcomb noted that the Board had five (5) abatement requests that evening and stated that 2A Griswold Drive and the Ground Round Restaurant had requested abatements, but had failed to complete the applications necessary for the Board to hear their requests. President Whitcomb stated that the Clerk would keep the Board informed if they decided to complete their applications. President Whitcomb then noted the Board still had three requests before them and started with 73 Traverse Place.

Richard Marotti, 73 Traverse Place, Parcel ID #13441

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 Elizabeth Marotti, daughter to Richard. Clerk Heck swore in Ms. Marotti. Chair Whitcomb noted there were no conflicts of interests nor ex-parte communication amongst members of the Board. Chair Whitcomb asked Ms. Marotti if she had received the Board rules on procedure for this hearing and asked if she had any question with those rules. Ms. Marotti acknowledged that she had and she had no questions. Chair Whitcomb read the criteria checked by Mr. Marotti for his request for abatement. Taxes or changes of persons who are unable to pay their, water charges, sewer charges, interest and/or collection fees. 24 V.S.A. § 1535(a)(3).

Chair Whitcomb then asked Ms. Marotti to present her case. Ms. Marotti provided evidence and noted a letter she presented to delinquent property tax relief on behalf of her 93 year old father. Ms. Marotti noted the State had paid some of the tax and provided a time line on how her father had gotten so far behind with his tax payments and noted he had not been filing his homestead statues with the State. Ms. Marotti noted the home in in disrepair and needs a lot of work. There was Q & A from the Board.

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

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

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

Debby Marchese, 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 real or personal property lost or destroyed during the tax year. 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 asked if Business Manager, Gail Gorruso had presented any evidence. Clerk Heck noted that she had and presented the handout to the Board and Mr. Marchese. Mr. Marchese asked if he could have a couple minutes to read it over. President Whitcomb stated that he could. Mr. Marchese noted that he had been before the Board in August, since he had his meter changed and he still received a bill for the scheduled rate at \$700.00 and requested it be abated. The Board had several questions for Mr. Marchese specifically about install appointments. Mr. Marchese noted he was very confused about the previous appeal process and rule 75 and sought input from the Board. Clerk Heck briefed the Board on his insight of rule 75 and input from Attorney Bloomer. Mr. Marchese then challenged the Board to explain why no late fee and just a flat rate to which his is \$700.

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.**

Daniel Gagne, 69 Baxter Street, Parcel ID # 10078

President Whitcomb noted the final request and read the same criteria as the previous 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 noted that Mr. Gagne was not present. Chair Whitcomb asked if there were any conflicts of interests or ex-parte communication amongst members of the Board. Seeing none, Chair Whitcomb read the criteria checked by Mr. Gagne 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) (3). There was brief discussion on how the Board would proceed without someone present. With no further questions, President Whitcomb noted a motion to close the hearing would be in order. This request was so moved and seconded, (Davis, Talbott). **Motion passed.**

At 6:14 PM the Board of Tax Abatement moved to enter into deliberative session. (Davis, Talbott). **Motion passed.**

At 6:24 PM a motion was made and seconded (Davis, DePoy) to come out of executive session and adjourn. **Motion passed.**

Respectfully submitted,

Henry A. Heck
Clerk, Board of Tax Abatement