

CITY OF RUTLAND, VERMONT
Board of Tax Abatement Minutes
May 14, 2018

MINUTES OF OPEN SESSION

Members present; Treasurer Markowski, Aldermen Notte, Etori, Tommola, Mattis, Whitcomb and Clifford. Also present, City Clerk Heck, Michel Messier, William Dydo Jr and Kam Johnston. Mayor Allaire, Assessor Keefe, Aldermen Davis, Humphrey, Ryan and DePoy were absent.

Clerk Heck opened the meeting at 5:30 PM as the Mayor and Board President were both absent. Clerk Heck explained that there were four (4) requests for abatement. Clerk Heck also noted that the Board would need to elect one member to chair the hearings. A motion was made and seconded (Clifford, Tommola) to elect Alderman Notte as chair for the proceedings. **Motion passed.** Alderman Notte took the seat as chair and reviewed the rules of procedure, noting that the Board of Tax Abatement does not have the authority to rule on Water and Sewer (Utility) requests. At 5:41 PM Chair Notte sought a quick recess as the Board was short on quorum and was waiting for Alderman Mattis to arrive. Alderman Mattis arrived at 5:43 PM and the meeting was called to order.

Chair Notte asked William Dydo to present his case. Clerk Heck swore in Mr. Dydo and Mr. Dydo began his testimony.

William Dydo Jr. 75 & 77 South Main Street

Mr. Dydo was requesting abatements on 75 & 77 South Main Street and Chair Notte asked if there were any conflicts between the Board and Mr. Dydo. Seeing none, Mr. Dydo began his testimony on the history of the buildings and how the property was a contiguous parcel. Mr. Dydo noted how he has tried working with the Assessor, City Attorney and Treasurer on reducing the assessed values of those properties. Mr. Dydo noted he paid \$5,500 for both and they are assessed for over \$209,000. Mr. Dydo also noted that he has paid over \$21,000 in taxes. Mr. Dydo noted that he felt it unfair that the City sent one of the properties to tax sale after only six months of ownership. Mr. Dydo did note that he has not paid taxes on 77 South Main Street, as he feels it is worthless and the assessments are way over their value. There were some questions from the Board, to which Mr. Dydo provided answers. Upon the completion of his testimony, Chair Notte asked for a motion to close the hearing. A motion was made and seconded (Mattis, Etori) to close the hearing. **Motion passed.**

Chair Notte then moved on to the next request from Michel Messier.

Michel Messier 104 Forest Street

Mr. Messier was requesting abatement for 104 Forest Street. Clerk Heck swore in Mr. Messier and Chair Notte asked if there was any conflict with this request and any member of the Board. Seeing none, Chair Notte noted that at the last request for this property presented by Mr. Messier the Chair, also Chair Notte, did not allow testimony as the Board of Tax Abatement does not hear requests for utilities and water and sewer as noted in the Charter are described as utilities. Chair Notte further explained that he would allow Mr. Messier a full 20 minutes to present his case. Mr. Messier thanked the Chair for allowing what he called due process and the need to allow him this process and presented his case. Mr. Messier's primary evidence was presenting the High Water Usage Policy drafted by the City in 1998 and revised in 2009, 2012 and 2017. Mr. Messier spoke on sediment and how he believes it caused his toilets to leak in this apartment house, thus causing his high usage. Mr. Messier is demanding that the City use its own guideline established for high water usage and rebill the proper amount actually due. There were brief questions from the Board. Mr. Messier noted that resolving the issue was not a priority until the property was placed for tax sale. With no further questions the

Chair asked for a motion to close the hearing, a motion was made and seconded (Ettori, Mattis) to close the hearing. **Motion passed.**

Kelly Greene, 40 Cleveland Avenue

Chair Notte noted the next request was from Kelly Greene and asked if anyone was present. Seeing none, Chair Notte reviewed the application for a request of abatement of 40 Cleveland Avenue. After reviewing the application, Chair Notte asked for a motion to close that hearing. The request was so moved and seconded (Clifford, Whitcomb). **Motion passed.**

John Turco, 43 Dorr Drive

Chair Notte then noted the final request of the evening and noted that the request was from John Turco of 43 Dorr Drive for a fire at his home. Chair Notte noted there was no one present to speak on the request and quickly reviewed the four (4) pages of the application. Chair Notte then asked for a motion to close this hearing. The request was so moved and seconded (Markowski, Clifford). **Motion passed.**

Chair Notte noted that this concluded the requests for abatement and sought a motion to enter into deliberative session. That request was so moved and seconded (Ettori, Mattis). **Motion passed.**

At 6:18 PM the Board moved into deliberative session.

At 6:40 PM the Board of Tax Abatement came out of deliberative session.

President Notte noted that the decisions would be drafted by the Clerk/Attorney and mailed within 30 days.

A motion was made and seconded (Mattis, Whitcomb) to adjourn. **Motion passed.**

Respectfully submitted,
Henry A. Heck
Clerk, Board of Tax Abatement