

CITY OF RUTLAND, VERMONT
Board of Tax Abatement Minutes
November 13, 2018

MINUTES OF OPEN SESSION

Members present; Treasurer Markowski, Assessor Keefe, Aldermen Notte, Etori, Humphrey, Mattis, Ryan, Whitcomb and Davis Also present, City Clerk Heck and Bryan Jones. Alderwoman Ryan arrived at 5:42 PM. Mayor Allaire, Aldermen Clifford, Gillam, Tommola and DePoy were absent.

Clerk Heck opened the meeting at 5:30 PM as Mayor Allaire was absent. Clerk Heck explained that there were two (2) 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 (Davis, Etori) to elect Alderman Notte as chair for the proceedings. A motion was made and seconded (Whitcomb, Etori) closing the nominations. **Motion passed.** Clerk Heck then called for the Notte nomination. **Motion passed.** Alderman Notte took the seat as chair and reviewed the rules of procedure, noting that the Board of Tax Abatement will hear testimony and then move into deliberative session.

Chair Notte asked Bryan Jones to present his case and be sworn in. Clerk Heck presented the oath to Mr. Jones and also presented evidence from Assessor Keefe.

Bryan Jones 52 East Street

Chair Notte asked Mr. Jones to present his case and if he had any additional evidence, to place it with the Clerk. Mr. Jones proceeded to explain to the Board his reason for his abatement requests noting that he had purchased the property on March 30, 2018 and as such he had the right to appeal this property to the Assessor on April 1, 2018. Mr. Jones stated that he was not given that opportunity and after several attempts to reach the Assessor and City Attorney, reached out to the Board of Aldermen President, Sharon Davis who referred him to this abatement board.

Mr. Jones noted the assessed value of over \$146,000 was five times the price he paid for the property and based on its condition the value was closer to \$31,000. Mr. Jones noted he was the owner of the property on March 30, 2018 even though the paperwork was not recorded until April 20, 2018. There was a brief Q & A with several Board members. Most of the questions were focused on the time line and the filing of his documents with the City Clerk. After several questions from the Board, Assessor Keefe asked the Chair to allow him the opportunity to explain the timeline and to allow him to recuse himself from the proceedings as Mr. Jones filed his reason for abatement as manifest error or mistake of the lister. Assessor Keefe stated that he was acting agent for the City. Chair Notte allowed the Assessor to proceed after he stated that he was not voting on this request. After brief debate, Clerk Heck swore in Assessor Keefe to allow him to present evidence and testimony to the Board. Assessor Keefe provided a handout and stated a section of VSA 32 3651, noting owner of record. The Board, Assessor and Mr. Jones debated the issue for another 20 minutes before all testimony was complete.

Chair Notte noted with no further evidence or testimony a motion to close that portion of the public hearing would be in order. A motion was made and seconded (Davis, Mattis) Motion **passed.**

Chair Notte noted there was one other tax abatement request from Christopher Blanchard, an Attorney for the Herald Association Inc. Chair Notte noted that there was no one present and read the request letter and reason for the abatement.

Herald Association Inc.

Chair Notte asked the Board to briefly review the paperwork presented by Attorney Blanchard. Alderman Davis was looking for some input when the Clerk stated that he was included in an email with Attorney Bloomer and Blanchard earlier this afternoon. Based on the information provided by the Clerk the Board felt there was the potential of a settlement or they would need more details and with no one to ask questions the Board would not have enough evidence or testimony to make a clear decision. The Board was trying to get a feel of what was happening or being requested. Assessor Keefe provided a timeline on the details or history of the sale of the property and where a mistake was made by the closing attorney. A motion was made and seconded (Humphrey, Davis) to table the request until the next quarterly abatement hearing and to request that Attorney Bloomer be present to answer questions. **Motion passed.**

With all questions and discussion finished Chair Notte asked for a motion to close this hearing. This request was so moved and seconded (Ettori, Ryan). **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, Ryan). **Motion passed.**

At 6:26 PM the Board moved into deliberative session.

At 6:46 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 (Ettori, Ryan) to adjourn. **Motion passed.**

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