

CITY OF RUTLAND, VERMONT
Board of Tax Abatement Minutes
August 14, 2023

Minutes of Open Session

Members present: Mayor Doenges, Treasurer Markowski, Assessor Langlois, Linda Heald, Clerk Kapusta, Attorney LaChance; Aldermen Talbott, McClure, Cupoli, Barbagallo, Savage, Tadio, Hooker, Davis, McCann.

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

Chair Doenges opened the meeting noting three (3) requests and moved to start with Donald Meyer's abatement request. Chair Doenges then asked those giving testimony to be sworn in by the Clerk. Gail Gorruso, Business Manager for Department of Public Works was sworn in.

Donald Meyer; Abatement for 3 Hopkins Street

Chair Doenges introduced the request for Donald Meyer. There was no one in attendance to speak to this request for abatement of water/sewer charges. Chair Doenges asked if any member of the Board of Tax Abatement would be testifying, if there were any conflicts of interests or ex-parte communication, seeing none, Chair Doenges read the request checked by Mr. Meyer for his abatement, Taxes or Charges in which there is a manifest error, 24 V.S.A. § 1535(a)(4).

Chair Doenges then asked if anyone else wanted to give testimony. Gail Gorruso, Business Manager for Department of Public Works read a memo to the record.

There was a brief discussion from the Board.

At 5:38 PM Chair Doenges closed the open hearing.

Chair Doenges then moved on to the request for 24 ½ Center Street.

John "Jay" Sabatasso: 24 ½ Center Street

Chair Doenges introduced the request for John "Jay" Sabatasso. Chair Doenges asked if any member of the Tax Abatement Board would be testifying, if there were any conflicts of interests or ex-parte communication. Chair Doenges, Alderman Cupoli and Alderman Talbott all stated that they had spoken with Mr. Sabatasso about his request. Chair Doenges then asked Clerk Kapusta to swear in Mr. Sabatasso. Chair Doenges asked Mr. Sabatasso if he had received the Board rules on procedure for this hearing. Mr. Sabatasso acknowledged that he had. Chair Doenges read the criteria checked by Mr. Sabatasso for his request for abatement. Taxes of Charges 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. Sabatasso stated that in October to November the water meter showed a large water leak that actually never happened. There was never a water leak as he had a plumber check the building and the plumber could not find a leak. Mr. Sabatasso said at some point the leak repaired itself.

Chair Doenges then asked if anyone else wanted to give testimony. Gail Gorruso, Business Manager for Department of Public Works read a memo to the record.

There was a brief discussion from the Board.

Chair Doenges explained to Mr. Sabatase 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.

At 5:48 PM Chair Doenges closed the open hearing.

Chair Doenges then moved on to the request for 34 Moonbrook Drive.

John "Jay" Sabatase: 34 Moonbrook Drive

Chair Doenges introduced the request for John "Jay" Sabatase. Chair Doenges asked if any member of the Tax Abatement Board would be testifying, if there were any conflicts of interests or ex-parte communication. Chair Doenges, Alderman Cupoli and Alderman Talbott all stated that they had spoken with Mr. Sabatase about his request. Chair Doenges asked Mr. Sabatase if he had received the Board rules on procedure for this hearing. Mr. Sabatase acknowledged that he had. Chair Doenges read the criteria checked by Mr. Sabatase for his request for abatement. Taxes of Charges 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. Sabatase stated that when the technician arrived to change out the water meter, he did not have time to do the job and would reschedule to the following Monday. Circumstances beyond Mr. Sabatase's control would not allow the change out to occur on that Monday. The change out was completed soon after COVID and Mr. Sabatase is requesting all fees and penalties be waived. He has had several discussions over the past years with the water department and said the department was going to handle it internally.

Chair Doenges then asked if anyone else wanted to give testimony. Gail Gorruso, Business Manager for Department of Public Works read a memo to the record.

There was a brief discussion from the Board.

Chair Doenges explained to Mr. Sabatase 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.

At 6:00 PM Chair Doenges closed the open hearing.

Chair Doenges then moved on to Treasurer Markowski, abatements for uncollectable amounts.

Treasurer Markowski; Abatements for Uncollectable Amounts

Treasurer Markowski requested the Board of Tax Abatement review the requests from the May 8, 2023 Abatement Meeting. The requests had been approved by the Board, however, then City Attorney Bloomer was uncomfortable drafting the decision and the Treasurer withdrew the requests. The Treasurer noted that these were related to delinquent personal property tax accounts. The Treasurer posted adjustments based on the Board of Tax Abatement approval and was looking for Board approval for the adjustments that were made based on the request of May 8, 2023. The specific request is listed below:

Item A

A.) The following accounts have been identified as uncollectable as they are over 15 years old and the lien can no longer be enforced, under Title 32 Section 5061 – Force and Effect of Lien.

#16264 – David Allen – abatement of \$67.95

#16752 – Interconnect Telecommunication – abatement of \$1,412.65 (Elias Bankruptcy)

#16752-16752 – Interconnect Telecommunication – abatement of \$40.80 (Elias Bankruptcy)

#17336 – White Sand Dunes – abatement of \$52.39

A motion was made and seconded (Davis, Savage) to write off the following:

#16264 – David Allen – Abatement of \$67.95

#16752 – Interconnect Telecommunication – abatement of \$1,412.65 (Elias Bankruptcy)

#16752-16752 – Interconnect Telecommunication – abatement of \$40.80 (Elias Bankruptcy)

#17336 – White Sand Dunes – abatement of \$52.39

Motion passed.

Item B

#16484 – Timothy Cook Convenient Medical Care (Personal Property) – Foreclosure on 3/31/22 and all the property was taken at that time. Abatement of \$1,162.16

A motion was made and seconded (Davis, Savage) to write off the following:

#16484 – Timothy Cook Convenient Medical Care (Personal Property) – Foreclosure on 3/31/2022 and all the property was taken at that time. Abatement of \$1,162.16.

Motion passed.

Item D

This request for removal of small balances in the amount of \$20.79 was not posted and was withdrawn.

A motion was made and seconded (Barbagallo, Davis) to approve the removal of small balances in the amount of \$20.79. **Motion passed.**

At 6:04 the open hearing closed.

At 6:05 PM the Board of Tax Abatement moved to enter into deliberative session.

At 6:23 PM the Board came out of deliberative session.

At 6:23 PM, Chair Doenges noted he would entertain a motion to adjourn. So moved (Davis, Savage).

Motion passed.

Respectfully submitted,

Tracy L. Kapusta

Clerk, Board of Tax Abatement