

Minutes of Board of Abatement Meeting
Wednesday, February 20, 2013

Board of Civil Authority Present:

Robert Vasseur, Chair (Robert), Tony Egan (Tony), Fred Spencer (Fred), Ann Day (Ann), Patti Lewis (Patti), Tom Bisbee (Tom), Gussie Graves (Gussie), Rick Rayfield (Rick), and Ed Read (Ed)

Guests Present:

Indulis Dikmanis

9:04 a.m. – Robert called the meeting to order.

Parcel ID# 07-092– Indulis Dikmanis

Mr. Dikmanis explained that Hurricane Sandy had hit his area hard, described damages that were done, the services that were affected, the lack of electric and gas, and the inability of people to get to work.

He went to his post office to mail the property tax check but due to shortened postal hours, the outside mail box was the only place to leave it.

He stated that New Jersey allowed payments up to a month late due to the circumstances. He had attempted to mail on time but that payment was delayed due to a dysfunctional postal service and that the Town received payment only two days late.

Mr. Dikmanis asks that the Board of Abatement remove the penalty as he feels this is an unfortunate situation and does not believe the assessed penalty is warranted.

The (Board) noted that tax bills were mailed in July, due thirty days thereafter (August 15), the delinquent date of 11/1/12 (three and a half months from mailing), Mr. Dikmanis' past history of late payments, and the fact others in affected areas had paid on time.

Mr. Dikmanis responded that the history of late payments was true but he never complained those years either as he understood when it was his fault. This time however, he had made a point to mail the payment on time and the result was out of his control.

Mr. Dikmanis noted some of his other payments that had arrived late as a result of Hurricane Sandy, such as his credit card. When he called the credit card company they understood.

Mr. Dikmanis summarized by saying that he hopes the Board appreciates the circumstances and had the post office been able to hand stamp, it would have shown legal payment. The post office stamped it on 11/2/12. When questioned further he stated that he had dropped the check at the post office on Wednesday, October, 31, 2012 in the outside container at about 2p.m. When questioned how he got to the post office with so

much damage he stated he walked. Mr. Dikmanis restated that the only thing he could do was put it in the outside post office box and that he made an honest attempt to make sure the Town received the payment before the deadline.

BOA thanked Mr. Dikmanis for his time, explained they would now deliberate and get back to him with the decision.

9:21 a.m. – Rick made a motion to go into deliberative session. Tony seconded, no further discussion, all in favor, motion carried.

9:42 a.m. – Ed made a motion to close deliberative session. Ann seconded, no further discussion, all in favor, motion carried.

Ann made a motion to deny Mr. Dikmanis' request for abatement of interest and penalty because the Board of Abatement felt there was sufficient advance notice of the storm and sufficient time to pay. Ed seconded. No further discussion. Six (Ed, Robert, Gussie, Tony, Ann and Fred) voted in favor of the motion and two voted against (Tom and Rick). Motion carried by the majority.

Patti Lewis recused herself due to a possible perceived conflict of interest as delinquent tax collector.

9:43 a.m. – Rick made a motion to adjourn. Tom seconded, no further discussion, all in favor, motion carried.

Respectfully Submitted:

Patti Lewis

Approved:

Date: _____