

Board of Abatement

1/15/20

Board Present: Jared Cadwell, (Jared), Chuck Martel (Chuck), Sarah Stavraky (Sarah) Doug Mosle (Doug), Rick Rayfield (Rick), Patti Lewis (Patti), Peter Forbes (Peter), Mike Jordan (Mike)

Appellant: Matthew Kenny - Parcel ID# 10-039

9:35 a.m. – Jared called the hearing to order to consider an abatement request by Matthew Kenny (Matthew). He introduced the Board of Abatement (Board) members and administered the oath to Matthew.

He asked for any conflict of interest and Patti recused herself from any vote as she is also delinquent tax collector.

Jared asked Matthew if he had any questions about the rules of procedure to which Matthew responded he had none.

Jared asked Matthew to identify the abatement statute category under which he was making his request. Matthew replied he did not believe it fell within any of those statutory categories. Jared then asked him to state as clearly as he could his reason for the request.

Matthew explained his residency in Delaware, part time resident of Vermont, his history of faithfully paying his taxes, his involvement in the Mad River Glen Coop, and his Presidency of the Mad River Homeowners Association (past and present).

He stated that his bills had been paid via bank auto pay or through his mortgage in the past.

He said that he had moved in 2018 to Delaware and had his mail forwarded to Vermont, then back to Delaware and then again to Vermont. He was unaware that his forwarding order at some point expired and never saw the original tax notice. He only became aware of taxes due when he received a delinquent tax notice in his Mad River mailbox.

Upon receiving the delinquent tax notice, he came in to speak with Patricia (Patti) and understood he should know that taxes are due in November but that he never saw the bill with the moving, retiring, and living on a fixed income. He understood the penalty was punitive and not economical and hoped the Board would not judge him punitively as he has been a good tax paying citizen for years. He is hoping the Board will give him a break vs. paying over \$500.00 in penalty and fees. He has established residency in Delaware but going forward he will remember to pay his bill when he is in Vt. in August, September, or October.

Doug stated that the Board has in the past tried not to establish precedent that would get the Board in trouble down the road and noted that several people at the table had found themselves in the same position in the past.

Jared asked if he had clarified the address situation going forward to which Matthew said yes, he had changed his address with the Town.

MAILED 1/29/20

Matthew further explained a post office system he has set up whereby they take photos of his mail so that he knows what is out there to be delivered.

Rick, to be clear, asked Matthew if he had done a thorough and careful look at the statutory categories for criteria to appeal. Matthew said he did.

Jared noted there Matthew had presented a pretty clear basis for his request and said he would entertain a motion to close the hearing and move into deliberative session.

Matthew commented that he felt it was at least worth the time to come to the Board and explain, was not trying to skirt the issue, but even a lesser fine would be helpful.

10:00 a.m. Rick made a motion to close the hearing and move in to deliberative session. Peter seconded. No further discussion, all in favor, motion carried.

10:10 a.m. Mike made a motion to close deliberative session. Sarah seconded. No further discussion, all in favor, motion carried.

**DECISION MADE:**

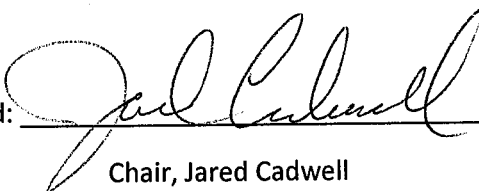
Rick made a motion to deny the request for abatement as there was no statutory reason to support the request. Sarah seconded. No further discussion, all in favor, motion carried.

Jared noted that Patti will type the minutes/decision, circulate to the Board, and send approved minutes/decision to the Matthew within thirty days.

10:15: Rick made a motion to adjourn. Sarah seconded. No further discussion, all in favor, motion carried.

Respectfully Submitted:

Patti Lewis

Approved:   
Chair, Jared Cadwell

Date: 1.28.20