

Minutes of Board of Abatement Meeting  
Monday, November 26, 2012

Board Present: Robert Vasseur (Robert), Lisa Koitzsch (Lisa), Ed Read (Ed), Tom Bisbee (Tom), Tony Egan (Tony), Fred Spencer (Fred), Rich Rayfield (Rick), Ann Day (Ann) and Patti Lewis (Patti)

Guests Present: Tom Folger and John Forelli

8:08 a.m. – Robert called the meeting to order.

Parcel ID# 06-052-001 – Thomas Folger  
Robert swore in Mr. Folger

Mr. Folger thanked the Board of Abatement (BOA) for meeting this early to hear his request and explained his circumstances. He said that the BOA is probably asking why he did not pay his taxes in August, or September or October rather than wait until the last minute and his reason is that he is retired and has no income but for social security and a small pension. While he has plenty of assets and is not pleading poverty he has to sell assets to meet his obligations and tries to manage them accordingly. Due to tropical storm Sandy and the NY Stock Exchange and phones being down he was unable to make the transfers. See letter attached.

Robert noted he would recuse himself from the vote for Mr. Folger due to their long friendship and history.

Rick asked Mr. Folger what he was asking from the BOA. Mr. Folger replied he was seeking abatement of penalty only as he understood he had use of the interest portion while the Town of Fayston did not.

BOA explained that 4% of the penalty went to the Town and 4% to the delinquent tax collector.

Robert suggest that if his request was denied that he would want to pay the balance on his account as soon as possible to not incur more interest. Mr. Folger was willing to leave a check with the BOA but they said that he would be hearing back form the BOA with a decision within five days.

8:26 a.m.

Parcel ID# - 11-006 – John Forelli  
Robert swore in Mr. Forelli

Mr. Forelli explained that due to super storm Sandy this payment was thrown off kilter and felt there were extenuating circumstances and that he had always paid on time. He is looking for relief of penalty and not the interest. He in in the financial world and understands the interest situation. See attached letter.

Lisa noted that while he has never been delinquent he has always paid right on the edge of the due date and wondered why. Mr. Forelli said that at his closing the attorney had told him that while taxes were due in August he had until November 1<sup>st</sup> to pay them. While this is true he may think about paying earlier in the future.

8:33 a.m.

Parcel ID# 06-099 – Lucia Putnam

Mr. and Mrs. Putnam were not present. The BOA reviewed the attached letter which explains a medical situation that Mrs. Putnam encountered during October 2012.

8:37 a.m. Lisa made a motion to go into deliberative session. Ed seconded, no further discussion, all in favor, motion carried.

8:50 a.m. – Lisa made a motion to close deliberative session. Ed seconded, no further discussion, all in favor, motion carried.

Actions Taken:

Patti recused herself from the vote due to a possible perceived conflict of interest as she is the Fayston Delinquent Tax Collector.

Ed made a motion to deny Mr. Folger's request for abatement of penalty due to the fact that there was plenty of time to prepare for tax payment and leaving it to the last minute, with the forewarning of the storm, seems unreasonable. Lisa seconded.

Rick made a motion to amend the original motion by granting abatement of 50% of the penalty. Tom seconded. Some discussion followed.

Robert asked for a vote in favor of the amendment to the motion. Rick, Tom and Ann voted in favor. Robert asked for a vote opposed. Ed, Fred, Tony and Lisa voted against. Amendment to motion denied by majority.

Robert asked for a vote in favor on the original motion. Ed, Fred, Tony and Lisa voted in favor. Robert asked for a vote opposed. Rick, Tom and Ann voted against. Original motion to deny Mr. Folger's abatement request carried by majority.

Ed made a motion to deny Mr. Forelli's request for abatement of penalty due to the fact that there was plenty of time to prepare for tax payment and leaving it to the last minute, with the forewarning of the storm, seems unreasonable. Ann seconded.

Rick made a motion to amend the original motion by granting abatement of 50% of the penalty and then withdrew the motion due to lack of a second.

Robert asked for a vote in favor of the motion. Robert, Tom, Ann, Tony, Fred, Ed and Lisa voted in favor. Robert asked for a vote opposed. Rick voted against. Motion to deny Mr. Forelli's request carried by the majority.

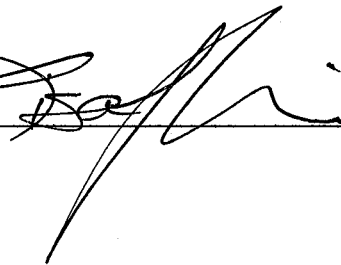
Lisa made a motion to deny Mrs. Putnam's request for abatement of penalty due to the fact there was ample time to pay the taxes prior to leaving Vermont for medical reasons. Ed seconded.

Robert asked for a vote in favor of the motion. Robert, Tom, Ann, Tony, Fred, Lisa, Ed and Rick voted in favor. No opposed. Motion carried by the majority.

8:58 a.m. – Ed made a motion to adjourn the meeting. Robert seconded, all in favor, motion carried by majority.

Respectfully Submitted:  
Patti Lewis

Approved: \_\_\_\_\_



Date: \_\_\_\_\_

11/29/12