

TOWN OF FAYSTON
BOARD OF ABATEMENT

MINUTES OF MEETING
OCTOBER 24, 2011

Board of Abatement (BOA): Robert Vasseur, Lisa Koitzsch, Jared Cadwell, Rick Rayfield, Gussie Graves, Ann Day and Patti Lewis

Taxpayer: Stellan Wollmar

Board of Abatement meeting called to order at 10:10am.

See attached letter from Stellan Wollmar dated October 10, 2011. Mr. Wollmar briefly reviewed this information. Jared Cadwell asked if Mr. Wollmar had a copy of the notice from the State indicating he had filed his tax adjustment paperwork on time. Mr. Wollmar said he could get it for the BOA.

Mr. Wollmar is requesting that \$540.00 in interest and penalty be abated. This is based on an 8% late penalty and interest averaged at 10% over the past year on the estimated \$3000.00 that he should have received for a tax adjustment in 2010.

BOA discussed the issue of whether they had the authority to decide on the 4% penalty that the Delinquent Tax Collector (DTC) receives.

Gussie Graves suggested that if the BOA makes a decision to abate that the Town should make the adjustment and not involve the DTC at all.

Lisa Koitzsch brought attention to the handbook from the Vt. Secretary of State Office on Abatement, page 5, quotes 24 V.S.A. Section 1535, noting that the BOA "may only abate interest and penalty proportionately to the taxes abated. Abatement should not be used to remove interest and penalty from a late payer (even one who had a very good excuse for being late) unless tax is also being abated."

The BOA seemed inclined to agree with Mr. Wollmar that he deserved some tax relief due to his relying on tax software that had worked for him in the past and his history of filing timely tax adjustment forms.

In order to grant Mr. Wollmar some relief and to work within the guidelines as stated above the BOA decided to abate the taxes themselves (not interest and penalty which will remain the same and continue to accrue until paid in full) in the amount of \$540.00.

Lisa Koitzsch made the motion to abate \$540.00 of Mr. Wollmar's 2010 taxes. Ann Day seconded, no further discussion, all in favor, motion carried.

BOA meeting adjourned at 10:37am.

Respectfully Submitted:
Patti Lewis
Town Clerk/Treasurer