

Waterbury Board of Abatement Meeting
October 17, 2016
Steele Community Meeting Room ~ 28 North Main Street

Present: D. Schneider, C. Viens and J. Brown, Select Board; P. H. Flanders, N. Sherman and L. Sayah, Trustees; P. Baker, W. Woodruff and D. Sweet, Listers; C. Lawrence, Treasurer; P. Sabin, J. Barker, L. Parks, K. Grace and R. Lloyd, Justice of the Peace; and W. Shepeluk, Municipal Manager.

Public: Wade Hodge and Whitney Aldrich.

The meeting was called to order at 6:15pm.

Property at 3579 Waterbury Stowe Road owned by the Estate of Marie Flatow

W. Shepeluk explained that the Administrator of the Estate has requested abatement based on the criteria that Ms. Flatow was insolvent at the time of her death. The property has been turned over for tax sale to the Town Attorney and it is the Attorney's point of view that it is not a realistic claim, as the possession of real estate works against the assertion that Ms. Flatow died insolvent. C. Lawrence read additional comments submitted via email by the Administrator, who was unable to attend the meeting. The assessed value of the property is \$297,500 and taxes, interest and penalties for 2015 total \$6,243.31. K. Grace stated that the home is rented periodically for estate sales. P. Sabin made a motion to abate 2015 taxes. The motion was seconded by D. Sweet and failed unanimously (Trustees excluded as no Village taxes on the property).

Property at 5 Healy Court owned by Wade Hodge and Whitney Aldrich

W. Shepeluk stated that this property was damaged in Tropical Storm Irene. The Town applied for a grant from FEMA for a home elevation project, in which they are participating. The initial cost of the project was \$93,000. The project has gone sour in that FEMA has raised issues with item eligibility and whether certain elements of the project should move forward. Work on the project stopped on July 18th due to disputes with FEMA. Recently, determinations have been received from FEMA to move forward.

W. Shepeluk stated that it was reasonable to expect the contractor to be done with work on August 5th, whereby the homeowners could have moved back in on August 6th. The Town has been a party to the problems that have occurred. He suggested that August 6th is the day they should have returned to their property. There is an expectation that they should be able to return to their property some sometime in November. W. Shepeluk reviewed a formula with the same factors as used in abatements during Tropical Storm Irene:

- The tax year will be considered to run from April 1, 2016 to March 31, 2017
- The number of days counted as lost would be from a date certain (August 6th) to the date the property was repaired to the degree the owner is able to begin moving in.
- The percentage of the tax abated would reflect the percentage of the year during which the owner had 'lost' the use of the property, i.e. if the 'lost' period was 30 days, that is 8.2% (30/365) and the approved abatement would be 8.2% of the billed taxes.

K. Grace made a motion to make a partial abatement of 2016 property taxes using the formula as explained by the Municipal Manager as used for Tropical Storm Irene abatements, with completion date to be determined by the Manager. The motion was seconded by P. Sabin and passed with one abstention by P. H. Flanders, who may be part of the home elevation project.

There being no further discussion, the meeting was adjourned at 6:40pm.

Respectfully submitted,

Carla Lawrence, Town Clerk & Treasurer