



Town of Panton Chartered 1761

**3176 Jersey Street, Panton VT 05491-9331
802.475.2333, Fax 802.475.2785**

Board of Abatement

November 12, 2019

Board of Abatement Member's present: Paul Sokal, Diana Raphael, David Sullivan, Howard Hall, Teresa Smith, and Town Clerk/Treasurer Pam Correia. Also present was Delinquent Tax Collector Barbara Fleming, Abbie Winsten, and Alan Fogg.

At 5:32pm, Howard Hall called the meeting to order.

2. Teresa Smith moved to accept the August 26, 2019 minutes as written, Dave Sullivan seconded. The motion passed.
3. Public Comment - There were no public comments.
4. Abatement Request – An abatement request was received on October 1, 2019 from Abbie Winsten for her property located at 2044 Lake Road. Abbie is seeking relief from the penalty and interest assessed on the FY2016/17 taxes since, as she stated, was a new homeowner and one day late paying her taxes.

The Board agreed that the abatement request from Abbie Winsten was identical to the previous abatement request received from Steven & Judy Weber on August 1, 2019 in that they too were new property owners and not aware of taxes due.

Paul Sokal moved to refund the penalty and interest in the amounts of \$289.00 and \$38.78 to Abbie Winsten citing 24 VSA § 1535(a)(6) “other good cause as determined by the Board of Abatement”. Teresa Smith seconded. Howard Hall then asked for a vote which resulted in five (5) in favor, zero (0) opposed, and one (1) no vote. The motion carried.

5. Abatement Request – An abatement request was received on November 8, 2019 from Alan & Alexandra Fogg for their property located at 358 Lake Road. The Fogg's are seeking relief from the penalty and interest assessed on their property formerly owned by Puneet Rikhy for the

FY2018/19 taxes since, as they stated, never received the notice of delinquent taxes due until October 24, 2019. The Fogg's purchased their property from Puneet Rikhy on September 4, 2018. The tax proration at closing was based on the original tax bill dated August 17, 2018 not the corrected tax bill dated October 5, 2018; therefore, leaving a balance due.

The Board further discussed the prorated share of the outstanding principal balance due on the corrected tax bill and concluded that Puneet Rikhy, the seller, is responsible for \$708.10 and Alan & Alexandra Fogg are responsible for \$1,142.06. The Fogg's confirmed that they agree to pay their prorated share less any penalty and interest due to the untimely receipt of the delinquent notice.

The Board discussed the time period of when the FY2018/19 original and corrected tax bills went out to the taxpayers as well as the newly implemented welcome letter to new property owners, reiterating that the bill goes to the original owner. Dave Sullivan expressed his concern that Pantown can take advantage of being a small town and do a welcome letter, but larger towns do not. Dave added that this could be a slippery slope when someone else does not get a notification such as a new dog owner. He stated that someone could argue this point and wondered when has the Town done enough. Dave stated that the negative side to this situation is money is being taken away from the budget and believes there is some fiscal responsibility. Paul Sokal stated that it is the Town's prerogative to initiate the welcome letters and believes it is fine to do so. Paul added that the Fogg's situation is different in this case than other new property owners. Teresa Smith stated that the Town is trying to be proactive and suggested sending the welcome letter out as a certified mailing to new property owners to ensure receipt. Barb Fleming expressed her concern about why the taxes are not being taken care of at closing. Dave conveyed that within the total penalty and interest amounts due, only the portion belonging to the Fogg's should be the amount abated.

Teresa Smith moved to abate to the Fogg's the \$102.78 assessed interest and \$91.36 assessed penalty totaling \$194.14 citing 24 VSA § 1535(a)(6) "other good cause as determined by the Board of Abatement". Dave Sullivan seconded. Howard Hall then asked for a vote which resulted in six (6) in favor, zero (0) opposed. The motion carried.

The Board expressed concern regarding Puneet Rikhy, the seller of 358 Lake Road, paying the outstanding balance and would like to see a larger effort in trying to locate Mr. Rikhy.

At 6:26pm, Teresa Smith moved to adjourn the meeting. Howard Hall seconded. The motion passed unanimously.

Respectfully submitted,

Pam Correia
Town Clerk/Treasurer

DRAFT