

BOARD OF CIVIL AUTHORITY MINUTES
AUGUST 18, 2017 @ 6 PM
MUNICIPAL CONFERENCE ROOM

Present: Jim Magner, Cheryl Dunn, Tawnia Pearo, Cheryl Moomey, Chuck Pease, Herbie Pearo, Barbara Baker, Alton Bruso, Armand Premo, Danielle James Choiniere, Lawrence Miller

Meeting was called to order by Chair Armand Premo at 5:59 PM.

APPROVAL OF MINUTES

Alton Bruso motioned to approve minutes from 8/3/17. Chuck Pease seconded, all in favor. Minutes approved.

Barbara Baker motioned to approve 9/22/16 minutes. Alton Bruso seconded, all in favor. Minutes approved.

GRIEVANCE – 2636 Alburgh Springs Road - \$233,900

Lawrence Miller addressed the board at 6:02 PM. All took oath of proper conduct. He explained he'd started looking at properties in fall of 2016. All were MLS, realtor-based properties and the realtors did all negotiating. The property was listed for \$199,900 and was brought down to \$190,000. Mr. Miller did an inspection with the seller. When it was originally on the market in October 22, 2015, it was \$225,000 before dropping to 199,900. It was purchased in January 2017. An appraisal done the same month totaled \$190,000.

Mr. Miller looked at online state statutes for tax appeal criteria. The estimated fair market value is what it'll sell for, the property's use, functional elements, etc. Sale price is one component, but not the only one. It's a 1960's house, no tile in the bathroom, no granite counter tops, there's a fireplace insert that does not heat sufficiently so the pipes must be drained in the winter. So, it is a seasonal residence. It looks like it had been left alone since 1960.

A friend of his, who is a member of a BCA board, had verbally told Mr. Miller an attorney's opinion that the goal of property tax appraisal is no one should have to pay more than their fair share.

During Mr. Miller's grievance meeting with the listers, he said their main argument was the whole town was overassessed and one property could not fairly be lowered without lowering ALL properties in town. Mr. Miller felt that was not a great argument and that if enough taxpayers complain, it can drive a town-wide reassessment.

In conclusion, he felt his assessment should be lowered from \$233,900 to \$190,000.

There were no questions.

Jim Magner for the listers said every Alburgh property is overassessed. Mr. Miller's property had a 19% difference in sale price to assessed value. The comparables Mr. Miller used in his grievance have a 26% and 18% difference. Jim would love to reduce the assessment, but took an oath as a lister to treat everyone fairly, and to give Mr. Miller a break would not be fair. The listers have been trying to get the town Select Board and state to do a town-wide reappraisal. Listers are strongly discouraged in their handbook to "chase sales" when comparing what other houses sell for regarding property assessment. Jim will turn over all data the listers have to the BCA board.

Mr. Miller said that's not a legal argument if it's a fundamental problem in town. The town should do something about it. His property meets the criteria for a legitimate price and sale. It was on the market for a while.

Jim said the state mandates a reappraisal if assessments are 20% out of bounds. If it gets high enough, the town's school money from the state is at risk. In 2006 Alburgh was 60% out of bounds. Unfortunately, the reappraisal completed in 2011 was during an economic roller coaster.

Chair Armand Premo stated normal procedure is to do an inspection and look at documentation. The appellant may go to the state appraiser or superior court.

Alton Bruso said neighboring lakefront was listed the same as the appellant's. If everyone's assessment was lowered, tax amounts would not decrease. Herbie Pearo agreed. Looking at the lister card for 2636 Alburgh Springs Road, Barbara Baker pointed out the biggest assessed fee is the land.

Jim Magner asked what the house was currently insured for. The appellant didn't know. Jim predicted he'd be surprised if he asked.

After a brief recess, a visiting team was assembled: Herbie Pearo, Cheryl Dunn, and Alton Bruso. Herbie motioned to inspect the property Saturday, August 26th at 12 PM. Chuck Pease seconded, all in favor. Motion carried.

The property's information will be held by Danielle James Choiniere until the meeting of the inspection committee's results.

Cheryl Dunn motioned to end the hearing at 6:40 PM. Barbara Baker seconded, all in favor. That portion of the meeting adjourned.

CHECKLIST REVIEW

Barbara Baker motioned to send the following challenge letters based on lack of residency in the Town of Alburgh: Allison Alexander, Melissa Arcand, Timothy Bohannon, Deidra Losaw, Caroline Mackin, Edward Paya, Robert Polk, Stacie Reed, Kate Riley, Steven Riley, Colleen Roberts, Janet Rothschild, Brittany Rousseau, Darin Shirk, Sarah Vincent, Alan Walsh, Robert Wyckstrom, Patrick Parah, Lisa Parah, Martha Walton, Eric Johnson, Virginia Johnson, Joseph Chevalier, Cornelia Genest, Angela Holmes, James Martin, Sarah McGinnis, Eric Weiss. Chuck Pease seconded the motion, all in favor. Motion carried.

ADJOURN

Cheryl Dunn motioned to adjourn the meeting. Herbie Pearo seconded, all in favor. Meeting adjourned.

These are draft minutes not scheduled for approval until the next BCA meeting.

Respectfully submitted,
Danielle James Choiniere