

**Board Of Civil Authority**  
**July 28, 2014**  
Minutes

The East Montpelier Board of Civil Authority met on Monday, July 28, 2014 as warned.

**Board Of Civil Authority**  
Hearing / Meeting  
Monday July 28, 2014  
At the Town Municipal Building  
6:30 pm meeting 7:00 pm hearing

6:30 BCA **MEETING** 2014 Primary Election-location order- Voter Checklist update-  
Town Meeting Review-2014 General Election  
7:00 BCA&A **HEARING** Sibley-abate of penalty and interest  
7:15 BCA&A **HEARING** Smith-abate of penalty and interest  
Other Business/Discussion  
Adjourn

PRESENT: Jan Aldrich, Rob Chickering, Sue Clayton, Rich Curtis, David Grundy, Julia Haynes, Carl Etnier, Florence Morse, Teresa Conti, Steve Sparrow, Casey Northrup, Donald Welch-treasurer, Putnam Clayton-lister.

Chair Grundy opened meeting at 6:30 pm.

2014 Primary Election - location order. First item discussed was that, due to the reconstruction at the Elementary School and the fact that August 26<sup>th</sup> falls during the first week of school, the Primary Election location need to be held at a different location. The Town Office was chosen, and Town Clerk Conti does not anticipate a large voter turnout. Motion ordered with second received. All voted in favor to move the 2014 Primary Election voting polls to the Town Office from 7:00am to 7:00pm.

2014 General Election - location consideration will be looked into as this event will be more involved in voter participation. Town Clerk Conti will check with U-32 for using the Atrium. A suggestion also was presented to use the Fire Department Station #1 on Templeton Road.

Voter Checklist update - additions and deletes were reviewed. No questions or concerns.

Town Meeting 2014 - mini review. Discussion of the many favorable points of holding Town Meeting at U32 included the plentiful parking, spaciousness of the voting booths and comfortable setting for the Town Meeting in the auditorium. It was recommended that better signage be provided for voters to check-in at the auditorium rather than at the polls for Town Meeting participation. It was also brought up that the EMES School Board Chair Rubin Bennett had requested that the Town Meeting be held at the elementary school, and that the school go first at next year's Town Meeting so that attendance would be greater for the presentation of the new construction.

Members of the Board of Abatement (treasurer and lister) able to join in the discussion for the hearings as follows:

7:00 BCA&A HEARING Sibley-abate of penalty and interest Summary=property owner requested copy of tax bill to pay May installment. Copy pulled from bill file, scanned and emailed to her. Come to find out, the revised copy was not attached to the bills resulting in the incorrect amount due. However, she did pay the correct amount in November, as she had received her revised copy of the tax bill. Account status shows no payment issues over past years. Requested amount of abatement is \$7.45 (with accumulated interest)

Members reviewed the correspondence provided. Town Clerk Conti provided narration of the error regarding the tax bill, the revised tax bill and the email to Ms. Sibley with the incorrect amount due. The board reviewed the criteria for abatement and determined that this abatement could be approved based on Vermont Abatement Statutes 24 V.S.A. section 1535 (a) (4)-Manifest Error.

With motion and second received to approve the abatement in the amount of \$7.45 for the delinquent property taxes on this parcel based on Vermont Abatement Statutes 24 VSA Section 1535 (a) (4)-Manifest Error. All voted in favor, motion passed and be it so ordered.

7:15 BCA&A HEARING Smith-abate of penalty and interest Summary=property owner had made the tax bill check out and remitted the payment in an envelope, only it was the envelope that he had self-addressed to himself for a receipt. He filed the envelope away unaware of his error until he received notice from Town. Account status shows no payment issues over past years. Requested amount of abatement is \$384.60 (penalty amount).

Members reviewed the correspondence provided. Discussion included the appreciation of the explanation for the error in the delinquency of the taxes. However, the matter of human error is not included on the criteria for abatement. Motion made with second received to deny the abatement request for the amount of \$384.60 based on no criterion in the Vermont Abatement Statutes 24 VSA Section 1535. All voted in favor and motion passed. Request denied.

Other Business/Discussion-topic of new open meeting laws discussed particularly the posting of agenda within 48 hours of meetings and hearings, as well as the posting of minutes within 5 days.

Adjournment motion with second received. All voted in favor and meeting and hearing adjourned at 7:20 pm.

Respectfully submitted,

Teresa E. Conti  
Town Clerk