

Wallingford Board of Abatement
Minutes
July 14, 2016

Present: Board members for Justice of the Peace were Chair Wendy Savery, Sue Thayer, Sandy Eddy, Tom Truex, Judy Edmunds, Lynn Edmunds; Selectboard members Rose Regula and Nelson Tift; Town Listers Russ Lattuca and Jane Quigley, and Town Clerk and Treasurer Julie Sharon

W. Savery called the meeting to order at 9:00 a.m. Nominations for chair were taken. T. Truex nominated Wendy Savery as chair. Judy Edmunds seconded the nomination. As there were no other nominations, W. Savery was elected chair by unanimous vote.

There were no changes or additions made to the agenda.

David Cooke took the oath. He distributed various paperwork including a letter dated July 12, a copy of the Vermont statute 24, Ch. 51, §1535, the definition of "offense", a copy of his cancelled check along with an account transaction detail print out that showed when the check was paid. Mr. Cooke read his statement that included the following major points: he mailed his payment from Sarasota, Florida on April 1st; payment was received by the Town on April 19th, his check was cashed on May 6th; and that the delinquent tax collector's statement was received on May 16th.

Mr. Cooke cited V.S.A. 24, §1535(4) taxes in which there is manifest error or a mistake of the listers under as the reason he was seeking abatement. He contends that "someone" committed manifest error in handling his tax payment, from the United States Postal Service to the Town Office.

The Board convened the meeting at 9:14 a.m. until after the Board of Civil Authority hearings.

The meeting reconvened at 11:02 a.m. and entered deliberative session. (The listers were no longer present.) The Board came out of deliberative session at 11:10 a.m. Tom Truex made a motion to abate the interest and penalty. Rose Regula seconded the motion. The motion failed (0-9). Judy Edmunds made a motion to abate \$173. Rose Regula seconded the motion. The motion passed (5-4).

There was no other business to be heard.

The meeting adjourned at 11:12 a.m. on a motion made by R. Regula, and seconded by J. Edmunds. The motion passed unanimously.

Julie M. Sharon, Town Clerk