

Minutes of the Meeting of the Norwich Board of Listers

15 December 2014, Tracy Hall

Present: Liz Blum (Chair), Cheryl Lindberg (Listers); Bill Krajeski (Assessor); Bill Tobin (District Advisor, Property Valuation & Review); Neil Fulton (Town Manager); Jonathan Bynum (Clerk & Scribe)

Members of the Public Present: Robert Dunn; Cecilia Tseng

Absent: Ernie Ciccotelli (Lister)

Blum called the meeting to order at 12:01 pm.

1. Review and Approval of Agenda

Lindberg **moved** (2nd Blum) to approve the agenda, with the change that Item 3 (Approval of Prior Minutes) be postponed until after Item 4 (Discussion of Possible Errors & Omissions). Motion **passed 2-0**.

2. Public Comments

None.

4. Discussion of Possible Errors & Omissions request to the Selectboard involving parcels 05-123.000 (Elbow Cooperative), 05-123.100 (Pamelia Smith) and 05-123.200 (Robert Dunn & Cecilia Tseng)

Blum noted that two of the three members of the Elbow Cooperative were present (Dunn & Tseng). The third member, Pamelia Smith, was unable to be present. The request is time sensitive, since 12/30/14 is the deadline for the Selectboard to make changes to the 2014 Grand List.

Krajeski gave some history. The Elbow Cooperative is a 33 acre parcel on Ladeau Road, with 29 acres enrolled in Current Use and 2 dwellings on 4 excluded acres. In 2013 the property had been listed as 3 parcels with all the acreage on the Elbow Cooperative parcel, which reduced the income sensitivity eligibility of the Cooperative members. The Listers fixed this at grievance by transferring a 2 acre housesite on to each of the 2 dwelling parcels, thereby reducing the listed Elbow Cooperative parcel from 33 to 29 acres. The passing of Pamelia Smith's husband, John Healy, necessitated that the Cooperative file new paperwork with Current Use for 2014, which apparently brought an issue to the State's attention.

Krajeski continued that the State is unhappy with the way this property appears on the Grand List, since the Cooperative owns everything, including the dwellings, so that the property should technically be listed as a single parcel, rather than as 3 parcels. There is a mechanism whereby members of a Cooperative may file for income sensitivity. The proposed change for 2014 is purely one of housekeeping, combining the 3 parcels into 1,

and the 3 tax bills into 1, with no change in overall assessment, taxes due, or income sensitivity.

Blum asked Dunn if he had any comments. Dunn related that he had spoken to Jim Knapp, the Interim Director of Property Valuation & Review (PV&R), and someone else in the Department of Taxes. This other person had said that, in order to apply for income sensitivity, the Cooperative members would need to obtain a “Lister Certificate of Housesite Value” every year, and file their Homestead Declaration in paper form. Dunn was very worried that losing the SPAN attached to his housesite would cause problems in receiving his income sensitivity payments. He noted the extra work PV&R’s proposed change entailed both for the Cooperative members and the Lister/Assessor’s Office, and continuing difficulties this unusual case would likely cause in the future in light of personnel turnover both at the Town and State levels.

Tobin admitted that the proposed change would pose a challenge to the computerized system, which is set up expecting one homestead declaration per SPAN, whereas the Elbow Cooperative SPAN would have 2 homestead declarations. There were other unanswered questions about how income sensitivity would be received, and how confidentiality would be maintained.

Dunn said that, having consulted with his attorney, they were requesting that Elbow Cooperative be given an opportunity to fix the problem.

Lindberg noted that the system was working fine for the taxpayers in 2014, and that in the absence of more precise answers about how things would work under the proposed change, she was inclined to leave the parcels listed as they are for the present.

Tobin interjected that if the change was not made, Norwich’s Current Use would not “balance,” and that there might be significant consequences to the Town in terms of the Hold Harmless payment (which is the payment the State makes to the Town annually to make up for municipal taxes “lost” due to enrollment in Current Use).

Blum commented that this threat was “totally ridiculous.” Kajeski pointed out that the 4 acres in question are not even enrolled in Current Use, so how can they affect Norwich’s Hold Harmless payment? There was discussion of how much the Hold Harmless payment is (\$161,784 in 2014) and whether the threat pertained to this year’s Hold Harmless payment (already received) or next year’s.

Tobin said that he was expecting an explanatory letter from Jim Knapp to be sent to the Assessor’s e-mail any minute.

Lindberg **moved** (2nd Blum) **not** to present the proposed Errors & Omissions on the Elbow Cooperative to the Selectboard for approval.

Fulton said that the Listers needed a better understanding of the potential impact on the Town before they voted, and asked that they wait until the Knapp letter was received.

Lindberg asked Tobin whether the threat was to the Town's **entire** Hold Harmless payment, or only to some small portion related to the Elbow Cooperative property. Tobin replied that as far as he knew, the threat was to withhold the whole thing. He pointed out that the Grand List was defective, and asked why the Listers wouldn't want to correct it.

Lindberg and Blum both characterized PV&R's position as blackmailing the Town over an inconsequential issue.

After discussion of how the Elbow Cooperative members would obtain the values they need to file for income sensitivity assistance under the proposed change, the letter from Knapp was received and distributed (copy attached). The letter stated that without the Town's cooperation, the Interim Director of PV&R would use his authority to make the requested change anyway. The letter was ambiguous as to how much of the Hold Harmless payment might be withheld.

After reading the letter, Blum stated that, in spite of misgivings, she felt the logical thing to do was to comply with PV&R's request. Lindberg said that she had mixed feelings.

The Listers then voted on Lindberg's **motion**, above. Motion **failed 0-2**.

Lindberg then **moved** (2nd Blum) that the Listers submit the Errors and Omissions request to the Selectboard requesting that they change the listing of the three Elbow Cooperative parcels into one, as required by PV&R. Motion **passed 2-0**.

Lindberg asked the Town Manager to consult the Listers in the future in advance of scheduling a meeting of the Listers and the Selectboard. Neither Lister could be at the meeting, and so it was agreed that Krajeski would attend the Selectboard meeting on behalf of the Listers.

3. Approval of Prior Minutes

Lindberg requested that the prior draft minutes be amended to include her request under item 6 that the Listers receive from Krajeski regular, periodic spreadsheets detailing reinspection progress. Lindberg **moved** (2nd Blum) to approve the minutes of the meeting of 18 November 2014 as amended. Motion **passed 2-0**.

5. Any Other Business

None.

Lindberg **moved** (2nd Blum) to adjourn the meeting at 1:15 pm. Motion **passed 2-0**.

Respectfully submitted,

Liz Blum
Chair, Norwich Board of Listers