

MINUTES OF THE NORWICH BOARD OF CIVIL AUTHORITY
(DRAFT)
October 14, 2021

Members Present: JP's: Ciccotelli, Clinton, DeGasta, Gray, Leiter, Richards, Rotman, Scherer and Teller-Elsberg.

Selectboard: Arnold, Brochu, Calloway and Gere. Town Clerk: Munday

Listers Present: Lindberg and Smith

Also participating, Liepmann

Lindberg introduce the scenario explaining that the HS-122 homestead declaration is required to be filed each year. It is the State who determines whether or not this is filed in a timely manner. It is up to the Town to handle everything from this point forward.

The State will send a downloads with the Homestead Information and at this point it is up to the Town to send out revised Tax Bills. Lindberg noted that you cannot file an extension for this exemption and that there is a deadline.

Lindberg also noted that it is the Selectboard who determines the amount of the penalty to be imposed for a late filing and the penalty in Norwich is 8 % of the Education tax portion of the Tax Bill. Lindberg said the reasoning behind the 8% penalty is that the tax payer can appeal the penalty.

Liepmann thanked the board for hearing this appeal. Lipmann explained that Mr. Clapp has entrusted her to do his taxes. Mr. Clapp's returns are very complicated and for prior years he and his wife have filed Married, filing separately. For most of the year his wife works in Massachusetts and until last year files her returns with that state. When COVID occurred, his wife worked from their home in Norwich for most of this year and therefore they filed a joint return as Vermont Residents.

Upon printing out the return it appeared that the Homestead Declaration was filed as it was printed in the hard copy of the return. In the electronic filing of his return to the State, this file was missed. It was noticed when Mr. Clapp received his tax bill he noticed that it was for a lower amount than in the past. When Mr. Clapp came in to pay his taxes he inquired about the lower rate and it was discovered at this time that the filing of his HS-122 was not in fact filed with the State. Mr. Clapp then contacted his tax preparer and the Homestead Declaration was filed at this time. Mr. Clapp paid his taxes on time and at the Residential rate and not the Non-Residential rate.

Shortly thereafter Mr. Clapp received a revised tax bill showing that he owed an penalty of \$787.61 to the Town for the late filing.

Mr. Clapp feels that he was honest about this error, took immediate action to correct this and paid the correct amount of taxes at the time they were due and that he is being penalized for being honest. The Town did not lose any money due to this mistake.

Lindberg speaking for the Listers said that they have a policy on late homestead filing, and if it is a first time penalty they will usually waive the penalty. In this case, the Listers stated that this was a second

request from the firm to waive the penalty and for this reason the Listers chose not to waive the penalty.

Rotman, seconded by Arnold made a motion to enter deliberative session. The Board entered deliberative session at 8:00 PM.

Respectfully Submitted,

Bonnie J Munday
Norwich Town Clerk

DRAFT