

Tax Abatement Hearing

Date: 12/17/19

Hearing Time: 4:15pm

Present: Rich Carlson, Marie Conway, Lindsey MacCuaig, Betsy Reddy, Jim Reddy, Ann Singiser, Geoff Wells, Dick Wilcox – BOA members, Nancy Gondella – Town Clerk, Jesse Bridge – Secretary/Assistant Town Clerk

Call to Order: N. Gondella called the meeting to order at 4:10 p.m. and asked to nominate a chair for the board. Motion to nominate Nancy Gondella by A. Singiser, 2nd by M. Conway. All were in favor. N. Gondella presents the rules of procedure to be adopted. Motion to adopt by M. Conway, 2nd by A. Singiser. All were in favor. N. Gondella states that she will be presenting information on behalf of the Town and will act as a witness so she will need to recuse herself from the hearing, and therefore would like to nominate A. Singiser as acting chair for this hearing only. M. Conway motions to have A. Singiser act as chair for this hearing, R. Carlson 2nd. All were in favor.

Case Introduction: A. Singiser opens the hearing stating the applicant is Paul Bisceglia, the address of the property is 4451 US Route 4, the old Tyrol Motel, and the parcel id is 04-02-44.000. The oath is administered to N. Gondella as the witness for the town, the applicant is not present to take the oath. A. Singiser asks if anyone on the board has any conflicts of interest, no one replies with any. A. Singiser passes out a packet of information which is the appellant testimony, marked Exhibit A-1. Several minutes are given to the board to read. A. Singiser states that P. Bisceglia is asking to have the penalties and interest abated for the tax year 18/19. He will pay the taxes.

Appellant Testimony: Appellant is not present but the evidence he has presented claims he did not receive the tax bill because the Town had his address incorrect and he never received the bill.

Evidence Presented: Exhibit A-1

Town's Testimony: N. Gondella presents town evidence packet marked Exhibit T-1. N. Gondella states that the property was bought in 2015 and that was the only time the taxes have been paid on time. The address on the PTRR is 23 Limerick way and it was entered wrong by the assessor as 25 Limerick way in the Town system. For the next three years the tax bill was never returned to us and the taxes were paid. In 2018 the bill to 25 Limerick way was returned to us. We have never gotten word from Mr. Bisceglia that we have an incorrect address. The Town office staff searched online at fastpeoplesearch.com for another possible address and that's where we found the Gunning Way address which turns out to be an address for Paul Bisceglia senior. In January of 2019 P. Bisceglia was told by Leisa at Chris Corsones office that he needed to contact the town and give us the correct address. According to a conversation with Paul Bisceglia Sr., he was not going to forward the mail anymore. Later on, Chris Corsones informed us that the address is 23 Limerick Way and we switched it to that address. The check that Mr. Bisceglia wrote in October has been returned to him because is stated that it was paid in full, which is not the fact. C. Corsones returned the check to P. Bisceglia and then he sent it back to us again and said he is not willing to change it. C. Corsones sent it back to him again and said the Town cannot accept the check in this manner. It is true that the Town made the

initial error in the address entered in the system but to this day we have not personally been informed by Mr. Bisceglia about his correct address. A certified copy of this information presented was sent to Mr. Bisceglia and he has not picked it up.

Evidence Presented: Exhibit T-1

Discussion: M. Conway asks if he paid his taxes the following year? A. Singiser asks what the amount is that is owed? N. Gondella replies that he owes penalty and interest of about \$1000. Discussion continues and J. Reddy makes a motion to abate the penalty and interest to date. R. Carlson seconds the motion. L. MacQuaig opposed, M. Conway abstained. Motion passed.