

**Town of Westfield
Board of Civil Authority Minutes
July 24, 2017 – 6 p.m. – Town Offices**

Present were: Chairman Jacques Couture; Selectboard members Yves Daigle and Anne Lazor; Justice of the Peace members Joyce Crawford, Yvan LaPlume, Mike Piper and Pat Sagui; and Town Clerk LaDonna Dunn.

Others present at 6:45 p.m. for the hearing were: Listers Danny Young and Scott Dunn; and the Appellants representative Peter Fina.

1. **Call the Meeting to Order:** Chairman Couture called the meeting to order at 6 p.m.
2. **Changes to the Agenda:** No changes were made.
3. **Approve Minutes of the 8/12/15 Meeting:** Following a motion by Joyce Crawford and a second by Mike Piper the minutes were approved with no changes.

4. **Organizational Meeting:**

A. Elect a Chair and Vice Chair: There was a motion by Yves Daigle to nominate Jacques Couture as the Chair of the BCA. There were no other nominations. The motion passed unanimously. There was a motion made by Ann Lazor to nominate Pat Sagui as Vice Chair of the BCA. There were no other nominations. The motion passed unanimously.

B. Review and Re-adopt Tax Grievance Hearing Policy and Code of Conduct: After reviewing the document there was a motion by Pat Sagui and a second by Joyce Crawford to re-adopt the Code of Conduct with no changes. The motion passed unanimously. As a point of clarification Chairman Couture said he has a short and concise printout explaining what the statute says about ex-parte communications. He passed it around for all to read.

5. **Election Business:**

A. Authorize Clerk to Batch Purge Voters Challenged at the June 1, 2015 BCA Meeting: *Joshua Andrews; Jason Bays; Sara Brookes; Kenneth Bryant; Benjamin Dutil; Bruce Fortier; Jill Fortier; Farzana Leyva; Patti Marable; Tammy Smith; Judith Turner; and Shawn Warner:* There was a motion by Joyce Crawford and second by Pat Sagui to purge the individuals listed since no response was received back from the challenge letters sent by the Clerk. The motion passed unanimously.

B. Review Current Voter Checklist and Authorize Challenge Letters to be Sent: After reviewing the voter checklist there was a motion by Mike Piper and second by Yvan LaPlume to send challenge letters to the people who the BCA believe no longer live in Westfield. The motion passed unanimously. The Clerk will send letters to: Sharon Anderson; Juanita Bonhorst; Caroline Daberer; Hubert Daberer; Katina Dykeman; Marie Kahler; Carolyn Lesperance; Gordon Lesperance; Ed Kearney; Joseph Rubano; Violette Verge and Elizabeth Hardy.

6. To Hear the Property Tax Assessment Appeal of Alpine Haven Holdings, Inc.:

- property located at 298 Waldhof Drive in Alpine Haven (building with 13 condos)
- owners to be represented by the Property Manager, Pete Fina (Great Northern Land Company)
- Parcel ID 04-242-41; SPAN #717-228-10006

Chairman Couture called the BCA Tax Grievance Hearing to order at 6:45 p.m. Danny Young, Scott Dunn and Peter Fina were present for this portion of the meeting.

The Clerk administered the oaths to the Board of Civil Authority and the witnesses (Listers and Appellants representative).

Chairman Couture asked if there were any BCA members who might have a conflict of interest. No conflicts were expressed. He also made reference to the ex-parte communications statute printout reviewed earlier in the meeting. A copy of this was given to the Listers and to Peter Fina.

Lister Testimony:

Lister Dunn stated prior to April 1st the Listers went out for a site visit and inspected all the condos owned by Alpine Haven Holdings. The Listers then reviewed the information with Doug Lay, their District Advisor at Property Valuation and Review. All were in agreement the condos seemed slightly over valued. The condos, prior to tax grievance, were assessed on square footage, number of bedrooms and number of bathrooms. The District Advisor adjusted the condo cost tables for square footage and removed the number of bedrooms and bathrooms from the assessed value. The cost tables were adjusted to reflect floor desirability with the second floor being most desirable and the first floor being least desirable. Each condo was reassessed using the new square footage cost table. Each of the thirteen condos was summed to give a new assessed value of \$1,036,600.00 prior to Alpine Haven Holdings, Inc. Lister tax grievance hearing. As a result of the Lister tax grievance hearing, the Listers further reduced the overall assessed value by five percent giving a new assessed value of \$984,800.00. The Listers also reassessed the three privately owned condos using the new square footage cost table. The Listers submitted Exhibit A and Exhibit B as evidence.

Appellant Testimony:

Peter Fina, representative for Alpine Haven Holdings, Inc., presented as evidence a review letter outlining the reasons he feels the assessed value of the thirteen condos owned by Alpine Haven Holdings, Inc. should be \$745,169.00 rather than the \$984,800.00 assessed value set after the Lister Tax Grievance Hearing. Alpine Haven Holdings, Inc. is requesting a 28% reduction in their assessed value. His reasons for the reduction request include: current sales data showing significantly lower values; current property conditions; age of property and fixtures; physical conditions of infrastructure within Alpine Haven; and legal disputes and costs negatively impacting Alpine Haven property values. There was considerable discussion about the lawsuits with the homeowners association and the water association. The Supreme Court recently ruled that Alpine Haven is not a Common Interest Community. Peter Fina's July 10, 2017 Board of Civil Authority grievance request packet was also entered as evidence.

7. Appoint an Inspection Committee: Joyce, Mike, Anne and Jacques were assigned to be on the Inspection Committee which will meet at the Town Office on Monday, August 7th at 4:30 p.m. to carpool to Alpine Haven. Pat and Yves agreed to be alternates.

8. Motion to Recess Hearing and Select Date to Reconvene Tax Appeal Hearing: On a motion by Mike Piper and seconded by Joyce Crawford the hearing recessed at 8:15 p.m. to reconvene on Monday, August 28, 2017 at 6 p.m. to hear the Inspection Committee report and deliberate.

Westfield Board of Civil Authority Approval:

Date: August 28, 2017 with Ø changes

La Donna Dunn
LaDonna Dunn, Clerk of the Board

Jacques Couture, BCA Chair

Board of Civil Authority Approval:

Joyce Crawford
Joyce Crawford

Yves Daigle
Yves Daigle

Anne Lazor
Anne Lazor

Yvan LaPlume
Yvan LaPlume

Mike Piper
Mike Piper

Pat Sagui
Pat Sagui