

BOARD OF SELECTMEN
Meeting Minutes

December 9, 2019

CALL TO ORDER: Sonny opened the meeting with the pledge at 7:05PM.

SELECTMEN IN ATTENDANCE:

Roland C. LePage, Dorothy M. Richard, Wendy M. Thorne, Gilbert S. Harris, Joanne L. Andrews.

ATTENDEES:

- Mike & Julie Gilpatrick, Dave Candage, Ed Morgan, Charles Pellegrino, Rick Richardson, Cindy Smith, Dean & Lisa LePage, Steve Malmude, Amy Fairfield

MINUTES:

- Wendy **motioned** to approve the minutes for December 2. Gil **second**. All were in favor.

DEPARTMENT REPORTS:

- Mike Gilpatrick, Code Enforcement Officer, gave his report for the month of November

NEW BUSINESS:

- The Board discussed the proposed work letter from Neal Courtney for the Fire Department and Gil brought up that they should wait to approve it until issues with the Fire Department are resolved, Joanne and Wendy agreed with him.
- The snowplow contract for the roads was brought up that it had been sent to Natalie the town attorney and she had re written and the Board decided to put it off for another week so that it could be read.
- The Board signed the snow removal contract for the sidewalks from the intersection of Main and Washington Streets all the way to Prospect Street having voted on it at a previous meeting and Wendy brought up having the letter that will be sent to the contractor say and the only bidder at the end of it.
- The Board discussed adopting the Section 125 and having community dynamics, which would actually be Group Dynamics administer it.
- The Board decided to put off deciding on the John E, O'Donnell contract until next week.
- Sonny brought up that Lisa LePage for the 2020 Block Party has requested \$1500 for fireworks cost for the block party on August 15, 2020 and they have raised \$1691.56. Joanne **motioned** to put this on the warrant to raise the money at town meeting of \$1500. Wendy **second**. Four were in favor; Wendy did not raise her hand.

WARRANT:

- Wendy **motioned** to approve the warrant as written. Dottie **second**. Four were in favor; Joanne did not raise her hand.

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ANNOUNCEMENTS:

- Wendy read the announcements.
- Gil also made the announcement that there is a sand and salt mixture available for townspeople over across from the Fire Station.

HEARING OF THE CITIZENS:

- Dean LePage asked if the Board would consider putting it in the budget to put outlets in the front hall at the Brick Town Hall. Sonny said that it could probably be taken out of the regular budget for the building. Dottie mentioned that it might need more than just the outlets just because during the block party's pancake breakfast they kept switching the breaker off because of using so much power. Joanne also brought up that Bob DeVillineau would like for the power to be boosted at Tibbetts Park by CMP because it also powers the street light.
- Lisa LePage brought up how well DeeDee Tibbetts and the Christmas in Limerick committee did putting everything together. She also asked about maybe putting outlets on the outside of the building and sonny brought up that it might be hard with the brick exterior and called for applause for the Christmas in Limerick committee.
- Amy Fairfield: My name is Amy Fairfield and I am an attorney out of York County. I do have some handouts. Sonny LePage: Could you start over again? Please? Amy: Oh sure. My name is Amy Fairfield. I'm an attorney out of York County. I do have some handouts for you folks and this has to do with the property across the street. That the jury seems to be out on terms of what's going on with that but I just wanted to bring this information to your attention. Regarding what's been going on with the property taxes over the past several years and I was able to get an opinion letter that was authored by your assessor, I believe, Mr. O'Donnell and I have no idea, I have watched several of your meetings. I have extras if anybody wants any. Trying to figure out exactly when this entity, this town, has officially foreclosed on Ms. Gammon's property next door and as you can see these handouts clearly depict a really strange pattern of the valuation prescribed to Ms. Gammon's home. This is something that I have gone to different officials as well as the media because my understanding is that you folks foreclosed on her home in 2012 after you jacked the property taxes in 2011 fairly inexplicable, and if it had been valued at the right amount and the assessed value didn't jump up in that inexplicable manor; she would actually be well into the positive and not have an arrearage and in fact I've since learned by getting her file from her old attorney that she applied for an abatement in the year that the property taxes skyrocketed, inexplicably again, and never heard back and I've subsequently learned that it was just a couple of days late in pursuant to statute. She's supposed to receive written notice. So I guess I'm here to clarify because I've watched you, sir (talking to Sonny), on many of these meetings talk about well we're going to foreclose or we have foreclosed, can't tell you when. I'd like to understand. Sonny: I'm only going to go from memory. Amy: Okay. Sonny: Okay. It was a few years ago, we've been through some Board members since then. It ended up; we held off, I'm going to say at least a couple of years. Then it went to automatic foreclosure and that's where it ended up that the town owned it. I don't remember all the details but I'm pretty sure that's what happened. Amy: Okay. So are we talking 2011, 2015, 2016? Sonny: Right off the top of my head. I'm thinking 11 or 12. Dottie Richard: It's all in that information that I gave you the day you

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came into the office. Amy: Those papers are woefully deficient pursuant to statute. Sonny: It might even have been 10. Amy: Well if it coincides with the spike in her property tax and then the lowering of, it came down to its lowest level in 2014, 2015. Sonny: And again I'm pretty sure that we sent all the paperwork to her. Amy: Deficient. Sonny: Okay and I don't know if she ignored it. Amy: She applied for an abatement sir. Sonny: I was not chairman at the time. Virtually I really don't remember. Amy: The state of things now is we're talking about a \$1200 tax bill. Which in estimation of Mr. O'Donnell and you foreclosed upon her property for \$1200? Sonny: I think the tax bill was well over \$1200. Amy: For the year that you folks foreclosed upon it, it was \$1200. Sonny: Again. Amy: Can I just understand, is it this. Sonny: I do remember it was on automatic foreclosure. We did not put the paperwork to it, as I remember. Amy: Okay so you have no intention of taking her home. Sonny: At that point in time we had not. Amy: So if I understand you correctly you have taken her home over tax year that I just referenced, 2012, when she filed for abatement and you folks didn't get back to her pursuant to statute. Sonny: I think it was already foreclosed before that. Amy: Nope. Nope. Nope. I've tracked this history pretty well and so if I understand this correctly you're taking that property from her over \$1200. Sonny: I can't answer that. Amy: Well who can? Sonny: We'll have to get into the... Amy: Don't you people vote on this stuff? Wendy Thorne: Um excuse me, I was on the Board in 2012 and I do not remember doing a Poverty Abatement or any type of abatement for the lady you are discussing. Amy: Exactly. Wendy: Because she would have had to submit an application to us without us rejecting an application. For us to reject I need to accept or reject and because I didn't have one at the time to accept or reject. So if she has a copy of an application. Amy: Okay. So your memory seems pretty intact. Any idea when you guys took her house? Sonny: Hang on. One more point we're talking about something specific here and we're talking about abatements. We probably need to go into Executive Session. Amy: She's going to waive that. As her agent she will waive that, we can talk about this right here and right now. So if you're going to put this up to auction which I've kind of been trying to follow the little things your saying to one another on camera, not in Executive Session, about my client. Are you planning on paying her whatever it auctions for, the overage, the amount that it auctions for minus her actual liability? Which is woefully short of what that property's going to sell for. Sonny: We have not discussed any of that. Amy: When can we discuss it? Wendy: First of all, I don't know if it does go to auction my understanding of the statute is that once the town takes possession of a piece of property it belongs to the town and they can auction it off and no funds go back to the owner. Amy: If you want to get into the statutory construction that's fine but let's talk about why you jacked her property assessment up? Wendy: I don't know why that got jacked up. Amy: It's so interesting how we can talk about things that are negatively impacting my client but when I ask the tough questions, when did this happen, why did it happen. Nobody can answer me. Wendy: Excuse me ma'am. Let me speak. First of all, you came in, you waltz in, you throw this in front of us with no time for anybody to look at this or study this or to go back. Amy: Take your time. I'll wait right here. Joanne: Oh we don't have time. Wendy: I have numbers that are thrown in front of me. The foreclosure process gone through naturally, again. If I have any notes left back from 2012, I'd have to see where this person requested a Poverty Abatement at that time. Amy: So if she did in fact. Wendy: We would have a copy of it on file. Amy: So you just said you didn't, now you're saying perhaps I have to go back and look at my notes. Did I misunderstand? Wendy: No that's not what I said. That's not what I said. Amy: Okay. I'm happy to be wrong. Wendy:

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Okay. What I said was I do not recall the person requesting one at the time I was Selectmen from 2011 to 2014. Amy: This may jog your memory, ma'am, and that is she was denied by this town, appealed it to York County Commissioners and they granted the appeal and then this town stepped in and paid for half of the year but then didn't pay for the second half of the year. She reapplied. Is this ringing any bells? Nothing? Okay. Wendy: No it's not. I'd have to see the documentation. I can only speculate what may have happened at that time. Dottie: Do you have a copy of all this paperwork that you're talking about? Amy: Which paperwork? Dottie: The thing with the county commissioners. Amy: I don't have it here with me but I will certainly get that to you, folks, absolutely. Dottie: Cause we're going to need it because nothing of what you're saying makes any sense because the town doesn't do a half a year abatement. They do an abatement they do it on the whole thing. Wendy: That's correct. Amy: Okay, you guys, it had to go to appeal and then it was overturned at the commissioner's office. We're talking 2011-2012 tax years. Dottie: If I recall in the paperwork I gave you 2014 to 2015 one of those years is when the initial lien started for the foreclosure. So it would have been. Anything sounding familiar Dean? 2017. Dean LePage: She walked in a few minutes ago. Sonny: I don't remember. Dean: I'm concerned of the sensitivity of the personal properties abatements being discussed on air. I would recommend the Board discontinue that conversation until you seek appropriate council. Dottie: Amy is her attorney. Dean: True but she's not the town's attorney. Wendy: That's right. Dean: So you're talking confidential information out of Executive Session is totally inappropriate. Amy: Dean I just waived it, on her behalf. Dean: But they're not waiving it on her behalf or on the town's behalf so you can waive it. Amy: I can waive it. So here's what I don't understand, perhaps we can have this discussion at a later time. I don't understand why her property valuation spiked and then it came back down again. According to Mr. O'Donnell he says that the valuation should have been at that lower number that it was lowered to presumably when you folks took it over. Although we don't know when that was. Sonny: Now that I got thinking about it that could have been the year she had the fire, the house is burned. Amy: That was 2007. The fire was in 7. So you know when you're talking about a property value from 48,000 to 62,000 and then it was dropped down to 25,000 but it grossly impacted the rate that she was paying. If she had been properly assessed at that period of time she would've been paid up through 2015. 2000, yep she would have been paid up just a few 100 dollars shy. Wendy: You're saying that she would have been paid up but the person would have had to pay the taxes to be paid up. You're speculating something. There are several factors going on with the values of these properties and one of those is the time frame from 7 to 11. There was a spike downturn in properties. So you can't say that someone's picking on a particular person but anyway I want to see paperwork stating that she received something from York County Commissioners stating that she was granted abatement. Amy: I'm happy to do that. I would just point you to your own tax assessor's opinion about the value of that property. I've just provided you with their opinion. Wendy: At this point in time value or no value taxes were not paid period and regardless of that, never mind. This person is short 1653 or are you saying she overpaid? Amy: That was the positive amount, if it had been properly evaluated or assessed then 1653 she would have been overpaid which would have covered her for, at the proper assessment rate, it would have covered her for at least another two and a half years. Wendy: I don't want to get into these numbers here. What I want to see is any paperwork that went to County Commissioners that came through this office. Again, I don't recall this particular person ever coming before the Board. Amy: And I would like to

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see some explanation as to why the property tax assessment went up and the corresponding tax number went up in the same year you folks took steps to foreclose upon her and now allegedly own her home for about \$1200 worth of pass tax. Dottie: We did not take steps in 2011 that's about the time she had already started doing work to repair the house, so that's when the assessment went up. When the assessors came around to look to see she was doing work she didn't let them inside to see that she had not done any work inside. She did work on the outside to make it look like the house was a presentable house. She wouldn't let the assessors in they can only do what they think has been done. Amy: Okay but when they got back in, in the later years and dropped the valuation. It just strikes me that you can certainly go back and retroactively reassess. Dottie: Nothing was retroactively reassessed. Amy: Right. So she got taxed at a much higher rate than she probably should have been. Dottie: That's what happens when you not let an assessor in the house. They have to take a guess at it. Amy: So now you own her house over \$1200. Top dollar is about \$6500. Gil Harris: We're really not prepared to speak anymore on this at this time. Amy: Fair enough. Fair enough. Gil: I think we'll get some information. Amy: I think we can reconvene at some later date. Wendy: Call and be put on the agenda so we know what's going on.

ADJOURN MEETING:

- Joanne **motioned** to adjourn. Gil **second**. All were in favor.
- The Meeting was adjourned at 7:35PM.

These minutes were approved by the Limerick Board of Selectmen on: December 16, 2019

End of Broadcast

Respectfully submitted,

Courtney Davis

FOR DETAILS OF MEETING
SEE RECORDING
"Limerick Selectmen's Meeting"
December 9, 2019
By Scott Pomerleau