

TOWN COUNCIL
Town of Trumbull
CONNECTICUT
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TOWN HALL
Trumbull

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LEGISLATION & ADMINISTRATION COMMITTEE
AGENDA
October 28, 2013

Suzanne Testani, Chairman
50 Cranbury Drive
Trumbull, CT 06611

Chadwick Ciocci, Vice Chairman
72 Shawnee Road
Trumbull, CT 06611

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4 Nichols Farm Road
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James Meisner, Alternate
62 Driftwood Lane
Trumbull, CT 06611

NOTICE is hereby given that the LEGISLATION & ADMINISTRATION COMMITTEE of the Trumbull Town Council will hold a regular meeting on Monday, October 28, 2013 at 7:00 p.m. at the Trumbull Town Hall, for the following purpose:

1. RESOLUTION TC24-159: To consider and act upon a resolution which would amend Section 18, Taxation of the Trumbull Municipal Code to include Article V, Police and Firefighter Surviving Spouse Tax Relief Regulations enacting a tax abatement program to abate all or a portion of the property taxes due with respect to real property owned and occupied as the principal residence of the surviving spouse of a police officer or firefighter who dies while in the performance of such officer's or firefighter's duties pursuant to C.G.S. Sec. 12-81x.
(Public Hearing)
2. RESOLUTION TC24-163: To consider and act upon a resolution which would approve the sale of Town Parcel G08-224 to Brinsmade Associates, LLC and authorize the First Selectman to execute the sale agreement and documents to complete the sale.*(Public Hearing)*

3. RESOLUTION TC24-164: To consider and act upon a resolution which would approve the filing of an application for State financial assistance by the Town of Trumbull in an amount not to exceed \$123,890 and direct the First Selectman, Timothy M. Herbst to execute and file such application with the Connecticut Department of Economic and Community Development in order to undertake the Hillcrest Pool Project Phase II. *(L&A)*

RESOLUTIONS

1. RESOLUTION TC24-159: BE IT RESOLVED AND ORDAINED, That Chapter 18 of the Municipal Code be amended to include Article V, Police and Firefighter Surviving Spouse Tax Relief Regulations, enacting a tax abatement program for spouses of police and firefighters. *(Full Resolution Attached)*
2. RESOLUTION TC24-163: BE IT RESOLVED, That the sale of Town Parcel G08-224 to Brinsmade Associates, LLC is hereby approved and the First Selectman is hereby authorized to execute the sale agreement and documents to complete the sale.
3. RESOLUTION TC24-164: BE IT RESOLVED, That the filing of an application for State financial assistance by the Town of Trumbull in an amount not to exceed \$123,890 is hereby approved and First Selectman, Timothy M. Herbst is hereby directed to execute and file such application with the Connecticut Department of Economic and Community Development in order to undertake the Hillcrest Pool Project Phase II. *(Full Resolution Attached)*

RESOLUTION TC24-159; BE IT RESOLVED AND ORDAINED, That Chapter 18 of the Municipal Code be amended to include Article V, Police Officers and Firefighters Surviving Spouse Tax Relief Regulations, enacting a tax abatement program for surviving spouses of police officers and firefighters; and

WHEREAS, Police Officers and Firefighters provide life-saving public safety service to the Town of Trumbull; and,

WHEREAS, The Town of Trumbull is enabled by Connecticut General Statute 12-81x to provide for an abatement of all or a portion of property taxes due with respect to real estate owned and occupied as the principal residence of the surviving spouse of a police officer or a firefighter who dies in the performance of such police officer's or firefighter's duties; and,

WHEREAS, the Town of Trumbull desires to recognize the courageous service of police officers and firefighters by providing tax relief for their spouses in the event of their death in the performance of their duties;

NOW THEREFORE, BE IT RESOLVED AND ORDAINED, That Chapter 18 of the Municipal Code be amended to include Article V, Police and Firefighter Surviving Spouse Tax Relief Regulations and the following:

Sec. 18-60. – Generally.

The Town hereby enacts a tax abatement program with respect to real property owned and occupied as the principal residence of the surviving spouse of a police officer or firefighter who dies while in performance of such officer's or firefighter's duties pursuant to Connecticut General Statute § 12-81x and on the terms and conditions provided herein.

Sec. 18-61. – Purpose.

The purpose of this Ordinance is to honor police officer's and firefighter's who die while in the performance of his or her official duties and to ease the resulting financial burden on such officer's or firefighter's surviving spouse.

Sec. 18-62. – Definitions.

For purposes of this Ordinance, the following terms shall be defined as follows:

(1) Police Officer. The term "*police officer*" shall be defined as any person who is a duly employed member of a state or municipal police department in the State of Connecticut, serving in an official capacity, full-time or part-time, with or without pay.

(2) Firefighter. The term "*firefighter*" shall be defined as any person who is a duly employed or volunteer member of a fire department in the State of Connecticut, serving in an official capacity, full-time or part-time, with or without pay.

(3) Police Duties. The term "*police duties*" shall be defined as duties which an officer is obligated or authorized by law, regulation, or written condition of employment to perform.

(4) Fire Duties. The term "*fire duties*" shall be defined as duties performed while traveling to, at, or returning directly from fires or fire related calls, alarms of fires or calls for

mutual aid assistance, or tests or trials of any apparatus or equipment normally used by the fire department; while instructing or being instructed in fire duties; or while engaging in any other duty ordered to be performed by a superior or commanding officer in the fire department.

(5) Surviving Spouse. The term “*surviving spouse*” shall be defined as the spouse of a police officer or firefighter at the time such police officer or firefighter dies in the performance of his or her police duties or fire duties.

Sec. 18-63. – Tax Abatement Program

Subject to the eligibility terms and conditions set forth herein, there is hereby established effective the Grand List of October 1, 2013 an abatement of 100% of municipal real property taxes due or \$7,500 per year, whichever is less, with respect to real property in the Town of Trumbull owned and occupied as a primary residence by the surviving spouse of the following persons:

- (1) a police officer who dies in the performance of his or her police duties; or
- (2) a firefighter who dies in the performance of his or her fire duties.

Sec. 18-64. – Eligibility.

Municipal real estate taxes due on the real property shall be abated until the earlier of the following events:

- (1) the real property ceases being the surviving spouse’s primary residence;
- (2) the surviving spouse conveys legal title to the real property;
- (3) remarriage of the surviving spouse; or
- (4) 90 days after the death of the surviving spouse.

Sec. 18-65. – Administration.

The Tax Collector and the Tax Assessor shall prescribe such forms and procedures as they deem necessary and appropriate to implement this Ordinance.

The Tax Assessor, in addition, shall take steps as necessary and appropriate to satisfactorily establish the facts that support the eligibility of the surviving spouse for abatement of municipal real property taxes on an initial and continuing periodic basis.

Further, the Tax Collector and the Tax Assessor shall create and maintain records of the sum of the total monies abated as a result of this Ordinance on a fiscal and ongoing basis to be submitted for review by the Town Council and Board of Finance upon request.

Sec. 18-66. – Effective Date.

This Ordinance shall be effective upon the date of adoption.

RESOLUTION TC24-164: BE IT RESOLVED, Whereas, pursuant to C.G.S. Sec 4-66c, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects: and,

Whereas, it is desirable and in the public interest that the Town of Trumbull make an application to the State for \$123,890 in order to undertake the Hillcrest Pool Project Phase II and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE Trumbull Town Council, that it is cognizant of the conditions and prerequisites for the state financial assistance imposed by C.G.S. Sec. 4-66c that the filing of an application for State financial assistance by the Town of Trumbull in an amount not to exceed \$123,890 is hereby approved and that First Selectman, Timothy M. Herbst, be and the same is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State Financial assistance if such an agreement is offered, to execute any amendments, decisions, and revision thereto, and to act as the authorized representative of Town of Trumbull.