

TOWN COUNCIL  
**Town of Trumbull**  
CONNECTICUT  
[www.trumbull-ct.gov](http://www.trumbull-ct.gov)

TOWN HALL  
Trumbull

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LEGISLATION & ADMINISTRATION COMMITTEE  
AGENDA  
December 30, 2013

Suzanne Testani, Chairman  
50 Cranbury Drive  
Trumbull, CT 06611

Enrico Constantini, Vice Chairman  
5 Barry Place  
Trumbull, CT 06611

Edna Colucci  
39 Kingsbury Drive  
Trumbull, CT 06611

Joseph Pifko  
158 Plymouth Avenue  
Trumbull, CT 06611

Patrick Helfrich  
23 Evelyn Street  
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Daniel Marconi  
40 Brookhedge Road  
Trumbull, CT 06611

Ken Martin, Sr.  
1676 Huntington Turnpike  
Trumbull, CT 06611

Thomas Christiano  
831 White Plains Road  
Trumbull, CT 06611

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NOTICE is hereby given that the LEGISLATION & ADMINISTRATION COMMITTEE of the Trumbull Town Council will hold a regular meeting on Monday, December 30, 2013 at 7:00 p.m. at the Trumbull Town Hall, for the following purpose(s):

**DISCUSSION ITEM:**

- Alarm Abatement Ordinance

1. RESOLUTION TC25-05: To consider and act upon a resolution which would amend Chapter 18, Article V, Section 18-63 and 18-64 of the Trumbull Municipal Code by transposing the language, *for five (5) fiscal years following the date of death* from Section 18-64 to Section 18-63. *(Public Hearing)*
2. RESOLUTION TC25-06: To consider and act upon a resolution which would amend and repeal Chapter 2 Administration, Article III Boards, Commissions, Committees, and Agencies, Division 3 Central Emergency Dispatch Commission of the Trumbull Municipal Code and disband the Central Emergency Dispatch Commission for a job well done. *(Public Hearing)*

3. RESOLUTION TC25-07: To consider and act upon a resolution which would amend Chapter 2 Administration, Article III Boards, Commissions, Committees, and Agencies, Division 37 Police Commission to include a section titled Public Safety Answering Point (PSAP) to reads as follows: The Police Commission shall be the governing and designating authority for the Public Safety Answering Point (PSAP) and emergency dispatch calls in the Town. (*Public Hearing*)
4. RESOLUTION TC25-09: To consider and act upon a resolution which would amend Section 5, Order of Business of the Town Council Rules and Procedures to include Public Comment.
5. RESOLUTION TC25-27: To consider and act upon a resolution which would authorize First Selectman Timothy M. Herbst to sign a predevelopment grant application under the Housing For Economic Growth Program pursuant to CGS 8-13 (m-x).

## RESOLUTIONS

1. RESOLUTION TC25-05: BE IT RESOLVED AND ORDAINED, That Chapter 18, Article V, Section 18-63 and 18-64 of the Trumbull Municipal Code is hereby amended by transposing the language, *for five (5) fiscal years following the date of death* from Section 18-64 to Section 18-63. *(Revised Ordinance Attached)*
2. RESOLUTION TC25-06: BE IT RESOLVED AND ORDAINED, That Chapter 2 Administration, Article III Boards, Commissions, Committees, and Agencies, Division 3 Central Emergency Dispatch Commission of the Trumbull Municipal Code is hereby amended and repealed;  
BE IT FURTHER RESOLVED AND ORDAINED, that the Central Emergency Dispatch Commission is hereby disbanded for a job well done.
3. TC25-07: BE IT RESOLVED AND ORDAINED, That Chapter 2 Administration, Article III Boards, Commissions, Committees, and Agencies, Division 37 Police Commission is hereby amended to include a section entitled Public Safety Answering Point (PSAP) to read as follows: The Police Commission shall be the governing and designating authority for the Public Safety Answering Point (PSAP) and emergency dispatch calls in the Town.
4. RESOLUTION TC25-09: BE IT RESOLVED, That Section 5, Order of Business of the Town Council Rules and Procedures is hereby amended to include Public Comment. (Full Resolution Attached)
5. RESOLUTION TC25-27: BE IT RESOLVED, That First Selectman Timothy M. Herbst, be and the same is hereby authorized to sign a predevelopment grant application under the Housing For Economic Growth Program pursuant to CGS 8-13 (m-x). (Full Resolution Attached)

## TAX ABATEMENT ORDINANCE

### **Chapter 18. TAX ABATEMENT FOR SURVIVING SPOUSE OF POLICE OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL TECHNICIANS**

#### **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, firefighter or emergency medical technician who dies while in performance of such officer's or firefighter's or technician'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 officers, firefighters and emergency medical technicians who die while in the performance of his or her official duties and to ease the resulting financial burden on such officer's, firefighter's or technician'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) Emergency Medical Technician. The term "*emergency medical technician*" shall be defined as any person who is certified as an emergency medical technician by the State of Connecticut Office of Emergency Medical Services and is a duly employed or volunteer member of a municipal emergency medical services department in the State of Connecticut, serving in an official capacity, full-time or part-time, with or without pay.

(4) 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.

(5) 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.

(6) EMT duties. The term "*EMT duties*" shall be defined as duties performed while traveling to, at, or returning directly from all dispatch calls routed through the emergency dispatch center, or tests or trials of any apparatus or equipment normally used by the emergency medical services department; while instructing or being instructed in EMT duties; or while engaging in any other duty ordered to be performed by a superior or commanding officer in the emergency medical services department.

(7) Surviving Spouse. The term "*surviving spouse*" shall be defined accordance with the Connecticut General Statutes.

### **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 for five (5) fiscal years following the date of death 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; or
- (3) an emergency medical technician who dies in the performance of his or her EMT duties.

### **Sec. 18-64. – Eligibility.**

Municipal real estate taxes due on the real property shall be abated for five (5) fiscal years following the date of death 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.

Notwithstanding subparagraphs (1) and (2) above, if a surviving spouse subsequently purchases a different real property in the Town of Trumbull as his or her primary residence and all other qualifying criteria are satisfied, the tax abatement shall

apply to the newly purchased property. The tax abatement may only apply to one property at a time.

**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 TC25-09: BE IT RESOLVED, That Section 5, Order of Business of the Town Council Rules and Procedures is hereby amended to include Public Comment;**

**4) Public Comment**

**(A) The Town Council welcomes comments from the public. On the agenda of each meeting of the Town Council, a period shall be set aside and designated as an opportunity for the public to address the Council on any issue of importance to the Town. Each speaker will be allowed an opportunity to speak for a maximum of five minutes. Speakers are not permitted to yield any portion of their time to another speaker(s). Any citizen so speaking shall identify him/herself by name and address, and if the speaker is speaking for a group or organization, she/he may so state. Citizen comments will be accepted as presented. Written statements presented by speakers during the public comment section shall be included in the minutes of the meeting. Immediate replies to questions/concerns should not be expected (Chairman's discretion). The Town Council will not permit any expression of personal complaints or defamatory comments about Town Council members nor against any person connected with the Town of Trumbull or any other individual, firm or corporation.**

**RESOLUTION TC 25-27: BE IT RESOLVED, That First Selectman Timothy M. Herbst, be and the same is hereby authorized to sign a predevelopment grant application under the Housing For Economic Growth Program pursuant to CGS 8-13 (m-x);**

Whereas the Planning & Zoning Commission has recommended this grant application as an opportunity to explore the possibility of incentive housing zones in the Town of Trumbull; and

Whereas the draft Plan of Conservation & Development identifies the need to diversify housing options within the Town of Trumbull; and

Whereas a diverse housing stock is known to contribute to a resilient local economy and community fabric; and

Whereas current Zoning Regulations do not adequately address opportunities for future provision of diverse housing options;

Therefore, be it resolved that the Town Council of the Town of Trumbull:

- (1) Authorizes submission of the Pre-development grant application under the Housing for Economic Growth Program referenced in section 8-13(m-x) of CGS; and
- (2) Identifies, Timothy Herbst, First Selectman, as an individual authorized to sign the pre-development grant application and administer the grant. Summary of such grant application is attached to and made a part of this record.

# HOUSING FOR ECONOMIC GROWTH (HEG) GRANT APPLICATION

**BACKGROUND:** State law requires all cities and towns to provide 10% of its building stock as affordable housing. Trumbull has implemented key measures to advance towards this goal, but still remains at about 5% affordable. Towns that do not meet the state's 10% affordable requirement are vulnerable to litigious and often large-scale affordable developments known as 8-30(g) appeals, which automatically put the town in a defensive stance and allow the developer to override local zoning codes. Like many other desirable towns in the state, Trumbull experienced 8-30(g) developments especially during the bullish economy of the mid-1990s. As the economy recovers from the recession, it is increasingly important to be proactive rather than reactive when considering how to diversify local housing options.

## WHAT DOES AFFORDABLE REALLY MEAN?

For some, the term "affordable housing" conjures negative associations with public housing projects, poor living conditions, or even overcrowded schools. It is important to know that today's planning models call for mixed-income housing, where a small portion of the total units are offered to individuals making less than the area median income (AMI). The AMI is a number set by the federal government. Today's AMI in Trumbull is \$106,000 per year.

When a town considers an Incentive Housing Zone (IHZ), it is exploring the possibility of a development where at least 20% of the units would be offered at 80% of the area median income. For a family of four in Trumbull, that would mean a family income of \$85,000 per year. The vast majority of the units would be offered at "market rate" and would not be subject to this affordability restriction.

The 80% AMI rule is widely considered the highest tier of affordability - some planners refer to it as "workforce housing". As the name implies, workforce housing is targeted towards working families, many of whom might work in same town or county, but who would not be able to afford to live locally if not for the provision of some housing units that are lower than the average market rate.

**THE OPPORTUNITY:** Research has shown that providing some mixed-income housing is important for seniors to age in place, and for young professionals as well as community servants such as teachers, nurses, emergency services personnel, etc. Recognizing that the 8-30(g) process can sometimes produce developments that are incongruous with local community character and zoning, the state has developed another tool known as Incentive Housing Zones (IHZ). This method puts the Town in control of its own mixed-income requirements, including where the structures go, how big they are, and how they relate to the surrounding community. The state is offering grant money for towns to explore the option of IHZ, without any "strings attached". No local funding match, no requirement to implement IHZ zoning or build affordable housing. Peer towns such as Fairfield and Ridgefield have used HEG grant money to explore the option of Incentive Housing Zones.

## GRANT SUMMARY

Grant Amount: \$20,000

Application Due: Jan 31, 2014

Local Match: None

Recommended By: Planning & Zoning

Funding Source: State of CT - OPM

Purpose: To hire a qualified third-party to help the town evaluate "Incentive Housing Zones" for mixed-income housing within the Town. The grant does not require that the Town implement said zoning, or build mixed-income housing. We would only be committing to a planning study about Incentive Housing Zones.

## QUESTIONS? PLEASE CONTACT

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