

TOWN COUNCIL  
**Town of Trumbull**  
CONNECTICUT  
www.trumbull-ct.gov

TOWN HALL  
Trumbull

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APRIL 21, 2020  
MINUTES

CALL TO ORDER: The Chair called the special meeting to order at 7:02 p.m. All present joined in a moment of silence and the Pledge of Allegiance. The Chair asked all those present to remember all our healthcare workers in the forefront, those that have been affected by the virus and anyone else we might know that is going through something difficult now.

ROLL CALL: The clerk called the roll and recorded it as follows:

PRESENT:

Dawn Cantafio	Eric Paulson	Joanne Glasser-Orenstein
Lisa Valenti	Mary Beth Thornton	Donna Seidell
Kevin Shively	Mary Isaac	Mike Miller
Ashley Gaudiano	Joy Colon	Steve Lemoine
Jason Marsh	Keith Klain	Joe Gerics
Bruce Elstein	Tony Scinto	Thomas Whitmoyer
Carl A. Massaro, Jr.	Lori Rosasco-Schwartz	

ABSENT: Bill Mecca

ALSO

PRESENT: First Selectman Vicki A. Tesoro, Chief Administrative Officers Cynthia Katske and Kathleen McGannon, Town Attorney Daniel Schopick, Finance Director Maria Pires, and Technology Director William Chin.

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\* The Chair reserves the right not to vote unless otherwise noted.

PUBLIC COMMENT: There was no one present from the public to speak.

1. RESOLUTION TC28-68: Moved by Miller, seconded by Cantafio  
BE IT RESOLVED, That a Tax Deferment Program is hereby adopted in accordance with Executive Orders 7S and 7W. *(Full Resolution Attached)*

The Chair waived the full reading of the resolution.

Attorney Schopick noted the executive orders had been sent to the full Town Council and had been attached to the agenda on the website.

Attorney Schopick explained the governor had given an obligation to every town to adopt one or both, a tax deferral and/or a tax interest reduction for a three (3) month period. The resolution on the floor is a tax deferral that would apply to the payment currently due and to the payment to come due on July 1<sup>st</sup>. The deferral is for three (3) months. There is a one (1) month deferral already built into our municipal tax legislation. If a payment is due April 1<sup>st</sup> they normally have until May 1<sup>st</sup> to make the payment with no interest. The executive order extends that for a three (3) month period. The April 1<sup>st</sup> payment would now have a grace period until July 1<sup>st</sup> without interest.

The primary proposal put forward by the governor made this a COVID affected deferment only, but also gave the town the flexibility to apply it more broadly. This resolution is applied broadly. The administrative work necessary to have people prove they were COVID affected, (loss of job, family income reduced, and/or unemployment), would entail an application be submitted to the Tax Assessor's office to be reviewed for eligibility. This resolution is to defer the tax payment not abate it.

The only taxpayers that would have to prove anything with this resolution are landlords. In order for landlords to take advantage of this they will have to show they are providing some relief to their tenants otherwise they won't be eligible. Banks are not eligible, anyone paying into an escrow account is not included in this deferment.

This resolution defers for three months. If the payment is made on July 2<sup>nd</sup> or later 6% interest would be paid, (At the 18% or the 1.5% per month). As long as the payment is made by July 1<sup>st</sup> there is no interest due. The July 1<sup>st</sup> payments would be for automobile taxes, personal property tax, real estate taxes, and WPCA sewer usage that comes due during this time. When the next payment comes through it would be deferred to October 1<sup>st</sup> with no interest due but if not paid in October 1<sup>st</sup> there will be two (2) payments due, the deferment will be over. The deferred payment will be due as well as the October payment. The October bill will be due in one (1) month. If they pay their April payment on July 2<sup>nd</sup> they will owe the full 6%, 1.5% per month for four (4) months.

The second alternative as written in the second agenda item, RESOLUTION TC28-69, is an interest reduction plan that reduces the 18% per year or 1.5% per month to .25% per month or 3% per year. If this resolution is passed there is no reason to pass the second resolution on this agenda because there wouldn't be an obligation to pay any interest because of the deferment with no interest. The timeframe for the interest reduction is exactly the same, (three months).

Ms. Pires spoke in favor of the deferment option, it is more of a benefit to Town residents, especially if they have been impacted by the COVID-19. Not having the application process would make it easier for all in the Tax Assessor', Tax Collector's and the Finance offices. There wasn't guidance from the State on what information would be

required for the application. The other program would be to reduce the interest but that wouldn't be better for the taxpayer. The plan is to give them relief.

Following what Ms. Pires and Attorney Schopick said First Selectman Tesoro supported the deferment for all taxpayers. It's better for the residents and businesses to have the opportunity to defer taxes without the requirement of having to be COVID eligible. The application would be a cumbersome process. We are one of six communities in CT that pays taxes quarterly. The turn-around time for the applications would give the employees a week to determine who is eligible, in any event this should be offered to all of the tax payers. This deferral has been chosen by many communities in CT and believes that is the direction we should go in.

Attorney Schopick explained to the Council taxpayers would have until October 1<sup>st</sup> to pay the July payment. For the regular October payment taxpayers would have until November 1<sup>st</sup> to pay which is the usual one (1) month grace period. The three-month deferral is really two months because there is a one (1) month deferral built into our system. The payment dates are being moved out two (2) months and if they are late they will owe interest from the first day the tax was due.

Attorney Schopick explained for the Council this would not affect the taxpayer who is already delinquent, it would for this particular payment period but doesn't forgive any of their other delinquency. If the interest rate reduction resolution was adopted those already delinquent would only get the reduction for the two payments, (April and July 2020).

The Chair asked that remarks be kept to this resolution, discussion of the budget was not on the floor.

Ms. Pires reported the Town's cash flow projected to the end of June 2020 as healthy and doesn't see a problem. The escrow companies aren't eligible for this deferment and represents half of the real estate taxes collected, \$15 million to be received this quarter. The Town has received \$10 million to date and expects the remaining \$5 million to come next week. All of the collections have been coming in, including taxpayers'. Ms. Pires confirmed for the Council she has reviewed the cash flows and the Town is doing well. We are not at 100%. The general fund is at \$38 million as of last month. That took into account the capital projects' account that is not to be touched, which was \$10 million. The general fund was \$48 million less the \$10 million for capital projects bringing the number to \$38 million. The fund balance is \$24 million. Part of the cash is the fund balance and the Town is still collecting permitting fees and revenues from the state. Ms. Pires had taken into consideration the average cash disbursements based on the same time last year. Based on her figures the town is good. There will not be a revenue shortfall because the financials are on an accrual basis. For cash flow purposes she used a cash flow method. The enterprise fund is separate from the general fund.

The Chair brought the discussion back to the resolution on the floor.

First Selectman Tesoro stated it is important that this is a deferment not a forgiveness, people have to pay the tax. We have a 98-99% payment history and recommended anyone who can pay their taxes pay it as they normally do. This is for people who are suffering an economic crisis or something due to the virus and are extending it to all of our taxpayers. No one needs to accumulate additional liabilities, the extension ends in July. They will be looking at additional tax payments in July on top of the payments they may not have made for their municipal tax obligation. It was recommended those that can pay to pay, but they know there will be some who cannot and wanted to extend the opportunity to them.

First Selectman Tesoro explained for the Council she did not have data to share on how many residents were unemployed or under employed. Trumbull has 250-260 COVID cases confirmed and 25 deaths. The numbers keep climbing. 240 people have tested positive in Trumbull and know there are many more people that that are positive. It is everywhere. There isn't enough testing being done and there are people who aren't symptomatic. They are tracking these numbers every day. The numbers are still increasing, so we know we aren't at the peak yet and hopes we are soon. The peak is estimated at April 27-May 10, 2020. Without adequate testing it is hard to rely on the numbers to show when the peak will be. As far as people being out of work, they get calls daily as well calls to the Economic Development office. People are struggling, people are afraid and have tried to apply for the small business loans and PPP programs through the state. Some are having difficulties. They could look into whether there is statistical data and share it when they obtain it.

First Selectman Tesoro believes those that can pay their taxes will this is a deferral not a forgiveness, basically a 60-day window.

The Council discussed the possibility of shortages from the deferment. First Selectman spoke to the importance of giving COVID affected people some relief. The Council discussed the administrative portion of the COVID-affected application process was cumbersome.

It was noted the discussion was moving away from the resolution on the floor.

Moved by Elstein, seconded by Klain to call the question. VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED unanimously

Moved by Glasser-Orenstein, seconded by Cantafio to PASS as Emergency Legislation. VOTE: Motion CARRIED unanimously.

The Chair noted since RESOLUTION TC28-68 passed, RESOLUTION TC28-69 doesn't apply because it is a low interest rate if they were not deferring and called for a motion to table the resolution.

2. RESOLUTION TC28-69: Moved by Cantafio, seconded by Whitmoyer to Table  
RESOLUTION TC28-69.

BE IT RESOLVED, That a Low Interest Rate Program is hereby adopted in accordance with Executive Orders 7S and 7W. (*Full Resolution Attached*)

VOTE: Motion CARRIED unanimously.

ADJOURNMENT: There being no further business to discuss and upon motion made by Cantafio, seconded by Klain the Trumbull Town Council adjourned by unanimous consent at 7:39 p.m.

Respectfully Submitted,



Margaret D. Mastroni, Town Council

**RESOLUTION TC28-68**

**WHEREAS**, on April 1, 2020, the Governor of the State of Connecticut (“Governor”) issued Executive Order No. 7S, paragraph 6 of which provides that “Notwithstanding any contrary provisions of Chapter 204 of the Connecticut General Statutes or of any special act, charter, home-rule ordinance, local ordinance or other local law, there shall be established two programs to offer support to eligible taxpayers, businesses, nonprofits, and residents who have been economically affected by the COVID-19 pandemic. Such programs shall be known as the "Deferment Program" and the "Low Interest Rate Program." Each municipality, as defined in section 7-148 of the general statutes, by determination of its local legislative body . . . shall participate in one or both programs and shall notify the Secretary of the Office of Policy and Management no later than April 25, 2020, about which program or programs it is electing to participate in; and

**WHEREAS**, Executive Order 7S, paragraph 6, subparagraph a, provides that "municipalities participating in the Deferment Program shall offer to eligible taxpayers, businesses, nonprofits, and residents a deferment by ninety (90) days of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric rates, charges or assessments for such tax, rate, charge, or assessment from the time that it became due and payable. Eligible taxpayers, businesses, nonprofits, and residents are those that attest to or document significant economic impact by COVID-19, and/or those that document they are providing relief to those significantly affected by the COVID-19 pandemic. The Secretary of the Office of Policy and Management shall issue guidance as to which taxpayers, businesses, nonprofits, and residents shall be considered eligible for the Deferment Program. . . .”; and

**WHEREAS**, Executive Order 7W, paragraph 1, subparagraph b, amended the 90 day reference in Executive Order 7S to read three (3) months and further amended the reference to March 10 to read April 1; and

**WHEREAS**, Executive Order 7S, paragraph 6, subparagraph a, further provides that “participating municipalities may . . . extend eligibility for the deferment program to other categories of taxpayers, businesses, nonprofits, and residents”; and

**WHEREAS**, Executive Order 7S, paragraph 6, subparagraph d, provides that “financial institutions and mortgage servicers that hold property tax payments in escrow on behalf of a borrower shall continue to remit property taxes to the municipality, so long as the borrower remains current on their mortgage or is in a forbearance or deferment program, irrespective of the borrower's eligibility for or participation in the Deferment Program. . . .”

**NOW, THEREFORE, BE IT RESOLVED**, That pursuant to paragraph 6, subparagraphs a, c, and d of Executive Order 7S and paragraph 1, subparagraph b of Executive Order 7W, the Town Council of the Town of Trumbull hereby adopts a 3-month Tax Deferment Program for all taxpayers except those who pay through their mortgage lenders, said plan to be applicable for all real property, personal property or motor vehicle taxes, or municipal sewer use charges or sewer assessments payments due from April 1, 2020 through and including July 1, 2020, whether real property, personal property, motor vehicles, or sewer use and sewer assessment payments due; and be it

**FURTHER RESOLVED**, That any Landlord seeking to apply for this program must demonstrate a revenue loss due to COVID-19 and that said Landlord has extended a commensurate forbearance to its Tenants.

## RESOLUTION TABLED

### RESOLUTION TC28-69

**WHEREAS**, on April 1, 2020, the Governor of the State of Connecticut (“Governor”) issued Executive Order No. 7S, paragraph 6 of which provides that “Notwithstanding any contrary provisions of Chapter 204 of the Connecticut General Statutes or of any special act, charter, home-rule ordinance, local ordinance or other local law, there shall be established two programs to offer support to eligible taxpayers, businesses, nonprofits, and residents who have been economically affected by the COVID-19 pandemic. Such programs shall be known as the "Deferment Program" and the "Low Interest Rate Program." Each municipality, as defined in section 7-148 of the general statutes, by determination of its local legislative body . . . shall participate in one or both programs and shall notify the Secretary of the Office of Policy and Management no later than April 25, 2020, about which program or programs it is electing to participate in; and

**WHEREAS**, Executive Order 7S, paragraph 6, subparagraph b, provides that " for municipalities participating in the Low Interest Rate Program, notwithstanding Section 12-146 of the General Statutes, (i) the delinquent portion of the principal of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric charges or assessments or part thereof shall be subject to interest at the rate of three (3) per cent per annum for ninety days from the time when it became due and payable until the same is paid, for any such tax, rate, charge, or assessment due and payable from March 10 through and including July 1, 2020, . . . Following the ninety days, the portion that remains delinquent shall be subject to interest and penalties as previously established; and (ii) any portion of the principal of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric rates, charges or assessments or part thereof that had been delinquent on or prior to March 10, shall be subject to interest at the rate of three (3) per cent per annum for ninety days from this Order, . . . Following the ninety (90) days, the portion that remains delinquent shall be subject to interest and penalties as previously established.”; and

**WHEREAS**, Executive Order 7W, paragraph 1, subparagraph b, amended the 90 day reference in Executive Order 7S to read three (3) months and further amended the reference to March 10 to read April 1; and

**WHEREAS**, Executive Order 7S, paragraph 6, subparagraph c, provides that “any taxpayer that rents or leases to any commercial, residential, or institutional tenant or lessee shall only be eligible for the Low Interest Rate Program if said landlord offers commensurate forbearance to tenants or lessees, upon their request.”; and

**WHEREAS**, Executive Order 7S, paragraph 6, subparagraph d, provides that “financial institutions and mortgage servicers that hold property tax payments in escrow on behalf of a borrower shall continue to remit property taxes to the municipality, so long as the borrower remains current on their mortgage or is in a forbearance or deferment program, irrespective of the borrower's eligibility for or participation in the . . . Low Interest Rate Program.”

**NOW, THEREFORE, BE IT RESOLVED**, That pursuant to paragraph 6, subparagraphs b, c and d of Executive Order 7S and paragraph 1, subparagraph b of Executive Order 7W, the Town Council of the Town of Trumbull hereby adopts a 3-month Low Interest Rate Program for all real property, personal property or motor vehicle taxes, or municipal sewer use charges or sewer assessments payments due from April 1, 2020 through and including July 1, 2020; and be it

**FURTHER RESOLVED** that the interest charged on late payments in accordance with said Executive Order 7S is hereby set at three (3%) percent per annum as provided for in said Executive Order 7S.