

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF SELECTMEN****October 5, 2015**

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A special meeting of the North Haven Board of Selectmen was held on Monday, October 5, 2015 at 6:00 p.m. in the conference room #1 of the Town Hall, 18 Church Street, North Haven, CT.

**Members Present:**

First Selectman, Michael J. Freda

Second Selectman, Timothy M. Doheny

Third Selectman, Sally J. Buemi

Mr. Freda called the meeting to order at 6:14 pm and welcomed everyone to the meeting. Mr. Freda advised that Selectman Doheny was stuck in traffic and they would start the meeting without him. Mr. Freda then reviewed the topics on the agenda.

Mr. Freda then asked if there was any public comment relative to the agenda. Hearing none, Mr. Freda moved to the next item on the agenda to consider and vote upon whether to authorize the assessor to grant the veterans' tax exemptions set forth in Connecticut General Statutes Section 12-81g in accordance with the requirements therein as said Section was amended by Public Act No. 13-224.

Mr. Johns explained that this was a proposal derived from the state statute. He stated that it allows the Town to offer an additional exemption to 100% VA disabled, up to \$6,000 in addition to what they are currently receiving and it is 100% reimbursable by the State of Connecticut. Sally asked if it applied to vehicles and could there be multiple ownership. Mr. Johns stated yes, as long as the veteran is listed as an owner. Attorney Coppola added that this is a simple issue and it makes sense to support it.

Miss Buemi motioned to postpone item 3 (the vote) on the agenda for Mr. Doheny's arrival. Mr. Freda seconded the motion.

Vote: Freda – yes, Buemi – yes

Miss Buemi read the next item on the agenda to consider and vote upon whether to recommend that the Town Meeting adopt amendments to the Soldiers' Memorial Ordinance at Chapter 67 of the Ordinances of the Town of North Haven to amend Section 67-1 to formally assume responsibility for the maintenance and preservation of all the memorials and monuments on the Town Green and add Section 67-2 to establish certain eligibility criteria for future memorials and monuments.

Attorney Coppola took several minutes to explain the proposed amendment to the Soldiers' Memorial Ordinance in detail. Mr. Freda shared that two years ago a

committee was formed including himself, Commanders Dan Riccio and Charlie Morrissey, State Representative David Yaccarino, Colonel Ray Fowler and land use administrator, Alan Fredricksen. Mr. Freda thanked them all for their contributions and added that Colonel Fowler spent a great deal of his time on the amendment. Colonel Fowler then addressed the Board/public to make a few comments regarding their goal of making this amendment fair and also that this monument will not include WWI, WWII and Vietnam Veterans – as those memorials are closed. He also stated that it is ultimately the responsibility of the veteran to provide proof of eligibility and make application.

Miss Buemi voiced her support and motioned to postpone item 5 on the agenda and to vote for the approval when Mr. Doheny arrives. Mr. Freda seconded.

Vote: Freda – yes, Buemi – yes

Mr. Doheny arrived at the meeting and Mr. Freda explained that they will go back to the item 3 and 5 following the remaining items on the agenda.

Miss Buemi then proceeded with reading the next item to consider and vote upon whether to recommend that the Town Meeting adopt a Blasting Ordinance at Chapter 83 of the Ordinances of the Town of North Haven to set forth the blasting policy of the Office of the Fire Marshal developed for the protection of the health, safety, and well-being of the Town, its residents, and their property.

Mr. Freda thanked the new fire chief, Paul Januszewski and Lynn Sadosky for working with Attorney Coppola to develop this blasting ordinance. Attorney Coppola then proceeded along with Chief Janusewski to extensively explain the ordinance.

Miss Buemi expressed her concern over what she feels is a loophole regarding the emergency clause. A discussion continued and it was agreed that there should be a change to include some qualifying language with regard to the definition of emergency. The discussion continued among the Selectmen, Attorney Coppola, and Chief Januszewski including notice to the abutters, safety precautions, post blast clean up, insurance requirements, underground structures and level of charge.

At the conclusion of their discussion, Miss Buemi read the following into the record:

**RESOLVED:** To recommend that the Town Meeting adopt a Blasting Ordinance at Chapter 83 of the Ordinances of the Town of North Haven to set forth the blasting policy of the Office of the Fire Marshal developed for the protection of the health, safety, and well-being of the Town, its residents, and their property. Subject to the amendments discussed.

Mr. Doheny motioned approval of the resolution seconded by Miss Buemi.

Vote: Freda – yes, Doheny – yes, Buemi – yes

Mr. Doheny proceeded with the next agenda item to consider and vote upon whether to recommend that the Town Meeting adopt an amendment to the Building Construction Ordinance at Chapter 88 of the Ordinances of the Town of North

Haven to revise the definition of delinquent at Section 88-4.A. of Article IV concerning the Withholding of Permits and Certificates for Delinquent Taxes, Charges, and Assessments such that for the purposes of Section 88-4 the delinquency of any tax, fee, charge, or fine in issue, together with any accrued interest or penalties, shall be determined in accordance with the applicable provision(s) of the Connecticut General Statutes, ordinance(s), code(s), or regulation(s) which define delinquency for the particular tax, fee, charge, or fine in issue and if not so defined, said tax, fee, charge, or fine shall be deemed delinquent if it remains unpaid, in whole or in part, for a period of thirty (30) days past the date upon which payment of such tax, fee, charge, or fine was due, together with any accrued interest and penalties.

Attorney Coppola explained that this is an amendment to change the definition of delinquency from 60 days to 30 days. Mr. Freda stated that he feels making this change will help us. The Selectmen all agreed that this was a worthwhile change.

Miss Buemi read the following into the record:

**RESOLVED:** To recommend that the Town Meeting adopt an amendment to the Building Construction Ordinance at Chapter 88 of the Ordinances of the Town of North Haven to revise the definition of delinquent at Section 88-4.A. of Article IV concerning the Withholding of Permits and Certificates for Delinquent Taxes, Charges, and Assessments such that for the purposes of Section 88-4 the delinquency of any tax, fee, charge, or fine in issue, together with any accrued interest or penalties, shall be determined in accordance with the applicable provision(s) of the Connecticut General Statutes, ordinance(s), code(s), or regulation(s) which define delinquency for the particular tax, fee, charge, or fine in issue and if not so defined, said tax, fee, charge, or fine shall be deemed delinquent if it remains unpaid, in whole or in part, for a period of thirty (30) days past the date upon which payment of such tax, fee, charge, or fine was due, together with any accrued interest and penalties.

Mr. Doheny motioned approval of the resolution, seconded by Miss Buemi.

Vote: Freda – yes, Doheny – yes, Buemi – yes

Mr. Doheny then continued with the agenda to the next item to consider and vote upon whether to recommend that the Town Meeting adopt an amendment to the Taxation Ordinance at Chapter 184 of the Ordinances of the Town of North Haven to add Article X establishing an Ordinance Concerning Property Tax Freeze Relief for Certain Elderly Homeowners to improve the quality of life of the Town's eligible senior residents and encourage their continued residence and property ownership.

Mr. Johns and Attorney Coppola explained the components of the proposed Senior Tax Freeze amendment in great detail. They explained that they looked at many other towns and compared those ordinances. The Board asked a number of questions of both Attorney Coppola and Mr. Johns including the age of the qualifying senior 65 versus 70, the stipulation that you must live in town for 5 years, asset limitations, the lien process, potential for abuse, defining occupancy, in

addition to several others. A lengthy discussion ensued on the topic.

Miss Buemi motioned to amend the agenda to allow public comment at this time on this item only. Mr. Doheny seconded the motion.

Vote: Freda – yes, Doheny – yes, Buemi – yes

Sherman Katz, Sherwood Drive, stated that he felt the proposed senior tax freeze amendment is too complicated and is concerned with this type of program. He feels that we should not implement this and just increase the amount of the existing senior tax credit of \$350. The Selectmen discussed the issue with Mr. Katz.

Tom White, Summer Lane, also stated that he sees this program as a problem. He feels that the rest of the taxpayers will have to bear the burden. Additionally he would like to see assets come into the picture and there should be a review board to review each case individually. Mr. Doheny had several comments in response to Mr. White's statements. The discussion continued.

Mary White, Summer Lane, stated that she is in favor of Mr. Katz's suggestions. She thought that we had previously voted to increase the senior tax credit from \$350 to \$500. She went on to say that a local news station just did a story on Connecticut being one of the most expensive states to die due to estate fees and taxes. She thinks it is important that people know that the frozen taxes and the interest has to be paid to the Town first because of the priority lien. This could mean heirs losing the home. She also thinks there is a lot of potential for abuse. The Selectmen discussed Ms. White's concerns.

Raymond Fowler, Todd Drive, stated that he appreciates the good intentions and all the work done on this ordinance, however, it is very complicated and all we really need is a simple monetary tax credit.

Jay Bard, Sherwood Drive, feels it is important to take assets into consideration.

Mr. Freda stated that he feels this needs further discussion before bringing to the Town Meeting for a vote. Mr. Doheny and Miss Buemi agreed. Attorney Coppola stated that she felt as long as it is noticed/warned properly we can modify to change it to a discussion on senior tax relief.

The Board then went back to the items on the agenda requiring a vote. Miss Buemi asked Mr. Doheny if he had any comments regarding the resolution. He did not. Miss Buemi then read the following into the record and motioned for approval, Mr. Doheny seconded the motion.

**RESOLVED:** The Assessor is authorized to grant the veterans' tax exemptions set forth in Connecticut General Statutes Section 12-81g in accordance with the requirements therein as said Section was amended by Public Act No. 13-224.

Vote: Freda – yes, Doheny – yes, Buemi – yes

Mr. Doheny read the following resolution into the record, Miss Buemi motioned to approve and Mr. Doheny seconded her motion.

**RESOLVED:** To recommend that the Town Meeting adopt amendments to the Soldiers' Memorial Ordinance at Chapter 67 of the Ordinances of the Town of North Haven to amend Section 67-1 to formally assume responsibility for the maintenance and preservation of all the memorials and monuments on the Town Green and add Section 67-2 to establish certain eligibility criteria for future memorials and monuments.

Vote: Freda – yes, Doheny – yes, Buemi – yes

Mr. Freda motioned and Mr. Doheny seconded the motion to table the resolution to recommend that the Town Meeting adopt an amendment to the Taxation Ordinance at Chapter 184 of the Ordinances of the Town of North Haven to add Article X establishing an Ordinance Concerning Property Tax Freeze Relief for Certain Elderly Homeowners to improve the quality of life of the Town's eligible senior residents and encourage their continued residence and property ownership.

Vote: Freda – yes, Doheny – yes, Buemi – yes

Miss Buemi motioned and Mr. Doheny seconded the following resolution:

**RESOLVED:** To Call a Special Town Meeting to be held Monday, October 19, 2015 at the North Haven High School, 221 Elm Street, North Haven, CT, at 7:00 P.M., for the Town Meeting to consider and act upon the recommendations of the Board of Selectmen to amend the Soldiers' Memorial Ordinance at Chapter 67 of the Ordinances of the Town of North Haven to amend Section 67-1 and add Section 67-2; to amend the Building Construction Ordinance at Chapter 88 of the Ordinances of the Town of North Haven to revise the definition of delinquent in Section 88-4.A. of Article IV concerning the Withholding of Permits and Certificates for Delinquent Taxes, Charges, and Assessments; to adopt a Blasting Ordinance at Chapter 83 of the Ordinances of the Town of North Haven; and to hold a discussion regarding elderly tax relief issues.

Vote: Freda – yes, Doheny – yes, Buemi – yes

Miss Buemi stated that Mr.& Mrs. William Callahan will be celebrating their 70<sup>th</sup> Anniversary and that on behalf of the Board and the Town she wanted to extend to them our very best wishes for a happy anniversary.

Mr. Freda then opened the meeting to public comment.

Mary White had several questions relating to the proposed blasting ordinance.

Hearing no other comment Mr. Doheny motioned and Miss Buemi seconded adjournment of the meeting at 8:35 p.m.

Vote: Freda – yes, Doheny – yes, Buemi – yes