

## **MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN**

**March 3, 2016**

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The meeting of the Board of Selectmen was called to order at 7:00 pm in the community room of the North Haven Memorial Library, 17 Elm Street, North Haven, CT.

### **Members Present**

First Selectman, Michael J. Freda

Second Selectman, Timothy M. Doheny

Mr. Freda welcomed everyone to the meeting. He introduced himself and second selectman, Timothy Doheny. Mr. Freda announced with sadness that Miss Sally Buemi was absent from the meeting because her father, and longtime resident, Dr. Anthony Buemi passed away earlier in the day. Mr. Freda had some very nice comments regarding Dr. Buemi, his contributions and patriotism. Mr. Freda asked for a moment of silence in Dr. Buemi's memory.

Following the recitation of the Pledge of Allegiance, Mr. Freda asked if there were any public comments relative to the agenda. Hearing none Mr. Freda invited the Girl Scouts to join the meeting. The Girl Scouts addressed the Board reciting the Girl Scout Promise to the Board and members of the public. Mr. Freda read the proclamation sharing the history, and many attributes and contributions of the Girl Scouts over the past 104 years and declared March 12, 2016 as Girl Scout Day in North Haven.

Mr. Doheny motioned and Mr. Freda seconded the approval of the minutes of the Board of Selectmen's Meeting of February 4, 2016.

Vote: Freda -Yes, Doheny -Yes

Mr. Freda noted that there was no correspondence this evening and due to several items on the agenda for discussion he would forgo the Selectman's update. Mr. Freda then invited Attorney Jennifer Coppola to begin the discussion regarding the 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 explained the change to the originally proposed amendment is that the ordinance will now include all individuals who served post Vietnam regardless if the individual served in combat, and for those who did serve in combat there would be a special designation next to their name.

Mr. Freda thanked Colonel Ray Fowler for all his efforts and many hours of his time that he spent on this amendment and also noted that other members of the committee were State Representative Dave Yaccarino, Senator Fasano, Dan Ricco and Charlie Morrissey of the Legion Post 76 and our Land Use Director, Alan Fredricksen. Mr. Freda noted that he invited Mr. Fowler to speak at the upcoming special town meeting. Mr. Freda also stated that Mr. Fowler has suggested using the symbol of a sword as the special designation for those who served in combat. He also thanked Attorney Coppola for her efforts as well. Mr. Doheny clarified that the only change made to the previously proposed ordinance is that now all those who served whether humanitarian or in combat would now be eligible to be included, and those who did in fact serve in combat would have the special designation by their name.

Moving to the next item on the agenda the Board entered into discussion of 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.

Attorney Coppola then addressed the Board and began by thanking the members of the Senior Tax Freeze Committee; Donald Clark, Sandra Foley, Stephen Gifford, George Guertin, Sherman Katz, Deborah Moore, Regina Najarian, Joseph Solimene, and Joseph Villano and acknowledged several members present in the audience. Attorney Coppola then read the report of the Committee addressed to the Board. The report included recommendations of which the Committee voted upon 9-0 in favor, following the four meetings that were held. The recommendations included as follows:

(1) Asset limits:

- (a) For taxpayer applicants who have resided continuously in the Town of North Haven for five (5) to ten (10) years, an asset limit of \$150,000 for single taxpayer applicants and \$200,00 for married taxpayer applicants, excluding the principal residence for which property tax relief is being sought up to a fair market value of \$500,000;
- (b) For taxpayer applicants who have resided continuously in the Town of North Haven for over ten (10) years to twenty (20) years, an asset limit of \$200,000 for single taxpayer applicants and \$250,000 for married taxpayer applicants, excluding the principal residence for which property tax relief is being sought up to a fair market value of \$500,000 and
- (c) For taxpayer applicants who have resided continuously in the Town of North Haven for over twenty (20) years, an asset limit of \$250,000 for single taxpayer applicants and \$300,000 for married taxpayer applicants, excluding the principal residence for which property tax relief is being sought up to a fair market value of \$500,000.

(2) Taxpayers whose principal residence has a fair market value of over \$500,000, as determined by the Assessor, shall not be permitted to participate in the tax freeze program;

(3) Countable assets shall include all items of value owned by the taxpayer applicant(s), including but not limited to, real property other than the principal residence for which property tax relief is being sought; all bank and credit union accounts; certificates of deposit; stocks; bonds; retirement accounts; annuities; cash on hand; all vehicles; business assets; revocable trusts established by the taxpayer applicant(s); and trusts for which the taxpayer applicant(s) is/are the beneficiary and from which distribution is available to meet household expenses. Assets which shall not be counted towards the applicable asset limit shall be furnishings and fixtures of the principal residence; pensions; and insurance policies.

(4) Taxpayer applicants shall be required to execute an Affidavit in a form to be determined by the Assessor and to submit, in support of his/her/their representation as to assets, at a minimum a copy of the last two (2) federal tax returns he/she/they filed and a copy of the last annual statement received by the taxpayer(s) prior to submission of his/her/their application for property tax freeze relief for any and all bank, credit union, brokerage, retirement, or other investment accounts as well as any other documents as required by the Assessor.

In addition the Committee recommended that subsections (b) and (c) of Section 184-41.A.2. of the proposed Ordinance be revised as follows:

(b) Occupy such real property as his/her/their principal residence;

(c) On December 31 of the calendar year preceding the year in which a claim is filed, either spouse shall have resided continuously within the Town of North Haven for at least five (5) years before filing a claim under this Article. The Committee also recommended to the Board to include an annual cap (a maximum amount of benefits that would be available for the property tax freeze program on an annual basis) in the proposed Ordinance with input on the establishment of the annual cap from the Board of Finance.

Attorney Coppola commended the Committee for their commitment and seriousness that they gave to their responsibilities. Attorney Coppola also discussed the ordinance with regard to following the guidelines of the statute and the limits therein. The Selectmen discussed the subject further with clarification on several items including fair market value and assets with Attorney Coppola and Mr. Clark. Mr. Katz, Chairman of the Committee, thanked the Town employees who participated in the meetings: Edward Swinkoski, Finance Director; Gary Johns, Assessor; J. Stacey Yarbrough, Tax Collector and also Jennifer Coppola who all did a great job. He also thanked Mr. Freda for picking a good committee. Mr. Freda thanked Mr. Katz for spearheading the issue and his involvement. Mr. Doheny commented that this was a good example of the Town listening to the residents and working through both ordinances. Mr. Freda stated that there will be

special town meeting on March 29<sup>th</sup> to vote on the proposed ordinances. Mr. Katz also noted that the Committee was very cognizant of the people that would have to pay for this program and make up the difference.

The Selectmen discussed a proposed ordinance establishing a schedule of fees for the processing of land use applications. Attorney Coppola stated that she has been working with staff on a proposed ordinance to set forth the land use application fees for processing all land use applications that go through Planning and Zoning, Inland Wetlands, Zoning Board of Appeals and the Zoning Enforcement Officer. There is a statute that allows municipalities to pass such an ordinance. Mr. Freda stated that the Town, in light of everything that is happening at the State level, is looking for forms of incremental income. We found that other municipalities are doing this. Our staff is spending a great deal of time on these applications and we, like other towns and cities, impose a fee for these services.

Mr. Doheny announced the resignation of Marc Fasano (R) 25 Round Hill Road, from the Community Services Commission term due to expire December 31, 2016. Mr. Freda thanked Marc for his service to the Town.

Mr. Freda motioned and Mr. Doheny seconded the appointment of Georgann Witte (D) 101 Mansfield Road, to the Clean Energy Task Force.

Vote: Freda –Yes, Doheny

Mr. Freda mentioned several initiatives of the Town working in conjunction with the Clean Energy Task Force. He also noted that the Town has been awarded Gold Star Status as a result of these initiatives.

Mr. Freda motioned and Mr. Doheny seconded the reappointment of Cheryl Juniewicz, 101 Knollwood Road, to the Open Space Advisory Committee for a (1) year term to expire December 31, 2016.

Vote: Freda –Yes, Doheny

Mr. Freda made several comments regarding the Open Space Advisory Committee and the objective of preserving open space, limiting overdevelopment and keeping our New England charm. He added that the Town will be looking in this proposed budget to include funding for the purchase of open space.

Mr. Doheny motioned and Mr. Freda seconded the approval of the following Property Tax Refunds –

Vote: Freda –Yes, Doheny

- Lauriat, Robert or Constance – 7 Charter Oak Place, North Haven, CT 06473, in the amount of \$236.18.
- Nissan Infiniti LT – Box 650214, Dallas, TX 75265, in the amount of \$48.78, and in the amount of \$117.09.

- Young, Simon C – 66 Oakwood Drive, North Haven, CT 06473, in the amount of \$59.41.

Mr. Freda stated that the next meeting of the Board of Selectmen is scheduled for Thursday, April 7, 2016 at 7:00 p.m. in the community room of the North Haven Memorial Library, 17 Elm Street, North Haven, CT.

Mr. Freda then opened the meeting to public comment. Mrs. Joan Mazurek, Hermitage Lane, began a lengthy discussion stating that she was not happy with the recommendations made by the Senior Tax Freeze Advisory Committee. She had many concerns including age and income limits. She also felt that the Town could be using the State Statute 12-129-n. Attorney Coppola explained that the freeze statute that we are relying on to pass the ordinance is CGS 12-170-v which is the freeze statute, the CGS 12-129-n is the deferral statute. She stated the authority comes from State Statutes and we must follow that. She then read the statute and reiterated this is the municipal option tax freeze statute. Mr. Doheny clarified that qualifying residents would be able to layer all of the benefits and take advantage of the existing senior tax credit, the state credit, and the veteran's credit in addition to the proposed senior tax freeze. The Board continued to discuss the issue further with Attorney Coppola and Mrs. Mazurek. Mr. Katz, Chairman of the Committee, Mr. John Heeran, Debra Lane, also had several comments on the topic. Mr. Freda summed it up by reminding everyone to stay positive. This is a good benefit that will help those who need it. Attorney Coppola also concluded with noting that the committee would like some input from the Board regarding the program cap.

Mr. Freda asked if there were any other public comments, hearing none, Mr. Freda motioned and Mr. Doheny seconded to adjourn the meeting at 8:17 pm.

Vote: Freda –Yes, Doheny –Yes