

Linda M. Hodge



First Selectman

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**Board of Selectmen Regular Meeting Minutes
Thursday, March 6, 2008
Colchester Town Hall
Meeting Room 1 – 7:30 p.m.**

MEMBERS PRESENT: First Selectman Linda Hodge, Stan Soby, Rosemary Coyle, Greg Cordova, John Malsbenden

MEMBERS ABSENT: None

OTHERS PRESENT: Mike Caplet, Ryan Blessing, BettyAnn Oppelt, Mary Bylone, Amy Steinman, Jay Cohen

1. **Call to Order:** First Selectman L. Hodge called the meeting to order at 7:31 p.m.
2. **Additions to the Agenda:** L. Hodge noted to add the following to the agenda: as a new #10, add "Discussion and Possible Action on "4th Annual Colchester 57 Fest Sponsorship Opportunity" new #11, add "Discussion and Possible Action on Authorizing Application for 'Connecticut Senior Centers 2008 Special Funding Initiative' Grant", new #25, add "Board of Selectmen Meeting Times", with previous item #10 through #26 to be renumbered accordingly, S. Soby moved to accept the changes as noted, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.
3. **Approve Minutes of the February 21, 2008 Public Hearing:** R. Coyle moved to approve the February 21, 2008 Public Hearing minutes as presented, seconded by S. Soby. J. Malsbenden abstained, with all other members present voted in favor. MOTION CARRIED.
4. **Approve Minutes of the February 21, 2008 Regular Meeting:** R. Coyle noted that the second page of the Elderly Tax Relief Task Force letter should be added to the attachments as it was omitted. R. Coyle moved to approve the February 21, 2008 regular meeting minutes as amended, seconded by G. Cordova. J. Malsbenden abstained, while all other members present voted in favor. MOTION CARRIED.
5. **Citizen's Comments:** None

6. Boards and Commissions -- Resignations

- a. **Colchester Commission on Aging -- Regina Saparo-Hunt:** R. Coyle moved to accept the resignation of Regina Saparo-Hunt with regret, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

7. Boards and Commissions -- Interviews and/or Possible Appointments

- a. **Commission on Aging (member; term expires 02/31/11): Barbara Warden (Currently Alternate):** S. Soby moved to appoint Barbara Warden as a full member of the Commission on Aging with a term to expire on 02/31/11, seconded by J. Malsbenden. Following discussion, members present voted unanimously in favor. MOTIONED CARRIED.
- b. **Commission on Aging (alternate; term expires 12/06/11): BettyAnn Oppelt (to be interviewed):** The Board of Selectmen interviewed BettyAnn Oppelt. R. Coyle moved to appoint BettyAnn Oppelt as an alternate to the Commission on Aging with a term to expire on 12/06/11, seconded by J. Malsbenden. Following discussion, members present voted unanimously in favor. MOTION CARRIED.
- c. **Conservation Commission (alternate; term expires 10/01/11):**
 - **Kurt Frantzen (interviewed 01/17/08):** L. Hodge noted that Kurt Frantzen is considering the Conservation Commission and will be attending the next commission meeting before he makes a final decision to bring to the Board of Selectmen.
 - **Mary Bylone (to be interviewed):** The Board of Selectmen interviewed Mary Bylone. R. Coyle moved to appoint Mary Bylone as an alternate to the Conservation Commission with a term to expire on 10/01/11, seconded by S. Soby. Following discussion, members present voted in favor. MOTION CARRIED.
- d. **Lebanon Avenue Revitalization Committee (member): Amy Steinman (to be interviewed):** The Board of Selectmen interviewed Amy Steinman. G. Cordova moved to appoint Amy Steinman as a member of the Lebanon Avenue Revitalization Committee with a term to expire at such time as the Committee submits its final report to the Board of Selectmen, seconded by R. Coyle. Following discussion, members present voted unanimously in favor. MOTIONED CARRIED.

8. Budget Transfers

- a. **Tax Collector:** S. Soby moved to approve the budget transfer from "First Selectman -- Other Reg & Part-time (11201 40102)" to "Tax Collector -- Other Reg & Part-Time (11303 40102)" in the amount of \$3600.⁰⁰, to "allow Tax Collector to hire a temporary clerk at a rate of \$13.91/hour, 24 hours per week, for 10 weeks. This person will assist the Tax Collector in bringing collection efforts up-to-date", seconded by R. Coyle. Following discussion, all members present voted in favor. MOTION CARRIED.

- b. **Police:** J. Malsbenden moved to approve the budget transfer from "Regular Payroll (12101 – 40101)" to "Police Equipment and Supplies (12101 – 42338)" in the amount of \$5325.⁰⁰, from "Regular Payroll (12101 – 40101)" to "Machinery and Equipment (12101 – 48404)" in the amount of \$12,450.⁰⁰, from "Regular Payroll (12101 – 40101)" to "Vehicles and Trucks (12101 – 48467)" in the amount of \$6240.⁰⁰ to "purchase tasers, hand guns, and patrol rifles for officers, to purchase and standardize two cruiser consoles, including adding two rifle/shotgun lock boxes. To purchase two hand-held state police radios and two defibrillators. To purchase and install a digital camera in one cruiser", seconded by S. Soby. Following discussion, all members present voted in favor. MOTION CARRIED.
9. **Tax Refunds & Rebates:** After review R. Coyle moved to approve tax refunds in the amount of \$732.12 to Jeffrey and heather Tassmer, \$5.20 to Horst Slembek, \$3.60 to Jennifer Wolverton Wade, \$3.39 to Matthew and Carlene Herboldt, \$20.81 to Jeffrey Herboldt, \$4.21 to Dana and Beatrice Bradstreet, \$2.57 to Alana Spencer, \$1.98 to Frank Spencer, \$137.53 to Joseph Lichaa, \$6.27 to Emily Chaponis, \$1664.23 to Paul and Marian Chreiman, \$40.73 to Ernest Kinsey, \$7.09 to Alex and Deborah Savitsky, \$2.16 to Michael and Theodore Begun, \$30.50 to Antoinette Bangs, seconded by J. Malsbenden. Unanimously approved. MOTION CARRIED.
10. **Discussion and Possible Action on 4th Annual Colchester 57 Fest Sponsorship Opportunity:** S. Soby moved to approve the revised Colchester 57 Fest Sponsorship Opportunity, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
11. **Discussion and Possible Action on Authorizing Application for Connecticut Senior Centers 2008 Special Funding Initiative Grant:** J. Malsbenden moved to authorize the First Selectman to sign any documents for the application for Connecticut Senior Centers 2008 Special Funding Initiative Grant, seconded by G. Cordova. Following discussion, all members present voted in favor. MOTION CARRIED.
12. **Discussion and Possible Action on EPA New England Community Energy Challenge:** J. Malsbenden moved to authorize participation in the EPA New England Community Energy Challenge and the First Selectman to sign any necessary documents, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
13. **Discussion and Possible Action on Assistant Animal Control Officer Job Description Update:** J. Malsbenden moved to approve the updated Assistant Animal Control Officer job description with the revision noted, including moving the line "Part-time; non-union; daily stipend; exempt" moved to the bottom of the second page, seconded by R. Coyle. Following discussion, all members present voted in favor. MOTION CARRIED.
14. **Discussion and Possible Action on Senior Services Assistant to the Director Job Description Update:** G. Cordova moved to approve the updated Senior Services Assistant to the Director job description with the revision noted, including moving the line "Full-time; non-union; hourly; non-exempt" moved to the bottom of the second page, seconded by R. Coyle. Following discussion, all members present voted in favor. MOTION CARRIED.

- 15. Discussion and Possible Action on Parks and Recreation Program Coordinator Job Description Update:** S. Soby moved to approve the updated Parks and Recreation Program Coordinator job description accept revised job description with the revision noted, including moving the line "Full-time; union; salary; exempt" moved to the bottom of the second page, seconded by G. Cordova. Following discussion, all members present voted in favor. MOTION CARRIED.
- 16. Discussion and Possible Action on increasing Parks and Recreation Position from Part-Time to Full-Time to Carry-Out New Programming:** Jay Cohen presented the rationale for increasing this position from part-time to full-time. Following discussion, the Board of Selectmen requested additional information on job duties for this position compared to other positions in the department and they will address it at the next meeting.
- 17. Discussion and Possible Action on Appointment of Jay Gigliotti as the Town of Colchester's Representative to the Salmon River Watershed Steering Committee:** S. Soby moved to appoint Jay Gigliotti as the Town of Colchester's Representative to the Salmon River Watershed Steering Committee, seconded by G. Cordova. Unanimously approved. MOTION CARRIED
- 18. Discussion and Possible Action on the Award of the "Concert Ice Cream Concessions Bid" to New England Soft Serve:** G. Cordova moved to approve the award of the "Concert Ice Cream Concession Bid" to new England Soft Serve, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.
- 19. Discussion and Possible Action on Proclamation for the Week of March 9-15, 2008, as "Girl Scouts Make the World a Better Place Week":** S. Soby moved to authorize the First Selectman to sign the proclamation identifying the Week of March 9-15, 2008, as "Girl Scouts Make the World a Better Place Week", seconded by R. Coyle. Unanimously approved. MOTION CARRIED
- 20. Discussion and Possible Action on Elderly Tax Relief Task Force Recommendation:** R. Coyle presented the pamphlet and draft of the revised "Article VI -- SS 129-19, SS129-20, SS129-21, SS129022, SS 129-23, SS 129-24, SS 129-25, SS 129-26 A. and 129-26 B.", produced by the Elderly Tax Relief Task Force, to the Board of Selectmen. R. Coyle moved that the ordinance be updated with the changes as presented with two revisions suggested by S. Soby, sent on to the Board of Finance for review and sent to legal council prior to a possible Town Meeting to be scheduled for April 3rd, 7:00 p.m. with a Board of Selectmen meeting to follow, seconded by G. Cordova. Following discussion, all members present voted in favor. MOTION CARRIED
- 21. Overview of Proposed Budget:** First Selectman L. Hodge presented the "Initial 2008-09 Budget Proposal to the Board of Finance" to the Board of Selectmen.
- 22. Citizen's Comments:** None
- 23. First Selectman's Report:** First Selectman L. Hodge reported on the donation of 40 yards of playground mulch for our Spring Clean-up event, the status of the new website going live next Friday, and ongoing efforts to recruit for commissions.
- 24. Liaison Reports:** The selectmen reported on their respective boards.

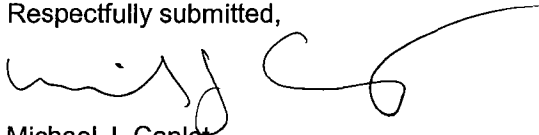
25. Board of Selectmen Meeting Times: R. Coyle moved that the board of Selectmen change meeting times from 7:30 p.m. to 7:00 p.m., seconded by S. Soby. Following discussion, all members present voted in favor. MOTION CARRIED.

26. Adjourn: S. Soby moved to adjourn at 9:50 p.m., seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

Attachments:

1. Elderly Tax Relief Task Force Letter -- Page 2
2. Draft of the revised "Article VI -- SS 129-19, SS129-20, SS129-21, SS129022, SS 129-23, SS 129-24, SS 129-25, SS 129-26 A. and 129-26 B."

Respectfully submitted,



Michael J. Caplet
Executive Assistant to the First Selectman

and Totally Disabled Tax Relief Program, and 2 individuals on Colchester's Local Elderly Tax Deferral Program. Bill Wagner, one of the committee members has begun to gather information about Colchester's elderly demographics. From the voter lists, looking for taxpayers over 65 years of age, the lists show the following: District #1 – 493 families, District #2 – 259 families and District #3 – 226 families that have at least one person 65 or over. These lists include nursing home residents, renters, and newcomers. The next step is to go through the assessor's records to further narrow the participants. The criterion set by the ETRTF is to find those individuals who are 65 or older, own real and motor vehicle property and pay taxes.

The ETRTF agreed by consensus that the following items, which were generated from the original list at the January 24th meeting, would be included in any tax relief plan presented:

1. Inclusion of totally disabled as defined by state statute
2. Definition of real property as defined in Colchester's Local Elderly Tax Deferral Program since this is inclusive and does address individual residing in our 55 and over communities
3. Age requirement of 65 years of age or older as defined in Colchester's Local Elderly Tax Deferral Program which also includes provisions for the surviving spouse
4. Residency requirement of at least one year immediately preceding the receipt of tax relief

The ETRTF also discussed broadening the conversation to provide information and gather public input on this issue.

At the **February 19th meeting** the ETRTF reviewed additional information from eastern Connecticut towns that have Elderly Tax Relief programs, reviewed the first draft of the *2008 Tax Relief Options* flyer as well as the first draft of this memo detailing our first two meetings.

In the *2008 Tax Relief Options* flyer, the ETRTF decided that we should include information on the renters' tax relief program. Materials on this program will be review at the next meeting.

After a lengthy discussion, the ETRTF decided to separate the issues of tax abatement and tax deferral and to proceed with the following immediate and future goals at the February 26th meeting:

1. The ETRTF would work to modify Colchester's existing Local Elderly Tax Deferral Program. We will look at adding language for totally disabled, state statute language that puts a 75% cap on the amount of taxes permitted to be deferred, and some type of review of this ordinance on a regular basis. Other areas of the code under review to be modified would be the income qualifications and the interest percentage.
2. The immediate plan would be to modify Colchester's Local Elderly Tax Deferral Program so it would benefit Colchester's taxpayers this coming year, July, 2008.
3. The immediate plan includes finalizing the *2008 Tax Relief Options* flyer for distribution.
4. After both are accomplished, look at the issue of tax abatement – what the plan would include including qualification guidelines, present and receive public input from the town, and make a recommendation to the Board of Selectman and Board of Finance. This goal would impact the following year, July, 2009.

Article VI
Colchester's Elderly Homeowners and Totally Disabled Individuals Tax Relief Program
[Adopted 10-28-1993] – will need to be changed

§ 129-19. Adoption of article.

The following article shall be adopted by the Town of Colchester.

§ 129-20. Tax relief for elderly homeowners and totally disabled individuals

The Town of Colchester (the "town") hereby provides real property tax relief for eligible elderly *or totally disabled* town residents ("tax relief") pursuant to C.G.S. § 12-129n, commencing with the Grand List of October 1, 2007, and thereafter, on the terms and conditions provided herein.

§ 129-21. Eligibility.

- A. Any person who owns real property in the town or who is liable for taxes thereon as a tenant for life or for a term of years pursuant to C.G.S. § 12-48, and who occupies said property as his or her principal residence, shall be entitled to tax relief, provided that:
- (1) Such person is 65 years of age or over *or is totally disabled*, or whose spouse, living with them, is 65 years of age or over, or 60 years of age or over and the surviving spouse of a taxpayer qualified under this article at the time of his or her death; *and*
 - (2) ~~Such person meets the income limitations of, has applied for and is eligible for the tax relief program pursuant to C.G.S. § 12-170aa, as it may be amended from time to time; and Such person's income does not exceed the income limitations for the tax relief program pursuant to C.G.S. § 12-170aa, as amended from time to time, by more than \$5,000.00; and~~
 - (3) *If eligible, such person must have applied for the State of Connecticut "Homeowner's" program or "Renter's" program.*
 - ~~(3)(4)~~ Such person has, for one year immediately preceding the receipt of tax relief, been a taxpayer of the town.
- B. Notwithstanding the foregoing, no otherwise eligible person shall be deemed ineligible for tax relief solely because said person or his or her spouse has resided in a health care facility for a period of up to one year. Persons who reside in such a facility for a period longer than one year shall be ineligible for tax relief for the period exceeding said one year.

§ 129-22. Limitations.

- A. The tax relief shall be limited to the principal residence of the taxpayer, including the house, the primary lot upon which the residence is located and any accessory buildings located upon such lot (the "eligible property") *as determined by the assessor.*
- B. The taxpayer's total tax relief shall not exceed the limitations set forth in C.G.S. § 12-129n(a).
- C. The town's total abatement of property tax revenue, based on an estimate in any tax year by the Colchester Board of Finance, which may be granted in such tax year by the town pursuant to this article, shall be subject to the limitations of C.G.S. § 12-129n(c).
- D. *The total tax deferred with respect to any eligible property shall at no time exceed 50% of the market value of the applicants' interest in such property, as determined by the town assessor.*

§ 129-23. Application; filing period; re-filing annually.

- A. Application for tax relief shall be made on forms provided by the Assessor of the Town of Colchester (the "Assessor") and shall be accompanied by a copy of the applicant's most recent federal income tax return or such other documentation of eligibility as may be required by the Assessor.
- B. The application shall be filed with the Assessor during the period of February 1 through *August 1 [May 15]*, inclusive, to obtain tax relief for the next fiscal year. Applicants shall re-file with the Assessor annually.

§ 129-24. Computation of tax relief.

- A. The Assessor shall compute the amount of tax relief to which the taxpayer is entitled and advise the Tax Collector of the town thereof.
- B. The tax relief shall, in any case where title to the eligible property is recorded in the name of the taxpayer or his or her spouse and any other person or persons, be prorated to reflect the fractional share of such taxpayer or spouse.
- C. The tax relief shall, in any case where the eligible property is a multifamily dwelling, be prorated to reflect the fractional portion of eligible property occupied by the taxpayer.
- D. If a recipient of tax relief dies or transfer, grants or otherwise conveys his or her interest in the eligible property, the tax relief previously allowed shall be disallowed to the extent of the portion of the tax year remaining following such death or transfer, except where the surviving spouse of the recipient, otherwise eligible under § 129-21A(1) hereof, acquires the interest formerly held by the recipient.

§ 129-25. Lien on eligible property; interest rate.

- A. The town shall have a lien on the eligible property as provided in C.G.S. § 12-129n(f), which lien shall include interest on the amount of the tax relief granted at an annual rate of ~~4%~~ 3%.
- B. The interest rate on the amount of the tax relief granted that remains unpaid 12 months from the date the recipient of tax relief dies or transfers, grants or otherwise conveys his or her interest in the eligible property shall be the interest rate charged by the town for delinquency taxes, except where the surviving spouse of the recipient, otherwise eligible under § 129-21A(1) hereof, acquires the interest formerly held by the recipient.
- C. (New) The Board of Selectman may adjust the interest rate in 129-25A no more frequently than annually to reflect the then prevailing market conditions.

§ 129-26. Administration.

- A. The Assessor is hereby authorized to implement this program, and to adopt such rules and regulations as may be necessary for the proper administration of this program, with the consent and approval of the Board of Selectman. The Assessor may designate agents to act in the Assessor's name in collecting applications for this program.
- B. *Beginning with the Grand List year 2012 and every five years thereafter, the Board of Selectman shall form a "local option property tax relief task force", consisting of at least a member of the BOS, a member of the BOF, a member of the Commission on Aging and four members of the general public to review this local option and the annual percentage rate being charged for the interest while the taxes are deferred.*