1. BET Law Comm. Meeting Agenda
   Documents:
   
   BET_LAW_COMM_MEETING_AGENDA_02-05-19.PDF

2. SUB TO APP BET Law Comm. Meeting Minutes
   Documents:
   
   SUB TO APP BET LAW COMM. MEETING MINUTES 02-05-19.PDF

3. APPROVED BET Law Comm. Meeting Minutes
   Documents:
   
   APPROVED_BET_LAW_COMM_MEETING_MINUTES_02-05-19.PDF
BET LAW COMMITTEE
Regular Meeting

Tuesday, February 5, 2019
9:00 A.M.
Law Department Conference Room

AGENDA

1. Executive Session to discuss pending litigation
2. Senior Tax Relief Ordinance
3. The Nathaniel Witherell – Title Search
4. Budget Resolutions
5. Old Business
6. New Business
7. Adjournment
The Chair called the meeting to order at 9:30 AM.

1. **Approval of Minutes**

The Committee deferred consideration of the minutes of the January 14, 2019 meeting to the next meeting.

The Committee members agreed to change the order of the meeting to take up the Senior Tax Relief Ordinance next.

2. **Senior Tax Relief Ordinance**

Mr. Burgweger, explained what transpired with the Senior Tax Relief Ordinance since the last presentation to the Committee. At the request of the Board of Selectmen, the property tax relief to seniors was amended to include additional levels of income for individuals who may be over the income level of that tier to receive a little more relief. While the chart in the proposed Ordinance is for the 2009 income levels the actual numbers are higher as they are adjusted by the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for New York-Newark-Jersey City, NY-NJ-PA. Mr. Burgweger also explained that the Commission intends to revise the Ordinance to reflect Connecticut General Statute 12-129n which extends tax relief to individuals eligible for permanent total disability benefits under the Social Security program. The Town Assessor does not feel this would have a major impact on the Town budget since only a few people would qualify for tax relief based on the eligibility requirements (the Assessor was aware of only 2 that might qualify).

The Town Assessor also informed the Committee that the Town has been funding the State tax credit program for Town residents who qualified under the mandatory program because the State ceased paying a reimbursement to the Town in 2016. Once a homeowner qualifies
for the State program, the homeowner is entitled to tax relief under the State statute and the Town must provide the homeowner with the credit.

Attorney McLaughlin proposed adding to the first sentence of the Ordinance following the term “principal residence” the clause “or held in trust for the benefit of such resident as his or her principal residence” to clarify who qualifies for tax relief to include those residents whose primary residence is property held in a trust. Then, the Committee discussed adding after the clause “for the benefit of” the words “and occupied by such resident” to track Connecticut General Statute 12-129n. Additionally, in the grid under section k(1) the tier starting with $30,000 was proposed to be amended to $30,001 to be consistent with the remainder of the grid.

Upon a motion made by Ms. Krumreich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to amend the proposed Senior Tax Relief Ordinance (i) to add the clause “or held in trust for the benefit of such resident as his or her principal residence” following the term “principal residence” in the first sentence under Section 1(a) and (ii) under Section k(1), to amend the grid from 30,000.01 to 30,001. Motion carried.

Upon a motion made by Ms. Krumreich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to approve the proposed Ordinance, as amended, and to recommend the proposed Ordinance, as amended, to the BET Budget Committee and full BET. Motion carried.

3. Executive Session of Pending Cases in Litigation

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumreich, the Committee voted 2-0-0 to go into Executive Session at 10:20 AM to discuss pending cases in litigation. Motion carried.

Upon a motion by Ms. Krumreich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to come out of Executive Session at 3:44 PM. Motion carried.

The Committee exited the Executive Session.

4. The Nathaniel Witherell - Title Search

The Town Attorney advised the Committee that the title search report on real property upon which the Nathaniel Witherell is situated would likely be available in the next month.

5. FY2019-2020 Budget Resolutions

- **Risk Fund** – Attorney Ahmad presented the Committee with a revised Resolution regarding the Risk Fund. The revised Resolution added language to further explain that a final judgment includes any reduction of the final judgment sought by the Town or an insurance carrier on behalf of the Town to pay the legal claim. The discussion then focused on an inquiry as to how the Comptroller would pay a judgment in the event that funds in the Risk Fund had been exhausted. The Budget Director explained that with accounts such as the Risk Fund and School Lunch Fund, the Comptroller would pay the amount due from the Fund which could result in a negative balance
(e.g., because the funds were exhausted in the Risk Fund) and such negative balance would then be trued up in the next budget cycle.

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 (i) to approve the amendment to the Resolution regarding the Risk Fund, and (ii) to re-number the Budget Resolutions to reflect the addition of this and other new Resolutions. Motion carried.

6. Adjournment

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted unanimously to adjourn the meeting at 11:17 AM. Motion carried.

The next Regular Meeting of the Law Committee will be held on Monday, March 18, 2019, at 3:00 PM in the Law Department Conference Room.

Respectfully submitted,

____________________________
Karen, Fassuliotis, Recording Secretary

____________________________
Elizabeth K. Krumeich, Chair
Committee: Elizabeth K. Krumench, Chair; Karen Fassuliotis

Law: J. Wayne Fox, Town Attorney; Aamina Ahmad, Assistant Town Attorney; Eugene McLaughlin, Assistant Town Attorney

Staff: Lauren Elliott, Town Assessor; Roland Geiger, Budget Director, Finance Department

BET: Leslie Tarkington

Other: Lori Contadino, Director, Commission on Aging; Frances J. “Kip” Burgweger, Commission member

The Chair called the meeting to order at 9:30 AM.

1. Approval of Minutes

The Committee deferred consideration of the minutes of the January 14, 2019 meeting to the next meeting.

The Committee members agreed to change the order of the meeting to take up the Senior Tax Relief Ordinance next.

2. Senior Tax Relief Ordinance

Mr. Burgweger, explained what transpired with the Senior Tax Relief Ordinance since the last presentation to the Committee. At the request of the Board of Selectmen, the property tax relief to seniors was amended to include additional levels of income for individuals who may be over the income level of that tier to receive a little more relief. While the chart in the proposed Ordinance is for the 2009 income levels the actual numbers are higher as they are adjusted by the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for New York-Newark-Jersey City, NY-NJ-PA. Mr. Burgweger also explained that the Commission intends to revise the Ordinance to reflect Connecticut General Statute 12-128n which extends tax relief to individuals eligible for permanent total disability benefits under the Social Security program. The Town Assessor does not feel this would have a major impact on the Town budget since only a few people would qualify for tax relief based on the eligibility requirements (the Assessor was aware of only 2 that might qualify).

The Town Assessor also informed the Committee that the Town has been funding the State tax credit program for Town residents who qualified under the mandatory program because the State ceased paying a reimbursement to the Town in 2016. Once a homeowner qualifies
for the State program, the homeowner is entitled to tax relief under the State statute and the Town must provide the homeowner with the credit.

Attorney McLaughlin proposed adding to the first sentence of the Ordinance following the term "principal residence" the clause "or held in trust for the benefit of such resident as his or her principal residence" to clarify who qualifies for tax relief to include those residents whose primary residence is property held in a trust. Then, the Committee discussed adding after the clause "for the benefit of" the words "and occupied by such resident" to track Connecticut General Statute 12-129n. Additionally, in the grid under section k(1) the tier starting with $30,000 was proposed to be amended to $30,001 to be consistent with the remainder of the grid.

Upon a motion made by Ms. Krumich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to amend the proposed Senior Tax Relief Ordinance (i) to add the clause "or held in trust for the benefit of such resident as his or her principal residence" following the term "principal residence" in the first sentence under Section 1(a) and (ii) under Section k(1), to amend the grid from 30,000.01 to 30,001. Motion carried.

Upon a motion made by Ms. Krumich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to approve the proposed Ordinance, as amended, and to recommend the proposed Ordinance, as amended, to the BET Budget Committee and full BET. Motion carried.

3. Executive Session of Pending Cases in Litigation

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumich, the Committee voted 2-0-0 to go into Executive Session at 10:20 AM to discuss pending cases in litigation. Motion carried.

Upon a motion by Ms. Krumich, seconded by Ms. Fassuliotis, the Committee voted 2-0-0 to come out of Executive Session at 3:44 PM. Motion carried.

The Committee exited the Executive Session.

4. The Nathaniel Witherell - Title Search

The Town Attorney advised the Committee that the title search report on real property upon which the Nathaniel Witherell is situated would likely be available in the next month.

5. FY2019-2020 Budget Resolutions

- Risk Fund – Attorney Ahmad presented the Committee with a revised Resolution regarding the Risk Fund. The revised Resolution added language to further explain that a final judgment includes any reduction of the final judgment sought by the Town or an insurance carrier on behalf of the Town to pay the legal claim. The discussion then focused on an inquiry as to how the Comptroller would pay a judgment in the event that funds in the Risk Fund had been exhausted. The Budget Director explained that with accounts such as the Risk Fund and School Lunch Fund, the Comptroller would pay the amount due from the Fund which could result in a negative balance
(e.g., because the funds were exhausted in the Risk Fund) and such negative balance would then be trued up in the next budget cycle.

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted 2-0-0 (i) to approve the amendment to the Resolution regarding the Risk Fund, and (ii) to re-number the Budget Resolutions to reflect the addition of this and other new Resolutions. Motion carried.

6. Adjournment

Upon a motion by Ms. Fassuliotis, seconded by Ms. Krumeich, the Committee voted unanimously to adjourn the meeting at 11:17 AM. Motion carried.

The next Regular Meeting of the Law Committee will be held on Monday, March 18, 2019, at 3:00 PM in the Law Department Conference Room.

Respectfully submitted,

Karen Fassuliotis
Karen, Fassuliotis, Recording Secretary

Elizabeth K. Krumeich
Elizabeth K. Krumeich, Chair