



## ***Legislative & Rules Committee – Board of Representatives***

James Diamond, Chair

Arthur Layton, Vice Chair

# **Committee Report**

**Date:** Monday, August 18, 2008

**Time:** 7:00 p.m.

**Place:** Democratic Caucus Room, 4<sup>th</sup> Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. Present were Chair Diamond and Vice Chair Layton and Committee Member Reps. Day, Esposito, Heaphy, Mitchell and Zelinsky; absent/excused were Committee Member Reps. Berns, Lodato, Lombardo and C. Martin. Also present were Reps. Adams and DeLuca; Sandy Dennies, Director of Administration; Rick Redniss representing the Boys & Girls Club; Mr. and Mrs. Lombardo and Attorney Cohen of the Food Bank; and several members from the public to speak on Pilgrim Towers (see attached sign-in sheet).

Chair Diamond called the meeting to order at 7:10 p.m.

<b>Item No.</b>	<b>Description</b>	<b>Committee Action</b>
1. <a href="#">LR27.070</a>	PROPOSED ORDINANCE; <b><u>for public hearing &amp; final adoption</u></b> ; approving a second amendment to a tax abatement agreement between the City and Pilgrim Towers, Inc.	<b>COMMITTEE APPROVED 6-0-0</b>

Chair Diamond called the public hearing to order at 7:13 p.m. Mr. Powell of the Board of Pilgrim Towers spoke in favor of the ordinance. Chair Diamond closed the public hearing. Chair Diamond noted that this matter had been discussed extensively at last month's meeting. Upon motion duly made and seconded, the item was approved by a vote of 6-0-0 (Reps. Diamond, Layton, Heaphy, Zelinsky, Esposito and Day in favor).

2. <a href="#">LR27.077</a>	RESOLUTION; <b><u>for publication</u></b> ; approving a lease agreement between the City of Stamford and The Boys & Girls Club of Stamford, Inc. for the leasing of a parking lot located immediately south of 347 Stillwater Avenue.	<b>COMMITTEE APPROVED 7-0-0</b>
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Mr. Redniss stated that this is a continuation of a 20 year lease (of which 18 years have already expired). The lease is for \$10 for the entire 25-year period, and consists of a 36 x 134 foot lot. The Boys & Girls Club have agreed to allow public parking on the lot by removing a chain fence.

Chair Diamond stated that this continues another of the City's relationships with not-for-profit organizations and asked for a motion to approve the item for a public hearing next month. Upon motion duly made and seconded, the item was approved by a vote of 7-0-0 (Reps. Diamond, Layton, Heaphy, Zelinsky, Esposito, Mitchell and Day in favor).

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| 3. <a href="#">LR27.075</a> | PROPOSED ORDINANCE; <b><u>for publication</u></b> ;<br>amending Section 220-8 B. of the Code of Ordinances, Senior Citizens and Disabled Property Owners Tax Abatement; to provide for increased income limits and increased exemption in the fair market value of the residence for both the abatement and the deferral program. | <b>COMMITTEE<br/>APPROVED<br/>6-1-0</b> |
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Rep. DeLuca stated that he is recommending an increase in the home exemption and the income limits to allow more seniors to participate in the program.

Chair Day noted that the Committee has continually reviewed these limits and it usually makes small, incremental changes.

Ms. Dennies stated that, speaking for herself only, any monies given away to one group has to be paid for by another, and she was not in favor of increasing these benefits.

Mr. Layton stated that he voted against the existing limits, and he will vote against these. He stated that he doesn't think a tax abatement/deferral is necessary in a scenario where a senior couple owns a \$1 million home, has a net worth of \$400,000 and an income of \$120,000.

Rep. Day added that Stamford should continue to be an attractive place for seniors. Since the seniors receive a relatively modest tax abatement, this is, at a minimum, a symbolic gesture to demonstrative a commitment to keeping seniors here. Finally, Rep. Day added that in many circumstances where a senior is forced to sell a home, the home will typically be occupied by families with children, and that increases the city's costs dramatically.

Upon motion duly made and seconded, the item was approved by a vote of 6-1-0 (Reps. Diamond, Heaphy, Zelinsky, Esposito and Day in favor; Vice Chair Layton opposed).

4. [LR27.076](#) PROPOSED ORDINANCE; for publication; amending Section 220-13, Article V of the Code of Ordinances; Additional Veterans Property Tax Exemptions to provide for increased income limits. **COMMITTEE APPROVED 6-1-0**

Rep. DeLuca explained that this will make the veterans property tax income limits consistent with the program for seniors and the disabled. Upon motion duly made and seconded, the item was approved by a vote of 6-1-0 (Reps. Diamond, Heaphy, Zelinsky, Esposito and Day in favor; Vice Chair Layton opposed).

5. LR27.074 REVIEW; possible need to amend the approval limits in the Purchasing Ordinance. **REPORT MADE**

Ms. Dennies distributed a document that lists the limits for other municipalities. Stamford's ordinance currently calls for no quotes under \$3,000; three written quotes for purchases between \$3,000 and \$7,500; and a competitive bidding process for purchases over \$7,500. Most of the other localities have limits between \$10,000 and \$20,000. The limits were last updated in 1999.

Rep. Day felt that these limits were expensive to the City and noted he would support significantly higher limits.

Chair Diamond stated that he was more comfortable with small, incremental increases as the Committee typically proposes. Thereafter, the administration can gauge the impact of the changes and make recommendations for further adjustments, if necessary.

The Committee felt that the administration should suggest new dollar amounts to the Committee. Sandy Dennies was asked to prepare a brief document that indicates how many purchases are occurring within the various ranges. The Committee asked that the document also show what the impact of a change in the competitive bidding limit would create (i.e., what percentage of competitive bids fall between \$7,500 and \$10,000, etc.). Ms. Dennies indicated she would attempt to provide this information.

Chair Diamond stated that the submittee of the item, Rep. Lyons, was not in attendance, and he would like to provide an opportunity for his input. The item will be taken up again next month.

6. [LR27.078](#) PROPOSED ORDINANCE; **for publication**; amending Section 220 Taxation, Article X, Property leased to Charitable, Religious or Nonprofit Organizations, Section 220-33, Application Procedures to allow for the off-site signing and notarization of the required documents. **COMMITTEE APPROVED 7-0-0 (as amended)**

Mr. Forker spoke and stated that the abatement is awarded to the property owner and that supplemental documentation is required of the tenant. Mr. Cohen of the Food Bank distributed a copy of the form, which clearly indicated that the property owner must appear in person to sign the form. He added that due to some problems the Food Bank is experiencing with its landlord, the landlord is not cooperating with filing the form. Ms. Lombardo stated that the \$12,000 saved last year was entirely spent on food for Stamford organizations.

Mr. Forker responded that everyone has been advised that the requirement that the landlord sign the form in person in the Tax Office is not necessary and is not being enforced.

Chair Diamond noted that the form created by the Tax Assessor's Office is quite clear that the applicant is required to be present, and that they sign the form in front of a member of the assessor's staff. Accordingly, he said that he didn't see the harm in amending the ordinance to clarify this matter. Chair Diamond and Rep. Day both stated that the matter of landlord-tenant problems was not one that the Committee or the Tax Office could solve, and this aspect of the ordinance was discussed in detail when it was drafted. Because the property owner receives the abatement, there is nothing that the Tax Office can do to resolve these types of issues.

Chair Diamond amended the draft ordinance to read:

*Applications for tax exemption under this Article shall be made between July 1 and August 31, and annually thereafter at the office of the Tax Assessor of the City of Stamford on forms provided by the Assessor, which shall be accompanied by documentation showing: (1) federal tax exempt status of the applicant charitable, religious or nonprofit organization, including a copy of the organization's most recent federal tax returns for the calendar year preceding the fiscal year for which tax relief is being requested, (2) that the property is or will be used exclusively for the exempt purposes of the applicant charitable, religious or nonprofit organization, and (3) that the requirements of Section 220-32 will be satisfied.*

*New paragraph - The application and any other related documents may be signed and notarized at any location in cases where the owner cannot physically be present at the Offices of the Assessor.*

Upon motion duly made and seconded, the item was approved by a vote of 7-0-0 (Reps. Diamond, Layton, Heaphy, Zelinsky, Esposito, Mitchell and Day in favor).

The meeting was adjourned at 8:30 p.m.