

Employees' Retirement Board

Seat	Name	Position	Party	Term Start	Term End
1	Mahoney, John B	Secretary '18	U	11/17	11/22
2	Trabuco, Carolyn Luther		D	11/13	11/18
3	Mullen, Geoffrey	Vice Chair '18	R	11/14	11/19
4	Vahey, Brian P	Chair '18	R	11/15	11/20
5	Pollack, Scott H		U	11/16	11/21
EMP1	Conley, Thomas Patrick			04/17	04/19
EMP2	Atkins, Russell			04/17	04/19
EMPB OE	Tomis, Deborah			12/17	12/19
FSEL	Tetreau, Michael C			11/15	11/19

Full	
Party	Count
N/A	4
Democrats	1
Republicans	2
Unaffiliated	2
Total Full	9

The Employees' Retirement Board, which is comprised of the First Selectman, two town employees, a Board of Education employee and five volunteer residents, is responsible for the general management and direction of the pension fund for town employees and ensuring the effective operation of the retirement system.

11/8/2018 12:19:37 PM

CAROLYN TRABUCO

221 Sherwood Farm Road, Fairfield, CT 06824

CLTrabuco4@gmail.com ▪ 203-331-7879 ▪ www.linkedin.com/in/carolyntrabuco

PROFESSIONAL PROFILE

Combining financial, analytical and communication leadership skills to enable high-impact decision making

Business, Financial, Thematic Analyst with expertise developing business and industry models, identifying pre-financial risks, valuing companies, defining growth vs. risk, and cultivating C-level relationships.

- **Analyzed companies/industries in oil, energy, mining, aviation, telecom, consumer products, technology, and internet** – with experience on the buy side, sell side, hedge fund side, and commodity funds side.
- Apply deep knowledge and practical skills toward creating and understanding innovative long term management compensation incentive and retention structures at leading Brazilian commercial airline and how to **execute through volatile economic conditions**.
- **Create and communicate analytical framework to assess risk of material social, workplace, governance or environmental (ESG) issues or events for use as predictive performance indicators.**

LEADERSHIP SKILLS & EXPERTISE

Strategic Planning & Execution | Business & Financial Modeling | Corporate Development and Partnerships
Industry Analysis | Valuation | Sustainability Metrics | C-Level, Investor Relationships

CAREER HISTORY

CORNERSTONE CAPITAL GROUP, New York, NY

2016-present

MANAGING DIRECTOR, GLOBAL THEMATIC ANALYST

Senior contributor to start-up financial services firm that seeks to apply the principles of sustainable finance across the capital markets, enhancing investment processes through transparency and collaboration.

- Researching and publishing new research in the emerging field of Environmental, Social and Governance (ESG) analysis for use alongside traditional financial analysis focused on identifying emerging areas of risk up to a year before they become financially material to a sector or a company.
- Applying the principles of sustainable finance across sectors, industries and companies particularly in areas of local and global stakeholder engagement, management compensation and incentives that align with corporate, community and customer values.
- Consult directly with companies who look to improve their ESG/Sustainability corporate culture or strategy.

AZUL BRAZILIAN AIRLINES, Brazil and CT

2007–Present

BOARD OF DIRECTORS / INDEPENDENT MEMBER / COMPENSATION COMMITTEE CHAIRPERSON

Sit on board of Brazilian airline startup co-founded with David Neeleman of JetBlue. Evaluate growth strategy, participate in marketing plans, discuss competitive responses, negotiate senior management compensation packages, created LTI plan for top 40 executives and review strategies for working with Brazilian government.

- Screened VCs and built book of high-quality investors, raising 60% of startup capital (largest raise in aviation history).
- Grew airline to 200+ destinations/140+ aircraft/10,000 employees/33% domestic market share in first 6 years.

ADAMS HILL PARTNERS, Westport, CT

Aug-November 2014

RESEARCH ANALYST

Idea generator in an Equity Long/Short hedge fund which primarily focused on global industrials and resources, responsible for equity analysis in oil, natural gas and services sectors through fund closure in December 2014.

PHIBRO TRADING / ASTENBECK CAPITAL MARKETS, Westport, CT

2009–2014

SENIOR VICE PRESIDENT & RESEARCH ANALYST

Served as 1 of 4 senior analyst advisers in an oil/commodity hedge fund, with responsibility for equity investments and oil analysis. Operated under well-known oil trader and fund manager, Andy Hall, to recommend buy and sell ideas on integrated oil, E&Ps, and global oil service equities. Maintained a global oil supply-and-demand model.

- Conducted highly technical analysis that identified the pattern within monthly oil production data for the Bakken ND play (location), suggesting the production growth rate would plateau in 2014.
- Created the analytical framework and template used to monitor and analyze oil leases and wells, forecasting production potential of major shale oil plays in TX – such as the Eagle Ford and Permian Basins.

PEQUOT CAPITAL MANAGEMENT, Westport, CT

2002–2009

SENIOR VICE PRESIDENT, SENIOR ANALYST

Led team in analyzing global resources and emerging markets for CORE Global Fund, reporting to CEO, Art Samberg. Conducted financial modeling, valuation analysis, and C-level interviews at companies under consideration for investment. Determined supply and demand industry framework and presented findings to investment team.

- Identified secular demand change for global materials in 2003 and generated multi-year returns by recommending top-fund-performing equities such as Nucor and CVRD (Vale).
- Directed team that prepared CEO for participation in Barron's Roundtable – providing ideas, valuation, company models, and research about industry sectors and ideas he would pitch.
- Co-managed Cosmos Fund, emerging markets focused equity long/short hedge fund.

FIRST UNION CAPITAL MARKETS, New York, NY

1998–2000

SENIOR EQUITY RESEARCH ANALYST, WIRELESS / SENIOR EQUITY RESEARCH ANALYST, INTERNET

Recruited to focus on the wireless communications sectors. Moved into position that focused and published on the burgeoning Internet sector – leading team of 2 with concentration on Internet Content B2C segment (YHOO).

MONTGOMERY SECURITIES, New York, NY/San Francisco, CA

1996–1998

EQUITY RESEARCH ANALYST, HEALTHCARE INFORMATION TECHNOLOGY & WIRELESS COMMUNICATIONS

Hired to apply healthcare technology expertise and rapport within this growth oriented sell-side company. Took on tough challenge of finding good companies in wireless sector after telecom act transformed the industry.

LEHMAN BROTHERS, New York, NY

1995–1996

EQUITY RESEARCH ANALYST, HEALTHCARE INFORMATION TECHNOLOGY

Transitioned to Lehman as the youngest senior analyst hired to date. Quickly learned new sector of healthcare information technology and implemented style of being analytical in a natural way.

FIDELITY INVESTMENTS/FMR RESEARCH, Boston, MA

1991–1995

EQUITY RESEARCH ASSOCIATE / 401k CUSTOMER SERVICE REPRESENTATIVE

Hired for customer service and saw need for enhanced communications among reps. Developed plan and gained approval for newsletter, interviewing portfolio managers and forming relationships that led to equity research associate position within the equity research group of FMR covering IPOs, Consumer Durables, Specialty Food and Cruise Lines.

EDUCATION

GEORGETOWN UNIVERSITY 1991 – Bachelor of Arts, Art History Major, International Relations Minor

Yale School of Management Executive Education 2016 – Corporate Sustainability Accelerator

Phillips Academy, Andover MA, 1987

NOT-FOR-PROFIT VOLUNTEER HISTORY

WORLD FUND, NEW YORK, NY – TRUSTEE EMERITUS

2005-2010

BOARD OF TRUSTEES / VICE CHAIR / NOMINATING COMMITTEE CHAIRPERSON

Worldfund is the premier U.S. non-profit dedicated exclusively to improving basic K-12 education in Latin America.

- Actively participated in strategic planning, business development and analysis, trustee recruiting and fundraising execution.
- Led the strategy repositioning team at Worldfund to focus on scalable superintendent and teacher quality improvement initiatives, creating action plan that expanded outreach from 5K to 1M students – becoming a teacher/student training facilitator and STEM curriculum implementer across Latin America.
- Researched, identified and recruited key corporate partners for STEM curriculum funding and roll out in Brazil.
- Speaking engagements including Brazilian-American Chamber of Commerce Annual Conference– On behalf of Worldfund – *"Infrastructure of Brazil"*.
- Created pathway to incremental fundraising via fun and playful Text to Pledge segment at Annual Gala.

EARTHPLACE, WESTPORT, CT – HONORARY TRUSTEE

2008-2012

BOARD OF TRUSTEES / PRESIDENT

Founded in 1958 in Westport, CT Earthplace maintains a 62-acre nature sanctuary, exhibits an interactive natural history museum, houses live wildlife for public viewing and hosts many public nature programs and events. The center's activities include a state-licensed preschool and summer camp, and the Harbor Watch water quality testing program.

- Created and led a strategic planning committee which focused on ways to reduce spending, improve market awareness and generate additional revenue.
- Formed and empowered a facilities and building committee to identify, scope out, recommend and implement overdue facility upgrades. Upgraded preschool playground, refurbished auditorium, replaced the roof and added solar panels, replaced all windows and carpeting, improved animal enclosures, and renovated classroom spaces.
- Restructured the staffing model to eliminate duplication, streamlined work flow models to increase efficiency, upgraded mailing, accounting, financial and fundraising software analytical tools to better track activities and focused fundraising initiatives.
- Transitioned the board to enable it to attract a new Executive Director in 2013 following the retirement of the long standing Executive Director in 2012.

PERSONAL INTERESTS AND ACTIVITIES

Frequent Contributor, Fairfielders Against Cutting Education Spending (FACES), Fairfield, CT

SASO, Fairfield CT ~ Fairfield Public Schools PTA Budget Rep 2007-present

Sea Turtle Conservation in Bahia | Chasing our two boys down Trestle at Mary Jane | Caravaggio Hunting



Town of Fairfield

Office of the First Selectman

Michael C. Tetreau
First Selectman
203-256-3030
203-256-3008 (fax)

725 Old Post Road
Fairfield, CT 06824
firstselectmanffld@fairfieldct.org
www.fairfieldct.org

November 7, 2018

Ms. Carolyn L. Trabuco
111 Lookout Drive South
Fairfield, CT 06825

Dear Carolyn,

I am pleased to reappoint you to the Employees Retirement Board/Joint Retirement Investment Board for another term. Your new term will run from November 2018 to November 2023.

The Representative Town Meeting must approve your reappointment. I am requesting that the RTM Moderator place the approval of your reappointment on the November 2018 RTM agenda.

Thank you for agreeing to continue serving the Town of Fairfield in this capacity.

Sincerely,

Michael C. Tetreau
First Selectman

cc: B. Browne, Town Clerk
B. Vahey, Chair
P. Pires, RTM Moderator

MCT/lak

Chapter 45

ALARMS

GENERAL REFERENCES

Civil defense warning signals — See Ch. 61. Noise — See Ch. 78.

§ 45-1. Purpose; applicability.

- A. The purpose of this Alarms Chapter is to encourage security alarm users to maintain the operational reliability and the proper use of alarm systems in limiting unnecessary responses to false alarms.
- B. This chapter governs burglary, robbery and alarm systems, provides penalties for violators and establishes a system of administration.

§ 45-2. Definitions and word usage.

- A. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and vice versa. The word "shall" is always mandatory and not merely directly.
- B. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

ALARM ADMINISTRATOR — A person or persons designated by the Chief of Police to administer, control and review false alarm notifications.

ALARM OWNER/USER — Any person, firm, corporation or other business entity who or which controls, operates or maintains any alarm system.

ALARM (MONITORING) STATION — An office to which remote alarm devices transmit signals where operators monitor those signals and relay information to the Police Department.

ALARM SYSTEMS — An assembly of equipment and devices, or a single device, arranged to signal the presence of a hazard requiring urgent attention and to which Police Department personnel are expected to respond. Excluded from this definition are smoke detectors which do not signal outside the alarmed premises, alarm systems on motor vehicles and boats and alarm systems which signal the presence of a fire.

AUTOMATIC TELEPHONE DIALING ALARM — An alarm system which automatically sends over regular telephone lines a prerecorded voice message or coded signal indicating the existence of an emergency situation the alarm system is designed to detect.

FALSE ALARM — The activation of an alarm system to which the Police Department responds and which is not caused by a criminal act or other emergency. This does not include the activation of an alarm by circumstances normally attributed to extreme weather conditions or a prolonged power outage of four hours or more.

~~FISCAL YEAR — The twelve-month period beginning July 1 of any year and ending on June 30 of the following year.~~

KEY HOLDER — Any person holding the key or keys necessary to gain ingress to and egress from the site of the alarm system by permission of the alarm owner/user.

§ 45-3. Requirements.

- A. No alarm system shall be installed by other than a licensed person or other person meeting the requirements set forth in the Building and Electrical Codes of the State of Connecticut.
- B. No alarm system shall be installed unless a permit has been obtained from the Town of Fairfield Building Official or his designated representative, as is required by the Building and Electrical Codes of the State of Connecticut.
- C. All alarm monitoring stations are responsible for contacting key holders. This shall not be the responsibility of the Town of Fairfield or its agents.

§ 45-4. Automatic telephone dialing alarms prohibited.

Automatic dialing services coming directly into the communications center of the Police Department are prohibited in the Town of Fairfield.

§ 45-5. Timing devices.

- A. Except as otherwise provided by law, no alarm system which produces an exterior audible sound shall be installed unless its operation is automatically deactivated after no more than 15 minutes of operation.
- B. Within 60 days from the effective date of this chapter, preexisting alarm system which produce audible sound shall be retrofitted so that they are automatically deactivated after no more than 15 minutes of operation.

§ 45-6. Auxiliary power.

- A. All alarm systems installed after the effective date of this chapter shall have their own auxiliary rechargeable power source that meets or exceeds Underwriters' Laboratories, Inc., standards of at least four hours' duration, which shall be maintained in good working order.
- B. Within 60 days from the effective date of the chapter, preexisting alarms shall be retrofitted to have an auxiliary rechargeable power source that meets or exceeds Underwriters' Laboratories, Inc., standards of at least four hours' backup power.

§ 45-7. False alarms.

- A. It shall be the responsibility of the Police Department to monitor and keep records of the alarms received. In order to discourage false alarms, the following schedule shall be set forth: after ~~three-two~~ false alarms ~~in the course of a fiscal year~~ in the course of a one-year period, measured from the date of the first false alarm, a letter will be sent to said alarm owner/user informing the alarm owner/user that any further issuance of false alarms will incur a penalty and warning the alarm owner/user that the alarm system should be inspected and the Police Department notified of corrective action taken.
- B. A Fairfield Police Department alarm report copy will be issued upon each response to alarmed premises and will suffice as notification of alarm activation.
- C. For the ~~fourth-third~~ false alarm in the course of ~~a fiscal year~~ a one-year period, measured from the date of the first false alarm, the alarm owner/user shall be fined ~~\$35~~ \$50.
- D. For the ~~fifth-fourth through the seventh~~ false alarms in the course of a one-year period, measured from the date of the first false alarm ~~fiscal year~~, the alarm owner/user shall be fined ~~\$50-75~~ per false alarm.
- ~~D.~~ For the fifth false alarm in the course of a one-year period, measured from the date of the first false alarm, the alarm owner/user shall be fined \$100.
- ~~E.~~ For the sixth false alarm in the course of a one-year period, measured from the date of the first false alarm, the alarm owner/user shall be fined \$125.
- ~~EF.~~ If the alarm owner/user causes more than seven false alarms in the course of a one-year period, measured from the date of the first false alarm ~~fiscal year, the alarm owner/user shall be each further false alarm shall warrant a fine~~ of \$99-150 for each false alarm ~~the seventh false alarm and each subsequent false alarm that occurs during the course of that one-year period.~~
- ~~FG.~~ Failure to pay any such charges within 30 days shall constitute a violation of this chapter, and the alarm owner/user is subject to an additional fine of \$99-125.
- ~~GH.~~ A thirty-day grace period will be granted for all newly installed burglary alarm systems. During that time, no penalty shall be assessed. Additional time may be granted by the Chief (or designee). The grace period begins on the date the newly installed alarm is inspected and approved by the Town of Fairfield Building Department.

§ 45-8. Intentional false alarms.

- A. No person shall knowingly or intentionally activate any alarm system when no police emergency exists. Any person who violates this subsection shall be fined ~~\$99-125~~ and, when applicable, may be additionally subject to prosecution under the Connecticut General Statutes for falsely reporting an incident.

B. No person shall knowingly or intentionally test, repair, adjust, alter or perform maintenance on an alarm system, or cause the same to be tested, repaired, adjusted, altered or maintained, if such action results in a false alarm, without first notifying the Police Department and/or monitoring company of such test, repair, adjustment, alteration or maintenance. When there is a reasonable need to consider public safety, the Chief (or designee) may restrict or refuse to permit the testing, repair, adjustment, alteration or maintenance.

(1) Any person who violates Subsection B will be issued one warning.

(2) The second and subsequent false alarms (per this subsection) shall be fined ~~\$99~~125.

§ 45-9. Appeals; hearing.

A. Whenever a charge for a false alarm is imposed against the alarm owner/user, said alarm owner/user may, within 30 days of imposition, appeal the charge by filing a written notice of appeal with the Alarm Administrator. A hearing shall be scheduled within 20 days of receipt of the appeal.

B. This hearing shall be conducted by a hearing officer(s). Hearing officers are to be appointed by and to serve at the pleasure of the First Selectman. All hearings shall be conducted in accordance with the provisions of the Connecticut General Statutes, Section 7-152c, as amended.

§ 45-10. Penalties for offenses.

In addition to the other penalties specifically provided in this chapter, Aany person who performs or causes to be performed any of the following acts shall be subject to a penalty not to exceed ~~\$99~~125 for each such act:

- A. Failure to meet the requirements set forth in the provisions of § 45-3A and B.
- B. Use of an automatic dial alarm, in violation of the provisions of § 45-4.
- C. Failure to install or maintain an exterior audible timing device, in violation of the provisions of § 45-5.
- D. Failure to install or maintain an auxiliary power source as mandated by § 45-6.
- E. Failure to make timely payment of fines in violation of § 45-7. This penalty is in addition to the original fine.

§ 45-11. Payment of fines; ~~data~~.

~~A.~~ Fines may be paid at police headquarters during business hours of 8:00 a.m. to 4:00 p.m. or through the mail. (Payment by mail should be made by check or money order only; no cash.)

Formatted: Indent: Left: 0", First line: 0"

~~B. Data on alarms is only available during normal business hours.~~

§ 45-12. Failure to pay fines.

- A. If any person fails to pay within 30 days any fine or charge imposed, interest shall accrue at the highest rate allowed by law.
- B. If, after a period of three months, an alarm owner/user fails to pay any fine/charges, the matter will be turned over to the Town Attorney for any legal action necessary for collection. The alarm owner/user will be responsible for legal/court fees.

§ 45-13. Exceptions.

- A. The provisions of this chapter shall not apply to alarm devices owned and operated by the Town or one of its departments or agencies, including the Board of Education, the State of Connecticut or the United States of America, nor to alarm devices installed in motor vehicles or boats, unless said motor vehicles or boats are used as dwellings or businesses.
- B. The department head having control over the building owned by the Town of Fairfield or one of its agencies, the State of Connecticut or the United States Government shall receive notification of false alarms so that corrective measures may be taken to avoid future unnecessary dispatches.

§ 45-14. Disclaimer of liability.

Except as expressly provided herein, the Town, its departments, officers, agents and employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of any alarm system or central monitoring station. No liability whatsoever is assumed for the failure of such alarm systems or central monitoring station or for failure to respond to alarms or for any other act or omission in connection with such alarm systems. Each alarm owner/user shall be deemed to hold and save harmless the Town, its departments, officers, agents and employees from liability in connection with the alarm owner/user's alarm device.

§ 45-15. Annual Registration Requirement.

All alarm owner/users shall be required to register their alarm system with the Alarm Administrator on an annual basis by March 1st of each calendar year. ~~45~~Any failure to register an alarm system in accordance with this section shall constitute a violation of this section and may be punishable by a fine of \$100.

Formatted: Font: Bold



Town of Fairfield
Chapter 45 of Town Code
Alarm Ordinance
Revision Proposal 2017

Table of Contents

Executive Summary	2
Current Ordinance	2
Issues	3
False Alarm Responses	3
Cost Associated with Alarm responses	3
Officer salaries	3
Administrative costs	3
Vehicle fuel for the responses	4
Summary of annual costs	4
Other Municipalities	5
Ordinance Revision	6
Goals	6
Recommendations	6
Revenue Projections	8
Registration Income	8
Fine Increase Projected Income	8
Income Summary	8
Conclusion	9

Executive Summary

The purpose of the Town of Fairfield's alarm ordinance is the reduction of false alarms and assurance that alarm systems are properly installed, used and maintained.

The current alarm ordinance has not been updated since 1994. Since that time, the Fairfield Police Department continues to respond annually to thousands of false alarms. These false alarms require officers to spend over one thousand hours per year responding to these incidents, hours that could be used in other crime prevention activities. Annually, response to false alarms cost approximately \$84,892.84.

Additionally, the current ordinance does not require alarm users to register their system with the police department. The failure to register often hampers the officer's ability to contact key holders as well as the Town's ability to perform some of the administrative functions, such as billing alarm users for violations of the ordinance.

The proposed ordinance revision would address the above issues through the implementation of an alarm system registration requirement and increasing fines as a deterrent to false alarms. The revision would also increase revenue to the town to help offset the costs relating to the response to alarms and the administrative functions necessary for ordinance enforcement. The potential revenue would be approximately \$149,025.

Current Ordinance

Chapter 45 - Alarms of the Town Code was adopted by the RTM on June 28, 1994 and covers alarm systems within the Town of Fairfield. The ordinance does not require alarms to be registered with the Town and the fines for violations of provisions of the ordinance have not been revised since 1994. The ordinance covers burglary, robbery and alarms systems but does not include fire alarm systems.

The current fee structure is as follows¹:

False Alarm	Fine
1 - 3	None
4	\$35.00
5	\$50.00
6	\$50.00
7	\$50.00
8 or more	\$99.00

Additionally, there is a \$99.00 fine for the following violations:

- Failure to obtain installation permit

¹ Violations are tallied on an annual basis based on fiscal year.

- Use of automatic dial alarm
- Failure to install or maintain an exterior audible timing device
- Failure to install or maintain an auxiliary power source
- Failure to make timely payment of fines

Issues

False Alarm Responses

At a time when demands for police services are increasing, response to false alarms continue to take officers away from other law enforcement and public safety activities. Since 2012, officers of the Fairfield Police Department have responded to 18,968 alarm calls. This averages out to 3,161 alarm calls per year. Approximately 97 % of these 3,161 alarm calls are false.

Cost Associated with Alarm responses

An analysis of false alarm responses shows there are several costs associated with police alarm responses. These costs include:

Officer salaries

- A review of call times shows that, on the average, officers spend 1,286 hours² every year handling alarm responses. If this is multiplied by the average officer hourly salary of \$38.01³ per hour, the Town of Fairfield pays \$48,880.86 per year in officer salaries for alarm responses.
- Benefits such as insurance costs and FICA costs add an additional 26%⁴ onto the preceding costs for a total of \$12,709.02 above the cost of salaries.

Administrative costs

- Salaries:
 - Administration of the alarm ordinance is assigned to the police department's Support Services Bureau. The processing of alarm ordinance violations is handled by a civilian who is also responsible for other administrative tasks within the department. Processing alarm violations takes approximately 20% of this person's time. This equates to 8 hours per week.

Source	Cost Projection
Salary	\$58,906
Benefits (26% of salary)	\$15,315

² Normal response is two officers per alarm

³ 2017 rate for top patrolman salary (\$77,359/52weeks/4.8days/8hours)

⁴ Estimate

Total Salary	\$74,221
Time Spent 20%	\$14,844 Alarm Admin. Costs

b. Administrative Costs

i. Mailing

1. 3,161 mailings at \$0.49 each. Total cost \$1,548.89

ii. Paper and printing

1. Copy paper/printing: \$35.00 /\$30.00

Vehicle fuel for the responses.

Utilizing an average of 5 miles for each alarm response, multiplied by responding units is an average of 10 miles driven for every alarm response. Multiplying the approximate miles driven to 3,161 average alarms equates to 31,161 miles driven annually.

Patrol vehicles average 10 miles per gallon resulting is the use of 3116 gallons of fuel annually. At a rate of \$2.06 per gallon⁵, the cost in fuel is \$6,418.96 per year.

Summary of annual costs⁶

Area	Cost
Officer salaries and benefits	\$61,589.88
Administrative Salaries	\$14,844
Vehicle Fuel	\$6,418.96
Administrative Costs	\$2,000 est.
Total	\$84,892.84

⁵ 2017

⁶ Costs are approximate only and based on previous year averages. This should not be used for exact budgeting purposes. Cost per call: \$23.51

Other Municipalities

A review of other the 22 municipalities⁷ in Fairfield County showed the following:

- 17 required alarms to be registered.
- 8 charged registration fees.
- 6 municipalities imposed fine for the second and subsequent false alarm.
- 7 municipalities imposed fine for the third and subsequent false alarm.
- 1 municipalities imposed fine for the fourth and subsequent false alarm.
- 1 municipalities imposed fine for the fifth and subsequent false alarm.
- The amount for first fines range between \$10.00 to \$100.00.
- Top fines range between \$40.00 to \$250.00.
- 4 municipalities include false fire alarms in the ordinance

Town	Registration Required	Registration Amount	Fines	Fail to Register	Notes	Last Revised
Bethel	YES	\$ 70.00	5+: \$50, 6+ \$75		semi-Annual renewal: \$10 (FD also)	
Bridgeport	YES	\$ 20.00	4-6: \$50, 7+ \$99	\$ 99.00	Initial fee only	
Brookfield	YES	\$ 10.00	3: \$25, 4-7: \$50, 8+: \$100	\$ 100.00	no renewal fee	1993
Danbury	YES	\$20 / \$70	3+: \$100 (plus expense of response)	\$ 100.00	annual renewal residence/business	2009
Darien	YES	None	\$100	\$ 100.00	PD and FD	2008
Easton	NO	\$ 25.00	2: \$10, 3: \$20, 4+: \$40	N/A	Permit to chief	
Greenwich	yes	\$ 20.00	2: \$50, 3:\$100, 4: \$150, 5+: \$200	\$50 to \$100	PD and FD	2009
Monroe	YES	None	2: \$50, 3-5: \$75, 6-7: \$100, 8-9: \$ 125, 10+: \$250	\$ 100.00	called a permit. Rebewed annually	
New Canaan	YES	None	2+ \$100	\$ 100.00	PD and FD / FD: 2+: \$200	
New Fairfield	NO	None		N/A		
Newtown	YES	\$ 25.00	2: \$25, 3-4: \$50, 5-7: \$100, 8-9: \$200, 10+ \$250	\$ 99.00	annual renewal \$5, late: \$25	2015
Norwalk	YES	None	3: \$75, 4+: \$100	\$ 75.00		1986
Redding	YES	None	4: \$50, 5: \$75, 6: \$100, 7: \$150	UNK	not in ordniance but form online	2001
Ridgefield	YES	None	2-3: \$25, 4+ 50 (monthly)	\$100 FD	FD has higher fines	
Shelton	NO	None		N/A		
Sherman	NO	None		N/A		
Stamford	YES	None		\$ 90.00		
Stratford	NO	None	3+: \$100	N/A		
Trumbull	YES	None	3-5: \$100, 6-8: \$125, 9+ \$150	\$ 100.00		
Weston	YES	None	4: \$20, 5: \$35, 6+ \$50	\$ 90.00		
Westport	YES	\$ 10.00	3: \$35, 4-6: \$50, 7+: \$100	\$ 99.00	fee initial and annually	
Wilton	YES	None	3+ \$100	\$ 50.00		

⁷ We based review of ordinances

Ordinance Revision

Goals

To take further steps to reduce the number of false alarm activations by encouraging home and business owners to properly maintain and use their alarm systems. This is accomplished by increased fines.

To decrease officer time on scene by having updated alarm owner and key holder contact information readily accessible.

To increase revenue to help offset the costs of responding to false alarms and administering the enforcement of the alarm ordinance.

To increase public safety by reducing the amount of time law enforcement spends responding to these types of calls.

Recommendations

After careful consideration, the police department is making the following recommended changes to the exiting alarm ordinance:

1. Add a requirement for alarm owners to obtain an initial permit/registration and register their alarm with the Town on an annual basis. This would provide the following benefits:
 - a. Ensure information on the alarm owner and location key holders is up to date. Many times, officers are delayed on scene while waiting for an alarm company to attempt to contact the key holder.
 - b. Provide information to emergency responders if the alarm is activated but no call is made from an alarm company.
 - c. Provide contact information for the residents if there is another type of emergency at the location.
2. Charge a \$25.00 registration fee for initial registration and annually thereafter for registration renewals.
 - a. The revenue from the registrations fee can help to offset the costs to the Town in responding to alarms.
3. Add a violation and fine of \$100.00 for failing to register the alarm system.
 - a. This helps to ensure compliance with the registration requirement of the ordinance.

4. Increase the penalties for false alarms

- a. This would act as increased incentive to alarm owners to ensure their alarm is in working order and reduce the number of false alarms.

Current	
False Alarm	Fine
1	None
2	None
3	None
4	\$35.00
5	\$50.00
6	\$50.00
7	\$50.00
8 or more	\$99.00

Proposed	
False Alarm	Fine
1	None
2	None
3	\$50.00
4	\$75.00
5	\$75.00
6	\$100.00
7 or more	\$125.00

5. Change the period for false alarm violations from a fiscal year to a calendar year from date of first false alarm.

- a. Currently, alarm owners can have three false alarms toward the end of a fiscal year (July through June), and if subsequent alarms are received shortly after July 1, the alarms are not counted toward a violation.

Revenue Projections

Registration Income

The 2016, CERC Town Profile for Fairfield showed 20,457 households and 2,387 businesses located in town. One on-line report stated at in 2010⁸, 18 percent of all homes in the country used professionally monitored security systems and this number was projected to rise to 30 percent by 2020. If only 20 percent of all households and businesses in Fairfield utilize an alarm system that would result in 4,469 alarm registrations. By charging a fee of \$25.00 per system, the Town could generate an income of \$111,725 annually to assist in offsetting the costs of administration and response to alarm calls.

Fine Increase Projected Income

In 2017⁹, projected revenue from alarm ordinance enforcement totaled \$17,015. Based on the number of false alarms, it is expected to see an increase in revenue as shown below:

# False Alarms	Fee	Annual Estimate of Violations	Total Projected Revenue
3	\$50.00	202	\$10,100.00
4	\$75.00	96	\$7,200.00
5	\$75.00	50	\$3,750
6	\$100.00	35	\$3,500
7+	\$125.00	102	\$12,750
		FINAL	\$37,300.00

This projection is based on 2016 violations. One of the goals of the ordinance revision would be to lower the number of violations, thus it is expected that revenues under this section would also decrease.

Income Summary

Source	Projected Revenue
Registration Fees	\$111,725
Violation Fees	\$37,300
Total Projected Income ¹⁰	\$149,025

⁸ <https://www.securitysales.com/news/report-30-of-u-s-homes-will-have-monitored-services-by-2020/>

⁹ Calendar year

¹⁰ Projected revenues would be reduced by approximately \$2,500 by increased postage and supply costs (\$2,190 in postage, \$70 paper, \$300 assorted supply costs)

Conclusion

Responding to false alarms constitute approximately 6% of call volume for the police department. The time it takes to respond and investigate false alarms take officers away from other public safety activities and results in monetary costs to taxpayers. The goal of this ordinance revision is to reduce false alarms, reduce time officers spend on the scene of a false alarm and provide timely information to officers during emergency situations at residences while offsetting the costs by increasing revenue.

DRAFT

TOWN OF FAIRFIELD ALARM ORDINANCE REVISION PROPOSAL

Chapter 45

ALARM ORDINANCE

45-1 PURPOSE; APPLICABILITY

- A. WHEREAS, the purpose of this ordinance, finds that excessive false alarms unduly burden the Fairfield Police Department's limited law enforcement resources. The purpose of this ordinance is to establish reasonable expectations of alarm users, encourage alarm users to maintain operational reliability and to ensure that alarm users are held responsible for their use of alarm systems.
- B. This chapter covers burglar, robbery and alarm systems, provides penalties for violators and establishes a system of administration.

45-2 DEFINITIONS

The following words, terms and phrases, when used in this ordinance shall have the meanings ascribed to them except where the context clearly indicates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include singular numbers, and vice versa. The word "shall" is always mandatory and not merely directly.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein:

Alarm Administrator means a person or persons designated by the Chief of Police to control and review false alarm reduction efforts and administer the provisions of this ordinance.

Alarm company means a person or a company engaged in selling, leasing, installing, servicing or monitoring alarm systems; this person shall be licensed in compliance with State laws.

Alarm owner/user means any person, firm, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning, leasing or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

Alarm Permit means a permit issued by a Town of Fairfield Building Official or his designated representative.

Alarm signal means a detectable signal; audible or visual, generated by an alarm system, to which law enforcement is requested to respond.

Alarm (monitoring) Station means an office to which remote alarm devices transmit signals where operators monitor those signals and relay information to the police department.

Alarm system means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry, hazard or other activity requiring urgent attention and to which law enforcement is requested and/or expected to respond but does not include motor vehicle or boat alarms, Fire alarms, domestic violence alarms, or alarms designed to elicit a medical response.

Alarm User Awareness Class means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.

Automatic Telephone Dialing Alarms means an alarm system which automatically sends over regular telephone lines a pre-recorded voice message or coded signal indicating the existence of an emergency situation the alarm system is designed to detect.

Cancellation means the process where response is terminated when the alarm company (designated by the alarm user) notifies the Fairfield Police Department that there is not an existing situation at the alarm site

TOWN OF FAIRFIELD ALARM ORDINANCE REVISION PROPOSAL

requiring police response after an alarm dispatch request. If cancellation occurs prior to police arriving at the scene, this is not a false alarm for the purpose of civil penalty, and no penalty will be assessed.

Town means the Town of Fairfield or its agent.

False alarm means the activation of an alarm system through mechanical or electronic failure malfunction, improper installation, or the negligence of the alarm user, his/her employees or agents, and signals activated to summon law enforcement personnel, unless law enforcement response was cancelled by the alarm user or his/her agent before law enforcement personnel arrive at the alarm location. An alarm is false within the meaning of this article when, upon inspection by the Fairfield Police Department, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises, which would have activated a properly functioning alarm system.

Notwithstanding the foregoing, a false alarm shall not include an alarm, which can reasonably be determined to have been caused or activated by unusually violent conditions of nature, nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user, such as prolonged power outage of four hours or more.

Fiscal Year means the twelve (12) month period beginning July 1 of any year and ending on June 30 of the following year.

Key Holder means any person holding the key or keys necessary to gain ingress to and egress from the site of the alarm system by permission of the alarm owner/user.

Local alarm means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a structure and is not monitored by a remote monitoring facility, whether installed by an alarm company or user.

Registration year means a 12-month period beginning on the day and month on which an alarm permit is issued.

Runaway alarm means an alarm system that produces repeated alarm signals that do not appear to be caused by separate human action. The Fairfield Police Department may in its discretion discontinue police responses to alarm signals from what appears to be a runaway alarm.

SIA Control Panel Standard CP-01 means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce false alarms. Control panels built and tested to this standard by a nationally recognized testing organization, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction".

Verify means an attempt by the monitoring company, or its representative, to contact the alarm site and/or alarm user by telephone and/or other electronic means, whether or not actual contact with a person is made, to attempt to determine whether an alarm signal is valid before requesting law enforcement dispatch, in an attempt to avoid an unnecessary alarm dispatch request. For the purpose of this ordinance, telephone verification shall require, as a minimum that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid before requesting law enforcement dispatch.

45-3 ALARM PERMIT

- A. ***Registration required.*** No person shall use an alarm system without first registering such alarm system from the Town. A fee is required for the initial registration and annual registration renewals. Each alarm permit shall be assigned a unique registration number and the user shall provide the registration number to the alarm company.
- B. ***Application.*** The registration shall be requested on an application form provided by the Town. An alarm user has the duty to obtain an application from the Town.

TOWN OF FAIRFIELD ALARM ORDINANCE REVISION PROPOSAL

- a. The applicant shall list any potentially hazardous conditions that may be present at the alarm site. An example would be an aggressive pet.
- C. ***Transfer possession.*** When the possession of the premises at which an alarm system is maintained is transferred, the person (user) obtaining possession of the property shall file an application for an alarm permit within 30 days of obtaining possession of the property. Alarm registrations are not transferable.
- D. ***Reporting updated information.*** Whenever the information provided on the alarm registration changes, the alarm user shall provide correct information to the Town within 30 days of the change. (In addition, each year after the issuance of the registration, registration holders will receive, from the Town, a form requesting updated information. The registration holder shall complete and return this form to the Town when any of the requested information has changed) failure to comply will constitute a violation.
- E. ***Multiple alarm systems.*** If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses and/or tenants, a separate registration shall be required for each structure and/or tenant.
- F. ***Registration Term:*** Each registration shall be good for one year from date of issuance. A registration must be renewed annually.
- G. ***Fees:*** The fee for the initial alarm registration shall be \$25.00. The fee for the annual renewal shall be \$25.00.

45-4 DUTIES OF THE ALARM USER

- A. Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms; and
- B. Provide the alarm company the registration number, (the number must be provided to the emergency communications center by the alarm company).
- C. Must respond or cause a representative to respond to the alarm system's location and/or deactivate a malfunctioning alarm within sixty (60) minutes when notified by the Police Department directly or via the user's monitoring service.
- D. Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report or to perform routine maintenance as prescribed by alarm system provider.
- E. An alarm user must obtain a new registration and pay any associated fees if there is a change in address or ownership of a business or residence.

45-5 DUTIES OF THE ALARM COMPANY

- A. Any person engaged in the alarm business in the town, shall comply with the following:
 - 1) Obtain and maintain the required state license(s).
 - 2) Be able to provide name, address, and telephone number of the alarm user or a designee who can be called in an emergency or to effect repairs 24 hours a day.
 - 3) Be able to provide the most current contact information for the alarm user.
- B. Ninety (90) days after enactment of this Ordinance the alarm installation companies shall, on all new installations, use only alarm control panel(s) that meet SIA Control Panel Standard CP-01.
- C. Prior to activation of the alarm system, the alarm company must provide instructions explaining the proper operation of the alarm system to the alarm user.

TOWN OF FAIRFIELD ALARM ORDINANCE REVISION PROPOSAL

- D. Provide written information of how to obtain service from the alarm company for the alarm system.
- E. An alarm company performing monitoring services shall:
 - 1) Attempt to verify, by calling the alarm site and/or alarm user by telephone, to determine whether an alarm signal is valid before requesting dispatch. Telephone verification shall require, as a minimum, that a second call be made to a different number, if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid, EXCEPT in the case of a panic or robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.
 - i. Provide alarm user registration number to the communications center to facilitate dispatch and/or cancellations.
 - ii. Communicate any available information about the alarm.
 - iii. Communicate a cancellation to the law enforcement emergency communications center as soon as possible following a determination that response is unnecessary.
 - 2) All alarm monitoring stations are responsible for contacting key holders. This shall not be the responsibility of the Town of Fairfield or its agents.

45-6 PROHIBITED ACTS

- A. It shall be unlawful to install, maintain, or use an audible alarm system that can sound continually for more than 15 minutes.
- B. No alarm system shall be installed by other than a licensed person or other person meeting requirements set forth in the Building and Electrical Codes of the State of Connecticut.
- C. No alarm system shall be installed unless a permit has been obtained from the Town of Fairfield Building Official or his designated representative, as is required by the Building and Electrical Codes of the State of Connecticut.
- D. Automatic dialing services coming directly into the communications center of the Police Department are prohibited in the Town of Fairfield.

46-7 TIMING DEVICES

- A. Except as otherwise provided by law, no alarm system that produces an exterior audible sound shall be installed unless its operation is automatically deactivated after no more than 15 minutes of operation.

46-8 AUXILIARY POWER

- A. All alarm systems installed after the effective date of this chapter shall have their own auxiliary rechargeable power source that meets or exceeds Underwriters' Laboratories, Inc. standards of at least four (4) hours duration, which shall be maintained in good working order.

46-9 FALSE ALARMS

- A. It shall be the responsibility of the Fairfield Police Department to monitor and keep records of the alarms received. In order to discourage false alarms, the following procedure shall be set forth:

After two false alarms within a twelve (12) month period, a letter will be sent to said alarm owner/user informing the alarm, owner/user that any further issuance of false alarms will incur a penalty and warning the alarm owner/user that the alarm system should be inspected and the Fairfield Police Department notified of corrective action taken.

TOWN OF FAIRFIELD ALARM ORDINANCE REVISION PROPOSAL

- B. A Fairfield Police Department alarm report copy will be issued upon response to alarmed premises and will suffice as notification of alarm activation.

46-10 INTENTIONAL FALSE ALARMS

- A. It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement when no burglary, robbery, police emergency or other crime dangerous to life or property is being committed or attempted on the premises, or otherwise to cause a false alarm. Any person who violates this subsection shall be fined \$99.00 and, when applicable, may be additionally subject to prosecution under the Connecticut General Statutes for falsely reporting an incident.
- B. No person shall knowingly or intentionally test, repair, adjust, alter or perform maintenance on an alarm system, or cause the same to be tested, repaired, adjusted, altered or maintained, if such action results in a false alarm, without first notifying the Fairfield Police Department and/or monitoring company of such test, repair, adjustment, alteration or maintenance. When there is a responsible need to consider public safety, the Chief of Police (or designee) may restrict or refuse to permit the testing, repair, adjustment, alteration or maintenance.
- C. Any alarm installation company and/or repair company shall be assessed a fine of \$100.00 if the officer responding to the false alarm determines that an on-site employee of the alarm company/repair company directly caused the false alarm. In this situation, the false alarm will not be counted against the alarm user.

46-11 ENFORCEMENT OF PROVISIONS

- A. **Excessive false alarms/Failure to register.** It is hereby found and determined that three or more false alarms within a twelve (12) month period is excessive, constitutes a public nuisance, and shall be unlawful. Costs for excessive false alarms within a rolling twelve month period may be assessed against an alarm user as follows:
- a. Third.....\$50.00
 - b. Fourth false alarm;;;\$75.00
 - c. fifth false alarm.....\$75.00
 - d. Sixth\$100.00
 - e. Seventh or more.....\$125.00
- Failure to Register.....\$100.00
- B. **Cancellation.** If cancellation occurs prior to law enforcement arriving at the scene, this is not a false alarm and no fee will be assessed.
- C. **Multiple activations.** Multiple activations within a twelve hour period may be considered as one false alarm for the purpose of charged fees.
- D. **Violations.** Any person who violates any provision of this ordinance, unless otherwise specified in the provision, will be subject to a penalty of \$100.00 for each such violation.
- E. **Payment of Fees.** Fees shall be paid within (30) days from the date of the invoice. Fines may be paid at Fairfield Police Headquarters during normal business hours of 8:00am. To 4:00p.m. Monday through Friday or through the mail (payment by mail should be made by check or money order only; no cash).
- F. **Failure to Pay Fines.** Failure to pay any such fines or charges within thirty (30) days shall constitute a violation of this chapter, and the alarm owner/user is subject to an additional fine of \$99.00. Additionally if any person fails to pay within thirty (30) days any fine or charge imposed, interest shall accrue at the highest rate allowable by law.
- G. **Discontinuance of law enforcement response.** The failure of an alarm user to make payment of any fees assessed under this ordinance within 90 days from the date of invoice may result in discontinuance of law

TOWN OF FAIRFIELD ALARM ORDINANCE REVISION PROPOSAL

enforcement response to alarm signals that may occur at the premises described in the alarm user's permit until payment is received. In addition, failure obtain or renew a permit may result in no law enforcement response to an unpermitted alarm.

- H. ***Grace Period:*** A thirty (30) day grace period will be granted for all newly installed alarm system. During that time, no penalty shall be assessed. Additional time may be granted by the Chief (or designee). The grace period begins on the date the newly installed alarm system is inspected and approved by the Town of Fairfield Building Department.

46-12 APPEALS

- A. ***Appeals process.*** Assessments of civil penalty(ies) and other enforcement decisions made under this ordinance may be appealed by filing a written notice of appeal with the Fairfield Police Department within 30 days after the date of notification of the assessment of civil fees or other enforcement decision. A hearing will be scheduled within twenty (20) days of receipt of the appeal. The failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the assessment of penalty(ies) or other enforcement decision. Appeals shall be heard through an administrative process established by the Town.
- B. ***Hearing Process.*** This hearing shall be a conducted by a hearing officer(s). Hearing officers are to be appointed by and to serve at the pleasure of the First Selectman. All hearings shall be conducted with the provisions of the Connecticut General Statutes, Section 7-152c, as amended.
- C. ***Appeal Standard.*** The hearing officer shall review an appeal from the assessment of civil penalty(ies) or other enforcement decisions using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the assessment of civil penalty(ies) or other enforcement decision, the hearing officer shall have the discretion to dismiss or reduce civil fees or reverse any other enforcement decision where warranted.

46-13 EXCEPTIONS

- A. The provisions of this chapter shall not apply to alarm devices owned and operated by the Town or one of its departments or agencies, including the Board of Education, the State of Connecticut or the United States of America, nor to alarm devices installed to motor vehicle or boats, unless said motor vehicles or boats are used as dwellings or businesses.
- B. The department head having control over the building owned by the Town of Fairfield or, the State of Connecticut or the United States Government shall receive notification of false alarms so that corrective measures may be taken to avoid future unnecessary dispatches.

46-14 CONFIDENTIALITY

In the interest of public safety, all information contained in and gathered through the alarm registration applications, no response records, applications for appeals and any other alarm records shall be held in confidence by all employees and/or representatives of the Town.

46-15 GOVERNMENT IMMUNITY

Except as expressly provided herein, the Town, its departments, officer, agents and employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of any alarm system or central monitoring station. No liability whatsoever is assumed for the failure of such alarm systems or central monitoring station for failure to respond to alarms or for any other act or omission in connection with such alarm system. Each alarm owner/user shall be deemed to hold and save harmless the Town, its departments officers, agents and employees from liability in connection with the alarm owner/user's alarm device.

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is

TOWN OF FAIRFIELD ALARM ORDINANCE REVISION PROPOSAL

retained. By applying for an alarm registration, the alarm user acknowledges that Fairfield Police Department response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

46-16 SEVERABILITY

The provisions of this ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

This ordinance shall take effect on _____, 20____.

Article III: Tax Relief for Elderly and Disabled Homeowners

[Adopted 9-20-1982; amended in its entirety 9-23-2013]

The Town of Fairfield hereby enacts a tax relief program for elderly homeowners or permanently and totally disabled homeowners pursuant to Section 12-129n of the Connecticut General Statutes for eligible residents of the Town of Fairfield on the terms and conditions provided herein. This article is enacted for the purpose of assisting elderly or permanently disabled homeowners with a portion of the costs of property taxation. This program shall become effective for the assessment year commencing October 1, 2012.

§ 95-8 Conditions for eligibility.

A.

Any person who owns real property in the Town of Fairfield or is liable for payment of taxes thereon pursuant to Section 12-48 of the Connecticut General Statutes and who occupies said real property as a residence and fulfills the following eligibility requirements shall be entitled to tax relief on the Grand List immediately preceding the application period provided for in § ~~95-9~~ below. The reference to "person" pursuant to this subsection shall hereinafter mean either "applicant" or "recipient."

B.

After the applicant's claim has been filed and approved, such applicant shall be required to file such an application biannually. ~~All persons receiving Town tax relief under the article on the October 1, 2011, Grand List shall refile for such tax relief for October 1, 2012, and biennially thereafter based on the year of the initial claim. If a tax payer's initial year of filing was for an odd-numbered grand list year, refiling will occur for an odd-numbered Grand List year. If a tax payer's initial year of filing was for an even-numbered Grand List year, refiling will occur for an even-numbered grand list year."~~

C.

The applicant shall be entitled to tax relief if all the following conditions are met:

(1)

Such applicant (or a spouse domiciled with such applicant) has attained age 65 or over at the end of the preceding calendar year or is 60 years of age or over and the surviving spouse of a taxpayer qualified for tax relief under this program at the time of his or her death; or has not attained the age of 65 years and is eligible in accordance with the federal regulations to receive permanent total disability benefits under social security or has not been

engaged in employment covered by social security and accordingly has not qualified for benefits thereunder, but has qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any teacher's retirement plan in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under social security.

(2)

Such applicant shall have been a taxpayer of the Town of Fairfield and have paid taxes for at least one year as of October 1 of the current Grand List year.

[Amended 5-29-2018]

(3)

The property for which the benefit is claimed is the legal residence of such applicant and is occupied for than 183 days of each year by such applicant.

Such residence shall not have an assessed value in excess of \$880,000. This maximum assessed value is to be reviewed at a minimum with each town-wide revaluation. Current program participants will not be affected by any change made to the maximum assessed value.

[Amended 5-29-2018]

(4)

Such applicant(s) shall have applied for property tax relief under any state statutes applicable to persons 65 and over and the permanently and totally disabled for which he or she is eligible. If such applicant has not applied for tax relief under any state statutes because he or she is not eligible, he or she shall so certify by filing on a form acceptable to the Assessor an affidavit attesting to his or her inability.

(5)

Such persons shall have individually, if unmarried, or jointly, if married, qualifying income in an amount not to exceed limits described below for each program for the tax year ending immediately preceding the application for tax relief benefits. "Qualifying income" is defined as adjusted gross income, as defined in the Internal Revenue Code of 1986, as may be amended from time to time, plus the nontaxable portion of any social security benefits, railroad retirement benefits, any tax shelter losses, income from other tax-exempt retirements and annuity sources and income from tax-exempt bonds and any other income not includable in adjusted gross income. Unreimbursed gross medical and dental expenses (qualifying as and included on a federal income tax return of the calendar year immediately preceding the year of application as an itemized deduction before application of the 7.5% or other limitation) of

such person and the spouse are deductible from their income in arriving at qualifying income to the extent such expenses exceed 30% of their qualifying income determined before this medical deduction.

(6)

Such person shall have applied or reapplied in person to the Assessor for the tax relief during the application period established in § **95-9** below.

[Amended 5-29-2018]

(7)

Benefits granted under this article shall be prorated by the office of the Assessor in the event of the sale or transfer of the affected real estate or the death of the applicant and the surviving spouse, if applicable.

(8)

~~Any application and spouse who qualify for property tax relief under this article shall have a qualifying total asset value (QTAV) not exceeding \$650,000. Qualifying total asset value shall consist of any and all assets of the applicant and spouse as of the date of application but shall specifically exclude the value of the applicant's primary legal residence and all tangible personal property contained therein. Each applicant to whom QTAV applies shall make a sworn statement in a form satisfactory to the Assessor that such applicant's QTAV does not exceed \$650,000.~~

D.

A married homeowner whose spouse is a resident of a health-care facility or nursing home in Connecticut that is receiving payment related to such spouse under Title XIX (Medicaid) need not declare the spouse's social security income. Proof that the spouse is in a facility must be provided, including the period of time said spouse was in the facility, the time that Title XIX commenced, and the name and address of the facility. The statement of proof must be on the facility's letterhead and signed by the administrator or other official of the facility.

§ 95-9Application.

[Amended 5-29-2018]

In order to be entitled to the tax relief provided herein, an application must be filed with the Assessor not earlier than February 1 and not later than May 15 preceding the fiscal year in which the tax is payable.

A.

Any eligible taxpayer, or his/her authorized agent, shall file applications for tax relief and tax deferral under this chapter with the Town of Fairfield Assessor,

any time from the first of February to the 15th day of May, prior to the commencement of the tax year for which tax relief is claimed, on a form or forms prescribed and furnished by the Town of Fairfield. In making such application, the taxpayer shall present to the Assessor, in substantiation of his/her application, a copy of his/her federal income tax return for the calendar year immediately preceding the year of application, a copy of the Social Security Act Administration Form 1099, or, if not required to file a return, such other evidence of qualifying income ~~which-that~~ the Assessor may reasonably require to establish compliance with the income qualifications provided in § **95-15** of this article. The applicant, or his/her authorized agent, shall sign a sworn affidavit in the presence of the Assessor affirming the accuracy of the statements in the application.

B.

When the Assessor is satisfied that the applying taxpayer qualifies under this article, he/she shall compute the amount of such tax relief and tax deferral and cause certificates of tax credit and tax deferral to be issued in such form as to permit the Tax Collector to reduce the amount of tax levied against the taxpayer and make proper record thereof, and a copy thereof shall be delivered to the applicant. Neither the Assessor nor the Tax Collector shall unreasonably withhold the issuance of such a tax credit and tax deferral to a properly qualifying taxpayer. The tax credit shall be applied to the tax payments.

C.

Affidavits or applications or other documents presented in support of the application for tax relief or tax deferral shall not be open for public inspection and shall not be disclosed except in connection with claims of fraud.

D.

An eligible taxpayer may make his/her application for tax relief or tax deferral to the Assessor up until August 15th of the claim year if approved for extension by the Assessor. The Assessor may grant such extension in the case of extenuating circumstance due to illness or incapacitation as evidenced by a [physician's] certificate signed by a physician or an advanced practice registered nurse, or if the Assessor determines there is good cause for doing so. Reference Public Act 12-197 amending 12-170w of the Connecticut General Statutes.

§ 95-10**Amount of tax relief per person limited.**
[Amended 5-29-2018]

No property tax relief provided for any person shall exceed in the aggregate 75% of the tax ~~which-that~~ would, except for the benefits provided by state statutes and the program(s), be laid against such person.

§ 95-11 Amount of relief granted through program limited.

The total of all relief granted under the provisions of these programs shall not exceed an amount equal to 2.5% of the total real property tax levied in the Town of Fairfield in the preceding fiscal year. The total amount that can be deferred under § **95-15B** is limited to a maximum of \$500,000 in any tax year. In the event that either foregoing limitation on relief is reached, relief shall be prorated among qualified applicants.

§ 95-12 Relief per parcel of property limited to eligible persons.

[Amended 5-29-2018]

Only one tax relief benefit shall be allowed for each parcel of real property eligible for tax relief under the programs. In the event that title to real property is recorded in the name of the taxpayer or his or her spouse who are eligible for tax relief and any other person or persons, the tax relief under the programs shall be prorated to allow a tax relief benefit equivalent to the fractional share in the property of such taxpayer or spouse, and the person or persons not eligible shall not receive any tax relief.

§ 95-13 Effect on other benefits.

[Amended 5-29-2018]

The tax relief provided to any person under the programs shall not disqualify such person with respect to any benefits for which such person is eligible under any state statute, and any tax relief provided under the article shall be in addition to any such benefits.

§ 95-14 Partial waiver of lien rights.

The Town of Fairfield hereby waives any lien rights given to it by Section 12-129n of the Connecticut General Statutes with respect to the tax freeze and tax credit programs but will exercise such rights as provided below with respect to the tax deferral program.

§ 95-15 **Tax relief programs.**

An applicant may not apply, in any assessment year, for more than one of the following Town tax relief programs:

A.

~~Tax freeze. Any taxpayer meeting the eligibility requirements of § 95-8 and having qualifying income not exceeding \$50,600 may elect to apply for a freeze under which such taxpayer shall pay the gross tax levied on applicable property, calculated for the first year the application is granted (the "freeze amount") and shall be entitled to continue to pay no more than the freeze amount for each subsequent year in which the taxpayer, or his surviving spouse, continues to meet such qualifications, subject to the following:~~

~~**(1)**~~

~~In the event that the applicant shall make improvements to his property resulting in an increase in his assessment, an amount calculated by multiplying the increase in the taxpayer's assessment attributable to the improvement by the mill rate in effect in the year such reassessment takes place shall be added to the freeze amount then applicable to obtain a revised freeze amount which will be the freeze amount for subsequent assessment years;~~

~~**(2)**~~

~~The applicant or his or her spouse must be at least 65 years of age at the time of such application;~~

~~**(3)**~~

~~Relief under this tax freeze is limited to not more than six consecutive years (not including the initial year that is used as the year to determine the freeze amount). Should the applicant choose to apply for the tax deferral program, described below, in the year following the last year of tax freeze eligibility, the freeze amount shall be used as the deferral base under that program;~~

~~**(4)**~~

~~An applicant and/or his or her spouse may only receive tax relief under the tax freeze program once during his or her life with an individual also being deemed to have received such tax relief under the tax freeze program if their spouse received such benefits while they were married;~~

~~**(5)**~~

~~The qualifying income threshold of \$50,600 for the tax freeze program indicated in § 95-15A above shall be adjusted in the same manner as described in § 95-15C(2) with respect to the tax credit program; and~~

~~**(6)**~~

~~If a decrease in the mill rate lowers the normal tax bill below the original frozen tax level, the applicant will pay the normal tax. When the normal tax bill exceeds the original frozen tax bill, the applicant will pay his original frozen tax bill. The counting of the six-year period specified in § 95-15A(3) shall be suspended during the period in which the applicant pays the normal tax.~~

B.

Tax deferral. Any taxpayer age 75 or older at the end of the preceding calendar year and meeting the eligibility requirements of § 95-8 and having qualifying income not exceeding \$80,000 may elect to apply for a deferral of up to 50% of the gross tax levied on applicable property each year in which the taxpayer, or his surviving spouse, continues to meet such eligibility requirements, subject to the following:

(1)

The recipient shall enter into a written agreement with the Town of Fairfield providing for reimbursement, which shall be recorded in the land records of the Town of Fairfield and shall constitute a lien on the property payable upon death or conveyance.

(2)

All benefits shall be reimbursed to the Town of Fairfield upon the death of the recipient, unless the recipient's surviving spouse applies for benefits under this program and also qualifies under § 95-8, or conveyance of the real property subject to taxation.

(3)

All benefits shall be subject to an interest charge at the greater of the annual percentage rate of 3% or the rate on ten-year United States Treasury Notes. The rate for the purposes of this subsection shall be set by the Chief Fiscal Officer of the Town of Fairfield on January 31 in each calendar year or, if such day is a day on which the fiscal office of the Town of Fairfield is not open, on the next prior day on which it is open. Such rate shall be effective for the following year. Such interest shall be simple interest, not compounded, and shall accrue from the date of deferral until the date of repayment.

(4)

Total deferments, including accrued interest, for all years shall not exceed 70% of the most recent assessed value of the real property.

(5)

The qualifying income threshold of \$80,000 for the tax deferral program indicated in ~~§ 95-15B~~ § 95-15A above shall be adjusted in the same manner as described in § 95-15C(2) 95-15B(2) with respect to the tax credit program.

(6)

If a decrease in the mill rate lowers the normal tax bill below the original deferral base, the applicant will pay the normal tax. When the normal tax bill exceeds the original deferral base, the applicant will pay the original deferral base.

(7)

Taxpayers between the age 65 and 75 who had participated in the tax deferral option as of the 2012 Grand List may reapply for their original deferral base (deferring tax above that base), provided their qualifying income for the preceding year did not exceed \$80,000.

C. B.

Tax credit.

(1)

Any applicant meeting the eligibility requirements of § **95-8** and having qualifying income shown in the table below, adjusted annually as provided in Subsection **C(2) B(2)** below, shall be entitled to a tax credit of up to a maximum (as limited by § **95-10**) provided in the following table, effective for the assessment year beginning October 1, 2012, and for each assessment year thereafter:

Qualifying Income		Tax Credit (percentage of tax due)	Cap (not to exceed)
Over	To		
\$0	\$ 16 17,700	75 67%	\$ 5,000 5,500
\$ 16 17,701	\$ 23,900 25,200	66 60%	\$ 4,500 5,000
\$ 23,901 25,201	\$ 29,500 31,100	55 50%	\$ 3,700 4,200
\$ 29,501 31,101	\$ 35,300 37,200	46 42%	\$ 3,500 4,000
\$ 35,301 37,201	\$ 43,400 45,700	36 33%	\$ 2,700 3,200
\$ 43,401 45,701	\$ 50,600 53,300	28 25%	\$ 2,000 2,500
\$ 50,601 53,301	\$ 70,000 73,600	17 15%	\$ 1,400 1,900
\$73,601	\$100,000	10%	\$1,400

Formatted Table

For prior credit option participants, tax credit will not be less than calculated for 2012/2013, based upon 2012/2013 qualification levels.

(2)

The amounts of qualifying income shown in the above table shall be adjusted annually in a uniform manner to reflect the annual inflation adjustment in social security income, with each adjustment of qualifying income determined to the nearest \$100. Each such adjustment shall be prepared by the Secretary

of the Office of Policy and Management, State of Connecticut, in relation to the annual inflation adjustment in social security, if any, becoming effective at any time during the twelve-month period immediately preceding the first of October of each year, and shall be the amount of such adjustment which is distributed to the Assessor as of December 31 next following. Adjustments for any bracket of qualifying income not included in the adjustments made by the Secretary of the Office of Policy and Management shall be made by the Assessor by applying the same percentage used by the Secretary of the Office of Policy and Management in making its adjustments and with each adjustment of qualifying income determined to the nearest \$100.

§ 95-15.1 Report by Assessor.

The Assessor shall report to the RTM every June on the tax relief program established under Article III of Chapter 95.

§ 95-15.2 Severability.

In the event that any provision of §§ 95-7 through 95-15 of the Fairfield Town Code is found to be unlawful, only such unlawful provision shall be ineffective, and all other provisions shall remain in full force and effect.

§ 95-15.3 When effective.

The amendments to §§ 95-7 through 95-15.2 shall become effective immediately after the period for subjecting them to a referendum has expired.

§ 95-15.4 RTM Review Committee.

[Amended 2-23-2015; 5-29-2018]

At its first regularly scheduled meeting in January 2020, the Representative Town Meeting shall convene a special committee to review Article III of Chapter 95, Tax Relief for Elderly and Disabled Homeowners.