

**BOARD OF FINANCE SENIOR & DISABLED TAX RELIEF COMMITTEE**  
**MEETING MINUTES**  
**August 27, 2019**

A Meeting of the Board of Finance Senior & Disabled Tax Relief Committee was held in the First Floor Conference Room of Independence Hall, 725 Old Post Road, on Tuesday, August 27, 2019, at 7:30 pm.

**MEMBERS PRESENT** Christopher DeWitt-Chairman, Sheila Marmion-Vice Chairman, James F. Walsh-Secretary

**ALSO PRESENT** Fairfield Senior Advocates Rep. Urb Leimkuhler, Tax Assessor Ross Murray, Rep. Jill Vergara

Call to Order - Chairman DeWitt called the meeting to order at 7:47 p.m.

Pledge of Allegiance – Sheila Tesei led the Pledge of Allegiance.

1. Update on data and questions to the Town Tax Assessor

Ms. Vergara's proposal was reviewed. It detailed the average benefits received for the whole tax relief program and identified those receiving maximum benefits by reaching the 25% threshold. The rationale came from Mr. Ross' charts to raise the income level to the 25% minimum and guided percentages for each income level and their capped amount. It substantially helped more people by increasing participation to 221 and could potentially go further.

Mr. DeWitt summarized last year's number of participants, applications, people who did not refile, were disallowed, moved or were deceased.

Ms. Vergara said same number were disallowed last year as this year and income seemed to be causing the decline in participation. She said the committee's recommendation is increasing from 75 to 90 translating into a \$655,000 program increase and eliminating QTAV. She said Mr. Mayer had expressed concerns about QTAV reduction and asked them to lower the ordinance cap. He believed if QTAV was limiting people from coming in and a cap was removed, it could open flood gate. Ms. Vergara thought the cap was problematic. Mr. Walsh didn't agree and stated we are considered the 16<sup>th</sup> wealthiest town and questioned why we are #3 in cap. Mr. Ross said you could reduce current participant's benefits in order to do so. The pros and cons to the cap was discussed at length. The committee suggested adjusting the income levels and Mr. DeWitt said a \$600,000 income level would be an increase to the budget.

Mr. Ross said they factored in a 60% participation rate of the potential population. The increase would be \$772,000 same as last year's recommendation. Last year's budget was \$3.4m and this would increase to over \$4m with an 18.5% increase.

Mr. Walsh wants to get money to people who are struggling and will try to write out wealthy people who are trying to take advantage of the system. Ms. Vergara said that is why QTAV is difficult to determine income and the program needs simplicity for transparency. Mr. Walsh suggested getting signed income affidavits.

Mr. Leimkuhler said more people were limited by the income cap than by QTAV and the income cap has a greater impact to bring in more participants. Who benefits from QTAV and who is at a disadvantage was explored.

Mr. DeWitt recommended bolstering the 300 range and not raising caps. He would like to give the lower range people 18.5% rather than the upper range group. The upper range group has the most participants. Ms. Marmion said we should make incremental steps. Census data, owner occupied homes vs. rental homes, participation and qualification rates were examined. Mr. Walsh thought we could achieve if we changed the language on trusts, Mr. Ross was unsure. Mr. Walsh said in order to receive state benefits you have to disclose trusts. Mr. Ross said the application is not well defined and there is no trust language. He doesn't believe the State has the funding to staff an audit.

Ms. Vergara said State program benefits are so low yet people still go through the hassle to participate. An example would be they could receive \$300 state benefits and \$3,000 in town benefits.

## 2. Update and questions to the RTM S&DTRC Chairperson, Rep. Vergara

Ms. Vergara shared issues from her committee's their last meeting. The first item was the deduction medical form "definition of income 95-8". A constituent complained and is concerned about itemization and that the Trump tax plan may deter people from using. The complaint was rejected because of how it was being calculated. Her committee unanimously felt medical costs are not income and shouldn't be calculated.

Tax law changes and interpretation was reviewed. Ms. Vergara said it will simplify for Mr. Ross and be consistent with the IRS Code. She said they are still itemizing and some people don't want to itemize. It reverts to 10% from 7.5%. Mr. Walsh said they will reference the IRS Tax Code instead of the percentage so they don't have to change every year. Wording 7.5 and 30% has been replaced by 3.13a of the IRS Code.

Ms. Vergara said the tax collector raised an issue about lien collections and wants a permanent date. Her committee in turn added language to make certain when the Town is to be reimbursed for that lien in Section 95-15. Mr. Ross said every two years a cost of living increase is made based on the social security increase. Ms. Vergara said benefits increase as tax bills increase.

Her committee believes there should be a process for hardship exceptions as in other towns where appeals are made individually to the BOS. Ms. Marmion would like more research on other towns, how often it is used, how many apply and how long it has been on the books.

Ms. Vergara recommended changing the ordinance review process to an independent committee so there would be less political friction. She feels it is very complicated to have the BOF and the RTM work on it. She said in the past in the 80s it worked fine when there was an independent committee of non-elected officials who worked with the assessor. Mr. DeWitt said it's a State statute that the Town Attorney and the BOF make a recommendation. She is worried because a change has not been made since 2011 and no further changes will be made unless the process changes, the Sub-Committee disagreed.

3. Discussion and recording of initial recommendations from BOS S&DTRC members to the S&DTR document distributed from the RTM S&DTRC.

How to proceed with recommendations was discussed. Mr. DeWitt would like to hear from the Strategic Planning Committee Chair John Wynne and get their recommendation regarding seniors and this ordinance. Mr. Walsh would like to hear from CFO Robert Mayer to give comments on costs, the 18.5% and get the First Selectman's thoughts on senior tax relief.

Ms. Marmion favors increasing the income level however would prefer an incremental process and that we should go up but at a slower pace and increase to 85 not 90. She also recommends keeping QTAV. Mr. DeWitt will speak to Mr. Murray to get incremental steps; 75, 80, 85 and 90.

Mr. DeWitt is not in favor of eliminating QTAV, he agrees with Ms. Marmion and agrees with incremental steps. He recommends deleting RTM 95-8c3 and adding \$750,000 assessed language. He is in agreement of eliminating tax freeze Section 95-15, Ms. Marmion agreed. He isn't in favor of introducing a hardship clause unless it is a structured document.

Ms. Vergara's committee has not approved medical. Mr. Walsh requested their most current document. She will incorporate all changes to date, based on that document the Sub-Committee will make the final revision. He recommended under 95-15-1 "report by assessor ..." should read "assessor report to RTM and add BOF for review once a year".

Mr. Walsh agrees in reviewing \$80K and \$85K income levels. He agrees keeping QTAV and deleting \$750,000. Further discussion was had on tax freeze vs deferral and people participating in multiple phases. Mr. Ross did not favor people in multiple programs. Ms. Vergara will get the Westport statute and send to Mr. Walsh. The Westport deferral program allows people to participate in both deferral and credit. The Sub-Committee will consider that after studying the statute and speaking with Mr. Ross. Further discussion was had on increasing money for lower group or raising income to include more participants and cap or no cap.

- Mr. DeWitt will request Mr. Ross provide a data analysis on additional costs, potential participants and how many would be maxed out. Their goal would be to max out lower income people to go as high as we can with an amount of money to be determined to keep seniors in Town. They will choose a number and ask Mr. Mayer how to allocate.
  - Mr. Walsh and Mr. Murray will work with the Town Attorney to get a recommendation and strengthen the affidavit and ordinance language and include trust income be part of income.
  - Mr. Murray will supply State interpretation, sample application and Q&A booklet.
  - Mr. DeWitt will float September 17 date and will have data from Mr. Ross by then.
  - Ms. Vergara will send Ms. Marmion tax law changes and interpretation.
4. To Hear, Consider and Approve Minutes of: July 31, 2019

**The July 31, 2019 minutes were tabled to the next meeting.**

5. Public comment – none.
6. To Hear, Consider and Act Upon Any Communications – none.

**Adjourn - There being no further business to come before the Board, Mr. Walsh motioned to adjourn the meeting at 10:17 p.m. Ms. Marmion seconded the motion which carried unanimously, 3-0.**

Respectfully submitted,  
Sheila Tesei