

**MINUTES
REPRESENTATIVE TOWN MEETING
SPECIAL MEETING #1
NOVEMBER 1, 2011**

**RECEIVED
NOV - 7 2011
TOWN CLERK'S OFFICE
DARIEN CT.**

CALL TO ORDER

A Special Meeting of the Representative Town Meeting was called to order at 8:05 p.m. by Donna Rajczewski, Town Clerk.

Upon Roll Call, the following members were present:

From District I, there were 12 members present, 2 absent.
From District II, there were 13 members present, 3 absent.
From District III, there were 16 members present, 0 absent.
From District IV, there were 13 members present, 3 absent.
From District V, there were 13 members present, 2 absent.
From District VI, there were 17 members present, 0 absent.

The absentees from District I were: Nelson, Sommer.
The absentees from District II were: Gallo, Hoffman, Marston.
The absentees from District IV were: Cameron, Kemp, Millar.
The absentees from District V were: Davis, Russell.

The Moderator, Karen A. Armour, Assumed the Chair.

ACCEPTANCE OF THE AGENDA

**** THE AGENDA WAS ACCEPTED BY UNIVERSAL CONSENT.**

ANNOUNCEMENTS

The Moderator called for a moment of silence in honor of Ed Cooke and Phillips Terhune, two recently-deceased long-time members of the RTM.

APPROVAL OF THE MINUTES OF THE SEPTEMBER 26, 2011 REGULAR MEETING

The following correction was made: On page 5, 3rd paragraph, 3rd sentence, "5" was corrected to "350".

**** THE MINUTES, AS CORRECTED, WERE ACCEPTED BY UNIVERSAL CONSENT.**

11-12

CONSIDERATION AND ACTION ON AN AMENDMENT TO DARIEN'S CODE TO REVISE WORDING REGARDING THE TIMING OF SETTING TAX DEFERRAL INTEREST RATE

**** SARAH SEELYE, DISTRICT II, CHAIRMAN OF TGS&A, MOVED:**

WHEREAS, the Representative Town Meeting of the Town of Darien has the authority to amend its Code of Ordinances; and

WHEREAS, discussions have been held regarding the need to update that section of the Darien Code dealing with Relief for Elderly and Disabled Persons; and

WHEREAS, the Board of Finance has recommended using the investment earnings rate of the state investment fund (STIF) as of December, rather than January.

BE AND IT IS HEREBY RESOLVED the Representative Town Meeting of the Town of Darien hereby amends Chapter 70 of the Darien Code as more specifically set out in the document attached hereto and made a part hereof.

Chapter 70, Article II, Division 4, Subdivision II, Section 70-89 (e) and (f) of the Code of Ordinances, Town of Darien, Connecticut, are hereby amended to read as follows (delete January and insert December):

Section 70-89 (e)

The Board of Finance shall set the deferred tax interest rate on deferral plan A annually as of [January] DECEMBER 31 at the one-half of one percent above, the [January] DECEMBER investment earnings rate of the state investment fund (STIF). Said interest shall accrue on the deferred tax for the upcoming tax year, all prior deferred taxes and previously accrued interest; and

Section 70-89 (f)

The Board of Finance shall set the deferred tax interest rate on tax deferral plan B annually as of [January] DECEMBER 31 at one percent above the [January] DECEMBER investment earnings rate of the state investment fund (STIF). Said interest shall accrue on the deferred tax for the upcoming tax year, all prior deferred taxes and previously accrued interest.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

Sarah Seelye, District V, Chairman of TGS&A, read the committee's report, after which TGS&A member, Spencer McIlmurray of District II presented further explanation (attached).

Bruce Orr, District V, Chairman of Finance & Budget, read the committee report (attached).

**** ITEM 11-12 CARRIED ON A RISING TALLY VOTE OF 82 IN FAVOR, 0 OPPOSED, 0 ABSENTIONS.**

**** UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS UNANIMOUSLY VOTED TO ADJOURN AT 8:20 P.M.**

Respectfully submitted,

Cheryl Telesco
Telesco Secretarial Services

APPENDIX

<u>DISTRICT I</u>	<u>(11-12)</u>	<u>DISTRICT IV</u>	<u>(11-12)</u>
Bishko	yes	Cameron	absent
Glassmeyer	yes	Cleary	yes
Hegarty	yes	Davis	yes
Imbimbo	yes	Fiore	yes
Kahn	yes	Hardison	yes
Kelly, P.	yes	Kemp	absent
Nelson	absent	McIlree	yes
Ness	yes	Millar	absent
Schneider	yes	Miller	yes
Schulz-Amatruda	yes	Morrison	yes
Schwarz	yes	Peters	yes
Sini	yes	Rayhill	yes
Sommer	absent	Rycenga	yes
Tierney	yes	Savage	yes
		C.Schoonmaker	yes
		S.Schoonmaker	yes

DISTRICT II

Bacon	yes
Cummings	yes
Gallo	absent
Harman	yes
Hilton	yes
Hoffman	absent
Howe	yes
Magida	yes
Maguire	yes
Marston	absent
McIlmurray	yes
Mundt	yes
Noe	yes
Seelye	yes
Thorne, B.	yes
Thorne, M	yes

DISTRICT III

Bayne	yes
Brode	yes
Burke	yes
Cardone	yes
Coyle	yes
Duffy	yes
Fead	yes
Ferretti	yes
LeHan	yes
Maroney	yes
Martens	?
Moore	?
Morton	yes
Olvany	yes
Smith	yes
Young	yes

DISTRICT V

Adiletta	yes
Camuti	yes
Conniff	yes
Dailey	yes
Davis	absent
George	yes
Hennessy	yes
Orr	yes
Patrick	yes
Pierret	yes
Ritchie	yes
Russell	absent
Sharp	yes
Stolar	yes
vanderKieft	yes

DISTRICT VI

Adelman	yes
Armour	Did not vote
Baldwin	yes
Bealle	yes
Conologue	yes
Grogan	yes
Guimond, M.	yes
Guimond, N.	yes
Hawkins	yes
Kelly, H.	yes
McDermott	yes
McLean	yes
McNamara	yes
Palen	yes
Plehaty	yes
Poli	yes
Swenson	yes

**Finance & Budget Committee
Report to RTM, Nov. 1 , 2011**

**(11-12) RTM RESOLUTION AMENDING SECTION 70-89 (E) AND (F)
OF CHAPTER 70 OF THE DARIEN CODE OF ORDINANCES**

I am Bruce Orr, District 5 and Chair of Finance and Budget.

The F&B committee met on Oct. 26th, 2011, with 12 of 14 members present comprising a quorum.

As you have heard from TGS&A, these ordinance changes are to simply move ahead the dates when the BOF sets the annual interest rate for the Elderly Property Tax Deferral Program by 30 days. This merely streamlines the process, allowing applicants an earlier window in which to complete the application. No other elements of the program are changed and there is no material impact on the finances of the Town or taxpayers.

The Committee voted unanimously in favor of this Resolution.

The Committee recommends that the RTM votes in favor of this Resolution.

Bruce G. Orr, Sr.
Chairman, Nov. 1, 2011

Good Evening. I am Sarah Seelye, Chair of Town Government, Structure and Administration and from District II.

Without objection, I waive the reading of Resolution 11-12 Consideration and Action of Chapter 70 of the Code of Ordinances.

May I have a second please?

TGS&A met tonight with 9 out of 12 members present to discuss and take action regarding using the investment earnings rate of State Investment Fund as of December 31st rather than January 31st.

The motion passed unanimously and the Committee recommends that the RTM pass this Resolution.

I would like to turn the Podium over to Spencer McIlmurray who has researched the resolution and would like to offer an explanation.

"Pursuant to Section 70 of the Darien Code of Ordinances, elderly and disabled property owners may petition for property tax relief and tax deferral. As it currently stands, the rate used for these are based on the state investment fund (STIF) rate set in January each year. Established practice, however, allows for applications to be accepted before that rate has been established. The proposed ordinance change is to utilize the state investment fund (STIF) rate achieved in December—instead of January—as the basis for setting the tax deferral rate percentage. This time provides qualified applicants with full disclosure of the terms associated with property tax relief and tax deferral before submitting their petitions for consideration."

Thank you