

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

AGENDA
PUBLIC PROTECTION & SAFETY STANDING COMMITTEE OF THE RTM
Special Meeting
Monday, June 30, 2025
6:00 P.M. - Waterford Town Hall
Louise Appleby Room

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment
5. To Consider and act upon the minutes of the March 31, 2025 meeting.
6. Consideration of and possible action on items referred to committee:
 - A. Open Burn Ordinance, RTC 12/04/23
 - B. ATV and Dirt Bike Ordinance Consideration, RTC 10/02/23
 - C. Review of assigned duties to the Director of Fire Services, RTC 06/03/24
 - D. Survivors Benefits in the Line of Duty, RTC 02/03/2025
7. Adjournment

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FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



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Public Protection & Safety Standing Committee of the RTM
Meeting Minutes
Monday March 31st 2025
6pm Town Hall

- 1.) Meeting Called to Order at 6:05 PM
- 2.) Pledge
- 3.) Roll Call- Present, Condon, Dembek, Greene
Absent- Mullen Kohl, Monahan
- 4.) Public Comment- None
- 5.) To Consider 9/11/2024 minutes- Motion by Dembek 2nd by Greene to accept
Vote-Unanimous
- 6.) To Consider and act upon an appointment to the Fire Services Review Special Committee.

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This had been previously completed and reported out of committee.

- 7.) Consider of and possible action on items referred to Committee:
 - a. Open Burn Ordinance RTC 12/04/2023
Attorney Avena presented a draft ordinance to the committee for review and comment. After a discussion and minor language changes the committee requested that the Fire Marshal be present at our next meeting to review the document. (See Attachment)
No action taken
 - b. ATV and Dirt Bike Ordinance Consideration, RTC 10/02/2023
Attorney Avena presented a draft ordinance to the committee for review and comment. Committee reviewed the document which Attorney Avena had put together combining multiple other Towns ordinances. Committee requested that we reach out to the Police Department for comment and possible attendance at our next meeting. (See Attachment)
No Action taken
 - c. Review of assigned duties to the Director of Fire Services RTC
06/03/2024
Chairperson Condon gave a brief overview of the purpose of the review to add a line to the document to vest the Director with all powers of a Fire

Chief per the Connecticut statutes. The committee had previously agreed to bring this forward when other ordinances under review were ready for a public hearing.

No Action taken.

d. Survivors Benefits in the Line of Duty RTC 02/03/2025

Chairperson Condon explained that through the process to create the line of duty death determination committee ordinance it was discovered that multiple other Towns have a death benefit for the surviving spouses in the form of tax relief on real property and believes Waterford should explore the same. Sample documents were given to Attorney Avena for review.

(See Attachment)

No Action taken.

8.) Adjournment- Motion by Greene, Second by Dembek Vote unanimous
Meeting adjourned at 6:52 pm

Respectfully Submitted
Timothy Condon
Chairperson

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March 31st 2025 -TC

Chapter 8.33
OPEN BURNING

- 8.33.010 Declaration of Policy.
- 8.33.020 Prohibition.
- 8.33.030 Open Burning Official; permit procedures.
- 8.33.040 Excluded open fires; required permits.
- 8.33.050 Standards for open burning permits.
- 8.33.060 Violations and penalties.

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8.33.010 Declaration of Policy.

The Town Fire Marshal is increasingly concerned about safety and environmental impacts associated with the open burning of brush and other materials. To seek to ensure that the health and safety of its residents is safeguarded, the Representative Town Meeting (RTM), pursuant to the authority of Section 7-148 and Section 22a-174 of the Connecticut General Statutes, hereby enacts legislation prohibiting all open burning except as noted.

8.33.020 Prohibition.

Except as hereinafter provided, no person shall set, cause or permit an open fire within the limits of the Town of Waterford. As used herein, "person" means an individual, firm, partnership or corporation. As used herein, "open burning" means the burning of any matter in such manner that the products of combustion from the burning are emitted directly into the ambient air without passing through an adequate stack or flue. Open burning thus includes burning done in simple outdoor structures such as barrels and drums as well as on the ground surface.

8.33.030 Open Burning Official; permit procedures.

- A. The First Selectman shall appoint one or more Open Burning Officials of the Town of Waterford who shall be solely responsible for the issuance of permits for those open fires excluded from the prohibition of section 8.33.020 of this chapter.
- B. A permit application for any permitted open fire shall be made on forms furnished by the Open Burning Official. Each application shall describe the purposes of the fire, the

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nature and quantity of the materials to be burned and such other information as the Open Burning Official may require.

- C. A permit issued under this section shall be applicable only for the occasion or the purpose for which it was obtained.

8.33.040 Excluded open fires; required permits.

- A. A permit shall not be required for the following open fires:
- (1) Barbeques or other outdoor open fires for the cooking of food for human consumption.
 - (2) Fires to abate an immediate fire hazard, provided that the abatement fire is supervised by a responsible fire official.
 - (3) Fires for training firefighters in methods of fighting fires as authorized by the Fire Marshal and/or Fire Chief.
 - (4) Fires in an outdoor fireplace (i.e., chimineas, patio hearths, fire rings). Outdoor fireplaces must be noncombustible and specifically designed to hold outdoor fires. Fires shall not exceed four feet in diameter and only untreated natural wood is permitted to be burned. Fires must be a minimum of 10 feet from any structure. Drums of any kind shall not be permitted.
 - (5) Fires in salamanders or other similar devices used by construction or other workers for heating purposes, which fires are essential to street installation or paving activities, the repairing of utilities, or other similar work.
- B. Permits shall be required for the following open fires:
- (1) Fires for the prevention, control, or destruction of diseases and pests, and agricultural burning for vegetation management.
 - (2) Campfires, bonfires or other fires for ceremonial or recreational purposes that do not meet the standards as defined in Subsection A(4) above.
- C. Permits are required for the following open fires and may only be issued by the Commissioner of the Department of Environmental Protection or his designee:
- (1) Fires for the disposal of dangerous material such as toxic gases where there is not a reasonable alternative method.
 - (2) Fires to thwart a hazard which cannot properly be managed by any other means or is necessary for the protection of public health.

8.33.050 Standards for open burning permits.

The Open Burning Official shall not issue a permit when it is determined that:

- A. A hazardous health condition will be created by such burning;
- B. The fire constitutes a salvage operation by open burning;
- C. A practical and alternative method for the disposal of the material to be burned exists, including but not limited to the following techniques: chipping, cutting for forest products, land filling, piling for protective cover for wildlife and stockpiling;
- D. Such open burning would interfere with or prevent the attainment or maintenance of a relevant ambient air quality standard;
- E. The forest fire danger, as determined by the state forest fire warden, is high or extreme and the area is within 100 feet of a woodland or grassland;
- F. An advisory of an air pollution emergency episode state is in effect; or
- G. Garbage, paper, grass, metals, plastics, leaves, rubber, painted materials or demolition waste is to be burned.

8.33.060 Violations and penalties.

- A. The Fire Marshal, police officer, and any Fire Department officer having jurisdiction, after having been made aware of a particular open fire and having satisfied themselves as to the circumstances and applicable requirements, shall cause any fire not specifically permitted by this ordinance or any fire deemed a hazard or nuisance, to be immediately extinguished, and may summon the fire service to accomplish this extinguishment.
- B. Any person who violates this chapter shall be fined \$250.00. Each singular daily event shall be considered a separate violation.

(See Attachment A - Rules of Open Burning in Waterford)

Effective Date: This ordinance shall take effect 15 days after final action by the RTM.

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March 31st 2025-R

Chapter 10.10
All-Terrain Vehicles Ordinance

- 10.10.010 Declaration of Policy.
- 10.10.020 Definitions.
- 10.10.030 Prohibition.
- 10.10.040 Penalties.
- 10.10.050 Sign Posting Required for All-Terrain Dealers.
- 10.10.060 Sale of Gasoline for Illegal Purposes.
- 10.10.070 Appeal Provisions.

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10.10.010 Declaration of Policy.

All-terrain vehicles, mini bikes, mini motorcycles and dirt bikes on streets and public property prohibited as the Police Chief and Police Commission have become concerned with unregistered and unsafe vehicle use in Waterford, as authorized under C.G.S. Section 14-390(A).

10.10.020 Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section:

All-terrain vehicle means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the commissioner of motor vehicles to be unsuitable for operation on the public highways and also defined as any three (3) or more wheeled motorized vehicle, generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator and handlebars for steering, which is intended for off-road uses by an individual rider on various types of non-paved terrain. Such vehicles do not include trail bikes, golf carts, agricultural tractors, farm implements and construction machines.

All-terrain vehicle dealer means any person engaged in the business of manufacturing, selling, leasing or renting all-terrain vehicles, mini bikes, as defined by this section, mini-motorcycles, as defined by this section, or dirt bikes, as defined by this section, at retail having a regular and established place of business within the Town.

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Dirt bike shall mean a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, and also defined pursuant to General Statute § 14-390m(d) as may be amended.

Mini-motorcycle shall mean a vehicle that has not more than three (3) wheels in contact with the ground, has a manufactured seat height of less than twenty-six (26) inches measured at the lowest point on top of the seat cushion without the rider, and is propelled by an engine having a piston displacement of less than fifty (50) c.c.

Pocket bikes, mini bikes, mini sport bikes, mini dirt bikes, chopper scooters, motor scooters, bicycles with helper motors, and any other similar vehicle (hereinafter collectively "mini bikes") shall mean any wheeled vehicle designed to transport one (1) or more persons that is powered by any type of motor.

As used in this section, "all-terrain vehicle", "mini bike", "mini motorcycle" and "dirt bike" shall not include the following:

- (1) Any registered "motorcycle" as defined in General Statute § 14-1(46);
- (2) Any registered "motor vehicle" as defined in General Statute § 14-1(47);
- (3) Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the State of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules, and regulations and all Town ordinances;
- (4) Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical ailment;
- (5) Any self-propelled snow plow, snow blower or lawn mower when used for the purpose for which it was designed and operated at a speed not to exceed four (4) miles per hour;
- (6) Any vehicle owned or leased by the Town; and
- (7) Any electronic assistive mobility device as defined by the Town Code.

10.10.030 Prohibitions

- (1) It shall be unlawful for any person to operate an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike and/or for any owner of an all-terrain vehicle, mini bike, motorcycle, or dirt bike to knowingly permit the operation of his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike on any street or sidewalk in the Town or on any public property, including but not limited to school property, playgrounds and parks, within the Town.
- (2) It shall be unlawful for any person to ride as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike and/or for any owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike to knowingly permit any person to ride as a passenger on his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike operated in violation of subsection (1) above.

- (3) It shall be unlawful for any person to operate an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, ride as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, and/or for any owner of an all-terrain vehicle or mini cycle to knowingly permit its operation on any private property, within the Town, without first obtaining the written permission of the property owner if the property is not owned by the operator, passenger, and/or owner of the all-terrain vehicle, mini bike, mini motorcycle, or dirt bike.
- (4) This section shall not be applicable to any dirt bike being operated upon any road or highway provided that, (i) said dirt bike is properly and validly registered with the Connecticut Department of Motor Vehicles and (ii) is being operated in compliance with all applicable motor vehicle laws of the state.

10.10.040 Penalties.

- (1) Any person who operates an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection (b)(1) and/or (b)(3) above, or is the owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike who knowingly permits its operation in violation of subsection (b)(1) and/or (b)(3) above, shall be fined up to one thousand dollars (\$1,000.00) for a first violation, shall be fined up to one thousand five hundred dollars (\$1,500.00) for a second violation, and shall be fined up to two thousand dollars (\$2,000.00) for a third or subsequent violation.
- (2) Any person who rides as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection (b)(1) above, or is the owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike who knowingly permits a passenger to ride on his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection (b)(2), shall be issued a citation.
- (3) Any police officer that observes any person in violation of this section may detain such person for purposes of enforcing the provisions of this section. Any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike used in violation of this section shall be seized by any police officer and shall be forfeited to the Town, subject to any bona fide lien, lease or security interest in the all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, including, but not limited to, a lien under General Statute § 14-66c.
- (4) Any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike ordered forfeited pursuant to this section shall be either (i) sold at public auction conducted by the Town, with the proceeds of such sale being paid to the treasurer of the Town who shall deposit such proceeds into the general fund of the municipality, or (ii) be destroyed by the Town. See Connecticut General Statute § 54-339.

10.10.050 Sign Posting Required for All-Terrain Dealers.

Each all-terrain vehicle dealer in Waterford offering for sale, lease or rental any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike shall post this section in a prominent location at said all-terrain vehicle dealer's place of business. Any all-terrain vehicle dealer who violates any provision of this section shall be fined one hundred and fifty dollars (\$150.00).

10.10.060 Sale of Gasoline for Illegal Purposes.

- (1) No retail dealer of gasoline shall sell, offer for sale, or attempt to sell, any article or product represented as gasoline for use in an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike as defined in this Ordinance, unless that vehicle is conveyed to and from the retailer's premises by a registered motor vehicle, as defined in General Statute § 14-1, as may be amended, and no individual shall purchase or attempt to purchase gasoline for this purpose.
- (2) Signs with the words "FUELING OF UNAUTHORIZED VEHICLES PROHIBITED" in English and "PROHIBIDO DESPACHAR GASOLINA A VEHICULOS NO AUTORIZADOS" in Spanish at least one (1) inch in height with a contrasting margin shall be posted at all dispensing locations. The location of warning signs shall be based on local conditions but shall be visible and legible from all gas pumps, subject to zoning sign permits.
- (3) An individual or retail dealer of gasoline who violates any provision of subsections (1) and/or (2) of this section shall be fined two hundred dollars (\$200.00) per each day the violation occurs.

10.10.070 Appeal Provisions.

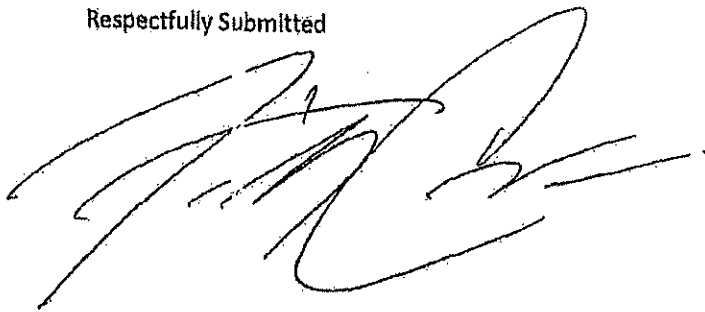
Effective Date: This ordinance shall take effect 15 days after final action by the RTM.

January 11th 2025

Moderator Goldstein,

We recently successfully passed an ordinance to address Public Act 24-16 **AN ACT CONCERNING AUTHORITY TO DECLARE THAT A FIREFIGHTER, POLICE OFFICER OR EMERGENCY MEDICAL SERVICE PERSONNEL DIED IN THE LINE OF DUTY**. In the course of conducting the due diligence for the passage of ordinance **2.116.110 Line of duty death determination committee** I discovered that other municipalities have ordinances creating tax abatements for surviving spouses of first responders (Police Firefighters; Emergency Medical Technicians). I am requesting that we join other communities like Groton, Cromwell and North Haven and extend these types of support and relief to those families of first responders that may give the last full measure and pay the ultimate sacrifice. Therefore, I am requesting that this issue be referred to committee for investigation and possible creation. Attached to this request are the ordinances of the aforementioned Towns.

Respectfully Submitted



Timothy Condon

District 1 Representative

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CC. David Campo, Town Clerk

Neil T. Wiseman, President Waterford Ambulance

Marc Balestracci, Chief of Police

Stephen Dubicki, Acting Director of Fire Service



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CROMWELL, CT *pl*

TOWN OF CROMWELL
NOTICE OF PUBLIC HEARING

The Town Council of the Town of Cromwell will hold a Public Hearing on Wednesday, June 14, 2023 at 6:50 p.m. in the Cromwell Town Hall Council Chambers, located at 41 West Street, Cromwell, CT for the following purpose:

To hear public comment regarding the adoption of new proposed ordinance: Cromwell Tax Abatement for Surviving Spouses of First Responders.

Copies of the proposed ordinance are available for public inspection at the office of the Town Clerk, 41 West Street, Cromwell, Connecticut and online at www.cromwellct.com.

Dated at Cromwell, Connecticut this 2nd day of June 2023.

Steve Fortenbach
Steve Fortenbach, Mayor
For the Town Council

Hartford Courant edition: June 4, 2023
Town Clerk: June 2, 2023

Cromwell Tax Abatement Ordinance for Surviving Spouses of First Responders

Chapter. _____ Tax abatement for surviving spouses of police officers, firefighters and emergency medical technicians.

_____ - 1. **Authority.** Pursuant to Connecticut General Statutes § 12-81x, the Town of Cromwell hereby enacts a tax abatement program with respect to real property owned and occupied as the principal residence of the surviving spouse of a Town of Cromwell police officer; firefighter or emergency medical technician who has died while in performance of such officer's or firefighter's or technician's duties pursuant to and on the terms and conditions provided herein.

_____ - 2 **Purpose.** The purpose of this article is to honor police officers, firefighters and emergency medical technicians who die while in the performance of his or her official duties on behalf of the Town of Cromwell and to ease the resulting financial burden on such officer's, firefighter's or technician's surviving spouse.

_____ - 3 **Definitions.** For purposes of this section, the following terms shall be defined as follows:

EMERGENCY MEDICAL TECHNICIAN or TECHNICIAN (EMT) — Any person who is certified as an emergency medical technician by the State of Connecticut Office of Emergency Medical Services and is a duly employed or a volunteer member of a municipal emergency medical services department in the Town of Cromwell, serving in an official capacity, full-time or part-time, with or without pay.

EMT DUTIES — Duties performed while traveling to, at, or returning directly from all dispatch calls routed through the emergency dispatch center, or tests or trials of any apparatus or equipment normally used by the Emergency Medical Services Department; while instructing or being instructed in EMT duties; or while engaging in any other duty ordered to be performed by a superior or commanding officer in the Emergency Medical Services Department.

FIRE DUTIES — Duties performed while traveling to, at, or returning directly from fires or fire related calls, alarms of fires or calls for mutual aid assistance, or tests or trials of any apparatus or equipment normally used by the Fire Department; while instructing or being instructed in fire duties; or while engaging in any other duty ordered to be performed by a superior or commanding officer in the Fire Department.

FIREFIGHTER — Any person who is a duly employed or volunteer member of a fire department in the Town of Cromwell, serving in an official capacity, full-time or part-time, with or without pay.

POLICE DUTIES — Duties which an officer is obligated or authorized by law, regulation, or written condition of employment to perform.

POLICE OFFICER or OFFICER — Any person who is a duly employed member of the Town of Cromwell police department, serving in an official capacity, full-time or part-time,

with or without pay.

SURVIVING SPOUSE — Defined in accordance with the state law, as the same may be amended.

- (a) Subject to the eligibility terms and conditions set forth herein, there is hereby established, effective with the Grand List of October 1, 2023, an abatement of 50% of municipal real property taxes with respect to real property in the Town of Cromwell owned or held in Trust for the sole benefit of the surviving spouse during his or her lifetime and occupied as a primary residence by the surviving spouse of the following persons:
 - (1) A police officer who dies in the performance of his or her police duties; or
 - (2) A firefighter who dies in the performance of his or her fire duties; or
 - (3) An emergency medical technician who dies in the performance of his or her EMT duties.
- (b) In the event the surviving spouse shall not be the sole owner of his or her principal residence, the abatement shall be prorated to reflect such surviving spouse's interest in the property.
- (c) Termination of abatement.
 - (1) Municipal real estate taxes due on the real property shall be abated until the earlier of the following events:
 - a. The real property ceases being the surviving spouse's primary residence;
 - b. The surviving spouse conveys legal title to the real property;
 - c. Remarriage of the surviving spouse; or
 - d. Upon the death of the surviving spouse.
 - (2) Notwithstanding, if a surviving spouse subsequently purchases a different real property in the Town of Cromwell as his or her primary residence, and all other qualifying criteria are satisfied, the tax abatement may apply, upon proper application, to the newly purchased property. The tax abatement may only apply to the one property established as the surviving spouse's primary residence in any given Grand List year.
- (d) The Assessor shall prescribe such forms and procedures as he or she deems necessary and appropriate to implement this section. Once such surviving spouse has been determined to be eligible for the abatements provided by this section, no periodic reapplication shall be required except for a change in circumstances or as otherwise set forth herein.

- (e) The Assessor, in addition, shall take steps as necessary and appropriate to satisfactorily establish the facts that support the eligibility of the surviving spouse for abatement of municipal real property taxes on an initial and continuing periodic basis. The failure of any surviving spouse to cooperate in establishing continuing eligibility shall be grounds for the Assessor to terminate the abatement.
- (f) The Tax Collector and the Tax Assessor shall create and maintain records of the sum of the total monies abated as a result of this section on a fiscal and ongoing basis.
- (g) This section expressly does not apply to heart and hypertension disease or other disease or occupational conditions that are progressive in nature. To be eligible for benefits under this section there must occur some precipitating work incident that results in a myocardial infarction or other physical injury on the work site itself and that is the direct and sole causation of death. The work site expressly does not include "portal to portal" transportation; that is, from residence to or from the work site.

Ordinance To Provide A Tax Abatement For The Surviving Spouses Of Fallen Police Officers, Fire Fighters And EMTs

INTRODUCTION OF AN ORDINANCE TO PROVIDE A TAX ABATEMENT FOR REAL PROPERTY FOR THE SURVIVING SPOUSES OF POLICE OFFICERS, FIRE FIGHTERS and EMERGENCY MEDICAL TECHNICIANS THAT HAVE FALLEN IN THE LINE OF DUTY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Abatement of property taxes for spouses of firefighters, emergency medical technicians, Town of Groton police officers, Groton Long Point police officer, and City of Groton police officers, who die on duty while in performance of their duties.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Emergency Medical Technician (EMT) means any person who is certified as an emergency medical technician by the State of Connecticut Office of Emergency Medical Services performing EMT duties full-time or part-time for any valid ambulance service provider located within the geographical boundaries of the Town of Groton.

EMT duties means duties performed while traveling to, at, or returning directly from calls routed through an emergency dispatch center, or tests or trials of any apparatus or equipment normal normally used by the employer ambulance service provider; while instructing or being instructed in EMT duties; or while engaging in any other duty ordered to be performed by a superior or commanding officer in the ambulance service provider.

Fire duties means duties performed while at fires, while answering alarms of fires, while answering calls for mutual aid assistance, while returning from calls for mutual aid assistance, while directly returning from fires, while at tests or trials of any apparatus or equipment normally used by the fire department, while going to or returning directly from such tests or trials, while instructing or being instructed in fire duties, and any other duty ordered to be performed by a superior or commanding officer in the fire department.

Firefighter means any person who is a duly employed member of a municipal fire department and paid for the purpose of performing fire duties full-time or part-time for any valid fire department located within the geographical boundaries of the Town of Groton.

Line of duty death means the death occurs while the firefighter, emergency medical technician, or police officer is performing an action solely related to performance of their regular work or as a part of it. It does not include deaths that could just have likely occurred while not on duty. Travel to and from the place of business is not considered in the line of duty.

Police officer means a duly sworn member of a municipal police department, serving in an official capacity, full-time or part-time, with compensation or a duly sworn member of the town police department serving the town in an official capacity, full-time or part-time, for any valid police department located within the geographical boundaries of the Town of Groton.

Police duties means any action which an officer is obligated or authorized by law, rule, regulation, or written condition of employment of service to perform during regularly scheduled hours, or other hours that qualify for compensation from a local police department.

Surviving spouse means the person who was a resident of the town and married to the police officer or firefighter at the time of the police officer's or firefighter's death.

Valid Ambulance Services Provider means any business/non-profit engaged in the business of transporting sick, disabled or injured individuals by ambulance to or from facilities or institutions providing health services.

(b) In accordance with state statute § 12-81x, there is hereby established effective for the Grand List of October 1, 2022, an abatement of one hundred percent (100%) of municipal real residential

property taxes due with respect to real property owned by the surviving spouse of a police officer who has died as a result of the performance of police duties or a firefighter who has died as a result of the performance of fire duties. The abatement only applies to Town taxes due to the Town of Groton and does not apply to any district or other political subdivision taxes that may be due.

(c) The tax abatement will remain in effect so long as the surviving spouse owns the property as of the October 1st grand list and occupies the residence as their primary residence or until the spouse conveys their fee interest in the subject residence. If the spouse subsequently purchases another residence in the town, and all qualifying criteria remain, then the tax abatement shall apply to the new residence. For any property that is in a Trust, a copy of the Trust agreement must be provided to the assessor for review. The terms of the trust agreement are that the claimant must be considered to be the primary beneficiary of the trust.

(d) Upon the death of any person entitled to tax relief pursuant to this section, the tax relief hereunder shall end the following June 30th.

(e) If any person who is entitled to a tax abatement hereunder conveys their fee title in the property with respect to which the tax abatement hereunder has been granted, the tax relief shall be suspended as of the date of conveyance and the nonqualifying grantee of such property shall pay the town a prorated share of taxes thereby due and owing. The assessor is to be notified by the applicant of the transfer within 10 days of the property transfer date.

(f) The property tax relief provided for in this section shall, in any case where title to real property is recorded in the name of the qualifying surviving spouse and any other person or persons, be prorated to reflect the fractional portion of such qualifying spouse, or, if such property is a multiple family or multiple use dwelling, such relief be prorated to reflect the fractional portion of such property occupied by the qualifying spouse. A spouse desiring such abatement shall submit an application to the assessor requesting a determination as to whether such abatement is permitted.

(g) If such surviving spouse remarries, the abatement shall cease commencing with taxes on the October 1st grand list next following the date of such remarriage. In the event that such remarriage shall terminate, such surviving spouse may apply for the abatement commencing with taxes due on the October 1st grand list next following the date of such termination.

(h) The surviving spouse's annual income may not be more than 400% of the Federal

Poverty Level for a single-person family/household as published annually in January in the Federal Register by the Department of Health and Human Services (HSS) for the 48 contiguous states and the District of Columbia.

(i) The tax collector and assessor shall prescribe with regard to their respective duties under this section, such forms and procedures as may be necessary to implement this section. The assessor, in addition, shall take such steps necessary to satisfactorily establish the facts as to the qualifying surviving spouse's interest in the property, by requesting such documents as the assessor deems necessary. Such documentation will be required yearly to continue the tax abatement. Eligibility shall be determined by the assessor and/or their designee, and such determination shall be final.

(j) No later than November 1st of each year the surviving spouse shall complete & file with the assessor an application for the 100% abatement & attest annually that

(1) they have not remarried since the death of their police officer or firefighter spouse and

(2) adjusted gross income as reported to the IRS for the prior calendar year does not exceed 400% of the Federal Poverty limit by providing a copy of their completed Form 1040.

(j) This ordinance shall become effective on the 45th day after publication of the Notice of Passage of the ordinance and shall be applicable to assessment years commencing on or after October 1, 2022.

and be it further

RESOLVED, that the Town Council will hold a public hearing on a Tax Abatement for Real Property for the Surviving Spouses of Police Officers, Fire Fighters and Emergency Medical Technicians that have Fallen in the Line of Duty on April 5, 2022 at 6:30 p.m. at the Thrive 55+ Active Living Center at 102 New Town Road, Groton CT as well as via Zoom and on GMTV.

TOWN OF NORTH HAVEN
NOTICE OF SPECIAL TOWN MEETING

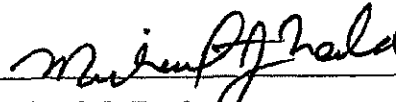
Notice is hereby given of a Special Town Meeting of the Town of North Haven to be held on Monday, May 20, 2024, at 7:00 P.M. in the auditorium of the North Haven High School, 221 Elm Street, North Haven, Connecticut, at 7:00 pm to consider and act upon the following:

1. To consider and act upon a resolution adopting the proposed Ordinance to Provide a Tax Abatement for Real Property Taxes for the Surviving Spouses of Police Officers, Firefighters and Emergency Medical Technicians Who Died While in the Performance of Duties.

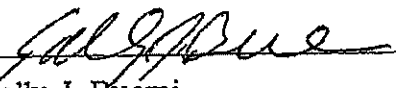
A copy of the proposed ordinance is on file and available for inspection in the office of the Town Clerk.

Dated at North Haven, Connecticut, this 2nd day of May 2024.

BOARD OF SELECTMEN

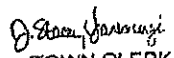

Michael J. Freda


William J. Pieper


Sally J. Buemi

RECEIVED AND FILED
TOWN CLERK'S OFFICE
NORTH HAVEN, CT

MAY 03 2024


TOWN CLERK

RESOLVED: That that the Town Meeting hereby adopts an Ordinance to Provide a Tax Abatement for Surviving Spouses of Police Officers, Firefighters and Emergency Medical Technicians Who Died While in the Performance of Duties.

The Ordinance shall be published in a newspaper having circulation in the Town of North Haven and shall be effective fifteen (15) days after publication.

ORDINANCE TO FOLLOW NEXT PAGE.

Ordinance to Provide a Tax Abatement for Real Property Taxes for the Surviving Spouses of Police Officers, Firefighters and Emergency Medical Technicians Who Died While in the Performance of Duties

Pursuant to Connecticut General Statutes §12-81x, the Town of North Haven, through its Town Meeting, hereby adopts this Ordinance for the abatement of residential real estate taxes for spouses of firefighters, police officers, and Emergency Medical Technicians ("EMT") who die on duty while in performance of their duties.

(a) Definitions. The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Emergency Medical Technician ("EMT") means any person who was a resident of the Town of North Haven at the time of his/her death, was certified as an emergency medical technician by the State of Connecticut Office of Emergency Medical Services and was performing EMT duties full-time or part-time for any valid municipal ambulance service provider located within the geographical boundaries of the State of Connecticut.

.Firefighter means any person who was a resident of the Town of North Haven at the time of his/her death and was a duly employed or volunteer member of a municipal fire department for the purpose of performing fire duties full-time or part-time for any valid fire department located within the geographical boundaries of the state of Connecticut.

.Police officer means any person who was a resident of the Town of North Haven at the time of his/her death and was a duly sworn member of a municipal police department, serving in an official capacity, full-time or part-time, with compensation or a duly sworn member of the town police department or agency serving the town in an official capacity, full-time or part-time, including but not limited to School Resource Officers, for any valid police department located within the geographical boundaries of the state of Connecticut.

.EMT duties means duties performed while traveling to, at, or returning directly from calls routed through an emergency dispatch center, or tests or trials of any apparatus or equipment normal normally used by the employer ambulance service provider; while instructing or being instructed in EMT duties; or while engaging in any other duty ordered to be performed by a superior or commanding officer in the ambulance service provider.

.Fire duties means duties performed while at fires, while answering alarms of fires, while answering calls for mutual aid assistance, while returning from calls for mutual aid assistance, while directly returning from fires, while at tests or trials of any apparatus or equipment normally used by the fire department, while going to or returning directly from such tests or trials, while instructing or being instructed in fire duties, and any other duty ordered to be performed by a superior or commanding officer in the fire department.

.Police duties means any action which an officer is obligated or authorized by law, rule, regulation, or written condition of employment of service to perform during regularly scheduled hours, or other hours that qualify for compensation from a local police department.

.Performance of duty death means the death occurs while the firefighter, police officer or EMT is performing an action solely related to performance of their regular work or as part of it. It does not include deaths that could just have likely occurred while not in the performance of such duties. In the event that the Board of Selectmen finds that a determination is necessary to conclude that the death was in performance of duties, the First Selectman shall consult with the applicable Chief and Commission along with the Town Attorney and the First Selectman may consult a licensed medical professional engaged by the Town if it is deemed appropriate to reach a consensus conclusion. The First Selectman shall present the conclusion to the Board of Selectmen for final decision. Regular travel to and from the place of business is not considered in the performance of duties. A certified copy of an incident report or such other reasonable evidence required by the Town shall be provided by an applicant..

.Surviving spouse means the person who was a resident of the Town of North Haven and legally married to or in a legally recognized marriage with the police officer, EMT, or firefighter at the time of the police officer's, EMT's, or firefighter's death..

(b) In accordance with C.G.S. § 12-81x, there is hereby established effective for the Grand List of October 1, 2022, an abatement of one hundred percent (100%) of municipal real estate residential property taxes due with respect to real property owned by the surviving spouse of a firefighter, EMT, or police officer who has died as a result of the performance of his/her duties as police officer, EMT, or firefighter. The abatement only applies to Town residential real estate taxes due to the Town of North Haven and does not apply to any district or other political subdivision taxes that may be due.

(c) The tax abatement will remain in effect so long as the surviving spouse owns the property as of the October 1st grand list and occupies the property as her/his primary residence or until the spouse conveys her/his fee interest in the subject residence. If the spouse subsequently purchases another residence in North Haven, and all qualifying criteria remain, then the tax abatement shall apply to the new residence. For any property that is in a trust, a copy of the trust agreement must be provided to the Assessor for review. The terms of the trust agreement must indicate that the claimant must be considered to be the primary beneficiary of the trust in order to be eligible for the abatement hereunder.

(d) Upon the death of any surviving spouse entitled to tax relief pursuant to this section, the tax relief hereunder shall immediately expire and terminate.

(e) If any person who is entitled to a tax abatement hereunder conveys her/his fee title in the property with respect to which the tax abatement hereunder has been granted, the tax relief shall be suspended as of the date of conveyance and the nonqualifying grantee of such property shall pay the Town the prorated share of taxes thereby due and owing. The Assessor shall be notified by the applicant of the transfer within 10 days of the property transfer date.

(f) The property tax relief provided for in this section shall, in any case where title to real property is recorded in the name of the qualifying surviving spouse and any other person or persons, be prorated to reflect the fractional portion of such qualifying spouse, or, if such property is a multiple family or multiple use dwelling, such relief be prorated to reflect the fractional portion of such property occupied by the qualifying spouse. A spouse desiring such abatement shall submit an application to the assessor requesting a determination as to whether such abatement is permitted.

(g) If such surviving spouse remarries, the abatement shall immediately expire and terminate.

(h) The Assessor shall prescribe such forms and procedures as may be necessary to implement this section. The Assessor, in addition, shall take such steps necessary to satisfactorily establish and verify the facts as to the qualifying surviving spouse's interest in the property, by requesting such documents as the Assessor deems necessary. Such documentation shall be required and provided annually to maintain the tax abatement. Eligibility shall be determined by the Assessor and/or his/her designee, and such determination shall be final.

(i) No later than November 1st of each year, the surviving spouse shall complete and file with the Assessor an application for the 100% abatement and attest annually that: they have not remarried since the death of their police officer, EMT, or firefighter spouse and

(j) This ordinance shall become effective on the fifteenth (15th) day after publication of the Notice of Passage of the ordinance and shall be applicable to assessment years commencing on or after October 1, 2022.