

Branford RTM Administrative Services Committee Special Remote Meeting April 21, 2020 at 7:00 p.m.

THIS REMOTE MEETING WILL FOLLOW GUIDELINES SET FORTH IN THE GOVERNOR'S EXECUTIVE ORDER 7B. ALL PERSONS MUST STATE THEIR NAME EACH AND EVERY TIME THEY SPEAK.

To Join Zoom Meeting via computer:

<https://zoom.us/j/97960367304?pwd=WlV4bzRqcW4wUld2NjJURjhZcjYrZz09>

To Join Zoom Meeting via telephone: 1-646-558-8656

When prompted, enter meeting ID: 979 6036 7304 and Password: 016420

Agenda

1- Proposed budgets for fiscal year 20/21 to Administrative Services Committee as follows:

(The "2020-2021 FY Budget" book is posted on the Town's homepage at Branford-ct.gov)

Executive	Jamie Cosgrove	11
Town Clerk	Lisa Arpin	17
Legislative	Lisa Arpin	10
Legal Services	William Aniskovich	18
Information Technology	Debi Caron	28
Elections	Dan Hally/Howie Lawler	21
Tax Collector	Roberta Gill	16
Probate Court	Frank Forgione	20
East Shore District Health Department	Michael Pascucillia	43
Human Resources & Labor Relations	Margaret Luberta	29/19
Elderly Services	Dagmar Ridgeway	42
Board of Assessment Appeals	Barbara Neil	15
Assessor	Barbara Neil	14
Human Services	Peter Cimino	41

2- To consider and if appropriate approve Sanitary Sewer assessment easement and subordination agreement for property at 497 East Main Street.

3-To consider and if appropriate adopt a resolution on tax deferment due to COVID-19 crisis.

Dated this 16th day of April, 2020

Anthony Alfone

Chair, Administrative Services Committee

RECEIVED
2020 APR 16 P 3:52
TOWN OF BRANFORD
ADMINISTRATIVE SERVICES COMMITTEE

TOWN OF BRANFORD
OFFICE OF THE TOWN ENGINEER
1019 MAIN STREET
POST OFFICE BOX 150
BRANFORD, CT 06405

Item # 2

JOHN M. HOEFFERLE, PE, CFM
TOWN ENGINEER

Tel. 203-315-0606
Fax: 203-315-2188

February 28th, 2020

Mr. Dennis Flanagan
RTM Moderator

Re: 497 East Main Street Sanitary Sewer Easement Agreement and Subordination Agreement

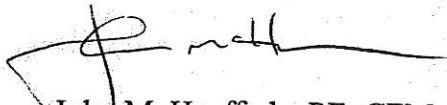
Dear Moderator Flanagan:

Enclosed please find sanitary sewer easement agreement documents and a subordination agreement for a portion of 497 East Main Street for your consideration and approval. The sanitary sewer was installed in the 1970s without the benefit of an easement. A land transaction and environmental concerns are resulting in an Environmental Land Use Restriction (ELUR) to be placed by the DEEP on the property. In turn this has prompted the owner to grant an easement over the existing sewer. By accepting the easement, the town will also need to subordinate to the ELUR and the requirements set forth in the restriction.

The easement and subordination agreements have been reviewed by the Water Pollution Control Authority's attorney. The WPCA also reviewed both at a meeting on February 11th and has voted to enter into both.

Thank you for taking the time to review, and please contact me with any questions or comments.

Very truly yours,

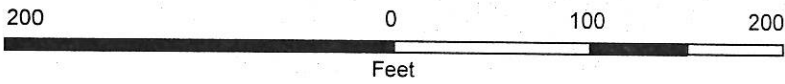
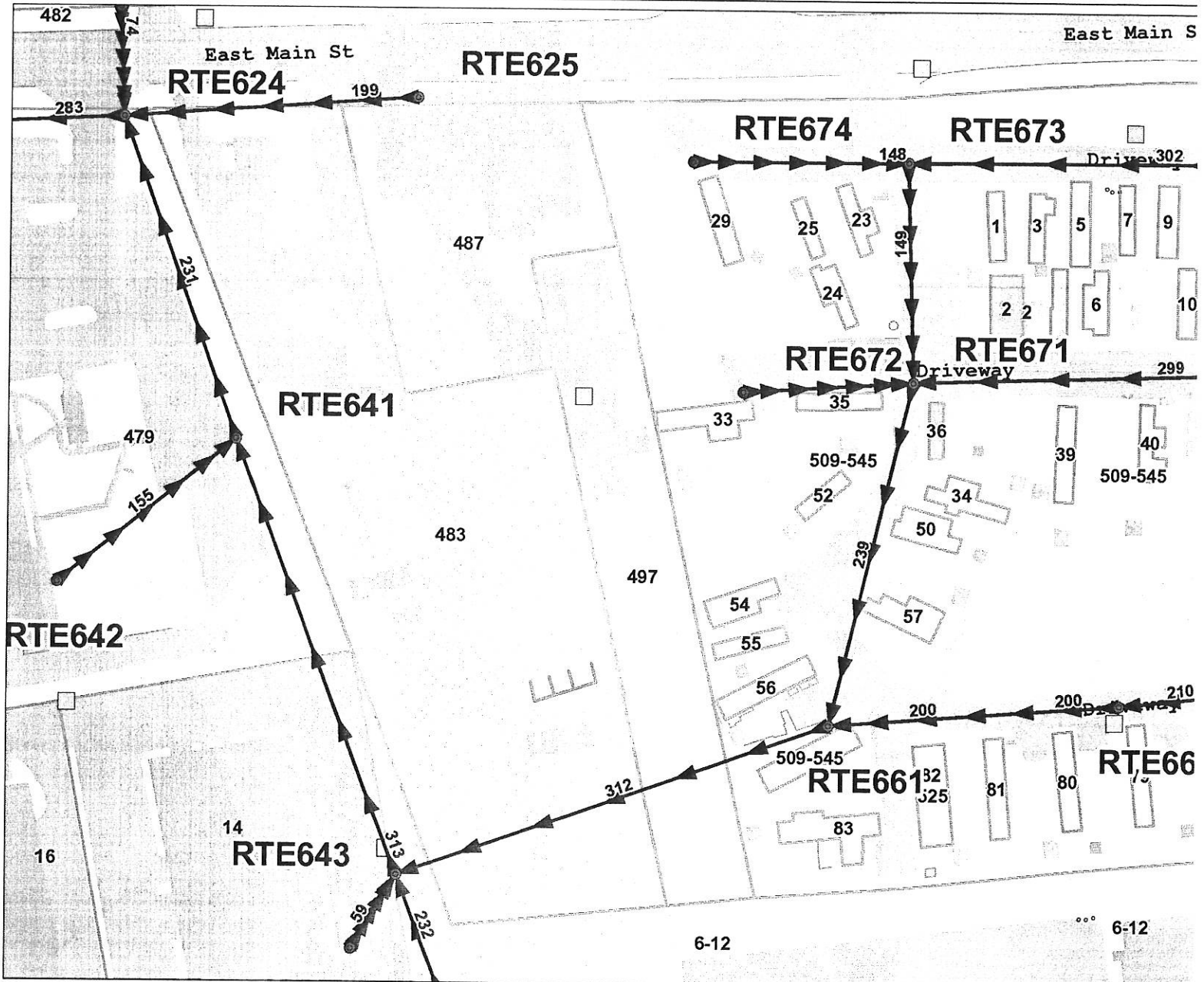


John M. Hoefflerle, PE, CFM
Town Engineer

Enclosure

cc: Lisa Arpin, Town Clerk
Anthony Alfone – Chair, Administrative Services

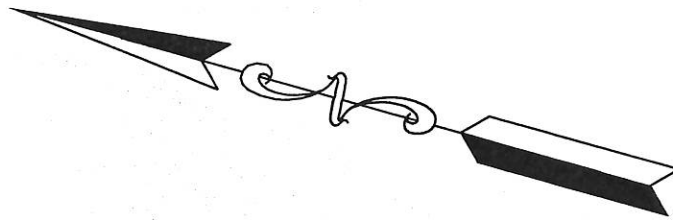
Town of Branford, CT



1: 1,200



This product is for
prepared for, or be su
Users of this informat
information sources to



CHD MONUMENT
FOUND

126.18'

S89°23'37"W

14 FOOT RIGHT OF WAY
(SEE NOTE #3)

IRON PIPE
FOUND ON LINE
(SEE DETAIL A)

S13°01'07"E

O.H.W.

O.H.W.

O.H.W.

S13°01'07"E

FRONTIER
6471

A I N S T R E E T

T. ROUTE 1)

O.H.W.

O.H.W.
O.H.W.

METES AND BOUNDS DESCRIPTION

CE FILE NO. 2018.046

DATE: February 17, 2020

GRANTOR: 497 East Main Street, LLC
GRANTEE: Town of Branford Water Pollution Control Authority
PARCEL: Proposed Sewer Easement
AREA: 1,206 Square Feet

Proposed Sewer Easement over a certain parcel of land situated in the Town of Branford, County of New Haven, and State of Connecticut, known as #497 East Main Street, being more particularly bounded and described as follows:

Beginning at a point on the Easterly property line at property known as #497 East Main Street, said point being 94.26 feet North $13^{\circ} - 01' - 07''$ West of the Southeasterly corner of said property;

Thence running over said property South $70^{\circ} - 40' - 27''$ West, 60.33 feet to a point;

Thence running along land now or formerly of Marc-Anthony Massaro North $13^{\circ} - 01' - 07''$ West, 20.12 feet to a point;

Thence running over said property North $70^{\circ} - 40' - 27''$ East, 60.33 feet to a point;

Thence running along land now or formerly of 509 Branford, LLC South $13^{\circ} - 01' - 07''$ East, 20.12 feet to the point of beginning.

The hereinbefore described parcel of land is more particularly bounded and depicted on a map entitled: "Proposed Sewer Easement, Property Located at #497 East Main Street, Branford, Connecticut, Prepared for 497 East Main Street LLC, Easement Map, Exhibit C of the Declaration of Environmental Land Use Restriction and Grant of Easement"; Scale: 1" = 20'; Dated: 10/26/18; Revised: 2/27/20; and prepared by Criscuolo Engineering LLC.

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT is made as of this ____ day of November, 2019 by THE TOWN OF BRANFORD SEWER AUTHORITY, a municipal Authority organized pursuant to the laws of the State of Connecticut with its principal place of business located at 75 Block Island Road, Branford, Connecticut 06405, its successors and assigns (the "**Town**") and 497 EAST MAIN STREET, LLC, a limited liability company with its principal place of business at 127 Crestwood Drive, Guilford, Connecticut 06437.

WITNESSETH:

WHEREAS, 497 East Main Street, LLC is the current owner of certain real property located at 497 East Main Street, Branford, Connecticut (the "**Property**") (as more particularly described on **Schedule A** attached hereto), having acquired title to the Property from Ludco Properties, L.L.C. by way of a Warranty Deed dated November 27, 2018 and recorded on November 28, 2019 in Volume 1252, Page 485 of the Branford Land Records;

WHEREAS, the November 27, 2018 Warranty Deed states the Property is subject to a certain Sewer Easement, dated October 7, 1974 and recorded on February 24, 1975 in Volume 266, Page 328, by and between the Town and Konn, Incorporated, a former owner of the Property (the "**Easement**");

WHEREAS, 497 East Main Street, LLC has elected to record an Environmental Land Use Restriction ("**ELUR**") on the Branford Land Records;

WHEREAS, Conn. Gen. Statute § 22a-133o and the Connecticut Department of Energy and Environmental Protection's ("**DEEP**") implementing regulations require all property encumbrances to be automatically and irrevocably subordinated to any ELUR recorded on the land records; and

WHEREAS, the Town and 497 East Main Street, LLC have agreed to make the Easement subject to and automatically and irrevocably subordinate to the terms and restrictions of the ELUR in accordance with the terms of this Subordination Agreement.

NOW, THEREFORE, in consideration of the foregoing Recitals, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby agrees as follows:

1. The interests described above in the Sewer Easement and all estate, right, title and interest of the Town in and to said interests are hereby made subject to and subordinate to the terms and restrictions of the ELUR, as the same may be amended, extended, modified or supplemented from time to time, with the same force and effect as though the ELUR was executed, delivered and recorded on the land records of Branford, Connecticut, prior to the execution and delivery of the Easement.

2. This Subordination Agreement shall be binding upon and inure to the benefit of the Town and its respective successors and assigns.

IN WITNESS WHEREOF, the undersigned has executed these presents as of the day and year first above written.

**THE TOWN OF BRANFORD SEWER
AUTHORITY**

Witnesses

Name:

By: _____
Name:

Name:

Title

STATE OF CONNECTICUT)

)

COUNTY OF NEW HAVEN)

ss: _____, 2019

Personally appeared, _____ of the
Town of Branford Sewer Authority, as signer and sealer of the foregoing instrument, and
acknowledged the same to be his/her free act and deed as such representative and the free act and
deed of said Town, before me.

Notary Public

My Commission Expires: _____

SCHEDULE A

All that certain piece or parcel of land, with the buildings and other improvements thereon, situated in the Town of Branford, County of New Haven, State of Connecticut, known as No. 497 East Main Street, al so sometimes known as No. 5 Virginia Lane, Bounded and described as follows:

- NORTH: by land now or formerly of Vincenzo Polverari, 60 feet;
- EAST: by land now or formerly of the Estate of William Linsley, 457 feet;
- SOUTH: by land now or formerly of Harriet Linsley, 60 feet; and
- WEST: by land now or formerly of Vincenzo Polverari, 457 feet.

Together with the right, title and interest in and to a driveway along the East side of the land now or formerly of Vincenzo Polverari from the above described land for a distance of 110 feet more or less (0 the Boston Post Road, as described in Volume 133 on Page 73 of the Branford Land Records and as further described in a certain agreement between said Boni A. Paul and Vincenzo Polverari dated February 21, 1953 and recorded in Volume 141 on Page 261 of said Land Records, and Together with all rights of way as appear of record.

BRANFORD REPRESENTATIVE TOWN MEETING RESOLUTION RE: TAX DEFERMENT PROGRAM

WHEREAS, on March 10, 2020, the Governor of the State of Connecticut ("Governor") declared a public health emergency and civil preparedness emergency for the State of Connecticut, pursuant to Connecticut General Statutes Sections 19a-131 and 28-9, in response to the global pandemic of COVID-19 disease associated with a novel coronavirus that is currently affecting multiple countries and states; and

WHEREAS, in response to the issuance of declarations of a public health emergency and civil preparedness emergency by the Governor he has issued a series of Executive Orders setting for the law governing the conduct of the business of state and municipal government during the period of the emergency;

WHEREAS, on April 1, 2020, the Governor issued Executive Order No. 7S ("EO-7S"), requiring municipalities, by a vote of its legislative body, to participate in a deferment or low interest rate program; and

WHEREAS, participation in a deferment program is in the best interest of the Town of Branford.

NOW, THEREFORE, BE IT RESOLVED by the Representative Town Meeting of the Town of Branford as follows:

1. The Town of Branford shall participate in a Deferment Program to offer support to taxpayers during the COVID-19 global pandemic as required under EO-7S.
2. For taxes due during the period between March 10, 2020, the date that Governor Lamont declared a public health and civil preparedness emergency, through and including July 1, 2020 (the "Deferment Period"), taxpayers shall be entitled to defer the deadline for payment of such taxes for a period not to exceed ninety (90) days from the tax due date; provided, however, such deferment shall not apply to taxes already past due during the Deferment Period.
3. The deferment of the deadline to pay taxes shall apply to any taxes on real property, personal property or motor vehicles, sewer and assessments from the time such Taxes first became due and payable.
4. All taxpayers, businesses, nonprofits, and residents shall be eligible to participate in the deferment program.

Dated this ____ day of April, 2020.

STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7S

**PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND
RESPONSE – SAFE STORES, RELIEF FOR POLICYHOLDERS, TAXPAYERS, AND
TENANTS**

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut; and

WHEREAS, pursuant to such declaration, I have issued seventeen (17) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the risk of severe illness and death from COVID-19 appears to be higher for individuals who are 60 years of age or older and for those who have chronic health conditions; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention and the Connecticut Department of Public Health recommend implementation of community mitigation strategies to increase containment of the virus and to slow transmission of the virus, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, my Executive Order No. 7N imposed certain safety restrictions and mandates on retail establishments in order to limit the spread of COVID-19 among customers, employees, and others entering such establishments; and

WHEREAS, there exists a compelling state interest in a consistent and easily understandable statewide approach to reducing the risk of transmission of COVID-19 among customers, staff, and other persons entering retail establishments, to limit community transmission of COVID-19 statewide, and to ensure the continuity of essential retail services and safe conduct of permitted non-essential retail services; and

WHEREAS, widespread financial hardship caused by the COVID-19 pandemic and necessary responses to it may prevent policyholders from timely payment of insurance premiums, and any resulting penalties, including cancellation or non-renewal of policies, create additional hardship, cause further damage to the economy, and endanger property and public health; and

WHEREAS, to encourage social distancing and protect public health and safety, my Executive Order 7D, dated March 16, 2020 and Executive Order 7G, dated March 19, 2020, closed bars and restaurants to all on-premise service of food and beverages; and

WHEREAS, many businesses may be experiencing lost revenue from the prohibition of on-premise food and beverage sales, which will hinder their ability to make timely payments to their creditors; and

WHEREAS, the State of Connecticut serves many elders and disabled individuals through multiple home and community based services waivers and Medicaid state plan benefits under the Medicaid program, including clients of the Department of Social Services, Department of Mental Health and Addiction Services and the Department of Developmental Services, who rely upon these home-based services to remain in their homes, avoid institutionalization and achieve maximum independence and functioning, and certain adjustments to the provision of services under these various waivers are necessary to ensure continuity of services and provide greater flexibility during COVID-19;

WHEREAS, the Centers for Medicare & Medicaid Services has advised the Department of Social Services that it may, on an expedited basis, and without providing a notice and comment period, take advantage of opportunities included in Appendix K to the Home and Community Based Waivers under Section 1915(c), as well as Sections 1115 (a) and 1135, of the Social Security Act, and also including, as applicable, amendments to Medicaid state plan provisions under other relevant provisions, such as sections 1915(i), 1915(k) and 1945 of the Social Security Act, in order to act quickly to address critical health needs of Medicaid beneficiaries and others in Connecticut in response to COVID-19; and

WHEREAS, Chapter 204 of the Connecticut General Statutes sets forth tax collection deadlines that will be difficult for residential and commercial property owners to meet in light of the significant job and economic losses experienced by Connecticut residents and businesses; and

WHEREAS, municipalities have sought relief on behalf of taxpayers who are struggling due to business operations being suspended or ceased, layoffs and other complications due to the COVID-19 pandemic; and

WHEREAS, certain municipal charters, ordinances or resolutions require critical town fiscal and budgetary decisions to be voted on by referendum or town meeting that create a risk to public health; and

WHEREAS, Sections 12-170aa(e) and (f) and Sections 12-129b and 12-129c of the Connecticut General Statutes require municipalities to conduct specific duties, including but not limited to processing tax relief claims that require in-person meetings and application filing requirements for taxpayers who have attained age sixty-five or over or are totally disabled; and

WHEREAS, Section 12-62 of the Connecticut General Statutes requires municipalities to conduct in-person inspections which will create increased risk of transmission of COVID-19; and

WHEREAS, Section 12-63c of the Connecticut General Statutes requires taxpayer filings based on information in Income and Expense Statements by Assessors, which were previously extended under Executive Order 7I, Section 15; and

WHEREAS, it will promote the public health and safety of all Connecticut residents to prohibit evictions during the public health and civil preparedness emergency; and

WHEREAS, the Judicial Branch has suspended all evictions and ejectment proceedings and Executive Order No. 7G suspended non-critical court operations;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT**:

1. **Safe Stores Mandatory Statewide Rules, Amending Executive Order No. 7N, Sec. 3.** Effective upon the opening of each retail establishment for the first time on April 3, 2020, every retail establishment in the State of Connecticut shall take additional protective measures to reduce the risk of transmission of COVID-19 between and among customers, employees, and other persons such as delivery drivers or maintenance people. The Commissioner of Economic and Community Development, in consultation with the Commissioner of Public Health, shall issue mandatory statewide rules prescribing such additional protective measures no later than 11:59 p.m. on April 1, 2020. Such rules shall be mandatory throughout the state and shall supersede and preempt any current or future municipal order and shall supersede the requirements of Executive Order No. 7N, Sec. 3, providing that nothing in this order shall eliminate or reduce the requirements of Executive Order No. 7N, Sec. 3 regarding firearms transactions.
2. **60-Day Grace Period for Premium Payments, Policy Cancellations and Non-Renewals of Insurance Policies.** Beginning on April 1, 2020, for a period of sixty (60) calendar days ending on June 1, 2020, no insurer may, without a court order, lapse, terminate or cause to be forfeited a covered insurance policy because a covered policyholder does not pay a premium or interest or indebtedness on a premium under the policy that is due except as provided hereunder. This grace period shall apply to entities licensed or regulated by the Insurance Department including admitted and non-admitted insurance companies that provide any insurance coverage in Connecticut including, life, health, auto, property, casualty and other types of insurance as follows:
 - a. Insurers shall provide such 60-day grace period to individuals that have individual insurance policies who, as a result of the COVID-19 pandemic, were laid off, furloughed, or fired from employment or otherwise sustained a significant loss in revenue. Such individuals may be required to provide an affidavit or other statement acceptable to their insurance carrier, explaining that as a result of the COVID-19 pandemic they were laid

off, furloughed, or fired from employment or otherwise sustained a significant loss in revenue.

- b. Insurers shall provide such 60-day grace period to businesses that are group policyholders, have group insurance and/or have property/casualty insurance that were required to close or significantly reduce operations or suffered significant revenue loss as a result of the COVID-19 pandemic. Such businesses may be required to provide an affidavit or other statement acceptable to their insurance carriers, explaining that as a result of the COVID-19 pandemic, they were required to close or significantly reduce their business operations or suffered a significant revenue loss.
 - c. This 60-day grace period is not automatic. To be eligible, affected policyholders must provide the information outlined above in an affidavit or other statement acceptable to their insurance carriers. Carriers shall provide instructions on how policyholders are to provide such information.
 - d. Policyholders are advised that this grace period is not a waiver or forgiveness of the premium; it is only an extension of time in which to pay premiums. Policyholders are advised that they may be subject to restrictions if they are in receipt of state or federal stimulus funding relating to COVID-19.
 - e. Individuals or businesses that do not meet the criteria for the 60-day grace period set forth above, will need to contact their insurance carrier should they wish to discuss a premium deferral.
 - f. This order does not apply to self-funded health plans.
 - g. If a carrier has already provided a policyholder with a 60-day grace period for March and April 2020 premiums, or offers to provide a 60-day grace period for that time frame and it is accepted, the carrier will be deemed to have satisfied the requirements of this Executive Order with respect to that policyholder.
 - h. This 60-day grace period shall only apply to policyholders that were in good standing with their insurance carrier on March 12, 2020, and shall only apply to premiums due after the initial premium has been made to secure coverage.
 - i. This 60-day grace period applies only to cancellation or non-renewals attributed to a failure to pay premiums during the applicable 60-day grace period. If a policy is to be cancelled or non-renewed for any other allowable reason, the cancellation or non-renewal may be made pursuant to statutory notice requirements and for legally recognized reasons.
3. **Extension of 30-Day Period of Credit for Liquor Permittees.** Section 30-48(b) of the Connecticut General Statutes and Sections 30-6-A36 and 30-6-A37a of the Regulations of Connecticut State Agencies, which permit no more than a thirty-day period of credit, from

manufacturers, wholesalers, or others specified in such statute and regulations, is modified so that the maximum period of credit shall be ninety days after the date of delivery for all permittees prohibited from engaging in on-premise sales per Executive Order No. 7D, as amended by Executive Order No. 7H. The extension of credit shall not apply to permits that were delinquent at the time Executive Order No. 7D became effective on March 16, 2020. The period of delinquency shall begin on the ninety-first day after the date of delivery. All other requirements under the above-referenced statute and regulations shall apply, except as modified to reflect the increased period of credit, and the standard thirty-day period of credit shall continue to apply to all permittees whose businesses who were not engaging in on-premise sales at the time Executive Order No. 7D became effective. The credit extension shall remain in effect for any delivery made prior to the time Executive Order No. 7D expires or is terminated, or if extended or renewed, through any period of extension or renewal.

4. **Daily Payment of Certain Taxes Changed to Weekly.** Section 12-575 (h) of the Connecticut General Statutes is modified so that the licensee authorized to operate off-track betting in Connecticut shall file with the Department of Consumer Protection: a daily electronic report of the amount of wagers collected; and, no later than 12:00 PM every Tuesday, the tax filing and payment for the week preceding.
5. **Flexibility to Amend Medicaid Waivers and State Plan.** Section 17b-8 of the Connecticut General Statutes, to the extent that it requires: the submission of proposed applications to submit waivers or make certain amendments to Medicaid waivers or the Medicaid state plan (for such amendments that would have required a waiver but for the Affordable Care Act) to the joint standing committees having cognizance of matters relating to human services and appropriations; a 30-day public notice and comment period prior to submission of the proposed amendments to said committees; the holding of a public hearing by said committees; and the approval of the applications for amendment by said committees, is modified retroactive to the declaration of public health and civil preparedness emergency on March 10, 2020, to authorize the Commissioner of Social Services, on an expedited basis, to exercise the waiver flexibilities provided in response to COVID-19 and afforded by Appendix K to the Home and Community Based Waivers under Section 1915(c), as well as Sections 1115 (a) and 1135, of the Social Security Act and also including, as applicable and in response to COVID-19, amendments to Medicaid state plan provisions under other relevant provisions, such as sections 1915(i), 1915(k) and 1945 of the Social Security Act. The suspension of the aforesaid requirements is limited solely to emergency waivers related to the COVID-19 declared public health and civil preparedness emergencies.
6. **Suspension and Modification of Tax Deadlines and Collection Efforts.** Notwithstanding any contrary provisions of Chapter 204 of the Connecticut General Statutes or of any special act, charter, home-rule ordinance, local ordinance or other local law, there shall be established two programs to offer support to eligible taxpayers, businesses, nonprofits, and residents who have been economically affected by the COVID-19 pandemic. Such programs shall be known as the "Deferment Program" and the "Low Interest Rate Program." Each

municipality, as defined in section 7-148 of the general statutes, by determination of its local legislative body, or, in any town in which the legislative body is a town meeting, by a vote of the board of selectmen, shall participate in one or both programs and shall notify the Secretary of the Office of Policy and Management no later than April 25, 2020, about which program or programs it is electing to participate in.

- a. **Deferment Program.** During the period of March 10, 2020, the date that I declared the public health and civil preparedness emergency, through and including July 1, 2020, municipalities participating in the Deferment Program shall offer to eligible taxpayers, businesses, nonprofits, and residents a deferment by ninety (90) days of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric rates, charges or assessments for such tax, rate, charge, or assessment from the time that it became due and payable. Eligible taxpayers, businesses, nonprofits, and residents are those that attest to or document significant economic impact by COVID-19, and/or those that document they are providing relief to those significantly affected by the COVID-19 pandemic. The Secretary of the Office of Policy and Management shall issue guidance as to which taxpayers, businesses, nonprofits, and residents shall be considered eligible for the Deferment Program, but participating municipalities may, upon approval of its local legislative body, or, in any town in which the legislative body is a town meeting, by a vote of the board of selectmen, extend eligibility for the deferment program to other categories of taxpayers, businesses, nonprofits, and residents.
- b. **Low Interest Rate Program.** For municipalities participating in the Low Interest Rate Program, notwithstanding Section 12-146 of the General Statutes, (i) the delinquent portion of the principal of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric charges or assessments or part thereof shall be subject to interest at the rate of three (3) per cent per annum for ninety days from the time when it became due and payable until the same is paid, for any such tax, rate, charge, or assessment due and payable from March 10 through and including July 1, 2020, unless such delinquent portion is subject to interest and penalties at less than three (3) per cent per annum. Following the ninety days, the portion that remains delinquent shall be subject to interest and penalties as previously established; and (ii) any portion of the principal of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric rates, charges or assessments or part thereof that had been delinquent on or prior to March 10, shall be subject to interest at the rate of three (3) per cent per annum for ninety days from this Order, unless such delinquent portion is subject to interest and penalties at less than three (3) per cent per annum. Following the ninety (90) days, the portion that remains delinquent shall be subject to interest and penalties as previously established.
- c. **Eligibility of Landlords.** In order for a landlord, or any taxpayer that rents or leases to any commercial, residential, or institutional tenant or lessee, to be eligible for the Deferment Program, said landlord must provide documentation to the municipality that the parcel has or will suffer a significant income decline or that commensurate

forbearance was offered to their tenants or lessees. Any taxpayer that rents or leases to any commercial, residential, or institutional tenant or lessee shall only be eligible for the Low Interest Rate Program if said landlord offers commensurate forbearance to tenants or lessees, upon their request.

- d. **Escrow Payments.** Financial institutions and mortgage servicers that hold property tax payments in escrow on behalf of a borrower shall continue to remit property taxes to the municipality, so long as the borrower remains current on their mortgage or is in a forbearance or deferment program, irrespective of the borrower's eligibility for or participation in the Deferment Program or the Low Interest Rate Program.
 - e. **Liens Remain Valid.** Nothing in this order affects any provision of the Connecticut General Statutes relating to continuing, recording and releasing property tax liens and the precedence and enforcement of taxes, rates, charges and assessments shall remain applicable to any deferred tax, rate, charge or assessment or installment or portion thereof.
7. **Allowance of Suspension of In-Person Voting Requirements for Critical and Time Sensitive Municipal Fiscal Deadlines.** Notwithstanding any contrary provision of the Connecticut General Statutes, including Title 7, or any special act, municipal charter, ordinance or resolution that conflicts with this order, the legislative body of a municipality, or in a municipality where the legislative body is a town meeting other than a representative town meeting, the board of selectmen, and the budget-making authority of said municipality if different from the legislative body or board of selectmen, by majority vote of each such body, as applicable, may authorize (i) any supplemental, additional or special appropriations under Section 7-348 of the Connecticut General Statutes or comparable provisions of any special act, municipal charter or ordinance, (ii) any tax anticipation notes to be issued under Section 7-405a of the Connecticut General Statutes or comparable provisions of any special act, municipal charter or ordinance, or (iii) municipal general obligation bonds or notes to be issued in anticipation of such bonds to be issued pursuant to Chapter 109 of the Connecticut General Statutes for capital improvement purposes, without complying with any requirements for in-person approval by electors or taxpayers, including but not limited to, annual or special town meetings requiring votes or referenda. Notwithstanding the foregoing, if the legislative body and budget-making authority, if they are separate entities, are taking any action specified in (ii) or (iii) above, or any action under (i) above, which involves an appropriation in an amount in excess of 1% of the current year's total municipal budget without complying with any in-person approval requirements normally required by statute, special act, municipal charter, ordinance or resolution, such body(ies) shall make specific findings that such actions are necessary to permit the orderly operation of the municipality and that there is a need to act immediately and during the duration of the public health and civil preparedness emergency in order to avoid endangering public health and welfare, prevent significant financial loss, or that action is otherwise necessary for the protection of persons and property within the municipality. In so acting, the legislative body and, if different from the legislative body, the budget-making

authority of the municipality, shall comply with open meeting requirements set forth in Executive Order No. 7B. All conditions precedent to any such approval, including without limitation, public notices, hearings or presentations, shall proceed in a manner as closely consistent with the applicable statutes, special acts, town charters, municipal ordinances, resolutions or procedures as possible, and in compliance with the open meeting provisions set forth in Executive Order 7B. Nothing in this order shall be construed to prohibit a municipality from conducting any in-person meeting, approval process, or referendum, provided such municipality first consults with local or state public health officials and conducts such meeting, approval process, or referendum in a way that significantly reduces the risk of transmission of COVID-19

8. **Suspension of Reapplication Filing Requirement for the Homeowners' Elderly/Disabled Circuit Breaker Tax Relief Program and for the Homeowners' Elderly/Disabled Freeze Tax Relief Program.** The biennial filing requirements under Sections 12-170aa(e) and (f) and Sections 12-129b and 12-129c of the Connecticut General Statutes for any taxpayers who were granted the benefit for the Grand List year 2017 and who is required to recertify for the Grand List year 2019, are suspended and such taxpayers shall automatically maintain their benefits for the next biennial cycle ending in Grand List year 2021.
9. **Substitution of Full Inspection Requirements Pertaining to October 1, 2020 Grand List Revaluations.** The requirement set forth under Section 12-62 of the Connecticut General Statutes pertaining to October 1, 2020 Grand List revaluations that require a full interior inspection of property, for which such interior inspection that has not yet been completed, is suspended and replaced with the alternative requirement to send a questionnaire to the owner as outlined in Section 12-62(b)(4).
10. **Extension of Deadline to File Income and Expense Statement.** The taxpayer filing deadline set forth under Section 12-63c of the Connecticut General Statutes is extended to August 15, 2020.
11. **Suspension of Non-Judicial Tax Sales.** Notwithstanding any contrary provision of the Connecticut General Statutes, including but not limited to Section 12-157 or Section 7-258, or any special act, municipal charter or ordinance that conflicts with this order, (1) no municipality nor water pollution control authority may conduct any sale pursuant to General Statutes Section 12-157 or Section 7-258, until thirty days after the end of the public health and civil preparedness emergency, including any period of renewal or extension of such emergency. Any sale for which notice had been filed prior to March 10, 2020 shall be adjourned by operation of law to a date to be determined by the tax collector. Such adjourned date shall be no earlier than thirty days after the end of the public health and civil preparedness emergency; and (2) For any sales held under Section 12-157 or Section 7-258 that were conducted prior to March 10, 2020, any six-month redemption period in General Statutes Section 12-157 shall be extended for the number of calendar days the public health and civil preparedness emergency remains in effect. The time period from March 10, 2020 to the end of the emergency shall be considered a

"holding period." Redemption interest during said holding period shall be charged at a monthly rate equivalent to three per cent per annum.

Unless otherwise specified herein, this order shall take effect immediately and shall remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated by me.

Dated at Hartford, Connecticut, this 1st day of April, 2020.

Ned Lamont

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill

Denise W. Merrill
Secretary of the State

