

Chairwoman Louise McMahon called the meeting to order at 5:35 p.m. on Wednesday, February 4, 2009, in the Caucus Room, 3rd Floor, Danbury City Hall, 155 Deer Hill Avenue. Present was Committee members Phil Curran and Paul Rotello. Also present were Laszlo L. Pinter, Deputy Corporation Counsel; David St. Hilare, Finance Director; William Montgomery, President of the Land Trust of Danbury; and members of the public.

Chairwoman McMahon explained the purpose of the evening's meeting was to review and consider approving the proposed property tax abatement for conservation organizations.

Chairwoman McMahon asked Corporation Counsel Pinter to provide everyone with some background regarding the request before the Committee. Attorney Pinter explained that there is a desire to have the Common Council adopt the provisions of an enabling Act that provides immediate property tax relief to land trusts that receive tax bills for property they have purchased or received via donation. This is enabling legislation which means towns are authorized to immediately abate the property taxes owned by non-profit land conservation organizations should they wish to do so.

Mr. Rotello asked why the Land Trust would pay such taxes. Mr. Montgomery explained that there are occasions where taxes are due after the closing of a transaction whether it is a clerical error, an oversight, back taxes, etc. Mr. Curran asked where the Trusts' funding comes from and Mr. Montgomery explained through memberships, donations and small grants. Mr. Curran asked Mr. Montgomery what action was being sought from the Common Council. Mr. Montgomery's response was for the Common Council to pass an ordinance that would stop tax payments as of the date of closing. Mr. Curran asked Mr. Pinter if there was a downside for the City. Corporation Counsel Pinter explained that the legislation in question is narrow and only applies to non-profit land conservation organizations. He recommended that the Common Council review requests and make decisions on a case-by-case basis rather than adopting an ordinance. If an ordinance is adopted, then the Common Council would be establishing law which would be more binding. Mr. Montgomery pointed out that the Board reviews the requests for donations of land. They would not accept donations of land with back taxes owed, a small piece of property, land-locked property—anything that does not have a conservation value will not be considered. There are a percentage of cases over the last fifteen years whereby the Land Trust owes some taxes after the closing as a result of some sort of error/oversight. Corporation Council Pinter pointed out that the legislation has been put into place to correct errors that become burdensome to non-profit land conservation organizations by forgiving the debt that was not incurred by the organizations.

A motion was made by Councilman Curran and seconded by Councilman Rotello that the Committee recommends to the Common Council that they adopt a resolution abating that portion of property taxes for the Land Trust of Danbury for a period to be determined by the Tax Assessor. The motion carried unanimously.

A motion to adjourn was made by Councilman Rotello and seconded by Councilman Curran. The motion carried unanimously at 6:26 p.m.

Respectfully submitted,

Louise McMahon, Chairman

Phil Curran

Paul Rotello