RESOLUTION

TOWN OF PROSPECT, CONNECTICUT

MEETING OF TOWN COUNCIL APRIL 21, 2020

WHEREAS, in response to the Coronavirus 2019 (COVID-19) outbreak, on April 1, 2020 the Governor of the State of Connecticut (the “Governor”) issued Executive Order 7S (“EO 7S”) which provides at Section 6 that each municipality in the State of Connecticut must suspend and/or modify its tax deadlines and collection efforts under a “Deferment Program” and/or a “Low Interest Rate Program” as described in EO 7S during the period of March 10, 2020 through and including July 1, 2020; and

WHEREAS, on April 9, 2020 the Governor issued Executive Order 7W (“EO 7W”) which modified Section 6 of EO 7S to apply to the period of April 1, 2020 through and including July 1, 2020;

WHEREAS, EO 7S requires the legislative body of each municipality to vote to participate in one or both programs and to notify the Secretary of the Office of Policy and Management (“OPM”) no later than April 25, 2020 about which program(s) it is electing to participate in; and

WHEREAS, for purposes of EO 7S Section 6, the Town Council is the legislative body of the Town of Prospect; and

WHEREAS, the Town Council has determined that the interests of the Town of Prospect and its taxpayers would be served by the Town’s participation in the Deferment Program; and

WHEREAS, EO 7S allows the Town Council, acting as the legislative body of the Town of Prospect, to extend eligibility for the deferment program to all categories of taxpayers in the Town of Prospect excluding landlords; and

WHEREAS, the Town Council has determined it is in the interests of the Town of Prospect and its taxpayers to extend eligibility for the Deferment Program to all categories of taxpayer excluding landlords;

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE PREMISES IT IS HEREBY RESOLVED THAT:

1. The Town of Prospect shall elect to participate in the Deferment Program pursuant to the terms of EO 7S as modified by EO 7W;

2. Eligibility for participation in the Deferment Program shall be extended to all taxpayers in the Town of Prospect excluding landlords;

3. Landlords in the Town of Prospect shall be eligible to participate in the Deferment Program under the requirements prescribed by EO 7S as modified by EO 7W by providing documentation to the Tax Collector that the parcel has or will suffer a significant income decline or that commensurate forbearance was offered to their tenants or lessees;
4. As required by EO 7S as modified by EO 7W, 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 Town of Prospect, 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;

5. This Resolution shall not affect 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 as set forth in EO 7S as modified by EO 7W;

6. The Town Council Chair is authorized to prepare and submit the form required by OPM on or before April 25, 2020 reflecting the Town of Prospect’s election to participate in the Deferment Program;

7. The Tax Collector is authorized to advise taxpayers of the Town of Prospect’s election to participate in the Deferment Program, its effect on the grace period for paying taxes, and the consequences of failing to make payment within the extended grace period.

8. This Resolution may be revoked or modified in accordance with future Executive Orders.