

**TOWN OF BLOOMFIELD**  
**POLICY MEMORANDUM**

|               |                       |          |                             |
|---------------|-----------------------|----------|-----------------------------|
| SUBJECT:      | Tax Incentive Options | NO:      | 110.03                      |
|               |                       | Date:    | September 22, 2017          |
|               |                       | Amended: | September 25, 2017          |
| DISTRIBUTION: | Town Council          | By:      | Town Council & Town Manager |

APPROVED: October 9, 2017

**I. PURPOSE**

The purpose of this policy is to establish procedures for tax incentive programs in the Town of Bloomfield pursuant to Section 12-65b of the Connecticut General Statutes as may be amended from time to time. We believe that Bloomfield has attractive location and economic infrastructure advantages necessary to attract business and industry without tax incentives. We are, therefore, committed to offering such incentives to those who best advance the intent of these guidelines.

**II. OBJECTIVES**

1. Fiscal -To increase and maintain the commercial and industrial tax base to a level at or above 50% of the Town's Grand List in order to facilitate the Town's capacity to provide necessary services and infrastructure.
2. Employment –To decrease the Town's unemployment rate by providing quality employment opportunities with good wages and benefits for the Town's residents.
3. Encourage Business Retention and Growth – to support existing businesses and encourage their retention and meet their expansion needs in Bloomfield.
4. Sustainable and Quality Economic Development – to encourage the incorporation of alternative energy and green technology into commercial building design.
5. Targeted Sectors – To encourage development in areas and business sectors that have been identified by the Town of Bloomfield as priority areas.

To further these objectives the Town of Bloomfield may enter into agreements to provide for a temporary abatement of the increased assessed value of the real property portion of a proposed project if the criteria listed below are met. Eligibility for tax incentive options shall only apply if improvements are for at least one of the uses provided for in Connecticut General Statutes Section 12-65b as it may be revised from time to time.

Any final decision to grant and to establish the terms of agreement of a tax abatement incentive pursuant to this policy shall be within the sole discretion of the Bloomfield Town Council.

**III. Abatement Criteria and Adjustments**

The Town Council shall consider the following factors in deciding whether to pursue the offering of property tax incentives on a case by case basis:

- A) Economic benefit – The proposed project must positively enhance the Bloomfield economy. Factors to be considered in determining economic benefit shall include but not be limited to: the amount of capital investment, whether the project produces value added products and services, and whether the project provides positive fiscal and economic benefits that outweigh any projected increase in costs to the Town as a result of the project. Applicants shall provide a cost-benefit analysis in a format that is acceptable to the Town.
  - B) Wages - Consideration shall be given if the project demonstrates that it is paying wages that exceed the median wages for similar positions in the Hartford labor market area. Any request for tax abatement should be accompanied by a list of representative jobs and a corresponding wage scale.
  - C) Employment – The Town Council will take the following goals into consideration in their review of an application for a tax abatement:
    - 1. that a minimum of 20% of the permanent new jobs created will employ Bloomfield residents.
    - 2. that a minimum of 10% of the construction value of a project will be conducted by minority\* contractors that have their physical base of operations in Bloomfield or whose principal is domiciled in the Town of Bloomfield.
    - 3. that the permanent workforce will be comprised of a minimum of 20% members of minority\* groups.
- \* Minorities for purposes of this incentive shall be as defined by Federal Guidelines
- D) Types of Businesses – If the project will be of a type that has been identified by the Town Council as desirable to stimulate the local economy and provide an overall positive impact on the quality of life for Bloomfield citizens. To meet this goal the project should involve one or more of the targeted industries as identified by the Town Council.
  - E) Increase the existing tax base – Incentives will be considered for businesses that invest in new buildings or building expansions. Tax abatements will be limited to the tax on the increased assessed value of a property that is directly linked to new investment. Property taxes on existing land and facilities will not be reduced for new development projects.
  - F) Sustainable Design –Consideration shall be given when a new building or addition is designed to incorporate alternative energy and green technology above and beyond best management practices.

#### **IV. Definitions**

The following definitions will be used in determining the terms of the abatement and the required level of capital investment:

- 1. An existing business is one that shall have had facilities and operations in Bloomfield for at least one year immediately prior to a request for consideration.
- 2. A new business is a business that is new to the Town of Bloomfield or has not had facilities and operations in the Town for a period of at least one year.

#### **V. General Requirements**

Requests for new tax abatements must conform to the following requirements:

1. The applicant or business must not be delinquent in any taxes or charges due to the Town of Bloomfield.
2. If the end user of a proposed facility is a lessee, the tax benefits created by the abatement must be clearly reflected in the lease as accruing to the end user and the lease must be at least for the term of the abatement period plus four (4) years.
3. Any agreement entered into pursuant to this policy shall not be assigned, transferred or sold without the written consent of the Bloomfield Town Council.
4. Construction shall commence within twelve (12) months and completed within thirty (30) months after the approval of an abatement by the Town Council and approval of a site plan by the Town Plan and Zoning Commission, whichever comes last. The Town Council shall have the sole authority to approve any extensions of these deadlines.
5. Any agreement entered into by the Town of Bloomfield shall provide that, any tax benefit enjoyed by the approved applicant under this policy shall be forfeited and said applicant shall be required to pay all back taxes that would have been assessed plus eighteen percent (18%) annual interest, in the event that the applicant:
  - a) Relocates from the Town of Bloomfield, or reduces by more than 50% its business operations in the Town of Bloomfield or reduces employment levels by more than 50% in the Town of Bloomfield,
  - b) Becomes delinquent in taxes or fees,
  - c) Closes its operation
  - d) Declares bankruptcy

within a minimum of four years beyond the term of abatement. Forfeiture will cause the tax abatement agreement to become null and void.
6. Personal property not otherwise exempt by the State of Connecticut shall not be eligible for any Town abatements.

**VI. Abatement Schedule**

A) The following table will be used by the Bloomfield Town Council as a guide when setting an abatement schedule. The minimum required capital investment shall be based on the actual capital investment in taxable real property improvements, excluding land costs and personal property. The percentage abatement may vary from year to year provided, however, that the average percentage abatement shall not exceed the maximum average percentage over the entire term.

**New Businesses.**

|  |                      |
|--|----------------------|
| Minimum Taxable Real Property Capital Investment | \$1 million          |
| Maximum Base Average Percentage Abated Over Term | Up to 50%            |
| Maximum Term                                     | Up to five (5) years |

**Existing Businesses**

|  |                      |
|--|----------------------|
| Minimum Taxable Real Property Improvement        | \$500,000            |
| Maximum Base Average Percentage Abated Over Term | Up to 50%            |
| Maximum Term                                     | Up to five (5) years |

## **VII. APPLICATION PROCEDURE**

- A) Any eligible owner and or lessee may apply under this Policy to the Town of Bloomfield on application forms provided by Town of Bloomfield. The applicant shall provide all required information in sufficient detail to allow the Town to determine costs and benefits associated with the requested tax abatement. Information provided should include the following where appropriate:
1. Project description including an estimate of the number of new jobs created and the anticipated wages.
  2. Identification of the proposed location for the new or expanded business.
  3. Description of the applicant and its products or services and including a listing of its officers.
  4. An estimate of the costs of the proposed improvements.
  5. A construction schedule.
  6. Identification of any other public incentives, financial or otherwise, which are included in the project financing.
  7. A statement of the benefits to the Town of Bloomfield for granting a tax assessment abatement including an estimate of local taxes to be paid, purchases from local vendors and a description of planned corporate community involvement.
  8. A statement specifying how the applicant intends to demonstrate compliance with the goals set forth in Section III above.
  9. Other information as may be requested by the Town.
- B) Upon receipt of the completed application the Director of Planning and Economic Development shall refer the application to the Town Manager and the Town's Economic Development Commission for review and recommendation. The application shall also be referred automatically to the Council's Finance subcommittee and the Land Use/Economic Development Subcommittee. Staff shall also refer the application to other relevant Town committees as may be identified. Each application will be reviewed on a case by case basis. The Town Manager and Economic Development Commission (EDC) shall each forward recommendations in writing to the Town Council.

## **VIII. TOWN COUNCIL REVIEW AND APPROVAL**

- A) Prior to deciding on an application, the Council shall schedule a public presentation by the applicant at a regular or special meeting of the Council. The Council shall provide for public comments regarding any proposals for incentives at a subsequent regular or special meeting of the Council and/or schedule a formal Public Hearing.
- B) Council may approve a tax abatement under this policy provided the applicant is aware that said approval is a first step, until statutory, administrative, and building permit reviews are carried out satisfactorily. At that point the abatement agreement will be executed.
- C) The Town Council, in its sole discretion, shall approve, approve with modifications and conditions, or deny the application at a subsequent regular or special meeting after the public presentation and after public comments and/or Public Hearing.

## **IX. AGREEMENT**

- A) Pursuant to the Town Council decision the applicant shall enter into a written agreement with the Town fixing the assessment of the real property in accordance with the assessment schedule that was approved. The record owner of the real property that is the subject of the agreement shall either co-sign the agreement or provide written consent to the terms of the agreement if the applicant will not own the real property at the time the tax benefits start accruing.
- B) The Agreement shall incorporate the appropriate provisions of this Policy.
- C) The applicant shall provide periodic reports, as determined by the Council, detailing compliance with the employment and wage provisions of this policy as well as the achievement of any of the agreed upon goals on which an abatement decision was based
- D) The Town Council may request that the recipient of a tax abatement report in person on its progress in bringing the full project and agreements to completion during the term of the agreement.
- E) The provisions of the agreement shall be binding on the business owner, real property owner and its successors or assigns. The agreement shall be filed on the land records of the subject property in the Town Clerk's office.
- F) Failure to comply with any of the provisions or conditions associated with a fixed assessment project including but not limited to provisions of the fixed assessment agreement and any requirements specified by the Town of Bloomfield's Town Plan and Zoning Commission and Inland Wetlands and Watercourses Commission will result in the Town Council's review of, and possible modification or cancelling of, said fixed assessment agreement.

## **X. MODIFICATIONS TO POLICY**

This policy may be modified by the Town Council subject to requirements for public notice and hearing.