

TOWN COUNCIL
Town of Trumbull
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TOWN HALL
Trumbull

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JANUARY 6, 2014
MINUTES

CALL TO ORDER: Chairman Carl A. Massaro, Jr. called the regular meeting to order at 8:03 p.m. at the Trumbull Town Hall. All present joined in a moment of silence and the Pledge of Allegiance.

The clerk called the roll and recorded it as follows:

PRESENT:

Suzanne S. Testani	Daniel Marconi	Joseph G. Pifko
Vincent DiMasi, Jr.	Vicki Tesoro	Edna Colucci
Johnna M. Dineley	Mark S. LeClair	Patrick Helfrich
Ennio DeVita	Bethany Llodra Gilman	James P. Blose
Cynthia L. Penkoff	Enrico R. Costantini	Ann Marie Evangelista
Tony J. Scinto	Carl A. Massaro, Jr.	Kenneth M. Martin, Sr.
Lori Rosasco Schwartz (arrived at 9:04 p.m.)		

ABSENT: Thomas Christiano and Michael J. London.

ALSO PRESENT: First Selectman Timothy M. Herbst, BOE Chairman Deborah Herbst, Superintendent of Schools Dr. Gary Cialfi, BOE Members Loretta Chory, Jeffery Donofrio and Susan LeFrance, Public Works Director John Marsilio, Director of Planning & Development Jamie Brätt, Chairman of the Planning and Zoning Commission, Tony Chory and Kathleen Boland THS We The People Team Coach.

APPROVAL OF MINUTES:

By unanimous consent the December 17, 2014 special meeting minutes were approved as submitted.

The Chair Announced That the Trumbull High School We The People Debate Team won the State championship. The Chair congratulated the team and commended Kathleen Boland, Team Coach for a job well done. The Chair invited the team to come to the podium and introduce themselves.

- Bena Jacob of unit three explained they dealt with how the Constitution ideals change over time she enjoyed the amendment process and how it changed.
- Sam Curley of unit four explained they dealt with the differences between Congress and Parliament and its committees within them. He enjoyed the entire process.
- Maddie Collins of unit one explained they dealt with the philosophies behind the founding of

America. She liked getting to know her classmates better and learning everything.

- Camilla Everett unit five explained they dealt with the process of case law with the Supreme Court. Her favorite part of the competition was that they won.

Kathleen Boland presented a picture of the team to the Council. The Chair extended his gratitude and stated that they look forward to working with the team for the national competition.

DISCUSSION ITEMS:

- Trumbull High School Building Committee Update - There was no one present for this item. The Chair noted due to recent weather there has been no work on the high school roof. This will be followed up on in February.
- Planning & Zoning POCD (Plan of Conservation and Development) - The Chair stated a hard copy of the POCD has been distributed at this meeting and an electronic version is available online. The POCD will be on February agenda for discussion, commentary and recommendation. Ms. Brätt indicated the Planning and Zoning Commission and their consultants Planimetrics have been hard at work since July 2012 and extended her gratitude to the Council for reviewing the plan over the next month. She looks forward to their feedback. The public hearing for adoption is set for March 12, 2014. The Executive Summary highlights the key recommendations. The book is broken down into the following parts: Town Character, Development Patterns, Business Development, Residential Development, Natural Resources, Open Space and Parks, Community Facilities and Utilities and Transportation. Chapters 1 & 2 include the history of the Town and demographics. School enrollment is projected to go down in the next five years. A POCD is the strategic plan with a horizon of ten years. Trumbull is currently built out. Much of the P&Z's discussion was based upon redevelopment. This involves areas of the Town that are under-utilized. There was much discussion over the past year on how to be a responsible steward for the redevelopment in a way that respects, enhances the community and keeps the residential character of the Town. This is found in the plan and is well summarized by the title of this document, "Beautifully Connected". The statutory requirement for input is 65 days. A full copy of the regulations was distributed with the plan at the screen, (attached). Ms. Brätt added that hardcopies are also available at the library and the Town Clerk's office. The Chair indicated that the POCD will be on the February Town Council agenda. There will be a thorough discussion at the committee level. This will meet the 65 day deadline. This is also under review by the Regional Planning Council. The Chair requested any recommendations or responses from the Regional Planning Council be shared with the Town Council. Ms. Brätt explained for Mr. Scinto that a "community node" is a retail center but can also house services. Examples of in our Town are Trumbull Center, Long Hill Green and the Town Hall Quality Street area. The fact that so many people congregate at the Town Hall and the library and that they provide services is why they are considered a community node.

* The Chair reserved the right not to vote unless otherwise noted.

1. RESOLUTION TC25-04: Moved by Ms. Evangelista, seconded by Mr. Pifko.
BE IT RESOLVED, That the request of the Board of Education for the Department of Public Works to maintain and care for school buildings and grounds is hereby approved.

Committee Report: The Public Works Committee met on December 30, 2013 and voted unanimously to send without recommendation.

Mrs. Herbst stated that the Board of Education did meet to resolve and clarify the resolution. Mrs. Herbst on behalf of the Board of Education presented the following amendment to the resolution:

“To consider and act upon resolution which would approve the request of the Board of Education to authorize the Director of Public Works to provide guidance and oversight of the board education facility, operations, grounds and equipment for a period of 30 to 60 days.”

The Chair indicated the resolution, as written on this agenda read very broadly because the agenda was drafted in advance of the Board of Education’s first meeting. The words were borrowed directly from the Charter. The Chair stated the Council will amend based upon Board of Education’s recommendation.

Mrs. Herbst explained for Mr. Marconi the Board of Education is in the process of restructuring their facilities and management due to recent vacancies caused by retirements. In order to carry this out they need a “go-to-person” to help them through this period. The Board is looking for person to fill the position which would mirror that of the Dir. of Public Works on the Town side. In the interim and until they post the position and vet the candidates, they will need somebody to oversee the operations. The Board agreed the Town’s Director of Public Works was the best person. They have discussed it with him and he has agreed. Dr. Chialfi explained the genesis of the request was to make certain they were prepared for the winter services that are needed such as emergencies and so forth. There were four retirees in the department and they had some equipment issues to be addressed. The Board is in the process of looking at the vacant position. In addition to the Dir. of Public Works’ recommendation the Board will have its Facilities Committee make a recommendation on the candidate. The Director of Public Works will provide guidance and oversight on a consultant basis. Mrs. Herbst indicated for Ms. Tesoro if they do not reach a decision within the 30 - 60 day period they will petition the Board of Ed for an extension. The Board is flexible if the timeframe needs to be extended. The Chair stated the current timeframe would take us to March Town Council meeting. If an extension is necessary he asked that the Board notify the Town Council by the middle of February to be able to get it on the March agenda.

Mr. Marsilio indicated for Ms. Tesoro positions that the unfilled are supervisory in nature. His department can step in and offer a few pieces of equipment and personnel to fill in any gaps the board has at this time. During a snow emergency the first priority is the safety of residents using our roads. Usually schools are closed which allows his department to address the needs of both. It has been done in the past and did not see this as a major issue.

Mrs. Herbst stated for Ms. Penkoff this would be done by resolution. There had been no discussion of a contract. First Selectman Herbst explained based on last year’s snow removal operation done by private contractors a RFP for snow removal services is in place for this year. The Charter is clear, if any cost is incurred it will be charged against any already encumbered or budgeted monies that are in the Board of education’s operating budget. Any work outside of the scope required to hire contractors would be the subject of a supplemental appropriation if the Board of Education did not have contingency money. The key element of this resolution is that the Board of Education is charging the Dir. of Public Works to exercise a certain level of supervisory control for a period of 30 to 60 days to allow them to begin and complete the process of hiring a qualified facilities director. The Town is prepared to supplant where needed. All costs associated will be charged against existing Board of Education appropriations that

have already been budgeted. Mrs. Herbst clarified the hiring of the facilities director will be the decision of the Board of Education with input from the Town's Public Works Director and others. They are sure that this is what will evolve and is the purpose of the subcommittee. Ultimately it will be a Board of Education decision. The Chair stated by this resolution he did not see a significant shift in personnel, equipment or money from one budget to another barring an emergency.

Moved by Mr. Constantini, seconded by Mr. Marconi to amend by substituting the following language: RESOLUTION TC25-04: BE IT RESOLVED, That the request of the Board of Education to authorize the Director of Public Works to provide guidance and oversight of the Board of Education facilities, operations, grounds and equipment for a period of 30 to 60 days is hereby approved.

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

Moved by Mr. LeClair, seconded by Ms. Llodra Gilman to take item # 8 out of order.

VOTE: Motion CARRIED unanimously.

2. RESOLUTION TC25-27: Moved by Mr. Blose, seconded by Ms. Penkoff.
BE IT RESOLVED, That First Selectman Timothy M. Herbst, be and the same is hereby authorized to sign a predevelopment grant application under the Housing For Economic Growth Program pursuant to CGS 8-13 (m-x). (Full Resolution Attached)

Committee Report: the Legislation & Administration Committee met on December 30, 2013 and voted unanimously.

Ms. Brätt explained for Mr. Scinto planners and developers use 5 acres as a rule of thumb for a dense housing complex such as Avalon Gates, although there can be land assemblages where they take multiple parcels and create the 5 acres for the development. This can also happen with smaller parcels. There is no regulatory statement requiring a minimum of 5 acres.

VOTE: Adopted unanimously.

3. RESOLUTION TC25-26: Moved by Ms. Tesoro, seconded by Ms. Evangelista
BE IT RESOLVED, That the Moose Hill Road reconstruction project is in the best interest of Trumbull and Town of Trumbull hereby fully supports the project. (Full Resolution Attached)

Committee Report: The Public Works Committee met on December 30, 2013 and voted unanimously.

Ms. Testani indicated that she had attended the Moose Hill Road informational meeting held by the Town Engineer at the Trumbull Library and wanted to make sure that the residents' voices are heard and their concerns will be addressed. Mr. Marsilio stated that the State is sensitive to the issues. The course followed will be to first enter into the design development phase, the elevations will be surveyed, and the subsurface will be examined. Once they have a schematic design another informational meeting will be held

VOTE: Adopted unanimously.

4. RESOLUTION TC25-08: Moved by Mr. LeClair, seconded by Mr. Marconi.
BE IT RESOLVED, That First Selectman Timothy M. Herbst is hereby authorized to sign the Agreement entitled “Master Municipal Agreement for State Funded Construction Projects”.

Committee Report: The Public Works Committee met on December 30, 2013 and voted unanimously.

The Chair stated this resolution is to make the process easier and quicker when working with the State on projects.

VOTE: Adopted unanimously.

5. RESOLUTION TC25-05: Moved by Ms. Llodra Gilman, seconded by Mr. De Vita.
BE IT RESOLVED AND ORDAINED, That Chapter 18, Article V, Section 18-63 and 18-64 of the Trumbull Municipal Code is hereby amended by transposing the language, *for five (5) fiscal years following the date of death* from Section 18-64 to Section 18-63. (*Revised Ordinance Attached*)

Committee Report: The Legislation & Administration Committee on December 30, 2013, held a Public Hearing and voted unanimously.

VOTE: Adopted unanimously.

6. RESOLUTION TC25-06: Moved by Mr. Constantini, seconded by Ms. Evangelista.
BE IT RESOLVED AND ORDAINED, That Chapter 2 Administration, Article III Boards, Commissions, Committees, and Agencies, Division 3 Central Emergency Dispatch Commission of the Trumbull Municipal Code is hereby amended and repealed;
BE IT FURTHER RESOLVED AND ORDAINED, that the Central Emergency Dispatch Commission is hereby disbanded for a job well done.

The Chair explained this resolution was taken up during the last session but had not been voted on. A study had ensued. There is now a plan in place for an expansion of the dispatch center. The next resolution will designate a replacement body and will name the Police Commission as the governing and designating authority for the Public Safety Answering Point (PSAP). The Chair explained to Ms. Tesoro the purpose of this resolution is to eliminate the body that never functioned as such and has not met for some time. The police commission will now be the policy making board governing dispatching services, (not the day to day operations) and policies.

VOTE: Adopted unanimously.

7. TC25-07: Moved by Mr. Pifko, seconded by Mr. LeClair.
BE IT RESOLVED AND ORDAINED, That Chapter 2 Administration, Article III Boards, Commissions, Committees, and Agencies, Division 37 Police Commission is hereby amended to include a section entitled Public Safety Answering Point (PSAP) to read as follows: The

Police Commission shall be the governing and designating authority for the Public Safety Answering Point (PSAP) and emergency dispatch calls in the Town.

Committee Report: The Legislation & Administration Committee on December 30, 2013, held a Public Hearing and voted unanimously.

VOTE: Adopted unanimously.

8. RESOLUTION TC25-09: Moved by Mr. Helfrich, seconded by Ms. Tesoro
BE IT RESOLVED, That Section 5, Order of Business of the Town Council Rules and Procedures is hereby amended to include Public Comment. (Full Resolution Attached)

Committee Report: The Legislation & Administration Committee met on December 30, 2013. Motion failed motion FAILED 1 – 3.

The Chair stated that the Council had received letters of support for this resolution.

Ms. Tesoro indicated her comments are included in the committee meeting minutes. She had distributed a sample list at the committee meeting of town councils and boards of aldermen that allow public comment at their meeting (attached). The Town Council should encourage participation, should allow people to become more informed and involved. The Council has public hearings on some resolutions but not all. Most of the resolutions are not subject to public hearings. For example this agenda has 23 resolutions, only five are subject to a public hearing. Most of the public hearings are held during the committee meetings; therefore most of the comments are not heard by the general public because the committee meetings are not recorded for Channel 17 or 99. Some people would rather speak in public rather than emailing or calling a councilman. The Town Council is the body that represents the people of Trumbull. Arguments heard in the minute such as lengthening the meeting, having attorneys and staff staying longer or possibly having residents grandstand pale in comparison to the Town Council's obligation to welcome and listen to its residents.

(Ms. Rosasco Schwartz arrived at 9:04 p.m.)

Ms. Tesoro added if 50-60 people want to speak the Council should listen to them. The Chairman also has discretion not allow them to repeat what the other has said. Ms. Tesoro asked the Council to vote in favor of this resolution. The town of Westport allows public comment before each one of their resolutions. The town of Monroe allows public comment at the beginning and at the end of their meetings. Mr. Tesoro did s not suggest Trumbull do the same but to offer a public comment period at the beginning of the meeting. She did not think the size of the delegation matters. The Council has an obligation to listen to their constituents in whatever way they want to speak.

Moved by Ms. Testani, seconded by Ms. Dineley to send back to committee.

Ms. Tesoro stated they each councilman should be able to speak two times to the resolution before another motion is made. The Chair clarified the motion does not call for discussion nor does he know of a rule that allows everybody to speak twice on the topic before there can be a referral back to committee. Ms. Llodra-Gilman added that the resolution has merit and should be sent back to committee for discussion.

VOTE: Motion CARRIED 15-3 (Against: Tesoro, Marconi and Scinto).

9. RESOLUTION TC25-10: Moved by Mr. DiMasi, seconded by Ms. Penkoff.
BE IT RESOLVED, That the appointment by the First Selectman of Mark Mackeil of 27 Edgewood Avenue as a member of the Inland Wetlands & Watercourses Commission, be and the same is hereby approved for the term of December 2, 2013 through December 1, 2016.

The Chair stated that the Rules & Research Committee meeting was canceled due to inclement weather therefore the nominees will be interviewed at this meeting.

Mr. Mackeil of 27 Edgewood Ave. was present and indicated his party affiliation as independent. After 36 years Mr. McNeil has retired from Sikorsky Aircraft and decided it was time to give back to the community. He has three grown children that have gone through the Trumbull school system. He has volunteered for Pop Warner, Little League, the Trumbull Touchdown Club and Special Olympics. He contacted the First Selectman's office to offer this service. He has always considered himself a conservationist and thought Inland Wetlands would be a good fit for him. He grew up in Trumbull near the Pequonnock River Valley. He knows the value of that ecosystem and how valuable it is. Mr. Mackeil has the capability to be able to read the plans distributed at the Inland Wetlands meetings. Mr. Mackeil was happy when he was appointed an alternate for Inland Wetlands and looks forward to being a full member.

VOTE: Adopted unanimously.

In response to the Chair, First Selectman Herbst stated the administration always like to fill the seats of commissions and boards as soon as possible.

Moved by Ms. Evangelista, seconded by Ms. Testani to pass as Emergency Legislation.

VOTE: Motion Carried unanimously.

10. RESOLUTION TC25-11: Moved by Mr. Marconi, seconded Mr. Pifko.
BE IT RESOLVED, That the appointment by the First Selectman of Bruce Elstein of 90 Driftwood Lane as an alternate member of the Inland Wetlands & Watercourses Commission, be and the same is hereby approved for the term of December 2, 2013 through December 7, 2014.

Attorney Bruce Elstein of 90 Driftwood Lane was present and indicated he had been a practicing lawyer in Bridgeport for 27 years and recently moved to Trumbull. He served on the Planning and Zoning commission briefly and as President and Secretary of the Canoe Brook Association. As president and secretary he learned the importance of preserving wetlands and would welcome his appointment to the commission. He will able to apply his approach to the law in understanding the applications.

VOTE: Adopted unanimously.

Moved by Ms. Evangelista, seconded by Mr. Blose to pass as Emergency Legislation.

VOTE: Motion Carried unanimously.

11. RESOLUTION TC25-12: Moved by Mr. De Vita, seconded Ms. Evangelista.

BE IT RESOLVED, That the appointment by the First Selectman of Bruce Molgard of 26 Longview Avenue as an alternate member of the Inland Wetlands & Watercourses Commission, be and the same is hereby approved for the term of December 3, 2012 through December 1, 2015.

Mr. David Molgard of 26 Longview Road was present and indicated his party affiliation as independent. He grew up in Trumbull and currently lives in Town.

Moved by Ms. Testani, seconded by Mr. Scinto to amend Resolution TC25-12 by striking the name Bruce and replacing it with David and to strike the word Avenue and replacing it with the Road. The resolution would read as:

RESOLUTION TC25-12: BE IT RESOLVED, That the appointment by the First Selectman of David Molgard of 26 Longview Road as an alternate member of the Inland Wetlands & Watercourses Commission, be and the same is hereby approved for the term of December 3, 2012 through December 1, 2015.

Mr. Molgard spoke in favor of preserving the Town's wetlands.

VOTE: Motion CARRIED unanimously

VOTE: ADOPTED as amended unanimously.

Moved by Ms. Evangelista, seconded by Mr. Pifko to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

12. RESOLUTION TC25-13: Moved by Ms. Testani, seconded by Mr. Marconi.

BE IT RESOLVED, That the appointment of Steve Elbaum of 51 Tudor Lane as an alternate member of the Zoning Board of Appeals Commission, be and the same is hereby approved for a term of December 5, 2011 through December 1, 2014.

Mr. Steve Elbaum of 51 Tudor Lane was present and indicated his party affiliation as democrat. Mr. Elbaum is currently a real estate lawyer in Stamford and previously had an office in Bridgeport. He has been practicing law for 20 years and has lived in town for 18 years. He has handled commercial real estate has a working knowledge of zoning.

VOTE: ADOPTED unanimously.

Moved by Ms. Evangelista, seconded by Ms. Rosasco Schwartz to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

13. RESOLUTION TC25-14: Moved by Ms. Penkoff, seconded by Mr. Scinto.

BE IT RESOLVED, That the reappointment of Donald Scinto of 65 Hedgehog Circle as an alternate member of the Planning & Zoning Commission, be and the same is hereby approved for a term of December 2, 2013 through December 5, 2016.

Mr. Donald Scinto of 65 Hedgehog Circle was present and indicated his party affiliation as democrat. He has been a resident of Trumbull for 40 years and an alternate for Planning and Zoning for 10 years. He has only missed three sessions in those ten years. He has had the opportunity to vote 40 times as an alternate. Some applications he voted on where the 5520

Park Ave. Medical building, Chips, Target, Home Depot and the RD Scinto building on Quarry Road.

Mr. Testani extended her gratitude to Mr. Scinto for his years of service to this town.

VOTE: ADOPTED unanimously.

Moved by Ms. Evangelista, seconded by Mr. Helfrich to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

14. RESOLUTION TC25-15: Moved by Ms. Colucci, seconded by Mr. Martin.

BE IT RESOLVED, That the recommendation by the First Selectman of the appointment of William Brown of 50 Glenarden Road as a member of the Ethics Commission, be and the same is hereby approved by a 2/3 vote of the Town Council for a term of December 3, 2012 through December 4, 2017.

Mr. William Brown of 50 Glenarden Road was present and indicated he currently works for the Knights of Columbus as the Chief Alliance Officer, before that he was the federal prosecutor at the US attorney's office and prior to that he worked for Mr. Blumenthal in Hartford. Currently he is in the military as a colonel in the Marine Corps Reserves. He is in charge of the Marine Corp prosecutors and before that he was a judge. He has been involved with ethics and investigative matters for 25 years and is happy for the privilege to serve. Ms. Penkoff extended her gratitude for his service and for wanting to give back to the community.

VOTE: ADOPTED unanimously.

Moved by Ms. Evangelista, seconded by Ms. Rosasco Schwartz to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

15. RESOLUTION TC25-16: Moved by Mr. Martin, seconded by Ms. Testani.

BE IT RESOLVED, That the recommendation of the appointment by the First Selectman of Joseph Piccirillo of 22 Shelter Rock Road as a member of the Ethics Commission, be and the same is hereby approved by a 2/3 vote of the Town Council for a term of December 2, 2013 through December 2, 2018.

Rev. Joseph Piccirillo of 22 Shelter Rock Road was present and indicated he is the senior pastor at Nichols United Methodist Church. He grew up in Trumbull and graduated from Trumbull High School. He previously served on the Ethics Commission at the St. Vincent Medical Center and is delighted to serve our Town. Rev. Piccirillo indicated his party affiliation as independent.

VOTE: ADOPTED unanimously.

The Moved by Ms. Colucci, seconded by Ms. Dineley to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

16. RESOLUTION TC25-17: Moved by Mr. Scinto, seconded by Ms. Llodra Gilman.

BE IT RESOLVED, That the recommendation of the appointment by the First Selectman of Robert Miller of 54 Chatfield Drive as an alternate member of the Ethics Commission, be and the same is hereby approved by a 2/3 vote of the Town Council for a term of December 3, 2012 through December 1, 2014.

Mr. Robert C. Miller, Sr. of 54 Chatfield Drive was present and requested his name be amended as such for the record. Mr. Miller has lived in town for 46 years, has been married for 46 years, and has four children and nine grandchildren. He holds two licenses, one as a master plumber and a master HVAC technician. He has served as a police officer for 26 years at the Bridgeport Police Department and retired as a sergeant. He was asked to serve because of his investigation knowledge. Mr. Miller indicated his party affiliation as democrat.

Moved by Ms. Testani, seconded by Ms. Dineley to amend by adding the letter C. and Sr. to the nominee's name. The resolution would read as: RESOLUTION TC25-17: BE IT RESOLVED, That the recommendation of the appointment by the First Selectman of Robert C. Miller, Sr. of 54 Chatfield Drive as an alternate member of the Ethics Commission, be and the same is hereby approved by a 2/3 vote of the Town Council for a term of December 3, 2012 through December 1, 2014.

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

Moved by Mr. Pifko, seconded by Ms. Evangelista to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

17. RESOLUTION TC25-18: Moved by Ms. Evangelista, seconded Mr. Constantini.
BE IT RESOLVED, That the recommendation of the reappointment by the First Selectman of James Stapleton of 6 Winding Way as an alternate member of the Ethics Commission, be and the same is hereby approved by a 2/3 vote of the Town Council for a term of December 2, 2013 through December 7, 2015.

Mr. James Stapleton of 6 Winding Way was not present. First Selectman Herbst spoke on Judge Stapleton's behalf and indicated Judge Stapleton had been a resident of Fairfield until he moved to Trumbull approximately 8 years ago. He is a long-standing member of the Connecticut Bar, practiced law in the city of Bridgeport and later in the city of Stamford where he specialized in white-collar investigations before becoming a partner with this law firm. He was a judge of the Superior Court for the state of Connecticut. The Chair indicated that this is a reappointment and that the Council is familiar with his service on Town's Ethics Commission

VOTE: ADOPTED unanimously.

Moved by Ms. Evangelista, seconded by Mr. Pifko to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

18. RESOLUTION TC25-19: Moved by Ms. Rosasco Schwartz, seconded By Mr. LeClair.
BE IT RESOLVED, That the appointment of Karen Egri of 1 Morningside Terrace as an alternate member of the Board of Finance, be and the same is hereby approved for a term of December 2, 2013 through December 5, 2016.

Moved by Ms. Tesoro, seconded by Mr. Helfrich to amend the resolution by substituting the name for Lanie McHugh and the address 132 Fresh Meadow Road.

(Ms. Colucci left the meeting at 9:35 p.m.)

Mr. Martin recused himself at 9:36 p.m. due to a business relationship with the subject of the amendment.

Ms. Tesoro explained that she is asking that Ms. McHugh address the Town Council because there are three (3) resolutions pertaining to the Board of Finance appointments and there are only two seats available. Should Ms. Egri and Ms. Waizenegger be appointed the third resolution would not be heard and believed Ms. McHugh should have the same opportunity to address the Council as the other 2 nominees.

Ms. McHugh of 132 Fresh Meadow Road was present and indicated her party affiliation as democrat. Ms. McHugh has been a Trumbull resident for 18 years, her husband grew up in Trumbull and this is where they chose to raise their children. She has been actively involved in the budget process for years. She first became involved in PTA and in the PTSA Council and through that she has developed a good understanding of 62% of the Town budget, how we compare to other towns and where the funding comes from.

(Ms. Colucci returned to the meeting at 9:38 p.m.)

Ms. McHugh is interested in serving on the board to be able to give back to the community.

VOTE: Motion FAILED 3-13-1 (ABSTENTION: Colucci)

(Mr. Martin and the Chair not voting)

Ms. Egri of 1 Morningside Terrace was present and indicated her party affiliation as republican. Ms. Egri has been a resident of Trumbull for ten years, five of those years she has served on the WPCA,. She started as an alternate and has served as chairman for the past year. She had an interest in serving on the Board of Finance a few years back but the WPCA had issues she wanted to see through. The timing was not right to leave that board at that time. She holds an MBA from Fairfield University in international business. In her prior career she was heavily involved in the budgeting of a \$20 million business and has been involved in preparing the WPCA budget and presenting to the Town Council's Finance Committee. Ms. Egri is familiar with the MUNIS system so as the Town goes into the budget season she will be prepared. She believes she brings a unique perspective to the Board. She does not have children in the school system but is not anti- education and is not a senior citizen. She is that portion of the population that is in the middle.

VOTE: ADOPTED unanimously.

Moved by Ms. Evangelista, seconded by Mr. Helfrich to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

(Mr. Martin returned to the meeting at 9:42 p.m.)

19. RESOLUTION TC25-20: Moved by Mr. LeClair, seconded by Ms. Evangelista.

BE IT RESOLVED, That the appointment of Kristy Waizenegger of 82 Lorma Avenue as an alternate member of the Board of Finance, be and the same is hereby approved for a term of December 3, 2012 through December 7, 2015.

Moved by Ms. Tesoro, seconded by Mr. Marconi to amend the resolution by substituting the name for Lanie McHugh and the address 132 Fresh Meadow Road.

Mr. Martin recused himself at 9:43 p.m. due to a business relationship with the subject of the resolution.

Ms. Tesoro is asking the Council to consider Ms. McHugh for this position. They had just accepted and appointed Karen Egri as the republican alternate for the Board of Finance and believes the correct configuration for the Board is a democrat alternate, a republican alternate and already in place is the unaffiliated alternate. Ms. Tesoro spoke to the First Selectman's speech at the swearing in ceremony with regard to working together. Ms. Tesoro believes they have a moral obligation to govern together. At this meeting the democrats voted with the majority to appoint a republican to the Board. Ms. Tesoro asked the Council to approve Ms. McHugh as the democrat alternate. To do otherwise would open up questions about minority limitation questions under our Charter. Ms. Tesoro spoke in favor of Ms. Waizenegger's qualifications and believes this is about basic fairness. The Chair reminded the Council when it comes to alternate seating and party affiliations the rule is majority limitation. No particular party can have more than the majority of the positions. There are three alternates for the Board of Finance. Currently there is unaffiliated seated as an alternate, a republican was just voted into another seat the last seat is available to any party affiliation.

VOTE: Motion FAILED 3-12-2 (AGAINST: Testani, DiMasi, De Vita, Dineley, Penkoff, Colucci, Scinto, Evangelista, LeClair, Llodra Gilman, Constantini and Pifko) (ABSTENTION: Blöse and Rosasco Schwartz)
(Not Voting the Chair and Mr. Martin)

Ms. Kristy Waizenegger of 82 Lorma Avenue was present and indicated her party affiliation as republican. She has lived in Trumbull for 14 years and has just finished her second term on the Town Council. Although she chose not to run again she would like to stay involved but in a different capacity. During her time on the Council she worked on four budgets as well as many other resolutions that pertain to financial matters of the Town. She was on the Legislation and Administration Committee. In her professional life she has worked in the insurance industry with an expertise in property-casualty matters as well as contracts. Her work experience includes planning and managing projects as well as their budgets. Her current role is an audit role where she plans and participates in different types of audits with an emphasis on financial data analysis. Her experience on the Council, work experience and skill sets give her the necessary experience for this role and appreciates the Council's consideration.

VOTE: ADOPTED unanimously.

Moved by Ms. Dineley, seconded by Ms Evangelista to pass as Emergency Legislation.

VOTE: Motion CARRIED 16-1 (Against: Tesoro).

(Mr. Martin returned to the meeting at 9:47 p.m.)

20. RESOLUTION TC25-21: BE IT RESOLVED, That the appointment of Lanie McHugh of 132 Fresh Meadow Road as an alternate member of the Board of Finance, be and the same is hereby approved for a term of December 3, 2012 through December 7, 2015.
The Chair stated this resolution is moot.

The Chair announced the Rules & Research meeting was cancelled due to inclement weather therefore the required public hearings noticed for Items #21 & #22 did not take place. The items will be moved to the next Town Council meeting.

Moved by Mr. Pifko, seconded by Mr. Constantini to move RESOLUTION TC25-23 and RESOLUTION TC25-24 to the February Town Council meeting.

VOTE: Motion CARRIED unanimously.

21. RESOLUTION TC25-23: Moved to the February 2014 meeting.

BE IT RESOLVED AND ORDAINED, That Chapter 7, Article II, Fire Protection Board is hereby amended and disbanded for a job well done.

22. RESOLUTION TC25-24: Moved to the February 2014 meeting.

BE IT RESOLVED AND ORDAINED, That the Insurance Commission is hereby disbanded for a job well done.

23. RESOLUTION TC25-25: Moved by Ms. Llodra Gilman, seconded by Ms. Evangelista.

BE IT RESOLVED, That the Voter Redistricting Committee is hereby disbanded for a job well done.

There is no committee report for this item because the Rules & Research Committee meeting was cancelled due to inclement weather.

Ms. Tesoro stated for the record that she would not be voting for this resolution. She did not believe it was a job well done and believes there are problems with how the four districts are made up and believes the Town should return to the seven district plan.

VOTE: ADOPTED 15-3 (AGAINST: Tesoro, Marconi and Helfrich)

ADJOURNMENT:

There being no further business to discuss and upon motion made by Mr. LeClair, seconded by Ms. Evangelista the Trumbull Town Council adjourned by unanimous consent at 9:52 p.m.

Respectfully Submitted,

Margaret D. Mastroni
Town Council Clerk

RESOLUTION TC 25-27: BE IT RESOLVED, That First Selectman Timothy M. Herbst, be and the same is hereby authorized to sign a predevelopment grant application under the Housing For Economic Growth Program pursuant to CGS 8-13 (m-x);

Whereas the Planning & Zoning Commission has recommended this grant application as an opportunity to explore the possibility of incentive housing zones in the Town of Trumbull; and

Whereas the draft Plan of Conservation & Development identifies the need to diversify housing options within the Town of Trumbull; and

Whereas a diverse housing stock is known to contribute to a resilient local economy and community fabric; and

Whereas current Zoning Regulations do not adequately address opportunities for future provision of diverse housing options;

Therefore, be it resolved that the Town Council of the Town of Trumbull:

- (1) Authorizes submission of the Pre-development grant application under the Housing for Economic Growth Program referenced in section 8-13(m-x) of CGS; and
- (2) Identifies, Timothy Herbst, First Selectman, as an individual authorized to sign the pre-development grant application and administer the grant. Summary of such grant application is attached to and made a part of this record.

HOUSING FOR ECONOMIC GROWTH (HEG) GRANT APPLICATION

BACKGROUND: State law requires all cities and towns to provide 10% of its building stock as affordable housing. Trumbull has implemented key measures to advance towards this goal, but still remains at about 5% affordable. Towns that do not meet the state's 10% affordable requirement are vulnerable to litigious and often large-scale affordable developments known as 8-30(g) appeals, which automatically put the town in a defensive stance and allow the developer to override local zoning codes. Like many other desirable towns in the state, Trumbull experienced 8-30(g) developments especially during the bullish economy of the mid-1990s. As the economy recovers from the recession, it is increasingly important to be proactive rather than reactive when considering how to diversify local housing options.

WHAT DOES AFFORDABLE REALLY MEAN?

For some, the term "affordable housing" conjures negative associations with public housing projects, poor living conditions, or even overcrowded schools. It is important to know that today's planning models call for mixed-income housing, where a small portion of the total units are offered to individuals making less than the area median income (AMI). The AMI is a number set by the federal government. Today's AMI in Trumbull is \$106,000 per year.

When a town considers an Incentive Housing Zone (IHZ), it is exploring the possibility of a development where at least 20% of the units would be offered at 80% of the area median income. For a family of four in Trumbull, that would mean a family income of \$85,000 per year. The vast majority of the units would be offered at "market rate" and would not be subject to this affordability restriction.

The 80% AMI rule is widely considered the highest tier of affordability - some planners refer to it as "workforce housing". As the name implies, workforce housing is targeted towards working families, many of whom might work in same town or county, but who would not be able to afford to live locally if not for the provision of some housing units that are lower than the average market rate.

THE OPPORTUNITY: Research has shown that providing some mixed-income housing is important for seniors to age in place, and for young professionals as well as community servants such as teachers, nurses, emergency services personnel, etc. Recognizing that the 8-30(g) process can sometimes produce developments that are incongruous with local community character and zoning, the state has developed another tool known as Incentive Housing Zones (IHZ). This method puts the Town in control of its own mixed-income requirements, including where the structures go, how big they are, and how they relate to the surrounding community. The state is offering grant money for towns to explore the option of IHZ, without any "strings attached". No local funding match, no requirement to implement IHZ zoning or build affordable housing. Peer towns such as Fairfield and Ridgefield have used HEG grant money to explore the option of Incentive Housing Zones.

GRANT SUMMARY

Grant Amount: \$20,000

Application Due: Jan 31, 2014

Local Match: None

Recommended By: Planning & Zoning

Funding Source: State of CT - OPM

Purpose: To hire a qualified third-party to help the town evaluate "Incentive Housing Zones" for mixed-income housing within the Town. The grant does not require that the Town implement said zoning, or build mixed-income housing. We would only be committing to a planning study about Incentive Housing Zones.

QUESTIONS? PLEASE CONTACT

Jamie Bratt | Director of Planning & Development
203-452-5047 | jbratt@trumbull-ct.gov



RESOLUTION

Reconstruction of Moose Hill Road from Daniels Farm Road to the City of Shelton, CT Town Line.

WHEREAS, the Town of Trumbull has published a legal notice display ad, mailed a news release to a number of officials and agencies, and mailed a formal letter to abutting property owners, announcing a public informational meeting on the proposed Local Transportation Capital Improvement Program (LOTICIP) project known as ROADWAY RECONSTRUCTION OF MOOSE HILL ROAD, State Project No. 144-TMP1; and

WHEREAS, a public informational meeting was held on Monday, December 9, 2013 at the Trumbull Library located at 33 Quality Street, Trumbull, CT at 6:30 p.m. at which meeting residents had an opportunity to voice their concerns; and

WHEREAS, upon initiation of the project and during the design phase, a second public informational meeting will be held at the 50% completion of design plans to address various questions raised by the residents at the December 9th, 2013 informational meeting; and

WHEREAS, the Greater Bridgeport Regional Council has selected this project as a regional priority and had agreed to utilize state funds for right-of-way and construction activities; and

WHEREAS, the project is located on a municipally owned road, all phases (preliminary engineering, right of way and construction) will be performed by the Town of Trumbull or its consultant, utilizing 100% State funds for construction and 100% Town funds for design,

WHEREAS, the Trumbull Town council has considered the concerns of the residents from the public informational meeting and finds that the proposed ROADWAY RECONSTRUCTION OF MOOSE HILL ROAD, State Project No. 144-TMP1 is in the best interest of the Town of Trumbull, and will promote the health, safety and general welfare of its residents and provide for convenience and safety of the motoring public.

WHEREAS the Town of Trumbull, based on the above information, and by virtue of this resolution, hereby fully supports the proposed project.

Proposed Revision
SAMPLE TAX ABATEMENT ORDINANCE

Chapter 18. TAX ABATEMENT FOR SURVIVING SPOUSE OF POLICE OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL TECHNICIANS

Sec. 18-60. – Generally.

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

Sec. 18-61. – Purpose.

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

Sec. 18-62. – Definitions.

For purposes of this Ordinance, the following terms shall be defined as follows:

(1) Police Officer. The term "*police officer*" shall be defined as any person who is a duly employed member of a state or municipal police department in the State of Connecticut, serving in an official capacity, full-time or part-time, with or without pay.

(2) Firefighter. The term "*firefighter*" shall be defined as any person who is a duly employed or volunteer member of a fire department in the State of Connecticut, serving in an official capacity, full-time or part-time, with or without pay.

(3) Emergency Medical Technician. The term "*emergency medical technician*" shall be defined as 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 volunteer member of a municipal emergency medical services department in the State of Connecticut, serving in an official capacity, full-time or part-time, with or without pay.

(4) Police Duties. The term "*police duties*" shall be defined as duties which an officer is obligated or authorized by law, regulation, or written condition of employment to perform.

(5) Fire Duties. The term "*fire duties*" shall be defined as 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.

(6) EMT duties. The term "*EMT duties*" shall be defined as 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.

(7) Surviving Spouse. The term "*surviving spouse*" shall be defined accordance with the Connecticut General Statutes.

Sec. 18-63. – Tax Abatement Program

Subject to the eligibility terms and conditions set forth herein, there is hereby established effective the Grand List of October 1, 2013 an abatement of 100% of municipal real property taxes due for five (5) fiscal years following the date of death with respect to real property in the Town of Trumbull owned 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.

Sec. 18-64. – Eligibility.

Municipal real estate taxes due on the real property shall be abated ~~for five (5) fiscal years following the date of death~~ until the earlier of the following events:

- (1) the real property ceases being the surviving spouse's primary residence;
- (2) the surviving spouse conveys legal title to the real property;
- (3) remarriage of the surviving spouse; or
- (4) 90 days after the death of the surviving spouse.

Notwithstanding subparagraphs (1) and (2) above, if a surviving spouse subsequently purchases a different real property in the Town of Trumbull as his or her primary residence and all other qualifying criteria are satisfied, the tax abatement shall apply to the newly purchased property. The tax abatement may only apply to one property at a time.

Sec. 18-65. – Administration.

The Tax Collector and the Tax Assessor shall prescribe such forms and procedures as they deem necessary and appropriate to implement this Ordinance.

The Tax 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.

Further, 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 Ordinance on a fiscal and ongoing basis to be submitted for review by the Town Council and Board of Finance upon request.

Sec. 18-66. – Effective Date.

This Ordinance shall be effective upon the date of adoption.

RESOLUTION TC25-09: BE IT RESOLVED, That Section 5, Order of Business of the Town Council Rules and Procedures is hereby amended to include Public Comment;

4) Public Comment

(A) The Town Council welcomes comments from the public. On the agenda of each meeting of the Town Council, a period shall be set aside and designated as an opportunity for the public to address the Council on any issue of importance to the Town. Each speaker will be allowed an opportunity to speak for a maximum of five minutes. Speakers are not permitted to yield any portion of their time to another speaker(s). Any citizen so speaking shall identify him/herself by name and address, and if the speaker is speaking for a group or organization, she/he may so state. Citizen comments will be accepted as presented. Written statements presented by speakers during the public comment section shall be included in the minutes of the meeting. Immediate replies to questions/concerns should not be expected (Chairman's discretion). The Town Council will not permit any expression of personal complaints or defamatory comments about Town Council members nor against any person connected with the Town of Trumbull or any other individual, firm or corporation.

Connecticut Town Councils that allow Public Comment (Representative Sample)

Mansfield
Rocky Hill
Monroe
South Windsor
Wethersfield
Farmington
Tolland
Avon
Groton
West Hartford
Stratford
Vernon
Southington
Berlin
Windsor
Wallingford
Cheshire
Plainville
Windham
Killingly
Bloomfield
Norwalk
Shelton (BOA)
Milford (BOA)

Connecticut RTMs that allow Public Comment (Representative Sample)

Fairfield
Greenwich
Darien
Westport

As Adopted

TAX ABATEMENT ORDINANCE

Chapter 18. TAX ABATEMENT FOR SURVIVING SPOUSE OF POLICE OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL TECHNICIANS

Sec. 18-60. – Generally.

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

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Municipal real estate taxes due on the real property shall be abated until the earlier of the following events:

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- (3) remarriage of the surviving spouse; or
- (4) 90 days after the death of the surviving spouse.

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