

TOWN COUNCIL  
**Town of Trumbull**  
CONNECTICUT  
www.trumbull-ct.gov

TOWN HALL  
Trumbull

TELEPHONE  
(203) 452-5000



MINUTES  
JUNE 11, 2015

CALLED TO ORDER: The Vice Chairman called the meeting to order at 8:02 p.m. 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	Tony J. Scinto	Vincent DiMasi Jr.
Ann Marie Evangelista	Enrico R. Costantini	Cynthia L. Penkoff
Donna Seidell	Mary Beth Thornton	Edna Colucci
Ennio DeVita	Lori Rosasco Schwartz	Kenneth M. Martin
Daniel Marconi	Vicki Tesoro	Scott Wich
Joseph G. Pifko	Antonio Petitti	

ABSENT: Carl A. Massaro, Jr., Michael J. London, Bethany Llodra Gilman, and Mark S. LeClair

ALSO PRESENT: First Selectman Timothy Herbst, Chief of Staff Lynn Arnow, State Representative of the 134<sup>th</sup> district Laura Devlin and State Representative of the 123<sup>rd</sup> district David Rutigliano.

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1. RESOLUTION TC25-179: Moved by Moved by Mr. Costantini, seconded by Ms. Penkoff.  
BE IT RESOLVED, WHEREAS a special Trumbull Town Council meeting was called on June 11, 2015 and;  
BE IT FURTHER RESOLVED, That the Trumbull Town Council has passed a vote of no confidence in Governor Dannel Malloy, House Speaker Brenden Sharkey, Senate President Martin Looney and the majority party in the Connecticut General Assembly with regard to state budget deliberations and actions taken to raise taxes on the people of the State of Connecticut.

First Selectman Herbst extended his gratitude to State Representative of the 134<sup>th</sup> District Laura Devlin and State Representative of the 123<sup>rd</sup> District David Rutigliano for their hard work and efforts on the state budget and noted that they made Trumbull proud.

Laura Devlin State Representative for the 134<sup>th</sup> district was present and explained the adjectives she has used to describe the state budget have been “shameful”, “horrific” and “reckless”. In 2011, we had the largest state tax increase in history on the promise of a shared sacrifice to solve the state’s problems and deficit. It was to set the state on a great path. Four years later after promises of no deficit and no tax increases we are facing the second largest tax increase in the state’s history. This budget’s core components are:

- Increased income taxes
- Redistributed property taxes
- Reduced exemption for property tax
- Elimination of the exemption on clothing under \$50 totally and during the tax free week it would be for items under \$100 only.

This is bad for the citizens and for the small businesses. During this process, it was clear the people have not been listened to. The people are tapped out. There is no more room to give. This is falling on deaf ears. This is also happening with our businesses. G.E., Aetna and Travelers are a few businesses that are making a lot of noise. If these businesses leave the State all will feel the repercussions. As a member of the Finance Committee at the State level, I saw the original proposal for the State budget. There was no public hearing offered. The Republican caucus did offer a public hearing on the taxes proposed at that time. Over 200 people attended the hearing and over 800 pieces of testimony were provided. Changes were made to the proposed budget, but were not made available for review prior to their vote. Ms. Devlin is proud that she has never been told how to vote. That is not necessarily a universal approach in the assembly. There was management of the board. Republicans were not included in the budget process. They proposed a budget that accomplished what was necessary with no tax increases while supporting social services. This was not listened to or part of the conversations. 40% of the citizens were not represented. There was much pressure to get the votes from the Democrats. The budget doesn’t represent the Democrats either. The vote was called at 5:30 on the morning after they had been up over 24 hours. This was by design to force the votes. Some of her colleagues on both sides of the aisle who were going to vote against the budget but did not because they were promised money for their town. There were some who refused to vote and as a result of their bills were killed. All present at the vote knew the budget was not good, but the question was called by the president of the senate. This had not been done since 1978. This stopped all discussion. Ms. Devlin encouraged all to go back and to listen to Senator Len Fasano’s speech. The speech was spontaneous and from the heart.

David Rutigliano State Representative of the 123<sup>rd</sup> District was present and spoke to the tone deaf nature of the people in Hartford. 48% of all the tax dollars come from Fairfield County. We drive on antiquated roads every day. For some reason they take us for granted. Our people work at G.E and the other businesses along I-95. The Finance Committee received the budget the morning of the vote. \$115 million was taken out of the general fund for the special transportation fund. We had been promised roads and bridges would be

improved. But \$152 million of the transportation fund goes out. This represents a \$6 million net for the transportation fund. They are playing with the numbers. Mr. Rutigliano concurred with everything Ms. Devlin stated at this meeting and noted she has done a great job and is proud to serve with her. They did put out a balanced budget but it was discounted.

First Selectman Herbst asked the State Representatives to expound upon this budget's impact to our hospitals and the effects of SB1 which relates mill rates and car taxes. Trumbull currently has a state of the art cancer facility project. This will bring hundreds of jobs to Trumbull.

Mr. Rutigliano stated in addition to the existing household tax there is a \$160 million coming from the hospitals. There is a 6% hospital rate increase and are taxing ambulatory surgical centers at 6% which were never taxed before. This will get passed on to the patients. Ms. Devlin stated our not for profit hospitals are already operating in the red. The OPM secretary said they are going to the hospitals because that is where the money is. Ms. Devlin disagrees with that and spoke to the number of jobs hospitals create and the amount of goods and services they buy. The hospitals provide free care and programs to those that are in need. This budget is particularly damaging to the hospitals. Mr. Rutigliano stated they fight for the hospitals because the employees live in Trumbull.

First Selectman Herbst stated the Westfield Mall in Trumbull is looking to start phase 2 of their renovation and voiced his concern on how the budget will affect corporations due to the mandatory combined reporting and how the corporation will be taxed. Ms. Devlin stated this may not have an impact to the mall unless it is their headquarters. Mr. Rutigliano stated this is not 100% clear and they are still working through this component. There are countless headquarters in the state of CT. SB1 is an attack on our town sovereignty. Car taxes will be paid to the state of CT and they will reformulate a program to refund the tax back to the town. This was promised once to the hospitals but they only get 50% back. We are scheduled to get more money next year based on the pilot program but there is no guarantee that will stay. The town will not be in control of those funds. There are other provisions in SB1 they find offensive and troublesome.

Ms. Devlin and Mr. Rutigliano explained for First Selectman Herbst that there were no changes accepted with regard to the citizen elections program therefore there were no savings realized in this budget. The republican caucus offered many suggestions and none were adopted.

Mr. Rutigliano noted for the record that every person who voted no for the budget on their side also voted no on every amendment which would have repealed these taxes including the unified reporting act.

Mr. Costantini noted the tax on internet sales will impact every person in the state. Ms. Devlin stated currently there is a .5% tax and there will be a 1% tax on any internet purchases moving forward and will increase to 3% over the next few years. This will impact all consumers and businesses. This is a nuisance tax. Mr. Rutigliano stated this tax is for all goods and services purchased over the internet. Mr. Rutigliano stated they estimate \$40

million of taxes in the first year and \$83 million in the second year after it is increased again. Ms. Devlin stated there are many assumptions in this budget this may be one of them. There is an idea that the people's incomes will be increasing and will be able to afford to purchase more. Ms. Devlin spoke against this assumption.

Ms. Penkoff commended and extended her gratitude the Ms. Devlin and Mr. Rutigliano on all of their work on behalf of the people. Mr. Rutigliano confirmed that the non profit hospitals are being taxed. Ms. Devlin confirmed these would be the only non profits in the state being taxed. Ms. Penkoff stated the hospitals have already had to limit care and lay people off because the existing taxes never went back to them as they were supposed to. Mr. Rutigliano further explained that the hospitals had to change they way they do business as a result of this as well. This will only add to this problem. Ms. Devlin stated Obama care has changed the medical business. Private practices are going to the hospitals asking them to purchase their practices because they can't operate like that any more. Now the hospitals are being penalized for operating the way they were forced to. Ms. Penkoff spoke to the change in the internet taxes. Ms. Devlin concurred and stated local businesses such as Aetna and Travelers will be impacted.

Ms. Devlin stated they had proposed repealing the raises that Governor Malloy gave to his appointed officials and their subsequent reoccurring increases and moving new hires to a 401k benefit as opposed to the pension. This also offered to an existing employee to join the 401k if they wanted to. These proposals were discounted.

Mr. Rutigliano explained for Mr. Pifko they proposed to restore most of the social services that were cut by the governor's budget. Ms. Devlin stated there is \$800 million in departmental over-time. They had suggested to takeout \$200 million which was a very conservative amount. Mr. Rutigliano stated savings that had already been written into the budget could have been realized and that would have balanced the budget. This sums up the general idea of the budget they had proposed. Ms. Devlin stated the budget is irresponsible and added there has to be a better way. Ms. Devlin spoke to lack of leadership in Hartford.

Ms. Tesoro stated the council is being asked to vote on a resolution of no confidence and added this is not the council's job per charter. Ms. Tesoro read a statement into the record (See Attached).

First Selectman Herbst stated he would have disagree with any one who suggests that taking a position to protect our residents and tax payers is political grandstanding. This budget negatively impacts our citizens of Trumbull. It increases taxes and violates the constitutional state spending act that was enacted in 1991 after the income tax was passed. 25 years later state spending has grown to levels as our population continues to decline. We lose 35,000 residents per year. We are losing Trumbull seniors because there is a more favorable tax environment in other states. We are here tonight to ask Governor Malloy and the majority in the legislature to fix the budget they passed. The governor in 2014 told the voters for a second time that he was not going to raise their taxes. We are facing a second round of tax increases that will adversely affect our residents. The budget creates artificial barriers to

those who want to purchase a home, buy clothes and shoes, it puts thousands of jobs at risk and causes people to leave CT's unmatched schools for a state that they can afford. There have been comments from the CEO of GE but there has been a tone deaf response from the governor and the legislature. If they are not going to listen to businesses that are job creators why you would think they would listen to Trumbull. That does not mean Trumbull will not take a stand and act on behalf of its residents and taxpayers. First Selectman spoke to the negative ripple effect if GE leaves the state. There are many people who would be adversely affected by that move. The budget is full of broken promises and does nothing to improve the state. The state's economy is at a breaking point we are 50<sup>th</sup> in job creation, the 46<sup>th</sup> worst state for businesses, and the 5<sup>th</sup> worst state to make a living. If our leaders in Hartford are not going to listen to their constituents and the people, we the people have an obligation to make them listen to us. That is why every community in the state of CT needs to let the governor and the legislature know that these policies are bad for them and for every working family and municipality in the state. This is simple as a first selectman there is a responsibility to fight on behalf of all your constituents that are adversely impacted. This budget is a job killer it will hurt the people of this town. Sometimes you have to stand to be heard and sometimes you have to call people out. This is the right thing to do. Ms. Tesoro added there are state representatives that vote for us in the state legislature, that is their job and this is not the job of the Trumbull Town Council. There is no "vote of no-confidence" in our charter. We are making a political statement with no power to do so. Ms. Tesoro spoke in favor of the residents voicing their concerns to the representatives and the administration in Hartford. This resolution is not the right process. Ms. Tesoro stated this is a conversation the public should hear. This is not something this council should be voting on.

First Selectman asked Ms. Tesoro if she was in favor of this budget. Ms. Tesoro stated no one likes their taxes raised and would not engage in this conversation and/or debate. The Vice-Chair stated this resolution does not vote anything into law it is to send a clear message to Hartford. This is not a political discussion, this is a discussion of the people of Trumbull. First Selectman Herbst stated when he ran for state office last year he took a position where he disagreed with certain republicans with regard to funding pensions and has also disagreed with republicans on the local level. There were ten democrats that had the courage to vote against this budget and asked Ms. Tesoro if she was in favor of the budget and if she would have voted for it. Ms. Tesoro reiterated that she would not engage in debate over the budget it is not germane to the issue. The Vice-Chair stated they are not asking for debate they are asking her as a representative of her district her opinion. Ms. Tesoro stated that is not her job, there are state representatives and that is their job.

Mr. Costantini spoke in favor of this resolution due to the fact the budget does hurt the people of Trumbull. This is where the discussion should take place; there should be a debate on the council floor. Dan Malloy promised not to raise taxes. He stated on the radio after the budget vote that his budget did not raise taxes. Mr. Costantini called on the governor to veto the budget and ask the legislature to reconsider his budget.

Ms. Penkoff spoke to naivety that a line is needed in the charter to be able to vote on this resolution. The charter does not say that they can not. This is an issue that is large and

looming and will affect our residents. Ms. Penkoff called on the governor to veto the budget. She is concerned what the town budget will be like next year after this budget including the assumptions is in place.

Ms. Devlin stated she is in this to fight for the people. This budget doesn't represent democrats, republicans or independents. There was arm twisting to get the votes. If the approach is taken that if we go against "we won't get" that creates the exact is problems in our state. If everyone is looking out for themselves and no one is looking out for the greater good that is how and why CT is turning into a wreck. This is an unprecedented situation and hopes the town of Fairfield takes the same kind of action. It is up to every single elected body and citizen to let their voice be heard. It is not being heard and need more voices.

First Selectman Herbst stated it is not his intent to debate this, he asks the questions because we have to budget at the local level. He has heard rhetoric that he has grown the town's employee head count and has added positions to town government. There is a net reduction of town employees since 2009 with the addition of 6 police officers to the force. He would expect the same discussion and debate on this issue as was with the addition of the Park and Recreation Director. He would expect the same scrutiny if there was the addition of 160-180 positions in state government. There should be consistency in the criticism at the local level and the state level. This budget should be called out for what it is.

Ms. Tesoro stated the republicans had not been included in the budget process. Ms. Devlin stated the budget was received the day of the vote. Ms. Tesoro added she knows how that feels since they went through the same with regard to the Trumbull Compensation Plan.

Ms. Tesoro called the question. First Selectman Herbst stated the republican caucus offered an alternate state budget. In his six years in office he does not recall at the local level the minority ever offering an alternate budget. Ms. Tesoro called point of order. The question had been called. First Selectman Herbst stated the Comp Plan is an ordinance and means nothing unless it was funded. During the last budget the BOF comprised of both democrats and republicans funded a contingency line item that funded the plan.

Ms. Tesoro called the question, seconded by Mr. Marconi.

VOTE: Motion FAILED 5-12 (IN FAVOR: Tesoro, Thornton, Marconi, Wich and Martin)

Mr. Pifko spoke in favor of this meeting. This is serious, there are areas in the country such as Detroit and Atlanta, Georgia where businesses left and/or property values dropped that resulted in entire cu-de-sacs being vacated and Post Roads with shopping centers completely empty. This really does happen. Mr. Pifko stated he hopes other communities have similar meetings because the governor has not heard the people. Perhaps if every town and city in the state had meetings like this and it made the newspapers the governor would see that the people of CT are upset.

The Vice-Chair confirmed this meeting was legally noticed, the public was informed and had the right to come.

VOTE: ADOPTED 13-2-2-(AGAINST: Tesoro and Thornton) (ABSTENTION: Marconi and Wich)

There being no further business to discuss the Trumbull Town Council adjourned by unanimous consent at 9:16 p.m.

Respectfully Submitted,

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Margaret D. Mastroni, Town Council Clerk

Trumbull Democrats call on their fellow Town Council Members to join them in refusing to vote on Resolution TC25-179. There are a myriad of reasons not to participate among them are:

1. Any vote taken by the Council will have no binding effect, serves no useful purpose, and as such is a waste of Volunteer time.
2. This vote will neither help the Town of Trumbull nor the State in any way and may in fact be harmful.
3. Votes of this kind are divisive political theater that may serve to weaken the position of our Governor as he meets with business leaders.

At this sensitive time, when many of our Trumbull Citizens are concerned about their jobs and home values, we find it incredulous that some think this is the time for political grandstanding. The better way is to allow the State Government to continue to meet with business leaders in an effort to address their concerns rather than push the political agenda of a particular party or individual. Trumbull Democrats are focused on Trumbull. The issues in our community are many and need the attention of all of our elected officials.

Consider the following:

Trumbull will be receiving \$4.6 million dollars in state funding, which includes \$3.4 million dollars in Educational Cost Sharing funds. Why would we jeopardize any of this funding by engaging and participating in political shenanigans?

Political gamesmanship with Hartford are not in the best interests of our Community. We remind everyone that the last time the administration decided to play political games with Hartford we lost 49 acres of Trumbull Land, lost control of the award winning Fairchild Wheeler Magnet School. We lost all the infrastructure improvements associated with the magnet school project and finally we lost seats in the magnet school.

We urge our fellow Council members not to participate in a charade that will do no good and perhaps cause harm to our citizens. The Trumbull Town Council should not be used to promote political or personal agendas of any kind.