

TOWN COUNCIL  
**Town of Trumbull**  
CONNECTICUT  
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TOWN HALL  
Trumbull

TELEPHONE  
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MINUTES  
July 6, 2015

CALLED TO ORDER: Vice Chairman Suzanne Testani called the meeting to order at 8:00 p.m. All present joined in a moment of silence and the Pledge of Allegiance. The Vice Chair asked all present to remember the Sutherland family, their son Kevin was tragically taken from this world too soon. Ms. Tesoro stated Kevin Sutherland was a Trumbull High School student of the class of 2009. He was an intelligent, articulate, compassionate, sensitive young man. He died tragically on July 4<sup>th</sup> in Washington, D.C. Ms. Tesoro asked all present to extend their sympathies to Doug and Terry Sutherland who lost their only child to this needless and senseless act.

The Clerk called the roll and recorded it as follows:

PRESENT:

Suzanne S. Testani	Mark S. LeClair	Kenneth M. Martin
Vincent DiMasi Jr.	Ann Marie Evangelista	Enrico R. Costantini
Donna Seidell	Edna Colucci	Cynthia L. Penkoff
Ennio DeVita	Lori Rosasco Schwartz	Bethany Llodra Gilman.
Daniel Marconi	Vicki Tesoro	Joseph G. Pifko
Michael J. London	Scott Wich	Antonio Petitti

ABSENT: Carl A. Massaro, Jr., Mary Beth Thornton, and Tony J. Scinto

ALSO PRESENT: Chief of Staff Lynn Arnow

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Discussion Item: Annual Pension Report - Postponed

1. RESOLUTION TC25-180: Moved by Ms. Tesoro, seconded by Mr. London.  
BE IT RESOLVED AND ORDAINED, Chapter 18, Taxation, Article III-Senior Citizen and Disabled Persons Tax Relief, Regulations Section 18-42 entitled Eligibility and Section \_\_\_\_\_ Senior and Disabled Persons Volunteer Tax Relief of the Trumbull Municipal Code is hereby amended.

Committee Report: The L&A Committee met on June 29, 2015 and voted 3-0-1 (Abstention: Wich) to amend twice, held a Public Hearing where there was no one to speak and voted as amended twice 3-1 (Against: Wich)

Moved by Mr. Costantini, seconded by Ms. Penkoff to amend Chapter 18, Section 18-42, (d) entitled Disqualification, subsection (i) by adding the phrase, “[user fees, or assessments owed to the Town of Trumbull or the Water Pollution Control Authority.](#)” after the word taxes in the first line.

Public Comment: There was one person present to speak. (Public Comment attached).

Mr. Costantini read the proposed amendment and noted the proposed amendment amends the Senior Citizen & Disabled Persons Tax Abatement Program, not the Volunteer Senior Program. This language is already included in the Volunteer Senior Tax program.

The Council discussed the possibility of amending the ordinance to not disqualify at the time of application but changing the provision to disqualify at the time the benefit would be applied/received if there are unpaid taxes and/or user WPCA fees. It was decided the two proposed amendments subject to this resolution could be acted upon at this meeting. The additional amendment pertaining to the timing of disqualification should be a separate resolution before the Council where it could be properly considered and vetted in committee. It would be prudent to review the enabling legislation before adding an additional amendment on the council floor.

VOTE: Motion CARRIED 12-1-5 (Against: Martin) (Abstention: Marconi, Penkoff, Tesoro, Wich and Llodra Gilman)

Moved by Mr. Costantini, seconded by Mr. London to amend Chapter 18, Taxation, Article III, Section \_\_\_\_\_, Senior and Disabled Persons Volunteer Tax Relief subsection (d) entitled Disqualification, (i) by deleting the phrase from the first line that reads as, “~~and (ii) for any grand list year that such resident is also receiving benefits pursuant to the Town’s Senior Tax Deferral Relief Program~~”

Mr. Costantini explained this language is in conflict with State statute as identified by Mr. Wich in committee when the original program/ordinance had been discussed and adopted. Mr. Costantini further explained this amendment does not change the timing of disqualification as discussed earlier at this meeting. The Vice Chairman noted that there would be a board or committee who would qualify the applicants as discussed at the time the ordinance was adopted. Ms. Arnow confirmed that the timing question could be considered at next month’s meeting and should not affect the current applicants’ qualification process for the Senior & Disabled Persons Volunteer Tax Relief program

VOTE: Motion CARRIED 16-1-1 (Against: Martin) (Abstention: Wich)

Mr. Wich spoke against the resolution as twice amended based on process. The proposed amendments were not provided with the agendas. The amendments were not emergent in nature. The information was only made available in the L&A minutes. Mr. Costantini respectfully disagreed and noted the resolution posted was not blank; it states the consideration of amendments to specific sections as identified in the resolution. Anyone interested in any changes to these specific sections had the opportunity to come forward and address their concerns.

VOTE: ADOPTED as twice amended 12-3-3 (Against: Wich, Martin, and Marconi) Abstention: Llodra Gilman, Penkoff and Tesoro)

Approval of Minutes: Moved by Mr. Pifko, seconded by Ms. Rosasco Schwartz to approve the regular June meeting minutes as submitted.

VOTE: Motion CARRIED 17-0-1 (Abstention: Wich)

2. RESOLUTION TC25-181: Moved Ms. Seidell, seconded by Mr. LeClair.  
BE IT RESOLVED, That First Selectman Timothy M. Herbst is hereby empowered to execute and deliver in the name and on behalf of this municipality with the Connecticut State Library for a Historic Preservation Grant.

Committee Report: The L&A Committee met on June 29, 2015 and voted unanimously to amend and as amended unanimously.

Moved by Mr. Costantini, seconded by Ms. Penkoff to amend by adding the words “a **contract**” after the word municipality. The resolution would read as:

RESOLUTION TC25-181: BE IT RESOLVED, That First Selectman Timothy M. Herbst is hereby empowered to execute and deliver in the name and on behalf of this municipality **a contract** with the Connecticut State Library for a Historic Preservation Grant.

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

3. RESOLUTION TC25-183: Moved by Mr. Wich, seconded by Ms. Penkoff.  
BE IT RESOLVED, That the recommendation of the appointment by the First Selectman of Larry Fullerton of 44 Old Saw Mill Road 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 extending to December 7, 2015.

Committee Report: The L&A Committee met on June 29, 2015 and voted unanimously to amend by removing the typo where “BE IT RESOLVED” read twice in a row and voted unanimously as amended to send without recommendation.

Mr. Fullerton of 44 Old Saw Mill Road was present and indicated his party affiliation as democrat. Mr. Fullerton stated he has been a resident of Trumbull since 1997 and has prayed at the Fourth of July and the Memorial Day parades on occasion over the years.

Mr. Fullerton is a pastor at the Black Rock Congregational Church in Fairfield. He looks forward to serving his town on the Ethic's Commission if that is the council's pleasure.

Ms. Tesoro stated she would be abstaining from this resolution due to the process of how the nominee was nominated. They were not aware that Mr. Stapleton had stepped down from the commission. Had they known, perhaps they would have put forth the candidate they did so the last time.

VOTE: ADOPTED 15-2-1 (Against: Marconi and Wich) (Abstention: Tesoro)

4. RESOLUTION TC25-185: Moved by Mr. Marconi, seconded by Mr. London.  
BE IT RESOLVED, That the Emergency Management Shelter Building Committee is hereby disbanded for a job well done.

Committee Report: Committee Report: The L&A Committee met on June 29, 2015 and voted to amend unanimously and as amended unanimously.

Moved by Mr. Costantini, seconded by Mr. Marconi to amend to add the phrase “with appreciation” after the word disbanded. The resolution would read as, RESOLUTION TC25-185: BE IT RESOLVED, That the Emergency Management Shelter Building Committee is hereby disbanded with appreciation for a job well done.

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

5. RESOLUTION TC25-186: WITHDRAWN  
BE IT RESOLVED, That the First Selectman is hereby authorized to accept on behalf of the Town of Trumbull, a Department of Social Services grant in the amount of \$150,000 to undertake renovation and improvements to the kitchen facilities at the Trumbull Senior Center, and  
BE IT FURTHER RESOLVED, that First Selectman is hereby authorized to enter into and execute any and all agreements, contracts and documents necessary to obtain and administer the aforementioned Department of Social Services Grant.

Ms. Arnow stated there is a current Building Committee for the Senior/Library Center. The Building Committee will be providing the council with a recommendation in approximately 60 days. If the Building Committee recommends new construction for the center, the grants available to the town clearly read renovation. So it would be prudent to wait for the Building Committee's recommendation and if it is for new construction the town would then ask the State and OPM to change the language of the grants formally. There is sufficient time left on both the \$20,000 and the \$150,000 grant to wait.

Mr. Wich questioned when the Building Committee would provide their quarterly report. Ms. Arnow stated they are looking to August for the update. The committee has been doing a lot research and has increased their meetings to every other week. The committee

will update the council after they receive more information. The Vice Chairman stated the committee was currently conducting site visits. Ms. Tesoro added that the committee has a duty to report to the council every three months. The committee began in March of 2015, the first report should have been in June and hopes the report will be done in August. Ms. Arnow added that some of the key components were necessary for the committee to meet with the Director of Public Works who was on vacation. The committee needed to wait until his return.

Mr. London on behalf of the council extended his gratitude to Vice Chairman Suzanne Testani for running this meeting in the regular chairman's absence.

There being no further business to discuss and upon motion made by Mr. London, seconded by Mr. DiMasi the Trumbull Town Council adjourned by unanimous consent at 8:54 p.m.

Respectfully Submitted,

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Margaret D. Mastroni, Town Council Clerk

## Public Comment

Marshall Marcus of 91 Stonehouse Road was present and spoke to Resolution TC25-180. He would like to see the provision for disqualification be changed to disqualify the person at the time the benefit would be applied not at the time of application. He further explained that he is a Trust Administrator who represents many seniors whose only income comes in once a year and because of that are habitually late paying their taxes because they have to wait for the one time disbursement of their income to pay their taxes and/or other bills.