

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

TELEPHONE  
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MINUTES  
JANUARY 4, 2016

CALL TO ORDER: The Chair called the regular meeting of the 26<sup>th</sup> session of the Town Council to order at 8:04 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:

Jack Testani	Edna Colucci	Joe Pifko
Donna Seidell	Jason Marsh	Ann Marie Evangelista
Bill Mecca	Carl Massaro, Jr.	Matt Caron
Dawn Cantafio	Vincent DiMasi, Jr.	Lori Rosasco-Schwartz
Thomas Whitmoyer	Mark Block	Mary Beth Thornton
Lisa Valenti	Tony Scinto	Enrico Constantini
Richard Kascak, Jr. (Sworn in at 8:12 p.m.)		

Absent: Michael London, and Mark LeClair.

The Chair extended his gratitude to the council members for coming out during the holidays to the committee meetings.

The Chair welcomed the new council members to this session:

District 1: Jack Testani, Dawn Cantafio, and William Mecca

District 2: Thomas Whitmoyer

District 3: Attorney Jason Marsh and Mark Block

District 4, Matt Caron and Lisa Valenti

The Chair extended his gratitude to the council for electing him Chairman and Mr. Pifko as Vice-Chairman.

PUBLIC COMMENT: There was one person present to speak. (See Attached Public Comment).

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BUSINESS:

1. RESOLUTION TC26-1: Moved by Mr. Costantini, seconded Mr. Testani.  
BE IT RESOLVED, That \_\_\_\_\_ of \_\_\_\_\_, be and the same, is hereby approved as the District 2 Town Council representative for a term extending to the first Monday of December 2017.

Moved by Mr. Costantini, seconded Mr. Block to amend to read as, “BE IT RESOLVED, That Richard Kascak, Jr. of 660 White Plains Road, be and the same, is hereby approved as the District 2 Town Council representative for a term extending to the first Monday of December 2017.

VOTE: Motion CARRIED unanimously. (Republicans only voted).

VOTE: ADOPTED as amended. (Republicans only voted).

Mr. Richard Kascak, Jr. was sworn in by Town Council Chairman Carl A. Massaro, Jr. at 8:12 p.m. The Chair stated that Mr. Kasack resides on White Plains Road and has been a practicing attorney for many years and welcomed him and his service to all of the Town of Trumbull as well as District 2.

2. RESOLUTION TC26-2: Moved Mr. Pifko, seconded by Mr. Block.  
BE IT RESOLVED, That \$6,137 is hereby appropriated from the General Fund to Social Services 01050000-501101 Salaries FT, \$2,965, Senior Center 01050600-501101 Salaries FT, \$3,172.

Committee Report: The R&R Committee met on December 29, 2015 and voted unanimously.

First Selectman Herbst took this opportunity to congratulate the new Council and Attorney Kascak.

First Selectman Herbst explained there has been some concern with this resolution increasing the number of Town employees. The Director of Nursing will reduce an administrative assistant from full time to part time. This resolution represents converting two part time positions to one full time position. This combined with the Director of Nursing’s reduction results in a net reduction of a .5 position.

First Selectman Herbst explained for Mr. Mecca the budget that will be presented on February 10<sup>th</sup> will address the Senior Center’s reception coverage gaps more than adequately. In addition, the budget recommendations build upon an audit done by the Town’s Internal Auditor. For example the bussing staff is not being utilized to the best of its ability. A plan will be implemented that will maximize availability of the drivers for the senior population as a whole. First Selectman Herbst referred to the audit and further

explained the bus drivers are carrying out responsibilities that are outside their job descriptions such as clerical tasks. The drivers should be meeting the transportation needs of the elderly. The coming budget will maximize this. Many seniors at Senior Assisted Living facilities have expressed senior transportation services in town are inadequate. The budget will maximize the existing bus driver staff to better meet the needs of the entire senior population in a more thoughtful and prepared scheduling for transit service and is confident this model will work. It is supported by the Senior Center Director and the Director of Nursing.

First Selectman Herbst explained for Mr. Whitmoyer the current part timers can not work more than 19.5 hours. If they do this would trigger eligibility for health benefits. The director currently works with 2 part timers, which creates coverage gaps and turnover is inherent with a part time staff. This creates a cycle of training and retraining staff for the Director. This takes the Director away from her duties such as planning programs and increasing program offerings. This is important especially if the Town plans on building a new center. A full time administrative assistant will provide continuity. The part time nursing administrative assistant will supplement coverage. The current model takes the Senior Center Director away from her duties. Currently there are 6,000 seniors living in Trumbull. There are 750 seniors enrolled at the Senior Center of those enrolled 50% are from other towns. First Selectman Herbst wants Trumbull residents to use the Senior Center and not to leave to go to other communities' senior centers. The Director needs to focus on senior programming. Every other department that works with the public has a full time administrative assistant. If a new center is built the Director should be given the tools to do her job rather than back filling positions and training and retraining part timers. This resolution is before the council now because there is need now. Otherwise it would have waited for July 1<sup>st</sup>. There are additional reorganizations and efficiencies recommended in the coming budget which will improve services provided at the existing center, the new center and address many concerns discussed at this meeting.

VOTE: ADOPTED 17-0-1 (ABSTENTION: Schwartz)

3. RESOLUTION TC26-3: Moved by Mr. Block, seconded by Mr. Pifko.  
BE IT RESOLVED, That pursuant to the dissolution of the Trumbull Monroe Health District, the Town of Trumbull hereby accepts distribution of personal property from the District and releases the District and the Board members from liability.

Committee Report: The L&A Committee met on December 28, 2015 entered into Executive Session to discuss possible litigation and voted unanimously.

The Chair reminded the Council if there is a need for discussion and/or questions on this item they will need to enter into Executive Session first.

Mr. Marsh recused himself at 8:31 p.m. due to the fact he represents a creditor of the Health District.

Ms. Thornton noted the L&A committee received a document that the whole Town Council has not seen to date. The Chair noted that information can be shared by the respective caucuses. Copies of the document were provided to the full Town Council at this meeting and were reviewed in Executive Session.

Moved by Mr. Costantini, seconded by Mr. Block to ENTER into EXECUTIVE SESSION for the purpose of discussing possible litigation.

VOTE: Motion CARRIED unanimously.

The Town Council ENTERED into EXECUTIVE SESSION at 8:33 p.m. with Town Council members Jack Testani, Edna Colucci, Joe Pifko, Donna Seidell, Jason Marsh, Ann Marie Evangelista, Bill Mecca, Carl Massaro, Jr., Matt Caron, Dawn Cantafio, Vincent DiMasi, Jr., Lori Rosasco-Schwartz, Thomas Whitmoyer, Mark Block, Mary Beth Thornton, Lisa Valenti, Tony Scinto, Enrico Constantini, Richard Kascak, Jr., Town Attorney Dennis Kokenos, First Selectman Timothy Herbst and Chief of Staff Lynn Arnow present.

Moved by Mr. Whitmoyer, seconded by Mr. Block to END Executive Session.

VOTE: Motion CARRIED unanimously.

The Town Council ENDED Executive Session at 9:08 p.m.

VOTE: ADOPTED unanimously.

(Mr. Marsh returned to the meeting at 9:10 p.m.)

Moved by Mr. Testani, seconded Ms. Schwartz to take item #7 out of order.

VOTE: Motion CARRIED unanimously.

4. RESOLUTION TC25-7: Moved by Mr. DiMasi, seconded by Mr. Whitmoyer  
BE IT RESOLVED, That funding for a labor agreement between the Town of Trumbull and the Fire Marshal's Union Local 1303-277, Council 4, AFSCME, AFL-CIO July 1, 2014 through June 30, 2017 is hereby approved.

Committee Report: The L&A Committee met on December 28, 2015 and entered into Executive Session to discuss contractual strategies and voted unanimously.

(Ms. Colucci left the meeting 9:10 p.m.) (Mr. Scinto left the meeting at 9:11 p.m.)

(Mr. Scinto returned to the meeting at 9:12 p.m.)

VOTE: ADOPTED 16-0-1 (ABSTENTION: Scinto) (Ms. Colucci was not present to vote.)

Moved by Ms. Schwartz, seconded by Ms. Thornton to take item #8 out of order.

VOTE: Motion CARRIED unanimously.

(Town Attorney Kokenos and First Selectman Herbst left the meeting at 9:13 p.m.)

5. RESOLUTION TC26-8: Moved by Ms. Valenti, seconded by Cantafio.  
BE IT RESOLVED, That the Town attorney is hereby authorized to settle a worker's compensation claim known as Todd Ivanovich v. the Town of Trumbull.

Committee Report: The L&A Committee met on December 28, 2015 and entered into Executive Session to discuss pending litigation and voted unanimously.

The Chair reminded the Council that this item represents pending litigation if discussion is necessary they will need to enter into Executive Session.

VOTE: ADOPTED unanimously.

6. RESOLUTION TC26-9: HELD IN COMMITTEE  
BE IT RESOLVED, That an agreement for an Early Retirement Offering between the Town of Trumbull and the UPSEU Local 424 Supervisors (MATHAS) is hereby approved.
7. RESOLUTION TC26-10: HELD IN COMMITTEE  
BE IT RESOLVED, That an agreement for an Early Retirement Offering between the Town of Trumbull and the DPW Supervisors' Union is hereby approved.

Moved by Mr. Costantini, seconded by Ms Seidell to take item #11 out of order.

VOTE: Motion CARRIED unanimously.

8. Resolution TC26-11: Moved by Mr. Caron, seconded by Mr. Block.  
BE IT RESOLVED, That the appointment of \_\_\_\_\_ of \_\_\_\_\_, be and the same, is hereby approved as an alternate member of the Board of Finance for a term extending to the first Monday of 2018.

Committee Report: The R&R Committee met on December 29, 2015 voted to amend unanimously and as amended unanimously.

The Chair recognized the amendment in committee.

Moved by Mr. Testani, seconded by Mr. Block to amend the resolution to read as,  
"Resolution TC26-11: BE IT RESOLVED, That the appointment of Ted Chase of 27 Francis Street, be and the same, is hereby approved as an alternate member of the Board of Finance for a term extending to the first Monday of 2018

VOTE: Motion CARRIED 16-0-1 (ABSTENTION: Cantafio) (Ms. Colucci was not present to vote)

The Chair indicated for Ms. Thornton that he and Mr. Pifko had sponsored this resolution. Ms. Thornton stated the next resolution was brought to the \Council based on a conversation with the First Selectman and the candidate. It was indicated that the seat would be that candidate's. Ms. Thornton spoke to civility and bipartisanship and the promise that was

made that the new Council would work together. On November 20<sup>th</sup> she asked for a meeting with the First Selectman to speak about boards and commissions candidates. The First Selectman has not met with her to date and voiced her disappointment. Ms. Thornton stated the committee met prior to the committee meeting for this resolution and noted these should not be political appointments.

Mr. Costantini noted the Republican caucus met prior to the committee not the R&R committee itself. Mr. Costantini noted that the first selectman does not have the authority to appoint a Board of Finance alternate, the appointing authority is the Town Council. Mr. Costantini was not a party to any discussions of appointing the candidate of the next resolution. Mr. Massaro and Mr. Pifko brought this resolution forward it was discussed in committee and voted upon. There was nothing not civil about this appointment.

VOTE: ADOPTED as amended 11-6 (AGAINST: Thornton, Whitmoyer, Marsh, Mecca, Valenti and Canatfio) (Ms. Colucci was not present to vote)

9. Resolution TC26-12: The Chair rendered this resolution moot since the vacancy has been filled by the prior resolution.

BE IT RESOLVED, That Vicki Tesoro of 133 Beechwood Avenue, be and the same, is hereby appointed as an alternate member of the Board of Finance for a term to the first Monday of December 2018.

10. RESOLUTION TC26-4: Moved by Mr. Scinto, seconded by Mr. Block.

BE IT RESOLVED, That Resolution TC25-153 is amended to expand the membership of the Senior/Community Center & Library Study and Building Committee to eight (8) members, two (2) Town Council representatives and six (6) residents of the Town of Trumbull.

(Ms. Colucci returned to the meeting at 9:22 p.m.)

Committee Report: The L&A Committee met on December 28, 2015 and voted unanimously.

VOTE: ADOPTED unanimously.

11. RESOLUTION TC26-6: Moved by Ms. Evangelista, seconded by Mr. Pifko.

BE IT RESOLVED, That Joseph Costa of 150 Beechwood Avenue, be and the same, is hereby appointed a member of the Senior/Community Center & Library Study and Building Committee.

Committee Report: The L&A Committee met on December 28, 2015 and voted unanimously.

VOTE: ADOPTED unanimously.

12. RESOLUTION TC26-5: Moved by Mr. Marsh, seconded by Mr. Whitmoyer.  
BE IT RESOLVED, That \_\_\_\_\_ of \_\_\_\_\_, be and the same, is hereby appointed a Town Council representative of the Senior/Community Center & Library Study and Building Committee.

Committee Report: The L&A Committee met on December 28, 2015 voted to amend unanimously and as amended unanimously.

The Chair recognized the amendment in committee.

Moved by Mr. Whitmoyer, seconded by Mr. Marsh to amend the resolution to read as, “RESOLUTION TC26-5: BE IT RESOLVED, That Dawn Cantafio of 72 Tait Road, be and the same, is hereby appointed a Town Council representative of the Senior/Community Center & Library Study and Building Committee.”

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

13. RESOLUTION TC26-13: Moved by Ms. Seidell, seconded by Mr. Block.  
BE IT RESOLVED, That Richard Deecken of 6233 Avalon Gates, be and the same is hereby appointed as an alternate member of the Planning & Zoning Commission for a term extending to the first Monday of December 2020.

Committee Report: The R&R Committee met on December 29, 2015 voted to amend unanimously and as amended unanimously.

The Chair recognized the amendment in committee.

Moved by Ms. Schwartz, seconded by Mr. Block to amend the resolution to read as, “RESOLUTION TC26-13: BE IT RESOLVED, That Richard Deecken of 679 Garden Street, be and the same is hereby appointed as an alternate member of the Planning & Zoning Commission for a term extending to the first Monday of December 2018.”

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

Moved by Mr. Costantini, seconded by Ms. Colucci to pass as EMERGENCY LEGISLATION.

VOTE: Motion CARRIED unanimously.

14. RESOLUTION TC26-14: Moved by Ms. Cantafio, seconded by Mr. Costantini.  
BE IT RESOLVED, That the reappointment by the First Selectman of Timothy Cantafio of 72 Tait Road, be and the same, is hereby approved as an alternate member of the Board of Assessment Appeals for a term extending to the first Monday of December 2019.

Committee Report: The R&R Committee met on December 29, 2015 voted to amend unanimously and as amended unanimously.

VOTE: ADOPTED as amended unanimously.

15. RESOLUTION TC26-15: Moved by Ms. Colucci, seconded by Mr. Block.  
BE IT RESOLVED, That the recommendation of the First Selectman to reappoint Thomas Lee of 29 Cobblers Hill Road, be and the same, is hereby approved as a member of the Ethics Commission for a term extending to the first Monday of December 2020.

Committee Report: The R&R Committee met on December 29, 2015 voted unanimously.

VOTE: ADOPTED unanimously.

16. RESOLUTION TC26-16: Moved by Mr. Testani, seconded by Ms. Schwartz.  
BE IT RESOLVED, That the recommendation of the First Selectman to appoint Mark Gurevitz of 26 Copper Kettle, be and the same, is hereby approved as a member of the Ethics Commission for a term extending to the first Monday of December 2019.

Committee Report: The R&R Committee met on December 29, 2015 voted unanimously.

VOTE: ADOPTED unanimously.

The Chair noted Ethics Commission appointments require a 2/3 affirmative vote of the Town Council (14 votes). The vote on Resolution TC26-16 was unanimous and meets this requirement. The same requirement is for Resolution TC26-17

17. RESOLUTION TC26-17: Moved by Ms. Schwartz, seconded Mr. Caron.  
BE IT RESOLVED, That the recommendation of the First Selectman to appoint Larry Fullerton of 44 Old Sawmill Road, be and the same, is hereby approved as an alternate member of the Ethics Commission for a term extending to the first Monday of December 2017.

Committee Report: The R&R Committee met on December 29, 2015 voted to amend unanimously and as amended unanimously.

The Chair recognized the amendment in committee.

Moved by Mr. Pifko, seconded by Ms. Seidell to amend the resolution to read as reappoint.

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

18. Resolution TC26-18: Moved by Mr. Mecca, seconded by Ms. Seidell.

BE IT RESOLVED, That the reappointment of James Meisner of 133 Beechwood Avenue of 62 Driftwood Lane, be and the same, is hereby approved as a member of the Pension Board for a term extending to the first Monday of December 2019.

Committee Report: The R&R Committee met on December 29, 2015 voted to amend unanimously and as amended unanimously.

The Chair recognized the amendment in committee.

Moved by Mr. Whitmoyer, seconded by Ms. Cantafio to strike the address of 133 Beechwood Avenue.

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

19. Resolution TC26-19: Moved by Ms. Evangelista, seconded by Ms. Schwartz.

BE IT RESOLVED, That the appointment of Lori Ann Boveroux of 23 Center Road, be and the same, is hereby approved as an alternate member of the Zoning Board of Appeals for a term extending to the first Monday of December 2019.

Committee Report: The R&R Committee met on December 29, 2015 voted unanimously.

VOTE: ADOPTED unanimously.

20. Resolution TC26-20: Moved Mr. DiMasi, seconded Mr. Block

BE IT RESOLVED, That the appointment of Larry LaConte of 1349 Huntington Turnpike, be and the same, is hereby approved as an alternate member of the Planning & Zoning Commission for a term extending to the first Monday of December 2018.

Committee Report: The R&R Committee met on December 29, 2015 voted to amend unanimously and as amended unanimously.

The Chair recognized the amendment in committee.

Moved by Mr. Caron, seconded by Mr. DiMasi to amend the term to read as 2017.

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

APPROVAL OF MINUTES: Motion made by Mr. Costantini, seconded by Mr. Testani to approve the December 2015 Organizational meeting minutes.

VOTE: Motion CARRIED 15-0-3 (ABSTENTION: Colucci, DiMasi and Kascack)

There being no further business to discuss and upon motion made by Ms. Cantafio, seconded by Ms. Seidell the Town Council adjourned by unanimous consent at 9:45 p.m.

Respectfully Submitted,

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Margaret D. Mastroni, Town Council Clerk

Public Comment

There was one person present to speak.

Ms. Cindy Penkoff of 101 Columbine Drive was present and apologized for whatever she had done in the past eight weeks to negate the praise and genuine expression of loss that was presented during her final meeting of the council. She apologized for whatever she had done to wish her not to occupy the seat, ignore the wishes of the District 2 Town Committee members, TRTC chairman and the 1,000 voters. The person who has the seat has done nothing wrong and extended her sympathy to him. The Chairman and Vice Chairman chose to use a Charter rule to put him in a seat that was never claimed by a candidate elect not a vacated seat.

The Chair stood by his words to Ms. Penkoff at the November Town Council meeting, wished her well and hopes she continues in her community service.