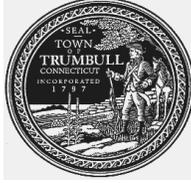


TOWN COUNCIL
Town of Trumbull
CONNECTICUT
www.trumbull-ct.gov

TOWN HALL
Trumbull

TELEPHONE
(203) 452-5005



MINUTES
May 2, 2011

CALL TO ORDER: Chairman Carl A. Massaro, Jr., called the meeting to order at 8:03 p.m. at the Trumbull Town Hall, Trumbull, Connecticut. All present joined in a moment of silence; the Chair asked all present to remember the brave men and women of our military who conducted a successful operation locating Osama Bin Laden's compound yesterday and to remember all of our citizens which were lost at the 9/11 tragedy the moment of silence was followed by the pledge of allegiance.

ROLL CALL: The clerk called the roll and recorded it as follows:

PRESENT

Suzanne S. Testani Mark S. Altieri
David R. Pia Carl A. Massaro, Jr.
Michael J. London Roberta A. Bellows
Tony J. Scinto Jeff S. Jenkins
Daniel Helfrich Debra A. Lamberti
Chadwick Ciocci Robert J. Pescatore, Jr.
.Kristy L. Waizenegger
Mary Beth Thornton
Ann Marie Evangelista
Martha A. Jankovic-Mark

ABSENT

John M. Rotondo
Michael Rappa
James F. Meisner
Jane Deyoe
John A. DelVecchio, Jr.

Also Present: Chief of Staff, Mr. Dan Nelson, Chairman of the Charter Revision Commission Judge Chiota, Charter Revision Commissioner James Cordone, Barbara Crandall of EMS, Mike DelVecchio, of EMS, Vi Watson of EMS and Town Attorney Edward Walsh,

* Chairman Carl A. Massaro, Jr. exercised his right not to vote unless otherwise noted.

APPROVAL OF MINUTES: Moved by Mr. Pia, seconded by Ms. Thornton to accept the April 4, 2011 meeting minutes as submitted.

VOTE: Motion carried unanimously.

DISCUSSION ITEM: Gary STAmmand of the State of Connecticut Department of Health, Heart Disease & Stroke Prevention program presented A Heart Safe Designation to the Town of Trumbull. The wait after calling 911 can be some of the longest moments in a

person's lifetime. The Heart Safe Program is intended for people suffering from a sudden cardiac event to fill in those longest moments. The majority of bystanders to cardiac events are friends, family, coworkers; the earlier the care the better are the chances of survival. Bystanders properly trained in CPR and the use of automated external defibrillators (AED's) should be able to increase the chance of survival and fill in those longest moments by providing care until emergency help has arrived. A Heart Safe Community means that a chain of survival has been established. The Heart Safe Designation does not end with the presentation of the certificate at this meeting; it represents a commitment by the Town of Trumbull to continue to train the people of Trumbull and to strive to increase the number of AED's in the community.

Town Council Vice-Chairwoman Mrs. Testani and Mrs. Crandall of EMS accepted the Heart Safe designation certificate on behalf of the Town of Trumbull. Mrs. Crandall stated that EMS is very proud for having achieved this goal, noting that this designation was the goal of the Southwest Community, and extended her gratitude to the Town of Trumbull for having been proactive and understanding the importance of having the AED's within the town.

The Chair on behalf of the Town of Trumbull thanked the Department of Public Health for this recognition and to all of the firefighters, police and emergency medical service personnel in town for their great service to the community.

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1. RESOLUTION TC23-146: Moved by Mr. London, seconded by Mr. Ciocci.

BE IT RESOLVED, That the appointment of Michael Knight, 7 Crescent Lane as a member of the Pension Board, be and the same is hereby approved for a term extending to December 2, 2013.

Committee Report: The R&R Committee met on April 25, 2011 and voted 4-0 unanimously to recommend.

VOTE: Adopted unanimously.

2. RESOLUTION TC23-155: Moved by Ms. Testani, seconded by Mr. Altieri.

BE IT RESOLVED, That the appointment of James Lavin of 71 Arden Road as a member of the Pension Board, be and the same is hereby approved for a term extending to December 3, 2012.

Committee Report: The R&R Committee met on April 25, 2011 and voted 4-0 unanimously to recommend and recommended emergency legislation to ensure a quorum for the next Pension Board meeting.

VOTE: Adopted unanimously.

Moved by Mr. Altieri, seconded by Mr. Pia to make Resolution TC23-155 emergency legislation.

VOTE: Motion carried unanimously.

Moved by Mr. Altieri, seconded by Mr. London to make Resolution TC23-146 emergency legislation.

VOTE: Motion carried unanimously.

3. RESOLUTION TC23-156: Moved by Mr. Evangelista, seconded by Ms. Lamberti.

BE IT RESOLVED, That the appointment by the First Selectman of Dr. Guido J. Napolitano of 13 Wesley Drive to the Trumbull-Monroe Health District, be and the same is hereby approved for a term extending to March 3, 2014.

Committee Report: The R&R Committee met on April 25, 2011 and voted 4-0 unanimously to recommend.

VOTE: Adopted unanimously.

4. RESOLUTION TC23-157: Moved by Mr. Ciocci, seconded by Mr. London
BE IT RESOLVED, That the appointment by the First Selectman of Dr. Adolfo J. Luciano of 14 Heatherfield Drive to the Trumbull-Monroe Health District, be and the same is hereby approved for a term extending to March 3, 2014.

Committee Report: The R&R Committee met on April 25, 2011 and voted 4-0 unanimously to recommend.

VOTE: Adopted carried unanimously.

5. RESOLUTION TC23-158: Moved by Mr. London, seconded Ms. Testani.

BE IT RESOLVED, That the submittal of the first draft of the Charter Revision is hereby accepted.

Committee Report: The L&A Committee met on April 25, 2011 and voted to recommend 3-0-1 (Abstention: Altieri).

Chairman of the Charter Revision Commission, Judge Chiota confirmed for the Chair and Mr. London that the resolution before the Town Council represents the acceptance of the draft report; it is not the adoption of set of recommendations.

Judge Chiota had distributed a current copy of the Trumbull Town Charter (yellow cover), a red-lined version of the draft of the proposed Trumbull Town Charter, a black and white copy of the proposed draft of the Trumbull Town Charter (without the editing), a copy of the report with the timeline of events and the schedule of requirements per the state statute (starting from the Public hearing of the Charter Revision through the end of the procedure).

The statute reads that the 45-day period begins when the draft is filed with the Town Clerk, which was done this morning, May 2, 2011. The Town Council

has 45 days from May 2, 2011 to hold one or more public hearings on the draft, once the last public hearing is held, another time line begins, not later than 15 days after the Town Council's last public hearing on the draft the Town Council shall submit a report to the Charter Revision Commission recommending changes to the Draft Report (not required). The Judge reviewed the timeline with the Town Council; the Charter Revision Commission stands ready to meet with the Town Council at any time, expecting that meeting would take place after the public hearing. The Charter Revision commission can meet with the Town Council either before the recommendations is made by the Town Council or a joint meeting after during the 30 day period. The final date by statute is September 9, 2011; everything has to be completed by that date including the final vote by the Town Council in order for the Charter Revision to be ready for the election in November. Judge Chiota requested that the Clerk make sure that those council members who are absent from the meeting be mailed their copies of the Charter Revision draft. The clerk agreed.

In response to Ms. Testani, Judge Chiota stated that the statute does not specify whether the public hearing should be held by the full Town Council or the Legislation & Administration Committee, suggesting that the full town Council hold the public hearing, since the statute does not specify.

VOTE: Adopted 13-1-1 (Against: Pescatore) (Abstention: Mark)

6. RESOLUTION TC23-159: Moved by Ms. Waizenegger, seconded by Mr. London.

BE IT RESOLVED, WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Economic and Community Development pursuant to Public Law 93-3 83, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Economic and Community Development is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Trumbull make application to the State of Connecticut for \$300,000.00 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered,

THEREFORE, BE IT RESOLVED BY THE Trumbull Town Council, that this legislative body is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and, that the filing of an application by the Town of Trumbull in an amount not to exceed \$300,000.00 is hereby approved, and that Timothy M. Herbst, First Selectman of the Town of Trumbull is hereby authorized and directed to file such application with the Commissioner of the Department of

Economic and Community Development, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Trumbull.

Committee Report: The L&A Committee met on April 25, 2011 and voted 3-0 to recommend, Mr. Jenkins had recused himself at the committee meeting.

Mr. Jenkins recused himself at 8:28 p.m.

VOTE: Adopted 12-2 (Against: Ciocci and Pia)

Mr. Jenkins returned to the meeting at 8:29 p.m.

7. RESOLUTION TC23-160: Moved by Ms. Bellows, seconded by Mr. Altieri.

BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a worker's compensation claim known as Francis Morlando vs. the Town of Trumbull.

Committee Report: The L&A Committee met on April 25, 2011 and voted unanimously to amend the resolution and voted unanimously as amended to recommend the resolution.

The Chair recognized the amendment in committee.

Moved by Mr. London, seconded by Mr. Ciocci to amend Resolution TC23-160 to read as, "RESOLUTION TC23-160: BE IT RESOLVED, That the Town Attorney is hereby authorized to settle up to the recommended amount, a worker's compensation claim known as Francis Morlando vs. the Town of Trumbull".

Vote: Motion to amend carried unanimously.

VOTE: Adopted as amended unanimously.

8. RESOLUTION TC23-161: Moved br. Scinto, seconded by Ms. Testani.

BE IT RESOLVED, WHEREAS the Congress of the United States has passed the Armstrong/Walker "Excessive Force" Amendment (P.L. 101-144, Section 519) prohibiting the use of excessive force by a local law enforcement agency against any individual engaged in nonviolent civil rights demonstration within its jurisdiction; and

WHEREAS the Town of Trumbull is applying for and may receive a Connecticut Economic and Community Development Block Grant and is required to comply with the Armstrong/Walker "Excessive Force" Amendment; and

WHEREAS the use of excessive force against demonstrators may cause the Town to lose its grant or eligibility for future federal grants;
THEREFORE, BE IT RESOLVED that the Town of Trumbull adopts a policy that prohibits excessive force by local law enforcement agencies against individuals engaged in lawful and nonviolent civil rights demonstrations within the boundaries of the Town.

The L&A Committee met on April 25, 2011 and voted unanimously 4-0 to recommend.

In response to a question from Mr. Pia with regard to language with reference to “Excessive force in relation to non violent demonstrators”, Attorney Walsh explained that the wording of the resolution is the language as adopted by federal law, and suggested that the language not be amended.

VOTE: Adopted 13-1-1 (Against: Pia) (Abstention: Pescatore).

Upon motion made by Mr. Helfrich, seconded by Ms. Lamberti the Trumbull Town Council adjourned by unanimous consent at 8:36 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Council Clerk