

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

TOWN HALL
Trumbull

TELEPHONE
(203) 452-5005



AGENDA No .728

- I CALL TO ORDER
- II MOMENT OF SILENCE
- III PLEDGE OF ALLEGIANCE
- IV ROLL CALL
- V APPROVAL OF MINUTES
- VI PUBLIC COMMENT
- VII NEW BUSINESS

DATE: August 4, 2014
TIME: 8:00 p.m.
PLACE: Town Hall

NOTICE is hereby given that the Town Council of the Town of Trumbull, Connecticut will hold a regular meeting on Monday, August 4, 2014 at 8:00 p.m. at the Trumbull Town Hall, for the following purpose:

DISCUSSION ITEM:

- Pension Annual Report

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1. RESOLUTION TC25-107: To consider and act upon a resolution which would approve Antonio Pettiti of 34 Westfield Drive as the District 3 Town Council representative for a term extending to December 7, 2015. (Blose)
 2. RESOLUTION TC25-108: To consider and act upon a resolution which would authorize First Selectman Timothy M. Herbst to sign, on behalf of the Town of Trumbull, an application and contract with the State Library for a Historic Preservation Grant. (L&A)
 3. RESOLUTION TC25-109: To consider and act upon a resolution which would appropriate \$23,478 from the Fund Balance to 01023200-501101 Building Official/Salaries-FT/Permanent \$1,108; 01013400-511150 Fringe Benefits-FICA \$2,370; 01013400-511150 Fringe Benefits-Medical \$20,000. (R&R)
 4. RESOLUTION TC25-82: To consider and act upon a resolution which would amend the Town of Trumbull Municipal Code in accordance with the schedule of proposed corrected and updated references, and sections for repeal, modification and consolidation. (L&A Public Hearing)

5. RESOLUTION TC25-91: To consider and act upon a resolution which would repeal and replace the provisions of the ordinance entitled Chapter 17 Streets, Sidewalks and Highways, Article V. - Street Excavations. (L&A Public Hearing)
6. RESOLUTION TC25-94: To consider and act upon a resolution which would approve the acquisition of real property known as 6175 Main Street, Trumbull, CT and authorize the First Selectman to execute any agreements or take any necessary steps to complete the acquisition. (L&A)
7. RESOLUTION TC25-110: To consider and act upon a resolution which would approve the appointment by the First Selectman of Deborah Cavaliere of 29 Plumb Road as a member of the Trumbull Monroe Health District for a term of March 3, 2014 extending to March 3, 2017 (Napolitano) (R&R)
8. RESOLUTION TC25-111: To consider and act upon a resolution which would appoint Robert C. Miller, Sr. of 54 Chatfield Drive as a member of the Ethics Commission for a term of December 2, 2013 extending to December 2, 2018, a 2/3 vote is required of the Town Council. (Piccirillo) (R&R)

VIII ADJOURNMENT

COPY OF THE RESOLUTION ATTACHED HERETO

Carl A. Massaro, Jr., Chairman Trumbull Town Council

RESOLUTIONS

1. RESOLUTION TC25-107: BE IT RESOLVED, That Antonio Pettiti of 34 Westfield Drive, be and the same is hereby approved as the District 3 Town Council representative for a term extending to December 7, 2015.
2. RESOLUTION TC25-108: BE IT RESOLVED, That First Selectman Timothy M. Herbst, be and the same is hereby authorized to sign, on behalf of the Town of Trumbull, an application and contract with the State Library for a Historic Preservation Grant.
3. RESOLUTION TC25-109: BE IT RESOLVED, That \$23,478 is hereby appropriated from the Fund Balance to 01023200-501101 Building Official/Salaries-FT/Permanent \$1,108; 01013400-511150 Fringe Benefits-FICA \$2,370; 01013400-511150 Fringe Benefits-Medical \$20,000.
4. RESOLUTION TC25-82: BE IT RESOLVED AND ORDAINED, That the Town of Trumbull Municipal Code is hereby amended in accordance with the attached schedule of proposed corrected and updated references and sections for repeal, modification and consolidation. (Legend Attached).
5. RESOLUTION TC25-91: BE IT RESOLVED AND ORDAINED, That Chapter 17 Streets, Sidewalks and Highways, Article V. - Street Excavations is hereby repealed and replaced with the attached provisions. (Full Ordinance Attached)
6. RESOLUTION TC25-94: BE IT RESOLVED, That the acquisition of real property known as 6175 Main Street, Trumbull, CT is hereby approved; and
BE IT FURTHER RESOLVED, That the First Selectman is hereby authorized to execute any agreements or take any necessary steps to complete the acquisition.
7. RESOLUTION TC25-110: BE IT RESOLVED, That the appointment by the First Selectman of Deborah Cavaliere of 29 Plumb Road, be and the same is hereby approved as a member of the Trumbull Monroe Health District for a term of March 3, 2014 extending to March 3, 2017
8. RESOLUTION TC25-111: BE IT RESOLVED, That the recommendation of the appointment by the First Selectman of Robert C. Miller, Sr. of 54 Chatfield Drive, be and the same is hereby approved as a member of the Ethics Commission by a 2/3 vote of the Town Council for a term of December 2, 2013 extending to December 2, 2018.

TOWN OF TRUMBULL
BOARD OF FINANCE

REQUEST FOR ACTION

DATE: 10-Jul-14
AGENDA: 7-14-03
AMOUNT: \$23,478

2014-2015

(A) APPROPRIATION [X]

FROM: ACCOUNT NO.
ACCOUNT NAME Fund Balance \$23,478

(B) TRANSFER []

TO: ACCOUNT NO. 01023200- 501101 \$1,108
ACCOUNT NAME Salaries-FT/Permanent

TO: ACCOUNT NO. 01013400-511150 2,370
ACCOUNT NAME Fringe Benefits – FICA

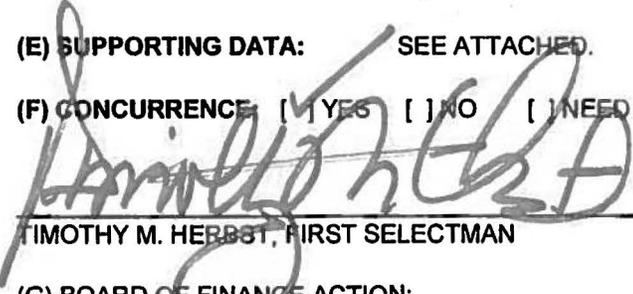
TO: ACCOUNT NO. 01013400-511151 20,000
ACCOUNT NAME Fringe Benefits – Medical

(C) SUMMARY OF REQUEST: Supplemental appropriation of funds needed for the full time Assistant Building Official including FICA and Medical.

(D) REQUESTED BY: Graham Bisset, Building Official

(E) SUPPORTING DATA: SEE ATTACHED.

(F) CONCURRENCE: [] YES [] NO [] NEED ADD'L INFORMATION


TIMOTHY M. HERBST, FIRST SELECTMAN

(G) BOARD OF FINANCE ACTION:

1. APPROVED
2. RECOMMENDED TO TOWN COUNCIL ___
3. TABLED ___
4. DENIED ___
5. OTHER ___

Town of Trumbull

**BUILDING
DEPARTMENT**

CONNECTICUT



Town Hall
5866 Main Street
Trumbull, Connecticut 06611

Graham Bisset
Building Official
203.452.5020
Fax: 203.452.5093
gbisset@trumbull-ct.gov

We would like to reinstate our full time Assistant Building Official position and need the following funds:

Please transfer from account #01023200-501102 \$29,702 to account #01023200-501101.

Please transfer from account #01023200-522204 \$25,000 to account #01023200-501101.

We are also requesting a supplemental appropriation to ~~#01023200-501101~~ ⁰¹⁰²³²⁰⁰ for ~~\$5,972~~ ¹¹¹⁰⁸, which is needed to complete the salary of \$60,674.

After the economic downturn in fiscal year 2009 and the retirement of the former Building Official, the full time Assistant Building Official position was put on hiatus effective 2010 budget with expectation of reinstatement when the economy improved. The full time position was reinstated in the 2011-2012 budgets. At that time, we discussed the position with Dan Nelson, Chief of Staff, and it was decided that we would hire a part time Official with the understanding that the fulltime position would be reinstated when necessary. Due to the increase in projects both commercial and residential, we need to fill the fulltime position to ensure the best service and safety to our residents.

Understanding your concern about fluctuation in the workload and lack of necessity in the future for a third full time Official I have included the history of permits issued and fees collected over the last 12 years, by year. The list is as follows:

	PERMITS ISSUED	PERMIT VALUES	FEES COLLECTED
2003	2,529	\$64,039,967	\$638,821
2004	2605	\$66,812,310	\$855,430
2005	2665	\$72,736,360	\$728,894
2006	2484	\$72,059,605	\$722,106
2007	1992	\$84,531,012	\$695,065
2008	1982	\$53,659,070	\$589,434
2009	1595	\$38,485,900	\$421,662
2010	1589	\$58,100,070	\$509,741
2011	1963	\$94,896,068	\$538,296
2012	2324	\$58,697,062	\$746,834
2013	2715	\$46,634,024	\$622,668
2014	3007	\$78,303,178	\$1,020,046

As you can see, our worst year was 2009 with the number of permits issued and fees collected, but have steadily increased. With the projects upcoming, we are projecting the 2014-2015 fiscal years permit fees to be \$800,000+.

** See the list of projects on next page.

Upcoming projects

5520 Park Ave Cancer Outpatient center- building permits issued, mechanical permits to follow;
also renovations are planned for existing medical office building

2415 Reservoir Ave- Bridges of Trumbull 121unit assisted living facility

4244 Madison Ave (PJ's) retail center

6540 Main St- small retail center

35 Nutmeg- Remodeling entire building for future tenants

60 Commerce Dr.- (old Pilot Pen) remodeling for future tenants

Westfield Mall-

Cheesecake- ongoing

R629- ongoing

New tenants:

Popeye's Chicken-

Lotus Tai-

Cosimo's Pizza-

The Time Store-

Denali-

Cali Customs-

Traffic shoes-

Footaction-

Renovations:

Ruby Tuesday's- extensive renovations

Stride rite-

Prestige Salon-

Champs sports-

School Projects:

Roof- Madison Middle

Structural wall repairs- Madison Middle

Windows- Madison Middle

Generator- THS

BUILDING DEPARTMENT											
FISCAL YEAR 2015											
			ORIGINAL	REVISED	YTD	AVAILABLE	AMOUNT	TRANSFER	TRANSFER	SUPL	BALANCE
			APPROP	BUDGET	EXPENDED	BUDGET	NEEDED	FROM	TO	NEEDED	
01023200 BUILDING											
01023200	501102	FULL TIME SALARY	269,776.00	269,776.00	-						
		FT Assistant building Inspector									
		Need-Salary \$60,674									
		Less 2 months for PT until FT filled(60,674/52wks*4)		51,339.54	-						
				321,115.54		269,776.00	51,339.54		50,232.00	1,108.00	
01023200	501102	PART TIME SALARY	29,702.00	29,702.00	-						
		2 months until FT position is filled									
		19.5hrs*\$28.65=\$558.68*8wks=\$4,469.40		(4,469.40)	-						
				25,232.60		25,232.60		(25,232.00)			
01023200	522204	SERVICES & FEES - CONTR	25,000.00	25,000.00	-	25,000.00					
							51,339.54	(25,000.00)			
								(50,232.00)			
01013400	501150	FRINGE BENEFITS-FICA					4,641.56				
		\$60,674*7.65%=\$4,641.56									
		Less Budget for PT \$29,702*7.65%					(2,272.20)				
							2,369.36			2,370.00	
01013400	511151	FRINGE BENEFITS-MEDICAL								20,000.00	

FOR 2015 13

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED

01 GENERAL FUND							

02 PUBLIC SAFETY							

01023200 BUILDING OFFICIAL							

01023200 501101 SALARIES-FT/PERMAN	269,776	0	269,776	.00	.00	269,776.00	.0%
01023200 501102 SALARIES-PT/PERMAN	29,702	0	29,702	.00	.00	29,702.00	.0%
01023200 501105 SALARIES-OVERTIME	5,000	0	5,000	.00	.00	5,000.00	.0%
01023200 501106 SALARIES-LONGEVITY	500	0	500	.00	.00	500.00	.0%
01023200 501888 UNIFORM ALLOWANCE	450	0	450	.00	.00	450.00	.0%
01023200 522204 SERVICES & FEES-CO	25,250	0	25,250	.00	.00	25,250.00	.0%
TOTAL BUILDING OFFICIAL	330,678	0	330,678	.00	.00	330,678.00	.0%
TOTAL PUBLIC SAFETY	330,678	0	330,678	.00	.00	330,678.00	.0%
TOTAL GENERAL FUND	330,678	0	330,678	.00	.00	330,678.00	.0%
TOTAL EXPENSES	330,678	0	330,678	.00	.00	330,678.00	
GRAND TOTAL	330,678	0	330,678	.00	.00	330,678.00	.0%

** END OF REPORT - Generated by Maria Pires **

**SUBJECT TO MODIFICATION AND APPROVAL
BOARD OF FINANCE
Minutes
July 10, 2014**

CALL TO ORDER

Chairman Hammers called the Board of Finance meeting to order at 7:07 p.m. at the Town Hall, Trumbull, Connecticut. All those present joined in the Pledge of Allegiance.

PUBLIC COMMENT

First Selectman Timothy Herbst
97 Fairview Avenue

Mr. Herbst indicated that he would be joining the discussions this evening for the transfers and appropriations requested from the Building Official and the Labor Relations Director.

ATTENDANCE

Present

Elaine Hammers, Chairman
Andrew Palo
Thomas Kelly
Roy Molgard
Bill Haberlin
Karen Egri, Alternate
Vincent DeGennaro, Alternate

Absent

Paul Lavoie
Edward Murphy, Alternate

Also present:

Maria Pires, Finance Director; John Ponzio, Treasurer Graham Bisset, Building Official; First Selectman Timothy M. Herbst; James Haselkamp, Labor Relations Director; Jack Testani, Chairman of the Trumbull Police Commission.

TREASURER'S REPORT – John Ponzio

Mr. Ponzio gave the following overview for the month ended June 30, 2014:

- At the end of the fiscal year, we were over budget by +/- \$5,000.
- \$305,000 earned interest income, about \$12,000 more than last year; due to negotiation with TD Bank rate increase of 5 bps; average weekly cash balance increased from \$40 to \$44 million, which also helped us have more money out there earning interest.
- No change from May to June.
- Small Bond payment of \$106,000 due in the middle of July and the next one is due in September for \$11 million.
- 1st quarterly Town Pension payment made \$1.173 million. 1st quarterly Police Pension payment made \$512,000.
- Tax bills are ready to go on-line; we are waiting for a means to pay taxes on-line that will probably be available in August.
- We will be borrowing in the fall; Mrs. Pires will put together the Official Statement. He anticipates this to be the lowest debt offering since we took office 5 years ago.
- First Selectman's Golf Classic to benefit students at THS on 8/13/2014. We finally received certification as a 501C3 after 2 years.

The Chair indicated that she would like to put the following 3 motions on the table at one time: 07-14-01, 07-14-02, 07-14-03 since they are all related.

FISCAL YEAR 2014-2015 TRANSFER

07-14-01	Graham Bisset, Building Official	FROM: 01023200-501102 Salaries-PT/Permanent	\$ 25,232
		TO: 01023200-501101 Salaries-FT/Permanent	25,232
		Transfer of funds needed for the full time Assistant Building Official.	

Mr. Haberlin moved, seconded by Mr. Molgard, to transfer \$25,232 from 01023200-501102 Salaries-PT/Permanent to 01023200-501101 Salaries-FT/Permanent \$25,232 for funds needed for the full time Assistant Building Official.

Vote: 6-0-0 motion carries

FISCAL YEAR 2014-2015 TRANSFER

07-14-02	Graham Bisset, Building Official	FROM: 01023200-522204 Services and Fees Contractual	\$25,000
		TO: 01023200-501101 Salaries-FT/Permanent	25,000
		Transfer of funds needed for the full time Assistant Building Official.	

Mr. Haberlin moved, seconded by Ms. Egri, to transfer \$25,000 01023200-522204 Services and Fees Contractual to 01023200-501101 Salaries-FT/Permanent \$25,000 for funds needed for the full time Assistant Building Official.

Vote: 6-0-0 motion carries

FISCAL YEAR 2014-2015 SUPPLEMENTAL APPROPRIATION

07-14-03	Graham Bisset, Building Official	FROM: Fund Balance	\$23,478
		TO: 01023200-501101 Salaries-FT/Permanent	1,108
		TO: 01013400-511150 Fringe Benefits – FICA	2,370
		TO: 01013400-511151 Fringe Benefits – Medical	20,000
		Supplemental appropriation of funds needed for the full time Assistant Building Official including FICA and Medical.	

Mr. Haberlin moved, seconded by Mr. Molgard to appropriate \$23,478 from the Fund Balance to 01023200-501101 Salaries-FT/Permanent \$1,108; to 01013400-511150 Fringe Benefits – FICA \$2,370; to 01013400-511151 Fringe Benefits – Medical \$20,000 for the supplemental appropriation of funds needed for the full time Assistant Building Official including FICA and Medical.

Vote: 6-0-0 motion carries

First Selectman Herbst indicated that the requests being made this evening by Graham Bisset, the Building Official, are being driven by a greater than expected influx of activity in Planning and Zoning. P&Z applications are increasing; we are seeing enormous private investment in our Corporate Park; interest to begin Westfield Phase 2 Expansion; and good development of commercial retail. Recently received commercial retail application for the property that formerly housed PJ's Garden Exchange – retail center with 2 new restaurants; looking at 13000 square foot retail area on the former Marissa's property and additional development of the recently sold DeMarco property. In addition the Cancer Center on Park Avenue is ready to begin expansion.

Revenues are up and higher than anticipated. We want to grow the Grand List, therefore, we must expedite the inspections, etc. in a timely manner especially in the mall; we want to get these businesses on the tax rolls. When dealing with departments that generate revenue it is necessary to evaluate the amount of increased revenue that will be generated by increasing the personnel.

Mr. Palo indicated that \$25,000 was appropriated in the budget for an additional part time person. Mr., Bisset indicated that it is a full time union position, so you cannot hire two part time people to fill it without creating a labor issue. He wants to make the part time position full time. This position was approved in previous budget; it was then decided to have only a part time person until it was necessary to increase their hours to full time. Mr. Kelly noted that during this past budget season, the Board recommended that he use a contract employee to eliminate paying benefits. The Chair went on to add that the number of projects has increased and we don't want to penalize Mr. Bisset for cutting back when asked, since we are not adding but implementing the position we already approved.

Ms. Egri indicated for the record that in a letter sent by the Chair to the Board of Finance, she included a schedule of projected fees and the \$400,000 to be recognized in permit fees more than adequately covers the expense.

The Chair indicated that Ms. Egri would be voting for Mr. Lavoie. She went on to ask Mr. Bisset if the fee schedule discussed during the budget season had been addressed. He indicated that the fees have been raised; he discussed them with Mr. Lavernoich, Director of Economic Development, and they came up with a plan that was approved by the Town Council.

FISCAL YEAR 2014-2015 SUPPLEMENTAL APPROPRIATION

07-14-04	James Haselkamp, Director of Labor Relations	FROM: Fund Balance TO: 01013000-522202 Services and Fees - Professional Fee required in order hiring a search firm to find a new Chief of Police.	\$20,000 20,000
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Mr. Haberlin moved, seconded by Ms. Egri, to appropriate \$20,000 from the Fund Balance to 01013000-522202 Services and Fees – Professional \$20,000 in order pay the fee required to hire a search firm to find a new Chief of Police.

First Selectman Herbst indicated that Chief Kiely would be retiring effective December 31, 2014 and Deputy Chief Michael Harry would be retiring at that time. The Police Commission has voted to give Deputy Chief Glenn Byrnes a one-year contract extension with 2 assumptions: 1 – That he will apply for the position and 2 – If not hired we want to give a new Police Chief the opportunity to redo the organizational structure and hire his second in command. The Police and the Police Commission agree that they want to find the most qualified individual to replace Chief Kiely.

Mr. Haselkamp indicated that the Town currently has an RFP posted, given the timing of the Chief's retirement. I will take several weeks to choose an agency and another 3 or 4 to months after the contract is signed for them to find someone. He indicated that he did a search to determine what it would cost and the range was \$21,000 – 34,000 so he feels that \$20,000 will get the job done.

The Chair and Mr. Haberlin indicated that they believe \$20,000 is insufficient based upon the Chief's salary, since fees are normally assessed as a percentage of the salary. Mr. Haselkamp indicated that if this were to occur, he would have to come back to the Board; however, he felt \$20,000 was enough based on the fee structures he has seen.

Mr. Haberlin did not ask if the Town used a search firm previously and it was indicated that based upon the purchasing agent's recollection the Town had not, nor had the Board of Education. Mr. Haberlin then went on to ask whether this should come from the Town and not the Police Department. The First Selectman went on to add that he wanted this to be a community decision and he wanted the BOE as well as the BOF to be involved in the process. The Chair indicated that this wasn't included in their budget and it would be difficult for them to fund that large an amount.

We don't currently have a job description and that would be something the consultant would do based upon our input.

Mr. Palo indicated that he does not think the funds should come from the General Fund, since we have funds in Special Detail, a special agency account that we can use. The Chair indicated that she has no problem taking the funds from this account. She went on to add that we could use the funds from the Special Detail account. Mrs. Pires indicated that you can't transfer from a special agency account; you need to pay directly from that account. The Chair indicated that she is waiting to hear from our attorney regarding our authority over this account. She went on to add that if we transfer from this account to the General Fund, we have to do a supplemental appropriation in order to use the funds and this request must be approved by the Town Council at the next meeting in August.

Mr. DeGennaro asked how we would fund this if it were a different department. The Chair indicated that we would take it from the General Fund, unless the department had a Services and Fees account.

Mr. Palo indicated that there could be a surplus at the end of the budget cycle and since it is still early we could use the services and fees account and if short at the end of the year we could then appropriate the funds.

The First Selectman indicated that there would be funds in the salary account, since having 2 deputy chiefs is not prudent and there would only be one going forward. The Chair then indicated that she wanted to transfer \$25,000, instead of the \$20,000.

Mr. Haberlin withdrew his motion and Ms. Egri withdrew her second.

07-14-04	James Haselkamp, Director of Labor Relations	FROM: 01022000-501101 Salaries-FT/Permanent TO: 01022000-522202 Services and Fees - Professional Fee required in order to hire a search firm to find a new Chief of Police.	\$25,000 25,000
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Ms. Egri moved, seconded by Mr. Palo, to transfer \$25,000 from account 01022000-501101 Salaries-FT/Permanent to 01022000-522202 Services and Fees - Professional \$25,000 in order pay the fee required to hire a search firm to find a new Chief of Police.

Vote: 6-0-0 motion carries

DISCUSSION ITEMS

- Year to Date Budget to Actual Report – FY 2014

There is still activity going on so we keep the books open for another month or so. We are planning to do the transfers next month. We are not quite at year-end yet; still need to transfer for contingencies, legal notices, utilities (etc).

We are currently over budget \$280,000 +/- with police overtime. There will be some money in the full time account to cover the overage but not enough.

Pg. 6 - We have one more month of insurance payments to record and at that time we will transfer the outstanding balance to the insurance fund for the reserve for future years. The BOE will also be transferring any outstanding balance to the insurance fund. The Town Council approved a resolution at the July meeting regarding this. The two funds will be separate.

Pg. 15 – Fuel for vehicles is over \$15,000.

Pg. 21 – Recreation department transferred funds from a special agency account to cover any shortfalls at the end of the year; they collect fees and then use fees to offset expenses. The Chair is trying to determine under what authority they can decide to charge a fee and then use it to offset expenses. She indicated that she is trying to work this out with our attorneys.

- Fund Balance

With regard to the \$600,000 used to reduce the mill rate, Mr. Kelly indicated that we should take a set amount from the Special Detail account each year, using this revenue as part of the budget. The Chair indicated that since you cannot predict what the revenue from the Special Detail will be, it might be prudent to put it into revenue a year later, once we have a definite number to use. Mr. Kelly indicated that we are very close to the 10% threshold of the Funding Balance. The Chair indicated that the most responsible use for the remainder in the Special Detail account might be to put it into the Fund Balance. Mr. Kelly went on to add that the \$600,000 used to reduce the mill rate will create a funding cliff next year.

In connection with Mr. Kelly's concern regarding the Pension, the Chair indicated that we asked the Actuaries how to deal with the underfunding of the Pension and they indicated the best thing to do is to put increasing amounts into the Plan each year, until you reach the ARC.

Mr. Palo asked if the Parking Sticker revenue had a line item. Mrs. Pires indicated that the funds are being put into a Special Agency account. The Chair asked how they are covering the salary since the Board of Finance did not approve it. Mrs. Pires indicated that these funds are being used to pay the individual who collects the fee and gives out the sticker; payroll is paid by the Town and funds from the Special Agency account are transferred to cover that employee. The Chair also noted that the Senior Center is also collecting fees and keeping them. Mr. Kelly asked if any agency can simply decide to charge a fee and then use it. The Chair indicated that this is a problem and one that she has asked our attorney to explain.

- Internal Follow-up Audit Database

Mr. Henderson was not at the meeting. He provided the Board with a written follow-up and the Chair indicated that all questions should be sent to her and she would forward them to him.

OTHER BUSINESS

There was no other business.

APPROVAL OF MINUTES

The Chair moved to approve the minutes of the June 12, 2014 meeting.

Vote: 4-0-2 motion carries (abstain: Egri; Kelly)

ADJOURNMENT

By unanimous consent, the meeting adjourned at 8:40 p.m.

Respectfully submitted:

Phyllis C. Collier
Board of Finance Clerk

Timothy M. Herbst
First Selectman



Office of the First Selectman
Town Hall
5866 Main Street
Trumbull, Connecticut 06611
203-452-5005

TOWN OF TRUMBULL CONNECTICUT

June 2, 2014

Carl Massaro
Chairman, Town Council
Town of Trumbull
5688 Main Street
Trumbull, CT 06611

RE: Edits to Municipal Code

Dear Chairman Massaro:

As discussed at the Legislative and Administration Committee of May 27, below are details of corrections which should be made to the Trumbull Municipal Code. The changes that have been brought to our attention are in Chapter II: Administration. Changes which require action by Town Council approval are as follows:

Article I: No changes

Article II: No changes

Article III:

Division 22 (Page 38) Change "Board of Tax Review" to Board of Assessment Appeals", as established by the Charter chapter VII, section 2.

Division 26 (Page 42) Civil Service Board; change "section 20" to "section 15", of the Charter.

Division 28 (Page 44) Change "Development Commission" to "Economic and Community Development Commission". Also, change "section 12" to "section 10", of the Charter.

Division 30 (Page 46) Housing Authority; change "section 19" to "section 14", of the Charter.

Division 34 (Page 50) Park Commission; change "section 13" to "section 11", of the Charter.

Division 35 (Page 51) Pension Board; change "section 21" to "section 16", of the Charter.

Division 37 (Page 53) Police Commission; change "section 9" to "section 8", of the Charter.

Division 38 (Page 54) Recreation Commission; change "section 14" to "section 11", of the Charter.

Division 39 (Page 55) Water Pollution Control Authority; change "section 18" to "section 13" of the Charter.

It should be noted that these are items which require correction in order to correlate with the Town Charter. We are in communication with the publisher of Municode to review other items that are not in correlation with the Trumbull Town Charter.

Respectfully submitted,

Lynn Arnow
Chief of Staff

PART II - MUNICIPAL CODE

Chapter 2 ADMINISTRATION

Chapter 2 ADMINISTRATION

Art. I.	In General, §§ 2-1 —2-50
Art. II.	Officers and Employees, §§ 2-51 —2-100
Art. III.	Boards, Commissions, Committees and Agencies, §§ 2-101 —2-520
	Div. 1. Generally, §§ 2-101 —2-115
	Div. 2. Reserved, §§ 2-116—2-130
	Div. 3. Central Emergency Dispatch Commission, §§ 2-131 —2-145 Disbanded 01/06/2014 TC 25-06
	Div. 4. Conservation Commission, §§ 2-146 —2-165
	Div. 5. Emergency Medical Services Commission, §§ 2-166 —2-180
	Div. 6. Board of Finance, §§ 2-181 —2-195
	Div. 7. Flood and Erosion Control Board, §§ 2-196 —2-210
	Div. 8. Golf Course Commission, §§ 2-211 —2-225
	Div. 9. Disability Advisory Board, §§ 2-226 —2-280
	Div. 10. Inland Wetlands Commission, §§ 2-281 —2-295
	Div. 11. Board of Directors of the Public Library, §§ 2-296 —2-310 S/B Library Board
	Div. 12. Library Expansion Feasibility Study Committee, §§ 2-311 —2-325
	Div. 13. Municipal Buildings Roof Study Committee, §§ 2-326 —Disbanded 05/06/2002 TC19-69
	Div. 14. Land Acquisition Committee, §§ 2-341 —2-355

PART II - MUNICIPAL CODE

Chapter 2 ADMINISTRATION

Div. 15.	Planning and Zoning Commission, §§ 2-356 —2-370
Div. 16.	Reserved, §§ 2-371—2-385
Div. 17.	Regional Planning Agency, §§ 2-386 —2-400
Div. 18.	Senior Citizens Commission, §§ 2-401 —2-420
Div. 19.	Arts Commission, § 2-421
Div. 20.	Board of Education, § 2-422
Div. 21.	Board of Health, § 2-423
Div. 22.	Board of Tax Review, § 2-424 S/B Board of Assessment Appeals
Div. 23.	Building Code Board of Appeals, § 2-425
Div. 24.	Reserved, §§ 2-426—2-430
Div. 25.	Trumbull Youth and Family Services Board, §§ 2-431 —2-435 No longer in Charter 12/08/2011
Div. 26.	Civil Service Board, § 2-436
Div. 27.	Data Processing Review Board, §§ 2-437 —2-446
Div. 28.	Development Commission, § 2-447 S/B Economic Development
Div. 29.	Energy and Transportation Commission, §§ 2-448 —2-457 Disbanded 01/06/1986 TC 11-20
Div. 30.	Housing Authority, § 2-458
Div. 31.	Housing Board of Appeals, § 2-459
Div. 32.	Insurance Commission, §§ 2-460 —2-469 Disbanded 03/03/2014 TC25-24

PART II - MUNICIPAL CODE

Chapter 2 ADMINISTRATION

	Div. 33. Jury Commission, § 2-470 Disbanded Charter 12/08/2011
	Div. 34. Park Commission, § 2-471 Combined into Parks and Recreation Charter 12/08/2011
	Div. 35. Pension Board, § 2-472
	Div. 36. Personnel Appeals Board, § 2-473 Disbanded Charter 12/08/2011
	Div. 37. Police Commission, § 2-474
	Div. 38. Recreation Commission, § 2-475 Combined in Parks and Recreation Charter 12/08/2011
	Div. 39. Water Pollution Control Authority, § 2-476
	Div. 40. Volunteer Activities Commission, §§ 2-477 — 2-486 Disbanded 01/12/1988 TC12-3
	Div. 41. Youth Commission, § 2-487 Disbanded Charter 12/08/2011
	Div. 42. Zoning Board of Appeals, §§ 2-488 — 2-495
	Div. 43. Route 25 Advisory Committee, §§ 2-496—2-505
	Div. 44. Pequonnock Valley Management Committee, §§ 2-506—2-520
Art. IV.	Code of Ethics, §§ 2-521 — 2-570
	Div. 1. Generally, §§ 2-521 — 2-545
	Div. 2. Ethics Commission, §§ 2-546 — 2-570
Art. V.	Emergency Management, §§ 2-571 — 2-576

[ARTICLE I. - IN GENERAL](#)

[ARTICLE II. - OFFICERS AND EMPLOYEES](#)

[ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES](#)

PART II - MUNICIPAL CODE

Chapter 2 ADMINISTRATION

ARTICLE IV. - CODE OF ETHICS

ARTICLE V. - EMERGENCY MANAGEMENT

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE I. IN GENERAL

ARTICLE I. IN GENERAL

[Sec. 2-1. Special contra account.](#)

[Sec. 2-2. Fiscal year.](#)

[Sec. 2-3. Municipal reserve fund.](#)

[Sec. 2-4. Town-owned property exempt from Zoning Commission regulations.](#)

[Sec. 2-5. Public library established.](#)

[Sec. 2-6. Compliance with Title VI of the Civil Rights Act of 1964.](#)

[Secs. 2-7—2-50. Reserved.](#)

Sec. 2-1. Special contra account.

The Town Treasurer is authorized and instructed to establish a special purpose contra account for the purpose of clearing receipts and disbursements for road construction work.

(Code 1962, § 2-1)

Sec. 2-2. Fiscal year.

The fiscal year of the Town shall commence on July 1 in each year and shall end on June 30 next ensuing.

(Code 1962, § 2-3)

Sec. 2-3. Municipal reserve fund.

There is created by the Town a municipal reserve fund as provided in section 7-360 of the General Statutes, to be known as the reserve fund of capital and nonrecurring expenditures.

(Code 1962, § 2-4)

Sec. 2-4. Town-owned property exempt from Zoning Commission regulations.

In accordance with [section 8-2](#) of the General Statutes, it is hereby resolved and ordained that all property owned by the Town within the limits of the Town is exempt from any and all regulations prescribed by the Zoning Commission of the Town.

(Code 1962, § 2-5.2)

Sec. 2-5. Public library established.

There shall be a public library in the Town in accordance with and pursuant to section 11-20 of the General Statutes.

(Code 1962, § 2-5.3)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-6. Compliance with Title VI of the Civil Rights Act of 1964.

The Town of Trumbull does not discriminate in the provision of services, the administration of its programs, or contractual agreements. The Town of Trumbull seeks to fully carry out its responsibilities under the Title VI Regulations.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, or national origin in programs and activities receiving Federal financial assistance. Title VI provides that "No person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program" covered by the Regulations.

This policy is effectuated through the methods of administration outlined in the town's Fair Housing Plan and is fully implemented to ensure compliance by the town, as the recipient, and by sub-recipients. The cooperation of all Town personnel is required.

(Res. No. TC21-169, 4-12-07; Res. No. TC22-52, 4-29-08; Res. No. TC23-76, 6-11-10)

Cross reference— Fair Housing Policy, §§ 10-19, 10-20.

Secs. 2-7—2-50. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE II. OFFICERS AND EMPLOYEES

ARTICLE II. OFFICERS AND EMPLOYEES ⁽¹⁾

Sec. 2-51. Supplemental retirement plan.

Sec. 2-52. Submission of proposals pertaining to benefits, working conditions of employees, teachers.

Sec. 2-53. Filing of agreements, proposed agreements pertaining to wages, hours, working conditions of teachers, other employees; notice of filing.

Sec. 2-54. Certain officers to be on salary basis.

Secs. 2-55—2-100. Reserved.

Sec. 2-51. Supplemental retirement plan.

In accordance with the recommendation of the Pension Board, in order to provide additional employees of the Town with a program which will assist them in meeting the contingencies of death, disability and old age dependency, the Town Council hereby adopts a supplemental plan to be known as the retirement plan of the Town to provide such benefits as are set forth therein and on file in the Town Clerk's office. The supplemental plan shall be administered by the Pension Board and the Board is empowered to execute such documents as may be required by law for the implementation of the plan.

(Code 1962, § 2-5.4)

Cross reference— Municipal employees' retirement, G.S. § 7-425 et seq.

Sec. 2-52. Submission of proposals pertaining to benefits, working conditions of employees, teachers.

- (a) The First Selectman, the Board of Education or any other department of the Town who deals with labor organizations, employee associations, teacher associations or any other group or association lawfully representing a unit or units of employees or teachers for the purpose of collective bargaining or collective negotiations with respect to salaries, benefits and working conditions shall furnish to the Clerk of the Town Council and to the Town Clerk a copy of the initial entire salary and other proposals, and subsequent proposals if increased, submitted for negotiation by such organizations or associations, whether oral or written, as soon as practicable, but no later than ten (10) days after receipt of same.
- (b) Similarly, the First Selectman, or the Board of Education shall file their initial proposal with the Town Clerk and with the Clerk of the Town Council within ten (10) days after submission to the labor organizations or teacher associations.

(Code 1962, § 2-4.1; Res. No. TC11-208, 3-2-87)

Sec. 2-53. Filing of agreements, proposed agreements pertaining to wages, hours, working conditions of teachers, other employees; notice of filing.

- (a) Whenever the Board of Education executes a collective bargaining agreement with the teachers, administrators and/or their representatives it shall file a signed copy of such contract with the Town

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE II. OFFICERS AND EMPLOYEES

Clerk and with the Clerk of the Town Council as soon as possible but no later than two (2) working days after it has been signed.

- (b) Whenever the First Selectman reaches agreement with representatives of Town employees, other than teachers, regarding the wages, hours and working conditions, he shall cause to be filed a copy of such proposed contract with the Town Clerk and with the Clerk of the Town Council as soon as possible but no later than two (2) working days after receipt.
- (c) When the Board of Education or the First Selectman files contracts or proposed contracts, as the case may be, dealing with Town employees' wages, hours and working conditions, with the Town Clerk, the Town Clerk shall notify the Chairman of the Town Council or in his absence, the Chairman of the Finance Committee by the end of the next working day.

(Code 1962, § 2-4.2; Res. No. TC11-208, 3-2-87)

Sec. 2-54. Certain officers to be on salary basis.

The following persons shall be compensated on a salary basis rather than a fee basis, the amount of compensation to be determined as provided by law: Dog Warden, Director of Health, Sanitary Inspector, Town Counsel and Tree Warden.

(Code 1962, § 2-5)

Secs. 2-55—2-100. Reserved.

FOOTNOTE(S):

--- (1) ---

Charter reference— Council Clerk, Ch. II, § 4; First Selectman, Ch. III, § 1; Tax Collector, Assessor, Purchasing Agent, Ch. III, § 6C; Treasurer, Ch. III, § 6D; Town Clerk, Ch. III, § 7; Town Attorney, Ch. III, § 8; Animal Control Officer, Ch. III, § 11; Director of Public Works, Ch. III, § 12C; Superintendent of Highways and Bridges, Ch. III, § 12F; Tree Warden, Ch. III, § 12G. [\(Back\)](#)

State Law reference— Municipal employees, G.S. § 7-407 et seq. [\(Back\)](#)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE III. BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

ARTICLE III. BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES ¹²¹

DIVISION 1. - GENERALLY

DIVISION 2. - RESERVED

DIVISION 3. - CENTRAL EMERGENCY DISPATCH COMMISSION

DIVISION 4. - CONSERVATIONCOMMISSION

DIVISION 5. - EMERGENCY MEDICAL SERVICES COMMISSION

DIVISION 6. - BOARD OF FINANCE

DIVISION 7. - FLOOD AND EROSION CONTROL BOARD

DIVISION 8. - GOLF COURSE COMMISSION

DIVISION 9. - DISABILITY ADVISORYBOARD

DIVISION 10. - INLAND WETLANDS COMMISSION

DIVISION 11. - BOARD OF DIRECTORS OF THE PUBLIC LIBRARY

DIVISION 12. - LIBRARY EXPANSION FEASIBILITY STUDY COMMITTEE

DIVISION 13. - MUNICIPAL BUILDINGSROOF STUDY COMMITTEE

DIVISION 14. - LAND ACQUISITION COMMITTEE

DIVISION 15. - PLANNING AND ZONING COMMISSION

DIVISION 16. - RESERVED

DIVISION 17. - REGIONAL PLANNING AGENCY

DIVISION 18. - SENIOR CITIZENS COMMISSION

DIVISION 19. - ARTS COMMISSION

DIVISION 20. - BOARD OF EDUCATION

DIVISION 21. - BOARD OF HEALTH

DIVISION 22. - BOARD OF TAX REVIEW

DIVISION 23. - BUILDING CODE BOARD OF APPEALS

DIVISION 24. - RESERVED

DIVISION 25. - TRUMBULL YOUTH AND FAMILY SERVICES BOARD

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE III. BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 26. - CIVIL SERVICE BOARD

DIVISION 27. - DATA PROCESSING REVIEW BOARD

DIVISION 28. - DEVELOPMENT COMMISSION

DIVISION 29. - ENERGY AND TRANSPORTATION COMMISSION

DIVISION 30. - HOUSING AUTHORITY

DIVISION 31. - HOUSING BOARD OF APPEALS

DIVISION 32. - INSURANCE COMMISSION

DIVISION 33. - JURY COMMISSION

DIVISION 34. - PARK COMMISSION

DIVISION 35. - PENSION BOARD

DIVISION 36. - PERSONNEL APPEALS BOARD

DIVISION 37. - POLICE COMMISSION

DIVISION 38. - RECREATION COMMISSION

DIVISION 39. - WATER POLLUTION CONTROL AUTHORITY

DIVISION 40. - VOLUNTEER ACTIVITIES COMMISSION

DIVISION 41. - YOUTH COMMISSION

DIVISION 42. - ZONING BOARD OF APPEALS

DIVISION 43. - ROUTE 25 ADVISORY COMMITTEE

DIVISION 44. - PEQUONNOCK VALLEY MANAGEMENT COMMITTEE

FOOTNOTE(S):

--- (2) ---

Charter reference— Boards and commissions, Ch. VII. [\(Back\)](#)

Cross reference— Ethics Commission, § 2-446 et seq. [\(Back\)](#)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 1. GENERALLY

DIVISION 1. GENERALLY

[Sec. 2-101. Vacancies; notice, filling.](#)

[Secs. 2-102—2-115. Reserved.](#)

Sec. 2-101. Vacancies; notice, filling.

Any vacancy occurring on the Planning and Zoning Commission, Zoning Board of Appeals, Board of Finance or Board of Education of the Town shall be filled in the following manner:

- (1) Upon receipt of a written resignation, the Town Clerk shall post the written resignation on a bulletin board located in the Town Clerk's office for a period of ten (10) business days following receipt of the resignation.
- (2) Within three (3) days after receipt of the written resignation, the Town Clerk shall cause to be published in a newspaper having general circulation in the Town a notice of the vacancy, including in the notice the length of the unexpired portion of the term.

(Code 1962, § 2.81; Res. No. TC11-26, 1-8-86)

Secs. 2-102—2-115. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 2. RESERVED

DIVISION 2. RESERVED ⁽³⁾
[Secs. 2-116—2-130. Reserved.](#)

Secs. 2-116—2-130. Reserved.

FOOTNOTE(S):

--- (3) ---

Editor's note— Res. No. TC24-59, adopted Aug. 9, 2012, disbanded the Beautification Commission for a job well done. Inasmuch as Div. 2, §§ 2-116—2-118 pertained to the Beautification Commission, said Div. 2 has been repealed. Secs. 2-116—2-118 derived from Res. No. TC11-83, adopted May 5, 1986; Res. No. TC11-119, adopted July 7, 1986, and Res. No. TC11-225, adopted Apr. 6, 1987. ([Back](#))

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 3. CENTRAL EMERGENCY DISPATCH COMMISSION

DIVISION 3. CENTRAL EMERGENCY DISPATCH COMMISSION

[Sec. 2-131. Created.](#)

[Sec. 2-132. Composition; appointment of members.](#)

[Sec. 2-133. Powers and duties.](#)

[Sec. 2-134. Members exempted from election provisions.](#)

[Sec. 2-135. Memorandum of understanding.](#)

[Secs. 2-136—2-145. Reserved.](#)

Sec. 2-131. Created.

The Town shall have a Central Emergency Dispatch Commission.

(Code 1962, § 2.57)

Sec. 2-132. Composition; appointment of members.

- (a) The Central Emergency Dispatch Commission shall be composed of nine (9) members appointed by the First Selectman and approved by the Town Council for a term of three (3) years. The term of three (3) members shall expire each year.
- (b) The members of the Commission shall be designated as follows:
 - (1) One (1) member by each of the three (3) fire districts;
 - (2) Two (2) members by the Police Commission;
 - (3) Two (2) members by the Emergency Medical Services Commission;
 - (4) One (1) member by the First Selectman;
 - (5) One (1) member by the Town Council.

(Code 1962, § 2.57-1)

Sec. 2-133. Powers and duties.

The Central Emergency Dispatch Commission (CEDC) shall share responsibility with the Police Commission for Trumbull's emergency dispatch program as described herein. The Public Safety Answering Point (PSAP), located in the Police Communications room shall be designated as the primary PSAP and shall be managed and controlled by the Police Commission. The CEDC PSAP, located in the police building, shall be designated as the secondary PSAP and shall be managed, and controlled by the CEDC. All 911 calls shall be answered by the primary PSAP, simultaneously monitored by the secondary PSAP and accepted by the appropriate dispatch service. The CEDC and the Police Commission shall establish all procedures for processing 911 calls. The CEDC shall manage, supervise and control fire and EMS dispatchers and equipment. The Police Commission shall manage, supervise and control police dispatchers and equipment. Nothing herein shall be deemed to limit the ability of the Trumbull Regional Dispatch Center, Inc. to hire or terminate its employees.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 3. CENTRAL EMERGENCY DISPATCH COMMISSION

(Code 1962, § 2.57-2; Res. No. TC12-270, 8-7-89)

Sec. 2-134. Members exempted from election provisions.

Members of the Central Emergency Dispatch Commission shall be exempted from the provision of chapter VIII, section 1 of the Charter, and may serve as members of the Central Emergency Dispatch Commission and hold one (1) other office or position.

(Code 1962, § 2.57-3)

Sec. 2-135. Memorandum of understanding.

A memorandum of understanding among the Central Emergency Dispatch Commission, Police Department and Police Union 1745 concerning dispatching procedures will be formalized. This memorandum of understanding shall become a part of the recommendation of the Central Emergency Dispatch Commission when complete.

(Res. No. TC11-277, 7-6-87)

Secs. 2-136—2-145. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 4. CONSERVATION COMMISSION

***DIVISION 4. CONSERVATION
COMMISSION***

[Sec. 2-146. Established.](#)

[Secs. 2-147—2-165. Reserved.](#)

Sec. 2-146. Established.

The Town shall have a Conservation Commission pursuant to section 7-131a of the General Statutes of the State of Connecticut.

The conservation commission will be established for the purposes stated in said statute as may be amended from time to time. The conservation commission will consist of six (6) duly qualified members appointed by the first selectman for a term of four (4) years. The initial terms shall be as follows: two (2) members shall be appointed to terms extending to the first Monday in December, 2009; two (2) members shall be appointed to terms extending to the first Monday in December, 2010; and two (2) members shall be appointed to terms extending to the first Monday in December, 2011. The commission shall elect its own chairman.

(Res. No. TC21-225, 11-15-07)

Secs. 2-147—2-165. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 5. EMERGENCY MEDICAL SERVICES COMMISSION

DIVISION 5. EMERGENCY MEDICAL SERVICES COMMISSION

[Sec. 2-166. Established.](#)

[Secs. 2-167—2-180. Reserved.](#)

Sec. 2-166. Established.

The Town shall have an Emergency Medical Services Commission as established in chapter VII, [section 24\(20\)](#) of the Charter.

Secs. 2-167—2-180. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 6. BOARD OF FINANCE

DIVISION 6. BOARD OF FINANCE

[Sec. 2-181. Established.](#)

[Sec. 2-182. Panel of alternate members.](#)

[Secs. 2-183—2-195. Reserved.](#)

Sec. 2-181. Established.

The Town shall have a Board of Finance as established in chapter VII, section 1 of the Charter.

Sec. 2-182. Panel of alternate members.

- (a) There is hereby created a panel of alternate members of the Board of Finance consisting of three (3) members, which shall exercise the powers and duties granted to them by Public Act No. 75-440 and as the same may be amended from time to time.
- (b) The alternate members of the Board of Finance shall be electors and taxpayers in the town. Not more than two (2) members of the panel of alternate members shall be of the same political party.
- (c) The alternate members of the Board of Finance shall be appointed by resolution of the Town Council.
- (d) The terms of office of the alternate members of the Board of Finance shall be as follows:
 - (1) One (1) member shall be appointed for a term expiring on the first Monday of December, 1976; one (1) member shall be appointed for a term expiring on the first Monday of December, 1977; and one (1) member shall be appointed for a term expiring on the first Monday of December, 1978; such terms shall be known as original terms.
 - (2) Upon the expiration of each of the original terms, a member shall be appointed for a three-year term.
- (e) Any vacancy on the panel of alternate members of the Board of Finance shall be filled by the Town Council for the unexpired portion of such term in the same manner as set forth in subsection (c) above.

(Code 1962, § 2-6.1)

Secs. 2-183—2-195. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 7. FLOOD AND EROSION CONTROL BOARD

DIVISION 7. FLOOD AND EROSION CONTROL BOARD

[Sec. 2-196. Established.](#)

[Secs. 2-197—2-210. Reserved.](#)

Sec. 2-196. Established.

The Town shall have a Flood and Erosion Control Board as established in chapter VII, section 11 of the Charter.

Secs. 2-197—2-210. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 8. GOLF COURSE COMMISSION

DIVISION 8. GOLF COURSE COMMISSION ⁴¹

[Sec. 2-211. Tashua Knolls Golf Course.](#)

[Sec. 2-212. Responsibility for golf course clubhouse.](#)

[Secs. 2-213—2-225. Reserved.](#)

Sec. 2-211. Tashua Knolls Golf Course.

- (a) The confines of the golf course shall be defined as all property under the jurisdiction of the Golf Course Commission inclusive of the golf course practice and parking areas, buildings, structures and bodies of water.
- (b) The golf course shall be defined as the playing areas of holes one (1) through eighteen (18) inclusive of trees, greens, fairways, traps, roughs, cart paths, brooks, streams, ponds and wooded areas dividing or bordering the playing area that are within the confines of the golf course.
- (c) Every person on the golf course with the exception of caddies must purchase a permit (ticket). Such permit (ticket) shall be evidenced by a receipt (ticket) showing that the person using the course has paid the appropriate fees for such use.
- (d) No person shall engage in any unauthorized activity, sport or game upon the golf course other than the playing of the game of golf. Such unauthorized activities shall include but are not limited to the following:
 - (1) Bathing, wading or swimming in any waters located on the golf course;
 - (2) Using or operating a boat, canoe, inflated float or raft in any waters located on the golf course;
 - (3) Coasting with hand or bob sled, skis, skimobile, skateboard, cart or other vehicle on the confines of the golf course unless specifically authorized by the Golf Course Commission;
 - (4) Skating, sledding, walking or going upon any ice on any pond, brook or waterway on the confines of the golf course unless specifically authorized by the Golf Course Commission.
- (e) No permit (ticket) other than one which is available for purchase by residents of the Town shall be issued to any member of the Golf Course Commission. The identical qualifications and fee structure as are required of all residents of the Town shall be required of members of the Golf Course Commission applying for any class of permit (rate of play) and for the use of golf carts and/or tee-off arrangements. The class of permit purchased shall determine the fee to be paid for each use of the golf course. Any commissioner who elects not to purchase a permit (ticket) of any class shall pay the customary nonresident fee for each use of the golf course. Neither the Golf Course Commission or any person shall waive the provisions of this subsection. A copy of this subsection shall be posted in a conspicuous place in the pro shop located at the Tashua Knolls Golf Course. Any person who violates any part of this subsection shall be fined in accordance with [section 1-7](#). For the purposes of this section "use of the golf course" shall mean the playing of one (1) or more holes of golf. "Use of golf carts" shall mean riding in and/or carrying golf equipment in a golf cart while using the golf course.
- (f) No person, group or organization shall solicit alms or contributions on the confines of the golf course for any purpose without the permission of the Golf Course Commission.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 8. GOLF COURSE COMMISSION

- (g) No person shall cause or permit any animal owned by him, in his custody or under his control to enter or remain on the confines of the golf course and each such animal so found at large may be seized and disposed of as provided by state law or local ordinance covering the disposal of stray animals on highways or public property.
- (h) No person shall hunt, fish, carry or discharge firearms or use any kind of weapon on the confines of the golf course except that the Golf Course Commission shall have the authority to authorize the use and discharge of blank ammunition in efforts to control vermin.
- (i) The salvaging of golf balls from the ponds or the practice areas located on the confines of the golf course with the exception of a player retrieving his own ball is prohibited without the written permission of the Golf Course Commission.
- (j) Spectators will not be permitted to accompany players onto the playing area of the golf course except for special tournaments or exhibitions as designated by the Golf Course Commission.
- (k) No person shall play golf on the golf course at any time other than the designated hours during the golf season or at any time the golf course is closed unless specifically authorized by the Golf Course Commission.
- (l) Fireworks are prohibited on the confines of the golf course.
- (m) No vehicle other than golf carts shall be permitted on the golf course without the permission of the Golf Course Commission.
- (n) No person shall commit any nuisance on the confines of the golf course.
- (o) Any person who violates any provision of this section shall be fined in accordance with [section 1-7](#)
(Code 1962, § 2-50.1)

Sec. 2-212. Responsibility for golf course clubhouse.

Pursuant to the provisions of chapter VII, section 15(12)(B) of the Charter, the Golf Course Commission of the Town shall have the sole responsibility and obligation for the care, control, maintenance, operation and supervision of the Tashua Knolls Clubhouse.

(Code 1962, § 2-50.2)

Secs. 2-213—2-225. Reserved.

FOOTNOTE(S):

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1 Golf Course Commission, Ch. VII, § 15(12). [\(Back\)](#)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 9. DISABILITY ADVISORY BOARD

DIVISION 9. DISABILITY ADVISORY BOARD ⁽⁵⁾

[Sec. 2-226. Established; membership.](#)

[Sec. 2-227. Function.](#)

[Sec. 2-228. Review of preliminary plans, specifications.](#)

[Secs. 2-229—2-280. Reserved.](#)

Sec. 2-226. Established; membership.

A Disability Advisory Board consisting of six (6) members appointed by the First Selectman for a term of six (6) years is hereby established. The term of one (1) member shall expire each year. At least one (1) member of the Board shall be a person who is handicapped within the meaning of Title V, Section 504 of the United States Code.

(Code 1962, §§ 2.56-1, 2.56-2; Res. No. TC14-173, 6-7-93)

Sec. 2-227. Function.

The Disability Advisory Board shall be charged with the responsibility of reviewing municipal buildings, land, policies, programs and procedures to promote compliance with the requirements of Title V, Section 504 of the United States Code, and make such recommendations as it deems appropriate.

(Code 1962, § 2.56-3; Res. No. TC14-173, 6-7-93)

Sec. 2-228. Review of preliminary plans, specifications.

The Disability Advisory Board shall be consulted by any Building Committee prior to submission of preliminary plans and specifications to the Town Council, and shall render to the Building Committee any written comments or suggestion it deems appropriate.

(Code 1962, § 2.56-4; Res. No. TC14-173, 6-7-93)

Secs. 2-229—2-280. Reserved.

FOOTNOTE(S):

--- (5) ---

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 9. DISABILITY ADVISORY BOARD

Editor's note— Res. No. TC14-173, approved June 11, 1993, retitled the Handicap Compliance Board as the Disability Advisory Board. [\(Back\)](#)

Cross reference— Handicapped parking, § 12-27. [\(Back\)](#)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 10. INLAND WETLANDS COMMISSION

DIVISION 10. INLAND WETLANDS COMMISSION

[Sec. 2-281. Established.](#)

[Sec. 2-282. Powers and responsibilities.](#)

[Sec. 2-283. Membership.](#)

[Sec. 2-284. Vacancies.](#)

[Secs. 2-285—2-295. Reserved.](#)

Sec. 2-281. Established.

There shall be an Inland Wetlands and Watercourses Commission established in accordance with an act concerning inland wetlands and watercourses (Public Act No. 155, 1972 Session of the General Assembly, State of Connecticut, amended Public Act 571, 1973 session).

(Code 1962, § 2-49(1))

Sec. 2-282. Powers and responsibilities.

The Inland Wetlands Commission shall have all the powers and responsibilities authorized under Public Act No. 155 and as the same may be amended from time to time.

(Code 1962, § 2-49(2))

Sec. 2-283. Membership.

- (a) The Inland Wetlands Commission shall be composed of seven (7) regular and two (2) alternate members, all of whom shall be appointed by the First Selectman with the approval of the Town Council. Minority representation shall be assured in accordance with the provisions of the Charter. The two (2) alternate members shall not both be members of the same political party.
- (b) One (1) member each shall be appointed from among the members of the Planning and Zoning Commission, the Flood and Erosion Control Board, and two (2) members from the Conservation Commission. The terms of office of the aforementioned four (4) Commission members shall be concurrent with their respective boards or commissions but in no case to exceed three (3) years except for those appointed prior to December 2, 1974, in which case their terms of office may extend until the first Monday of December, 1977.
- (c) The three (3) remaining regular and the two (2) alternate members shall be drawn from the citizens at large or from other applicable boards and commissions in the town. The first regular appointee shall serve until the first Monday of December, 1975; the second shall serve until the first Monday of December, 1976; and the third shall serve until the first Monday of December, 1977; thereafter, the terms of office of regular members-at-large shall be three (3) years. The first such alternate appointee shall serve until the first Monday of December, 1975; the second shall serve until the first Monday of December, 1976; thereafter, the terms of office of alternate members shall be two (2) years. The terms of one (1) regular member-at-large and one (1) alternate member shall expire each year.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 10. INLAND WETLANDS COMMISSION

(Code 1962, § 2-49(3))

Sec. 2-284. Vacancies.

- (a) Any vacancy in the membership of the Inland Wetlands Commission which may occur through death, resignation or otherwise shall be filled for the unexpired term of such member by appointment of the First Selectman with the approval of the Town Council.
- (b) If a Commission member is absent from four (4) consecutive meetings of the Commission, the First Selectman may remove the member and fill the vacancy thus created in accordance with the provisions of this section.

(Code 1962, § 2-49(4))

Secs. 2-285—2-295. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 11. BOARD OF DIRECTORS OF THE PUBLIC LIBRARY

DIVISION 11. BOARD OF DIRECTORS OF THE PUBLIC LIBRARY ⁽⁶⁾ ***(S/B Library Board)***

Sec. 2-296. Established.

Secs. 2-297—2-310. Reserved.

Sec. 2-296. Established.

The Town shall have a Board of Directors of the Public Library as established in chapter VII, section 4 of the Charter.

Secs. 2-297—2-310. Reserved.

FOOTNOTE(S):

--- (6) ---

State Law reference— Directors of Town public libraries, G.S. § 11-21. [\(Back\)](#)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES
DIVISION 12. LIBRARY EXPANSION FEASIBILITY STUDY COMMITTEE

DIVISION 12. LIBRARY EXPANSION FEASIBILITY STUDY COMMITTEE

Sec. 2-311. Established; composition.

Secs. 2-312—2-325. Reserved.

Sec. 2-311. Established; composition.

The Library Expansion Feasibility Study Committee is hereby established consisting of nine (9) members, three (3) of whom shall be members of the Library Board of Directors, appointed by the Town Council. The Feasibility Study Committee shall determine whether expansion of the library is warranted.

(Res. No. TC11-320, 10-5-87)

Secs. 2-312—2-325. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 13. MUNICIPAL BUILDINGS ROOF STUDY COMMITTEE

***DIVISION 13. MUNICIPAL BUILDINGS
ROOF STUDY COMMITTEE*** [\[7\]](#)

[Sec. 2-326. Established; members.](#)

[Sec. 2-327. Function.](#)

[Secs. 2-328—2-340. Reserved.](#)

Sec. 2-326. Established; members.

The Municipal Buildings Roof Study Committee is hereby established. The Committee shall consist of five (5) members appointed by the First Selectman and approved by the Town Council. One (1) member shall be a registered professional engineer. One (1) member shall have a building and construction background. The Director of Public Works shall be a member provided that he is an employee of the Public Works Department.

(Res. No. TC11-206, 3-2-87)

Sec. 2-327. Function.

The Municipal Buildings Roof Study Committee shall investigate the roofs on all municipal buildings (including Board of Education controlled buildings). After the Committee members identify roofs in need of repair, the Committee shall not engage consultants, architects or engineers but shall instead solicit requests for proposals for such repairs. The Committee shall report to the Council the condition of same and its recommendations regarding repair or renovation of the roofs by January 15, 1988.

(Res. No. TC11-206, 3-2-87)

Secs. 2-328—2-340. Reserved.

FOOTNOTE(S):

--- (7) ---

Cross reference— Buildings and building regulations, Ch. 5. [\(Back\)](#)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 14. LAND ACQUISITION COMMITTEE

DIVISION 14. LAND ACQUISITION COMMITTEE ^(B)

[Sec. 2-341. Established; members.](#)

[Secs. 2-342—2-355. Reserved.](#)

Sec. 2-341. Established; members.

The Town Council authorized a five-member commission to be known as the Land Acquisition Committee to recommend to the Council parcels of land to be acquired by the Town.

Members of the committee shall be appointed by the First Selectman and approved by the Town Council, with terms as follows:

- (1) One (1) member shall be appointed for a term expiring the first Monday in December, 2000.
- (2) One (1) member shall be appointed for a term expiring the first Monday in December, 2001.
- (3) One (1) member shall be appointed for a term expiring the first Monday in December, 2002.
- (4) One (1) member shall be appointed for a term expiring the first Monday in December, 2003.
- (5) One (1) member shall be appointed for a term expiring the first Monday in December, 2004.

Upon expiration of each original term, the term of office shall become five (5) years for all members, with one term expiring each year.

(Res. No. TC18-13; 2-14-2000)

Secs. 2-342—2-355. Reserved.

FOOTNOTE(S):

--- (8) ---

Editor's note— Res. No. TC18-13, adopted Feb. 14, 2000, was not specifically amendatory to the Code, hence; inclusion as § 2-341 was at the editor's discretion. ([Back](#))

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 15. PLANNING AND ZONING COMMISSION

DIVISION 15. PLANNING AND ZONING COMMISSION ^[9]

Sec. 2-356. Panel of alternate members.

Secs. 2-357—2-370. Reserved.

Sec. 2-356. Panel of alternate members.

- (a) There is hereby created a panel of alternate members of the Planning and Zoning Commission consisting of three (3) members, which shall exercise the powers and duties granted to them by section 8-1B of the General Statutes.
- (b) The alternate members of the Planning and Zoning Commission shall be electors in the Town and shall not be members or alternate members of the Zoning Board of Appeals. Not more than four (4) members of the panel of alternate members shall be of the same political party.
- (c) The alternate members of the Planning and Zoning Commission shall be appointed by resolution of the Town Council.
- (d) The terms of office of the alternate members of the Planning and Zoning Commission shall be as follows:
 - (1) One (1) member shall be appointed for a term expiring on the first Monday of December, 1970; one (1) member shall be appointed for a term expiring on the first Monday of December, 1971; and one (1) member shall be appointed for a term expiring on the first Monday of December, 1972; such terms shall be known as the original terms.
 - (2) Upon the expiration of each of the aforementioned original terms, a member shall be appointed for a three-year term.
- (e) Any vacancy on the panel of alternate members of the Planning and Zoning Commission shall be filled by the Town Council for the unexpired portion of such term in the same manner as set forth in subsection (c) above.
- (f) An alternate member shall act for a regular member if a regular member is absent and has designated the alternate to act. If no designation has been made, a majority vote of the regular members present and voting shall designate the alternate to act.
- (g) If a regular member of the Commission is disqualified, the Chairman of the Commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.
- (h) In the event of disqualification of any member of the Planning and Zoning Commission or Zoning Board of Appeals, in accordance with the provisions of Section 8-11 of the Connecticut General Statutes such facts shall be entered on the records of the Commission or Board and an elector appointed by agreement of the majority and minority leaders of the Town Council no later than ten (10) days after disqualification shall be designated in writing to act as a member of such Commission or Board and the hearing and determination of any such matter upon which said disqualification has occurred, except that replacement shall first be made from alternate members pursuant to the provisions of Sections 8-1b and 8-5a of the Connecticut General Statutes and Article VII, Sections 5

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 15. PLANNING AND ZONING COMMISSION

and 6 of the Trumbull Town Charter and subsection (a) through (g) above. Designees shall have the same political party affiliation, if any, as the member they replace.

(Code 1962, §§ 2-38—2-42.1; Res. No. TC13-162, 11-8-90)

Secs. 2-357—2-370. Reserved.

FOOTNOTE(S):

--- (9) ---

Charter reference— Planning and Zoning Commission, Ch. VII, § 5. [\(Back\)](#)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 16. RESERVED

DIVISION 16. RESERVED ^[10]
Secs. 2-371—2-385. Reserved.

Secs. 2-371—2-385. Reserved.

FOOTNOTE(S):

--- (10) ---

Editor's note— Res. No. TC14-66, adopted May 4, 1992, repealed Div. 16, §§ 2-371—2-372, which pertained to the recycling commission. See the Code Comparative Table. ([Back](#))

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 17. REGIONAL PLANNING AGENCY

DIVISION 17. REGIONAL PLANNING AGENCY

[Sec. 2-386. Adoption of state act.](#)

[Sec. 2-387. Town representatives—Number; appointment.](#)

[Sec. 2-388. Same—Terms of office.](#)

[Secs. 2-389—2-400. Reserved.](#)

Sec. 2-386. Adoption of state act.

The Town hereby adopts Public Act No. 613 of the 1959 Session of the General Assembly entitled "Act Concerning Regional Planning."

(Code 1962, § 2-48(a))

Sec. 2-387. Town representatives—Number; appointment.

The Town shall have such number of representatives on the Regional Planning Agency as is provided by statute. One (1) of such representatives shall be appointed by the Planning and Zoning Commission of the Town as provided in section 8-31A of the General Statutes and the other representatives shall be appointed by the Chief Executive of the town.

(Code 1962, § 2-48(b))

Sec. 2-388. Same—Terms of office.

The term of the Town Representative to the Regional Planning Agency appointed by the Planning and Zoning Commission shall expire on July 1, 1963, and the term of the representatives appointed by the Chief Executive Officer of the Town shall expire on July 1, 1964. Thereafter appointments shall be for four-year terms as existing terms expire.

(Code 1962, § 2-48(c))

Secs. 2-389—2-400. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 18. SENIOR CITIZENS COMMISSION

DIVISION 18. SENIOR CITIZENS COMMISSION ¹¹¹

[Sec. 2-401. Created; members; filling vacancies; officers.](#)

[Sec. 2-402. Compensation of members.](#)

[Sec. 2-403. Purposes and duties.](#)

[Sec. 2-404. Panel of alternate members.](#)

[Sec. 2-405. Funding; participation in state, federal, private programs.](#)

[Secs. 2-406—2-420. Reserved.](#)

Sec. 2-401. Created; members; filling vacancies; officers.

- (a) There is hereby created a Commission to be known as the Commission on Senior Citizens.
- (b) The Commission shall be composed of eight (8) members, to be appointed by the Chief Executive Officer. The members so appointed shall be persons interested in the consideration and solution of the problems of the senior citizens. All appointments to the Commission shall be for a term of two (2) years, except for the first appointment, when four (4) members shall be appointed for one (1) year. Each year Commissioners shall be appointed by the Chief Executive Officer to replace those whose terms have expired. In the event of death or resignation, a successor shall be appointed to serve for the unexpired term for which such member had been appointed. Each member shall serve until his successor is duly appointed and qualified.
- (c) The Commission shall select a Chairman, a Vice-Chairman and a Secretary from within its ranks, and fill such other offices as it may determine.

(Code 1962, § 2-30)

Sec. 2-402. Compensation of members.

The members of the Senior Citizens Commission appointed pursuant to this division shall serve without compensation.

(Code 1962, § 2-31)

Sec. 2-403. Purposes and duties.

The Senior Citizens Commission shall have as its purpose the continuous study of the conditions and of the needs of elderly persons in the community in relation to housing, economics, employment, health, recreational and other matters. It shall analyze the services for the aged provided by the community, both by public and private agencies, and shall make recommendations to the Chief Executive Officer regarding the development and integration of public and private agencies, in cooperation with state and other services to the extent possible.

(Code 1962, § 2-32)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 18. SENIOR CITIZENS COMMISSION

Sec. 2-404. Panel of alternate members.

- (a) There is hereby created a panel of alternate members of the Senior Citizens Commission consisting of two (2), which shall have the powers and duties granted under this division.
- (b) Such members shall be electors of the town.
- (c) Such members shall be appointed by the First Selectman.
- (d) The terms of office shall be two (2) years. One (1) member shall be appointed to a term terminating on the first Monday of December, 1985. Upon expiration of each of the terms, a member shall be appointed for a two-year term.
- (e) Any vacancy shall be filled by appointment by the First Selectman for the unexpired term.
- (f) If a regular member of the Senior Citizens Commission is absent or disqualified, such absent or disqualified member shall designate an alternate. If the absent or disqualified member shall fail to designate an alternate, the majority of the regular members not absent or disqualified may designate an alternate to so act for the absent or disqualified member.

(Code 1962, §§ 2-32.1—2-32.6)

Sec. 2-405. Funding; participation in state, federal, private programs.

The Town may make appropriations for the expenses of the Senior Citizens Commission. The Commission is authorized and empowered to participate in the state, federal and private programs concerning the elderly.

(Code 1962, § 2-33)

Secs. 2-406—2-420. Reserved.

FOOTNOTE(S):

--- (11) ---

Cross reference— Tax exemption for the elderly, § 18-31. ([Back](#))

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 19. ARTS COMMISSION

DIVISION 19. ARTS COMMISSION

[Sec. 2-421. Established.](#)

Sec. 2-421. Established.

The Town shall have an Arts Commission as established in chapter VII, [section 23\(19\)](#) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 20. BOARD OF EDUCATION

DIVISION 20. BOARD OF EDUCATION

[Sec. 2-422. Established.](#)

Sec. 2-422. Established.

The Town shall have a Board of Education as established in chapter VII, section 3 of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 21. BOARD OF HEALTH

DIVISION 21. BOARD OF HEALTH

[Sec. 2-423. Established.](#)

Sec. 2-423. Established.

The Town shall have a Board of Health as established in chapter VII, section 10 of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 22. BOARD OF TAX REVIEW

DIVISION 22. BOARD OF TAX REVIEW(S/B Board of Assessment Appeals)

[Sec. 2-424. Established.](#)

Sec. 2-424. Established.

The Town shall have a Board of Tax Review as established in chapter VII, section 2 of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 23. BUILDING CODE BOARD OF APPEALS

DIVISION 23. BUILDING CODE BOARD OF APPEALS

[Sec. 2-425. Established.](#)

Sec. 2-425. Established.

The Town shall have a Building Code Board of Appeals as established in chapter III, section 14D of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 24. RESERVED

DIVISION 24. RESERVED ⁽¹²⁾
Secs. 2-426—2-430. Reserved.

Secs. 2-426—2-430. Reserved.

FOOTNOTE(S):

--- (12) ---

Editor's note— Res. No. TC14-203, approved Aug. 5, 1993, disbanded the Convention and Visitors' Commission Hill and Harbor District; hence, Div. 24, § 2-426 has been repealed at the discretion of the editor. ([Back](#))

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 25. TRUMBULL YOUTH AND FAMILY SERVICES BOARD

DIVISION 25. TRUMBULL YOUTH AND FAMILY SERVICES BOARD

[Sec. 2-431. Established; members; terms.](#)

[Sec. 2-432. Powers and duties.](#)

[Secs. 2-433—2-435. Reserved.](#)

Sec. 2-431. Established; members; terms.

The Town shall have a Youth and Family Services Board consisting of seven (7) members appointed by the First Selectman. Six (6) members shall have a term of six (6) years each and the term of one (1) member shall expire every year. One (1) member shall be associated with the Trumbull School System; one (1) member shall be associated with the Trumbull Police Department; one (1) member shall be a person who shall be a service consumer as defined in 17-433, subsection 1.4 of the state regulations.

(Code 1962, § 2.59; Res. No. TC13-241, 6-3-91)

Sec. 2-432. Powers and duties.

The Youth and Family Services Board shall have full powers and duties to develop policies, procedures and plans for the operation of the Trumbull Counseling Center; monitor progress and programs of the Trumbull Counseling Center; serve as an advocate of Services for Youth at Risk of the Town acting in an advisory capacity to the First Selectman on the administration of programs and policies concerning Youths at Risk and evaluate the performance of the Counseling Center Director. The Youth and Family Services Board shall have the authority to design, develop, administrate, manage and control all programs and policies directed at programs concerning Services for Youth at Risk within the town.

(Code 1962, § 2.59; Res. No. TC13-241, 6-3-91)

Secs. 2-433—2-435. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 26. CIVIL SERVICE BOARD

DIVISION 26. CIVIL SERVICE BOARD

[Sec. 2-436. Established.](#)

Sec. 2-436. Established.

The Town shall have a Civil Service Board as established in chapter VII, [section 20\(15\)](#) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 27. DATA PROCESSING REVIEW BOARD

DIVISION 27. DATA PROCESSING REVIEW BOARD

[Sec. 2-437. Established; composition.](#)

[Sec. 2-438. Terms of members; vacancies.](#)

[Sec. 2-439. Powers and duties.](#)

[Sec. 2-440. Bond required for Director.](#)

[Secs. 2-441—2-446. Reserved.](#)

Sec. 2-437. Established; composition.

There is hereby established, a Data Processing Review Board which shall consist of nine (9) members to be appointed by the First Selectman.

(Code 1962, § 2.58)

Sec. 2-438. Terms of members; vacancies.

The appointment to the Data Processing Review Board shall be for a term of seven (7) years, the term of one (1) member shall expire each year. The First Selectman shall fill any vacancy on the Data Processing Review Board for the unexpired term. The term of office of each member appointed after June 1984 shall be three (3) years.

(Code 1962, § 2.58)

Sec. 2-439. Powers and duties.

The Data Processing Review Board shall meet quarterly and shall have the power and duty to review the data processing requirements, procedures, and facilities of the town's Data Processing Department and to make such recommendations to the First Selectman.

(Code 1962, § 2.58)

Sec. 2-440. Bond required for Director.

Pursuant to chapter III, section 15 of the Charter, the Data Processing Director shall be required to post a bond for the faithful performance of his duties.

(Code 1962, § 2.58)

Secs. 2-441—2-446. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 28. DEVELOPMENT COMMISSION

DIVISION 28. DEVELOPMENT COMMISSION(S/B Economic and Community Development Commission)

[Sec. 2-447. Established.](#)

Sec. 2-447. Established.

The Town shall have a Development Commission as established in chapter VII, section 12(10) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 29. ENERGY AND TRANSPORTATION COMMISSION

DIVISION 29. ENERGY AND TRANSPORTATION COMMISSION

Sec. 2-448. Established.

Sec. 2-449. Composition; terms of members; vacancies.

Sec. 2-450. Powers and duties.

Secs. 2-451—2-457. Reserved.

Sec. 2-448. Established.

There is hereby created for the Town commission to be known as the Energy and Transportation Commission.

(Code 1962, § 2.55)

Sec. 2-449. Composition; terms of members; vacancies.

- (a) The Energy and Transportation Commission shall be composed of seven (7) members, five (5) of whom shall be appointed by the Town Council and two (2) of whom shall be the town's representatives on the Board of Directors of the Greater Bridgeport Transit District.
- (b) The individuals presently serving as members of the Energy Commission shall serve until the expiration of the terms they are now serving. Upon expiration of such term, each appointment to the Energy and Transportation Commission shall be for a term of five (5) years. The Town Council may fill any vacancy in the Energy and Transportation Commission for the unexpired term.

(Code 1962, § 2.55)

Sec. 2-450. Powers and duties.

The Energy and Transportation Commission shall plan, promote, organize and supervise programs and policies with reference to the use, management and control and conservation of energy within the town. The Energy and Transportation Commission shall study the transportation needs of the town, particularly the availability of mass transportation services, and the future needs of the citizens of the Town for various forms of mass transportation. It shall also perform any duties which may from time to time be established by action of the Town Council.

(Code 1962, § 2.55)

Secs. 2-451—2-457. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 30. HOUSING AUTHORITY

DIVISION 30. HOUSING AUTHORITY

[Sec. 2-458. Established.](#)

Sec. 2-458. Established.

The Town shall have a Housing Authority as established in chapter VII, [section 19\(14\)](#) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 31. HOUSING BOARD OF APPEALS

DIVISION 31. HOUSING BOARD OF APPEALS

[Sec. 2-459. Established.](#)

Sec. 2-459. Established.

The Town shall have a Housing Board of Appeals as established in chapter III, section 14E of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 32. INSURANCE COMMISSION

DIVISION 32. INSURANCE COMMISSION

[Sec. 2-460. Established.](#)

[Sec. 2-461. Composition; terms of members.](#)

[Sec. 2-462. Powers and duties.](#)

[Secs. 2-463—2-469. Reserved.](#)

Sec. 2-460. Established.

There is hereby established an Insurance Commission for the town.

(Code 1962, § 2.60)

Sec. 2-461. Composition; terms of members.

- (a) The Insurance Commission shall consist of five (5) members appointed by the First Selectman, with the approval of the Town Council.
- (b) The terms of each member of the Insurance Commission shall be for five (5) years. The term of one (1) member shall expire each year.

(Code 1962, § 2.60)

Sec. 2-462. Powers and duties.

The Insurance Commission shall have the power and duty to:

- (1) Review all insurance coverages presently in effect covering the Town and its agents and employees;
- (2) Review all bid specifications for new contracts of insurance to be awarded;
- (3) Make whatever recommendations it deems appropriate to the First Selectman which will improve the town's insurance protection and minimize the cost thereof.

(Code 1962, § 2.60)

Secs. 2-463—2-469. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 33. JURY COMMISSION

DIVISION 33. JURY COMMISSION

[Sec. 2-470. Established.](#)

Sec. 2-470. Established.

The Town shall have a Jury Commission as established in chapter VII, [section 16](#) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 34. PARK COMMISSION

DIVISION 34. PARK COMMISSION

[Sec. 2-471. Established.](#)

Sec. 2-471. Established.

The Town shall have a Park Commission as established in chapter VII, section 13(11) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 35. PENSION BOARD

DIVISION 35. PENSION BOARD

[Sec. 2-472. Established.](#)

Sec. 2-472. Established.

The Town shall have a Pension Board as established in chapter VII, [section 21\(16\)](#) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 36. PERSONNEL APPEALS BOARD

DIVISION 36. PERSONNEL APPEALS BOARD

[Sec. 2-473. Established.](#)

Sec. 2-473. Established.

The Town shall have a Personnel Appeals Board as established in chapter VII, section 8 of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 37. POLICE COMMISSION

DIVISION 37. POLICE COMMISSION

[Sec. 2-474. Established.](#)

Sec. 2-474. Established.

The Town shall have a Police Commission as established in chapter VII, section 9(8) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 38. RECREATION COMMISSION

DIVISION 38. RECREATION COMMISSION

[Sec. 2-475. Established.](#)

Sec. 2-475. Established.

The Town shall have a Recreation Commission as established in chapter VII, section 14(11) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 39. WATER POLLUTION CONTROL AUTHORITY

DIVISION 39. WATER POLLUTION CONTROL AUTHORITY

Sec. 2-476. Established.

Sec. 2-476. Established.

The Town shall have a Water Pollution Control Authority as established in chapter VII, [section 18\(13\)](#) of the Charter.

(Res. No. TC17-163, § A, 10-12-99)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 40. VOLUNTEER ACTIVITIES COMMISSION

DIVISION 40. VOLUNTEER ACTIVITIES COMMISSION

Sec. 2-477. Established.

Sec. 2-478. Composition; terms of members.

Sec. 2-479. Powers and duties.

Sec. 2-480. Report of recommendations.

Secs. 2-481—2-486. Reserved.

Sec. 2-477. Established.

The Volunteer Activities Commission is hereby established.

(Code 1962, § 2.63-1)

Sec. 2-478. Composition; terms of members.

The Volunteer Activities Commission shall consist of seven (7) members appointed by the First Selectman and approved by the Town Council. The terms of two (2) members shall expire December 4, 1989, the terms of two (2) members shall expire December 3, 1990, the terms of three (3) members shall expire December 1, 1991. Thereafter members will be appointed for two-year terms.

(Code 1962, § 2.63-2)

Sec. 2-479. Powers and duties.

The Volunteer Activities Commission shall be charged with:

- (1) Establishing a Volunteer Coordinator's position;
- (2) Considering whether or not a paid position is necessary and if so, to draft a job description;
- (3) Formulating a proposed budget for that position;
- (4) Identifying public services that could be enhanced through volunteer services; and
- (5) Developing incentives for volunteer participation and continuation.

(Code 1962, § 2.63-3)

Sec. 2-480. Report of recommendations.

The Volunteer Activities Commission should report its recommendations and findings no more than six (6) months after its establishment.

(Code 1962, § 2.63-3)

Secs. 2-481—2-486. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 41. YOUTH COMMISSION

DIVISION 41. YOUTH COMMISSION

[Sec. 2-487. Established.](#)

Sec. 2-487. Established.

The Town shall have a Youth Commission as established in chapter VII, [section 25](#) of the Charter.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 42. ZONING BOARD OF APPEALS

DIVISION 42. ZONING BOARD OF APPEALS

[Sec. 2-488. Established.](#)

[Secs. 2-489—2-495. Reserved.](#)

Sec. 2-488. Established.

The Town shall have a Zoning Board of Appeals as established in chapter VII, section 6 of the Charter.

Secs. 2-489—2-495. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 43. ROUTE 25 ADVISORY COMMITTEE

DIVISION 43. ROUTE 25 ADVISORY COMMITTEE

[Sec. 2-496. Established.](#)

[Sec. 2-497. Membership.](#)

[Sec. 2-498. Purpose.](#)

[Sec. 2-499—2-505. Reserved.](#)

Sec. 2-496. Established.

A special committee, to be known as the Route 25 Advisory Committee, consisting of six (6) members, is hereby established.

(Res. No. TC13-3, 1-18-90)

Sec. 2-497. Membership.

The membership of this committee shall be composed of:

- (1) The First Selectman;
- (2) The Director of Public Works;
- (3) A member of the Planning and Zoning Commission;
- (4) The State Representative from the 123rd District;

Additionally, there shall be:

- (1) A resident of Voting District 3 as defined on this date and;
- (2) A member at large,

both of whom shall be appointed by the Town Council.

(Res. No. TC13-3, 1-18-90)

Sec. 2-498. Purpose.

The Committee shall work in conjunction with the Greater Bridgeport Regional Planning Agency and the State Department of Transportation. The purpose of this Committee shall be to offer input as well as to advise the people of the Town of all attempts to extend Route 25 through Trumbull. The Committee shall keep the Council fully advised, at least on an annual basis, and shall submit reports, in writing, whenever state activity suggests present or future impact upon the town.

(Res. No. TC13-3, 1-18-90)

Sec. 2-499—2-505. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE III. - BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

DIVISION 44. PEQUONNOCK VALLEY MANAGEMENT COMMITTEE

DIVISION 44. PEQUONNOCK VALLEY MANAGEMENT COMMITTEE

[Sec. 2-506. Established.](#)

[Sec. 2-507. Purpose; reports.](#)

[Secs. 2-508—2-520. Reserved.](#)

Sec. 2-506. Established.

A Pequonnock Valley Management Committee is established consisting of nine (9) members for terms extending to December 7, 1992. Thereafter five (5) members shall be appointed by the First Selectman with the approval of the Town Council and four (4) members shall be appointed by the Town Council with the approval of the First Selectman. The term of each member shall be three (3) years with three (3) terms to expire each year. No member appointed herein shall be precluded from serving on other permanent boards, commissions or committees of the Town for this initial term of office.

(Res. No. TC13-75, 4-16-90)

Sec. 2-507. Purpose; reports.

The Committee shall work to develop a resource management plan between and among the State of Connecticut, Department of Environmental Protection and the Town to cooperatively manage the Pequonnock Valley. The Committee shall also study and propose regulations for the use or non-use of firearms in the Pequonnock Valley. Prior to Town approval of any plan as an official Town position, the plan shall be submitted to the First Selectman and the Town Council for their approvals. Semi-annual reports shall be submitted to the Town Council.

(Res. No. TC13-75, 4-16-90)

Secs. 2-508—2-520. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE IV. CODE OF ETHICS

ARTICLE IV. CODE OF ETHICS ^[13]

[DIVISION 1. - GENERALLY](#)

[DIVISION 2. - ETHICS COMMISSION](#)

FOOTNOTE(S):

--- (13) ---

Charter reference— Official conduct, Ch. VII, § 28. [\(Back\)](#)

State Law reference— Municipal authority to adopt a code of ethical conduct, G.S. § 7-148(c)(10)(B).
[\(Back\)](#)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 1. GENERALLY

DIVISION 1. GENERALLY

[Sec. 2-521. Definitions.](#)

[Sec. 2-522. Purpose.](#)

[Sec. 2-523. Applicability.](#)

[Sec. 2-524. Standards of service.](#)

[Sec. 2-525. Use of Town resources.](#)

[Sec. 2-526. Treatment of public.](#)

[Sec. 2-527. Conflicts of interest.](#)

[Sec. 2-528. Disclosure of confidential information.](#)

[Sec. 2-529. Gifts, gratuities, favors.](#)

[Sec. 2-530. Employment incompatible with Town duties.](#)

[Sec. 2-531. Political activities.](#)

[Sec. 2-532. Sanctions.](#)

[Secs. 2-533—2-545. Reserved.](#)

Sec. 2-521. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commission shall mean the Ethics Commission referred to in chapter VII, [section 22](#), Town Charter and sections 7-148(c)(10)(B) and 7-148(h) of the General Statutes.

Officers and/or employees means the persons enumerated in [section 2-523](#) and shall include officers.

Town shall mean the Town of Trumbull.

In all references herein to any parties, persons, entities or corporations the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the test of the within instrument may require.

(Code 1962, § 2-54.1(II)(B); Ord. No. TC12-4, 11-9-88)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 2-522. Purpose.

- (a) This article is adopted for the Town pursuant to chapter VII, [section 22](#) of the Charter and sections 7-148(c)(10)(B) and 7-148(h) of the General Statutes. It is established with the purpose of setting forth ethical standards of conduct, prohibited activities and sanctions that may be imposed for violation of this Code, and/or the Charter, all of which shall be consistent with the best interests of the Town.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 1. GENERALLY

- (b) The proper operation of representative government requires that public officials, employees and other persons involved in the governmental process and in the services rendered by government be independent, impartial and responsible to the people; that government decisions be made in the proper channels of governmental structure; that public office not be used for personal gain. Public interest must be the foremost concern of those included within the scope of this article.

(Code 1962, § 2-54.1(I); Ord. No. TC12-4, 11-9-88)

Sec. 2-523. Applicability.

Persons, hereinafter referred to as officials and/or employees, bound by this article are:

- (1) Elected or appointed Town officials, either paid or unpaid, including the Board of Education.
- (2) All Town employees, which shall include paid consultants of the Town and of all boards, commissions, committees and authorities, including the Board of Education.
- (3) Town officials and employees for a period of one (1) year following termination of such official position or employment for actions taken while serving as an official or employee.

(Code 1962, § 2-54.1(II)(A))

Sec. 2-524. Standards of service.

- (a) This article specifies and designates ethical standards of conduct required of all elected and appointed Town officials and all Town employees. Officials and employees have a responsibility by virtue of the trust vested in them by their employment or oath of office to discharge their duties conscientiously, impartially and to the best of their ability, placing the good of the Town above any personal or partisan considerations.
- (b) Officials and employees have an obligation to act morally and honestly in discharging all assigned responsibilities.
- (c) No official or employee, shall while serving as such have any interest, personal, financial or otherwise, direct or indirect, or engage in any business, employment or professional activity, or incur any obligation which is in conflict with the proper discharge of his duties or employment or which would be in conflict with any state statutes.
- (d) Officials and employees will conduct themselves with propriety, discharge their duties impartially and fairly, and make continuing efforts toward attaining and maintaining the highest standards of performance.

(Code 1962, § 2-54.1(III); Ord. No. TC12-4, 11-9-88)

Sec. 2-525. Use of Town resources.

- (a) Town property and resources are entrusted to officials and employees for the use and benefit of residents and taxpayers of the Town.
- (b) No Town officer or employee shall request or permit the use of Town-owned vehicles, equipment, facilities, materials or other property for personal convenience or profit, except when such are available to the public generally or are expressly provided for the use of such Town officer or employee in the interest of the Town.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 1. GENERALLY

- (c) No Town officer or employee shall grant any special consideration, treatment, favor or advantage to any person beyond that which is generally available to residents and taxpayers of the Town.
- (d) The abuse or misuse of Town property or resources is an unethical practice. Town property which is legitimately placed in the trust of an official or employee will be preserved and cared for to the best of his ability.
- (e) Requests for Town reimbursement for travel, lodgings or any other expenses incurred in connection with nonofficial business, or for family members of officials or employees or others who are not on official business, represents a breach of ethical behavior.

(Code 1962, § 2-54.1(IV); Ord. No. TC12-4, 11-9-88)

Sec. 2-526. Treatment of public.

- (a) Officials and employees represent the Town and reflect the relationship between Town government and the public. When relating to the community, officials and employees must bear in mind their roles as public servants. Every person is entitled to courteous, impartial, fair and equal service. Each person is entitled to all of the benefits and services available to each and every other individual in like circumstances.
- (b) Officials and employees shall make every reasonable effort to inform the public of its rights to Town services.
- (c) Officials and employees will treat the public with tact and courtesy and give proper and expeditious consideration to the public's needs.
- (d) Should an official or employee be requested to perform an unethical or illegal act, it must be declined and also should be reported to his superior officer, First Selectman, Chief of Police or the Ethics Commission whichever is appropriate.
- (e) Officials and employees shall not grant preferential treatment to any person.

(Code 1962, § 2-54.1(V); Ord. No. TC12-4, 11-9-88)

Sec. 2-527. Conflicts of interest.

- (a) Town officials and employees shall be acutely sensitive to possible conflicts of interest and shall carefully avoid such conflicts. Attention is called to chapter VII, section 28(A) of the Charter, which states that disclosure is required.
- (b) A conflict of interest is declared to exist when the vote or other official act of any official or employee may result in the personal advantage or financial gain, or otherwise affect the financial interest of:
 - (1) That official or employee;
 - (2) The following relatives of that official or employee, or of the relatives of the spouse of that official or employee; spouse, child, grandchild, parent, grandparent, sibling, aunt, uncle, niece, nephew, cousin;
 - (3) A member of the immediate household, residing with that official or employee;
 - (4) An individual, partnership, association or corporation with whom that official or employee has, or within one (1) year of the taking of the vote or official action in question had, financial or business dealings; provided, that financial or business dealings shall not include routine,

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 1. GENERALLY

insubstantial or commonplace business transactions of a *de minimus* nature or those shared or engaged in by the public at large;

- (5) A corporation of which a person described in subsections (b)(1), (2) or (3) above is an officer, director, employee or the owner or controller of more than five (5) percent of any of the capital stock;
- (6) A partnership of which a person described in subsections (b)(1), (2) or (3) above is a partner.
- (c) There is specifically excluded from the definition set forth in subsection (b) a financial gain or advantage incident to a program or project in the nature of a public work or improvement, which financial gain or advantage is common to or shared by a class of residents of the Town, which class is restricted only by geographical proximity to the location of such public work or improvement; nor shall an official be prevented from voting upon the annual Town budget. An official shall not be prevented from voting upon any matter involving any class of residents of the Town or group of municipal employees only if the vote of that official may result in the financial gain or personal advantage or otherwise effect the financial interest of that official's spouse, parent, grandparent, child, grandchild, sibling, aunt, uncle, niece, nephew, cousin or any other person who shares the same home with the official to the exclusion of other members of the class.
- (d) When a conflict or the possibility of a conflict exists, the interested official or employee shall, as soon as such conflict or possible conflict becomes evident or reasonably should have become evident to him, make full disclosure of such conflict to the appropriate governmental body including but not limited to the board or commission on which the particular person sits.
- (e) Such interested official or employee shall not thereafter vote or participate in any deliberations or proceedings on such matter.
- (f) An official or employee shall not use his public position to obtain or attempt to obtain a special advantage in official matters for himself, a client or for any of the individuals set forth in subsection (b); nor shall he use his public position to influence, or attempt to influence the Town Council or any board, commission, committee, authority or paid consultant of the Town, to act in favor of himself, a client or for any of the individuals set forth in subsection (b).

(Code 1962, § 2-54.1(VI); Ord. No. TC12-4, 11-9-88)

Sec. 2-528. Disclosure of confidential information.

- (a) Confidential information is any information not then in the public record or which is exempt from the public record or disclosure by law including section 1-19(b) of the General Statutes and which is obtained only by reason of an official's or employee's position.
- (b) No official or employee shall willfully and knowingly disclose to any other person confidential information acquired by him in the course of and by reason of his official duties or employment or use any such information for the purpose of anyone's personal or pecuniary gain.
- (c) No official or employee shall accept other employment which will require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.

(Code 1962, § 2-54.1(VII); Ord. No. TC12-4, 11-9-88)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 1. GENERALLY

Sec. 2-529. Gifts, gratuities, favors.

- (a) If officials and employees, because of their positions in Town, are offered gifts, loans or privileges in the expectation of influencing their actions and/or decisions, then such offerings are bribes, and the acceptance of them is unethical. Attention is called to chapter VII, section 28(B) of the Charter.
- (b) Officials and employees shall not solicit or accept gifts, either in goods or services, loans or privileges offered them because of their positions in Town government except that dinners, banquets and the like given by civic, charitable, fraternal, nonprofit or political organization shall be permitted.
- (c) It is unethical for an official or employee to give preferential treatment in response to gifts, loans or privileges offered to an official, employee, family member or business associates.
- (d) Subsections (b) and (c) do not preclude the acceptance of reasonable gifts at the time of retirement or at public occasions held to honor an official or employee. The public honoring of an individual makes reasonable gifts appropriate and acceptable.

(Code 1962, § 2-54.1(VIII); Ord. No. TC12-4, 11-9-88)

Sec. 2-530. Employment incompatible with Town duties.

- (a) Unpaid officials may have regular employment and Town employees may have employment additional to Town positions unless otherwise provided by law or collective bargaining agreement. Officials and employees have a responsibility to perform Town duties unencumbered by conflicting demands placed upon them by virtue of their commitment to other employment.
- (b) No official or employee shall engage in or accept private or other public employment or render services for private interests when such employment or services are incompatible with the proper discharge of official duties.
- (c) Officials and employees shall disqualify themselves from all discussions, attempts at influencing the view of others and decision-making with respect to any issues in which their private or other employment may conflict with their Town positions.
- (d) No official or employee shall accept other employment that will impair his independence of judgment as to his official duties or employment or conflict with his ability to perform such duties.

(Code 1962, § 2-54.1(IX); Ord. No. TC12-4, 11-9-88)

Sec. 2-531. Political activities.

- (a) Recognizing that political activity is an integral part of the democratic process, all officials and employees are free to engage in political activity to the widest extent consistent with the proper discharge of their official Town duties and fair and equal treatment of all townspeople.
- (b) Officials and employees shall not allow partisan politics and political activities to materially interfere with the proper discharge of their official duties.
- (c) No official or employee shall use the power or influence of his position to coerce participation in political activity or contributions to same.

(Code 1962, § 2-54.1(XI); Ord. No. TC12-4, 11-9-88)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 1. GENERALLY

Sec. 2-532. Sanctions.

Sanctions imposed by the Ethics Commission shall be:

- (1) A public reprimand filed with the Town Clerk;
- (2) A recommendation to the hiring authority to take such disciplinary or removal proceedings as may be appropriate or warranted;
- (3) A recommendation to the Town Attorney or State's Attorney that further action be taken in accordance with the laws of the state.

(Code 1962, § 2-54.1; Ord. No. TC12-4, 11-9-88)

Secs. 2-533—2-545. Reserved.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 2. ETHICS COMMISSION

DIVISION 2. ETHICS COMMISSION ^[14]

[Sec. 2-546. Officers.](#)

[Sec. 2-547. Meetings.](#)

[Sec. 2-548. Quorum.](#)

[Sec. 2-549. Public presence.](#)

[Sec. 2-550. Case procedure.](#)

[Sec. 2-551. Findings and recommendations.](#)

[Sec. 2-552. Advisory opinions.](#)

[Sec. 2-553. Amendments.](#)

[Secs. 2-554—2-570. Reserved.](#)

Sec. 2-546. Officers.

- (a) The officers of the commission shall be a Chairman, a Vice-Chairman and a Secretary.
- (b) The Chairman shall preside at all meetings.
- (c) The Vice-Chairman shall perform the duties of the Chairman in the event of the Chairman's absence, death, resignation or inability for any other reason to act.
- (d) The Secretary shall cause to have taken minutes of all meetings and issue all notices required.
- (e) The members of the Commission shall elect their officers at the first meeting of the Commission after appointment of members to expired terms. Such organization meeting shall be held not later than sixty (60) days after such appointments.

(Code 1962, § 2-54.1(Art. I))

Sec. 2-547. Meetings.

The Commission may meet monthly if it has business to transact or as soon as seen as reasonably possible after receipt of a complaint or at such other time that the Chairman shall deem necessary.

(Code 1962, § 2-54.1(Art. II); Ord. No. TC12-4, 11-9-88)

Sec. 2-548. Quorum.

The presence of three (3) members shall be required to conduct the Commission's business. A majority of the members present may act upon any matter for the Commission except for a finding of an ethics code violation and/or the imposition of sanctions which shall require a majority vote of the membership of the Commission. Any hearing on a complaint shall require the continued presence of at least three (3) members of the Commission. A member of the Commission who fails to attend the entire hearing on any complaint shall not be entitled to vote thereon.

(Code 1962, § 2-54.1(Art. III), Ord. No. TC12-4, 11-9-88)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 2. ETHICS COMMISSION

Sec. 2-549. Public presence.

- (a) Meetings concerning operating administrative affairs shall be open to the general public.
- (b) Meetings involving specific complaints or investigations shall be open to the public only after the Commission has decided to accept the complaint and proceed with an investigation.

(Code 1962, § 2-54.1(Art. IV); Ord. No. TC12-4, 11-9-88)

Sec. 2-550. Case procedure.

- (a) No complaint shall be accepted by the Commission unless it is reduced to writing, dated, signed and sworn to by the complainant before a notary public or Commissioner of the Superior Court. The complaint shall contain a statement of the underlying facts and identify, to the extent possible, the names and individuals involved, the nature of the alleged violation, and the date or dates of such violation.
- (b) Such complaint shall be mailed or delivered to the Chairman of the Ethics Commission in care of the Town Clerk, Town Hall, Trumbull, Connecticut. The Town Clerk will advise the Chairman of the receipt of such mail and hold it unopened for delivery to the Chairman.
- (c) Each request for Commission action shall be assigned a file number by the Commission and be identified by same. A cover sheet shall record the official date of receipt, dates of all required notices, meetings on same and action taken.
- (d) Except where a complaint is filed by the Commission, upon receipt of a complaint, the Commission shall meet in executive session and decide whether to dismiss the complaint for lack of jurisdiction or lack of probable cause or to accept the complaint and to proceed with any necessary investigation. In the event that the Commission proceeds with the complaint, the Commission shall promptly notify the person charged with any violation in writing by sending to the person charged a copy of the complaint. Any person charged may be represented by counsel and all hearings shall be recorded by stenographic recording or tape. The Commission shall have the power to require the attendance of any witness by subpoena. Any person charged shall be notified in writing at least ten (10) business days prior to any hearing regarding the complaint. At the beginning of the hearing, the Commission may, in its discretion, ask for clarification of the issues involved after which the complaining party or his attorney, shall present his claims, proofs and witnesses who shall submit to questions or other examination by the party charged or his attorney, the Commission or its attorney, and counsel for the complaining party, if any. Thereafter, the party charged, or his attorney, shall present his defenses, proofs and witnesses who likewise shall submit to questions from the complaining party or his attorney, the Commission or its attorney or counsel for the party charged. Exhibits, when offered by either party, may be received in evidence including affidavits sworn to under oath, to afford a full and equal opportunity for the presentation of any material or relevant proofs. The Commission may in its discretion vary the foregoing procedure where in the interest of fairness it deems it appropriate. The Commission may proceed in the absence of any person charged with a complaint, the charging party or any witnesses but shall make every effort to receive sufficient competent evidence in order to render a just and final decision.
- (e) After hearing and within one hundred twenty (120) days of the filing of the complaint, the Commission shall notify the complainant, the person charged, and the Town Clerk of its final action in writing and the sanction, if any, imposed. Any such action shall be deemed final. The Commission shall have the right to reject any complaint or request for advisory opinion if it determines, by majority vote, that the matters presented have been previously heard by the Commission and appropriate action has been taken.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION
ARTICLE IV. - CODE OF ETHICS

DIVISION 2. ETHICS COMMISSION

- (f) The Commission may be guided by the advisory opinions of the Ethics Commission of the state (See: Conn. Gen. Stat. S1-81), and the opinions of the Connecticut Bar Association with respect to the code of professional responsibility, and shall abide by the laws of the state.

(Code 1962, § 2-54.1; Ord. No. TC12-4, 11-9-88)

Sec. 2-551. Findings and recommendations.

Any findings and recommendations of the Ethics Commission arrived at after a full hearing shall be recorded with the Town Clerk.

(Code 1962, § 2-54.1(Art. VI))

Sec. 2-552. Advisory opinions.

The Commission may render advisory opinions of a general nature, without reference to any specific case, to guide officials and employees with respect to the application and interpretation of the code of ethics, but no such opinion shall be rendered unless approved by the majority of the membership of the Commission.

(Code 1962, § 2-54.1(Art. VII); Ord. No. TC12-4, 11-9-88)

Sec. 2-553. Amendments.

The Commission may, from time to time, in its discretion, suggest amendments to the Code of Ethics for approval by the Town Council by ordinance.

(Code 1962, § 2-54.1(Art. VIII); Ord. No. TC12-4, 11-9-88)

Secs. 2-554—2-570. Reserved.

FOOTNOTE(S):

--- (14) ---

Charter reference— Ethics Commission, Ch. VII, § 22. ([Back](#))

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE V. EMERGENCY MANAGEMENT

ARTICLE V. EMERGENCY MANAGEMENT

[Sec. 2-571. Definitions.](#)

[Sec. 2-572. Authority; established; supervision.](#)

[Sec. 2-573. Appointment; powers and duties of the director.](#)

[Sec. 2-574. Responsibilities of departments, agencies and offices of Town government.](#)

[Sec. 2-575. Emergency management responsibilities and powers of the First Selectman.](#)

[Sec. 2-576. Advisory council.](#)

Sec. 2-571. Definitions.

The definitions of emergency management and related terms used in this article shall be the same as the definitions provided in Section 28-1, Chapter 517 of the Connecticut General Statutes.

(Res. No. TC13-128, 8-6-90)

Sec. 2-572. Authority; established; supervision.

- (a) By authority of Section 28-7 of the Connecticut General Statutes, an organization of Town government to be known as the Office of Emergency Management is hereby established.
- (b) The established Office of Emergency Management is to be under the direction and supervision of a Director of Civil Defense (hereinafter referred to as the Emergency Management Director). The Director shall be responsible for the organization, administration and operation of the local organization.

(Res. No. TC13-128, 8-6-90)

Sec. 2-573. Appointment; powers and duties of the director.

- (a) The Emergency Management Director shall be appointed by the First Selectman of the Town, and shall serve at the will of the First Selectman. The Director may be removed from office at any time by the First Selectman.
- (b) The Director shall report directly to the First Selectman.
- (c) The Director shall advise the First Selectman on all emergency matters and related laws, rules, regulations and requirements of [Title 28](#) and Public Act 87-535 of the Connecticut General Statutes, the Federal Civil Defense Act of 1950, and the Federal Natural Disaster Relief Act of 1974.
- (d) The Director shall develop, organize, direct and coordinate the Town's Emergency Management Program with the goal of saving lives and protecting property by maintaining emergency operational capabilities that mitigate, prepare for, respond to and recover from any emergency or disaster.
- (e) The Director shall develop and organize the Emergency Management Program in accordance with local, state and federal emergency management requirements.

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE V. EMERGENCY MANAGEMENT

- (f) The Director shall coordinate the activities of all Town departments, agencies and offices and the activities of all volunteer organizations, but in no instance shall assume direction and control of any Town department, agency or office unless directed by written authority from the First Selectman.
- (g) The Director shall be responsible for the development and maintenance of the Town's Emergency Operations Plan.
- (h) The Director shall be responsible for the coordination of training and exercises required to maintain adequate emergency management and emergency response capabilities in Town.
- (i) The Director shall be responsible for the recruitment and training of volunteer emergency management personnel.
- (j) The Director shall maintain continuous contact with the State Office of Emergency Management, and shall prepare and submit reports and all paperwork necessary to ensure that the Town qualifies and receives all possible funding, equipment and other benefits or assistance available from the state and/or the federal Emergency Management Program. All requests for outside funding and/or assistance shall be in accordance with established local procedures.
- (k) The Director shall brief the First Selectman and the Town Council within thirty (30) days after their commencement of office.

(Res. No. TC13-128, 8-6-90)

Sec. 2-574. Responsibilities of departments, agencies and offices of Town government.

- (a) Each department, agency and office of Town government required to have an annex to the Town's Emergency Management Operations Plan shall develop and maintain such annex in accordance with local, state and federal emergency management requirements.
- (b) Each department, agency and office of Town government shall cooperate with the Emergency Management Director to the fullest extent possible in the development and maintenance of the local Emergency Management Program.

(Res. No. TC13-128, 8-6-90)

Sec. 2-575. Emergency management responsibilities and powers of the First Selectman.

- (a) The First Selectman of the Town is responsible for the protection of the health and safety of all residents and all people in town, the protection of property, and the preservation of the local government organization and structure.
- (b) The First Selectman of the Town shall ensure that the local Emergency Management Organization develops and maintains the capability of local government necessary to respond to any emergency or disaster that may affect the Town.
- (c) During emergency or disaster situations the First Selectman has the power and authority to issue emergency and/or disaster declarations and exercise any and all powers granted by the Town Charter deemed reasonable and necessary for the protection of residents and people in town, the protection of property and the preservation of local government.

(Res. No. TC13-128, 8-6-90)

PART II - MUNICIPAL CODE
Chapter 2 - ADMINISTRATION

ARTICLE V. EMERGENCY MANAGEMENT

Sec. 2-576. Advisory council.

- (a) An Emergency Management Advisory Council shall be established by appointment from the First Selectman of the Town which Council shall advise the First Selectman on emergency management issues and shall work with the Director to develop, maintain and coordinate the Emergency Management Plan.
- (b) The Emergency Advisory Council shall be composed of twelve (12) members. The members of the Emergency Advisory Council shall be designated as follows:
 - (1) The Chief of each of the three (3) Fire Districts;
 - (2) The Chairman of the Police Commission and Police Captain/Traffic;
 - (3) The Director of Trumbull Emergency Medical Services and the Chairman of the Emergency Medical Services Commission;
 - (4) The Director of Civil Defense;
 - (5) The Superintendent of Schools;
 - (6) Director of Public Works;
 - (7) Fire Marshal;
 - (8) Chief of Police.
- (c) The Chairperson of the Advisory Council shall be elected by the Council from the members.
- (d) Members of the Emergency Management Advisory Council shall be exempted from the provision of Chapter 8, Section 1 of the Charter, as regards serving on Emergency Management Advisory Council.
- (e) The Chief of Police, Fire Marshal, Public Works Director and Superintendent of Schools may send their designated representatives.

(Res. No. TC13-128, 8-6-90)

PROPOSED

Trumbull, Connecticut, Code of Ordinances>>PART II – MUNICIPAL CODE>>Chapter 17 – STREETS, SIDEWALKS AND HIGHWAYS>>ARTICLE V. STREET EXCAVATIONS>>

ARTICLE V. STREET EXCAVATIONS

- Sec. 17-111. Permit Required.
- Sec. 17-112. General Requirements.
- Sec. 17-113. Public Service Companies.
- Sec. 17-114. Requirements if closing of Highway required.
- Sec. 17-115. Tunneling or Jacking.
- Sec. 17-116. Backfilling.
- Sec. 17-117. Inspections.
- Sec. 17-118. Maintenance of work by contractor.
- Sec. 17-119. Contractor responsibilities for permanent repair.
- Sec. 17-120. Bituminous concrete.
- Sec. 17.121. Liability of permittee for unsafe conditions or abandonment.
- Sec. 17.122. Town's right to not issue, revoke permits.
- Sec. 17-123. Termination of permit and release of Contractor's obligations.
- Sec. 17-124. Call before you dig.
- Sec. 17-125. Non Liability of Town.
- Sec. 17-126. This Ordinance shall not apply to work being done on behalf of the Town.

Section 17-111 - Permit Required

No person shall make any opening, excavation, or construct any walk, curb, pavement, or perform other construction work within, on, through, or under any public street, highway or public right-of-way (Highway) located in the Town of Trumbull (Town) including a State highway, for any purpose whatsoever, unless an Encroachment/Street Opening Permit (Opening Permit) has been obtained pursuant to this Article from the Director of Public Works or his designated representatives. Any Ordinance Permit issued shall be valid for a period of ninety (90) days from the date thereof. Any work performed pursuant to such Opening Permit shall be subject to approval by the Director of Public Works or his designated representatives.

On State highways located within the Town, the Opening Permit must be obtained prior to the issuance of a permit by the Connecticut Department of Transportation (DOT). This article does not supersede any regulations as set forth by the DOT with regard to excavation in State highways.

Section 17-112 – General Requirements

Opening Permits will not be issued until an applicant has done the following:

- (1) Obtained a Town Excavating License.
- (2) Submit a fully completed Opening Permit Application on a form approved by the Director of Public Works.
- (3) Paid to the Town a permit fee of fifty (\$50.00) Dollars for each opening, excavation, etc.
- (4) If required by the Director of Public Works or his designated representatives, permittee shall pay the Town a fee for the cost of permanent patching of the street as calculated on a cost of per square yard basis by the Director of Public Works or his designated representatives.
- (5) Unless exempted as provided in this Article, filed with the Town a surety bond in an amount which is sufficient, in the opinion of the Director of Public Works or his designated representatives, to secure the adequate restoration of the highway as required by this Article. In lieu of a surety bond the Director of Public Works or his designated representatives may require a cash bond.
- (6) Unless exempted by this Article, provide the Town with the following minimum insurance coverage:

(a) Commercial General Liability Insurance:

- | | | |
|-----|---------------------------|--------------------------|
| (1) | Each Occurrence Limit | \$1,000,000 |
| (2) | Damage to Rented Premises | \$50,000 each occurrence |
| (3) | Medical expense | \$5,000 Any one person |
| (4) | Personal & Adv injury | \$1,000,000 |
| (5) | General Aggregate | \$2,000,000 |
| (6) | Products – Comp/Op Agg | \$2,000,000 |

(b) Commercial Automobile Insurance (for Owned, Hired, and Non-owned Autos)

- | | | |
|-----|---|---------------------------|
| (1) | Bodily Injury and Property Damage Liability | |
| (2) | Combined Single Limit | \$1,000,000 each accident |

(c) Workers Compensation and Employers' Liability

- | | | |
|-----|-----------------------------|-----------|
| (1) | E.L. Each Accident | \$100,000 |
| (2) | E.L. Disease – EA Employee | \$100,000 |
| (3) | E.L. Disease – Policy Limit | \$500,000 |

The Town shall be named as an additional insured on said policies unless waived by the Director of Public Works.

- (7) Provide the Town with the full name and business address and telephone number of the applicant, and the name, address and telephone number of two (2) persons with authority from the applicant to take action in case of emergency and who will be available on a twenty-four hour basis.
- (8) Provide a general statement of the scope of the proposed work in such detail as may reasonable be required by the Director of Public Works, or his designated representatives, including the number of days that the work is estimated to take and specific plans for safeguarding the work and any condition left prior to the final completion of work. These plans shall be subject to review and approval by the Director of Public Works or his designated representatives who may make such reasonable requirements as are necessary in order to insure safe passage on the Highway and to protect the public health, safety and welfare. Such requirements may include, but are not limited to, provisions for lights, barricades, warning signs and the like depending upon the nature of the work. Sketch shall be provided depicting the permanent patch repair limits. Patch limits shall be as required by the Director of Public Works or his designated representative.
- (9) If required by the Director of Public Works or his designated representative, permittee shall provide a letter from the Town's Chief of Police or his designee, acting as the Traffic Authority, setting forth such measures as the Chief of Police or his designee requires in order to insure the health, safety and welfare of the public and to maintain adequate traffic flow and control.

The letter shall specify the type of traffic control, if any, that is required to maintain traffic flow and public safety, to wit: (1) Police Officers; (2) Flag Persons; (3) Signs and/or warning devices; or (4) Exempt (no traffic control required) or any combination of the foregoing.

If a letter is not required in advance of the issuance of the permit, Permittee shall coordinate with the Town's Chief of Police or his designee all traffic requirements prior to roadway excavation.

Utility company service vehicles, such as electric, gas, water, telephone and or cable companies stopping for a short period of time on the traveled portion of the Highway in order to complete repairs or to render certain service may be exempt from providing traffic control of the type and form described above, at the sole discretion of the Chief of Police or his designee in order to maintain traffic flow and public safety.

Any party working on a Highway will be required by the Chief of Police or his designee to post warnings in both directions as required by Section 9.71 of the State of Connecticut Department of Transportation 816 Manual, Street Opening Permit Specifications and General Conditions and any and all State or Local requirements. .

All flag persons and Police Officers shall be properly trained in accordance with evidence of same provided to the Chief of Police or his designee and equipped at all times with the proper safety equipment.

The Director of Public Works and the Trumbull Police Department shall be notified at least twenty-four (24) hours in advance of actually starting any work authorized under a permit. Failure of the permittee to notify the city may result in the revocation of the permit.

Section 17-113 – Public Service Companies

Nothing in this Article shall be construed to prevent making of any necessary excavation or the performance of any work related thereto by any public service company in the event of an emergency. In the event of an emergency, the public service company shall notify the town immediately or if after hours the start of the next town hall business day at which time application for a permit shall be made.

Any public service company which has complied with the provision of Section 16-230 of the Connecticut General Statutes shall be exempted from the requirement of posting a bond as hereinbefore set forth and may be further exempted from the requirement of paying a fee for the cost of permanent patching of the street opening as hereinbefore set forth, provided that the utility shall place on file with the Town a written agreement constituting a continuing obligation binding the utility to permanent repair required by this article at its own expense and in such a manner as is required by this article as if the work were to be done by the city contractor as further guaranteeing the quality of the workmanship and materials to the same extent as would the city contractor and agreeing to complete the work at the times required by the city engineer. The utility shall warranty all their permanent repairs until the roadway is completely paved by the Town, but minimum of 2 years. .

Section 17-114 – Requirements if closing of Highway required

No Highway may be closed without the approval of the Traffic Authority.

Section 17-115 – Tunneling or Jacking

Tunneling or jacking shall be permitted only when plans prepared by a registered engineer are submitted to an approved by the Director of Public Works or his designated representative.

Section 17-116 – Backfilling

The material used for backfill shall be subject to the inspection and approval of the Director of Public Works, or his designated representatives, and if in his opinion, the excavated material is unsuitable for backfill, the Contractor shall be required to dispose of the unsuitable materials in

the amounts and proportions specified by the Director of Public Works or his designated representatives.

When backfill has been completed within the fifteen (15) inches of the finished pavement or surface grade, the next eleven (11) inches shall be filled and compacted using an approved grade of bank-run or processed gravel. The last four (4) inches shall be covered with adequate temporary hot bituminous paving material (when available) and in such a manner as shall be approved by the Director of Public Works or his designated representatives.

Backfill in trenches within paved areas shall be placed in layers not more than twelve (12) inches thick and shall be thoroughly compacted by tamping or other approved means to the satisfaction of the Director of Public Works or his designated representatives. Compaction equipment must be at the excavation site and shall be utilized during all backfilling operations.

Section 17-117 Inspections

The Director of Public Works or his designated representatives are empowered to inspect all excavations for workmanship and materials. The Town may require the permittee to excavate and expose for inspection any portion of the excavation backfilled without inspection or authorization to backfill. The Director of Public Works or his designated representatives may require the permittee to hire an independent inspector to inspect all construction activities.

Section 17-118 – Maintenance of work by contractor

The Permittee will be required to maintain his work (temporary patch and permanent patch) for a minimum of 2 years or until the roadway is permanently paved by the Town. During this period he shall inspect the trench at such regular intervals as may be necessary to maintain the area in satisfactory condition. The Contractor shall make all necessary repairs, and in the event that the Contractor fails to make such repairs as are deemed necessary and the Town must perform any work, the Contractor shall pay the cost of this work. Failure on the part of the Town to give notice that repairs are needed shall not relieve the Contractor of any of the duties set forth herein.

Section 17-119 – Contractor responsible for permanent repair

Unless otherwise specified by The Director of Public Works or his designated representatives, the permanent repair of street openings shall be the responsibility of the Contractor. If the Town performs the permanent patch, The Town shall charge each permittee a fee for cost of the permanent repair based on the area of the final repair as calculated by the Director of Public Works or his designated representatives. .

In the event the size of the actual permanent repair exceeds the estimated size of permanent repair, the permittee shall pay the additional fee to the Town within ten (10) working days. Failure to pay the additional fee will result in the Permittee forfeiting any rights to future permits until the outstanding balance is received.

Section 17-120 – Bituminous Concrete

Hot-laid bituminous concrete shall be as specified by the State Department of Transportation in their specification and as required by The Director of Public Works or his designated representatives. .

Section 17-121 – Liability of permittee for unsafe conditions or abandonment

Any person, firm or corporation who violates any provision of this ordinance shall be subject to a fine of not more than \$100.00 for each violation. Any person, firm or corporation who receives a permit and leaves an excavation in an unsafe condition in violation of any of the provisions of this ordinance or abandons a street opening, shall be subject to a fine of not more than \$100.00 for each violation and shall be liable for all costs incurred by the city to correct any condition.

Section 17-122 - Town's right to not issue, revoke permits

Any permit may be revoked by the Director of Public Works or his designated representatives for just cause including, but not limited to, defective workmanship, trench settlement, failure to notify or nonpayment of additional fees. The Director of Public Works or his designated representatives may refuse to issue a permit to any person, firm or corporation which has not paid to the Town any fees incurred under the provisions of the ordinance prior to making such permit application.

The Director of Public Works or his designated representative may refuse to issue a permit to any person, firm or corporation for proposed work on a roadway recently paved.

Section 17-123 – Termination of permit and release of Contractor's obligations

The Contractor will be required to maintain his work (temporary patch and permanent patch) until the roadway is permanently paved by the Town, but minimum of 2 years. If in the opinion of the Director of Public Works or his designated representatives the work is not satisfactorily completed or settlement is occurring, necessary repairs shall be undertaken by the contractor and an additional period of liability established by the Director of Public Works or his designated representatives will be established before release.

Section 17-124 – Call before you dig

Section 16-345 thru 355 of the Connecticut General Statutes describes contractor responsibility with respect to any proposed excavation, discharge of explosives or demolition at or near the location of any public utility facility. The contractor should call 1-800-922-4455 or otherwise notify the Department of Public Utility Control or central clearing house of such act at least 48 hours, excluding Saturdays, Sundays, and holiday of said excavation explosion or demolition, but not more than one month before commencing same.

Section 17-125 – Non Liability of Town.

No permit issued, inspection made or approval given by the Director of Public Works or his designated representatives pursuant to this Article shall be construed as imposing any liability whatever upon the Town for injury to any person or damages to any property which may occur by reason of any wrongful or negligent act or omission during the progress of any work under this article.

Section 17-126 – This ordinance shall not apply to work being done on behalf of the Town.

OWENS, SCHINE & NICOLA, P.C.
ATTORNEYS AND COUNSELORS AT LAW

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** Also admitted in New York and Massachusetts

CONFIDENTIAL ATTORNEY CLIENT PRIVILEGED COMMUNICATION

June 13, 2014

Via email, fsmeriglio@trumbull-ct.gov

Frank Smeriglio
Town Engineer
Town of Trumbull
5866 Main Street
Trumbull, CT 06611

Re: Street Excavation Ordinance

Dear Frank:

Attached is my last revision to the proposed new Road Excavation Ordinance which includes an Index (which the current Ordinance has) and a change (City to Town) in Section 17-122.

Very truly yours,



Robert J. Nicola

RJN/lid
Attachment
cc: J. Marsilio, *via email*

Current Ordinance

Trumbull, Connecticut, Code of Ordinances >> PART II - MUNICIPAL CODE >> Chapter 17 - STREETS, SIDEWALKS AND HIGHWAYS >> ARTICLE V. STREET EXCAVATIONS >>

ARTICLE V. STREET EXCAVATIONS ⁽⁴⁾

Sec. 17-111. Prerequisites generally; town's agents.

Sec. 17-112. General requirements.

Sec. 17-113. License—Required; issuance to competent, etc., applicants.

Sec. 17-114. Same—Bond or indemnification agreement required; certificate of insurance.

Sec. 17-115. Same—Revocation; transferability; expiration; fees.

Sec. 17-116. Permit—Generally.

Sec. 17-117. Same—Emergency permit.

Sec. 17-118. Inapplicability of article to town officers, employees, etc.

Sec. 17-119. Penalty for violation of article.

Sec. 17-111. Prerequisites generally; town's agents.

No person shall make any opening or excavation in any street, highway, public alley or sidewalk excepting a state highway for any purpose whatsoever except under the control and direction of the first selectman or his authorized agent, hereinafter referred to as the town's agent, and after receipt of a permit issued by him in conformity with the provisions of this article.

(Res. No. TC14-174, 9-13-93)

Sec. 17-112. General requirements.

Whenever any opening or excavation shall be made in any street, highway, public alley or sidewalk, the person or public utility company making such opening or excavation shall remove the pavement in any street with the least possible damage or loss of shape and shall place all excavated material from the trenches, openings and excavations made by him where it will cause the least possible inconvenience to the public. At no time shall such opening or excavation or the work done in connection therewith completely obstruct vehicular traffic along such street except when a properly posted suitable detour is provided. All such excavations or openings shall be filled with such material as shall be deemed acceptable by the town's agent immediately after the work has been completed. All fill shall be thoroughly tamped so that the earth placed therein shall not settle and shall restore the immediate area thereof to the condition which it existed before such opening or excavation was made, all in the manner directed by the town's agent and to his approval and satisfaction and, from time to time for a period of six (6) months thereafter, shall make such repairs as may be necessary to maintain such area in a safe condition and at a level of the surrounding areas. If the opening or excavation is made in a surfaced highway, the person or public utility company making such opening or excavation shall, after filling in such opening or excavation as hereinbefore provided to a point within two (2) inches of the surface of such highway, fill in the remaining portion thereof with such temporary paving materials and in such manner as shall be approved by the town's agent and shall result in a temporary paved surface for such opening or excavation and shall, from time to time thereafter, make such repairs as may be necessary to maintain the area so opened or excavated in a safe condition and at the level of the surrounding

areas for a period of six (6) months or until the opening or excavation is permanently resurfaced or repaved by the highway department of the town, the cost of which resurfacing or repaving shall be promptly paid to the town by the licensee who make such opening or excavation or by the public utility company making such opening or excavation, provided the town's agent may permit or require a public utility company to accomplish its own permanent resurfacing or repaving by a qualified paving contractor acceptable to the town's agent. If any such opening or excavation shall not be so refilled, repaired and maintained safely and in repair, it shall be the duty of the highway department to do or contract for such refilling and to make such repairs and to charge the expense thereof against the licensee making such openings or excavation, which expense shall be collected by the town from the licensee's surety or the licensee, jointly and/or severally, by any proper

action. No tunnelling shall be done in any roadway of any street, highway or public way except by consent of and under the direction of the town's agent. So far as possible all gutters or drains shall be kept clear and free of materials so as not to prevent or retard the flow of water therein, and all work shall be performed in a thorough and workmanlike manner.

Any person making such opening or excavation shall erect and maintain a strong and adequate railing, fence or barrier around any such opening or excavation and shall keep at and over such opening or excavation a sufficient number of bright red or yellow lights to mark the same and to warn pedestrians and vehicles of its existence, which warning lights shall be kept burning from sunset to sunrise until such work is completed.

(Res. No. TC14-174, 9-9-93)

Sec. 17-113. License—Required; issuance to competent, etc., applicants.

No person or any company engaged in the business of supplying or distributing either water, gas or electricity or any telephone or telegraph company shall make any opening or excavation in any street, highway, public alley or sidewalk, excepting a state highway, for any purpose whatsoever unless licensed therefor by the town's agent. The town's agent may license such person or public utility company found by him to be suitable, competent and responsible in and for the performance of such work and who shall comply with the law and with the conditions governing such license and the terms of this article.

(Res. No. TC14-174, 9-9-93)

Sec. 17-114. Same—Bond or indemnification agreement required; certificate of insurance.

Every applicant for such license shall file with the town's agent a good and sufficient bond, acceptable to the town's agent in the sum of ten thousand dollars (\$10,000.00), conditioned substantially as follows except that no company engaged in the business of supplying or distributing either water, gas, or electricity or any telephone or telegraph company need furnish such bond, provided they enter into an agreement with the town conditioned substantially as follows: That the applicant shall indemnify and save harmless the town's agent and the town and its officers, servants, agents and employees from all claims, suits, liability and actions for or on account of any injuries or damages received or sustained by any person or corporation in consequence of or resulting from any act done or work performed by the applicant, his servants or agents in connection with any opening or excavation on any such street, highway, public alley or sidewalk or from any negligence or omission in guarding such work or maintaining such work and its immediate area in a safe condition or of or from any act or omission of the applicant, his servants or agents;

that such applicant shall restore and replace that portion of any street, highway, public alley or sidewalk in which such applicant, his servants or agents shall make any excavation or opening to as good condition as that in which the same was before such work was performed, but to the satisfaction and approval of the town's agent; that such applicant shall reimburse and indemnify the town for all cost and expense the town may incur in refilling or repaving or resurfacing such openings and excavations made by such applicant and in restoring the area in which they are made to their original conditions where such applicant fails or neglects to do so.

All applicants except such public utility companies as are self-insurers shall also furnish to the first selectman certificates of insurance naming the town as an assured when so required by the first selectman, indicating that the applicant has in force during the time work shall be performed under such permit and for ninety (90) days thereafter liability and property damage insurance in the following amounts:

Liability—\$1,000,000.00 single limit and the Town of Trumbull shall be named as an additional insured at time such permit is granted.

Property damage—\$10,000.00.

(Res. No. TC14-174, 9-9-93)

Sec. 17-115. Same—Revocation; transferability; expiration; fees.

The town's agent may revoke the license granted to any such person who shall violate or fail to conform to any of the terms of such bond, the terms of any permit issued to him or it, any section of the ordinances of the town or of the statutes of the state relating or applicable to such work or who shall be indebted to the town for any expense that the town may have incurred or may incur in refilling such openings and excavations and in restoring, resurfacing or repaving their immediate area by reason of the failure of the applicant to do so. The town's agent may also revoke any such license for incompetency or negligence in the performance of such work, or for any failure, refusal or neglect on the part of the applicant strictly to comply with any of the rules, regulations or specifications established by the town relating to the performance of such work.

All such licenses shall expire on the first day of March next following their issuance unless sooner revoked and shall not be transferable.

The annual fee for such license shall be twenty-five dollars (\$25.00) except that the annual fee for such license shall be ten dollars (\$10.00) to any applicant who is a licensed tile layer in the town.

(Res. No. TC14-174, 9-13-93)

Sec. 17-116. Permit—Generally.

No licensee, person, firm or corporation shall make any opening or excavation in any street, highway, public alley or sidewalk for any purpose whatsoever or shall undertake any construction work, installation, repairs, excavation, or other related activity in, on, or adjacent to any public highway that might affect the normal flow of traffic within the town, nor operate any road construction vehicle, machinery, or equipment in, on, or adjacent to any such public highway in connection with work performed on private property without at first obtaining a permit therefore from the Director of Public Works at least seventy-two (72) hours before such activity is to commence.

As a prerequisite and condition to obtaining such permit, an applicant must provide to the Director of Public Works, a written traffic safety plan from the Chief of Police designating the number of regular Trumbull police personnel, if any, or devices needed by applicant for the job for the safety of the residents and motorists, i.e., safety equipment, the time periods for the use of said regular police personnel, devices and/or other precautions required to protect the safety of persons and vehicles using the roadway, and the applicant must sign said statement indicating the applicant's assent to and agreement to comply with and pay for all items and provisions contained therein.

The method of assigning police personnel, as described, and the payment of such service shall conform with the police policies established by the police commission. The Chief of Police shall provide a monthly report to the Police Commission detailing the prior month's written safety traffic plans including the number of police officers employed and the sites of their employ.

If police personnel are not available in the numbers required on any given shift as provided in said statement from the Chief of Police, the contractor shall provide sufficient ASTA certified flaggers to fill any such shortage on that shift. A copy of the certification shall be provided to the Director of Public Works prior to their employ.

Police officers and/or safety equipment shall be required on all such work on all roads designated as principal arterials, minor arterials or collector streets in the town as designated on road classification map of current master plan or as the same may be amended from time to time, unless such work is determined by the Chief of Police to be of such nature as not to be required to protect the safety of persons and/or vehicles using said roadways.

Police officers and/or safety equipment shall not be required on all streets designated as residential in the town on road classification map of current master plan or as the same may be amended from time to time, unless the Chief of Police determines that the work to be done is of such a nature as to constitute a hazard to the persons and vehicles using said roadways, and in such event they shall be provided in accordance with the Chief's written statement of requirements.

Each such applicant, person, firm or corporation shall comply with and conform with the provisions of said requirements of the Chief of Police.

Application for such permit shall be made to the Director of Public Works on the forms provided therefore and shall include the following information as may reasonably be required by him: The place and exact location where the proposed opening and excavation is to be made, the purpose of the opening or excavation, the accurately estimated area of the excavation, the date and time when work thereon will commence, provided public utility companies need not give such information when confronted with an emergency situation, and the period within which such work will be completed and a signed agreement by the licensee to agree to all provisions of this article.

All such permits, when issued, shall be on the job during the continuation of the work and must be displayed to all authorized persons when required. All permits shall expire thirty (30) days after their issuance unless sooner revoked or unless extended for a specific period by the Director of Public Works in writing. Any such permit may be revoked by the Director of Public Works upon any ground or for any reason for which a license may be revoked. The fee for such a permit shall be fifty dollars (\$50.00).

(Res. No. TC14-174, 9-9-93; Res. No. TC18-83, 9-13-00)

Sec. 17-117. Same—Emergency permit.

Notwithstanding other provisions of this article, the requirement of a written application for a permit may be waived by the first selectman or his designated agent when an opening is made on an emergency basis by a licensed excavator or a utility company.

(Res. No. TC14-174, 9-9-93)

Sec. 17-118. Inapplicability of article to town officers, employees, etc.

Neither this article nor any of its terms or provisions shall apply to the town or to any of its officers, boards, agencies or departments.

(Res. No. TC14-174, 9-9-93)

Sec. 17-119. Penalty for violation of article.

Any applicant, person, firm or corporation violating any provision of sections 17-111 through 17-118 shall be fined daily the sum of one hundred dollars (\$100.00) for each day on which any violation exists.

In addition, upon notice from the town of a violation of the provisions of section 17-112, all work must cease until full compliance has been achieved.

(Res. No. TC14-174, 9-9-93)

FOOTNOTE(S):

-- (4) --

Editor's note—Res. No. TC14-174, approved Sept. 9, 1993, adopted provisions pertaining to street excavations, which have been included herein as Art. V, §§ 17-111—17-119, at the discretion of the editor. [\(Back\)](#)

Town of Trumbull

CONNECTICUT



Planning and Zoning
Department
Telephone: (203) 452-5047
Fax: (203) 452-5169

Town Hall
5866 Main Street
Trumbull, Connecticut 06611

PLANNING & ZONING COMMISSION

June 25, 2014

Edward P. Lavernoich
Economic & Community Development Director
Town of Trumbull
5866 Main Street
Trumbull, CT 06611

Re: Municipal Improvement
P&Z Recommendation for acquisition of charitable donation to the
Town of Trumbull, of property located at 6175 Main Street

Dear Mr. Lavernoich:

Pursuant to Section 8-24 of the CGS, on June 18, 2014, the Planning and Zoning Commission voted unanimously to recommend APPROVAL of the above proposed charitable donation.

Very truly yours,

Helen Granskog
P&Z Administrator/Clerk

cc: First Selectman Herbst
Town Council, ✓

**PENSION
BOARD**



Town Hall
5866 Main Street
Trumbull, Connecticut 06611

Date: April 24, 2014
To: First Selectman Timothy M. Herbst
Re: Pension Board Update

Below is a brief update of the performance, activities and initiatives since our last memo of March 15, 2013.

Executive Summary

- We continue to make progress on the 2009 plan.
- Net cash flows for 2013 were positive as was 2012. This is a key goal to maintain for 2014.
- The funded ratio for 2013 is 32% as compared to 28.1% in 2012, as previously reported.
- The pension board along with its investment and actuarial advisors continue to improve investment performance and administration.
- The return assumption remains at 7.5%. A change downward could materially impact the annual town contribution as shown later in the recommended contributions chart. We plan to discuss the reasonableness of 7.5% during next year's actuarial study.

Pension Investments

Investment returns for 2013 were a stellar 17.2% exceeding our targeted return of 7.5%. As the chart below indicates, the plan's investment advisor, Fiduciary Investment Advisors, has astutely gauged the markets as it pertains to Trumbull's plan. This performance exceeded many larger Municipal public sector plans where averages were in the 14% range.

Calendar Year	2009	2010	2011	2012	2013
Investment Performance	21.9%	14.0%	(0.9%)	12.5%	17.2%
Plan Assets (millions)	\$16.8	\$18.3	\$17.8	\$20.5	\$24.9
Contribution	\$1.9	\$2.1	\$2.6	\$3.3	\$4.1
-Employee	\$.7	\$.8	\$.8	\$.9	\$.9
Less: Payments	\$3.2	\$3.6	\$3.7	\$3.9	\$4.2
Net Cash Flow (thousands)	(\$571)	(\$781)	(\$292)	\$264	\$779

Strong markets and Trumbull's investment performance has resulted in growing assets and positive net cash flows.

Trumbull performs an actuarial study every two years. Below are results from the last actuarial study. In the coming year, we plan to weigh the value of conducting an annual actuarial study versus the cost.

Valuation Results			
	<u>July 1, 2012</u>	<u>July 1, 2010</u>	<u>July 1, 2008</u>
<u>Participants</u>			
Active	436	453	433
Deferred Vested	74	69	79
Receiving Benefits	<u>325</u>	<u>320</u>	<u>288</u>
Total	835	842	800
Total Liabilities	\$ 67,905,000	\$ 62,863,043	\$ 57,704,539
Actuarial Value of Assets	\$ 19,096,003	\$ 16,807,159	\$ 19,572,031
Funded Status (unfunded)	\$ (48,808,997)	\$ (46,055,884)	\$ (38,132,508)
Funded Ratio	28.1%	26.7%	33.9%

Process Improvements/Operations

The Pension Board continues to review policies with the intent of refreshing existing policies and establishing new ones where appropriate. As previously reported, one recently established policy immediately refunds non-vested employees their pension contributions upon termination of employment. This change saves the 5% interest previously applied to non-vested employee accounts.

At the current time, the Town will be putting out a bid for investment advisory services for the Town and Police Pensions. We believe the current team of actuary, investment advisor and bank is performing well.

Long Term Improvement Plan

Several recommendations were made in last year’s letter. Below is their progress:

- Increase participant contributions, currently at 3% to 5% or higher in the current plan. No progress as this is an item for collective bargaining.
- The interest rate used for non-vested employee accounts is 5%. The practice was successfully changed, as noted above.
- Limit eligibility to only full time workers (1200 to 1400 hours annually). No progress.
- Continue to fund the Pension Plan at the actuarial recommended rate or slightly higher. This is the most important recommendation, and we believe it is being successfully implemented as illustrated by the below chart:

Recommended Contributions				
<u>Year</u>	<u>Recommended Contribution</u>	<u>% Increase</u>	<u>Increase Amount</u>	<u>Estimated Funded Ratio</u>
2012	\$ 4,438,000			28.1%
2013	\$ 4,576,000	0.1%	\$ 5,000	31.1%
2014	\$ 4,576,000	1.8%	\$ 81,000	32.8%
2015	\$ 4,706,000	0.9%	\$ 44,000	35.0%
2016	\$ 4,753,000	1.0%	\$ 47,000	37.1%
2017	\$ 4,803,000	1.1%	\$ 50,000	39.1%
2018	\$ 4,859,000	1.2%	\$ 56,000	40.9%
2019	\$ 4,920,000	1.3%	\$ 61,000	42.6%
2020	\$ 4,984,000	1.3%	\$ 64,000	44.3%
2021	\$ 5,054,000	1.4%	\$ 70,000	46.0%
2022	\$ 5,126,000	1.4%	\$ 72,000	47.6%

We are aware of competing demands for town resources; therefore, we look forward to working with the recently appointed Trumbull Charter Revision Commission to sustain the Pension Fund's financial viability.

One personnel change was the recent resignation of Chairman Michael Charland due to his moving out of town. Mr. Charland's contributions to the pension fund were significant and his skills will be missed. At the meeting of February 25, 2014, the Pension Board elected James Lavin as the new chairman, and James Daly as the new Secretary.

We will be meeting with BPS&M, our actuary firm, to discuss the various assumptions for the bi-annual actuary valuation of July 2014.

The Town of Trumbull and its Pension Board has made considerable progress in meeting its pension obligations to town employees. We anticipate continued progress and welcome the opportunity to meet with you to explain this report and get your input on the overall operations of the town.

Respectfully submitted,

The Pension Board

James Lavin
Chairman

John Ponzio

Maria Pires

Donna Pellitteri

James Daly
Secretary

Michael Knight