TOWN COUNCIL

TOWN OF TRUMBULL
CONNECTICUT

www.trumbull-ct.gov

TOWN HALL
Trumbull, CT

TELEPHONE
(203) 452-5005

REVISED AGENDA

Suzanne Testani, Chairman
50 Cranbury Drive
Trumbull, CT 06611

Jeffry Jenkins, Vice Chairman
9 Woodfield Drive
Trumbull, CT 06611

Kristy Waizenegger
82 Lorma Avenue
Trumbull, CT 06611

Chad Ciocci
72 Shawnee Road
Trumbull, CT 06611

Mark Altieri
89 Woolsey Avenue
Trumbull, CT 06611

Michael Rappa
43 Parkwood Road
Trumbull, CT 06611

I. CALL TO ORDER
II. MOMENT OF SILENCE
III. PLEDGE OF ALLEGIANCE

NOTICE is hereby given that the LEGISLATION & ADMINISTRATION COMMITTEE of the Trumbull Town Council will hold a regular meeting on Monday, January 25, 2010 at 7:30 P.M. at the Trumbull Town Hall, for the following purpose:

1. RESOLUTION TC 23-1: To consider and act upon a resolution which would approve the purchase of 579 Church Hill Road by the Town of Trumbull.

2. RESOLUTION TC23-2: To consider and act upon a resolution which would approve an agreement between the Town of Trumbull and Camp, Dresser & McKee, Incorporated for professional GIS services.

3. RESOLUTION TC 23-26: To consider and act upon a resolution that a Fee Schedule Ordinance be and is hereby approved for the Office of the Tax Collector, as follows:

The Tax Collector shall charge the following fees for copies:

Duplicate Tax Bills	$2.00
Other Tax Information	$1.00 per page.

Provided; no Town government body or office shall be charged a fee for copies of tax bills or printed tax information for use in the conduct of Town business.

The provisions of this ordinance shall take effect July 1, 2010.

4. RESOLUTION TC-23-27: To consider and act upon a resolution that a False Alarm Abatement Ordinance be and is hereby approved as per the attached.

5. RESOLUTION TC 23-28: To consider and act upon a resolution that a Charter Revision Study Committee is hereby established, consisting of six (6) members, no more that three (3) of whom shall be members of the same political party. The charge of said committee shall be to determine the need for a Charter Revision Commission, and if the need is established, to indicate what matters said Commission should consider. Three of the members of the Charter Revision Study Committee shall be appointed by the Chair of the Town Council and three of the members shall be appointed by the Minority Leader of the Town Council. The committee shall report to the Town Council with its findings no later than June 30, 2010.

6. RESOLUTION TC 23-29: To consider and act upon a resolution that the Trumbull Town Council hereby authorizes a six (6) member commission and has initiated a second revision of the Charter of the Town of Trumbull as approved November 3, 1981 and as revised on November 4, 2003.

7. RESOLUTION TC 23-34: To consider and act upon a resolution that Section 4-171, sub-section (b) of the Trumbull Municipal Code, be and the same is hereby repealed and the following enacted in its place:

(b) The schedule of fees for permits as hereinafter described shall be:

Type of Construction	**Fee**
1. **New Residential** construction, alterations Or additions (based upon estimated costs)	$20.00 for the first $1,000 and $10.00 for each additional $1,000

	Or fraction thereof
2. **New Commercial** construction, alterations or additions (based on estimated cost)	$20.00 for the first $1000 and $12.00 for each additional $1000 or fraction thereof
3. **Plumbing, Electrical, H.V.A.C.**	$5.00 per $100 or any fraction thereof for the first $1000 and $10.00 for each $1000 thereafter **minimum $40.00**
4. **Oil Burner Permit**	$15.00 per installation
5. **Fence Permit**	$15.00 per installation
6. **Pool Permits**	
a) In ground and permanent above ground pools	$50.00 per installation to $2000, then $10.00 per $1,000 per thousand or fraction thereof
b) Portable pools (with electrical filtration systems)	$20.00 per installation
7. **Demolition permits**(based on estimated Cost of demolition)	$20.00 for the first $1,000 and $10 or any fraction thereof (no State Ed. Fee) **Note: There is a $250 administrative Fee for historical buildings**
8. **Driveway Permits**	$5.00
9. **Temporary Kiosks, displays and other similar structures, including permitted exhibits in covered malls**	$20.00 per 300 sq ft with a min. of $20.00, payable by the owner of the of the real estate or its agent. Non-profit organizations are Exempt from this fee.
10. **Certificate of Occupancy**	$10 for each Residential permit $ 25 for each Commercial permit

Note: There is an additional State Education Fee of $.22 (twenty-two cents) per thousand dollars of value.

Permits for work on a Town of Trumbull owned structure are exempt from the fees in this schedule.

Except for emergencies, any person who commences any work before first obtaining the necessary permits shall be subject to the following penalty:
Double the normal permit fee plus $50.00.
The Trumbull Building Department shall notify the State Licensing Board of these actions.

8. RESOLUTION TC 23-35: To consider and act upon a resolution that funding for a labor contract between the Town of Trumbull and UPSEU Local 424-Unit 7 (MATE) beginning July 1, 2010 and ending June 30, 2013, is hereby approved.

Dated at: Trumbull, CT
January 21, 2010
Carl A. Massaro, Jr., Chairman

RESOLUTIONS

1. RESOLUTION TC 23-1 BE IT RESOLVED, that the purchase of a single family residence and real estate known as 579 Church Hill Road by the Town of Trumbull be and hereby approved.

2. RESOLUTION TC23-2: BE IT RESOLVED, that an agreement between the Town of Trumbull and Camp Dresser & McKee Incorporated for professional GIS services, be and the same is hereby approved.

3. RESOLUTION TC 23-26: BE IT RESOLVED AND ORDAINED, that a Fee Schedule Ordinance be and is hereby approved for the Office of the Tax Collector, as follows:

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Reference Alarm Ordinance

The following alarm ordinance is the model ordinance adopted by the Connecticut Police Chiefs Association (CPCA) which provides for direct alarm reduction initiatives, encourages multiple call verification and encourages installation of alarm control panels which meet or exceed ANSI SIA-CP-01 standards for all new installations and panel replacements.

"Statewide implementation of the model ordinance, coupled with effective alarm management follow through, has the real potential to eliminate over 100,000 needless dispatches each year," said Chief Tom Sweeney of the Glastonbury Police Department.

N.B. The following model ordinance will need to be modified for Trumbull's ordinance and Municipal Code.

DRAFT

TOWN OF TRUMBULL, CONNECTICUT

ALARM ORDINANCE

WHEREAS, the purpose of this ordinance, finds that excessive false alarms unduly burden the Trumbull Police Department's limited law enforcement resources. The purpose of this ordinance is to establish reasonable expectations of alarm users and to ensure that alarm users are held responsible for their use of alarm systems.

SECTION 1: DEFINITIONS

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

Alarm Administrator means a person or persons designated by the Town to administer, control and review false alarm reduction efforts and administers the provisions of this ordinance.
Alarm company means a person or a company engaged in selling, leasing, installing, servicing or monitoring alarm systems; this person shall be licensed in compliance with State laws.
Alarm permit means a permit issued by the Town allowing the operation of an alarm system within the Town.
Alarm signal means a detectable signal; audible or visual, generated by an alarm system, to which law enforcement is requested to respond.
Alarm system means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other activity requiring immediate attention and

to which law enforcement is requested to respond, but does not include motor vehicle or boat alarms, fire alarms, domestic violence alarms, or alarms designed to elicit a medical response.
Alarm user means any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning, leasing or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.
Alarm User Awareness Class means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.
Cancellation means the process where response is terminated when the alarm company (designated by the alarm user) notifies the Trumbull Police Department that there is not an existing situation at the alarm site requiring police response after an alarm dispatch request. If cancellation occurs prior to police arriving at the scene, this is not a false alarm for the purpose of civil penalty, and no penalty will be assessed.
Town means the Town of Trumbull or its agent.
False alarm means the activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his/her employees or agents, and signals activated to summon law enforcement personnel unless law enforcement response was cancelled by the alarm user or his/her agent before law enforcement personnel arrive at the alarm location. An alarm is false within the meaning of this article when, upon inspection by the Trumbull Police Department, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system. Notwithstanding the foregoing, a false alarm shall not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user.
Local alarm means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a structure and is not monitored by a remote monitoring facility, whether installed by an alarm company or user.
Permit year means a 12-month period beginning on the day and month on which an alarm permit is issued.
Runaway alarm means an alarm system that produces repeated alarm signals that do not appear to be caused by separate human action. The Trumbull Police Department may in its discretion discontinue police responses to alarm signals from what appears to be a runaway alarm.
SIA Control Panel Standard CP-01 means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce false alarms. Control panels built and tested to this standard by a nationally recognized testing organization, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction".
Verify means an attempt by the monitoring company, or its representative, to contact the alarm site and/or alarm user by telephone and/or other electronic means, whether or not actual contact with a person is made, to attempt to determine whether an alarm signal is valid before requesting law enforcement dispatch, in an attempt to avoid an unnecessary alarm dispatch request. For the purpose of this ordinance, telephone verification shall require, as a minimum that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly

identify themselves to attempt to determine whether an alarm signal is valid before requesting law enforcement dispatch.

SECTION 2: ALARM PERMIT

(a) ***Permit required.*** No person shall use an alarm system without first obtaining a permit for such alarm system from the Town. A fee may be required for the initial registration and annual renewals. Each alarm permit shall be assigned a unique permit number, and the user shall provide the permit number to the alarm company.
(b) ***Application.*** The permit shall be requested on an application form provided by the Town. An alarm user has the duty to obtain an application from the Town.
(c) ***Transfer of possession.*** When the possession of the premises at which an alarm system is maintained is transferred, the person (user) obtaining possession of the property shall file an application for an alarm permit within 30 days of obtaining possession of the property. Alarm permits are not transferable.
(d) ***Reporting updated information.*** Whenever the information provided on the alarm permit application changes, the alarm user shall provide correct information to the Town within 30 days of the change. In addition, each year after the issuance of the permit, permit holders will receive from the Town a form requesting updated information. The permit holder shall complete and return this form to the Town when any of the requested information has changed; failure to comply will constitute a violation and may result in a civil penalty.
(e) ***Multiple alarm systems.*** If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses and/or tenants, a separate permit shall be required for each structure and/or tenant.

SECTION 3: DUTIES OF THE ALARM USER

(a) Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms; and
(b) Provide the alarm company the permit number, (the number must be provided to the communications center by the alarm company to insure dispatch).
(c) Must respond or cause a representative to respond to the alarm system's location and/or deactivate a malfunctioning alarm within thirty (30) minutes when notified by the Police Department directly or via the user's monitoring service.
(d) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report or to perform routine maintenance as prescribed by alarm system provider.
(e) An alarm user must obtain a new permit and pay any associated fees if there is a change in address or ownership of a business or residence.

SECTION 4: DUTIES OF THE ALARM COMPANY

(a) Any person engaged in the alarm business in the Town, shall comply with the following:
1) Obtain and maintain the required state license(s).
2) Be able to provide name, address, and telephone number of the alarm user or a designee, who can be called in an emergency or to effect repairs 24 hours a day.

3) Be able to provide the most current contact information for the alarm user.

(b) Ninety (90) days after enactment of this Ordinance the alarm installation companies shall, on all new and upgraded installations, use only alarm control panel(s) which meet SIA Control Panel Standard CP-01.

(c) Prior to activation of the alarm system, the alarm company must provide instructions explaining the proper operation of the alarm system to the alarm user.

(d) Provide written information of how to obtain service from the alarm company for the alarm system.

(e) An alarm company performing monitoring services shall:

1) Attempt to verify, by calling the alarm site and/or alarm user by telephone, to determine whether an alarm signal is valid before requesting dispatch. Telephone verification shall require, as a minimum that a second call be made to a different number, if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid, EXCEPT in the case of a panic or robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.
2) Provide alarm user registration number to the communications center to facilitate dispatch and/or cancellations.
3) Communicate any available information about the alarm.
4) Communicate a cancellation to the law enforcement communications center as soon as possible following a determination that response is unnecessary.

SECTION 5: PROHIBITED ACTS

(a) It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises, or otherwise to cause a false alarm.
(b) It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 10 minutes.

SECTION 6: ENFORCEMENT OF PROVISIONS

(a) ***Excessive false alarms/Failure to register.*** It is hereby found and determined that three or more false alarms within a year is excessive, constitutes a public nuisance, and shall be unlawful. Costs for excessive false alarms within a rolling twelve month period may be assessed against an alarm user as follows:
Third, fourth and fifth false alarm . . . $50.00
Sixth and seventh false alarm. $100.00
Eighth and ninth false alarm $250.00
Tenth and over false alarms $500.00
Failure to Register.....$100.00

(b) ***Cancellation.*** If cancellation occurs prior to law enforcement arriving at the scene, this is not a false alarm and no fee will be assessed.
(c) ***Multiple activations.*** Multiple activations within a twenty-four hour period may be considered as one false alarm for the purpose of charged fees.
(d) ***Other Fees.*** Violations will be enforced through the assessment of a fee in the amount of $100.00 per violation.
(e) ***Payment of Fees.*** Fees shall be paid within (30) days from the date of the invoice.
(f) ***Discontinuance of law enforcement response.*** The failure of an alarm user to make payment of any civil fees assessed under this ordinance within 30 days from the date of the invoice may result in discontinuance of law enforcement response to alarm signals that may occur at the premises described in the alarm user's permit until payment is received. In addition, failure to register and obtain a permit may result in no law enforcement response to an unregistered alarm/
(g) ***Civil Non criminal violation.*** A violation of any of the provisions of this ordinance shall be a civil violation and shall not constitute a misdemeanor or infraction.

SECTION 7: ALARM USER AWARENESS CLASS.

(a) ***Alarm User Awareness Class.*** The Town may create and implement an Alarm User Awareness Class and may request the assistance of the area alarm companies to assist in developing and implementing the class. The class shall inform alarm users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. The Town may grant the option of attending a class in lieu of paying one assessed fine.

SECTION 8: APPEALS

(a) ***Appeals process.*** Assessments of civil penalty(ies) and other enforcement decisions made under this ordinance may be appealed by filing a written notice of appeal with the Trumbull Police Department within 10 days after the date of notification of the assessment of civil fees or other enforcement decision. The failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the assessment of penalty (ies) or other enforcement decision. Appeals shall be heard through an administrative process established by the Town.
(b) ***Appeal standard.*** The hearing officer shall review an appeal from the assessment of civil penalty(ies) or other enforcement decisions using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the assessment of civil penalty(ies) or other enforcement decision, the hearing officer shall have the discretion to dismiss or reduce civil fees or reverse any other enforcement decision where warranted.

SECTION 9: CONFIDENTIALITY

In the interest of public safety, all information contained in and gathered through the alarm registration applications, no response records, applications for appeals and any other alarm records shall be held in confidence by all employees and/or representatives of the Town.