

TOWN COUNCIL
Town of Trumbull
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TOWN HALL
Trumbull

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MINUTES
DECEMBER 11, 2014

CALL TO ORDER: The Chair called the meeting to order at 7:10 p.m. All present joined in a moment of silence and the Pledge of Allegiance. The Chair asked all present to keep in their thoughts and prayers the memory of Thomas Pia, father of the former Town Council member David Pia and also the son of Council member Ann Marie Evangelista, Tyler is in serious condition suffering from the effects of Crohn's disease.

The Clerk called the roll and recorded it as follows:

PRESENT: Suzanne S. Testani Lori Rosasco Schwartz Vincent DiMasi, Jr.
Joseph G. Pifko Ennio DeVita Edna Colucci
Antonio Petitti Mark S. LeClair Cynthia L. Penkoff
Enrico R. Costantini Carl A. Massaro, Jr. Kenneth M. Martin
Daniel Marconi Vicki Tesoro Donna Seidell
Bethany Llodra Gilman (arrived at 7:45 p.m.)
Tony J. Scinto (arrived at 7:12 p.m.)
Michael J. London (arrived at 7:50 p.m.)

ABSENT: Patrick Helfrich, Thomas Christiano and Ann Marie Evangelista.

ALSO
PRESENT: First Selectman Timothy Herbst, Chief of Staff Lynn Arnow, Town Attorney Dennis Kokenos, Town Attorney Vincent Marino, Director of Finance Maria Pires (arrived at 9:04 p.m.) Director of Public Works John Marsilio, Town Engineer Frank Smeriglio, Planning & Zoning Director Jamie Brätt, (arrived at 7:46 p.m.), Parks Director Dmitri Paris, BOE Facilities Director Mark Demming, Director of Labor Relations James Haselkamp, Health District Director Patrice Sulik, Current and past members of the Health District, First Selectman of Monroe Steven Vavrek, Monroe Town Attorney John Fracasini, Members of the Monroe Town Council.

Public Comment: There were four (4) people present to speak. (Public Comment Attached)
(Mr. Scinto arrived at 7:12 p.m.)
Public Comment closed at 7:23 p.m.

BUSINESS:

*The Chair reserved the right not to vote unless otherwise noted.

1. RESOLUTION TC25-127: Moved by Ms. Seidell, seconded by Mr. LeClair.
BE IT RESOLVED, That the reappointment by the First Selectman of Vincent DeGennaro of 91 Deer Run Drive, be and the same, is hereby approved as an alternate member of the Board of Finance for a term of December 1, 2014 extending to the first Monday in December 2017.

Mr. DeGennaro of 91 Deer Run Drive was present and indicated his party affiliation as unaffiliated. He currently serves as an alternate member of the Board of Finance. The Chair extended his gratitude for his service to the town

VOTE: ADOPTED unanimously.

2. RESOLUTION TC25-135: Moved by Ms. Rosasco Schwartz, second by Mr. Constantini.
BE IT RESOLVED, That the reappointment by the First Selectman of Richard Girouard of 18 Firehouse Road, be and the same is hereby as a member of the Inland Wetlands and Watercourses Commission for a term of December 1, 2014 extending to the first Monday of December 2017.

Mr. Richard Girouard of 18 Firehouse Road was present and indicated his party affiliation as democrat. Mr. Girouard currently serves as Chairman of the commission. The Chair extended his gratitude for Mr. Girouard's service.

VOTE: ADOPTED unanimously.

3. RESOLUTION TC25-136: Moved by Ms. Tesoro, seconded by Mr. DeVita
BE IT RESOLVED, That the appointment by the First Selectman of Andrew Lubin of 55 Killian Avenue, be and the same is hereby approved as an alternate member of the Inland Wetlands and Watercourses Commission for a term of December 2013 extending to extending to the first Monday of December 2016.

Mr. Andrew Lubin of 55 Killian Avenue was present and indicated his party affiliation as democrat. Mr. Lubin formerly served on this commission, and the Frenchtown Building Committee. Ms. Tesoro extended her gratitude to Mr. Lubin for serving on this commission. The Chair welcomed Mr. Lubin back.

VOTE: ADOPTED unanimously.

4. RESOLUTION TC25-137: Moved by Mr. LeClair, seconded by Ms. Testani.
BE IT RESOLVED, That the recommendation by the First Selectman to appoint Mark Block of 60 Ridgeview Avenue, be and the same is hereby approved as a member of the

Ethics Commission for a term of December 1, 2014 extending to the first Monday of December 2019. (2/3 Town Council Affirmative Vote)

Mr. Mark Block of 60 Ridgeview Avenue was present and indicated his party affiliation as republican. Mr. Block has an interest in serving on the commission to be just, right and fair. He is currently an executive director with a nonprofit organization. The Chair congratulated Mr. Block and extended his gratitude for Mr. Block's service.

VOTE: ADOPTED unanimously.

5. RESOLUTION TC25-138: Moved by Mr. Marconi, seconded by Ms. Rosasco Schwartz. BE IT RESOLVED, That funding for a labor agreement between the Town of Trumbull Board of Education and the Trumbull Administrators Association beginning July 1, 2015 and ending June 30, 2018 is hereby rejected.

The Chair stated the Town Council had been provided a copy of the contract, an overview of its terms, and comparative figures of approved and/or arbitrated contracts throughout the State. The resolution reads in the negative, an affirmative vote is necessary to reject the contract and send the parties to arbitration. A no vote will approve the agreement and avoid arbitration. This is a three (3) year agreement. Labor counsel was not able to attend this meeting but has supplied information to the Town Council ahead of time.

VOTE: Motion FAILED 1-12 (IN FAVOR: Scinto)

6. RESOLUTION TC25-139: Moved by Ms. Colucci, seconded by Mr. Pifko. BE IT RESOLVED, That the agreement between the Town of Trumbull and Accurate Door and window, LLC is hereby approved.

The Chair stated this agreement represents a contract to replace doors and windows at the Trumbull Police Dept. There was a disagreement that came to terms; the net agreement is that all of the work would be done in accordance with the proposals in the contract with a \$3,000 savings. Attorney Kokenos stated the work will be done to the Town's satisfaction; mutual releases will be exchanged when the work has been confirmed to have been done to the Town's satisfaction along with the receipt of the warranties for the products.. The Chair indicated he was not sure if this item needed council approval because it did not originate from a lawsuit. Attorney Kokenos explained he had brought this agreement to the Town Council to be as conservative as possible because of the Charter provision that the Town attorney can not enter into a settlement for money without first bringing to council. There is a payment of money with this claim; however the money had already been budgeted to the contractor. This was not a substantial claim, these types of items are discussed in executive session, and this particular item did not have that much to inform the council therefore it could be discussed in an open forum. This issue has been discussed with opposing council for 4-5 months, this issue has been outstanding for awhile; the police station would like to have this taken care of. Atty.

Kokenos was made aware of the special meeting and thought it was a good opportunity to bring this to the council to expedite the agreement and complete the work at the police station

VOTE: 14-0-1 (ABSTENTION: Tesoro)

Moved by Mr. Pifko, seconded by Ms. Penkoff to take Item # 8 out of order.

VOTE: Motion CARRIED unanimously.

7. RESOLUTION TC 25-141: Moved by Mr. DiMasi, seconded by Mr. Constantini.
BE IT RESOLVED, That the Five Year Capital Plan is hereby approved.

Mr. Marsilio stated the outline of the capital vision had been distributed to the council prior to this meeting. The purpose of the document is to share with the council all of the departments' capital projects that are probable for the next five (5) years. This resolution does not request funding. Projects are included in this plan because they have been identified by various departments to be necessary, either for the infrastructure of the Town or for cost saving efforts. In January he will go to the board with the 2015 capital projects funding resolution. Mr. Marsilio asked if anyone has any issues and/or questions about the projects to contact him. He will speak to the projects that he can and if can not speak to a particular project he will assemble the people who generated the request to answer the questions. Mr. Marsilio respectfully asked the council to approve the plan to allow them to move to the next step. (Ms. Llodra Gillman arrived at 7:45 p.m.) The dollar amounts reflected in this plan are not the dollar amounts the Town will be asked to fund. In many instances grants will be used and/or in collaboration with the energy companies projects. (Ms. Brätt arrived at 7:46 p.m.) Mr. Marsilio gave an example of grant money that will be used for the Moose Hill Road project. The Town has been awarded approximately \$4.5 million in state grant money for this project and will not have to request that amount in the funding resolution. There are items in the BOE Capital Plan that will engage in energy saving programs with the U.I. as we have in the past. (Mr. London arrived at 7:49 p.m.) and are constantly looking for other sources of funding.

Mr. Marsilio explained that this has been some slippage in the time of the year this resolution typically comes to the council. It has become burdensome especially for the BOE. If the bonding authorization is not approved by January or February projects that have to be designed, bid and awarded do not have enough time to be completed within the upcoming 45-day summer period. The approval and the bonding authorization of the Five Year plan last year almost ran parallel to the operating budget approval process. This scenario did not work out well. The projects were in both the proposed operating budget and in the funding of the Five Year Plan request because it was not known which project request should be in the operating budget v. the Five Year Plan funding request. Last year certain projects did not occur because of this timing. The best case scenario would be to have the Capital Plan on an annual basis and the operating plan should be on a fiscal year basis. First Selectman Herbst stated there is a new BOE Facilities Director who is prioritizing the needs of the BOE and is working on a plan that

will make the school district more energy efficient. This timing of approvals will allow sufficient time to plan and address core priorities and complete the projects while the students are not in the schools. Ms. Tesoro stated the council needs to due their due diligence and was not given the time necessary to do so. Mr. London stated this resolution is a guide for what the Town wants to do in the future no funding will be authorized at this time. Mr. Marsilio explained this plan is an iterative plan. Some of the projects in the plan especially for the BOE are energy projects identified by consultants that there would be significant savings. The parks' irrigation systems are 30 years old and have started to fail therefore the systems are in this plan. The turf field requests are in response to resident requests. Mr. London stated the plan is comprehensive and spoke in favor of the resolution. First Selectman Herbst stated the average age of the boilers in the schools is 55 years old. This underscores the need for the proposed energy savings projects. The more inefficient the Town's infrastructure the more it will cost the taxpayers. The operational costs of energy are a driving force in any municipal budget. First Selectman Herbst commended the BOE Facilities Director for addressing these problems and expects the Town to see significant energy savings. The energy consumption at the newly renovated high school is greater than the whole Branford school district where Mr. Deming had previously served as Director of Facilities. Ms. Penkoff spoke in favor of this resolution coming to the council in December allowing it to be separated before it comes to the BOF and Council during the budget process. Mr. London stated that he would like to see the approved projects done sooner than later so the Town can take advantage of the low interest rates.

Mr. Marsilio explained to the Council the Long Hill Green project is a project the Planning and Zoning Director is spear heading. The \$600,000 grant was not awarded to our Town; however with all of the anticipated development there Ms. Brätt wanted a place holder in this plan and is confident Ms. Brätt will look every place to offset this cost. Mr. Martin stated that the Green is historic in nature and suggested looking at historic resources and would be happy to assist. First Selectman Herbst stated the GBRC will be discussing this project and is confident they will be able to obtain additional funds through that avenue. The Chair added that approval of the Five Year Capital Plan is required by statute to qualify the Town for Local Capital Improvement Project grants (LOCIP) which average in the \$200,000 to \$300,000 range. If the plan is approved it does not mean that every project in the plan will be bonded.

VOTE: ADOPTED unanimously.

8. RESOLUTION TC25-140: Moved by Mr. London, seconded by Mr. DeVita
BE IT RESOLVED, That Trumbull shall withdraw from the Health District immediately;
and,

Said withdrawal shall become effective on July 1, 2015. (Full Resolution Attached)

The Chair explained a municipality can consider joining or withdrawing from a health district any time during the year, however for it to become effective by June 30th of the fiscal year it must have been acted upon by January 31st of the current year. This council

is faced with a deadline of January 31st 2105 in order for the withdrawal to be effective July 1, 2015 as the resolution reads. Finding a date for a special meeting is difficult any time during the year and almost impossible during the month of December. This date was selected for the Teachers and Administrators' agreement. Once the word is out that a special meeting had been scheduled the Chair gets a lot of requests for additional items of business to be added to the special agenda and this resolution was one of those requests. This resolution is time sensitive. As Chairman of the council he makes sure any business of the council is conducted openly and freely, there is no reason to hold any information back for any matter. The Chair can only post to the website information when he receives it, the information for this resolution had been received every hour of the day for the last three days of this week and some of the information was received last week. The financial analysis presented at this meeting had just been completed today. It is impossible to always meet a 48-hour posting on the website. The man hours spent on this resolution studying the law, the current and proposed operation is enormous. This is not a rush to judgment. Everyone would want more time to consider this resolution, but if the council were to meet again next week there would probably not be a quorum and would be living with this question for the next year and half.

First Selectman Herbst explained this resolution is before the council due to statutory requirements as stated by the Chair. The facts will be presented so that the council can make a collective decision. This is not about questioning the job performance of employees and is not about passing judgment on decisions made for public health. The issues before the council at this meeting are: operational controls, budget and internal controls. This resolution emanated from the fact the Town is beginning the 2015-2016 budget deliberations. By the First Selectman's direction the Town's Finance Department began an analysis of not only this department but other departments to determine if savings and/or efficiencies can be realized to make government smaller and smarter. The Finance Department researched this department and it was determined that it had grown by 80% since its inception over the last decade. 78% of the budget for this department goes to salaries and benefits. The First Selectman asked the Finance Dept. to do an analysis and prepare a schedule that would look at the current costs and potential efficiencies that could be realized and present to the council a plan that maintains and enhances the services provided by this district. The Town will realize immediate cost savings in the operating budget and long term savings with respect to retiree benefits. Those that attended the Health District meeting earlier this week acknowledged that some form of action does need to happen. A plan needs to be in place for a seamless transition if the council should choose to withdraw from the Health District. This transition will be treated as any other instance where we hire employees to a position in Town government. In previous years the town was able to effectively hire the EMS Chief, Planning Director, and Director of Information & Technology, Tax Assessor, Town Engineer, Assistant Finance Director, Payroll Manager and a Chief of Police in a window of less than six (6) months. The CGS has written in a six (6) month window for withdrawal for the district to ensure a transition period to adequately plan, prepare, hire and execute a plan for a seamless transition to a fully functioning Health Department that meets the residents' needs at the beginning of a fiscal year. If the council decides to withdraw from the Health District at this meeting the Director of Labor Relations and the HR Dept. are ready to

start immediately to ensure the new Health Dept is properly staffed. There are a lot of dedicated and talented professionals with an institutional knowledge who work at the TMHD, it is the First Selectman's hope that many if not all of those professionals apply for a position with the Town of Trumbull. Ms. Arnow will present the schedule prepared by the Finance Dept that will demonstrate immediate savings by the town of Trumbull if these services are brought in-house. There are certain items in the TMHD budget that are duplicative. The Town's goal is to eliminate any levels of duplication. Mr. Haselkamp will discuss current pension obligations of the TMHD and pension savings that will be realized by bringing these employees into a Defined Contribution Plan and will also answer questions with regard to posting and hiring. Town Attorney Kokenos will discuss the Health District's CGS and obligations to existing TMHD employees and Town Attorney Marino will discuss the current TMHD's lease agreement and the Town's right under the agreement. This proposal is one of many cost savings plans that will come before the council during the coming budget process that will make government smaller and smarter. The initial concerns after having done research on this department are as follows: debts have been incurred without proper council approval by the Town of Monroe and the Town of Trumbull as prescribed by the TMHD bylaws, meeting requirements are in conflict with municipal ordinances in Trumbull and Monroe CGS and the TMHD bylaws, the lack of proper of internal controls with signing and disbursements of money from the budget and the unfunded pension liabilities were not properly recorded in the notes of the financial statements in the external audit commissioned for the TMHD. Discussion tonight will focus on how we can improve the internal business controls and any plan moving forward makes sure the benefit to the residents is maximized with as little impact as possible to the Trumbull taxpayer.

Ms. Arnow reviewed in detail the attached Health District Budget Comparison (For Discussion Purposes Only) Report with the council. The report is for discussion purposes only due to the fact that the last fiscal year's audit is not complete. Some of the numbers in the report are based on 2013 and because of that the Cash Assets and Finances On Hand line items are approximations. The Town of Monroe contributes 35.1%, the Town of Trumbull contributes 64.9% to the TMHD budget. The main reason to enter into the district was to maintain the per capita funding from the State. The State contributes \$102,726 to the district. The total State/Per Capita and municipal revenues is \$588,688. The fee revenues currently generated from licenses, programs, inspections is \$195,955. A conservative estimate of the Fee Revenue if the Town were to withdraw would be \$95,409.49. The total revenue fees would be reduced by \$167,214 because the department would no longer be receiving the per capita funding. The Town of Monroe has many more septic systems than the Town of Trumbull. The Town's conservative estimate of Expenses is \$245,646 representing a reduction of \$19,389. The total benefits savings estimate by becoming an independent dept. is \$65,266. Currently the district pays a significant amount for the pension plan. The Town of Trumbull employees contribute 7% as demonstrated on the attached report under the "Assumptions" column. This represents a significant savings for the Town. The Business Insurance savings is also significant due to the fact the dept. would come under the Town's umbrella. The professional services line item is duplicative and also represents a significant cost savings

to the Town by bringing this dept in-house. There would be no rent expenses which results in a savings of \$23,898 in the rent/utilities line item. Debts are based on the 2013 FY. Savings ion total is approximately \$57,000 annually. On page 2 of the report are projections. The Dept. will be able to have excellent services while realizing significant savings. In section C of the report is the TD Bank note and other financial responsibilities. If all are paid off there would be a positive balance of \$4,831. Ms. Penkoff noted that the Fee Revenue line item should read as \$127,125 representing Trumbull's 64.9% percentage. Ms. Arnow stated the assumptions of staff on the second page of the report were based upon and confirmed by the back up provided to them by Ms. Sulik

Mr. Haselkamp explained he had been tasked with two issues, the first being whether the town had a responsibility to assume the health District employees and the second being the pension obligations and control:

1. The Town does not have legal obligation to assume the Health District employees. The Town does expect and invites the employees to apply for the job. Mr. Haselkamp confirmed that they would be able to hire the staff within the available timeframe.
2. The Health District employees are currently in the State run pension plan called MERS. There are historical issues with the State run pension plans, they are underfunded and have not had good returns. The State of CT has increased employer contributions substantially over the past 4 years, starting at 4% and increasing to 12%. The new hires of the in-house dept would go into the Defined Contribution plan with an employer match of 7%, representing a 5% savings from the onset. In the next ten years that would net approximately \$122,000 in savings for the Town.

Attorney Kokenos was tasked with researching the CGS to see if the Town had the responsibility of assuming the districts employees. Atty. Kokenos explained if there was an employee that had been an employee when the district was formed that employee would have to return to the appropriate municipality. He had been informed that there is no employee staffed in the district that was an original employee at the time the district was formed therefore there is no obligation to take an employee. Atty. Kokenos reviewed this issue with Labor Counsel Houston and he concurred.

Attorney Vincent Marino with the Cohen and Wolf firm stated he had been tasked to opine on whether the Town of Trumbull had an ability to terminate the lease for the property the district leases and whether there was any direct responsibility of the Town on that lease. The lease is between the landlord and the district, the municipalities are not parties of the lease, there is no contractual privies between the landlord and Trumbull or Monroe. Any direct contractual responsibility is between the landlord and the district. CGS 19-A-243. Specifically section d provides that any constituent municipality is not obligated for any obligations or borrowings of the district. This protects the Town from any claim by a lender. By way of a withdrawal and per CGS 19-A-246 upon exiting, the withdrawal of a municipality may not affect the validity of the borrowing. The borrowings shall remain in effect and the district shall not cease to exist until a provision

is made for a payment of those borrowings. The Chair offered Ms. Sulik the opportunity to make comments. Ms. Sulik clarified the district did not have a car loan. The Professional Development line item for this year is \$3,000 and the Town of Trumbull's contribution is \$315,000. Ms. Sulik is a registered sanitarian but does not function as one. If she were to average her time over the course of a year she would average approximately 2 hours per week working as a sanitarian. Other tasks would not be done if the Health Director were to spend more time working as a sanitarian. The Chair stated Ms. Sulik distribute supporting documentation all day long. Ms. Sulik apologized for having done that all day, she and her office was concerned and disappointed there was a resolution to withdraw and encouraged the council to table the motion and assign a committee to work closely with the district in the upcoming year. Ms. Sulik provided the attached graphs for a better understanding of what the district does, the challenges they face and their budget. They respect the Town has the right to decide how they want to provide public health services to their community. Ms. Sulik is concerned the same level of services would not be provided and that it would not be obvious right away. The visitors at the district's most recent meeting were appreciated and would welcome more involvement from the Town. The district works closely with both Town's during the budget process which is why this resolution was surprising to them. There was never a long term plan to stay at the Town Hall annex there was not enough room for both departments to function appropriately there. At the beginning of the district growth was expected. (Ms. Pires arrived at 9:04 p.m.). The part-time sanitarian was made full-time a year ago. The pension was already in place at the time of her hiring. The start up was unfunded and the State loaned the funds at an 8% and agreed the cost was high. They reached out to for help on this and were able to secure a loan where there would be substantial savings. They did not try to get out of the pension plan because after research it was found that even if they were out of the pension plan the current members would have to stay. The State has said the other obligations would have to be paid before the dissolution of the district and cautioned the council on this. One of her goals was always to increase their revenue stream. There is a section of Town where there are small lots that are difficult to perform septic repairs and has been speaking with the Town Engineer about this; there will be timing issues if the Town considers sewers and the residents possibly having to do repairs on these systems. They will continue to work with Town Engineer over the winter. Monroe has more septic systems, but Trumbull has the mall. When the mall did their most recent renovation in 2011 the graph shows a spike in food service inspections. The attaché A B100-A graph represents the work done by the district when a property that has a septic system wants to construct an addition which would add to the number of bedrooms and would limit the area of the property if a septic repair was to become necessary. The Chair stated the Food Service Plan Review by Town graph shows more food service reviews in Monroe on average with the exception of 2011 when the Trumbull mall was being renovated. Ms. Sulik is working with the area hospitals and have been able to prepare a community a health improvement plan. They have been approved but have not been funded to date by the CBC for several \$100,000 given over 3 years. Hospitals are required to work with Health Departments to save on medical costs. The Affordable Care Act will provide opportunities for Health departments to do more prevention work. Ms. Sulik sent a list late in the day and apologized for the late hour she

provided the information. The influenza and pneumonia vaccines are provided by the 5 health insurance companies. If someone is uninsured they can abate the fees. School vaccines are free. The budget moneys from Trumbull Monroe is not for vaccines, the money is put out by the district but is then repaid by the third party insurance companies. This is an area where the district brings in revenue and does continue to grow. Ms. Sulik indicated for the council that she spends approximately 25 hours per month working on programs per month. The programs are optional. The former location of the district was too small and did not meet the privacy needs of their clients and also did not provide for space for proper plan review. Between the Health Educator and herself they have the expertise to seek grants. Repairs on failing septic systems are considered on a case-by-case basis.

Dr. Fogel a resident of Trumbull and Health District member was present and indicated he is new to the board. He thanked those that attended their meeting. The board has been discussing these same issues and would welcome the Town Council's input and expertise especially with regard to financial issues. Ms. Sulik stated the district had the debt from the State at the start up the district's pension plan. Ms. Sulik was able to refinance at a lower rate. The district was encouraged to sign a long term lease (10 years) since it would provide a known amount to budget for and would not incur the cost of moving again. Ms. Sulik stated the district would have needed both Town Councils' approval for the refinancing of the loan but had not translated the bylaws correctly, she read it as making the councils' aware which she did. First Selectman Herbst explained that when the district borrowed from the state at 8% for the MERS plan council approvals by both Towns was necessary. Mr. Haselkamp stated the Health District was created and did not go into MERS right away which created a gap of time. A policy decision to cover the plan retroactively was made and that is how the liability for the \$100,000 was created. Whenever past service credit is given for a pension plan it is expensive, the loan came after that. When they made the policy decision is when they created the liability. Atty. Kokenos further clarified that Section 6 of the district's bylaws states that Town Council approval is required for a borrowing. Dr. Fogel stated the bylaws do need to be revised, they have not been following them correctly and do not reflect what they had been doing. On their past meeting agenda reviewing the bylaws was an item of business. Ms. Sulik explained for the council what the impact to the Towns might be if the staff was reduced: the impacts are as follows: The regional work, the new public health programs and development services, keeping pace with the legislation, fighting unfunded mandates would all be impacted. The proposed in-house Health Dept. includes a director that functions as a sanitarian as well. The Trumbull sanitarians are paid less than their peers. Dr. Fogel added that the district is not union. Ms. Arnow indicated the projections provided by Ms. Sulik to her office for an in-house staff was \$223,068, the Town's conservative projections are \$245,646. Ms. Sulik stated the majority of the district's budget is salaries and benefits. The Chair stated there is no intended reduction in services, the regional projects are not core to the district's rendered services, however when Ms. Pires and Ms. Arnow were working on the projected new department's budget their numbers were backed up by what Ms. Sulik subsequently delivered. First Selectman Herbst stated because a district is a separate legal entity there are certain things that are required by Ms. Sulik to do. The director would not be required to do those things if the

department was in-house. Examples of such are as follows: Pension and labor relations and budgetary functions. If brought in-house there are municipal employees already in place that would handle those functions allowing the Health Director to function as only a director of health, not a Finance Director and/or a Director of Labor Relations. This is significant. The savings in benefits per year is correct. Ms. Pires explained the specific calculations and how the \$65,000 savings in benefits were calculated. Dr. Fogel addressed the concerns of the council with regard to the closing of the Farmer's Market and the strict controls of food service prep. The Farmer's Market was not closed by the department it was closed due the person who runs the market no longer wanted to do so. Farmer's Markets have brought in prepared foods to be competitive, this is where the Health District needed to test and approve. The board will make sure that the department is not more stringent than others; the board has discussed this issue at length. Ms. Sulik further explained that she has worked closely with architects during the design of new restaurants and it is her philosophy to build out risk.

The Chair called a recess at 10:14 p.m.

The Chair called the meeting back to order at 10:27 p.m.

First Selectman Herbst explained withdrawing from the district will not compromise any of the services currently offered. Between now and July 1, 2015 the first thing he will do will require simultaneous action. The Town Charter provides language if the Town were to withdraw from the district the Department would revert back to a Department of Health. First Selectman Herbst would go to work right away appointing members to the board who would have the task of selecting a director. Mr. Haselkamp is ready to start vetting job descriptions for the Director of Health. The Director of Health will be hired first so that person would be involved in hiring the staff. Ms. Pires will develop a budget with First Selectman Herbst for the new department. Trumbull's contribution will be adjusted accordingly to allow for a savings as described earlier at this meeting. The Town has access to job descriptions and the Director will be able to be involved in the hiring of the staff to allow for a seamless transition. First Selectman Herbst will ask the Town attorneys to immediately work on the proper transfer and taking custody of the district's records. If this resolution is approved the Town is ready to move forward immediately There are qualified and talented professionals in the district and hopes that some if not all of them will apply for the positions in Town. First Selectman Herbst indicated for the council that there is a certain amount of facilities inventory available in Town (Parks & Rangers Station, office space acquired in the land swap, Bill property and the Town Hall annex). Whenever asked to take action to make a department conducive for the public they take action to do so. He trusts the Public Works Director will make sure that the office space for this department is conducive to the employees and the public. First Selectman Herbst confirmed for the council that the reason for this is both financial and for control, (budgetary and internal). There is a certain level of duplicity having a district such as the IT Dept, Insurance, HR Department and a Finance Dept. Eliminating duplicity reduces the cost to the taxpayer. New hires go into the Defined Contribution Plan representing long term savings. Ms. Sulik was not employed with the district at the time of the loan. Both Monroe and Trumbull were aware of the

loan with TD Bank but were unaware until yesterday of the District's bylaws requiring the Town Councils' approvals. Both Towns were aware of the lease but neither town's attorneys had reviewed the lease, this is why the district has a separate line item for counsel. Atty. Marino explained for the counsel there is no contractual privities between the Town and the landlord, assuming any breach such as failing to pay the rent, the landlord would sue the tenant. The Town would not be a proper defendant. Atty. Marino has a copy of the lease and the only two (2) parties in the lease are the landlord and the district. This is his opinion and also fact.

Mr. Dinkes stated to place the blame on the district is wrong, salaries track the average salaries and increased when the part time sanitarian became full time. The landlord provided space for free to the district, the reason they joined the district was for the cost savings. Prior to this district there was no control. People were handling food in improper ways. Mr. Dinkes spoke against the withdrawal from the district and suggested staying with the district and working with them for change. Ms. Sulik explained they had followed the Code of Ethics with regard to leasing the office space from a board member. The Chair confirmed this. The motivating factor was the per capita funding; no one has suggested the district was a failure. This is a tribute to all board members. The Chair stated he was astounded that a small group of employees went to the State and had what is referred to as the Cadillac of plans and incurred a \$120,000 obligation to the district that the taxpayers have to burden. That obligation is an issue and represents the loss of control by the Towns of Monroe and Trumbull. Never having come to the councils for approval is also an issue. An 80% increase over the last ten (10) years for the cost of operation of the district may represent additional services but there are certainly are additional personnel. This is a flag for anyone who is charged with responsibility of their constituents. The Chair appreciates the hours of work in the last two weeks that Ms. Sulik did to get them the documents. The Chair apologized to the public that the studies/graphs that were sent to the council today could not be made available any earlier because they were only sent to them hours ago. The Chair thanked the employees, the Director and the board members for their great interest in the communities and the public health services.

Mr. London moved to call the question.

Ms. Tesoro called point of order. #10 of the Council's Rules of Procedure requires a public hearing be noticed and held on an ordinance. Ms. Tesoro stated she believes the district is an ordinance. Atty. Kokenos stated the action tonight is per state statute; it is to withdraw by December 31st no ordinance of the Town can override or contradict state statute. Atty. Marino stated the first step is withdrawal from the district the next step would be to repeal. Atty. Kokenos further clarified the statutory effective date of the withdrawal is not effective until July 1st 2015. The district will be in effect until then. Ms. Penkoff concurred and added that the Town needs this ordinance for the next 6 months. Atty. Kokenos stated the Town has to take the statutory first step to withdrawal. The Chair overruled the point of order. Atty. Kokenos stated if the council were to repeal the ordinance at this meeting the Town would have no jurisdiction to have a have a Health district or department, the Town would be in contradiction of the statute, which means the Town did not wait the statutory six (6) months and would not have anyone in-house. It would be illogical.

Moved by Mr. London, seconded by Mr. DeVita to call the question.

VOTE: Motion CARRIED 16-1 (AGAINST: Tesoro)

VOTE: ADOPTED 14-3 (AGAINST: Tesoro, Marconi and Rosasco Schwartz)

There being no further business to discuss the Trumbull Town Council adjourned by unanimous consent at 11:04 p.m.

Respectfully Submitted,

Margaret D. Mastroni. Town Council Clerk

FULL RESOLUTION TC25-140

RESOLUTION TC25-140: BE IT RESOLVED, WHEREAS, the Town of Trumbull approved the formation of and its participation in the Trumbull/Monroe Health District (DISTRICT) on August 4, 2003 and officially became part of that Health District on February 29, 2004, and;

WHEREAS, the district is governed by an appointed board which included two (2) appointed members from the Town of Monroe (Monroe) and four (4) appointed members from the Town of Trumbull (TRUMBULL), and;

WHEREAS, the budget for the District is partially funded through the Towns annual budget.

WHEREAS, the Trumbull contribution to the District in Fiscal Year 2004-2005 was \$188,554.

WHEREAS, Trumbull's contribution to the District in Fiscal Year 2014-2015 is now \$315,380.00.

WHEREAS, in light of the sharp increase in cost to the Town of Trumbull over the last decade, the Town questions the level of service provided to residents in light of these escalating costs to Trumbull taxpayers.

WHEREAS, the Town of Trumbull's Finance Department has determined a savings to Trumbull taxpayers if this function is brought back in house.

WHEREAS, section 19a-246 of the Connecticut General Statutes allows any constituent Town to withdraw from a Health District by vote prior to January first in any year.

WHEREAS, it is in the best interest of Trumbull to withdraw from the District.

NOW THEREFORE, BE IT RESOLVED:

- (1) Trumbull shall withdraw from the District immediately;
- (2) Said withdrawal shall become effective on July 1, 2015;

Dated this 21st day of November, 2014.

After review of the District's budget, Trumbull questions the validity and usefulness of remaining a participant in the Trumbull Monroe Health District, as well as the increasing contribution from Trumbull taxpayers needed to fund the District.

PUBLIC COMMENT:

PUBLIC COMMENT

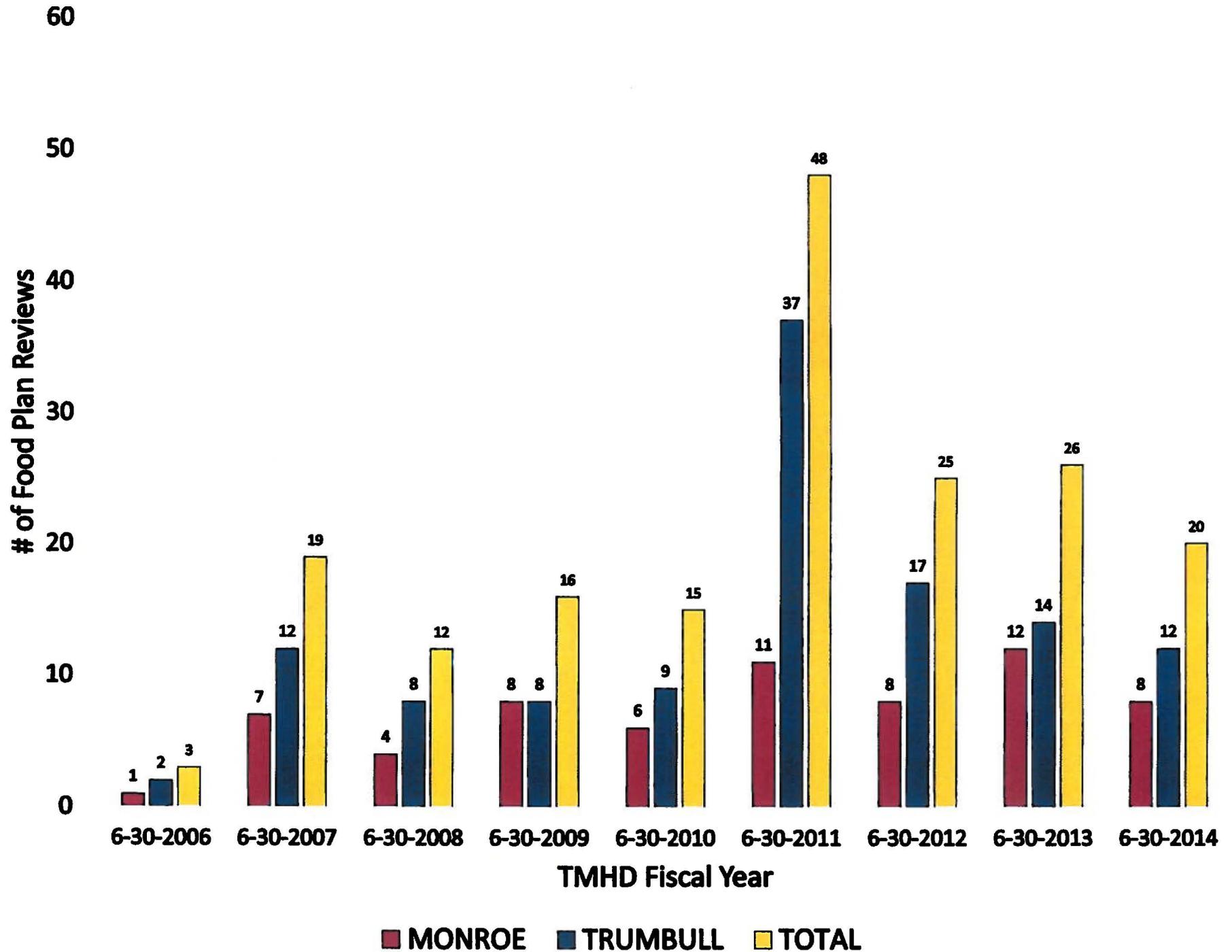
There were four (4) people present to speak:

1. Marshal Marcus of 91 Stonehouse was present to speak to RESOLUTION TC25-140 spoke against the lack of time, transparency and public feedback on this decision. He has met with the First Selectman and Chief of Staff. There was a preliminary report from the Finance Dept representing an \$80,000 savings a full report was not made available. 48 hours prior to this meeting THHD documents were posted online as opposed to the analysis of the savings. Mr. Marcus stated there is an issue the lease and the loan if there is no Health District. Mr. Marcus is not opposed the Town having a Health Dept. but stated it would make sense to withdraw next year allowing more time to review and decide.
2. Cindy Katske of 129 Meadowview Drive was present to speak to RESOLUTION TC25-140 and questioned why withdrawing from the Health District is being done in a rushed manner. The newspaper reports the withdrawal is based on financial reasons and is based on information not shared with the public. The final projections had not been made available on the website within 48 hours as the Charter states. 2 days ago other documents were posted on the Town Council and questioned when the council had those documents. This decision needs careful review. There was no committee meeting for this meeting. The resolution should be tabled. This is not an emergency. It would make sense to withdraw next year. Had the budget increases been discussed during prior budget sessions and questioned why this was not discussed with the Health Director. The Farmer's Market and the Ethic's concerns can be worked out without the withdrawal from the District. There is not enough information for the public to agree with the withdrawal from the district.
3. Larry Dinkes of 99 Meadowview Drive was present to speak to RESOLUTION TC25-140 and indicated he had previously served on the Health District. He had not been consulted on this issue. The cost savings when the District was formed were substantial. The expenses of the dissolution of the district will be high. Mr. Dinkes asked the council to do a full investigation and to do this the right way. Mr. Dinkes spoke against the resolution.
4. Mr. John Greene of 23 Topaz Lane was present to speak to RESOLUTION TC25-140 and spoke against how this is being done on short notice. If you received the cost analysis today and use the information to decide this matter that would be in violation of the Town Charter and potentially an Ethics violation. If the analysis is not received by the council then they are in violation of having not done their due diligence. Mr. Green stated this appears to be a unilateral decision. Other Towns have withdrawn from a district but they were multiple towns within their district so they did not affect the district as this would affect Monroe. Mr. Green asked to look at options on both sides and to table the resolution.

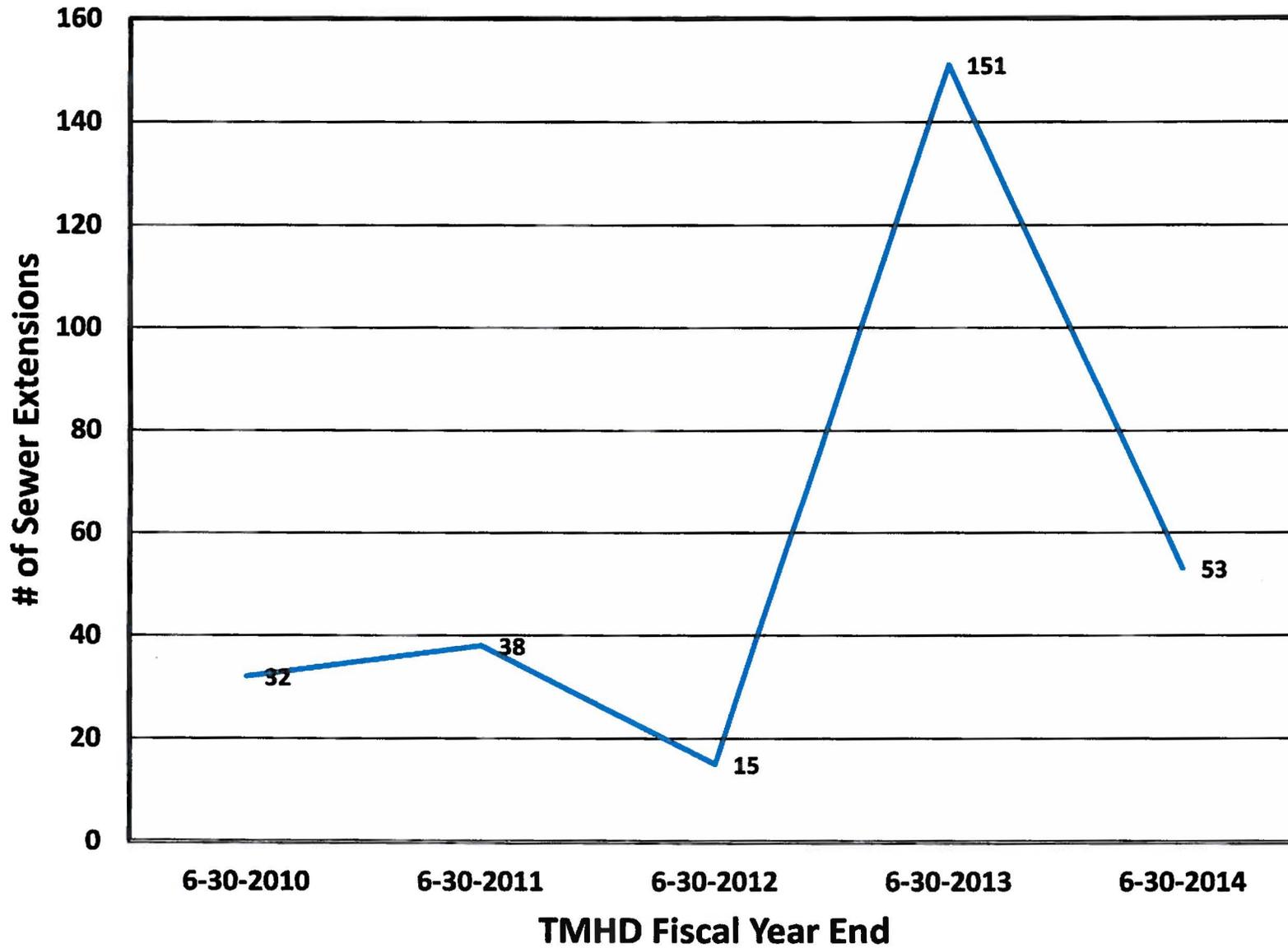
TOWN OF TRUMBULL					FOR DISCUSSION ONLY		
BUDGET COMPARISON REPORT							
HEALTH DISTRICT			2014-2015	2014-2015	CONSERVATIVE		
			TRUMBULL/ MONROE	TRUMBULL BUDGET	ESTIMATE PROJECTION		
ORG	OBJECT	ACCOUNT DESCRIPTION	APPROV BUD	64.90%	2015-16	SAVINGS	ASSUMPTIONS
		REVENUE					
		PER CAPITAL-MONROE 35.1%	170,582.00				
		PER CAPITAL-TRUMBULL 64.9%	315,380.00				
		SUBTOTAL PER CAPITAL	485,962.00				
		STATE DPH	102,726.00	66,669.17	-	(66,669.17)	Based on Capita, not to be received
		TOTAL STATE/PER CAPITA REVENUE	588,688.00				
01040000	440000	FEE REVENUE	195,955.00	195,955.00	95,409.49	(100,545.51)	Based on Capita-excludes septic fees
		TOTAL REVENUES	784,643.00	262,624.17	95,409.49	(167,214.68)	
		EXPENSES					
		TOTAL SALARIES	408,376.00	265,036.02	245,646.52 (A)	(19,389.50)	
		TOTAL BENEFITS	191,577.00	124,333.47	59,066.77 (B)	(65,256.70)	Currently district paying 11.98%, employee 2.5% to State MERS Town DCP-Town and employee contribute 7%, cost saving of 4.98% Savings over 10 yrs going to DCP vs MERS (\$245,646*4.98%=\$12,233*10yrs=\$122,332)
		BUSINESS INSURANCE	42,856.00	27,813.54	-	(27,813.54)	Will be covered by Town's insurance
01040000	522201	SERVICES & FEES-CLERICAL			720.00		
		PROFESSIONAL SERVICES	30,500.00	19,794.50	2,500.00	(17,294.50)	Audit, Legal, bookkeeper, IT all handled by Town's staff except Dr stipend
01040000	522205	PROGRAM EXPENSES/OFFICE EXPENSES TRUMBULL/MONROE	25,100.00	16,289.90	14,667.40	(1,622.50)	PR processing, sanitary field supplies will not be incurred, others will stay Fuel for vehicles, hardware/software, office supplies, postage, telephone
01040000	534404	PUBLIC IMMUNIZATION	24,000.00	15,576.00	15,576.00	-	
01040000	556601	PROFESSIONAL DEV-SEM/CONF	10,018.00	6,501.68	3,250.00	(3,251.68)	Reduce by \$3,250, due to change from 4 to 2 sanitation
01040000	578802	RENT/UTILITIES	42,216.00	27,398.18	3,500.00	(23,898.18)	No rent (3,337.46*12), keep utilities estimate 3,500 based on Annex Building
		OTHER (FUND RESERVES)	10,000.00	6,490.00	-	(6,490.00)	
		DEBTS OF THE DISTRICT AT 64.9%			9,547.80 (C)	9,547.80	
		TOTAL EXPENSES ***	784,643.00	509,233.31	354,474.49	(155,478.81)	
		STATE GRANT AND FEE REVENUE	298,681.00	193,843.97	95,409.49	(98,434.48)	
		TRUMBULL PORTION-64.9% PER CAPITA	315,389.34	315,389.34	259,065.00	(57,044.34)	SAVINGS

TOWN OF TRUMBULL					FOR DISCUSSION ONLY		
BUDGET COMPARISON REPORT							
HEALTH DISTRICT			2014-2015	2014-2015	CONSERVATIVE		
			TRUMBULL/	TRUMBULL	ESTIMATE		
			MONROE	BUDGET	PROJECTION		
ORG	OBJECT	ACCOUNT DESCRIPTION	APPROV BUD	64.90%	2015-16	SAVINGS	ASSUMPTIONS
ASSUMPTIONS TO PROJECT 2015-2016 BUDGET AS A DEPARTMENT							
(A)	Director/Chief Sanitarian-FT	Benefits			91,000.00		
	Sanitarian-FT	Benefits			55,783.00		Per similar union position
	Sanitarian-PT	No Benefits			27,891.50		
	Nurse-PT	No Benefits			31,200.00		Per similar non union position
	Administrative-PT	No Benefits			24,772.02		Per similar union position
	Health Educator-PT	No Benefits			15,000.00		
					<u>245,646.52</u>		
(B)	Benefits-Fica/ Medicare 7.65%				18,791.96		
	Medical Insurance \$15,000 per employee (2 FT employees)				30,000.00		Average between family and single rates
	Pension 7% match (2 FT employees)				10,274.81		
					<u>59,066.77</u>		
(C)	TDBanknorth-Balance \$88,000 (10yr) at \$988 per month at 64.9%				7,694.54	57,112.00	Payoff to State MERS for prior service, need to pay
	Copier Lease-to finish				75.00		
	Vehicles lease-at 64.9%						
	GMC pickup \$19,536/60 months final 3/2015				-		
	Malibu \$13,700/60 months started 2013 final 2018				1,778.26		
	Trailblazer \$22,638/60 months started 2007 final 2012						
					<u>9,547.80</u>		
DISTRIBUTION OF ASSETS, PAYING OFF LIABILITIES OF DISTRICT							
6/30/2013 (Audit for 6/2014 not available)							
	Assets (cash only)				164,582.00		
	Liabilities				71,751.00		
	Available				92,831.00		
	Payoff MERF				(8,000.00)		May be able to pay off Loan from District's available funds
	Payoff Vehicle lease						May be part of the Accounts payable
					<u>4,831.00</u>		

Food Service Plan Review by Town

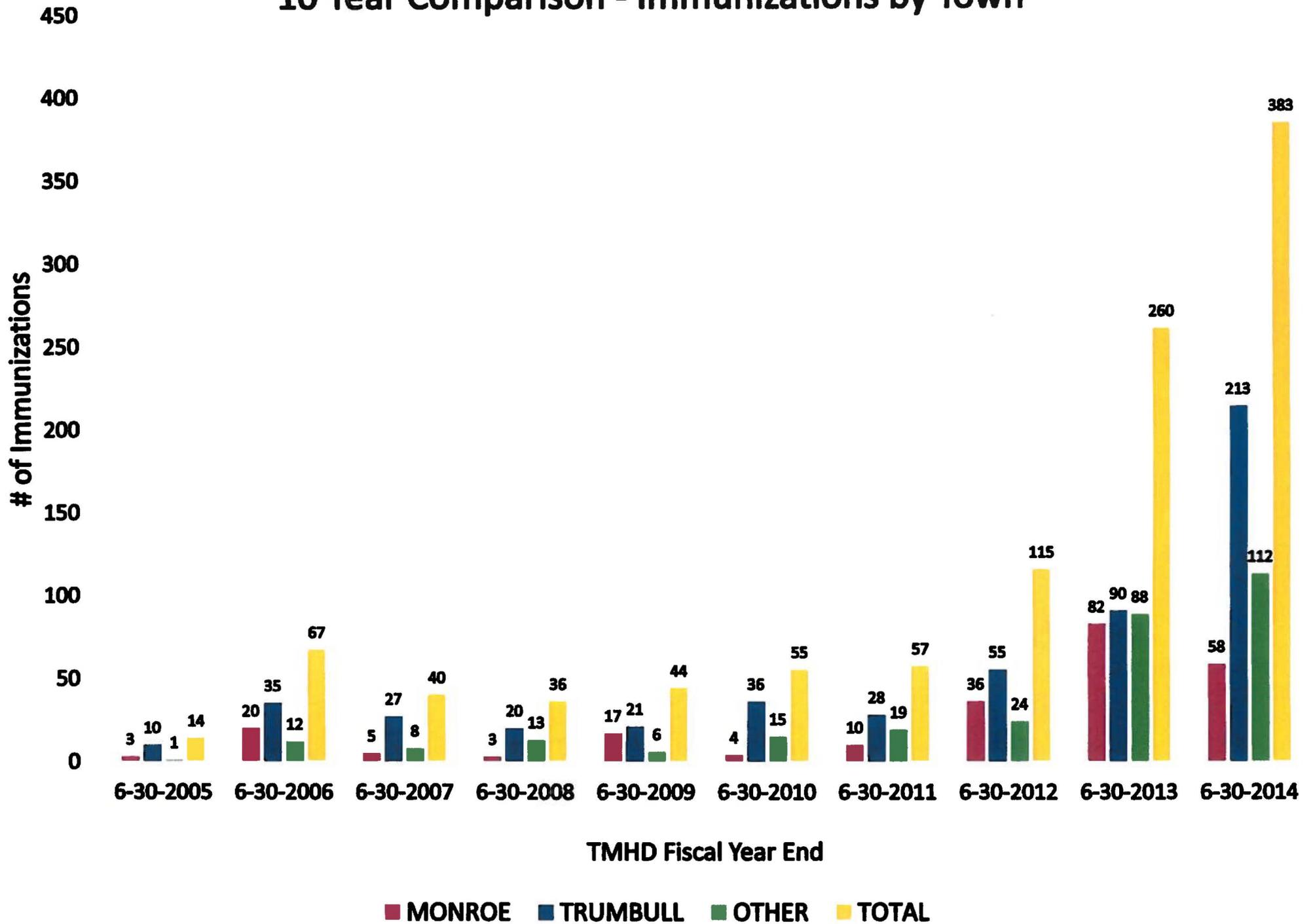


TRUMBULL SEWER EXTENSION INSPECTIONS

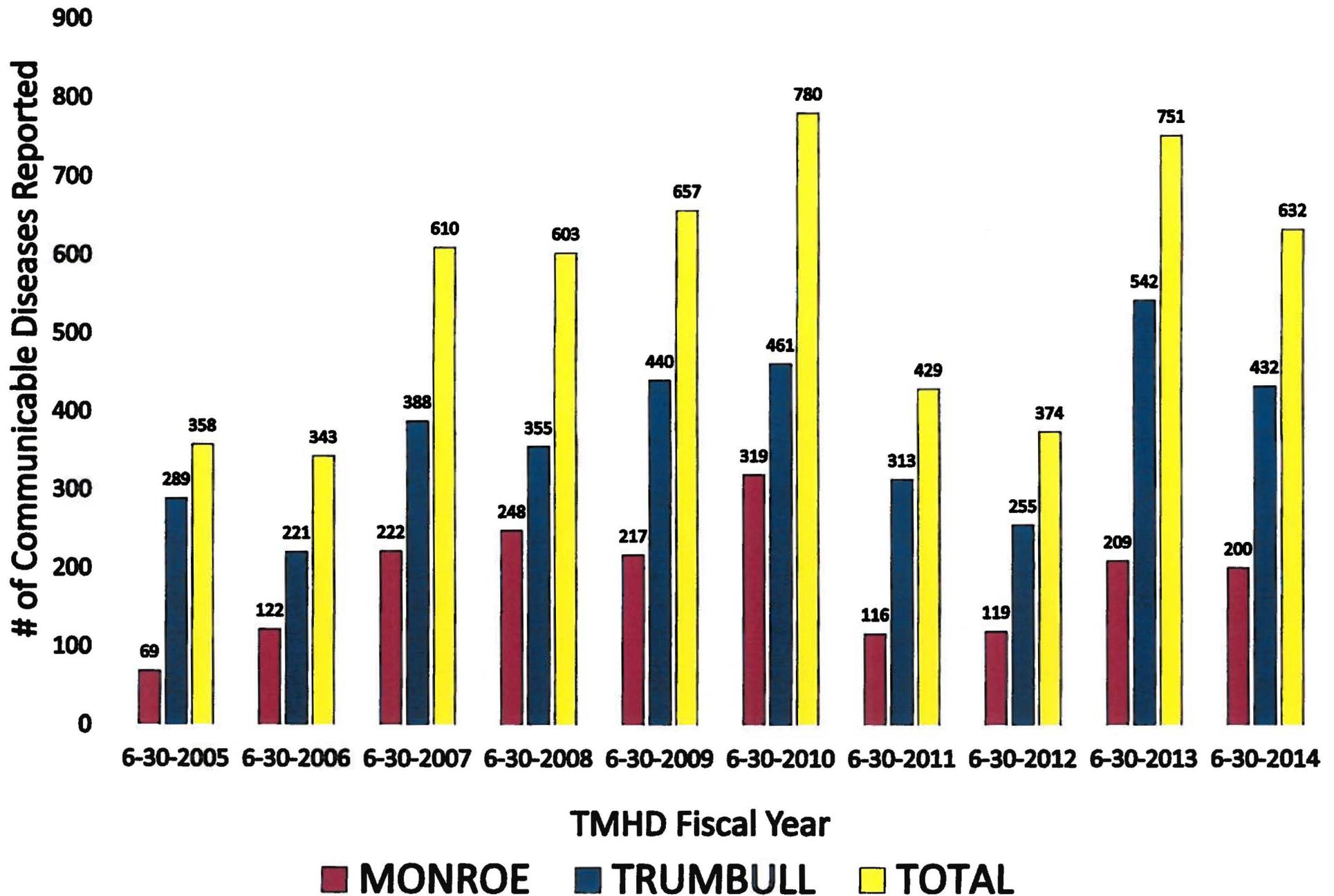


NOTE: Decrease due to sewer connection

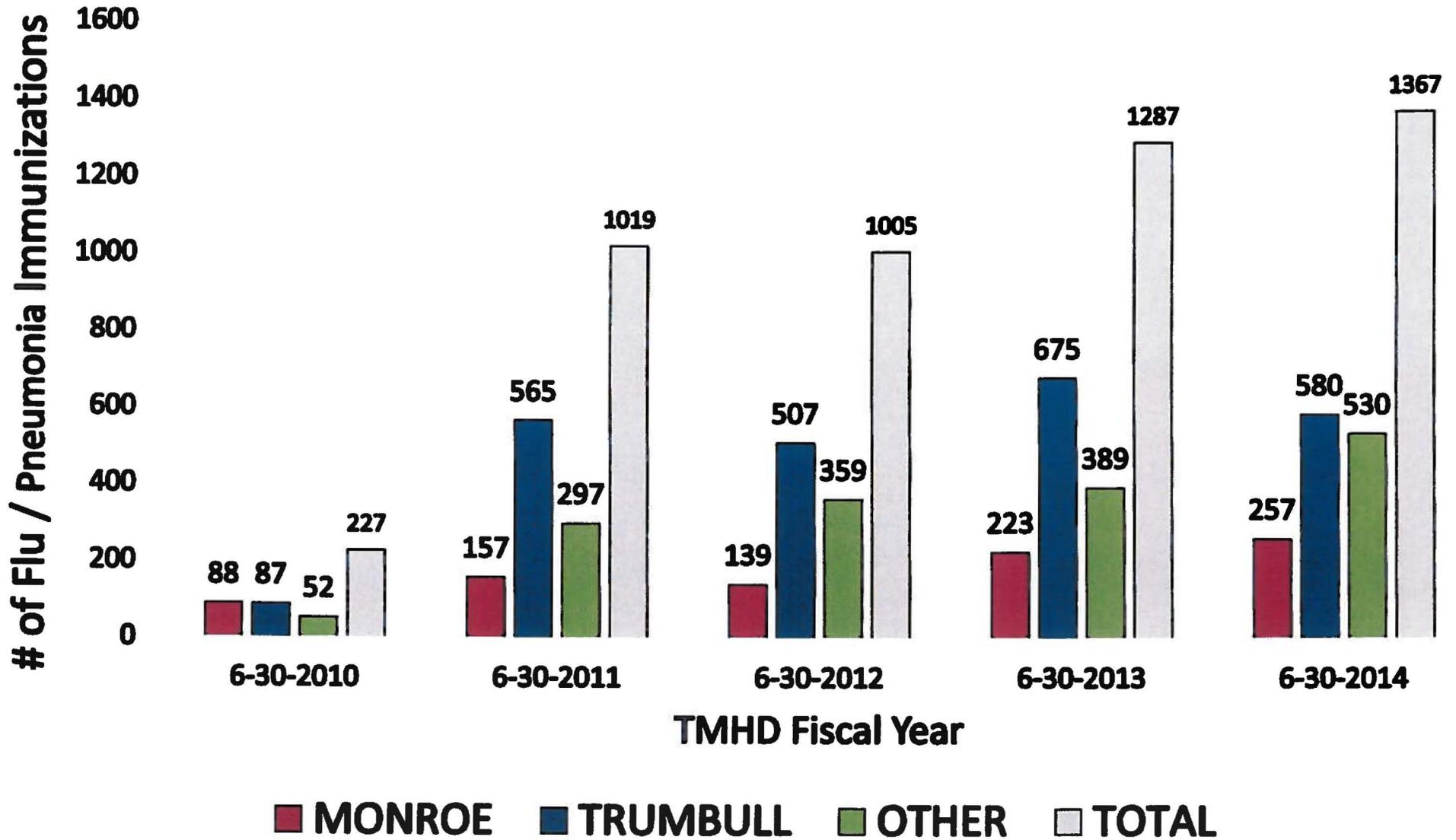
10 Year Comparison - Immunizations by Town



10 Year Comparison - Communicable Disease Report by Town



5 YEAR COMPARISON - FLU / PNEUMONIA IMMUNIZATION BY TOWN



B100A Comparison by Town

