

TOWN COUNCIL
Town of Trumbull
CONNECTICUT
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TOWN HALL
Trumbull

TELEPHONE
(203) 452-5000



MINUTES
FEBRUARY 1, 2016

CALL TO ORDER: The Chair called the regular meeting of the Town Council to order at 8:08 p.m. All present joined in a moment of silence and the Pledge of Allegiance.

The clerk called the roll and recorded it as follows:

<u>Present:</u>	Jack Testani	Edna Colucci	Joe Pifko
	Donna Seidell	Jason Marsh	Ann Marie Evangelista
	Bill Mecca	Carl Massaro, Jr.	Matt Caron
	Dawn Cantafio	Vincent DiMasi, Jr.	Lori Rosasco-Schwartz
	Thomas Whitmoyer	Mark Block	Mary Beth Thornton
	Lisa Valenti	Tony Scinto	Enrico Costantini
	Richard Kascak, Jr.	Michael London	Mark LeClair

Also Present: First Selectman Timothy Herbst, Public Works Director John Marsilio, Finance Director Maria Pires, Director of Labor Relations James Haselkamp, Parks & Recreation Director Stuart McCarthy and Blum Shapiro Representatives, Mr. Joseph Kask and Ms. Leslie Zoll.

*Unless otherwise noted the Chair reserves the right to vote.

The Chair welcomed Boys Scouts of Troop 67, Noah Lansing and Oliver Thompson to the meeting. They are working towards their Communications Merritt Badge. All present welcomed them.

PUBLIC COMMENT: There was one person present to speak and one person submitted a letter to read into the record. (See Attached).

APPROVAL OF MINUTES: Motion made by Block, seconded by Testani to approve the regular January minutes as presented. VOTE: Motion CARRIED 18-0-2 (ABSTENTION: London and LeClair)

▪ Discussion Item: Town Audit Report FY Ending 06/30/2015

Ms. Zoll presented the Financial Statements for the fiscal year ending 2015 to the Town Council:

- This was the first year the Town submitted their CAFR, (Comprehensive Annual Financial Report), which is a more detailed audit report with ten years of statistical information, to the national GFOA, (Governmental Financial Officers Association), and are awaiting a certificate of Achievement for Excellence in Financial Reporting.
- Blum Shapiro Opinion/Page 2 - The Town received a modified opinion. This is what the Town wants to receive every year. That is a clean opinion.
- There was a new statement with regards to GASB 68.
- The Town of Trumbull did very well with regards to its financial position. In terms of full basis of accounting the Town went up \$5 million from the year prior in the governmental activities and \$792,000 in the business activities, bringing this to a total net position of \$ 140,000,000. The increase is a direct result of investments and capital assets of the Town's infrastructure.
- General Fund - An increase of \$1.4 million. This is a positive growth in the fund balance The General Fund balance is \$16.6 million which is 10.6% of the expenditures, a very healthy fund balance.
- Proprietary Funds/WPCA and the Golf Course - Both had a positive change in their position. WPCA had an increase of \$698,000 and the Golf Course \$94,000. A slight decrease in in-house services mostly due to the depreciation of the lease fund.
- On the pension and OPEC side there was a positive growth of \$3.7 million. This includes both pension plans and the OPEC trust funds.
- There was a new GASB 68 this year. The pension liability is on the accrual balance sheet.
- Within the state and federal single audits there were no compliance issues. There was some BOE control issues noted with regard to payroll. There was turnover in staff and timesheets were not signed off on properly. This has since been resolved and corrected.

Ms. Zoll confirmed for the Mr. London there were no deficiencies or serious issues with record keeping of the Town's finances. The Town has a healthy find balance and the Town's financial position is quite well. Ms. Zoll could not comment for the bond rating agencies, since they are not affiliated.

Ms. Thornton extended her gratitude to Ms. Pires for her efforts and commended her for a job well done.

Ms. Zoll confirmed for Mr. Mecca the deficiency noted in the report referred back to the BOE payroll issue noted earlier at this meeting and has since been resolved.

Mr. Kask explained to Mr. Testani their firm has approximately 80 municipalities that they performed audits for this year. Standard and Poor's and the other bond rating agencies' focus on different items to analyze. It could be pension trust fund liabilities or the strength of a particular town's infrastructure. It is difficult to say what they will focus on for Trumbull's rating.

1. RESOLUTION TC26-21: Motion made by Colucci, seconded by Schwartz.
BE IT RESOLVED, That the option to renew the appointment of Blum Shapiro is hereby reaffirmed as the auditor for FY 2015-2016.

Committee Report: The Finance Committee met on January 26, 2016 and voted unanimously.

VOTE: ADOPTED unanimously.

2. RESOLUTION TC26-22: Moved by DiMasi, seconded by Block.
BE IT RESOLVED That the Town Council of the Town of Trumbull, Connecticut hereby approves the Town Clerk of the Town of Trumbull's application to participate in the State Elections Enforcement Commission's Municipal Filing Pilot Program for the 2017 election cycle. (Full Resolution Attached).

Committee Report: The Legislation & Administration Committee met on January 25, 2016 and voted unanimously.

VOTE: ADOPTED unanimously.

The Chair noted there is a deadline to submit the application and would entertain a motion to make this item emergency legislation.

Motion made by London, seconded by Colucci to pass as *Emergency Legislation*.

VOTE: Motion CARRIED unanimously.

3. RESOLUTION TC26-23: Moved by Marsh, seconded by Seidell.
BE IT RESOLVED, That the IRS required amendments to the Town's pension plan are hereby adopted. (Full Resolution Attached)

Committee Report: The Finance Committee met on January 26, 2016 and voted unanimously.

VOTE: ADOPTED unanimously.

4. RESOLUTION TC26-24: Moved by Valenti, seconded by LeClair.
BE IT RESOLVED, That the Five Year Plan is hereby approved.
Committee Report: The Finance Committee met on January 26, 2016 and voted unanimously.

Mr. London explained the Five Year Plan is not cast in stone. Any item in the plan and its funding would need approval in the future. This is a road map for improvements throughout the Town.

Mr. Marsilio explained the road reconstruction projects need to meet the criteria to be in the Five Year Plan. The expenditures need to be more than \$10,000 and improve by making a 20 year life for the asset or improve the asset toward its ability to last 20 years. There are road way projects with a lifespan of 8-12 years (limited patchwork) in the operating budget that

would be in addition to what is in this plan. The process of selecting the roads is anecdotal. There are foremen working in the roads as well as those who plow. Word comes back from those workers regarding the condition of the roads. The amount of traffic determines which roads are selected as well. Mr. Marsilio further explained for Mr. London the selection of roads can be flexible. If the council was to change the schedule it would be at the time the funding is acted upon. The council could expand the funding in order to pave a particular road as well. Mr. Marsilio stated he would be able to supply a report to Mr. Marsh of what paving projects had been started this year and the status of past plans.

Mr. Marsilio explained for Mr. Block the actual paving time of a road is quick. The first thing to be done is to advise all of the utilities their intention to pave the road, and cameratest the storm drain and sanitary sewer line. Corrections are made before they pave the road. Sometimes weather will shut down the project. This happened with Elliott Road last year and they then have to go back the following year to finish.

Mr. Marsilio explained for Mr. Whitmoyer Strobel Road and Moose Hill Road have been funded through the Regional Planning Agency and LOCIP. They are not on the Five Year Plan because they have already been approved. They are awaiting the final design for Moose Hill Road. There are some takings which need to be negotiated. Moose Hill Road will happen before Strobel Road. They are designing a new culvert for Strobel Road, there will be widening and they are currently examining retaining walls on the north side. There is a new intersection being designed entering onto Daniels Farm Road. This will all be done and completed in as good a fashion as they can. They will address every single problem they observe with the best engineering standards available. All of this is included in the \$5.2 million grant. The Town does have to contribute 10%, (for design only), on Moose Hill Road. Every grant is different.

Mr. Marsilio explained for Ms. Cantafio there are two portions of the Pequonnock River Trail Rest area project, the building and hardscape. They have a preliminary design that would excavate into the hill on Tait Mill Road. There will be soldier horse parking. It will be off street parking. Handicap parking would be incorporated up to the Visitor Center. There is grant money available for the extension of the trail. They are not certain where that will be located that is up to the State. A STEAP grant in the amount of \$490,000 has been applied for two weeks ago. This is for the Visitor Center they will probably hear about that in approximately five months. They plan to demolish the existing structure and replace it. They are looking to acquire the rest of the money for the hardscape through the Regional Planning Agency.

First Selectman Herbst stated they are in the process of filling the Economic Development Director position. The suggestion for the Long Hill Road Green as outlined in this plan was the former Economic Director's. The area presents the Town's best chance to create another Town center and is the best opportunity to provide additional commercial vendors for the residents. It is a unique area of town. There are a lot of non-conforming mixed uses in this area. There will be traffic calming, and a light at Whitney Avenue and RT. 111. They are working with the State DOT to realign the intersection. The commercial development did not

create the problem it exposed the problem. The First Selectman's preference would be to have the developer acquire the barn parcel and use it for additional parking. First Selectman Herbst agreed with Mr. Testani the Broadway Road area traffic calming needs to be addressed. Ultimately it is a Police Commission decision. It is the First Selectman's suggestion to close Broadway to make it pedestrian friendly. There are three new restaurants coming to the area as well as more retail all of which will add traffic.

Mr. Marsilio explained for Mr. Whitmoyer the video inspection of the lines before paving is done by and\ outside source. It bid out and is priced by the foot, approximately .65 per foot. It would not be prudent to pave a road not knowing what the underlying infrastructure was. The \$35,000 is a place holder. If more was needed it come from the paving program funds because it is a project cost. Mr. Whitmoyer thanked Mr. Marsilio for his expertise.

Mr. Marsilio explained for Mr. Testani the problems on Daniels Farm Road are linked to Contract 3 sanitary sewer installation. It is known in certain areas there is inadequate compaction. There are other areas of the road where they have profound concerns. They are in litigation for Contract 3 the final outcome is unknown at this time, further investigation is necessary. Portions of the road have been skid paved until this is resolved.

Mr. McCarthy explained for Ms. Contafio he could not speak to the history of the turf installation at the high school or the proposed press box project. That was discussed in committee with Mr. Deming of the BOE.

Mr. Marsilio explained the senior center \$7.5 million number is a place holder in year 2 of this plan and was based upon a \$200 sf price for an unadorned building without program elements incorporated. This year's CIP funding resolution will include the funds for a consultant to do the work of developing the program. Until the ideas are put into a program which dictates the amount of square footage needed and a site is chosen with the utilities identified would a true construction estimate be identified.

Mr. Marsilio stated for Ms. Cantafio the Town Hall Annex project is in year two of the Five Year Plan. There is another examination and analysis for this project's programming that has to occur. The current building is dysfunctional for many reasons such as security issues, and tax payer user friendly issues. There are offices in the basement and there is Probate, a tenant in the building that takes up a lot of space. They will investigate relocating Probate to better be able to use the existing space of the Town Hall. The first thing necessary is to do the investigation to determine what adjacencies and needs of the Town Hall shall be. The resolution for funding will include the cost of the consultants for the initial investigation.

Mr. London stated the council is not voting to approve any particular project. They are all projects for further study and consideration. The State requires the Town to have a Five Year Plan. If any of these projects were to go forward, they will come back to the Council at least one other time for detailed consideration as well as its funding. The funding will also go to the BOF prior to the Council. In the past they have seen far less comprehensive Five Year

Plans and spoke in favor of the plan and its level of detail in order to better identify what is needed throughout the Town.

The Chair stated the Five Year Plan is an essential element to receiving LOCIP (Local Capital Improvement Funding) from the State of CT.

VOTE: ADOPTED unanimously.

5. RESOLUTION TC26-9: Moved by Block, seconded by Cantafio.
BE IT RESOLVED, That an agreement for an Early Retirement Offering between the Town of Trumbull and the UPSEU Local 424 Supervisors (MATHAS) is hereby approved.

Committee Report: The Legislation & Administration Committee met on January 25, 2016 entered into Executive Session unanimously and voted unanimously.

The Chair noted the Council was sent corrected agreements.

VOTE: ADOPTED unanimously.

6. RESOLUTION TC26-10: Moved by London, seconded by Valenti.
BE IT RESOLVED, That an agreement for an Early Retirement Offering between the Town of Trumbull and the DPW Supervisors' Union is hereby approved.

Committee Report: The Legislation & Administration Committee met on January 25, 2016 entered into Executive Session unanimously and voted unanimously.

First Selectman Herbst requested if the Resolutions TC26-9 and TC26-10 are adopted at this meeting that they are passed as emergency legislation due to the fact that the employees who have been offered this have until Wednesday of this week to accept, This will impact the budget that will be transmitted to the BOF on February 10th.

VOTE: ADOPTED unanimously.

Motion made by Block, seconded by March to pass as Emergency Legislation.

VOTE: Motion CARRIED unanimously.

Motion made by LeClair, seconded by London to recall RESOLUTION TC26-9.

VOTE: Motion CARRIED unanimously.

Moved by Block, seconded by Marsh to pass RESOLUTION TC26-9 as Emergency Legislation. VOTE: Motion CARRIED unanimously.

7. RESOLUTION TC26-25: Moved by Evangelista, seconded by DiMasi.
BE IT RESOLVED, That the Trumbull Day Commission is hereby disbanded.
Committee Report: The Legislation and Administration Committee met on January 25, 2016 and voted 5-0-1 (ABSTENTION: Whitmoyer)

Mr. London stated the resolution has nothing to do with the date of the event or continuing to host the event. The Chair confirmed this.

Moved by Marsh, seconded by Valenti to amend the resolution to read as, “RESOLUTION TC26-25: BE IT RESOLVED, That the Trumbull Day Commission is hereby disbanded and reconstituted as a committee comprised of community and civic volunteers under the direction of the Parks & Recreation Department so as to maintain the longstanding tradition of community involvement in the Trumbull Day festivities.”

Ms. Valenti agrees the event should be under the Town due to the liability issues discussed in committee, but only until a 5013c is established by a group of residents and spoke in favor of having an ad-hoc committee underneath Mr. McCarthy.

Mr. Testani stated the committee minutes reflect what kind of volunteer initiatives would be implemented. This amendment may not be necessary. Mr. McCarthy stated they are in the beginning of planning the event the hope is to reach out to civic organizations and to clearly communicate volunteer opportunities. Mr. Testani added it had been difficult to establish a quorum with the existing Trumbull Day Commission. Mr. McCarthy stated the intent is to have someone specifically coordinating the volunteers. This person would advertise and recruit the volunteers as necessary for positions. Mr. McCarthy explained for Mr. Block he has no objection to a group of citizens and has worked in the past with such committees. The issues regarding the existing commission have been well stated with regard to the responsibility of the Town and using town funds along with following the Town’s purchasing requirements.

Mr. Costantini stated the Trumbull Day Commission was appointed in the past. The only thing that would change is who they would report to. Mr. Costantini’s concern is who would be in charge if the committee disagrees with Mr. McCarthy’s professional input. Mr. Marsh agreed the event would be better served under the direction of the Parks & Recreation Department. The proposed amendment is for the Town to be able to see Trumbull Day is not going away and there is an opportunity to volunteer. Ms. Valenti spoke in favor of the amendment. Maybe in the next year it could be discussed to bring the event back to June.

Mr. Block does not disagree with the sentiment of the amendment. Mr. LeClair stated the existing commission had a specific charge with a specific number of members and who would appoint them. None of this has been included in the amendment. Mr. LeClair suggested passing the resolution as written and come back with a resolution creating the committee. The Trumbull Day Commission as it is now has not been functioning. We need to get the event scheduled. He will not vote for something when he does not know what the composition is, it could be 2 members or as many as 50. There are too many unknowns.

Mr. Costantini spoke against the phrase “under the direction” noting the phrase is too broad and does not define who has the final charge. It is incumbent upon the Town officials to promote the event. Mr. Whitmoyer spoke in favor of the amendment, “under the direction” does speak to who is organizing the event and that they work underneath Mr. McCarthy. The

amendment is well written and understandable. The current situation needs to be disbanded so the Town can take over and to do it properly but wants community involvement. The resolution as written is sending the wrong message. Mr. Pifko spoke in favor of the need to disband the commission. He agrees in spirit of the amendment but has learned committees can take on a life of their own. If the committee's parameters are not well written with regard to their duties and membership the committee can become cumbersome and difficult. Mr. Pifko suggested coming back after the resolution is adopted with a more structured resolution which would clearly define the committee. Mr. McCarthy explained for Ms. Cantafio he could not speak directly to whether organizations would raise funds through Trumbull Day. The Town is funding the event and in that scenario the Town would be turning over portions of the event that raise money but keeping the portions that do not. He did suggest that is not the model the Town would necessarily want to follow. The current thought is to recruit volunteers to staff certain portions of the event with the Town managing the finances.

Mr. Marsh stated he is not certain he understands the urgency of disbanding the commission, he suggested tabling the resolution until the amendment is flushed out and a cohesive and comprehensive resolution can be put forth. The Chair stated there is not a rush but a need to understand how the Town is going to move forward on this community event. Mr. McCarthy is eager to move forward. His department will plan, promote and operate and be responsible for the event. That is the intent although it is not specifically stated in this resolution. Leaving the Trumbull Day Commission in place that currently has that charge is deferring the eventual answer to that question. As discussed in committee the time to get planning on this is now. We have to get the vendors in place for whatever dates are contemplated. It is reasonable to be addressing this and moving forward at this point. Ms. Evangelista explained in the BOE committee realm when the first call for volunteers is made there are many but as time goes on the committee does get smaller. Ms. Evangelista questioned what Mr. McCarthy's ideal of a committee would be. Mr. McCarthy agreed a clear structure of the committee is needed and voiced his concern with the word "reconstitute" noting that could read as the commission is being reconstituted as a committee. There are other legal issues with regard to whether the committee is subject to FOI. This is not the BOE model because it is a government agency, if it is operating as a subcommittee of the Parks & Recreation Commission it is subject to FOI. He concurs, structure of what kind of committee will be established is necessary.

Ms. Thornton spoke in favor of the amendment. The amendment is about the spirit of Trumbull Day. The size of the committee and what it would do would all be under the direction of Mr. McCarthy. The amendment gives people the opportunity creates a committee for them to participate in. Mr. Costantini stated we all have the same goal to have a successful community event with a number of volunteers. We can have the volunteerism everyone is looking and still pass the resolution as it was originally written. Disbanding the commission allows Mr. McCarthy to oversee and plan the event. The people who want to volunteer can come forward. It has been clearly stated volunteers are wanted and it is incumbent upon him to include those people. If a committee is created it needs specifics. Having a committee that is charged to work in conjunction with a department makes things

confusing, he can not support a resolution that is unclear in structure and hierarchy. Mr. London called the question, seconded by Pifko.

VOTE: Motion FAILED 7-12-1 (IN FAVOR: Thornton, Valenti, Marsh, Mecca, Whitmoyer, Cantafio and Caron) (ABSTENTION: Block)

The Chair stated there has been a lot of information collected over the years for this event whether it is Trumbull Day or the Fall Festival and is readily available. It includes sponsor, vendors information and all kinds of people to reach out to. No community event can happen without volunteers. That is the reality of having a community event. However in terms of managing the event the Town offices, as fully discussed in committee, are the ones who have to organize and put the event together. We need the Police and Fire Departments there is a lot that goes into the event that the Trumbull Day Commission did not do. The Chair stated if the Trumbull Day Commission is disbanded at this meeting the Parks & Recreation Department will pick up the reigns and move forward. Mr. McCarthy confirmed for Mr. Testani he would come back to the Town Council with updates on the event

VOTE: ADOPTED 13-5-2 (AGAINST: Thornton, Whitmoyer, Cantafio, Mecca and Caron) (ABSTENTION: Valenti and Marsh)

8. RESOLUTION TC26-26: WITHDRAWN

9. RESOLUTION TC26-27: Moved Kascak, seconded by Schwartz.

BE IT RESOLVED, That the appointment of John Chiota of 35 Iron Gate Road, be and the same, is hereby approved as a member of the Golf Commission for a term extending to the first Monday of 2018.

Committee Report: The Finance Committee met on January 26, 2016 and voted unanimously.

VOTE: ADOPTED unanimously.

There being no further business to discuss and upon motion made by London, seconded by Block the Trumbull Town Council adjourned by unanimous consent at 9:51 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Town Council Clerk

FULL RESOLUTION TC26-22

RESOLUTION TC26-22: BE IT RESOLVED That the Town Council of the Town of Trumbull, Connecticut hereby approves the Town Clerk of the Town of Trumbull's application to the State Elections Enforcement Commission's Municipal Filing Pilot Program, and;

WHEREAS on June 30, 2015, the Governor signed into law Special Act No. 2015-14 , *An Act Establishing A Pilot Program for Municipal Campaign Finance Filings*;

WHEREAS the Special Act establishes a pilot program for the State Elections Enforcement Commission to provide assistance to the town clerks of up to twenty municipalities with the completion of some or all of their filing repository duties for the 2017 election cycle;

WHEREAS the application to participate in the pilot program requires the approval of the municipality's legislative body;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Trumbull, Connecticut that the Town Clerk of the Town of Trumbull, Connecticut may apply to participate in the State Elections Enforcement Commission's Municipal Filing Pilot Program for the 2017 election cycle.

BE IT FURTHER RESOLVED, That a copy of this signed resolution be forwarded to the State Elections Enforcement Commission as part of the Town of Trumbull's application.

PUBLIC COMMENT:

Kevin Schiveley spoke against RESOLUTION TC26-25 and asked the council not to disband the commission at this time. It would be premature. The issue is if the vent remains a community driven event. This is a reasonable request and a middle of the road approach.

Mr. Marsh read a letter into the record on behalf of Eric Paulson of 69 Brittany Avenue,
(Attacehd)

Eric Paulson
69 Brittany Ave
Trumbull, CT 06611

January 27, 2016

Mr. Jason Marsh
Trumbull Town Council - District 3

Dear Mr. Marsh:

As one of my District 3 Town Council Representatives, I am writing to urge you and your fellow Council members to restore Trumbull Day to the end of June. Among the many reasons for restoring the over 40 year old tradition to its original date are that schools are out, the availability of college kids to work at the festival is higher, fireworks make more sense in late June than in September, and frankly, to uphold an important town tradition that goes back to 1972.

Last year's replacement Fall Festival, while fun for the kids, was pretty disappointing in vendor participation due to the hasty way it seemed to put together, with little to no input from the Trumbull Day Commission. Also, in my opinion, town employees who use their time to plan a major festival could better spend their time by tending to town administrative matters, rather than event planning which could be handled by a volunteer commission. Perhaps the town should consider establishing a 501(c)(3) specifically designed for the festival, and to be supported by grants and other fundraising efforts, helping to defray the cost of the event for the town.

Thank you for your consideration.

Sincerely,

Eric Paulson