

TOWN COUNCIL

TRUMBULL, CT
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Pride in our past



Faith in our future

MINUTES April 6, 2009

CALL TO ORDER: The regular meeting of the Trumbull Town Council was called to order at 8:05 p.m. by Chairman Mark Altieri. All present joined in a moment of silence and the pledge of allegiance.

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

Dan Marconi	Jeffrey Jenkins	Matt Reale
Michael Rappa	John Rotondo	Kathleen Bivona
Suzanne Testani	John DelVecchio, Jr.	Michael London
Jane Deyoe	Debbie Lamberti	Carl Massaro
Robert Pescatore, Jr.	Perry Molinoff	Tony Scinto
Mary Beth Thornton	Mark Altieri	Dan Helfrich
Cheryl Bochet	Martha Mark	

ABSENT: Chad Ciocci

* Chairman Mark Altieri exercised his right not to vote unless otherwise noted.

APPROVAL OF MINUTES: Moved by Mr. Massaro, seconded by Mr. London to amend the Minutes of the March 2, 2009 meeting by a series of written amendments he provided.

Majority Leader Reale stated he had previously asked that lengthy amendments be provided in advance to allow time for review. He requested a recess to give his caucus an opportunity to review the proposed changes.

Chairman Altieri called for a recess at 8:12 p.m.

Chairman Altieri reconvened the meeting at 8:17 p.m.

Mr. Molinoff read a passage from “Roberts Rules” pertaining to the Minutes of a Meeting. It stated that the Secretary should record what is “done by the assembly and not what is said by the members”. Mr. Molinoff stated that the Minutes are not supposed to be a transcript of every word that is said, but rather the actions that were taken; how individuals voted and the outcome and decisions of those votes. In his opinion the proposed amendments are a transcript.

VOTE: Failed 9-9-1 (Opposed: Reale, Rotondo, Thornton, Bivona, DelVecchio, Bochet, Molinoff, Marconi, Rappa; Abstention: Helfrich)

Moved by Ms. Mark, seconded by Ms. Testani to amend the vote recorded for Resolution TC22-170 to show that Ms. Mark voted in favor of the resolution. The amended vote is Failed 10-11. (Approved: Lamberti, Deyoe, Pescatore, Ciocci, Scinto, London, Massaro, Jenkins, Testani, Mark)

VOTE: Passed unanimously

Moved by Mr. London, seconded by Mr. Scinto to amend the vote recorded for Resolution TC22-164 to show that Mr. London voted in opposition of the resolution. The amended vote is Passed 19-1 (Opposed: London)

VOTE: Passed unanimously

Moved by Mr. Pescatore, seconded by Ms. Mark to amend page 6, paragraph 6 by inserting "Mr." in front of Pescatore.

VOTE: Passed unanimously

Mr. Massaro commented he finds the Minutes as written to be unacceptable and insulting and believes denial of the amendments amounts to censorship.

VOTE: Passed as amended 11-9 (Opposed: Testani, Massaro, Jenkins, Mark, Pescatore, Lamberti, London, Deyoe, Scinto)

*Chairman Altieri voted on this item.

DISCUSSION ITEM: Trumbull High School Building Committee Update

Jim Nugent, Chairman of the Trumbull High School Building Committee explained the PCT meeting with the State went very well. There were a number of changes which were made. The plans were then resubmitted and approved. To stay on schedule a review must be done either by the State or locally, privately. The committee is weighing its options.

Item 1. RESOLUTION TC22-162: Moved by Mr. Scinto, seconded by Mr. Pescatore

BE IT RESOLVED, That Elaine Hammers of 59 Coventry Lane, be and the same, is hereby reappointed as a member of the Pension Board for a term extending to the first Monday in December, 2012.

Committee report: R&R Committee met March 30, 2009 and voted 3-0 to recommend.

VOTE: Adopted 18-1 (Opposed: Bochet)

Item 2. RESOLUTION TC22-173: Moved by Mr. DelVecchio, seconded by Ms. Bivona

BE IT RESOLVED, That Amy Todisco Braunstein, of 17 Finchwood Road, be and the same, is hereby appointed as an alternate member of the Ethics Commission for a term extending to the first Monday in December, 2010.

Committee report: R&R Committee met March 30, 2009 and amended by deleting the name Braunstein. They voted 3-0 to recommend as amended.

The Chair recognized the Committee Report as an amendment.

2/3 vote required for passage

VOTE: Passed unanimously

VOTE: Adopted unanimously as amended

Item 3. RESOLUTION TC22-174: Moved by Ms. Deyoe, seconded by Ms. Thornton

BE IT RESOLVED, That the reappointment by the First Selectman of Michael DelVecchio of 14 Maple Street as the EMS representative to the Central Emergency Dispatch Commission is hereby approved for a term extending to December 5, 2011.

Committee report: R&R Committee met March 30, 2009 and amended Mr. DelVecchio's name to read as Michael R. DelVecchio, Jr. They voted 3-0 to recommend as amended.

The Chair recognized the Committee Report as an amendment.

VOTE: Passed unanimously

VOTE: Adopted as amended 18-0-1 (Abstention: DelVecchio)

Item 4. RESOLUTION TC22-175: Moved by Ms. Bivona, seconded by Mr. DelVecchio

BE IT RESOLVED, That the reappointment by the First Selectman of Kevin Mulligan of 10 Oxen Hill Road as the Trumbull Center Fire Company representative to the Central Emergency Dispatch Commission is hereby approved for a term extending to December 5, 2011.

Committee report: R&R Committee met March 30, 2009 and voted 3-0 to recommend.

VOTE: Adopted unanimously

Item 5. RESOLUTION TC22-176: Moved by Mr. London, seconded by Mr. DelVecchio

BE IT RESOLVED, That the reappointment by the First Selectman of Alex Rauso, Deputy Fire Marshal, as a member of the Central Emergency Dispatch Commission is hereby approved for a term extending to December 5, 2011.

Committee report: R&R Committee met March 30, 2009 and amended Mr. Rauso's name to Alexander Rauso, Jr. and voted 3-0 to recommend as amended.

The Chair recognized the Committee Report as an amendment.

VOTE: Passed unanimously

VOTE: Adopted 17-2 (Opposed: Pescatore, Testani)

Item 6. RESOLUTION TC22-177: Moved by Ms. Bochet, seconded by Ms. Bivona

BE IT RESOLVED, That the appointment by the First Selectman of Glenn Byrnes, Deputy Chief of Police, as a member of the Central Emergency Dispatch Commission is hereby approved for a term extending to December 7, 2009.

Committee report: R&R Committee met March 30, 2009 and voted 3-0 to recommend.

VOTE: Carried unanimously

Item 7. RESOLUTION TC22-178: Held in Committee

Item 8. RESOLUTION TC22-179: Held in Committee

Item 9. RESOLUTION TC22-180: Moved by Ms. Lamberti, seconded by Ms. Testani

BE IT RESOLVED, That the First Selectman's appointment of Marcy Kelly of 28 Plumb Road, be and the same as a member of the Trumbull Day Commission is hereby approved for a term extending to September 1, 2010.

Committee report: R&R Committee met March 30, 2009 and amended by changing Ms. Kelly's name to Marcia Kelly. They voted 3-0 to recommend as amended.

VOTE: Passed unanimously

VOTE: Adopted unanimously as amended

Item 10. RESOLUTION TC22-181: Moved by Mr. Molinoff, seconded by Ms. Bochet

BE IT RESOLVED, That resolution TC11-196, enacted on February 9, 1987, is hereby repealed and the Volunteer Firemen's Pension Fund Board is hereby dissolved.

Committee report: R&R Committee met March 30, 2009 and voted 3-0 to recommend.

VOTE: Adopted unanimously

Item 11. RESOLUTION TC22-182: Held in Committee

Item 12. RESOLUTION TC22-183: Held in Committee

Item 13. RESOLUTION TC22-184: Moved by Mr. Pescatore, seconded by Mr. Marconi

BE IT RESOLVED, That resolution TC22-111 is hereby amended by addition of language which authorizes First Selectman Raymond G. Baldwin, Jr. to execute on behalf of the Town of Trumbull a Personal Services Agreement required by the Connecticut DEP, any Inland-Wetlands Application, State Flood Management Certificate application, and any other documents necessary to carry out the purposes of the grant referred to herein.

Committee report: L&A Committee met March 30, 2009 and voted 5-0 to recommend.

VOTE: Adopted unanimously

Item 14. RESOLUTION TC22-185: Moved by Ms. Thornton, seconded by Ms. Bivona

BE IT RESOLVED, That the Town building permit fee is hereby waived for the addition to the Nichols Fire House, Station No. 2, Booth Hill Road.

Committee report: L&A Committee met March 30, 2009 and voted 5-0 to recommend.

Mr. Massaro pointed out that the addition is expected to cost in the range of \$1.2 and \$1.5 million. Only the resident taxpayers of the Nichols Fire District will be paying any of the fees and costs associated with the construction.

VOTE: Adopted unanimously

Item 15. RESOLUTION TC22-186: Moved by Ms. Mark, seconded by Mr. Pescatore

BE IT RESOLVED, That Silver/ Petrucelli & Associates is hereby approved as the architect to complete the roof replacement at Jane Ryan School as recommended by the Jane Ryan School Roof Building Committee.

Committee report: L&A Committee met March 30, 2009 and voted 5-0 to recommend.

Mr. Rappa pointed out that originally \$87,000 had been budgeted for the architectural plans. As a result of the positive economic time for building, the bids have come in much lower than budget for.

VOTE: Adopted unanimously

Item 16. RESOLUTION TC22-187: Moved by Mr. Marconi, seconded by Mr. Molinoff

BE IT RESOLVED, That the Town of Trumbull hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes §4a-60(a)(1) and §4a-60(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142.

Committee report: L&A Committee met March 30, 2009 and voted 5-0 to recommend.

With unanimous consent, the word Statues was corrected to Statutes.

VOTE: Adopted unanimously as amended

Item 17. RESOLUTION TC22-188: Moved by Mr. Massaro, seconded by Mr. London

BE IT RESOLVED, That the Town of Trumbull Fair Housing Resolution, be and the same, is hereby adopted.

TOWN OF TRUMBULL
FAIR HOUSING RESOLUTION

Whereas, All American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

Whereas, State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, familial status, be given equal access to

rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, The **Town of Trumbull** is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW THEREFORE, BE IT RESOLVED, That the **Town of Trumbull** hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis: and BE IT FURTHER RESOLVED, That the First Selectman of the Town of Trumbull or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practices in the Town of Trumbull.

Adopted by the **Town of Trumbull** on _____.

Committee report: L&A Committee met March 30, 2009 and voted 5-0 to recommend.

VOTE: Adopted unanimously

Item 18. RESOLUTION TC22-189: Moved by Mr. Jenkins, seconded by Ms. Bivona

BE IT RESOLVED, That a Fair Housing Policy Statement, be and the same, is hereby adopted.

Whereas, All American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

Whereas, State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, familial status, be given equal access to rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, The **Town of Trumbull** is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW THEREFORE, BE IT RESOLVED, That the **Town of Trumbull** hereby endorses a Fair Housing Policy to ensure equal opportunity for all

persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis: and BE IT FURTHER RESOLVED, That the First Selectman of the Town of Trumbull or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practices in the Town of Trumbull.

Committee report: R&R Committee met March 30, 2009 and voted 5-0 to recommend.

VOTE: Adopted unanimously

Item 19. RESOLUTION TC22-190: Moved by Ms. Testani, seconded by Mr. Pescatore

BE IT RESOLVED, That Compliance with Title VI of the Civil Rights Act of 1964, be and the same is hereby adopted.

TOWN OF TRUMBULL

COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

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

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

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

Mr. Raymond G. Baldwin, Jr.
First Selectman
Town of Trumbull

Committee report: R&R Committee met March 30, 2009 and voted 5-0 to recommend.

VOTE: Adopted unanimously

Item 20. RESOLUTION TC22-191: Moved by Mr. Rotondo, seconded by Mr. Reale

BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a Workers' Compensation case known as Brenda McNeal v. Town of Trumbull.

Committee report: R&R Committee met March 30, 2009 and voted 5-0 to recommend.

VOTE: Adopted unanimously

Item 21. RESOLUTION TC22-192: Moved by Ms. Thornton, seconded by Mr. Rotondo

BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a Workers' Compensation case known as Darren Millington v. Town of Trumbull.

Mr. Reale recused himself and left the room at 8:53 p.m. He has a pecuniary interest in the matter.

Committee report: R&R Committee met March 30, 2009 and voted 5-0 to recommend.

VOTE: Adopted unanimously

Mr. Reale returned to the meeting at 8:54 p.m.

Mr. Helfrich moved to adjourn, seconded by Mr. Rotondo. With no further business to discuss, the meeting was adjourned at 8:55 p.m. with unanimous consent.

Respectfully submitted,
Lorrie Lusebrink,
Council Clerk