

TOWN COUNCIL

TRUMBULL, CT
www.trumbull-ct.gov

Pride in our past



Faith in our future

MINUTES

July 6, 2009

CALL TO ORDER: The regular meeting of the Trumbull Town Council was called to order at 8:03 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	Paul Kennedy	Carl Massaro
Robert Pescatore, Jr.	Debbie Lamberti	Chad Ciocci
Mary Beth Thornton	Mark Altieri	Dan Helfrich
Cheryl Bochet	Martha Mark	Tony Scinto

ABSENT: None

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

APPROVAL OF MINUTES: The Minutes of the June 1, 2009 meeting were approved as presented 12-7-1 (Opposed: Testani, Mark, Jenkins, Scinto, Deyoe, London, Massaro; Abstention: Pescatore)

DISCUSSION ITEM: Trumbull High School Building Committee Update

Al Barbarotta, Owner's Representative, explained that 12 of the 14 bids have been publicly opened. Between the 12 packages, there have been 72 bidders. They are reevaluating them with O&G to qualify the lowest bidders. He explained that the other two packages, HVAC and electrical, will be opened next week and he expects there will be lots of bidders. Bidders did not bid on the pool. Mr. Barbarotta expects the asbestos abatement will start on M-Wing next week.

Greg Smolley, JCJ Architects, explained that the State uses ½ of the school's highest enrollment figure when determining the reimbursement for the auditorium seating. Although the planned auditorium can hold 1,100 seats, the highest enrollment that the State agrees with is 1,089. Therefore, 11 seats will be removed from the plan at a savings of approximately \$2,300. Removal of these seats will not change the size of the building. To shrink the building by approximately 2-1/2 feet would require removing a whole row

of about 44 seats. Mr. Smolley explained that once you go below 1,089 seats, you start cutting into the reimbursement. The reimbursement formula for the seating area is 15-16% and the highest enrollment within the past 8 years.

Item 1. RESOLUTION TC22-194: Moved by Mr. Marconi, seconded by Ms. Bivona

BE IT RESOLVED, That the reappointment by the First Selectman of Andrew Lubin of 55 Killian Avenue as a member of the Inland Wetland and Watercourses Commission, be and the same is hereby approved for a term extending to the first Monday in December, 2009.

Committee report: R&R Committee met on June 29, 2009 and voted 2-0 to recommend.

VOTE: Adopted unanimously

Item 2. RESOLUTION TC22-201: Moved by Mr. Kennedy, seconded by Mr. Marconi

BE IT RESOLVED, That the reappointment by the First Selectman of David Lucas of 37 Woodlawn Drive as a member of the Inland Wetland and Watercourse Commission is hereby approved for a term extending to the first Monday in December, 2011.

Mr. Pescatore recused himself and left the room at 8:35 p.m. Mr. Lucas is a personal friend.

Committee report: R&R Committee met on June 29, 2009 and voted 2-0 to recommend.

VOTE: Adopted unanimously

Mr. Pescatore returned to the meeting at 8:36 p.m.

Item 3. RESOLUTION TC22-213: Moved by Ms. Bochet, seconded by Mr. Rotondo

BE IT RESOLVED, That Thomas Murren of 6 Grayrock Road is hereby appointed as a member of the Insurance Commission for a term extending to the first Monday, December, 2013.

Committee report: R&R Committee met on June 29, 2009 and amended by inserting the middle initial "B". They voted 2-0 to recommend as amended.

Chairman recognized the committee report as an amendment.

VOTE: Passed unanimously

VOTE: Adopted unanimously as amended

Item 4. RESOLUTION TC22-214: Moved by Ms. Mark, seconded by Mr. Pescatore

BE IT RESOLVED, That \$23,071 is hereby appropriated from WPCA Retained Earnings 20-315100 to WPCA Extraordinary Repairs 201-00000-578805.

Committee report: R&R Committee met on June 29, 2009 and voted 2-0 to recommend.

VOTE: Adopted unanimously

Item 5. RESOLUTION TC22-209: Held in Committee

Item 6. RESOLUTION TC22-210: Moved by Mr. Ciocci, seconded by Ms. Thornton

Whereas, Connecticut General Statute Section 29-406(a) provides that certain criteria be met prior to the issuance of a demolition permit; and

Whereas Connecticut General Statute Section 29-406(b) authorizes municipalities to impose a waiting period before granting a demolition permit; and

Whereas the Town of Trumbull finds that the public health, safety and welfare will be served by imposing a demolition waiting period for buildings which may have historic, cultural or architectural significance to the town

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TRUMBULL THAT:

1. No permit for the demolition of any building, structure or part thereof which is 500 square feet or larger and constructed prior to 1940 shall be issued until an application for a demolition permit has been filed with the Building Department to include the following information:

- A. Name, address, description, previous use, age and square footage of the structure for which demolition is being applied for
- B. Name and address of owner and firm undertaking demolition
- C. Reason for demolition and date upon which demolition is proposed to begin
- D. Names and addresses of all property owners abutting the property on which the structure(s) to be demolished is located in accordance with an attached copy of a current Town of Trumbull Assessor's Map

2. The Building Department shall publish a notice of the demolition permit application in a newspaper with general circulation in the Town of Trumbull. The notice shall be published within seven days following the filing of the demolition permit application.

3. The applicant shall provide proof of notification of the planned demolition by certified or certification of mailing, within seven days following the filing of the demolition permit application, to the owners of all properties abutting or across a public right of way from the property on which the structure(s) to be demolished is located.

4. Within seven days following the filing of the demolition permit application, the demolition applicant shall post a sign in a conspicuous location visible from the nearest public street or access way adjoining the property at least 24" by 36", which sign shall be provided by the Building Department. If the property is bounded by more than one road, the sign shall be placed on the more heavily traveled road. Such sign shall include a copy of the legal notice and shall contain the word "DEMOLITION" in capital letters no less than 3" in height. This sign shall remain on site until the demolition has taken place or the application for demolition has been withdrawn.

5. Within 7 days of receipt of an application for demolition, the Building Department shall notify the Planning and Zoning Department, the Trumbull Historical Society, the Inland Wetlands and Watercourses Commission and any other person or entity which has filed a request with the Planning and Zoning Department to receive a copy of such notice.

6. A Historical Review Committee/Demolition Review Committee is hereby created composed of three members, including a Planning and Zoning Department staff member and two electors, all of whom shall be appointed by the First Selectman. The Planning and Zoning staff member does not need to be a resident of the Town of Trumbull. The remaining members shall not be affiliated with the same political party and shall have demonstrated knowledge of historic preservation, architecture and Trumbull history. Initially, one of the non-employee members shall be appointed for a one year term and the other for a two year term, after which all appointments shall be for a two year term.

7. Historical Review Committee/Demolition Review Committee shall make a determination within 30 days after an application has been filed for a demolition regarding whether that property may have historic, architectural or cultural significance to the Town of Trumbull. In making this determination of potential significance, they should follow well established standards for historic significance used by the National Trust for Historic Preservation and Connecticut Trust for Historic Preservation. If the committee determines that a property for which demolition has been requested does not have historic, architectural or cultural significance to the Town of Trumbull, demolition may proceed after 30 days from the date on which the application for a demolition permit was filed.

8. If a determination is made by the Historical Review Committee/Demolition Review Committee that a property for which demolition has been requested may have historic, architectural or cultural significance to the Town of Trumbull, demolition shall not

proceed until 90 days after a determination by the Historical Review Committee/Demolition Review Committee of potential significance. This 90 day period shall be called the Demolition Delay review period.

9. Within 30 days of the commencement of the Demolition Delay review period, a meeting shall be called by the Planning and Zoning representative of the HRC/DRC that includes the Planning and Zoning Department, other Town Departments, Town Officials and/or members of the Trumbull Historical Society to meet with the applicant for demolition to determine whether there is potential to prevent the demolition by allowing a new use for the structure, move the structure, save and preserve portions of the structure or save and preserve objects in the structure that may be of significance to the Town of Trumbull.

10. Each application for Demotion shall be accompanied by a \$250 Administrative fee.

11. Violation of this ordinance shall subject the property owner to a fine of \$500 or imprisonment for not more than one year, or both, in accordance with the provisions of Section 29-414 of the Connecticut General Statutes.

12. Any demolition permit shall be valid for a period of six months.

13. The provisions of this ordinance shall not apply to orders issued by the Trumbull-Monroe Health District or the Building Department for emergency demolition due to threat to public health or safety.

Committee report: L&A Committee met on June 29, 2009 and amended #10 by changing “demotion” to “demolition” and #7 by deleting the words “of potential significance” from the fourth line. They voted 5-0 to recommend as amended.

Chairman recognized the committee report as an amendment.

VOTE: Passed unanimously

Ms. Thornton explained that most buildings constructed in Trumbull after 1940 were due to the Industrial Age and do not have historical significance. When creating this type of ordinance, you look at the town and make it specific for the town. Ms. Thornton is one of the sponsors of the ordinance.

Mr. London expressed concern that the additional regulations would be a burden on homeowners. He feels it is not Council’s place to tell people how to handle their personal property and that 1940 should be changed to an earlier time.

Ms. Thornton disagreed stating that the ordinance is an advantage to the homeowner. It delays demolition which gives someone else the opportunity to offer more for the property seeing its historical significance and value. It provides the homeowner with a larger market. She believes most people will find it to be an advantage.

A public hearing was held May 27, 2009 by the L&A Committee.

VOTE: Adopted as amended 17-2-1 (Opposed: Pescatore, London; Abstention: DelVecchio)

Item 7. RESOLUTION TC22-215: Moved by Mr. Jenkins, seconded by Mr. Reale

BE IT RESOLVED, That funding for a labor contract between the Town of Trumbull and UPSEU Local 424 – Unit 7 (MATE) beginning July 1, 2009 and ending June 30, 2013 is hereby approved.

Chairman Altieri recused himself and left the room at 8:46 p.m. He is related to a member of this bargaining unit.

Committee report: L&A Committee met on June 29, 2009 and voted 1-4 (Approved Reale) not to recommend.

Labor Attorney Floyd Dugas explained the term of the contract is 4 years. He highlighted some of the changes that had been made to it. They include an increase in the employee contribution to the pension plan; a new health insurance plan design which reduced the cost to the town; and wage increases of 2.95% for the first two years of the contract and 3.25% for the last two years. The health insurance contribution remains at 11% with no caps.

Mr. Rappa stated that he has a problem with the 4 year average of a 3.5% raise in this economic environment. People are struggling and are not receiving pay increases this year. Mr. Rappa would prefer the term of the contract to be for a shorter amount of time so this group can be rewarded when the climate has turned around.

Ms. Testani is a member of a comparable union in another town. Their members are not receiving increases and are happy just to be keeping their jobs.

Attorney Dugas explained that type of scenario happens in places that have very significant deficits.

Mr. London stated one of the reasons we don't have deficits is because we raise our taxes regularly. He believes that these tough times must be reflected in the contracts.

Mr. DelVecchio stated these are desperate times that are affecting everyone. He would have liked to have seen the term of the contract reduced. He finds himself working harder than he has ever worked for less money.

In response to a question posed by Mr. Rotondo, Attorney Dugas explained that the employee's out-of-pocket cost of health insurance will sky rocket the very first day of the contract. Changes made to the plan design will be beneficial to the town in the way of

cost reduction and the increase to the pension contribution is about a half of a percent per year which is a substantial amount. They believed it was critically important to move forward with the pension contribution increase and change in the insurance plan design.

Attorney Dugas explained that if the contract is voted down, he'll go back to the Union and ask if they want to renegotiate. If they say yes, it will be renegotiated. If they say no, then it will go to binding arbitration. All of the issues would be reopened. The Arbitrator would look at the Union's best offer and the Town's best offer and the winner will take it all.

Cynthia Lucas, President of the MATE Union explained that 4 years ago when they ratified their contract there were a lot of things they did in anticipation of other unions doing the same to help the town. They gave up a lot 4 years ago. The caps are off the health insurance and not all the other unions did that. The other unions got their raises. This is the last union and they make the least.

VOTE: Failed 2-15-2 (Approved: Bochet, Helfrich; Abstention: DeVecchio, Rotondo)

Item 8. RESOLUTION TC22-216: Held in Committee

Mr. Helfrich moved to adjourn, seconded by Mr. Rotondo. With no further business to discuss, the meeting was adjourned at 9:09 p.m. with unanimous consent.

Respectfully submitted,

Lorrie Lusebrink,
Council Clerk