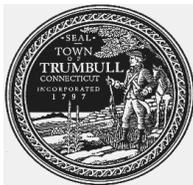


TOWN COUNCIL
Town of Trumbull
CONNECTICUT
www.trumbull-ct.gov

TOWN HALL
Trumbull

TELEPHONE
(203) 452-5005



LEGISLATION & ADMINISTRATION COMMITTEE
MINUTES
August 30, 2010

Call to Order: Chairman Suzanne Testani called the Legislation & Administration Committee meeting to order at 7:00 p.m. All present joined in a moment of silence and the pledge of allegiance.

Present: Chairman Suzanne Testani, Chad Ciocci, Mark Altieri, Kristy Waizenegger (arrived at 7:04 p.m.) and Michael Rappa.

Absent: Jeff Jenkins.

Also Present: Dan Nelson, Chief of Staff and Town Council Chairman, Carl A. Massaro Jr., Town Attorney Walsh, Town Clerk, Suzanne Burr-Monaco and Ms. Theodora Samadjopolous, Deputy Director of Public Works.

By unanimous consent the L&A Committee agreed to take Resolution TC23-92 out of order.

1. RESOLUTION TC23-92: Moved by Mr. Ciocci, seconded by Mr. Rappa

BE IT RESOLVED, That First Selectman Timothy M. Herbst is hereby authorized to sign on behalf of the Town of Trumbull an application and contract with the State Library for a Historic Preservation Grant.

Ms. Burr-Monaco stated that some of the monies collected at the Town Clerk's office on every deed go to the State of CT; they are able to apply for a grant once a year based on the amount, it really is the office's money. The office will use the grant money to bind the grantor/grantees index into one book approximately 10 years worth. This will free up much needed space. This grant is done every year.

VOTE: Motion to recommend to the Town Council carried 4-0.

Ms. Waizenegger arrived at the meeting at 7:04 p.m.

2. RESOLUTION TC23-83: Moved by Mr. Altieri, seconded by Mr. Ciocci.

BE IT RESOLVED AND ORDAINED, That pursuant to Connecticut General Statutes 7-148, the approval of building applications by the Town of Trumbull

Building Department shall be withheld for any property upon which taxes or sewer charges are delinquent for the property for which the permit is to be issued. The delinquent taxes, along with applicable interest, fees and charges, shall be paid before a building permit application can be approved.

(Ms. Waizenegger arrived at 7:04 p.m.)

Town Council Chairman Massaro stated that this resolution as written had already been heard at a public hearing, suggesting that the resolution be amended to reflect the additional language approved at the August Town Council meeting.

(Town Attorney Walsh arrived at 7:05 p.m.)

Attorney Walsh stated that the emergency exception clause is necessary, if not included there may be a constitution component. The term "emergency" would be up to the building official, the building official is the head of the department. The actual building official does not need to be named within the resolution/ordinance only the title of the position.

Mr. Altieri moved, seconded by Ms. Waizengger to amend Resolution TC23-83 to read as, "RESOLUTION TC23-83: To consider and act upon a resolution pursuant to Connecticut General Statutes 7-148 that the Town of Trumbull Building Department shall withhold the approval of building applications for any property upon which taxes or sewer charges are delinquent for the property for which the permit is to be issued. The delinquent taxes, along with applicable interest, fees and charges, shall be paid before a building permit application can be approved. The Building Official may grant a building permit on properties upon which taxes or charges are delinquent if he or she certifies in writing to the Tax Collector that an emergency exists affecting the health or safety of the occupants of a building upon which the building permit is sought".

VOTE: Motion to amend carried 5-0 unanimously.

VOTE: Motion to recommend to the Town Council as amended carried unanimously.

Mr. Ciocci moved, seconded by Mr. Rappa to move the Public Hearing of this resolution to the Town Council scheduled for Monday, September 13, 2010.

VOTE: Motion carried unanimously 5-0.

3. RESOLUTION TC23-93: Moved by Mr. Rappa, seconded by Ms. Waizenegger.

BE IT RESOLVED, That the design for renovation and reconstruction of the concession stand with public bathrooms and storage room is hereby approved.

Town Council Chairman Massaro explained this item was placed on the agenda in anticipation of a design recommendation from the building committee at the Town Council regular September meeting. The building committee is scheduled to meet on September 8, 2010. Originally it was thought they may not have a design recommendation for the September 2010 meeting, but there is a possibility of that now. If a recommendation is approved at the building committee on the 8th, the design will be made available to the council members on the 9th. Chairman Massaro requested that this resolution be sent to the Town Council without recommendation. The building committee is of the consensus that the town may support a simple design with a concession stand kitchen, and that they would cut

the quantity of bathrooms down to 6 toilets per men's and women's. There are 8 portable bathrooms currently servicing the 4,000 capacity, therefore the 12 bathrooms would be more than there are now. Chairman Massaro stated he would expect that the building committee will bring to the council an ADA compliant reimbursable design. In response to the committee's question, Chairman Massaro stated he believes the reimbursement rate would be half of the full rate for the school, approximately 15%.

Mr. Ciocchi moved, seconded by Mr. Rappa to send Resolution TC23-93 to the Town Council without recommendation.

VOTE: Motion carried unanimously 5-0.

4. RESOLUTION TC23-94: Moved by Ms. Waizenegger, seconded by Ms. Altieri

BE IT RESOLVED, That Timothy M. Herbst, First Selectman of the Town of Trumbull, be and the same, hereby is authorized to execute on behalf of the Town of Trumbull a personal service agreement with the State of Connecticut for financial assistance in the amount of \$375,000 to complete improvements and safety upgrades to the Hillcrest Pool.

Mr. Nelson reported that this grant had been applied for by Senator Musto, the resolution was written generally in order to be able to tailor the improvements to the needs of the Hillcrest Pool the lighting is included per the state's request. The budget is \$375,000, the breakdown is as follows: lighting \$140,000; filter system & chemical control \$80,000; ceiling repair \$125,000; architectural & engineering at 8% \$30,000. All costs are based upon estimates pending public bids. The work would be completed by approximately June 2011. Town Council Chairman Massaro explained the scope of the work can be changed based upon a study done by an architect or engineer. The HVAC system is not included the scope it was necessary to stay within the \$375,000, all of the work proposed needs to be approved by the Board of Education. The Board of Education is meeting on September 7, 2010. Mr. Nelson explained that if the grant money is accepted there is a stipulation that the pool would need to be opened up to residents outside of Trumbull. Mr. Ciocchi spoke against accepting state funding.

VOTE: Motion to send to the Town Council with recommendation carried 4-1(Against: Ciocchi).

5. RESOLUTION TC23-95: moved by Mr. Ciocchi, seconded by Mr. Rappa

BE IT RESOLVED, That Timothy M. Herbst, First Selectman of the Town of Trumbull is hereby authorized to apply, sign, and execute a Small Town Economic Assistance Program grant in the amount of \$43,000 for the installation of flooring at the Trumbull Teen Center at Indian Ledge Park.

Ms. Theodora Samadjopolous, Deputy Director of Public Works explained that this resolution has already been adopted in November 2009. Mr. Nelson stated that the resolution requires a signatory change due to the administration change.

Ms. Samadjopolous stated the flooring will be tile on concrete slab.

Mr. Ciocci spoke against the resolution based upon that the town would be accepting state funding.

VOTE: VOTE: Motion to send to the Town Council with recommendation carried 4-1(Against: Ciocci).

6. RESOLUTION TC23-96: Moved by Mr. Rappa, seconded by Mr. Ciocci.

BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a worker's compensation claim known as Robert Bracci vs. the Town of Trumbull.

Mr. Nelson stated that Attorney Aiken was expected to attend this meeting and is not present; therefore Mr. Nelson requested that this resolution be postponed until next month.

Mr. Ciocci moved, seconded by Mr. Altieri to postpone Resolution TC23-96 to next month due to the absence of Attorney Aiken.

VOTE: Motion to postpone carried unanimously.

There being no further business to discuss, upon motion made by Mr. Ciocci, seconded by Mr. Altieri, the Legislation & Administration committee adjourned unanimously at 7:36 p.m.

Respectfully Submitted,

Margaret D. Mastroni,
Town Council Clerk