

TOWN COUNCIL
Town of Trumbull
CONNECTICUT
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TOWN HALL
Trumbull

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RULES & RESEARCH COMMITTEE
MINUTES
January 31, 2012

Vice-Chairman Michael London called the R&R meeting to order at 7:31 p.m.

Present: Michael London, Vice Chairman, Tony Scinto, Ann Marie Evangelista
Thomas Whitmoyer and Vicki Tesoro, Alternate (Voting).

Absent: David Pia, Alternate, Jane Deyoe and Fred Palmieri.

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1. RESOLUTION TC24-13: Ms. Tesoro stated Resolution TC24-8 created the Redistricting Committee and included language of an organizational meeting taking place no later than January 20, 2012. The committee could not meet due to the legislation not being effective by January 20th and that the resolution did not authorize the Chairman to appoint the two (2) council representatives. Ms. Tesoro requested a legal opinion with regard to the legal validity of the resolution(s) and that the opinion be rendered prior to the February 6, 2012 Town Council meeting. Emergency Legislation had been requested for Resolution TC24-8 but no reason had been given as required by the Town Charter. Resolution TC24-8 would need to be fixed at the March 2012 Town Council meeting either by amending the resolution or enacting new legislation. Ms. Tesoro stated that she is not boycotting the resolution but spoke to following procedure, not doing so would set a precedent. In response to Mr. Nelson, Ms. Tesoro agreed her recommendation is to send this resolution to the council without recommendation pending legal opinion.

Mr. Scinto stated that Resolution TC24-8 was adopted and does not have any bearing on this resolution.

Vice-Chairman London recommended sending Resolution TC24-13 without recommendation.

RESOLUTION TC24-13: Moved by Ms. Tesoro, seconded by Mr. Whitmoyer to send Resolution TC24-13 without recommendation pending Town Attorney review. VOTE: Motion CARRIED 4-1 (Against: Scinto)

2. RESOLUTION TC24-14: BE IT RESOLVED, That Vicki Tesoro of 133 Beechwood Avenue, be and the same is hereby appointed a member of the Redistricting Committee.

Moved by Mr. Whitmoyer, seconded by Ms. Evangelista to send without recommendation pending Town Attorney review.

VOTE: Motion CARRIED 4-1 (Against: Scinto)

3. RESOLUTION TC24-15: BE IT RESOLVED, That _____ of _____, be and the same is hereby appointed an alternate member of the Board of Assessment Appeals for a term ending the first Monday of December, 2013.

Mr. Nelson explained that the Board of Assessment Appeals is requesting additional board members for assessment appeals due this being a revaluation year, as of now there are no names to insert into the resolutions.

By unanimous consent Resolution TC24-15 was HELD IN COMMITTEE.

4. RESOLUTION TC24-16: BE IT RESOLVED, That _____ of _____, be and the same is hereby appointed an alternate member of the Board of Assessment Appeals for a term ending the first Monday of December, 2013.

By unanimous consent Resolution TC24-15 was HELD IN COMMITTEE.

5. RESOLUTION TC24-19: Moved by Mr. Whitmoyer, seconded by Ms. Evangelista.

BE IT RESOLVED, That the Rules of the Town Council shall be amended to include the following rule, All affirmative votes of resolutions for appointment of nominees, including but not limited to Boards, Commissions and Committees, shall be effective upon publication of the approved resolutions, provided the vote is at least 2/3 of the Town Council members present and voting.

Mr. Nelson stated that appointments to boards and commissions are effective 15 business days after the publication of the adopted resolution. Depending on the time of the year boards and/or commissions have to meet and elect officers, this resolution would solve the issue of having to request emergency legislation for those particular appointments.

Vice-Chairman London clarified there was a provisional requirement of a 2/3 affirmative vote of the Town Council members present and voting if there were any contentiousness it would not be met.

Ms. Tesoro stated the resolution is an improper attempt to override provisions of the Charter. This resolution is in conflict of Chapter 2, sections 6, 7 & 8. The Charter contains a provision for legislative action.

Mr. Whitmoyer stated the emergency legislation proposed at the last meeting was not done properly; no reason was given and did not pass. This resolution goes against the Charter.

Ms. Tesoro stated that if it was explained that a committee would need to meet the week after the appointment was adopted, no one would vote against emergency legislation. Ms. Tesoro noted that Chapter 2, section 5 of the Town Charter reads as the Town Council shall not adopt rules that are inconsistent with the Charter.

Mr. Scinto stated the resolution is intended to shrink the 30 days after adoption of the resolution, which would allow the person to be on the board or commission sooner.

Moved by Mr. Whitmoyer, seconded by Mr. Scinto to send without recommendation pending legal opinion. VOTE: Motion FAILED 2-3 (Against: Evangelista, London and Scinto)

Motion made Mr. Scinto, seconded by Ms. Evangelista to send with recommendation. VOTE: Motion FAILED 2-3 (Against: London, Tesoro and Whitmoyer).

In response to Ms. Tesoro, Mr. Nelson stated he would e-mail the Town Attorney as requested for the first two (2) resolutions.

There being no further business to discuss the Rules & Research Committee adjourned by unanimous consent at 7:46 p.m.

Respectfully Submitted,

Margaret D. Mastroni