

TOWN COUNCIL
Town of Trumbull
CONNECTICUT
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TOWN HALL
Trumbull

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LEGISLATION & ADMINISTRATION COMMITTEE
AGENDA
SEPTEMBER 2, 2015

Suzanne Testani, Chairman
50 Cranbury Drive
Trumbull, CT 06611

Enrico Constantini, Vice Chairman
5 Barry Place
Trumbull, CT 06611

Joseph Pifko
158 Plymouth Avenue
Trumbull, CT 06611

Edna Colucci
39 Kingsbury Drive
Trumbull, CT 06611

Scott Wich
47 Killian Avenue
Trumbull, CT 06611

Daniel Marconi
40 Brookhedge Road
Trumbull, CT 06611

Ken Martin, Sr., Alternate
1676 Huntington Turnpike
Trumbull, CT 06611

Mary Beth Thornton, Alternate
24 Cherry Gate Lane
Trumbull, CT 06611

NOTICE is hereby given that the Legislation & Administration Committee of the Trumbull Town Council will hold a regular meeting Wednesday, September 2, 2015 at 7:00 p.m. at the Trumbull Town Hall, for the following purpose(s):

1. RESOLUTION TC 25-188: To consider and act upon a resolution which would establish an ordinance entitled Protection of Private Personal Information.
2. RESOLUTION TC25-193: To consider and act upon a resolution which would amend Article III, Boards, Commissions, Committees, and Agencies Division 6, Board of Finance of the Trumbull Municipal Code to include Section 2-183, Annual Required Contribution (ARC) For the Town's Retirement Plans and the Police Retirement Income Plan. (*Public Hearing*)

3. RESOLUTION TC25-194: To consider and act upon a resolution which would enact Section Article II, Section 2-55 of the Trumbull Municipal Code to include Municipal Contracts with Public Officials Prohibited. (*Public Hearing*)

VIII ADJOURNMENT
COPY OF THE RESOLUTION ATTACHED HERETO
Carl A. Massaro, Jr., Chairman Trumbull Town Council

RESOLUTION

1. RESOLUTION TC 25-188: BE IT RESOLVED AND ORDAINED, That an ordinance entitled Protection of Private Personal Information is hereby established. (Full Ordinance Attached)
2. RESOLUTION TC25-193: BE IT RESOLVED AND ORDAINED, That Article III, Boards, Commissions, Committees, and Agencies Division 6, Board of Finance of the Trumbull Municipal Code is hereby amended to include Section 2-183, Annual Required Contribution (ARC) For the Town's Retirement Plans and the Police Retirement Income Plan. (Full Ordinance Attached) (*Public Hearing*)
3. RESOLUTION TC25-194: BE IT RESOLVED AND ORDAINED, That Section Article II, Municipal Contracts with Public Officials Prohibited, Section 2-55 of the Trumbull Municipal Code is hereby enacted. (Full Ordinance Attached) (*Public Hearing*)

Personal Information Privacy Ordinance

Whereas, the Town of Trumbull recognizes the significance of maintaining and protecting the private information of its residents and intends to protect such information to the greatest extent practicable, the Town of Trumbull hereby enacts the following Personal Information Privacy Ordinance.

1. Definitions.

- a. “Disclose” shall mean to reveal, release, transfer, disseminate or otherwise communicate Protected Information orally, in writing or by electronic or any other means other than to the subject of the Protected Information.
- b. “Protected Information” shall mean the Social Security Number, Driver’s License Number, State Identification Card Number, Credit or Debit Card Number, Taxpayer Identification Number, Date of Birth, Financial Account Number, Health Information, Home Address and, in the case of minor children, Name, recorded or maintained by any means, including through physical or electronic records, of any resident of the Town of Trumbull.
- c. “Town” shall mean The Town of Trumbull, including all officials, employees, departments, boards and commissions of the Town, but excluding the Town’s Board of Education and its officials, employees or volunteers while in the performance of their duties to the Board of Education;
- d. “Town-Related Organization” shall mean all organizations which enter into contracts or other agreements with the Town for: (i) the use of Town facilities or properties in order to provide goods, services or programs within the Town; or (ii) the use of Town-provided services to assist in the maintenance or operation of the organization.

2. Collection of Protected Information. The Town and Town-Related Organizations, as the case may be, may only collect Protected Information to the extent reasonably necessary to: (a) comply with legal obligations, or (b) conduct their operations.

3. Maintenance of Protected Information. The Town and Town-Related Organizations, as the case may be, shall implement reasonable safeguards to prevent the unauthorized disclosure of Protected Information.

4. Use and Disclosure of Protected Information. The Town and Town-Related Organizations, as the case may be, shall not disclose Protected Information except: (a) to the extent necessary to comply with legal obligations, or (b) as may be reasonably necessary to carry out the functions of the organization. In all such instances, use or disclosure shall be limited to the greatest extent practicable. Nothing herein shall be construed to prohibit the use or disclosure of such information by or among employees, volunteers or officials of the Town or Town-Related Organization, as the case may be, in the course of performing their regular duties.

5. Disposal of Protected Information. With regard to the disposal of records containing Protected Information, the Town and Town-Related Organizations shall: (1) shred the record before the disposal of the record; or (2) destroy the Protected Information contained in the record; or (3) modify the record to make the Protected Information unreadable; or (4) take actions consistent with commonly accepted industry practices that it reasonably believes will ensure that no unauthorized person will have access to the Protected Information contained in the record.
6. Notice of Breaches. The Town and Town-Related Organizations, as the case may be, shall promptly give written or electronic notice to the affected individual(s) of any unauthorized disclosure of Protected Information to entities or individuals other than as permitted by this ordinance.
7. Policies. Within sixty (60) days following enactment of this ordinance, the Town shall implement a written policy effecting the terms herein. Starting sixty (60) days following enactment of this ordinance, the Town shall require any Town-Related Organization to have a written policy implementing this ordinance as a condition for entering into contracts or other agreements with the Town. Town-Related Organizations that adopt the model policy, attached hereto, by approving the policy in accordance with their by-laws or equivalent internal procedures and having the policy signed by the organization's chief executive officer or his/her equivalent, shall be considered as in compliance with this section.
8. Violations. Violations of this ordinance by Town employees, volunteers or officials will subject the violator to appropriate action. Repeated or willful violations of this ordinance by Town-Related Organizations shall, within the reasonable discretion of the First Selectman, result in the disqualification of the Town-Related Organization from using Town facilities or properties, or the use of Town-provided services to assist in the maintenance or operation of the organization, for a period not to exceed two (2) years.
9. Non-Assumption of Liabilities. Nothing herein is intended nor shall be construed as an assumption by the Town of any obligations or liabilities of any Town-Related Organization, including but not limited to those that may arise by reason of this ordinance.
10. Savings Clause. Nothing in this Ordinance is intended nor shall be construed to abridge or diminish any additional or greater protections afforded to the residents of Trumbull under federal or state law.

MODEL POLICY

In recognition of the importance of maintaining the privacy of certain information that _____ (name of organization) may collect in the course of its operations, _____ (name of organization) implements the following policy for its Board members, executives, employees and volunteers.

We will safeguard Protected Information (i.e., the Social Security Number, Driver's License Number, State Identification Card Number, Credit or Debit Card Number, Taxpayer Identification Number, Date of Birth, Financial Account Numbers, Health Information, Home Address and, in the case of minor children, Name, recorded or maintained by any means, including through physical or electronic records, of any resident of the Town of Trumbull) in the following manner.

1. We will only collect Protected Information to the extent reasonably necessary to: (a) comply with legal obligations, or (b) conduct our operations.
2. We will implement and maintain reasonable safeguards to prevent the unauthorized disclosure of Protected Information.
3. We will not disclose Protected Information except: (a) to the extent necessary to comply with legal obligations, or (b) as may be reasonably necessary to carry out the functions of our organization. In all such instances, use or disclosure shall be limited to the greatest extent practicable.
4. With regard to the disposal of records containing Protected Information, we will: (1) shred the record before the disposal of the record; or (2) destroy the Protected Information contained in the record; or (3) modify the record to make the Protected Information unreadable; or (4) take actions consistent with commonly accepted industry practices that we reasonably believe will ensure that no unauthorized person will have access to the Protected Information contained in the record.
5. We will promptly give written or electronic notice to the affected individuals of any unauthorized disclosure of Protected Information.

Signed:

Chief Executive Officer

(name of organization)

Dated: _____

AN ORDINANCE CONCERNING PUBLIC OFFICIALS AND TOWN CONTRACTS

WHEREAS, the Town of Trumbull recognizes that public officials, by virtue of the trust placed in them by the citizens of the Town of Trumbull, must recognize that their primary responsibility is to the citizens and taxpayers of the Town of Trumbull; and

WHEREAS, the Town of Trumbull seeks through procurement practices paid services to be provided on behalf of the citizens and taxpayers of the Town of Trumbull; and

WHEREAS, "public official" shall be defined as any elected or appointed town official, officer or employee of the Town of Trumbull; and

WHEREAS, public officials shall be prohibited from receiving any town work procured through a public bid process so as to avoid any appearance of impropriety or conflict of interest; and

WHEREAS, "town work" shall be defined as any professional service performed on behalf of the Town of Trumbull and paid for by the Town of Trumbull.

WHEREAS, public officials cannot circumvent the intent of this ordinance by receiving town work through a bid waiver, as proscribed by the Trumbull Town Charter.

ORDINANCE NO. _____

AN ORDINANCE FOR PERTAINING TO THE ANNUAL REQUIRED CONTRIBUTION
(ARC) FOR THE TOWNS RETIREMENT PLANS AND THE POLICE RETIREMENT
INCOME PLAN

WHEREAS, the Town of Trumbull has made great strides to improve its public employee pension fund by funding the annual required contribution; and

WHEREAS, effective fiscal year 2015-2016, the Town of Trumbull has fully funded the annual required contribution (ARC) for the Towns retirement plan and the Towns Police retirement plan; and

WHEREAS, the Town of Trumbull recognizes that to achieve a AAA credit rating, the financial rating agencies have been actually sensitive to the Town of Trumbull's pension funding and desire to see that funding improve; and

WHEREAS, in the budget adopted for each fiscal year, the Town shall fully fund the annual required contribution for the Towns retirement plan and the police retirement plan; and

WHEREAS, the amounts for these annual required contributions shall be included in the proposed budget submitted by the First Selectman in accordance with Chapter IV, Section I of the Trumbull Town Charter, shall also be included in the budget recommended by the Board of Finance in accordance with Chapter IV, Section 2 of the Town Charter, and the budget adopted by the Trumbull Town Council pursuant to Chapter IV, Section 3 of the Trumbull Town Charter; and

WHEREAS, in any fiscal year in which the Board of Finance determines that economic circumstances so warrant, the Board of Finance may recommend, by a unanimous vote of all six members of the board, that the budget adopted for that fiscal year shall fund a percentage less than (100%) of the Towns retirement plan and police retirement plan; and

WHEREAS, if said recommendation is made by the Trumbull Board of Finance, then the Trumbull Town Council may approve said recommendation by a vote of no less than 18 out of 21 members of the council, thereby adopting a budget for that fiscal year that funds less than (100%) of the Towns retirement plan and police retirement plan; and

WHEREAS, the Town of Trumbull shall review this ordinance every five years from the effective adoption date to determine if additional revisions are warranted subject to the present fund ratios of each retirement plan at that time.