

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

TOWN HALL
Trumbull

TELEPHONE
(203) 452-5000



LEGISLATION & ADMINISTRATION COMMITTEE
AGENDA
MARCH 28, 2016

Enrico Costantini, Chairman
5 Barry Place
Trumbull, CT 06611

Jack Testani, Vice Chairman
50 Cranbury Drive
Trumbull, CT 06611

Joseph Pifko
158 Plymouth Avenue
Trumbull, CT 06611

Edna Colucci
39 Kingsbury Drive
Trumbull, CT 06611

Jason Marsh
55 Tashua Lane
Trumbull, CT 06611

Thomas Whitmoyer
21 Lindberg Drive
Trumbull, CT 06611

Mark Block, Alternate
60 Ridgeview Avenue
Trumbull, CT 06611

William Mecca, Alternate
31 Skyview Drive
Trumbull, CT 06611

NOTICE is hereby given that the Legislation & Administration Committee of the Trumbull Town Council will hold a meeting Monday, March 28, 2016 at 7:00 p.m. at the Trumbull Town Hall, for the following purpose(s):

1. RESOLUTION TC26-45: To consider and act upon a resolution which would approve a Wastewater Agreement between the Town of Trumbull, the Trumbull WPCA and the City of Bridgeport and the Bridgeport WPCA and authorize the town attorney to settle related litigation pending among the parties to the agreement. (To be considered jointly with Board of Finance)
2. RESOLUTION TC26-38: To consider and act upon a resolution which would amend the Health Department fee schedule.

3. RESOLUTION TC26-46: To consider and act upon a resolution which would adopt an ordinance to establish procedures and fines for violation of inland/wetland violations. *(Public Hearing April 4, 2016 Town Council)*
4. RESOLUTION TC26-47: To consider and act upon a resolution which would approve funding for a modification to the existing labor agreements between a coalition of Unions and the Town regarding changes to the Town's Health Plan contingent upon ratification of the covered bargaining unions, and if applicable, the State of CT.
5. RESOLUTION TC26-48: To consider and act upon a resolution which would authorize the First Selectman to execute an application along with all necessary agreements/contractual documents for the State Department of Transportation Highway Safety Office grant.
6. RESOLUTION TC26-49: To consider and act upon a resolution which would authorize the First Selectman to accept on behalf of the Town of Trumbull, a 2012 State of Connecticut Department of Mental Health & Addiction Services in the amount of \$20,000 to undertake renovations at the Trumbull Senior Center kitchen/snack bar and authorize the First Selectman to enter into and execute any and all agreements, contracts and documents necessary to obtain the aforementioned grant.
7. RESOLUTION TC26-50: To consider and act upon a resolution which would authorize the First Selectman to accept on behalf of the Town of Trumbull, a Department of Mental Health & Addiction Services grant in the amount of \$150,000 to undertake renovation and improvements to the kitchen facilities at the Trumbull Senior Center.

RESOLUTIONS

1. RESOLUTION TC26-45: BE IT RESOLVED, That a Wastewater Agreement between the Town of Trumbull, the Trumbull WPCA, and the City of Bridgeport and the Bridgeport WPCA and funding of the same, is hereby approved and that the town attorney is authorized to settle related litigation pending among the parties to the agreement.
2. RESOLUTION TC26-38: BE IT RESOLVED, That the Health Department fee schedule is hereby amended. (Fee Schedule Attached)
3. RESOLUTION TC26-46: BE IT RESOLVED AND ORDAINED, procedures and fines for violation of inland/wetland violations are hereby established. (Full Ordinance Attached)
4. RESOLUTION TC26-47: BE IT RESOLVED, That funding for a modification to the existing labor agreements between a coalition of Unions and the Town regarding changes to the Town's Health Plan is hereby approved contingent upon ratification of the covered bargaining unions, and if applicable, the State of CT.
5. RESOLUTION TC26-48: BE IT RESOLVED, That the First Selectman is hereby authorized to execute an application along with all necessary agreements/contractual documents for the State Department of Transportation Highway Safety Office grant.
6. RESOLUTION TC26-49: BE IT RESOLVED, That the First Selectman is hereby authorized to accept and enter into and execute any and all agreements, contracts and documents necessary on behalf of the Town of Trumbull, a 2012 State of Connecticut Department of Mental Health & Addiction Services in the amount of \$20,000 to undertake renovations at the Trumbull Senior Center kitchen/snack bar.
7. RESOLUTION TC26-50: BE IT RESOLVED, That the First Selectman is hereby authorized to accept on behalf of the Town of Trumbull, a Department of Mental Health & Addiction Services grant in the amount of \$150,000 to undertake renovation and improvements to the kitchen facilities at the Trumbull Senior Center, and
BE IT FURTHER RESOLVED, that First Selectman is hereby authorized to enter into and execute any and all agreements, contracts and documents necessary to obtain and administer the aforementioned Department of Mental Health & Addiction Services grant.

Humboldt Health Department
Licenses and Permits
FY 2016-2017

Type	Current Fee	Cost of Service	Proposed Fees
SEPTIC SYSTEMS			
New Construction (Permit)	175	163	175
Repair (leaching fields/septic tank) (Permit)	100	163	165
Individual Condo Unit Floor Plan	25		25
Plan Review (New Construction Only)	175	103	175
Soil Tests (per-lot residential)	135	158	160
Soil Tests (per-lot commercial less than 2000 gallons per day)	175		175
Soil Tests (per-lot commercial more than 2000 gallons per day)	350		350
Not ready for Inspection (after request)	50		50
Commercial Construction (Permit)	300		300
Commercial (Plan Review)	300		300
More than (1) plan revision (per each revision after first)	50		50
Minor Repairs (riser, lid, piping, d-box)	10		10
Minor Repairs (riser, lid, piping, d-box if notified after)	100		100
Sewer Extension Site Visit	135	63	135
B100a Plan Reviews for Building Additions (includes site visit if needed)	25	54	60
B100a Plan Reviews for an Accessory Structure	25	27	
WELLS			
Drilling Permit	100	53	100
Well Abandonment	50	53	60
DAY CARE			
Daycare Inspection	100	63	100
Home Daycare Inspection	50	63	65
Day Care Food Plan Review	50	63	65
Intermediate Environmental Inspection	50	63	65
POOL LICENSE			
Seasonal	100	152	155
Full year	150	305	310
Reinspection	-	76	

No Change
 Increased Fee
 New Fee Introduced

Type	Current Fee	Cost of Service	Proposed Fees
COSMETOLOGY			
1 - 3 Work Stations (License)	135	125	135
4 - 6 Work Stations (License)	195	125	195
7 or more Work Stations (License)	255	152	255
Tanning Salons (License)	100	125	130
Reinspection Fee	50	63	100
Plan Review Fee 1 - 3 Stations	135	90	135
Plan Review Fee 4 - 6 Stations	195	103	195
Plan Review Fee 7 or more Stations	255	117	255
License Renewal Late fee (per business day)	50	-	50

FOOD SERVICE			
Class I Plan Review	100	90	100
Class II Plan Review	150	90	150
Class III Plan Review	275	90	275
Class IV Plan Review	350	103	350
Class I License	100	53	100
Class II License	150	134	150
Class III License	275	324	325
Class IV License	350	431	435
License Renewal Late fee (per business day)	50	-	50
Caterer License	150	53	150
Re-inspection fee	100	76	100
Reinstatement Fee (After suspension of license)	100	-	100
Itinerant (per vehicle)	150	95	150
Seasonal License	80	27	80
Non-Profit License	-	27	-
Temporary (14 Days or less per booth or trailer)	60	63	65
Non-Profit Late Fee (if not submitted 14 days prior to event)	20	-	20
Commerical Vendor Late Fee (if not submitted 14 days prior to event)	50	-	50
Schools	-	324	-

FARMER'S MARKET			
Selling whole produce only	-	90	0
Individually wrapped, prepackaged (no tasting / no sampling)	50	90	75
All other vendors	100	90	100

	No Change
	Increased Fee
	New Fee Introduced

* Currently no data exists to support costs of these services and their fees have remained the same

1 - Farmers participating in a CERTIFIED FARMERS MARKET (authorized by the Department of Agriculture) are exempt from any fees .

**TRUMBULL HEALTH DEPARTMENT
PROPOSED FEE SCHEDULE
EFFECTIVE JULY 1, 2016**

SEPTIC SYSTEMS

New Construction (Permit)	\$ 175.00
Repair (leaching fields/septic tank) (Permit)	\$ 165.00
Individual Condo Unit Floor Plan	\$ 25.00
Plan Review (New Construction Only)	\$ 175.00
Soil Tests (per-lot residential)	\$ 160.00
Soil Tests (per-lot commercial less than 2000 gallons per day)	\$ 175.00
Soil Tests (per-lot commercial more than 2000 gallons per day)	\$ 350.00
Not ready for Inspection (after request)	\$ 50.00
Commercial Construction (Permit)	\$ 300.00
Commercial (Plan Review)	\$ 300.00
More than one (1) plan revision (<i>per each revision after first</i>)	\$ 50.00
Minor Repairs (riser, lid, piping, d-box)	\$ 10.00
Minor Repairs (<i>riser, lid, piping, d-box if notified after</i>)	\$ 100.00
Sewer Extension Site Visit	\$ 135.00
B100a Plan Reviews for Building Additions (includes site visit if needed)	\$ 60.00
B100a Plan Reviews for an Accessory Structure	\$ 30.00

WELLS

Drilling Permit	\$ 100.00
Well Abandonment	\$ 60.00

DAY CARE

Day Care Inspection	\$ 100.00
Home Day Care Inspection	\$ 65.00
Day Care Food Plan Review	\$ 65.00
Intermediate Environmental Inspection	\$ 65.00

POOL LICENSE

Seasonal	\$ 155.00
Year Round	\$ 310.00
Reinspection Fee	\$ 100.00

Fee Increase
New Fee Introduced

COSMETOLOGY

1 - 3 Work Stations (License)	\$ 135.00
4 - 6 Work Stations (License)	\$ 195.00
7 or more Work Stations (License)	\$ 255.00
Tanning Salons (License)	\$ 130.00
Re-Inspection Fee	\$ 100.00
Plan Review Fee 1 - 3 Stations	\$ 135.00
Plan Review Fee 4 - 6 Stations	\$ 195.00
Place Review Fee 7 or more Stations	\$ 255.00
License Renewal Late fee (per business day)	\$ 50.00

**Each Private Treatment room will be counted as one station*

FOOD SERVICE

Class I Plan Review	\$ 100.00
Class II Plan Review	\$ 150.00
Class III Plan Review	\$ 275.00
Class IV Plan Review	\$ 350.00
Class I License	\$ 100.00
Class II License	\$ 150.00
Class III License	\$ 325.00
Class IV License	\$ 435.00
License Renewal Late fee (per business day)	\$ 50.00
Caterer License	\$ 150.00
Re-inspection Fee	\$ 100.00
Reinstatement Fee (After suspension of license)	\$ 100.00
Itinerant (per vehicle)	\$ 150.00
Seasonal License	\$ 80.00
Non-profit License	\$ 30.00
Temporary (14 Days or less per booth or trailer)	\$ 65.00
Non-Profit Late Fee (if not submitted 14 days prior to event)	\$ 20.00
Commercial Vendor Late fee (if not submitted 14 days prior to event)	\$ 50.00

** Facilities licensed by the Trumbull Health Department are required to pay the fees for a temporary food service license.*

FARMERS MARKET

Selling whole produce only	\$ -
Individually wrapper, prepackaged (no tasting/no sampling)	\$ 75.00
All other food vendors	\$ 100.00

**Fees are per season*

Fee Increase
New Fee Introduced

IMMUNIZATIONS / SCREENINGS

Administer Vaccination	\$ 21.00
Influenza	\$ 30.00
Shingles	\$ 225.00
Pneumonia	\$ 100.00
Tdap (Whooping Cough)	\$ 21.00
Hepatitis	\$ 60.00
Meningitis	\$ 120.00
MMR	\$ 21.00
PPD	\$ 20.00
Cholesterol Screening	\$ 25.00

MISCELLANEOUS ITEMS

Tick Identification	\$ 3.00
NSF - Returned Check Fee	\$ 35.00
Photo Copies per page	\$ 0.50

Fee Increase 
New Fee Introduced 

DRAFT COPY

An Ordinance Establishing Citation Procedures and Fines for Violations of the Inland Wetlands and Watercourses Regulations of the Town of Trumbull

ORDINANCE

A. Purpose. The Purpose of this Ordinance is to establish an additional means by which the Town of Trumbull may effectively enforce its Inland Wetland and Watercourses Regulations by the implementation of a citation procedure for the imposition of fines for violations and continued noncompliance with the Regulations.

B. Authority. This Ordinance is authorized pursuant to Connecticut General Statutes, Section 22a-42g.

C. Definitions. The following word, terms and phrases used in this Ordinance shall have the following meanings:

a. “Commission” means the Trumbull Inland Wetland and Watercourses Commission, acting as the local wetland agency under Section 22a-36, et seq. of the Connecticut General Statutes.

b. “Agent” means any designated representative or agent of the Town of Trumbull responsible for the supervision of the Inland Wetland and Watercourses Regulations, anyone who implements the policies and Regulations of the Commission, or any person so authorized by the First Selectman of the Town of Trumbull.

c. “Regulations” shall mean the Inland Wetland and Watercourses Regulations of the Town of Trumbull, as the same may be amended from time to time.

d. “Person” mean any individual, person, firm, partnership, association, corporation, limited liability company, company, organization, or legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof.

D. Issuance of Citation. Following the issuance of a Notice of Violation that provides for at least thirty (30) days to cure any claimed violation of the Regulations and providing that any Person receiving a Notice of Violation fails to correct any stated violation or take other appropriate action, the Commission or its Agent is hereby authorized to issue citations to any Person who commits a violation of the Regulations. In such instances, each citation will apply jointly and severally to the owner of the subject property and his/her agents, tenants, occupants, licensees, lessees, sublessees, contractors and subcontractors. Each day that any violation continues shall be deemed a separate offense, for which a separate citation and fine may be issued.

E. Delivery of Citation. Any such citation may be delivered either by in-hand delivery or by certified mail to the Person named in the citation. The Commission or Agent issuing a citation shall retain a copy of the citation. In addition, a copy of the initial citation shall be reported to the Connecticut Department of Energy and Environmental Protection in accordance with section 22a-39-14 of the Connecticut State Regulations. In the event that a citation is served by certified mail and a Person refuses to accept such certified mail, the citation shall be served through in-hand or abode service by the Agent.

F. Content of the Citation. The citation shall inform such Person: (1) of the allegations against such Person and the amount of the fines; (2) that the Person has a period of thirty (30) days from the date of the citation (i.e., the date of hand delivery or the date that the citation was mailed) to make an uncontested payment of the fines; (3) that payments shall be made payable to the Town of Trumbull at the Trumbull Town Hall; and, (4) that any Person wishing to contest such citation may make written request for a hearing before a hearing officer pursuant to the provisions of Conn. Gen. Stat. §7-152c and section N (c) of this ordinance.

G. Failure to Pay. If the Person cited does not pay the fine within thirty (30) days from the date of the citation, then at any time within twelve months from the expiration of the thirty (30) day period, the Agent shall send a notice to the Person cited, by hand delivery or certified mail, informing such Person:

- (1) of the allegations against him or her and the amount of the fine;
- (2) that the Person cited may contest liability before a Hearing Officer appointed pursuant to this Ordinance, by delivering to the Agent, c/o the Inland Wetlands and Watercourses Commission, in Person or by certified mail, return receipt requested, within thirty (30) days of the date of the notice, a written demand for a hearing;
- (3) that if the Person cited does not demand such a hearing, the Person shall be deemed to have admitted liability and an assessment of the fine may be issued without further notice; and,
- (4) that a judgment may issue without further notice.

H. Amount of Fine. The following fines may be assessed by citation for a violation of the Inland Wetlands and Watercourses Regulations:

(a) For conducting or allowing the conduct of any regulated activity within any portion of an inland wetland or watercourse without a permit or in violation of any permit, including deposition of any material, removing of any material, discharging, polluting, excavating, filling, draining, grading, clear-cutting, removal of vegetation, planting invasive vegetation, or other activities resulting in direct impacts, to any portion of an inland wetland or watercourse: a fine of up to \$1,000 for each offense.

(b) For conducting or allowing the conduct of, undertaking, permitting the existence of, or allowing any regulated activity outside of the upland review area without a permit or in violation of any permit which causes, directly or indirectly, pollution, draining/drying, erosion, filling, damage to native vegetation, or other negative impacts to an inland wetland or watercourse or any portion thereof: a fine of up to \$500 for each offense.

(c) For noncompliance with permit conditions and/or limitations or with enforcement orders, where such noncompliance is not described in Subsection H.(a) or (b) of this section: a fine of up to \$1,000 for each offense.

(d) For conducting any other regulated activity without the issuance of a permit, where such activity is not described in Subsection H.(a), (b) or (c) of this section: a fine of up to \$500 for each offense.

(e) Each violation is a separate and distinct offense, and in the case of a continuing violation, each day's continuance is a separate and distinct offense.

I. Additional penalties and remedies. At its discretion, the Commission may seek additional penalties and remedies in accordance with the Regulations.

J. No limitation on Authority. The provisions of this Ordinance shall not be construed to limit or alter the authority, duty and responsibility of the Commission as granted and established under Connecticut's Inland Wetlands and Watercourses Act, Sections 22a-36 through 22a-45 of the Connecticut General Statutes, the Regulations, and other legislation that may apply.

K. Existing Violations. Violations of the Regulations in existence at the effective date of this Ordinance shall be deemed violations under this Ordinance, and fines may be issued accordingly.

L. Special Land Acquisition Fund. Any fine collected by the Town of Trumbull pursuant to this Ordinance shall be deposited into the Town's land acquisition fund.

M. Admission of Liability without Hearing. If the Person who is sent notice pursuant to Subsection D of this Ordinance wishes to admit liability for any alleged violation, he or she may, without requesting a hearing, pay the full amount of the fine, either in Person or by mail, to the Town. Any Person who does not deliver or mail a written demand for a hearing within thirty (30) days of the date of the notice described in Subsections D, E and F of this Ordinance shall be deemed to have admitted liability and the Wetlands Citation Officer shall certify to the Hearing Officer that such Person has failed to respond. The Hearing Officer shall thereupon enter and assess the fine provided for by this Ordinance and shall follow the procedures set forth in Subsection N (d) of this Ordinance.

N. Wetland Citation Hearing Procedure and Post Hearing Procedure.

(a) **Establishment.** There is hereby established, in accordance with Connecticut General Statutes Section 7-152c, a Wetland Citation Hearing Procedure for the Town of

Trumbull for purposes of providing a hearing procedure under this Ordinance. The superior court has the authority to enforce the assessments and judgments provided for under this article.

(b) **Appointment of Hearing Officer.** The First Selectman, acting within his or her capacity as chief executive officer, shall appoint one (1) or more citation Hearing Officer(s), other than a member of the Commission, an employee of the Town, a policeman serving the Town of Trumbull or Persons who issue citations, to conduct the hearings authorized by this Ordinance.

(c) **The Hearing.** Any Person who timely requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of notice of hearing, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the Agent or the Commission shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 of the Connecticut General Statutes and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if such Person so requests. A Person cited wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The Agent or other designated municipal official or officials, may present evidence to the Hearing Officer on behalf of the Commission. If such Person cited fails to appear, the Hearing Officer may enter an assessment by default against him upon a finding of proper notice and liability under this Ordinance. The Hearing Officer may accept copies of investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of a Person to supply said reports and documents is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. In the event that the Hearing Officer determines that he or she will not have an adequate opportunity to review documentation provided by any party to the hearing on the date of the hearing, he or she may order the hearing to be continued to a later date. The Hearing Officer shall announce his decision within sixty (60) days of the hearing. If he determines that the Person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the Person cited is liable for the violation, he shall forthwith enter and assess the fines against such Person as provided by this Ordinance.

(d) **Enforcement.** If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the Person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with the applicable entry fee. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same Person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and applicable court costs, against such Person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the

effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such Person. Further proceedings may then be held pursuant to the applicable provisions of the Connecticut General Statutes, as amended.

(e) **Appeal.** A Person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty (30) days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with the applicable court entry fee, at the superior court designated by the Chief Court Administrator.

O. Exemptions. Notwithstanding the foregoing, pursuant to Section 22a-42g, no fine shall be levied against the State of Connecticut, any employee thereof acting within the scope of his or her employment, the Town or any employee thereof acting within the scope of his or her employment.