

TOWN COUNCIL  
**Town of Trumbull**  
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TOWN HALL  
Trumbull

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LEGISLATION & ADMINISTRATION COMMITTEE  
MINUTES  
November 26, 2012

Call To Order: Chairman Suzanne Testani called the Legislation & Administration Committee to order at 7:01 p.m. All present joined in a moment of silence and the Pledge of Allegiance.

Present: Chadwick Ciocci, Vice Chairman, Kristy Waizenegger, Martha Jankovic-Mark Jeff Jenkins, and Fred Palmieri.

Absent: Jeff Donofrio, Alternate and James Meisner, Alternate.

Also Present: Chief of Staff Daniel Nelson, Deputy Chief Michael Harry, Town Council Chairman Carl A. Massaro and Labor Counsel Jeffrey Mogan of Berchem, Moses & Devlin, P.C.

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1. RESOLUTION TC24-92: Moved by Mr. Ciocci, seconded by Mr. Palmieri.  
BE IT RESOLVED AND ORDAINED, That Chapter 11 Licenses and Business Regulations, Article III Transient Merchants, Section 11-88 of the Trumbull Municipal Code is amended as follows:  
On all solicitation to sell, whether made in person, by telephone or otherwise, the permittee shall state his name, his principal's name and his permit number upon request. The permit is valid only between the hours of 10:00 a.m. to 5:00 p.m.

Mr. Nelson stated that in December of 2008 the Town Council voted to change Section 11-87 of the Municipal Code, entitled Conduct of Solicitors. The time was amended in paragraph #5 of Section 11-87 but not in Section 11-88. Deputy Chief Harry explained when the solicitors go on line they read that they can conduct their business 10:00 a.m. to 5:00 p.m. in one section and 8:00 a.m. to 9:00 p.m. in another section. This resolution would bring both sections in alignment.

Deputy Chief Harry explained for Mr. Ciocci that the Police Department does receive calls from the residents with regard to the solicitors; the police are dispatched to see if the solicitor has a permit, if they do not have a permit they receive a warning and are

removed from the area and in some cases issue an infraction. The solicitor refers back to Section 11-88 which reads that they can be out until 8:00 p.m., which contradicts Section 11-87. Deputy Chief Harry had a copy of an e-mail from the previous Town Attorney Vito Mazza that the ordinance had been adopted in 2008 and the hours were from 10:00 a.m. to 5:00 p.m. this change was not reflected in the code.

Mr. Nelson clarified for Mr. Ciocci that if the time was to be changed to a time other than 10:00 to 5:00 both Sections 11-87 and 11-88 would need to be amended. Mr. Ciocci did not speak in favor of amending both sections.

Deputy Chief Harry indicated for Mr. Palmieri that Section 11-88 does deal with phone solicitation, with regard to enforcing this provision; a resident could call the police and give them the name of a company that had been calling them late at night. If the Police were to get two or more complaints they would notify the company that the Town does have an ordinance which restricts the times. The only entities exempt are not-for-profit organizations.

The Chair opened the Public Hearing at 7:12 p.m.  
There was no one was present from the public to speak to this resolution.  
The Chair closed the Public Hearing at 7:13 p.m.

VOTE: Motion CARRIED unanimously.

2. RESOLUTION TC24-93: Moved by Mr. Palmieri, seconded by Mr. Ciocci.  
BE IT RESOLVED, That funding for a labor contract between the Town of Trumbull and AFSCME AFL-CIO, Local 1745 - Council 15 (Trumbull Police Union) beginning July 1, 2011 and ending June 30, 2015 is hereby approved.

Attorney Mogan reviewed the summary of the material components of the settlement reached with the Police Union. The contract expired June 30, 2011, contract negotiations started in April 2011, it went to mediation and came to this agreement on August 31, 2012. The union has ratified the agreement. From the Town's perspective there are three achievements, they are as follows:

- 0% wage increase in the first year.
- The Defined Contribution Retirement Plan for new hires after July 1, 2014.
- Change in the health insurance plan.

Wage Increases are as follows:

7/1/11-6/30-12	0%	The last contract from 2007 to 2010 included wage increases of 3.5% for each of the 4 years. The new contract represents a 5.37% difference in wages is a reflection of the economy and their negotiation skills.
7/1/12-6/30/13	2.90%	
7/1/13-6/30/14	2.9%	
7/1/14-6/30/15	2.9%	

The one time signing bonus is not uncommon; the police union led the way to the health insurance and the pension plan change. The DPW Supervisor's contract was brought to

the council for approval first but the police were the first to tentatively agree to the change. Emergency services typically take the lead in municipal negotiations and the others usually follow their lead. The signing bonus is not something that they will look to elsewhere.

In response to Mr. Palmieri, Mr. Nelson stated that it is not uncommon for a bargaining unit to go for that period of time without a contract, there is retroactive pay involved and the pay is budgeted into the contingency account. Mr. Mogan stated that the pension plan will govern what counts for years of service whether they have a contract or not is a separate issue.

The health insurance is the identical plan as the DPW Supervisors contract. The plan is based upon high utilization low cost services would be subject to the co-pays, low utilization high cost services, (x-rays and hospital stays) would have an annual deductible up to a maximum of \$1,000 for an individual and \$3,000 for 2 or more. Previously it was a pure co-pay system. This puts them more into the process while still being a generous and fair plan compared to the private sector.

The Employee Cost sharing decreased to 6% on 7/1/2012, 8% on 4/1/13 and 9% on 7/1/14. The health plan is approximately 10% less expensive for the Town.

The other significant changes are the Town Defined Contribution Retirement Plan for new hires. Other changes represent scheduling and management issues such as: scheduling for training; compensatory time can not be taken in the middle of a shift and new employees hired after 7-1-12 will not be eligible for incentive pay for previously earned credits, only tuition reimbursement.

Atty. Mogan stated that Article 24 Past Practices is a provision found in a lot of contracts, and rely on the administration to let them know if there was something under that provision that would need to be addressed, there was not. More of the municipalities have been moving over to the Defined Contribution Plan, the emergency personnel have been harder to move over. Mr. Nelson stated that the police pension has been funded at approximately 70% which is significantly better than the Town. Mr. Nelson stated that Defined Contribution Plan does guard against potentially bad financial policies by the town. The Town is working towards having both plans fully funded. Police special detail is not included in the pension, overtime is.

VOTE: Motion CARRIED unanimously.

#### ADDENDUM ITEM

1. RESOLUTION TC24-94: Moved by Ms. Waizenegger, seconded by Mr. Palmieri. BE IT RESOLVED, That the *Town Council of the Town of Trumbull* approves and endorses the **Regional Performance Incentive Program** grant application by the Greater Bridgeport Regional Council to be approved by the Connecticut Office of Policy and Management and certifies that pursuant to Section 8 of Public Act 02-239

that there are no legal obstacles to the provision of the services as outlined in the **RPIP** project. (Full Resolution Attached).

Mr. Nelson reviewed the Regional Conservation Service Program outline (Attached). Benefits of this grant would be considered residential; people who are living in flood zones will receive a discount on their flood insurance. The Town has made a request for smart boards and iPads under the Natural Hazard Mitigations (3<sup>rd</sup>. bullet point). During Hurricane Sandy it became evident that the Town needs an interactive program that can highlight events that occur in real time. There is more information forthcoming from Brian Bidolli of the GBRC; Mr. Nelson will forward this to the council as soon as it is received. The grant is \$1.5 million and is for 6 towns of the region, Bridgeport, Fairfield, Trumbull, Monroe, Stratford and Easton. More detail and the actual grant application is forthcoming. Trumbull will receive a portion of the \$1.5 million. The grant does not include additional costs to the Town or burdens on its departments. The grant is funded by the state.

In response to Ms. Waizenegger, Mr. Nelson stated that he could have Mr. Bidolli at the full Town Council 12-03-12 meeting to answer any of the committee's questions.

Mr. Nelson confirmed for Mr. Palmieri that this resolution is to endorse the application. They will not need to come back for approval by the Town Council for the First Selectman's signature.

Ms. Waizenegger would like to know where the funding is coming from; the state has some money allotted for certain items while for others they borrow the funds.

Mr. Nelson spoke against this resolution based on the state deficit and the state giving them money to get along with our neighbors.

Mr. Nelson stated his purpose is to get back as much of their tax dollars as possible.

Moved by Ms. Jankovic-Mark, seconded by Mr. Ciocci to send without recommendation pending receipt of further details.

VOTE: Motion CARRIED unanimously.

There being no further business to discuss and upon motion made by Mr. Ciocci, seconded by Mr. Palmieri the Legislation & Administration committee adjourned by unanimous consent at 7:41 p.m.

Respectfully Submitted,

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Margaret D. Mastroni, Town Council Clerk

## FULL RESOLUTION

RESOLUTION TC24-94: BE IT RESOLVED, **WHEREAS**, the Greater Bridgeport Regional Council (GBRC) intends to apply for grant funds under the ***Regional Performance Incentive Program***, a state-funded program to encourage regional cooperation, referenced in Section 5 of Public 11-61 (An Act Concerning Responsible Growth) and such proposal is attached to and made a part of this record; and

**WHEREAS**, the proposed project will create and develop a Regional Conservation Services Program for the member communities of the Greater Bridgeport Regional Council and the intent of the project is to jointly and cooperatively establish a regional system to reduce the cost burden associated with the development and implementation of hazard mitigation, brownfield remediation, open space preservation, and watershed management programs;

**WHEREAS**, the GBRC will work with member communities to prepare and adopt a Memorandum of Understanding for the operations and maintenance of the regional Conservation Services Program;

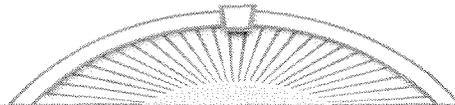
**NOW THEREFORE BE IT RESOLVED**, that the *Town Council of the Town of Trumbull* approves and endorses the ***Regional Performance Incentive Program*** grant application by the Greater Bridgeport Regional Council to be approved by the Connecticut Office of Policy and Management and certifies that pursuant to Section 8 of Public Act 02-239 that there are no legal obstacles to the provision of the services as outlined in the ***RPIP*** project.



## Regional Conservation Services Program

Program	Tasks	Product
<b>Natural Hazard Mitigation</b>	<ul style="list-style-type: none"> <li>• National Flood Insurance Program, Region-wide implementation of the FEMA Community Rating System (CRS): <i>This voluntary program offers discounts on flood insurance premiums to communities that undertake activities beyond minimum flood insurance standards. Activities include public outreach and information on flood protection, open space protection, stormwater management and floodplain mitigation planning.</i></li> <li>• Assess properties and assets at risk for coastal and inland flooding and storm damage.</li> <li>• Coordination of the Natural Hazard Mitigation Plan update and Capital Purchase program/ mobile deployment for Public Safety GIS.</li> <li>• Development of a Living Shoreline Plan: <i>A Living Shoreline approach uses plants, sand and limited use of rock to provide shoreline protection and maintain habitat</i></li> </ul>	<p>Regional implementation of the Community Rating System Flood Insurance Discount Program.</p> <p>Parcel-based flooding risk assessment</p> <p>Mobile deployment of GIS-based Public Safety Viewer</p> <p>Living Shoreline Plan</p>
<b>Brownfields</b>	<ul style="list-style-type: none"> <li>• Expansion of the City of Bridgeport' Brownfield Inventory Project: <i>This project will identify and track properties that maintain official status with the US EPA or DEEP and develop a public accessible inventory of sites to further redevelopment of brownfields.</i></li> </ul>	<p>Regional brownfields mapping, publicly accessible webviewer.</p>
<b>Open Space &amp; Watershed Management</b>	<ul style="list-style-type: none"> <li>• Develop LID and green infrastructure stormwater requirements to be incorporated in local land use regulations.</li> <li>• Identify impervious surfaces with updated aerial imagery.</li> <li>• Identify open spaces, conservation easements and protected land in the region, as well as opportunities to link these spaces. Endangered and protected species mapping</li> </ul>	<p>Mapping impervious surfaces, soils, vegetation, species, and habitat</p> <p>Mapping conservation easements.</p>





**BERCHEM, MOSES & DEVLIN, P.C.**

To: Daniel Nelson, Chief of Staff  
From: Jeffrey P. Mogan, Esq.  
Re: **Town of Trumbull & Police Union Contract Settlement**  
Date: November 19, 2012

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Below is a summary of the material components of the settlement reached with the Police Union, Local 1745 of Council 15, AFSCME, AFL-CIO.

1. **Term**

4 years: July 1, 2011 – June 30, 2015

2. **Wages**

7/1/11 – 6/30/12	0%
7/1/12 – 6/30/13	2.90%
7/1/13 – 6/30/14	2.90%
7/1/14 – 6/30/15	2.90%

One-time signing bonus as follows:

Animal Control Officer - \$533  
Police Officer - \$700  
Detective - \$748  
Communications Officer - \$719  
Sergeant - \$807  
Det. Sergeant - \$841  
Lieutenant - \$920

3. **Health Insurance**

A. **Health Plan**

Existing Century Preferred PPO plan replaced with a Comp Mix plan with the following deductibles and co-payments:

**Deductible & Co-Insurance**

Current – None

New – \$500/\$1000 annual deductible

20% co-insurance after deductible up to \$1,000/\$2,000  
Cost share maximum of \$1,500/\$3,000

<u>Co-Pays</u>	<u>Current</u>	<u>New</u>
Office Visit	\$15	\$20
Inpatient Hospital	\$100	Deductible
Outpatient Surgery	\$0	Deductible
Emergency Room	\$75	\$100
Urgent Care	\$50	\$75
High cost diagnostic	\$0	\$75
Preventive Care	\$0	\$0

B. Employee Cost Sharing

7/1/12	6%
7/1/13	8%
7/1/14	9%

4. Pension Plan

Employees hired after July 1, 2014 shall not be eligible to participate in the Police Benefit Fund (defined benefit pension plan) and are eligible only for Town Defined Contribution Retirement Plan. Town will match employee contributions in the Defined Contribution Plan in the amount of 7% of the employee's annual salary.

5. Miscellaneous

- A. Increase Department's ability to change an employee's schedule for training purposes. (Art. 9, § 3)
- B. Compensatory time cannot be taken in the middle of a shift; must be contiguous with beginning or end of shift. (Art. 10, § 9)
- C. Employees hired after 7/1/12 shall not be eligible for educational incentive pay (i.e. yearly payments for previously-earned credits), only tuition reimbursement. (Art. 20, § 4)