

TOWN COUNCIL
Town of Trumbull
CONNECTICUT
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TOWN HALL
Trumbull

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LEGISLATION & ADMINISTRATION COMMITTEE
MINUTES
FEBRUARY 27, 2023

CALL TO ORDER: The Chair called the meeting to order at 7:24 p.m. All present joined in the Pledge of Allegiance.

ROLL CALL: The clerk called the roll and recorded it as follows:

PRESENT: Jason Marsh, Chairman, Thomas Whitmoyer, Vice Chairman, Alissa Hall, Kelly Mallozzi, Carl Massaro, Chris DeCruze

ABSENT: Bill Mecca, Alternate, Steve Lemoine, Alternate

ALSO PRESENT: First Selectman Vicki A. Tesoro, Chief Administrative Officer Cynthia Katske, Town Attorney Schopick, Town Council members, Dawn Cantafio, Tony Scinto, Health Director Luci Bango, Technology Director Bill Chin

Moved by Massaro, seconded by Whitmoyer to take item #3 out of order. VOTE: Motion CARRIED unanimously.

1. RESOLUTION TC29-130: Moved by Whitmoyer, seconded by Mallozzi
BE IT RESOLVED, That the Town of Trumbull Security Camera Policy is hereby approved. (Policy Attached)

The committee discussed the length of video retention time, some of the cameras' retention is set for 30 days, others are 90 days, if the server is not large enough to hold all the retention first in is first out and will be overwritten. There is the chance if the retention was needed on the 31st day it would not be there.

Mr. Chin explained he has included something in the budget for storage like the cloud, the Council will hear about the server replacement for the very old server that is limiting the retention time in the upcoming budget.

The committee discussed changing the number of days of retention stated in the policy and was concerned it could be a liability if the policy states 30 days retention and it did not actually retain it for the full 30 days. Mr. Chin noted the oldest video was recorded on February 4, at 1:30 p.m. and it is at full capacity now. The Chair suggested the Council determine the retention as “not less than “X” number of days, then it could always be more.

Mr. Chin explained the video is compressed, it is not lossless. The amount of storage was recommended by the vendor. The vendor took the number of cameras and multiplied by the current use and the expected use. It records based on motion, if there's no motion, there's no recording. The vendor's recommendation is based on historic usage and their calculations of a growth area. The video now is H.264.

Most of the video pulled in the last year was after-the-fact vandalism, one trip & fall and a threat at the library.

The Chair noted he sees two issues to be addressed and requested the information be available for the full council meeting:

1. What is reasonable storage capacity on a per day basis so the policy can be consistent with our capabilities?
2. And in the long term, the 30 days may not be an appropriate storage window.

First Selectman Tesoro noted the BOF had specifically requested a policy. Attorney Schopick added the policy was drafted from another town's policy.

Mr. Chin explained pen tests were completed last summer. The BOE has their own separate cameras. The police can view all the cameras. Chairman Gaudio will reach out to the BOE regarding their security cameras policy and if they have a policy will get a hard copy for Monday. The committee would like consistency with the policies.

Mr. Chin explained department heads have visibility into the cameras in their department and law enforcement has access to everything.

It was confirmed this was a policy not an ordinance.

Moved by Whitmoyer, seconded by Mallozzi to pass without recommendation. VOTE: Motion CARRIED unanimously.

2. RESOLUTION TC29-128: Moved by Mallozzi, seconded by Massaro
BE IT RESOLVED AND ORDAINED, That Chapter 10, Housing, Section 10-8 of the Trumbull Municipal Code is hereby repealed and replaced. (Section 10-8 Attached)
(Public Hearing Town Council March 6, 2023)

The Chair noted the change was from 70 degrees to 65 degrees. Ms. Bango explained the change is to mirror state statute.

VOTE: Motion CARRIED unanimously.

3. RESOLUTION TC29-129: Moved by Massaro, seconded by Mallozzi
BE IT RESOLVED AND ORDAINED, That Chapter 11, Licenses and Business Regulations, Article II, Division 1 of the Trumbull Municipal Code is hereby repealed and replaced. (Ordinance Attached) (*Public Hearing Town Council March 6, 2023*)

The Chair noted this was also to mirror state statute. Ms. Bango explained the FDA Code was adopted on Feb. 17, 2023, this is to reflect changes that were made, there were language and temperature changes. The Chair noted he did not see anything substantive other than changing from 40 to 41 degrees.

Ms. Bango noted Section 1913B-42 was part of the code that was repealed. Cottage licenses are licensed under the FDA code as well. The Chair noted the term establishment would need to be clarified and understood, it may not include a home bake situation. Ms. Bango added cottage licenses are licensed with the state not at the local level, this would not include cottage food licenses. Councilman DeCruze requested language added that specifies this does not include cottage food licenses.

It was confirmed the state and the FDA are one in the same. Ms. Bango explained the public health code changed and still continues to enforce, but B-42 was repealed because it is not needed anymore.


The word change from “service” to “establishment” is to mirror what the FDA Code, they removed “service” and replaced it with “food establishment”. There is a list of definitions. The Chair noted if it is a food service establishment that may indicate an actual restaurant or a place where you can eat and a food establishment is one that you could take out or eat in.

Councilman DeCruze spoke against this because of the lack of language on cottage food operators being explicitly defined.

VOTE: Motion CARRIED 5-1 (AGAINST: DeCruze)

ADJOURNMENT: There being no further business to discuss and upon motion made by Mallozzi, seconded by DeCruze the L&A Committee adjourned by unanimous consent at 7:54 p.m.

Respectfully Submitted,


Margaret D. Mastroni, Clerk

RESOLUTION TC29-128: BE IT RESOLVED AND ORDAINED that Chapter 10, Housing, Section 10-8 of the Trumbull Town Code is hereby repealed and the following substituted in its place:

Sec. 10-8. - Minimum thermal standards (heating and cooling).

No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- (1) Every dwelling shall have heating facilities which are properly installed, and are maintained in safe and working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit located therein at a distance of eighteen (18) inches above floor level under ordinary winter conditions to a temperature of at least sixty-five (65) degrees Fahrenheit.
- (2) Unvented flame space heaters are prohibited; portable electric heaters, approved under the appropriate local or state electrical and/or fire prevention code are acceptable (where they meet the provisions of subsection (1)).

RESOLUTION TC29-129:

BE IT RESOLVED AND ORDAINED that Chapter 11, Licenses and Business Regulations, Article II, Division 1 of the Trumbull Town Code is hereby repealed and the following substituted in its place:

ARTICLE II. FOOD AND FOOD HANDLERS

DIVISION 1. GENERALLY

Sec. 11-26. License—Required.

No food ~~service~~ establishment as defined by Connecticut Public Health Code and the FDA Food Code shall be maintained in the Town unless licensed by the Director of Health or the duly authorized representative. Any food establishment licensed pursuant to this section shall comply with the Connecticut Public Health Code and the FDA Food Code or any other applicable state regulations.

(Code 1962, § 6A-1; Res. No. TC15-110, 1-9-95)

Sec. 11-27. Same—Fee.

The annual fees for food licenses shall be charged based on the fee list published by the Trumbull Health Department, payable by March 31 of each year.

(Res. No. TC12-134, 9-9-88; Res. No. TC26-112, 3-6-17)

Sec. 11-28. Inspection of establishments, substances intended for human consumption, utensils and equipment.

Dealers in food other than vending machines and all other substances used or intended to be used for human consumption and their agents, and all persons engaged in the transportation thereof, shall permit the Director of Health freely and fully to inspect the premises and all parts of the establishment, and all cattle, meat, fish, vegetables, milk and other food, and all other substances used or intended to be used for human consumption, and all utensils and equipment of the establishment.

(Code 1962, § 6A-3)

Sec. 11-29. Presumption of keeping food on premises.

Any meat, fish, vegetable, milk or other food in the possession of or held or kept by a food dealer on the premises where such food dealer conducts his business shall prima facie be deemed to be possessed, held or kept with the intent to sell for human consumption.

(Code 1962, § 6A-4)

Sec. 11-30. Condemnation, disposal of unfit food.

Any meat, fish, poultry, vegetables or milk or other food or drink found by the Director of Health in a condition which renders it unfit for use as human food shall be condemned and caused to be denatured and may be destroyed or removed.

(Code 1962, § 6A-5)

Sec. 11-31. Sale of unfit food.

No person shall either as principal or agent sell, offer or exhibit for sale, or have in his possession, charge or control with intent to sell, any meat, fish, vegetables, milk or any article of human food or drink, either raw, manufactured or otherwise prepared, which is putrid, decayed, infected, contaminated or unwholesome for human consumption, or which has been condemned by the Director of Health.

(Code 1962, § 6A-6)

Sec. 11-32. Protection of food from contamination.

No food, other than fruits and vegetables, shall be kept, sold, offered for sale, displayed or transported, unless protected from dust, dirt, flies, animals and other contamination. No food dealer shall permit any dogs to enter any premises where food is sold.

(Code 1962, § 6A-7)

Sec. 11-33. Sale of defrosted, partially defrosted frozen food.

No frozen foods which have been allowed to defrost or partially defrost shall thereafter be sold with the exception of frozen baked goods.

(Code 1962, § 6A-8)

Sec. 11-34. Wrapping food in sanitary wrapping or containers.

Wrapping of food products in other than sanitary wrapping or containers is prohibited.

(Code 1962, § 6A-9)

Sec. 11-35. Screening of premises where food is sold.

All doors, windows and transoms opening to the outer air from stores where food is sold shall be screened from April 1 until November 30. All such screened doors must open outward and be self-closing. Any other method for the exclusion of flies which is approved by the Director of Health may be substituted for the use of screening.

(Code 1962, § 6A-10)

Sec. 11-36. Transport, delivery of meat for resale.

No person shall carry, convey or haul through or upon the public streets of the Town any fresh meats of any kind for resale, except in a closed truck or like vehicle, kept in a sanitary condition. No boned, cut or separate cut of meat too small to bear any inspection stamp shall be delivered to any market for resale in the Town. No meats shall be delivered to any market for resale in the Town in vehicles used for any other purpose except in containers approved by the Director of Health.

(Code 1962, § 6A-11)

Sec. 11-37. Toilet and hand-washing facilities in food establishments.

All establishments where food or meat is processed, manufactured or sold shall be provided with toilet and hand-washing facilities of a type approved by the Director of Health. All eateries or restaurants opening after September 1, 1976, with a total area of one thousand five hundred (1,500) square feet or larger shall provide separate free public toilets and hand-washing facilities for men and women.

(Code 1962, § 6A-12)

Sec. 11-38. Keeping, handling articles intended for sale for human consumption.

- (a) *Containers.* No person shall keep any article intended for sale for human consumption in any receptacle or container that is in an unclean or unsanitary condition. Additionally, any such receptacle or container must be of a food grade quality.
- (b) *Temperature.* All readily perishable food and drink shall be kept at or below forty-one (41) degrees Fahrenheit (41°F).
- (c) *Utensils and equipment.* All utensils and equipment used in the processing or handling of food or meat in any establishment where food or meat is processed or manufactured or sold shall be kept in a clean and sanitary condition. Facilities for the cleansing and bactericidal treatment of utensils and equipment shall be of a type approved by the Connecticut Public Health Code and FDA Food Code.

(Code 1962, § 6A-13; Res. No. TC26-211, 3-6-17)

Sec. 11-39. Refrigeration facilities to be clean and sanitary.

Refrigerators and all refrigeration facilities where food or meat is processed or manufactured or sold shall be kept in a clean and sanitary condition.

(Code 1962, § 6A-14)

Sec. 11-40. Cleanliness of employees in food establishments.

Persons employed in any establishment where food or meat is processed, manufactured or sold shall wear clean washable outer garments and shall keep their hands and fingernails clean at all times while engaged in handling food, drink, utensils or equipment. No employee shall return from a toilet room without washing his hands, and notice of this requirement shall be posted in each employee's toilet room.

(Code 1962, § 6A-15)

Sec. 11-41. Bakery floors.

The floors of all bakeries in which food is prepared or utensils are washed shall be of concrete, terrazzo, ceramic tile or hardwood or equal.

(Code 1962, § 6A-16)

Sec. 11-42. Bakery walls.

In the case of a new licensed bakery, washable surface for walls to splash level of all rooms in which food is prepared or utensils washed shall be of ceramic tile, glazed tile, plastic tile and/or equal.

(Code 1962, § 6A-17)

Sec. 11-43. Violations and penalties.

Any person who violates any provision of this division shall be fined in accordance with the fee list published by the Trumbull Health Department. Each day during which the violation continues to exist shall be deemed a separate offense.

(Code 1962, § 6A-18; Res. No. TC13-100, 10-7-91; Res. No. TC26-112, 3-6-17)

Sec. 11-44. Suspension of license for noncompliance.

Failure to conform to the provisions of this division after due notice by the Health Officer shall be cause for the suspension of the license prescribed herein by the Health Officer.

(Code 1962, § 6A-19)

Sec. 11-45. Inspection.

The Director of Health or the duly authorized representative shall inspect all food establishments in accordance with the Connecticut Public Health Code and the FDA Food Code-

(Res. No. TC15-110, 1-9-95)

Sec. 11-46. Enforcement.

In the enforcement of his or her duties pursuant to the Connecticut Public Health Code and the FDA Food Code, if the Director of Health or the duly authorized representative is required to reinspect a food establishment, the fees to be paid in accordance with the fee list published by the Trumbull Health Department.

(Res. No. TC15-110, 1-9-95; Res. No. TC26-112, 3-6-17)

Sec. 11-47. Plan review; fees.

When any person, firm or corporation submits a plan for approval to the Director of Health for construction of a new structure, or for renovation or remodeling of an existing structure, for use as a food establishment, the fees for said in accordance with the fee list published by the Trumbull Health Department

(Res. No. TC15-110, 1-9-95; Res. No. TC26-112, 3-6-17)

Secs. 11-48—11-55. Reserved.

DIVISION 2. FOOD HANDLERS

Sec. 11-56. Certain persons prohibited from handling food.

No person knowingly suffering from sore throat, discharging sores, or any disease in a communicable form, or who is a carrier of any such disease, and no person of unclean habits, person or clothing, or whose mentality is incapable of grasping the essentials of cleanliness, shall engage in any occupation which requires the handling or the supervision of the handling of food for others or of any dishes or articles used in the manufacture, storage, preparation, service or distribution of food or drink in the Town.

(Code 1962, § 6A-25)

Sec. 11-57. Reserved.

Editor's note(s)—Res. No. TC26-112, adopted Mar. 6, 2017, repealed § 11-57, which pertained to the requirement of physical examinations, and derived from the 1965 Code.

Sec. 11-58. Authority of Director of Health upon suspicion of transmission of infection.

When suspicion arises as to the possibility of transmission of infection from any person engaged in the handling, preparation or distribution of food or drink, the Director of Health is authorized to require any and all of the following measures:

- (1) The immediate exclusion of any such person from all food preparation or service operations;
- (2) The immediate discontinuance of the operations concerned until no further danger of disease outbreak exists in the opinion of the Director of Health;
- (3) Adequate medical examinations of the person and of his associates with such X-ray and laboratory analysis as may be required by the Director of Health.

(Code 1962, § 6A-27)

Sec. 11-59. Reserved.

Editor's note(s)—Res. No. TC26-112, adopted Mar. 6, 2017, repealed § 11-59, which pertained to the records of physical examinations, and derived from the 1965 Code.

Sec. 11-60. Cleanliness of clothing, persons while engaged in handling food.

All persons engaged in the handling, preparation or distribution of food or drink shall wear clean outer garments and shall keep their hands clean at all times while engaged in the handling of food, drink, utensils or equipment. They shall take suitable precautions to prevent loose hairs from contaminating any article of food or drink intended for human consumption.

(Code 1962, § 6A-29)

Secs. 11-61—11-75. Reserved.

RESOLUTION TC29-130:

SECURITY CAMERA POLICY

I. PURPOSE

The purpose of this policy is to regulate the use of security cameras to protect the legal and privacy interests of the Town of Trumbull, the community at large, and Town employees while concurrently assisting in the protection of municipal buildings and other property owned by the Town and public safety.

The primary use of security cameras will be to record images for future identification, investigation, and possible prosecution related to illegal and/or criminal activity and actions.

II. GENERAL POLICY

The Town of Trumbull is committed to establishing and maintaining a workplace that is secure and safe for employees, Town officials and the community at large. To enhance this commitment, the Town may install and utilize security cameras. The cameras will be used in a professional, ethical, and legal manner consistent with all existing Town policies, as well as State and Federal laws. Camera use will be limited to situations that do not violate the reasonable expectation of privacy as defined by law.

III. POLICY GUIDELINES AND PROCEDURES

A. Security cameras shall only be installed under the authority of the First Selectman or her/his designee.

B. The Department Heads and/or designees shall coordinate installation of security cameras used by their departments. The First Selectman or his/her designee shall advise as to the type and location of security cameras.

C. Placement of cameras shall only be considered for the security and safety of employees and the public or for legally mandated reasons. Cameras shall never be placed in areas where privacy would normally be expected. Camera placement must take into consideration any confidential material that could be visible.

D. Any area where cameras are located upon or in shall have a statement placed conspicuously notifying citizens of the presence of audio and/or video recording equipment.

E. Public display of live video from security cameras is prohibited.

F. Viewing of recorded video shall be limited to the following:

- From Town Hall and other public area cameras: First Selectman, the Chief of Police or designees of either of them and the Department Head of the area where the camera is placed.
- From Police Station cameras: Chief of Police or his/her designee(s) and other Law Enforcement personnel involved as part of any investigation and/or prosecution effort.

G. Video recordings shall be maintained and retained on the Town's server according to the following schedule:

- External Cameras: 30 Days
- Internal Building Transaction Cameras: 30 Days

It shall be the responsibility of the Department Head or other personnel with access to ensure that all recordings are kept secure, and shall permit no individual unless those stipulated herein to view recorded material.

In the event of a law enforcement investigation, or in the event of an active claims investigation for insurance purposes, video recordings may be retained for periods of time longer than time limits specified herein.

H. When an incident is suspected to have occurred, the Department Head shall immediately take steps to ensure that any video recording of the incident is preserved pending investigation and shall provide investigative personnel with access to video recordings as requested.

I. When an incident is suspected to have occurred, designated personnel herein may review the images from security camera data/recordings. Any suspicion of illegal or criminal activity shall immediately referred to the Trumbull Police Department.

J. Video recordings shall not be copied or removed except in relation to an ongoing investigation. Investigative personnel and Department Heads are authorized to copy and remove video recordings from town security cameras.

IV. VIOLATIONS & PENALTIES

Any person who may violate the terms and conditions of this policy may be subject to disciplinary action, up to and possibly including termination.