

Town of Trumbull
CONNECTICUT
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TOWN HALL
Trumbull

TELEPHONE
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MINUTES
MARCH 6, 2023

CALL TO ORDER: The Chair called the meeting to order at 7:31 p.m. and noted Scout Pack 64 led by Mike Staffaroni and Ray Monelli from Jane Ryan Elementary School was working on their government badge, Councilman Whitmoyer had been working with them and invited them to this meeting and present the colors for the Pledge of Allegiance. All present joined in the Pledge of Allegiance led by Pack 64. First Selectman Vicki Tesoro presented each of the scouts with the Town of Trumbull pin.

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

Mike Buswell	Mary Isaac	Nicole Satin
Donna Seidell	Anthony Dorsey	Alissa Hall
Jason Marsh	Ashley Gaudiano	Steve Lemoine
Kelly Mallozzi	Dawn Cantafio	Christopher DeCruze
Carl Massaro	Tony Scinto	Kevin Shively
Thomas Whitmoyer	Dede Robinson (Via Phone)	Joy Colon
Bill Mecca	Veronica Lenzen	Olga Leiva

ALSO PRESENT: First Selectman Vicki A. Tesoro, Chief Administrative Officers Cynthia Katske and Kathleen McGannon, Town Attorney Daniel Schopick, Technology Director William Chin, Health Director Luci Bango, BOF Chairman Lainie McHugh, BOF member Christine El Eris

APPROVAL
OF MINUTES: Moved by Cantafio, seconded by Mallozzi to approve the January 30, 2023 special meeting minutes as submitted. VOTE: Motion CARRIED by unanimous consent.

Moved by Cantafio, seconded by Whitmoyer to approve the February 6, 2023 regular meeting minutes as submitted. VOTE: Motion CARRIED by unanimous consent.

RECOGNITION:

- Local VFW Teacher of the Year for the State of Connecticut - Kathy Rubano

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- VFW Student Essay Winners Voice of Democracy Program Honoree: Justin Adorante, Trumbull High School, VFW Sponsored Patriot Pen Program Essay Honorees: Addison Doyle, Hillcrest Middle School and Samantha Russo, Madison Middle School

The Chair noted the Council had the privilege of recognizing three students and one teacher who received awards from the VFW. Justin Adorante a THS student who won the VFW Essay contest for the Voice of Democracy Program, an audio essay program that provides high school students with the unique opportunity to express themselves via a democratic and patriotic themed recorded essay, this year's theme was "Why is the Veteran Important". Addison Doyle a Hillcrest Middle School student and Samantha Russo a Madison Middle School student both one the VFW sponsored Patriots Pen Program Essay Contest. This VFW sponsored Youth Essay competition gives students an opportunity to write essays expressing their views on an annual patriotic theme, this year's theme was "My Pledge to Our Veterans". The Chair congratulated the students.

The Chair recognized Kathy Rubano an educator and chairperson of the THS Social Studies Department who was selected as the VFW Teacher of the Year, first at the local level, then the district level and at the state level and is now being nominated at the national level. The contest recognizes an outstanding commitment to teaching Americanism and patriotism to students. The Chair congratulated Kathy Rubano.

Dan Sacco on behalf of Ernie Foito and Graham Bissett, the Commander of the VFW & American Legion and the Vice-Commander of the VFW extended their gratitude to the Council for recognizing the students and allowing them to bring them here. They worked hard and showed true patriotism and expressed how proud they were of Kathy Rubano.

First Selectman Vicki A. Tesoro congratulated the students and expressed how proud the town was of them and our veterans. She was honored to stand with Kathy Rubano, a neighbor and a excellent teacher. The town is proud of Kathy Rubano for being nominated at the national level.

PUBLIC COMMENT: There were three (3) people present to speak. (Public Comment Attached)

PUBLIC HEARINGS: The Chair OPENED the Public Hearing for RESOLUTION TC29-128 at 7:49 p.m. There was no one present from the public to speak. The Chair CLOSED the Public Hearing at 7:50 p.m.

The Chair OPENED the Public Hearing for RESOLUTION TC29-129 at 7:50 p.m. There was no one from the public present to speak. The Chair CLOSED the Public Hearing at 7:51 p.m.

NEW BUSINESS:

1. RESOLUTION TC29-124: Moved by Mecca, seconded by Mallozzi
BE IT RESOLVED, That the First Selectman having recommended the appointment of Andrea Fonseca as a member of the Police Commission, Andrea Fonseca be and the same is hereby appointed to the Police Commission for a term extending to the first Monday of December 2026.

Committee Report: The R&R Committee met on February 27, 2023 and voted unanimously.

First Selectman explained the seat had not been filled because she had been dealing with COVID these past few years, people can serve on a commission until reappointed after the term has expired, and not appointing someone to this seat was a time issue. Ms. Fonseca was reappointed to EDIT as chairman last month and will resign from that committee if this resolution passes. She did not know if Andrea Fonseca had been considered for this commission a month ago, that could have been, and she did not know what the exact timing was. Kathy Champion resigned and moved away, it is no longer becomes her seat, it is not a democrat seat, it's not a republican seat, or an unaffiliated seat, that's the way it works not only for the Police Commission, but every commission. The seat was not filled sooner because First Selectman Tesoro was working on other things and the commission was functioning well and it was not stopping anyone from doing their job on the commission.

The clerk called the roll call vote and recorded it as follows:

	Aye	Nay	Abstain
Mike Buswell	✓		
Mary Isaac	✓		
Dede Robinson	✓		
Bill Mecca	✓		
Nicole Satin	✓		
Donna Seidell	✓		
Veronica Lenzen	✓		
Alissa Hall	✓		
Jason Marsh	✓		
Anthony Dorsey		✓	
Ashley Gaudiano	✓		
Olga Leiva	✓		
Joy Colon	✓		
Steve Lemoine		✓	
Kelly Mallozzi	✓		
Dawn Cantafio	✓		
Christopher DeCruze	✓		
Carl Massaro		✓	
Tony Scinto		✓	
Kevin Shively	✓		
Thomas Whitmoyer	✓		

VOTE: ADOPTED 17-4 (AGAINST: Dorsey, Massaro, Lemoine, Scinto)

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2. RESOLUTION TC29-125: Moved by Scinto, seconded by Mallozzi
 BE IT RESOLVED, That the First Selectman having recommended the reappointment of Christian Trefz as a member of the Police Commission, Christian Trefz be and the same is hereby reappointed to the Police Commission for a term extending to the first Monday of December 2023.

Committee Report: The R&R Committee met on February 27, 2023 and voted unanimously.

The clerk called the roll call vote and recorded it as follows:

	Aye	Nay	Abstain
Mike Buswell	✓		
Mary Isaac	✓		
Dede Robinson	✓		
Bill Mecca	✓		
Nicole Satin	✓		
Donna Seidell	✓		
Veronica Lenzen	✓		
Alissa Hall	✓		
Jason Marsh	✓		
Anthony Dorsey	✓		
Ashley Gaudiano	✓		
Olga Leiva	✓		
Joy Colon	✓		
Steve Lemoine	✓		
Kelly Mallozzi	✓		
Dawn Cantafio	✓		
Christopher DeCruze	✓		
Carl Massaro	✓		
Tony Scinto	✓		
Kevin Shively	✓		
Thomas Whitmoyer	✓		

VOTE: ADOPTED unanimously

3. RESOLUTION TC29-126: Moved by Hall, seconded by Mallozzi
 BE IT RESOLVED, That the First Selectman having recommended the reappointment of Mary Beth Thornton as a member of the Police Commission, Mary Beth Thornton be and the same is hereby reappointed to the Police Commission for a term extending to the first Monday of December 2027.

Committee Report: The R&R Committee met on February 27, 2023 and voted unanimously.

The clerk called the roll call vote and recorded it as follows:

	Aye	Nay	Abstain
Mike Buswell	✓		
Mary Isaac	✓		
Dede Robinson	✓		
Bill Mecca	✓		
Nicole Satin	✓		
Donna Seidell	✓		
Veronica Lenzen	✓		
Alissa Hall	✓		
Jason Marsh	✓		
Anthony Dorsey	✓		
Ashley Gaudiano	✓		
Olga Leiva	✓		
Joy Colon	✓		
Steve Lemoine	✓		
Kelly Mallozzi	✓		
Dawn Cantafio	✓		
Christopher DeCruze	✓		
Carl Massaro	✓		
Tony Scinto	✓		
Kevin Shively	✓		
Thomas Whitmoyer	✓		

VOTE: ADOPTED unanimously

4. RESOLUTION TC29-127: Moved by Massaro, seconded by Mallozzi
BE IT RESOLVED, That the First Selectman having recommended the reappointment of Angelo Magliocco as a member of the Police Commission, Angelo Magliocco be and the same is hereby reappointed to the Police Commission for a term extending to the first Monday of December 2024.

Committee Report: The R&R Committee met on February 27, 2023 and voted unanimously.

The clerk called the roll call vote and recorded it as follows:

	Aye	Nay	Abstain
Mike Buswell	✓		
Mary Isaac	✓		
Dede Robinson	✓		
Bill Mecca	✓		
Nicole Satin	✓		
Donna Seidell	✓		

Veronica Lenzen	✓		
Alissa Hall	✓		
Jason Marsh	✓		
Anthony Dorsey	✓		
Ashley Gaudiano	✓		
Olga Leiva	✓		
Joy Colon	✓		
Steve Lemoine	✓		
Kelly Mallozzi	✓		
Dawn Cantafio	✓		
Christopher DeCruze	✓		
Carl Massaro	✓		
Tony Scinto	✓		
Kevin Shively	✓		
Thomas Whitmoyer	✓		

VOTE: ADOPTED unanimously

The Chair extended her gratitude for the police commissioners’ service and Mr. Baldwin’s leadership.

- RESOLUTION TC29-128: Moved by Isaac, seconded by Satin
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)*

Committee Report: The L&A Committee met on February 27, 2023 and voted unanimously.

Councilman Marsh explained this applies to residential dwellings, which is a defined term in the statute and is the minimum threshold an occupied dwelling has to be kept at, 65 degrees which has been lowered from 70 degrees. Ms. Bango confirmed.

VOTE: ADOPTED by unanimous consent

- RESOLUTION TC29-129: Moved by Dorsey, seconded by Cantafio
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)*

Committee Report: The L&A Committee met on February 27, 2023 and voted 5-1 (AGAINST: DeCruze).

Councilman DeCruze suggested fixing some ambiguity, such as:

- Sec. 11-3 needs to be clarified.

- The evaluation definition of potentially hazardous foods as defined by the FDA Contract #223-98-2333, page 11 which has detail about types of process control and are time and temperature necessary.
- Clarify some of the ambiguity with TCS products.

Ms. Bango explained when adopting the FDA Code they are also adopting the definitions that fall under the FDA, rather than redoing our code and the changes individually.

The Chair clarified the parentheses under each item are the Municipal Code. There is reference to the Connecticut Public Health FDA Food Code that's where our source of changes are.

Councilman Marsh suggested adding language that reads, “The FDA code is incorporated by reference and all definitions.” After further discussion it was agreed Chairman Gaudiano would work with Councilman DeCruze for the April agenda in order to reference the correct article and placement of that language.

The clerk called the roll call vote and recorded it as follows:

	Aye	Nay	Abstain
Mike Buswell	✓		
Mary Isaac	✓		
Dede Robinson	✓		
Bill Mecca	✓		
Nicole Satin	✓		
Donna Seidell	✓		
Veronica Lenzen	✓		
Alissa Hall	✓		
Jason Marsh	✓		
Anthony Dorsey	✓		
Ashley Gaudiano	✓		
Olga Leiva	✓		
Joy Colon	✓		
Steve Lemoine	✓		
Kelly Mallozzi	✓		
Dawn Cantafio	✓		
Christopher DeCruze			✓
Carl Massaro	✓		
Tony Scinto	✓		
Kevin Shively	✓		
Thomas Whitmoyer	✓		

VOTE: ADOPTED 20-0-1 (ABSTENTION: DeCruze)

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

Committee Report: Moved by Marsh, seconded by Shively to waive the reading of the
committee report. VOTE: Motion CARRIED by unanimous consent.

Mr. Chin explained he had looked into moving storage to the cloud as discussed in
committee. There is a monthly service charge and a cost per terabyte. The current server
at Town Hall is retaining 24 days of video, there are other servers in other buildings that
are retaining 30 days. The 30 days is by state statute for the police. Moving to the cloud
would be a significant cost, the cost would be \$41,400 per month, for two years it would
be just under \$500,000. The provider is Wasabi Technology, it works well with the
Milestone camera system the Town has. It was suggested to look into a more general
cloud provider, it could be significantly less.

The Chair stated with regard to the policy the recommendation is to change the number
of days of retention. Mr. Chin explained in the upcoming budget he proposed to change
the server which needs to be done since it is seven years old, it is an old operating system
and out of space, if that is approved 30 days of storage would not be a problem.

Councilman Shively explained professionally he has worked with AWS and S3 very
often with probably about two dozen servers. The problem with going to that, it's not just
buying storage, the problem is the integration of, having to move these files on a regular
basis and to have software in place that is not right off the shelf. There would be
additional costs if we tried to do something other than a prebaked solution that works
with our with our existing camera system.

Councilman Mallozzi suggested tabling the resolution until after the new server is
received and Councilman Hall questioned whether the 30 days was a definite or a
variable. Mr. Chin indicated it is a variable. The Chair noted there is no guarantee
funding would be approved for the new server.

Councilman Marsh suggested instead of a specific number of days stated in the policy to
use the phrase, "Retain the footage as required and applicable by law". Attorney
Schopick stated Mr. Chin has suggested 21 days is a better number for now, this would
put the public on notice. Attorney Schopick stated there have not been any lawsuits that
he knows of and have been able to comply with FOIA requests.

Mr. Chin's office, Mr. Paris, Mr. Baldwin and Mr. Estrada have access to the footage.
Most people go through Mr. Chin, some go through the first selectman's office for the
footage to be exported, the detective bureau has access at the police department and they
can do their own without asking for assistance. The department heads have access to their
own buildings. Mr. Chin still has to look into how to access the audit and usage logs.

Attorney Schopick explained not having the video is not a liability issue, Councilman Hall was concerned because the policy will state we have it for 21 days. Attorney Schopick stated the policy will be, "To have it up to 21 days".

Moved by Marsh, seconded by Whitmoyer to amend the policy to read as, "Section III G. Not less than 21 days."

It was confirmed the 21 days is a rolling days. The Chair noted some will just drop off, it is a constant refresh of what can be and not be stored.

Councilman Shively clarified this is a policy, which is instruction to our departments to maintain these and as a policy, we're not talking about anything that has any kind of specific written punishment or retribution for not following other than the basic work review. It will not create a legal liability. Attorney Schopick further clarified the retention dates shall not be considered a guarantee.

Attorney Schopick noted they may want to add another provision for the police because they are required under the law to keep records for 30 days. Councilman Massaro noted the language "not less than 21 days" would not violate state statute for police recordings unless the police went under the 30 days. It was questioned whether the department or police commission has their own policy and whether the police would be excluded from this policy if they had their own. This policy blankets the Town except the BOE and suggested sending this back to committee.

Councilman Marsh withdrew his motion.

Mr. Chin noted they have saved videos upon a request.

Moved by Marsh, seconded by Mallozzi to send RESOLUTION TC29-130 back to committee.

VOTE: Motion CARRIED by unanimous consent.

ADJOURNMENT: There being no further business to discuss and upon motion made by Cantafio, seconded by Leiva the Trumbull Town Council adjourned at 8:47 p.m. by unanimous consent.

Respectfully Submitted,

Margaret D. Mastroni
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.

Public Comment:

1. Ray Baldwin Chairman of the Police Commission spoke on the four appointments on the agenda and in favor of the Police Department and the extraordinary job they do and particularly in the challenging days of the pandemic. The police department is the first responders in the town of Trumbull. He is proud to be a member of the commission. Their role is oversight and are fortunate to have a great leadership team led by Chief Lombardo and his staff. There are four police commission appointments on the agenda, three of whom he has had the privilege of working with the last five years, Angelo Magliocco, Chris Trefz and Mary Beth Thornton who has known for 20 years. This has been a very nonpartisan commission, the most nonpartisan he has ever served on and has done a remarkable job gaining a well-deserved reputation not only in Trumbull but throughout the area. He has planned a meeting with Andrea Fonseca and the Chief tomorrow to go over what issues we have in the department, one of which you already know, is retention of police officers. They have had a very difficult run in the last four or five years. They are hoping the study gets done quickly and move on and get some of those officers back, some of them have already expressed to the chief, that as soon as the pension plan is back in place they will plan on returning to our department. He extended his gratitude for the Council's attention and for what they do.
2. Richard White – See Public Comment Attached.
3. Ellie Grasso said she was feeling very patriotic and spoke in favor of the Council and all of their time volunteering for the town and making it incredible. Ellie Grasso also spoke in favor of Andrea Fonseca's appointment to the Police Commission, she is very reasonable, listens to all sides to be informed and in addition to that she is a kind and good person and believes she will be a wonderful addition.

Subject: Building Committee Studies and CADD
Date: Monday, March 6, 2023 at 10:18:17 AM Eastern Standard Time
From: Richard W. White
To: First Selectman, councilchairman@trumbull-ct.gov, hayesob13@gmail.com
CC: Vicki Tesoro, Cynthia Katske, Mary Ellen Lemay, George Estrada, Ashley Gaudiano, Mike Buswell, dwcan@charter.net
Priority: High
Attachments: image001.png

The Town of Trumbull's Building Committee has repeatedly not been providing reports, presentations, and requested documents, prior to public meetings, and have not been following our Town Charter. They have also NOT been discussing the public portions of the scope-of-work pertaining to various contracts and sub-contracts prior to moving into Executive Session.

I would like to ask that the Building Committee postpone the review of the Traffic Study on Wednesday until after the documents that have been requested have been made public with enough time for proper review and comparison. Specifically, I am referring to the scope-of-work for the Traffic Study, the draft or final report being presented on Wednesday, and any Power Point presentation being presented on Wednesday. I would also like any CADD design files that may have been supplied to the firm that completed the Traffic Study.

If these documents are being shared with the committee prior to Wednesday's meeting and not the public, this is in clear violation of our Town Charter. If these documents are not being shared with the committee prior to Wednesday's meeting, how can committee members possibly be expected to provide proper oversight?

I don't believe that these documents are being withheld out of any nefarious plan to keep other committee members; other committees such as our Town Council, Conservation Commission, P&Z, and Wetlands; or even the public in the dark. Every request that I have made through the First Selectman's office has been granted and fulfilled. Every request that I have made through public comment or direct appeal to the Building Committee have been less than forthcoming; the end result is that the public is in the dark.

Additional details are below. Please feel free to reach out to me directly with any questions or clarification.

Richard

Georeferenced CADD Design Files

I have repeatedly requested georeferenced drawing files or other CADD design files for the current site plan and prior site plans from the committee's architect. I am not the only individual making this request. Members of our Conservation Commission and members of our Planning and Zoning Committee have made similar requests. I have asked during public comments before the Town Council, Building Committee, and Conservation Committee. I have also asked members of the committee privately.

Why is this important?

IMO, the current site plan violates both commercial and residential setback distances in our Planning and Zoning regulations, the total increase in impervious surface crosses thresholds that would require state and further wetlands review, and that the lower parking area clearly intersects the USDA Soils and CT DEEP Soils datasets that indicate the most steep soils draining directly into the Pequonnock River Watershed.

Additionally, the Traffic Study is likely going to recommend that trees on the southeast corner of Church Hill Road and Hardy Lane be greatly cleared back, possibly including an old Pin Oak that has been called out by the naturalist who has been working with our Conservation Commission.

I just reviewed RFP 6181 from 2016 and the number two requirement for the selected architectural firm is that they be able to deliver CADD files compatible with the latest version of AutoCAD.
<https://trumbull-ct.gov/ArchiveCenter/ViewFile/Item/3011>

Note: I have offered that if the committee's architect is unable to provide "georeferenced" drawing files, I can georeference them myself and will provide them back to the town.

Note: I am assuming that the town has somehow renewed our contract with the committee's architect. It's been nearly 8 years and QA+M's corporate name appears to have changed since the initial contract was approved by our Town Council in 2016.

Traffic Study Scope-of-Work, Final or Draft Report, and Presentation

During public comment prior to the last Building Committee Quarterly Report before Town Council, I was going to touch on the fact that the scope-of-work for the Traffic Study had not been discussed in public. I didn't bring this up in my comment because of the amount of detail that I have been seeing in Town Council Agenda has been exemplary. My plan was to point this as an example to the Building Committee prior to discussion on the Environmental Study.

Using our Town Council's discussion of the study for our Police pension as an example, details were provided prior to the meeting in the agenda document, Ashley allowed for as much discussion that didn't require Executive Session in public, and only after the members had exhausted their public questions did our Town Council move into Executive Session.

Also, Hardy Lane is not the only traffic study recently commissioned by the town. The committee and public should be able to compare the prepared report for Hardy Lane with the traffic study for Old Church Hill Road, any traffic studies for Trumbull Center, and any traffic studies for Long Hill Green. Technically, all are related as connected corridors through town. I already have the traffic study for Old Church Hill Road, but I'd like to request the others.

Why is this important?

The committee's architect has stated several times that "traffic" is his biggest concern with the selection of the Hardy Lane properties. He recommended that the entire corridor from Trumbull Center through Town Hall and Main Street be studied. He stated that problems elsewhere in the corridor might be solved with improvements at Hardy Lane. Conversely, several members of the Building Committee and staff have commented that additional traffic control will NOT be needed at Hardy Lane.

The committee went out of its way to avoid the end of summer and the beginning of the school year

period, Thanksgiving week, and Christmas week and school winter break. All of this was important and appropriate. However, I noticed that pneumatic traffic counters were out over the long President's Day holiday weekend. This may have been a final and simple correlation check as I could have sworn I saw the newer digital traffic counters out a few weeks before. The scope-of-work would outline what the town was looking for and the final report would provide any details.

The scope-of-work will outline exactly what the town has purchased in a "Traffic Study". Will the entire corridor be studied? Will additional traffic control devices be allowed? Turning lanes? What provisions for pedestrian crossings will be included? New sidewalks on Church Hill Road? What tree removal on the Hardy Lane properties will be required to improve line-of-site? Were the prior traffic studies at Old Church Hill Road, Trumbull Center, and Long Hill Green provided and asked to be referenced?

Also, my assumption has been that the committee's architect has already provided any CADD design files to the firm conducting the Traffic Study.

Environmental Study Scope-of-Work

During public comments before the last Building Committee meeting when they decided to move forward with an Environmental Study, I pointed out that the scope-of-work for the Traffic Study had never been made public and I asked that the Building Committee discuss as much of the Environmental Study in public before moving into executive session. I was flabbergasted when not 10 seconds after I concluded my remarks the Chair asked for a motion to move into Executive Session with zero public discussion.

Why this is important

As most of you know, I've been working with the environmental data that goes into Phase I and Phase II Environmental Site Assessments (ESA) for much of my professional career. An "Environmental Study" means many things to many people. Given the price of the study, I've been assuming that the environmental study will be a construction engineering soils study, a Phase II Environmental Site Assessment to investigate any fill on the property and if any underground storage tanks remain on the property. It may also include any required construction stormwater discharge permits and reports with DEEP.

Given that the committee's architect has repeatedly commented that the traffic is concerning, I have asked if the Engineering Study is being delayed until after the Traffic Study has been reviewed. Why overlap these two studies?

I have a copy of the Phase I ESA that was requested by Land Acquisition; I'll note that we discussed the need for this study in public session. Again, my assumption has been that committee's architect has provided the CADD design files to the firm conducting the Environmental Study.

Executive Session was not required for any of these items. While I have zero idea what was actually discussed in Executive Session, surely someone asked if the two studies would overlap and what items were actually being requested in the environmental study. This question alone should have been asked in public session.

Finally

I have been assuming that the reason the traffic and environmental studies have not been posted to

the town's Purchasing website is because they are technically sub-contracts that fall under are contract with the architect. I would like to request a copy of that contract.

Richard W. White | Principal
Cell 203.561.6045