

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

TOWN HALL
Trumbull

TELEPHONE
(203) 452-5000



MINUTES
APRIL 5, 2021

CALL TO ORDER: The Chair called the meeting to order at 7:30 p.m. All present joined in a moment of silence and the Pledge of Allegiance. The Chair asked all those present to remember the recent gun violence victims and their families in the moment of silence.

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

<u>PRESENT:</u>	Dawn Cantafio	Eric Paulson	Joanne Glasser-Orenstein
	Kevin Shively	Mary Isaac	Patricia Borghesan
	Michael Miller	Ashley Gaudiano	Stephen Lemoine
	Jason Marsh	Tony Scinto	Nicole Satin
	Thomas Whitmoyer	Carl A. Massaro, Jr.	Carole Hans
	Donna Seidell	Bill Mecca	Lori Rosasco-Schwartz
	Joy Colon	Bruce Elstein	Lisa Valenti

ALSO

PRESENT: First Selectman Vicki A. Tesoro, Chief Administrative Officers, Cynthia Katske and Kathleen McGannon, Town Attorneys Daniel Schopick and James Nugent, Finance Director Maria Pires, Bond Counsel Joseph Fasi, Labor Relations Director Thomas McCarthy, Fred Greene of CIRMA, Human Services Director Michele Jacab, Public Works Director George Estrada, Town Engineer William Maurer, Economic & Community Development Director Rina Bakalar

*The Chair reserves the right not to vote unless otherwise noted.

PUBLIC COMMENT: There were twenty-eight (28) people present to speak. (Public Comment Attached)

APPROVAL OF MINUTES: Moved by Gaudiano, seconded by Glasser-Orenstein to approve the March meeting minutes as submitted.

VOTE: Motion CARRIED by unanimous consent.

DISCUSSION ITEM:

- *Sexual Assault Awareness Month and Child Abuse Awareness Month*

Lisa Iabell, Director of Development and Community Outreach under Family Justice in Bridgeport explained April is child abuse and also sexual assault awareness month. CFJ offers free and confidential services for all victims and survivors of domestic violence, sexual violence and child abuse in the communities of Trumbull, Bridgeport, Easton, Fairfield, Monroe and Stratford. They also provide community education designed to break the cycle of violence and abuse. Last year they provided these services to over 7,000 people from their six towns, many live here in Trumbull.

In 2020, CFJ provided crisis services to more than 400 adults impacted by sexual violence. In addition, they worked with more than 200 children impacted by extreme abuse often of a sexual nature; seven of those children were from Trumbull. These numbers are disturbing but not surprising. It is estimated that every 43 seconds someone is sexually assaulted in our country; every 9 minutes that victim is a child.

There are some simple things we can all do to raise awareness and support prevention efforts related to these important issues and hopes you choose one and run with it:

- Wear the color teal to show your support for sexual assault survivors.
- Take a photo and share it on social media explaining why you care about ending sexual violence.
- Display a blue pinwheel on social media. The blue pinwheel represents innocence and is a national symbol for child abuse prevention.
- Join CFJ for their virtual “Walk A Mile In Her Shoes” awareness event which runs the month of April. The walk is open to anyone and focusses on the roles men and boys play in preventing violence against weekend. Details are on the CFJ website, www.centerforfamilyjustice.org.

At CFJ they believe these simple steps can have a real impact on preventing sexual violence and violence against children and hopes you will join them in these efforts.

- *Member-Directed Community Project Funding from the Federal Government*

Economic & Community Development Director Rina Bakalar explained there is a building committee in place facilitating the development of the Veteran’s & First Responders Center at Kaatz Pond. They have been working diligently to make the project shovel ready, which means it will be fully designed and ready to go out to construction bid. The Town has provided the location. The BOF and Town Council provided the design money and now they are seeking grants for the construction. They have been awarded a STEAP grant for the beginning of the construction for that project covering the demolition of the existing structure and basic site preparation. Now they are seeking funding for the construction of the facility, which is approximately a \$3 million budget. Back in December, they have worked with their federal delegation representatives because there were federal earmarks under a new name Membered Directed Community Program Project funding. Congressman Hime’s office has issued a process by which they can

apply. They have had several meetings with them. They also met with Senator Blumenthal and Murphy's offices to talk with the senate side and try to muster support for the project. She will be submitting their full application to Congressman Hime's office on Thursday for the initial phase of applications.

The reason this is just a discussion item is because vet projects are vetted before they are a formal applicant. They will come back with a formal resolution if they are selected to go forward. They wanted to advise the Council on what they are doing and what kind of funds they are pursuing. They will apply for \$3 million in construction funds. If selected and awarded the funds would be available in the fall and could then go out to bid. This is a very competitive process, most grants are a 1/3 idea, 1/3 following directions and 1/3 politics. She would say this is 70% politics and 30% the other 2 pieces.

The committee has been helping them get support letters, to be eligible documenting broad and regional community support is required. All construction design documents will supplement the application. This is the most shovel ready project she has ever seen and that is a credit to all who have allowed them to get to this point.

They are applying under the Finance and General Government category. This is a Veteran's & First Responder Center that provides workforce training, access to other services that small businesses in the community will use. Her office will use it for events; it will be rented out to the community for community events. All of this makes this very appealing and appropriate for that category. In the coming weeks they will hear more on the status of the project. The \$3 million is for the physical construction and some FFE, but not computers. They have discussed going out for donations for the fit-out and computers.

NEW BUSINESS:

1. RESOLUTION TC28-159: Moved by Whitmoyer, seconded by Borghesan
BE IT RESOLVED, That Abigail Whitmoyer of 30 Lansing Avenue, be and the same is hereby appointed as a member of the Trumbull Day Commission for a term extending to September 1, 2022.

Committee Report: The Finance Committee met on March 29, 2021 and voted by unanimous consent.

VOTE: ADOPTED by unanimous consent

2. RESOLUTION TC28-160: Moved by Isaac, seconded by Glasser-Orenstein
BE IT RESOLVED, That Jennifer Uriguen of 235 Tashua Road, be and the same is hereby appointed as a member of the Trumbull Day Commission for a term extending to September 1, 2024.

Committee Report: The Finance Committee met on March 29, 2021 and voted by unanimous consent.

VOTE: ADOPTED by unanimous consent

3. RESOLUTION TC28-161: Moved by Paulson, seconded by Borghesan
BE IT RESOLVED, That the First Selectman having recommended the appointment of Kathleen Champion of 39 Under Cliff Road, as a member of the Police Commission, Kathleen Champion be and the same is hereby appointed to the Police Commission for a term extending to the first Monday of December 2021.

Committee Report: The Finance Committee met on March 29, 2021 and voted 4-1-1.

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

	AYE	NAY	ABSTAIN
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carole Hans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicole Satin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kevin Shively	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas Whitmoyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason Marsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Massaro, Jr.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser-Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Rosasco-Schwartz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patricia Borghesan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTE: ADOPTED 13-5-2 (AGAINST: Seidell, Scinto, Rosasco-Schwartz, Lemoine Massaro) (ABSTENTION: Miller, Colon)

4. RESOLUTION TC28-162: Moved by Scinto, seconded by Glasser-Orenstein

BE IT RESOLVED, That the Town of Trumbull is hereby declared a Pollinator-Friendly Community and encourages and supports pollinator health and urges the community members to adopt pollinator-friendly practices.

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent.

VOTE: ADOPTED by unanimous consent

5. RESOLUTION TC28-163: Moved by Hans, seconded by Gaudio
BE IT RESOLVED, That the submission of a funding application for the Caregiver Services Grant is hereby authorized, and identifies Vicki A. Tesoro, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (Full Resolution Attached)

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent.

VOTE: ADOPTED by unanimous consent

Moved by Glasser-Orenstein, seconded by Whitmoyer to pass as Emergency Legislation.

VOTE: Motion CARRIED by unanimous consent

6. RESOLUTION TC28-164: Moved by Borghesan, seconded by Whitmoyer
BE IT RESOLVED, That “RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$10 MILLION TOWN OF TRUMBULL GENERAL OBLIGATION REFUNDING BONDS, AUTHORIZING COMBINING INTO ONE ISSUE AND MAKING DETERMINATIONS WITH THE REFUNDING BONDS ANY OTHER AUTHORIZED BUT UNISSUED BONDS OF THE TOWN, AUTHORIZING AGREEMENTS FOR THE INVESTMENT OF REFUNDING ESCROW AND ITS REINVESTMENT OVER ITS TERM” is hereby approved. (Full Resolution Attached)

Committee Report: The Finance Committee met on March 29, 2021 and voted by unanimous consent.

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

	AYE	NAY	ABSTAIN
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carole Hans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Nicole Satin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Shively	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas Whitmoyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason Marsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Massaro, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser-Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Rosasco-Schwartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Borghesan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Lemoine	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> (Inaudible)
Lisa Valenti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTE: ADOPTED 19-0-1 (ABSTENTION: LEMOINE)

Moved by Marsh, seconded by Elstein to add Resolution TC28-175 to the agenda

VOTE: Motion CARRIED by unanimous consent

7. RESOLUTION TC28-175: Moved by Massaro, seconded by Rosasco-Schwartz
 BE IT RESOLVED that the Town Attorney be and the same is hereby authorized to enter into a Consent Order with the State of Georgia, Department of Natural Resources, Environmental Protection Division, to settle a certain claim resulting from the identification of the Town of Trumbull as a Potentially Responsible Generator under Georgia's Hazardous Site Response Act and with regard to a hazardous waste site owned by N.L.Bassford, Jr. and leased to Care Environmental Corp.

Moved by Marsh, seconded by Gaudiano to ENTER into Executive Session to discuss pending litigation.

VOTE: Motion CARRIED by unanimous consent.

The Town Council ENTERED into Executive Session for the purpose of discussing pending litigation at 9:18 p.m. with the following people present:

Dawn Cantafio	Eric Paulson	Joanne Glasser-Orenstein
Kevin Shively	Mary Isaac	Patricia Borghesan
Michael Miller	Ashley Gaudiano	Stephen Lemoine
Jason Marsh	Tony Scinto	Nicole Satin
Thomas Whitmoyer	Carl A. Massaro. Jr.	Carole Hans

Donna Seidell Bill Mecca Lori Rosasco-Schwartz
Joy Colon Bruce Elstein Lisa Valenti
Cynthia Katske Kathleen McGannon Maria Pires
First Selectman Tesoro
Attorney Daniel Schopick
Attorney James Nugent

Moved by Glasser-Orenstein, seconded by Elstein to END Executive Session.
VOTE: Motion CARRIED by unanimous consent
The Town Council ENDED Executive Session at 9:31 p.m.

VOTE: ADOPTED by unanimous consent

Moved by Elstein, seconded by Massaro to pass as emergency legislation.
VOTE: Motion CARRIED by unanimous consent

8. RESOLUTION TC28-165: Moved by Rosasco-Schwartz, seconded by Gaudio
BE IT RESOLVED, That a labor agreement between the Town of Trumbull and the Fire Marshal's Union Local 1303-277, Council 4, AFSCME, AFL-CIO July 1, 2020 through June 30, 2022 and the funding therefor is hereby approved.

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent.

The Town Council recessed to a non-meeting

VOTE: ADOPTED by unanimous consent

9. RESOLUTION TC28-166: Moved by Valenti, seconded by Borghesan
BE IT RESOLVED, That the Town attorney is hereby authorized to settle a workers compensation claim known as Brian Orkisz v. the Town of Trumbull.

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent.

VOTE: ADOPTED by unanimous consent

Moved by Glasser Orenstein, seconded by Elstein to pass as emergency legislation.
VOTE: Motion CARRIED by unanimous consent

10. RESOLUTION TC28-167: Moved by Satin, seconded by Borghesan
BE IT RESOLVED, That the submission of the funding application to the LOTCIP program for the Spring Hill Road improvements is hereby authorized and identifies Vicki A. Tesoro, First Selectman as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (Full Resolution Attached)

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent.

VOTE: ADOPTED by unanimous consent

Moved by Glasser-Orenstein, seconded by Mecca to pass as emergency legislation.

VOTE: Motion CARRIED by unanimous consent

11. RESOLUTION TC28-168: Moved by Mecca, seconded by Borghesan
BE IT RESOLVED AND ORDAINED That Chapter 19 of the Municipal Code (Utilities) be and the same is hereby repealed and the following substituted in its place. (Full Ordinance Attached).

The Chair OPENED the Public Hearing at 9:43 p.m.

There was no one from the public to speak.

The Chair CLOSED the Public Hearing at 9:44 p.m.

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent.

VOTE: ADOPTED by unanimous consent

Moved by Glasser Orenstein, seconded by Colon to pass as emergency legislation.

VOTE: Motion CARRIED by unanimous consent

12. RESOLUTION TC28-169: Moved by Colon, seconded by Whitmoyer
BE IT RESOLVED, That the transfer of ownership of 104 square feet of property at 366 Church Hill Road from the Town of Trumbull to the State of Connecticut for the maintenance of the culvert is hereby approved and Vicki A. Tesoro, First Selectman, is authorized to execute all documents required to complete said conveyance.

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent.

VOTE: ADOPTED by unanimous consent

13. RESOLUTION TC28-170: Moved by Miller, seconded by Gaudio
BE IT RESOLVED, That Chapter IV, Sections 2D, 3A, and 3B of the Charter of the Town of Trumbull are hereby amended for the sole purpose of modifying its budget adoption dates pursuant to Section 7-191b of the Connecticut General Statutes. (2/3 Vote of the Town Council Required) (Full Resolution Attached)

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent to amend and voted unanimously.

Moved by Glasser-Orenstein, seconded by Whitmoyer to amend by adding the following language to section 3B:

B. The Town Council shall consider the budget recommended by the Board of Finance and shall adopt a budget no later than the second (2nd) Monday in May, except for calendar year 2021 only when the Town Council shall adopt a budget no later than the fourth (4th) Monday in May and submit the same to the first selectman within two (2) days of adoption.

VOTE: Motion CARRIED by unanimous consent

VOTE: ADOPTED as amended by unanimous consent

Moved by Glasser-Orenstein, seconded by Whitmoyer to pass as emergency legislation.

VOTE: Motion CARRIED by unanimous consent

Mr. Massaro stated there was member of the public prepared to speak during public comment but was not recognized. The Chair indicated public comment had already closed.

The Chair stated the recent controversy regarding the EDIT Task Force has brought to the floor both important issues and fissures in our community if nothing else these conversations have shown us the urgent need for the kind of community dialogue about diversity is what this very Task Force is designed to foster. At the same time, the debate over the Task Force has become unproductive. Inflammatory statements on social media clearly aimed at disbanding the EDIT Task Force before it had begun to engage in its mission have stroked unchecked emotions. The divisiveness that ensued has served to simplify an exceedingly complex issue. It is time for a fresh start. In recognition of the need for EDIT to continue its work the Town Council is considering this resolution to appoint a chair and vice-chair of the EDIT Task Force, and to fill the vacancies so it may resume its essential duties serving our town and ensure that there is better and more established means of communication between the committee and the Town Council.

14. RESOLUTION TC28-171: Moved by Gaudio, seconded by Borghesan
BE IT RESOLVED, That the Town Council affirms the existence and importance of the EDIT Task Force, EDIT's Mission "to strengthen Trumbull's identity as a diverse, equitable, and inclusive community", and to further assist the EDIT Task Force to accomplish its mission, the EDIT Task Force shall not meet or conduct business until such time as the EDIT Task Force has its full complement of 8 members appointed by the Town Council and at which time the Town Council also will appoint a new Chairman and Vice Chairman. (Full Resolution Attached)

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent to pass without recommendation.

Moved by Marsh, seconded by Glasser-Orenstein to amend by striking the word "new" immediately prior to the word chairman in the last sentence.

Mr. Marsh explained it is a clarifying amendment confirming the Council has the ability to appoint the committee’s chair and vice-chair. It does not suggest there will be a change in leadership. Once the committee is repopulated, the Council will reexamine the committee in its totality. Mr. Massaro agreed the Council should make the appointment because it failed miserably last summer. Mr. Massaro clarified that the Council had failed.

Ms. Colon stated the committee was new and has done a very good job. Injustice anywhere is a threat to justice everywhere, whatever affects one directly affects all indirectly. The entire group felt that. The ultimate measure is not where we stand in moments of comfort and convenience but where we stand in times of challenge and controversy. We cannot put process over prosperity; we have to consider it all. This resolution nor the subsequent ones put into perspective that process over the prosperity. The answer to injustice must always be solidarity. EDIT has a chair, the first person of color to chair a Task Force. She supports EDIT, its mission, members past and present.

Mr. Massaro stated Mr. Klain last summer was reticent to approve the resolution without giving guidance to the Task Force and the Council has failed to do that. What ensued may have started off on the right foot but quickly went aground. The resolution presented is an offshoot of the two that follow, the two he submitted at the end of February. He is glad to see they were taken to heart and there was third resolution. He proposed an amendment. It was noted that there was already an amendment on the floor and he withdrew it.

Mr. Shively questioned the basis of Mr. Massaro’s statement since the committee was preparing to give its first quarterly report, they have already been charged with that and doesn’t understand why we are adding that now.

Ms. Glasser-Orenstein stated she was in favor of the amendment, she supports the chair and the vice-chair of the EDIT committee as well as the whole committee and would like to reaffirm the council’s responsibility to name the chair people and would like to think that is a confirmation of those that are already in place. She supports the current leadership of the committee.

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

	AYE	NAY	ABSTAIN
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carole Hans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicole Satin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Kevin Shively	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas Whitmoyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason Marsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Massaro, Jr.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser-Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Rosasco-Schwartz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patricia Borghesan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VOTE: MOTION CARRIED 13-6-1 (AGAINST: Seidell, Scinto, Massaro, Rosasco-Schwartz Colon, Lemoine) (ABSTENTION: Valenti)

Moved by Massaro, seconded by Seidell to amend by adding the following language: “The Town Council shall develop the scope and Charter for the EDIT Task Force and the procedure of the EDIT Task Force shall be to suggest areas of Trumbull town government where equity, diversity and inclusivity should be reviewed by the Town Council and to provide recommendations to the Town Council for changes and suggested review areas. The EDIT Task Force shall report its activities at least quarterly to the Town Council”.

Mr. Lemoine stated at the July 2020 Council meeting TC28-87 established the EDIT Task Force. The minutes of the meeting reflect statements from the majority party, referring to the committee not being set up as a witch-hunt, not pointing fingers at any department; it would be there to make recommendations on how to improve the community. He then referred to the 1-21-2021 EDIT minutes as to why this motion is needed.

Ms. Glasser-Orenstein watched all of the EDIT Committee meetings and was impressed with the professionalism as well as their objectivity of the issues they were dealing with. There was never any politicking or anything she found divisive. The chairperson of the committee was never anything but graceful and competent at the job. The things that have ensued started on social media and never happened in the meetings. All of this has nothing to do with the content of what EDIT was doing as a committee; they reached out to every department in Town to find ways to work with every department and to make a bridge with each one of them. This amendment is unnecessary. They would have made a

quarterly report had they had another meeting, which they have not. If you watch the meetings, you would not have a question about how responsibly they handled their task.

Mr. Shively seconded what Ms. Glasser-Orenstein's comments. He does not understand what is new about this amendment. He listened very carefully to Mr. Massaro's words but does not understand why it is necessary because everything is already a part of the committee's charge. He questioned what they were adding with this amendment. Mr. Massaro explained when the Council delegates its authority to another body they must make it report to the Council. It has been over 6 months and have never heard a word for whatever the reason. This is more to the Council and its lack of control and addressing the problems. He is not criticizing what the Task Force did or did not do. He has issue with the Task Force's chairman's words posted on social media, her intention was clear and negative. The Council had not brought the Task Force before them to address any of the issues. Instead, the administration had secret meetings to calm the waters. The Council is responsible for the Task Force. Council has the responsibility to direct the Task Force to bring recommendations to the Council to approve. Mr. Shively noted he did not hear anything new or anything introduced which was not already part of their charge. We know they were about to present to the Council but were prevented from doing so from problems that arose from this issue.

First Selectman Tesoro spoke against Mr. Massaro's characterization of the secret meetings and is not sure what he is referring. Mr. Massaro stated he is a senior member of the Council and the minority leader he had been ignored, not part of any discussion. First Selectman Tesoro stated there was a statement put out that she was having those meetings, which brought people together and another statement was put out two days ago in the Trumbull Times. Mr. Massaro stated republicans had not been included. First Selectman Tesoro noted that her door is always open, and they can call her anytime.

Ms. Isaac explained what the EDIT Committee did as follows:
Identified community program opportunities, art contest, partner with Trumbull Arts Commission, Trumbull Public Schools Coalition for Justice, community engagement, strategic planning, community members, meet with representatives of town constituents-stakeholders, EMS, Health Department, BOF, Social Services, Food Pantry, Human Resource, Social Service, P&Z, Accessibility-ADA Compliance Coordinator, Library, Senior Center, First Selectman, Majority & Minority Leaders, Leaders of the Town Council, Superintendent, BOE, Police Chief, Coalition for Social Justice, explore how social justice issues manifest in different areas of education, bring in experts to train staff, curriculum changes, cores created, analysis, adjustment of English curriculum and the list continues. This group was doing an amazing job, they had just started and had just gotten there, and unfortunately, they were cut short. Let us look at what they are doing, it is a shame we have been brought to this point and is shocked on how this has been discussed on social media. She thanked the EDIT Committee for what they have been doing, supports the committee 100%, and wants them to continue with what they are doing.

Ms. Rosasco-Schwartz stated she did support the creation of the Task Force as did all the republican caucus. It is critical to have discussions about diversity and inclusion, they

need to take place in an open and transparent way, but they do need to be formalized. She disagrees with the statements made about being stopped short on the quarterly reports. It is important that we realize they were appointed in September and met in October, November, December. The report was due in January before the events in February. She had read all of the meeting minutes and saw no intention to report to the Council. The Task Force was created with several unanswered questions. Councilman Klain was very reticent to bring this forward without definition. She read Councilman Klain's comment from the July Town Council meeting regarding how politics would be injected into the committee, and that it would be better in the community. Fairfield has a governance structure set up for their committee with a defined charter with reporting instructions. This has been going for 6 months and have not received a report on their activities, initiatives or suggestions. To ensure full transparency the Task Force's charter must be clear of what the governance requires to ensure accountability. This body in a bipartisan fashion needs to work together to get this Task Force on course by establishing its directive and giving it clear guidelines under which they will operate.

Mr. Marsh agreed they need to support this in a bipartisan fashion and noted the EDIT Committee was not receiving the type of participation from the republican caucus from its inception. He was interviewed for 1½ hours by the vice-chairman of the committee as part of their mission and the vice-chair noted with regret that with many attempts to reach the Minority Leader Massaro went unheard. If you want to have a voice in the committee and you want to see the committee do certain things, participate. To claim the committee is not doing its job is disingenuous. Ms. Rosasco-Schwartz stated she is the Deputy Minority Leader and she had never had anyone reach out to her, if Mr. Massaro wasn't available she would have appreciated that someone would have reached out to her. Mr. Marsh indicated that Mr. Tropp had reached out to Mr. Massaro on 3 occasions.

The Chair noted that she was available to be contacted if someone has questions. The Chair stated she did reach out to the EDIT Committee on February 5 to get the quarterly report.

The Chair indicated she had reached out to the EDIT Committee and so did Ms. Gaudiano, Ms. Colon, and Ms. Glasser-Orenstein. Mr. Scinto watched the first meeting where former Chairman Thornton attended and handed it off to them. It appeared they did not have guidance or a jumping off point. There are only five of their caucus and no one calls anyone unless he calls or sends an email. The EDIT Committee is new to running a meeting; someone should have sat down with them to show them how to run a meeting. The Chair explained they do have a town attorney sitting in on the meetings to guide them. Attorney Schopick explained to Mr. Scinto the committee does not run on the Building Committee rules, but follow Robert's Rules of Order, and state FOIA statutes. Building Committee Rules would not be relevant to the work they are doing they apply to construction projects. This committee would report to the Council.

Mr. Scinto thinks the committee should report every month, they need more structure and should report monthly until they move in a better direction. Ms. Isaac stated the committee was just going to do their quarterly report when this fall out happened. Mr.

Scinto stated the THS Building Committee came every week or 2 weeks. This committee should come every month or every 2 weeks whatever it takes to get on the right track. Ms. Isaac noted the Council does not meet every 2 weeks. Ms. Gaudio explained Council members have the opportunity to attend every committee meeting, watch the replays, and reach out to them one on one. The committee was set to report to the Council, maybe a month late but the Council also had a change in Chair, and then this happened, which caused the need to reintroduce. When we look at equity, diversity and inclusion work it is difficult and broad work. The idea of ensuring they have guidance and can move forward effectively is valid, they met 3-4 times. They met and were set up, it's a hard first meeting no matter what, and met 2-3 times after that.

Mr. Miller stated Mr. Scinto watched the first EDIT Committee meeting and cast his full judgement, but did not reach out to any of the members. Mr. Scinto stated he had reached out to the chairman of the Council. Mr. Miller noted it is telling that Mr. Scinto only reached out to the Council chair and not the committee. This is all noise created outside of EDIT's purview, outside of the Council, it's embarrassing to the group and can't believe we have come to this point when everyone who spoke about the committee was for it and had good reviews about the committee. If all the meetings were watched, you would notice the committee was going about its purview in a different way than one would in a regular meeting, that's ok especially when it's a committee that is trying to foster equity, and diversity. There is no reason to pretend a newly formed committee will have all the answers or that the chairperson would be treated abysmally by other residents in town for one comment she made and deleted. We should reexamine ourselves and look at how we treat each other and what we think is proper. He spoke against the amendment and spoke in favor of the EDIT and the leadership of the committee.

Mr. Shively noted Mr. Massaro did correctly reference the committee should be reaching out in January for the quarterly report. On Monday, January 18th the Chair of the committee did reach out to leadership of the Town Council and did have a discussion, the committee was going to be prepared to put together and decide on a report to the Town Council at their February meeting, the February meeting never happened because of everything that was going on. They did reach out on January 18 to the Town Council leadership to try do what they were asked to do.

Mr. Mecca stated he would like to vote as the voting will speak to how they move forward.

Mr. Massaro restated his motion as follows, "The Town Council shall develop the scope and Charter for the EDIT Task Force and the procedure of the EDIT Task Force shall be to suggest areas of Trumbull town government where equity, diversity and inclusivity should be reviewed by the Town Council and to provide recommendations to the Town Council for changes and suggested review areas. The EDIT Task Force shall report its activities at least quarterly to the Town Council".

Mr. Massaro noted the purpose of this is to impose reporting requirements on EDIT and require the Town Council action to approve all recommendations of the TASK Force.

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

	AYE	NAY	ABSTAIN
Mary Isaac	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carole Hans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nicole Satin	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Shively	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas Whitmoyer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jason Marsh	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carl Massaro, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser-Orenstein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lori Rosasco-Schwartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Borghesan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Lemoine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VOTE: Motion FAILED 5-14-1 (IN FAVOR: Massaro, Seidell, Rosasco-Schwartz, Scinto, Lemoine) (ABSTENTION: Valenti)

Mr. Shively stated he would not be supporting the resolution because he believes the issue should have never have become an issue from the start. Months old social media post was pulled out of context and mischaracterized whether intentionally or otherwise as a demonstration of hatred and bias against our police department, which the post did not mention. He knows that was not the intention of the post because he spoke to the person who wrote it. That should be the bare minimum of anyone to suggest they know what a person is thinking behind a social media post. The public attacks and threats that followed against this member of our community are unacceptable and should not be tolerated. No one, no group nor any individual should ever be allowed to make any member of our community fear for their safety or the safety of their family. The second reason he will not be voting for this resolution as it currently stands he does not believe it

is either necessary or appropriate to discuss the leadership of the committee until we know who will be the new members of the committee. He believes now is the time for the Council to focus on working together in a bipartisan way to nominate and approve new members to the committee to bring it back to its full complement of 8 members. That should be the focus and looks forward to working with Council colleagues to make that happen. He remains committed to the efforts begun by the Equity, Diversity and Inclusion Task Force and the important work of informing our local government as to how we can continue to welcome all people of all people of any race, ethnicity or background to our town and support them as our neighbors. If we learn anything from this experience is just how important this effort is for the fellowship of our town, therefore to address his concern he made the following motion.

Moved by Shively to amend, seconded by Glasser-Orenstein to amend by striking the last fifteen (15) words and end with the words, “until such time it has its full complement of eight (8) members appointed by the Town Council”.

Ms. Satin read a statement:

She would like to make it very clear to all Trumbull residents that her votes regarding EDIT tonight will have one objective in mind only. The objective is to see that the work of EDIT can continue to move forward in Trumbull in a productive manner, continuing to build the foundation that is durable, and withstands difficult and challenging test of our time. One thing she has realized after many years of getting it wrong is that often what plays out in the realm of social media gives very narrow perspective of the truth. It is often misinformation leaving out the opportunity for nuance and complexities of a difficult situation. For some this is an easy answer, for her and for others here tonight it was not. She chose to take a pragmatic position rather than an impassioned one, which for those that know her well is not typical of her nature, is an understatement. She has not been following this issue on social media, but rather listening to discussion and engaging in thoughtful debate. She is missing information that is rightfully confidential. She wholeheartedly supports every American’s first amendment rights and does not believe any American deserves to be threatened with cross burning and racist remarks especially on the very page of an organization designed to protect those who have taken an oath to protect their citizens. Every American deserves to feel and be protected by those placed in a position of leadership and power to do so. Her votes will strictly be to ensure Trumbull continues to strongly embrace and build upon equity, diversity and inclusion at a time in our history we have once again come to a deeply unfortunate crossroad and hopes we can all choose the right road forward toward a stronger more unified community.

Ms. Gaudiano added she feels strongly that who appoints the chair has to be spelled out, whether it is a new chair or the same chair affirmed, that is within their purview to name. They need to make it clear in this resolution that the Council is the body that names the two positions along with all of the members.

Mr. Shively repeated his amendment, “Strike the last fifteen (15) words referencing the naming of the chair and vice-chair and simply end the resolution with the words, “until

such time it has its full complement of eight (8) members appointed by the Town Council”.

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

	AYE	NAY	ABSTAIN
Mary Isaac	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carole Hans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nicole Satin	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kevin Shively	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas Whitmoyer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jason Marsh	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carl Massaro, Jr.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser-Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Rosasco-Schwartz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patricia Borghesan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VOTE: Motion FAILED 6-13-1 (IN FAVOR: Miller, Shively Glasser-Orenstein, Paulson, Colon, Elstein) (ABSTENTION: Valenti)

Mr. Massaro moved to amend both TC28-171 and TC28-87. Attorney Schopick stated 28-87 is not on the floor at this meeting. Mr., Massaro noted that 28-87 was the founding resolution. The purpose of the amendment is to bring true inclusion to promote full discussion of issues by the EDIT Task Force.

Ms. Glasser-Orenstein stated they already have a chairman and a vice-chairman in place by default the amendment would require one of them leave their positions so she could not support the change, but in theory she likes it. Mr. Massaro explained in a previous committee they had named dual chairs one republican and one democrat and explained if you are going to put trust and confidence into the body you have to inject bipartisanship.

Point of Order called by Mr. Shively. Robert's Rules requires any amendment to something previously adopted requires a 2/3 vote without notice and a majority vote with notice, because there is no notice ahead of time it would require a 2/3 vote to go back to TC28-87. Atty. Schopick agreed because TC28-87 is not on the agenda. Mr. Massaro revised his amendment to exclude TC28-87 and apply it to tonight's resolution. He withdrew the motion and excluded TC28-87.

Mr. Lemoine stated the selection process of this Task Force has been a failure and has failed to properly vet its members, which has led to the divide in the community. The republican caucus made a motion at the July 2020 meeting to make the selection process of the EDIT Task Force more inclusive, which was voted down by the majority party. TC28-171 repeats the same failures in the selection process as it did in TC28-87, which has led to the current situation. He voted in favor of TC28-87 in spite of his reservations in the selection process. They were told by the majority party to trust they would get it right, it did not. Unless the process changes the Task Force will not have his support and thinks it will repeat the same mistakes it has.

Ms. Rosasco-Schwartz echoed Mr. Lemoine's comments. When they supported the creation of the Task Force, they understood it was established to bridge a divide amongst a diverse group of people with different perspectives. Inclusion means not just for one but for everyone. The way it was established there was no one recommended by the town committees. The republican caucus wasn't asked if there was anyone they wanted to nominate. She questioned why that was. We would be better served by having different people with diverse opinions, party affiliations and thought. The dialogue remains an important one to have. This resolution is important because it will give a level of assurance that diversity of thought is in fact included in this Task Force and does not believe she sees that.

Ms. Isaac explained when EDIT was formed at a long meeting, it was suggested that the republicans bring people to the table; it was discussed and it was asked and specifically remembers Ms. Gaudiano saying they would love everyone to bring someone to the table. Ms. Rosasco-Schwartz stated there was no one that reached out to the republicans for nominations.

Ms. Colon explained there were people who reached out on their own, in terms of vetting process it's an interest like any other. There were some great people.

Mr. Miller stated having diversity of thought does not come from equal representation of parties rather than the make-up and quality of its members. The members did put thought and process in what they were doing. Ms. Rosasco-Schwartz stated she does not believe there was fair representation of the ideologies of the republican conservative thinkers.

Mr. Shively noted the EDIT Committee never had more than 4 democrats that is 1 less of the maximum the Charter allows.

Ms. Gaudio stated to the public if they are interested in serving on this committee they could fill out the committee/commission application available through the first selectman’s office and on the website too. She hopes people fill out the application and that people of all walks of life who are less concerned with party affiliation and more concerned diversity of thought and background apply.

First Selectman Tesoro noted the committee application is posted online on several places on the Town website or they can call her office and they will send it to them.

Ms. Borghesan asked the question be moved.

The Chair noted the vote is on Mr. Massaro’s amendment.
The clerk read the amendment.

Moved by Massaro, seconded by Rosasco-Schwartz to amend by adding the following language, “The eight (8) member body of the Task Force shall have no more than four (4) members registered to vote with the same political party affiliation and the vice-chairman and chairman shall not be from the same political affiliation”.

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

	AYE	NAY	ABSTAIN
Mary Isaac	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carole Hans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nicole Satin	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Shively	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas Whitmoyer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jason Marsh	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carl Massaro, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser-Orenstein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lori Rosasco-Schwartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Borghesan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudio	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Stephen Lemoine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VOTE: Motion FAILED 5-14-1 (IN FAVOR: Seidell, Scinto, Massaro, Rosasco-Schwartz, Lemoine) (ABSTENTION: Valenti)

The clerk read the current resolution as amended
 “BE IT RESOLVED, That the Town Council affirms the existence and importance of the EDIT Task Force, EDIT’s Mission “to strengthen Trumbull’s identity as a diverse, equitable, and inclusive community”, and to further assist the EDIT Task Force to accomplish its mission, the EDIT Task Force shall not meet or conduct business until such time as the EDIT Task Force has its full complement of 8 members appointed by the Town Council and at which time the Town Council also will appoint a Chairman and Vice Chairman. (Full Resolution Attached)” The amendment strikes the word “new” before the Chairman and Vice-Chairman.

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

	AYE	NAY	ABSTAIN
Dawn Cantafio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carole Hans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicole Satin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kevin Shively	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas Whitmoyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason Marsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Massaro, Jr.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser-Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lori Rosasco-Schwartz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patricia Borghesan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Stephen Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VOTE: ADOPTED 12-8-1 (AGAINST: Miller, Shively, Colon, Seidell, Scinto, Massaro, Rosasco-Schwartz, Lemoine) (ABSTENTION: Valenti)

*THE CHAIR VOTED

15. RESOLUTION TC28-172: Moved by Lemoine, seconded by Massaro
 BE IT RESOLVED, That Resolution TC28-87 is hereby amended that the Equity, Diversity and Inclusion Task Force be expanded to a nine (9) member body to include a member of the Trumbull Police Department and that such member be and the same is here by appointed.

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent to pass without recommendation.

Moved by Massaro, seconded by Rosasco-Schwartz to refer back to committee.
 VOTE: Motion CARRIED by unanimous consent

16. RESOLUTION TC28-173: Moved by Massaro, seconded by Rosasco-Schwartz
 BE IT RESOLVED, The Equity, Diversity and Inclusion Task Force shall suspend its activities until such time as the Town Council reviews it charge, the Task force provides a quarterly report to the Town Council and a new Chairperson of the Task Force is selected.

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent to pass without recommendation.

Moved by Marsh, seconded by Paulson to TABLE.
 The resolution is moot.
 VOTE: Motion CARRIED by unanimous consent

17. RESOLUTION TC28-174: Moved by Glasser-Orenstein, seconded by Massaro
 BE IT RESOLVED, That the TOWN COUNCIL of the TOWN OF TRUMBULL opposes any State Mandated one size fits all Zoning Legislation and the ability of any outside housing authority to have jurisdiction on our town’s Affordable Housing plan and any similar legislation that would further overrule, remove or diminish local control and decision making related to planning and zoning or affordable housing from the Town OF Trumbull. (Full Resolution Attached)

Committee Report: The L&A Committee met on March 29, 2021 and voted by unanimous consent.

Mr. Marsh stated at committee he was in support of the concept of the resolution. There are facts that have come to light since that time. He supports in concept that we don’t

want to reduce home rule but is now more tepid of the republican caucus's resolution and will abstain from the vote.

Ms. Gaudio noted the resolution asks the Town Council to declare its opposition to senate Bill No. 10-24, a land use and zoning piece of legislation that has been proposed this session at Hartford, one of a handful of pieces of legislation focused on Planning & Zoning. She believes municipalities have the right to control key pieces of their zoning policies and supports First Selectman's statement and written testimony. SB10-24 in its original form had strong proposals that would benefit the state and others that did not. When this was submitted it was still being debated and was still in committee. Last week SB10-24 was voted out of committee with significant changes and amendments, much different than when this resolution was first proposed. It isn't necessary to go into the details of SB10-24 other than that it's still being amended and changed in Hartford. For them to uniformly declare opposition at this point to a bill not in its final state is not appropriate. This is a form resolution being passed around the state; other municipalities have seen this on their agendas. They are being told one-size fits all legislation doesn't fit at the state level she doesn't think it should be here in Trumbull either. She doesn't like the Town Council weighing in on state legislation, there are processes that exist for each of them TO weigh in on state legislation whether it is written or oral testimony. All the information to do so is on the CT General Assembly website. That is a better mechanism. For those reason she won't support the resolution.

Mr. Shively noted he had similar thoughts to Ms. Guadiana's statement. He is torn whether to vote against or abstain. He watched the legislation go through its process and saw how radically it changed over time and fully expects that to continue and does not know what exactly he would be voting against. Nobody knows what it will look like. He agrees with the principal of towns to have a significant level of control over how their towns are developed and strongly continues support for that, to make sure we have a strong say in that. He cannot vote to be against a bill he does not know what it's going to look like and leans towards abstaining.

Mr. Massaro stated any attempt by the state to attempt to interfere with Trumbull's Home Rule is unacceptable; we need to send a message to Hartford as the representative body of all their citizens and businesses. We should all support this unanimously.

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

	AYE	NAY	ABSTAIN
Dawn Cantafio*	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Mecca	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Donna Seidell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carole Hans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nicole Satin	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Tony Scinto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Shively	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Thomas Whitmoyer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jason Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Carl Massaro, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser-Orenstein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lori Rosasco-Schwartz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Borghesan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joy Colon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ashley Gaudiano	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stephen Lemoine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VOTE: Motion FAILED 5-5-11 (IN FAVOR: Seidell, Scinto, Massaro, Rosasco-Schwartz, Lemoine) (AGAINST: Hans, Glasser-Orenstein, Paulson, Colon, Cantafio)
 *THE CHAIR VOTED

First Selectman Tesoro stated she did send her testimony to Hartford before SB10-24 went back to the committee process, there have been some changes made. First Selectman Tesoro read the last paragraph of her testimony:

“She empathetically believes that Home Rule should be respected so communities can develop their own plans with local conditions and further implored them to have much more extensive dialogue with local leaders before approving any one-size-fits all top-down policy”.

At the time, she wrote this, she did not support that bill as it was presented but as we all know things change. The testimony she wrote was not the same bill presently in committee. She has not opined on it since, she may afterwards but at this point in time that was her testimony.

ADJOURNMENT: There being no further business to discuss and upon motion made by Marsh, seconded by Colon the Trumbull Town Council adjourned by unanimous consent at 11:22 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Town Council Clerk

FULL RESOLUTIONS

RESOLUTION TC28-163

Whereas, the Southwestern Connecticut Agency on Aging, through Older Americans Act funds, offers grants for Caregiver Assistance; and

Whereas, grants are to be used to fund caregiver services including support groups and related services; and

Whereas, grants cannot exceed \$18,000 and shall be used towards salary, public education and printing costs;

Whereas, the Town of Trumbull will submit an application for funding to provide caregivers with information and assistance, conduct outreach within the community, and provide public education;

NOW, THEREFORE, BE IT RESOLVED, That the Trumbull Town Council authorizes the submission of a funding application for the Caregiver Services Grant, and identifies Vicki A. Tesoro, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project.

RESOLUTION TC28-164:

RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$10 MILLION TOWN OF TRUMBULL GENERAL OBLIGATION REFUNDING BONDS, AUTHORIZING COMBINING INTO ONE ISSUE AND MAKING DETERMINATIONS WITH THE REFUNDING BONDS ANY OTHER AUTHORIZED BUT UNISSUED BONDS OF THE TOWN, AUTHORIZING AGREEMENTS FOR THE INVESTMENT OF REFUNDING ESCROW AND ITS REINVESTMENT OVER ITS TERM

Section 1. \$10 Million principal amount of refunding bonds of the Town of Trumbull, or so much thereof as shall be necessary, are hereby authorized to be issued and the proceeds therefrom appropriated for the purpose of refunding, including advance refunding, all or any portion of the aggregate principal amount of any issue of Town of Trumbull (hereinafter, the "Town") General Obligation Bonds now or hereafter outstanding or hereafter authorized, issued and outstanding, (the "Prior Bonds"), including but not limited to outstanding bonds of the Town's 2013 and 2014 (March) issues and for the payment of all fees and expenses incurred in connection therewith, including redemption price, legal, fiscal advisor, underwriting, accounting, escrow verification, investment broker, printing, rating agencies, registrar, transfer and paying and escrow agents, printing, and such other costs and expenses, and those necessary, appropriate or customarily incurred in connection with the refunding of bonds.

Section 2. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Town Treasurer (the "Town Officials"). They shall bear such rate or rates of interest or be sold at such price or prices, including discount or premium with respect to par, as shall be determined by the Town Officials pursuant to Section 7-370 of the General Statutes. The bonds shall be general obligations of the Town, and each bond shall recite that every requirement of law relating to its issue has been duly complied with, that it is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon, and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of refunding bonds to be issued, the particular issue or portion thereof they shall refund, the annual installments of principal, redemption provisions, if any, the date, time and manner of issue and sale, interest rate on the bonds, designation of registration transfer and paying agent, financial advisor, underwriter, verification agent or other service providers to facilitate the issuance of the bonds and the transactions herein authorized, and other terms, details and particulars of such bonds, and their issuance and the use and investment of proceeds, including issuance premium, if any, shall be determined by the Town Officials in accordance with the General Statutes of the State of Connecticut, as amended, including but not limited to 7-370 et. seq. The refunding bonds authorized herein may be issued in one or more series, at one or more times and from time to time, provided that, the aggregate principal amount of all such refunding bonds issued shall not exceed \$10 Million.

Section 3. The Town Officials are hereby authorized on behalf of the Town to enter into bond purchase contracts for the sale of the bonds, insurance or other credit enhancement

contracts, escrow agreements, investment contracts to invest the proceeds of the bonds pending their use for the purposes of the issue, including purchasing open market treasury securities, State and Local Government Series, or any investment permitted by law, and to execute and deliver such other contracts or certificates necessary or appropriate to consummate the issuance of bonds and transactions herein contemplated, to contract with agents to act on behalf of the Town with respect to any of the foregoing and to apply the proceeds of such bonds for the purposes herein authorized. The agreements contemplated by this section may consist of more than one agreement entered into with more than one party. Any portion of the payment derived from such contracts may be deposited to the refunding escrow or expended to reduce, directly or indirectly, the amount of bonds required to be issued to refund the Town's Prior Bonds.

Section 4. The Town Officials are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.

Section 5. The Town Officials are authorized to combine with the issue of refunding bonds herein authorized, bonds for any other purpose which the Town has authorized but, as of the issue date of the applicable series of refunding bonds, are unissued, including any bonds authorized subsequent to the date of adoption of this resolution. Solely in connection with such combined issue, the Town Officials in addition to the authority conferred upon them by any bond resolution authorizing the issue of the bonds to be combined into one issue with the refunding bonds, are hereby delegated the authority to enter into contracts of purchase for such bonds and to determine their interest rate, and to exercise with respect to such combined issue of bonds the authority herein conferred.

Section 6. The Town Officials are hereby authorized on behalf of the Town to enter into contracts and to execute and deliver certificates necessary, appropriate or advisable in their determination to consummate the issuance of the bonds and the transactions authorized herein.

Section 7. This Resolution shall remain in full force and effect until repealed by the Town Council.

Section 8. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.

RESOLUTION TC28-167

WHEREAS, the Town of Trumbull will apply for funding under the Local Transportation Capital Improvement Program (LOTICIP) for Spring Hill Road improvements; and

WHEREAS, the purpose of the project is to improve the traffic flow and safety on Spring Hill Road where a number of key town facilities and businesses are located; and

WHEREAS, project improvements will include pavement rehabilitation with some new pavement construction; provision of dedicated turning lane to the transfer station and queuing lanes; minor drainage improvements in select locations; new bituminous curbs along its length; relocation of the existing Pequonnock River Trail Crossing; and installation of Rapid Flashing Beacons (relocated from an existing location on Monroe Turnpike); and

WHEREAS, the project has been fully designed with Town of Trumbull funding; and

WHEREAS, funding from LOTICIP will not exceed \$2,000,000 for construction;

NOW THEREFORE, BE IT RESOLVED, the Trumbull Town Council hereby authorizes the submission of the funding application to the LOTICIP program for the Spring Hill Road improvements and identifies Vicki A. Tesoro, First Selectman as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project.

RESOLUTION TC28-168

(Highlighted in yellow = Language added to the existing ordinance)

Chapter 19 - UTILITIES ^[1]

Footnotes:

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Cross reference— Buildings and building regulations, Ch. 5; housing, Ch. 9; tax exemption for solar energy systems, § 18-27.

State Law reference— Power of Town to lay out, construct, etc., sewer and drainage systems and sewage disposal plants, G.S. § 7-148(c)(6)(B)(i); power of Town to contract for the furnishing of water, G.S. § 7-148(c)(4)(G); power of Town to create, etc., all things in the nature of public works and improvements, G.S. § 7-148(c)(6)(A)(ii); power of Town to regulate the laying, etc., of water pipes, drains, sewers, etc., in the streets and public places, G.S. § 7-148(c)(6)(B)(iii); power of Town to regulate and prohibit the construction, etc., of sinks, cesspools, G.S. § 7-148(c)(7)(C); municipal waterworks systems, G.S. § 7-324 et seq.; municipal sewerage systems, G.S. § 7-245 et seq.; sewer districts, G.S. § 7-324 et seq.; water resources, G.S. § 25-1 et seq.; sewer revenue bonds, G.S. §§ 7-259—7-266.

ARTICLE I. - IN GENERAL

Secs. 19-1—19-17. - Reserved.

Sec. 19-18. - Costs for improvements.

Whenever the Town the Trumbull has extended or caused to be extended water mains to residential or commercial property, the Town shall assess the property for its proportionate share of the cost of these improvements. Notice of the assessment shall be given in accordance with CGS section 7-250 regarding the assessment of benefits for sanitary sewer lines.

The Town, through its Tax Collector, shall have a certificate of lien placed on the subject property for the assessment pursuant to CGS section 7-137d. The amount of the lien shall be paid by the property owner in the same manner and over the same period of time as the assessments for sanitary sewer lines are paid.

The property owner shall have the right to appeal the assessment in accordance with CGS section 7-137c.

(Ord. No. TC20-134, 8-24-04)

Secs. 19-19—19-25. - Reserved.

ARTICLE II. - SEWERS AND SEWAGE DISPOSAL ^[2]

Footnotes:

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Cross reference— Sewage disposal facilities prerequisite to issuance of certificate of occupancy, § 5-2; health and sanitation, Ch. 9.

State Law reference— Municipal sewerage systems, G.S. § 7-245 et seq.; injuring sewers, G.S. § 53-46.

DIVISION 1. - GENERALLY

Sec. 19-26. - Reserved.

Sec. 19-27. - Connection to storm sewer—When required; construction of dry well upon waiver of connection requirement; time limit on construction.

- (a) When any public storm drainage facilities shall exist in any street or area abutting or adjacent to private property upon which a building is to be constructed and within the boundaries of such private property as defined by the continuation of any two (2) lot lines of such private property so as to intersect both road right-of-way lines, surface water or stormwater drainage and gutters and leaders

for the disposition of surface water or stormwater or cellar drainage shall be connected to and discharged into such storm drainage facilities; in no event shall such surface water or stormwater or cellar damage be permitted to discharge into public streets or sidewalks. Waiver of this requirement may be obtained only from the Building Inspector or Town Engineer, who shall be empowered to grant such waiver upon application to the Building Inspector. Such application shall be accompanied by satisfactory engineering proof that dry wells shall be constructed upon such property in a manner and size sufficient to accept such surface water or stormwater or cellar drainage or that no danger exists that surface water or stormwater or cellar drainage will discharge into public streets or sidewalks and thereby create a condition of flooding in or accumulation of water or ice upon a public street or streets of the Town. In no event shall connection to a storm sewer be required unless such storm sewer shall exist within one hundred fifty (150) lineal feet of such discharge of water, measured parallel to the road right-of-way line from the existing storm sewer to the point of discharge.

- (b) The Town Engineer and the First Selectman shall, in the event of making such a decision as to any such property in the Town, give notice in writing to the owner of such property to construct satisfactory dry wells upon such property in a manner and size sufficient to accept such drainage and to rectify the condition of flooding in or accumulation of water or ice upon such public street or streets or connect such drainage to such public storm drainage facilities as exist in the street and to accomplish such work within sixty (60) days from receipt of such notice.

(Code 1962, § 10A-2)

Sec. 19-28. - Same—Connection by Town upon failure of property owner; recovery of costs.

Upon notice duly given pursuant to section 19-27, if such property owner neglects or refuses to comply with either of such alternatives within the time allocated, the First Selectman may order connection of such drainage to the public storm sewer drainage facilities. Such work shall be done by the Town or an agent of the Town, and the actual cost thereof shall be charged against the property owner.

(Code 1962, § 10A-3)

Sec. 19-29. - Extension of time limit for making connection or constructing dry well when weather conditions extreme.

In periods of extreme weather conditions, the First Selectman, upon application of a property owner, may extend the time within which the work of constructing dry wells or connecting to the public storm drainage facilities shall be accomplished.

(Code 1962, § 10A-4)

Sec. 19-30. - Septic system repair permit.

- (a) No person shall repair, alter or otherwise modify an existing septic system or any part thereof or cause the same to be repaired, altered or modified or construct a new septic system without obtaining a permit therefor from the Health Department. The cost of the permit for the repair, alteration or modification shall not exceed thirty dollars (\$30.00). The cost of a permit for a new septic system shall not exceed one hundred fifty dollars (\$150.00).
- (b) Any person who so repairs, alters, modifies or constructs a septic system as set forth above without obtaining the required permit shall be subject to a fine of fifty dollars (\$50.00).
- (c) No septic system which has been so constructed, repaired, altered or modified shall be covered or recovered until the same has been inspected by the Sanitary Inspector or any person designated by the Town Health Officer and until his approval has been endorsed on such permit.
- (d) For the purpose of this section, the term "septic system" shall include all dry wells, grease traps and other means of disposal of contaminated liquids.

(Code 1962, §§ 10A-6—10A-9; Res. No. TC12-172, 12-24-88; Res. No. TC13-100, 10-7-91)

Secs. 19-31—19-40. - Reserved.

DIVISION 2. - ADMINISTRATION AND EXTENSION OF SEWERAGE SYSTEM

Sec. 19-41. - Definition.

As used in this division the term "sewerage system" shall mean any pipes, devices, equipment, buildings, pumping stations, treatment works, outfall sewers or other structures or facilities useful for the collection, treatment or disposal of sewage or the effluent or sludge resulting from the collection or treatment of sewage, and shall include any extensions, additions, alterations or enlargements of all or any part of a sewage system.

(Code 1962, § 10A-11)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 19-42. - Sewer authority designated.

The Sewer Commission of the Town of Trumbull shall hereafter be known as the Water Pollution Control Authority. It shall be the sewer authority for the Town in accordance with the provisions of the Connecticut General Statutes and shall have authority to plan, lay out, acquire, construct, reconstruct, equip, repair, maintain, supervise and manage and, in conjunction with the Department of Public Works, operate a sewage system for the Town.

(Code 1962, § 10A-11; Res. TC17-163, § B, 10-12-99)

Sec. 19-43. - Acquisition of private system by purchase, condemnation or otherwise.

The Water Pollution Control Authority is authorized to enter upon and to take and hold, by purchase, condemnation or otherwise, the whole or any part of any existing private sewerage system and any real property or interest therein which it determines is necessary or desirable for use in connection with such sewerage system. Whenever the Authority is unable to agree with the owner of such property as to the compensation to be paid for the taking thereof, the Authority, in the name of the Town, may commence proceedings in accordance with Connecticut General Statutes Section 7-247 and Sections 8-129 et seq. to acquire the property and determine the appropriate compensation therefor.

(Code 1962, § 10A-12; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-44. - Apportionment and assessment of cost of acquisition, construction or reconstruction.

At the time after voting to acquire, construct or reconstruct any sewerage system or portion thereof, the Water Pollution Control Authority may apportion and assess the whole or any portion of the cost thereof upon the lands and buildings in the Town which shall, in its judgment, be especially benefitted thereby, whether they abut on such sewerage system or not, and upon the owners of such land and buildings subject to the right of appeal as hereinafter provided. Such assessment may include a proportionate share of any expenses incidental to the completion of such sewerage system such as fees and expenses of attorneys, engineers, surveyors, superintendents or inspectors, the cost of any property purchased or acquired for such work, interest on securities, the cost of preparing maps, plans and specifications, and the cost of printing, publishing or serving advertisements or notices incidental thereto. The Authority may divide the total territory to be benefitted by any sewerage system into districts and may levy assessments against the property benefitted in each district separately. In assessing benefits against the property in any district, the Authority may add to the cost of the part of the sewerage system located in such district a proportionate share of the cost of any part of the sewerage system located outside the district which is useful for the operation of that part of the sewerage system within the district and of any of the other items of cost or expense above enumerated.

(Code 1962, § 10A-13; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-45. - Rules for apportionment of assessments.

Whenever any assessment shall be made as provided in this division, the amount to be raised thereby shall be apportioned among the properties benefitted according to such rule as the Water Pollution Control Authority may adopt, based upon area, frontage or assessed valuation of the land in the last completed grand list of the Town, the present or permitted use of any real property in the district, or any combination thereof. The Authority may make reasonable allowances in the case of properties having a frontage on more than one (1) street or when for any reason the particular situation or frontage of any property shall require such allowance. No benefits shall be assessed against any property in excess of the special benefit to accrue to such property.

(Code 1962, § 10A-14; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-46. - Public hearing prerequisite to assessment; appeal from assessment.

- (a) No assessment shall be made pursuant to this division until after a public hearing before the Water Pollution Control Authority Commission at which the owner of the property to be assessed shall have an opportunity to be heard concerning the proposed assessment. Notice of the time, place and purpose of such hearing shall be given in accordance with the requirements of the Connecticut General Statutes. A copy of the proposed assessment shall be on file in the Office of the Town Clerk where it shall be available for inspection by the public. The Authority shall thereafter determine the amount of the assessment to be levied.
- (b) Any person aggrieved by such assessment may appeal to the Superior Court as provided in Section 7-250 of the Connecticut General Statutes.

(Code 1962, § 10A-15; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-47. - Reassessment in event of invalid assessment.

If any assessment shall not be valid or enforceable for any reason, a new assessment may be made in the manner hereinbefore provided for the determination of the original assessment. If any assessment shall be made which shall not be sufficient to cover the entire cost of the work to be paid for by such assessment, a supplementary assessment may be made by the Water Pollution Control Authority against those properties previously assessed, to the end that a sum sufficient to pay the cost of such work may be obtained. No such supplementary assessment, together with the original assessment, shall exceed the value of the special benefit to accrue to the property against which the benefit is assessed.

(Code 1962, § 10A-16; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-48. - Payment of assessment; due date; notice.

Assessments under this division shall be due and payable at such time as may be fixed by the Water Pollution Control Authority; provided, that no assessment shall become due until the work or particular portion thereof for which such assessment was levied has been completed. The Water Pollution Control Authority shall give notice of the date when such assessments are due and payable by publication at least twice within a period of fifteen (15) days in a newspaper having a circulation in the Town listing the streets and describing the area within which are located the properties against which assessments are due. Such notice shall state the date when such assessments are due and payable, which date shall be at least thirty (30) days after the date of the first such publication.

(Code 1962, § 10A-17; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-49. - Installment payment of assessments.

The Water Pollution Control Authority may permit the payment of assessments under this division in such manner of substantially equal annual installments, not exceeding thirty (30), as it shall determine together with interest in accordance with Section 7-253 of the Connecticut General Statutes. Any owner of property against which an assessment has been levied may, prior to the date thereof, notify the Authority in writing of his intention to pay his assessment in such installments. In each such case, the first installment shall be paid at the time that the assessment otherwise would be due. Any person who may have elected to pay his assessment in more than one (1) installment, may at any time make payment in full of the whole or such part of such assessment as shall still remain unpaid.

(Code 1962, § 10A-18; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-50. - Segregation of proceeds of assessments.

The proceeds of assessments under this division, whether or not pledged for the payment of securities, shall be segregated from other funds of the Town and shall be used only to pay for the construction or reconstruction of the sewerage system or particular portion thereof in respect to which such assessments are made or, as the case may be, for the payment of the interest on or principal of any securities issued to pay for such sewerage system or particular portion thereof, as hereinafter provided. When such construction or reconstruction has been or is to be paid for in whole or in part with the proceeds of securities issued under this article the proceeds of such assessments shall be placed in an enterprise fund established as hereinafter provided. When the particular securities for which an enterprise fund has been established have been paid, any moneys remaining in such sinking fund may be transferred to any other sinking fund established as hereinafter provided by vote of the Town Council upon the recommendation of the Board of Finance; and if all debts incurred by the Town for the construction or reconstruction of its sewerage system have been paid or other funds sufficient to pay such debts when due have been made available and have been segregated for such purpose, any moneys remaining in any sinking fund established as hereinafter provided may be transferred to the general funds of the Town by vote of the Town Council upon the recommendation of the Board of Finance.

(Code 1962, § 10A-19; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-51. - Establishment and revision of charges and rates; right of appeal.

- (a) The Water Pollution Control Authority may establish and from time to time revise just and equitable charges or rates for connection with and for use of the sewerage system. Such charges shall be paid by the owner of any property which is connected with the system. No rate or charge shall be established or revised until after a public hearing at which any person having an interest in the subject matter may be heard thereon. Notice of the time and place and purpose of the hearing shall be published in a newspaper having a circulation in the Town at least ten (10) days before the date thereof. A copy of the proposed rates and charges shall be on file in the Office of the Town Clerk and available for inspection by the public for at least ten (10) days before the date of the hearing. No rate or charges established after hearing shall be effective until the Authority has published in a newspaper having a circulation in the Town a notice of adoption of the rates and has filed a complete schedule of such rates in the Office of the Town Clerk.
- (b) For the purpose of establishing or revising rates or charges for connection with and for the use of the sewerage system, the Water Pollution Control Authority may classify the users and may establish the rates or charges, including minimum rates or charges, upon the basis of:
 - (1) The volume of water discharged;
 - (2) The type or size of building;
 - (3) The number of plumbing fixtures;
 - (4) The number of persons customarily using the property served;
 - (5) In case of commercial or industrial property, the average number of persons customarily using the property served;

- (6) The quality and character of the material discharged into the sewerage system; or
- (7) Any one (1) or combination of more than one (1) of the foregoing methods or any other equitable method.

The Water Pollution Control Authority shall prescribe the time and the manner of paying such rates or charges.

- (c) Any person aggrieved by any action of the Water Pollution Control Authority establishing or revising any rate or charge for connection with or for the use of the sewerage system may appeal to the Superior Court in accordance with the provision of Section 7-255 of the Connecticut General Statutes.

(Code 1962, § 10A-20; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-52. - Securities secured by pledge of revenues; issuance, effect.

- (a) Whenever the Town shall have issued securities which are secured by a pledge of revenues to be derived from sewerage system use charges, the Water Pollution Control Authority shall establish and maintain such charges at rates which will produce sufficient revenue for the punctual payment of the annual interest and amortization requirements of such securities and, together with any money which may be available from other sources, for the fulfillment of any covenant or agreement which may have been made by the Town with the holders of any of such securities with respect to the operation, repair, maintenance or replacement of such sewerage system.
- (b) As used in this section, the term "securities" shall mean and include bonds, notes or other evidences of indebtedness, whether secured or unsecured.

(Code 1962, § 10A-21; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-53. - Segregation of proceeds of use charges.

The proceeds of sewerage system use charges, whether or not pledged for the payment of securities, shall be segregated from other funds of the Town and may be placed in an enterprise fund or funds established as may be provided. The proceeds of such sewerage system use charges shall be disbursed only to pay for the construction of the sewerage system or to pay debts or the interest on debts incurred for the construction of the sewerage system or to pay the cost of maintenance, operation, repair or replacement of the sewerage system.

(Code 1962, § 10A-22; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-54. - Unpaid assessments declared delinquent; accrual of interest; lien.

- (a) Any assessment against benefitted property, or charge for connection with or the use of a sewerage system, or installment or portion thereof, not paid within thirty (30) days of the due date, shall thereupon be delinquent and shall be subject to interest from the due dates at the same interest rate and in the same manner as shall be provided by the Connecticut General Statutes in the case of delinquent taxes; provided that, in the case of an assessment payable in installments, interest shall be computed on the entire unpaid balance of such assessment from the due date of the last installment which has been paid, or from the due date of the assessment if no previous installment has been paid and shall be collectible as a part of such assessment or sewerage system use charges. Whenever any installment of any assessment shall become delinquent, any remaining unpaid installments of such assessment shall also become delinquent.
- (b) Any assessment or sewerage system use charge established under this division shall constitute a lien upon the real estate benefitted or served thereby from the date of levy of such assessment or sewerage system use charge. Each such lien may be continued, recorded and released in the same manner that tax liens are continued, recorded and released under the Connecticut General Statutes.

Each such lien shall take precedence over all other liens and encumbrances, except taxes and prior liens in favor of the Town, and may be foreclosed in the same manner as a tax lien. The Tax Collector or other person authorized to collect such assessments or sewerage system use charges shall have authority to do so in accordance with any mandatory provision of the Connecticut General Statutes for the collection of taxes and the Town may recover any such assessment or charge in a civil action against any person liable therefor.

(Code 1962, § 10A-23; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-55. - Payment plan for elderly and those eligible for tax relief.

Any property owner who is eligible for tax relief for elderly taxpayers or other tax relief programs as enumerated in Section 7-253a of the Connecticut General Statutes may apply to the Water Pollution Control Authority for approval of a plan of payment of such property owner's assessment in a manner other than as provided under Section 7-253 of the Connecticut General Statutes. This section may allow optional methods of payment of any sewer assessment by an eligible property owner, subject to approval of the authority, including an option to pay only the annual interest charge, as provided in Section 7-253 of the Connecticut General Statutes, on any deferred payments of outstanding balance of principal, provided in any such optional method of payment, the outstanding balance of principal shall become due upon any transfer of title to the property subject to such assessment or upon the death of such property owner. Any such optional method of payment shall be subject to annual review by the authority.

(Code 1962, § 10B-23; Res. No. TC17-163, § B, 10-12-99)

Cross reference— Taxation, Ch. 18.

Sec. 19-56. - Borrowing, financing deemed advisable by Water Pollution Control Authority.

The Water Pollution Control Authority shall determine the amount necessary to borrow, and shall recommend to the Board of Finance the amount and type of financing it deems advisable. Upon approval by the Board of Finance it shall be submitted for approval by the Town Council. If the Board of Finance does not concur with the recommendations of the Water Pollution Control Authority, the Water Pollution Control Authority may in any event present its proposals to the Town Council for its action in the same manner as set forth in the Charter, Chapter V, Section 5 or Chapter V, Section 6, whichever section may be appropriate.

(Code 1962, § 10A-24; Res. No. TC17-163, § B, 10-12-99)

Secs. 19-57—19-70. - Reserved.

DIVISION 3. - USE OF PUBLIC SEWERS

Sec. 19-71. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

BOD (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per liter.

Building drain means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Building sewer means the extension from the building drain to the public sewer or other place of disposal.

Garbage means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Industrial wastes means the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

pH means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Properly shredded garbage means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

Public sewer means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Sanitary sewer means a sewer which carries sewage and to which stormwaters, surface waters and groundwaters are not intentionally admitted.

Sewage means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters, surface waters and stormwaters as may be present.

Sewage treatment plant means any arrangement of devices and structures used for treating sewage.

Sewage works means all facilities for collecting, pumping, treating and disposing of sewage.

Sewer means a pipe or conduit for carrying sewage.

Slug means any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four-hour concentration of flows during normal operation.

Storm drain or storm sewer means a sewer which carries stormwaters and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Suspended solids means solids that either float on the surface of or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

Watercourse means a channel in which a flow of water occurs, either continuously or intermittently.

For additional definitions related to miscellaneous industrial users, miscellaneous industrial wastewater etc., please refer to Sec. 19-110.

(Code 1962, § 10A-31; Res. No. TC17-163, § B, 10-12-99)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 19-72. - Required.

- (a) *Deposits on public or private property.* It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage or other objectionable waste.
- (b) *Discharges to natural outlets.* It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of the Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this division.

- (c) *Privies and similar facilities.* Where public sewers are available, it shall be unlawful to construct, repair or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- (d) *Installation of toilet facilities; connection to sewer.*
- (1) The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the Town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town is hereby required at his expense to install suitable toilet facilities therein, and at the option of the Water Pollution Control Authority to connect such facilities directly with the proper sewer in accordance with the provisions of this division, within ninety (90) days after the date of official notice to do so, provided that the public sewer is within one hundred (100) feet (30.5 meters) of the property line.
 - (2) Any such owner who receives a notice to connect may, within fifteen (15) days of the mailing of the notice, make a written application to the Water Pollution Control Authority for an extension of time to connect. The application shall state the reasons therefor.
 - (3) Within thirty (30) days of the receipt of an application to extend the time to connect, the Sewer Administrator or his delegate may either grant or deny the application.
 - (4) Hearing.
 - a. If the Sewer Administrator either denies the application or fails to act within the aforesaid thirty (30) days, the applicant may, within fifteen (15) days thereafter, make a written request for a hearing on the application before the Water Pollution Control Authority.
 - b. The Water Pollution Control Authority shall thereupon schedule the application for hearing at a regular or special meeting. After the hearing the Water Pollution Control Authority shall issue such order as it deems appropriate either:
 1. Denying the application for extension of time; or
 2. Granting the application.
 - (5) Upon the granting of any application for extension of time to connect pursuant to subsection (d)(3) or (4), the Water Pollution Control Authority shall cause a notice of same to be filed on the land records of the Town on a form approved by the Water Pollution Control Authority.
 - (6) Any grant shall be personal to the property owner making the application therefor and shall become null and void upon the transfer of the property.
 - (7) The owner of any property which has sewers available and which has not connected prior to the effective date of the ordinance from which this section derives shall have two (2) months from the effective date to file an application for extension in accordance herewith.
 - (8) Any property owner aggrieved by the final decision of the Water Pollution Control Authority denying an application to extend the time to connect shall have the right to appeal in accordance with the provisions of Section 7-257 of the Connecticut General Statutes.
 - (9) Whenever an application for extension of time to connect has been granted and a notice placed on the land records, such notice may be terminated by the Water Pollution Control Authority after giving the property owner written notice of its intention to terminate, stating the reasons therefor, and holding a hearing thereon. The hearing shall comply with the requirements of subsection (d) of this section.
 - (10) In considering an application to extend the time to connect, the Sewer Administrator or the Water Pollution Control Authority, as the case may be, shall consider:
 - a. The condition and age of the existing septic system;
 - b. Any financial hardship which the property owner might face if required to connect;

- c. Whether the applicant is eligible for tax relief for the elderly; and
- d. Such other factors as may be relevant to the application.

(Code 1962, § 10A-32; Res. No. TC11-138, 1-5-87; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-73. - Discharge of stormwater, similar drainage.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

(Code 1962, § 10A-33(a))

Sec. 19-74. - Discharge to storm sewer, natural outlet.

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Town or its authorized agent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Town, to a storm sewer or natural outlet.

(Code 1962, § 10A-33(b))

Sec. 19-75. - Discharge of steam and hot water.

No live exhaust or waste steam, and no water of a temperature above one hundred forty (140) degrees Fahrenheit shall be discharged into the public sewers or into any drain connection with them. No blowoff from any steam boiler shall be connected directly or indirectly with the public sewers or drains without permission from the Town. Every blowoff connected directly or indirectly with the public sewers or drains shall first discharge into a suitable tank or condenser of a capacity approved by the Town. The tank or condenser shall be provided with a vent pipe, leading from its dome to the outer air of a diameter of not less than twice that of the pipe discharging into the same; and no contraction in the sectional area of the pipe as it enters the tank shall be allowed. The sectional area of the outlet pipe shall be at least twice that of the pipe discharging into the tank. No such connection shall be made until a plan thereof has been submitted to and approved by the Town.

(Code 1962, § 10A-33(c))

Sec. 19-76. - Prohibited discharges enumerated.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas; it being noted that a volatile inflammable liquid is any liquid that will emit an inflammable vapor at a temperature below sixteen (16) degrees Fahrenheit.
- (2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interference with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
- (3) Any sewage having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the water pollution control facilities. The upper limit of pH for any industrial wastewater discharge shall be established under the discharger's state discharge permit.

- (4) Solids or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(Code 1962, § 10A-33(d))

Sec. 19-77. - Discharges likely to cause injury, damage.

No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Town that such wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the Town will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (1) Any liquid or vapor having a temperature higher than one hundred (100) degrees Fahrenheit.
- (2) Any waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (zero and sixty-five (65) Celsius).
- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Town.
- (4) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (5) Any waters or wastes containing iron or any similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Town for such materials.
- (6) Sewage with a concentration of pollutants in excess of **any of** the following limits:

Pollutant	Concentration ⁵ (mg/L or ppm)
Biochemical Oxygen Demand (BOD ₅)	500.0 ²
Chemical Oxygen Demand (COD)	1200.0
Total Suspended Solids (TSS)	600.0 ²
Total Kjeldahl Nitrogen (TKN)	40.0 ³
Nitrate-Nitrite (as N)	40.0 ³
Total Fats, Oils, Grease (FOG) ⁴	100.00
Boron as B	5.0
Cyanides as CN (Amenable)	0.1
Fluoride as F	20.0

Magnesium as Mg	100.0
Manganese as Mn	5.0
Mercury	0.01
Antimony (Total)	4.0
Arsenic as As (Total)	0.05
Barium as Ba (Total)	5.0
Beryllium (Total)	2.0
Cadmium (Total)	0.1
Chromium (Total)	1.0
Chromium (Cr +6)	0.1
Cobalt (Total)	4.0
Copper as Cu (Total)	1.0
Lead (Total)	0.1
Molybdenum (Total)	4.0
Nickel (Total)	1.0
Selenium (Total)	0.5
Silver (Total)	0.1
Strontium (Total)	2.0
Thallium (Total)	2.0
Tin (Total)	2.0
Titanium (Total)	4.0
Vanadium (Total)	2.0
Zinc as An (Total)	1.0
Zirconium (Total)	2.0
Total Volatile Organic	5.0
Formaldehyde	10.0 ³
Methylene Chloride	1.0
Phenols (Total)	10.0
Phthalate Esters	2.0
Polynuclear Aromatic Hydrocarbons	0.5
Ethylene Glycol	300 ³
Propylene Glycol	300 ³

Note: All metals are to be measured as total metals.

¹ Under the MIU GP, all above pollutant effluent limits do not apply to residuals generated by water treatment facilities that are transported to the solids handling portion of a POTW.

² Under the MIU GP, this pollutant concentration may be exceeded provided that the total mass loading (flow x concentration) of such pollutant discharged to the Receiving POTW Authority does not exceed 100.0 lbs/day or 2% of the Receiving POTW Authority's design loading, whichever is less. This limit does not apply to discharges of Food Processing Wastewater that have implemented the practices specified in Appendix H(3) of this general permit or Water Treatment Wastewater.

³ The pollutant concentration may be exceeded provided that the total mass loading (flow x concentration) of each pollutant discharged to the POTW does not exceed 8.0 lbs/day for total Kjeldahl nitrogen or nitrate-nitrite (as N) and 10 lbs/day for formaldehyde, ethylene glycol, or propylene glycol.

⁴ Food processing wastewaters only, report as Total Oil & Grease. For all other wastewaters, report as Total Petroleum Hydrocarbons.

⁵ The use or addition of water to dilute a discharge of wastewater in order to meet any effluent limits is prohibited.

- (7) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentration exceeding limits which may be established by the Town as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (8) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town in compliance with applicable state or federal regulations.
- (9) Any waters or wastes having a pH less than 5.0 or in excess of 9.0.
- (10) Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - c. Unusual volume of flow or concentration of wastes constituting slugs.
- (11) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (12) The admission into the public sewers of any waters or wastes having a five-day biochemical oxygen demand greater than fifty (50) parts per million by weight, or containing more than six hundred (600) parts per million by weight of suspended solids, or containing more than fifteen (15) parts per million by weight of chlorine demand, or containing any quantity of substances having the characteristics described in this subsection, or having an average daily flow greater than two (2) percent of the average daily sewage flow of the Town, shall be subject to the review and approval of the Superintendent. Where necessary in the opinion of the Town, the person discharging or causing the discharge of any such waters or wastes into the public sewers shall provide, at his own expense, such preliminary treatment as may be necessary to reduce the biochemical demand to not more than five hundred (500) parts per million by weight, and the chlorine demand to not more than fifteen (15) parts per million by weight, and to reduce objectionable characteristics or constituents of the substances described in this section to the limits permitted thereunder, and to control the quantities and rates of discharge of such waters and wastes.

(Code 1962, § 10A-33(e))

Sec. 19-78. - Authority to reject wastes, require treatment.

- (a) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in section 19-77, and which in the judgment of the Town may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town may:
- (1) Reject the wastes;
 - (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
 - (3) Require control over the quantities and rates of discharge; and/or
 - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this article.
 - (5) Notify the POTW Authority and Receiving POTW Authority (receiving Trumbull's sanitary collection wastewater including discharges from Miscellaneous Industrial Users (MIUs)), as well as notify the Connecticut Department of Energy and Environmental Protection's Water Permitting and Enforcement Division of the Bureau of Materials Management and Compliance Assurance, if any analytical results or monitoring data or any other information regarding an MIU discharge indicates that a violation of an effluent limitation or another condition of the *General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP)* has occurred, or upon becoming aware of any discharge that could cause problems to the Receiving POTW Authority, including but not limited to slug loadings of pollutants which may cause a violation of the Receiving POTW Authority's NPDES permit, or which may inhibit or disrupt the Receiving POTW Authority, its treatment processes or operations, or its sludge processes, use or disposal.
- (b) If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town, and subject to the requirements of all applicable codes, ordinances and laws.

(Code 1962, § 10A-33(f))

Sec. 19-79. - Interceptors.

- (a) Grease, oil and sand interceptors shall be provided when in the opinion of the Town they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that, such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town, and shall be located as to be readily and easily accessible for cleaning and inspection.
- (b) Grease and oil interceptors shall be constructed of impervious materials capable of standing abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight. Where installed, all grease, oil and sand interceptors shall be maintained in continuous and effective operation by and at the expense of the person discharging or causing the discharge into the public sewers of the waters or wastes for which such interceptors are required.

(Code 1962, § 10A-33(g))

Sec. 19-80. - Maintenance of treatment facilities.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(Code 1962, § 10A-33(h))

Sec. 19-81. - Control manhole.

When required by the Town, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Town. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(Code 1962, § 10A-33(i))

Sec. 19-82. - Measurements, tests and analyses.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this division shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. If no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate or whether a grab sample should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

(Code 1962, § 10A-33(j))

Sec. 19-83. - Restrictions on permits.

No permit for the erection, installation, alteration or construction of any garage, filling station, plant, storage tanks, dry cleaning or dyeing establishments, or other structures shall be granted unless the person requesting such permit submits plans and specifications showing compliance with the provisions of this division.

For all Miscellaneous Industrial Users (MIUs) that discharge wastewater to Trumbull's sanitary collection system that eventually discharges to the authorized receiving POTW, a detailed Discharge Notification Form and associated applicable attachments defined in the *General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP)* must be filled out and sent to the POTW Authority and Receiving POTW Authority, as defined in Sections 19-109 and 19-112 of this Sewer Ordinance. New MIUs shall not discharge until the POTW Authority and Receiving POTW Authority receives and approves the proposed discharge.

(Code 1962, § 10A-33(k))

Sec. 19-84. - Proposed changes in discharge character or volume.

Any person proposing a new discharge into the public sewer system or a substantial change in the volume or character of pollutants that are being discharged into the public sewer system shall notify the Sewer Administrator at least forty-five (45) days prior to the proposed change or connection.

Under the *General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP)*, if wastewater discharge flows from MIUs are expected to differ from the flow reported to the POTW Authority or Receiving POTW Authority, the POTW Authority and Receiving POTW Authority must be notified and a new Detailed Discharge Notification Form, as described in Section 19-112, must be submitted for approval by both the POTW Authority and the Receiving POTW Authority.

(Code 1962, § 10A-33(l))

Sec. 19-85. - Self-monitoring of discharges.

All industries discharging into the public sewer shall perform such monitoring of their discharge as required by the Commissioner of Environmental Protection of the state in any state discharge permit issued pursuant to Section 25-54i of the General Statutes, including, but not limited to, installation, use and maintenance of monitoring equipment, keeping records and reporting the results to the Commissioner. Such records shall be made available, upon request, to the Commissioner and to the Sewer Administrator of the Town.

(Code 1962, § 10A-33(m))

Sec. 19-86. - Accidental discharge.

- (a) Each industrial or commercial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Code. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. The Commissioner of Environmental Protection may require that plans showing facilities and operating procedures be submitted for review and approval prior to construction of the facilities.
- (b) Within five (5) days following an accidental discharge, the user shall submit to the Sewer Administrator and to the Commissioner a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the water pollution control facilities, fish kill, aquatic plants or any other damage to persons or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by applicable law.
- (c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous or other accidental discharge. Employers shall insure that all employees are advised of the emergency notification procedure.

(Code 1962, § 10A-33(n))

Sec. 19-87. - Permit to initiate.

- (a) In accordance with Section 25-54i of the General Statutes, a permit from the Commissioner of Environmental Protection is required prior to the initiation of a discharge of any of the following wastewaters to a public sewer:
 - (1) Industrial wastewater (not considered "miscellaneous industrial wastewaters") of any quantity.
 - (2) Domestic sewage in excess of five thousand (5,000) gallons per day through any individual building sewer to a public sewer.
- (b) A potential discharger must submit a permit application to the Department of Environmental Protection not later than ninety (90) days prior to the anticipated day of initiation of the proposed discharge.

(Code 1962, § 10A-33(o))

Sec. 19-88. - Building sewers and connections.

- (a) *Scope of permit requirement.* No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town.
- (b) *Classes of building sewer permits.* There shall be two (2) classes of building sewer permits:

- (1) For residential and commercial service; and
- (2) For service to establishments producing industrial wastes.

In either case the owner shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Town. A permit fee and inspection fee shall be paid to the Town at the time the application is filed in amounts as established by the Water Pollution Control Authority.

- (c) *Costs and expense of installation.* All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- (d) *Building sewers to be separate; exception.* A separate and independent building sewer shall be provided for every building; except where one (1) building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.
- (e) *Use of old building sewers.* Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town to meet all requirements of this division.
- (f) *Work to comply with building code, other regulations.* The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
- (g) *Elevation.* Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (h) *Prohibited connections.* No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- (i) *Minimum distance from well.* The building sewer shall not pass within seventy-five (75) feet of a well unless the sewer is constructed of cast iron with leaded or equivalent joints. No sewer, however constructed, shall pass within twenty-five (25) feet of a well.
- (j) *Standards for connection to public sewer.* The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Town or its authorized agent before installation.
- (k) *Inspection, supervision of connection.* The applicant for the building sewer permit shall notify the Town or its authorized agent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Town or its authorized agent.
- (l) *Protection from injury; restoration of surface.* All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.
- (m) *Costs and expense of submitting forms under the General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP).* All costs and expense incident related to the submission of

the Discharge Notification Form and associated applicable attachments shall be borne by the Miscellaneous Industrial User (MIU) discharging to the sanitary collection system.

(Code 1962, § 10A-34; Res. No. TC17-163, § A, 10-12-99)

Cross reference— Buildings and building regulations, Ch. 5.

Sec. 19-89. - Damaging, tampering with facilities.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(Code 1962, § 10A-35)

Sec. 19-90. - Powers and authority of inspectors.

- (a) *Generally.* The Director of Public Works and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this division. The Town shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- (b) *Authority to require compliance.* If the Director finds that there exists good reason to believe that the requirements of this division have not or are not being strictly observed, he may require the owner, lessee or tenant of the offending property to furnish him with adequate proof that the requirements hereof are being and will continue to be conformed to and strictly complied with. If it shall appear that the requirements have not been or are not being conformed to or complied with or that good reason exists to believe that they may not thereafter be conformed to and complied with the Director may order and require that such owner, lessee or tenant immediately take such measures to provide and install such interceptors or treatment facilities, and make such changes in the manner of discharging waters and wastes into the public sewers as will assure the Town that the requirements of this division will be conformed to and complied with thereafter. All proof, equipment, facilities and changes required by this subsection shall be promptly furnished by such owner, lessee or tenant without expense to the Town. If any person, after proper order or direction from the Director, shall fail to take the remedial steps or perform the acts required by this subsection, or fails thereafter to observe strictly the requirements of this division and any orders and directions made pursuant hereto, the Director may disconnect or otherwise act to prevent the building sewer from the premises in which such violation of the requirements of this division shall have occurred from discharging into the public sewer. The Town may collect the cost of such disconnection or other act by which the wrongful discharge of waters or wastes into the public sewers is prevented from the person responsible for or willfully concerned in or who profited by such violation of the requirements of this division. If the Town shall be so required to act, such building sewer shall not again be connected to or permitted to discharge into the public sewers until such cost and expense have been paid.
- (c) *Indemnity and liability arising out of work.* While performing the necessary work on private properties referred to in subsection (a) above, the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in section 19-80.

- (d) *Authority as to properties subject to easements.* The Director of Public Works and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewerage works lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(Code 1962, § 10A-36)

Sec. 19-91. - Violations; penalties.

- (a) Any person found to be violating any provision of this division except section 19-89 shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- (b) Any person who continues any violation beyond the time limit provided for in subsection (a), shall be guilty of a misdemeanor, and on conviction thereof, shall be fined seventy-five dollars (\$75.00) for each violation, or imprisoned not more than thirty (30) days or both. Each day in which such violation shall continue shall be deemed a separate offense.
- (c) Any person violating any of the provisions of this division shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation.
- (d) Refer to Sections 19-114(b) and 19-118 for specifics on violations and penalties related to the discharges from *Miscellaneous Industrial Users (MIUs)* under the *General Permit for Discharges from Miscellaneous Industrial Users (MIU GP)*.

(Code 1962, § 10A-37; Res. No. TC13-100, 10-7-91)

Secs. 19-92—19-100. - Reserved.

DIVISION 4. - FATS, OILS AND GREASE DISPOSAL

Sec. 19-101. - Purpose.

The purpose of this division is to outline the wastewater pretreatment requirements for food preparation establishments and other commercial facilities that discharge fats, oils, and grease in their wastewater flow. All new and existing facilities that generate and discharge fats, oils, and grease in their wastewater flow shall install, operate, and maintain a FOG pretreatment system. The requirements of this ordinance shall supplement and be in addition to the requirements of Trumbull's Sewer Use Ordinance.

(Res. No. TC23-165, § 1, 7-13-11)

Sec. 19-102. - Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Agency means the Water Pollution Control Authority for the Town of Trumbull.

Agent means authorized representative of the Town of Trumbull.

Alternate FOG pretreatment system means a pretreatment system approved by the Agency designed to remove FOG from wastewater discharge initiated, created, originated or maintained at a food preparation establishment other than an outdoor in-ground FOG interceptor or an indoor automatic grease recovery unit.

Authorize discharge means a discharge authorized under the General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments issued on September 30, 2005, by the Connecticut Environmental Protection Agency.

Contact person means the individual responsible for overseeing daily operation of the food preparation establishment and who is responsible for overseeing the food preparation establishment's compliance with the FOG pretreatment program or alternate FOG pretreatment system.

Facility means a business determined by the Agency to discharge FOG above the set limits in Section 5(b)(2) of the Department of Environmental Protection's General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments issued on September 30, 2005, by the Connecticut Environmental Protection Agency.

FOG means animal- and plant-derived substances that may solidify or become viscous between the temperatures of 32°F and 150°F (0°C to 65°C), and that separate from wastewater by gravity. Any edible substance identified as grease per the most current EPA method as listed in 40-CFR 136.3.

FOG interceptor cleaner means a vendor specializing in the business of cleaning FOG pretreatment systems or alternate FOG pretreatment systems.

FOG pretreatment system refers to a properly installed and operated outdoor in-ground FOG interceptors and indoor automatic grease recovery units as approved by the Agency.

Food preparation establishments means Class III and Class IV food service establishments and any other facility determined by the agency to discharge FOG above the set limits in Section 5(b)(2) of the Department of Environmental Protection's General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments. These facilities shall include, but not be limited to, restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, and clubs. Class III and Class IV food service establishments shall be as defined under section 19-13-B42 of the State of Connecticut Public Health Code.

General permit means the authorization by the Connecticut Environmental Protection Agency to initiate, create, originate or maintain a wastewater discharge containing FOG at a food preparation establishment.

Indoor automatic grease recovery unit means all active indoor mechanical systems designed to remove FOG by physical separation from flowing wastewater, as further defined herein.

Noncomplying FOG pretreatment system means a pretreatment system at a food establishment existing at the time this division before effective designed to removed FOG from wastewater initiated, created, originated or maintained at the facility which does not qualify as a outdoor in-ground FOG interceptor or in-door automatic recovery unit pursuant to section 19-105(b)(1)a. or b., of this division.

Notification of approved alternate FOG pretreatment system means a written notification from the agency for authorization to install and/or operate an alternate FOG pretreatment system.

Operation and maintenance plan means pretreatment system designed to remove FOG from wastewater discharge initiated, created, originated or maintained at a food preparation establishment which does not qualify under this division as an outdoor in-ground FOG interceptor or an indoor automatic grease recovery unit.

Outdoor in-ground FOG interceptor means a passive tank installed in the ground outside a building and designed to remove FOG from flowing wastewater while allowing wastewater to flow through it.

Permittee means a contact person authorized by the EPA's General Permit and the agency to initiate, create, originate or maintain a wastewater discharge containing FOG at a food preparation establishment.

Regional FOG disposal facility means a facility for the collection and disposal of non-renderable FOG approved by the Connecticut Department of Environmental Protection.

Renderable FOG means FOG materials that can be recovered and sent to renderers for recycling into various usable products. Renderable grease is created from spent products collected at the source, such as frying oils and grease from restaurants. This material is also called yellow grease.

Renderable FOG container means a closed, leak-proof container for the collection and storage of food grade FOG.

Vacuum test means a process for inspection of an outdoor in-ground FOG interceptor for approval for continued use by a food preparation establishments. The process is as follows: Seal the empty tank and apply a vacuum to two (2) inches of mercury. The tank is approved if ninety (90) percent of the vacuum is held for two (2) minutes.

Water-pressure test means a process for inspection of an outdoor in-ground FOG interceptor for approval for continued use by a food preparation establishments. The process is as follows: Seal the tank, fill with water, and let stand for twenty-four (24) hours. Refill the tank. The tank is approved if the water level is held for one (1) hour.

Violation means any action, inaction or result as set forth in subsection 19-105(d)(14).

(Res. No. TC23-165, § 2, 7-13-11)

Sec. 19-103. - Authorization.

A food preparation establishment may make an authorized discharged pursuant to the General Permit issued by the Connecticut Department of Environmental Protection; provided that the facility complies with this division.

(Res. No. TC23-165, § 3, 7-13-11)

Sec. 19-104. - Duty to install and application for approval.

(a) *Duty to install a FOG pretreatment system.*

- (1) All new and existing food preparation establishments or facilities, including restaurants, cafeterias, diners, and similar nonindustrial facilities using food preparation processes that have the potential to generate FOG in wastewater at concentrations in excess of the limits defined in this division shall be required to install a FOG pretreatment system compliant with subsection 19-105(b)(1) of this division unless the agency grants approval to the food preparation establishments for installation and/or use of an alternate FOG pretreatment system as defined in subsection 19-105(b)(2) of this division.
- (2) A FOG pretreatment system shall not be required for private living quarters or dwelling units.

(b) *Application for approval of FOG pretreatment system.*

- (1) *New food preparation establishments:* All new food preparation establishments which generate and discharge wastewater containing FOG and which will require a FOG pretreatment system, shall include the design and specifications for the FOG pretreatment system as part of the sewer connection application as described in the Town of Trumbull's Sewer Use Ordinance.
- (2) *Existing food preparation establishments:*
 - a. All existing food preparation establishments which generate and discharge wastewater containing FOG and require a FOG pretreatment system, shall submit an application to the agency for the installation and utilization of a FOG pretreatment system within twelve (12) months of adoption of this division. The application shall be in accordance with the Town of Trumbull's Sewer Use Ordinance or as set forth herein. The approved FOG pretreatment system shall be installed within three (3) years of adoption of this division.
 - b. Existing food preparation establishments which generate and discharge wastewater containing FOG and which have an existing noncomplying FOG pretreatment system may,

upon and application and approval thereof by the agency, operate the existing systems which we be deemed to qualify as an approved alternate FOG pretreatment system. Such food preparation establishments shall submit an application for an alternate FOG pretreatment system as described in subsection 19-105(a). Such application shall be submitted within twelve (12) months of adoption of this division.

- (3) *[Responsibility of costs and related expenses.]* All costs and related expenses associated with the installation and connection of the FOG pretreatment system or alternate FOG pretreatment system shall be borne by the food preparation establishment. The food preparation establishment shall indemnify the Town of Trumbull and its agents for any loss or damage that may directly or indirectly occur due to the installation of the approved FOG pretreatment system or alternate FOG pretreatment system.

(Res. No. TC23-165, § 4, 7-13-11)

Sec. 19-105. - Condition for approval, installation and use of a FOG pretreatment system.

(a) *General requirements.*

- (1) An application for the design and installation of a FOG pretreatment system shall be subject to review and approval by the agency per the Town of Trumbull's Sewer Use Ordinance, and subject to the requirements of all other applicable codes, ordinances, and laws.
- (2) The wastewater generated from food preparation establishments shall be treated to remove FOG using either an outdoor in-ground FOG interceptor or indoor automatic grease recovery unit as defined in subsection 19-105(b)(1), unless the agency approves the installation and/or use of an alternate FOG pretreatment system as defined in subsection 19-105(b)(2).
- (3) Every structure at a food preparation establishment requiring a FOG pretreatment system shall be constructed, operated, and maintained, in a manner to ensure that the discharge of food preparation wastewater is directed solely to the approved FOG pretreatment system (i.e., outdoor in-ground FOG interceptor or indoor automatic grease recovery unit) or alternate FOG recovery system. No valve or bypass piping that could prevent the discharge of food preparation wastewater from entering the approved FOG pretreatment system or alternate FOG pretreatment system shall be present.
- (4) The contact person at each food preparation establishment shall notify the agency when the FOG pretreatment system or alternate FOG pretreatment system is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the plumbing inspector, and/or agent.
- (5) All applicable local plumbing/building codes shall be followed during the installation of the FOG pretreatment system or alternate FOG pretreatment system.

(b) *Treatment requirements for wastewater containing FOG.* The food preparation establishment shall install and solely utilize a FOG pretreatment system that meets the specifications in either subsection 19-105(b)(1)a. or b., when making an authorized discharge pursuant to the EPA's General Permit unless the agency approves the use of an alternate FOG pretreatment system pursuant to subsection 19-105(b)(2). In the event that the agency approved the use of an alternate pretreatment system, the food preparation establishment shall install and solely utilize that pretreatment system when making an authorized discharge pursuant to the EPA's General Permit.

(1) *FOG pretreatment systems.*

a. *Outdoor in-ground FOG interceptor.*

- (i) An outdoor in-ground FOG interceptor shall be installed on a separate building sewer line servicing kitchen flows and shall be connected to those fixtures or drains which would allow FOG to be discharged. This shall include: pot sinks; prerinse sinks; any sink into which FOG are likely to be introduced; soup kettles or similar devices; wok stations; floor drains or sinks into which kettles may be drained; automatic hood wash

units; dishwashers without pre-rinse sinks; and any other fixtures or drains that are likely to allow FOG to be discharged.

- (ii) No pipe carrying any wastewater other than from those listed in subsection 19-105(b)(1)a. shall be connected to the outdoor in-ground FOG interceptor.
- (iii) No food grinder shall discharge to the outdoor in-ground FOG interceptor.
- (iv) An outdoor in-ground FOG interceptor shall have a minimum depth of four (4) feet and a minimum volume of: the volume equivalent to the maximum daily flow over a twenty-four-hour period from all fixtures connected to the outdoor in-ground FOG interceptor based on water meter records or other methods of calculation as approved by the authorized agent; or one thousand (1,000) gallons, whichever is greater.
- (v) The outdoor in-ground FOG interceptor shall be watertight and constructed of concrete or other durable material. It shall be located so as to be accessible for convenient inspection and maintenance. No permanent or temporary structures or containers shall be placed directly over the outdoor in-ground FOG interceptor. Outdoor in-ground FOG interceptors installed in areas subject to traffic shall be designed to accommodate traffic loading.
- (vi) If the outdoor in-ground FOG interceptor is constructed of concrete, the following requirements shall apply:
 - A. All concrete outdoor in-ground FOG interceptors shall be produced with minimum four thousand (4,000) psi concrete per ASTM standards with four (4) to seven (7) percent air entrainment;
 - B. The minimum liquid depth of the outdoor in-ground FOG interceptor shall be thirty-six (36) inches, measured from the bottom of the tank to the outlet invert;
 - C. The air space provided between the liquid height and the underside of the tank top shall be a minimum of eight (8) inches;
 - D. All structural seams and/or lifting holes shall be grouted with non-shrinking cement or similar material and coated with a waterproof sealant. In areas where seasonal high groundwater is at an elevation greater than the bottom of the outdoor in-ground FOG interceptor, but below the top of the outdoor in-ground FOG interceptor, the exterior of the outdoor in-ground FOG interceptor including the exterior top, sides and bottom shall be coated with a waterproof sealant creating a watertight condition for the tank. In areas where seasonal high groundwater is at an elevation greater than the top of the outdoor in-ground FOG interceptor, the exterior of the manhole extensions to grade shall be coated with a waterproof sealant creating a watertight condition for the extension.
 - E. The invert elevation of the inlet shall be between three (3) inches and six (6) inches above the invert elevation of the outlet.
- (vii) All nonconcrete tanks shall meet the requirements set forth in subsection 19-105(b)(1)a.(v) and 19-105(b)(1)a.(vi)B., C., and E., of this division.
- (viii) Separate cleanout covers shall be provided over the inlet and outlet of the outdoor in-ground FOG interceptor so as to provide easy access for inspection and cleaning. Cleanout ports shall be fitted with manhole extensions to grade. In areas subject to traffic, the extensions shall be constructed of a material sufficient to withstand the traffic load. Where concrete covers are used, the lid must either weigh a minimum of fifty-nine (59) pounds or contain a locking mechanism to prevent unauthorized entrance. The manholes, extensions, and inlet and outlet access holes to the grease trap/interceptor shall have a minimum inside diameter of seventeen (17) inches.
- (ix) The inlet and outlet piping shall be PVC ASTM D 1785 Schedule 40 with rubber compression gaskets or solvent weld couplings. The joints must meet ASTM D 3212

specifications. The authorized agent may approve other piping materials for use. The minimum diameter of the inlet and outlet piping shall be four (4) inches. The inlet and outlet shall utilize a tee-pipe fitting on the interior of the outdoor in-ground FOG interceptor. The tee-pipe of the inlet and outlet shall extend to within twelve (12) inches of the bottom and at least five (5) inches above the static liquid level of the tank.

- (x) The outdoor in-ground FOG interceptor shall be set level on a consolidated, stable base so that no settling or tipping of the grease trap/interceptor can occur.
 - (xi) The outlet discharge line from the outdoor in-ground FOG interceptor shall be directly connected to sanitary sewer.
 - (xii) No fixture or drain other than those listed in subsection 19-105(b)(1)a., of this section shall be connected to the outdoor in-ground FOG interceptor unless approved by the agent.
 - (xiii) The outdoor in-ground FOG interceptor shall be located so as to maintain separation distances from well water supplies based on flow at the distances set forth in section 19-13-B51d of the Public Health Code.
 - (xiv) Minimum separation distances shall be maintained between the outdoor in-ground FOG Interceptor and items such as, but not limited to, buildings, watercourses, drains, etc., as listed in local municipal ordinances.
 - (xv) Should the authorized agent notify the contact person that testing is required, the testing shall be performed in either one (1) of the following manners: vacuum test or water-pressure test, as defined in this division.
 - (xvi) All outdoor in-ground FOG interceptors shall reliably meet the effluent limitations established in subsection 19-105(c) of this division.
- b. *Indoor automatic recovery unit.*
- (i) The indoor automatic recovery unit shall meet the following requirements:
 - A. The indoor automatic recovery unit shall be installed immediately downstream of each fixture or multiple fixtures listed in subsection 19-105(b)a.(1) of this division.
 - B. The indoor automatic recovery unit shall be sized to properly pretreat the measured or calculated flows for all connected fixtures or drains.
 - C. The indoor automatic recovery unit shall be constructed of corrosion-resistant material such as stainless steel or plastic.
 - D. The indoor automatic recovery unit shall intercept and separate solids from the effluent flow using an internal or external strainer mechanism. This mechanism shall be an integral part of the unit.
 - E. The indoor automatic recovery unit shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated fats and oils. This automatic skimming device shall be either hard-wired or cord and plug connected electrically and controlled using a timer or level control. The operation of the automatic skimming device shall be field-adjustable.
 - F. The indoor automatic recovery unit shall operate no less than once per day.
 - G. The indoor automatic recovery unit shall be fitted with an internal or external flow control device to prevent the exceedence of the manufacturer's recommended design flow.
 - H. The indoor automatic recovery unit shall be located so as to permit easy access for maintenance.

- I. No fixture or drain other than those listed in subsection 19-105(b)(1)a.(i) of this division shall be connected to the indoor automatic recovery unit unless approved by the authorized agent.
- J. All indoor automatic recovery unit shall be designed and installed in accordance with the manufacturer's specifications.
- K. All indoor automatic recovery unit shall reliably meet the effluent limitations established in subsection 19-105(c) of this division.

(2) *Alternate FOG pretreatment systems.*

- a. When it is not practical for the food preparation establishment to install an outdoor in-ground FOG interceptor or indoor automatic recovery unit according to the specification of subsection 19-105(b)(1)a. or b., an alternate FOG pretreatment system may be installed and utilized upon approval by the Agency and receiving a "Notification of Approved Alternative FOG Interceptor."
- b. Approval of an alternate FOG pretreatment system shall be based on demonstrated (proven) removal efficiencies and reliability of operation. The Agency will approve these systems on a case-by-case basis. The contact person may be required to furnish the manufacturer's analytical data demonstrating that FOG discharge concentrations do not exceed the limits established in subsection 19-105(c) this division.
- c. Alternate FOG pretreatment systems shall consist of a system meeting the requirements of subsection 19-105(b)(2)d. below, unless there are special circumstances that preclude such installation, in which case, a permittee may apply for authority to install and utilize a system pursuant to subsection 19-105(b)(2)e., of this division.
- d. Alternate FOG pretreatment systems shall meet the requirements of subsection 19-105(a) and subsection 19-105(b)(1)a.(ii) and (iii) and shall be installed immediately downstream of each of the fixtures and drains listed in subsection 19-105(b)(1)a.(i).
- f. Other alternate FOG pretreatment system requirements.
 - (i) Alternate FOG pretreatment system shall be sized to properly pretreat the measured or calculated flows using methods approved by the Agency.
 - (ii) Alternate FOG pretreatment system shall be constructed of corrosion-resistant material such as stainless steel or plastic.
 - (iii) Alternate FOG pretreatment system shall intercept and separate solid from the effluent flow using a strainer mechanism that is integral to the unit.
 - (iv) Alternate FOG pretreatment system shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated FOG. This skimming device shall be controlled using a timer, FOG sensor, or other means of automatic operation.
 - (v) Alternate FOG pretreatment system operated by timer shall be set to operate no less than once per day.
 - (vi) Alternate FOG pretreatment system shall be included with an internal or external flow control device.
 - (vii) Alternate FOG pretreatment system shall be located to permit frequent access for maintenance and inspection.

(3) *De minimis discharges.*

- a. At the request of the contact person, the Agency may grant a waiver of the treatment requirements of subsections 19-105(b)(1) and (2), inclusive, of this division if, in the judgment of the Agency, there is limited potential for FOG in the discharge when

considering, including, but not limited to, the frequency of operation, the volume of flow and the potential for FOG based upon the menu.

(c) *Effluent emissions.*

- (1) At no time shall the pH of the wastewater discharged from the FOG pretreatment system or alternate FOG pretreatment system and prior to mixing with any other wastewater from the food preparation establishment be less than five (5.0) nor greater than ten (10.0) standard units at any time.
- (2) At no time shall the concentration of FOG in wastewater from the FOG pretreatment system or alternate FOG pretreatment system and prior to mixing with any other wastewater from the food preparation establishment exceed one hundred (100) milligrams per liter. All analyses shall be conducted according to the current method as listed in Title 40 CFR 136 or as approved in writing by the department. The current method, as of 2005, is EPA 1664.

(d) *Pollution prevention requirements and FOG pretreatment system maintenance.*

- (1) The FOG pretreatment system or alternate FOG pretreatment system shall be maintained continuously in satisfactory and effective operation, at the food preparation establishment's expense.
- (2) The contact person shall be responsible for the proper removal and disposal, by appropriate means, of the collected material removed from the FOG pretreatment system or alternate FOG pretreatment system.
- (3) A record of all FOG pretreatment system or alternate FOG pretreatment system maintenance activities shall be maintained on the premises for a minimum of five (5) years.
- (4) The contact person shall ensure that the FOG pretreatment system or alternate FOG pretreatment system is inspected when pumped to ensure that all fittings and fixtures inside the interceptor are in good condition and functioning properly. The depth of grease inside the tank shall be measured and recorded in the maintenance log during every inspection along with any deficiencies, and the identity of the inspector.
- (5) At a minimum, the contact shall perform quarterly inspections of all FOG pretreatment system or alternate FOG pretreatment system.
- (6) An outdoor in-ground FOG interceptor shall be completely emptied by a FOG pretreatment system interceptor cleaner whenever twenty-five (25) percent of the operating depth of the outdoor in-ground FOG interceptor is occupied by FOG and settled solids or a minimum of once every three (3) months whichever is more frequent. The contact person may request approval for a less frequent cleaning interval from the authorized agent following a minimum one (1) year of operation of the outdoor in-ground FOG interceptor. The contact person shall be required to show through at least four (4) quarterly inspections or other means of determining FOG and settled solids that the operating depth of the outdoor in-ground FOG interceptor occupied by FOG and settled solids is less than twenty-five (25) percent during each of the three-month intervals. The agent may extend the minimum frequency of cleaning in writing beyond three (3) months based upon the quarterly inspections. The contact person shall maintain a written log on-site of outdoor in-ground FOG interceptor cleaning and maintenance, shall maintain copies of the FOG interceptor cleaner's receipts and shall maintain a copy of such approval for five (5) years.
- (7) All indoor automatic recovery units shall be maintained in accordance with the manufacturer's recommendations.
- (8) All alternate FOG pretreatment systems shall be maintained by the food preparation establishment.
- (9) For cleaning or servicing of a FOG pretreatment system or alternate FOG pretreatment system, including the removal and hauling of FOG, and food wastes which are components of sewage, the contact person shall hire a FOG pretreatment system cleaner.

- (10) All removal and hauling of the collected materials must be performed by State-approved waste disposal firms. Pumped material shall be disposed of at a regional FOG disposal facility. Pumping shall include the complete removal of all contents, including floating materials, wastewater and settled sludge. Decanting back into the FOG pretreatment system or alternate FOG pretreatment shall not be permitted. FOG pretreatment system or alternate FOG pretreatment cleaning shall include scraping excessive solids from the wall, floors, baffles and all piping.
 - (11) The contact person may use hot water, steam, chemicals, or biological additives in the normal course of facility maintenance, but may not intentionally use hot water, steam, physical means, chemicals, or biological additives that will cause the release of FOG from the FOG pretreatment system or alternate FOG pretreatment.
 - (12) No food grinder or food pulper shall discharge to any FOG pretreatment system or alternate FOG pretreatment.
 - (13) All wastewater flows connected to the FOG pretreatment system or alternate FOG pretreatment shall be screened to prevent solids from entering the treatment units. Screened solids shall be disposed of in accordance with applicable solid waste regulations.
 - (14) The contact person shall be responsible for the cost and scheduling of all installation and maintenance of FOG pretreatment system or alternate FOG pretreatment components. Installation, maintenance and time to correct violations, which may include, but are not limited to, equipment not registered, installation violations (outdoor and indoor), operational violations, failure being to remit records, disallow an inspection, failure to maintain records, failure to maintain interceptors in proper working order, failure to clean out interceptor, source of sewer blockage and/or source of sanitary sewer overflow, shall be set at the discretion of the Agency.
 - (15) The contact person shall make every practical effort to reduce the amount of FOG contributed to the sewer system.
 - (16) Renderable FOG shall not be disposed of, in any sewer or FOG pretreatment system or alternate FOG pretreatment. All renderable FOG shall be stored in a separate, covered, leak-proof, renderable FOG container, stored out of reach of vermin, and collected by a renderer.
 - (17) Small quantities of FOG scraped or removed from pots, pans, dishes and utensils shall be directed to the municipal solid waste stream for disposal.
 - (18) No valve or piping bypass equipment that could prevent the discharge of wastewater associated with the food preparation establishment from entering appropriate treatment equipment shall be present at such facility.
- (e) *Reporting and record keeping requirements.*
- (1) A written log of all inspections required pursuant to subsection 19-105(d)(3), (4), (5) and (6) of this division shall be maintained for each discharge authorized by this division. The log shall document: the date of the inspection; the inspector's name, title and signature; the depth, as measured at the time of the inspection of FOG and food waste located within the FOG pretreatment system or alternate FOG pretreatment system; and any maintenance work or changes in equipment associated with such discharge that has taken place at the site since the last inspection.
 - (2) Except as provided in subsection 19-105(e)(1) of this division, the contact person shall retain, for a period of five (5) years at the subject facility, all inspections, cleaning and maintenance logs and analytical results from any monitoring elected to be done by the contact person. All records and reports shall be made available in writing to the agent upon request.
 - (3) Immediately upon learning or having reason to believe that an authorized discharge may cause or has caused a sewer blockage or may adversely affect the operations of a sanitary sewer systems, the contact person shall notify the agency.

- (4) Records required under this subsection as well as installation of the FOG pretreatment system or alternate FOG pretreatment system as specified in either subsection 19-105(b)(1) or (2) of this division shall be sufficient to demonstrate compliance with the effluent limits established in subsection 19-105(c) of this division.
- (f) *Inspections/violations.*
- (1) Food preparation establishments shall be subject to inspection by the Agency on a regular basis to determine whether the requirements set forth in this division and the general permit are being met. Inspections may include, but are not limited to, review of records for the quarterly inspections performed by the food preparation establishment and review of cleaning and maintenance logs.
 - (2) The Agency may conduct inspections of the food preparation establishment as the Agency deems necessary to ascertain whether the purpose and requirements of this division and the general permit are being met. Contact person where wastewater is created, discharged or suspected to be discharged, shall allow Agency personnel ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, and records examination. The Agency shall have the right to set up on the property such devices as are necessary to conduct sampling, inspection, and compliance monitoring operations. Denial of the Agency access to the property shall be deemed a violation. Unreasonable delays may be considered denial of access.
 - (3) If any owner of the premises or food preparation establishment is determined to be the source, in whole or in part, of a sanitary sewer blockage and/or overflow, the owner or food preparation establishment will be assessed a fine of not less than five hundred dollars (\$500.00) and not more than ten thousand dollars (\$10,000.00), plus remediation costs for clean up, in addition to any fines dispensed from the State of Connecticut. The fines contained herein are not exclusive and the State of Connecticut or Agency may use other methods to remedy the situation, including, but not limited to, legal action or enforcement.
 - (4) In the event that a food preparation establishment fails to meet the recordkeeping requirements or discharge limit, the Agency will issue a written notice of violation for the noncompliant condition. The food preparation establishment shall take immediate steps to bring the establishment into compliance.
 - (5) Any violation of the Agency's FOG management program will be subject to violation fees as set forth herein or later adopted by the Agency. Each day that a violation continues shall be considered a separate occurrence.
 - (6) The Agency reserves the right to notify the Connecticut Department of Environmental Protection of any establishment that continues to be noncompliant with the Agency's FOG management program.
- (g) *Recording and reporting violations.*
- (1) If any analytical results from monitoring data elected to be done by the contact person or other information indicates that a violation of an effluent limitation or another condition of this division permit has occurred, the contact person shall immediately take steps to identify and correct any and all conditions causing or contributing to such violation. A log of such violations shall be maintained on site and contain, at a minimum, the following information:
 - a. The permit condition(s) or effluent limitation(s) violated;
 - b. The analytical results or other information demonstrating such violation;
 - c. The cause of the violation, if known;
 - d. Dates and times during which the violation continued;
 - e. If the violation was not corrected immediately upon being discovered, the anticipated time it is expected to continue; and upon correction, the date and time of correction;

- f. Steps taken and planned to reduce, eliminate and prevent a reoccurrence of the violation, and the dates such steps have been or will be executed;
 - g. The name, title and signature of the individual recording the information and the date and time of such recording.
- (2) If any analytical results indicate the pH exceeds the limitation listed in subsection 19-105(c)(1) of this division by greater than one unit or lower than one (1) unit, or that FOG exceeds the limitation listed in subsection 19-105(c)(2) of this division, the contact person shall immediately notify the agency.
- (h) *Duty to correct and report violations, and provide information.*
- (1) Upon learning of a violation of a condition of this ordinance, a contact person shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the commissioner and Agency within five (5) days of the contact person's learning of such violation. Such report shall be certified in accordance with subsection (j) of this section.
 - (2) If the commissioner requests any information pertinent to the authorized discharge or to compliance with this division, the contact person shall provide such information within thirty (30) days of such request. Such information shall be certified in accordance with subsection 19-105(i) of this division.
- (i) *Certification of documents.*
- (1) Any document, including, but not limited to, any notice, information or report, which is submitted to the department under this division shall be signed by the contact person or by a duly authorized representative of the contact person, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute."
- (j) *Other applicable law.* Nothing in this general permit shall relieve the contact person of the obligation to comply with any other applicable federal, state and local law, including, but not limited to, the obligation to obtain any other authorizations required by such law.
- (k) *Correction of inaccuracies.* Within fifteen (15) days after the date a contact person becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such contact person shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be certified in accordance with subsection 19-105(i) of this division.
- (l) *Change in ownership or contact person.* Upon a change in the ownership or the contact person of a food preparation establishment, the new owner or contact person shall comply with the requirements of this division.

(Res. No. TC23-165, § 5, 7-13-11)

Sec. 19-106. - Fees.

The Agency may establish and revise fees for the Agency's FOG management program required by this division at its discretion. The fees may include, but are not limited to, annual registration, inspection, variance, and/or maintenance fees. **The establishment owner is financially responsible for all charges**

including installation, maintenance, pumping, disposal, and repair of treatment systems. The establishments are also responsible for any fines or cleanup costs associated with overflows or stoppages.

STANDARD FEES

- Initial Application \$ 100.00
- Renewal Application \$ 50.00
- Late Fee \$ 25.00 (per month)

(Res. No. TC23-165, § 6, 7-13-11)

Sec. 19-107. - Effective date.

This Resolution No. TC23-165, shall become effective on July 1, 2011.

(Res. No. TC23-165, § 7, 7-13-11)

Sec. 19-108. - Violations and fines.

The Agency may establish and revise fines for failure to act in accordance with this division at its discretion.

VIOLATION FEES

Violations of the Town of Trumbull FOG Program may be subject to Violation Fees. Each day a violation continues may be considered a separate occurrence.

VIOLATION FEES

- Failure to submit Registration Form \$100.00
- Disallow a site visit or inspection by the Trumbull WPCA \$100.00
- Failure to maintain records in proper order \$100.00
- Failure to maintain interceptors in properly working order \$500.00
- Failure to clean out interceptor quarterly or when 25% filled with grease, whichever comes first \$500.00
- Source of sewer blockage (minimum) \$500.00
- Source of sanitary sewer overflow (minimum) \$500.00
- Falsification of records \$1,000.00

(Res. No. TC23-165, § 8, 7-13-11)

DIVISION 5. – MISCELLANEOUS INDUSTRIAL USERS

Sec. 19-109. - Purpose.

The purpose of this division is to outline the Connecticut Department of Energy and Environmental Protection (CT DEEP)'s General Permit for Discharges of Miscellaneous Industrial User Wastewater, effective date October 31st, 2020. All miscellaneous industrial users in the Town of Trumbull discharge their wastewater to the Town owned and operated sanitary collection system; this flow is eventually conveyed to the Receiving POTW Authority for treatment. By definition in the General Permit, both the Town of Trumbull Water Pollution Control Authority and the Receiving POTW Authority are considered POTW Authorities. Under this condition, the Industrial User shall send notification to both applicable POTW Authorities.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-110. - Definitions.

Applicable POTW Authority means the POTW Authority with jurisdiction over the POTW which receives or will receive the subject discharge.

Authorized Activity means any activity authorized by the General Permit.

Authorized Discharge means a discharge authorized under the General Permit.

Best Management Practice (BMP) means a practice, procedure, structure, or facility designed to prevent or minimize environmental damage, or to maintain or enhance environmental quality. BMPs include without limit treatment requirements, operating procedures, practices to control spillage or leaks, sludge, or waste disposal, or providing for drainage from raw material storage.

Categorical Industrial User, means a source of discharge into a POTW subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N.

Categorical Pretreatment Standards or Categorical Standards are the National Categorical Pretreatment Standards or pretreatment Standards which are any regulation containing Pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. § 1317) as amended, which apply to a specific category of user and which appear in 40 CFR Chapter 1, Subchapter N Parts 405-471. National Categorical.

General Permit for Discharges from Miscellaneous Industrial Users or Miscellaneous Industrial User General Permit or MIU GP refers to the General Permit for Discharges from Miscellaneous Industrial Users.

Miscellaneous Industrial User (MIU) or Industrial User means any user that discharges Miscellaneous Industrial wastewater.

Miscellaneous Industrial User Wastewater or MIU Wastewater (formerly known as *Miscellaneous Sewer Compatible Wastewater* or *MISC Wastewater*, means any wastewater discharge that is NOT subject to Federal Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N as amended. Domestic sewage including septage or sewage from portable sources and groundwater remediation wastewater are excluded from this definition. MIU wastewater includes but is not limited to air compressor condensate & blowdown, boiler blowdown, building maintenance wastewater, commercial laundry wastewater, contact cooling & heating water, cutting & grinding wastewater, fire suppression system test-water, food processing wastewater, hydrostatic pressure testing wastewater, non-contact cooling water, non-destruct testing rinsewater, printing and photographic processing wastewater, tumbling or cleaning of parts wastewater, water treatment wastewater, and vehicle maintenance wastewater.

Non-Process Wastewater means any MIU wastewater which is not a process wastewater. In the MIU GP, non-process wastewater is referred to as Group II wastewater.

POTW Authority means the chairperson of the Water Pollution Control Authority which owns or operates a Publicly Owned Treatment Works or such chairperson's designee.

Process Wastewater means any MIU wastewater which, during manufacturing, commercial, mining or silvicultural activities, comes into direct contact with, or results from the production, use or handling of any process, raw material or intermediate or final product, byproduct or waste product. Other wastewaters which comingle with process wastewaters prior to the monitoring location shall be deemed to be process wastewater. This does not include air compressor condensate, hydrostatic pressure testing wastewaters, cooling water (non-contact), domestic sewage, blowdown from heating and cooling equipment, stormwater, or wastewater from agricultural activities. In the MIU GP, non-process wastewater is referred to as Group I wastewater.

Publicly Owned Treatment Works or POTW means a system used for the collection, treatment and/or disposal of sewage from more than one lot as defined in section 22a-430-3(a) of the Regulations of Connecticut State Agencies and which discharges to the waters of the state and which is owned by a municipality or the state.

Receiving POTW Authority means the POTW Authority holding an NPDES discharge permit for the wastewater treatment and disposal facility.

Regional Collection / Transfer / Disposal Site means a facility approved in accordance with law for the collection, transfer or disposal of fats, oils, grease and food waste which in Connecticut means a POTW or privately owned treatment works that is approved by the Commissioner for the transfer, separation or disposal by incineration or other methods of fats, oils, grease and food waste from the wastewater of a

facility. Pursuant to section 22a-174-33 of the Regulations of Connecticut State Agencies related to Title V Sources, an in-state regional incinerator must have an operating permit that lists FOG as a source of fuel.

Significant Industrial User or *SIU*, means: (i) all Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and (ii) any other Industrial User that: discharges a cumulative maximum of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste-stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by the Commissioner on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Vehicle Maintenance Wastewater means wastewater generated by (1) floor washdown and incidental drippage from vehicles as a result of routine vehicle servicing operations and (2) washing of vehicle exteriors or steam cleaning of vehicle engines.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-111. - Authorization.

A miscellaneous industrial user may make an authorized discharge pursuant to the General Permit issued by the Connecticut Department of Environmental Protection, provided that the miscellaneous industrial user complies with this division.

Sewer users that discharge *Miscellaneous Industrial User Wastewater (MIU Wastewater)* in sewers that are under the authority of these Sewer Use Rules and Regulations must do so under the terms of the MIU General Permit, effective date October 31st, 2020. These users discharge either Process (Group I) or Non-Process (Group II) wastewater. The aforementioned type, as well as the cumulative maximum daily flow, of the discharge will determine which requirements the MIU will have to adhere to in terms of notifying the WPCA of their discharge and performing monitoring and reporting activities.

As narrated in Sec. 19-109, By definition in the General Permit, both the Town of Trumbull and the receiving POTW Authority are considered POTW Authorities. Under this condition, the Industrial User shall send notification to both applicable POTW Authorities. As such, MIU discharges to the Town of Trumbull's sanitary collection system and the receiving POTW facility must be approved and authorized.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-112. – New or Existing MIUs and Administration.

(a) *All MIUs*

- (1) All Miscellaneous Industrial User establishments or facilities, including but not limited to vehicle maintenance facilities, car washes, hotels, commercial laundry facilities, pools, pool cleaning services, companies that manufacture their products in-house, hotels, etc. that have the potential to generate *MIU Wastewater* at concentrations in at or in excess of the limits defined in Section 19-77(6) shall be required to be registered under the MIU GP as defined in subsections 19-109 and 19-111 of this division.
- (2) Any new MIUs that will be covered under the MIU GP will need to be compliant with the GP before discharge. See details in (b)(3).

(b) *Administration of the MIU GP.*

- (1) The notification process consists of the MIU completing a Discharge Notification Form as well as one or more supplemental forms, if required (Refer to Table below for form requirements and additional information.). The form(s) must be submitted to the Receiving POTW Authority AND any POTW Authorities where wastewater is expected to be passed through via sewer system before discharge to the sewers begins. Additional Forms include:
 - a. Attachment A: Detailed Discharge Information.

- b. Attachment B: Qualified Professional Certification for Treatment [See Section 4(c)(3)(B) of the MIU GP Exceptions found in 4(c)(3)(B)(ii)],
- c. Attachment C: Discharge Analysis Results of one screening analysis from the testing of a sample taken within 90 days of notification OR most recent sampling event for pollutants specified in permit. (This is a one time reporting requirement.)
- d. Attachment D – Request for Variance to applicable POTW Authority that will convey or treat the wastewater received, in accordance with Section 7(a) of the MIU GP.

Discharge Type	Form Required				
	Discharge Notification Form	Attachment A	Attachment B	Attachment C	Attachment D
Group I wastewater < 1000 gpd discharged directly to a sanitary sewer that does not require a variance	NA				
Group II wastewater < 5000 gpd discharged directly to a sanitary sewer that does not require a variance	NA				
Group I Wastewater ≥ 1000 gpd and < 25,000 gpd	X				
Group I Wastewater ≥ 1000 gpd and < 25,000 gpd AND any of the following apply: <ul style="list-style-type: none"> - Greater than 2% and less than 5% average organic or - Hydraulic capacity of POTW - Transported - Discharge has had increase in flow/ change in chemistry since last registration/ notification - Requires a variance - Requires treatment prior to discharge to meet limits in GP Table 5-2 or POTW Authority limits, whichever is more stringent 	X	X			
Group I Wastewater ≥ 1000 gpd and < 25,000 gpd AND requires treatment prior to discharge to	X	X	X		

meet limits in GP Table 5-2/ POTW Authority limits					
Group II wastewater ≥ 5000 gpd	X				
Any flow of vehicle maintenance wastewater	X	X			
Any flow of vehicle maintenance wastewater (excluding discharges previously permitted by DEEP)	X	X	X		
Any transported wastewater	X				
Any flow requiring a variance	X				
Any flow that POTW Authority requests notify	X				
All Group I wastewater submitting the Discharge Notification Form	X	X	X		
All Group II wastewater in category "Other" (Refer to GP section 4(a)(1)) submitting the Discharge Notification Form	X	X	X		
All Group I Wastewater that Requires A Variance	X	X	X	X	X

- (2) The Discharge Notification Form and applicable Attachment Forms should be submitted to the Local POTW Authority and any POTW Authorities where wastewater passes through via the sanitary sewer system.
- (3) For new discharges, the Discharge Notification Form and applicable Attachment Forms should be submitted before the discharge is initiated.
- (4) The WPCA shall have the right to inspect such MIU facilities at any time during normal business hours.
- (5) The WPCA shall have the right to request monitoring and compliance testing parameters at any time, including those noted in subsection 19-77(6).

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-113. – Eligible Activities Authorized to Discharge.

(a) *General requirements.*

The following eligible activities (listed but not limited to) are authorized to discharge to the Town of Trumbull's sewer collection system in accordance with the terms and conditions of the MIU GP:

- (1) The discharge is not from an Industrial User subject to any provision of 40 CFR 403.6 (National Pretreatment Standards: Categorical Standards) and 40 CFR chapter I, subchapter N for which a regulation containing pollutant discharge limits has been promulgated.
 - (2) The discharge of tumbling or cleaning of parts wastewater is not from an Industrial User that engages in activities that are subject to the Electroplating Point Source Category (40 CFR Part 413) or the Metal Finishing Point Source Category (40 CFR Part 433), regardless of whether any discharges exist from such point source categories.
 - (3) The cumulative maximum daily flow of all Group I process wastewater discharges from such Industrial User, as described in Section 4(a)(1)(A) of the general permit, is less than 25,000 gallons per day.
 - (4) The maximum cumulative discharges from the Industrial User does not contribute a process waste-stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the Receiving POTW.
 - (5) The Industrial User is not otherwise designated as a Significant Industrial User by the Commissioner on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement in accordance with 40 CFR 403.8(f)(6).
 - (6) Such activity is in compliance with the requirements of the applicable POTW Authority and local ordinances or regulations or any variances granted therefrom.
 - (7) Such activity is in compliance with notification requirements of Section 4 of the general permit.
 - (8) The discharge from such activity is in compliance with all terms and conditions of this general permit including, but not limited to, the prohibitions described in Section 5(a)(2) of the general permit.
- (b) *Wastewater discharge prohibitions.*
- (1) Wastewater discharged under the authority of this general permit shall not for any reason cause or threaten either singly or in combination with other discharges:
 - a. Interference or adverse effect upon the maintenance and / or operation of the local POTW Authority and the Trumbull's sanitary collection system;
 - (2) Wastewater discharged under the authority of this general permit shall not:
 - a. Contain any substance which causes or threatens a fire or explosion hazard in Trumbull's sanitary collection system, including but not limited to, wastewaters with a closed cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21.
 - b. Have a pH of less than 5.0 or more than 9.0 Standard Units.
 - c. Contain solid or viscous pollutants in amounts which will cause or threaten obstruction of flow in the sanitary sewer system or the Receiving POTW.
 - d. Contain heat in amounts which will inhibit biological activity in the POTW, nor contain heat in such quantities that the influent temperature at the POTW exceeds 104°F (40°C).
 - e. Contain pollutants which result in the presence of toxic gases, vapors or fumes within the Town of Trumbull's sewer collection system or the Receiving POTW in a quantity that may cause acute worker health or safety problems.
 - f. Contain pollutants in a quantity or concentration which may cause or contribute to excessive foaming within the Receiving POTW or which may cause foaming within the Receiving POTW's effluent.

- g. Contain, either singly or in combination with other discharges, any pollutant in sufficient amounts to cause acute worker health and safety problems, problems in the collection system or pass through or interference with the Receiving POTW.
 - h. Contain, either singly or in combination with other discharges, flow in excess of the hydraulic capacity of the Receiving POTW or the Town of Trumbull sewer collection system.
 - i. Contain mercury.
- (3) The use or addition of water to dilute a discharge of wastewater in order to meet any effluent limit or condition of this general permit is prohibited.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-114. – Monitoring, Reporting, and Record Keeping.

(a) *Monitoring Requirements.*

- (1) MIUs discharging Process/Group I wastewater will have to monitor their discharge for parameters listed in concentration of pollutants table under Division 03 “Use of Public Sewers” Section 19-77(6), at the frequency noted in the MIU GP. Monitoring results shall be recorded in a log kept on site and records made available to the WPCA on request.
- (2) Violations of the limits in Table 5-1 of the MIU GP, or of the limits in these Sewer Use Rules and Regulations, will be recorded in a log of violations kept on site and made available to the WPCA on request. For more information, see Section 5(b)(8) of the MIU GP.
- (3) Some violations or problems in the MIU discharge must be reported to the WPCA immediately or within a specified time frame. For more information, see Section 5(d) of the MIU GP.
- (4) As part of the MIU GP requirements, all discharges (other than vehicle maintenance wastewater) requiring treatment prior to discharge to meet limits in Table 5-1 of MIU GP or limits in these Sewer Use Rules and Regulations must produce an Operation and Maintenance Plan as well as a Spill Prevention Plan. These documents are not required to be submitted to the POTW as part of initial notification, but they must be made available on request to the WPCA. Eligibility is outlined in MIU GP Section 5(e)(2) and components of both Plans are in MIU GP Appendices B and C.
- (5) For discharges of all MIU GP Group I process wastewaters and Group II “Other non-process wastewaters” only (as noted in Sections 19-110 and 19-112 of this Sewer Ordinance), results of one screening analysis from the testing of a sample taken within ninety (90) days of a Miscellaneous Industrial User’s (MIU’s) notification of discharge or the most recent sampling event for pollutants specified by Section 5(b)(1) of the *General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP)*.

(b) *Recording and reporting violations.*

- (1) If any analytical results from monitoring data elected to be done by the contact person or other information indicates that a violation of an effluent limitation or another condition of this division permit has occurred, the contact person shall immediately take steps to identify and correct any and all conditions causing or contributing to such violation. A log of such violations shall be maintained on site and contain, at a minimum, the following information:
 - a. The permit condition(s) or effluent limitation(s) violated;
 - b. The analytical results or other information demonstrating such violation;

- c. The cause of the violation, if known;
- d. Dates and times during which the violation continued;
- e. If the violation was not corrected immediately upon being discovered, the anticipated time it is expected to continue; and upon correction, the date and time of correction;
- f. Steps taken and planned to reduce, eliminate and prevent a reoccurrence of the violation, and the dates such steps have been or will be executed;
- g. The name, title and signature of the individual recording the information and the date and time of such recording.

(2) In case a violation occurs, the MIU GP permit holder shall immediately:

- a. Notify each applicable POTW Authority including the Trumbull WPCA,
- b. Notify the CT DEEP Commissioner of the violation, and
- c. Notify the CT DEEP the Water Permitting and Enforcement Division of the Bureau of Materials Management and Compliance Assurance (860-424-3025 during business hours 8:30 a.m. – 4:30 p.m., 860-424-3338 after business hours).
- d. If any analytical results or monitoring data or any other information indicates that a violation of an effluent limitation or another condition of this general permit has occurred, or upon becoming aware of any discharge that could cause problems to the Receiving POTW, including but not limited to slug loadings of pollutants which may cause a violation of the Receiving POTW's NPDES permit, or which may inhibit or disrupt the POTW, its treatment processes or operations, or its sludge processes, use or disposal.
- e. A written report must be submitted to each applicable POTW Authority and the Commissioner that contains the following information within five (5) days of becoming aware of the violation.
- f. In addition to the requirements described in RCSA section 22a-430-3(j)(11)(D), any other actual or anticipated noncompliance with effluent limits or other terms and conditions of the MIU GP shall be recorded within twenty-four (24) hours of becoming aware of such circumstances in a log.
- g. Within sixty (60) days after the deadline for submitting the report specified in Section 5(d)(4) above, the permittee shall submit to the applicable POTW Authority and the Commissioner a certification, as specified in Section 5.d(5) of the MIU GP.
- h. Additional information on how violations should be recorded and reported is found in Section 5.d(5) of the MIU GP.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-115. - Fees.

The Town of Trumbull / Trumbull WPCA may revise fees for the WPCA MIU management program required by this division at its discretion. The fees may include, but are not limited to, registration / notification, inspection, variance, and/or monitoring fees.

STANDARD FEES

- Discharge Notification Form \$100.00
- Attachment A \$ 100.00
- Attachment B \$ 100.00
- Attachment C \$ 100.00
- Attachment D \$ 100.00
- Late Fee \$ 25.00 (per month)

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-116. - Segregation of proceeds of use charges.

The proceeds of sewerage system use charges, whether pledged for the payment of securities, shall be segregated from other funds of the Town and may be placed in an enterprise fund or funds established as may be provided.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-117. - Effective date.

This Resolution No. XXX-XXX, shall become effective on March XX, 2021.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-118. - Violations and fines.

The Town of Trumbull / Trumbull WPCA may revise fines for failure to act in accordance with this division at its discretion.

VIOLATION FEES

Violations of the Town of Trumbull MIU GP Program may be subject to Violation Fees. Each day a violation continues may be considered a separate occurrence.

- Failure to submit Discharge Notification Form and Associated Attachments \$100.00
- Disallow a site visit or inspection by the Trumbull WPCA \$100.00
- Failure to maintain records in proper order \$100.00
- Falsification of records \$1,000.00

(Res. No. XXXX-XXX, § XXXXX)

RESOLUTION TC28-170

CHAPTER IV. ADOPTING THE ANNUAL BUDGET

Section 2. Duties of the Board of Finance.

....

D. The Board of Finance shall, in any event, no later than the second (2nd) Monday in April, submit to the Town Council its recommended budget for the next fiscal year, except for calendar year 2021 only, when the Board of Finance shall submit its recommended budget no later than the fourth (4th) Monday in April.

....

Section 3. Duties of the Town Council.

A. Upon receipt of the budget recommended by the Board of Finance for the ensuing fiscal year, the Town Council shall cause sufficient copies thereof to be made available for general distribution in the Office of the Town Clerk and shall hold a public hearing thereon no later than the first (1st) Monday in May each year, except for calendar year 2021 only, when the Town Council shall hold a public hearing thereon no later than the third (3rd) Monday in May. At least five (5) calendar days prior to said hearing, the Town Council shall cause to be published, in a newspaper having a general circulation in the Town, as well as the Town's website, a notice of the public hearing together with a summary of the budget recommended by the Board of Finance showing proposed expenditures, anticipated revenues by major sources together with the amount of revenue to be raised by general taxation.

B. The Town Council shall consider the budget recommended by the Board of Finance and shall adopt a budget no later than the second (2nd) Monday in May, except for calendar.

RESOLUTION TC 28-171:

Whereas, on July 9, 2020, the Trumbull Town Council overwhelmingly voted to establish the Equity, Diversity & Inclusion Task Force (TC Resolution #28-87, 18 approved, 0 opposed, 2 abstentions) (referred to as the “EDIT Task Force”);

Whereas, on July 9, 2020, the Trumbull Town Council established the purpose of the EDIT Task Force as follows:

“The purpose of this task force shall be to strengthen Trumbull’s identity as a diverse, equitable, and inclusive community. The task force shall identify programmatic, community and legislative practices with regard to racial, social, sexual and gender equity and diversity.” (referred to as “EDIT’s Mission”);

Whereas the Trumbull Town Council duly appointed eight members of the EDIT Task Force;

Whereas the EDIT Task Force conducted an organizational meeting on October 22, 2020, and elected officers;

Whereas the EDIT Task Force conducted its public business in a good and proper manner and held public meetings on November 12, 2020, December 17, 2020 and January 21, 2021, including a public hearing held on January 14, 2021;

Whereas, four members of the EDIT Task Force recently have resigned, and a quorum no longer exists for the EDIT Task Force;

Whereas the Town Council usually appoints the chair and/or vice chair of other committees of the Town Council (for example, various building committees, Charter Revision Commission 2020, 2020 Trumbull Redistricting Committee);

Whereas the EDIT Task Force is a committee established by the Town Council and the Town Council retains jurisdiction with respect to the existence and operations of the EDIT Task Force.

Now, therefore, BE IT RESOLVED:

- 1) The Town Council affirms the existence and importance of the EDIT Task Force.
- 2) The Town Council affirms EDIT’s Mission “to strengthen Trumbull’s identity as a diverse, equitable, and inclusive community”.
- 3) To further assist the EDIT Task Force to accomplish its mission, the EDIT Task Force shall not meet or conduct business until such time as the EDIT Task Force has its full complement of 8 members appointed by the Town Council and at which time the Town Council also will appoint a new Chairman and Vice Chairman.

RESOLUTION TC28-174

A RESOLUTION IN SUPPORT OF “HOME RULE” IN MUNICIPAL ZONING DECISION MAKING

WHEREAS, Connecticut’s towns and cities successfully use local zoning and planning processes to balance private property rights, the community’s interests, demands on infrastructure, housing needs, and economic growth; and

WHEREAS, local control and decision making empowers the residents and taxpayers of each town and city to carefully tailor zoning policies that reflect its unique geography, economy, and housing market; and

WHEREAS, localized decision making ensures the greatest level of accountability while allowing affected community members the greatest level of input and the platform through a public hearing to provide specific, relevant information on potential impacts that only they would have knowledge of; and

WHEREAS, local control and local input enable neighbors and the local community to provide beneficial suggestions, identify errors and maximize community buy-in on zoning proposals; and

WHEREAS, proposals have been introduced in the General Assembly to strip local planning and zoning processes from towns and cities; and

WHEREAS, proposals have been introduced in the General Assembly to allow BY RIGHT market value multi-family development that will not generate any new affordable housing units; and

WHEREAS, proposals have been introduced in the General Assembly to allow outside Housing Authorities within 15 miles radius to develop affordable housing projects within our town; and

WHEREAS, BY RIGHT multi-family development can lead to exponential market value overbuilding and can cause adverse impacts to town infrastructure; and

WHEREAS, BY RIGHT development gives outsized rights to builders over all other property owners and prevents local Planning and Zoning Commissions from identifying the potential impacts of their project and imposing conditions upon a developer to address those direct impacts; and

WHEREAS, eliminating public hearings and community input on zoning matters would have unintended consequences such as increased infrastructure costs, increased local property taxes, and reduced home and business values which will be borne by the town residents; and

WHEREAS, each town and city already has the choice to modify or abolish its zoning ordinances if the elected town or city government decides it best serves the community’s interests.

NOW BE IT RESOLVED that the TOWN COUNCIL of the TOWN OF TRUMBULL opposes any State Mandated one size fits all Zoning Legislation and the ability of any outside housing authority to have jurisdiction on our town’s Affordable Housing plan and any similar legislation

that would further overrule, remove or diminish local control and decision making related to planning and zoning or affordable housing from the Town OF Trumbull; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to all State Representatives and State Senators representing this town, to all members of the State Legislature's Planning and Development, Finance and Housing Committees, and to all legislators sponsoring bills that remove local control of planning and zoning and affordable housing.

PUBLIC COMMENT

1. Rich Deecken of 679 Garden Street spoke to the importance of partiality on an apolitical board or commission, which by definition is supposed to be the most impartial and nonpartisan board in town does nominate its members along party lines. Sec. 17 of the Town Charter reads that Ethics members should be appointed by a 2/3 vote of the Council in addition no more than a bare majority of a commission or board shall be members of the same political party. Chapter 8, Section 4 of the Charter a board of eight member shall not have more than five of the same party. The Town Council minutes from the September 8, 2020 read as that there were four democrats, 3 unaffiliated members and one republican. Now with the resignations of four members there is an opportunity to restore balance. To appoint one republican aside seven others is an example of poor governance. The appointment of an unaffiliated is an acceptable practice, but should be entered evenly within the established bounds of the two major parties. One party shouldn't five up $\frac{3}{4}$ of its allotted seats while the other concedes none. No other board or commission has such an imbalance. This brings into the question of the impartiality and legitimacy of the committee. Only by restoring this balance, will the EDIT Committee regain full acceptance of the people and finally have a chance to carry out its very important mission.
2. Michael Barker of 26 George Street TC28-172 and 173 were brought forward by the republicans, they seek to cancel Trumbull's diversity committee rather than confront Trumbull's racism, they strangely aspire to make diversity a law enforcement issue. These are resolutions designed to solve imaginary problems and should be voted against. The democrats brought TC28-171 forward. The first part of the resolution no one could have a problem with, we all support EDIT. Trumbull is a diverse community and we need town government to be a part of these conversations; however the resolution then states a new chairman will be named. Part of the resolution is about replacing the chairman. The resolution should be voted against.
3. Joe Gerics spoke to the EDIT resolutions. When he sat on the Town Council he was proud of their work to create EDIT. It was clear to him that the town's governmental representation didn't match the community and was pleased to provide an opportunity to hear voices that for so long had been relegated to the sidelines. He was proud last year when so many people gathered at Town hall to stand up for black lives, at that time many of you stood there with me. When the chair of the EDIT committee received threats on the Trumbull Police Unions page he was shocked by the lack of support she received from our democratic administration. He wasn't shocked by the republican lead resolution which removes the current chairman from the committee. Attempts by republicans to silence the voices and votes of people of color are sadly common place across the country and there is no reason to expect our republican representatives to be any less racist. However, we now have seen multiple resolutions on this evolving agenda, some to remove the current chairman from the committee, some to remove her as the chair and some to prevent the committee from meeting. These resolutions have one thing in common, silencing. They all work to prevent the members of the EDIT Committee from doing their work. That may not be the intention the council members have in mind, it is

clear that is the collective effect. He feels for the members of EDIT that have had their hands tied these last few months, some of them who found the lack of support sufficient reason to resign. To those that have had the strength to stand up to these attacks especially to the current chairman he salutes them. Less than a year ago many of us stood together at town hall to condemn racism and to make clear we as a community would stand up against. The question is will you still stand up against it today and encouraged them to vote against any resolution that silences our EDIT Committee.

4. Julie McNamee of 256 Booth Hill Road supports resolution 171 with some amendments. She knows a lot has happened since the town council created the EDIT Committee last summer. We have seen similar equity committees created around the state because they like Trumbull want to be sure we are doing what we can to make our own community more equitable. Unfortunately around the state we have also seen splinter far right groups try to beat down the committees however they could, targeting the individuals and actions. We have also seen across America and CT attempts to make voting harder especially of people of color, we have seen attack after attack on our Asian friends. WE all know the rhetoric that led to this abuse. If you are like her, disgusted by attempts to make voting harder in the country, the state and here in Trumbull is why we need an EDIT Committee, this is why she supports the beginning of Resolution 171 in its firm support of the committee. Those who seek to dismantle this committee here in Trumbull and the state and unseat its chairman know exactly what they are doing, they benefit from inequity. This is our chance to do what is right. When the EDIT Committee was set up last summer there was not a lot of pressure against. This is pressure and we can count on it increasing no matter what happens. She supports EDIT, its work and the resolution as amended to take out the part about a new chairman.
5. Tom Kelly of 28 Plumb Road spoke to the EDIT resolutions; he strongly supports Trumbull's EDIT Task Force and its ongoing work. We need to be able to have difficult conversations and work together to ensure that Trumbull is a welcoming community. Unfortunately, there are people within our town that have been opposed to the creation of EDIT from the start. Their aim is to divide the town, polarize it with divisive and inflammatory rhetoric and to politicize this situation. We must not let these forces stop the work of EDIT or divide this town. The Chairman is a real person and should be treated with decency and respect. Her statements last summer on Facebook last summer prior to the creation of EDIT were her own opinion and were formed by her own life experience. IT would have been fair to ask her to explain the comments and present her with different points of view, but that is not what happened. Immediately there were calls for resignation, no one deserves to be judged without an opportunity to speak. The ensuing social media controversy descended into some of the most vitriolic, threatening and abhorrent comments we have ever seen on social media in Trumbull. One person said EDIT would have no peace, a clear attempt to intimidate the entire committee. All of us has an obligation to stand against these types of attacks. We must all fight racism and bigotry in all forms at all times. He asked everyone to consider one more thing. In the past we have seen public officials get themselves into trouble or controversy and some have even been arrested and charged with crimes. When this has happened has there ever been this kind of outrage and daily calls for resignations, has there ever been a fire storm

like this before. The difference is the way these situations have been addressed demonstrates the need for EDIT. He urged the Town Council to fill the vacancies with experienced citizens this will build relationships and trust in our community so that EDIT can do its work and make a positive difference in our town.

6. Stuart Schwartz of 29 High Ridge Road stated he hears racism and many things being thrown around, he thinks people have lost sight of what is really going on. He has lived in Trumbull since 1978, married his high school sweetheart, and chose to raise their family here. It saddens him to see the wonderful community that he called home for 40 years being torn apart and divided the way Trumbull has never experienced before. The town council formed an Equity Diversity and Inclusion Task Force last summer that was designed as a mean to enrich our community by promoting a welcoming and diverse Trumbull. It was to be focused on the important work of advancing Trumbull's efforts to promote cultural inclusion and to make recommendations on how we can improve the community. However, this Task Force has not to date produced any meaningful actions and worse its appointed chairperson made inappropriate, divisive and offensive comments on social media last summer. Resolution 171 is about the chairperson. This was to promote unity, equity with its leadership making divisive comments, which failed its purposed, and it pains him that the leadership hasn't dealt with the issue. Step up and do the right thing.
7. Amanda Wagner of 43 Beech Street spoke to the 3 resolutions on EDIT. She disagrees with he resolution which includes a police officer, putting people on a committee that don't express intent or the interest to do the work will not help the committee accomplish their task. This work is already challenging and to require people to be dedicated to do the work but being told they have to makes it a little dicey. If a police officer said they were interested in the EDIT work then by all means they should apply for it, get appointed and be a part of it. She doesn't think specific spots should be reserved for a specific occupation. Where do you draw the line? The committee should be partnering with different departments in open dialogues in order to accomplish their goals. The resolution, which talks to the removal of the chair and the vice-chair, whatever the position is that you have on social media, comments that created these resolutions, the chairs were appointed to their positions, by removing them it shows what position you take. It shows a lack of trust and support for the committee. As a former member of this committee, they did receive advice on how to select the chair and vice-chair. There should be proper training for the volunteers of local government and suggested that be an amendment. The resolution about submitting quarterly reports is a moot point, the committee is already supposed to be giving reports, unfortunately because of everything that happened in February made it challenging to do in March. EDIT is essential within this town and hopes you see they are needed; it's more than holidays and heroes.
8. Wayne Winston of 70 Berkshire Avenue explained the EDIT Committee is very important as a person of color, with family that has been here over 50 years and there are other black families that have been here well over 70-80 years and have a very rich family here. Traditionally they have had to struggle to make a connection and they looked forward to EDIT being that. He was one of the planning members with EDIT. The

resolutions that take the chairman out are painful because he knows of her dedication and what she wants to do. The EDIT Committee has to be a place where people feel safe. People of color, Middle Eastern, Indians, new people that we know, have their own personal stories were wounded. This is a step that Trumbull wants to have that conversation. It was hard to hear when children were arrested for flags, when that opportunity to listen, what the EDIT Committee could have done to sort it out and to see why the kids made this crazy mistake that caused the catalyst. That could have been something different. When the answer has become to remove the person who is trying to support the kids on another educational moment, we have an issue. Removing the chairman would be terrible and appointing a policeman by design is also crazy. He has no issue with police officers, he is an activist and works with many police officers, a couple of police chiefs are his friends. The committee has to be a safe place where people can come and talk about things that they are afraid of or have experienced. That is the EDIT Committee for Trumbull. We can't have a tolerance for threats like "cross burnings" and wondered what happened to that gentleman. Let's make it good for everybody.

9. Kyle Norton of 1809 Huntington Turnpike spoke to the EDIT resolutions. He spoke against 172 & 173, but in favor of 171. However, the calls to remove the chair and vice-chair are the only parts he takes issue. When he saw a police union single out an individual for expressing her personal opinions, he was horrified. He responded to the comments to explain why she might have said them, but the police union deleted his words. The reason these resolutions have come to exist started with this event, which was the catalyst that led to the resolutions. When he saw people speaking out using racist language to describe children having firsthand experience with systemic racism he was further horrified to see resolutions to suspend or halt the committee all together. How can this committee continue to do their work when they know a small number of residents can derail them and their work by misconstruing any of their past statements at any time? How can we get the best people to lead the committee when they know town council may remove them. Town Council could have chosen to stand in defiance of those but instead put resolutions for the chair's removal. You can decide tonight if Trumbull lifts up individuals who stand in defiance of racism. If anything has come from these events is the certainty that Trumbull needs EDIT now more than ever and asked that the resolutions be voted down.
10. Diane (Dee) Chiota of 35 Iron Gate Road was born in Trumbull 78 years ago and has seen a lot of changes and is very much in favor of the concept behind EDIT what she is concerned about is the make-up of the committee, no one knows how they came about. She doesn't know anybody that submitted their names, no one asked town committees or if they did they didn't ask everyone. She thinks the committee should be made up of a broad spectrum of people so people get an idea of what Trumbull is all about. The way the committee was formed was exclusive not inclusive. It should be broadened to bring everyone from all walks of life.
11. Mary Beth Thornton of 40 Sturbridge Lane echoed Dee Chiota's comments. She agrees with the mission of EDIT. She grew up here in the 1960's and came back to raise her family. This is her hometown and feels very invested in it. She has been a volunteer for

20 years, and although she isn't in politics anymore she feels very strongly about the subject, she is speaking in support of TC28-171 and TC28-173. TC28-172 would expand the committee to include a member of the police department but thinks all would agree that doesn't make sense because you would have to include someone from every pillar of the community. That singles out a single pillar. We want Trumbull as a community to be better represented on this Task Force and beyond supporting EDIT as a concept which she did when she was chairman of the Council, she supported it 100%. She wanted to recommend and remind all of the officials on the council, when someone is appointed to a designated position, if they don't have respect they don't have influence or the ability to make an impact and won't be able to get things done. Her hope is that the members of EDIT will influence others by their interactions in our community. Their behavior and example will engender respect. Respect is essential to lasting social change, that is what she, and everyone who is in support of EDIT are looking for, lasting social change. It doesn't happen through a struggle or crisis or national news. We are a small tight community; we respect each other, a group of volunteers. The EDIT Committee will make lasting social change through respect.

12. Dede Robinson of 97 Moose Hill Road has been a member of the community for ten years; he is for EDIT but thinks it needs to be more diverse. He hears the term racism and as a black American he feels they are being used as a ploy, or a stepping stone. He was one of the black Americans opposed to the current chairman's comment because he has a blue lives matter, support the blue sign on his lawn and he want someone to steal it. If we are promoting people coming on to the property to steal something that they oppose, we are then just listening to one side of the argument and pointing the finger at the next party. He thinks Trumbull could be a little bit more diverse and there should be a law enforcement officer on the committee. He respects law enforcement and thinks we can't bash them and then call for their help that is contradictive. He is in disagreement with a lot of the rhetoric that is coming from the left, as far as racism. They are using racism as a tool instead of reaching out and building a bridge, everyone is just pointing a finger on both sides and are getting nothing done. We are drumming up the same thing repeatedly. If this committee wants to be more diverse, they should reach out to the right side and try to build a bridge. A town divided is a town that is easy to override and their should be more leadership given towards everyone coming together. Listen to both sides. As a republican he can learn something from someone on the left and hopefully someone on the left can learn something from a republican. We need to stop pointing the finger and using the word racism. He has lived here for 10 years and has faced no racism. His family has been welcomed to Trumbull he has met many friends. Leaning to one side of racism when it fits the argument/narrative isn't fair. Once some people hear racism they only identify that word and the other side is sometimes disregarded. We need to listen to people. He is willing to listen to anyone, from both sides. He thinks Trumbull needs to come together. We have been divided too long; it's time to build bridges. He was offended by the committee chair's comments. He doesn't think someone in power shouldn't be able to spew that kind of rhetoric.
13. Scott Kerr of Lynbrook Road spoke to the EDIT resolutions. He had attended many of the EDIT meetings and viewed those that he didn't. He witnessed great work, including a

series of 14 stakeholder interviews, all of the EDIT members were new to public service and it was refreshing to hear new voices and fresh approaches. We saw the diversity we seek personified in the Task Force members. A new wave of volunteers like this should have been welcomed and supported. We desperately need their kind to lead us in tackling this diversity and inclusion work, it's not something for the faint heart. It is with sadness he saw their strong start unravel in the wake of the attacks on the chairman. Four members have stepped down out of frustrations and fear. Frustration and fear are not words to be used to describe feelings of Trumbull volunteers. Particularly those that signed up for such an important and challenging role. He was impressed with the chair's leadership in terms of her administration of the meetings and the inclusive approach to discussions. He saw no evidence of bias or strong arming of the groups to her works view. He has read her public statements and believes her to be sincere in her regrets but also firm in her position that there is much work to be done in Trumbull with regard to Equity, Diversity and Inclusion. If you have a chair with this conviction still willing to serve the town in this important role you would do well to give it consideration as you move forward to rebuild the Task Force. As citizens of Trumbull we trust you our Town Council to act in the best interest of all our residents Part of EDIT's mission is to remind us who that "all" is comprised of.

14. Mark Block of 60 Ridgeview rejects resolutions 171 & 172, and support 173. That would be the first step moving forward. While following the revelation Task Force chair's social media posts there has been significant and increasing calls for the chair to step down or be removed from the position. When the chair becomes the story they become a distraction, when that happens your effectiveness diminishes or disappears and leaves behind a wake of repair making it harder to engender support from the community. Voting in favor of TC28-173 you will provide the time needed to reimagine, define and reconstitute a Council Task Force that is truly reflective of a community with a proper change, which defines clear, precise directives on its scopes and procedures. Then you will appoint new leadership that will transparently promote conversation. Inclusion can not result from exclusion and should never be a reaction resulting in a rushed process, rather it should be proactive which will benefit us all. That would be a cause for celebration for us all.
15. Reverend D. Stanley Lord of 1138 Hancock Street, Bridgeport, CT. He serves as the president of the Greater Bridgeport NAACP, which covers Bridgeport, Fairfield, Trumbull and Stratford. He is in opposition to 171, 172 and 173. 171 deals with the removal of the chair and vice-chair, the rest of the bill can stay but that part needs to be removed. When volunteers take positions, they come with their whole heart. We don't always realize that something said in the past before they were appointed to a position would be held against them, to the point where they receive threats. Who wants to volunteer in that climate? If someone is still willing no matter what happened or has been seen or said about this most important committee. We need committees like this and need committed people, we need energized young people and to think about removing a young person who is learning. That is our job to teach the young. We always say the young don't want to get involved. There is a young person who wants to be involved. Let's do a little more on being considerate and overlook some mistakes we have all made in the

past. He asked to vote down 172. To think a police officer belongs on this committee by assignment is not a good look at all. Please vote these down and stand up for those that are marginalized and don't have a voice.

16. Christine El Eris of 4955 Madison Avenue supported TC28-171 and agrees with so many of the other members of the community who have spoken this evening, talking about the importance of working together towards lasting society change, supporting new and diverse volunteers to serve. She is a newer volunteer as an appointed member of the BOF. She joined a very robust board; the TASK Force is brand new and comes from scratch which is a very different undertaking. She believes a brand new Task Force with an important topic needs as much support from the community and the Town Council. She reminded all the mission statement the words promoting community unity are not in the mission. We want our community to be the best it can be. The committee got off to a good start and looks forward to the council voting to continue it and to continue to get the support it needs under the original framework.
17. Tricia Galloway 65 Bonnie View Drive deplors racism in any form but rejects the notion of systemic racism in Trumbull. She believes the approach of solving the cases of problems that occur primarily in schools because of attitudes that occur in homes and families the approach of having this committee is the wrong approach. For that reason she says no 171, says yes to 172 & 173. She read the minutes from an EDIT Committee meeting in November of which the chair committed to meet with the police chief as well as one or two other organizational leaders, but didn't happen. A leader needs to lead by example, be open to others views without a preconceived agenda and to follow through on their commitment. This did not happen and supports 173 to have a new chair if the committee is to continue, but she has her concerns about continuing. We have seen how many schools are teaching white guilt and critical race theory, which is causing more divisions.
18. Ashleigh Pascarella was a member of the TASK Force but has resigned, not because of the chairman. There were several things happening in the community, threats, they couldn't have peace as members. She wants to make sure everyone knows that we need this committee. She was devastated that a number of them felt as if they needed to resign because it wasn't successful. It's been said by allies that we need to have relationships with people in the town. She has relationships with people in many towns, she moved here to raise her child here and it's necessary because it isn't super welcoming here. She couldn't imagine being a person of color living in this community because as a white woman it wasn't super welcoming. She hopes people vote in good faith tonight to make sure we understand that people of all different genders, races, and sexual orientations, also people who aren't from Trumbull are represented. As much as we want to pretend this is not an issue, it is an issue for everyone in the community. She hopes this happens. She has heard tonight that there is no evidence of bias. This is tough and is disappointed this committee happened the way it did. She was not voted to the committee because she is popular; she doesn't know anyone and doesn't have any representation here. She hopes everyone makes a good decision and votes toward the committee and make sure they aren't just putting people in place, like a police officer. That doesn't make sense. There is

a disconnect, she is not anti-police. That is one of the reasons she resigned because they were seen as anti-police. That is just not a fair statement. Whoever said they respect them for leaving because of they were anti-the-chairman were false.

19. Liz Parenzan of 26 Meadow View Drive agreed with Dede Robinson, the rhetoric of racism is baiting negativity, she doesn't think the town is racist. Do we have problems sure, we all do. She spoke against 171 & 172 and yes to 173 for the same reasons Mark Block brought up. This is a place to start and hold off a bit and retool what this committee is supposed to be about. When you amplify the ideas of stamping out racism you will just amplify it and thinks there are better ways to deal with this. Whatever the original intent of this group they need to go back to and start again. That is why we are having so much contention. It is not thought out well and is amplifying the negative rhetoric of the nation and we don't need that in our town. She has been here for 42 years and loves it her. She was raised her and is raising her kids here and hopes everyone will come together and take their own ideas of how they don't feel they are welcome, sometimes that has to be worked out on a more personal level among your family and friends. When you have lived here long enough and you really want to try you will find people that will help you with all of these ideas. This needs to be more on a personal level than a political level.
20. Lisa Nuland of 81 Teller Road spoke to the EDIT resolutions. She opposed the resolutions especially removing the chair and the vice-chair of the EDIT Committee. She supports strongly having the committee and if possible having the current chair and vice-chair stay of they choose to. Removing them is the reason why we need them. If the committee is dismantled that is the very picture of systemic racism that exists in this community. Some members in this community created chaos before the chairman was named, fighting the creation of the committee. This blocking of the committee in general is the very example of making it so the committee couldn't do its work and move forward. She is very pro-law enforcement but doesn't believe a police officer belongs on the committee because part of the job of the committee is to make inroads to all stakeholders in the community, police officers, firefighters, community members, you would then have to a BOE person on the committee, which might happen in the future. In the beginning, it has to be to make inroads. We have spent months fighting about the committee to the detriment of its work. Committee members' volunteers should never be threatened for volunteering. That is an example of the systemic racism that exists in this town, whether it's against persons of color, individuals of different faiths. She is Jewish and her kids have experience anti-Jewish jokes in school that were meant to be funny but weren't. That's the kind of stuff that needs to be discussed. She believes the blocking of the committee in general is creating more issues. She doesn't see why this committee would threaten any members of this community.
21. Tony Silber spoke to the EDIT resolutions. He concurs with Scott Kerr because seeing new faces involved in our community is refreshing. The deplorable response to the committee shows why we need a diversity committee. This is one of the worst things he has experienced in his 22 years in Trumbull. The was persistent denial of exclusion, there is a need for more proactive efforts both locally and nationally. Why people would deny

what has been apparent in our country for over 300 years is mystifying, or fight attempts to improve our town is equally strange. Diversity and Inclusion is mainstream thinking in America now, corporate America, sports, academia and everywhere. Trumbull should align with those companies. It promotes social cohesion; it's good for mental health and productivity. He hopes the council tonight comes up with a list of EDIT deliverables to go along with this action and a timetable for when they should be presented. There were some in the beginning but we know they got derailed. Why not have a monument at Town Hall honoring the enslaved men in Nichols and Long Hill who fought for their country in the Revolutionary War, why are there so few municipal employees who are non-white and what can we and should we do about that. Our first governor Jonathan Trumbull owned slaves and ordered them whipped for the crime of being out without a pass. Shouldn't we recognize both his accomplishments and his failures with a plaque at his statue at Town Hall? All the committee is saying and his saying now is let's try to live up to our founding creed. If you believe the journey is complete, he disagrees. When the next social media mob comes for the EDIT Committee by proxy for the Town Council, he hopes you have the courage to stand up against it.

22. Jeanine Stauder of 153 Governor Trumbull Way agrees with TC28-173 completely and has an objection to the make-up of the board is one-sided, there is more than one sex than the other, there are no senior citizens and would like to see more people of color and believes we have the ability to come together to discuss the equity in the town it should be done in a committee where everyone's viewpoints are heard and the chairman expresses their view points as a committee not her own personal viewpoints. She would like the council to redo the EDIT Task Force to include what she has asked for.
23. Ellie Grasso of 24 Indian Road appreciates all those that spoke and that there was a diversity of thought, which is exactly the kind of thing they will do with the EDIT Task Force as it continues. She is here to really in the strongest way possible support the EDIT TASK Force and the essential work it needs to do. She supports the chairperson. She doesn't know her that well but when this happened, she is not on social media, so she had started reading and wasn't sure what was happening and called the chairperson. Se told her that she didn't agree with her posts. They spoke several times, she listened the way a chairperson of an EDIT Task Force should. She urged anyone who disagrees with her to reach out to the chairperson because she will listen to you. The EDIT TASK Force is not about the members of the committee listening or sharing their opinions, it's about them listening to our opinions. This is a very particular moment on our nations' history, it is a moment where we white folks are being asked to think about what it feels like to be raised in a country that has never truly faced some of the issues the EDIT Task Force is tasked with facing. We are asking people to do this difficult work. IT is uncomfortable when your thoughts and beliefs are so engrained to stretch them and think about someone else. She asked the council to do the right thing by supporting EDIT and keeping the chairperson. If people don't have respect for the chairperson for what she has been through and a passion that she has shown, to want to keep this volunteer position then she doesn't know what respect is. She has been willing to listen that is what we need. She hopes that everyone who has spoken at this meeting will come to the forthcoming event

that the EDIT Task Force will put for us so we can as citizens listen to one another, learn from one another, grow from one another and make our town better.

24. Susan Schaaf of 57 Crown Street spoke to the EDIT resolutions. She urged the council to vote down 172 & 173. It is very important we continue with an EDIT Committee in our town. Given all the heated rhetoric it's obvious we need this committee to do this work. It makes her sad that some people's reaction to this committee is they are calling the town racist. In her mind, it's a great town, which is easy for her to say because she is white, but it's also their obligation to always try to make it better and do better in their personal live and professional lives we are always trying to do better. As a town, community and country there is no reason why we shouldn't want to do better. It's not necessarily a slight of what we already are and have. We can always do better. Especially given the climate of the last year. This is the perfect time; it is the time to make our union more perfect for everybody. She urged them to support TC28-171 and continue with the committee.
25. Nicole Plumber of 126 Suzanne Circle. Trumbull is also known as the unseated territory of the Pequonnock and Paugussett tribes. She spoke against resolutions 171-173. This committee has been sorely needed and is less than a year old and is populated by volunteers. They need to be allowed to move forward with the opportunity to dig into their work and to move this town forward to create an anti-racist society and help the town become a more diverse community, specifically being more inviting to black and brown families to move to Trumbull and for those that currently live here to all feel safe and not feel harm. Trumbull is 80% white. There is much work to be done here and there has to be no delay. With regard to 173 she is mindful that not everyone feels safe with the presence of a police officer. How is a town creating a safe haven for the volunteers to work. She strongly encourages a police officer to volunteer on their own time but is against a police officer being appointed to the committee.
26. Michael Ganini Jr. of 3 Canterbury spoke against 171 & 172 and in part of 173. The need for an EDIT Committee is evident by what has transpired in this town for the last 3 months. The Town Council needs to address through the EDIT Committee the cross burning threats. The committee as it was constituted needs to remain, the chairperson should be retained and suggested if it's amendable to the council that every person who resigned an invitation extended to them to rejoin the committee. Trumbull needs to move forward and doesn't think you can disassociate ourselves from what has transpired in reaction to a statement by a private citizen that has been misappropriated and turned inside out.
27. Susan Neil of 284 Unity Road was one of the original EDIT members, she supports EDIT. She thinks they need better diversity on the Committee as far as race, religion and political party. The committee was not politicized; there was nothing political about it. She left for two reasons; as long as the current chairman was there they had a target on their backs and weren't going to accomplish anything. The Chairman never put her political beliefs on them. She didn't push anything, was objective and her biggest goal was facilitate the committee and what they were doing and to move the meetings forward. She wasn't pushing any agenda and was objective, the other reason she left was

because of the anti-police narrative that was being pushed. The police had nothing to do with the committee, the only thing they did was meet with different town departments. And one of them was the police department, but the committee had nothing to do with the police, they were trying to form a policy of being inclusive and to figure out what was needed in the town and how to serve and make everyone feel welcome. Everything got so far off kilter and under attack. She left because she thought the committee wasn't going to be able to accomplish their goals. She would love to see it reformed because it is needed in the town and hopefully it will get back to the original intention and it thrive and grow and things will change.

28. Cindy Penkoff stated she enjoyed listening to everyone tonight and their perspectives on this. She is all about volunteerism in the town and always talked about building a bridge. Seeing new volunteers in the last couple of years has made her feel good. We all know where this started with an email to our first selectman to try to nip this in the bud before it got to this point, but unfortunately, 54 days this is where we are. She asked that TC28-171 and 172 be voted down and if we have to have an EDIT Committee, but is not convinced that is the way we should go as a town, but if we do to support TC28-173. 54 Days later we have members of our community being accused of racism because we are treating everyone equally and thought that was this was about. We are asking for accountability instead we got disingenuous excuses and the disrespect of 100's of community members for showing support for police officers and accusing them of being racist for doing so. Somehow, that is acceptable behavior for a public official when a recent public official a republican town council male member was slapped with an Ethics complaint for calling someone a hack. Fair an equal treatment? She doesn't think so. The BOE already has a group to deal with issues within the school system, which is the only place she has heard of issues existing. Not systemic problems but individual issues. The don't need or should have an unqualified group looking over their shoulders. The library doesn't have cull through their offerings and hiring practices should be handled by the administration and the HR department it is their job to use state and legal guidelines. She has repeatedly asked what systemic problems we have in town and none has been able to do that. What policies do we have that are racist in our town? None have been offered when asked. What is systemic is the bullying of children and adult family members of our law enforcement. This was an effort by the administration to do something and applauds them for wanting to do something but this wasn't the right way to go about doing it. The cries of racism are designed to throw out legitimate issues with this committee and the administration that created them. Trumbull should be doing better than this.

Public Comment closed at 8:46 p.m.

