

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

TOWN HALL
Trumbull

TELEPHONE
(203) 452-5000



MINUTES
AUGUST 3, 2020

Call to Order: The Chair called the virtual meeting to order at 7:32 p.m. All those present joined in a moment of silence and the Pledge of Allegiance.

Roll Call: The clerk called the roll and recorded it as follows:

<u>PRESENT:</u>	Dawn Cantafio	Eric Paulson	Joanne Glasser-Orenstein
	Lisa Valenti	Mary Beth Thornton	Kevin Shively
	Mary Isaac	Mike Miller	Ashley Gaudiano
	Joy Colon	Steve Lemoine	Jason Marsh
	Keith Klain	Joe Gerics	Bruce Elstein
	Tony Scinto	Thomas Whitmoyer	Carl A. Massaro, Jr.
	Bill Mecca	Donna Seidell	Lori Rosasco-Schwartz

ALSO

PRESENT: First Selectman Vicki A. Tesoro, Chief Administrative Officers Cynthia Katske and Kathleen McGannon, Town Attorney Daniel Schopick, Finance Director Maria Pires, Chairman of the Charter Revision members Kate Donahue, Charter Revision Vice-Chairman, Nancy Gardiner, Charter Revision Commissioners Susan Gilson, Thomas Tesoro, Martin McCann, J.C. Cinelli, Charter Revision Commission Clerk Jean Rabinow, Chairman of the 2020 Redistricting Committee Laurel Anderson, Economic and Community Development Director Rina Bakalar, Pension Board Chairman James Lavin, Thomas Kelly, Chairman of the Veterans' Center Building Committee Raymond Baldwin, Director of Health Lucienne Bango, and Chairman of the Booth Hill/Jane Ryan Building Committee Richard Decken.

PUBLIC COMMENT: There were eighteen (18) people present to speak. (Public Comment Attached)

APPROVAL OF MINUTES: Moved by Cantafio, seconded by Glasser-Orenstein to approve the regular July meeting minutes as submitted. VOTE: Motion CARRIED by unanimous consent.

DISCUSSION ITEM: *Booth Hill/Jane Ryan Building Committee Final Update*

Chairman Deecken reported the punch list has been completed, the reimbursement is at the state to be processed and upon completion by the state the reimbursement will be sent to the Town. This committee began its work in 2017-2018 and on behalf of the Committee Chairman Deecken requested the committee be disbanded. The Chair noted the Council was pleased the Committee had completed the project

NEW BUSINESS:

1. RESOLUTION TC28-89: Moved by Paulson, seconded by Elstein
BE IT RESOLVED, That the Town Council of the Town of Trumbull hereby approves as amended proposals for a revision of the Charter of the Town, as provided and permitted by the Connecticut General Statutes Section 7-191 and the Charter of the Town of Trumbull; and

BE IT FURTHER RESOLVED, That the questions of having a general Charter revision shall be submitted to the electors of the Town of Trumbull for adoption or rejection at the state and federal election scheduled for the 3rd day of November, 2020; and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to give such notice as required by law of such ballot questions at the state and federal election and of the registration of electors entitled to participate therein.

Committee Report: The L&A Committee met on July 27, 2020 and voted unanimously to send without recommendation.

Chairman Donahue explained there were eight changes discussed at the joint L&A and Charter Revision Commission and a ninth was brought up at the end of the meeting. The changes that were made and are included in the final draft are as follows:

- Chapter II, Section 2-This provision relates to how the voting districts can be changed. There was an idea floated that it could be done by a vote of not less than 2/3 of the Town Council and they made the change.
- Chapter II, Section 5a-They had considered removing newspaper publication from the Charter but it was recommended not to and they ultimately added the provision to be posted on the website in addition to newspaper publication.
- Chapter II, Section 5b-This clarified the language of posting the adoption of legislation in the legal section on the Town website for all appointments to be effective immediately upon posting in the legal ad section of the Town website.
- Chapter VIII, Section 5-There had been a question with regard to Absence and Vacancy and if the Treasurer would have to be replaced, this had been resolved

through language contained in Chapter VIII, Section 5 and was added to their reasoning.

- Chapter VII, Section 1a- Boards and Commissions - The BOF in particular had language referencing BOF alternates as one democrat and one republican. The commission was asked to look at this, they did and decided to give this to the Town Council to be done by ordinance. There was no change
- Chapter VII, Section 17-Ethics Commission-The Commission looked at the minutes, the public hearings and all of the comments the commission and council received and decided to abandon a number of provisions previously recommended such as inclusion of a materiality threshold and more. Although they favor the provisions they think they are better suited to be included in the Code of Ethics and urged the Town Council to look at the Code of Ethics as it hasn't been revised since 1989. That would be the appropriate place for those provisions. In addition they did include procedural rules that they were initially going to take out, specifically Section 17D-Clauses (i)-(iv) and restoring Section 17D-(ii) the option of having a public or private hearing as applicable by law such hearings must be public.
- Chapter VIII, Section 9- Bonded Debt-This section was added in the 2011 Charter Revision and by requiring a referendum for projects exceeding \$15 million, however there was no procedure outlined on how the Town would do a referendum. The recommendation is to base the indexing on CPI annually and suggested the procedural and CPI language be separated out keeping the CPI question as a separate ballot question.
- A sentence was added to Commission on Aging to mirror the language of the Commission on Youth regarding being an advocate for programs and expenditures before the BOF and Town Council.

Councilman Massaro spoke against an even number BOE, it takes away the voters' choice as all will get elected adding the Town Council is elected every two years and its work is as important if not more so.

Moved by Massaro, seconded by Rosasco-Schwartz to amend Chapter II, Section 2 by removing the language requiring 2/3 vote.

Councilman Massaro explained people need to understand how municipal districts are shaped and how they are supposed to be shaped under CGS 9-169. He was concerned every time the majority of the Town Council changes there will be a move to change the districts. Ms. Donahue explained the 2/3 language refers to the number of districts not the boundaries, the boundaries would be by majority vote, two different things. Councilman Massaro stated the number of districts can be just as important as the boundary lines once all the congressional, senate and state boundary lines are established. Councilman Shively questioned how giving more power to the majority would be

beneficial given the make-up of the Town and how balanced it is between different parties and independents. People across the country are concerned over any hint of gerrymandering, making it more difficult would be better and isn't sure of the logic of the motion. Councilman Massaro explained split districts are confusing to the voters when you follow the guidelines that takes away the confusion. Councilman Shively explained we have 4 districts with split districts this wouldn't change that. He didn't understand the argument or the logic of the motion. Councilman Massaro explained he doesn't want the Town Council handcuffed in their ability to change the number of districts when necessary and when there is valid census data. Councilman Marsh stated the argument he heard is that the Town Council may be handcuffed if state statute required a change in voting districts based on new data and congressional lines. The 2/3 vote would force the Town Council to work together. There would have to compromise or they wouldn't be able to comply with state statute. He doesn't subscribe to the argument by lessening the super majority vote on this that there would be a rogue council that would set up districts against state law, having census data is helpful, but the 2020 census has been delayed due to COVID and won't receive the numbers until 2-3 years from now.

Moved by Glasser-Orenstein, seconded by Elstein to call the question.

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"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carl Massaro, Jr.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
L ori Rosasco-Schwartz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joanne Glasser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orenstein -Not Voting			
Steve Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Gerics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VOTE: Motion FAILED 10-9 (AGAINST: Seidell, Scinto, Klain, Marsh, Massaro, Rosasco-Schwartz, Lemoine, Gaudiano, Valenti) (2/3 Vote Required)

Councilman Massaro stated the 2/3 vote on changing districts shows there is concern that a Council may go rogue and change the districts as Councilman Marsh noted. Councilman Marsh stated the Council thinks changing districts should be done with the forethought of all of the members of the Council so it isn't the will of a few but the action of the body. The redistricting resolution on this agenda will be voted on as a majority vote, there had been two other occasions they had tried to have the voters choose but were blocked by the republicans therefore they will vote on it as the rules stand. Councilman Scinto suggested making this a separate question. Councilman Marsh stated they had considered that but Councilman Massaro was adamant that the Council is the soul body to do this, he went to court on that. Councilman Massaro stated that CGS 9-169 does control and it was his ruling as the former council chair and it was the court's ruling. That is the way it supposed to be done. What will occur tonight will be done by ordinance on a resolution being considered later in this meeting. If this amendment is voted down and the Charter Revision goes to ballot and is passed future councils will only be able to change the districts by a 2/3 vote. He is not sure CGS speaks to a 2/3 vote of a legislative like it does in other statutes. He doesn't think this is necessary. Councilman Marsh clarified if this goes to the voters they would be voting on how the voting districts are changed they're not voting on who has the authority to make the change, we're in the bounds of CGS9-169 and the bounds of that statute as it has been interpreted by the court. They will be voting on a charter amendment. Councilman Massaro noted if the amendment fails and the Charter Revision is approved by the voters this would lock in 7-districts for Trumbull. The Chair clarified unless a 2/3 vote of the council changes it which requires a bi-partisan vote.

Councilman Mecca spoke in favor and noted this had been studied for a few years, Mrs. Haley has done a lot of work and collected much support. He thinks traversing district 1 is a challenge because of its size and there are three elementary schools and 1 acre properties. Door-to-door contact is important and is challenging to do with four districts. This has been studied and researched thoroughly, to delay this is a stall tactic because you don't want to make the change. This is the will of their constituents. Councilman Valenti clarified that we have had a 14-7 council, 10-11 on both sides, but what hadn't been discussed is all of the new development in Town, without the census information we are just doing it because we can and are not getting the clear facts and she couldn't support going to 7 districts now.

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"/>
Bill Mecca	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mary Isaac	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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 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"/>
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"/>
Joanne Glasser Orenstein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Geric	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Moved by Marsh, seconded by Cantafio to amend the second BE IT FURTHER RESOLVED to read as:

BE IT FURTHER RESOLVED, That the questions of having a general Charter revision shall be submitted to the electors of the Town of Trumbull for adoption or rejection at the state and federal election scheduled for the 3rd day of November, 2020 shall be as follows:

1. Shall there be a general revision of the Charter of the Town of Trumbull with respect to revisions other than those referenced in question #2 and #3 below?
2. Shall there be a revision of the Charter of the Town of Trumbull to provide an eight (8) member Board of Education with not more than four (4) members from the same political party with staggered four (4) terms so that the terms of four (4) members expire every two (2) years?
3. Shall there be a revision of the Charter of the Town of Trumbull to provide that the threshold for acquiring a referendum on bonding authorization project be adjusted annually by the Consumer Price Index? and;

The Chair noted the question proposed would be on the ballot for the public to vote yes or no. Councilman Marsh stated this would amend the second BE IT RESOLVED clause.

Town Attorney Schopick confirmed and noted the three (3) questions would be voted all at once.

	AYE	NAY	ABSTAIN
Dawn Cantafio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not Voting			
Mike Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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 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"/>
Joanne Glasser Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Gerics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTE: Motion CARRIED 15-4 (AGAINST: Seidell, Scinto, Klain, Lemoine)

	AYE	NAY	ABSTAIN
Dawn Cantafio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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"/>
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"/>
Joanne Glasser Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Geric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VOTE: ADOPTED as amended 13-7 (AGAINST: (AGAINST: Seidell, Scinto, Klain, Massaro, Rosasco-Schwartz, Lemoine, Valenti)

- RESOLUTION TC28-90: Moved by Miller, seconded by Cantafio
BE IT RESOLVED and ORDAINED that Chapter 9, Health and Sanitation, Section 9-3 of the Trumbull Municipal Code as established by the Town Council, last amended as TC27-65 on June 4, 2018, be and the same is hereby REPEALED and REPLACED with the ordinance attached hereto. (Full Ordinance Attached)

Committee Report: The L&A Committee met on July 27, 2020 and voted unanimously.

The Chair OPENED the Public Hearing at 9:14 p.m.
No one joined the virtual meeting to speak.
The Chair CLOSED the Public Hearing at 9:15 p.m.

	AYE	NAY	ABSTAIN
Dawn Cantafio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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"/>

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"/>
Joanne Glasser Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Gericis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTE: ADOPTED unanimously.

Moved by Cantafio, seconded by Colon to pass as Emergency Legislation.

VOTE: Motion CARRIED by unanimous consent.

3. RESOLUTION TC28-91: Moved by Miller, seconded by Cantafio
 BE IT RESOLVED, the submission of the Town of Trumbull State of Connecticut STEAP Grant is hereby authorized in the amount of not to exceed \$1,000,000.00 for the construction of the Veterans and First Responders Center on the Kaatz Pond site; and Vicki A. Tesoro, First Selectman is hereby authorized 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 Finance Committee met on July 27, 2020 and voted unanimously.

Mr. Raymond Baldwin was present and indicated the Building Committee did select an architectural firm and started meetings this week to define the scope of the project, they also have scheduled meetings with their delegation. The delegation has been enthusiastic with their support for this project and believes they are on a good track.

Councilman Mecca spoke in favor and noted it's exciting this is moving forward and hopes they receive the grant. If down the road this comes to fruition traffic calming will need to be addressed on Whitney Avenue. Councilman Massaro spoke in favor of the resolution. Mr. Baldwin, clarified once the scope is defined they will come before the council for approval of the architect selected.

	AYE	NAY	ABSTAIN
Dawn Cantafio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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"/>
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"/>
Joanne Glasser Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Geric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTE: ADOPTED unanimously.

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

VOTE: Motion CARRIED by unanimous consent.

- RESOLUTION TC28-92: Moved by Rosasco-Schwartz, seconded by Cantafio
BE IT RESOLVED, That Blum Shapiro is hereby appointed as the Independent Auditor for FY 2019-2020.

Committee Report: The Finance Committee met on July 27, 2020 and voted unanimously.

VOTE: ADOPTED by unanimous consent

Moved by Cantafio, seconded by Elstein to pass as Emergency Legislation.

VOTE: Motion CARRIED by unanimous consent.

- RESOLUTION TC28-93: Moved by Colon, seconded by Elstein
BE IT RESOLVED AND ORDAINED, That in accordance with Section 9-169 of the General Statutes of the State of Connecticut, Chapter 6, Section 6-1 of the Trumbull Town Code is hereby amended by redividing the Town of Trumbull into seven (7) voting districts. Said districts shall be divided in accordance with the metes and bounds description attached hereto. Said revised voting districts shall be effective commencing with the Town election in November, 2021.

The Chair OPENED the Public Hearing at 9:28 p.m.

One (1) person joined the virtual Public Hearing to speak. (Public Comment Attached)

The Chair Closed the Public Hearing at 9:33 p.m.

Councilman Rosasco Schwartz read the Minority Report into the record, (Attached).

Councilman Scinto stated he had voted against the proposed map, he did vote to send the paperwork to the Town Council because that is the vote that counts. The Town population hasn't shifted dramatically since 1983, there were a lot of things said tonight that were incorrect.

Councilman Shively clarified the seven districts was voted on unanimously as the best choices before the committee, they did have a full discussion on the committee's charge and what options they had based on their charge.

Councilman Whitmoyer noted in previous discussion the committee's charge wasn't to consider polling places. Councilman Scinto stated he brought up polling places multiple times but they were never addressed. Councilman Shively explained the committee couldn't discuss polling places as it wasn't part of their charge.

Council Gerics extended his gratitude to Regina Haley and Julia McNamee for their hard work.

Councilman Klain stated he couldn't support and believed there was not a compelling reason for this now, in light of the budget hearing and how they were told we couldn't spend, to spend money on this is in contradiction to that. Parents are working to get the kids back in school and the acting superintendent had recently said other districts are adding food service personnel and we are not sure we will be able to serve lunch. The 2/3 vote Charter provision was voted on tonight and sees no reason why not to wait.

Ms. Anderson, Chairman of the Redistricting Committee explained the final vote wasn't just to send documentation it was a full vote by the committee to endorse the 7 districts and the boundaries, it also reviewed the split between the districts. The Minority Report goes from the average, which is never over a 1% difference, which supports the one person on vote rule. As a former registrar she received many calls from the polling places that had pretty long waits of up to 45 minutes. That had never happened before in Trumbull. This plan will encourage people to vote by eliminating that. That should be the charge of all elected officials in Trumbull. Polling places is the total and complete charge of the Registrar of Voters, it was not part of the committee's charge.

Ms. Anderson explained Richard White worked on the census track and was able to do a configuration for the proposed district 4 & 5. The committee reviewed it and confirmed data from the 2010 census was used. She didn't know if he had used the map he had in 2012, she confirmed it may have been modified, she could not answer whether he used his 2012 map as a starting point. Mr. White's work was checked by Steve Earley who is a

professional with the Town’s Engineering Department. They could not take into account known population changes and weren’t allowed to use any other data besides the 2010 census per the Town Attorney. They used the actual population numbers not the number of registered voters.

Councilman Massaro understood this wouldn’t affect the 2020 election. The Town’s density varies there will be different driving distances no matter how many districts. The proposed district 6 will be from the Easton border down to the Town center, which it never did before. The conditions at the polling places are more important to efficient voting than everything else. In 2017 an election for three new candidates was one of the lowest voter turnouts in a long time and believes that was based on voter enthusiasm. Councilman Marsh noted the voters were very enthusiastic for First Selectman Tesoro in 2017.

AYE	NAY	ABSTAIN	
Dawn Cantafio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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"/>
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"/>
Joanne Glasser Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Gerics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VOTE: ADOPTED 13-7 (AGAINST: Seidell, Scinto, Klain, Massaro, Rosasco-Schwartz, Lemoine, Valenti)

- 6. RESOLUTION TC28-94: Moved by Mecca, seconded by Cantafio

BE IT RESOLVED, That the Town of Trumbull Retirement Plan is hereby amended.
 (Full Resolution Attached)

Committee Report: The Finance Committee met on July 27, 2020 and voted 4-0-1
 (ABSTENTION: Scinto).

	AYE	NAY	ABSTAIN
Dawn Cantafio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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 type="checkbox"/>	<input checked="" 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"/>
Joanne Glasser Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Gerics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTE: ADOPTED 17-3 (AGAINST: Scinto, Massaro, Rosasco-Schwartz)

Moved by Cantafio, seconded by Colon to pass as Emergency Legislation

	AYE	NAY	ABSTAIN
Dawn Cantafio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Mecca	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Seidell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tony Scinto	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Keith Klain	<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 type="checkbox"/>	<input checked="" 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"/>
Joanne Glasser Orenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Gerics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Elstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Gaudiano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Valenti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTE: Motion CARRIED 16-4 (AGAINST: Scinto, Massaro, Rosasco-Schwartz, Lemoine)

ADJOURNMENT: There being no further business to discuss and upon motion made by Cantafio, seconded by Mecca the Town Council adjourned at 10:08 p.m. by unanimous consent.

Respectfully Submitted,



Margaret D. Mastroni
Town Council Clerk

FULL RESOLUTIONS

RESOLUTION TC28-91:

WHEREAS, the State of Connecticut, Office of Policy and Management is coordinating the Small Town Economic Assistance Program (STEAP); and,

WHEREAS, grant funds are for capital projects only and should fund economic development, community conservation and quality of life projects for localities that are ineligible to receive Urban Action bonds; and

WHEREAS, the Town of Trumbull will submit an application for funding in an amount not to exceed \$1,000,000 for the construction of the Veterans and First Responders Center on the Kaatz Pond site; and

WHEREAS, an unspecified municipal match is required that can include the costs of design and other capital costs associated with the project; and

WHEREAS, the Trumbull Town Council and Trumbull Board of Finance has already authorized the project and the design costs associated with the project; and

WHEREAS, the project will serve Trumbull and the region's Veterans by providing a home for services including access to health services, job training, social services and social and business events; and

WHEREAS, the facility will be utilized for first responder training for Trumbull and the region filling a current void of an adequate training facility; and

WHEREAS, the facility will support Long Term Recovery efforts due to COVID-19 such as a flu and vaccine clinic location, training associated with preparedness for future events, and access to job skills and services for unemployed veterans; and

NOW THEREFORE BE IT RESOLVED, the Trumbull Town Council authorizes the submission of the STEAP funding application for the Trumbull Veterans and First Responders Center, and authorizes 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 ORDINANCE

RESOLUTION TC28-90:

Sec. 9-3. - Barber Shops and Beauty Salons

- (a) *Authority.* The Director of Health shall have the authority to enforce the provisions of this chapter.
- (b) *Definitions.* As used in this chapter, the terms "barbering", "esthetician", "eyelash technician" "hairdressing and cosmetology" and "nail technician" shall have the same meaning as defined in the Connecticut Public Health Code, as amended.

As used in this chapter, the following terms shall have the meanings indicated:

Barber means a person licensed pursuant to Chapter 386 of the Connecticut General Statutes.

Barbering means the following described practices, when performed upon the head, face, scalp or neck for cosmetic purposes only and are recognized as practicing the occupation of barber, including but not limited to:

- (1) The cutting, trimming or shaving, of the hair or beard
- (2) Singeing, shampooing, dyeing or styling of the hair
- (3) The application of cosmetic preparations, hair tonics, antiseptics, powders, oils, clays, creams or lotions
- (4) Giving facial and scalp massage or the application of oils, creams, lotions or other preparations either by hand or mechanical appliances
- (5) Styling or cutting hairpieces and wigs

Statutory Reference: CT General Statutes Section 20-23.

Barber shop means any establishment engaged in the practice of barbering for the public.

Beauty Salon means an establishment providing services designed to enhance appearance, such as hairdressing, manicuring, pedicuring, facial treatment, and massage.

Director of Health means the Director of Health of the Town of Trumbull; or his/her duly authorized agent.

Disinfect means to use a chemical or physical process to destroy harmful organisms, including, but not limited to, bacteria, viruses, germs, and fungi.

Establishment means any premises, building, or part of a building, where any salon activity permitted by the Director of Health is practiced.

Esthetician means any person who, for compensation, performs services related to skin care treatments including, but not limited to cleansing, toning, stimulating, exfoliating or performing any similar procedure while using cosmetic preparations, hands, devices, apparatus or appliances to enhance or improve the appearance of the skin; makeup application; beautifying lashes and brows; or removing unwanted hair using manual and mechanical means; does not include the practice of hypertrichology, as defined in Section

20-267 of the CT General Statutes. Estheticians must be licensed pursuant to Public Act 2019-117.

Eyelash Technician means a person, who for compensation performs individual eyelash extensions, eyelash lifts or perms and eyelash color tints. Eyelash technicians must be licensed pursuant to Public Act 2019-117.

Fee Schedule means the permit and associated fees specified in the Annual Fiscal Year Budget adopted by the Board of Health of the Town of Trumbull.

Hairdresser/Cosmetician means a person licensed pursuant to Chapter 387 of the CT General Statutes.

Hairdressing and Cosmetology means the art of dressing, arranging, curling, waving, weaving, cutting, singeing, bleaching, and coloring of the hair and treating the scalp of any person, and massaging, cleansing, exercising, stimulating or manipulating, with the hands, appliances, cosmetic preparations, antiseptics, tonics, lotions, wax, creams, powders, oils or clays and doing similar work on the face, neck and arms.

Hairdressing or Cosmetology Shop/Salon means any establishment engaged in the practice of hairdressing, cosmetology, or barbering for the public.

Massage Establishment means any premises used and approved to give massage.

Massage Therapist means a person who has been licensed to practice massage therapy under the provisions of Sections 20-206a to 20-206f, of the CT General Statutes.

Massage Therapy means the systematic and scientific manipulation and treatment of the soft tissues of the body, by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion and nonspecific stretching. Massage therapy may include the use of oil, ice, hot and cold packs, tub, shower, steam, dry heat, or cabinet baths, for the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical and mental health.

Massage therapy does not encompass (1) diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, (2) any service or procedure for which a license to practice medicine, chiropractic, naturopathy, physical therapy, or podiatry is required by law, or (3) Thai yoga practiced by a person who is registered as a yoga teacher with the Yoga Alliance Registry and has completed two hundred hours of training in Thai yoga.

Mobile station means a modular space which can be used for multiple purposes through the use of mobile equipment.

Nail salon means an indoor establishment or kiosk that offers, provides, permits or allocates space for the manicuring of healthy finger nails and pedicuring of healthy toe nails or enlists the use of chemicals which include, but is not limited to, resins, plasticizers, solvents, pigments, creams, emollients, adhesives, paints or compressed air brush equipment for the purpose of treating, painting, repairing, and enhancing of the human finger nails and toe nails.

Nail technician means a person, who for compensation, cuts, shapes, polishes or enhances the appearance of the healthy nails of the hands and feet, including, but not limited to, the application and removal of sculptured or artificial nails. **Nail technicians must be licensed pursuant to Public Act 2019-117.**

Operator means an operator is any person, including, but not limited to, a licensed, hairdresser/cosmetician or barber, or unlicensed person who is performing tasks allowed under the scope of this Code and the Public Health Code of the State of Connecticut.

Salon includes any shop, store, day spa or other commercial establishment at which the practice of barbering, hairdressing and cosmetology, tanning or the services of a nail technician, or any combination thereof, is offered and provided.

Sanitize means effective antibacterial treatment by a process that provides sufficient concentration of chemicals for enough time to reduce the bacteria count including, but not limited to, pathogens to a safe level on equipment.

Tanning device means any equipment used for tanning the skin that emits ultraviolet radiation, including, but not limited to, a tanning booth, tanning bed or sunlamp which includes high pressure tanning lamps. Tanning devices are any accompanying equipment, including, but not limited to, protective eyewear, timers, and handrails.

Tanning salon/facility means a room or booth that houses equipment or beds used for tanning human skin by the use of, without limitation, fluorescent sun lamps using ultraviolet or other artificial radiation.

Temporary permit means a permit issued to conduct a public demonstration, a fundraising event or a public convention for a period not to exceed fourteen (14) days.

Treatment room means rooms located in an establishment where services/procedures are performed, such as waxing, facials, and massage.

Work area means a separate room with more than one (1) work station, or a private room set aside to serve one (1) customer at a time.

Work station means a work station is defined as an area, including, but not limited to, a chair, countertop or floor space, set aside for the purpose of serving a customer, including floor space for the operator to stand while serving the customer.

- (c) *License required.* No person, firm or corporation shall own, operate, or maintain a salon without a valid license issued by the Director of Health. Only a person, firm or corporation who complies with the requirements of this Code shall be entitled to receive or retain such a license. All separate businesses or establishments, e.g., a "salon within a salon" shall be separately licensed. Licenses shall be valid until the expiration date indicated on the license unless suspended or revoked by the Director of Health, or until such time as the facility changes owners, closes, or goes out-of-business. Licenses shall not be transferable from person to person or from location to location. The valid license shall be posted in a location easily observed by consumers. All salon licenses shall expire on December 31 of each year, unless otherwise indicated, and may be renewed for another year upon application and payment of an annual fee, provided that the salon is in compliance with this Code, the Public Health Code of the State of Connecticut, and any other applicable codes, regulations or statutes. (Section of CT Public Health Code repealed.) A temporary license may be granted to operate a salon for events not to exceed fourteen (14) consecutive calendar days.
- (d) *Contract workers.* Any barbershop, hairdressing, cosmetology shop, or tanning salon owner contracting out a chair, "work station", or floor space shall state such on the permit application form. The shop owner will ensure that all contractors safely perform their duties within their scope of practice.

- (e) *Application and issuance of license.* Any person desiring to operate a salon shall make written application for a license, at least ten (10) business days prior to opening a new salon, or the change of ownership, on forms provided by the Director of Health. Such application shall be submitted and approved prior to start of construction, remodeling, converting, or taking ownership of a new salon. A plan review will be required as part of the license application process whenever a salon is being constructed or remodeled, or when there is a change of owner. The application shall be accompanied by the required fee, which are approved by the Trumbull Board of Health.

Prior to the issuance of final approval for license, the Director of Health or his authorized agent shall conduct a preoperational inspection of the salon to determine compliance with the provisions of this Code, the Public Health Code of the State of Connecticut, and other applicable codes, regulations or statutes. (CT Public Health Code section repealed.) The Director of Health shall issue a new license to the applicant if the inspection reveals that the salon complies with the requirements of this chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes. Licensed facilities must comply with the requirements of this chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes. (CT Public Health Code section repealed.) Any person who does not make application for renewal of his salon license before the expiration date of such license shall be required to pay the Trumbull Health Department a late fee for each day beyond the expiration date of his license in addition to the regular license fee.

No salon license shall be granted to any individual to provide barber or hairdressing/cosmetology services unless such person is properly licensed as a barber or hairdresser/cosmetician for a minimum duration as provided by Connecticut General Statutes. (See Chapter 386, Sec. 20-236 and Chapter 387 Sec. 20-252 of Connecticut General Statutes.) The chief corporation officers shall be designated as owners in the event of a corporation.

State-licensed operators in a barbershop and hairdressing/cosmetology salon shall have and display a current hairdresser/cosmetician or barbers license issued by the State of Connecticut.

- (f) *Annual inspections.* At least once a year, the Director of Health, or authorized agent, shall inspect each salon and shall make as many additional inspections as are necessary for the enforcement of this Code and the Public Health Code of the State of Connecticut. (CT Public Health Code section repealed.) Any shop offering pedicures as a service will be inspected a minimum of twice a year.
- (g) *Inspections; right of entry.* The Director of Health or his authorized agent shall be permitted, after proper identification, to enter during normal business hours of the establishment, or at any other reasonable time, any salon for the purpose of making inspections, as deemed necessary by the Director of Health or his authorized agent, to determine compliance with this chapter, the Public Health Code of the State of Connecticut, and any other applicable codes, regulations or statutes. (CT Public Health Code section repealed.)
- (h) *Establishments operating without a license.* When it comes to the attention of the Director of Health that a salon is operating without a valid license, the Director of Health shall order the salon to close and to cease all operations immediately.
- (i) *Suspensions of license.* The Director of Health may suspend any license to operate a salon if the license holder does not comply with the requirements of this chapter, the Connecticut Public Health Code or any other applicable code, regulation or statute. (CT Public Health Code section repealed.) In the event that the Director of Health, or authorized agent, finds unsanitary conditions or other conditions in the operation of a salon, which in his/her judgment constitutes a violation of this chapter, the Connecticut Public Health Code or any other applicable code, regulation or

statute, or if a repeated violation or set of violations appears on more than one (1) consecutive inspection report, the Director of Health may issue a notice of intent to suspend the license to the license holder or operator citing such conditions, specifying the corrective action to be taken and time frame within which action shall be taken, if deemed necessary, order immediate correction. (CT Public Health Code section repealed.) If correction is not made in the allotted time, the license shall be suspended and a written order issued to the owner or operator to cease the operation of the salon. The salon shall immediately cease operations upon delivery of written order. The salon shall not resume operations until written approval of re-instatement of the license has been issued by the Director of Health. A suspended license shall be removed from the premises by the Director of Health or his/her designee. One (1) copy of the order to cease salon operations shall be posted by the owner upon the inner surface of the window of the front entrance door of the salon or upon the nearest window thereto in such a manner as to be clearly visible to the general public from the exterior of such salon. Said order to cease operations shall not be defaced or removed by any person except the Director of Health, or his authorized agent. The Director of Health may immediately suspend, without warning, prior notice, or hearing, any license to operate a salon if the owner, operator or person in charge has interfered with the performance of the Director of Health's duties or if the operation constitutes an imminent health hazard to the public. An imminent health hazard shall include, but not be limited to, the following:

- (1) An ongoing outbreak of an infectious, pathogenic or toxic agent capable of being transmitted to consumers;
- (2) The absence of potable water, supplied under pressure, in a quantity which, in the opinion of the Director of Health, is capable of meeting the needs of the facility;
- (3) A sewage backup into the facility;
- (4) An individual performing procedures requiring licensure by the State of Connecticut when such individual does not have a valid state license;
- (5) The absence of an approved sanitizer/disinfectant or evidence that sanitizer/disinfectant is not being used properly to thoroughly clean implements and equipment after each client;
- (6) The absence of adequate hot water supply as provided in this chapter.

A written order to cease and desist, issued to the license holder of the facility from the Director of Health, will follow within twenty-four (24) hours. When a license is suspended, all operations within the establishment shall cease immediately and shall not resume until written approval to resume has been issued by the Director of Health. The Director of Health, or authorized agent, shall remove a suspended license from the premises.

- (j) *Revocation of license.* The Director of Health may, after providing opportunity for hearing and appeal, revoke a license for repeated imminent health hazards or repeated violations of any of the requirements of this chapter, the Connecticut Public Health Code, other applicable codes, regulations or ordinances, or for repeated interference with the Director of Health or his authorized agent in the performance of their duties. (CT Public Health Code section repealed.) Prior to revocation, the Director of Health shall notify the license holder or person in charge, in writing, of the reasons for which the license is subject to revocation and that the license shall be revoked at the end of ten (10) days following service of such notice unless an appeal is filed with the Director of Health by the license holder within seventy-two (72) hours (excluding Saturdays, Sundays, and Town holidays) of receipt of the notice. If no appeal is filed within these seventy-two (72) hours, the revocation of the license becomes final.

- (k) *Service of notice.* Written notices and orders provided for in this Code shall be deemed to have been properly served when a copy of the notice or order has been delivered personally or sent by certified mail, return receipt requested, to the owner, license holder or person in charge of the salon. A copy of any such notice or order shall be filed in the records of the Director of Health.
- (l) *Hearings.* The Director of Health shall conduct the hearings provided for in this chapter at a designated place and time. The Director of Health shall make a final finding based upon the complete hearing record, and shall sustain, modify or rescind any notice or order considered in the hearing. The Director of Health shall furnish a copy of the written report of the hearing decision to the license holder within ten (10) calendar days of the hearing date.
- (m) *Appeals.* The owner or operator of a salon aggrieved by any written notice or order may, within seventy-two (72) hours (excluding Saturdays, Sundays, and Town holidays) after the receipt of such notice and/or order, appeal to the Director of Health who shall thereupon immediately examine the merits of such case and may vacate, modify or affirm such written notice or order. The owner or operator of a salon who is aggrieved by such action of the Director of Health may, no later than seventy-two (72) hours (excluding Saturdays, Sundays, and Town holidays) after the date of receipt of such notice or order appeal to the State of Connecticut Commissioner of Health who shall thereupon immediately notify the authority from whose order the appeal was taken and examine the merits of such case and may vacate, modify or affirm such action in accordance with the Connecticut General Statutes. (Section of Connecticut General Statutes repealed for Hairdressers and Cosmeticians see Chapter 386 Section 20-247 for Barbers.)
- (n) *License reinstatements.*
 - (1) *Subsequent to suspension.* Whenever a license has been suspended, the holder of the suspended license may request a hearing with the Director of Health for permit reinstatement. Within five (5) business days following the receipt of a written request, including a statement signed by the applicant that, in his opinion, the conditions causing the suspension have been corrected, the Director of Health, or his/her authorized agent, shall make a re-inspection. If the Director of Health, or authorized agent determines that the applicant has complied with the requirements of this Code and the Public Health Code of the State of Connecticut, the license shall be reinstated and returned to the license holder. (CT Public Health Code section repealed.)
 - (2) *Subsequent to revocation.* After a period of sixty (60) days from the date of revocation, a written application may be made for the issuance of a new license. Procedures delineated in this chapter for obtaining a new license shall be followed.
- (o) *Plan review and pre operational inspections.* Whenever a salon having a permanent location is to be constructed, substantially remodeled or altered, or converted, or when an existing salon establishment changes owner, properly prepared scaled plans detailing equipment layout, equipment specification and finish surfaces shall be submitted along with a completed Plan Review Application which outlines the requirements for such construction, remodeling or alteration of the salon. Any such construction, remodeling, or alteration without written plan review approval from the Director of Health shall be in violation of this chapter.
- (p) *Equipment and facilities.*
 - (1) *Water supply.* An adequate supply of hot and cold running water, at proper temperatures, from a municipal or approved private source shall be provided for service for customers, cleanliness of employees and for washing floors, walls, ceiling and equipment. All sinks and

showers in the establishment must have hot and cold running water at all times. Hot water shall be supplied at a minimum of one hundred five degree Fahrenheit (105°F) and, at any faucet or shower, shall not exceed one hundred ten degrees Fahrenheit (110°F). Any salon utilizing a well that meets the definition of a public water system according to the Public Health Code of the State of Connecticut, Section 19-13-B102a (as amended), will be subject to all statutes and regulations that are applicable to public water systems. In a tanning salon each customer shall have access at all times to a safe and sanitary supply of drinking water.

- (2) *Waste disposal.* Wastewater from all plumbing fixtures shall be discharged into municipal sewers or approved subsurface sewage disposal systems. Oils, greases, industrial/commercial wastes, toxic chemicals and wastewater that is not sewage, as defined in Public Health Code of the State of Connecticut, Section 19-13-8103b(a), shall not be discharged to a subsurface sewage disposal system. Mineral oil and chemical laden swabs or cloth shall be placed in a metal container with a foot-actuated cover. The use of mineral oils shall be closely supervised. All waste receptacles shall be emptied at least once per work shift or sooner as needed. All waste materials from nail salon workstations shall be removed from the premises to exterior commercial refuse storage containers before closing of establishment for the business day.
- (3) *Equipment.* Equipment used in the establishment must be commercial grade and designed for such purpose. Homemade equipment or equipment not designed for such purpose is prohibited.
- (4) *Plumbing fixtures.* Plumbing fixtures shall be of impervious material and of a type which is easily cleanable. They shall be free from cracks and from parts which are not readily accessible for cleaning. They shall be of a type which does not constitute a hazard to a public water supply through back siphonage, or cross-connection. All plumbing installation and fixtures shall conform to applicable building and plumbing codes. There shall be one (1) shampoo sink for every three (3) work stations. Shampoo bowls shall be used for barbering, hairdressing and cosmetology work only. A utility sink must be provided for cleaning the facility. Those premises in continuous operation by a single licensee prior to March 11, 2009, are exempt from this requirement. At least one (1) hand wash sink shall be located in each private treatment room and in each work area in order to provide for proper hand washing before each customer and by the technician, prior to rendering services. Hand wash signs shall be posted at all hand sinks designating sinks as such. Those premises in continuous operation by a single licensee prior to March 11, 2009, are exempt from this requirement. Each establishment shall have a minimum of one (1) sink for the purpose of cleaning and disinfecting implements and utensils. If showers are provided in tanning salons, shower floors shall be constructed of non-absorbent, non-slippery materials, and sloped toward a properly installed floor drain.
- (5) *Floors.* Floors shall be nonporous and easily cleanable. Floors where shampooing or chemicals for and/or bleaching of hair are done or are used, shall have hard and washable surfaces. Floors shall be kept clean and in good repair. If carpeting or similar material is used for a floor covering, it shall be of a light color with a single loop pile of not more than one-fourth (¼) inch in height. Such floor covering shall be kept clean by vacuuming at least daily and shampooing at least annually or more frequently if the covering is not clean.
- (6) *Cove base.* Any cosmetology shop that offers hair dressing or barbering shall have properly fitted sanitary cove base installed.
- (7) *Lighting fixtures.* Lighting fixtures shall be in sufficient number and properly placed so as to provide adequate illumination.

- (8) *Process ventilation.* The establishment shall be properly and adequately ventilated so as to remove chemical vapor emissions, excess heat and odors. Ventilation shall comply with state and local building codes and ordinances. Nail salons using nail polishes, enamels, basecoats, hardeners, and chemical solvents are deemed to create indoor vapor emissions and shall not pollute nor negatively affect the indoor air quality of adjacent premises. The Director of Health may order the correction of nuisance conditions should they occur.
- (9) *Cabinets.* Cabinets shall be provided for storage of chemicals, clean linens, towels, blankets and gowns. Cabinets shall have tight-fitting doors that shall be kept closed at all times. Linens, towels, blankets and gowns are not to be stored on the floor.
- (10) *Receptacle for used towels and gowns.* A covered receptacle, which can be readily emptied and cleaned, shall be provided and maintained in a sanitary manner. Chemically soiled towels and linens shall be stored in fire-retardant containers.
- (11) *Refuse.* Covered containers for hair droppings, paper and other waste material shall be provided and maintained in a sanitary manner. Exterior commercial refuse storage and disposal services shall be provided.
- (12) *Toilet facilities.* Adequate toilet facilities and hand wash sinks must be provided for customers and employees. Such facilities and washbasins shall be kept clean, disinfected and in working order. Toilet facilities, hand wash sinks, shower floors and walls shall be cleaned and disinfected at least once every twenty-four (24) hours when in operation. Adequate and conveniently located handwashing facilities shall be provided with hot and cold running water, a sanitary pump soap dispenser, single-use towels, and a receptacle for used paper towels for customers and employees. A covered refuse receptacle shall be provided in the ladies' room.
- (13) *Workstations.* Chairs in hair cutting work stations shall be at least fifty-four (54) inches apart, center to center. Those premises in continuous operation by a single licensee prior to March 11, 2009, are exempt from this requirement. A two-foot wide workspace shall be maintained behind each chair for the operator. Those premises in continuous operation by a single licensee prior to March 11, 2009, are exempt from this requirement. A minimum of one and one-half (1½) foot space shall be maintained between pedicure chairs. Those premises in continuous operation by a single licensee prior to March 11, 2009, are exempt from this requirement. Three-foot wide aisles that are separate and discrete from work areas shall be maintained throughout the establishment. No hair dryers shall be placed in any waiting room or encroach on the required three-foot wide aisle space. Mobile stations must be designed to provide the same workspace and separating distances as fixed stations. For a mobile station, it is assumed that the dryer can be accommodated in the workspace designated for the operator.
- (14) *Barbershop, hairdressing, cosmetology or nail salon in residence.* A salon located in a residence must be confined to a separate room, separated with ceiling-high partitions and provided with a door to be closed at all times. The area within a home operated as a salon must be equipped with the facilities and instruments required in all such establishments. All salons operated in a residence shall comply with all applicable local requirements for home-based businesses, including, but not limited to, zoning regulations.
- (q) *Maintenance and operation.* The licensee of every salon shall keep it in a clean and sanitary condition at all times. Work stations must be kept clean of filing dust, nail clippings, and hair. Hair droppings shall not be allowed to accumulate on floors such that an unsanitary condition is created. Hair droppings shall be removed frequently and as soon as possible. The interior of the facility shall

be maintained in good repair and in a safe, clean, sanitary condition, free from all accumulation of dirt and rubbish.

- (1) *Licenses.* The license issued to the salon by the Director of Health must be posted at the entrance of the establishment. For all workers requiring a state-issued license in the performance of their functions with the salon, the establishment must keep a copy of each of such worker's licenses at the front desk at all times for inspection by the Director of Health.
- (2) *Walls, ceilings and fixtures.* Ceilings shall be kept in good repair, and cracks in walls, especially around baseboards, shall be filled in so as to prevent the harboring and breeding of insects. Cabinets, shelves, furniture, shampoo bowls and fixtures shall be kept clean and free of dust, dirt and hair droppings. Arms, seats and rests of chairs shall be wiped of hair droppings after serving each customer.
- (3) *Sanitary services.* No person infected with any infectious disease shall be serviced. A towel shall not be used for more than one (1) person without being properly laundered before each use. Each tanning salon shall provide to its customers, paper or cloth towels which may not be shared, for the purpose of wiping down equipment or to be used for personal use. Cloth towels must be washed and sanitized after each use. A sanitary paper strip or clean towel shall be placed completely around the neck of each customer before an apron or any protective device is fastened around the neck. A commercial laundry service shall be used for laundering if not done on the premises. Clean towels shall be delivered in a closed container and kept in a clean, cabinet or closet. A copy of the laundering invoice shall be made available to the health inspector upon request. Washing and/or drying of towels in a private home is prohibited. A sanitizing and disinfecting agent shall be used when washing towels and linens on the premises.
- (4) *Sanitation of equipment and implements.* Pedicure stations, foot spas, nail station tables, tanning devices, and all other surfaces that come in contact with the customer shall be kept clean and sanitary at all times and shall undergo cleaning and sanitizing between each customer. Hair brushes, combs, electric clippers and all other implements used on a customer shall be kept clean and sanitary at all times and shall undergo thorough cleansing and sanitizing after serving each customer or single-service disposable implements shall be used. Each hair cutting station, nail and pedicure station shall be provided with a container of sanitizing solution. Clean and sanitized implements shall be stored in sanitary-covered containers which shall contain a disinfectant, or in a clean drawer. After handling a customer affected with an eruption or whose skin is broken out or is inflamed or contains pus, the instruments shall be effectively cleaned, washed with soap or a detergent and water, then rinsed with water having a temperature of at least one hundred seventy degrees Fahrenheit (170°F) or allowed to remain for five (5) minutes in alcohol (seventy (70) percent ethyl alcohol or ninety-nine (99) percent isopropyl alcohol) or some other disinfectant or sanitizing process approved in advance by the Director of Health. Shaker-top containers must be provided for dispensing lotions and powders. All products not stored in the original container must be clearly labeled at all stations. Single-service items, including, but not limited to, towels, papers, emery boards, orange sticks, buffing blocks, waxing sticks, and cosmetic sponges, shall be disposed of in the proper receptacle immediately after use on each customer and shall not be used again. However, orange sticks, emery boards, buffing squares, cosmetic sponges and disposable nail bits may be kept for use on the same customer if kept in a covered container labeled with the customer's name. All disposable materials that come into contact with blood and/or body fluids shall be disposed of in sealable plastic bags prior to placing in the waste

receptacle. All articles that come into direct contact with the customer's skin, nails, or hair that cannot be effectively cleaned and sanitized shall be disposed of in a covered waste receptacle immediately after use.

- (5) *Shaving brushes, shaving mugs, finger bowls and credo blades.* The use of non-disposable shaving brushes, shaving mugs, and all credo blades are prohibited. The Director of Health has the authority to remove these items from the premise. The use of finger bowls for manicuring purposes is allowed, but the finger bowl must be properly cleaned and sanitized after each customer. Disposable, single-use finger bowls may be used.
- (6) *Alum and other astringents.* Alum or other material used to stop the flow of blood shall be applied in powdered or liquid form only.
- (7) *Neck dusters, powder puffs, makeup brushes and sponges.* The use of brush neck dusters, powder puffs, makeup brushes and sponges is prohibited unless they are single-use disposable implements. Equipment and implements must be thoroughly cleaned with a detergent (soap, trisodium phosphate, etc.) and warm water. Chemicals suitable for low temperature washing (less than one hundred fifty-eight degrees Fahrenheit (158°F) of towels and linens shall be used. Lysol or household bleach (for whites) shall be used to manufacturer's specifications. Color safe bleach may not be used. Barbicide disinfectant constitutes satisfactory sanitation and disinfection of implements. Manufacturer's specifications must be followed. No method is considered effective without prior thorough cleaning with detergent (soap, trisodium phosphate, etc.) and warm water. All other chemical methods of sanitizing and disinfecting must have prior approval in writing by the Director of Health. Equipment specifications shall accompany requests for approval. Non-chemical methods of sanitizing must be approved in writing by the Director of Health. Equipment specifications shall accompany requests for approval. Disinfection procedures must follow manufacturer instructions and be approved by the Director of Health. All disinfectants must be EPA registered and approved for use by the Director of Health.

(r) **Prohibited Equipment and Products**

It is prohibited to use or store the following items in a barber shop or beauty salon

- (1) A lancet or any other device use to break the skin
 - (2) A razor blade (Credo blade) callus shaver
 - (3) Shaving brushes, shaving mugs, and brush neck dusters
 - (4) Any substance banned by the Food and Drug Administration (FDA), including liquid methyl methacrylate monomer (MMA) and methylene chloride.
 - (5) Ultraviolet disinfection
 - (6) Formalin sanitizers
 - (7) Materials to stop the flow of blood may be used only in liquid or powdered form.
 - (8) Fish spas/pedicures-Any form of fish spas or pedicures using a tub of water filled with fish where patrons dip their feet into the tub is prohibited.
- (s) *Food and beverages.* Food and beverages shall not be prepared, stored or sold in the licensed premises, except with a valid Food Service Establishment License by the Director of Health. Coffee

and tea may be prepared and kept for the convenience of employees and patrons, but no charge is to be made to patrons who are served. Food and nonalcoholic beverages may, however, be brought into the licenses premises, from an approved source, for immediate consumption and also may be dispensed by means of automatic vending machines on the premises.

- (t) *Animals, pets, or live birds.* No animals, pets or live birds shall be permitted in any salon, except for a guide or assistance dog as provided under federal law and Connecticut General Statutes. (See Chapter 435 Section 22-345 [Connecticut General Statutes.]
- (u) *Employee break room.* An employee break room shall be provided if food and nonalcoholic beverages are to be consumed by the employees. Those premises in continues operation by the same licensee prior to March 11, 2009, are exempt from this requirement.
- (v) *Hygiene of operators.*
 - (1) *Cleanliness of operators.* The hands of the operator shall be thoroughly washed with soap and warm water before serving each customer and immediately after using the toilet, or after eating.
 - (2) *Health of operators.* No person known to be infected with any communicable disease in an infectious stage shall engage in barbering, hairdressing or cosmetology, and no person so affected shall be employed as a barber, hairdresser, cosmetician or nail technician. Operators shall not eat or drink while providing services to a customer.
- (w) *Proper attire.* Operators shall wear a clean, washable garment while attending any customer in a salon.

(Res. No. TC12-134, 9-9-88; Res. No. TC13-100, 10-7-91; Res. No. TC26-112, 3-6-17; Res. No. TC27-65, 6-4-18)

Cross reference— Licenses and business regulations, Ch. 11.

State Law reference— Barbers, G.S. § 20-234 et seq

Public Comment:

1. First Selectman Vicki A. Tesoro spoke to the Charter Revision resolution on this agenda. First Selectman Tesoro extended her gratitude to all of the Charter Revision Commission members and in particular Chairman Kate Donahue and Vice-Chairman Nancy Gardiner. The process was both transparent and bipartisan in nature. She also extended her gratitude to those that worked with the commission, clerk Cindy Katske, Town Attorney Daniel Schopick and to Bill Chin and the people at Trumbull Community Television who made meeting remotely seem perfectly natural. From a process standpoint the Charter Revision Commission worked long hours to create an initial set of recommendations, they worked by soliciting input at the public hearings, changes were made based on that input, recommendations by the Council were heard both at the committee level and at the full council, changes were again made based on that input.

First Selectman Tesoro gave a list of recommendations at the onset of the commission's work, some were adopted and some were not. She respects the commission's decisions with regard to those and fully supports all of the recommendations in the final report. First Selectman Tesoro spoke to two recommendations; the requirement for 2/3 of the Council to change the number of voting districts and the changes regarding the BOE.

Changing voting districts shouldn't be taken lightly, that is why the recommendation is so important, and it should have broad support amongst the public as reflected in the votes by their council member. The Council has the right to make changes, requiring more than the bare majority to do so is in the interest of the public as a whole.

With regard to the BOE, for years it was a 6-member board with no party holding more than three seats. The terms were 4-year staggered terms, much like those on the BOF. That structure worked and felt it was a mistake to add the seventh seat, as it injects partisan politics into the process. That mistake was compounded when terms were reduced from 4 years to 2 years and all seats were up for election every 2 years. The BOE should be focused solely on the needs of the education community and free to recommend the things they feel are necessary to maintain and improve our fine education system. Those recommendations should be as free as possible from political pressure, similarly compromise will be made easier with a balanced board. First Selectman Tesoro extended her gratitude to the Charter Revision Commission for their outstanding service and urged the Town Council to accept these changes and in so doing will give the voters the power to decide how the Charter should be changed. Only the amendments approved by the voters on November 3rd will become effective.

2. Julia McNamee of 256 Booth Hill Road is a 25 year resident. 8-9 years ago she heard of the reduction of the number of districts and was angry, she had read about how on a national level people were making it more difficult to vote. She holds that part of democracy, the idea that people should be able to vote sacred. She posted some things on social media saying we should be making it easier for people to vote, not harder and someone said if you want to vote you should be willing to do whatever it takes. She agrees but the job of government is to make it easy for people to vote. When she heard there was an effort to return to 7 districts she got involved and collected signatures for the petition. At this point she knew it was an all-out initiative at the national level to make some votes not count. Fundamentally we should make voting easier, not harder. When she spoke to people at Stop & Shop, a few weren't sure and wanted it as a referendum item so that they could research it more, but most people thought

there should be a return to 7 districts because the polling place were overcrowded an difficult to get to with 4 districts. She was sorry they couldn't put it on a referendum. She asked the Council to return to 7-disstricts because it is important as a Town to make it as easy as can be to vote.

3. Carol Elstein of 90 Driftwood Lane grew up in Trumbull and returned in 2003. She asked the Council to return to 7-districts v. the 4. This will increase minimum minority Town Council representation, when the math is done you can see the positives. By doing so this with increase the minority representation from 19% to 33% or from 4 out of 21 members to 7. With only 4 minority members they would share the work of 8 committees plus various ad-hock committees. Democracy requires compromise not super majorities. Citizens deserve ease of access to polling stations. The downside of having 4 districts are as follows: Fewer polling locations, voting has declined majority party prospect is 17 out of 21 or 81% super majority potential. The majority party has 13 more individuals than the minority to share in committee responsibilities, this heavily burdens the minority council members. Super majorities of any kind are never good. The upside to returning to 7 districts is: Increased number of polling stations, ease of voting and will hopefully an increase in voter turnout, majority party prospect 14 out of 21 or 67%, improved minimum minority prospect 7 out of 21 or 33%, improved representation of the minority party will allow easier participation for the minority and not burden the volunteers.
4. Michael Barker explained this issue is the reason he got involved as a volunteer in Trumbull. This gives him pause and is grateful that we have activists in this community who are willing to take all the time and effort it takes even when roadblocks are thrown in their way to get it done. 21 divided by 7 is 3 while 21 divided by 4 is something with a remainder and isn't fair.
5. Christine El Eris of 4955 Madison Avenue spoke in favor of the 7 district model as it allows for equal representation. She was shocked when the change was made to 4 districts. Trumbull is a robust sized community, in the past we have had 4 districts but that was when the community was a smaller size and spoke in favor of repretatives having more accessibility to the voters. She ran for office in the last election, she enjoyed it but the tough past was how enormous her district is and how it was impossible for her to knock on the majority of doors. 7-districts will be easier for candidates to be able to reach out and get to know their neighbors in their district.
6. Susan Schaaf spoke in support of the 7 districts, she also gathered signatures several years ago. It's not that easy to gather 3,000 signatures, it takes a lot of good people, time and effort and was disappointed it wasn't enough to make a referendum. The data shows since the 4 districts voter turnout had been suppressed and thinks we can do better. It is a larger community, lifestyles are demanding on our time, families and jobs. There isn't a reason not to make it easier for people to vote even if it's their responsibility, but it still doesn't need to be hard.
7. Lanie McHugh of 132 Fresh Meadow Drive is a 25 year resident and the BOF Chairman. She spoke in favor of returning to 7 districts and the Charter Revision. Ms. McHugh spoke to the importance of equal representation among the districts and likes the 7 districts with 3 representatives. It gives you better continuity to each area in town, to have their voices heard and believes in neighborhood polling places which encourages voter turnout. This will eliminate the super majority and improve minority representation.

She spoke in favor of the recommendation by the Charter Revision Commission to change the BOE makeup and how it's seated. She supports an even number board to minimize partisan politics, there is a national trend to do this and has long been an advocate for this and the 4-year staggered terms with an 8 member board as they have many committees and meet more often than any other board in Town. They control 2/3 of the municipal budget, having continuity with staggered terms eliminates having a new member seated just before they vote on the budget.

8. Regina Haley of 48 Old Sawmill Road is an 18 year resident. She had emailed the Council with all of the numbers associated with the move from 7 to 4 districts. Voter turnout has declined since the establishment of 4 districts, in addition Trumbull has the highest allocation of registered voters per polling place in Fairfield County. Residents do know where they vote and how long their drive is and whether they left because they couldn't find a parking space or stand in line. If they are one of the original 3,000 who signed the petition, they will know their signature wasn't recognized by the republican super majority controlled Town Council and may have been one of the voters that chose to flip the Town Council shortly thereafter. They might have an awareness of the partisanship that affects this Council. She is flummoxed that the republicans are fighting not to add back 3 more republican seats and questioned whether that was because they believe it to be a democratic concept and are somehow trying to trick them. Ms. Haley volunteered to help find polling places and noted the Town has rallied together before to make things happen. Voter turnout rates are down, polling places are crowded and asked the Council to do something about it. The Trumbull Citizens for 7 Districts tried to do something, they collected 3,000 signatures. It is time to do something, so everyone has a voice at the polls and the Town Council.
9. Carla Volpe 133 Ceil Road spoke in favor of returning to 7 districts and supports the proposal fervently. It is important to have a balance of both parties on the local boards and commissions. In our national politics we can enter into an echo chamber where we only hear from those that we want and cannot let that happen in our local government. Returning to 7 districts will give the minority party a larger voice and increase voter visibility and will always support making it easier for people to participate in government.
10. Kathy Champion of 39 Undercliff has been a resident for 14 years and has had the opportunity to experience voting with both 7 and 4 districts. She spoke in favor of returning to 7 districts. There has been significant data shared in the past few years demonstrating lower voter turnout and increased driving time to the polling places when the districts were changed to 4 districts. She spoke in favor of making it easier to vote not harder. Currently the 4 district model creates 1 super district and feels strongly each district should have an equal amount of representatives. Additionally returning to 7 districts will eliminate the possibility of a strong super majority from any political party. She is tired of the political tension happening nationally and would like to think things can be different here in Trumbull. It is a good thing for our community to reach out to the other side and work with one another with mutual respect. She likes knowing her local town council representative lived down the street from her and although they didn't agree on national politics she knew he was open to hear anything about the town, a complaint or recommendation she had. She asked that they go back to what is right for Trumbull and to go back to 7 districts.

11. Mark Block of 60 Ridgeview Avenue spoke to the Redistricting resolution and noted that a signed petition to go back to a past ordinance is no less difficult to gather than an equal number of signatures for another change. While it may have been a campaign pillar for some, reducing quantitative data to indicate it is the voters' interest to drive the change in representation. Have the council members pinpointed with accuracy the number of council members the residents know they have today, the number of districts, the district they reside in, who they are and guessed that hadn't occurred. This will be rubberstamping those that believe in establishing a super minority who can in effect thwart the expressed will of the voters by eliminating and thereby suppressing their right to choose their representatives. Because a super minority will occur when you reduce majority, this disallows the voters' choice. The voters' right to choose will be suppressed. It will discount the current representative model, proportional representation to guarantee minority representation by capping the number of seats a party can win in an election. Like limited voting this prevents one voting block from gaining total control at the expense of the minority party. This excessively exceeds the statute by disallowing the voters the opportunity to elect enough representatives to elect their will on the issues that require a large majority. This suppresses the will of the voters. Under the current town representation the minority voice not only exists but has the potential to be significant on the voters' will, it hasn't been silenced it flourishes and has been directed by both parties to convince the voters to elect them. This isn't about locations, lines, driving distance or make-up, equal representation is already achieved. Expected overreach shouldn't happen without the voters' involvement. The minority's voice in either party is loud enough for the voters to hear and must not license it through a super minority, it isn't necessary and is not required by statute and is suppressive and is not good governance when you thwart the voters' will. He asked the resolution be rejected.
12. Joe Pifko extended his gratitude for the Council's service and the passionate speakers at this meeting. The more involvement you have in local government the better government we all have. We don't know what we don't know and what we don't know is what the 2020 census is going to produce, we have an enormous amount of apartments being built and an exodus from NYC and NY State that we have never seen before. He doesn't understand what the rush is and thinks they need to wait for the census, there is a reason why the founding fathers required a census every ten years and urged them not to vote on this and hold off.
13. Marilyn Lord of 62 Driftwood Lane, District 4 explained she had gathered the petition signatures a few years ago and encouraged support for returning to the 7 districts. She has lived in Trumbull for 28 years and has experienced both the 7 and 4 districts. Having changed her polling place to a further location. She believes the council worked best when there was 10-11 split, both parties had a voice and in some cases members crossed over to vote with the other party on various issues. There are three main reasons to return to 7 districts: To create reasonable minority representation for either party, having smaller neighborhood districts, and the majority of the people will be closer to their polling place. She believes a strong democracy allows for minority representation to be voiced and heard. When you have 7 district plan with a minority rep for each district, it means the minority party is guaranteed at least 7 members. This ensures the minority party will have enough members for the committee assignments. Her husband was on the council for a number of years and he felt the 7 districts allows for the minority to have a reasonable voice. With smaller neighborhood districts you are more likely to know your representatives, which makes government more neighborly. With smaller districts people will be closer to their polling place which will make it easier to vote. Government should make voting easy an accessible so the majority of voters feel engaged and want to participate.

Because of the super district if there was an issue there would be an automatic majority on the issue.

14. Roy Fuchs of 221 Fitch's Pass has been a Trumbull resident for 15 years. He added a historical perspective because of the time he was reporting for Trumbull Patch and was one of the few people who sat in on all of the meetings and witnessed an attempt by the republicans to go back to the days of 4 districts in order to accumulate power. It was a power play railroaded through. He suggested we learn a lesson and go back to 7 districts. The motivating issue was that we had run afoul of the one person one vote rule. Richard White created a map that brought that into alignment, but his plan was barely looked at. If interested in history google - Roy Fuchs Redistricting Patch.
15. Tim Cantafio of 72 Tait Road is a 50 year resident who spoke in favor of increasing the voting districts, giving people more access and will decrease the time in the voting cue. He is in favor of the resolution, hopes it will increase the voter turnout and hopes the council passes the resolution.
16. Marshal Marcus of 91 Stonehouse Road spoke in favor returning to 7 districts. He sent a letter to the Council this past weekend. He was in the old district 3 and voted at Tashua School, when he ran for council in the new enlarged district 3 it was impossible to knock on doors and meet his neighbors. We don't get a chance to meet our constituents since the change to 4 districts. He served as assistant registrar of voters at St. Joseph's High School, there were many voters from Old Town Road who had to come to the extreme northern edge of town in the rain to vote. Many didn't vote due to public transportation not being available. There was a question about suitable polling places, St. Joseph's High School is not a suitable place. It doesn't have the required back-up generators and public voting shouldn't take place in a religious institution. We can come up with 7 polling places it isn't an issue. He objects to one district having an extra vote, there may be money allocated to that district because of that one vote. He asked to vote to return to 7 districts.
17. Ray Baldwin of 700 Booth Hill Road has been a resident for over 70 years. Over the past 50 years he has worked with 8 administrations, both democrat and republican. One thing he admired most was the strength of the Town because it has been centered around minority representation. Historically the pendulum swings back and forth, today we have a democratic administration and in a few years that could all change, it is the nature of politics. As long as there is a strong minority representation there will always be effective checks and balances in town. This is what set us apart from many other communities and keeps us on the straight and narrow. Normally when a party receives a mandate such as was received in the last election it is used to push their agenda forward. In recent history that showed it to be the case, but instead First Selectman Tesoro has chosen to return the town to all of the people of Trumbull regardless of political affiliation and restore the 7 voting districts. Access to polling places throughout the town will cut down on long waits and more importantly it will ensure every part of town will receive effective representation. He asked the resolution be supported.
18. Rich Deecken of 679 Garden Street former P&Z Chairman explained while door to door canvassing is a challenge, each council representative only needs to knock on doors of ¼ of the residents in town. Town wide candidates must reach the entire town. He has been a candidate in town six times and ran for state senate and was still able to reach several thousand people.

He trusts any candidate who intends to win would do the same. It's not unreasonable to have a councilman cover ¼ of the Town. In the end councilman vote on matters that affect the entire town not just their districts and doesn't remember a vote going straight along district lines. If you vote for this don't let it be because you don't wish to walk

PUBLIC HEARING

RESOLUTION TC28-93

First Selectman Vicki A. Tesoro extended her gratitude to all of the members of the committee, the committee chair, the citizens who volunteered their time and those members of the council who were part of this committee. She ran on a platform to return to seven (7) districts. Prior to being first selectman she felt going to four (4) districts was a mistake and promised to work with the council to correct the mistake. The 2020 Redistricting Committee was charged by this Town Council to develop a redistricting plan with districts of substantially equal population. The committee unanimously agreed to recommend 7 voting districts to satisfy the charge of the Council. This plan just as the current four district plan has as few split districts as possible and complies with the one person one vote CGS. The seven district plan restores seven districts and seven polling places making voting easier and lines shorter and restores equal population and equal representation. There is not a need for a super district. It enhances the neighborhood concept and strengthens constituent relationships. It maintains strong minority representation on the Town Council, super majorities are bad for our community they foster partisanship. Under the seven district plan the minority would have a minimum of seven seats while the majority party could have the maximum of 14 seats. The present 4 district plan lessens the impact of dissenting voices. With a strong minority under this plan dissenting points of view will be heard which could influence the outcome of decisions, this benefits the citizens of Trumbull. The seven district configuration served our town for 30 years, during that time Trumbull had both democratic and republican first selectmen, majorities. Trumbull voters do their homework and the seven districts gave the voters the opportunity to make change when they felt change was needed. The change to seven districts will not affect this November's election, it will affect the next municipal election in 2021. If boundary changes are needed due to the 2020 census data and other possible state issues there is ample time to make the changes to comply with state law. If the Council adopts the 7 district plan the now majority democrats are willingly giving seats up on this council. That is in the best interest of the community and is why it should be done. First Selectman Tesoro fully supported returning to 7 voting districts as this is the right plan for the people of Trumbull.

Seven District Plan – Boundary Description

District 1

Northerly: The Monroe town line

Easterly: The Shelton town line, Booth Hill Road, each in part.

Southerly: Strobel Road, northerly along Booth Hill Brook, following a line perpendicular to it connecting to the end of Clarion Place, Clarion Place, Country Club Road, Daniels Farm Road, Rte 25 Expressway, each in part.

Westerly: Rte 25 Expressway, Pequonnock River, Old Mine Road, Monroe Turnpike (Rte 111), each in part.

District 2

Northerly: Daniels Farm Road, Country Club Road, Clarion Place, easterly along a line perpendicular to Booth Hill Brook, southerly along Booth Hill Brook to Strobel Road, Strobel Road, Booth Hill Road, the Shelton town line, each in part.

Easterly: The Shelton town line, the Stratford town line

Southerly: The Stratford town line, Merritt Parkway (Rte 15), each in part.

Westerly: Unity Road, Booth Hill Road, West Mischa Road, from the end of West Mischa road along the southern edge of Pinewood Lake until it meets West Lake Road, West Lake Road, Twin Brooks Drive, Brock Street to the Pequonnock River, Pequonnock River, Route 25 Expressway, each in part.

District 3

Northerly: Monroe town line.

Easterly: Monroe Turnpike (Rte 111), Old Mine Road, Pequonnock River, Rte 25 Expressway, each in part.

Southerly: Whitney Avenue, Broadway, Main Street (Rte 111), Stonehouse Road, West Rock Road, Fieldcrest Drive, Old Coach Lane, Wedgewood Road, Asbury Road, Dayton Road, Old Village Lane, Limerick Road, Cromwell Road, Madison Avenue, Monitor Hill Road, Mariner Circle, Inverness Road, Three Trees Lane, each in part.

Westerly: Easton town line.

District 4

Northerly: Kaechele Street, Madison Avenue, Driftwood Lane, Lake Avenue, Wildwood Drive, Canoe Brook Road, Park Lane, Garwood Road, Histon Road, Elliot Road, Mulberry Street, Hampton Road, Mitchell Road, western edge of Jane Ryan Elementary School, Shady Lane, Park Lane, each in part.

Easterly: Main Street (Rte 111), in part.

Southerly: The Bridgeport town line.

Westerly: The Fairfield town line, The Easton town line.

District 5

Northerly: Mulberry Street, Sterling Road, Walker Road, each in part.

Easterly: Main Street (Rte 111), Church Hill Road (Rte 127), Old Church Hill Road, Church Hill Road (Rte 127) again, White Plains Road (Rte 127), along the line of 134th State Assembly District to Reservoir Avenue, each in part.

Southerly: The Bridgeport town line.

Westerly: Main Street (Rte 111), Park Lane, Shady Lane, western edge of Jane Ryan Elementary School, Mitchell Road, Hampton Road, each in part.

District 6

Northerly: Three Trees Lane, Inverness Road, Mariner Circle, Monitor Hill Road, Madison Avenue, Cromwell Road, Limerick Road, Old Village Lane, Dayton Road, Asbury Road, Wedgewood Road, Old Coach Lane, Field Crest Drive, West Rock Road, Stonehouse Road, Main Street (Rte 111), Broadway Road, Whitney Avenue, each in part.

Easterly: Rte 25 Expressway, in part.

Southerly: Pequonnock River, Daniels Farms Road, Church Hill Road (Rte 127), Old Church Hill Road, Church Hill Road (Rte 127) again, Main Street (Rte 111), Walker Road, Sterling Road, Mulberry Street, Elliot Road, Histon Road, Garwood Road, Park Lane, Canoe Brook Road, Wildwood Drive, Lake Avenue, Driftwood Lane, Madison Avenue, Kaechele Street, each in part.

Westerly: The Easton town line.

District 7

Northerly: Daniels Farm Road, Pequonnock River, Brock Street, Twin Brooks Drive, West Lake Road, southern edge of Pinewood Lake, West Mischa Road, Booth Hill Road, Unity Road, Merritt Parkway (Rte 15), each in part.

Easterly: The Stratford town line.

Southerly: The Bridgeport town line.

Westerly: Reservoir Avenue, along the line of the 134th State Assembly District, White Plains Road (Rte 127), each in part.

MINORITY REPORT OF THE 2020 TRUMBULL REDISTRICTING COMMITTEE

BACKGROUND:

On February 3, 2020, the Town Council established the 2020 Redistricting Committee for the sole purpose of establishing 7 municipal voting districts. The committee was to comprise 5 members- The Democrat and Republican Registrars of Voters, a Democrat & Republican Member of the Town Council and a fifth elector of the Town.

The committee membership was comprised of Democrat Registrar of Voters and Democrat Town Committee Chairman, Tom Kelly, Democrat Town Council Member Kevin Shively, Former Democrat Registrar of Voters and Democrat Town Committee member, Laurel Anderson and Republican Town Council Member Tony Scinto. The Republican Registrar of Voters, William Holden declined appointment for several reasons which this report addresses. (His letter is attached as an Exhibit A to this report). His vacant seat was not filled.

Along party lines, a seven-district plan was approved on May 23, 2020 and subsequently incorporated into the Committee's Final Report dated June 26, 2020 and recommended to the Town Council for consideration.

DISCUSSION:

The Republican party opposed the creation of the Redistricting Committee for one basic reason. Because drawing of municipal voting districts lines is largely based upon the population measured by the United States Census, redrawing lines should not have commenced until the 2020 U.S. Census is completed. This would allow for the most accurate data to populate municipal voting districts, no matter the number. Since the 2010 census data is outdated its use most likely makes any redistricting out of compliance with state and federal law. The proposed districts, if approved, will have to be re-examined, and likely redrawn when the 2020 census is released in the spring of 2021. Using 10-year-old data gives reason to believe that the allocation of population to each of the 7 proposed districts is inconsistent with actual population in 2020 when one considers a 10-year period of ownership transfers and residential construction and redevelopment.

With the flawed use of the 2010 census data, the proposed municipal voting districts have a large variance of population among them. The Committee used a population total of 36,018 people which should have an average population of 5,145.4 people per district. No proposed district has that average number. Three proposed districts have less and four proposed districts have more. The spread of 99 from largest to the smallest district populations creates unequal districts. Town Council elections are notoriously close with single digit pluralities in almost every district in each election. The large spread and number of variations in population among the proposed 7 districts calls in to question their validity.

The Democrats have posited that voter turnout has fallen since the change to 4 municipal voting districts in 2012. They cite driving distances and crowded polling places. Conveniently, election years with lower voter turnouts under the former 7 district system were ignored. The number one factor in voter turnout is voter enthusiasm for candidates and issues. Weather can be another factor. Driving

distances appear to have been ignored in the proposed plan when one considers residents near the Pequonnock River downtown will be driving to Madison Middle School to vote.

In any event, the Redistricting committee failed to consider polling place locations and potential conditions there at. The proposed district 7 has no school, no Town facility and no identifiable poll location. In addition, no consideration was given to cost and staffing for adding three new polling places.

The Four Districts currently enacted were created to closely conform to the guidelines of CGS 9-169, which prefer municipal voting district lines match state assembly, state senate and Congressional district lines. All of Trumbull lies within the 22nd senatorial district and the 4th Congressional district so no boundary line issues are presented. But under the prior 7 district design, there existed 2 split state assembly districts- the 122nd and the 134th. The four-district design enacted in 2011 eliminated the split of the 134th district. The small portion of the 122nd district in the Nichols section of Trumbull contains population too small to eliminate the splitting of a portion of district 2 in any district design of 4 or 7.

Additionally, the four-district design provides voters in each district the opportunity to elect more council members from a larger pool of candidates. More choice to the voter. The 7-district design offered by the 2020 Redistricting committee assures political parties their choice of candidates will be elected with voters getting a limited choice to elect 3 of 4 candidates.

CONCLUSION:

The move to return to 7 municipal voting districts is politically motivated. In the effort to make a campaign promise come true, the Democrats have sought to re-establish the 7 districts by mandating it in the Town Charter, if not by Town Council ordinance. The Charter effort has failed because it contravenes the mandates of CGS 9169 for the Town Council to establish municipal voting districts-

There is a long history of democrat support for dividing the town into 7 municipal voting districts, beginning with the 1983 Charter revision which shifted the town from 4 or 5 districts to 7. Voting council membership through 7 districts has led to Town Council majorities for the democrats through most of the 29 7 district elections since 1983. No wonder the hastened return to 7 districts now. Please see the appended minutes from 1983 Town Council and Redistricting committee meetings. (Exhibit B).

Above politics, Council action should be guided by the rule of law, properly applied to reliable data. As described above, the population data from 2010 is unreliable for use in design of any number of Town Council Republicans will not support the proposed 7-district design.

Regardless of political posture, redistricting of the Town's municipal voting districts should await the results of the 2020 census to assure compliance with the rule of law, voter integrity and fairness to our citizens.

Tony Scinto,

Republican Town Council

Minority member of the 2020 Trumbull Redistricting Committee.

Dear Madame Chairman:

I, respectfully, decline to serve on the 2020 Trumbull Redistricting Committee when it becomes effective on or after February 20.

I have made this decision because the administration has decided to go ahead with its original redistricting plan now, even though it is aware that the 2020 U.S. Census and the State Legislative reapportionment sometime in 2021 will have an affect on the Town of Trumbull. Basing a new apportionment on 2010 Census figures probably will not follow the court ordered concept of "one person, one vote."

The State reapportionment may not happen until late in 2021. We will not know in advance where the State will draw boundary lines for various districts. We don't know if Trumbull will be entirely in one Congressional District, or if it will be split as it once was and as five municipalities currently are. We don't know if the Town will have more than one district for the State Senate as each town neighboring Trumbull has. We don't know where State Assembly boundaries will be, or how many districts will be in Trumbull.

State Statute 9-169f requires municipalities to reapportion following state reapportionment. Redistricting is not as simple as drawing a new map and ordering ballots based on a number of districts.

Additionally, the public must be educated about any change in districts. Redistricting now or for 2021 could cause voters to vote at one polling place in 2020, another in 2021 and yet another in 2022 following state reapportionment. Three polling places in three years is just too much to ask of voters and personnel who would have to enter name, address, voting districts, etc. for over 26,000 voters.

Any change in voting district boundaries, at this time, is unwise. Trumbull should wait until after State Reapportionment when a committee will know the location of state legislative boundaries and the results of the 2020 census. There will be plenty of time to debate the number of districts and any other matters at that time.

Very truly yours,

William S. Holden
Registrar of Voters

1983-1984

The number of districts, combined with minority representation is not a political party issue; it is a philosophy of government issue. Our current First Selectman will not hold that office forever; neither will the members of this Council--either individually or collectively.

When minority representation was first written into our Charter there were four local voting districts. This is known as majority rule while preserving minority rights. If you guarantee the minority a minimum of 1/3 of the Council, you are in effect creating a minority that can rule against the wishes of the majority. For example, if there had been 7 districts in the last election and if you wish to pass this resolution as emergency legislation, you would not have the necessary 2/3 vote to do so. Following a major landslide, the council would not be able to pass emergency legislation.

I have heard it said that the main reason for redistricting into 7 districts is to bring the council members and candidates closer to the people. That reasoning is fallacious. Under the proposed plan, in each district, there will be a total of four major party candidates attempting to visit and represent an area which is only marginally smaller, on a geographic basis, than the current district plan in which there are six to eight major party candidates. Let's be honest. For the vast majority of Trumbull residents, their only dealing with Council people comes at election time. District 3 in the proposed plan, stretching from the Stratford Town Line to Main St., with a detour up to Twin Brooks Park and Pinewood Lake, would be one heck of a district to represent, let alone campaign in. Is this the area where that unaffiliated voter we hear so much about is going to launch his successful, independent campaign for Council? I think not. In fact, I think talk of a seven district plan opening the electoral process to individual, independent campaigns is nothing but a smokescreen.

The current plan has worked well. It uses main roads and other natural boundaries within the congressional districts. The populations are roughly equal. We saw two firsts last November. For the first time, a district split its Council seats between the major parties. For the first time, a "minority representative" was the leading voter getter in his district.

If this Council is truly sincere about reducing the geographic size of voting districts in an attempt to "open the process" and have Council people closer to their constituents, you should scrap the recommendation of this redistricting committee and form a new committee. You should charge the new committee to propose a 21 district plan which would, of necessity, eliminate minority representation on the Council.

Respectfully submitted,

William S. Holden, Secretary of Redistricting Committee

MINORITY REPORT

L & A AND RULES & RESEARCH COMMITTEES

RESOLUTION TC10-119

A majority of the L & A Committee and the Rules and Research Committee, meeting in joint session on Thursday June 28, has voted to recommend to the full council that it approve Resolution TC10-119 this evening.

This resolution, if adopted, would alter the configuration of the districts from which members of the Town Council are elected. If passed, it will represent the second time in as many elections, that council districts have been redrawn by the Town Council. District lines had never been changed prior to 1983.

Because we believe that this Resolution is ill-advised, and its passage would constitute a serious blow to representative government in Trumbull, we feel compelled to issue this minority report.

We shall attempt to explain our reasons in the body of this report.

HISTORY

Before examining the relative merits and demerits of the seven district plan which is now before the council for action, we believe it is necessary to review the history of the council districts which existed prior to 1983, as well as the provisions of the Town Charter which can not be changed by a vote of this council.

The four (4) districts from which council members were elected prior to the municipal elections of 1983, were inherited from the Representative Town Meeting (RTM). Those districts correspond roughly to the four (4) areas into which Trumbull has been historically divided: Trumbull Center (District One), Nichols (District Two), Upper Long Hill (District Three) and Lower Long Hill (District Four).

While seeking to insure the ability of a council majority to govern, those who framed our Charter also provided for the right of the minority to be represented in the legislative body. Although a local legislative body is not subject to the "minority representation" requirements contained in Section 9-167a of the General Statutes, our Charter provides: "In each district no political party may nominate and no person may vote for more than one less than the number of Councilmen to be elected from this district." This provision guaranteed that no fewer than four(4) members of the minority party would be elected to the first council.

Although the districts remained the same, no council since 1973 has seen either party holding only the minimum number of council seats. Even in the face of a 70 percent tidal wave, this council does not reflect the 16-5 possibility which could have resulted. The system itself seems to be providing for minority representation, without the need to rely upon the charter provision quoted above.

It must be noted, that although the districts were not redrawn, Trumbull experienced significant population growth over the past two decades. In 1977, District 3 was awarded a seventh council seat, thus giving it one third of the total membership of the council.

This imbalance clearly had to be rectified. Following state mandated reapportionment, the council districts were redrawn for the 1982 and 1983 elections.

That redistricting process was performed, with special attention given to several concerns: 1) The need to make all of the districts "substantially equal" in terms of population, 2) A desire to avoid annual confusion, by giving voters a single polling place in both state and municipal elections where possible, 3) A concern for maintaining neighborhoods in the same district, and using main roads where possible when dividing districts.

With the correction of a population error which placed fewer voters in District Five than originally believed, the present districts are as follows:

<u>DISTRICT</u>	<u>NUMBER OF COUNCIL MEMBERS</u>
1	4
2	5
3	4
4	4
5	4

These five districts are served by six(6) polling places. With the exception of a small area to the east of Main Street which is located in the 122nd assembly district and the fourth councilmanic district, all voters utilize the same polling place for both state and local elections.

THE PRESENT PROPOSAL

We believe the proposal before the council this evening is ill-advised for several reasons.

First of all, by electing to have seven (7) districts rather than four or five, the council is restricting the choice available to the voters of Trumbull. A full seventy-five percent of those nominated by the political partys for the town council, will be automatically elected under this proposal. This is inevitable, so long as the minority representation provision remains in our Charter.

While in theory, an unaffiliated voter might be elected to the council, and could win election in a particular district, in practice, this has never occurred. It is doubtful, at best, that smaller districts would give rise to additional unaffiliated candidates for the town council. There is simply no evidence to support this proposition.

The "five district plan" in effect for the 1983 elections did limit the selection available to Trumbull voters to some degree. The effect of a "seven district plan" will further serve to place greater power into the hands of the political parties, thus removing some authority and choice from the voters. The following illustrates this reduction of options:

<u># OF DIST.</u>	<u># NOMINATED</u>	<u># ELECTED</u>	<u>% ASSURED ELECTION</u>
4	34	21	61.8
5	32	21	65.6
7	28	21	75.0

The net effect of the seven district plan is to provide fewer options for the electorate, and place greater control in the hands of the political apparatus.

We also oppose the seven district proposal, because it will be nearly impossible for either political party to acquire two-thirds of the council seats. This can occur, only if all of the candidates nominated by either party are elected.

Our charter uses the phrase "two thirds of the total membership" in many areas; most notable, the veto enjoyed by the first selectman, increases in the budget, and the declaring of a piece of legislation emergency legislation.

While votes concerning a veto by a first selectman are not always decided on party lines (ie, the "dust cover" veto in the sixth council), very often, this has been the case. We can not think of a single instance in which any Democratic member of the ninth council voted to override a veto by the first selectman on any issue, or on any budget item. (Research not complete).

This plan, if adopted, will virtually insure that Mr. Timpanelli will never again have fourteen Republicans on the Town Council interposing an effective check to the power of the municipal executive.

When this redistricting proposal was brought before the council earlier in this session, we were told that one of the concerns would be for effective "neighborhood" representation. The seven district plan before us this evening is deficient in several respects.

District C, a new district, is really a combination of what, prior to 1983 comprised portions of three districts. The district divides Nichols, and places that portion of Trumbull in the same district as the area surrounding the police headquarters.

The line dividing districts G and F cuts through an "actual neighborhood" which has been part of District 3. The failure to utilize main roads can also be seen in the area dividing district F and district E. Walker Road and Sterling Road should not be the line of demarcation.

As indicated above, the community of Nichols has been needlessly divided by the creation of District C. This is unfortunate, and we are certain will not be popular in that area of Trumbull.

Furthermore, a seven district plan such as the one before us

518(6)

this evening would require eight (8) polling places. The five district plan utilizes only five ~~(5)~~ polling places.

We are not unalterably opposed to a seven district plan. However, the Charter provisions referred to in this report, coupled with the serious deficiencies in the proposal, compel us to urge rejection of the seven district scheme before us this evening.

RESPECTFULLY SUBMITTED

DeB W. Wood
Brian J. [unclear]

**RESOLUTIONS TO BE ADOPTED
BY THE PENSION BOARD
OF THE
TOWN OF TRUMBULL**

WHEREAS, the Town of Trumbull (the "Town") maintains the Town of Trumbull Retirement Plan (the "Retirement Plan") for the benefit of the eligible employees of the Town of Trumbull and the Board of Education of the Town of Trumbull; and

WHEREAS, pursuant to Section 21.1 of the Retirement Plan, the Town Council, acting upon the recommendation of the Pension Board of the Town, can amend the Retirement Plan; and

WHEREAS, it is desirable that the following amendment to the Retirement Plan be adopted:

- (a) Amendment No. 1 to the Retirement Plan, which incorporates an additional death benefit option for a death benefit payable after July 1, 2019 to a designated Beneficiary of a Participant who dies while an Employee on or after completing five (5) or more Years of Vesting Service; and

WHEREAS, it is desirable that the Pension Board adopt the foregoing amendment, authorize the execution of the amendments on behalf of the Town, and recommend that the Town Council ratify and approve the adoption of the amendments by the Pension Board and their execution on behalf of the Town.

NOW, THEREFORE, BE IT

RESOLVED: That Amendment No. 1 to the Retirement Plan relating to the additional death benefit option to be offered to the designated Beneficiary of a Participant who dies while an Employee on or after completing five (5) or more Years of Vesting Service; and further

RESOLVED: That the First Selectman of the Town, and any other officer of the Town designated by her, be and hereby are authorized and empowered for and on behalf of the Town to execute the amendment presented to this meeting and to take any and all other actions which may be necessary or desirable to effectuate the intention of the foregoing resolution; and further

RESOLVED: That the Pension Board does hereby recommend that the Town Council ratify and approve the Pension Board's adoption of the amendment presented to this meeting, and the execution of such amendment on behalf of the Town by the First Selectman of the Town or any other officer of the Town designated by her.

**THE TOWN COUNCIL
OF THE
TOWN OF TRUMBULL**

WHEREAS, the Town of Trumbull (the "Town") maintains the Town of Trumbull Retirement Plan (the "Retirement Plan") for the benefit of the eligible employees of the Town of Trumbull and the Board of Education of the Town of Trumbull; and

WHEREAS, pursuant to Section 21.1 of the Retirement Plan, the Town Council, acting upon the recommendation of the Pension Board of the Town, can amend the Retirement Plan; and

WHEREAS, the Pension Board of the Town has approved the following amendment to the Retirement Plan and has authorized its execution on behalf of the Town:

(a) Amendment No. 1 to the Retirement Plan, which incorporates an additional death benefit option for a death benefit payable after July 1, 2019 to a designated Beneficiary of a Participant who dies while an Employee on or after completing five (5) or more Years of Vesting Service; and

WHEREAS, the Pension Board has recommended that the Town Council ratify and approve the adoption of the amendments by the Pension Board and the execution of the amendments on behalf of the Town.

NOW, THEREFORE, BE IT

RESOLVED: That the Town Council does hereby ratify and approve the Pension Board's adoption of Amendment No. 1 to the Retirement Plan relating to the additional death benefit option to be offered to the designated Beneficiary of a Participant who dies while an Employee on or after completing five (5) or more Years of Vesting Service; and further

RESOLVED: That the Town Council does hereby ratify and approve the execution of such amendments on behalf of the Town by the First Selectman of the Town or any other officer of the Town designated by her; and further

RESOLVED: That the First Selectman of the Town be, and hereby is, authorized and empowered, for and on behalf of the Town, to execute such documents and to take any and all other actions which may be necessary or desirable in order to effectuate the intention of the foregoing resolutions.

**AMENDMENT NO. 1
TO THE
TOWN OF TRUMBULL RETIREMENT PLAN**

The Town of Trumbull Retirement Plan, as amended and restated effective as of July 1, 2015, is hereby amended as follows:

(1) Effective as of July 1, 2019, Section 11.1 of the Plan is amended to read as follows:

“Section 11.1 In the event a Participant dies while he or she is an Employee:

(a) If the Participant dies before completing ten (10) Years of Vesting Service, the Participant’s designated Beneficiary shall receive a death benefit equal to the sum of:

(i) the Participant’s Accumulated Contributions; *plus*

(ii) the proceeds of a term life insurance Contract maintained on the life of the Participant in the amount of \$25,000.

The death benefit described in this subsection (a) shall be paid to the Participant’s designated Beneficiary in a single lump sum as soon as practicable following the date of the Participant’s death.

(b) If: (i) the Participant dies on or after April 12, 1999 after completing ten (10) Years of Vesting Service or the Participant dies after completing five (5) or more Years of Vesting Service and the death benefit under this subsection (b) shall commence after July 1, 2019; (ii) the Participant’s designated Beneficiary elects not to receive the death benefit described in subsection (a); and (iii) the Participant’s designated Beneficiary assigns the proceeds of the term life insurance Contract described in subsection (a)(ii) to the Plan, then the Participant’s designated Beneficiary shall receive, in lieu of the death benefit described in subsection (a), the death benefit described in this subsection (b).

The benefit described in this subsection (b) shall commence on the Participant’s Normal Retirement Date or age sixty-two (62) if the Participant dies prior to completing ten (10) Years of Vesting Service (or on the first day of the month following the Participant’s date of death, if later) and shall continue for a period of one hundred twenty (120) months. The amount of such death benefit shall be equal to the monthly retirement benefit or vested deferred benefit that the Participant would have received if he or she had incurred a severance from employment on his or her date of death and had elected to receive his or her Accrued Benefit in the normal form of benefit commencing on his or her Normal Retirement Date (or on the first day of the month following his or her date of death, if later).

An election not to receive the death benefit described in subsection (a) and to receive the death benefit described in this subsection (b) must be made within sixty (60) days following the date of the Participant's death."

(2) All section numbers and cross references thereto are appropriately amended to effectuate the intention of the foregoing amendments.

Dated this ____ day of _____, 20____.

Witness:

TOWN OF TRUMBULL, CONNECTICUT

By _____

Title: