

TOWN COUNCIL
Town of Trumbull
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TOWN HALL
Trumbull

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PUBLIC WORKS COMMITTEE
NO QUORUM NOTICE
JULY 2, 2013

The Ken Martin Sr., Chairman called the Public Works Committee noted for the record at 7:42 p.m. that there was not a quorum. No Votes taken.

The following represents discussion that took place:

Members Present: Ken Martin Sr., Chairman, Ennio DeVita and Daniel Marconi

Members Absent: Vice Chairman Tony Scinto, Michael London, Alternate, Vincent DiMasi, Jr., Thomas Christiano and Vicki Tesoro, Alternate

1. RESOLUTION TC25-94: BE IT RESOLVED, That the acquisition of real property known as 6175 Main Street, Trumbull, CT is hereby approved; and
BE IT FURTHER RESOLVED, That the First Selectman is hereby authorized to execute any agreements or take any necessary steps to complete the acquisition.

Mr. Lavernoich distributed a one-page summary, map and photo - (See Attached). The owner's attorney had contacted the Town to see if there was an interest in the donation of the parcel; the letter was received in April 2014. There is a lease in place with Lamar Advertising until March 21, 2020. Lamar pays approximately \$2,000. If there is no lease, the signs could go away. Because this is a pre-existing /non-conforming lot the signs can not be enhanced. By ordinance the P&Z does not want signs in Town. The billboards are in need of major repair and have not been used lately. It would be a major undertaking for Lamar to repair them. Per the Inland Wetlands & Watercourses Commission staff Lamar may be making an IWWC application in the near future. An 8-24 report has been filed and approved. This has been reviewed by the Director of Public Works and Town Attorney Nicola, neither has expressed concern.

Mr. Martin indicated that he had met with Mr. Lavernoich this week and also had an extensive phone conversation. Mr. Martin expressed his concern with regard to the lease and would like to speak with the Town Attorney on this matter. There may be encroachment issues with the 8-10 properties behind the parcel. Mr. Martin would like an A-2 survey done prior to the Town inheriting the parcel. Ms. Penkoff voiced her concern with regard to future legal issues. Mr. Lavernoich stated the donation could be accepted and added that the First Selectman would like to see the signs removed. If Lamar knows the Town owns the property and did not intend to renew the lease they may not move forward on repairing the signs. Mr. Martin requested an A-2 survey, and title search. Any other requests from the committee would be drafted and forwarded to Mr. Lavernoich. Mr. Martin stated that he wanted to ensure that the tenant the Town is inheriting is not difficult for the Town or the neighboring properties. Mr. Massaro stated the council usually has a final draft of the agreement before approving. Due to the fact that there was not a quorum and no action could be taken by the committee when the full council meets on Monday, July 7, 2014 this item will most likely postponed after both caucuses discuss.

2. RESOLUTION TC25-97: BE IT RESOLVED, That the Middlebrooks' Building Committee's design recommendation for the Middle brooks Elementary School window replacement project is hereby approved.

Mr. Marsilio stated the Building Committee was formed in January 2014. The architect was hired from the On-Call Services list last year, and was funded in the bond package 2 ½ years ago. The EDO-49, (application for authorization for State matching funding at 31%) was submitted June 2, 2014. When the decision was made of what was to be done in May 2014 it was determined that this project would not take place until 2015 due to the lead times of the products and that the project can not be done while school is in session. The windows have a 16-week lead time. Notification has been made to the EPA and the State Health Dept. with regard to existing hazardous materials and an extension has been granted. There are no external or interior changes being made. The drawings are 80-90% done; they are simply drawings of the windows. Most of this project has to do with the environmental issues, the replacement of the windows are a one-to-one replacement. Mr. Marsilio stated Town purchasing protocols were observed. The plan outlines where the remediation is needed and where it is not. As the windows are installed PCB's were identified. They will revisit the encapsulation of what is there so the existing windows can get through one more year of use.

Mr. Massaro stated he would get the EDO-49 or a narrative from Antinozzi for the full council meeting. The design is more a narrative than design in this particular case.

3. RESOLUTION TC25-98: BE IT RESOLVED, That Antinozzi Associates, be and the same is hereby approved as the architect for the window replacement project at Middlebrooks Elementary School.

Mr. Marsilio explained that Antinozzi Associates was hired from the On-Call Services List which is shared with the BOE. This is a list on the Town side that is established through the RFQ (Request for Qualifications) responses/process. There are 6 categories put out for RFQ's,(Architectural, Environmental, Structural etc.). Antinozzi has developed a scope of services, their contract and rates are in place. It is a not-to-exceed contract, unless the scope changes and is billed according to the hourly rates of the individuals working on the project. There are three (3) architects currently on the list, (Antinozzi Assoc, DeStephano & Chamberlain and DiCarlo & Doll). An architect is chosen off the list by which one is most appropriate for the project, unless it is a unique project such as the project at the police department. Humes was chosen by RFQ for the police department.

4. RESOLUTION TC25-99: BE IT RESOLVED, That Antinozzi Associates, be and the same is hereby approved as the architect for the design of the emergency shelter generator at Trumbull High School.

Antinozzi Associates was chosen off the On-Call Services list has extensive school experience, they oversaw and coordinated the electrical engineering and the interconnect of the interior of the building.

5. RESOLUTION TC25-100: BE IT RESOLVED, That Bismark Construction, be and the same is hereby approved as the contractor for the emergency shelter generator project at Trumbull High School.

This was bid out. Bismark Construction was the low bidder and was awarded the contract.

The discussion ended at 8:30 p.m.

Respectfully Submitted,

Margaret D. Mastroni
Town Council Clerk

Bridge Group, LLC (Bridge) has proposed a charitable donation of real estate it owns at 6175 Main Street to the Town of Trumbull. The property is a parcel of approximately 2.1 acres, the majority of which is considered a wetland. The First Selectman directed the E&CD Director to request the Town Council's authorization to accept the property donation.

Bridge pays approximately \$4,000 annually in real estate taxes on the parcel. The Town would no longer receive this revenue if it acquires the parcel.

Bridge has a 20 year lease with Lamar Company, LLC (Lamar) that allows Lamar to keep billboards on the property until March 31, 2020. The charitable donation is subject to the current lease; the Town will likely inherit Lamar as a tenant. Lamar pays Bridge approximately \$1,800 annually in rent. Reportedly, Lamar is currently up-to-date on its rent payments.

The attorney for Bridge has verbally represented the following:

Bridge has no knowledge of contaminants being released on the property.

Bridge has no other agreements with Lamar regarding Lamar's tenancy or use of the property.

Bridge has no other agreements with any other party regarding tenancy or use of the property.

Bridge is not aware of any encumbrances (other than the existing lease) or liens on the property.

The Town would require the aforementioned representations, and perhaps others, in an agreement at the time of transfer. The Town, in accepting the charitable donation of the property, has no obligation to confirm or certify the value of the donation to Bridge or the US IRS.

Lamar pays approximately \$2,000 annually in personal property taxes on the billboards. The Town will be entitled to receive this revenue until the signs no longer exist, or Lamar abandons the signs.

The (4) billboards are primarily wooden structures. They are "pre-existing non-conforming" in the Town's Zoning Regulations; new billboards are not permitted in Trumbull. Hence, the existing billboards can be repaired, but not replaced, enlarged or enhanced (e.g. lighting) in any way.

The billboards have not had any advertising on them for several months. They appear to need major repair. Any repairs on the billboards would require entering into the wetlands. A plan for entering the wetlands and undertaking repairs would have to be approved by the Inland Wetlands and Watercourses Commission (IWWC). Reportedly, Lamar is preparing an application to the IWWC.

The Trumbull Planning & Zoning Commission, pursuant to Connecticut Statute 8-24, has recommended an approval of the acceptance of the charitable donation to the Town Council.

The E&CD Director has conferred extensively with the Public Works Director and Town Attorney R. Nicola on the acceptance of the donation and the provisions of the existing lease. Neither has expressed concerns about any aspect of the transaction.

