

Town of Trumbull
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TOWN HALL
Trumbull

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MINUTES
June 4, 2012

CALL TO ORDER: Chairman Carl A. Massaro, Jr., called the meeting to order at 8:04 p.m. at the Trumbull Town Hall, Trumbull, Connecticut. The Chair asked all those present to keep in their thoughts Daniel Nelson, Chief of Staff to the First Selectman who has lost his uncle and godfather. The resolution(s) which is the subject of this meeting is available to the public and may be obtained at this meeting.

The Chair announced that the Men's Trumbull High School Baseball team won the FCIAC. It has been a great year for the students of Trumbull at all levels.

ROLL CALL: The clerk called the roll. Members present and absent were as follows:

PRESENT

Suzanne S. Testani
David R. Pia
Jeff S. Jenkins
Chadwick Ciocci
James F. Meisner
Jeffrey Donofrio
Gregg Basbagill
John A. DelVecchio, Jr.
Kristy Waizenegger

Vicki Tesoro
James Blose
Michael J. London
Carl A. Massaro, Jr.
Tony J. Scinto
Mark LeClair
Fred Palmieri, Jr.
Debra A. Lamberti
Martha A. Jankovic-Mark

ABSENT

Thomas Whitmoyer
Ann Marie Evangelista.
Jane Deyoe

ALSO PRESENT: First Selectman Timothy M. Herbst, Maria Pires, Director of Finance, Bond Counsel Joseph Fasi, John Marsilio, Director of Public Works, James Nugent, Chairman of the Trumbull High School Building Committee, John Barbarotta, Owner's Representative of the Trumbull High School Building Committee, Greg Smolley of JCJ Architecture, Joseph Vetro, THS Project Manager of O&G Industries, George Wiles of Wiles Architecture, Craig Wiles of Wiles Architecture, Kathleen Bivona Trumbull High School Building Committee member, Arthur Lemay Vice-Chairman Trumbull High School Building Committee and Tony Chiemelewski Trumbull High School Building Committee member.

*The Chair exercised his right not to vote unless otherwise noted.

1. Resolution TC24-39: Moved by Mr. London, seconded by Mr. DelVecchio.

BE IT RESOLVED, That the following programs as eligible under the Neighborhood Assistance Act; The Kennedy Center – equipment for Cutting Edge Lawn Service program; Connecticut Radio Information System – Radio Reading Service at Trumbull Studio; St. Vincent’s Special Needs Center, Inc. – Augmentative Communication Services are hereby approved.

Committee Report: The Legislation & Administration Committee met on May 29, 2012 and voted unanimously. The Chair noted that a Public Hearing was held in committee as required of this resolution.

VOTE: ADOPTED unanimously.

2. RESOLUTION TC24-41: Moved by Ms Waizenegger, seconded by Mr. Palmieri.

BE IT RESOLVED, That Kevin Chamberlain of 43 Coral Drive, be and same is hereby appointed a member of the Inland Wetland Watercourse Commission for a term extending to December 3, 2012, to serve out the remaining term of Commissioner Frank Marcus.

Committee Report: The Legislation & Administration Committee met on May 29, 2012 and voted unanimously.

VOTE: ADOPTED unanimously.

3. RESOLUTION TC 24-42: Moved by Mr. Meisner, seconded by Ms. Mark to read the title and Section 1 of the 2012-2013 CIP bond resolution in their entirety and to waive the reading of the remainder of the resolution, incorporating its full text into the minutes of this meeting.

Upon vote the ayes and nays were as follows:

VOTE: Motion CARRIED unanimously.

RESOLUTION TC24-42: Moved by Mr. Ciocci moved that said resolution be adopted as introduced and the motion was seconded by Mr. London.

RESOLUTION TC24-42: RESOLUTION APPROPRIATING \$1,565,520 FOR THE TRUMBULL CAPITAL IMPROVEMENT PLAN 2012-2013 AND AUTHORIZING THE ISSUE OF \$1,565,520 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Committee Report: The Finance Committee met on May 29, 2012 and voted 4-0-2 (Abstention: Basbagill and Tesoro).

- The Chair explained that the amount of the bonding resolution before the Town Council is as a result of the action taken by the BoF. When the BoF takes action on certain items they come to the Town Council at that amount. The bond was an approximate \$6 million request amended down to this amount, because these were the only items eligible for discussion at the special meeting of the BoF.
- Mr. Marsilio explained to Mr. Mr. Palmieri that a decision had been made by the Finance Dept. on item that exceed the life of the bond would be eligible for bonding, therefore the snowplows, the loader and the scissor lift would be eligible. The life expectancy of the capital item is what was used to determine that in this instance.
- Mr. DelVecchio stated the life of a road is approximately 20 years; there are approximately 240 miles of road in Trumbull, in order to be able to keep up 12 miles of road need to be

paved per year. Bonding pushes the cost to the future, suggesting putting a \$2 million aside every year, with LOCIP funds the Town could then keep up with the paving. Mr. DelVecchio noted the Baldwin administration previously bonded for road paving but encouraged all, moving forward to incorporate road paving into the operating budget. Road paving is something that has to be done.

- Mr. Marsilio explained for Ms. Tesoro that 2.08% of roads in Trumbull were paved last year. Different kinds of funding are as follows: Town Aide for Road funds, state LOCIP, and federal ERA funds. Only Town financing for road paving through the issuance of bonds are being asked to be approved tonight. All of the projects exist in the schedule distributed to the council. Per GIS there are exactly 226.5 miles of roads in Town. One of lists distributed to the council represents how many miles of roads have been paved and is inclusive of all funds available. The other list represents the \$956,000 before the council for approval and will be funded by Town bonds. Ms. Pires explained the remaining list answers the question, “What roads were paved during the 2011-2012 fiscal year with last year’s bonding,” and represents all of the different roads that were approved to bond, the actual cost, where the funds came from, if they were fully completed and what roads need to be completed. \$1.5 million is available to complete the roads. Mr. Marsilio confirmed that they will attempt to complete all of the roads in the column entitled *Need to be Completed* in addition to the ones that the council is being asked to bond.
- Ms. Mark indicated that she is not in favor of bonding items less than \$1 million or grouping items together to meet the \$1 million, speaking in favor of a supplemental and of a paving program funded properly in the budget.
- Mr. Marsilio indicated for Ms. Tesoro that the Town is presently preparing roads to be paved and will be ready shortly. Ms. Tesoro stated that there are 12 roads to be paved from last year and another 18 roads to be paved this year. Mr. Marsilio indicated that many of the roads are contiguous of another or spur off of one another they may be duplicated on the lists. Ms. Pires clarified that the Town does not go out to bond immediately; they do short term notes in September, if they anticipate that they will not be paving these roads, they will not go to bonds or notes. The Town only issue notes, in September they will only bond what was spent.

Upon vote the ayes and nays were as follows:

AYES

Suzanne S. Testani
 James Blose
 Jeff S. Jenkins
 Chadwick Ciocci
 James F. Meisner
 Jeffrey Donofrio
 John A. DelVecchio, Jr.
 Kristy Waizenegger

Vicki Tesoro
 Debra A. Lamberti
 Michael J. London
 Carl A. Massaro, Jr.
 Tony J. Scinto
 Mark LeClair
 David R. Pia
 Fred Palmieri, Jr.

NAYS

Gregg Basbagill
 Martha A. Jankovic-Mark

**The Chair Voted*

VOTE: ADOPTED 16-2 (AGAINST: Basbagill and Mark)

The Chair thereupon declared the motion carried and the resolution adopted.

Trumbull High School Building Committee Update:

- Mr. James Nugent Chairman of the Trumbull High School Building Committee reported that construction is on-going and are currently working in M-Wing, the old auditorium and Media Center. The school will be turned over on June 22, 2012 for the major effort of B-Wing. The old boiler area portion of the project will trail into September.
- Mr. Nugent and Mr. Vetro indicated for the Chair that by the start of school, August 27th the school will be completed with the exception of the boiler room and the upper Media Center.

(Mr. London left the meeting at 8:39 p.m.)

(Mr. London returned to the meeting 8:40 p.m.)

- In response to Mr. Meisner, Mr. J. Barbarotta stated that he is not satisfied with the current staffing levels; the work force needs to increase, he and Mr. Vetro do not agree. Mr. Vetro has a plan in place to be able to catch up. Mr. Barbarotta is looking for additional staffing levels in this area; they did increase their manpower today and will again this coming Wednesday. Mr. Meisner spoke in favor of increasing staffing.
- In response to Mr. Pia, Mr. Barbarotta indicated changes made to plans were made were made before work started. O&G has been delayed a bit because of a redesign. When the design came back, there was not enough savings and wanted them to reuse some of the equipment and were directed to do a redesign of the redesign, to incorporate all of the materials that they already owned. There was an expense to the C/O's but only based upon the additional scope. Mr. J. Barbarotta stated the architect would represent this as added value to the building. Mr. J. Barbarotta and Mr. Vetro work together to vet these out.
- In response to Mr. Scinto, Mr. J. Barbarotta reported with regard to the Superintendent of School's concerns, (roof and technology), the roof is approximately 60% complete; there is still 40% of the old roof left. The leaks were as a result of the roof damage caused from shoveling of the roof last year due to the severe winter. Most of the \$350,000 has been gotten back from the insurance. The technology issues involve the security cameras. This is an incomplete system, the Media Center and the whole B-House needs to be tied into the new system. This is true of the HVAC system as well; they will not be 100% until they have been switched over to the new systems. The technology C/O's represent a change in scope. Mr. Smolley explained the FF&E (Furniture Fixtures and Equipment) budgets have been evolving throughout the project; the budget was not set as a full replacement of all of the furniture or technology. Changes that are represented are upgrades in furniture, is reimbursable under the grant, and is seen by the state as a real part of a construction project. In order to understand the technology and the FF&E one would need to go back and look at the complete package to understand how and where it was purchased. The 5.3 % in change orders includes a change in scope, increase in scope reflects differently than in errors and omissions or unforeseen occurrences. Mr. Scinto stated the change orders could go to 10%. Mr. Smolley stated that the project would then get a project that is 10% better and is a larger project. As people moved into spaces there changes that were made in order to make the area operate better, the building will not be renovated again for 40 years.
- In response to the Chair, Mr. Vetro stated that with the exception of the upper Media Center and the boiler room the project will be substantially complete in September although there will be punch list items. Mr. J. Barbarotta stated that substantially complete means ready for use, The Chair added that means "certificate of occupancy issuable". Mr. J. Barbarotta indicated for the Chair it is believed that they will be able to complete the project with the amount of bonding in place.

- Ms. Mark stated that there is no proper place for the spotlights in the auditorium and hopes that can be worked out. The roof continues to leak by the stage and roof vents; she hopes that will be remedied, and hopes that the box office will have electricity, phone and internet. Mr. Barbarotta stated that he had not heard of an issue with temperature in the senior lounge, this type of building either has the heat on or the A/C on; the building is either in heat mode or cool mode. Once the heat is on all you can do is turn it off. The spring season can be problematic. The desk and furniture quality is being looked at.
- Mr. Meisner requested an update of what is left in the contingency line items. Mr. J. Barbarotta stated that the report is approximately 2 weeks old, Brian Holmes of O&G is out of the country, and the report has not changed to date. The CM contingency is \$1.8 million; the Owner's contingency is \$1,033,000. A fair portion of that will be used; the exact amount is unknown until they complete the work in B-House. There are place holders in some of the line items, hopefully the big ones have been accounted for and there should not be any big surprises. Mr. Barbarotta confirmed for Mr. Meisner that the parking lot, landscaping, terrazzo floors and the concession stand are the items which they could not expect to complete. Mr. Nugent stated that they have been advised not to use the contingency for any of the items in the Cost Summary Report labeled as Additional Scope Revisions, there is not enough money left in the contingency to complete the \$10 million worth of summer construction and to award contracts for Additional Scope Revisions, identified at \$3.7 million.
- In response to Mr. Meisner, Mr. Nugent explained with regard to the additional bonding authorization request, the committee does not receive the money, if the funds are required and the bonds have been authorized, then bonds would be issued to pay for those items. If the committee does not need to bond for additional items there will be no bonds issued for the additional items. The additional items are listed on the Additional Scope Items; (presently at \$2.7 million).

End of Update.

(Mr. Donofrio recused himself at 9:08 p.m. due to the fact he is legal counsel for the THSBC.)

4. RESOLUTION TC24-43 : Moved by Mr. DeVecchio, seconded by Mr. Palmieri to read the title and Section 1 of the TRUMBULL HIGH SCHOOL Amending bond resolution in their entirety and to waive the reading of the remainder of the resolution, incorporating its full text into the minutes of this meeting.

VOTE: Motion CARRIED unanimously.

RESOLUTION TC24-43: Moved by Mr. Jenkins, seconded by Mr. DeVecchio.

RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$64,672,000 FOR THE COSTS ASSOCIATED WITH THE "RENOVATION AS NEW" AND EXPANSION OF TRUMBULL HIGH SCHOOL AND AUTHORIZING THE ISSUE OF \$64,672,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

(The purpose of the amendment is to increase the appropriation and bond authorization therein by \$4.0 million, from \$64.672 million to \$68.672 million, and to ratify, confirm and adopt all prior authorizations and bond resolutions in connection with the Project.) *(Full Resolution Attached)*

Moved by Mr. London to waive the reading of the Finance Committee minutes, seconded by Mr. DeVecchio. VOTE: Motion CARRIED 13-4 (AGAINST; Ciocci, Mark, Testani and Lamberti).

Committee Report: The Finance Committee met on May 29, 2012 and voted to amend the resolution to \$67,902 million from the motion to amend of \$67.682 million. VOTE: Motion to amend CARRIED 4-1-1 (Against: Lamberti) (Abstention: Scinto). VOTE: Motion CARRIED as amended 4-2 (Against: Lamberti and Scinto).

The Chair recognized the amendment in committee.

Moved by Mr. London, seconded by Mr. Basbagill to amend the amending resolution amount to \$67,902,000 from \$68,672,000.

- The Chair explained for Mr. Palmieri that in committee there were two figures attached to the proposed paving and the concession stand estimates for reductions of those costs which totaled the difference between the amount of the original resolution and the amended motion.

VOTE: Motion CARRIED 13-4 (AGAINST: Palmieri, DeVecchio, Scinto and Lamberti).

- The Chair stated that the project was originally bonded and authorized at \$68,672,000 the authorizing bond was reduced last year to \$64,672,000. The Building Committee went to the BoF seeking restoration of the \$4 million, it was not recommended by the BoF, Under Chapter VI of the Town Charter a 2/3 vote of the entire Town Council is required to adopt this bonding resolution, it will require 14 affirmative votes to be adopted. The Town Council has referred to the O&G financial summary report dated 5-25-12, according to this report the entire cost of the project comes to \$63, 638,990 including soft costs, owner's fees, (architect and engineering fees) which are added to that number, with an owner's contingency of \$1,033,000.10 (the variance - the money authorized over and above the projected budget without any changes to the scope). The report lists \$3.7 million in additional scope changes: paving, sidewalks, the concessions stand, \$702,000 of other additional scope items, design changes at \$89,500, additional technology and FF&E at \$13,650. This forms the basis for this additional request of approximately \$3,300,000.
- In response to a question from Mr. Pia, Mr. Vetro explained that they are re-doing the parking lot base they are not just paving. Mr. J. Barbarotta stated that they will go down 12", the cost includes landscaping and paving. Mr. Smolley explained the main difference between the Town roads and the THS parking lot; roads are paved on a stable base; this parking lot was built on farm/swamp land they never built on a stabilized base or have a sub-base. The borings showed below the 3-6" of paving there is unsuitable material for paving. The \$2.2 million represents taking out 18" of material and replacing with suitable material. The \$1.4 million represents the Town's DPW view that they could salvage the drainage areas to go down 12" instead of the 18" which represent the difference in the cost. Neither the outside engineers or the DPW are comfortable in just repaving the parking lot, simply paving on top of what is there now would mean you would have to raise all of the structures you are draining to. Mr. Pia spoke to the point that this parking lot is costing more per mile than the Town roads. Mr. Smolley stated that

this parking lot is in some places 5-6 roads in width with lanes that are the width of a road in between, the equivalent of a dozen to 14 roads within the parking lot. Mr. Marsilio stated that the DPW was requested by Mr. A. Barbarotta to review the paving plan which resulted in a \$2.2 million bid, a certified engineer reviewed the plan, complete removal of material was in excess of what was required. Reclamation takes all of the asphalt and everything that is there to a depth of 12” it is then mixed together and paved over, this is the process that is used anywhere in Town where it is believed that there is an unsuitable sub-base, the same application used on Stonehouse Road and Whitney Avenue. This will give the Town a parking lot that will last in excess of 20 years. The paving cost would be \$1,289,000, which includes \$769,000 for paving, reclamation, curbing, a certain amount of leveling base, and \$519,000 for concrete work. The work would be outsourced to low bidder on the state bid. In our area it is O&G Industries.

- Mr. J. Barbarotta explained for Mr. LeClair when the work would begin, would depend upon when they get the go ahead, it is a 3 month project. The paving could not take place this summer it is too late to start the project.
- Mr. DeVecchio stated that he would be more concerned if the parking lot had been paved over swamp in more recent years as opposed to 40 years ago and spoke in favor of the million dollar savings.
- Mr. LeClair stated that \$459,000 had already been removed from the funding in committee and as amended at this meeting. The Chair confirmed.
- Mr. Smolley indicated for Ms. Mark, in order to get state funding anything that is done would need to have a 20-year life, if you were to drop out of the state reimbursement you could just top coat the parking lot but could not speak to how long that would last. The reduced cost as presented by the DPW has a 20-year life and will qualify for the state reimbursement. All options will need upkeep; some will need it sooner.
- Mr. Pia clarified that the DPW was going to dig up the parking lot using the reclamation method not just top coating and it would have a 20-year life. Mr. Smolley stated he understood that the DPW was going to use the reclamation method. Mr. Marsilio stated the DPW never contemplated milling and top coating, they had been provided with the bid documents and the sub surface testing results. The DPW approached this as a road that needs to last a minimum of 20 years. Reclamation is the deep grinding, mixing of the bituminous materials and the sub-base together to form a base, the difference is that they are not going to remove 18” of material and then bring 18” of material in. They are going to take and reclaim the asphalt and the material that has been there for 40 years. They never contemplated an overlay. A professional engineer will sign off on this as a twenty year life; and it will be reimbursable with the state.
- The Chair clarified for Mr. Meisner that the paving amount represented in the May 25, 2012 O&G report was \$2,178,157, and a possible revision/deduction of (\$459,115). The paving and sidewalk costs would be approximately \$1.7 million. It is a possibility to reduce by a motion to reflect the \$1.3 million after further discussion. First Selectman Herbst further explained that O&G originally had a figure for paving and sidewalks at \$2,178,157, in the document dated 5-10-2012, there was \$459,115 listed as a possible revision /deduction. The DPW and Engineering Department have come up with a figure of \$1,289,345 representing paving of the parking lot and sidewalks, a total savings of \$888,812 from the CM’s number. To reduce the bond to encapsulate that savings the bond could be reduced additional \$429,000. Mr. Meisner indicated that he would like to

make that motion when the council gets to that appropriate discussion. Mr. Vetro stated O&G still came to \$429,000 higher using the DPW number. The \$429,000 are the soft costs. The Chair indicated that the concession stand includes soft costs of \$75,000 just for supervision labor over a 4 month period. That is part of the financial pressure on this project, noting that every time there is a small scope change there is a big jump in soft costs. Mr. Nugent stated the soft costs are not \$429,000. Mr. Vetro explained that there are other scope changes included in that number. Mr. Nugent reported the soft costs represented in the O&G Cost Summary distributed to the Town Council entitled PHASE 5 Site Improvements Cost Summary, soft costs for the paving and as \$75,596 plus \$38,965 \$15,981, \$15,452, \$3,750, \$3,7386 these are for permits, staff, contingency, insurance, bonding, and CM fees. The Chair stated that is a substantial amount, approximately \$200,000.

(Mr. DelVecchio left the meeting at 9:47 p.m.)

- The Chair and Mr. Marsilio clarified for Ms. Tesoro that if the Town were to go to bid under the state regulations for the paving and landscaping, the Town would monitor the project in-house and save on the soft costs.

(Mr. DelVecchio returned to the meeting at 9:48 p.m.)

- Mr. Meisner stated that all could be assured that the building committee will explore all avenues for cost reductions; any money not spent will go back to the Town.

(Mr. Scinto left the meeting at 9:50 p.m.)

Concession Stand Discussion:

- The Chair stated it is his belief that no one on the council or the building committee wants to move ahead on the concession stand at the present bid number and it is under redesign.

(Mr. Scinto returned to the meeting at 9:51 p.m.)

- Mr. Basbagill stated that he would like to see the concession stand go through the redesign and give them the opportunity to build it. Mr. Nugent stated that they are committed to go ahead with the redesign. Mr. Nugent stated the building committee would like to go ahead with the \$774,000 design but had been given a budget of \$515,000. Mr. Basbagill stated the Finance Committee's amendment to the resolution included a reduction of \$310,000 which is before the council at this meeting.
- Mr. Smolley indicated for Ms. Testani that the concession stand design originally had been presented as different alternatives; the design chosen had the most complex scope with a lower cost at \$515-\$521,000 attached to it. The scope and the budget did not match they had indicated that they would do their best and went out to bid on it. The next step would be to work with the end-users to find out what can be done with the scope, there are some design elements that they can work with to bring the price down somewhat but there were some requests within that scope that drove the cost up. The Chair indicated that the designs presented were extravagant, the council labored to get the cost down to \$500,000. All were shocked by the bids that came back. The design is different from what exists now, it is really more of a restaurant. It would take very little to refurbish existing concession stand. Mr. Smolley spoke to fact that in a renovate-as-new project all of the pieces within the site have to be ADA compatible. The Chair stated that they can renovate the existing structure, stay with the port-a-potty system and be fully compliant with the reimbursement requirements and ADA for a fraction of what has been presented to the council. Mr. Mr. Smolley indicated the design fee for the concession stand was approximately \$48,000, whether the Town will have to pay that fee again is the subject to

debate and is being worked through with the building committee. Mr. Pia spoke against the architect charging the Town a fee when directed to design a \$515,000 concession but designed it at \$700,000 and possibly charging the fee again for the redesign when the criteria was not met. Mr. Smolley explained that fees for projects under \$1 million typically run higher due to all of the engineers who need to be consulted for a public building. There has not been a request for additional fees to the building committee to date, and has been in discussion with Mr. Wiles on how this might be approached. If the conclusion is that additional fees are warranted they will go the building committee with the request. Mr. Pia indicated he understood there is a certain amount of liability for the architect's firm and stated that Mr. Smolley's firm was paid \$250,000 for the natatorium that was not built and subsequently had no liability, speaking in favor of some consideration on this matter. Mr. Smolley indicated that the existing concession stand is not ADA accessible and needs to be because it does receive funds from different grant programs. All public buildings as of 1994 need to be ADA accessible and this one is not.

- Mr. Smolley confirmed for Mr. Jenkins if the existing concession stand is not used as a concession stand but as storage, the ADA requirements go down quite a bit, the port-a-johns could be continued to be used based upon a formula for how many. The formula seems to have been working to meet those requirements for quite a while.
- Mr. DeVecchio agreed with Ms. Testani that the school should not have port-a-potties and spoke against a concession stand at \$700,000+.
- Mr. London agreed with Mr. DeVecchio the numbers proposed for the concession stand have been and continue to be too high. Mr. Smolley confirmed for Mr. London that there is sewer for the building, the door needs to be widened and a step needs to be added. The scope that was requested by the people who use it would need to be revisited; the existing scope was a step closer to a visitor center.
- Mr. Pia stated after the cost of the concession stand, with the 30% reimbursement taken out, interest added in, over 20 years and divided by the number of events (20 events) comes to a cost of \$2,200 per event. The cost to build a new concession stand is excessive, but the Town does need something there. Mr. Pia met with the Health Director on-site; the concession stand is not condemned. There are 2 Coca Cola refrigerators in the concession stand and are NSF approved and can stay, there is a commercial upright freezer, a chest freezer, a microwave, a griddle with gas burners, all approved and can stay, the roof is new, the building is concrete, the commercial hood needs to be cleaned, at a cost of approximately \$200. The Health Director condemned the use of the concession stand because of all the wood in there, such as the wooden tables, counters that breed bacteria. She would require a 3-bay sink for washing, rinsing and sterilizing with a faucet a hand sink and splash guard, floor base mop sink, faucet, a bay marie to refrigerate condiments, a food prep sink, racks, quarry tile, the windows are to be modified (smaller), clean up the hood and replace the tile floor. Mr. Pia priced this entire out at retail, the materials come to \$10,000 without a bathroom. Mr. Pia proposed to clean up the existing concession stand, make it usable, put in bathrooms; the Health Director requires one bathroom for the food service user.
- Mr. Basbagill stated that he is the Senior Class Advisor, in a good year they raise approximately \$12,000. The facility can not serve all of the people. The space is not ADA compliant and can be dangerous and is not conducive to what it is currently being used for. There are terms of benefits that can not be measured in dollars and cents.

- Mr. Palmieri stated there is merit to renovating the existing structure. Mr. Smolley explained in response to Mr. Palmieri's question that there is an economy by putting the concession stand and the bathrooms together. On the premise that you could renovate the building as it is and make it safe for the students, a stand alone bathroom could be built. No matter what approach is taken based on the scope that has been requested you will end up with the same issue, the scope may not fit in the existing building. All discussion goes back to scope. Mr. Palmieri indicated that the people at this meeting are looking at it from a financial standpoint not an end users' standpoint. It is difficult to justify to the people of Trumbull that there is a state of the art concession stand at a cost of this amount to have it. Mr. Smolley indicated that there are parts of the design that benefit it more as Visitor Center. There was a stairway requested and a need for a grease trap, larger sanitary lines, larger sized water lines, a number of considerations needed underground that do not come up when discussing what needs to be fixed, but does come up the minute kitchen equipment that is added to meet the scope that the school would want and bathrooms that the Town would like. These are incremental costs that add on. There are two ways to direct the cost, one would be to go back and hit that cost, and if you can not come back and tell the council why it can not be hit, the second is to set a different cost and they will tell you what scope will fit that cost.
- Ms. Waizenegger stated she was at the council meeting where the charge on the concession was given, the charge was as follows: Here is the wish list, here is the money we have to work with, the question was what we can get with this money. That was the scope, everything starts as a wish list and then you have to get real about the money and prioritize, that is where we are now, and were last year when you were charged with this.
- Ms. Mark stated there is a need for 4 bathrooms, not just one. The concession stand was overdesigned and hopes this can be resolved.
- The Chair indicated that there were other items on the additional scope list at \$702,862, such as the regrinding of the terrazzo floors, charging carts etc.
- Ms. Tesoro stated that she had gone on the tour of the high school and spoke in favor grinding and polishing the existing terrazzo floors throughout the high school.

Moved by Mr. London, seconded by Mr. Pia to amend RESOLUTION TC24-43 to read as: RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$64,672,000 FOR THE COSTS ASSOCIATED WITH THE "RENOVATION AS NEW" AND EXPANSION OF TRUMBULL HIGH SCHOOL AND AUTHORIZING THE ISSUE OF \$64,672,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (The purpose of the amendment is to increase the appropriation and bond authorization therein by \$2.0 million, from \$64.672 million to \$66.672 million, and to ratify, confirm and adopt all prior authorizations and bond resolutions in connection with the Project.)

- Mr. London explained for Mr. Palmieri that he had arrived at the \$66.672 million amount by taking out the \$429,000 representing the Town doing the paving and split the difference. This would be sufficient to do the secondary work. The extra \$2 million is a good compromise and should be able to do the project properly for that.
- Mr. Meisner supported the amendment as a compromise. Some of the items can wait until later in the year, such as the resurfacing of the floors and hopefully there will be some

contingency that could address that issue. The \$2 million will allow starting on the reduced concession stand and the parking lot.

- Mr. DeVecchio spoke in support of the compromise, as long as down the road as Mr. London had said if something was needed to truly complete this project it would be made available. To complete this project properly is important.
- First Selectman Herbst requested after conferring with bond counsel, the main additional funding priority would be paving, sidewalks, floors in the high school. Mr. Nugent added replacing doors and hardware. The plan was to wait until the end of the summer to see how much contingency was left so that they could apply it to those items. The First Selectman's concern is to have the school open at the end of August and ready for school. At the end of the day he would like the students to enter the school free of construction; it has been 8 years and need to bring this project to conclusion. If there is a compromise on the \$2 million, the First Selectman requested that the bond resolution reflect that the \$2 million will be utilized for the floors, parking lot, sidewalks and the priorities just articulated (doors and hardware).
- The Chair reminded the council that at this meeting there had been a representation from the architect, owner's representative and construction manager that the building will be finished on August 27, 2012, with the exception of the boiler room conversion to classrooms and the upper media center, state of the art, fully fitted up.
- In response to Mr. Palmieri, Mr. Nugent confirmed what is behind the walls of B-House is an unknown but as far as the schedule is concerned B-House will be renovated before the start of school at the end of August. The paving will not be done this summer. Schedule-wise they have been told many times B-House will be completed before the start of school. In response to the First Selectman, Mr. Nugent stated he does not prioritize construction. Mr. Smolley stated the end-users and the building committee have established a list of items they would like to see done, they are continuing to work on each one of those and the potential impact on the students, parking is a big impact to how the school is used, grinding the floors is something you would want to do when school is not in session, it is loud and disrupting. Replacing the doors and hardware may be prioritized as a minimum disruption to the students, which is how you want to prioritize. First Selectman Herbst would like to see the building buttoned up as soon as possible and the building done, when that is completed then move to the outside. The superintendent has been very clear in an e-mail to the First Selectman, high school staff and the Building Committee. He wants to mitigate the impact on the instructional process. If the council is going to act on good faith, the building, floors, sidewalks and paving should be the priority in that order. Mr. Smolley agreed with the First Selectman, if the council were to put the charge back on the \$2 million to minimize the disruption to the students, he believes it will work out just as the First Selectman has said starting on the inside and working out. First Selectman Herbst requested of the CM and the Owner's Representative to have a report that tracks how the contingency has been spent to date and what plans are in place to mitigate spending further contingency. The Chair indicated that the Building Committee sends that report regularly. Mr. Nugent indicated that is sent monthly. The Chair stated there is only a couple of months left and will need the report more often.
- Ms. Mark spoke against putting it into the bond resolution
- First Selectman Herbst stated that the project has gone on for 8 years, it has stirred emotions and produced debate, and it is time to get the building done.

- Atty. Fasi clarified that there is a resolution on the floor pending a vote at \$67.902 million, the resolution is to take the existing resolution at \$64.672 and increase it by \$ 2 million. A motion to amend would make it clear that the additional \$2 million is for specific items. A motion to amend the proposed resolution would include in section 1 the following provision of the \$66.672 million, \$2 million should be set aside for paving, floors and sidewalks. The consensus of the council was that the provision was too limiting.

Moved by Mr. London, seconded by Mr. DelVecchio to call the question.
 VOTE: Motion Carried unanimously.

VOTE: Motion to amend to \$66.672 million CARRIED 15-2 (Against: Tony J. Scinto and Debra A. Lamberti) (No roll call necessary)

- Mr. Ciocci spoke in favor of the compromise, many of those present would like to spend a lot less than this, while there are many others who would like to spend a lot more than this, however he does not feel floors and doors should be a priority, they do not add to the educational value for the students. Ms. Mark stated the doors do make a difference they acoustical doors.

The Chair called the roll call vote:

Roll Call Vote:

Ayes:

Suzanne S. Testani	Vicki Tesoro
David R. Pia	James Blose
Jeff S. Jenkins	Michael J. London
Chadwick Ciocci	Fred Palmieri, Jr.
James F. Meisner	Gregg Basbagill
Jeffrey Donofrio	Mark LeClair
John A. DelVecchio, Jr.	Kristy Waizenegger
Martha A. Jankovic-Mark	

Nays:

Tony J. Scinto
 Debra A. Lamberti

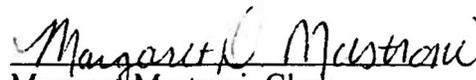
VOTE: ADOPTED as amended 15-2(Against: Tony J. Scinto and Debra A. Lamberti)

The Chair thereupon declared the motion carried and the resolution adopted
 (Mr. Donofrio returned to the meeting at 10:47 p.m.)

Ms. Mark announced that the there were four awards at the CT High School Musical Theatre.

There being no further business to discuss and by unanimous consent the Trumbull Town Council adjourned at 10:48 p.m.

Respectfully submitted,


 Margaret Mastroni, Clerk
 Town Council, Town of Trumbull

RESOLUTION APPROPRIATING \$1,565,520 FOR THE TRUMBULL, CAPITAL IMPROVEMENT PLAN 2012-2013 AND AUTHORIZING THE ISSUE OF \$1,565,520 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$1,565,520 is appropriated for the planning, acquisition and construction of the Town of Trumbull Capital Improvement Plan 2012-2013, as adopted and amended by the Town Council from time to time, and consisting of: (i) Roadway reconstruction and improvement; (ii) Fleet and equipment, and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom, said appropriation to be in addition to all prior appropriations for said purpose. The Town Council may by resolution transfer funding herein authorized among projects within the 2012-2013 CIP.

Section 2. To meet said appropriation \$1,565,520 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and the Town Treasurer (hereafter the Town Officials), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. Capital project revenues, including bid premiums and investment income derived from investment of bond proceeds (and net investment income derived from note proceeds) are authorized to be credited by the Director of Finance to the project account and expended to pay project expenses customarily paid therefrom. The remaining appropriation and bond authorization shall be reduced by the amount of capital project revenues so credited. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Joseph Fasi LLC, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other

terms, details and particulars of such bonds, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Town Officials, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of purchase agreement shall be subject to approval of the Town Council.

Section 4. The Town Officials, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Joseph Fasi LLC, of Hartford, and be certified by a bank or trust company designated by the Town Officials, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Town Officials, are hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 7. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.

AS AMENDED

RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$64,672,000 FOR THE COSTS ASSOCIATED WITH THE "RENOVATION AS NEW" AND EXPANSION OF TRUMBULL HIGH SCHOOL AND AUTHORIZING THE ISSUE OF \$64,672,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The Town Council of the Town of Trumbull has to date adopted various bond authorizing resolutions (the "Prior Resolutions") , including but not limited to on May 7, 2007, to finance the planning, acquisition and construction of improvements to Trumbull High School, including a resolution adopted on June 6, 2011, entitled "Resolution Appropriating \$64,672,000 For The Costs Associated With The "Renovation As New" And Expansion Of Trumbull High School And Authorizing The Issue Of \$64,672,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" which Prior Resolutions are hereby ratified, confirmed and adopted, herein. The June 6, 2011, Prior Resolution is hereby amended by increasing the appropriation and bond issuance authorization therein by \$2.0 million, from \$64,672,000 to \$66,672,000 as follows:

Section 2. The title of the Resolution is amended to read as follows:

RESOLUTION APPROPRIATING \$66,672,000 FOR THE COSTS ASSOCIATED WITH THE "RENOVATION AS NEW" AND EXPANSION OF TRUMBULL HIGH SCHOOL AND AUTHORIZING THE ISSUE OF \$66,672,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 3. The amount \$66,672,000 is substituted for the amount \$64,672,000 wherever \$64,672,000 appears in the Prior Resolution and as amended on June 6, 2011.

