

TOWN COUNCIL
Town of Trumbull
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TOWN HALL
Trumbull

TELEPHONE
(203) 452-5005



MINUTES
FEBRUARY 5, 2015

CALLED TO ORDER: The Chair called the meeting to order at 8:08 p.m.

The Clerk called the roll and recorded it as follows:

PRESENT:

Suzanne S. Testani	Ann Marie Evangelista	Michael J. London
Joseph G. Pifko	Ennio DeVita	Kenneth M. Martin
Mark S. LeClair	Cynthia L. Penkoff	Vincent DiMasi, Jr.
Carl A. Massaro, Jr.	Daniel Marconi	Vicki Tesoro
Donna Seidell	Tony J. Scinto	Bethany Llodra Gilman
Antonio Petitti	Edna Colucci	Enrico R. Costantini

ABSENT: Lori Rosasco Schwartz and Mary Beth Thornton

ALSO PRESENT: First Selectman Timothy Herbst, Chief of Staff Lynn Arnow, Director of Finance Maria Pires, Bond Counsel Joseph Fasi, Director of Public Works Director John Marsilio, Chief of Police Michael Lombardo, Deputy Chief Glenn Byrnes, Police Commission Chairman Jack Testani, BOE Facilities Director Mark Deming, and Chairman of the Trumbull Nature Commission Pam Georgas.

APPROVAL OF MINUTES:

Moved by Ms. Testani, seconded by Mr. Marconi to accept the January 5, 2015 meeting minutes as submitted. VOTE: Motion CARRIED 15-0-3 (ABSTENTION: London, Colucci and Petitti).

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

Moved by Mr. Marconi, seconded by Mr. DiMasi to take Item #5 out of order.
VOTE: Motion CARRIED unanimously.

1. RESOLUTION TC25-155: Moved by Mr. London, seconded by Ms. Testani.

RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$2,900,000 FOR TRUMBULL POLICE DEPARTMENT IMPROVEMENTS (2013) AND AUTHORIZING THE ISSUE OF \$2,900,000 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 \$1,600,000, from \$2,900,000 to \$4,500,000, to provide for project construction, and to ratify, confirm and adopt all prior authorizations and bond resolutions in connection with the Project.) *(Full Resolution Attached)*

Committee Report: The Finance Committee met on 01-29-2015 and voted 6-0-1 (ABSTENTION: Rosasco Schwartz)

VOTE: ADOPTED 17-0-1 (ABSTENTION: Wich)

Moved by Mr. London, seconded by Ms. Llodra Gilman to take Item #3 out of order.
VOTE: Motion CARRIED unanimously.

2. RESOLUTION TC25-153: Moved by Ms. Llodra Gilman, seconded by Mr. DeVita. BE IT RESOLVED, That the Senior/Community Center & Library Building Committee is hereby formed to plan and oversee the Senior/Community Center & Library project and its related activities and;
BE IT FURTHER RESOLVED, That the membership shall consist of two (2) Town Council representatives and four (4) residents of the Town of Trumbull.

Committee Report: The L&A committee met on 01-29-2015 and voted unanimously.

First Selectman Herbst noted as feasibility studies and assessments are discussed at this meeting that the POCD is a long term land use plan for the Town of Trumbull. The POCD produced a forward thinking plan after an extensive process. The POCD elicited priorities from the community from a planning & zoning aspect and also from a physical plant facilities standpoint. Trumbull has a rapidly growing senior population. It is projected by 2019 that 20% of Trumbull’s population will be at or above the age of 64 years old. The enrollment in the schools concurrently is projected to come down in the next 5-8 years. The Town has a moral obligation to address the needs of every segment of our community. We have made education and parks a priority in this Town and we need to make a seniors a priority as well. The Senior Center at Priscilla Place does not meet the needs of the Town’s senior population. The building’s location and how it is configured does not serve their needs. A great number of our seniors use other Towns’ Senior Centers. They should be able to take advantage of programs in the Town just like every other segment of the population. It is critical that we have a committee that understands the senior center should be centrally located. One of the main problems at the Town Hall is the space constraints, ultimately the decision of the scope and cost of the project will be the Town Council’s. In 1969 First Selectman Heimann had a vision for a golf course and a library. These were well debated issues. The library was finished in 1973; libraries

of today are vastly different. The library was designed in such a way that it is costly to heat and cool. First Selectman Herbst quoted a member of the public, "If we start wrong we end wrong". He does not want this capital project to start wrong. It should not be guided by a dollar amount that the project backs into. The POCD should be used as a baseline for feasibility and then take it to the next level to determine what kind of facility it should be. This project should not turn into a project that divides the community because of its cost. That is why there is a referendum Charter Revision provision for capital projects over \$15 million. The administration will make sure this is done fiscally responsible manner. The people nominated for the committee represent every segment of the population. It is a well-rounded committee that will serve the residents of Trumbull well.

First Selectman Herbst explained for Mr. Wich that he had discussed models with the Library Director, (i.e. Port Smith, New Hampshire Center). It is an integrated community center with a library. He would hope if a senior center was constructed that it would also function as a community center which would allow organizations, (i.e. Rotary, PTA and Lion's Club etc.) to meet. It could be a revenue generating facility. The revenue would help pay down the cost of building this center. Ms. Testani stated Orange, CT has a combined senior and community center.

Mr. London stated the name suggests the project has already been initiated and suggested changing the name of the building committee. The name would be better served by adding the word "Study" to the name. It would read as a "Senior/Community & Library Study Committee". First Selectman Herbst cautioned one of the dangers cited in the THS Building project's audit was the change of the committee members after the initial study/feasibility. The Chair pointed out a committee is all about its charge not the name of the committee. The resolution speaks to planning and is an important part of the committee's charge. The council has a set of standing building committee rules if this is changed to something other than a building committee there are no rules in place. The Chair spoke to the importance of the building committee because it brings a level of control at the committee's inception. Mr. London suggested adding the word; "potentially" before the word oversee. Ms. Tesoro agreed with Mr. London and would like language that they are planning and/or researching because it does appear that there is a definite construction project in the current language. First Selectman Herbst confirmed for Ms. Tesoro that is to be a multigenerational center. The THS renovation included discussion of a community center with a pool to be used by seniors. The building committee only had one senior on it. That was a project billed as a community center. No one doubted the THS Building committee could not think about the community as a whole including the senior population even though the committee was weighted with people who had children in the high school. First Selectman Herbst spoke in favor of those who have been nominated for this committee and believes they will meet the needs of this community. Ms. Tesoro stated the committee should have a more people appointed that are younger. Ms. Evangelista agreed the center is needed and believes there should be a feasibility study and suggested appointees and/or consultants with building experience. First Selectman Herbst stated the council adopted a budget last

year which included funding for a BOE and Town Facilities study. That process is currently under way and agreed professional oversight is important. Mr. Constantini stated all of the proposed members of this committee are qualified to do the analysis work of this committee. Ms. Tesoro's point assumes that a senior would only care about seniors' needs and it would be necessary to have someone younger address their own needs. The proposed members will do a fine job analyzing the needs and use for this center. Mr. Wich echoed Mr. Constantini's comments.. Mr. Wich's concern is that a part of the community may feel left out on the onset of the project and spoke to eliminating any misconceptions of what the intent of the project is at the beginning and suggested more people be added to the committee.

Mr. LeClair called point of order, the council is discussing membership of the committee which is the subject of Item #4 of this agenda. The Chair ruled the point of order out of order because this resolution does speak to the number of committee members. Mr. Scinto stated that people can be added to the committee at a later as it was done with the THS Building Committee. First Selectman Herbst indicated for Ms. Penkoff he would like to see the Town & BOE Facilities Study done sooner than later and hopefully by the end of this fiscal year. First Selectman Herbst spoke against conversion of any school building for the reason that once a school is taken offline when enrollment goes up again a new school will have to be built which would add to the debt service. Ms. Penkoff voiced her concern with the name of the committee and would rather it be a planning and/or study committee and is also concerned over the amount of bonding. Ms. Penkoff spoke in favor of a study for a new senior and teen/community center, currently both are poorly located. Ms. Penkoff agreed with Ms. Tesoro with regard to having younger people on the committee. First Selectman Herbst indicated there are no plans to build at this time. The Town has obligations such as rising healthcare costs and infrastructure challenges. The Director of Finance regularly reviews the debt levels and communicates with bond counsel to make sure the debt service is kept at 10%. The Chair clarified this resolution is not a funding resolution.

Moved by Mr. London, seconded by Ms. Testani to amend the resolution to read as: RESOLUTION TC25-153: BE IT RESOLVED, That the Senior/Community Center & Library Study and Building Committee is hereby formed to study the need for and potentially plan and oversee the Senior/Community Center & Library project and its related activities and;

BE IT FURTHER RESOLVED, That the membership shall consist of two (2) Town Council representatives and four (4) residents of the Town of Trumbull.

The Chair confirmed for Mr. Constantini if this amendment carried building committee rules will be applied to this committee.

VOTE: Motion CARRIED 17-1 (AGAINST: Petitti)

Moved by Ms. Tesoro, seconded by Mr. Marconi to amend the resolution to read as "six (6) residents.

Mr. Scinto questioned the need to increase the number now since it could be changed at any time. Ms. Tesoro stated other people in addition to those that have been nominated should have a say on this committee. Mr. Constantini stated he had an issue with arbitrarily increasing the number of members. If this is to provide for younger people and provide for that demographic the appointees should also be presented at the same time as increasing the number of members. This amendment does not speak to changing the demographic.

VOTE: Motion FAILED 7-11 (IN FAVOR: Tesoro, Wich, Marconi, Martin, Colucci, Penkoff and Evangelista)

VOTE: ADOPTED as amended unanimously.

3. RESOLUTION TC25-154: Moved by Mr. Martin, seconded by Mr. London.
BE IT RESOLVED, That Joseph Pifko of 158 Plymouth Avenue and Daniel Marconi of 40 Brookhedge Road, be and the same are hereby appointed Town Council representatives of the Senior/Community Center & Library Study and Building Committee, and Rachel Yawhak of 25 Skytop Drive, Anthony Timpanelli of 5 Wildfire Lane, Richard Seaman of 77 Garwood Road, Jeanine Stouder of 470 Daniels Farm Road, be and the same are hereby appointed members of the Senior/Community Center & Library Study and Building Committee.

Moved by Mr. London, seconded by Ms. Testani to amend the resolution by changing the name of the committee in two places of the resolution to read as: "BE IT RESOLVED, That Joseph Pifko of 158 Plymouth Avenue and Daniel Marconi of 40 Brookhedge Road, be and the same are hereby appointed Town Council representatives of the Senior/Community Center & Library Study and Building Committee, and Rachel Yawhak of 25 Skytop Drive, Anthony Timpanelli of 5 Wildfire Lane, Richard Seaman of 77 Garwood Road, Jeanine Stouder of 470 Daniels Farm Road, be and the same are hereby appointed members of the Senior/Community Center & Library Study and Building Committee".

Committee Report: The L&A Committee met on January 29, 2015 and voted unanimously.

VOTE: Motion to amend CARRIED unanimously

Dr. Timpanelli, Mr. Seaman and Mrs. Yawhak were present at this meeting.

By unanimous consent the Town Council corrected the spelling of Yawhak to Yahwak and to insert the title Dr. to Anthony Timpanelli.

The final resolution would read as, "RESOLUTION TC25-154: BE IT RESOLVED, That Joseph Pifko of 158 Plymouth Avenue and Daniel Marconi of 40 Brookhedge Road, be and the same are hereby appointed Town Council representatives of the

Senior/Community Center & Library Study and Building Committee, and Rachel Yahwak of 25 Skytop Drive, Dr. Anthony Timpanelli of 5 Wildfire Lane, Richard Seaman of 77 Garwood Road, Jeanine Stouder of 470 Daniels Farm Road, be and the same are hereby appointed members of the Senior/Community Center & Library Study and Building Committee.”

Dr. Timpanelli of 5 Wildfire Lane indicated he is a registered democrat. Dr. Timpanelli has had two careers, the first in banking and the second in education. He served elementary and middle school and back to elementary school where he retired from. While teaching middle school there was a renovation happening however by the time it ended he was at the elementary school. Dr. Timpanelli is very interested in serving on this committee.

Ms. Rachel Yahwak of 25 Skytop Drive was present and indicated she is an unaffiliated voter. Ms. Yahwak has had many careers. She started in science and went into accounting and business. Since she retired she has become active at the Senior Center. The conditions at the center are deplorable. There is so much we should be offering our seniors. Going in a new direction is the way to go. Ms. Yahwak stated she understands the needs of the younger generation because she has children and grandchildren.

Mr. Richard Seaman of 77 Garwood Road was present and indicated his party affiliation as democrat. He is a lifelong Bridgeport area person. He moved to Trumbull in the 1970's and worked in the state system for 40 years in preschool to high school, as a school psychologist , chairman of the department. Has worked with problem solving all of his career, is a flexible thinker have worked with parents and teachers. He likes to think he is a young thinker. This is time for him to get involved with something he can use his talents.

The Chair thanked the appointees for coming out a second night to be interviewed and apologized for the long committee meeting and not being able to interview them.

The Chair explained the building committee rules require the committee to give quarterly reports. The committee will convene in March and the council would see them in June for their first report/update.

VOTE: ADOPTED as amended unanimously.

4. RESOLUTION TC25-150: Moved by Mr. Pifko, seconded by Mr. London.

BE IT RESOLVED and ORDAINED, That the membership of the Trumbull Nature Commission is hereby reduced from nine (9) members to five (5).

Committee Report: The L&A Committee met on January 29, 2015 held a public hearing and voted unanimously.

Ms. Georgas explained that now that they are a 501c3 there is no need for a 9 member commission. The commission will for oversight only. The 501c3 run all of the programs and financing. There are three active members with one more who has applied.

VOTE: ADOPTED 17-0-1 (ABSTENTION: Martin)

5. RESOLUTION TC25-152: Moved by Ms. Testani, seconded by Mr. Constantini to send back to committee.

The Chair stated there are further questions with regard to this resolution and called for a motion to return to committee.

VOTE: Motion to send back to committee CARRIED unanimously.

6. RESOLUTION TC25-156: Moved by Ms. Llodra Gilman, seconded by Mr. LeClair to read the title and section 1 of the resolution and to waive the reading of the remainder of the resolution.

VOTE: Motion CARRIED 17-1 (AGAINST: Evangelista).

Motion made by Llodra Gilman, seconded by Mr. Pifko to adopt as introduced.
"RESOLUTION APPROPRIATING \$1,525,000 FOR THE TRUMBULL BOARD OF EDUCATION CAPITAL IMPROVEMENT PLAN 2015-2016 AND AUTHORIZING THE ISSUE OF \$1,525,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" (*Full Resolution Attached*)
Moved by Mr. London, seconded Ms. Llodra Gilman to reduce by \$197,000 bringing the amount to \$1,328,000 from \$1,525,000.

Committee Report: The Finance Committee met on January 29, 2015 voted to amend unanimously and voted as amended 6-1 (AGAINST: Scinto)

The Chair recognized the amendment made in committee.
Moved by Mr. London, seconded by Ms. Llodra Gilman to reduce by \$197,000 bringing the total amount to \$1,328,000.

The resolution would read as, "RESOLUTION TC25-156: RESOLUTION APPROPRIATING \$1,328,000 FOR THE TRUMBULL BOARD OF EDUCATION CAPITAL IMPROVEMENT PLAN 2015-2016 AND AUTHORIZING THE ISSUE OF \$1,328,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

VOTE: Motion CARRIED unanimously.

Mr. Deming confirmed for Mr. Scinto this bond is not for the boilers.

VOTE: ADOPTED as amended 17-1 (AGAINST: Scinto)

7. RESOLUTION TC25-157: Moved by Mr. Constantini, seconded by Mr. Marconi to read the title and section 1 of the resolution and to waive the reading of the remainder of the resolution.

VOTE: Motion 17-1 (AGAINST: Evangelista).

Moved by Ms. Testani, seconded by Ms. Llodra Gilman to adopt as introduced.
"RESOLUTION APPROPRIATING \$10,930,000 FOR THE TRUMBULL (TOWN) CAPITAL IMPROVEMENT PLAN 2015-2016 AND AUTHORIZING THE ISSUE OF \$10,930,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE." *(Full Resolution Attached)*

Committee Report: The Finance Committee met on January 29, 2015 and voted to amend unanimously and voted as amended 6-1 (AGAINST: Scinto)

The Chair recognized the recommended amendment.

Moved by Ms. Penkoff, seconded by Ms. Tesoro to amend the resolution to \$9.3 million

VOTE: Motion CARRIED unanimously.

Mr. Marsilio explained for Ms. Penkoff there were some projects they were not able to complete last year. In this capital budget \$500,000 in drainage improvements has been identified for Barnswallow Rd. That road's paving request was approved three (3) years ago. This year's request is for the replacement of all the storm drainage. The capital budget for Barnswallow Rd. was put together without the benefit of all of the underground investigation that is now done for any road. That is a large part of that request. In 2013-2014 \$4.7 million was accomplished in construction. The department has the ability to use the remaining bond issuance for the current fiscal year unless they run into subsurface issues. They have every intention to complete the remaining \$1.3 million worth of work. The bond funds available are attached to specific projects. Barnswallow is in the 2012-2013 approvals. Last year they did the sanitary improvements for Barnswallow and will do the drainage improvements this year. Early on this year that money will be gone. Elliot Rd. was on the schedule last year but was removed because the gas company was putting a new line. They paved the glassphalt roads instead. It is their goal to always have a shovel ready project. In order to have a reliable budget they need to do camera testing t. Ms. Penkoff stated the Town has spent \$14 million in 5 years on the road. This speaks to the years of neglect. Ms. Penkoff thanked Mr. Marsilio for all he does and is ability to explain what he does in a cohesive way.

Mr. Marsilio confirmed for Ms. Tesoro the cost of the traffic light at Strobel Rd. is included in this bonding. The traffic issue at Hillcrest has been brought to the engineer consultants. The Town does not have a traffic engineer on staff therefore the traffic consulting engineers have worked on the reconfiguration of Strobel Rd. and have been charged with the Hillcrest intersection as well. Mr. Marsilio explained for Ms. Testani the

roads reconstructed can last 40 years we say we 25 years because that is a safe way to approach that. There was an increase of development in this Town 40 years ago and many of them are at the end of their life agreeing there could have been a more robust plan to address the roads over the years. There are over 400 lane miles of roads in this town. The drainage is also coming to end of its useful life the bleeding has been stopped but we need to continue the work. The asphalt price has not come out yet, it is expected to be lower. The WPCA met last evening and took two (2) items out of the budget: \$70,000 and \$200,000 for borings. They were taken out of capital and put into the operating budget.

Moved by Ms. Tesoro, seconded by Ms. Llodra Gilman to reduce the amount by \$270,000 bringing the final amount to \$9,030,000.

VOTE: ADOPTED as twice amended 17-1 (AGAINST: Scinto)

8. RESOLUTION TC25-158: Moved by Ms. Colucci, seconded by Ms. Llodra Gilman. BE IT RESOLVED, That the Town attorney is hereby authorized to settle a worker's compensation claim known as Trudi Black v. the Town of Trumbull.

Committee Report: The L&A Committee met on January 29, 2015 voted unanimously to enter into executive session and voted unanimously.

VOTE: ADOPTED unanimously.

There being no further business to discuss and upon motion made by Ms. Seidell, seconded by Ms. Colucci the Trumbull Town Council adjourned by unanimous consent at 10:04 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Town Council Clerk

Public Comment

There were three (3) people present to speak.

1. Rob Williams of 71 Sunnycrest Road was present to speak to the bonding resolutions. He is concerned with the amount of bonding increasing and questioned where the funds are coming from. Mr. Williams spoke in favor of saving money not spending it.
2. Ms. Cindy Katske of 129 Meadowview Drive was present and spoke to the Building Committee resolution. Ms. Katske thought the resolution was putting the cart before the horse, and questioned if there is such a project. A needs study should be done first. Other Town's such as Simsbury charged the committee with a needs assessment, other Towns formed exploratory committees. The size of the committee should be made larger and the composition of the committee represent a broader spectrum of the community.
3. LAnie McHugh of 132 Fresh Meadow Drive also a member of the Board of Finance was present and spoke to the Building Committee resolution. Ms. McHugh is concerned with the composition of the committee and believes it should have a more diverse representation of the community. It does not represent an accurate cross section of the community. The committee should be bigger. There has not been a facilities study completed yet and voiced her concern that the committee is being formed before the facilities study budgeted for has been completed.

RESOLUTION AMENDING A RESOLUTION
APPROPRIATING \$2,900,000 FOR TRUMBULL POLICE
DEPARTMENT IMPROVEMENTS (2013) AND
AUTHORIZING THE ISSUE OF \$2,900,000 BONDS OF THE
TOWN TO MEET SAID APPROPRIATION AND PENDING
THE ISSUANCE THEREOF THE MAKING OF TEMPORARY
BORROWINGS FOR SUCH PURPOSE

Section 1. A Resolution adopted December 17, 2013, entitled "RESOLUTION APPROPRIATING \$2,900,000 FOR TRUMBULL POLICE DEPARTMENT IMPROVEMENTS (2013) AND AUTHORIZING THE ISSUE OF \$2,900,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" (the "Prior Resolution") is amended to increase the appropriation and bond authorization therein by \$1,600,000, from \$2,900,000 to \$4,500,000 and providing for construction of the project, as follows:

Section 1. The title of the Resolution is amended to read as follows:

RESOLUTION APPROPRIATING \$4,500,000 FOR TRUMBULL
POLICE DEPARTMENT IMPROVEMENTS (2013) AND
AUTHORIZING THE ISSUE OF \$4,500,000 BONDS OF THE
TOWN TO MEET SAID APPROPRIATION AND PENDING
THE ISSUANCE THEREOF THE MAKING OF TEMPORARY
BORROWINGS FOR SUCH PURPOSE

Section 2. The amount \$4,500,000 is substituted for the amount \$2,900,000 wherever \$2,900,000 appears in the Prior Resolution.

Section 3. Section One is amended by substituting the following:

"Section 1. The sum of \$4,500,000 is appropriated for the planning, acquisition and construction of Town of Trumbull Police Department Improvements (2013), consisting of: (i) building renovation, including a new dispatch center, space realignment and reuse, work stations, and a new telephone system; and (ii) the purchase of radio system upgrade and enhancements including a new radio system, consoles, antennas, and mobile radios, technology and computer hardware, and for appurtenances, equipment and services related thereto or for so much thereof or such additional improvements as may be accomplished within said appropriation, and for administrative, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be in addition to grant funding and all prior appropriations for said purpose."

AS AMENDED

RESOLUTION APPROPRIATING \$1,328,000 FOR THE TRUMBULL BOARD OF EDUCATION CAPITAL IMPROVEMENT PLAN 2015-2016 AND AUTHORIZING THE ISSUE OF \$1,328,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$1,328,000 is appropriated for the planning, acquisition and construction of the Trumbull Board of Education Capital Improvement Plan 2015-2016, as adopted and amended by the Town Council from time to time, and consisting of: (i) school facilities; (ii) paving and walks; (iii) fleet and equipment; (iv) other project categories as set forth in the Capital Improvement Plan, and for appurtenances, equipment and services related thereto, or for so much thereof or such additional improvements as may be accomplished within said appropriation, and for administrative, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be in addition to grant funding and all prior appropriations for said purpose. The Town Council may by resolution transfer funding herein among authorized projects within the 2015-2016 Board of Education CIP, and the First Selectman's office may transfer among projects amounts not exceeding 10% of the CIP funding by purpose as last approved by the Town Council.

Section 2. To meet said appropriation \$1,328,000 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 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, Attorneys-at-law, Bond Counsel 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of 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 approved by the Town Officials.

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, Attorneys-at-law, Bond Counsel 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. The 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 resolution.

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 APPROPRIATING \$9,030,000 FOR THE TRUMBULL (TOWN) CAPITAL IMPROVEMENT PLAN 2015-2016 AND AUTHORIZING THE ISSUE OF \$9,030,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$9,030,000 is appropriated for the planning, acquisition and construction of the Trumbull (Town) Capital Improvement Plan 2015-2016, as adopted and amended by the Town Council from time to time, and consisting of: (i) roadways; (ii) work on Public Facilities including the Nichols Library, Police Headquarters and EMS Building; (iii) fleet and equipment; (iv) other projects, consisting of economic development, recreation, roads, public safety and engineering (including Strobel Road reconstruction); and (v) enterprise (WPCA), and for appurtenances, equipment and services related thereto, or for so much thereof or such additional improvements as may be accomplished within said appropriation, and for administrative, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be in addition to grant funding and all prior appropriations for said purpose. The Town Council may by resolution transfer funding herein among authorized projects within the 2015-2016 Town CIP, and the First Selectman's office may transfer among projects amounts not exceeding 10% of the CIP funding by purpose as last approved by the Town Council.

Section 2. To meet said appropriation \$9,030,000 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 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, Attorneys-at-law, Bond Counsel 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of 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 approved by the Town Officials.

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, Attorneys-at-law, Bond Counsel 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. The 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 resolution.

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.