

# TOWN COUNCIL

TRUMBULL, CT  
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Pride in our past



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## MINUTES

September 8, 2009

**CALL TO ORDER:** The special meeting of the Trumbull Town Council was called to order at 8:12 p.m. by Chairman Mark Altieri. All present were asked to remember the victims of 9/11 during a moment of silence which was followed by the pledge of allegiance.

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

Dan Marconi	Cheryl Bochet	Martha Mark
Michael Rappa	John Rotondo	Kathleen Bivona
Suzanne Testani	John DelVecchio, Jr.	Carl Massaro
Jane Deyoe	Paul Kennedy	Dan Helfrich
Robert Pescatore, Jr.	Debbie Lamberti	Tony Scinto
Mary Beth Thornton	Mark Altieri	

**ABSENT:** Jeffry Jenkins, Matt Reale, Michael London, Chad Ciocci

\* Chairman Mark Altieri exercised his right not to vote unless otherwise noted.

**APPROVAL OF MINUTES:** The Minutes of the August 3, 2009 meeting were approved as presented by unanimous consent.

**Discussion item:** Trumbull High School Building Committee Update

Trumbull High School Building Committee Chairman Jim Nugent explained that the site work in the courtyard is well underway and is on schedule. They're waiting for the metal to arrive. The parking issue has been resolved. The bids received from the contractors seemed high, so instead, they approached Public Works Director John DelVecchio and his Department added parking spaces at an extremely favorable rate; less than 1/3 of what it was going to cost. Mr. Nugent stated it was a great effort by both Mr. DelVecchio and the Public Works Department. They did a great job.

**Discussion item:** Jane Ryan School Roof Building Committee Update

Jane Ryan School Roof Building Committee Chairperson Johanna Malinowski explained the project for the outside part of the roof is 55% underway. There were some weather issues they had to deal with, but they were able to make the area safe for the students' return. The largest parts of the roof are completed so that no winter damage can get in. Ms. Malinowski anticipates the outside work will be completed by the end of September.

Item 1. RESOLUTION TC22-221: Moved by Ms. Thornton, seconded by Mr. Massaro

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has been known throughout the United States, and the World, as one of the nation's best marching bands;

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has appeared in two Inaugural Presidential Parades as State Representatives, 2001 and 2009;

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has made numerous, national parade appearances and has performed on national television;

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has appeared in Trumbull's Memorial Day Parade annually;

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, won 1<sup>st</sup> Place Class V and Connecticut State Champions in the Musical Arts Conference;

WHEREAS The Trumbull High School Golden Eagle Marching Band Winter Guard, under the directorship of Peter G. Horton, has been a World Guard Finalist in the Winter Guard International Competition;

WHEREAS The Trumbull High School Golden Eagle Marching Band Winter Guard, under the directorship of Peter G. Horton, has earned Musical Arts Conference World Class 1<sup>st</sup> place;

WHEREAS The Trumbull High School Golden Eagle Marching Band Winter Percussion, under the directorship of Peter G. Horton, has been a Scholastic Open Percussion Winter Guard International Finalist;

WHEREAS The Trumbull High School Golden Eagle Marching Band Winter Percussion, under the directorship of Peter G. Horton, won Musical Arts Conference Open Class Winter Percussion Champion;

WHEREAS Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has performed service projects to assist members of the community;

AND WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has promoted music education as well as a love of music through competition with many of its members continuing their involvement with music into adulthood,

NOW THEREFORE BE IT RESOLVED, That Peter G. Horton, be and the same is hereby recognized and congratulated for his extraordinary dedication and many accomplishments on the 20th Anniversary of his successful leadership and direction.

Moved by Ms. Lamberti, seconded by Mr. Pescatore to amend the second date in the second paragraph to 2009.

VOTE: Passed unanimously

On behalf of the entire Town Council, Chairman Altieri congratulated Mr. Horton for the admirable work that he has done with all the students that have participated in band over the years. Band Director Horton received a standing ovation accompanied by warm applause from the Town Council and audience.

VOTE: Adopted unanimously as amended

Item 2. RESOLUTION TC22-218: Moved by Mr. Marconi, seconded by Ms. Bochet

BE IT RESOLVED, That the reappointment by the First Selectman of Brian Vaughn of 64 Surry Lane as a member of the Trumbull Monroe Health District is hereby approved for a term extending to the first Monday in March, 2009.

Committee report: R&R Committee met on August 31, 2009 and voted 3-0 to recommend.

Moved by Mr. Marconi, seconded by Ms. Bivona to amend the term date to 2012.

VOTE: Passed unanimously

VOTE: Adopted unanimously as amended

Item 3. RESOLUTION TC22-219: Moved by Mr. Marconi, seconded by Ms. Bochet

BE IT RESOLVED, That the reappointment by the First Selectman of Geoffrey Gladstein of 60 Frederick Street is hereby approved as a member of the Trumbull Monroe Health District for a term extending to the first Monday in March, 2011.

Committee report: R&R Committee met on August 31, 2009 and voted 3-0 to recommend.

VOTE: Adopted unanimously

Item 4. RESOLUTION TC22-222: Moved by Ms. Lamberti, seconded by Mr. Pescatore

BE IT RESOLVED, That an additional \$25,540,000 is hereby appropriated for the planning, acquisition and construction of sanitary sewers, Phase IV, Part B, Contract IV, and authorizing the issue of an additional \$25,540,000 bonds or notes of the town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

Committee report: Finance Committee met on September 1, 2009 and voted 6-0 to recommend.

Bond Counsel John Stafstrom of Pullman & Comley explained this amount is for the construction to complete the project. There were 2 small appropriations for easements that were made previously.

Mr. Rappa thanked Sewer Administrator Joe Solemene for his efforts on the recent project in District 1 and his willingness to work with all parties involved to do the best job for the town. He suggested that in the future, a representative from the W.P.C.A. be available to help answer questions.

Mr. Solemene explained that after the funding is approved for a project, a letter is sent to the residents in that area explaining the street will be marked, phone numbers to call for information and things of that nature. He plans to work more closely with the Contractor to provide better estimates on how long the project is anticipated to take.

Ms. Mark stated she believes thee sanitary sewers are not necessarily environmentally responsible. She believes the individual septic systems have done an acceptable job of handling the waste and are costly to the homeowners.

VOTE: Adopted 15-0-1 (Abstention: Mark)

Moved by Mr. DeVecchio, seconded by Mr. Rotondo to make this emergency legislation.

VOTE: Adopted 15-1 (Opposed: Mark)

Item 5. RESOLUTION TC22-223: Moved by Ms. Deyoe, seconded by Ms. Bivona

BE IT RESOLVED that the First Selectman is hereby authorized to enter into a two year agreement with IgniteSpirit, LLC to provide Economic Development consulting services.

Committee report: L&A Committee met on August 31, 2009 and voted 3-0 to recommend.

Town Attorney Dan Schopick explained that IgniteSpirit, LLC is a single member LLC. Deborah Cox is the single member. At Attorney Schopick's request, the contract is with the LLC for the benefit of the town.

Mr. Pescatore stated that the RFQ documents show that Deborah Evans Cox was a bidder. One the contract, the name is IgniteSpirit, LLC. He asked Attorney Schopick if it is legal to award the contract to a non-bidder.

Attorney Schopick explained he does not consider her to be a non-bidder. It was the town's request that the agreement be made with the LLC. It was not Ms. Cox's choice and it was not her wish.

Mr. Massaro pointed out that funding has been approved for 1 year, but not for 2 years. That being the case, he was surprised the contract was for 2 years and he would like it to be more consistent with the RFQ.

Town Attorney Dan Schopick explained that funding for the first year has been approved. Funding for the second year would not be approved until the budget process for that year. However, the Contract requires an appropriation for the second year. This contract requires legislative approval because it extends beyond the term of this budget.

Mr. Pescatore stated he is in favor of economic development. However, he believes it should be revised to one term because it is something new and he wants to be able to shorten the contract if things don't work out.

Mr. Marconi pointed out that every year the funding for the contracts of the various bargaining units, such as the Police and Teachers, must be approved. This contract is no different.

Moved by Mr. Massaro, seconded by Ms. Testani to amend the first line of Article 10, Paragraph 2, by replacing the word "term" with the word "year".

VOTE: Passed 10-5-1 (Opposed: Thornton, Bochet, Marconi, Rappa, Rotondo; Abstention: Kennedy)

Ms. Mark explained she'd like to include RFQ Section 9c regarding termination in the contract so that either party may terminate without cause.

Attorney Schopick pointed out that Ms. Mark's amendment would make it a month to month contract and would make it possible to terminate simply on a whim of the administration for no cause. The purpose of the 2 year contract was to make a commitment and to avoid termination from becoming a monthly issue. It would give the Consultant an opportunity to do her job and is similar to the contract that was approved without question for the Golf Pro.

Moved by Ms. Mark, seconded by Ms. Lamberti to amend Article 8(2) by inserting the words "or the town" after the word "Consultant".

Ms. Mark withdrew her motion.

Moved by Ms. Mark, seconded by Mr. Pescatore to amend Article 8(2) to read: The Consultant or the Town may terminate this Agreement without cause by providing the Town or Consultant with written notice of termination at least 60 days prior to the date of termination.

VOTE: Failed 7-9 (Approved: Mark, Pescatore, Lamberti, Testani, Deyoe, Scinto, Massaro)

Moved by Mr. Pescatore, seconded by Mr. Scinto to amend Article 7(2) to add the following: (d) Should the Consultant fail to carry insurance as specified, the Town shall have proper cause to terminate this Contract as specified in Article 8.

Mr. DelVecchio left the room at 9:08 p.m. and returned at 9:09 p.m.

Town Attorney Dan Schopick pointed out the amendment is redundant. This issue is already covered under the termination provision.

VOTE: Failed 7-9 (Approved: Mark, Pescatore, Lamberti, Testani, Deyoe, Scinto, Massaro)

Moved by Mr. Pescatore, seconded by Ms. Mark to amend Article 1 by deleting the second sentence.

Mr. Pescatore stated the town's labor contracts have a contract term and when the term comes up, the contract comes back before Council for approval. As written, he believes this contract is auto-renewed.

Mr. DelVecchio pointed out that funding would have to be approved yearly and if not approved, there would be no contract. As such, there's no need for this amendment.

VOTE: Failed 5-11 (Approved: Pescatore, Mark, Scinto, Lamberti, Deyoe)

Moved by Ms. Lamberti, seconded by Ms. Deyoe to amend Article 4, Paragraph 1, line 4 by inserting after the word "objectives": "as well as those mentioned in the Request for Qualifications under Key Responsibilities."

Attorney Schopick offered a friendly amendment to change Ms. Lamberti's proposed amendment to say: subject to the goals and duties that are included in the Request for Qualifications which is attached. Ms. Lamberti and Ms. Deyoe agreed to Mr. Schopick's amendment.

VOTE: Passed unanimously

VOTE: Adopted 15-1 (Opposed: Pescatore)

Item 6. RESOLUTION TC22-216: Withdrawn

Mr. Helfrich moved to adjourn, seconded by Mr. DelVecchio. With no further business to discuss, the meeting was adjourned at 9:20 p.m. with unanimous consent.

Respectfully submitted,

Lorrie Lusebrink  
Council Clerk