

TOWN COUNCIL

TRUMBULL, CT
www.trumbull-ct.gov

Pride in our past



Faith in our future

MINUTES

May 5, 2008

CALL TO ORDER: The regular meeting of the Trumbull Town Council was called to order at 8:05 p.m. by Chairman Mark Altieri. All present joined in a moment of silence and the pledge of allegiance.

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

Dan Marconi	Jeffrey Jenkins	Matt Reale
Michael Rappa	John Rotondo	Kathleen Bivona
Suzanne Testani	John DelVecchio, Jr.	Michael London
Jane Deyoe	Debbie Lamberti	Carl Massaro
Robert Pescatore, Jr.	Perry Molinoff	Chad Ciocci
Mary Beth Thornton	Mark Altieri	Dan Helfrich
Cheryl Bochet	Martha Mark	Anthony Scinto

ABSENT: None

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

APPROVAL OF MINUTES:

Moved by Ms. Thornton, seconded by Ms. Bochet to approve the April 7, 2008 Minutes as presented. **VOTE:** Adopted unanimously

Moved by Mr. Massaro, seconded by Ms. Testanti to approve the April 24, 2008 Minutes as presented. **VOTE:** Adopted unanimously

Moved by Ms. Thornton, seconded by Mr. Rotondo to take the next 2 items out of order.

Item 15. RESOLUTION TC22-32: Moved by Mr. Marconi, seconded by Mr. DelVecchio

BE IT RESOLVED, That JCJ Architects is hereby approved as the architect for the Trumbull High School renovation project as recommended by the Building Committee.

Committee report: Education Committee met on April 28, 2008 and amended to read:
BE IT RESOLVED, That JCJ Architecture, Inc. and Wiles Architects, LLC is hereby approved as the architect for the Trumbull High School renovation project as

recommended by the Building Committee and hereby authorize the First Selectman to enter into a contract with said architects in a form substantially the same as was contained in the bid documents provided to the architects and voted 3-1 (Opposed: Mark) to recommend.

The Chairman recognized the committee report as an amendment.

VOTE to amend to JCJ Architecture, Inc. and Wiles Architects, LLC: Passed unanimously.

VOTE to amend by adding the following: “and hereby authorize the First Selectman to enter into a contract with said architect in a form substantially the same as was contained in the bid documents provided to the architect.”: Passed unanimously

In response to a question, THS Building Committee Chairman Jim Nugent explained the appeal period is 20 days from the decision. An appeal would not prevent the Town from awarding a Contract. He explained in this case, the decision was factually based and the likelihood of the appellate court reversing a factual finding by the Judge decision is unlikely.

Town Attorney Dan Schopick explained he does not believe there are any substantive grounds for an appeal. If Fletcher-Thompson did take an appeal, there would be no injunction in place and he concurred that there is nothing preventing the Town from entering into this Contract.

Minority Leader Carl Massaro stated he believes everyone is anxious to move the project along, however he believes it would be prudent to know if there was going to be any further litigation before making a final award of the Contract. We have had to wait this long, a few more days won't matter.

Moved by Mr. London, seconded by Mr. Pescatore to amend by adding “This Contract shall not be signed until after the expiration of the appeal period.”

VOTE: Failed 10-10 (Opposed: Molinoff, Bochet, Helfrich, Bivona, DelVecchio, Thornton, Rappa, Marconi, Reale, Rotondo)

VOTE: Adopted as amended 11-9-1 (Opposed: Testani, Ciocchi, Jenkins, Pescatore, Massaro, Deyoe, Lamberti, Scinto, London; Abstention: Mark)

*Chairman Altieri voted on this item.

Item 16. RESOLUTION TC22-65: Moved by Mr. Ciocchi, seconded by Mr. London

BE IT RESOLVED That, _____ be and the same is hereby approved as the Construction Manager for the Trumbull High School renovation project as recommended by the Building Committee.

Committee report: Education Committee met on April 28, 2008 and amended to:
BE IT RESOLVED That, O&G Industries/A.P. Construction be and the same is hereby approved as the Construction Manager for the Trumbull High School renovation project as recommended by the Building Committee and hereby authorize the First Selectman to enter into a contract with said construction manager in a form substantially the same as was contained in the bid documents provided to the construction manager and voted 3-1 (Opposed: Mark) to recommend.

The Chairman recognized the committee report as an amendment.

VOTE: Passed unanimously

VOTE: Adopted unanimously as amended

Moved by Mr. Molinoff, seconded by Mr. Helfrich to make TC22-32 emergency legislation.

Requires 2/3 affirmative vote for passage.

VOTE: Failed 11-9 (Opposed: Scinto, Deyoe, Mark, Massaro, Testani, Ciocci, Lamberti, London, Pescatore)

Mr. DelVecchio left the meeting at 8:38 p.m.

Item 1. RESOLUTION TC22-64: Moved by Ms. Bivona, seconded by Ms. Thornton

BE IT RESOLVED, That the reappointment by the First Selectman of Dennis Miko of 9 Kenwood Lane as a member of the Inland Wetland and Watercourse Commission, be and the same, is hereby approved for a term extending to the first Monday in December, 2008.

Committee report: R&R Committee met on April 28, 2008 and amended to read:
RESOLUTION TC22-69: BE IT RESOLVED, That the appointment of Dennis Miko of 9 Kenwood Lane as an alternate member of the Zoning Board of Appeals, be and the same, is hereby approved for a term extending to the first Monday in December, 2009. and voted 4-0 to recommend as amended.

The Chairman recognized the committee report as an amendment.

Mr. Jenkins recused himself and left the room due to a possible conflict.

VOTE: Passed unanimously

VOTE: Adopted as amended 19-1-0 (Opposed: Pescatore)

Mr. Jenkins returned to the meeting at 8:41 p.m.

Item 2. RESOLUTION TC22-42: Moved by Ms. Thornton, seconded by Ms. Bivona

BE IT RESOLVED, That the appointment by the First Selectman of John McBride, 295 Putting Green Road as a member of the Trumbull Day Commission, be and the same, is hereby approved for a term extending to September 1, 2011.

Committee report: R&R Committee met on April 28, 2008 and voted 5-0 to recommend.

VOTE: Adopted unanimously

Item 3. RESOLUTION TC22-53: Moved by Ms. Deyoe, seconded by Mr. London

BE IT RESOLVED, That the issuance of \$443,000 in bonds of the Town is hereby authorized for the costs associated with an electrical distribution and capacity update for the Trumbull Public Schools to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

Committee report: Finance Committee met on April 29, 2008 and amended the Resolution number to TC22-66. They voted 3-0-1 (Abstention: Lamberti) to recommend as amended.

The Chairman recognized the committee report as an amendment.

VOTE: Passed unanimously

Al Barbarotta who oversees the School Facilities/Plant Engineering Department read the list of firms and the amount of their bids for the project. Wireman Construction was the low bidder. They have done work for the district before. Mr. Barbarotta explained that the cost of the project is actually \$543,000 but there is \$100,000 left over in the technology bond that will be used against the project.

VOTE: Adopted unanimously as amended

Item 4. RESOLUTION TC22-54: Moved by Mr. London, seconded by Ms. Testani

BE IT RESOLVED, That \$12,000,000 is hereby appropriated to refund certain of the Town's outstanding bonds and authorizing the issuance of refunding bonds to finance such appropriation.

Committee report: Finance Committee met on April 29, 2008 and voted 4-0 to recommend.

By State law, the new bonds will not extend the date of the amortization date of the existing bonds.

VOTE: Adopted unanimously

Item 5. RESOLUTION TC22-55: Moved by Mr. Rotondo, seconded by Ms. Bivona

BE IT RESOLVED, That \$6,187 is hereby appropriated from the unreserved fund balance to Building Part-Time Salaries 01023200-501102.

Committee report: Finance Committee met on April 29, 2008 and voted 4-0 to recommend.

VOTE: Adopted 18-0-1 (Abstention: Ciocci)

Item 6. RESOLUTION TC22-56: Moved by Ms. Lamberti, seconded by Mr. Pescatore

BE IT RESOLVED, That \$25,383 is hereby appropriated from the unreserved fund balance to Elections 01010800-: Salaries Full-Time -501101 \$1,170; Salaries Part-Time - 501102 \$970; Overtime -52205 \$531; Professional Services & Fees -522202 \$20,892; Program Expenses 522203 \$933; telephone 590014 \$887.

Committee report: Finance Committee met on April 29, 2008 and amended to read: BE IT RESOLVED, That \$18,710 is hereby appropriated from the unreserved fund balance to Elections 01010800- Salaries Full-Time -501101 \$1,170; Salaries Part-Time – 501102 \$970; Overtime -501105 \$531; Ancillary-522203 \$14,219; Program Expenses 522205 \$933; telephone 590014 \$887 and voted 4-0 to recommend.

The Chairman recognized the committee report as an amendment.

VOTE to amend amount to \$18,710: Passed unanimously

VOTE to amend Overtime account to 501105: Passed unanimously

VOTE to amend to name to Ancillary: Passed unanimously

VOTE to amend Ancillary account to 522203: Passed unanimously

VOTE to amend Ancillary amount to \$14,219: Passed unanimously

VOTE to amend Program Expenses account to 522205: Passed unanimously

VOTE: Adopted unanimously as amended

Item 7. RESOLUTION TC22-57: Moved by Mr. Reale, seconded by Ms. Bivona

BE IT RESOLVED, That \$27,000 is hereby appropriated from the unreserved fund balance to Trumbull Day Program Expenses 01080300-522205.

Committee report: Finance Committee met on April 29, 2008 and voted 4-0 to recommend.

VOTE: Adopted unanimously

Item 8. RESOLUTION TC22-58: Moved by Mr. Pescatore, seconded by Ms. Lamberti

BE IT RESOLVED, That \$59,041 is hereby transferred from Contingency 01013800-501116 to Property, Auto, Liability Insurance 01013800-581888.

Committee report: Finance Committee met on April 29, 2008 and voted 4-0 to recommend.

VOTE: Adopted unanimously

Item 9. RESOLUTION TC22-47: Tabled

Item 10. RESOLUTION TC22-59: Moved by Ms. Bochet, seconded by Mr. Reale

BE IT RESOLVED, That the following programs are approved as being eligible under the Neighborhood Assistance Act: St. Vincent's Special Needs Center, Inc. – Augmentative Communication Services; Trumbull Nature and Arts Center – Rain Barrels; Trumbull Nature and Arts Center – Greenhouse; Trumbull Nature and Arts Center – Nature, environment and art exhibit gallery; Connecticut Radio Information System, Inc. aka CRIS – CRIS Radio Listener Base Expansion Project.

Committee report: L&A Committee met on April 28, 2008 and voted 4-0 to recommend.

VOTE: Adopted unanimously

Item 11. RESOLUTION TC22-60: Moved by Mr. Testani, seconded by Mr. Jenkins

BE IT RESOLVED, That First Selectman Raymond G. Baldwin, Jr. is hereby authorized to negotiate and execute all necessary agreement/contract documents on behalf of the Town of Trumbull with the Department of Transportation of the State of Connecticut and to affix the corporate seal.

Committee report: L&A Committee met on April 28, 2008 and voted 4-0 to recommend.

VOTE: Adopted unanimously

Item 12. RESOLUTION TC22-61: Held in Committee

Item 13. RESOLUTION TC22-62: Moved by Mr. Molinoff, seconded by Ms. Bivona

BE IT RESOLVED, That First Selectman Raymond G. Baldwin, Jr. is hereby authorized to apply and sign for on behalf of the Town of Trumbull a Small Town Economic Assistance Program grant in the amount of \$150,000 for the revitalization of Trumbull Center including the installation of new sidewalks, light posts, iron fences, and benches.

Committee report: L&A Committee met on April 28, 2008 and voted 4-0 to recommend.

VOTE: Adopted unanimously

Item 14. RESOLUTION TC22-63: Moved by Mr. Jenkins, seconded by Mr. Pescatore

BE IT RESOLVED, That First Selectman Raymond G. Baldwin, Jr. is hereby authorized to apply and sign for on behalf of the Town of Trumbull a Small Town Economic Assistance Program grant in the amount of \$150,000 to replace the access bridge that spans the Pequonnock River in Old Mine Park.

Committee report: L&A Committee met on April 28, 2008 and voted 4-0 to recommend.

VOTE: Adopted unanimously

Mr. Helfrich moved to adjourn, seconded by Mr. Marconi. With no further business to discuss, the meeting was adjourned at 9:04 p.m. with unanimous consent.

Respectfully submitted,

Lorrie Lusebrink,
Council Clerk