

TOWN COUNCIL
Town of Trumbull
CONNECTICUT
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TOWN HALL
Trumbull

TELEPHONE
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January 6, 2011
MINUTES

CALL TO ORDER: Chairman Carl A. Massaro, Jr., called the meeting to order at 8:08 p.m. at the Trumbull Town Hall, Trumbull, Connecticut. 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:

PRESENT

Suzanne S. Testani
David R. Pia
Michael Rappa
James F. Meisner
Robert J. Pescatore, Jr.
Mary Beth Thornton
John M. Rotondo
Debra A. Lamberti
Ann Marie M. Evangelista
Martha A. Jankovic-Mark

Mark S. Altieri
Carl A. Massaro, Jr
Michael J. London
Roberta A. Bellows
Tony J. Scinto
Chad Ciocci
Daniel Helfrich
Kristy L. Waizenegger
John A. DelVecchio, Jr.
Jane Deyoe

ABSENT

Jeff S. Jenkins

Also Present: First Selectman Timothy M. Herbst, Mr. Dan Nelson, Chief of Staff, Ms. Maria Pires, Director of Finance, Mr. John Marsilio, Director of Public Works, Judge Chiota Chairman of the Charter Revision Commission, Charter Revision Counsel Robert Maza, Ms. Gail Hanna Charter Revision Commissioner, Mr. James Nugent Chairman of the Trumbull High School Building Committee, Ms. Lucinda Timpanelli Trumbull High School Building Committee member, Mr. Al Barbarotta of AFB Construction Management, Mr. John Barbarotta of AFB Construction Management, Mr. Stephen Burgess of JCJ Architecture, Mr. Brian Holmes of O&G Construction, Mr. Craig Wiles of Wiles Associates and Mr. Michael Herbst, Trumbull High School Athletic Director.

* Chairman Carl A. Massaro, Jr. exercised his right not to vote unless otherwise noted.

The Chair congratulated both Saint Joseph's Cadets and the Trumbull High School Eagles, their coaches, families and supporters for their great football season. Saint Joseph's won the class L State championship; both the Cadets and the Eagles ranked very well in the state; Trumbull High School Class LL finals were score 24-13. Both St Joes & Trumbull were in the top 5 in the final State Polls.

Charter Revision Commission Update:

Judge Chiota, Chairman of the Charter Revision Commission reported that the Charter Revision has been hard at work since their appointment of last February-March. A public hearing had been held after their organizational meeting. The commission has met with the First Selectman, Town Clerk, Town Treasurer, Board of Finance and Board of Education members; has also requested input from all boards and commission chairs as well as department heads of the town with regard to suggested changes to the Town Charter. Judge Chiota explained that the schedule of the Charter Revision is controlled by section 7-190(b) of the Connecticut General Statutes. The goal of the Charter Revision Commission is to submit to the public at the November election of this year. In order to do that that, the Charter Revision and questions which would be on the ballot would be required to be submitted to the Town Council on about June 1, 2011. The Town Council has 45 days from that submittal date to hold a public hearing and to make their recommendation to the Charter Revision Commission; subsequently the Charter Revision Commission would meet to make their final changes.

A resolution was submitted to the Chair that includes a date of the draft report to be submitted to the Town Clerk as required by state statute section 7-190(b). Judge Chiota requested that the resolution be placed on the February 2011 Town Council agenda. The Charter Revision Commission has reviewed and gone through the Charter twice, have met with all of the representatives, have received letters from the public, comments from the website. The Charter Revision Commission will go through the Charter for the third time starting next week (with votes). The Commission has agreed that no vote will be final until the draft is submitted to the Town Council. Some of the areas that the commission has been discussing is as follows: a four year term for the first selectman, town clerk and town treasurer, a one time referendum on the budget as a whole, (this would not change any provisions for referendum provisions that are already in place; the line item referendum would stay), changes in the limits pertaining to capital projects and also as it pertains to municipal bonding, the reorganization of certain departments in town, (i.e. Parks & Recreation) and change in the Board of Education terms. Judge Chiota invited the Chair to send two representatives to the Charter Revision Commission meetings (one from each party).

Trumbull High School Update:

Mr. James Nugent, Chairman of the Building Committee reported that the project is proceeding on schedule.

Mr. Rotondo left the meeting at 8:18 p.m.

The project is currently under budget by \$4,846,706; the concession stand is represented at \$691,213 although now the concession stand is expected to be at \$515,000 – \$550,000. That reduction is an additional \$150,000 that can be added to the \$4 million under budget bringing the number closer to \$5 million under budget to date. Mr. Nugent explained that there is also a healthy owner's and CM contingency left approximately \$4.9 million. In response to a question from the Chair, Mr. Nugent clarified that the CM Summary Report does not include the contingency amounts; if the under budget amount and the contingencies are added together that would bring the actual variance number to approximately \$9 million.

Mr. John Barbarotta stated that the auditorium replacement armrests have been ordered but have not been received to date; the roof flashing is on-going.

Mr. Rotondo returned to the meeting at 8:22 p.m.

APPROVAL OF MINUTES:

Ms. Evangelista moved, seconded by Ms. Testani to amend the December 6, 2010 meeting minutes to read as on page 3 first paragraph, "Mr. Smolley indicated that the project would have to go to BSF for review; if the Town Council considers the design at the February 2011 meeting that would eliminate a summer construction, if the design was considered at the January meeting that would allow time to go to BSF and for summer construction", (correcting February 20110 to 2011) and on page 6 fourth paragraph to read as, "VOTE: RESOLUTION TC23-119 Adopted as amended 10-4-2(Against: Testani, Ciocci, Lamberti and Scinto), (Abstention: Mark and Evangelista).(adding Ms. Evangelista as abstaining).

VOTE: Motion carried unanimously.

VOTE: Motion to accept the December 6, 2010 as amended carried 18-0-1 (Abstention: Waizenegger).

Mr. DelVecchio moved, seconded by Mr. Ciocci to take Resolution TC23-143 out of order.

VOTE: Motion carried unanimously.

1. RESOLUTION TC23-143: Moved by Mr. Ciocci, seconded by Ms. Thornton
BE IT RESOLVED, That the Trumbull High School Concession Stand/Bathroom design is hereby approved.

The Education Committee met on December 28, 2010 and voted unanimously to amend the resolution to read as, "RESOLUTION TC23-143: IT RESOLVED, That the Trumbull High School Concession Stand/Bathroom design; option #5 at a total estimated cost of \$515,955 is hereby approved".

The Chair recognized the amendment in committee.

Upon motion made by Mr. Ciocci, seconded by Ms. Thornton the amendment in committee was approved 18-0-1 (Abstention: DelVecchio).

Mr. Michael Herbst, THS Athletic Director recommended not moving the ticket booth, as outlined in option #5, but leaving it where it is. This would be a better alternative for crowd control; noting that in the future there will be wandering of people who attend the events. Mr. Herbst has met with the architects and AFB. Mr. Herbst indicated that his input has been requested on some points but not all of the nuts and bolts of the design. The current ticket booth will suffice as it is only suggesting moving one window to open it for more sales. Mr. Herbst indicated for Mr. Altieri that he is very familiar with all 5 options before the Town Council. In response to a question from Mr. Ciocci, Mr. Herbst stated that the overhang is by design to connect the structures. Mr. Herbst noted in response to a question from Ms. Bellows that the town maintenance or the BoE maintenance departments could renovate the existing ticket booth since it would only need minor alterations.

Mr. Meisner suggested an amendment due to the possible exclusion of the relocation of the current ticket booth.

Mr. Craig Wiles reviewed the schematic design of option #5 distributed to the Town Council per the Chair's request. Mr. Wiles clarified that option #4 does nothing to the existing concession stand, while option #5 does address its renovation. The schematic design represents the unification of the existing concession stand and the new concession stand and bathrooms. The back of the building are connected by the overhang which decreases the visual length of the roof lines. Mr. Wiles agreed with Mr. Herbst's recommendation of not moving the ticket booth and how that would aide in crowd control.

Mr. London moved, seconded by Mr. Meisner to amend Resolution TC23-143 to read as, "RESOLUTION TC23-143: IT RESOLVED, That the Trumbull High School Concession Stand/Bathroom design; option #5 at a cost of not to exceed \$515,955 without relocating the ticket booth is hereby approved."

Mr. Pia spoke in favor of option #3, noting that if the new ticket booth were not built than the cost of \$515,955 should be less. Mr. Pia spoke against spending \$515,955 on a concession stand in this economy.

In response to the Chair, Mr. Wiles stated that the ticket booth was not being built but it was being incorporated into the existing concession stand by lowering the windows, the cost involved to renovate the existing concession stand is mostly demolition work. The Chair suggested the option of demolishing the existing concession stand. Mr. Barbarotta clarified that part of reducing the size of the new concession stand was by reusing the existing concession stand for storage. There is no savings by not converting the existing concession stand to a ticket booth.

Mr. Barbarotta clarified for Mr. DelVecchio that the cost of the project at \$300 per sq. ft. is based on the fact that the two most expensive construction projects are always bathrooms and kitchens and this project is driven by ADA code compliance in both the bathrooms and the concession stand's kitchen, suggesting add alternates be designed and bid. This allows for the costs of certain items to be identified. Those items could be eliminated to meet the budget number.

Mr. DelVecchio spoke against the cost of the concession stand and would not be supporting the project.

In response to Ms. Testani, Mr. Barbarotta confirmed that the project would be reimbursable by the state at a rate of 31%; approximately \$150,000 would be the reimbursable amount.

In response to Ms. Mark, Mr. A. Barbarotta stated that additional windows for the concession stand would be addressed as well as other details. The senior class advisors have been involved in all of the working meetings. The cost of the project is driven by the code requirements of the kitchen.

Mr. A. Barbarotta clarified for Mr. Altieri that option #3 does not build a new concession stand, it renovates the existing concession stand, and there is less area for storage. The bathroom design has been reduced down to five. The difference between option #3 and #4 is the building of a new concession stand.

Mr. Herbst spoke in favor of a new concession stand; noting that it is unquestionable that a new concession stand is necessary. The senior class and class advisors have had input on the concession stand, the only portion that they did not have input on was the ticket booth component.

Mr. London withdrew his motion.

Mr. London moved to accept option #4 requesting additional information of the cost of option #4. Mr. Barbarotta stated that if option #4 were designed and put out to bid they could then have much firmer numbers. It is necessary to give the architect direction as to what it is that is being requested and a budget to design within.

In response to Mr. Helfrich, Mr. Wiles stated that \$55,000 is the cost of site work saved by moving the building out of the sewer line, as well as the insurance cost and the cost of escalation; bringing the reduction amount to \$130,000. Mr. Wiles clarified for the council that option #4 leaves the existing concession stand as it is now; no work is performed on the building at all, except demolition. Option #4 does not include the seating area or the overhang either.

Mr. Meisner spoke in favor of cleaning up the existing concession stand creating a cohesive look to the new building, although the connecting roof area could be deleted.

Mr. Wiles stated that would be in line with add-alternates. The connecting roof could be bid as an add-alternate as well as the patio.

Mr. London moved, seconded by Ms. Thornton to amend RESOLUTION TC23-143 to read as, "RESOLUTION TC23-143: BE IT RESOLVED, That the Trumbull High School Concession Stand/Bathroom design; option #5 at a cost of option #4 (\$515,955) without the relocation of the ticket-booth, with the inclusion of add-alternates is hereby approved".

The Chair called recess at 9:03 p.m.

The Chair called the meeting back to order at 9:12 p.m.

VOTE: Motion to amend carried 17-2 (Against: DelVecchio and Pia).

VOTE: Resolution Adopted as amended 17-2 (Against: DelVecchio and Pia).

Mr. Ciocci moved, seconded by Mr. DelVecchio to take item#11 and #12 out of order.

VOTE: Motion carried unanimously.

2. RESOLUTION TC23-144: Moved by Ms. Bellows, seconded by Mr. London.

BE IT RESOLVED, That the Five Year Capital Improvement Plan is hereby approved.

Committee Report: The Finance Committee met on Tuesday, January 4, 2011 and voted unanimously to recommend.

First Selectman Herbst extended his gratitude to the Director of Public Works, Mr. Marsilio, the Director of Finance, Ms. Pires, the Assistant Director of Finance, Ms. Savo, the Chief of Staff, Mr. Nelson and all of the department heads for all of their hard work on the Five Year Plan. In June of 2010 the Town of Trumbull retained Antonozzi Associates to perform a facilities study of municipal buildings throughout the town. As a result of the study, a list of concerns and recommendations was created. Town officials have reviewed all of the requests. Based upon that review this Five Year Capital Plan was created.

Mr. Marsilio stated that the first year of the Five Year Capital plan is generally what is focused on and identifies acquisitions that are chronically needed. The plan is required by the state in order to receive local capital improvement funds. This is a needs assessment not merely a wish list. Third parties were involved at the core of the assessment. Fleet and equipment is listed in the plan. The town has been made aware by the engineering firm authorized by the WPCA Commission that in 2011 town funding will be required to complete curb to curb paving of town roads to be serviceable for 20-25 years. The engineering report is anticipated to be received next month allowing for modification of the 2011 roadway budget. This resolution is not to approve any

expenditures or actions, this Five Year Plan is a template to make the Town aware of the town and BoE needs.

Mr. Barbarotta noted that the BoE Executive Summary had been distributed to the Town Council previous to this meeting. The format looks at life safety, technology, energy efficiency projects and miscellaneous projects. An independent study was performed by Savin Engineering five (5) years ago; escalation has been added in. This is accurate needs assessment; the BoE sets their priorities based on this report. In response to the Chair, Mr. A. Barbarotta explained that the total is \$97 million over 5 years and over 5 different categories. This number does not include the \$21 million spent of the \$63 million budget to date on the high school, the high school is not included in the assessment at all, nor does it include the classroom additions or the conversions. This report represents moving forward on all of the other schools in town and what it is necessary to bring them up to date.

In response to Mr. Meisner's question, First Selectman Herbst stated that the current debt service is at approximately 8.2%. First Selectman Herbst explained that the upcoming bonded debt of the high school and sewer project will raise that number, although the ratio of the sewer project is 75% to 25%. 25% of sewer debt is the town's responsibility, 75% of the debt is covered by the homeowners' assessments. First Selectman Herbst Referred to the transmittal letter sent to the Town Council cautioning them of the concern of the levels of debt that are contemplated in the 5 year period, especially in light of the fact that there is a \$68 million high school renovation and a building expansion of the high school that they are currently paying for and any other project which will require their immediate concern such as the Jane Ryan roof. The Capital Improvement Plan is important, approval of the plan is not endorsing spending what is included in the report, but to act as a blueprint of what is needs to be addressed by priority. This type of plan would have been beneficial before the town had begun the high school renovation so they could have properly ascertained the town's ability to pay the debt levels while staying within the 10%. There are going to be periods where the town will go over the 10% threshold slightly over the next ten years but there will also be periods where it will go back down as debt is retired.

In response to Ms. Testani, First Selectman Herbst stated that grand list growth, such as the expansion of the mall, the new Home Depot and the mix use project near Main Street and Broadway will offset some of the debt. Trumbull is 98% developed and will concentrate on developing the commercial zoned areas and work toward bringing targeted businesses to town with specific tax incentives while maintaining the town's bond rating.

VOTE: RESOLUTION TC23-144 Adopted 13-0-6 (Abstention: Thornton, DelVecchio, Meisner, Altieri, Pescatore and Pia).

3. RESOLUTION TC23-136: Moved by Mr. Pia, seconded by Mr. London.

BE IT RESOLVED, That the First Selectman is hereby authorized to execute on behalf of the Town of Trumbull a grant application for the Local Capital Improvement Program to obtain financial assistance pursuant to Public Act 87-854, allocation for 2010. Distribution: Energy Audit Consultant \$50,000, Roadway Paving \$190,000. Total, 2010 allocation: \$240,000.

Committee Report: the Finance Committee met on January 4, 2011 and voted unanimously to recommend.

VOTE: RESOLUTION TC23-136 Adopted 16-3 (Against: DelVecchio, Ciocci and Pia).

4. RESOLUTION TC23-126: Moved by Mr. DelVecchio, seconded by Mr. Rotondo. BE IT RESOLVED, That the recommendation of the reappointment by First Selectman of Thomas Lee, 29 Cobbler's Hill Road as a member of the Ethics Commission, be and the same is hereby approved for a term extending to the first Monday of December 2015.

Committee Report: The Rules & Research Committee met on January 4, 2011 and voted unanimously to recommend.

VOTE: RESOLUTION TC23-126 Adopted unanimously 19-0.

5. RESOLUTION TC23-135: Moved by Mr. Pescatore, seconded by Testani.

BE IT RESOLVED, That the appointment of Cynthia Penkoff of 101 Columbine Drive as an alternate member of the Board of Finance, be and the same is hereby approved for a term extending to December 3, 2012.

Committee Report: The Rules & Research Committee met on January 4, 2011 and voted unanimously to recommend.

Mr. Pia stated it would be an honor and a privilege to vote in favor of this resolution. noting that he has seen no one person attend so many meetings and taken the town's business so seriously.

VOTE: RESOLUTION TC23-135 Adopted unanimously 19-0.

6. RESOLUTION TC23-136: Moved by Ms. Testani, seconded by Ms. Thornton.

Committee Report: The Rules & Research Committee met on January 4, 2011 and voted unanimously to recommend.

Moved by Ms. Testani, seconded by Mr. DelVecchio to amend RESOLUTION TC23-136 to read as, " RESOLUTION TC23-145: BE IT RESOLVED, That the

reappointment of Arlyne Fox, 300 Tashua Road as the Planning & Zoning representative to the Inland Wetlands Watercourse Commission, be and the same is hereby approved for a term extending to December 05, 2011”.

VOTE: Motion to amend carried unanimously.

VOTE: RESOLUTION TC23-145 Adopted as amended unanimously.

7. RESOLUTION TC23-137: Moved by Mr. Rappa, seconded by Ms. Testani.

BE IT RESOLVED, That the reappointment of Don Scinto, 65 Hedgehog Circle as an alternate member of the Planning & Zoning Commission, be and the same is hereby approved for a term extending to December 2, 2013.

Committee Report: The Rules & Research Committee met on January 4, 2011 and voted unanimously to recommend.

VOTE: RESOLUTION TC23-137 Adopted unanimously.

8. RESOLUTION TC23-138: Moved by Ms. Bellows, seconded by Mr. Pescatore.

BE IT RESOLVED, That the recommendation of the reappointment by First Selectman of Amy Todisco, 17 Finchwood Drive as a member of the Ethics Commission, be and the same is hereby approved for a term extending to December 3, 2012.

Committee Report: The Rules & Research Committee met on January 4, 2011 and voted unanimously to amend RESOLUTION TC23138 to read as, “RESOLUTION TC23-138: BE IT RESOLVED, That the recommendation of the reappointment by First Selectman of Amy Todisco, 17 Finchwood Drive as an alternate member of the Ethics Commission, be and the same is hereby approved for a term extending to December 3, 2012”.

The Chair recognized the committee report as amendment.

VOTE: Motion to amend carried unanimously.

VOTE: RESOLUTION TC23-138 Adopted as amended unanimously

9. RESOLUTION TC23-139: Postponed in Committee.

BE IT RESOLVED, That the reappointment of Kevin Chamberlain, 43 Coral Drive as an alternate member of the Inland Westland and Watercourse Commission, be and the same is hereby approved for a term extending to December 5, 2011.

10. RESOLUTION TC23-140: Moved by Ms. Mark, seconded by Mr. Pescatore

BE IT RESOLVED, That the reappointment of Dennis Miko, 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 December 3, 2012.

Committee Report: The Rules & Research Committee met on January 4, 2011 and voted unanimously to recommend.

VOTE: RESOLUTION TC23-140 Adopted unanimously.

11. RESOLUTION TC23-141: Moved by Ms. Waizenegger, seconded by Ms. Testani.

BE IT RESOLVED, That the reappointment of Alexandra Remson 2189 Huntington Turnpike as an alternate member of the Board of Finance, be and the same is hereby approved for a term extending to December 2, 2013.

Committee Report: The Rules & Research Committee met on January 4, 2011 and voted unanimously to recommend.

VOTE: RESOLUTION TC23-141 Adopted unanimously 19-0.

12. RESOLUTION TC23-142: Moved by Ms. Deyoe, seconded by Mr. Pescatore.

BE IT RESOLVED, That the reappointment by First Selectman of Dr. Lawrence Dinkes, 99 Meadow View Drive as a member of the Health District-Trumbull /Monroe, be and the same is hereby approved for a term extending to December 2, 2013.

Committee Report: Finance Committee met on January 4, 2011 and voted unanimously to recommend. (Resolution TC23-142 was unanimously moved to the Finance Committee from Rules & Research Committee).

Ms. Thornton stated that the term of this appointment should be March 2013. The Chair stated that there are 6 members there is one term that ends March of various years, the 3-year term of Dr. Dinkes would end March 5, 2013.

Mr. DelVecchio moved, seconded by Mr. Helfrich to amend RESOLUTION TC23-142 to read as, "BE IT RESOLVED, That the reappointment by First Selectman of Dr. Lawrence Dinkes, 99 Meadow View Drive as a member of the Health District-Trumbull /Monroe, be and the same is hereby approved for a term extending to March 5, 2013".

VOTE: Motion carried unanimously.

VOTE: RESOLUTION TC 23-142 Adopted as amended unanimously 19-0.

First Selectman Herbst stated at the last Town Council meeting a bipartisan feasibility committee was requested, this committee will discuss the possibility of sewer regionalization or whether to build a plant. The Chair stated that they are in consultation.

ADJOURNMENT:

Upon motion made by Mr. Helfrich, seconded by Mr. DelVecchio the Trumbull Town Council adjourned by unanimous consent at 10:06 p.m.

Respectfully Submitted,

Margaret D. Mastroni,
Town Council Clerk