

**TOWN OF TRUMBULL
CONNECTICUT**

Town Hall
5866 Main Street
Trumbull, Connecticut 06611



**LEGISLATION & ADMINISTRATION COMMITTEE
JUNE 27, 2016
7:00 pm**

The Chair called the Legislation & Administration Committee to order at 7:00 pm. All present joined in a moment of silence and the Pledge of Allegiance.

The clerk called the roll and recorded as follows:

Present: Chairman Enrico Costantini, Vice-Chairman Jack Testani, Jason Marsh, Thomas Whitmoyer, Edna Colucci (left meeting at 7:50 pm); Joseph Pifko (entered meeting at 8:00 pm)

Absent: Mark Block, Alternate, William Mecca, Alternate

Also Present: Town Council Chairman Carl A. Massaro, Jr.; Rina Bakalar, Economic and Community Development Director; Matthew Caron, Town Council; Lisa Valenti, Town Council; Attorney Vincent Marino; Keith Coppins, Tarpon Towers II, LLC; Kevin Bova (entered meeting at 8:05 pm); Lynn Arnow, Chief of Staff (entered meeting at 8:05 pm)

1. RESOLUTION TC26-69: Moved by Testani, seconded by Whitmoyer
BE IT RESOLVED, That the Town of Trumbull does hereby abandon its interest in and discontinue its public use of portions of Walburn Avenue effective September 1, 2016 and that First Selectman Timothy M. Herbst is authorized to executive all necessary agreements and documents to effect the same.

Amy Souchuns was present and distributed a map of the area. She referred to a letter sent from her office to First Selectman Herbst. Last year they came before the Town Council to ask the town for discontinuance of Lorraine Street and Stuart Place. At that time they did not ask to discontinue Walburn because there was one property currently owned privately. This property is now under their control through contract and will be closing within the next few weeks. The plan is to request the discontinuance so they can complete the process that was envisioned with the Stuart and Lorraine discontinuance. This will allow redevelopment of the property. There still needs to be re-zoning and an eventual plan but this cannot be done until the discontinuance is underway. This basically abandons the town's right and the public's right of way over Walburn. There is no ownership interest for the town.

VOTE: Motion CARRIED unanimously.

2. RESOLUTION TC26-70: Moved by Marsh; seconded by Testani
BE IT RESOLVED, To consider and act upon a resolution which would authorize the First Selectman to sign a lease agreement between Tarpon Towers II, LLC and the Town of Trumbull for town-owned land off Jeffrey Place, more specifically designated by Lat. 41°-15'-5.57", Long. – 73°-11'-35.18".

Attorney Marino addressed the Committee noting the Town Council originally appropriated money for the police radio system upgrade and at that time there were eight locations for upgrades. One area was referred to as Jeffrey's Place. There was going to be a monopole tower for purposes of transmitting to the eight locations. Since that time, conversations were held with a private developer. From the town's perspective this area is part of the overall amendment to the emergency radio and emergency management system upgrade. If we do not enter into a partnership with the private entity, it will be the town's burden to construct the tower. With this lease with Tarpon, the cost of constructing the tower would be theirs, the town will be able to locate its antenna there. The town would also receive non-tax revenues going into the future because we would be sharing in any rents generated by co-locators. This tower will be on town property not parkland property right off Jeffrey Place adjacent to Route 25. It has limited impact to the residential areas.

Attorney Marino distributed a draft lease agreement which was slightly revised. He went back to Tarpon because they wanted the lease to conform more to the lease already approved at the police station. Mr. Marsh questioned the town sharing in revenues from co-locators – this is not mentioned in the document. Land Lease Agreement Paragraph 4 was discussed – tenants pay the owner an annual fee. Discussion of fees was held with regard to the town receiving a share of the rent from co-locators. This statement will be added to the agreement prior to the Council meeting. Height stipulation was discussed. 150' is the designated height at this time; PD is 143'. This is generally not in the lease but the town could limit the height as the landlord. This is regulated at the citing council level. If height is a problem and the town limits it, it may be a problem for the project entity and they could withdraw. The town would be responsible for the pole. 150' accommodates all carriers above the tree heights. It was noted the secondary source the police rely upon is Verizon. This location is a problem for them and Verizon is a potential co-locator. There was a positive recommendation out of zoning. There was also a positive recommendation on the abandonment request. There was no public comment at zoning on this tower.

Mr. Massaro asked if the town's equipment for EMS and dispatching has been engineered for this site and this pole. Eric Fine has been working on this project. It was decided to go with a monopole in this location so that the town is in control of the project. In that way there are no problems should properties change hands.

Mr. Testani recommended that the resolution be amended to reflect the change of the co-locators being added. Mr. Costantini noted they would not put something that specific in the resolution. Discussion.

MOVED by Marsh; seconded by Testani
Amend Resolution TC26-70 to consider and act on a resolution which would authorize the First Selectman to sign a lease agreement therefore attached hereto between Tarpon Towers II, LLC and the Town of Trumbull for town-owned land off Jeffrey Place, more specifically designated by Lat. 41°-15'-5.57", Long. – 73°-11'-35.18"
VOTE: Motion CARRIED unanimously.

MOVED by Colucci; seconded by Testani
MOVED to have the resolution include the co-locator language as part of the lease with regard to rent sharing.
VOTE: Motion CARRIED unanimously.

VOTE on Resolution TC26-70 as Amended. Motion CARRIED unanimously.

Motion by Colucci, seconded by Testani for a recess at 7:27 pm. Recess ended at 8:01 pm.

3. MOVED by Whitmoyer; seconded by Testani
RESOLUTION TC26-71, BE IT RESOLVED, That _____ is hereby approved as the architect for the Trumbull Community Center project as recommended by the Trumbull Community Center Study and Building Committee.

Mr. Pifko reviewed the process of the committee noting a RFQ was done and they received twelve submissions. These were evaluated and narrowed down to four. These four firms were interviewed. The committee agreed by unanimous vote that QuisenberryArcari would be architect for the project. He gave a brief overview of their qualifications and accomplishments. They received positive comments from references. The committee is asking approval from L&A and Town Council to go into negotiations. This is a qualifications based decision only. If approved, the Purchasing Director would discuss a contract with them for the next phase. Engineering portions are subcontracted. Square footage and parking was discussed briefly.

Mr. Marsh noted the RFQ has been done and the architect has been chosen but pricing is unknown. How is there a check and balance on this to proceed wisely? Mr. Pifko noted that with a contract, the architect will disclose his fees and the town will negotiate those prices. There is no competitive bidding. The committee was advised that going through qualifications first was the best way. Pricing is dependent on design, materials used, etc. Mr. Bova noted there is a budget for architectural services. If they are agreed upon, the town will enter into negotiations for drawings. The architect will be given the scope of work and potential locations. If all is approved, the architect could move forward and be the GM or it could be bid out.

MOVED by Testani; seconded by Whitmoyer
MOVED to amend Resolution TC26-71 to add QuisenberryArcari Architects, LLC.
VOTE: Motion CARRIED unanimously.

There being no further business to discuss and upon motion made by Testani, seconded by Whitmoyer, the L&A Committee adjourned by unanimous consent at 8:25 pm.

Respectfully submitted,



Barbara Crandall
Clerk

