

TOWN COUNCIL
Town of Trumbull
CONNECTICUT
www.trumbull-ct.gov

TOWN HALL
Trumbull (203) 452-5000

TELEPHONE



LEGISLATION & ADMINISTRATION COMMITTEE
MINUTES
FEBRUARY 22, 2021

CALL TO ORDER: The Chair called the meeting to order at 7:02 p.m. All present joined in the Pledge of Allegiance.

ROLL CALL:

The clerk called the roll and recorded it as follows:

PRESENT: Chairman Jason Marsh, Vice Chairman Thomas Whitmoyer, Eric Paulson, Joy Colon, Steve Lemoine, Nicole Satin, Alternate, Tony Scinto, Alternate (Voting)

ABSENT: Carl Massaro

ALSO PRESENT: First Selectman Vicki A. Tesoro, Chief Administrative Officer Cynthia Katske, Town Attorney Daniel Schopick, Town Council Chairman Dawn Cantafio, Town Council members Ashley Gaudiano, Patricia Borghesan, Mary Isaac, Kevin Shively, Lori Rosasco-Schwartz, Joanne Glasser-Orenstein, Finance Director Maria Pires, Bond Counsel Joseph Fasi, Public Works Director George Estrada, Economic & Development Director Rina Bakalar, Town Engineer William Maurer, BOE Facilities Committee member Scott Kerr, BOE Facilities Manager John Morello, BOE Roof Consultant Steve Botelho, Parks Superintendent Dmitri Paris, Public Works Comptroller Dayanara Aviles, Fleet Maintenance Director Doug Bogen

-
1. RESOLUTION TC28-148: Moved by Whitmoyer, seconded by Paulson
BE IT RESOLVED, That the Middlebrook Elementary School Roof Building Committee is hereby formed to plan and oversee the roof replacement and related improvements; BE

IT FURTHER RESOLVED, That the membership of the Middlebrook Elementary School Roof Building Committee shall consist of two (2) Town Council members, provided that such members shall not be from the same political party, one (1) Board of Education member and four (4) residents of the Town of Trumbull.

Town Attorney Schopick explained the last roof project was Jane Ryan School in 2008. More recently, there had been a school windows project. Both projects were building committees. State reimbursement requires a building committee. Mr. Morello indicated he believes approximately four (4) summers ago, the Hillcrest Middle School roof project was completed without a building committee. The Chair indicated building committees have become more accepted practices over time they add to transparency and ensures the Council and the town side understand what is going on with the project.

VOTE: Motion CARRIED by unanimous consent.

2. RESOLUTION TC28-149: Moved by Paulson, seconded by Whitmoyer
BE IT RESOLVED, That Patricia Borghesan of 11 Scattergood Circle, be and the same is hereby appointed as a Town Council representative for the Middlebrook Elementary School Roof Building Committee and is further appointed Vice-Chairman of said committee.

Ms. Borghesan of 11 Scattergood Circle was present and indicated her party affiliation as democrat. She considers serving the Town an honor and looks forward to serving.

Town Attorney Schopick requested noting in the minutes Resolution TC28-148 should be passed as emergency legislation. All of the appointments will be effective upon publication on the website, the committee could start their business sooner if the resolution is passed as emergency legislation.

VOTE: Motion CARRIED by unanimous consent.

3. RESOLUTION TC28-150: Moved by Colon, seconded by Lemoine
BE IT RESOLVED, That Tony Scinto of 32 Lindberg Drive, be and the same is hereby appointed as a Town Council representative for the Middlebrook Elementary School Roof Building Committee.

Tony Scinto of 32 Lindberg was present and indicated he served on the High School Building Committee in 2005 and is willing to serve on this committee.

VOTE: Motion CARRIED by unanimous consent.

4. RESOLUTION TC28-151: Moved by Lemoine, seconded by Whitmoyer
BE IT RESOLVED, That Michael Ward of 38 Pemberton Drive, be and the same is hereby appointed as a member of the Middlebrook Elementary School Roof Building Committee.

Mr. Michael Ward of 38 Pemberton Drive was present and indicated he is a Board of Education member and his party affiliation as democrat. Mr. Ward had served on the Middlebrook Window Building Committee and the Jane Ryan and Booth Hill windows committee.

Moved by Paulson, seconded by Whitmoyer to strike the word member and add the phrase "Board of Education representative".

VOTE: Motion CARRIED by unanimous consent.

VOTE: Motion CARRIED as amended by unanimous consent.

5. RESOLUTION TC28-152: Moved by Scinto, seconded by Colon
BE IT RESOLVED, That Vincent DeGennaro of 91 Deer Run Drive, be and the same is hereby appointed as a member of the Middlebrook Elementary School Roof Building Committee and is further appointed Chairman of said committee.

Mr. Vincent DeGennaro of 91 Deer Run Drive was present. He noted for the record he is a BOF member and his party affiliation as unaffiliated, he is willing and happy to serve.

VOTE: Motion CARRIED by unanimous consent.

6. RESOLUTION TC28-153: Moved by Paulson, seconded by Colon
BE IT RESOLVED, That Robert Christiani of 10 Sciortino Road, be and the same is hereby appointed as a member of the Middlebrook Elementary School Roof Building Committee.

Mr. Robert Christiani of 10 Sciortino Road was present and indicated his party affiliation as unaffiliated. It is his honor to serve. His family has been involved in construction and he has volunteered in town before, this would be another opportunity to give his services and time to the town.

VOTE: Motion CARRIED by unanimous consent.

7. RESOLUTION TC28-154: Moved by Whitmoyer, seconded by Colon
BE IT RESOLVED, That Steven Cahill of 136 Canoe Brook Road, be and the same is hereby appointed as a member of the Middlebrook Elementary School Roof Building Committee.

Steven Cahill of 136 Canoe Brook Road was present and indicated his party affiliation as democrat. He has a general contracting firm for the state of CT and is looking forward to serve.

Town Attorney Schopick explained the legislature passed last year a bill requiring a school building committee include a member with construction background. Mr. Cahill fulfils the requirement. Town Attorney confirmed Mr. Cahill being a contractor for the state has no bearing on his appointment.

VOTE: Motion CARRIED by unanimous consent.

8. RESOLUTION TC28-155: Moved by Colon, seconded by Whitmoyer
BE IT RESOLVED, That Mark Hoffman of 37 Chalon Road, be and the same is hereby appointed as a member of the Middlebrook Elementary School Roof Building Committee.

Mr. Mark Hoffman of 37 Chalon Road was present and indicated his party affiliation as independent. He was a builder for 25 years, and a project manager for a carpentry division. He was a custodial supervisor with the town for a short time; he is very familiar with the roof. He has been on the Middlebrook roof a few times with John Morello

VOTE: Motion CARRIED by unanimous consent

9. RESOLUTION TC28-156: Moved by Lemoine, seconded by Colon
BE IT RESOLVED, That the Town of Trumbull is hereby authorized to obtain easements along the following properties in furtherance of the Long Hill Green Improvement Project, either by purchase, or if purchase is not possible, then by eminent domain. The properties affected are as follows:

6523 Main Street

6527 Main Street

6537 Main Street

Trumbull Ridge Condominiums

Main Street Parcel D04-00260

The sum of \$45,000 is authorized for the acquisition of these easements. The town expresses its official intent to reimburse with proceeds of the land acquisition bond authorization funds advance from other sources for the acquisition herein authorized.

Ms. Bakalar indicated:

- The \$45,000 covers the appraisals and extra costs associated with the easement process. Easements are to be negotiated over the next month. The goal is construction in 2021, weather permitting.
- All property owners have received correspondence through the town attorney. There has been on-going discussions with the Berkshire Hathaway property owner because his property is most affected. The veterinarian's property has already signed off on the easement.
- There are multiple projects underway for the improvement of the Long Hill Green district; one is the installation of sidewalk connections. The town has received a \$400,000 grant from the state DOT and currently in design. Those sidewalks will start at the corner of Gisella to where the sidewalk currently ends on Whitney and Main Street along Governor's Ridge condominiums and then to the veterinarian property and Berkshire Hathaway properties.

- The sidewalk installation requires both construction and permanent installation of sidewalks easements.
- For the traffic light installation project, DOT required the driveways' curb cuts in front of the Berkshire Hathaway be consolidated and realigned. This requires both short and long-term easements.
- Overall, they are improving the safety of vehicular, pedestrian and bicycle traffic and connections throughout the area.
- Mr. Maurer confirmed a cross at the signal would be installed.

The Chair explained when easements are required owners of the property negotiate with the town and are paid fair market value for the strip of land, if the property owner and the town are not able to reach an agreement, the town may take the property but must compensate the property owner at the fair market value. Either way the property owner receives fair market value.

- Ms. Bakalar indicated the town attorney is currently involved in negotiations and one of the four (4) property owners has already signed off. She had not heard as of yet that a property owner wasn't willing to negotiate.
- Mr. Scinto noted he is not a fan of the words eminent domain and voiced concern if an owner is not willing to negotiate how that would affect the project and referenced eminent domain state statute for the Tellalian Building in 2005. Attorney Schopick explained eminent domain could only be used for public purposes. The reason the language was included was not that it is their first choice but wanted the authorization in place in case it is necessary. No property owner can stop the whole project, when eminent domain is invoked the taking is initiated in court, (what is determined to be fair market value of the easement is deposited with the court), the town immediately owns the property. If there is a dispute over the value of the taking that can be disputed and the property owner is given their day in court.
- Ms. Bakalar explained the funds for the easements were being authorized by this resolution. Attorney Schopick stated there are more than three properties included in the resolution. The back up with the agenda included the anticipated costs. They may not need to use all of the \$45,000. The intention of the resolution is to authorize the Town to use money from the general fund but ultimately paid by land acquisition funds already bonded.

The Chair stated the improvements are welcomed and will make the Long Hill Green area friendlier to pedestrians and commuters.

The clerk called the roll call vote and recorded it as follows:

	AYE	NAY	ABSTAIN
Jason Marsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thomas Whitmoyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eric Paulson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joy Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Lemoine	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tony Scinto, Alt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VOTE: Motion CARRIED 3-1-1 (AGAINST: Scinto) (ABSTENTION: Lemoine)

ADJOURNMENT: There being no further business to discuss and upon motion made by Paulson, seconded by Whitmoyer the L&A Committee adjourned by unanimous consent at 7:36 p.m.

Respectfully Submitted,

Margaret D. Mastroni
Town Council Clerk