

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

TOWN HALL
Trumbull

TELEPHONE
(203) 452-5000



AGENDA No. 759

- I CALL TO ORDER
- II MOMENT OF SILENCE
- III PLEDGE OF ALLEGIANCE
- IV ROLL CALL
- V PUBLIC COMMENT
- VI APPROVAL OF MINUTES
- VII NEW BUSINESS

DATE: AUGUST 1, 2016
TIME: 8:00 p.m.
PLACE: Town Hall

NOTICE is hereby given that the Town Council of the Town of Trumbull, Connecticut will hold a regular meeting on August 1, 2016 at 8:00 p.m. at the Town Hall, for the following purpose:

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1. RESOLUTION TC26-71: To consider and act upon a resolution which would amend RESOLUTION TC26-28, the Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp dated May 27, 2016. (Finance)
 2. RESOLUTION TC26-72: To consider and act upon a resolution which would empower Timothy M. Herbst, First Selectman to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for a Historic Preservation Grant. (L&A)
 3. RESOLUTION TC26-73: To consider and act upon a resolution which would approve the Purchase and Sale Agreement for the Town of Trumbull to acquire real property known as 93 Church Hill Road and First Selectman, Timothy M. Herbst, is hereby authorized to execute said agreement and any and all documents necessary to close title to said property. (L&A) *(Public Hearing August 1, 2016 Town Council)*
 4. RESOLUTION TC26-74: To consider and act upon a resolution which would approve the Purchase and Sale Agreement for the Town of Trumbull to acquire real property known as 85 Church Hill Road and First Selectman, Timothy M. Herbst, is hereby authorized to execute said agreement and any and all documents necessary to close title to said property. (L&A) *(Public Hearing August 1, 2016 Town Council)*

5. RESOLUTION TC26-75: To consider and act upon a resolution which would approve the Purchase and Sale Agreement for the Town of Trumbull to acquire real property known as 77 Church Hill Road and First Selectman, Timothy M. Herbst, is hereby authorized to execute said agreement and any and all documents necessary to close title to said property. (L&A) *(Public Hearing August 1, 2016 Town Council)*
6. RESOLUTION TC26-76: To consider and act upon a resolution which would approve the Purchase and Sale Agreement for the Town of Trumbull to acquire real property known as 2 South Edgewood Avenue and First Selectman, Timothy M. Herbst is hereby authorized to execute said agreement and any and all documents necessary to close title to said property. (L&A) *(Public Hearing August 1, 2016 Town Council)*
7. RESOLUTION TC26-77: To consider and act upon a resolution which would authorize the Town of Trumbull to conduct a survey of all residents to determine the need for a new Senior Center that may also serve as a Community Center and may also include a pool. (L&A)
8. RESOLUTION TC26-78: To consider and act upon a resolution which would add a question to the ballot for the General election on November 8, 2016 regarding the Senior/Community Center. (L&A)

VIII ADJOURNMENT

COPY OF THE RESOLUTION ATTACHED HERETO

Carl A. Massaro, Jr., Chairman Trumbull Town Council

RESOLUTIONS

1. RESOLUTION TC26-71: BE IT RESOLVED, That RESOLUTION TC26-28, the Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp dated May 27, 2016 is hereby amended. (Full Resolution Attached).
2. RESOLUTION TC26-72: BE IT RESOLVED, Timothy M. Herbst, First Selectman is hereby empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for a Historic Preservation Grant.
3. RESOLUTION TC26-73: BE IT RESOLVED, The Purchase and Sale Agreement for the Town of Trumbull to acquire real property known as 93 Church Hill Road is hereby approved and the First Selectman, Timothy M. Herbst, is authorized to execute said agreement and any and all documents necessary to close title to said property.
4. RESOLUTION TC26-74: BE IT RESOLVED, The Purchase and Sale Agreement for the Town of Trumbull to acquire real property known as 85 Church Hill Road is hereby approved and First Selectman, Timothy M. Herbst, is authorized to execute said agreement and any and all documents necessary to close title to said property.
5. RESOLUTION TC26-75: BE IT RESOLVED, The Purchase and Sale Agreement for the Town of Trumbull to acquire real property known as 77 Church Hill Road is hereby approved and First Selectman, Timothy M. Herbst, is authorized to execute said agreement and any and all documents necessary to close title to said property.
6. RESOLUTION TC26-76: BE IT RESOLVED, The Purchase and Sale Agreement for the Town of Trumbull to acquire real property known as 2 South Edgewood Avenue is hereby approved and First Selectman, Timothy M. Herbst, is authorized to execute said agreement and any and all documents necessary to close title to said property.
7. RESOLUTION TC26-77: BE IT RESOLVED, That the Town of Trumbull is hereby authorized to conduct a survey of all residents to determine the need for a new Senior Center that may also serve as a Community Center and may also include a pool. This survey will be created and executed by an independent consultant and said survey shall be conducted before any funds are disbursed for the design and construction of said Center.
8. RESOLUTION TC26-78: BE IT RESOLVED, The following question be placed on the ballot for the General election on November 8, 2016:
Do you agree that the Town shall build a new Senior Center/Community Center, shall purchase land as necessary to build said center, shall allow the designated architectural firm to determine scope and design before town residents are surveyed by a professional independent consultant to determine if said center is the will of the people of Trumbull?

FULL RESOLUTION TC26-71

Form of Authorizing Resolution:

A RESOLUTION OF THE TOWN COUNCIL OF TRUMBULL, CONNECTICUT AUTHORIZING (i) THE EXECUTION AND DELIVERY OF AN AMENDMENT TO A CERTAIN EQUIPMENT LEASE/PURCHASE AGREEMENT DATED MAY 27, 2016 WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN RENOVATIONS AND ENERGY EFFICIENCY IMPROVEMENTS; (ii) THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND (iii) AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION.

WHEREAS, on or about May 27, 2016, the Town of Trumbull ("Lessee") entered into an Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp. ("Lessor") in the amount of \$4,130,000 (the "Agreement") for certain renovations and energy efficiency improvements to various public schools, including, without limitation, for the replacement of the existing roof at Hillcrest Middle School ("Hillcrest"); and

WHEREAS, the cost to replace the roof at Hillcrest is less than was expected and budgeted and up to \$580,000 of funding pursuant to the Agreement is now available to Lessee for other purposes; and

WHEREAS, the Board of Education of the Town of Trumbull has a long-term plan for additional energy efficiency improvements to the Tashua Elementary School at 401 Stonehouse Road ("Tashua"), the Middlebrook Elementary School at 220 Middlebrooks Avenue ("Middlebrook") and the Daniels Farm Elementary School at 710 Daniels Farm Road ("Daniels Farm") for the 2017-2018 fiscal year, including, but not limited to, replacing existing interior and exterior lighting with more efficient LED lighting; and

WHEREAS, Lessor is willing to amend the Agreement to permit Lessee to use up to \$580,000 of the existing \$4,130,000 of funding for the purpose of replacing the existing incandescent and florescent lighting at Tashua, Middlebrook and Daniels Farm with LED lighting; and

WHEREAS, the Town Council deems it for the benefit of the Town and for the cost-efficient and effective education of its students by the Board of Education of the Town of Trumbull to accelerate the replacement of existing lighting at Tashua, Middlebrook and Daniels Farm by amending the Amendment for the purpose of expending up to \$580,000 for the aforesaid LED lighting improvements to Tashua, Middlebrook and Daniels Farm.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Town Council as follows:

Section 1. Approval of Documents. The Town Director of Finance or its designee is hereby authorized and directed to execute an amendment to the Agreement and any related Exhibits attached thereto, for the purpose of using up to \$580,000 from the Agreement for the aforesaid purposes at Tashua, Middlebrook and Daniels Farm and to deliver said amendment to the Agreement (including such Exhibits) to the respective parties thereto, and the Town Director of Finance or its designee is hereby authorized to affix the seal of the Lessee to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Lessee shall take all action necessary or reasonably required by the parties to said amendment to the Agreement to carry out, give effect to and consummate the transactions contemplated by said amendment (including the execution and delivery of Acceptance Certificates and any tax certificate and agreement, as contemplated in the Agreement, as hereby amended) and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required in connection with the amendment of the Agreement as aforesaid.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement as, hereby amended, nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, as hereby amended, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreement are special limited obligations of the Lessee as provided in the Agreement, as hereby amended.

Section 4. Appointment of Authorized Lessee Representatives. The Town Director of Finance or its designee are each hereby designated to act as authorized representatives of the Lessee for purposes of said amendment to the Agreement until such time as the governing body of the Lessee shall designate any other or different authorized representative for said purposes.

Section 5. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Repealer. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 7. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

Maria Pires

From: O'Keefe, Sean <OKeefeS@trumbullps.org>
Sent: Tuesday, June 28, 2016 4:13 PM
To: Maria Pires
Cc: Gary Cialfi; Mark Deming; Chory, Loretta; Elaine Hammers; Carl Massaro; Paul Lavoie; Suzanne Testani
Subject: Chart for BOF Mtg on July 14
Attachments: Request to Utilize Excess 2016-17 Performance Contracting Funds June 28 2016.pptx

Maria, as requested, attached is the chart for the July 14 BOF Mtg that addresses the BOE's request to utilize projected excess funds (up to \$580,000) from the already approved 2016-17 Performance Contracting Lease proceeds (Banc of America). The BOE has already approved (on June 27) utilizing the \$580K to "pull in" and fund the LED lighting portions of the three remaining HVAC projects planned for 2017-18 and 2018-19. The projected excess funds are a result of the recent bid process for the Hillcrest Roof Project. The vendor awarded the project was \$580K lower than the original plan estimate. The funding is already in place and Banc of America requires appropriate resolutions to reflect the change in what is being financed.

Pls let me know of any questions.

Sean W. O'Keefe
Business Administrator
Trumbull Board of Education
Tel: (203) 452-4332
Fax: (203) 452-4327
Email: okeefes@trumbullps.org

Trumbull Board of Education - Performance Contracting Projects

Request approval to utilize projected excess funds (Banc of America Lease) in 2016-17 Performance Contracting Projects to "pull in" LED Lighting portion of 2017-18 and 2018-19 HVAC projects

Amount up to \$580,000

	<u>2016-17 Approved</u>	<u>2016-17 Projected</u>	<u>Savings</u>	<u>2017-18 Planned</u>	<u>2018-19 Planned</u>
Hillcrest Roof Replacement	\$1,620,000	\$1,040,000	\$580,000		
Madison MS HVAC Project	\$1,310,000	\$1,310,000	\$0		
Jane Ryan ES HVAC Project	\$600,000	\$600,000	\$0		
Booth hill ES HVAC Project	\$600,000	\$600,000	\$0		
Daniels Farm ES HVAC Project	\$0	\$0	\$0	\$775,000	
Tashua ES HVAC Project	\$0	\$0	\$0	\$640,000	
Middlebrook ES HVAC Project	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$845,000</u>
Total	\$4,130,000	\$3,550,000	\$580,000	\$1,415,000	\$845,000

Impact to 2016-17 reqts if approved \$0

Reduction to 2017-18 and 2018-19 reqts if approved (\$580,000)

Revised

PERFORMANCE CONTRACTING

			CY 2017	CY 2018	CY 2019	CY 2020	CY 2021
			Capital Plan	Capital Plan	Capital Plan	Capital Plan	Capital Plan
<u>BUILDING</u>	<u>CATEGORY</u>	<u>DESCRIPTION</u>					
Hilcrest Middle School	Roofing	Roof Replacement/Chimney Removal (Performance Contract Work)*	-	-	-	-	-
Total Hilcrest Middle School:			-	-	-	-	-
Madison Middle School	HVAC	Boiler/BAD/Lighting (Performance Contract Work)*	-	-	-	-	-
Total Madison Middle School:			-	-	-	-	-
Middlebrook Elementary	HVAC	Boiler/BAS/Lighting (Performance Contract Work)*		845,000			
Total Middlebrook Elementary:				845,000	-	-	-
Daniels Farm Elementary	HVAC	Boiler/BAS/Lighting (Performance Contract Work)*	775,000	-	-	-	-
Total Daniels Farm Elementary:			775,000	-	-	-	-
Jane Ryan Elementary	HVAC	Boiler/BAD/Lighting (Performance Contract Work)*	-	-	-	-	-
Total Jane Ryan Elementary:			-	-	-	-	-
Booth Hill Elementary	HVAC	Boiler/BAS/Lighting (Performance Contract Work)*	-	-	-	-	-
Total Booth Hill Elementary:			-	-	-	-	-
Tashua Elementary	HVAC	Boiler/BAD/Lighting (Performance Contract Work)*	640,000	-	-	-	-
Total Tashua Elementary:			640,000	-	-	-	-
TOTAL BOARD OF EDUCATION:			1,415,000	845,000	-	-	-

TRUMBULL PUBLIC SCHOOLS
TRUMBULL, CONNECTICUT
Regular Meeting – Monday, June 27, 2016
Trumbull High School Auditorium

The Trumbull Board of Education convened in the Long Hill Administration Building for a Regular Meeting.

Members present:

L. Chory, Chairman
S. Testani, Vice Chairman
L. Timpanelli, Secretary
J. Donofrio, Board Member
P. Lavoie, Board Member
M. Petitti, Board Member
M. Ward, Board Member

Agenda Item I—Call to Order

The meeting was called to order at 7:00 p.m.

Agenda Item II—Preliminary Business

- A. Salute to the Flag - The Public Session began with a salute to the Flag.
- B. Correspondence – Secretary Timpanelli reported there was no correspondence.
- C. Public Comments – Kathleen Fearon of 38 Sherman Avenue offered her services to the Board to assist in researching the possibility of a later start time at THS. Mrs. Chory stated that the Curriculum Committee is in the process of conducting research and will report back to the Board with their findings by the September 2016 meeting.
- D. Board Chairman Report – Mrs. Chory commented on the beautiful ceremony held at THS for graduation and wished all the graduates success in their future endeavors.
- E. Superintendent Report – Dr. Cialfi reported on the grant award from Frontier Communications that will be used to support the THS Business Department’s curriculum and learning activities that will strengthen communication and creative/critical thinking skills. The interviewing process is underway for the Madison Middle School Assistant Principal position with the goal of presenting finalists to the Board by July 12, 2016.

Agenda Item III—Reports/Action Items

A. Personnel

Dr. Cialfi reported that there are seven resignations:

Akers, Sarah; school psychologist at Madison Middle School since December 2015, resigning effective June 30, 2016.

Lindsay Armstrong; grade 1 at Booth Hill Elementary School since August 2005, resigning effective June 30, 2016.

Marianna Beck; special education teacher at Trumbull High School since February 2016, resigning effective June 30, 2016.

Christina Fulco; social studies teacher (.60) at Hillcrest Middle School since August 2014, resigning effective June 30, 2016.

Kristina Nave; special education teacher at Trumbull High School since August 2014, resigning effective June 30, 2016.

Kristen O'Connell-Rubin; business teacher at Trumbull High School since August 2008, resigning effective June 30, 2016.

Kristina Vaios; guidance counselor at Trumbull High School since August 2013, resigning effective June 30, 2016.

It was moved (Testani) and seconded (Lavoie) to accept the resignations as presented. Vote: Unanimous in favor.

Also, there was one request for leave of absence that needs Board approval. Elisa Esteves, (.5) teacher at TECEC since August 2011, is requesting a personal leave of absence without pay for the 2016-2017 school year. This request complies with the Trumbull Board of Education policy 4150, Leave of Absence. It was moved (Testani) and seconded (Timpanelli) to accept the request for leave of absence as presented. Vote: Unanimous in favor.

B. Approval/Minutes – Regular Meeting, 6/7/2016

It was moved (Timpanelli) and seconded (Ward) to approve the minutes of the June 7, 2016 Regular Board of Education meeting as presented. Vote: 6 in favor, 1 abstain (Donofrio)
Motion passes.

C. Finance Committee Report –

1. Approval/Capital Improvement Plan –Facilities Director Mark Deming presented the Five Year Capital Improvement Plan (2017-2021) which needs BOE approval before going to the Board of Finance and Town Council. A discussion ensued. It was moved (Ward) and seconded (Lavoie) to approve the Capital Improvement Plan (including the Performance Contracting portion) as presented. Vote: Unanimous in favor.

2. Approval/Performance Based Contracting Update - Facilities Director Mark Deming gave an update on the Hillcrest Roof Project and advised that the bid process resulted in a projected savings of approximately\$580,000. Mr. Deming recommended and requested approval from the BOE to utilize these funds to “pull in” LED lighting for other performance contracting projects scheduled for 2017-18 and 2018-19. A discussion ensued.

3. At this time, it was moved (Lavoie) and seconded (Donofrio) to allow Business Administrator, Sean O'Keefe to move forward with the lease financing for the 2017-18 Performance Contracting Plan as presented earlier. Vote: Unanimous in favor.
4. Approval/Middlebrook Windows Building Project - Facilities Director Mark Deming stated that in order to receive reimbursement from the State of Connecticut Department of Education, the Board of Education is asked to approve the Middlebrook Windows Building Project as complete. It was moved (Lavoie) and seconded (Testani) to approve the Middlebrook Windows Building Project as complete as presented. Vote: Unanimous in favor.

At this time, it was moved (Lavoie) and seconded (Testani) to approve the acceleration of the lighting projects at several Trumbull schools using the \$580,000 in potential savings from the Hillcrest roofing project in this year's performance contract. Vote: Unanimous in favor.

5. Approval of 2016-2017 BOE Budget – Dr. Cialfi and Business Administrator Sean O'Keefe discussed the need to reconcile the difference between the Superintendent's Request of \$100,310,295 (3.18%) to the level approved by the Town Council of \$98,933,178 (1.77%) which represents a net reduction of \$1,377,117. It was moved (Donofrio) and seconded (Ward) to approve this reconciliation as presented above. Vote: Unanimous in favor.

At this time, Secretary Timpanelli would like it to be noted for the record: "As I see it, if it states on the screen on March 21 the final gap was \$1.3M, then why would we need to notify 80 teachers? It is our responsibility to protect our people and we did not do that in this process. In the future, we need to carefully assess how to proceed with the least amount of disruption to our district. It is also important to note our district would be decimated with a cut of that magnitude."

6. Approval/Financial Reports/Minutes as of 5/31/2016 – Mr. O'Keefe reported that the Finance Committee met on June 21, 2016 to review the Financial Reports through May 31, 2016. The year-end projection was discussed as well as the recommendation to "pull in" the Tashua HVAC project to the 2016 Summer Performance Contracting work, the 2017 Capital Plan, the Middlebrook Windows Project Acceptance and the recommendation of actions to close the approved 2016-2017 budget. There were no budget transfers during this period. It was moved (Lavoie) and seconded (Testani) to approve the financial reports through May 31, 2016 as presented. Vote: Unanimous in favor.

D. Policy Committee

Policies, Second Readings – Dr. Budd presented the following policies for second readings:

1. Service Animals – Policy Code 6163.32 – Dr. Budd presented this proposed new policy which was brought to the Board on the May 3, 2016 meeting for a first reading and is designed so that the Trumbull Public Schools will have a clear, transparent policy on service animals in schools to comply with Americans with Disabilities Act (ADA) requirements and related state statutes. The language of this policy is based on the Connecticut Association of Boards of Education (CABE) guidelines. It was moved (Testani) and seconded (Timpanelli) to accept this policy as presented. Vote: Unanimous in favor.

2. Student Wellness – Policy Code 6142.101 – Dr. Budd presented this proposed policy which was brought to the Board on the May 3, 2016 meeting for a first reading and that has been revised to conform to requirements of the Healthy, Hunger-Free Kids Act of 2010 in relation to both nutrition and physical activity. The language of this proposed policy implements the suggestions of the Connecticut Association of Boards of Education (CABE) guidelines. It was moved (Donofrio) and seconded (Testani) to accept this policy as presented. Vote: Unanimous in favor.
 3. Drug and Alcohol Testing for School Bus Drivers – Policy Code 4212.42 - Dr. Budd presented this proposed policy which was brought to the Board on the May 3, 2016 meeting for a first reading and is required based on OTETA (the Omnibus Transportation Employee Testing Act of 1991) and applicable to state statutes. The language of this proposed policy follows the federal requirements exactly. It was moved (Ward) and seconded (Timpanelli) to accept this policy as presented. Vote: Unanimous in favor.
 4. Educational Research and Surveys of Students – Policy Code 6162.51 - Dr. Budd presented this new proposed policy which was brought to the Board on the May 3, 2016 meeting for a first reading and conforms to federal legislation dealing with student privacy and implications for educational research. The language of this proposed policy is based on Connecticut Association of Boards of Education (CABE) guidelines. It was moved (Timpanelli) and seconded (Testani) to accept this policy as presented. Vote: Unanimous in favor.
- E. Approval/Results of Impact Bargaining between Trumbull Public Schools and Trumbull Administrative Support Services (TASS) Union - Dr. McGrath presented the summary representing the September 2015 vote of the Pupil Services Clerks to affiliate with the Trumbull Administrative Support Services (TASS) union. As a result, impact bargaining occurred and a tentative agreement was reached for the 2015-2016 school year. Currently the full TASS contract is being negotiated. The Pupil Services Clerks will be incorporated into the successor contract. It was moved (Ward) and seconded (Petitti) to approve the Pupil Services Clerks agreement as presented above. Vote: Unanimous in favor.

Adjournment

Board Members gave unanimous consent to adjourn the Public Session at 8:25 p.m.