

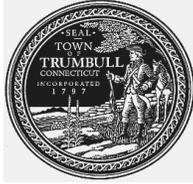
Town of Trumbull

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TOWN HALL
Trumbull

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MINUTES MARCH 5, 2012

CALL TO ORDER: Chairman Carl A. Massaro, Jr. called the regular meeting to order at 8:11 p.m. at the Trumbull Town Hall. All present joined in a moment of silence and the Pledge of Allegiance. The Chair asked all those present to remember the victims of the Chardon, Ohio High School shooting and the victims of the tornado in Alabama, Indiana and Tennessee.

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

PRESENT

Suzanne S. Testani	Jane Deyoe	Vicki Tesoro
David R. Pia	Ann Marie Evangelista	James Blose
Jeff S. Jenkins	Michael J. London	Kristy Waizenegger
Chadwick Ciocci	Carl A. Massaro, Jr.	John A. DelVecchio, Jr.
James F. Meisner	Tony J. Scinto	Debra A. Lamberti
Jeffrey Donofrio	Mark LeClair	Martha A. Jankovic-Mark
Gregg Basbagill	Fred Palmieri, Jr.	Thomas Whitmoyer

Also Present: First Selectman Timothy M. Herbst, Mr. Daniel Nelson, Chief of Staff and Ms. Maria Pires, Director of Finance.

Discussion Item

Trumbull High School Building Committee Update:

The Chair noted that there was no one present from the Building Committee present at this meeting. The Education Committee met on February 27, 2012 with the Building Committee professionals. A discussion took place with regard to the status of the construction, a summary of the costs to date, the projected costs to finish along with a list of items to be considered to be added to the project were distributed and reviewed.

Mr. Ciocci summarized the Education Committee 02-27-12 Trumbull High School Building Committee discussion as follows:

Mr. Barbarotta as well as several professionals from the Trumbull High School Building Committee were present. Mr. Barbarotta distributed the *Trumbull High School Renovation Cost Summary Data Report* dated 2-22-2012 and the *Possible Additional Scope Additions* spread sheet to the committee.

Mr. A. Barbarotta gave an overview of the project as follows:

- Project started with a \$73 million Budget including a swimming pool.
- The pool with the cost of \$5 million was removed, bringing the project's scope to \$68 million.
- The Town and professionals reviewed the scope of the project, the project was projected out at \$64 million; subsequently the Town Council reduced the project by \$4 million.

Mr. Ciocci explained that a set of additional scope proposals was distributed at the meeting. The cost of those items is approximately \$4 million; however there is \$4 million in contingencies through various accounts.

Mr. A. Barbarotta reviewed the *Trumbull High School Renovation Cost Summary Data Report* in detail with the committee:

- The CM Contingency Remaining - \$2,703,663
- Variance = Current Owner Contingency at \$2,250,998
- Represented in the report are estimated and approved change orders (also reflected on the Possible Additional Scope Additions Report).
- The contingencies do not exceed the \$4,149,749 variance. The funds have not been spent to date; decisions will have to be made.

Mr. Ciocchi stated that there was some discussion on the B-Wing, the Media Room, the air conditioning, whether or not to seek out short term air conditioning or whether they should save the money, in the end saving several hundred thousand dollars. There were other items discussed that could be found in the Education Committee minutes (available to the public). (End of summary).

Mr. Meisner who serves as the Town Council representative of the Building Committee stated that there is \$4 million left in contingencies but it is felt that those funds are necessary to meet the unexpected issues that come up in the course of construction. The additional scope items do go beyond the plan approved by the Town Council. The Building Committee believes that the Town Council should be included in the process and act on the additional scope items. The Building Committee hopes to come before the council at the next regular meeting. Time is becoming critical as the high school is nearing completion; the largest item to consider is the paving and landscaping of the parking lot.

The Chair stated that is where the discussion had left off in committee, most likely the Building Committee will be back to the Town Council no later than the May meeting, if not the April meeting.

Ms. Tesoro stated that there should be further discussion with the Building Committee on the air conditioning issue. The Town Council should be concerned of its effect on the health of the students and teachers. Mr. Ciocchi stated that he shares the same concerns as Ms. Tesoro with regard to the air conditioning. If the Building Committee was to come back to the council and there was no option to move students, he would be open to temporary air conditioning. Ms. Tesoro added that swing space was discussed at the Education Committee meeting and it was confirmed that the swing space is no longer available.

* The Chair exercised his right not to vote unless otherwise noted.

APPROVAL OF MINUTES: Moved by Mr. London, seconded by Mr. Ciocchi to approve the February 6, 2012 meeting minutes as submitted. VOTE: Motion CARRIED unanimously.

BUSINESS:

1. RESOLUTION TC24-15: Moved By Mr. Pia, seconded by Mr. DelVecchio.
BE IT RESOLVED, That _____ of _____, be and the same is hereby appointed an alternate member of the Board of Assessment Appeals for a term ending the first Monday of December, 2013.

Committee Report: The RULES & RESEARCH COMMITTEE met on March 1, 2012 and voted unanimously to amend Resolution TC24-15 to read as: RESOLUTION TC24-15: BE IT RESOLVED, That Jeffrey Crow of 33 Cornfield Road, be and the same is hereby appointed an alternate member of the Board of Assessment Appeals for a term ending the first Monday of December, 2013.

The Chair recognized the amendment in committee.

Moved by Mr. Palmieri, seconded by Mr. London to amend Resolution TC24-15 to read as:
BE IT RESOLVED, That Jeffrey Crow of 33 Cornfield Road, be and the same is hereby appointed an alternate member of the Board of Assessment Appeals for a term ending the first Monday of December, 2013.

VOTE: Motion to amend CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

Moved by Mr. Pia, seconded by Ms. Testani to pass Resolution as EMERGENCY LEGISLATION for the reason that the board will be meeting this month.

VOTE: Motion CARRIED unanimously.

2. RESOLUTION TC24-16: POSTPONED IN COMMITTEE

3. RESOLUTION TC24-20: Moved by Mr. LeClair, seconded by Ms. Testani

BE IT RESOLVED, That Susan LaFrance of 45 Woolsley Avenue, be and the same is hereby appointed an alternate member of the Board of Finance for a term extending to the December 2, 2013.

Committee Report: The RULES & RESEARCH COMMITTEE met on March 1, 2012. A motion to amend to read as: RESOLUTION TC24-20: BE IT RESOLVED, That Tim Cantafio of 72 Tait Road, be and the same is hereby appointed an alternate member of the Board of Finance for a term extending to the December 2, 2013.

FAILED 2-3 (Against: Evangelista, Scinto and London).

RESOLUTION TC24-20 as written on the agenda CARRIED 3-1-1 (AGAINST: Tesoro) (Abstention: Palmieri)

Mr. Pia spoke in favor of Ms. LaFrance and her qualifications. Mr. Pia spoke against the resolution due the fact that a vacancy is not being filled with a member of the same party. Mr. Pia spoke in favor of putting partisan politics aside. There were three candidates recommended by the democratic party that had been denied. Mr. Pia spoke in favor of an unaffiliated person serving on a board. Independents make up 50% of the registered voters in Town.

The Chair clarified for the Town Council members that there are two resolutions referenced in Mr. Pia's comments. Resolution TC24-20 is the seat for the term ending December 2, 2013 currently held by a republican Alex Remson. The Committee minutes reflect that this resolution is for Susan LaFrance, a republican recommended for this particular seat replacing the republican seat. The next resolution is for the term that ends in 2014 and is currently held by a democrat, Perry Molinoff.

Mr. Palmieri spoke in favor Mr. Pia's comments and stated that the council would do well if they took his statements to heart.

VOTE: ADOPTED 14-4-2 (AGAINST: Mark, Palmieri, DelVecchio and Whitmoyer) (ABSTENTION: Pia and Tesoro)

Moved by Ms. Deyoe, seconded by Mr. Ciocci to pass Resolution TC24-20 as EMERGENCY LEGISLATION due to the board meeting this month. The Chair voted. VOTE: Motion CARRIED 15-5-1 (AGAINST: Whitmoyer, Palmieri, Mark, Tesoro and DelVecchio) (ABSTENTION: Pia)

4. RESOLUTION TC24-21: Moved by Mr. Palmieri, seconded by Ms. Deyoe.

RESOLUTION TC24-21: BE IT RESOLVED, That Vincent A. Degennaro of 91 Deer Run Drive, be and the same is hereby appointed an alternate member of the Board of Finance for a term for a term extending to the first Monday of December, 2014.

Committee Report: The RULES & RESEARCH COMMITTEE met on March 1, 2012 a motion to amend the resolution to read as: RESOLUTION TC24-21: BE IT RESOLVED, That Tim Cantafio of 72 Tait Toad, be and the same is hereby appointed an alternate member of the Board of Finance for a term for a term extending to the first Monday of December, 2014 FAILED 2-3 (Against: London, Scinto and Evangelista).

A motion to amend correcting the spelling of DeGenarro as: RESOLUTION TC24-21: BE IT RESOLVED, That Vincent A. DeGennaro of 91 Deer Run Drive, be and the same is hereby appointed an alternate member of the Board of Finance for a term extending to the first Monday of December, 2014 CARRIED unanimously. The resolution CARRIED as amended 4-1 (Against: Tesoro).

The Chair recognized the amendment in committee.

Moved by Mr. Pia, seconded by Mr. Palmieri to amend Resolution TC24-21 to read as: BE IT RESOLVED, That Vincent A. DeGennaro of 91 Deer Run Drive, be and the same is hereby appointed an alternate member of the Board of Finance for a term extending to the first Monday of December, 2014. VOTE: Motion CARRIED unanimously.

Mr. Basbagill stated that if this alternate was intended to fill a seat for the minority BoF seat, it would seem that it should be a person the minority party had vetted, it would seem that this is not fair to the minority party. They should have someone that shares their philosophy.

Mr. DelVecchio stated per a conversation with Steve Wright, Chairman of the BoE he learned that recently Deborah Herbst was nominated as Vice-Chairman. As a result of the nomination, the BoE with a democratic majority had become stronger, because the republicans have a voice. The tone between the BoE, BoF and the First Selectman's office has become positive. He is aware that years ago certain people had been turned down for appointments by the democrats; it is time to stop repeating history. Mr. DelVecchio stated that he has been on a super majority and the super minority, neither side is fun. Majorities always turn, when it does, he will remind his peers of his comments today, if anybody votes for the resolution without seeing their side of it, he would like to hear their reasons and learn something new.

Mr. Ciocci stated that he concurs with Mr. DelVecchio's sentiments. He had proposed the tri-partisan Redistricting Committee. What is before them tonight is an opportunity to appoint an unaffiliated voter. Both parties have been led to a false mind set of a bipartisan atmosphere; this is not simply a two party Town. A quarter of the Town is democrat and a quarter is republican, the remaining one half of the Town is unaffiliated. This is not a republican or democratic seat, this is a people seat and should be given to an unaffiliated so that half of the Town is represented. Mr. DeGenarro would be an asset to the BoF, more qualified than some. The people of Trumbull and across the country expect the official to think for themselves, be independent minded and not to be swayed by partisan politics. By appointing Mr. DeGenarro, as proven by his interview, it will be clear that the unaffiliated will be very well represented.

Ms. Tesoro suggested that the republican seat be given up, there is already a republican sitting and there is a democratic seat, there would then be one republican, one democrat and one independent.

Mr. Ciocci stated that Ms. Tesoro is caught up in the two party mind set, 50% of the people are unaffiliated, the seat is being filled by the best qualified person, not as republican or a democratic seat.

Ms. Mark stated since this term began in 2011 all of the democratic appointment recommendations had been rejected. Our system of democracy is designed to support diverging opinions, we do want to represent all the people, if an unaffiliated was wanted then a republican seat should have been given up not a democrat seat. The question was raised as to what criteria are being looked for in a democratic candidate that has not been met? Mr. Tesoro's letter attached to the Rules and Research Committee minutes did propose a solution that would have been fair.

Moved by Mr. Meisner, seconded by Mr. DelVecchio to amend the amended Resolution TC24-21 to read as: RESOLUTION TC24-21: BE IT RESOLVED, That Tim Cantafio of 72 Tait Road, be and the same is hereby appointed an alternate member of the Board of Finance for a term for a term extending to the first Monday of December, 2014.

Ms. Tesoro stated that she objected to Mr. Ciocci's comment that Mr. DeGenarro was the most qualified candidate, Mr. Cantafio is a very well qualified candidate as well. Mr. Ciocci stated that Mr. Cantafio is qualified but does not feel he is the best choice. Mr. Ciocci clarified that those candidates mentioned at this meeting as having been denied had never come before or voted on by the Town Council. The council can only vote for the names that are given to them. Ms. Mark explained that the names were discussed between the Democratic Town Committee Chairman and the First Selectman. Ms. Mark had proposed a resolution that the

Chairman did not put on the agenda as the agenda had already been set, but said that the names in the resolutions could be amended.

Mr. LaClair called the question. Ms. Tesoro called point of order, noting that a 2/3 majority vote is required. The Chair called the vote. VOTE: Motion to call the question CARRIED 14-6 (AGAINST: Mark, Palmieri, DelVecchio, Basbagill, Whitmoyer and Tesoro)

The Chair clarified for the council that the vote is on amending the resolution to substitute Mr. Cantafio as the nominee for the alternate seat.

VOTE: Motion FAILED 8-13 (AGAINST: Testani, London, Deyoe, Massaro, Evangelista, Jenkins, Lamberti, Donofrio, Blöse, LeClair, Ciocci, Scinto and Waizenegger). The Chair voted.

VOTE: ADOPTED as amended 13-7-1 (AGAINST: Mark, Palmieri, DelVecchio, Whitmoyer, Tesoro, Meisner and Basbagill) (Abstention: Pia) The Chair voted.

Moved by Mr. Ciocci, seconded by Ms. Deyoe to pass Resolution TC24-21 as Emergency Legislation.

Ms. Tesoro called POINT OF ORDER. No reason for the Emergency Legislation was given.

The Chair stated the purpose for Emergency Legislation is that the Board of Finance will be meeting this month, discussing and voting on the budget.

Moved by Mr. Ciocci, seconded by Ms. Testani to pass Resolution TC24-21 as Emergency Legislation

VOTE: Motion FAILED 13-7-1 (AGAINST: Mark, Palmieri, DelVecchio, Whitmoyer, Tesoro, Meisner and Basbagill) (Abstention: Pia) The Chair voted.

Mr. DelVecchio recused himself from RESOLUTION TC24-22 at 9:00 p.m. due to one of the parties involved is someone he conducts business with.

5. RESOLUTION TC 24-22: Moved by Mr. Scinto, seconded by Ms. Waizenegger.
BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a worker's compensation claim known as Norman Laneuville vs. the Town of Trumbull.
Committee Report: The Legislation & Administration committee met on February 27, 2012 and voted unanimously.

VOTE: ADOPTED unanimously.

Mr. DelVecchio returned to the meeting at 9:03 p.m.

6. RESOLUTION TC 24-23: Moved by Mr. Donofrio, seconded by Mr. Palmieri
BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a worker's compensation claim known as Anthony Recupero vs. the Town of Trumbull.
Committee Report: The Legislation & Administration committee met on February 27, 2012 and voted unanimously.

VOTE: ADOPTED unanimously.

7. RESOLUTION TC24-24: Moved by Mr. Basbagill, seconded by Ms. Tesoro.
BE IT RESOLVED, That \$3,000 is hereby appropriated from the Unrestricted Fund Balance to 01030000-556601 Public Works Director-Professional Development Seminars for costs associated with flagger class training as requested by OSHA.

Committee Report: The Legislation & Administration Committee met on February 27, 2012 and voted unanimously.

Mr. DelVecchio spoke in favor of adding \$3,000 back to the budget in the next fiscal year if this is necessary yearly training. The Chair stated that this was an irregular expense, which is why it was a supplemental. It does not need to be budgeted every year.

In response to Ms. Mark, Ms. Pires stated that \$3,000 was put in the budget for seminars and was reduced to \$320.

Mr. London spoke to how this is an example of an unnecessary federal regulation and its wastefulness.

Mr. Whitmoyer stated that this could be an example of why we have a 50% unaffiliated rate of registered voters in Town and an example of why people are disenfranchised. Both parties should take head to that warning before that 50% goes even higher.

Ms. Testani spoke in favor of OSHA, they have their regulations, training is necessary. The regulation may have been as a result of someone losing their life because a flagger was not working in an appropriate fashion. Mr. DelVecchio stated that a customer of his did not follow OSHA guidelines and did die in a work related accident recently.

Ms. Waizenegger stated because of one flagger the whole department has to be trained and hopes that all can see this as one more way the government raises revenue.

First Selectman Herbst spoke in favor of spending the \$3,000 on training the employees properly instead of incurring a \$10,000, \$15,000 or higher fine or even losing a life.

VOTE: ADOPTED unanimously.

There being no further business to discuss and upon motion made by Mr. Pia, seconded by Mr. DelVecchio the Trumbull Town Council adjourned 9:13 p.m.

Respectfully submitted,

Margaret D. Mastroni
Town Council Clerk