

Town of Trumbull

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TOWN HALL
Trumbull

TELEPHONE
(203) 452-5005



MINUTES July 2, 2012

CALL TO ORDER: Chairman Carl A. Massaro, Jr. called the regular meeting to order at 8:07 p.m. at the Trumbull Town Hall. 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	Vicki Tesoro	John A. DelVecchio, Jr.
David R. Pia	James Blose	Debra A. Lamberti
Jeff S. Jenkins	Jane Deyoe	Kristy Waizenegger
Chadwick Ciocci	Carl A. Massaro, Jr.	Martha A. Jankovic-Mark
Thomas Whitmoyer	Tony J. Scinto	Ann Marie Evangelista
Jeffrey Donofrio	Mark LeClair	
Gregg Basbagill	Fred Palmieri, Jr.	

ABSENT: Michael J. London and James F. Meisner.

ALSO PRESENT: Chief of Staff Daniel Nelson, Director of Finance Maria Pires, Chief of Police Thomas Kiely, Director of Public Works John Marsilio, Town Attorney Edward Walsh, Bond Counsel Joseph Fasi, Mr. Alfonso Barbarotta of AFB Construction Management and Mr. J. Barbarotta of AFB Construction Management.

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

APPROVAL OF MINUTES:

Moved by Ms. Testani, seconded by Mr. LeClair to approve the June 4, 2012 meeting minutes.

Moved by Ms. Mark to amend the June 4, 2012 minutes on page 12, the last sentence to read as, "Ms. Mark stated the doors do make a difference because they acoustical doors preventing music rooms sound to traveling to and disturbing other classrooms.", seconded by Mr. Palmieri.

VOTE: Motion to amend CARRIED 16-1-1 (Against: Ciocci) (Abstention: Scinto)

VOTE: Motion CARRIED as amended 17-1 (Against: Scinto)

THS Building Committee Update:

Mr. A. Barbarotta reported that they have large crews at the high school; demolition is going quickly at B-House, Media Center and the old boiler room. They have been working with the Director of Public Works coordinating the repaving at the high school. The first phase will be the parking lot behind the school (between the school and the tennis courts) and will then move

around to side where the football field is, and followed by the student parking lot. The sidewalks and curbing will have to be replaced; they will go out to bid on those. The Town will do the asphalt and curbing associated with the parking lots and the project will contract out the sidewalks and the concrete curbing. They were able to use the architect's drawings for the technical, O&G is working with JCJ on the specs and they will be going out to bid very quickly. They will go in and pull the parking lot out, put in a base followed by the sidewalk and the curbing simultaneously, the majority should be completed before the opening of school, if everything goes perfectly. This is an aggressive schedule and has been coordinated with the Town. The Building Committee at their last meeting authorized AFB to approve the OT (overtime) AFB will go back to the committee to report every two weeks on this item. It is their goal not to spend for overtime unless needed. The contractors have committed, their schedules reflect that. JCJ is now on site everyday to respond to RFI's (Requests for Information). They will have as much of the project completed as they can before the opening of school. Mr. A. Barbarotta confirmed for the Chair that the interior of the school will be done with exception of M-Wing, the upstairs Media Center and the old boiler room however the word done means "safe and occupiable". They are scheduled to have a punch-list working until December 2012. Every space they need to occupy for September will be ready and believes they are on schedule to do that. The Building Committee has looked at some options for the concession stand, at this pint they are in reach of the budget. The design has been simplified and has taken into account council members suggestions. They are trying to determine the minimum that has to be met. Everyone believes the best thing to do with the existing concession stand is to abandon it, give it to the school system, if they want to fix it up they can do so using their money and time. The Building Committee will concentrate on the bathrooms and getting the kitchen up and running they may not be able to purchase all of the equipment they want, but have to have a certain amount of bathrooms. The number has come down substantially and believes that they are in striking distance at this point. The Bill Silvers' estimate was \$139,000 for renovating the existing concession stand and \$278,000 for new bathrooms.

In response to Ms. Testani, Mr. A. Barbarotta agreed Ludlowe's concession stand is a good model. Mr. A. Barbarotta indicated for Mr. Scinto that they will be out of the school by the first of the year that would be with a punch list, there are also some outstanding legal issues that will take a while to settle. Having all of the spaces that are needed up and running for the start of school is a huge commitment; he believes they will get there. Channel 17 has been an issue, they would like to stay operational all summer, there was a plan to locate them temporarily because they are building four (4) classrooms in the space that they are in currently. The cable company that runs the fiber can not until July 18th. Mr. Hackett is looking into something else on a temporary basis. If they can not move them out right now and completed by the 18th, they will then be three (3) weeks behind on the four (4) classrooms, this will be unacceptable to the school. Mr. A. Barbarotta will forward an updated change order list to Mr. Scinto.

1. RESOLUTION TC24-48: Moved by Deyoe, seconded by Mr. Pia.

BE IT RESOLVED AND ORDAINED, That a False Alarm Abatement Ordinance is hereby established;

WHEREAS, excessive false alarms throughout the Town create an unnecessary burden on the law enforcement resources of the Trumbull Police Department; and

WHEREAS, the Town proposes to reduce false alarms through the enactment of reasonable standards to ensure alarm users are held responsible for the use of their alarm systems;

NOW THEREFORE BE IT RESOLVED AND ORDAINED , That Chapter 14 Offenses and Miscellaneous Provisions, of the Trumbull Municipal Code is hereby amended to include Section 14-12 an ordinance establishing an abatement of false burglar alarms in the Town of Trumbull.

The Legislation & Administrative Committee met on Tuesday, June 26, 2012 held a public hearing and voted unanimously to send to the council without recommendation.

Chief Thomas Kiely indicated that the point of this ordinance is not fines; it is to reduce the number of calls. They have 2,800 false alarms per year and are increasing. Car and medical call volumes are increasing as well. The only calls the department can decrease are false alarm calls. Any town that has such an ordinance, in a matter of 2-3 years has reduced their false alarm calls by 48% -50%. If they are able to reduce the false alarm call volume Trumbull PD they will provide better service, this will make Trumbull a safer community. The police will be more visible. Every community around Trumbull has an ordinance, we can not continue with this call volume for false alarms. This proposal was drafted by the alarm industry and IACP. This is a national program. We have a responsibility to provide good service to the community.

Mr. Pia spoke in favor of the ordinance. Chief Kiely highlighted the changes reflected in the final draft of the ordinance distributed at this meeting as follows:
The \$10 fee was removed; language with regard to the robbery in progress was cleaned up; the Alarm Class was added.

Chief Kiely indicated for Mr. Scinto that the police department will have an alarm administrator at the police department, in the case where a house changes hands to a new owner and they have gone over the 31 day provision for updating the information or adding the alarm to the data base, the department will have discretion as to whether the person would be fined or not.

Mr. Palmieri echoed Mr. Pia's statement. Chief Kiely explained with regard to Section 6, a. Failure to Register Alarm, if the resident had not registered the alarm the first year and they are now into their second year it, this provision would take the games out of it and gives them the department the ability to enforce. It is better to leaves this provision in as an option rather than taking it out of the ordinance completely. In response to the Chair, registering is the same as obtaining a permit.

Chief Kiely indicated for Mr. Basbagill that the language in Section 6 b. "in the same permit year" could be stricken. Chief Kiely confirmed that an audible alarm is still eligible to register. Mr. DelVecchio deferred to the Chief's recommendation of having such an ordinance, but stated the ordinance needs to be tightened up a bit, recommending that the ordinance be sent back to committee.

Moved by Mr. DelVecchio, seconded by Mr. Basbagill to send Resolution TC24-48 back to committee.

VOTE: Motion CARRIED 16-2 (Against: Evangelista and Pia).

Ms. Testani stated that she was in favor of the ordinance and indicated that if there was one more month to work on it would have a favorable outcome.

Ms. Mark indicated that she had reviewed the final draft of the ordinance (distributed at this meeting) and believes that it is on target it only needs a couple minor adjustments.

2. RESOLUTION TC24-49: Moved by Mr. DelVecchio, seconded by Mr. Palmieri.
BE IT RESOLVED, That the reappointment by the First Selectman of Richard Girouard of 18 Firehouse Road, as a member of the Inland Wetlands and Watercourses Commission, be and the same is hereby approved for a term extending to December 1, 2014.

Committee Report: The L&A Committee met on Tuesday, June 26, 2012 and voted unanimously.

VOTE: ADOPTED unanimously.

3. RESOLUTION TC24-50: Moved by Mr. DelVecchio, seconded by Ms. Testani to read the title and Section 1 of the 2012-2013 CIP bond resolution in their entirety and to waive the reading of the remainder of the resolution, incorporating its full text into the minutes of this meeting. VOTE: CARRIED unanimously.

Committee Report: The Finance Committee met on Tuesday, June 26, 2012 and voted unanimously to amend the resolution to \$2,577,655 and voted unanimously as amended.

Ms. Waizenegger read the title and section 1 of the resolution as follows:

RESOLUTION APPROPRIATING \$3,430,000 FOR THE TRUMBULL BOARD OF EDUCATION CAPITAL IMPROVEMENT PLAN 2012-2013 AND AUTHORIZING THE ISSUE OF \$3,430,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$3,430,000 is appropriated for the planning, acquisition and construction of the Town of Trumbull Board of Education Capital Improvement Plan 2012-2013, as adopted and amended by the Town Council from time to time, and consisting of: (i) Life Safety; (ii) Energy efficiency (iii); (iv) miscellaneous other school system wide improvements; and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom, said appropriation to be in addition to all prior appropriations for said purpose. The Town Council may by resolution transfer funding herein authorized among projects within the 2012-2013 CIP. *(Full Resolution Attached)*

The Chair recognized the amendment in committee.

Moved by Mr. Pia, seconded by Ms. Mark to amend the resolution to \$2,577,655.

VOTE: Motion Carried unanimously

In response to Mr. Scinto, Mr. A. Barbarotta stated in order to maximize their reimbursement on all of the projects they need to hire and architect, which they will do immediately and file an EDO 49. Lead abatement window replacement is a health issue and would not expect any issue with state with regard to that, asbestos floor replacement is reimbursable. The Madison roof needs to be designed and approved, the state will reimburse a total roof replacement, it has not been designed yet, but would be their intent. The state does not reimburse for oil tank replacements. Out of the four (4) projects, two (2) are absolutes that they will get reimbursement, the roof would need to applied for, the design needs to be approved first. The schedule would be

if they can get it designed and out to bid; the roof project would probably be in the spring and hopefully completed by July 1 of next year. Both would be worked on simultaneously. That is how they like to present their capital projects for the year, spending the money approved in the same year as its approval.

In response to Ms. Mark, Mr. A. Barbarotta stated that everything would have been moved back to the high school for next summer even with these CIP projects.

In response to Ms. Lamberti, Mr. A. Barbarotta stated that some of the roof projects will need a roof committee, most of the Towns that work in have standing building committee that this type of work could go through. The BoE can act on behalf and sign for the building committee on smaller projects, (under \$1 million).

ROLL CALL VOTE:

Full Resolution as Amended (Attached)

* The Chair voted

Ayes:

Suzanne S. Testani
David R. Pia
Jeff S. Jenkins
Chadwick Ciocci
Thomas Whitmoyer
Jeffrey Donofrio
Gregg Basbagill
Ann Marie Evangelista
Kristy Waizenegger
John A. DelVecchio, Jr.

Vicki Tesoro
James Blose
Jane Deyoe
Carl A. Massaro, Jr.
Tony J. Scinto
Mark LeClair
Fred Palmieri, Jr.
Martha A. Jankovic-Mark
Debra A. Lamberti

Nays:

None

VOTE: ADOPTED as amended unanimously.

PUBLIC SERVICE ANNOUNCEMENT:

Mr. A. Barbarotta reported that Trumbull High School is officially closed, there will be no projects, no people, and no visitors for the whole summer, the parking lot will be under construction. There will be barriers set up. They intend to keep the athletic fields open but access to the building for the fields will be difficult. The best thing to do would be to park at Hillcrest and to walk across the fields.

In response to Ms. Mark, Mr. A. Barbarotta explained that the driveway from Hillcrest to the high school will be open but you will not be able to get all the way to the high school. The driveway coming down from the football field and school will be the first phase of the paving.

4. RESOLUTION TC24-51: Mr. Pia moved, and the motion was seconded by Mr. Palmieri, to read the title and Section 1 of the following proposed resolution in their entirety and to waive the reading of the remainder of the resolution, incorporating its full text into the minutes of this meeting. VOTE: Motion CARRIED unanimously.

Ms. Tesoro read the title and section 1 of the resolution as follows:

RESOLUTION APPROPRIATING \$1,629,480 FOR THE TRUMBULL CAPITAL IMPROVEMENT PLAN 2012-2013 AND AUTHORIZING THE ISSUE OF \$1,629,480 BONDS OF

THE TOWN TO MEET SAID APPROPRIATION AND
PENDING THE ISSUANCE THEREOF THE MAKING OF
TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$1,629,480 is appropriated for the planning, acquisition and construction of the Town of Trumbull Capital Improvement Plan 2012-2013, as adopted and amended by the Town Council from time to time, and consisting of: (i) Public Facilities; (ii) other projects; (iii) enterprise, and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom, said appropriation to be in addition to all prior appropriations for said purpose. The Town Council may by resolution transfer funding herein authorized among projects within the 2012-2013 CIP.

(Mr. Basbagill left the meeting at 8:53 p.m.)

Committee Report: The Finance Committee met on June 26, 2012 and voted unanimously to amend to \$1,136,000 and as amended unanimously.

(Mr. Basbagill returned to the meeting at 8:56 p.m.)

The Chair recognized the amendment in committee.

Moved by Mr. Pia seconded by Mr. LeClair to amend to \$1,136,000.

In response to Mr. Palmieri, The Chair clarified that page 3 of the committee minutes reflects what the BoF had reduced their number to. Mr. Basbagill stated that the Town Council BoF reduced the resolution by \$172,500 (Generator at \$150,000 and the Disaster Recovery at \$22,500) plus bonding fees. Mr. Pia clarified that the numbers reflected on page 3 of the committee minutes do add up to \$627,500 if that is deducted from the original bond amount that gives you the \$937,000 as written in the committee report.

Ms. Pires stated that the original bond authorizing resolution was \$1,629,480, \$335,000 for the Public Facilities portion, \$45,000 for Fleet & Equipment, other projects at \$ 1,151,500, and \$73,000 for enterprise; a subtotal of \$1,564,500 plus bond financing at \$64,980 bringing the total to \$1,629,480. The BoF reduced \$250,000 for the generator, \$250,000 for the wash bay, the Town Hall Feasibility Study at \$40,000, Police Department Perimeter Fencing at \$65,000 and the Disaster Recovery at \$22,500. Total Approved by the BoF \$955,740. The Chair stated that the Finance Committee took the \$955,740 and added back \$150,000 for the generator and \$22,500 for Disaster Recovery plus bond expenses. Ms. Pires added that represents a total bond resolution of \$1,131, 690 rounded to \$1,136,000.

In response to Mr. DelVecchio, Atty. Fasi explained two procedures that keep an eye on the additional funds if an item is bonded for a certain amount but actually is completed for a lesser amount are as follows:

1. The Town does not normally issue debt unless there is a contract in place to do the work and does not normally issue debt in excess of the contract number. Since they have a continual debt issuance program they always know that the next time they issue debt they can catch up with any expenditure that has not been met with the bond proceeds.

2. The second way to make sure we do not have more money than we need is that those dollars become subject to appropriation, they have to be appropriated in a manner that comes before this council for approval and have to be redirected to another capital project.

Mr. DelVecchio stated their problem is not the generator but how it is being bonded, and the need for a better estimated price, so the additional money does not go to another capital project. Ms. Pires stated the Town does not go out to bond until the project is finished, this year they will go out for short term notes, and next year when they know for sure when that project is completed and they have used all of the funds then they would bond. Mr. DelVecchio spoke to the high school bleacher project that had a substantial savings after the public works department had taken over the project and questioned where there extra bonding money had gone. Ms. Pires stated that would be included in the overall BoE capital money and could get Mr. DelVecchio that information. Mr. DelVecchio added that there are ancillary costs related to the tennis courts resurfacing, which had also been bonded, the ancillary costs were not expected and spoke against those. The Chair stated that a bond is only authorized for that particular project, when the projects come in at lower costs the bond authorization can not extend to another project that was not part of the original approval. If the collective costs are less than the bond authorization, the Town simply does not spend the money and never goes to bond for it. Atty. Fasi confirmed that statement. With regard to a project of two (2) years ago where there had been extra money, it came to the Town Council in the form of a resolution of unexpended dollars to be reallocated to the Hillcrest Middle School pool. Mr. DelVecchio spoke against having the extra money.

Mr. Whitmoyer spoke to the cost of the generator of \$250,000 had been based upon a 2-year old study and noted that the actual cost is not known and questioned how close the Town is to the 10% bond threshold. Ms. Pires indicated that the Town is at 8.6% as of 2013 which includes everything here if approved at this meeting with annual principle and interest. Every year it changes some bonds come off and some go on.

Mr. Basbagill stated the Finance Committee had determined, that the BoF had removed the Disaster Recovery item because it was going to part of a later technology bonding package, which meant it was going to be before the council now or later. The Finance Committee wanted to keep it included in this resolution because it is important to have back up for our servers at Town Hall. Mr. Basbagill stated he had supported the generator in Committee but would be making a motion to cut that item at this meeting, stating it is a *"nice to have thing"* but is not necessary.

Moved by Mr. Basbagill, seconded by Mr. DelVecchio to amend the bond amount to \$980,000.

Ms. Pires explained the \$980,000 as follows:

Starting with the BoF number of \$937,000 the motion would include the addition of the Disaster Recovery at \$22,500 bringing the subtotal to \$859,500 plus bonding costs of \$19,190 for a total of \$978,690. Bond Counsel rounds the amount to \$980,000.

Mr. Marsilio explained for Ms. Waizenegger that this generator project is part of the facilities study that covered a range of facility needs, the study was performed by the Antonozzi Architectural firm of 2.5 years ago. The \$250,000 number was their number from the study. There are steps that go into a project they are as follows:

A budget is created followed by schematic designs and design development. As those steps are completed the budget numbers are refined. The confusion with this number is because post this budget the Town has anecdotal data from the Senior Center. This was not an arbitrary reduction

and/or number, this was because after the Town had done one of these generator projects, (done off budget by a grant), they realized that the project would not cost \$250,000; consequently have more knowledge of what the project is worth. Mr. Marsilio does not know what the electrical panel requirements will be, at the Senior Center there was a point where they thought the elevator was going to need a \$50,000 electrical component, but they were able to do a work around and were able to accomplish it for \$4,700 instead. These are budgets, you will never know what you are going to find during a project. The Town will not spend the money unless it is needed. Mr. Marsilio spoke to the need for the generator, during a storm event of last year there were parts of the Town that did not get power for 7-8 days, the Monday after the storm the Engineering Department was open, (it was the only department open in Town Hall). The department was inundated with people coming and calling Town Hall to do everything. They just gravitated to Town Hall, this is the center of Town government, and the generator is an essential project. We may never have an emergency and never use this generator, but based on his experience of the storms of last year he is aware of what the Town's vulnerabilities are. During the storm they were not able to communicate with the Highway or Police department via the internet. With the use of the GIS they had been moving towards where they could geographically see where outages were, where streets were blocked and where the crews were. Without the server room being operational they were working blind.

In response to Mr. Jenkins, Mr. Nelson confirmed that if the Town Hall was closed for a period of time due to weather that the employees are paid.

In response to Mr. Scinto, Mr. Marsilio explained the fuel source for the generator had not been determined yet, they had diesel at the Senior Center, and it was intention to use gas at the Town Hall. The use of an UPS system for the server room (uninterrupted power source system) would need to be determined. Mr. Scinto stated that computer system is not designed as a ring, if a tree goes down, everything coming to the town Hall is down, phone and computers included, he knows technology is working on that, but if everything is down he feels the generator is not necessary. Mr. Marsilio pointed out that the Town Hall would still be open and be operational.

Mr. Palmieri spoke to how this had been presented and that a more exact number is needed. Mr. Marsilio stated that the numbers are a budget they had relied upon people who had experience in this area, at the time the numbers had been estimated he had not had the benefit of the experience of a similar project. They do now.

Ms. Mark stated there had been a generator approved at Hillcrest two years ago at the cost of \$50,000. Ms. Mark stated that they do not feel confident with the number.

Mr. Jenkins spoke against \$50,000 adding that Mr. Marsilio could bid this as add or deduct alternate so that if it were to come in at a different costs it could be identified and/or rejected. Mr. Marsilio would not want to see a worthwhile project rejected based upon a shortcoming on his part with regard to the cost.

Mr. Pia stated initially was opposed to the generator, after having heard Mr. Marsilio at this meeting coupled with the need for GIS (located in this building) and how invaluable it is. When we think of that storm and the chaos it caused, the roads had been cleared and people could get to work, the Town Hall is central to this community and spoke in favor of this project noting it is an insurance policy.

Mr. Marsilio explained for Ms. Testani that it is always their hope that they come in under budget, if it did, the Director of Finance would pay the bill they would then go to bond with the lesser amount and that is all that they would bond.

Mr. Blose stated after the recent storms he has a generator at his house, he indicated for a building of the Town Hall's size the generator will be \$150,000 or more. We are borrowing money at historically low rates and need to keep that in mind when considering bond projects. Waiting two years will be higher rates.

Mr. Marsilio explained for Mr. DelVecchio that Stonehouse Road was going to be milled and overlaid, after investigation such as camera testing of the sewer lines and subsurface borings they found that there was an array of problems with that road. Milling and overlay would be throwing money away. There were serious sewer defects there as well; \$800,000 of that project was going to be reimbursed to the Town by the WPCA. The other portion was indicative of sub surface problems. If in the field they find unanticipated, unforeseeable circumstances they have to address them right then and there.

Ms. Mark spoke against bundling items together that in the past may have come as a supplemental or might have been budgeted for. In response to Ms. Mark Ms. Pires stated that the amount between 8.6% and the 10% bonding threshold could be forwarded to her after this meeting. Ms. Mark stated that paving projects should be budgeted for and would like to see that done in the future. The \$50,000 number for the generator at Hillcrest was a project completed two years ago. The tennis courts were explained but felt that the installation had a twenty year warranty and echoed Mr. DelVecchio's statement that when the council had passed that bond resolution that they never expected a maintenance fee of \$36,000 and wondered if that could be incorporated under the warranty. Mr. Marsilio stated he had a discussion with Mr. Paris with regard to the warranty; the information that had been distributed to the council prior to this meeting

The Chair stated that the motion on the floor is to reduce the bond amount to \$980,000 leaving the \$22,500 plus bond costs for the Disaster Recovery but does not include the generator.

VOTE: Motion FAILED 6-10-2 (Against: Testani, Deyoe, Pia, Waizenegger, Evangelista, Blose, Donofrio, LeClair, Lamberti and Jenkins) (Abstention: Ciocci and Scinto)

Atty. Fasi confirmed for the Chair that the Town Council had not voted on the amendment made to reduce the bond amount to \$1,136,000 as moved and seconded earlier at this meeting which includes the generator and the Disaster Recovery.

Mr. DelVecchio moved to reduce the amount of the bond to \$1,100,000 eliminating the maintenance costs at \$36,000 associated with the tennis courts. The Chair stated that motion by Mr. Pia and seconded by Mr. LeClair is on the floor of the recommended amount in Committee.

VOTE: Motion to amend to \$1,136,000 CARRIED 13-5-1 (Against: Mark, DelVecchio, Tesoro, Whitmoyer and Scinto) (Abstention: Palmieri).

Moved by Mr. DelVecchio, seconded by Ms. Mark to amend the amendment to \$1,100,000. (Removing the \$36,000 Maintenance Costs for the Tennis Courts)

Ms. Waizenegger spoke in favor noting there are issues with the tennis courts that maintenance is not going to resolve.

Ms. Mark agreed and spoke in favor.

Atty. Fasi confirmed that the \$1,100,000 amount has been sufficiently rounded as counsel recommends.

VOTE: Motion to amend CARRIED unanimously.

ROLL CALL VOTE as amended to \$1,100,000.

* The Chair voted

Ayes:

Suzanne S. Testani
James Blose
Jeff S. Jenkins
Chadwick Ciocci
Thomas Whitmoyer
Jeffrey Donofrio
Gregg Basbagill
David R. Pia

Vicki Tesoro
Debra A. Lamberti
Jane Deyoe
Carl A. Massaro, Jr.
Ann Marie Evangelista
Mark LeClair
Fred Palmieri, Jr.
Kristy Waizenegger

Nays:

John A. DelVecchio, Jr.
Martha A. Jankovic-Mark
Tony J. Scinto

VOTE : ADOPTED as amended 16-3 (Against : DelVecchio, Mark and Scinto)

(Mr. DelVecchio left the meeting at 9:58 p.m.)

(Mr. DelVecchio returned to the meeting at 9:59 p.m.)

5. RESOLUTION TC24-52: Moved by Basbagill, seconded by Ms. Testani

(Mr. Pia left the meeting at 9:59 p.m.)

(Mr. Pia returned to the meeting at 10:00 p.m.)

BE IT RESOLVED, That the Town Council hereby authorizes the assignment of delinquent tax and sewer use liens to a third party for consideration, in accordance with the provisions of Sections 12-195h and 7-258 of the Connecticut General Statutes pursuant to the conditions stated in the Request for Proposals entitled, Purchase of Town of Trumbull Delinquent Municipal Tax and Sewer Use Liens RFP #5926;

BE IT FURTHER RESOLVED, That the First Selectman in consultation with the Town Attorney, Finance Director, and the Tax Collector shall review the proposals and award the bid in accordance with the conditions as stated in RFP #5926 and are authorized to execute documents to complete the assignment of said liens.

Committee Report: The Legislation and Administration Committee met on June 26, 2012 and voted unanimously.

Town Attorney Walsh indicated for Mr. Jenkins stated that he has seen this done in other towns he can not say it is common practice. This is in the best interests of Trumbull. The Chair added that in his own professional experience the larger municipalities that have a lower collection rate,

on an annual basis sell their tax liens to keep their cash flow for their budget. This is uncommon for us but common for other municipalities.

VOTE: ADOPTED unanimously.

There being no further business to discuss the Town Council adjourned by unanimously consent at 10:04 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Town Council Clerk

AS AMENDED

RESOLUTION APPROPRIATING \$2,577,655 FOR THE TRUMBULL BOARD OF EDUCATION CAPITAL IMPROVEMENT PLAN 2012-2013 AND AUTHORIZING THE ISSUE OF \$2,577,655 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$2,577,655 is appropriated for the planning, acquisition and construction of the Town of Trumbull Board of Education Capital Improvement Plan 2012-2013, as adopted and amended by the Town Council from time to time, and consisting of: (i) Life Safety; (ii) Window Replacement Middlebrook School (iii) Madison Middle School Roof; and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom, said appropriation to be in addition to all prior appropriations for said purpose. The Town Council may by resolution transfer funding herein authorized among projects within the 2012-2013 CIP.

Section 2. To meet said appropriation \$2,577,655 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and the and the Town Treasurer (hereafter the Town Officials), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. Capital project revenues, including bid premiums and investment income derived from investment of bond proceeds (and net investment income derived from note proceeds) are authorized to be credited by the Director of Finance to the project account and expended to pay project expenses customarily paid therefrom. The remaining appropriation and bond authorization shall be reduced by the amount of capital project revenues so credited. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Joseph Fasi LLC, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof

and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Town Officials, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of purchase agreement shall be subject to approval of the Town Council.

Section 4. The Town Officials, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Joseph Fasi LLC, of Hartford, and be certified by a bank or trust company designated by the Town Officials, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Town Officials are hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 7. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.

AS AMENDED

RESOLUTION APPROPRIATING \$1,100,000 FOR THE TRUMBULL CAPITAL IMPROVEMENT PLAN 2012-2013 AND AUTHORIZING THE ISSUE OF \$1,100,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Section 1. The sum of \$1,100,000 is appropriated for the planning, acquisition and construction of the Town of Trumbull Capital Improvement Plan 2012-2013, as adopted and amended by the Town Council from time to time, and consisting of: (i) Public Facilities; (ii) Fleet, (iii) other projects (generator in the amount of \$150,000; but excluding wash bay, feasibility study, tennis courts and police fencing); (iv) enterprise, and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom, said appropriation to be in addition to all prior appropriations for said purpose. The Town Council may by resolution transfer funding herein authorized among projects within the 2012-2013 CIP.

Section 2. To meet said appropriation \$1,100,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and the Town Treasurer (hereafter the Town Officials), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. Capital project revenues, including bid premiums and investment income derived from investment of bond proceeds (and net investment income derived from note proceeds) are authorized to be credited by the Director of Finance to the project account and expended to pay project expenses customarily paid therefrom. The remaining appropriation and bond authorization shall be reduced by the amount of capital project revenues so credited. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Joseph Fasi LLC of Hartford. They shall bear such rate or rates of interest as shall be determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof

and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Town Officials, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of purchase agreement shall be subject to approval of the Town Council.

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Section 6. The Town Officials, are hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 7. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.