

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

TOWN HALL  
Trumbull

TELEPHONE  
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October 1, 2012  
Minutes

CALL TO ORDER: Chairman Carl A. Massaro, Jr. called the regular meeting to order at 8:03 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	Jane Deyoe	Vicki Tesoro
James Blose	David R. Pia	Michael J. London
Kristy Waizenegger	Martha A. Jankovic-Mark	Debra A. Lamberti
Chadwick Ciocci	Carl A. Massaro, Jr.	Thomas Whitmoyer
Jeff S. Jenkins	Tony J. Scinto	
Jeffrey Donofrio	Mark LeClair	
Gregg Basbagill	Fred Palmieri, Jr.	

ABSENT: John A. DelVecchio, Jr., James F. Meisner and. Ann Marie Evangelista.

ALSO PRESENT: Mr. Alfonso Barbarotta of AFB Construction Mgt., James Nugent, Chairman of the THSBC, Brian Holmes of O&G Ind., Fire Marshal Megan Murphy, Director of Finance Maria Pires and Chief of Staff Daniel Nelson

DISCUSSION ITEMS:

- Trumbull High School Building Committee Update:
  - a. *Chairman's Report:* Mr. Nugent reported that the air conditioning system has been addressed and is working well. O&G and the subcontractors are working through the punch list. More furniture will be delivered on October 8, 2012. They are proceeding with the schedule to finish the project in the next couple of months. There are issues that will be addressed at a later date, i.e. the roof insulation. They expect the budget to stay consistent with what was presented 3-4 weeks ago (under budget).
  - b. *Owner's Rep. Update:*
    - Wi-Fi:* Mr. Nugent indicated for Mr. Basbagill that the Building Committee had discussed Wi-fi; the school requested the labs be wired. Mr. A. Barbarotta reported that all of the labs are wired and have been turned over for installation to the

BoE Technology Director. The configuration has been changed the labs. There had been a question with regard to three rooms that had not been identified as labs; those labs are wired now, and everything that was contracted for is in and has been installed as designed. The wireless equipment has not been received to date, but that is because Mr. Hackett did not want to get the equipment there until it was ready to be plugged in and used. They have been systematically working through all of the labs and Channel 17. There had been design issues but they have been worked through. Everything is either installed or the equipment is very close to being received.

*Upper Media Center:* Mr. A. Barbarotta explained for Mr. Basbagill that all book shelves have been installed and there are plenty of hands to move the books into the book rooms. They only need the educators' direction. The school distributed the books from the boxes. There is manpower to help the English Department put the books away. Mr. A. Barbarotta stated the Media Center is finished and looks amazing. Mr. Basbagill agreed he is concerned with the upper Media Center area and the book rooms.

*Roof:* Mr. A. Barbarotta explained for Mr. Palmieri that some rain had gotten into the building during the recent storms, although it is much less than before. The roof is not complete, there is a lot of flashing still to be done, there was a section over the Shop area that had experienced a mini tornado approximately a month ago, the roof was lifted out of place and equipment moved. That is primarily where the leaks were, there is an insurance claim. They are moving to completion and expect to be in a month, they are not ready for the final inspection.

*Channel 17:* Mr. A. Barbarotta explained for Ms. Tesoro that the Building Committee has given them authorization to install the cable. The cable company has the wire and will begin the installation, but the company moves slowly. The project's engineers had designed a multi cable fiber, that was installed and they had moved Channel 17 over but it did not work. The cable company says they need a single cable run underground to the area. This was discussed at length at the Building Committee with John Annick present. They are close to getting it done, but are dependent on the cable company. They told them it was a 2 week job three weeks ago. Mr. Scinto indicated that it normally takes a month to get the cable. Mr. A. Barbarotta expressed their frustration on this issue. Mr. Nugent stated they have had authorization for almost four weeks; they are at the cable company's mercy.

*Budget:* Mr. Nugent indicated for Ms. Tesoro that the O&G had prepared a Cost Summary Report for the last Town Council meeting, those numbers and change orders are still accurate to date. The contingencies are still where they were reported, (there may be some reduction). Mr. A. Barbarotta stated that the contingencies, approximately \$ 3 million, are still in place. The \$465,000 for the concession stand or the \$270,000 for the regrinding of the floors has not been spent. Those pieces of the project have not been approved to date but the amounts are identified in the budget. Towards the end of the project there are change orders and overtime, those numbers have been identified and are still within all of the contingency

amounts. At this point on the project you would be receiving contractor delay claims there are none of those, there is no indication that any of those are out there. They have been negotiating over time with the PCO's with the contractors; they do not have all of them but hope to have more for the Town Council committee meeting next month. There is not a lot of exposure at this point. In response to Mr. Whitmoyer, Mr. A. Barbarotta explained the \$2 million appropriated by the Town Council is in the contingency, it is included in the \$3.7 million total amount for both the CM and Owner's contingency combined. The contingencies are still in place; some will be used but not all, decisions will need to be made with regard to the concession stand and the grinding of the floors. They have firm numbers for the paving. Mr. Nugent indicated that the report shows the paving numbers as having been a committed cost and expended. Mr. A. Barbarotta stated that the paving numbers are hard numbers; they are not in the contingency anymore. Mr. Nugent and Mr. Barbarotta stated the \$2 million is still available, it has not been committed. Mr. Nugent explained to Ms. Tesoro that there is \$2,192,000 in the Owner's contingency and the CM has another \$1.6 million in their contingency. The project can not spend the CM contingency until the project is finished, although this is not cash in an account, it is a bonding authorization. They can not say with absolute certainty that some of those funds will not be spent. Some of will probably be. Ms. Tesoro stated that in June 2012, the \$500,000 for the shelter generator had not been part of the discussion. Ms. Testani stated that there are options with the existing generator, such as either selling it or moving it to Town Hall and there are reimbursement options. Mr. A. Barbarotta stated that it may be a fuel cell generator and may not come out of this budget at all. There will be options for the Town to consider when this new committee is up and running. The Chair stated that there is \$66 million authorized for the project, making the school a shelter status is now part of that project. It remains to be seen what cost will be associated. \$66 million is the authorized amount for all of these purposes being discussed. There is \$3.7 in contingency, the committed costs are at \$62.3 million. Mr. Nugent stated the big item remaining is the concession stand/bathroom facility. The Chair stated he is not concerned whether there is enough money to do everything. If there is not, it will be addressed it. Mr. A. Barbarotta stated they are not in a holding pattern, they are finishing their charge. All decisions will be made as soon as possible.

*Like-New-Status:* Mr. A. Barbarotta confirmed for Ms. Tesoro that the Like-New-Status has been officially approved by the state.

*Roof Top HVAC:* Mr. A. Barbarotta explained for Mr. Whitmoyer that all of the additional weight on the roof had been engineered, there is no danger of a collapse from the weight, most of it floats freely, and it has supports into the ground. If there was a snow it would be on the equipment, but that would be an issue for anyone. The 2010 snow happened once in 100 years. All of the new equipment on the roof has its own structural design.

*Furniture:* Mr. A. Barbarotta explained for Ms. Jankovic-Mark that all of the furniture ordered was quality. There is some mixing and matching of old & new furniture, The issues heard now are that when a space was designed it had two desks in there and they want a third one now, the third one ended up being one of

the old ones. So they are considering getting a new one so that all match. The other issue is that JCJ's FF&E coordinators lost their jobs, although this issue has mostly been resolved to date. There have been issues but there is no exposure at this time.

*Floors:* Mr. A. Barbarotta explained for Ms. Jankovic-Mark that they brought in three separate companies to show samples, they are not impressed with the difference between regrinding the floors and doing a very good stripping, acid wash and cleaning and is not ready to recommend re-grinding the floors. Painting and floor work would be the last to be done.

*Education Committee Report:* The Education Committee met on September 27, 2012. The topic of discussion was the Trumbull Nature and Arts Center. Mr. Ciocci gave a brief summary of the meeting to the council.

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

Moved by Ms. Testani, seconded by Mr. Jenkins to take items #6, 7 & 8 out of order.

VOTE: Motion CARRIED unanimously.

1. RESOLUTION TC24-79: Moved by Mr. Pia, seconded by Mr. Palmieri  
BE IT RESOLVED, That \$2,501 is hereby appropriated from the General Fund, \$2,218 to 01010000-545501 Town Council-Legal Notices and \$283 to 01012200-545501 Purchasing-Legal Notices.

Committee Report: The Finance Committee met on September 24, 2012 and voted unanimously.

Ms. Pires explained for Ms. Jankovic-Mark, this represents a combination of longer agendas, more meetings, more RFP's, the redistricting resolution was a long publication and an increase in publishing costs.

VOTE: ADOPTED unanimously.

2. RESOLUTION TC24-80: Moved by Mr. Basbagill, seconded by Ms. Deyoe  
BE IT RESOLVED, That \$6,794 is hereby appropriated from the General Fund, \$3,815 to 01022800-501102 Fire Marshal-PT and \$2,979 to 01022800-501105 Fire Marshal-OT.

Committee Report: The Finance Committee met on September 24, 2012 and voted unanimously.

VOTE: ADOPTED unanimously.

3. RESOLUTION TC24-81: Moved by Ms. Testani, seconded by Mr. Palmieri  
BE IT RESOLVED, That \$33,600 is hereby transferred from 47120000-581888 Capital Nonrecurring Fund to 55120100-589956 Hillcrest Pool.

Committee Report: The Finance Committee met on September 24, 2012 and voted 5-1 (Against: Scinto) to send without recommendation.

In response to Ms. Testani, Mr. A. Barbarotta stated the pool is scheduled to open on October 9, 2012 regardless of whether the resolution is approved or not. They are on the State Bond Council 10-03-12 agenda for \$123,000. It is a solid pool. The ventilation is not in yet but they will run fans and have temporary lights for the opening. The diving board will be grandfathered in. It is a good pool and will last twenty years. The \$123,000 will cover everything but the locker rooms. The work will be done on second shift, weekends and nights. They will work around the Pisces schedule and are scheduled to open next week. Mr. Jenkins asked if there was a need to pass the resolution as emergency legislation. Mr. A. Barbarotta stated that it is important to get the state money in place. Mr. A. Barbarotta stated the schedule of items to be done was prioritized on a need basis. If the money is not received from the State to do this work, the rest of the work will not be done. In response to Ms. Jankovic Mark, Mr. A. Barbarotta indicated that the partitions done previously were done on a temporary basis, there is more work to be done on the locker rooms, they hope to re-use some of the high school lockers and will do a lot that work in-house to save money. All of the shower heads are working. They want to replace the lift noting it should be replaced. If the work is completed by January 2013 they did not have to replace the lift. In response to Ms. Tesoro, Ms. Pires stated the Hillcrest Pool finance schedule was prepared by Steve Kennedy. In response to Ms. Tesoro, Mr. A. Barbarotta stated the experts' professional opinion is that the pool is good for additional twenty (20) years. If you choose to do all of the work listed on the schedule the answer is yes that they would have to ask for more funding. Ms. Tesoro stated that the taxpayers should know that they are speaking to a cost of approximately \$800,000 now to renovate the pool but it could be as high as \$1.2 million . Mr. A. Barbarotta indicated that there had been an extensive pool report done, it showed the integrity and structure of the pool in good shape for twenty years. The locker rooms and windows are additional monies if it decided that those would be done.  
VOTE: ADOPTED 16-0-1 (ABSTENTION: Tesoro)

4. RESOLUTION TC24-74: Moved by Mr. London, seconded by Ms. Testani  
BE IT RESOLVED, That Albert Zmary of 39 Mayflower Road, Police Commission representative, be and the same, is hereby appointed to the Emergency Management Shelter Building Committee.

Committee Report: The Finance Committee met on September 24, 2012 and voted 4-2 (Against: Basbagill and Tesoro)

Moved by Ms. Jankovic-Mark, seconded by Mr. Palmieri to postpone until they are able to interview the appointee.

Ms. Jankovic-Mark stated that the appointees had been appointed to the commission by the First Selectman and had never gone through the interview process.

VOTE: Motion FAILED 5-12 (AGAINST: London, Testani, Pia, Deyoe, Jenkins, Waizenegger, Ciocci, Scinto, Blose, Donofrio, LeClair, and Lamberti).

Mr. Basbagill spoke in favor of the resolution, he is comfortable with this committee after tonight's THSBC Update with regard to the budget.

Ms. Tesoro voiced her concern that the appointees had not been interviewed, they were appointed by the First Selectman and had never been vetted by the council. In the future for other appointments she would hope the interview process would be done. The Chair confirmed for Ms. Tesoro that the council members do not need to be appointed as they had been identified in the resolution as members along with Lt. Kirby.

VOTE: ADOPTED unanimously.

5. RESOLUTION TC24-75: Moved by Ms. Waizenegger, seconded by Ms. Testani  
BE IT RESOLVED, That Roger McGovern of \_\_\_\_\_, Police Commission representative, be and the same, is hereby appointed to the Emergency Management Shelter Building Committee.

Committee Report: The Finance Committee met on September 24, 2012 and voted unanimously to amend and as amended 4-2 (Against: Basbagill and Tesoro)  
Amended in Committee:

The Chair thought that Mr. McGovern may be unaffiliated but does not know the answer and is fairly positive he is not republican.

Chair recognized the amendment in committee.

Moved by Mr. Basbagill, seconded by Mr. Whitmoyer to amend RESOLUTION TC24-75 to read as: RESOLUTION TC24-75: BE IT RESOLVED, That Roger McGovern of 42 Old Elm Road , Police Commission representative, be and the same, is hereby appointed to the Emergency Management Shelter Building Committee.

VOTE: Motion CARRIED unanimously.

Ms. Mark indicated for the record that she would be in favor of the appointing resolutions because she had been reassured by Mr. Nugent and Mr. A. Barbarotta that there is enough money.

VOTE: ADOPTED as amended unanimously.

6. RESOLUTION TC24-76: Moved by Ms. Scinto, seconded by Mr. London.

BE IT RESOLVED, That \_\_\_\_\_ of \_\_\_\_\_, be and the same, is hereby appointed to the Emergency Management Shelter Building Committee.

Committee Report: The Finance Committee met on September 24, 2012 and voted to send without recommendation 4-2 (Against: Basbagill and Scinto)

Motion made by Mr. Pia, seconded by Mr. London to amend the resolution to read as:  
RESOLUTION TC24-76: BE IT RESOLVED, That Loretta Chory of 26 Dale Road, be and the same, is hereby appointed to the Emergency Management Shelter Building Committee  
Mr. Pia withdrew his motion.

Moved by Mr. Pia, seconded by Mr. London to amend the resolution to read as:  
RESOLUTION TC24-76: BE IT RESOLVED, That Loretta Chory of 26 Dale Road, be and the same, is hereby appointed to the Emergency Management Shelter Building Committee as the Board of Education representative.

VOTE: Motion CARRIED unanimously

VOTE: ADOPTED as amended unanimously.

7. RESOLUTION TC24-77: Moved by Ms. Jankovic-Mark, seconded by Whitmoyer.  
BE IT RESOLVED, That \_\_\_\_\_ of \_\_\_\_\_, be and the same, is hereby appointed to the Emergency Management Shelter Building Committee.

Committee Report: The Finance Committee met on September 24, 2012 and voted to send without recommendation 4-2 (Against: Basbagill and Scinto)

Moved by Mr. Palmieri, seconded by Ms. Tesoro to amend the resolution to read as:  
RESOLUTION TC24-77: BE IT RESOLVED, That Lisa Labella of 9 Sally Ann Drive, be and the same, is hereby appointed as the Board of Education representative to the Emergency Management Shelter Building Committee.

VOTE: Motion CARRIED unanimously

VOTE: ADOPTED as amended unanimously.

Moved by Mr. Basbagill, seconded by Ms. Testani to pass Resolution TC24-74, TC24-75, TC24-76 and TC24-77 as Emergency Legislation.

VOTE: Motion CARRIED unanimously

8. RESOLUTION TC24-78: Moved by Mr. Donofrio, seconded by Mr. Palmieri.  
BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a claim known as Theresa Massa vs. the Town of Trumbull.

Committee Report: The Finance Committee met on September 24, 2012 and voted unanimously to amend and unanimously as amended.

The Chair recognized the amendment in committee.

Moved by Mr. Palmieri, seconded by Ms. Tesoro to amend the resolution to read as:

RESOLUTION TC24-78: BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a claim known as Town of Trumbull vs. Exxon Mobil Corp. et. al.

VOTE: Motion CARRIED unanimously.

VOTE: ADOPTED as amended unanimously.

Moved by Ms. Testani, seconded by Mr. LeClair to approve the September 6, 2012 meeting minutes as submitted.

VOTE: Motion CARRIED unanimously.

There being no further business to discuss and upon motion made by Mr. Palmieri, seconded by Ms. Tesoro the Trumbull Town Council adjourned at 9:22 p.m. by unanimous consent.

Respectfully Submitted,

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Margaret D. Mastroni, Town Council Clerk