

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

TOWN HALL  
Trumbull

TELEPHONE  
(203) 452-5000



MINUTES  
December 5, 2016

**CALL TO ORDER:** The Chair called the regular meeting of the Town Council to order at 8:03 p.m. All present joined in a moment of silence and the Pledge of Allegiance. The Chair asked all those present to remember the mother of Councilman Jason Marsh and former Board of Finance member, Lanie McHugh, mother who passed away on October 25<sup>th</sup>.

**The clerk called the roll and recorded it as follows:**

<b><u>Present:</u></b>	Lisa Valenti	Lori Rosasco-Schwartz	Matt Caron
	Dawn Cantafio	Jack Testani	Carl Massaro, Jr.
	Mark Block	Tony Scinto	Mark LeClair
	Richard Kascak, Jr.	Jason Marsh	Thomas Whitmoyer
	Mark LeClair	Michael London	Edna Colucci
	Joe Pifko	Bill Mecca	Enrico Costantini,
	Donna Seidell	Ann Marie Evangelista	

**ABSENT:** Vincent DiMasi, Jr., and Mary Beth Thornton

**ALSO**

**PRESENT:** Trumbull Community Center Study and Building Committee Co-Chairman Dan Marconi, Town Engineer Frank Smeriglio, Town Attorneys Vincent Marino and Dennis Kokenos, and Chairman of the Planning & Zoning Commission Fred Garrity.

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\*The Chair reserves the right not to vote unless otherwise noted.

**APPROVAL OF MINUTES:** Moved by Testani, seconded by Block to approve the regular November meeting minutes as submitted. VOTE: Motion CARRIED unanimously

**PUBLIC COMMENT:** There was one person present to speak. Public Comment Attached

**DISCUSSION ITEM:** Trumbull Community Center Study and Building Committee Update.

Co-Chairs Dan Marconi and Joseph Pifko distributed the attached documents to the Council: Site Analysis Chart Scoring Sheet, the Site Analysis Summary sheet, and the dates the architect met with people, QA Focus Groups. Mr. Pifko spoke in favor of the work the architect has done to date. After the architect analyzed the sites and the data, he has come up with very similar results the Building Committee had come to. Mr. Pifko indicated he was proud of the committee's work to date. The next step will be to work a building design and determine where it would best fit. The scoring sheets indicate the number one option for the site is Church Hill Road, #2 is the Long Hill Administration site, and Island Brook scored well. They have already gone down that road and they will not be considering the Island Brook site for the center. Mr. Pifko confirmed, at this time, the pool is included as an option.

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1. RESOLUTION TC26-82: Moved by Colucci, seconded by London  
BE IT RESOLVED, That funding for a labor agreement between the Town of Trumbull and the Trumbull (Non-Supervisory) Highway & Parks Employees Union, Local 424 – Unit 108, UPSEU beginning July 1, 2016 through June 30, 2019 is hereby approved.

Committee Report: The L&A Committee met on November 28, 2016 voted unanimously to enter into Executive Session to discuss pending contract negotiations and voted unanimously.

Mr. Haselkamp confirmed for the council the date July 1, 2016, is the correct start date for the contract.

VOTE: ADOPTED unanimously.

Moved by Rosasco-Schwartz, seconded by Caron to take items #5 & #6 out of order. VOTE: Motion CARRIED unanimously.

2. RESOLUTION TC26-86: Moved by Caron, seconded by London  
"RESOLUTION APPROPRIATING \$4,230,000 FOR THE TRUMBULL BOARD OF EDUCATION CAPITAL IMPROVEMENT PLAN 2017-2018 AND AUTHORIZING THE ISSUE OF \$4,230,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" (Full Resolution Attached)

Committee Report: The Finance Committee met on November 29, 2016 and voted 5-1 to reduce the amount by \$250,000 and voted 5-1 as amended.

The Chair recognized the amendment in committee.

Moved by Cantafio, seconded by Rosasco-Schwartz to amend by reducing by \$250,000 bringing the amount to \$3,980,000. VOTE: Motion CARRIED unanimously

VOTE: ADOPTED as amended unanimously

3. RESOLUTION TC26-87: Moved by London, seconded by Marsh

BE IT RESOLVED, THAT THE AUTHORIZATION OF AN EXPENDITURE OF AN AMOUNT NOT TO EXCEED \$1,925,000 BY THE TOWN OF TRUMBULL FOR AN EQUIPMENT LEASE/PURCHASE AGREEMENT WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT REGARDING ENERGY EFFICIENCY IMPROVEMENTS AND UTILITY COST SAVINGS AT DANIELS FARM SCHOOL, TASHUAL SCHOOL AND MIDDLEBROOK SCHOOL (THE "SCHOOLS") IS HEREBY APPROVED.

Committee Report: The Finance Committee met on November 29, 2016 and voted unanimously.

VOTE: ADOPTED unanimously.

4. RESOLUTION TC26-83: Moved by Valenti, seconded by Block  
BE IT RESOLVED, That First Selectman Timothy M. Herbst is hereby authorized to submit a funding application for the White Plains Road Trail Connection project under the Connecticut Recreational Trails Program and authorizes, Timothy M. Herbst, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (Full Resolution Attached)

Committee Report: The L&A Committee met on November 28, 2016 and voted unanimously.

Mr. Smeriglio presented the attached map for resolutions TC26-83, 84 & 85. The blue lines represents the existing trail from Tait Road to Whitney Avenue. The trail will go to Quarry Road. TC26-83 represents the sidewalk from the commuter lot to the Veteran's Memorial along White Plains Road. The current sidewalks are all different sizes and in various conditions. The trail had originally been proposed to go behind Trumbull Center, but there were issues with that proposal. The owner would lose too many parking spaces and there were also issues with being too close to the river. Resolution TC26-85 is a funding source the state had suggested using for the cost of the concrete sidewalks. The state will only pay for asphalt. The difference in cost between the asphalt v. concrete would need to be paid for by the Town. This grant will cover the difference. Trumbull felt it was important to have concrete through Trumbull Center since it is a major commerce area. The purpose of each of the grant resolutions on this agenda is to authorize the submittal of the grant applications. If the resolutions are adopted and they expect that they will be awarded the grants they will then start conversations with the neighbors. These grants were only made known to them in October which only allows for enough time write the summary and submit the application, it does not include enough time to work a design.

The state is planning to start the section of the trail from Quarry Road to White Plains in the spring/summer of 2017. Mr. Smeriglio confirmed for the Council they are competing with other projects for these grants, but if it looks like the Town will be awarded the grants they will start meeting with the residents. The grant is due next week for

submission to the State. Currently there is not enough parking for trail users and it makes sense to take advantage of the commuter lot on White Plains Road, the state is also in favor using the commuter. Currently there is 1,500' of sidewalks and they are proposing 2,500' in total, if they were to go through Unity Park they would be a need to build a bridge. The owners of Trumbull Center are aware as well as the Condominiums on White Plains Road. The parking lot at Quarry Road only has 10 parking spaces. Mr. Smeriglio indicated that surveys will be done for the Right of Way approvals, the decision will need to be made on how close the sidewalks will be to the curbs. Easements may be necessary. The grade will be prepared for top soil and grass. Originally, they wanted the sidewalks on the same side of the commuter lot but the bridge was critical point that switched the plan to the other side. As they work with the state they do have the flexibility with design.

VOTE: ADOPTED unanimously.

5. RESOLUTION TC26-84: Moved by Testani, seconded by London  
BE IT RESOLVED, That First Selectman Timothy M. Herbst is hereby authorized to submit the funding application for the Church Hill Road Trail Head project under the Transportation Alternatives Set-aside program and identifies, Timothy M. Herbst, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (Full Resolution Attached)

Committee Report: The L&A Committee met on November 28, 2016 and voted unanimously.

There are many options for this area on Church Hill Road They will create a path and will work with the terrain. Mr. Smeriglio could not speak to any of the information given to the residents. Ms. Bakalar has been the point person communicating with the residents.

VOTE: ADOPTED 17-0-1 (ABSTENTION: Caron)

6. Resolution TC26-85: Moved by Caron, seconded by Block  
BE IT RESOLVED, That First Selectman Timothy M. Herbst is hereby authorized to submit the funding application for the Trail Connection on White Plains Road project under the Transportation Alternatives Set-aside program and identifies, Timothy M. Herbst, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (Full Resolution Attached)

Committee Report: The L&A Committee met on November 28, 2016 and voted unanimously.

Mr. Smeriglio indicated this represents the green line area on the attached map and confirmed for the council they will work with the owners of Trumbull Center. The owners are considering reconfiguring the center. Mr. Scinto indicated there is a big

elevation difference between Quarry Road and Unity Road if they were to build a bridge there it very well could get washed out.

VOTE: ADOPTED unanimously.

Moved by Whitmoyer, seconded by Cantafio to take item #9 out of order. VOTE: Motion CARRIED unanimously.

7. RESOLUTION TC26-90: Moved by Whitmoyer, seconded by Cantafio  
BE IT RESOLVED, AND ORDAINED, That Chapter 2, Article 1, Section 2-4, Town-owned property exempt is hereby repealed effective July 1, 2018.

Committee Report: The L&A Committee met on November 28, 2016 and voted against 2-3-1.

Atty. Marino stated he represents the Planning & Zoning Commission. This resolution's concept is based on the statute that requires the Town to be in compliance with the Zoning regulations unless they exempt themselves. In the 1960's when this exemption came into play there was a lot of building going on. The current P&Z Commission voted 4-1 to create equality, the municipality would be treated the same, and the abutters would be afforded an administrative process. The P&Z Commission is already going to open their regulations for revision so this could be part of that process.

Atty. Marino cited an example of how this could be a negative to a municipality. There is a provision where a boundary line survey is required, if the municipality owned a 400 acre site and was to develop a portion of that site the municipality would have to survey the whole site which would be more expensive for the municipality.

Mr. Garrity explained this resolution is to give a voice to the people. He believes you must look at the extreme possible scenarios and work the regulations to avoid them. The P&Z Commission is already going to be reviewing their regulations and this could be incorporated into that. His first experience with the 8-24 process was on the TLC on Daniels Farm Road, he realized they would never see the parking plan and was discouraged by that. He believes part of the traffic issue on Daniels Farm Road is caused by TLC. This resolution would allow review by P&Z for town owned property development.

The Chair OPENED the Public Hearing at 9:31 p.m.  
There were 2 people present to speak. (Public Comment Attached).  
The Chair CLOSED the Public Hearing at 9:41 p.m.

Mr. Garrity explained the delay of the effective date for this resolution is to allow the Commission to provide for the guidelines/regulations. The only change this resolution would make is that there would be plans brought before the P&Z Commission. The administration and the Town Council would still be in control of what they would like to

build. This is the opportunity for the people to be heard if the Town were to build something in their neighborhood that they do not want.

Ms. Colucci clarified the L&A minutes incorrectly note her as stating the town attorney did not recommend simply repealing the exemption when it was actually Mr. Garrity.

Mr. Garrity confirmed and clarified for Mr. Costantini there would be some additional costs to the Town. Mr. Costantini stated repealing the exemption would put the Town's staff in conflict and would need to hire outside consultants to review their plans to provide comments. Atty. Marino stated that would need to be looked at on an adhoc basis. If it were a larger controversial project and he was seated as the counsel for the land use board he could not represent two parties that may be averse to one another. If the town were to file a controversial application and the P&Z were to deny the application, the Town would need to bring an appeal to reverse the decision. The Town would need outside counsel to be represented properly.

Atty. Kokenos was present to speak to conflict. This meeting is a good example of the conflict the Town would face. Atty. Marino is a Town attorney who works with the Land Use Boards- he could not also represent the Town as an applicant. Atty. Kokenos stated his role is to protect the Town and to not open the Town to litigation. This resolution would open the Town to litigation. The Charter is clear the Town Attorneys are to work for all of the boards. This would clearly be a conflict. He further explained there is no requirement in the 8-24 process for the P&Z Commission to hold a public hearing. It is always possible to have regulations that are more stringent than state statute. The Trumbull Charter already has a provision in it that is more stringent than the F.O.I Act when it comes to posting agendas on the Town website. We live in a litigious society there will be appeals brought forward simply to stop a project and/or get paid.

Atty. Marino explained there is an economic issue with regard to preparing the amended regulations before the exemption is repealed. They would need to go through that process without clarity or direction from the Town Council.

Atty. Kokenos stated he could not recommend adopting this resolution, it opens the Town to conflict, and litigation. As the Town attorney, his duty is to always to avoid opening the Town to litigation. Mr. Costantini spoke to the expense an appeal would bring to the Town it would be most definitely be above and beyond the Town attorneys' retainer. The Town Council does not approve P&Z regulations and if this were to be adopted they would never see the regulations. There are checks and balances presently. The 8-24 referral is not toothless as Mr. Garrity has said. A public hearing could be called. The 8-24 referral currently does go to the Town Council Committee and to the full Town Council. Mr. Marsh disagreed with Mr. Costantini and added that there are 23 municipalities in Fairfield County that do not have the exemption and have managed fine, he would like to temper the statements made against the repeal of the exemption and the negative impacts it would have for the Town.

Mr. Scinto stated he has served on the council for 12 years and has seen many things built in Town. There have been three changes to the Town's Charter and multiple changes to the code and noted that never once has this been brought up.

Mr. Testani explained as a councilman they vote in the best interest of the taxpayers. The public has extra input available to them.

Ms. Cantafio spoke in favor of the repeal and added that this would provide for the people to speak and P&Z review. The statutory rights are very important to the people in Town.

Mr. Pifko stated he has concerns with the added cost to the Town, there are no regulations to review and would only be available in 18 months. This would bring the process out of the Council's purview and would be reviewed by a body of 5 that only needs 3 affirmative or negative votes. This needs to stay with a body of 21. Mr. Pifko stated he will vote against.

Mr. Costantini stated he is not in favor, the Town attorney cannot recommend this. He spoke against the additional cost and given the tenure, politics would come into play.

Mr. Block spoke against this and taking this from the council that is made up of 21 people and giving the final decision to a board where only three votes are necessary.

Mr. London stated the people in Town have multiple opportunities to be heard about building projects. The Town has had and will continue to have public hearings.

Motion made by London, seconded by Testani to call the question (no vote was taken).

The Chair noted that many different items of business have come through his 16 years of serving on the Council. This is the right type of resolution to have a deep discussion on. He believes strongly in the Council's authority. The Council has great authority and with it, even greater responsibility. As he prepares each agenda, he always cognizant of what people are asking of the council's authority. As a councilman, it is your responsibility and authority to represent your district and you have to think long and hard if you are going to delegate that authority to someone else. The Council has had to regard its authority when going through Charter Revisions, and when other ordinances considered. This exemption has been in place for 55 years. In his 25 years in Town there has been great leadership. None of the prior leaders had never proposed anything that they did not feel was in the best interest of the Town. He has to wonder what would have happened while we built Frenchtown School, or the Preschool if we had to go through an appeal process where a judge of the superior court tells us what is in the best interest of our Town. The Chair cannot ever see that happening and cannot allow that. The Council is the authority that tells people what is in the best interest of the Town. The Council members are the elected representatives of the people, not P&Z, not BOF, or the BOE, not any other board. The Chair is bothered all the time by the conversation that the citizens and businesses are not respected, the Council does everything it can, at every turn and at every meeting to give

everybody a voice so the council can be most informed and deliver the best for the Town and for the greater good of the Town. He does not think planning a school, a police station or whatever it may be, for the greater good of the Town, should be efforted and the Town spend hundreds of thousands of dollars and then hope that they like the idea. It is obvious no matter what is done there is someone who doesn't like it. If that person is in the right spot, the greater good, the Town's interest would not be served or it would be delayed or it may never happen. He could go on of what happens in the zoning world with the rights of appeal. He would admonish all 21 members of the Council to recognize the important authority they have and to think twice before choosing to delegate it somewhere else.

\*The Chair voted

VOTE: FAILED 5-14 (IN FAVOR: Valenti, March, Canatfio, Whitmoyer, Mecca)

8. RESOLUTION TC26-88: Moved by Block seconded Testani  
BE IT RESOLVED, That \$5,250 is hereby appropriated from the Fund Balance to 01010400-501103 Salaries-Seasonal/Temp.  
Committee Report: The Finance Committee met on November 29, 2016 and voted unanimously.

VOTE: ADOPTED unanimously.

9. RESOLUTION TC26-89: Moved by Rosasco Schwartz, seconded Seidel  
BE IT RESOLVED, That \$65,000 is hereby transferred from 01013800-501116 Contingency to 01012800-522202 Attorneys-Professional Services.

Committee Report: The Finance Committee met on November 29, 2016 and voted unanimously.

Ms. Cantafio did review the invoices and noted this amount represents a 15% discount  
VOTE: ADOPTED unanimously.

There being no further business to discuss and upon motion made by Block, seconded by LeClair, the Town Council adjourned by unanimous consent at 10:40 p.m.

Respectfully Submitted,

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Margaret D. Mastroni, Town Council Clerk

## FULL RESOLUTIONS

**RESOLUTION TC26-83: Whereas, the State of Connecticut, Department of Energy and Environmental Protection offers competitive grants through the Connecticut Recreational Trail Grant Program, and**

**Whereas, grants are to be used to support planning/design, trail corridor acquisition, construction, construction administration, maintenance equipment, amenities and publications/outreach related to bikeways, multi-use trails and water trails, and  
Whereas, grants cannot exceed \$800,000 and shall be used to promote outdoor recreation, alternative transportation connections and projects of significance in Connecticut's Trail Plan, and**

**Whereas, the Town of Trumbull will submit an application for funding to support using the commuter lot on White Plains Road as a trail head for bicycle/pedestrian connection to the Pequannock River Trail along White Plains Road to the Veteran's Memorial that will include signage, and**

**Whereas, the new Trail head connector will support economic and community development, provide additional transportation and recreational options and provide relief to Tate Road and Whitney Avenue Trail Heads and area neighborhoods, and**

**Therefore, the Trumbull Town Council authorizes the submission of the funding application for the White Plains Road Trail Connection project under the Connecticut Recreational Trails Program and authorizes, Timothy M. Herbst, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project.**

**RESOLUTION TC26-84: Whereas, the State of Connecticut, Department of Transportation, coordinated through MetroCOG offers competitive grants through the Transportation Alternatives Set-aside Program, and**

**Whereas, grants are to be used to improve pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements and environmental mitigation projects, and**

**Whereas, grants cannot exceed \$1,000,000 and shall be used for on and off road pedestrian and bicycle facilities, infrastructure projects for improving non- driver access to public transportation and enhanced mobility, community improvement activities, multi-use trail projects, safe routes to school projects, and**

**Whereas, the Town of Trumbull will submit an application for funding to support a new trail head for bicycle/pedestrian connection to the Pequannock River Trail from Church Hill Road that will include sidewalk connections to the municipal/commercial campus and rest areas along the trail connector, and**

**Whereas, the new Trail head connector will improve public safety, support economic and community development and provide relief to Tate Road and Whitney Avenue Trail Heads and area neighborhoods, and**

**Therefore, the Trumbull Town Council authorizes the submission of the funding application for the Church Hill Road Trail Head project under the Transportation Alternatives Set-aside program and identifies, Timothy M. Herbst, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project.**

**RESOLUTION TC26-85: Whereas, the State of Connecticut, Department of Transportation, coordinated through MetroCOG offers competitive grants through the Transportation Alternatives Set-aside Program, and**

**Whereas, grants for existing projects are to be used to improve pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements and environmental mitigation projects, and**

**Whereas, grants cannot exceed \$1,000,000 and shall be used for on and off road pedestrian and bicycle facilities, infrastructure projects for improving non- driver access to public transportation and enhanced mobility, community improvement activities, multi-use trail projects, safe routes to school projects, and**

**Whereas, the Town of Trumbull will submit an application for funding to support an existing project that requires additional funding, and**

**Whereas, funds will be requested to support the final connection for the Pequannock River Trail from the Fire House on White Plains Road, to the Veteran’s Memorial on White Plains Road, and**

**Whereas, specifically funds will cover the incremental cost difference for this portion of the ten-foot bicycle/pedestrian trail to be continued in concrete versus asphalt in order to support and enhance the commercial corridor and residential areas with an attractive trail connection, and  
Whereas, the completion of this trail connection will provide connection to Bridgeport and Monroe supporting recreation and economic and community development while creating a transit way,**

**Therefore, the Trumbull Town Council authorizes the submission of the funding application for the Trail Connection on White Plains Road project under the Transportation Alternatives Set-aside program and identifies, Timothy M. Herbst, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project.**

RESOLUTION TC26-86:

RESOLUTION APPROPRIATING \$3,980,000 FOR THE TRUMBULL BOARD OF EDUCATION CAPITAL IMPROVEMENT PLAN 2017-2018 AND AUTHORIZING THE ISSUE OF \$3,980,000 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 \$3,980,000 is appropriated for the planning, acquisition and construction of the Trumbull Board of Education Capital Improvement Plan 2017-2018, as adopted and amended by the Town Council from time to time, and consisting of: (i) school facilities as identified in the plan; (ii) paving and walks; (iii) environmental; (iv) masonry, (v) safety, (vi) on site construction, as set forth in the Capital Improvement Plan, and for appurtenances, equipment and services related thereto, or for so much thereof or such additional improvements as may be accomplished within said appropriation, and for administrative, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be inclusive of grant funding and in addition to all prior appropriations for said purpose. The Town Council may by resolution transfer funding herein among authorized projects within the 2017-2018 Board of Education CIP, and the First Selectman's office may transfer among projects amounts not exceeding 10% of the CIP funding by purpose as last approved by the Town Council.

Section 2. To meet said appropriation \$3,980,000 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 necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall 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, Attorneys-at-law, Bond Counsel 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. 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 approved by the Town Officials.

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, Attorneys-at-law, Bond Counsel 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and will be paid from property taxation to the extent not paid from other sources. 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 resolution.

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.

**PUBLIC COMMENT FOR AGENDA ITEMS:**

There was one person present to speak.

1. Tony DAquila of 29 Valley View spoke to resolutions TC26-83, 84 & 85 and explained there will now be sidewalks 6' and 10' wide through Trumbull Center. He spoke against the change from natural setting of the current Pequonnock Trail coming from Monroe onto Daniels Farm Road and through Trumbull Center. He indicated the bicyclists will be forced to travel with cars, they will go from a tranquil setting to a congested area. There are approximately 500 trail users per day. This area will be dangerously overcrowded and believes it an accident waiting to happen. The application for these grants requires public comment and believes public comment was excluded.

## RESOLUTION TC26-90 Public Hearing Comment

There were two people present:

1. Mr. Tony DAquila of 29 Valley View was present and indicated he has lived here 30+ years and spoke in favor of the resolution. The public should have its statutory right, section 2-4 exempts the municipality. There is no process in place that respects the public for Town owned development. Something must be done and there is no reason to have to wait until 2018.
2. Ms. Vicki Tesoro of 133 Beechwood Avenue spoke in favor of the repeal, this would allow for an extra layer of review, it will increase transparency. Because the Town has been exempt for many years is not a reason to continue. This is the right thing to do and asked the council to vote in favor of the repeal.

## QA Focus Groups:

September 8 <sup>th</sup>	Town Council Members
September 13 <sup>th</sup>	Civic and Community Groups
September 14 <sup>th</sup>	Senior Center Administration
September 19 <sup>th</sup>	Police/Fire/Health/Social Services/Building & Engineering
September 19 <sup>th</sup>	District 3 Meeting
September 21 <sup>st</sup> Management	Emergency Medical Services & Office of Emergency
September 21 <sup>st</sup>	District 1
September 28 <sup>th</sup>	District 2 Meeting
September 28 <sup>th</sup>	Senior Center Members
September 29 <sup>th</sup>	District 4 Meeting
October 12 <sup>th</sup>	Library Board
October 14 <sup>th</sup>	Parks & Recreation
October 26 <sup>th</sup>	THS Parents & Students
November 25 <sup>th</sup>	Pisces Swim Group

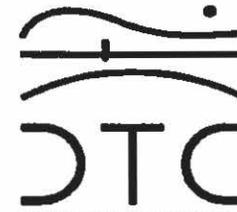
<b>Site Analysis Chart Trumbull Senior Center</b>		<b>Wagner Tree Farm Site Number 1</b>		<b>Site Acreage= 11.4 Buildable Area= 5.75</b>	
<b>Item</b>	<b>Factor</b>	<b>Value</b>	<b>Score(FxV)</b>		
1	Is the site large enough to accommodate senior center and parking?	5	5	25	
2	Are sanitary sewers accessible?	5	-5	-25	
3	Is the site town owned?	5	5	25	
4	Is the site centrally located?	5	-2	-10	
5	Is the site accessible by public transportation?	5	5	25	
6	Is the site an existing park?	5	0	0	
7	Are public utilities (water, gas, electric, etc.) available?	4	5	20	
8	Are there wetlands on site?	4	-2	-8	
9	Are there existing site uses to be relocated?	4	-2	-8	
10	Does topography impact design options?	4	2	8	
11	Is the proposed use consistent with the neighborhood characteristics? (Synergy)	4	0	0	
12	Is the site located at least 10 feet outside of the 500 year flood plain?	3	-2	-6	
13	Is there any indication of contaminated site conditions either on-site or nearby?	3	0	0	
14	Are the subsoil conditions satisfactory for economical construction, i.e. without excessive ledge removal or deep foundations?	3	0	0	
15	Is the site adjacent to recreation?	2	0	0	
16	Are there adjoining residential properties?	2	0	0	
17	Is access to the site easy and safe for vehicles and pedestrians?	2	-2	-4	
18	Is the site compatible to site/zoning regulations?	2	0	0	
19	Are there town financial responsibilities or demolition costs?	2	0	0	
Factor Scale: (1-2) Minimum Impact, (2-3) Moderate Impact, (4-5) Maximum Impact					
Value (-5) Major Impact, (0) Neutral, (+5) Positive					
			<b>TOTAL</b>		<b>42</b>

<b>Site Analysis Chart</b> <b>Trumbull Senior Center</b>		<b>Summary</b>
<b>Site</b>	<b>Site Name</b>	<b>Score</b>
1	Wagner Tree Farm	42
2	Long Hill Administrative Building	96
3	Church Hill Road	115
4	Indian Ledge Park	46
5	Priscilla Place / Existing Senior Center	26
6	1445 Huntington Turnpike	50
7	Island Brook Park	80
8	Unity Park	35
9	Twin Brooks Park	-25
10	Old Mine Park	-65
11	Tashua Knolls Recreation Area	-10



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