



Stratford, Connecticut

MINUTES OF MEETING

STRATFORD TOWN COUNCIL
AUGUST 11, 2008

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, AUGUST 11, 2008 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:00 p.m.

PRESIDING: Council Chairman Michael Henrick

COUNCIL MEMBERS IN ATTENDANCE: Mr. Michael Julian, Mr. Alvin O'Neal, Mr. Gavin Forrester, Mr. John Dempsey, Ms. Amy Wanamaker, Mr. William Stroomer, Mr. Thomas Moore, Mr. Joseph Kubic, Mr. Michael Henrick

COUNCIL MEMBERS ABSENT: Ms. Emma Brooks

OTHERS IN ATTENDANCE: Mayor James Miron, Town Attorney Richard Buturla

INVOCATION BY TENTH DISTRICT COUNCIL MEMBER MICHAEL HENRICK FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of: Public Forum, Regularly scheduled meeting of July 14, 2008 and Public hearing of July 24, 2008.

RESOLVED: That the reading of the foregoing minutes be dispensed with as copies thereof have been previously provided to each Council Member and the same be and are hereby approved.

A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. STROOMER TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED UNANIMOUSLY.

2. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. Stroomer — re: the Ordinances re: State-mandated waste Water Treatment

Mr. Henrick — re: Increase in Mayor's Salary resolution.

3. COMMUNICATIONS

3.1 LETTER OF RESIGNATION FROM THE LIBRARY BOARD.

FROM: Richard H. DiVecchio DATED: July 15, 2008 (Hard copy previously forwarded)

RESOLVED: that the resignation of Richard H. DiVecchio from the Library Board be and is hereby accepted.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED UNANIMOUSLY.

4. MAYOR'S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY'S REPORTS

4.1 MAYOR'S REPORT

4.1.1 Resolution Re: Homecrest Avenue Road Reconstruction (Contract 2008-02)

SPONSORED: Stratford Town Council

BE IT RESOLVED that the bid of G. Pic & Sons Construction Co., as submitted on July 22, 2008 for Contract 2008-02 Homecrest Avenue Road Reconstruction, be accepted and that the Mayor be and is hereby authorized to execute a contract with G. Pic & Sons Construction Co., of Bridgeport, CT on the basis of their bid submitted for the performance of said work in accordance with the plans and specifications prepared by the Engineering Department, and subject to the inspection and approval of the Town Engineer.

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MS. WANAMAKER TO APPROVE THE FOREGOING RESOLUTION. MR. JULIAN RECUSES HIMSELF FROM VOTING AND ALL DISCUSSION DUE TO A CONFLICT OF INTEREST. THE MOTION FAILED WITH 4 IN FAVOR, 4 OPPOSED AND ONE ABSTENTION VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — ABSTAIN, MR. O'NEAL — YES, MR. FORRESTER — NO, MS. BROOKS — ABSENT, MR. DEMPSEY — YES, MS. WANAMAKER — YES, MR. STROOMER — NO, MR. MOORE — YES, MR. KUBIC — NO, MR. HENRICK — NO.

4.1.2 Resolution Re: School Dental Health Grant Program

SPONSORED: Stratford Town Council

WHEREAS, The Stratford Health Department has been awarded a two-year grant in the amount of \$80,000.00 from the *Department of Social Services* to augment and expand oral health services for Stratford school-aged children, including restorative and preventative treatment offered in the Stratford Health Department's dental clinics and dental screenings in the elementary schools.

MAYOR’S REPORT — continued

4.1.3 Resolution Re: School Dental Health Grant Program — continued

WHEREAS, the grant is being administered and funded by the Department of Social Services.

WHEREAS, it is both desirable and in the public interest to execute a grant agreement between the Town of Stratford and the *Department of Social Services* and to accept funding in connection with this project.

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

1. That it is cognizant of the Town grant application and contract to the *Department of Social Services* for funds in the amount of \$ 80,000.00 to implement oral health services for Stratford school-aged children.
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and deliver such application in the name and on behalf of the Town of Stratford, with *Department of Social Services* for funding of the Stratford Health Department’s oral health services, and to provide such additional information to execute all other contracts and documents as maybe necessary under this program.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O’NEAL TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

4.1.4 Resolution Re: Family Nutrition Education Grant Program

SPONSORED: Stratford Town Council

WHEREAS, the *Connecticut Department of Public Health*, is authorized and has made funds available in the amount of \$ 8,008.00 to extend financial assistance to municipalities in the form of grants; and,

WHEREAS, funds under this grant will be used to implement a community level, *Family Nutrition Education Program* in Stratford; and,

WHEREAS, it is both desirable and in the public interest that the Town of Stratford execute a grant agreement with *Connecticut Department of Public Health* to accept funding in connection with this project.

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

MAYOR'S REPORT — continued

Resolution Re: Family Nutrition Education Grant Program — continued

1. That it is cognizant of the Town grant application and contract to the *Connecticut Department of Public Health* for funds in the amount of \$ 8,008.00 to implement a community level, *Family Nutrition Education Program* in Stratford.
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and deliver such application in the name and on behalf of the Town of Stratford, with *Connecticut Department of Public Health* for a *Family Nutrition Education Program*, and to provide such additional information to execute all other contracts and documents as maybe necessary under this program.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

4.1.5 Resolution Re: Inclusion of Town of Stratford Annex into the Greater Bridgeport Planning Region, Connecticut Natural Hazard Mitigation Plan

SPONSORED: Stratford Town Council

WHEREAS, the Town of Stratford, CT recognizes that natural hazards create a risk of harm to persons and damage to property;

WHEREAS, the Town of Stratford, CT recognizes that implementing certain measures may reduce the risk of harm to persons and damage to property resulting from those natural hazards; and

WHEREAS, the Greater Bridgeport Regional Planning Agency is in the process of considering a letter of concurrence in support of this Annex

NOW THEREFORE, BE IT RESOLVED that the Stratford Town Council hereby adopts the 2006 Greater Bridgeport Planning Region, Connecticut Natural Hazard Mitigation Plan, revised to September 2006, including the Town of Stratford Annex to said plan.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

MAYOR'S REPORT — continued4.1.6 Long Beach West

A MOTION WAS MADE BY MR. MOORE SECONDED BY MR. O'NEAL TO ENTER INTO EXECUTIVE SESSION PRIOR TO THE CONCLUSION OF THIS MEETING TO DISCUSS THE ABOVE CITED ITEM FOR THE PURPOSE THAT IT RELATES TO THE PURCHASE AND/OR SALE OF REAL PROPERTY THAT DISCLOSURE OF THE FACTS AND CIRCUMSTANCES MAY RESULT IN A VALUE INCREASE. EXECUTIVE SESSION TO INCLUDE THE TOWN COUNCIL, THE MAYOR, THE TOWN ATTORNEY, MR. FRENCH FROM U.S. FISH AND WILDLIFE AND MS. SPEAR FROM THE TRUST FOR PUBLIC LAND. THE MOTION PASSED WITH 8 IN FAVOR AND 1, MR. KUBIC, OPPOSED.

Stratford Town Council meeting recessed: 8:20 p.m.

Stratford Town Council meeting reconvened: 9:25 p.m.

MR. KUBIC MOTIONED TO SEND THE QUESTION OF WHETHER THE TOWN OF STRATFORD SHOULD SELL LONG BEACH WEST TO THE VOTERS OF STRATFORD BY REFERENDUM AND TO DIRECT THE COUNCIL CLERK TO FORWARD THE FOLLOWING QUESTION, "SHALL THE TOWN SELL LONG BEACH WEST TO THE U.S. FISH AND WILD LIFE SERVICE PURSUANT TO A CONTRACT APPROVED BY THE TOWN COUNCIL?" TO THE TOWN CLERK TO SUBMIT THE QUESTION TO THE SECRETARY OF THE STATE'S OFFICE AS IT IS TO APPEAR ON THE VOTING MACHINE BALLOT. MR. JULIAN SECONDED MR. KUBIC'S MOTION.

Stratford Town Council meeting recessed: 9:50 p.m.

Stratford Town Council meeting reconvened: 10:05 p.m.

THE MOTION CARRIED WITH 6 IN FAVOR AND 3 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — NO, MR. FORRESTER — NO, MS. BROOKS — ABSENT, MR. DEMPSEY — YES, MS. WANAMAKER — NO, MR. STROOMER — YES, MR. MOORE — YES, MR. KUBIC — YES, MR. HENRICK — YES.

MAYOR MIRON VETOES THE FOREGOING ACTION.

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. JULIAN TO OVERRIDE THE VETO. THE MOTION FAILS WITH 6 IN FAVOR AND 3 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — NO, MR. FORRESTER — NO, MS. BROOKS — ABSENT, MR. DEMPSEY — YES, MS. WANAMAKER — NO, MR. STROOMER — YES, MR. MOORE — YES, MR. KUBIC — YES, MR. HENRICK — YES.

4.1.1 Resolution Re: Homecrest Avenue Road Reconstruction (Contract 2008-02) — continued from Mayor's Report.

RECONSIDERATION OF DECISION

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. STROOMER TO RECONSIDER THE DECISION IN CONNECTION WITH THE FOREGOING ITEM. MR. JULIAN RECUSES HIMSELF FROM VOTING AND DISCUSSION REGARDING THIS ITEM. THE MOTION PASSED WITH 7 IN FAVOR, 1, MR. FORRESTER OPPOSED AND MR. JULIAN ABSTAINING FROM VOTING.

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. KUBIC TO REFER THE FOREGOING ITEM TO THE PUBLIC WORKS COMMITTEE AND PLACE ON THE TABLE. THE MOTION PASSED WITH 6 IN FAVOR, 2 (MESSRS. O'NEAL AND FORRESTER) OPPOSED AND ONE ABSTENTION.

4.1.7 Overflow Parking Lease – No business furnished.

4.1.8 Proclamations — ACTION NOT REQUIRED.

- a) Team USA Women's Olympic Softball Team Day (July 20, 2008)
- b) National Night Out (August 5, 2008)

4.2 COMMITTEE REPORTS

4.2.1 ORDINANCE COMMITTEE — The Ordinance Committee did not conduct the regularly scheduled meeting of July 28, 2008. The following was referred to Council from the special meeting conducted on August 5, 2008:

- A. ORDINANCE re: Chapter 161 – PROPERTY MAINTENANCE (#08-04) with favorable recommendation

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (Ordinance appended as pages 15-20)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY DEMPSEY TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. MR. FORRESTER OFFERED A FRIENDLY AMENDMENT TO STRIKE THE VERBIAGE FROM LINE ITEM I., **Section 161-2. Definitions (3)** “for a total time frame not to exceed thirty (30) days. A permit is required from the Director of Public Facilities for the placement of a dumpster for the purpose set forth in item 3, above, in the public right of way.” MR. DEMPSEY ACCEPTS MR. FORRESTER'S FRIENDLY AMENDMENT.

ORDINANCE re: Chapter 161 – PROPERTY MAINTENANCE (#08-04) — continued

THE MOTION PASSED 9 TO 0 AS AMENDED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O’NEAL — YES, MR. FORRESTER — YES, MS. BROOKS — ABSENT, MR. DEMPSEY — YES, MS. WANAMAKER — YES, MR. STROOMER — YES, MR. MOORE — YES, MR. KUBIC — YES, MR. HENRICK — YES.

B. ANTI-NEPOTISM POLICY ORDINANCE (#08-06) — Initially on agenda of Ordinance Committee meeting of June 23, 2008.

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (Ordinance appended as page 21)

A MOTION WAS MADE BY MR. FORRESTER, FOR DISCUSSION PURPOSES, SECONDED BY MR. JULIAN TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. MR. HENRICK OFFERED A FRIENDLY AMENDMENT TO ADD BACK THE VERBIAGE “Town Council”. THE FRIENDLY AMENDMENT WAS ACCEPTED. After discussion, A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MS. WANAMAKER TO REFER THE FOREGOING ORDINANCE TO THE ETHICS COMMISSION FOR REVIEW. MESSRS. FORRESTER AND JULIAN WITHDRAW THE ORIGINAL MOTION. THE MOTION TO REFER CARRIES UNANIMOUSLY.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. MOORE TO PLACE THE FOREGOING ORDINANCE ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

4.2.22 EMS FUNDING COMMITTEE — This committee’s regularly scheduled meeting of July 15, 2008 was conducted at which time the Committee approved the purchase of the following:

- Three (3) RAD-57 model #9061 \$3,995.00 per unit
- One (1) RAD-57 model #9062 \$6,495.00

PURCHASE CANNOT EXCEED THE SUM OF \$20,000.00

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO PLACE THE FOREGOING PURCHASE ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

4.3 TOWN ATTORNEY'S REPORT

4.3.1 AIRPORT PURCHASE — No business furnished.

4.3.2 WEST LONG BEACH — No additional business furnished.

TOWN ATTORNEY'S REPORT — continued

4.3.3 265 PEACE STREET — a.k.a. Quinto property. Mr. Buturla discussed the connection referencing the foregoing with Habitat for Humanity.

A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. O’NEAL TO REFER THE ABOVE-MENTIONED PARCEL TO THE PLANNING COMMISSION FOR A MANDATORY REVIEW PURSUANT TO § 8-24 OF THE CONN. GEN. STATS. THE MOTION PASSED UNANIMOUSLY.

4.3.4 QUESTIONS TO THE TOWN ATTORNEY

Mr. Julian — re: SAEP.

Mr. O’Neal — re: FAA allegations that they own Longbeach Parking Lot.

Mr. Forrester — re: Term limits

Mr. Henrick — re: Blighted house on Broadbridge Ave.

5. QUESTIONS TO MAYOR OR STAFF — None.

6. UNFINISHED BUSINESS

6.1 SAEP — No business furnished.

6.2 SHAKESPEARE THEATER ASSESSMENT REPORT — Mr. Buturla reported on the progress with the question of managing partners.

6.3 TABLED ITEMS

6.4.5 RESOLUTION SETTING THE MAYOR’S SALARY — tabled during Council Meeting of July 14, 2008.

Submitted by: Michael Henrick

WHEREAS, pursuant to Section 2.2.5 of the Charter of the Town of Stratford, the Council shall fix the salary of the Mayor, and

WHEREAS, the present mayoral term will end on the second Monday of December in the year 2009, and

RESOLUTION SETTING THE MAYOR'S SALARY — continued

WHEREAS, it is both just and prudent to set in a timely manner the salary of the Mayor for the term of office commencing on the second Monday of December 2009 and continuing during the four succeeding years, so as to both give notice to those interested in seeking said office and to facilitate the preparation of the budget for the next fiscal year,

NOW THEREFORE, be it resolved that:

The Mayor's salary shall be set initially at ~~\$125,000.00~~ \$105,000 per year, and that said salary shall increase, for each succeeding year subsequent to the first year of the mayor's term, by an amount equivalent to one and one-half (1.5) percent of said initial salary.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. STROOMER TO REMOVE THE FOREGOING RESOLUTION FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MR. JULIAN, FOR DISCUSSION PURPOSES, SECONDED BY MR. KUBIC TO ACCEPT THE FOREGOING RESOLUTION. MR. JULIAN OFFERED A FRIENDLY AMENDMENT TO MODIFY THE SALARY INCREASE AMOUNT TO \$105,000. MR. KUBIC ACCEPTS THE FRIENDLY AMENDMENT.

A MOTION WAS MADE BY MR. MOORE SECONDED BY MR. FORRESTER TO AMEND THE SALARY INCREASE TO \$95,400. THE MOTION FAILS WITH 3 IN FAVOR AND 6 OPPOSED.

Stratford Town Council meeting recessed: 10:55 p.m.

Stratford Town Council meeting reconvened: 10:58 p.m.

THE ORIGINAL MOTION, AS AMENDED, PASSES WITH 6 IN FAVOR AND 3 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — NO, MR. FORRESTER — YES, MS. BROOKS — ABSENT, MR. DEMPSEY — YES, MS. WANAMAKER — NO, MR. STROOMER — YES, MR. MOORE — NO, MR. KUBIC — YES, MR. HENRICK — YES.

MAYOR MIRON VETOES THE FOREGOING RESOLUTION.

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. JULIAN TO OVERRIDE THE FOREGOING VETO. THE MOTION FAILED WITH 6 IN FAVOR AND 3 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — NO, MR. FORRESTER — YES, MS. BROOKS — ABSENT, MR. DEMPSEY — YES, MS. WANAMAKER — NO, MR. STROOMER — YES, MR. MOORE — NO, MR. KUBIC — YES, MR. HENRICK — YES.

6.5 TABLED APPOINTMENTS

6.5.2 BUILDING NEEDS COMMITTEE — appointed by Council, terms concurrent w/Council.

RESOLVED: that CHRISTIAN BARNABY of 100 ASH STREET be and is hereby appointed an electorate member of the Building Needs Committee.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY. A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. KUBIC TO APPOINT CHRISTIAN BARNABY OF 100 ASH STREET TO THE FOREGOING COMMITTEE. THE MOTION PASSED UNANIMOUSLY.

6.5.5 WATERFRONT HARBOR MANAGEMENT COMMISSION— § 210-3 OF Town code, appointed by Council

6.5.5.1 REGULAR MEMBERS — 5-YEAR TERM

B. RESOLVED: that DEVIN JON SANTA of 116 WEST BEACH DRIVE be and is hereby appointed a regular member of the Waterfront Harbor Management Commission. (term of Devin Jon Santa expired May 31, 2008)

C. RESOLVED: that BILL ROCK of 850 HOUSATONIC AVENUE EXTENSION be and is hereby appointed a regular member of the Waterfront Harbor Management Commission. (term of Bill Rock expired May 31, 2008)

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO REMOVE FOREGOING APPOINTMENTS “B.” AND “C.” FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO REAPPOINT DEVIN JON SANTA TO POSITION “B.” AND REAPPOINT BILL ROCK TO POSITION “C.” ABOVE. THE MOTION PASSED UNANIMOUSLY.

7. ORDINANCES AND RESOLUTIONS

7.1 RESOLUTION AGAINST CONSOLIDATION OF RAYMARK WASTES IN RESIDENTIAL NEIGHBORHOODS

Sponsored by: Hon. Alvin O’Neal – 2nd District Council Member
Hon. Gavin B. Forrester III, — 3rd District Council Member
Hon. Emma Brooks — 4th District Council Member
Hon. John Dempsey — 5th District Council Member
Hon. Amy Wanamaker — 6th District Council Member
Hon. William Stroomer — 7th District Council Member
Hon. Thomas Moore — 8th District Council Member
Hon. Joseph A. Kubic — 9th District Council Member
Hon. Michael Henrick — 10th District Council Member

WHEREAS: The Connecticut State Legislature has passed House Bill 606, An Act Prohibiting the Storage and Disposal of Toxic Waste Near Residential Properties and;

WHEREAS: The Governor of the State of Connecticut, the Honorable Jodie Rell, visited Stratford on July 7th to sign the bill into law and;

WHEREAS: The organizations Save Stratford and the Stratford Town Council Raymark Advisory Committee's have recommended not consolidating Toxic Raymark Waste in residential neighborhoods in Stratford.

NOW, THEREFORE BE IT RESOLVED:

THAT: The Town Council hereby supports Save Stratford and the Raymark Advisory Committee's recommendation that any plan to consolidate Toxic Raymark Waste in residential neighborhoods in Stratford, CT is not acceptable nor a good long term solution for the town and its residents and; Furthermore, The Town Council is in agreement that the best long term solution for the town of

Stratford and its residents is the complete removal (from Stratford) of all or as much of the Raymark Waste as possible.

THAT: The Town Council respectfully requests that Federal, State, and Local Agencies work together in a consolidated effort to develop a remediation plan that places the Health and Safety of the Residents of Stratford foremost on the priority list of any proposed solution to the issue of Raymark Waste.

MR. JULIAN RECUSES HIMSELF FROM DISCUSSION AND VOTING ON THE FOREGOING RESOLUTION. A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. KUBIC TO ACCEPT THE FOREGOING RESOLUTION. THE MOTION PASSED WITH 8 IN FAVOR, NO ONE OPPOSED, AND ONE (MR. JULIAN) ABSTENTION.

ORDINANCES AND RESOLUTIONS — continued

7.2 RESOLUTION TO FORM THE TOWN COUNCIL TRANSPORTATION ADVISORY COMMITTEE

Sponsored by: Hon. Gavin B. Forrester III, Councilman, 3rd District

WHEREAS: The increase in price of Gasoline and Diesel Fuel have the potential to impact ridership of public transportation and;

WHEREAS: The Town of Stratford has a Metro North Rail Road Station located within its border and;

WHEREAS: The Town of Stratford has a need to review the level of services currently provided to its citizens and to insure that those services are able to expand to meet the potential of future demand.

NOW, THEREFORE BE IT RESOLVED:

THAT: The Town Council hereby creates the Transportation Advisory Committee to monitor and advise the Council on transportation issues to include the development, maintenance and improvement of systems for the transportation of people and goods and the development of transit facilities, including transportation centers and parking facilities, within the geographical limits of Stratford by rail, motor carrier or other means of land transportation deemed essential for the welfare of the citizens living and working in such area or areas and for the development of the resources, commerce and industry located within such service area where the development and maintenance of modern, efficient and adequate systems of mass transportation are required as a matter of public necessity.

THAT: The Committee be comprised of Two Members of the Stratford Town Council (One Republican and One Democratic Member); Both Representatives of the Town of Stratford assigned to the Greater Bridgeport Transit Authority; Two Members of the Current Citizens Metro North Advisory Committee, Two Members of the Greater Stratford Business Community, and the Mayor and or his designee.

THAT: The Committee will meet a minimum of four times per annum and will report their findings and recommendations to the Stratford Town Council on a minimum of once per annum.

A MOTION WAS MADE BY MS. WANAMAKER SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. MOORE TO WAIVE THE COUNCIL RULES OF ORDER TO ADD: "PROPOSED ABANDONMENT OF LAFAYETTE STREET". THE MOTION PASSED UNANIMOUSLY.

PROPOSED ABANDONMENT OF LAFAYETTE STREET — Communication from Planning Commission forwarded August 8, 2008.

The Planning Commission, at its July 29 meeting, considered the foregoing referral pursuant to § 8-24 of the CT General Statutes. After reviewing and discussing the existing information, the Commission would like to request a one-week extension to pursue additional information in order to render its report.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO GRANT THE EXTENSION TO THE PLANNING COMMISSION. THE MOTION PASSED UNANIMOUSLY.

8. NEW BUSINESS**8.1 CAPITAL EQUIPMENT AND IMPROVEMENT PROGRAM**

RESOLVED: that the Capital Equipment and Improvement Program FY 2009 – FY 2013 be and is hereby approved.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING PROGRAM. THE MOTION PASSED UNANIMOUSLY.

8.2 APPOINTMENTS**8.2.1 LIBRARY BOARD** — Appointed by Council, 3-year term

RESOLVED: that _____ of _____ be and is hereby appointed a member of the Library Board. (term of Judith Crudo expires December 31, 2009)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO PLACE THE FOREGOING APPOINTMENT ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

9. OLD BUSINESS — None

10. ADJOURNMENT — Hearing no further discussion in connection with the above agenda items or further business, the Chairman called for a motion to adjourn. ON A MOTION MADE BY MR. FORRESTER, SECONDED BY MR. JULIAN , IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 11:10 P.M.

ATTESTED BY:

Carol Cabral
Carol Cabral, Council Clerk

Amendments to Proposed Ordinance # re Chapter 161 – Property Maintenance (#08-04)

BE IT ORDAINED: By the Town Council of the Town of Stratford that the Stratford Municipal Code, Chapter 161 – Property maintenance is hereby amended as follows:

Chapter 161**ANTI-BLIGHT PROGRAM**

- 161-1 Declaration of policy.**
- 161-2 Definitions.**
- 161-3 Prohibition against creating or maintaining blighted premises.**
- 161-4 Enforcement.**
- 161-5 Anti-blight administrative procedures.**

Section 161-1. Declaration of policy.

- A. It is found and declared that there exist within the Town of Stratford a number of real properties which contain vacant and blighted buildings, and/or properties and/or vacant parcels that are poorly maintained, and that the existence of such poorly maintained properties and/or vacant parcels, and/or vacant and/or blighted buildings contributes to the decline of neighborhoods. It is further found that the existence of poorly maintained properties and/or vacant parcels, vacant and blighted buildings adversely affects the economic well-being of the Town and is inimical to the health, safety and welfare of the residents of the Town. It is further found that many of the vacant and blighted buildings can be rehabilitated, reconstructed or reused so as to provide decent, safe and sanitary housing and ancillary commercial facilities, and that such rehabilitation, reconstruction and reuse would eliminate, remedy and prevent the adverse conditions described. It is further found that the abatement of the blight of poorly maintained properties and/or vacant parcels is a benefit to the health, safety and welfare of the residents of the Town.
- B. Therefore, this chapter is adopted pursuant to sections 7-148(H)(xv) and 7-148aa of the Connecticut General Statutes and other applicable law.

Section 161-2. Definitions.

For the purposes of this chapter, the following words and terms shall have the meanings respectively ascribed as follows:

BLIGHTED PREMISES – means any vacant building or structure, or any vacant portion of a building or structure that is a separate unit, or any vacant parcel, in which at least one of the additional following conditions exist:

Ordinance #08-04 — continued

- A. It is determined by the Town that existing conditions pose a serious or immediate danger to the community; i.e. a life threatening condition or a condition which puts at risk the health or safety of citizens of the Town.
- B. It is not being maintained; the following factors may be considered in determining whether a structure or building is not being maintained: missing or boarded windows or doors; a collapsing or missing wall, roof or floor; siding that is seriously damaged or missing; fire damages; a foundation that is structurally faulty; or garbage, trash or abandoned cars situated on the premises (unless the premises is a legal junk yard) or that the outside of the property is not being maintained in accordance with the standards set forth in this chapter.
- C. It is becoming dilapidated.
- D. It is attracting illegal activity.
- E. It is a fire hazard.
- F. It is a factor that is materially depreciating property values in the neighborhood because of its poorly maintained condition.
- G. It is a factor creating a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or of other premises within the neighborhood.
- H. The exterior and areas exposed to public view of all commercial and residential property and premises is not being kept free from deterioration and/or is not in a good state of repair.
- I. The property is not being maintained so that it reflects a reasonable level of maintenance in keeping with the standards of the community and not constituting a blighting factor for adjoining property owners, or an element leading to the progressive deterioration of the neighborhood. Such maintenance of the outside of the property shall include, without limitation, the following:
 - (1) All surfaces shall be maintained free of broken glass, crumbling stone or brick or other condition reflective to deterioration or inadequate maintenance.
 - (2) The maintenance and appearance of the grounds and yards of premises shall be such that they reflect the level of upkeep of surrounding premises and properties. This shall include but not be limited to grass that has been allowed to go to seed, severely overgrown bushes and trees, dead trees and trash, rubbish, and dilapidated equipment or abandoned vehicles on the grounds. All equipment is to be in good working condition.

Ordinance #08-04 — continued

- (3) No dumpster or other refuse container usually used on a construction site may be kept in a residential area unless a construction or improvement project, which may include the disposal of household items, is to commence within two (2) weeks of the installation of a dumpster or it has been within two (2) weeks of the completion of the project, ~~* for a total time frame not to exceed thirty (30) days. A permit is required from the Director of Public Facilities for the placement of a dumpster for the purpose set forth in item 3, above, in the public right of way.~~ The Enforcement Officer may take into account other information it deems relevant in determining whether a dumpster is improperly placed.
- (4) Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

BLIGHT ENFORCEMENT OFFICER – means the position as established within the Zoning Department of the Town.

DILAPIDATED – means a building or structure which has been vacant for a period of sixty (60) days or longer and/or run down.

ENFORCEMENT OFFICER – means the Town Health Director or his/her designee, the Town housing code enforcement officer or his/her designee, the Blight Enforcement Officer, or any Town employee, who has statutory authority to enter onto private property for the purpose of inspecting said property, and is appointed by the Mayor to issue fines for violations of this chapter.

LEGAL OCCUPANCY – means occupancy that is legal by virtue of compliance with state building, state fire safety, local zoning, housing codes and all other pertinent codes, which habitation must be substantiated by a bona fide lease agreement, a rent receipt or a utility statement.

NEIGHBORHOOD – means an area of the Town comprised of all premises or parcels of land any part of which is within a radius of eight hundred (800) feet of any part of another parcel or lot within the Town.

UNIT – means any space within a building that is or can be rented by or to a single person, household or entity for his/her or its sole use, and is intended to be a distinct space.

VACANT – means a period of sixty (60) days or longer during which a building or a portion thereof is not legally occupied.

VACANT PARCEL – means a parcel of land with no structures thereon

* Amended 8.11.08

Ordinance #08-04 — continued**Section 161-3. Prohibition against creating or maintaining blighted premises.**

Any owner of real property in the Town shall not cause or allow blighted premises, as defined in this chapter, to be created, nor shall any owner allow the continued existence of such blighted premises.

Section 161-4. Enforcement.

A. The Blight Enforcement Officer shall cause regular inspections of certain of the blighted premises to be referred to the Enforcement Officer for the purpose of documenting continuous blight and, additionally, may cause to be imposed a penalty of not more than one hundred dollars (\$100.00) per violation for each day that a blighted premises, as defined in this chapter, or part thereof, is in violation of this chapter, except for persons who are given special consideration as described in Section 161-5 of this chapter. Each day a blighted premises, as defined in this chapter, or part thereof, is in violation of this chapter shall constitute a separate offense. The Blight Enforcement Officer shall cause the imposition of said penalty by notifying the owner by certified mail at the start of the period in which fines are levied.

(1) The written notice of citation shall include:

- (a) Enumeration of conditions in the structure that are inadequate to meet the standards of this chapter.
- (b) Enumeration of the remedial action required to meet the standards of this chapter.
- (c) A statement of a definite number of days from the date of the citation in which the owner or operator must commence and complete such remedial action.
- (d) The specific Town Code section violated.
- (e) A statement of the right of appeal.
- (f) A statement of the penalties for noncompliance, as set forth in this chapter.

(2) All fines imposed for violations of this section shall be paid to a fund maintained by the Town.

B. The Enforcement Officer shall promptly apply to the Citation Clerk for a judgment assessing monetary penalties against the alleged blight violator in accordance with Town Code §§ 6-1 through 6-11, inclusive, and Connecticut General Statutes § 7-152c. Such application shall in no event be made later than twelve (12) months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees.

Ordinance #08-04 — continued

- C. Any unpaid fine imposed pursuant to the provisions of this chapter regulating blight shall constitute a lien upon the real estate against which the fine was imposed from the date of such fine. Each such lien may be continued, recorded and released in the manner provided by the Connecticut General Statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens filed after the effective date of this ordinance and encumbrances, except taxes, and may be enforced in the same manner as property tax liens.
- D. Violators of this chapter shall have the right to file a written appeal to the Office of Citation Hearings within fifteen (15) days from the date of the imposition of the fines. Payment of fines shall be stayed until the appeal has been heard and ruled on by a Citation Hearing Officer. See Citation Hearings, Office of, §§ 6-1 through 6-11 of the Stratford Town Code. If dissatisfied with the findings, the violator may appeal to Superior Court in accordance with Section 7-152c of the General Statutes of Connecticut.

Section 161-5. Anti-blight administrative procedures.

- A. The Blight Enforcement Officer shall convene an Anti-blight Committee consisting of the Zoning Administrator, Planning Administrator, Economic and Community Development Department representative, the local Fire Marshal, the Health Director, the municipal Building Official, the Tax Collector, a member of the Stratford Town Council as designated by the Council, and may request, through the Mayor, the assistance of any other Town staff as deemed appropriate by the committee.
- B. The Blight Enforcement Officer shall produce an annual list of vacant buildings and/or vacant parcels and a monthly list of properties reported to the Town for investigation, as well as, the status of each case pending. The Anti-blight Committee shall add any blighted premises, as defined in this chapter, that it is aware of to this list. The Anti-blight committee shall review the list of such blighted premises and select those properties for which specific strategies may be developed. Strategies may include:

- (1) Fines for Blight.

- (a) The Anti-blight Committee may refer such blighted premises to be fined in accordance with the Anti-blight Ordinance codified in this chapter to the Enforcement Officer who will send a certified letter to the owner instituting daily fines as provided for in this chapter. The Enforcement Officer shall cause regular inspections to be conducted to document that the blight persists. The Enforcement Officer shall within thirty (30) days work with the Town Attorney to convert the fines to liens and initiate foreclosure or institute legal proceedings to collect the fines.
- (b) Once foreclosure is complete, the Anti-blight committee shall refer disposal of the properties in a timely manner through the Stratford Town Council or any Re-development organization created by ordinance.

Ordinance #08-04 — continued

(2) Tax Foreclosure.

- (a) The committee may refer blighted premises, as defined in this chapter. The Town Attorney shall keep the Anti-blight Committee informed on a quarterly basis as to the status of foreclosures of such referred blighted premises.
- (b) Once foreclosure is complete, the Anti-blight Committee shall determine how to dispose of the properties in a timely manner.

(3) Rehabilitation.

- (a) The Anti-blight Committee may refer blighted premises, as defined in this chapter, that are suitable for rehabilitation to the Mayor and Town Council for acquisition and rehabilitation through the urban home-steading program or other appropriate rehabilitation programs as resources permit.
 - (b) The Anti-blight Committee may refer blighted premises, as defined in this chapter, for the abatement of said violations through an appropriate rehabilitation program as resources permit. The abatement of said violations by the Town may occur upon: a written complaint of any person having an interest in said property in accordance with Section 19a-210 of the General Statutes of Connecticut; or the permission of the property owner, or the issuance of a Court Order in accordance with Section 19a-206 of the General Statutes of Connecticut; the procedures for any tenement, lodging or boarding house or property upon which buildings are situated as set forth in Section 47a-53 of the General Statutes of Connecticut, when appropriate. The Blight Enforcement Officer shall work with the Town Attorney to convert the cost of abatement of said violations to liens and institute all legal proceedings necessary to collect said costs from the property owner(s).
- (4) Special Consideration. Special consideration shall be given to individuals that are elderly or disabled in the Town's effort to correct blighted conditions. If it is found by the Enforcement Officer that an individual can not maintain a reasonable level of upkeep of the owner-occupied residence because the individual is elderly or disabled and no capable person resides in the residence, the Enforcement Officer shall suspend fines to give the person adequate time to correct the problem. Except as noted below, where the individual is a low-income individual and owns and occupies a residence that is designated as blighted, the Enforcement Officer shall give special consideration to the person by providing adequate time to correct the problem. If items designated as blighted have to do with lawn and shrub maintenance, painting and keeping grounds free from rubbish and debris, the Enforcement Officer will not provide additional time to correct the problem.

*ANTI-NEPOTISM POLICY ORDINANCE (#08-06)

Sponsored by: Hon. Michael Henrick, Tenth District Council Member

- (a) It is hereby declared to be the policy of the Town of Stratford that the Town of Stratford, excluding the Board of Education, will not hire any person, to fill any paid employment position who is an immediate family member of the Mayor, the Chief Administrative Officer or of any member of the Town Council or any member of the Human Resources Department Immediate family member is defined as spouse, child, sibling, parent, spouse of a child, spouse of sibling, stepchild, stepparent or stepsibling.
- (b) A person who is an immediate family member of any employee of the town, other than the Mayor, the Chief Administrative Officer, or any member of the Town Council or any member of the Human Resources Department may be hired by the Town to fill any paid employment position, except that any person hired to fill any paid employment position shall not report directly to an immediate family member as defined in subsection (a), nor shall be supervised or under the authority of an immediate family member.

* Amended during Ordinance Committee meeting of June 23, 2008