



Stratford, Connecticut

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, APRIL 13, 2009 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, Ms. Emma Brooks, Mr. John Dempsey, Ms. Amy Wanamaker, Mr. William Stroomer, Mr. Thomas Moore, Mr. Joseph Kubic, Mr. Michael Henrick

COUNCIL MEMBERS ABSENT: none

OTHERS IN ATTENDANCE: Mayor James Miron, Town Attorney Richard Buturla, CAO Suzanne McCauley, Finance Director John Norko

INVOCATION PRESENTED BY EIGHTH DISTRICT COUNCIL MEMBER THOMAS MOORE FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of: Public Forum and Regularly scheduled meeting and executive session of March 9 and special meetings of March 23 and March 30, 2009.

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

2. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. Julian — re: PYE Presentation, Shakespeare Theater agreement

Mr. O'Neal — re: Shakespeare Theater Contract

Ms. Wanamaker — re: Shakespeare Theater Contract

Mr. Moore — re: Paramedic Program

COUNCIL RESPONSE — continued

Mr. Kubic — Recognition of Maury Johnson
Mr. Henrick — re: Council accomplishments

3. COMMUNICATIONS

3.1 RESIGNATION — from: Robert Sammis, Financial Advisory Committee
(hard copy forwarded)

RESOLVED: that the resignation of Robert Sammis, member of the Financial Advisory Committee, be and is hereby accepted.

A MOTION WAS MADE BY MR. MOORE 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 Ordinance Regarding the \$7,884,000 Renovation Option for Honeyspot School (Ordinance appended)

A. AN ORDINANCE APPROPRIATING \$7,884,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF ADDITIONS AND RENOVATIONS TO THE HONEYSPOOT ELEMENTARY SCHOOL (#09-12)

Sponsored by: the Hon. Stratford Town Council

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. *(Appended as page 15)*

B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$7,884,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF ADDITIONS AND RENOVATIONS TO THE HONEYSPOOT ELEMENTARY SCHOOL AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-13)

Sponsored by: the Hon. Stratford Town Council

ORDINANCE #09-13 — continued

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. *(Appended as pages 16-18)*

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. O’NEAL TO REFER THE FOREGOING TWO ORDINANCES (#09-12 AND #09-13) TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

4.1.2 Resolution authorizing Clean Vessel Act Grant Program – Operation and Maintenance of Pumpout Boat

Sponsored by: Hon. Stratford Town Council

WHEREAS, the CT Department of Environmental Protection-Office of Long Island Sound Programs, is authorized to extend financial assistance to municipalities in the form of grants through *the Clean Vessel Act Grant Program; and,*

WHEREAS, the Town of Stratford operates a pumpout boat program to maintain good water quality in the Lower Housatonic River and vicinity, including Milford Harbor; and,

WHEREAS, funding through the Clean Vessel Act Grant Program will be used to reimburse the Town of Stratford for 75% of the operation costs of its pumpout boat program; and,

WHEREAS, it is desirable and in the public interest that the Town of Stratford, enter into contracts with the CT Department of Environmental Protection-Office of Long Island Sound Programs in an amount not to exceed \$34,413.75 for the purpose of operating the Town’s pumpout boat program; and

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

1. That it is cognizant of the Town’s contract with the **CT Department of Environmental Protection-Office of Long Island Sound Programs** for funds to operate a pumpout boat program in the Lower Housatonic River and vicinity; and,
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and file such application with the **CT Department of Environmental Protection**, to provide such additional information and to execute such other contracts and documents as maybe necessary under this program.

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

MAYOR'S REPORT — continued

4.1.3 Resolution authorizing Department of Social Services Counseling Grant

Sponsored by: Hon. Stratford Town Council

RESOLUTON RE: DSS HUMAN SERVICE CONTRACT/ COUNSELING GRANT

WHEREAS, the State Department of Social Services has made available funding in support of counseling services provided by the Town of Stratford in the amount of \$30,494; and

WHEREAS, it is both desirable and in the public interest to execute a grant agreement with the State Department of Social Services and to accept funding in connection with this program;

NOW THEREFORE, BE IT RESOLVED that Mayor James R. Miron is authorized to enter into a contract on behalf of the Town of Stratford with the State Department of Social Seves in the amount of \$30,494; to execute any contracts, amendments, revisions or rescissions thereto; and to act as the authorized representative of the Town of Stratford.

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

4.1.4 Fire Rescue Pumper Bid Results — Mayor Miron reported that 4 bids have been received with the bid amounts higher than the budget will allow. Ms. McCauley will forward the names of the bidding companies to Council members.

4.1.5 Monthly Personnel Report for Period Ending March 31, 2009 — Mayor Miron disseminated the report to Council Members.

4.1.6 Economic and Community Development Commission Resolution and Presentation Regarding Economic Development Corporation. — Mr. Neil Sherman, Chairman of the Economic Development Commission, distributed the report and verbally highlighted some of its features. A question-answer period followed.

4.1.7 Executive Session Regarding Status of Labor Union Negotiations — Mayor Miron requests taking the foregoing item into executive session for the purpose of discussion regarding Collective Bargaining Unit agreements and negotiations. The Mayor would like that motion to include members of the Stratford Town Council, the Town Attorney, Human Resource Director, Chief Administrative Officer, Consultant David Dunn, the Finance Director, and himself.

MAYOR'S REPORT — continued

Executive Session Regarding Status of Labor Union Negotiations — continued

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. KUBIC TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ITEM 4.1.7 FOR THE REASON AS STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION CARRIES UNANIMOUSLY.

Stratford Town Council meeting recessed: 9:15 p.m.

Stratford Town Council meeting reconvened: 9:57 p.m.

ACTION FROM EXECUTIVE SESSION ITEM

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. KUBIC TO WAIVE THE COUNCIL RULES OF ORDER TO ADD TO THE AGENDA THREE TENTATIVE BARGAINING UNIT AGREEMENTS: (1) CLERICAL WORKERS UNION (2) DISPATCHERS UNION (3) SUPERVISORS' UNION. THE MOTION PASSED UNANIMOUSLY.

TENTATIVE BARGAINING UNIT AGREEMENTS

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. FORRESTER TO ACCEPT THE BARGAINING UNIT AGREEMENTS [(1), (2), AND (3)], AS PRESENTED IN EXECUTIVE SESSION. THE MOTION PASSED UNANIMOUSLY.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. KUBIC TO WAIVE THE COUNCIL RULES OF ORDER TO ADD PRESENTATION BY THE ARTS COMMISSION. THE MOTION PASSED UNANIMOUSLY.

PRESENTATION BY THE ARTS COMMISSION

Mr. Sib Law, Chairman of the Arts Commission, disseminated the booklet *Stratford Arts Festival* to Council Members and verbally outlined the Commission's plan for the Summer Arts Festival. A question-Answer period followed.

4.2 COMMITTEE REPORTS

4.2.1 ORDINANCE COMMITTEE — The Ordinance Committee conducted a regularly scheduled meeting on March 23, 2009 during which time the following was referred:

4.2.1.1 Mr. Forrester, Chairman of the Committee, recommended that Council undertake the issue of addressing the process of Ordinances that fail to get moved back to Council. *Council Rules of Order* was suggested. — NO ACTION TAKEN.

4.2.1.2 REFERRED WITHOUT RECOMMENDATION

ORDINANCE AUTHORIZING THE TRANSFER OF ACCUMULATED INTEREST EARNINGS FROM FUND 51 TO THE GENERAL FUND AND TO THE BUNNELL HIGH SCHOOL FOOTBALL FIELD PROJECT AND AMENDING AN ORDINANCE APPROPRIATING \$11,687,000 (AS PREVIOUSLY AMENDED) FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2007-2008 (#09-09) — NO ACTION TAKEN

Mr. Forrester, Chairman of the Ordinance Committee, named the dates for the budget work sessions and continued public hearing as follows:

Budget workshops

Tuesday – April 21, 2008, 6:00 p.m. in Police Building (training room) to discuss: Police dept./Fire/EMS/Emergency Management

Thursday — April 23, 7:00 p.m. at Center School to discuss: Board of Education

Wednesday — April 29, 6:30 p.m. in Council Chambers to discuss: Administration Mayor’s Office/Human Resources/Town Attorney/CAO and related staff/Town Buildings/Agencies/Information Technologies

Thursday — April 30, 7:00 p.m. in Council Chambers to discuss:

- Human Services: Senior Services/Sterling House/Library/Economic Development/Community Services
- Physical Development: Public Works/Parks/Highways

Ordinance Committee Public Hearing (continued)

Tuesday, May 5, 6:30 p.m.

Bunnell High School

Wednesday, May 6, 6:30 p.m.

Stratford High School

Special Ordinance meeting to be conducted May 7 followed by Special Council meeting.

COMMITTEE REPORTS — continued

4.2.2 FINANCE AND CLAIMS COMMITTEE — The Finance and Claims Committee conducted the regularly scheduled meeting of March 16, 2009 at which time the following claims were referred to Council upon the Town Attorney’s recommendation:

4.2.3.1 WITH POSITIVE RECOMMENDATION:

- A. CLAIM OF: Geico aso Forker, 46 Federal Street AMOUNT: \$2,878.10
D/I 12/16/07
Summary: Plow sideswiped parked vehicle while backing down Federal Street.

RESOLVED: that the recommendation of the Finance and Claims Committee is accepted and the claim of Geico aso Forker for the amount not to exceed \$2,878.10, be and is hereby approved.

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

- B. CLAIM OF: Mazal Fuel Co, Inc., Bridgeport AMOUNT: \$3,270.24
D/I 01/19/09 Summary of Claim: Plow on Winton Street struck parked fuel truck as it swerved to avoid a pedestrian shoveling snow into the street.

RESOLVED: that the recommendation of the Finance and Claims Committee is accepted and the claim of Mazal Fuel Co., Inc. for the amount not to exceed \$3,3,270.24, be and is hereby approved.

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

4.2.3.2 WITH POSITIVE RECOMMENDATION TO OFFER BOOK VALUE OF \$2,575:

- CLAIM OF: Weston, Bernard, 166 Jackson Ave AMOUNT: asking \$3,467.97
Summary of Claim: Piston for running hopper on sanitation truck became dislodged and fell on parked vehicle. D/I 01/13/09

RESOLVED: that the recommendation of the Finance and Claims Committee is accepted and the claim of Weston, Bernard for the amount not to exceed \$2,575, be and is hereby approved.

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

COMMITTEE REPORTS — continued

4.2.5 PARKS AND RECREATION COMMITTEE — This committee conducted the regularly scheduled meeting of March 25, 2009 at which time the following was referred to Council with favorable recommendation:

- A. Allowing Dogs on Short or Long Beach from December 1 to March 31 as an experimental endeavor — Mr. Buturla will submit a draft amended ordinance.
- B. Renewal of leases for Pony, Little League and PAL — Mr. Buturla does not recall a lease with PAL. Short Beach Lease with Little League and Clover field with Pony League for \$1.00 per year and league maintains the fields. Mr. Buturla, stated that because they are leases, CGS §8-24 requires a Planning Commission review. He will revise the leases prior to the next Council meeting.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO REFER THE ABOVE MENTIONED LEASE RENEWALS TO THE PLANNING COMMISSION FOR A MANDATORY REVIEW PURSUANT TO § 8-24 OF THE CONN. GEN. STATS. THE MOTION PASSED UNANIMOUSLY.

- C. The Recreation Department is recommending the following fee increase to assist in offsetting budget increases. Fees would take effect March 2009:
 - 1. Playground Program fee will increase from \$5 per participant to \$25 per week or \$100 per participant for the summer. The anticipated revenue is \$40,000.
 - 2. Increase Swim Lesson fees from \$25 for half hour lessons to \$30 and from \$30 for hour lessons to \$35. The anticipated revenue is \$6,000.
 - 3. Increase Open Swims from \$1 for youth to \$2 and from \$2 for adults to \$3. The anticipated revenue is \$1,000.

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

4.2.9 WATER POLLUTION CONTROL AUTHORITY — The Water Pollution Control Authority conducted the regularly scheduled meeting of March 23, 2009 at which time the following item was referred to Council for further investigation:

Meadowmere Sewer — This project is substantially complete. Current cost summary and potential assessment is provided below. During the original public hearing for this project a possible cost range of \$30-35,000 per homeowner was put forth. Ultimately, the WPCA will set the assessment amount, pay back period and interest rate.

COMMITTEE REPORTS — continued

WATER POLLUTION CONTROL AUTHORITY — continued

Surplus construction	\$124,080.16
Police	\$44,689.68
Miscellaneous	\$200.00
TOTAL PROJECT COST	For 4 units - \$168,969.84 Unit assessment - \$42,242

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

4.2.22 BEAUTIFICATION COMMITTEE — The Beautification Committee’s regularly scheduled meeting of March 3, 2009 was conducted. Mr. Stroomer, Chairman of the Committee, announced that on Saturday, May 2, the committee will conduct Project Greensweep, a town-wide cleanup in conjunction with CT Boaters Association River cleanup. The event will commence at Town Hall at 9:00 a.m.

4.2.30 FINANCIAL ADVISORY COMMITTEE — The Financial Advisory Committee did not conduct the regularly scheduled meeting of March 2, 2009.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MS. WANAMAKER TO WAIVE THE COUNCIL RULES OF ORDER TO ADD TO THE AGENDA THE COMMITTEE’S REQUEST TO LOOK INTO THE RFP AND RFQ PROCESS. THE MOTION PASSED UNANIMOUSLY.

REQUEST TO LOOK INTO THE RFP AND RFQ PROCESS — The RFQ and RFP process was discussed.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO WAIVE THE COUNCIL RULES OF ORDER TO ADD TWO ADDITIONAL ITEMS:

(1) AN ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2009, AND ENDING JUNE 30, 2010, AND APPROPRIATING THE SUM OF \$177,488,543 IN ACCORDANCE THEREWITH (#09-14)

(2) AN ORDINANCE LEVYING A TAX RATE OF 30.51 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2008. (#09-15)

THE MOTION TO ADD THE TWO FOREGOING ORDINANCE PASSED UNANIMOUSLY.

- (1) AN ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2009, AND ENDING JUNE 30, 2010, AND APPROPRIATING THE SUM OF \$177,488,543 IN ACCORDANCE THEREWITH (#09-14)

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. *(appended as page 19)*

- (2) AN ORDINANCE LEVYING A TAX RATE OF 30.51 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2008. (#09-15)

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. *(appended as page 20)*

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO SEND THE FOREGOING TWO ORDINANCES (#09-14 AND #09-15) TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

4.3 TOWN ATTORNEY'S REPORT

4.3.1 AIRPORT PURCHASE — continuing item. No Business furnished.

4.3.2 ABRAHAM SANTIAGO VS. MARK DELIETO — Mr. Buturla reported that judgment was issued in favor of the defendant.

4.3.3 GREENWAY IMPROVEMENT ORDINANCE (#09-16)

sponsored by: Hon. Stratford Town Council

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. *(appended as pages 21-22)*

TOWN ATTORNEY'S REPORT — continued

GREENWAY IMPROVEMENT ORDINANCE (#09-16) — continued

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO SEND THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

4.3.4 QUESTIONS TO THE TOWN ATTORNEY

Mr. Kubic — re: List of pending litigation.

Mr. Forrester — re: correspondence with Brakettes for promissory note, FOI request

Mr. Julian — re: Portion of Walkway in Lordship called Wayne's Walk

5. QUESTIONS TO MAYOR OR STAFF

Mr. Julian — re: sewer replaced/repared unbeknownst to property owner at 20 Post Oak Road

Mr. Forrester — re: EMS scheduling software, Christ Church parking lot contract, personnel retained for revaluation, FOI complaint

Mr. Moore — re: revaluation process, stop sign at Warner Hill Road, Tide Gate owned by Bridgeport

Mr. Henrick — re: Accident Reports, Public Works Dept. budget reaching 100%, all Town grants, propane tanks at Longbeach West.

6. UNFINISHED BUSINESS

6.1 SAEP — No business furnished.

6.2 TABLED ITEMS — All items remained on the table.

6.3 TABLED ORDINANCES AND RESOLUTIONS — All items remained on the table.

6.4 TABLED APPOINTMENTS

6.4.5 FINANCIAL ADVISORY COMMITTEE, ALTERNATE MEMBERS

A. RESOLVED: that BENJAMIN BARNES of 28 BRIGHTWOOD AVENUE be and is hereby appointed an alternate member of the Financial Advisory Committee. (term of Sheryl DeCilio)

UNFINISHED BUSINESS, TABLED APPOINTMENTS — continued

FINANCIAL ADVISORY COMMITTEE, ALTERNATE MEMBERS — continued

B. RESOLVED: that JUSTIN M. HAWTHORNE of 450 WOODSTOCK AVENUE be and is hereby appointed an alternate member of the Financial Advisory Committee. (term of Chris Loban) — via resignation.

A MOTION WAS MADE BY MR. MOORE SECONDED BY MR. KUBIC TO REMOVE THE FOREGOING TWO APPOINTMENTS (A. AND B.) FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MR. MOORE SECONDED BY MR. FORRESTER TO APPOINT BENJAMIN BARNES OF 28 BRIGHTWOOD AVENUE TO FOREGOING POSITION A. AND JUSTIN M. HAWTHORN OF 450 WOODSTOCK AVENUE TO FOREGOING POSITION B. PENDING VERIFICATION OF PARTY AFFILIATION. THE MOTION PASSED UNANIMOUSLY.

7. ORDINANCES AND RESOLUTIONS

7.1 AMENDMENT TO HISTORIC DISTRICT ORDINANCE (#09-11)

sponsored by: Hon. Gavin B. Forrester, III, Third District Council Member

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. *(ordinance appended as page 23)*

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MS. WANAMAKER TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

7.2 RESOLUTION REGARDING COPS HIRING RECOVERY PROGRAM

Submitted by Councilman Thomas Moore, Eighth District

WHEREAS, the State of Connecticut and the Town are facing significant budget pressures; and

WHEREAS, the Town has made a commitment to fully staff the Stratford Police Department; and

RESOLUTION REGARDING COPS HIRING RECOVERY PROGRAM — continued

WHEREAS, a strong Stratford Police Department is necessary for public safety and the community; and

WHEREAS, the federal government has created a grant program, the COPS Hiring Recovery Program (“CHRP”); and

WHEREAS, CHRP will fund salary and benefits for local police officers for three years with no local matching funds required; and

WHEREAS, if the Town obtains a CHRP grant, the Town is obligated to pay salary and benefits for the officer’s fourth year of service; and

NOW, THEREFORE, BE IT RESOLVED, the Town is hereby authorized to apply for a CHRP grant from the federal government for five officers.

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. FORRESTER TO AUTHORIZE THE POLICE CHIEF TO APPLY FOR THESE 5 UNITS FOR THE “COPS” PROGRAM WITH THE UNDERSTANDING THAT IT WILL BE BROUGHT BACK TO THIS COUNCIL FOR RATIFICATION FOR WHATEVER AWARD WE MIGHT RECEIVE THROUGH THE “COPS” PROGRAM. THE MOTION PASSED UNANIMOUSLY.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. DEMPSEY TO WAIVE THE COUNCIL RULES OF ORDER TO ADD A COMMUNICATION ITEM: “ABANDONMENT OF A PORTION OF CLINTON AVENUE AND OF CONNECTICUT AVENUE, STRATFORD.” THE MOTION PASSED UNANIMOUSLY.

ABANDONMENT OF A PORTION OF CLINTON AVENUE AND OF CONNECTICUT AVENUE, STRATFORD — previously forwarded to all Council Members

Dated: March 30, 2009 from: Barry C. Knott, Attorney-at-Law

RESOLVED: that the foregoing communication be and is hereby accepted and the request for the specified abandonment is referred to the Planning Commission for a mandatory review pursuant to § 8-24 of the CGS.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. DEMPSEY TO REFER THE FOREGOING REQUEST TO THE PLANNING COMMISSION AS STATED ABOVE. THE MOTION PASSED UNANIMOUSLY.

8. NEW BUSINESS

8.1 APPOINTMENTS — None.

9. OLD BUSINESS

9.1 SHAKESPEARE THEATER FINAL CONTRACT

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

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. DEMPSEY, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 11:30 P.M.

ATTESTED BY: Carol Cabral
Carol Cabral, Council Clerk

**AND CONSTRUCTION OF ADDITIONS AND RENOVATIONS TO THE AN
ORDINANCE APPROPRIATING \$7,884,000 FOR THE PLANNING, DESIGN,
ACQUISITION HONEYSPOOT ELEMENTARY SCHOOL (#09-12)**

**BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF
STRATFORD:**

Section 1. The sum of \$7,884,000 is hereby appropriated for the planning, design, acquisition and construction of additions and renovations to the Honeyspot Elementary School, including equipment, furniture, fixtures and site improvements, and for testing, surveys, inspections, environmental services, engineers and architects fees, administrative, financing, legal and costs of issuance related thereto, with such changes and modifications as shall be determined by the Board of Education and the Building Needs Committee, said appropriation to be inclusive of and any and all State-grants-in aid thereof (the "Project").

Section 2. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$7,884,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF ADDITIONS AND RENOVATIONS TO THE HONEYSPOUT ELEMENTARY SCHOOL AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-13)

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF STRATFORD:

Section 1. To meet the appropriation of \$7,884,000 made in the ordinance enacted together herewith for the planning, design, acquisition and construction of additions and renovations to the Honeyspot Elementary School, including equipment, furniture, fixtures and site improvements, and for testing, surveys, inspections, environmental services, engineers and architects fees, administrative, financing, legal and costs of issuance related thereto, with such changes and modifications as shall be determined by the Board of Education and the Building Needs Committee, said appropriation to be inclusive of and any and all State-grants-in aid thereof (the "Project"), \$7,884,000 bonds of the Town may be issued maturing not later than the twentieth year after their date (the "Bonds").

Section 2. The Bonds may be issued in one or more series as determined by the Mayor and the Director of Finance. The amount of Bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amounts and timing of State and Federal grants-in-aid for the Project, 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 the Bonds outstanding at the time of the issuance thereof, and to pay for costs of issuance of the Bonds. The Bonds shall be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Director of Finance, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The Bonds shall be general obligations of the Town and each of the Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The Town shall levy taxes in each year to meet principal and interest due and payable on the Bonds issued pursuant to this ordinance. The aggregate principal amount of the Bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, the date, time of issue and sale and other terms, details and particulars of such Bonds, including the approval of the rate or rates of interest, shall be determined by the Mayor and the Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended (the "Connecticut General Statutes").

ORDINANCE #09-13 — continued

The Bonds shall be sold by the Mayor and the Director of Finance in a competitive offering or by negotiation in their discretion. If sold in a competitive offering, the Bonds shall be sold 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 the bond purchase agreement shall be approved by the Mayor and Director of Finance.

Section 3. The Mayor and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of the Bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Director of Finance, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor and the Director of Finance, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. The Notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing, to the extent paid from the proceeds of such renewals or the Bonds, shall be included as a cost of the Project. Upon the sale of the 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 4. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Town 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 5. The Mayor and the Director of Finance are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission

ORDINANCE #09-13 — continued

Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the Bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 6. It is hereby found and determined that the estimated period of utility for the Project is at least twenty years.

Section 7. The Board of Education is authorized in the name and on behalf of the Town to apply to the Connecticut Department of Education for any and all State grants-in-aid of the Project.

Section 8. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing.

AN ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2009, AND ENDING JUNE 30, 2010, AND APPROPRIATING THE SUM OF \$177,488,543 IN ACCORDANCE THEREWITH (#09-14)

Sponsored by: Hon. Gavin B. Forrester, III, Third District Council Member

WHEREAS, the Mayor has prepared and submitted to the Town Council the annual operating budget for the Town of Stratford for the fiscal year commencing July 1, 2009, and ending June 30, 2010, in accordance with the Stratford Town Charter; and

WHEREAS, the Town Council has given consideration thereto and has conducted public hearings in connection therewith; and

WHEREAS, the estimated amount of current expenses, permanent improvements, and other lawful charges of the Town of Stratford for the fiscal year commencing July 1, 2009 and ending June 30, 2010, is \$177,488,543.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STRATFORD:

That the budget attached hereto and made a part hereof be and is hereby adopted as the operating budget for the Town of Stratford for the fiscal year commencing July 1, 2009 and ending June 30, 2010; and

That the sum of \$177,488,543 is hereby appropriated for the current expenses, permanent improvements, and other lawful charges for each department and each division thereof of the Town of Stratford for the fiscal year commencing July 1, 2009, and ending June 30, 2010, all in accordance with the provisions of the budget attached hereto and made a part hereof.

AN ORDINANCE LEVYING A TAX RATE OF 30.51 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2008. (#09-15)

Sponsored by: Hon. Gavin B. Forrester, III, Third District Council Member

WHEREAS, the Mayor has prepared and submitted to the Town Council the annual operating budget for the Town of Stratford for the fiscal year commencing July 1, 2009, and ending June 30, 2010, according to law; and

WHEREAS, the Town Council has given consideration thereto and has conducted public hearings in connection therewith; and

WHEREAS, the estimated revenues of the Town of Stratford other than by taxation for the fiscal year commencing July 1, 2009, and ending June 30, 2010, are \$38,919,816; and

WHEREAS, the Town Council has adopted an operating budget for the fiscal year commencing July 1, 2009, and ending June 30, 2010; and

WHEREAS, a tax levy at the rate of 30.51 mills on the dollar on the Grand List of taxable property in the Town of Stratford on October 1, 2008, is necessary to meet the appropriations, less the estimated amount of revenue from other sources as permitted by law to be raised;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STRATFORD:

That a tax rate of 30.51 mills on the dollar on the Grand List be and is hereby levied against all taxable property in the Town of Stratford on the Grand List of October 1, 2008;

That said tax shall be due and payable in two equal installments, one half thereof on July 1, 2009, and the second half thereof on January 1, 2010, provided, however, that any tax, the aggregate amount of which shall not exceed \$100.00 shall be due and payable in one payment on July 1, 2009.

GREENWAY IMPROVEMENT ORDINANCE (#09-16)

_____ § ____ **Greenway Project**

The Town has through coordinated planning, public hearings and community involvement determined that a linear walkway, biking and hiking trail should be established throughout Town. The proposed trail, as adopted by the Stratford Planning Commission, traverses the Town from the beach areas to Roosevelt Forest.

_____ § _____ **Incorporation of Greenway Project into Public Improvements and Subdivisions**

For all designated Greenway areas, sidewalk, walkway, on-road improvements, and trail systems sufficient to serve both existing and projected pedestrian and bicyclists use of the existing and projected Greenway shall be reflected in all site and subdivision plans and shall be incorporated into all Public Works Projects, including street improvements and improvements to Public Parks, Schools and Public Transportation. Such systems may include either conventional sidewalks along street rights-of-way, wide outside travel lanes or bike lanes on roadways, or walkways and trails in alternative locations as appropriate. Design, location, dimensions, dedications, easements, and reservations, shall conform to applicable Town policies and plans for sidewalks, bicycle routes and trails.

1. Location: Unless an alternative walkway is approved, conventional sidewalks within the area designated for the future expansion of the Greenway shall be located as follows:

- a. On both sides of major and minor thoroughfares (as defined by the adopted Thoroughfare Plan) except on freeways;
- b. On one side of collector streets and nonresidential streets with existing or projected traffic of 2,000 or more vehicles per day;
- c. On one side of residential streets of all types that are not cul-de-sacs;
- d. On one or both sides of local streets in nonresidential areas where review indicates that sidewalks are, or will be, needed to accommodate pedestrian traffic.

2. If a conflict exists between these standards and the provisions of any other Ordinance, then the stricter requirements shall apply. When the approving body determines that the construction of a conventional sidewalk or alternative walkway is not feasible due to special circumstances, including but not limited to, impending road widening, significant street trees, severe roadside conditions, or limited pedestrian volumes; the approving body may require either: (1) payment in lieu of sidewalk construction; or (2) a combination of sidewalk and/or alternative walkways and/or payment in lieu funds. In general, sidewalks shall be 5 feet in width and shall be constructed of concrete. Alternate dimensions and materials may be approved by the Engineering Department.

ORDINANCE #09-16 — continued

3. Either wide outside travel lanes or bicycle lanes, shall be a part of any road improvements made on roadways which are located along the Greenway.

AMENDMENT TO HISTORIC DISTRICT ORDINANCE (#09-11)

121-12 Notice of Violation

- A) Upon notice by the Historic District Commission, the Zoning Enforcement Officer or Building Official, shall serve a notice of violation on the person or entity in violation of this ordinance which would result from, but not limited to (1) failure to apply for a certificate of appropriateness and or a building permit required of any building or structure which can be seen from the public way, pursuant to §121-6, and (2) failure to comply with the scope of approved work by the Historic District Commission.

- B) Upon notice by the Historic District Commission, the Zoning Enforcement Officer or Building Official shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this Ordinance.

- C) Penalty – property owner failing to obtain a certificate of appropriateness or building permit pursuant to the Ordinance shall be fined the sum of \$100.00 for each day that the violation is unabated.

- D) Appeal – any person, property owner, occupant, firm or contractor that has been fined for a violation of this Ordinance may appeal said fine by requesting a hearing before the Historic District Commission not more than fifteen days from the issuance of the fine. Any fine issued will continue to accrue during the appeal period and will not be repealed, waived or voided without a majority vote of the Historic District Commission Members or Alternates eligible to vote on the appeal.