



Stratford, Connecticut

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, MAY 11, 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, 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, CAO Suzanne McCauley, Dir. Of Finance John Norko

INVOCATION PRESENTED BY NINTH DISTRICT COUNCIL MEMBER JOSEPH A. KUBIC FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of: Public Forum and Regularly scheduled meeting and executive session of April 13 and special meetings of April 8 and April 20, 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. DEMPSEY SECONDED BY MR. STROOMER TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED UNANIMOUSLY.

2. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. O'Neal — re: Short Beach Concession contract.

Mr. Moore — re: RFP and RFQ process, propane tanks at Long Beach West.

Mr. Stroomer — re: sports and playing fields.

Mr. Henrick — re: heating at Stratford High School

3. COMMUNICATIONS

3.1 LETTERS OF RESIGNATION

3.1.1 LIBRARY BOARD — copy of letter previously forwarded
FROM: Susan Fennell DATED: April 30, 2009
RESOLVED: that the resignation of Susan Fennell, member of the Library Board, be and is hereby accepted.

3.1.2 FINANCIAL ADVISORY COMMITTEE, ALTERNATE MEMBER — copy of letter previously forwarded.
FROM: George Mulligan DATED: May 4, 2009
RESOLVED: that the resignation of George Mulligan, alternate member of the Financial Advisory Committee, be and is hereby accepted.

3.1.3 BEAUTIFICATION COMMITTEE — copy of letter previously forwarded
FROM: Nancy Yanosy DATED: May 5, 2009

RESOLVED: that the resignation of Nancy Yanosy, member of the Beautification Committee, be and is hereby accepted.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. DEMPSEY TO ACCEPT THE FOREGOING THREE RESIGNATIONS. THE MOTION PASSED UNANIMOUSLY.

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

4.1 MAYOR’S REPORT

4.1.1 Resolution authorizing Change Order #3 for Birdseye and Stratford Academy Field Improvements Project, Phase 1

SPONSOR: Stratford Town Council

RESOLVED; that the Town Council approve, and authorize the Mayor to execute, a change order, Change Order #3, on the Birdseye and Stratford Academy Field Improvements Project, Phase I, to Deering Construction, Inc., 20 Sheehan Avenue, Norwalk, CT 06854, in accordance with their bid for Project Add Alternates #2, #5, and #12, dated August 29, 2008, for the not to exceed figure of \$285,000.00

A MOTION WAS MADE BY MS. WANAMAKER SECONDED BY MR. O’NEAL TO APPROVE THE FOREGOING CHANGE ORDER. THE MOTION PASSED UNANIMOUSLY.

MAYOR’S REPORT — continued

4.1.2 Resolution authorizing Edward Byrne Memorial Justice Assistance (JAG) Formula Program-Recovery Act Funding

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance is authorized to extend financial assistance to municipalities in the form of grants; and,

WHEREAS, this funding has been made possible through the Recovery Act: Edward Byrne Memorial Justice Assistance Formula Grant Program; and,

WHEREAS, the Town of Stratford will expend funds to improve and enhance law enforcement and crime prevention programs; and,

WHEREAS, funds under this grant may be used toward the purchase of equipment and contractual services associated with upgrading and strengthening crime and policing-related information infrastructure at the Police Department, as well as physical security of the building; and,

WHEREAS, it is desirable and in the public interest that the Town of Stratford submit an application to the U.S. Department of Justice, Bureau of Justice Assistance in an amount not to exceed \$115,163; and,

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

1. That it is cognizant of the Town’s grant application and contract to the U.S. Department of Justice, Bureau of Justice Assistance for funds to address law enforcement and crime prevention and intervention within the Town of Stratford;
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and file such application with the U.S. Department of Justice, Bureau of Justice Assistance to provide such additional information and to execute and administer such other contracts and documents as maybe necessary to execute this program.

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

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. O’NEAL SECONDED BY MR. FORRESTER TO WAIVE THE COUNCIL RULES OF ORDER TO ADD AN ITEM ENTITLED “CONSOLIDATED PLAN FOR PROGRAM YEAR 35 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING”. THE MOTION PASSED UNANIMOUSLY.

Consolidated Plan For Program Year 35 — Community Development Block Grant Funding

SPONSOR: Stratford Town Council

WHEREAS, the Community Development Subcommittee of the Economic and Community Development Commission has reviewed the comments received during the thirty (30) day public comment period (March 23 - April 21, 2009) on the Town's Proposed Consolidated Plan for Program Year 35; and

WHEREAS, the Town Council held a public hearing on April 13, 2009 for the purpose of receiving comments on the Proposed Plan for Program Year 35; and

WHEREAS, based upon the comments received and other considerations, the Community Development Subcommittee of the Economic and Community Development Commission has forwarded, with changes resulting from the U. S. Department of Housing and Urban Development's (HUD) announcement of Community Development Block Grant formula allocations on May 1, 2009, and other substantive changes, as follows:

Eliminate funding of \$27,000 for Stratford Housing Authority Sidewalk Repairs and allocate \$27,000 for the continuation of the Stratford Housing Authority Vacant Unit Repairs Program;

Reduce Renovations to South End Community Center by \$7,000 to \$15,000; and

Increase Birdseye and Stratford Academy Field Improvements Project from \$178,000 to \$200,000,

the Proposed Consolidated Plan for Program Year 35 to Town Council with a favorable recommendation for approval.

NOW THEREFORE BE IT RESOLVED, that the Consolidated Plan for Program Year 35, as summarized in the attachment hereto, be adopted by the Town Council as the Town's Action Plan for Community Development Year 35; and

BE IT FURTHER RESOLVED, that James R. Miron, Mayor, Town Hall, 2725 Main Street, Stratford, CT is authorized as the official representative of the Town of Stratford to submit the Consolidated Plan for Program Year 35 and revisions, amendments thereto and all understandings, certifications and assurances contained therein, and to provide any additional information which may be required by HUD so that the Town may receive its Community Development Block Grant Year 35 funds.

YEAR 35 FINAL PLAN SUMMARY

<u>Activity</u>	<u>Allocation</u>	<u>Description</u>
<u>Public Services</u>		
South End Community Center (SECC)	\$48,100	Location: 19 Bates Street - Funds for operation of the Center
Senior Services Outreach Coordinator	\$21,000	Location: 1000 W. Broad-Funds for outreach to frail elderly homebound
Stratford Health Department	\$19,000	Location: 150 Lincoln Street - staff hours Wooster School Based Health Center
Stratford Community Services	\$5,700	Location: 468 Birdseye Street - expansion of clinical program
Center for Women and Families of EFC, Inc.	\$5,000	Location: 753 Fairfield Avenue, Bridgeport - Criminal Court Advocacy Program
Optimus Health Care, Inc.	\$5,000	Location: 471 Barnum Avenue, Bridgeport - Elderly Denture Program
Total Public Services:	\$103,800	
<u>Housing</u>		
Stratford Housing Authority	\$50,000	SHA Units - continue vacant unit painting program
Stratford Housing Authority	\$27,000	SHA Units - continue vacant unit repair program
Residential Rehabilitation Program	\$100,000	Townwide - Residential rehabilitation program for income eligible homeowners
Total Housing:	\$177,000	
<u>ADA Improvements</u>		
Disability Resource Center - RAMP	\$14,856	Two to three handicapped-accessible ramps for income eligible residents
Perry House Handicapped Accessibility	\$17,560	Location: 1128 W. Broad – provide handicapped-accessible restroom to remove architectural barriers to disabled individuals
Total ADA Improvements:	\$32,416	
<u>Public Improvements</u>		
Birdseye/Stratford Academy Field Improvements Project	\$200,000	Location: Birdseye Municipal Complex, 468 Birdseye Street, completion of Phase I
Renovations to South End Community Center (SECC)	\$15,000	Location: 19 Bates Street - Installation of awning
Sidewalk Improvements Project	\$18,000	Continuation of project at various locations: Canaan Road and Woodend Road
Redesign of Woodend Road Basketball Courts	\$9,000	Location: George L. Force Courts, Woodend Road - architectural and engineering services
Total Public Improvements:	\$242,000	

YEAR 35 FINAL PLAN SUMMARY — continued

<u>Planning and Administration</u>		
Management/Oversight of Program	\$137,000	General Administration of program and activities.
Program Total:	\$692,216	

A MOTION WAS MADE BY MR. O’NEAL SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING PLAN FOR PROGRAM YEAR 35. THE MOTION PASSED UNANIMOUSLY.

4.2 COMMITTEE REPORTS

4.2.1 ORDINANCE COMMITTEE

4.2.1.1 The Ordinance Committee conducted a regularly scheduled meeting on March 23, 2009 during which time the following was referred: ACTION WAS NOT TAKEN.

- A. 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.

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

B. 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)

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

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 15)

COMMITTEE REPORTS — continued

ORDINANCE COMMITTEE — continued

ORDINANCE #09-09 — continued

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. THE MOTION PASSED WITH 9 IN FAVOR AND NO ONE OPPOSED 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.

4.2.1.2 The Ordinance Committee conducted a public hearing and a regularly scheduled meeting on April 27, 2009 at which time the following was referred to Council without recommendation:

A. ORDINANCE re: LONG BEACH WEST RESERVE FUND (#07-23)

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

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. (printed on hard copy)

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. JULIAN TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. THE MOTION PASSED WITH 9 IN FAVOR AND NO ONE OPPOSED 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. AN ORDINANCE AMENDING ORDINANCE (#01-20) FOR FLAGMEN AND SAFETY OFFICERS ON CERTAIN STREETS UNDER CONSTRUCTION OR REPAIR (#09-01)

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

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 18-19)

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE.

COMMITTEE REPORTS — continued

ORDINANCE COMMITTEE — continued

ORDINANCE #09-01 — continued

MR. MOORE OFFERED A FRIENDLY AMENDMENT TO ADD TO PARAGRAPH 4: “POLICE CHIEF TO WORK IN CONSULTATION WITH THE PUBLIC WORKS DIRECTOR TO SEE IF POLICE OFFICERS, RATHER THAN FLAGMEN, ARE NEEDED”. MR. MOORE’S FRIENDLY AMENDMENT WAS NOT ACCEPTED.

Stratford Town Council meeting recessed: 8:38 p.m.
Stratford Town Council meeting reconvened: 8:42 p.m.

MR. MOORE OFFERED A FRIENDLY AMENDMENT TO ADD TO PARAGRAPH 4: ...“IN CONJUNCTION WITH THE CHIEF OF POLICE”...MESSRS. JULIAN AND DEMPSEY ACCEPT MR. MOORE’S FRIENDLY AMENDMENT. THE MOTION TO APPROVED AS AMENDED PASSED WITH 7 IN FAVOR AND 2 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O’NEAL — YES, MR. FORRESTER — YES, MS. BROOKS — ABSENT, MR. DEMPSEY — YES, MS. WANAMAKER — NO, MR. STROOMER — NO, MR. MOORE — YES, MR. KUBIC — YES, MR. HENRICK — YES.

C. AMENDMENT TO HISTORIC DISTRICT ORDINANCE (#09-11)

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

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 20)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. THE MOTION PASSED WITH 9 IN FAVOR AND NO ONE OPPOSED 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.

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

COMMITTEE REPORTS — continued

ORDINANCE COMMITTEE — continued

- E. 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)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O’NEAL TO PLACE THE FOREGOING TWO ORDINANCES, #09-12 AND #09-13, ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

4.2.2 SHORT BEACH COMMISSION — The Short Beach Commission’s regularly scheduled meeting of April 7, 2009 was conducted with the following fee increase approved:
\$1.00 golf fee increase across the board.

Weekday Adult Resident	\$9.00	Cart Rental	\$2.00
Weekday Sr/Jr Resident	\$8.00	Car Rentals	\$7.00
Weekend Adult Resident	\$9.50	Club Rental	\$6.00
Weekend Sr/Jr Resident	\$8.50	ID Renewal	\$5.00
		ID New	\$5.00
Weekday Adult Non Resident	\$14.00	Tees	\$.50
Weekday Sr/Jr Non Resident	\$13.00	Soda	\$1.25
Weekend Adult Non Resident	\$16.00	Juice	\$1.25
Weekend Sr/Jr Non Resident	\$14.00		

RESOLVED: that the recommendation of the Short Beach Commission is accepted and the foregoing Short Beach Golf Course fees be and are hereby approved.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. O’NEAL TO APPROVE THE FOREGOING FEES. THE MOTION PASSED WITH 8 IN FAVOR AND 1, MR. FORRESTER, OPPOSED.

4.2.18 ROOSEVELT FOREST COMMISSION — The regularly scheduled meeting of April 15, 2009 was conducted at which time the Commission referred the following to Council with favorable recommendation:

To incorporate lot 55: .83 acres into Roosevelt Forest.

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

COMMITTEE REPORTS — continued

4.2.24 EMS FUNDING COMMITTEE — This committee’s regularly scheduled meeting of April 21, 2009 was conducted at which time the following was approved favorably:

- A. Annual Stipend of \$15,000 for FY 2009. These funds will be used for community outreach, education expenses, food and holiday meals, headquarters, insurance, membership amenities, office expenses, operation, rent, scholarships, utilities and web site.

A MOTION WAS MADE BY MR. MOORE SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING STIPEND OF \$15,000. THE MOTION PASSED UNANIMOUSLY.

- B. Expenditure of \$525.00 for one year’s supply of medical call forms (5,000).

A MOTION WAS MADE BY MR. MOORE SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING EXPENDITURE. THE MOTION PASSED UNANIMOUSLY.

4.3 TOWN ATTORNEY'S REPORT

4.3.1 AIRPORT PURCHASE — No report.

4.3.2 Stratford Police Union Local 407 vs. Town of Stratford — Mr. Buturla reported.

4.3.3 1075 Honeyspot Road, LLC vs. Town of Stratford, et. al — Mr. Buturla stated that this case is a boundary line dispute. A Motion To Dismiss has been filed.

4.3.4 QUESTIONS TO THE TOWN ATTORNEY

5. QUESTIONS TO MAYOR OR STAFF — Chairman Henrick stated that Questions to the Town Attorney and the Mayor will be combined.

Mr. Julian — re: Leasing of Pirhala Farm property to Terry Backer, the RFP for Short Beach Concession, Public Works Dept. trucks entering the leaf-dumping area near Short Beach.

Mr. O’Neal — re: Patchwork for Birdseye Street.

Mr. Moore — re: Flagmen Ordinance and recent road work on Meadowmere Rd., Add to an individual’s Pension fund amount after the person has retired.

Mr. Stroomer — re: Guardrail removed at Main-East Main intersection.

Mr. Henrick — re: Parking Lot.

6. UNFINISHED BUSINESS

6.2 ORDINANCES REFERRED FROM ORDINANCE COMMITTEE MEETING OF May 7, 2009:

A. 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)

B. 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)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O’NEAL TO STRIKE THE FOREGOING TWO ORDINANCES FROM THE AGENDA. THE MOTION PASSED UNANIMOUSLY.

6.3 TABLED ITEMS

6.3.3 TRANSFER OF FUNDS FROM BUNNELL FIELD PROJECT — Placed on the table during Special Council meeting of December 15, 2008.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO REMOVE THE FOREGOING ITEM FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY. A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION PASSED UNANIMOUSLY.

6.3.6 WATER POLLUTION CONTROL AUTHORITY referred the following for further investigation to Council during their meeting conducted in March 2009: TABLED DURING COUNCIL MEETING OF APRIL 13, 2009.

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.

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

UNFINISHED BUSINESS — continuedTABLED ITEMS — continued

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO REMOVE THE FOREGOING ITEM FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY. Mr. Buturla has agreed to review the contract for the above work to see who is responsible for the \$44,000.00 in Police Overtime. A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO RETURN THE FOREGOING ITEM TO THE TABLE. THE MOTION PASSED UNANIMOUSLY.

6.4 TABLED ORDINANCES AND RESOLUTIONS6.4.4 VETERAN PROPERTY TAX EXEMPTION ORDINANCE (#09-08)

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 16-17*)

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO REMOVE THE FOREGOING ORDINANCE FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY. A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. KUBIC TO APPROVE THE FOREGOING ORDINANCE. A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. KUBIC TO AMEND THE FOREGOING AS APPENDED ON PAGES 16-17. THE MOTION PASSED UNANIMOUSLY. THE MOTION TO APPROVE AS AMENDED CARRIED UNANIMOUSLY 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.

6.5 TABLED APPOINTMENTS6.5.4 LIBRARY BOARD — 3-year term, appointed by Town Council

B. RESOLVED: that PAULA S. NIZZARDO of 30 MAC'S HARBOR COURT be and is hereby appointed a member of the Stratford Library Board. (unexpired term of Doreen Jaekle scheduled to expire December 31, 2010) — via resignation

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY. A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO APPOINT PAULA S. NIZZARDO OF 30 MAC'S HARBOR COURT TO THE FOREGOING POSITION. THE MOTION PASSED UNANIMOUSLY.

7. ORDINANCES AND RESOLUTIONS —None

8. NEW BUSINESS

8.1 INVESTIGATION INTO SEWER AT 20 POST OAK ROAD

A MOTION WAS MADE BY MR. JULIAN, SECONDED BY MR. DEMPSEY TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE FOREGOING ITEM FOR THE REASON REGARDING STRATEGY AND NEGOTIATIONS WITH RESPECT TO PENDING CLAIMS OR LITIGATION TOWARD THE TOWN OR A MEMBER THEREOF AS A PARTY. EXECUTIVE SESSION TO INCLUDE MEMBERS OF THE TOWN COUNCIL, THE MAYOR, AND THE TOWN ATTORNEY. THE MOTION PASSED WITH 8 IN FAVOR AND 1, MR. FORRESTER, OPPOSED.

8.2 THE ECONOMIC DEVELOPMENT COMMISSION WISHES TO RESPOND TO MR. JULIAN AND MS WANAMAKER’S REQUEST FOR INFORMATION REGARDING THE ECONOMIC DEVELOPMENT CORPORATION — Mr. Neil Sherman, Chairman of the Economic Development Commission, reported on the following:

- Program Overview – Local Economic Development Corporations (Bridgeport, Hamden, Orange, and Shelton)
- Mechanisms to Manage/Formats Brownfield Revitalization

8.3 APPOINTMENTS

8.3.1 FINANCIAL ADVISORY COMMITTEE — established by resolution Feb. 11, 2008. Appointed by Town Council

RESOLVED: that ERIC W. WILKINS of 30 FREDERICK STREET be and is hereby appointed a member of the Financial Advisory Committee. (unexpired term of Robert Sammis) — via resignation

A MOTION WAS MADE BY MR. MOORE SECONDED BY MR. STROOMER TO APPOINT ERIC W. WILKINS OF 30 FREDERICK STREET TO THE FOREGOING POSITION. THE MOTION PASSED UNANIMOUSLY.

8.3.2 HOUSING AUTHORITY — 5-year term, appointed by Town Council.

RESOLVED: that _____ of _____ be and is hereby appointed a member of the Stratford Housing Authority. (unexpired term of Jackie Cooper ends June 30, 2013) — DECEASED

NEW BUSINESS — continued

APPOINTMENTS — continued

8.3.3 VETERANS’ MONUMENT PRESERVATION COMMISSION FOR ACADEMY HILL
— established May 10, 2004, 4-year terms, appointed by Town Council

RESOLVED: that _____ of _____ be and is hereby
appointed a representative-at-large member of the Veterans’ Monument Preservation
Commission for Academy Hill. (unexpired term of James Brazzell ends May 2012) —
DECEASED

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO
PLACE THE FOREGOING TWO APPOINTMENTS (8.3.2 AND 8.3.3) ON THE TABLE. THE
MOTION PASSED UNANIMOUSLY.

9. OLD BUSINESS — NONE.

Stratford Town Council meeting recessed: 10:25 p.m.

Stratford Town Council meeting reconvened: 10:40 p.m.

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. O’NEAL, IT WAS VOTED UNANIMOUSLY TO
ADJOURN THE MEETING AT 10:41 P.M.

ATTESTED BY: _____
Carol Cabral, Council Clerk

AN 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)

WHEREAS, the Town Council desires to transfer accumulated interest earnings in the amount of \$470,000 from Fund 51 to the Town's General Fund; and

WHEREAS, the Town Council desires to transfer accumulated interest earnings in the amount of \$80,000 from Fund 51 to fund additional project costs for the public improvement project "Bunnell High School Football Field" (the "Bunnell HS Football Field Project") as set forth in the ordinance entitled "An Ordinance Appropriating \$11,087,000 For Various Public Improvements In The Capital Improvement and Equipment Program For Fiscal Year 2007-2008 (#07-17)" enacted by the Town Council on September 10, 2007, as previously amended (the "2007-2008 Capital Budget Appropriation Ordinance");

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

Section 1. The amount of \$470,000 of accumulated interest earnings in Fund 51 is hereby transferred to the General Fund.

Section 2. The amount of \$80,000 of accumulated interest earnings in Fund 51 is hereby transferred to the Bunnell HS Football Field Project.

Section 3. The caption of the 2007-2008 Capital Budget Appropriation Ordinance is hereby amended to increase the amount of the appropriation set forth therein by \$80,000 from \$11,687,000 (as previously amended) to \$11,767,000.

Section 4. Section 1 of the 2007-2008 Capital Budget Appropriation Ordinance is hereby amended to increase the appropriation for the Bunnell HS Football Field Project set forth therein by \$80,000 from \$250,000 to \$330,000, said additional appropriation to be paid for from accumulated interest earnings transferred from Fund 51.

Section 5. This ordinance shall repeal any previous resolution or ordinance adopted with respect to the allocation of accumulated interest earnings from Fund 51.

Section 6. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.

AN ORDINANCE ESTABLISHING A VETERAN’S PROPERTY TAX EXEMPTION PROGRAM (#09-08)

Sponsored by: The Stratford Town Council

WHEREAS, the town of Stratford wishes to honor and assists its veterans who have served in the Armed Forces of the United States of America,

1. THEREFORE, the Town of Stratford hereby establishes the following ordinance, authorized pursuant to Connecticut General Statute §12-81f, as may be amended from time to time, establishing a property tax exemption for veterans:

2. Eligibility

(a) Any person who has been honorably discharged from, or released under honorable conditions from active service in the armed forces of the United States of America, or who is currently serving in the armed forces of the United States, and who meets the income qualifications set forth in subsection (b) of this section, shall be eligible to for a reduction of their real estate property tax assessment as set forth in subsection (b) of this section.

	STEP	MINIMUM INCOME	MAXIMUM INCOME	EXEMPTION MARRIED	EXEMPTION UNMARRIED	SURVIVING SPOUSE
(b)	Step 1	\$0	\$14,400	\$10,000	\$8,000	\$7,000
	Step 2	\$14,001	\$19,400	\$9,000	\$7,000	\$6,000
	Step 3	\$19,401	\$24,200	\$8,000	\$6,000	\$5,000
	Step 4	\$24,201	\$28,800	\$7,000	\$5,000	\$4,000
	Step 5	\$24,801	\$35,300	\$6,000	\$4,000	\$3,000
	Step 6	\$35,301	\$41,800	\$5,000	\$3,000	\$2,000
	Step 7	\$41,801	Max allowed			
			By State Law	\$4,000	\$2,000	\$1,000

(c) The income levels set forth in subsection (b) of this section shall be adjusted annually by an amount equal to the cost of living allowance change as determined by the Social

Security Administration for social security payments. In no event shall the qualifying income levels be decreased.

3. Application for exemption

- (a) Applications for such exemption shall be filed with the Town Assessor's office, in such manner and shall include such information as may be required by law and by the Town Assessor, no later than September 1st immediately prior to the assessment date with respect to which such exemption is claimed. The provisions of Connecticut General Statute §12-81f shall apply with respect to eligibility and notification.
- (b) The Town Assessor shall, not earlier than July 1st, nor later than July 30th of each year, send notice to any veteran or surviving spouse of any veteran of the existence of the Veteran's Tax Exemption Program, together with an application and eligibility requirements for the program.

4. Effective Date

This Ordinance, except for the provisions of §2(b) shall take effect immediately, and shall be applicable to the assessment year which commenced October 1, 2008.

The provisions of §2(b) shall be effective immediately and shall be applicable as of July 1, 2009.

AN ORDINANCE AMENDING ORDINANCE (#01-20) FOR FLAGMEN AND SAFETY OFFICERS ON CERTAIN STREETS UNDER CONSTRUCTION OR REPAIR (#09-01)

Editor's Note: Former Art. VI, Work Within Public Rights-of-Way, adopted 1-8-1968, was repealed 6-14-1993. See now Art. III, Work Within Public Rights-of-Way, of this chapter.

[Adopted 10-9-2001 by Ord. No. 01-20]

Flagmen, police officers, safety officers or other public safety personnel must be present to direct traffic at certain road traffic sites under certain conditions. These conditions are as follows:

A .

When the work to be done is on streets deemed "high traffic" under this article.

B.

When work on high traffic roads includes opening the roadbed, paving the roadbed, trimming trees over the roadbed, or utility work over or under the roadbed

A.

~~When work is to be done to open a roadbed, excavate, construct, dig, or do any other major work such as sewer, pipes, cable or other underground work; and~~

B.

~~When the work is being done on streets deemed "high traffic" under this article, such streets being listed § 186-61, entitled "High traffic roads."~~

Whenever work as described in § ~~186-55~~ above is being done on high-traffic roads, the Town of Stratford Public Works must be given 48 hours' notice before such work begins. Such notice must include details of work to be done, number of safety officers **and duration of officers** required, estimated time table of project, and the name, title, and phone number of contact person. **Final decision as to number of officers, duration of officers or usage of appropriate traffic control signage to be made by Director of Public Works or his agent in conjunction with the Chief of Police * prior to start of work. In the event field conditions change, any changes to number or duration of officers, or signage will need to be approved by Director of Public Works or his agent.** Further, the Stratford Police Department shall be first to be requested for such traffic duty; and only if the Police Department declines to provide such traffic officers may the permittee hire private traffic or safety officers.

Any time a traffic control officer is required under the terms of this article, a drive-through or passageway shall be maintained at all times of construction such that emergency vehicles may pass through or arrive at the construction area.

The costs of the traffic control and safety officers required under this article shall at all times be borne by the permittee, i.e., the entity or persons doing the road work. **In the event such traffic**

* As amended

#09-01 — continued

control is an alteration to a signed contract already existing between the Town of Stratford and said permittee, the cost will be passed on to the Town in the form of a change order

During an emergency situation (such as power outages, flooding, or snowstorm), when it is not possible to give forty-eight-hour notice, utility companies may use their own employees as flagmen or safety officers until the Stratford Police Department or other flagmen arrive.

Failure to comply with this article's requirements automatically voids the permit to do road work and, after notice to the permittee, will result in an assessment of a fine of \$100 per day for each day work is done without a valid permit.

High-traffic roads are as follows: Access Road, Barnum Avenue, ~~Barnum Terrace~~, Birdseye Street, Boston Avenue, Broadbridge Avenue, Bruce Avenue, Canaan Road, Connors Lane, East Broadway, East Main Street, Elm Street, Ferry Boulevard, Freeman Avenue, Hawley Lane, ~~Henry Avenue~~, Huntington Road, James Farm Road, Knowlton Street, Longbrook Avenue, Lordship Boulevard, Main Street, Main Street Putney, Moffitt Street, Nichols Avenue, Oronoque Lane, Patterson Avenue, ~~Prospect Drive~~^{*}, Second Hill Lane, Sedgewick Avenue, Silver Lane, Stonybrook Road, Stratford Avenue, Stratford Road, Success Avenue, Surf Avenue, Tavern Rock Road, Wakelee Avenue, Warner Hill Road, West Broad Street, Wilcoxson Avenue, and Woodend Road, North Avenue, Honeyspot Road, Cutspring Road and such other roads that the Chief of Police in conjunction with^{*} **Director of Public Works** or his agent may designate from time to time

* As amended

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.