



Stratford, Connecticut

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, JUNE 8, 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 Pro Tem Thomas Moore

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

COUNCIL MEMBERS ABSENT: Ms. Emma Brooks and Mr. Michael Henrick

OTHERS IN ATTENDANCE: Mayor James Miron, Town Attorney Richard Buturla, Special Assistant Attorney Brian LeClerc, and CAO Suzanne McCauley

INVOCATION PRESENTED BY FIRST DISTRICT COUNCIL MEMBER MICHAEL JULIAN FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of: Public Forum and Regularly scheduled meeting and executive session of May 11 and special meeting and executive session of May 7, 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. JULIAN TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 7 TO 0 WITH MR. O'NEAL ABSENT.

2. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. Forrester — re: Honeyspot House

Ms. Wanamaker — re: Mr. O'Neal will be late this evening.

3. COMMUNICATIONS

3.1 CORRESPONDENCE FROM PLANNING COMMISSION re: § 8-24 review
DATED: May 8, 2009 (Letters previously forwarded to Council Members)

A. Proposed abandonment of a portion of Clinton Avenue and Connecticut Avenue — During Council meeting of April 13, 2009, the Stratford Town Council referred the above-captioned proposal to the Planning Commission for review. (Page 13 of Minutes of meeting)

At the Planning Commission meeting of April 28, 2009, it was voted to approve the abandonment as shown on map prepared for TBJT, LLC dated September 20, 2006. (MAPS AVAILABLE IN OFFICE OF COUNCIL CLERK)

RESOLVED: that the recommendation of the Planning Commission is accepted and the foregoing abandonment of a portion of Clinton Avenue and Connecticut Avenue be and is hereby granted/denied.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING CORRESPONDENCE. THE MOTION PASSED WITH 6 IN FAVOR, 1 (MR. FORRESTER) OPPOSED AND MR. O’NEAL ABSENT.

B. Renewal of leases for Pony, Little League and Pal — During Council meeting of April 13, 2009, the Stratford Town Council referred the above-captioned proposed renewals to the Planning Commission for review. (Page 8 of Minutes of meeting)

At the Planning Commission meeting of April 28, 2009, it was voted to approve the proposed renewals providing there has been no significant change to past usage and lease arrangements and further provided that the Town Attorney reviews and approves of subject leases, before they are effective.

RESOLVED: that the recommendation of the Planning Commission is accepted and the foregoing leases, providing no significant changes and pending The Town Attorney’s review and approval, be and are hereby granted/denied.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. STROOMER TO APPROVE THE FOREGOING LEASES. THE MOTION PASSED 7 TO 0 WITH MR. O’NEAL ABSENT.

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

4.1 MAYOR’S REPORT

4.1.1 Ordinance for Bond Authorization and Appropriation in the amount of \$13,500,000 for Honeyspot Elementary School

MAYOR’S REPORT — continued

- A. AN ORDINANCE APPROPRIATING \$13,500,000 FOR THE PLANNING DESIGN, ACQUISITION AND CONSTRUCTION OF A NEW HONEYSPOOT ELEMENTARY SCHOOL. (#09-18) *(appended as page 18)*

Sponsored by: The 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.

- B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$13,500,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF A NEW HONEYSPOOT ELEMENTARY SCHOOL AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-19) *(appended as pages 19-21)*

Sponsored by: The 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.

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. JULIAN TO REFER THE FOREGOING TWO ORDINANCES (#09-18 and #09-19) TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. MR. FORRESTER OFFERED A FRIENDLY AMENDMENT TO THE MOTION TO LIST THE TOWN COUNCIL AS SPONSORS FOR THE TWO ORDINANCES. MESSRS. KUBIC AND JULIAN ACCEPT MR. FORRESTER’S FRIENDLY AMENDMENT. THE MOTION PASSED AS AMENDED 7 TO 0 WITH MR. O’NEAL ABSENT.

4.1.2 Resolution authorizing the Town Council to apply to the State of Connecticut, Special Facilities Unit, for grant funds for reimbursement for Honeyspot Elementary School

RESOLVED, that the Stratford Town Council authorizes the Stratford Board of Education to apply to the Commissioner of Education and to accept or reject a grant for the construction of a new facility for Stratford Academy – Honeyspot House.

RESOLVED, that the Building Needs Committee is hereby established as the building committee with regard to the construction of a new facility for Stratford Academy – Honeyspot House.

MAYOR’S REPORT — continued

Resolution authorizing the Town Council to apply to the State of Connecticut, Special Facilities Unit, for grant funds for reimbursement for Honeyspot Elementary School — continued

RESOLVED, that the Stratford Town Council hereby authorizes at least the preparation of schematic drawings and outlines specifications for the construction of a new facility for Stratford Academy – Honeyspot House.

RESOLVED, that the Stratford Town Council hereby authorizes the expenditures of 100% of the project revenues to complete the project.

RESOLVED, that the Stratford Town Council hereby authorizes the financing of the local share of the project cost.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. KUBIC TO PLACE THE FOREGOING RESOLUTION ON THE TABLE. THE MOTION PASSED WITH 6 IN FAVOR, MS. WANAMAKER OPPOSED AND MR. O’NEAL ABSENT.

4.1.3 Ordinance Amendment for Bond Appropriation and Authorization for the Fire Rescue Pumper in the amount of \$670,216

- A. AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$10,890,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2008-2009. (#09-20) (appended as page 22)

Sponsored by: The 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.

- B. AN ORDINANCE AMENDING AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$10,890,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2008-2009 AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-21) (appended as page 23)

Sponsored by: The Stratford Town Council

MAYOR’S REPORT — continued

ORDINANCE #09-21 — 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.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MS. WANAMAKER TO REFER THE FOREGOING TWO ORDINANCES (#09-20 and #09-21) TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. MR. FORRESTER OFFERED A FRIENDLY AMENDMENT TO THE MOTION TO LIST THE TOWN COUNCIL AS SPONSORS FOR THE TWO FOREGOING ORDINANCE. MR. FORRESTER’S FRIENDLY AMENDMENT WAS ACCEPTED. THE MOTION PASSED AS AMENDED 7 TO 0 WITH MR. O’NEAL ABSENT.

4.1.4 Ordinance for FY 10- FY 14 CIP/ CEP Bond Appropriation and Authorization for Town Council consideration.

- A. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$15,762,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2009-2010 AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-22) (appended as pages 24-26)

Sponsored by: The 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.

- B. AN ORDINANCE APPROPRIATING \$15,762,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2009-2010. (#09-23) (appended as pages 27-28)

Sponsored by: The 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.

MAYOR'S REPORT — continuedORDINANCES #09-22 AND #09-23 — continued

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MS. WANAMAKER TO REFER THE FOREGOING TWO ORDINANCES (#09-22 and #09-23) TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. MR. FORRESTER OFFERED A FRIENDLY AMENDMENT TO THE MOTION TO LIST THE TOWN COUNCIL AS SPONSORS FOR THE TWO ORDINANCES. MR. FORRESTER'S FRIENDLY AMENDMENT WAS ACCEPTED. THE MOTION PASSED AS AMENDED 7 TO 0 WITH MR. O'NEAL ABSENT.

- 4.1.5 Two Addendum CIP submissions for Perry House Historic Addition in the amount of \$65,000 and Fiber Optic Transmission Line to aid Emergency Communication Center in the amount of \$500,000

A MOTION WAS MADE BY MS. WANAMAKER SECONDED BY MR. STROOMER TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION AND SECOND TO THE MOTION WERE WITHDRAWN. INFORMATIONAL ITEM. ACTION NOT REQUIRED.

Stratford Town Council meeting recessed: 8:30 p.m.

Stratford Town Council meeting reconvened: 8:35 p.m.

- 4.1.6 Recommendation for new Recreation Dept Program fees effective September 1, 2009.

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. FORRESTER TO PLACE THE FOREGOING ITEM ON THE TABLE. MESSRS. KUBIC AND FORRESTER WITHDRAW THE MOTION AND SECOND RESPECTIVELY. INFORMATIONAL ITEM. ACTION NOT REQUIRED

- 4.1.7 Memo requesting the Ordinance Committee discuss a request from Recreation Superintendent on allowing dogs at the Stratford beaches. — CORRESPONDENCE ITEM. ACTION NOT REQUIRED.

- 4.1.8 Resolution authorizing the Mayor or his designee to execute and file an application for a \$208,900 formula grant allocation through the U.S. Dept of Energy's Energy Efficiency and Conservation Block Grant program, and execute contracts as necessary under the block grant program — NO BUSINESS FURNISHED.

MAYOR’S REPORT — continued

4.1.9 Resolution awarding the bid for general construction services for renovation to Emergency Management Services facility.

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. FORRESTER TO REFER THE FOREGOING RESOLUTION TO THE BUILDING NEEDS COMMITTEE. THE MOTION PASSED PASSED WITH 7 IN FAVOR AND MR. O’NEAL ABSENT.

4.1.10 Tentative Agreement with Local 998 — NO BUSINESS FURNISHED.

4.2 COMMITTEE REPORTS

4.2.2 PARKS AND RECREATION COMMITTEE — This regularly scheduled committee meeting was conducted on May 27, 2009 at which time the following was referred to Council with favorable recommendation:

Changing the name of a north end park to “John Chanda Park” with Ball field to be named “James Dillon Field”.

RESOLVED: that the recommendation of the Parks and Recreation Committee is accepted and that former North End Park (f.k.a. James Dillon Park) be and is hereby named “John Chanda Park” with ball field named “James Dillon Field”

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. JULIAN TO CHANGE THE NAME AS STATED ABOVE. THE MOTION PASSED WITH 6 IN FAVOR, MS. WANAMAKER OPPOSED AND MR. O’NEAL ABSENT.

4.2.3 PUBLIC WORKS COMMITTEE — Public Works Committee conducted the regularly scheduled meeting of May 18, 2009 at which the following was referred to Council with favorable recommendation:

Huntington Road Reconstruction project

Maguire Group, architects, is requesting additional compensation of not to exceed \$14,500.00 as ConnDOT has requested their presence at meetings as construction proceeds. ConnDOT also requests that Maguire provide responses to contractor requests for information.

Since the exact number of job meetings and RFI cannot be accurately determined, it is proposed that the work be done on the cost plus basis with a fee limit not to be exceeded without prior authorization by Town of Stratford. The Stratford project, to reconstruct the road, is overseen and paid for by St of CT.

COMMITTEE REPORTS — continued

Huntington Road Reconstruction project — continued

RESOLVED: that the recommendation of the Public Works Committee is accepted and amendment to the Maguire Group contract for the amount not to exceed \$14,500.00 for the work stated above, be and is hereby approved.

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. FORRESTER TO APPROVE THE AMENDMENT TO THE CONTRACT. THE MOTION PASSED WITH 7 IN FAVOR AND MR. O’NEAL ABSENT.

4.2.4 SHORT BEACH COMMISSION — The Short Beach Commission’s regularly scheduled meeting of May 5, 2009 was conducted with the following expenditure approved:

Purchase of Skag mower for ~~approximately~~ not to exceed \$10,949 with the provision to debit the fund balance and replace amount in July.

RESOLVED: that the recommendation of the Short Beach Commission is accepted and the purchase of a Skag mower for ~~approximately~~ not to exceed \$10,949 with the provision to debit the fund balance and replace amount in July be and is hereby approved.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING PURCHASE. MR. STROOMER OFFERED A FRIENDLY AMENDMENT TO INCUDE THE VERBIAGE “NOT TO EXCEED” \$10,949. THE MOTION PASSED AS AMENDED WITH 7 IN FAVOR AND MR. O’NEAL ABSENT.

4.2.13 BOOTHE PARK COMMISSION — The Boothe Park Commission conducted a special meeting on May 20, 2009 at which time the following was approved:

A. Kitchen Renovations — the bid of Restaurant Equipment Paradise, Inc. in the amount of \$17,402 for the Coliseum Kitchen stove and fire suppression system.

B. Boothe Park Signage — One bid received from ABC Signs; 3 bids are required. \$2,000.00 approved from budget for signs to be made and installed by Public Works Department.

A MOTION WAS MADE BY MS. WANAMAKER SECONDED BY MR. JULIAN TO ACCEPT THE FOREGOING BIDS AS STATED. THE MOTION PASSED WITH 7 IN FAVOR AND MR. O’NEAL ABSENT.

4.2.20 WATERFRONT HARBOR MANAGEMENT COMMISSION — This Commission conducted the regularly scheduled meeting on May 13, 2009 at which time the following was referred to Council.

Up to \$150 Licenses Fee for small boat rack rental space at Town boat-launching ramp.

COMMITTEE REPORTS — continued

WATERFRONT HARBOR MANAGEMENT COMMISSION — continued

The Chair recognized Mr. Bill Rock, Chairman of the Waterfront Harbor Management Commission, who explained the foregoing project.

RESOLVED: that the recommendation of the Waterfront Harbor Management Commission is accepted and the fees of \$100.00 fee for the first year, \$125.00 fee for the next year, double the fee for out-of-town residents, 50% of the fee for the second boat (kayak) from the same family be and are hereby approved.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. KUBIC TO APPROVE THE FOREGOING FEE. As discussion progressed, MR. KUBIC OFFERED A FRIENDLY AMENDMENT AS FOLLOWS:

- \$100.00 FEE FOR THE FIRST YEAR
- \$125.00 FEE FOR THE NEXT YEAR
- DOUBLE THE FEE FOR OUT-OF-TOWN RESIDENTS
- 50% OF FEE FOR THE SECOND BOAT (KAYAK) FROM THE SAME FAMILY.

MR. FORRESTER ACCEPTS MR. KUBIC’S FRIENDLY AMENDMENT. THE MOTION PASSED 7 TO 0 AS AMENDED WITH MR. O’NEAL ABSENT.

4.3 TOWN ATTORNEY'S REPORT

4.3.1 AIRPORT PURCHASE — continuing item

4.3.2 LOEHFELM V. STRATFORD

Attorney Buturla requests taking the foregoing item into executive session for the purpose of discussion regarding strategy and negotiations with respect to pending claims or litigation toward the town or a member thereof as a party. Mr. Buturla would like that motion to include members of the Stratford Town Council, the Mayor, Special Assistant Attorney Brian LeClerc and himself.

A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. STROOMER TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE FOREGOING CASE FOR THE REASON STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED 7 TO 0 WITH MR. O’NEAL ABSENT.

4.3.3 ORDINANCE REPEALING SECTIONS 62-4 AND SECTION 62-5 OF THE STRATFORD TOWN CODE — Issuance of building permits when taxes owed. INFORMATIONAL ITEM.

TOWN ATTORNEY'S REPORT — continued4.3.4 GRANT AGREEMENT REGARDING LONG BEACH WEST COTTAGE DEMOLITION

— US Fish and Wildlife representative and Refuge Manager, Andrew French, reported.

4.3.5 QUESTIONS TO THE TOWN ATTORNEY

Mr. Dempsey — re: SHS heating system, Short Beach Concession

Mr. Stroomer — re: Longbrook Park construction project.

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

Stratford Town Council meeting reconvened: 9:20 p.m.

LOEHFELM V. STRATFORD — continued from executive session

A MOTION WAS MADE BY MR. KUBIC SECONDED BY STROOMER TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION IN CONNECTION WITH THE FOREGOING CASE. THE MOTION PASSED 8 TO 0.

5. QUESTIONS TO MAYOR OR STAFF

Mr. O'Neal — re: copy of grant, potholes in front of Birdseye complex

Mr. Forrester — re: Narcotics safe at EMS, update on ambulance, funds for EMS uniforms, computer scheduling program, Pirhala Farm, sidewalk improvements in Third district, copy of West Broad Street green improvement project RFP, \$140 payment for FOI request – info initially requested under provision in Town Charter.

Mr. Dempsey — re: Invoice from Regional Business Council for Town officials' Dinner.

Ms. Wanamaker — re: damage from snow plows

Mr. Julian — re: Info requests free of charge to all Council Members under provisions in charter

Mr. Moore — re: letter from DEP re: Bridgeport's responsibility for tidal flood gates which cause flooding on lower Main Street near Airport

6. UNFINISHED BUSINESS

6.1 SAEP — No business furnished.

6.2 TABLED ITEMS

6.2.1 CLAIM REFERRED FROM FINANCE AND CLAIMS COMMITTEE MEEETING WITH NO RECOMMENDATION — (tabled during Council meeting of September 8, 2008)

Claim of USAA ASO D. Kleber D/I 03/12/08 Amount of: **\$2,851.58**

Description: seeking reimbursement for damage to insured's vehicle, which was struck by a police vehicle. Both vehicles had been stopped for a school bus, when officer made sudden left turn from right lane and struck insured's vehicle, which had started to go.

UNFINISHED BUSINESS — continued

TABLED ITEMS — continued

Claim of USAA ASO D. Kleber — continued

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

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MS. WANAMAKER TO RETURN THE FOREGOING ITEM TO THE TABLE. THE MOTION PASSED UNANIMOUSLY.

6.2.6 SHAKESPEARE THEATER FINAL CONTRACT

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO REMOVE THE FOREGOING ITEM FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY. After discussion, A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO RETURN THE FOREGOING ITEM TO THE TABLE. THE MOTION PASSED UNANIMOUSLY.

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

6.4 TABLED APPOINTMENTS — All appointments remained on the table.

7. ORDINANCES AND RESOLUTIONS

7.1 RESOLUTION REQUESTING A MONTHLY REPORT THAT SHOWS ALL CASH ACCOUNTS, MONTH WITH BALANCES AND INTEREST EARNED, AND, WHAT INSTITUTION THE FUNDS ARE DEPOSITED WITH.

Sponsored by: Hon. Thomas Moore, Eighth District Council Member

WHEREAS: The Stratford Town Council formed the Financial Advisory Committee to assist the Council in reviewing financial matters concerning the Town of Stratford and,

WHEREAS: The Financial Advisory Committee has attempted to obtain the above listed information to evaluate the performance of short term deposits and to insure that those deposits are located in sound financial institutions with full protection under the FDIC.

BE IT NOW RESOLVED: That the Town Council formally requests this information be disseminated in the form of a report generated monthly to the members of the Stratford Town

RESOLUTION REQUESTING A MONTHLY REPORT — continued

Council and Financial Advisory Committee so that they can complete their analysis and make any recommendations as a result of their review, and that said report, be generated not later than July 10, 2009 reflecting the requested information for the June 30, 2009 detail as listed in this resolution.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 8 TO 0.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO WAIVE THE COUNCIL RULES OF ORDER TO ADD AN ORDINANCE ENTITLED “AMENDMENT TO STRATFORD TOWN CODE ARTICLE III – HORSESHOE CRABS, (pg. 175:2 adopted 7/10/1989)”. THE MOTION PASSED UNANIMOUSLY.

AMENDMENT TO STRATFORD TOWN CODE ARTICLE III - HORSESHOE CRABS (#09-24)

Sponsored by: Hon. Michael Julian, First District Council Member

§ 175-9. Removal prohibited

No person shall remove or interfere with activities of* live horseshoe crabs from any Town beach, recreational area or the waters adjacent to such areas for commercial or other purpose*.

§ 175-10. Violations and penalties

Any person who violates any provision of this article shall be fined no less than \$25 and no more than \$100 or imprisoned for not more than 15 days, or both.

§ 175-11. Enforcement

The Town of Stratford may enforce the provisions of this article by injunction to prevent the harvest or disruption* of live horseshoe crabs.

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.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. KUBIC TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

* Indicates addition to existing Ordinance

8. NEW BUSINESS

8.1 APPOINTMENTS

8.1.1 LIBRARY BOARD — Appointed by Council, 3-year term

RESOLVED: that _____ of _____ be and is hereby appointed a member of the Stratford Library Association. (term of Susan Fennell expires December 31, 2011)

8.1.2 FINANCIAL ADVISORY COMMITTEE, ALTERNATE MEMBER — Established by Resolution, appointed by Council.

RESOLVED: that STEVEN G. DYER of 80 CANDLEWOOD ROAD be and is hereby appointed an alternate member of the Financial Advisory Committee. (term of George Mulligan)

A MOTION WAS MADE BY MS. WANAMAKER SECONDED BY MR. O’NEAL TO APPOINT STEVEN DYER OF 80 CANDLEWOOD ROAD TO THE FOREGOING POSITION. THE MOTION PASSED UNANIMOUSLY.

8.1.3 BEAUTIFICATION COMMITTEE — Appointed by Council, term concurrent with Council.

RESOLVED: that _____ of _____ be and is hereby appointed a member of the Beautification Committee. (term of Nancy Yanosy expires December 2009)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O’NEAL TO PLACE FOREGOING APPOINTMENTS, 8.1.1 AND 8.1.3, ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

8.1.4 STRATFORD HOUSING PARTNERSHIP — § 5-63 of Town Code. Council chairman, with advice of Council, appoints the members of the Partnership and shall make all appointments for vacancies and unexpired portion of terms.....

8.1.4.1 REPRESENTATIVE FROM THE PLANNING COMMISSION — four-year term

RESOLVED: that _____ of _____ be and is hereby appointed the Planning Commission representative to the Stratford Housing Partnership. (term of John F. Caldwell ended February 22, 2006)

NEW BUSINESS — continued

APPOINTMENTS — continued

STRATFORD HOUSING PARTNERSHIP — continued

8.1.4.2 REPRESENTATIVE FROM THE ZONING COMMISSION OR ZONING BOARD OF APPEALS — four-year term

RESOLVED: that _____ of _____ be and is hereby appointed the Zoning Commission/Board of Zoning Appeals representative to the Stratford Housing Partnership. (term of Anthony Ross ended February 22, 2007)

8.1.4.3 REPRESENTATIVES OF THE LOCAL BUSINESS COMMUNITY — (3 Members, 3-year terms)

(1) RESOLVED: that _____ of _____ be and is hereby appointed the Business Community representative to the Stratford Housing Partnership. (term of Alvin O’Neal ended February 22, 2004)

(2) RESOLVED: that _____ of _____ be and is hereby appointed the Business Community representative to the Stratford Housing Partnership. (term of Walter N. Harris ended February 22, 2004)

(3) RESOLVED: that _____ of _____ be and is hereby appointed the Business Community representative to the Stratford Housing Partnership. (term of Katherine M. O’Connor ended February 22, 1999)

8.1.4.4 REPRESENTATIVES AT LARGE — (4 members, 2-year terms)

(1) RESOLVED: that _____ of _____ be and is hereby appointed a representative-at-large to the Stratford Housing Partnership. (term of Christina Dina ended February 22, 2006)

(2) RESOLVED: that _____ of _____ be and is hereby appointed a representative-at-large to the Stratford Housing Partnership. (term of Paul S. Corvino ended February 22, 2005)

(3) RESOLVED: that _____ of _____ be and is hereby appointed a representative-at-large to the Stratford Housing Partnership. (vacant term)

(4) RESOLVED: that _____ of _____ be and is hereby appointed a representative-at-large to the Stratford Housing Partnership. (vacant term)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O’NEAL TO PLACE FOREGOING APPOINTMENTS 8.1.4, 8.1.4.1, 8.1.4.2, 8.1.4.3 (1) (2) (3), 8.1.4.4 (1) (2) (3) (4) ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS — continued8.1.5 RESOLUTION – THE AWARDING OF CONTRACTS, AGREEMENTS OR RIGHTS, RELATIVE TO THE SALE, LEASING, MANAGEMENT, IMPROVEMENT AND CONTROL OF TOWN-OWNED REAL OR PERSONAL PROPERTY

Sponsored by: Hon. Joseph A. Kubic, Eighth District Council Member

WHEREAS: The Charter of the Town of Stratford, Connecticut in section 2.2.1. entitled “Council Powers” specifically and clearly provides that the Council shall have the power to make, alter and repeal resolution and ordinances...(c) relative to the sale, leasing management, improvement and control of [Town-owned real or personal property];

WHEREAS: Recently it has been made known that rights have been provided relative to the Pirhala Farm property. ~~and the Short Beach Concession Stand as well as the award of a construction contract, relative to Town-owned property, to Salce construction without Town Council Approval;~~

WHEREAS: The Council is not opposed to the concept of town residents raising vegetables on Town-owned property and the Town Council does not wish to disturb there town residents in light of their reliance on what may have appeared to have been the authority of James Miron, acting in his capacity as Mayor:

WHEREAS: The Town Council has not been given the opportunity to review the proposals for the Pirhala Farm property, Short Beach Concessions and the Construction projection awarded to Salce;

~~WHEREAS: Based upon the clear language of Section 2.2.1 of the Charter, the actions of James Miron, acting in his capacity as Mayor violated the Charter.~~

THEREFORE, BE IT RESOLVED THAT: The rights granted to residents of the Town of Stratford to raise vegetables on the Pirhala Farm property are hereby ratified and approved by the Town Council for the year of 2009 only and that a report be provided on a monthly basis, by James Miron, to the Town Council as to the status of the project,

~~BE IT FURTHER RESOLVED THAT: The contract awarded to Salce Construction is hereby declared invalid and of no effect and that all bids and proposals for the construction project be provided to the Town Council for review and a final determination as to which contractor shall be awarded the construction project;~~

BE IT FURTHER RESOLVED THAT: The lease and or rights awarded as to the Short Beach concessions are hereby declared invalid and of no effect and that all bids and proposals for the Short Beach concessions be provided to the Town Council for review and a final determination as to which bidder shall be awarded the Short Beach concessions.

RESOLUTION – THE AWARDING OF CONTRACTS, AGREEMENTS..... — continued

BE IT FURTHER RESOLVED THAT: That James Miron acting in his capacity as Mayor does not have the authority to grant interests set forth in Section 2.2.1 of the Charter and any such attempt void and invalid by Charter.

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. JULIAN TO APPROVE THE FOREGOING RESOLUTION. MS. WANAMAKER OFFERED A FRIENDLY AMENDMENT TO DELETE THE FIFTH PARAGRAPH. MESSRS. KUBIC AND JULIAN ACCEPT MS. WANAMAKER’S FRIENDLY AMENDMENT.

After lengthy discussion, MR. KUBIC OFFERED ADDITIONAL FRIENDLY AMENDMENTS AS FOLLOWS:

- STRIKE REFERENCES TO SALCE CONSTRUCTION (PARAGRAPH 7)
- LANGUAGE IN SECOND PARAGRAPH AFTER SHORT BEACH CONSESSION STAND IS STRICKEN

MR. JULIAN ACCEPTS MR. KUBIC’S ADDITIONAL FRIENDLY AMENDMENTS.

MR. FORRESTER CALLS THE MOTION.

THE MOTION TO APPROVE PASSED UNANIMOUSLY AS AMENDED.

9. OLD BUSINESS

9.1 INVESTIGATION INTO SEWER AT 20 POST OAK ROAD

At request of Attorney Buturla, A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. DEMPSEY TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE FOREGOING ITEM AS IT RELATES TO STRATEGY AND NEGOTIATIONS WITH RESPECT TO PENDING CLAIMS OR LITIGATION TOWARD THE TOWN OR A MEMBER THEREOF AS A PARTY WITH EXECUTIVE SESSION TO INCLUDE MEMBERS OF THE TOWN COUNCIL, THE TOWN ATTORNEY, SPECIAL ASSISTANT ATTORNEY, AND THE MAYOR. THE MOTION CARRIED UNANIMOUSLY.

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

Stratford Town Council meeting reconvened: 11:02 p.m.

RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO ENTER AN AGREEMENT BETWEEN THE TOWN OF STRATFORD AND BLUM SHAPIRO FOR AUDITING SERVICES

Sponsored by: The Honorable Town Council

WHEREAS; The Town Council of the Town of Stratford desires to employ an independent auditing firm to conduct an annual audit in compliance with Section 5.6.7 of the Town Charter, Connecticut General Statutes and other relevant state and federal statutes and,

RESOLUTION RE: AUDITING SERVICES — continued

WHEREAS; Blum, Shapiro & Company, P.C. of West Hartford, CT has successfully completed the Town audits for FY2007 and FY2008 and has agreed to maintain their current maximum annual audit fee of \$93,600.

RESOLVED: The Finance Director is hereby authorized to enter into an agreement with Blum Shapiro for a one year engagement for auditing services for the fiscal year ending June 30, 2009.

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MS. WANAMAKER TO APPROVE THE FOREGOING RESOLUTION. 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. KUBIC, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 11:05 P.M.

ATTESTED BY: Carol Cabral
Carol Cabral, Council Clerk

AN ORDINANCE APPROPRIATING \$13,500,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF A NEW HONEYSPOOT ELEMENTARY SCHOOL (#09-18)

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

Section 1. The sum of \$13,500,000 is hereby appropriated for the planning, design, acquisition and construction of a new 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 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.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$13,500,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF A NEW HONEYSPOUT ELEMENTARY SCHOOL AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-19)

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

Section 1. To meet the appropriation of \$13,500,000 made in the ordinance enacted together herewith for the planning, design, acquisition and construction of a new 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 any and all State-grants-in aid thereof (the "Project"), \$13,500,000 bonds of the Town may be issued maturing not later than the thirtieth 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").

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

ORDINANCE #09-19 — continued

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 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.

ORDINANCE #09-19 — continued

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

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$10,890,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2008-2009 (#09-20)

WHEREAS, an ordinance entitled “An Ordinance Appropriating \$10,890,000 For Various Public Improvements In The Capital Improvement Program For Fiscal Year 2008-2009 (#08-07)” has been enacted by the Town Council at its meeting on August 5, 2008 (the “Original Appropriation Ordinance”); and

WHEREAS, the Town Council desires to amend the Original Appropriation Ordinance to increase the amount of the appropriation set forth therein;

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

Section 1. The caption of the Original Appropriation Ordinance is hereby amended to increase the amount of the appropriation set forth therein by \$225,000 from \$10,890,000 to \$11,115,000.

Section 2. Section 1 of the Original Appropriation Ordinance is hereby amended to increase the amount of the appropriation for the public improvement line item “Vehicle Replacement for Engine 2” set forth therein by \$225,000 from \$450,000 to \$675,000.

Section 3. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.

AN ORDINANCE AMENDING AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$10,890,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2008-2009 AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-21)

WHEREAS, an ordinance entitled “An Ordinance Authorizing The Issuance Of \$10,890,000 Bonds Of The Town To Meet The Appropriation For Various Public Improvements In The Capital Improvement And Equipment Program For Fiscal Year 2008-2009 And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose (#08-08)” has been enacted by the Town Council at its meeting on August 5, 2008 (the “Original Bond Ordinance”);

WHEREAS, the Town Council has enacted an amendment together herewith to the ordinance entitled “An Ordinance Appropriating \$10,890,000 For Various Public Improvements In The Capital Improvement And Equipment Program For Fiscal Year 2008-2009 (#08-07)” to increase the amount of the appropriation set forth therein by \$225,000 from \$10,890,000 to \$11,115,000; and

WHEREAS, the Town Council desires to amend the Original Bond Ordinance to increase the amount of the bonds and notes of the Town authorized to meet the amended appropriation enacted concurrently herewith;

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

Section 1. The caption of the Original Bond Ordinance is hereby amended to increase the amount of bonds and temporary borrowings set forth therein by \$225,000 from \$10,890,000 to \$11,115,000.

Section 2. Section 1 of the Original Bond Ordinance is hereby amended to increase the amount of bonds of the Town that may be issued set forth therein by \$225,000 from \$10,890,000 to \$11,115,000.

Section 3. Section 4 of the Original Bond Ordinance shall be applicable to the bond authorization added by this amendment, as of the date of the adoption of this ordinance.

Section 4. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$15,762,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2009-2010 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-22)

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

Section 1. To meet the appropriation of \$15,762,000 made in the ordinance enacted together herewith for various public improvements in the capital improvement and equipment program for fiscal year ending June 30, 2010 (the "Project"), \$15,762,00 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").

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

ORDINANCE (#09-22) — continued

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 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.

ORDINANCE (#09-22) — continued

Section 7. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.

AN ORDINANCE APPROPRIATING \$15,762,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2009-2010 (#09-23)

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

Section 1. The sum of \$15,762,000 is hereby appropriated to meet the estimated costs of the public improvements set forth below, as more fully described in the narrative description of such public improvements in the capital improvement and equipment program of the Town for the fiscal year ending June 30, 2010, said appropriation to be inclusive of administrative, financing, legal and costs of issuance related thereto, and any and all State-grants-in aid thereof:

TOWN FACILITIES

Boothe Park Improvements	\$ 50,000
Animal Control Facility	\$ 1,325,000
Parking Lot Resurfacing	\$ 100,000
Police HVAC System	\$ 150,000
Police Asbestos Abatement & Renovation	\$ 200,000
Police Locker Room Refurbishment	\$ 50,000
Police Renovation EMS space	\$ 250,000
Police General Building Renovation	\$ 50,000
Stand By Generator: Police Station	\$ 200,000
Library HVAC Upgrade	\$ 390,000
Perry House Historic Addition	\$ 65,000

ROADS AND SEWERS

Road Resurfacing	\$ 500,000
Road Reconstruction	\$ 500,000
Pinetree Trail	\$ 400,000
Barnum Avenue Streetscape Improvements	\$ 1,500,000
Whippoorwill Lane Bridge replacement	\$ 500,000
California St Condo Channel Improvements	\$ 500,000
Bruce Brook improvement @ Sage	\$ 1,500,000
Manor Hill Road Drainage	\$ 125,000
Bridge Evaluation study	\$ 100,000
FiberOptic Transmission Lines	\$ 500,000

PARKS AND RECREATION

Skate Park Upgrades	\$ 18,000
Playground Renovations	\$ 100,000
New Tennis Courts at BHS and FMS	\$ 300,000

New Playground Equipment	\$ 225,000
Restoration/Improvements at Penders Fields	\$ 550,000
King Street Field- SHS	\$ 100,000
Resurface Parking Lot @ Short Beach	\$ 100,000
Picnic Pavilion at Short Beach Park	\$ 100,000
Irrigation @ Short Beach Admin Bldg.	\$ 10,000
Directional Signs at Short Beach Park	\$ 10,000
Paint Interior at Short Beach Concession	\$ 15,000
Paint Garage Doors at Short Beach	\$ 10,000
Birdseye/Stratford Acad. Field Renovations	\$ 650,000

CAPITAL EQUIPMENT

Payloader	\$ 165,000
Recycling Truck	\$ 175,000
Log Truck	\$ 130,000
Pumper Replacement: Engine 1	\$ 650,000
Fire Boat	\$ 250,000

BOARD OF EDUCATION

Technology Infrastructure	\$ 320,000
Stratford High- Library Retrofit	\$ 450,000
Bunnell High- Science Lab Retrofit	\$ 50,000
Elevator Code Compliance/Replacement	\$ 100,000
Nichols School Lavatory ADA Replacement	\$ 17,000
Lordship Elementary HVAC	\$ 15,000
Various Masonry Replacements	\$ 375,000
Stratford High- Science Lab Retrofit	\$ 50,000
Flooring Replacement Various Schools	\$ 550,000
Bunnell High- Window & Exterior Panel Replacement	\$ 50,000
Franklin Elementary Window Replacement	\$ 350,000
Window Replacement Various Schools	\$ 222,000
Bunnell High- Room Heating and Ventilation	\$ 200,000
Stratford High- HVAC	<u>\$ 500,000</u>

GRAND TOTAL ALL PROJECTS: \$ 15,762,000

Section 2. Any of the estimated amounts for the public improvements set forth in Section 1 not required to meet the actual cost of such public improvement may only be transferred by the Town Council to meet the actual cost of any other public improvement set forth in Section 1.

Section 3. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.