



MINUTES OF MEETING

STRATFORD TOWN COUNCIL December 14, 2009

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, DECEMBER 14, 2009 IN THE AUDITORIUM OF STRATFORD HIGH SCHOOL, NORTH PARADE, 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. Thomas Moore, Mr. Joseph Kubic, Mr. Michael Henrick

COUNCIL MEMBERS ABSENT: Ms. Emma Brooks, Mr. William Stroomer

1. APPROVAL OF MINUTES — Minutes of: Public Forum of November 9, 2009, Regularly scheduled Council meeting of November 9, 2009, and Executive Session of November 9, 2009 and special meeting of November 23, 2009.

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

UPON A MOTION BY MR. DEMPSEY, SECONDED BY MR. FORRESTER, IT WAS VOTED UNANIMOUSLY TO APPROVE THE FOREGOING MINUTES.

2. DISPENSE WITH: COMMUNICATIONS, MAYOR'S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY'S REPORT.

3. DISPENSE WITH: UNFINISHED BUSINESS

4. CERTIFICATION OF ELECTION OF NEW COUNCIL

STATE OF CONNECTICUT
COUNTY OF FAIRFIELD

TOWN OF STRATFORD

AS CERTIFIED ON NOVEMBER 4, 2009, at the regular election held on November 3, 2009, in accordance with the provisions of Section 7.1.1 of the Town Charter, the following persons were duly elected:

A. To the Office of Mayor for a term of four (4) years commencing December 14, 2009.

HONORABLE JOHN A. HARKINS

B. To the Office of Councilman for a term of two (2) years commencing December 14, 2009.

- FIRST DISTRICT — HONORABLE CHRISTIAN M. BARNABY
- SECOND DISTRICT — HONORABLE STEPHANIE D. PHILIPS
- THIRD DISTRICT — HONORABLE MATTHEW P. CATALANO
- FOURTH DISTRICT — HONORABLE JASON W. SANTI
- FIFTH DISTRICT — HONORABLE JOHN M. DEMPSEY
- SIXTH DISTRICT — HONORABLE SCOTT R. POTTER
- SEVENTH DISTRICT — HONORABLE KIMBERLY MEUSE
- EIGHTH DISTRICT — HONORABLE JAMES J. CONNOR, JR.
- NINTH DISTRICT — HONORABLE THOMAS J. MALLOY
- TENTH DISTRICT — HONORABLE PAUL HOYDICK

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. DEMPSEY TO ACCEPT THE ABOVE CITED CERTIFICATION. THE MOTION PASSED UNANIMOUSLY.

5. CERTIFICATES OF APPRECIATION — Certificates presented to the following:

A. COUNCIL MEMBERS

- | | |
|-------------------------------|---------------------------|
| • HON. MICHAEL A. JULIAN | • HON. WILLIAM STROOMER |
| • HON. ALVIN O'NEAL | • HON. THOMAS W. MOORE |
| • HON. GAVIN B. FORRESTER, II | • HON. JOSEPH A. KUBIC |
| • HON. EMMA BROOKS | • HON. MICHAEL F. HENRICK |
| • HON. AMY J. WANAMAKER | |

B. COUNCIL MEMBERS

- | | |
|-------------------|-------------------|
| • SUSAN BARKSDALE | • JOSEPH DIMENNO |
| • ROBERT CODY | • JANICE ANDERSEN |

6. COUNCIL MEMBERS COMMENTS — Comments from: Messrs. Julian, O'Neal, Forrester, Dempsey, Moore, Kubic, Henrick and Ms. Wanamaker

7. ADJOURNMENT — Hearing no additional business, Chairman Henrick called for a motion to adjourn. UPON A MOTION BY MR. KUBIC, SECONDED BY MR. FORRESTER IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 8:30 P.M. THUS CONCLUDING THE 2007-2009 SESSION OF THE STRATFORD TOWN COUNCIL.

ATTESTED BY:

Carol Cabral

Carol Cabral, Council Clerk

MINUTES OF MEETING

STRATFORD TOWN COUNCIL

December 14, 2009

IN ACCORDANCE WITH PROVISION § 2.1.3 OF THE STRATFORD TOWN CHARTER, A MEETING OF THE NEWLY ELECTD STRATFORD TOWN COUNCIL WAS CONDUCTED ON MONDAY EVENING, DECEMBER 14, 2009 IN THE AUDITORIUM OF STRATFORD HIGH SCHOOL, NORTH PARADE, STRATFORD, CT IMMEDIATELY FOLLOWING THE ADJOURNMENT OF THE FINAL 2007-2009 COUNCIL SESSION PURSUANT TO NOTICE DULY POSTED.

1. CALL TO ORDER: 8:30 p.m. by Stratford Town Clerk

2. OATH OF OFFICE — Administered to the following individuals

BOARD OF EDUCATION MEMBERS — administered by Town Clerk

- JOSEPH G. CRUDO, JR.
- CHARLES A. LINDBERG
- GAVIN B. FORRESTER, III
- JANICE O. DAPONTE

PLANNING COMMISSIONERS— administered by Town Clerk

- ANN-ALICE BAKER
- SCOTT R. POTTER
- LINDA M. PEPIN
- CHRISTOPHER W. WALKER

ZONING COMMISSIONERS— administered by Town Clerk

- JAMES M. SHERIDAN
- CHRISTOPHER E. SILHAVEY
- MICHAEL F. HENRICK

ZONING BOARD OF APPEALS COMMISSIONERS— administered by Town Clerk

- PATRICK T. MASSEY
- RICHARD F. FREDETTE
- BRIAN W. DEMPSEY

MAYOR— administered by The Honorable Lawrence F. Cafero, Jr. State Representative, House Republican Leader

HONORABLE JOHN A. HARKINS

Mayor Harkins, in his inaugural address, issues the emergency declaration necessary to move forward with the purchase of two new fire trucks.

3. APPOINTMENT OF COUNCIL CHAIRMAN — The Town Clerk, as temporary Chairman, called for nominations for Chairman of the Stratford Town Council.

RESOLVED: that HON. THOMAS J. MALLOY be and is hereby appointed Chairman of the Stratford Town Council.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MS. PHILIPS TO NOMINATE COUNCIL MEMBER THOMAS J. MALLOY. A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. POTTER TO CLOSE NOMINATIONS FOR COUNCIL CHAIRMAN. THE MOTION TO CLOSE NOMINATIONS PASSED UNANIMOUSLY. THE MOTION TO APPOINT THOMAS J. MALLOY AS COUNCIL CHAIRMAN PASSED UNANIMOUSLY.

The Town Clerk relinquishes the Chair. Mr. Malloy assumes the Chair.

4. APPOINTMENT OF COUNCIL CLERK

RESOLVED: that CAROL CABRAL be and is hereby appointed Council Clerk at a salary as outlined in grade 5, step 4 of the current Employees salary schedule.

UPON A MOTION BY MR. DEMPSEY AND SECONDED BY MR. POTTER, IT WAS VOTED UNANIMOUSLY TO APPOINT CAROL CABRAL AS CLERK OF THE STRATFORD TOWN COUNCIL.

5. APPOINTMENT OF COUNCIL CHAIRMAN PRO TEMPORE

RESOLVED: that HON. MATTHEW P. CATALANO be and is hereby appointed Chairman Pro Tempore of the Stratford Town Council.

UPON A MOTION BY MR. BARNABY AND SECONDED BY MS. MEUSE, IT WAS PASSED UNANIMOUSLY TO APPOINT MATTHEW P. CATALANO AS CHAIRMAN PRO TEMPORE.

6. APPOINTMENT OF TOWN ATTORNEY — approval/rejection of Mayor's nomination for Town Attorney.

RESOLVED: that the Mayoral appointment of Town Attorney, TIMOTHY BISHOP, ESQ. be and is hereby ratified.

UPON A MOTION BY MR. HOYDICK AND SECONDED BY MR. SANTI, IT PASSED UNANIMOUSLY TO RATIFY THE APPOINTMENT OF TIMOTHY BISHOP, ESQ. AS TOWN ATTORNEY.

7. ADOPTION OF COUNCIL RULES OF PROCEDURE — document appended as pages 6-13.

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MS. MEUSE TO ADOPT THE COUNCIL RULES OF PROCEDURE AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

8. ADJOURNMENT — Hearing no further business, Chairman Malloy entertained a motion to adjourn. ON A MOTION BY MS. MEUSE, SECONDED BY MR. SANTI, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE TOWN COUNCIL MEETING AT 9:07 P.M.

ATTESTED BY: Carol Cabral
Carol Cabral, Council Clerk

STRATFORD TOWN COUNCIL RULES OF PROCEDURE

(See Charter, Section 2.1.4.)

Adopted December 14, 2009

I DEFINITION

A. *Presiding Officer* shall have the same meaning in these Rules of Procedure and in all Council records, correspondence, ordinances, resolutions, communications, documents and other matters as the term “*Council Chairman*” which is defined in Section 2.1.5 of the Charter of the Town of Stratford.

II PRESIDING OFFICER AND RECORD

A. The Council Chairman, or in the absence of the Council Chairman, a Chairman Pro Tempore as appointed by the Council, shall preside at all Council meetings, and on the appearance of a quorum shall call the members to order. The Council Chairman, or in the absence of the Council Chairman, a Chairman Pro Tempore, shall cause the records of the previous meeting to be read unless such action is waived by a majority vote of all members of the Council. *(See Charter, Section 2.1.5.)*

B. The Council Chairman shall not be removed from such appointment except by the affirmative vote of seven (7) members of the Council taken by roll call.

C. This aforementioned Rule (Numbered I.B.) shall not be changed except by the affirmative vote of eight (8) Council Members taken by roll call.

III ORDER AND APPEAL

The Presiding Officer shall preserve order and decorum and shall decide all questions of order upon which no debate shall be allowed except by request of the presiding officer, but any such decision shall be subject to an appeal to the Council made by motion regularly seconded and decided by a majority vote of the council members in attendance at the meeting. Debate shall be allowed on appeal.

IV ORDER OF BUSINESS

The Order of Business shall be as follows:

First: Approval the Minutes of the previous meeting.

Second: Ceremonial presentations and awards as properly noticed in the meeting’s council agenda.

Third: Council Member's response to comments from public forum.

Fourth: Reading and disposing of communications, bills, petitions, remonstrances and memorial, or other matters, which may be referred to an appropriate Committee, Board, or Town Officer by the Council Chairman. Such reference shall be subject to an appeal to the Council, whereby such dispositions shall be determined by a majority of the Council present.

Fifth: Reading and disposing of reports of the Mayor, Committee Reports and Town Attorney.

Sixth: Questions for the Mayor.

Seventh: Unfinished and/or Old Business.

Eighth: Ordinances and Resolutions.

Ninth: New Business.

Tenth: Adjournment.

V AGENDA

A. The Council Clerk shall prepare an agenda relating to the order of business to be considered at the regular Council meetings. All new business to be included in such agenda shall be presented to the Council Clerk in its complete text not later than four-thirty (4:30) P.M. on the Tuesday preceding the next regular Council meeting at which the matter is to be considered. The Council Chairman must approve any matter requested to be placed on the agenda. An item may be added to the Council agenda only with a vote of seven (7) Council Members at the regularly scheduled.

B. The Council Clerk shall distribute copies of the agenda to each Council Member, the Mayor, Chief administration officer, the Town Attorney and Assistant Town Attorneys, on or before the Wednesday preceding the date of the regular Council meeting.

VI FILLING VACANCIES

Only a properly distributed agenda requesting an appointment to fill a vacancy shall be acted upon at the meeting at which it is presented; other requests to fill a vacancy shall be placed upon the agenda for the next meeting of the Council, regular or special, as the case may be, at which time action in filling the vacancy may be taken.

VII QUORUM

A quorum of the Council shall consist of six (6) Council Member. (See Charter, Section 2.1.4.)

VIII ORDER OF MOTIONS AND DETERMINATION OF VOTES

A. During debate, only the following motions shall be received by the Council Chairman, and they shall have precedence in the following order:

- (1) To fix the time of adjournment (which may be amended as to time).
- (2) To adjourn.
- (3) To reconsider.
- (4) To lay on the Table.
- (5) To move the previous question.

The preceding motions (1 through 5) shall not be debatable nor subject to amendment, except as stated above.

- (6) To postpone to a time certain.
- (7) To commit or to recommit.
- (8) To amend.
- (9) To postpone indefinitely (which may not be amended).

The preceding motions (6 through 9) shall be debatable and subject to amendment, except as stated above.

B. The Presiding Officer shall declare all votes. If a vote be doubted, the presiding officer shall order a roll call vote or any member of the Council may request a roll call vote.

C. Any of the aforesaid motions shall be carried by a majority vote of the Council Members in attendance at the meeting of the Council.

IX WITHDRAWAL AND RECONSIDERATION OF MOTIONS

A. A motion may be withdrawn by the mover at any time before a decision or amendment.

B. In the event a motion has been carried, whether in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move a reconsideration thereof at the same, or at the regular meeting next succeeding the meeting at which the vote was taken, and such motion shall take precedence over all other questions except a motion to fix the time to which to adjourn and to adjourn.

C. However, no question shall be twice reconsidered, nor shall any vote which has caused action that cannot be reversed be reconsidered.

X MOTION IN WRITING

The presiding officer shall state any motion which is made and seconded. A motion which is in

writing shall be read aloud to debate unless copies of same have been distributed to all Council Members. Any motion shall be reduced to writing at the request of the presiding officer or of any Council Member.

XI ROLL CALL VOTE ON FINAL PASSAGE OF ORDINANCE

A roll call vote shall be taken upon the final passage of any ordinance.

XII AMENDMENTS AND DIVISIONS

No motion or proposition on a subject different from that under consideration shall be recognized by way of an amendment. Any Council Member may move for a division of the question when each of the divided questions may be acted upon properly. An affirmative vote of the majority of the Council Members in attendance at the meeting of the Council shall be necessary to divide a question,

XIII COUNCIL COMMITTEES AND OTHER APPOINTMENTS

A. A majority of the Council shall appoint, except as otherwise provided by Charter or State Law, such Committees and their members, as it deems necessary for the proper conduct of Town affairs.

B. Except as otherwise provided by Charter or State Law, a majority of the Council Shall also have the power to appoint Council representation to any Board, Commission, Conference, Committee or other body which may request the same.

C. Once duly appointed and ratified by a majority vote of six (6) Council Members, the appointment of the Committee Members and the Council Clerk shall not be changed except by the affirmative vote of seven (7) Council Members taken by roll call.

D. Subject to these Rules of Procedure, all Council Members shall have the right to address any Committee of the Town Council.

E. On all Council Committees and other appointments except as otherwise provided by law, a Council Member may appoint an alternate to represent him/her at a meeting of said committee of which they are a member. That appointee can only be another Council Member appointed by the Council Member who is not going to be present at said meeting. The alternate Council Member will be allowed to make any appropriate motions and vote on any and all issues that come before that committee on that date. The Council Member who will be absent must notify the Chairman of said committee, either verbally or a note or a Fax or an E-mail stating whom the alternate Council Member will be.

F. This Rule (numbered XII.E.) shall not be changed except by the affirmative vote of seven (7) Council Members taken by roll call.

XIV DUTIES OF COMMITTEES

- A. The Chair of each Committee shall appoint the Committee Secretary.
- B. All Committee meetings shall be tape recorded and such recordings shall be filed with the Town Clerk and said tape recordings be kept for a period of time not less than the term of the Town Council during which they were recorded. In no event, however, shall said tape recordings be kept for a period of time less than a quarter of a year.
- C. Each Committee shall keep written minutes, copies of which shall be distributed to each Council Member and filed with the Town Clerk.
- D. Each Committee, Board, or Town Officer to which may be referred any petition, matter or thing, shall present their report at the next regular meeting of the Council after such reference, unless otherwise specifically directed. Extensions of time for the filing of such report may be granted at the discretion of the Council Chairman.

XV COMMITTEE REPORTS

All reports of Committees, Boards, or Town Officers shall be in writing and accompanied by such order, resolution or bill as said Committee, Board or Town Officer shall recommend for the action of the Council. Upon reading of a report, if no motion is made the question shall always be upon the order, resolution or bill, if any contained therein; and when the question is determined, upon the acceptance of the report. Orders, resolutions or bills reported by the Committee, Board or Officer may be recommitted, together with the report, at any time prior to passage or rejection of the same.

XVI COMMITTEE MINORITY REPORTS

The Council shall act upon any minority report of a Committee even though a majority report on the matter or subject in question is not submitted by said Committee.

XVII REFERENCES TO COMMITTEES

Any new business relating to an ordinance, order, resolution, or other matter appropriately requiring Committee action may be referred to any Committee, except as follows, and unless determined to the contrary by a majority vote of the Council Members present:

- A. All resolutions or petitions relating to the adoption or amending of any ordinance shall be referred to the ORDINANCE COMMITTEE.
- B. All claims, resolutions, petitions, or other matters relating to general government of the Town and for which no appropriate Committee may exist, may be referred to the FINANCE AND CLAIMS COMMITTEE; and all resolutions, petitions, ordinances, or other matters relating to

the appropriation of money shall be referred to the FINANCE AND CLAIMS COMMITTEE.

XVIII ENDORSEMENTS AND PRESENTATIONS

All written resolutions and ordinances shall be endorsed with the name of a "sponsor" who shall be a Council Member. A resolution or ordinance shall be considered in the order of its presentation unless a subsequent matter is prior in its nature, except when considering the naming of sums or the fixing of time, the Council shall first consider the larger sum and the longer time.

XIX RESTRICTIONS ON SPEAKING

Only Council Members and the Mayor shall be recognized to speak at meetings of the Town Council except for those persons a Council Member wishes to question. No member or the Mayor shall speak more than once on a question until each member and the Mayor choosing to speak has done so. In the event two or more members and or the Mayor desire recognition at the same time, the presiding officer shall designate the member or the Mayor to speak first. All remarks shall be directed to the Council Chairman and be confined to and be germane to the question in debate. A speaker permitted to speak pursuant to these rules shall not be interrupted by another except by a call to order or to correct a mistake.

XX VOTE ON ORDINANCES AND RESOLUTIONS

A. Every ordinance or resolution shall require, for final passage, the affirmative vote of six (6) Council Members or, in the event of a tie vote of 5-5, the affirmative vote of five (5) Council Members and the Mayor. *See Charter, Section 2.2.8.*

B. Further, any ordinance providing for the issue of bonds shall require the affirmative vote of seven (7) Council Members. *See Charter, Section 2.2.4.*

C. Further, any ordinance or resolution, which, pursuant to the charter, Town Code or other law, requires the affirmative vote of a greater number of Council Members, shall require the affirmative vote of that number.

XXI VOTE ON TRANSFER OF FUNDS

Authorization of the transfer of funds shall require the affirmative vote of seven (7) Council Members. *See Charter, Section 6.2.5.*

XXII ADOPTION OF ORDINANCES

No ordinance shall be passed until it has been read at two (2) separate meetings or unless such

readings are dispensed with by vote of seven (7) Council Members. The final reading shall be in full, unless the measure shall have been printed or typewritten and a copy thereof furnished to each member prior to such readings. See Charter, Section 2.2.8.

XXIII SPECIAL APPROPRIATIONS

A special appropriation of money shall be approved by the affirmative vote of six (6) Council Members taken by roll call; but the Council shall have no power to make any special appropriation out of unappropriated revenues unless the revenues of the Town are sufficient for the purpose.

XXIV VOTE REQUIRED OF MEMBERS

No Council Member shall be excused from voting, except on matters involving a conflict of interest. See Charter, Section 2.2.8. Further, no Council Member shall be permitted under any circumstances whatever to vote after the decision is announced from the Council Chairman.

XXV PARLIAMENTARY LAW

All differences of opinion in regard to points of order or modes of proceeding not herein otherwise provided for shall be governed by Parliamentary practice as set forth in "*Robert's Rules of Order.*"

All unresolved questions of Parliamentary procedure may be referred to the Town Attorney or Assistant Town Attorney present at the current meeting for his or her interpretative ruling.

In the absence of the Town Attorney or Assistant Town Attorney present at the current meeting, the Council Chairman may appoint a substitute person designated as Council Parliamentarian to refer questions of Parliamentary procedure for his or her substitute interpretative ruling.

XXVI SUSPENSION OF RULES

These Rules may be suspended at any meeting of the Council by the affirmative vote of seven (7) Council Members. A motion made hereunder shall designate the particular rule proposed to be suspended and the purpose of the proponent.

XXVII CHANGE OF RULES

The foregoing Rules, except such as are Charter provisions and except as otherwise provided, may be repealed, amended, or new ones added by resolution approved by the affirmative vote of seven (7) Council Member.

XXVIII PUBLIC FORUM

A public forum of not more than seventy (70) minutes in length shall be held prior to each regular Council meeting and shall commence seventy five (75) minutes prior to such meeting until concluded, during which time members of the public may address the Council on any appropriate matter.

A registration form will be made available prior to the public forum until the commencement thereof and members of the public wishing to address the Council shall enter their names upon said form. Only those persons so registered shall be entitled to address the Council at the public forum. The Council Chairman at the commencement of each public forum shall impose a time limit, which is appropriate to the circumstances but not to exceed five (5) minutes, on each speaker. Should any member of the public wish to address the Council for a period in excess of five (5) minutes, that member should prepare a written communication and forward the same to the Council Chairman. The Council Chairman shall cause copies of the same to be distributed to each Council member in an expeditious manner.

Notwithstanding any rule regarding the suspension of these Rules of Procedure, the limitations imposed by this section XXVII may be waived by an affirmative vote of six (6) Council Members.

The Public shall include residents of the Town of Stratford and Town of Stratford Taxpayers.