



Stratford, Connecticut

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## MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, APRIL 12, 2010 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:20 p.m.

PRESIDING: Council Chairman Thomas Malloy

COUNCIL MEMBERS IN ATTENDANCE: Mr. Christian Barnaby, Ms. Stephanie Philips, Mr. Matthew Catalano, Mr. Jason Santi, Mr. John Dempsey, Mr. Scott Potter, Ms. Kimberly Meuse, Mr. James Connor, Mr. Thomas Malloy, Mr. Paul Hoydick

COUNCIL MEMBERS ABSENT: none

OTHERS IN ATTENDANCE: Mayor John Harkins, Town Attorney Timothy Bishop, Asst. Town Attorneys Kevin Kelly and John Florek.

INVOCATION PRESENTED BY THIRD DISTRICT COUNCIL MEMBER HON. MATTHEW P. CATALANO FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

**1. APPROVAL OF MINUTES** — Minutes of Public Forum and Regularly scheduled meeting of March 8, and special meeting and executive session of March 22, 2010.

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. CATALANO SECONDED BY MR. HOYDICK TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED UNANIMOUSLY.

**2. CEREMONIAL PRESENTATIONS AND AWARDS**

**3. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM**

Mr. Barnaby — Airport concerns

**4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES****4.1. CORRESPONDENCE FROM PLANNING COMMISSION** (letters previously forwarded)**A. Dated: March 19, 2010 re: plan and profile for Nicki Laine Circle**

At a meeting of the Planning Commission held June 28, 2005 it was voted to recommend your approval of the plan and profile as shown on the map entitled "Proposed Road Plan and Profile prepared for Anthony Estates" 335 Connors Lane dated February 17, 2005 prepared by Hammons LLC and approved by the Engineering Dept. of the Town of Stratford in accordance with "An Ordinance Providing for the Manner of acceptance of New Streets, Boulevards, Highways or Public Ways and establishing certain specifications therefore, in the Town of Stratford, CT." adopted July 14, 1947.

**NICKI LAINE CIRCLE** — Beginning at the center line of Connors Lane, running in a south southeasterly direction for approximately 163 feet to a dead-end cul-de-sac. Street width – 60 ft. Pavement width – 28 ft.

Curbs will be constructed on all street frontages of this subdivision. Sidewalks were waived within this subdivision.

RESOLVED: that the recommendation of the Planning Commission is accepted and the plan and profile contained in the subdivision of Anthony Estates dated February 17, 2005 be and is hereby approved/~~denied~~.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. SANTI TO APPROVE THE FOREGOING PLAN AND PROFILE. THE MOTION PASSED UNANIMOUSLY.

**B. Dated: March 19, 2010 re: plan and profile for Frances Place**

At a meeting of the Planning Commission held July 26, 2005 it was voted to recommend your approval of the plan and profile as shown on the map entitled "Subdivision prepared for Frances Carol Estates, 936 Judson Place and 2278 Main Street": dated February 1, 2005 prepared by Hammons LLC and approved by the Engineering Dept. of the Town of Stratford in accordance with "An Ordinance Providing for the Manner of acceptance of New Streets, Boulevards, Highways or Public Ways and establishing certain specifications therefore, in the Town of Stratford, CT." adopted July 14, 1947.

**FRANCES PLACE** — Beginning at the center line of Judson Place, said point being approximately 325 feet east of the intersection of Main Street and Judson Place, running in a northerly direction for approximately 254 feet to a dead-end cul-de-sac. Street width – 50 ft. Pavement width – 28 ft.

Sidewalks and curbs will be constructed on all street frontages of this subdivision.

COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES — continued

CORRESPONDENCE FROM PLANNING COMMISSION re: FRANCES PLACE — continued

RESOLVED: that the recommendation of the Planning Commission be accepted and the plan and profile contained in the subdivision of Frances Carol Estates dated February 1, 2005 be and is hereby approved/~~denied~~.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. POTTER TO APPROVE THE FOREGOING PLAN AND PROFILE. THE MOTION PASSED UNANIMOUSLY.

C. Dated: March 19, 2010 re: street acceptance for Frances Place

In accordance with the General Statutes and the local regulations, the Planning Commission, at their meeting held October 17, 2009 voted to recommend you accept the following street as shown on the map entitled “Subdivision prepared for Frances Carol Estates, 936 Judson Place and 2278 Main Street”: dated February 1, 2005 prepared by Hammons LLC and approved by the Engineering Dept. of the Town of Stratford in accordance with “An Ordinance Providing for the Manner of acceptance of New Streets, Boulevards, Highways or Public Ways and establishing certain specifications therefore, in the Town of Stratford, CT.” adopted July 14, 1947.

FRANCES PLACE — Beginning at the center line of Judson Place, said point being approximately 325 feet east of the intersection of Main Street and Judson Place, running in a northerly direction for approximately 254 feet to a dead-end cul-de-sac. Street width – 50 ft. Pavement width – 28 ft.

Sidewalks and curbs have been constructed on all street frontages of this subdivision.

RESOLVED: that said subdivision as above described, be and is hereby accepted and shall be hereafter known as Frances Place.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. DEMPSEY TO ACCEPT FRANCES PLACE. THE MOTION PASSED UNANIMOUSLY.

D. Dated: March 19, 2010 re: street acceptance for Perry Lane

In accordance with the General Statutes and the local regulations, the Planning Commission, at their meeting held July 28, 2009 voted to recommend you accept the following street contained in the subdivision of Primrose Companies Inc. as shown on the map entitled “Green Acres Estate”: dated May 26, 1999 prepared by Codespote and Associates and approved by the Engineering Dept. of the Town of Stratford in accordance with “An Ordinance Providing for the Manner of acceptance of New Streets, Boulevards, Highways

COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES — continued

CORRESPONDENCE FROM PLANNING COMMISSION — continued

ACCEPTANCE FOR PERRY LANE — continued

or Public Ways and establishing certain specifications therefore, in the Town of Stratford, CT.” adopted July 14, 1947.

Perry Lane — Beginning at the center line of Nichols Avenue, said point being approximately 360 feet North of the intersection of Lawlor Terrace and Nichols Avenue, running in a westerly direction for approximately 824 feet to a dead-end cul-de-sac. Street width – 50 ft. for a distance of 150.06 feet from Nichols Avenue, 60 Feet for the remainder. Pavement width – 32 ft.

Sidewalks and curbs have be constructed on all street frontages of this subdivision.

RESOLVED: that said subdivision as above described, be and is hereby accepted and shall be hereafter known as Perry Lane.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. SANTI TO ACCEPT PERRY LANE. THE MOTION PASSED UNANIMOUSLY.

E. PROPOSED PURCHASE OF JOB AVENUE — dated April 5, 2010

At its regularly scheduled meeting of March 30, 2010, the Planning Commission considered the March 2, 2010 referral from the Town Attorney of a proposed offer to purchase a parcel of property off of Job Avenue, pursuant to Section 35-1 of the Town Code and Section 8-24 of the Connecticut General Statutes.

The Planning Commission had previously considered and acted on a proposed abandonment of this property in January 2010.

The Commission considered this request and reviewed the written offer of purchase from Paul Vazzano. The Commission also reviewed the Assessor’s Maps and discussed the proposed purchase price.

After careful consideration, the Planning Commission determined there was no continued need for the Town to maintain this property for future access to the rear land, and they were satisfied there was sufficient frontage along Woodend Road and Benton Street to provide access for existing owners of property in this area.

COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES — continued

PROPOSED PURCHASE OF JOB AVENUE — continued

Therefore, the Planning Commission voted to approve of this request to purchase Town property off of Job Avenue, with the stipulation that the Town should sell the property at fair market value.

RESOLVED: that the foregoing proposed purchase of Job Avenue is sent to the Town Attorney for fair market value appraisal.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MS. MEUSE TO SEND THE FOREGOING PROPOSAL TO THE TOWN ATTORNEY FOR FAIR MARKET VALUE APPRAISAL. THE MOTION PASSED UNANIMOUSLY.

4.2 LETTER OF RESIGNATION — Letter previously forwarded  
from: Richard Fredette, Waterfront Harbor Management Commission

RESOLVED: that the resignation of Richard Fredette, Waterfront Harbor Management Commissioner, be and is hereby accepted.

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. CONNOR TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED UNANIMOUSLY.

**5. MAYOR’S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY’S REPORTS**

5.1 MAYOR’S REPORT

5.1.1 FIBER OPTICS TRANSMISSION LINES (2010 Bonding Project) Request changing the name of project from: Fiber Optics Transmission Lines to Fiber Optics Transmission Lines/ Ancillary Hardware/Software.

RESOLVED: That the project now known as Fiber Optics Transmission Lines, is hereby changed to Fiber Optics Transmission Lines/ Ancillary Hardware/Software in the 2010 bonding project.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING NAME CHANGE. THE MOTION PASSED UNANIMOUSLY.

5.1.2 REPLACE DECK AT SHORT BEACH PAVILION 2 (2009 Bonding Project). Request changing name of project from Replace Deck at Short Beach Pavilion 2 to Replacing Roof Shingles and Stove Hood/Extinguishing Systems at Short Beach concession stand.

MAYOR’S REPORT — continued

REPLACE DECK AT SHORT BEACH PAVILION 2 — continued

RESOLVED: That the project now known as replace Deck at Short Beach pavilion 2, is hereby changed to Replacing Roof Shingles and Stove Hood/Extinguishing Systems at Short Beach concession stand in the 2009 bonding project.

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING NAME CHANGE. THE MOTION PASSED UNANIMOUSLY.

5.1.3 STATE MATCHING GRANT FOR ELDERLY AND DISABLED DEMAND RESPONSIVE TRANSPORTATION

**WHEREAS**, the *CT Department of Transportation* is authorized to extend financial assistance to municipalities in the form of grants; and,

**WHEREAS**, this funding has been made possible through the through the *FY 2011 State Matching Grant For Elderly And Disabled Demand Responsive Transportation grant program* for transportation services for elderly persons and person’s with disabilities; and,

**WHEREAS**, funds under this grant will be used to support the *Town of Stratford’s Senior Transportation Program*, which provides the elderly and disabled of Stratford who no longer are able to drive with door-to-door transportation services to medical and supportive programs that enable them to improve their health and quality of life; and,

**WHEREAS**, it is desirable and in the public interest that the *Town of Stratford* submit an application to the *CT Department of Transportation* in an amount not to exceed \$58,116 for the purpose of supporting the Senior Transportation Program.

**NOW THEREFORE, BE IT RESOLVED BY THE Town Council:**

1. That it is cognizant of the Town’s grant application and subsequent contract with the *CT Department of Transportation/ FY 2011 State Matching Grant For Elderly And Disabled Demand Responsive Transportation grant program* to support the Town’s elderly and disabled transportation program; and,
2. That it hereby authorizes, directs and empowers the Mayor or his designee to execute and file such application with the *CT Department of Transportation*, to provide such additional information and to execute such other contracts and documents as maybe necessary under this program.

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. SANTI TO APPROVE THE FOREGOING MATCHING GRANT. THE MOTION PASSED UNANIMOUSLY.

#### 5.1.4 HISTORIC DOCUMENTS PRESERVATION PROGRAM GRANT

WHEREAS, the *Connecticut State Library* is authorized to make grant awards through the *FY 2011 Historic Documents Preservation Program-Targeted Grants*; and

WHEREAS the *Town of Stratford* is eligible to apply for such for historic document preservation; and

WHEREAS, it is desirable and in the public interest that the *Town of Stratford* submit an application to the *Connecticut State Library* for funds in an amount not to exceed \$6,000; and

**NOW THEREFORE, BE IT RESOLVED BY THE Town Council:**

1. That it is cognizant of the Town's contract with the *Connecticut State Library* for the *preservation of Town historic documents* in an amount not to exceed \$6,000; and
2. That it hereby authorizes, directs and empowers the Mayor or his designee to file an application and execute such contract with the *Connecticut State Library*, to provide such additional information, to implement the program once the award is secured, and to execute such other contracts and documents as maybe necessary under this program.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. BARNABY TO APPROVE THE FOREGOING PROGRAM GRANT. THE MOTION PASSED UNANIMOUSLY.

#### 5.1.5 OPEN SPACE AND WATERSHED ACQUISITION GRANT PROGRAM

WHEREAS, the *CT Department of Environmental Protection*, is authorized to extend financial assistance to municipalities in the form of grants through *the Open Space and Watershed Acquisition grant program*; and,

WHEREAS, the *Town of Stratford* has an interest in protecting valuable open space opportunities for habitat restoration, watershed preservation and creation of passive recreation opportunities for its residents; and,

WHEREAS, funding through *the Open Space and Watershed Acquisition grant program* will be used to purchase a 16.08 acre property on Chapel Street for such purposes; and,

WHEREAS, the Town of Stratford is seeking a grant from the *Open Space and Watershed Acquisition grant program in an amount not to exceed \$278,200, with a required cash match from the Town in an amount not to exceed \$149,800*; and

WHEREAS, it is desirable and in the public interest that the Town of Stratford, apply for funding and enter into contracts with the *CT Department of Environmental Protection- Open Space and*

OPEN SPACE AND WATERSHED ACQUISITION GRANT — continued

*Watershed Acquisition grant program* for the purpose of acquiring a 16.08 acre parcel of land for open space preservation purposes; and

**WHEREAS**, it is desirable and in the public interest that funds from the Open Space accounts be authorized for the purpose of the aforementioned grant application and acquisition *in an amount not to exceed \$149,800.*

**NOW THEREFORE, BE IT RESOLVED BY THE Town Council:**

1. That it is cognizant of the Town’s application and subsequent contract with the *CT Department of Environmental Protection- Open Space and Watershed Acquisition grant program* for funds to acquire a 16.08 acre parcel of land on Chapel Street for open space preservation purposes ; and,
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and file such application with the **CT Department of Environmental Protection**, to provide such additional information and to execute such other contracts and documents as maybe necessary under this program; and
3. That it hereby authorizes, directs and empowers the Town to commit available and budgeted funds in the Town Budget for the purpose of providing the required cash match for the grant program, **in an amount not to exceed \$149,800.**

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. CATALANO TO APPROVE THE FOREGOING WATERSHED ACQUISITION GRANT. THE MOTION PASSED UNANIMOUSLY.

5.1.6 MAYORAL APPOINTMENTS

- A. Economic Development Commission — Fred Hyatt, Randy Vidal, Maury Johnson, Scott Morse, John Dobos, Neil Sherman, Mary Dean, Michael Vickerelli

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. CATALANO TO PLACE THE FOREGOING APPOINTMENTS ON THE TABLE. THE MOTION PASSED UNANIMOUSLY. Appointments ratified on page 21.

Chairman Malloy read the following names into the record as Alternate members of the Economic Development Commission: Robert Rosatti, Robin Greenspan, Vincent Fagella, and Robert Cody.

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. SANTI TO APPROVE THE FOREGOING ALTERNATE MEMBERS. THE MOTION PASSED UNANIMOUSLY.

MAYORAL APPOINTMENTS — continued

- B. Short Beach Commission — Karen Daden, Anthony Ross, Scott Barksdale, Bob Goodrich

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. BARNABY TO APPROVE THE FOREGOING SHORT BEACH COMMISSION APPOINTMENTS. THE MOTION PASSED UNANIMOUSLY.

- C. Arts Commission — Kevin McNair

A MOTION WAS MADE BY MS. MEUSE SECONDED BY MR. POTTER TO APPROVE THE FOREGOING ARTS COMMISSION APPOINTMENT. THE MOTION PASSED UNANIMOUSLY.

5.1.7 EMPLOYMENT OF GEEN THAZHAMPALLATH AS CHIEF ADMINISTRATIVE OFFICER

RESOLVED: THAT the salary for Geen Thazhampallath, Chief Administrative Office, is set as \$88,000 per year.

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MR. HOYDICK TO APPROVE THE FOREGOING EMPLOYMENT AND SALARY. THE MOTION PASSED UNANIMOUSLY.

5.2 COMMITTEE REPORTS

5.2.1 ORDINANCE COMMITTEE —The Ordinance Committee conducted a regularly scheduled meeting on March 22, 2010 at which time the following was referred to the Town Council with favorable recommendation:

- A. ORDINANCE TO AMEND FEES FOR HAND AND NAIL SALONS (#10-07)— Chapter 55 of the Stratford Town Code.

***Change last paragraph:*** Upon a change of control of the ownership of ~~Any person who purchases~~ an existing Hair/Nail Salon, such business shall submit a plan review application that must be approved by the health Department to obtain a new license under their name and pay the required fee and taxes. The Stratford Health Director shall determine all fees.

COMMITTEE REPORTS — continued

ORDINANCE TO AMEND FEES FOR HAND AND NAIL SALONS (#10-07) — continued

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.

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. SANTI TO APPROVE THE FOREGOING AMENDMENT. THE MOTION PASSED UNANIMOUSLY.

B. DISBANDING THE TRANSPORTATION ADVISORY COMMITTEE

RESOLVED: that the Transportation Advisory Committee, established per resolution during Council meeting of August 11, 2008, be and is hereby dissolved.

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. SANTI TO DISBAND THE FOREGOING COMMITTEE. THE MOTION PASSED UNANIMOUSLY.

5.2.3 FINANCE AND CLAIMS COMMITTEE — The Finance and Claims Committee conducted the regularly scheduled meeting on March 15, 2010 at which time the following claim was referred to Council without recommendation:

Claim of: Plymouth Rock aso Bonaventura            d/i: 12/12/09            Amount: \$4,476.70  
Summary: Insured’s vehicle sideswiped by PW truck. Employee given verbal warning for failure to drive in proper lane.

RESOLVED: that the recommendation of the Finance and Claims Committee is accepted and the claim of Plymouth Rock aso Bonaventura for the amount of \$4,476.70 be and is hereby approved/~~denied~~.

A MOTION WAS MADE BY MR. CONNOR SECONDED BY MR. HOYDICK TO APPROVE THE FOREGOING CLAIM. THE MOTION PASSED UNANIMOUSLY.

5.2.8 BUILDING NEEDS COMMITTEE — The Building Needs Committee conducted the regularly scheduled meeting of March 15, 2010.

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. CONNOR TO WAIVE THE COUNCIL RULES OF PROCEDURE TO CONTINUE THE MEETING OUT OF ORDER BY TAKING ITEM 8.3 — RESOLUTION TO DIRECT ARCHITECT TO PREPARE NEW

DRAWINGS FOR ANIMAL CONTROL FACILITY AS THE NEXT ITEM. THE MOTION PASSED UNANIMOUSLY.

8.3 RESOLUTION TO DIRECT ARCHITECT TO PREPARE NEW DRAWINGS FOR ANIMAL CONTROL FACILITY

**WHEREAS**, the Town of Stratford seeks to construct an animal control facility; and

**WHEREAS**, the Building Needs Committee rejected all prior bids of contractors to construct a new animal control facility due to the unique financial circumstances facing the Town of Stratford, ~~plans for the Animal Control Facility are remanded to the Building Needs Committee to determine how best to redesign the project to lower overall costs; and directed the architect to redesign two alternative plans;~~ and

**WHEREAS**, significant public discussion ensued subsequent to the rejection of all bids, regarding revisions, amendments and modifications to the proposed animal control facility to improve the project; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Stratford Town Council formally rejects all prior bids together with the two alternative plans proposed to the project architect; and ~~direct~~ the architect, Silver Petrucelli Associates, to design new drawings for the animal control facility in light of the Building Needs Committee directives.

**BE IT FURTHER RESOLVED**, that the Town Council now authorizes the Mayor to engage the architect, Silver Petrucelli Associates, to design new drawings in accordance with a memorandum dated March 30, 2010, attached hereto (pages 33-34) , as amended to construct a 30 kennel for the animal control facility in light of the Building Needs Committee directives with no change the design footprint.

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

5.2.9 SHORT BEACH COMMISSION — The Short Beach Commission conducted the regularly scheduled meeting of March 1, 2010. At the meeting conducted on April 5, 2010, the following was referred to Council:

Golf Cart fees: Seniors - \$7.00, Residents and Non residents - \$8.00

Golf Fees: Raise weekend resident rates from \$9.50 to \$10.00, Raise weekend senior and junior rates from \$8.50 to \$9.00

RESOLVED: that the recommendation of the Short Beach Commission is accepted and the foregoing fees are hereby effective.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. SANTI TO APPROVE THE FOREGOING FEES. THE MOTION PASSED UNANIMOUSLY.

COMMITTEE REPORTS — continued

5.2.23 BEAUTIFICATION COMMITTEE — The Beautification Committee conducted the regularly scheduled meeting of March 2, 2010. Council Member Meuse, Chairman of Beautification Committee, announced that Project Greensweep, the town-wide cleanup, will take place Saturday, May 1. The Rally will commence on Town hall Green at 9:00 a.m.

5.2.25 EMS FUNDING COMMITTEE — This committee conducted the regularly scheduled meeting of March 16, 2010 at which time the following was referred to the Town Council

A. **Fifth full-time paramedic** (referred with favorable recommendation)

A MOTION WAS MADE BY MR. POTTER, SECONDED BY MR. HOYDICK TO APPROVE A FIFTH FULL-TIME PARAMEDIC. THE MOTION PASSED UNANIMOUSLY.

B. Resolution Appropriating Funds To Conduct A Review Of EMS Operations

**Resolved:** That a sum not to exceed \$5000 be appropriated from the Stratford Emergency Medical Service (EMS) Enterprise Fund to allow the Office of the Mayor to contract the services of CBG Strategies for the purposes of conducting an operational review of Stratford EMS. CBG Strategies will furnish the report, including recommendations to improve performance of the Department, to the Mayor and Town Council not more than 90 days from the appropriation of these funds.

A MOTION WAS MADE BY MR. POTTER SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING APPROPRIATION. THE MOTION PASSED UNANIMOUSLY.

5.3 TOWN ATTORNEY'S REPORT

5.3.1 AIRPORT PURCHASE — continuing item. — No business furnished.

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MR. SANTI TO WAIVE THE COUNCIL RULES OF PROCEDURE TO ADD AN AGENDA ITEM ENTITLED: "KING STREET CULVERT PROJECT." THE MOTION PASSED UNANIMOUSLY.

KING STREET CULVERT PROJECT

Attorney Bishop requests taking the foregoing item into executive session for the purpose of discussion regarding pending claim or litigation toward the town or a member thereof as a party.

KING STREET CULVERT PROJECT — continued

Mr. Bishop would like that motion to include members of the Stratford Town Council, the Mayor, The Town Engineer, Assistant Town Attorneys and himself.

A MOTION WAS MADE BY MR. CATALANO, SECONDED BY MS. PHILIPS 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 STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED UNANIMOUSLY.

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. POTTER TO WAIVE THE COUNCIL RULES OF PROCEDURE TO ADD AN AGENDA ITEM ENTITLED: “JUDITH TERRACE.” THE MOTION PASSED UNANIMOUSLY.

JUDITH TERRACE

Attorney Bishop requests taking the foregoing item into executive session for the purpose of discussion regarding a communication that is an attorney-client privileged item. Mr. Bishop would like that motion to include members of the Stratford Town Council, the Mayor, Assistant Town Attorneys and himself.

A MOTION WAS MADE BY MS. PHILIPS, SECONDED BY MR. CATALANO 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 STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED UNANIMOUSLY.

5.3.2 JACQUELINE PARTRIDGE vs. TOWN OF STRATFORD

Attorney Bishop requests taking the foregoing item into executive session for the purpose of discussion regarding pending claim or litigation toward the town or a member thereof as a party. Mr. Bishop would like that motion to include members of the Stratford Town Council, the Mayor, The Town Engineer, Assistant Town Attorneys and himself.

A MOTION WAS MADE BY MR. CATALANO, SECONDED BY MR. BARNABY 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 STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED UNANIMOUSLY.

TOWN ATTORNEY’S REPORT — continued

5.3.3 THERESA KRAUSE PPA V TOWN OF STRATFORD

Attorney Bishop requests taking the foregoing item into executive session for the purpose of discussion regarding pending claim or litigation toward the town or a member thereof as a party. Mr. Bishop would like that motion to include members of the Stratford Town Council, the Mayor, The Town Engineer, Assistant Town Attorneys and himself.

A MOTION WAS MADE BY MS. PHILIPS, SECONDED BY MR. BARNABY 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 STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED UNANIMOUSLY.

5.3.4 QUESTIONS TO THE TOWN ATTORNEY

Ms. Philips — re: Streamlining Town Attorney’s Office

Mr. Santi — re: Advertisements on sidewalks regarding cigarette sales, restoring ice cream truck service

*Stratford Town Council recessed: 9:32 p.m.*

*Stratford Town Council reconvened: 9:50 p.m.*

**6. QUESTIONS TO MAYOR OR STAFF** — No questions.

**7. UNFINISHED BUSINESS and/or OLD BUSINESS**

7.1 SAEP — No business furnished.

7.2 TABLED ITEMS

7.2.1 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

Claim of USAA ASO D. Kleber — continued

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

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO STRIKE THE FOREGOING CLAIM FROM THE AGENDA. THE MOTION PASSED UNANIMOUSLY.

7.2.3 SHAKESPEARE THEATER — request for proposals — Tabled during Special Meeting of March 22, 2010.

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

RESOLVED: that the Mayor is authorized to reissue a Request for Proposal (RFP) and the Town of Stratford Professionals complete the appropriate dates and the blanks on pages 5 and 6 of the document, request purchasing agent to place a 45-day window of time subject to the Town Attorney's review.

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MR. BARNABY TO APPROVE THE FOREGOING RFP AUTHORIZATION. MR. POTTER OFFERED A FRIENDLY AMENDMENT TO COMPLETE THE APPROPRIATE DATES, FILL IN BLANKS ON PAGES 5 AND 6, AND ASK FOR A 45-DAY WINDOW OF TIME. MR. POTTER'S FRIENDLY AMENDMENT WAS ACCEPTED. THE MOTION PASSED, AS AMENDED VIA ROLL CALL VOTE AS FOLLOWS: MR. BARNABY — YES, MS. PHILIPS — NO, MR. CATALANO — YES, MR. SANTI — YES, MR. DEMPSEY — YES, MR. POTTER — YES, MS. MEUSE — YES, MR. CONNOR — YES, MR. MALLOY — YES, MR. HOYDICK — YES.

7.3 TABLED ORDINANCES AND RESOLUTIONS

7.4.2 TRANSPORTATION ADVISORY COMMITTEE — Established per Resolution during Council meeting of August 11, 2008.

7.4.2.1 GREATER STRATFORD BUSINESS COMMUNITY REPRESENTATIVES

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. BARNABY TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

UNFINISHED BUSINESS — continuedTABLED APPOINTMENTS — continuedTRANSPORTATION ADVISORY COMMITTEE — continued

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. BARNABY TO STRIKE THE FOREGOING APPOINTMENT FROM THE AGENDA. THE MOTION PASSED UNANIMOUSLY.

7.4.3 LIBRARY BOARD — 3-year term, appointed by Town Council

B. RESOLVED: that NORMAN ALDRICH of 110 BUTTERNUT LANE be and is hereby appointed a member of the Stratford Library Association. (term of Norman Aldrich expired December 31, 2009)

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. DEMPSEY TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. DEMPSEY TO REAPPOINT NORMAN ALDRICH OF 110 BUTTERNUT LANE TO THE FOREGOING LIBRARY BOARD POSITION. THE MOTION PASSED UNANIMOUSLY.

7.4.4 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.

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

(1) RESOLVED: that CHRISTINA DINA of 104 RYAN AVENUE 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 PAUL CORVINO of 286 BIRDSEYE STREET 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 MARILYN HEENAN of 279 CALIFORNIA STREET be and is hereby appointed a representative-at-large to the Stratford Housing Partnership. (vacant term)

UNFINISHED BUSINESS — continued

TABLED APPOINTMENTS — continued

STRATFORD HOUSING PARTNERSHIP — continued

(4) RESOLVED: that TYMATHA “TY” SIMMS of 7 ELEANOR STREET be and is hereby appointed a representative-at-large to the Stratford Housing Partnership. (vacant term)

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. BARNABY TO APPOINT CHRISTINA DINA TO POSITION (1) ABOVE, PAUL CORVINO TO POSITION (2) ABOVE, MARILYN HEENAN TO POSITION (3) ABOVE AND TYMATHA “TY” SIMMS TO POSITION (4) ABOVE. THE MOTION PASSED UNANIMOUSLY.

7.4.4.5 COUNCIL CHAIRMAN’S REPRESENTATIVE – appointed by Council chairman with advice of Council. § 5-63 of Town Code

RESOLVED: that WILLIAM CABRAL- of 1034 EAST MAIN STREET be and is hereby appointed as the Council Chairman’s Representative to the Stratford Housing Partnership. (term of William Cabral expired February 22, 2010)

Mr. Malloy named William Cabral to position 7.4.4.5 above. A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. CONNOR TO APPROVE APPOINTMENT 7.4.4.5 ABOVE. THE MOTION PASSED UNANIMOUSLY.

7.4.6 BOARD OF ZONING APPEALS, ALTERNATE MEMBER

RESOLVED: that KENNETH SECSKAS of 1337 BROADBRIDGE AVENUE be and is hereby appointed an alternate member of the Board of Zoning Appeals (term of Richard Fredette will expire Jan. 1, 2011) — currently elected as full member of the Board of Zoning Appeals.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. SANTI TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MR. CONNOR SECONDED BY MR. DEMPSEY TO APPOINT KENNETH SECSKAS OF 1337 BROADBRIDGE AVENUE TO THE FOREGOING POSITION. THE MOTION PASSED UNANIMOUSLY.

UNFINISHED BUSINESS — continued

TABLED APPOINTMENTS — continued

7.4.7 DISABILITY REVIEW BOARD — appointed by Council – 2-year term of office.

A. RESOLVED: that KURT AHLBERG, ESQ. of 25 COACH HOUSE ROAD be and is hereby appointed a member of the Disability Review Board. (term of Thomas Cotter, Esq. expired January 13, 2010)

A MOTION WAS MADE BY MR. CONNOR SECONDED BY MR. BARNABY TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MR. CONNOR SECONDED BY MR. DEMPSEY TO APPOINT KURT AHLBERG OF 85 COACH HOUSE ROAD TO THE FOREGOING POSITION. THE MOTION PASSED UNANIMOUSLY.

7.4.8 COMMITTEES CONCURRENT WITH COUNCIL (2-YEAR APPOINTMENTS)

7.4.8.3 BUILDING NEEDS COMMITTEE (tabled during Council Meeting of 03/08/10)

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. DEMPSEY TO WAIVE THE COUNCIL RULES OF PROCEDURE TO ADD AN AGENDA ITEM: “APPOINTMENT TO BUILDING NEEDS COMMITTEE.” THE MOTION PASSED UNANIMOUSLY.

APPOINTMENT TO BUILDING NEEDS COMMITTEE

RESOLVED: that DANIEL SNEFT of 235 OLD COACH LANE be and is hereby appointed a member of the Building Needs Committee.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. DEMPSEY TO APPOINT DANIEL SNEFT TO THE FOREGOING POSITION. THE MOTION PASSED UNANIMOUSLY.

**8. ORDINANCES AND RESOLUTIONS**

**8.1 BUDGET ORDINANCES**

**A. AN ORDINANCE PROPOSING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2010, AND ENDING JUNE 30, 2011, AND APPROPRIATING THE SUM OF \$184,562,414 IN ACCORDANCE THEREWITH (#10-04)**

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

**B. AN ORDINANCE LEVYING A TAX RATE OF 33.16 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2009. (#10-05)**

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. *(Ordinance appended as page 24)*

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. SANTI TO REFER THE FOREGOING TWO BUDGET ORDINANCES TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

**8.2 AMENDED ORDINANCE - CHAPTER 196 — TOW TRUCKS (#10-06)**

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. *(Ordinance appended as pages 25-29)*

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

**8.3 RESOLUTION TO DIRECT ARCHITECT TO PREPARE NEW DRAWINGS FOR ANIMAL CONTROL FACILITY** Action taken is reflected on page 11.

**9. NEW BUSINESS**

**9.1 OPEN SPACE AND WATERSHED LAND ACQUISITION FOR ALBERTSEN PROPERTY**

IT IS HEREBY RESOLVED that Mayor John A. Harkins is authorized to execute on behalf of the Town of Stratford an Open space and Watershed Land Acquisition Grant Agreement, and a Conservation and Public Recreation Easement and Agreement with the State of Connecticut for financial assistance to acquire permanent interest in land known as the Albertsen Property and to manage said land as open space pursuant to section 7-131d of the Connecticut General Statutes.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. SANTI TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

**WAIVER OF COUNCIL RULES OF PROCEDURE**

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MS. PHILIPS TO WAIVE THE COUNCIL RULES OF PROCEDURE TO ADD AGENDA ITEMS STATED IN THE ADDENDUM MEMO. THE MOTION PASSED UNANIMOUSLY.

(1) **ROSALYN DUPUIS** – executive session requested

Attorney Bishop 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. He would like that motion to include members of the Stratford Town Council, the Human Resources Director, and members of the Town Attorney’s office.

A MOTION WAS MADE BY MS. PHILIPS, SECONDED BY MR. SANTI 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 STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED UNANIMOUSLY.

(2) **AMENDMENT TO ORDINANCES #09-22 AND #09-23** (appended as pages 30-32)

A. **AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$11,087,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2007-2008 (#10-08)**

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.

AMENDMENT TO ORDINANCES — continued

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

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.

- C. AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$12,060,700 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2009-2010 (#10-10)

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 MS. PHILIPS SECONDED BY MR. SANTI TO REFER THE FOREGOING THREE ORDINANCES TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

RECONSIDERATION OF PREVIOUS VOTE

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. POTTER TO RECONSIDER PREVIOUS ACTION re: MAYORAL APPOINTMENTS – ECONOMIC DEVELOPMENT COMMISSION. THE MOTION PASSED UNANIMOUSLY.

MAYORAL APPOINTMENTS

Economic Development Commission — Fred Hyatt, Randy Vidal, Maury Johnson, Scott Morse, John Dobos, Neil Sherman, Mary Dean, Michael Vickerelli

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MS. MEUSE TO AMEND A PREVIOUS MOTION (line item 5.1.6 A.). THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MR. POTTER SECONDED BY MR. SANTI TO APPROVE THE FOREGOING APPOINTMENTS TO THE ECONOMIC DEVELOPMENT COMMISSION. THE MOTION PASSED UNANIMOUSLY.

9.2 APPOINTMENTS — None

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

*Stratford Town Council meeting reconvened: 11:55 p.m.*

ACTION TAKEN FROM EXECUTIVE SESSION ITEMS

5.3.2 JACQUELINE PARTRIDGE vs. TOWN OF STRATFORD

A MOTION WAS MADE BY MR. CONNOR SECONDED BY MR. POTTER TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION IN CONNECTION WITH THE FOREGOING CASE. THE MOTION PASSED UNANIMOUSLY.

5.3.3 THERESA KRAUSE PPA vs. TOWN OF STRATFORD

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MR. DEMPSEY TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION IN CONNECTION WITH THE FOREGOING CASE. THE MOTION PASSED UNANIMOUSLY.

(1) ROSALYN DUPUIS

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. HOYDICK TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION IN CONNECTION WITH THE FOREGOING CASE. 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. CATALANO, SECONDED BY MR. HOYDICK, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING TUESDAY APRIL 13, 2010 AT 12:10 A.M.

ATTESTED BY:

*Carol Cabral*

Carol Cabral, Council Clerk

AN ORDINANCE PROPOSING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2010, AND ENDING JUNE 30, 2011, AND APPROPRIATING THE SUM OF \$184,562,414 IN ACCORDANCE THEREWITH (#10-04)

Sponsored by: The Town Council

**WHEREAS**, the Mayor has prepared and submitted to the Town Council the annual operating budget for the Town of Stratford for the fiscal year commencing July 1, 2010, and ending June 30, 2011, in accordance with the Stratford Town Charter; and

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

**WHEREAS**, the estimated amount of current expenses, permanent improvements, and other lawful charges of the Town of Stratford for the fiscal year commencing July 1, 2010 and ending June 30, 2011, is \$184,562,414.

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

That the budget attached hereto and made a part hereof be and is hereby adopted as the operating budget for the Town of Stratford for the fiscal year commencing July 1, 2010 and ending June 30, 2011; and

That the sum of \$184,562,414 is hereby appropriated for the current expenses, permanent improvements, and other lawful charges for each department and each division thereof of the Town of Stratford for the fiscal year commencing July 1, 2010, and ending June 30, 2011, all in accordance with the provisions of the budget attached hereto and made a part hereof.

AN ORDINANCE LEVYING A TAX RATE OF 33.16 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2009. (#10-05)

Sponsored by: The Town Council

**WHEREAS**, the Mayor has prepared and submitted to the Town Council the annual operating budget for the Town of Stratford for the fiscal year commencing July 1, 2010, and ending June 30, 2011, according to law; and

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

**WHEREAS**, the estimated revenues of the Town of Stratford other than by taxation for the fiscal year commencing July 1, 2010, and ending June 30, 2011, are \$38,554,405; and

**WHEREAS**, the Town Council has adopted an operating budget for the fiscal year commencing July 1, 2010, and ending June 30, 2011; and

**WHEREAS**, a tax levy at the rate of 33.16 mills on the dollar on the Grand List of taxable property in the Town of Stratford on October 1, 2009, is necessary to meet the appropriations, less the estimated amount of revenue from other sources as permitted by law to be raised;

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

That a tax rate of 33.16 mills on the dollar on the Grand List be and is hereby levied against all taxable property in the Town of Stratford on the Grand List of October 1, 2009;

That said tax shall be due and payable in two equal installments, one half thereof on July 1, 2010, and the second half thereof on January 1, 2011, provided, however, that any tax, the aggregate amount of which shall not exceed \$100.00 shall be due and payable in one payment on July 1, 2010.

**AMENDED ORDINANCE - CHAPTER 196 — TOW TRUCKS (#10-06)**

Sponsored by: The Town Council

Chapter 196 of the Stratford Town Code entitled “Tow Trucks” is hereby repealed and the following is substituted therefor:

Section 196-1 Permit required; ~~application; fee;~~ lottery system.

A. Permit. The Mayor or his/~~her~~ designee shall issue not more than **ten** (10) permits **per year** to tow disabled, abandoned, stolen or ~~nonregistered~~ **non-registered** motor vehicles which are found within the limits of the Town to persons, partnerships, corporations or other entities which meet the requirements set forth in Section 196-3 of this chapter.

~~B. — Application.~~

~~1) Any person, partnership, corporation or other entity which meets the qualifications set forth in Chapter 196-3 of this chapter may submit a single application to the Mayor or his designee for purposes of receiving a permit.~~

~~2) The application shall be in a form specified by the Mayor or his designee and shall be made not earlier than February 1 of each year nor later than February 15 of each year.~~

~~C. Fee. The fee payable to the Town at the time the application for a permit is made shall be \$2,500. Said payment shall be made by certified checks.~~

~~D. Lottery. The Mayor or his designee shall conduct a lottery not later than March 1 of each year, of those entities which are qualified for the purposes of receiving a permit for purposes of developing the call list.~~

~~E. Pre-existing permittees. Notwithstanding provisions to the contrary, all permit holders on the effective date of this amendment shall be maintained on the eligible list if such permittee satisfies all other requirements set forth herein.~~

~~F. The Mayor or his designee shall conduct a lottery not later than February 21 of each year of those entities which are qualified for the purpose of receiving a permit and filling any open permit spots.~~

~~G. Chapter 196 is hereby repealed effective February 1, 1997 and reenacted as revised by the passage of this amendment with an effective date of February 1, 1997. All permit holders shall be paid a prorata refund of permit fees paid as of March 1, 1997. The pre-existing permittees shall remain on the call list until March 1, 1997, at which time the call list will be established in accordance with the provisions of this chapter.~~

Ordinance (#10-06) — continued

**B. Lottery; Application for.**

**(1) If there are less than ten (10) permit holders, the Mayor or his/her designee, in their discretion, may conduct a lottery not later than February 21 of each year of those entities which meet the qualifications set forth in Section 196-3 of this chapter for the purpose of filling any open permit spots for the coming permit year.**

**(2) Any person, partnership, corporation or other entity interested in becoming a permit holder must submit an application for the lottery no later than February 10 of each year. Said application shall be in a form approved by the Mayor and submitted to the Police Department together with all documentation required pursuant to Section 196-3 of this chapter. No applicant will be eligible for the lottery if the documentation is incomplete.**

**(3) If a lottery is held and an applicant is selected to fill an open permit spot for the coming permit year, the applicant must pay a permit fee in the amount of \$2,500 prior to March 1. Said payment shall be made by certified check and shall be non-refundable. Failure of a new permit holder to pay the permit fee in full prior to March 1 shall result in the immediate revocation of the permit.**

**(4) All current permit holders on the effective date of this amendment shall be maintained on the eligible list if such permit holder satisfies all other requirements set forth in this chapter.**

Section 196-2. Duration of Permit; ~~payment of~~ Permit fee.

A. ~~Any~~ A permit issued pursuant to this chapter shall be valid from March 1 through the last day in February of the year following the year, ~~the applications are submitted~~ **unless the permit is suspended or revoked pursuant to Section 196-9 of this chapter.**

B. ~~For the permit year commencing March 1, each applicant shall pay one-half of its fee at the time the application for a permit is made, and the balance of the fee shall be paid on or before September 1. Failure of any permit holder to make either of these payment shall result in a permit not being issued. or a permit holder's permit being revoked.~~

**B. Each permit holder shall pay to the Town prior to the commencement of the permit year on March 1, the full permit fee in the amount of \$2,500. Said payment shall be made by certified check and shall be non-refundable. Failure of a permit holder to pay the permit fee in full prior to March 1 shall result in the immediate revocation of the permit.**

Section 196-3 ~~Qualifications of applicants; requirements of permit holders.~~ Permit Requirements.

~~Any person, partnership, corporation or other entity which submits an application shall, at the time of submitting the application, and if awarded a permit shall, during the time for which the permit is valid meet the following qualifications:~~

Ordinance (#10-06) — continued

**All permit holders must be in full compliance with the following requirements during the term of the permit:**

- A. ~~All permit holders~~ ~~Individuals,~~ **including** all partners of a partnership and all officers of a corporation which ~~receive a~~ **are** permit **holders**, shall be citizens of the United States and of the State of Connecticut. ~~and shall be of good moral character.~~
- B. Each ~~applicant and each~~ permit holder shall ~~hold~~ **provide proof of** a valid Connecticut new car dealer's license or a general repairer's license.
- C. Location requirements.
- 1) Each ~~applicant shall, at the time the application is submitted, and each~~ permit holder shall, during the period for which the permit is valid, maintain a business location within the limits of the Town of Stratford which shall include a covered storage space for a minimum of seven **(7)** automobiles of standard size and yard storage space sufficient to store **twenty** (20) automobiles of standard size, said space to be enclosed by a steel, chain-link fence no less than six **(6)** feet in height. The storage area must be on the licensee's premises. Open areas between adjacent property lines or buildings shall be fenced in. **A certificate of zoning compliance shall accompany such application and such location must be in compliance with all applicable state and municipal laws and regulations throughout the duration of the permit.**
  - 2) An applicant or permit holder may share, co-own or lease a location for purposes of meeting the requirements set forth in Subsection C(1) of this section with any other applicant or permit holder, except that each applicant or permit holder shall individually meet the requirements set forth in Subsection C(1) of this section.
- D. Wreckers shall be registered to or leased by the ~~applicant or~~ permit holder. ~~The~~ **Each** permit holder shall have at least two **(2)** wreckers and one **(1)** flatbed ~~available~~ **registered** in Stratford at all times, and a tow truck or a flatbed if requested of the permittee shall be at the scene within **thirty** (30) minutes of the call.
- E. Each permit holder shall agree to indemnify and hold harmless the Town of Stratford, the Stratford Police Department, and all officers, employees, agents and officials of the Town of Stratford, from all claims, expenses, attorney fees, charges, causes of action, suits, defaults or judgment resulting from the negligence or alleged negligence of the permit holder.
- F. Each permit holder shall be required to maintain general liability insurance which shall include products, completed operations and personal injury coverage with a minimum of \$1,000,000 per occurrence, with an aggregate of \$1,500,000, and automobile liability with a minimum of \$1,000,000 combined single limit. The applicant for a permit shall annex a copy of the insurance certificate to its permit application. The permittee shall immediately notify the Mayor or his

Ordinance (#10-06) — continued

designee upon notice of cancellation or termination of said insurance. In addition to the permit holder, the certificate of insurance shall list the Town of Stratford as an additional named insured. An applicant shall also annex to its permit application proof that the applicant has workers' compensation insurance.

G. Each applicant ~~to its application~~ **permit holder shall provide to the Police Department before March 1 of each year,** a list of the name, address, date of birth and Connecticut operator's license number of each person who is authorized to operate the applicant's ~~applicant's~~ **permit holder's** tow truck. A permit holder shall notify the Mayor ~~or his designee~~ **and the Police Department within twenty-four (24) hours** whenever a person listed is no longer authorized to operate the permit holder's tow truck or when a new person becomes authorized to operate the permit holder's tow truck. ~~The applicant shall certify that the persons listed to operate the applicant's tow trucks are of good moral character and are in good health and do not have any physical or mental disability which would adversely affect the person's ability to operate the applicant's tow truck.~~

H. Each applicant ~~and each permit holder~~ **and each owner of real or personal property used in such permit holder's business, including without limitation, the owner of any location specified by permit holder pursuant to Section 196-3 herein,** shall be current on all taxes due and owing the Town of Stratford. Any permit holder which is not current on all taxes due or owing the Town of Stratford shall have its permit suspended **or revoked pursuant to Section 196-9 herein,** ~~until such time as all taxes due and owing the Town of Stratford, together with all interest and penalties due, are paid in full. No application for the lottery shall be accepted unless the applicant's taxes, together with any interest and penalties, due and owing the Town of Stratford at the time the application is made are paid in full.~~ **The Police Department shall provide to the Tax Collector and Tax Assessor a current list of permit holders no later than April 1 of each year.**

Section 196-4. Written agreement provided.

**All permit holders are required to** Any person, partnership, corporation or entity which is granted a permit pursuant to this chapter shall enter into a written agreement with the Town of Stratford. Failure to enter into said agreement shall result in a ~~permit not being issued to the entity~~ **the revocation of the permit.** Any permit holder which violates any provision of the agreement shall have its permit suspended or revoked from the date the violation is discovered ~~until 30 days after the violation is corrected. A subsequent violation of the agreement shall result in the permit being revoked.~~ **pursuant to Section 196-9 of this chapter.**

Section 196-5. Inspection of tow trucks.

Each tow truck owned or leased by a permit holder which will be used by the permit holder shall be subject to inspection by the Stratford Police Department. Only those tow trucks which are approved by the Stratford Police Department and which have a certificate of approval attached to them by the Stratford Police Department shall be utilized by the permit holder when responding to a call.

Ordinance (#10-06) — continued

Section 196-6 Change in ownership.

Any change in ownership of any entity which holds a permit issued pursuant to this chapter shall be reported to the Mayor ~~or his designee~~ **and the Police Department** within **twenty-four** (24) hours of such change.

Section 196-7. Call list.

The permit holders shall be called on a rotating basis as they appear on the call list established pursuant to Section 196-1 of this chapter.

Section 196-8. Policy for towing operations.

The Mayor or his/**her** designee shall develop a policy to be utilized by the Town and by the permit holders in carrying out towing operations within the Town of Stratford. The Mayor or his/**her** designee shall submit the policy to the Town Council for approval. The Town Council may amend the policy prior to approval.

Section 196-9. Suspension or revocation of permit.

Any permit holder which violates any provision of this chapter shall have its permit suspended from the date the violation is discovered until **thirty** (30) days after the date the violation is corrected **to the satisfaction of the Mayor or his/her designee**. Any subsequent violation of this chapter **in the same permit year** shall result in **the immediate** revocation of the permit **from the date the subsequent violation is discovered for a period of one year, after which the violator can re-apply for a permit only at the discretion of the Mayor.**

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$11,087,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2007-2008 (#10-08)

**WHEREAS**, an ordinance entitled “An Ordinance Appropriating \$11,087,000 For Various Public Improvements In The Capital Improvement Program For Fiscal Year 2007-2008 (#07-17)” has been enacted by the Town Council at its meeting on September 10, 2007, as amended on December 15, 2008 and as further amended on May 11, 2009 (as amended, the “Original Appropriation Ordinance”); and

**WHEREAS**, the Town Council desires to further amend the Original Appropriation Ordinance to change the purpose of a public improvement set forth therein;

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

Section 1. Section 1 of the Original Appropriation Ordinance is hereby amended to replace the description of the appropriation for the public improvement line item “West Broad Street Railroad Underpass Drainage” set forth therein with “King Street/West Broad Street/California Street Condo Channel/Tanners Brook”.

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

Enacted by Town Council: \_\_\_\_\_, 2010

Approved by Mayor:

\_\_\_\_\_  
Mayor Date

Notice of Passage Published: \_\_\_\_\_, 2010

Effective Date of Ordinance: \_\_\_\_\_, 2010

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

**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 change the purpose of a public improvement set forth therein;

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

Section 1. Section 1 of the Original Appropriation Ordinance is hereby amended to replace the description of the appropriation for the public improvement line item “West Broad RR Underpass Drainage” set forth therein with “King Street/West Broad Street/California Street Condo Channel/Tanners Brook”.

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

Enacted by Town Council: \_\_\_\_\_, 2010

Approved by Mayor:

\_\_\_\_\_  
Mayor Date

Notice of Passage Published: \_\_\_\_\_, 2010

Effective Date of Ordinance: \_\_\_\_\_, 2010

**AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$12,060,700 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2009-2010 (#10-10)**

**WHEREAS**, an ordinance entitled “An Ordinance Appropriating \$12,060,700 For Various Public Improvements In The Capital Improvement Program For Fiscal Year 2009-2010 (#09-23)” has been enacted by the Town Council at its meeting on September 14, 2009 (the “Original Appropriation Ordinance”); and

**WHEREAS**, the Town Council desires to amend the Original Appropriation Ordinance to change the purposes of two public improvements set forth therein;

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

Section 1. Section 1 of the Original Appropriation Ordinance is hereby amended to replace the description of the appropriation for the public improvement line item (i) “California St Condo Channel” set forth therein with “King Street/West Broad Street/California Street Condo Channel/Tanners Brook”, and (ii) “Fiber Optic Transmission Line” set forth therein with “Fiber Optic Transmission Line/Ancillary Hardware/Software”.

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

Enacted by Town Council: \_\_\_\_\_, 2010

Approved by Mayor:

\_\_\_\_\_  
Mayor Date

Notice of Passage Published: \_\_\_\_\_, 2010

Effective Date of Ordinance: \_\_\_\_\_, 2010



## **STRATFORD ANIMAL SHELTER VALUE ENGINEERING ALTERNATIVES**

### **3/30/10 MEETING**

ATTENDEES: JOHN CASEY, TOWN ENGINEER  
 RACHEL SOLVERA, ANIMAL CONTROL OFFICER  
 BILL SILVER, PROJECT MANAGER, S/P+A  
 DEAN PETRUCELLI, PROJECT ARCHITECT, S/P+A



The team reviewed both project expansion and project cost reduction charges from the Town Council. The team reviewed the current space program against the statistical use patterns and anticipated needs of the Town of Stratford. Rachel Solvera confirmed that the current size of the Animal Shelter, with 29-30 kennels, cattery and other spaces will effectively meet the needs of the town for the foreseeable future. The team agreed that there is no programmatic or statistical justification to increase the size of the current facility or to add any new spaces or programs to the facility.

### **PROJECT COST REDUCTION ALTERNATIVES**

The following options and alternatives were discussed by the team, which would represent savings to the overall project cost while not affecting the programs at the facility. The staff asked that the architects and engineers determine the approximate construction cost reduction but to also estimate what design effort would be required to make the proposed reductions. These would be both plan and specification changes, preparing the construction documents for re-bidding by the Town.

Program/Scope/Material Change	Construction		ReDesign		Avg. Rate	Est. Fee
	\$ Savings	Trade Req'd to Redraw	Hours			
Eliminate zero kennel and cross corridor	\$0	A/S/C/M/E/P/FP	0		\$100	\$0
Add exterior door with elimination of cross corridor	\$2,000	A/M/E	2		\$95	\$190
Delete all furniture except office furniture	-\$22,000	A	6		\$85	\$510

Change Ceramic Tile Toilet Walls to Wainscot height	-\$4,000	A	8	\$85	\$680
Delete skywindows in cattery, glaze south window, delete 2 corner cat boxes and reconfigure 2 cat boxes	-\$6,000	A/M/E/P/FP	32	\$100	\$3,200
Change office walls to metal stud + gypsum board	-\$5,000	A/M/E/P/FP	16	\$100	\$1,600
Window blinds to be bid by Town directly	-\$3,000	A	0	\$85	\$0
Delete radiant heating under kennels, add heating capacity to existing AHUs	-\$25,000	A/M/E/P	76	\$95	\$7,220
Bid landscaping in Area B as add alternate	-\$3,000	A/LA	2	\$100	\$200
Eliminate ground covers from Area C	-\$4,000	LA	4	\$100	\$400
Eliminate removal of invasive species in west wetland (to be done by Town in greenway project)	-\$2,000	LA	1	\$100	\$100
Estimated Construction Cost Reduction	-\$72,000				\$14,100

Net Change  
-\$57,900

Bid Set Reprinting estimated costs 10000  
Silver Petrucelli & Associates Rebidding Assistance 4000

Purchase furniture 20,000 and blinds 2000

**Net Cost Reduction = -\$43,900**  
22000  
**total Net Cost Reduction = -\$21,900**

Notes:

Reductions do not include reductions in construction management fees, legal or contingency costs

- Trade Abbreviations:  
 A = Architectural  
 S = Structural  
 C = Civil  
 M = Mechanical  
 E = Electrical  
 P = Plumbing  
 FP = Fire Protection  
 LA = Landscape Architecture