



Stratford, Connecticut

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, APRIL 11, 2011 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 Thomas Malloy

COUNCIL MEMBERS IN ATTENDANCE: Mr. Christian Barnaby, Ms. Stephanie Philips, Mr. Matthew Catalano, Mr. Jason Santi, Mr. John Dempsey, Mr. David Fuller, 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 Attorney John Florek.

Stratford Town Council meeting recessed: 8:01 p.m.

Stratford Town Council meeting reconvened: 8:33 p.m.

INVOCATION PRESENTED BY SIXTH DISTRICT COUNCIL MEMBER HON. DAVID FULLER FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of Public Forum and regularly scheduled meeting of March 14, 2011.

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. FULLER SECONDED BY MR. BARNABY TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED UNANIMOUSLY.

2. CEREMONIAL PRESENTATIONS AND AWARDS — None

3. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Ms. Philips — re: Disrespectful speaker at public forum.

Mr. Santi — re: Disrespectful speaker at public forum.

Mr. Dempsey — re: SAEP and thanks to Mr. O’Neal for his comments.

4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES

4.1 LETTER OF RESIGNATION — letter previously forwarded

From: Marilyn Heenan – electorate member of Stratford Housing Partnership

Dated: 3/28/11

RESOLVED: that the foregoing letter of resignation from Marilyn Heenan as an electorate member of the Stratford Housing Partnership be and is hereby accepted.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MS. MEUSE TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED UNANIMOUSLY.

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 A RESIGNATION TO THE AGENDA: SHORT BEACH COMMISSION MEMBER. THE MOTION TO WAIVE PASSED UNANIMOUSLY.

(1) SHORT BEACH COMMISSION MEMBER

RESOLVED: that the foregoing resignation of Robert X. Goodrich as a member of the Short Beach Commission be and is hereby accepted.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. FULLER TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. FULLER TO WAIVE THE COUNCIL RULES OF PROCEDURE TO ADD ANOTHER RESIGNATION TO THE AGENDA: BOARD OF ASSESSMENT APPEALS – REGULAR MEMBER. THE MOTION TO WAIVE PASSED UNANIMOUSLY.

(2) BOARD OF ASSESSMENT APPEALS – REGULAR MEMBER

RESOLVED: that the foregoing resignation of Shayle Robbins as a member of the Board of Assessment Appeals be and is hereby accepted.

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. BARNABY TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED UNANIMOUSLY.

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

5.1 MAYOR’S REPORT — Mr. Harkins reported on the PILOT for Manufacturing, Machinery and Equipment, and that there are ongoing negotiations with the Unions.

5.2 COMMITTEE REPORTS

5.2.1 ORDINANCE COMMITTEE — The Ordinance Committee conducted the public hearing and the regularly scheduled meeting of March 28, 2011 with the following ordinances referred to Council:

A. REFERRED WITH FAVORABLE RECOMMENDATION

AMENDMENT TO SECTION 196-3 OF CHAPTER 196 -TOW TRUCKS (#11-05)

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (ordinance appended as page 14)

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. SANTI TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. THE MOTION PASSED UNANIMOUSLY.

B. REFERRED WITHOUT RECOMMENDATION

AMEND CHAP 186, ARTICLE IV - STREET OPENING TRENCH STANDARD (Sec. 186-44.1) (#10-24)

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (ordinance appended as pages 15-17)

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. SANTI TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. THE MOTION PASSED UNANIMOUSLY.

5.2.2 PUBLIC WORKS COMMITTEE — The Public Works Committee conducted a meeting on March 21 2011 with the following referred to Council with favorable recommendation:

A. Bruce Avenue ARRA Pavement Restoration project — The project took longer than originally estimated by the consultant, primarily due to the fact that the project was extended to Boston Ave, which section was a pavement reconstruction rather than a mill and pave job. This additional construction time, which required full time inspection by the consultant according to Federal regulations, resulted in an additional fee due the consultant. The

Bruce Avenue ARRA Pavement Restoration project — continued

additional fees requested are (1) \$16,241.00 for on site inspection and (2) \$3,800.00 for additional office and paperwork necessary for the DOT/Federal funding.

RESOLVED: that the recommendation of the Public Works Committee is accepted and the additional amounts of \$16,241.00 for on site inspection and \$3,800.00 for additional office and paperwork necessary for the DOT/Federal funding be and is hereby approved.

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MR. SANTI TO APPROVE THE ABOVE-MENTIONED ADDITIONAL FUNDING FOR THE BRUCE AVENUE ARRA PAVEMENT RESTORATION PROJECT. THE MOTION PASSED UNANIMOUSLY.

B. Access Road/Southend Drainage- The consultant, Land-Tech, is requesting an expansion of the scope of work to provide for better drainage capacity south of Hathaway Dr. to Lordship Blvd. The cost of this work is \$17,000 for the survey, design, and permitting of this additional leg, but does not include easement mapping for the construction phase, which would mostly be on private property.

RESOLVED: that the recommendation of the Public Works Committee is accepted and the additional amount of \$17,000.00 for survey, design and permitting of this additional work be and is hereby approved/denied.

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MR. SANTI TO APPROVE THE ABOVE-MENTIONED ADDITIONAL FUNDING FOR THE ACCESS ROAD/SOUTHEND DRAINAGE PROJECT. THE MOTION PASSED UNANIMOUSLY.

5.2.3 BUILDING NEEDS COMMITTEE — The Building Needs Committee conducted a special meeting on March 21, 2011 and referred the following with favorable recommendation:

Stratford High School Renovations — Option A “renovate as new” (gross amount of \$55,076,045 with alternate \$1,039,541.00). With this option, it is estimated the cost to the Town would be \$29,079,646 after receiving state grant reimbursement for eligible costs.

RESOLVED: that the recommendation of the Building Needs Committee is accepted and above-cited Option A be and is hereby approved/denied as described.

A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. SANTI TO APPROVE OPTION A AS CITED ABOVE. Discussion went forward re: the need for ordinance for the next meeting to approve bonding for the project, as the deadline to qualify for reimbursement is June 30. THE MOTION TO APPROVE OPTION A PASSED UNANIMOUSLY.

Stratford High School Renovations — continued

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. CATALANO TO REFER THE BONDING ORDINANCE FOR THE PROJECT TO THE ORDINANCE COMMITTEE FOR PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

5.2.4 COMMUNITY DEVELOPMENT SUBCOMMITTEE

RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF THE ANNUAL ACTION PLAN FOR PROGRAM YEAR 37 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

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

5.3 TOWN ATTORNEY'S REPORT

5.3.1 CLAIMS REPORT — No business furnished.

5.3.2 RESOLUTION for the Greenway / Bikeway access to Main St project funding construction agreement: State Project No. 138-234, Federal Aid Project No. H182 (002)

RESOLVED, that John A. Harkins, Mayor, is hereby authorized to sign the Agreement entitled: “Agreement between the State of Connecticut and the Town of Stratford, for the Construction, Inspection and Maintenance of the Housatonic Greenway Bike / Pedestrian Trail, Phase II, utilizing Federal Funds under Section 125 of the Omnibus Appropriations Act of 2009”

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. HOYDICK TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0 WITH MR. CONNOR ABSENT.

5.3.3 AMENDMENT TO SECTION 203-7 OF CHAPTER 203 - WINTERTIME ALTERNATE-SIDE PARKING (#11-09)

Sponsored by: Stratford Town Council

Section 203-7 (Wintertime Alternate-Side Parking) of Chapter 203 of the Stratford Town Code entitled “Vehicles and Traffic” is hereby amended to add the following Section thereto:

F. Parking Prohibited On Dead-End Street. During a snow emergency parking on either side of a dead end street is prohibited. Any vehicle found to be standing or parked on a dead-end street during a snowstorm shall be issued a parking ticket and removed by towing at the direction of the Stratford Police Department.

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

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. HOYDICK TO WAIVE THE COUNCIL RULES OF PROCEDURE TO ADD AN ITEM TO THE AGENDA: RESOLUTION FOR ELDERLY AND DISABLED DEMAND RESPONSIVE MUNICIPAL GRANT PROGRAM.

Resolution for Elderly and Disabled Demand Responsive Municipal Grant Program

BE IT RESOLVED that the Mayor of Stratford, John A. Harkins, is authorized to enter into a contract on behalf of the Town of Stratford with the State of Connecticut 13b-38bb Elderly and Disabled Demand Responsive Municipal Grant Program for the amount of \$58,166 for the Town's Transportation Program; to execute any amendments, revisions or rescissions thereto; and to act as the authorized representative for the Town of Stratford.

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

A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MS. MEUSE TO WAIVE THE COUNCIL RULES OF PROCEDURE TO ADD AN ITEM TO THE AGENDA: PERSONNEL MATTER. MOTION PASSED UNANIMOUSLY.

PERSONNEL MATTER — Mr. Bishop requests taking the foregoing item into executive session for the purpose that it is a personnel matter and a privileged document. Mr. Bishop would like that motion to include all members of the Town Council, the Assistant Town Attorney, Mayor Harkins and Director of Human Resources Mr. Ing.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. HOYDICK TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING TO DISCUSS THE ABOVE-CITED ITEM FOR THE REASONS AS STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION CARRIED UNANIMOUSLY.

5.3.4 QUESTIONS TO THE TOWN ATTORNEY

Mr. Catalano — re: Reporting of Liability Claims and savings to Town.

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. FULLER TO WAIVE THE COUNCIL RULES OF PROCEDURE TO ADD TO THE AGENDA: ORDINANCE REGULATING ICE CREAM TRUCK VENDORS. THE MOTION PASSED UNANIMOUSLY.

ORDINANCE REGULATING ICE CREAM TRUCK VENDORS (#11-10)

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. (Ordinance appended as pages 23-25)

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

6. QUESTIONS TO MAYOR OR STAFF

Mr. Malloy — re: Task Force to explore Volunteer Fire Department.

Ms. Philips — re: Animal Control Officer Layoff

Mr. Fuller — re: accident involving Fire Department vehicle last week on Main Street; FEMA reimbursement for the June storm.

7. UNFINISHED BUSINESS and/or OLD BUSINESS

7.1 SAEP — Mayor Harkins presented an update. The Federal government is sending the plant/property out to bid again. Proposals have also come in to the Mayor’s office.

7.2 TABLED ORDINANCES AND RESOLUTIONS

7.2.1 RESOLUTION OF SUPPORT FOR RECONSTRUCTION OF INTERCHANGE 33 ON INTERSTATE 95-PROJECT NUMBER 138-223 (tabled during meeting of Feb. 14, 2011) — REMAINED ON THE TABLE.

7.2.2 AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$2,327,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2010-2011 (#11-03) (tabled during meeting of 3/14/11) — ACTION NOT TAKEN.

TABLED ORDINANCES AND RESOLUTIONS — continued

7.2.3 AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$550,000 FOR THE COSTS ASSOCIATED WITH THE REPLACEMENT OF FIRE TRUCKS OF THE TOWN AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#11-04) (tabled during meeting of 3/14/11) — ACTION NOT TAKEN

7.3 TABLED APPOINTMENTS

7.3.4 BOARD OF ZONING APPEALS, ALTERNATE MEMBER: — 3-year term of office.

RESOLVED: that _____ of _____ be and is hereby appointed an alternate member of the Board of Zoning Appeals (term of Kenneth Secskas expired January 1, 2011)

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

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. SANTI TO APPOINT PEGGY RUSS OF 355 ROOSEVELT AVENUE AS AN ALTERNATE MEMBER TO THE BOARD OF ZONING APPEALS.

*Stratford Town Council meeting recessed: 9:22 p.m.
Stratford Town Council meeting reconvened: 9:31 p.m.*

MS. PHILIPS RECINDED HER PREVIOUS MOTION AND MR. SANTI RESCINDED HIS SECOND.

8. ORDINANCES AND RESOLUTIONS

8.1 AN ORDINANCE PROPOSING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2011, AND ENDING JUNE 30, 2012, AND APPROPRIATING THE SUM OF \$189,780,768 IN ACCORDANCE THEREWITH (#11-06)

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 page 18)

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

8.2 AN ORDINANCE LEVYING A TAX RATE OF 34.98 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2010. (#11-07)

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 19)

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

8.3 AMENDMENT TO SECTION 191-1 OF CHAPTER 191- MOTOR VEHICLE PROPERTY TAXES (#11-08)

Sponsored by: Stephanie D. Philips, Councilman Second District

Section 191-1 (Motor Vehicle Property Taxes) of Chapter 191 of the Stratford Town Code entitled "Taxation" is hereby amended as follows:

Section 191-1. ~~Amount of~~ MOTOR VEHICLE PROPERTY Tax, When Payable

A. Property tax ~~of \$49.99, or less,~~ levied on any motor vehicle registered in the Town of Stratford on the first day of October shall be paid in full in a single installment on the first day of July subsequent to said first day of October.

~~B. A property tax of \$50, or more, levied on any motor vehicle registered in the Town of Stratford on the first day of October shall be paid in two equal installments, the first of which shall be due on the first day of July subsequent to said first day of October and the second of which shall be due on the first day of January subsequent to the due date on the first installment.~~

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 MS. MEUSE TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

8.4 RESOLUTION AUTHORIZING THE TRANSFER OF 2006 ARREARS TAX ACCOUNTS TO THE TAX SUSPENSE ACCOUNT PENDING FURTHER ACTION

WHEREAS; The Code of the Town of Stratford, Chapter 14, Article VI specifies the tax collection policy of the Town for the collection of arrears taxes and,

WHEREAS; The Tax Collector has followed the policy by providing required notices of taxes due and made several attempts to contact arrears taxpayers as required by local and state law and,

WHEREAS; Certain accounts have been in arrears since 2006 and all efforts to date to collect on these accounts have produced no response for at least the past two years and,

WHEREAS; Continued expenditure of public funds to collect these accounts is not a cost effective use of public funds and, therefore, the Tax Collector recommends that Town Council approve the transfer of the accounts to suspense pending further collection of said accounts.

RESOLVED: Town Council of the Town of Stratford authorizes the Tax Collector to transfer to the Tax Suspense Account accounts totaling \$298,393.03 for the 2006 Grand List amounts shown below.

GRAND LIST YEAR	TYPE	AMOUNT
2006	Motor Vehicle	\$185,216.73
2006	Supplemental Motor Vehicle	31,089.17
2006	Personal Property	82,087.13
	Total	\$298,393.03

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. SANTI TO OPEN THE FLOOR FOR DISCUSSION OF THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY. After discussion and input from Tax Collector Heim, A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. FULLER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

8-5. RESOLUTION AUTHORIZING THE AWARDING OF CONTRACT 2011-01 (BID NO. 2011-009) SIDEWALK REPAIR AND ALLIED CONSTRUCTION BIDS TO G. PIC & SONS AND D&P CONSTRUCTION

Contract 2011-01 (Bid No. 2011-009) Sidewalk Repair and Allied Construction Bids Received March 10, 2011 and Opened by the Purchasing Agent at 3:00 pm

<u>Contractor</u>	<u>Bid Amount</u>
G. Pic & Sons Construction Co.	\$232,100.00
D&P Construction, Inc.	\$243,787.50
Resource Services LLC	\$254,112.00

Dalling Construction, Inc.	\$274,350.00
Deering Construction	\$286,632.50
Birm-1 Construction	\$290,285.00
Cicso	\$304,865.00
Prindle Hill Construction	\$318,010.00
Star Construction	\$389,515.00

In accordance with the recommendation of the Town Engineer and the Director of Public Works, it is recommended that the above contract be awarded to G. Pic & Sons Construction Co. and D&P Construction on the basis of their respective low bids submitted.

RESOLVED: That the bids of G. Pic & Sons Construction Co. and D&P Construction be accepted and the Mayor be and is hereby authorized to execute a contract with G. Pic & Sons and D&P Construction on the basis of their bids submitted for the performance of said work in accordance with the specifications prepared by the Engineering Department, and subject to the inspection and approval of the Town Engineer and Director of Public Works.

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MR. SANTI TO ACCEPT THE BIDS OF G. PIC & SONS CONSTRUCTION CO. AND D&P CONSTRUCTION AND TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT FOR SAME. THE MOTION CARRIED UNANIMOUSLY.

8.6 A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$55,000,000 FOR THE COSTS ASSOCIATED WITH THE REFUNDING OF THE 1998 GENERAL OBLIGATION PENSION BONDS (FEDERALLY TAXABLE) OF THE TOWN (Resolution appended as pages 20-22)

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. HOYDICK TO BRING FORWARD THE FOREGOING RESOLUTION FOR DISCUSSION PURPOSES. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 10 TO 0.

7.2.4 RESOLUTION AUTHORIZING AMENDMENTS AND TRANSFERS IN THE GENERAL FUND BUDGET FOR FISCAL YEAR 2010-2011 [Jan YTD] — tabled during meeting of February 14, 2 011

Sponsored by: The Stratford Town Council

WHEREAS: The Town of Stratford Charter 2.2.1 (e) provides that the Council shall have the power to make, alter and repeal resolutions and ordinances relative to the appropriation of Town Funds, including the transfer of funds between departments; and

TRANSFERS IN THE GENERAL FUND BUDGET FOR FISCAL YEAR 2010-2011 — cont'd

WHEREAS: The Town Charter 6.2.2 requires that the Council shall annually pass an appropriation ordinance for all departments of the Town and the Town Charter 6.2.3 requires that the total amount of appropriations shall not exceed the estimates of revenues; and

WHEREAS: The Town Charter 6.2.5 provides that Council may by affirmative vote of seven (7) members authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenues not included in the annual budget; and

WHEREAS: It is desirable to reflect the appropriations of Town Departments accurately by transferring unused funds and appropriating available revenues from time to time;

NOW THEREFORE BE IT RESOLVED: The Town Council of the Town of Stratford hereby authorizes the Finance Director to transfer funds between various departments and to appropriate available revenues as shown in exhibits A, B and C attached and made part of this resolution. (EXHIBITS A, B, AND C ARE APPENDED AS PAGES 26-27)

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

MR. BARNABY MOTIONED, SECONDED BY MR. HOYDICK, TO OPEN THE FLOOR FOR DISCUSSION RE: THE FOREGOING RESOLUTION. After hearing from Finance Director Collier, A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. BARNABY TO APPROVE THE TRANSFERS AS APPENDED. THE MOTION FAILED WITH 6 IN FAVOR AND 4 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. BARNABY — YES, MS. PHILIPS — NO, MR. CATALANO — YES, MR. SANTI — NO, MR. DEMPSEY — YES, MR. FULLER — NO, MS. MEUSE — NO, MR. CONNOR — YES, MR. MALLOY — YES, MR. HOYDICK — YES.

*Stratford Town Council meeting recessed: 10:07 p.m.
Stratford Town Council meeting reconvened: 10:16 p.m.*

9. NEW BUSINESS

9.1 APPOINTMENTS — NONE

9.2 APPROVAL OF EMS DIRECTOR'S SALARY

RESOLUTION AUTHORIZING THE ANNUAL SALARY OF THE EMS DIRECTOR

WHEREAS, the Town of Stratford is hiring a Stratford Emergency Medical Service Director at an annual salary of \$100,000; and

RESOLUTION AUTHORIZING THE ANNUAL SALARY OF THE EMS DIRECTOR — cont'd

WHEREAS, the EMS Funding Committee conducted a special meeting on April 7, 2011 and referred to the Council a recommendation that \$95,000 annually of funds from the EMS Enterprise Fund be used to pay the EMS Director's Salary;

RESOLVED: THAT THE RECOMMENDATION OF THE EMS FUNDING COMMITTEE BE ACCEPTED AND THAT \$95,000 FROM THE EMS ENTERPRISE FUND AND AN ADDITIONAL \$5,000 FROM THE GENERAL FUND BE USED ANNUALLY TO PAY THE SALARY OF THE EMS DIRECTOR.

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. HOYDICK TO APPROVE THE FOREGOING RESOLUTION. After clarification of a few points from the Town Attorney, THE MOTION PASSED WITH 6 IN FAVOR AND 4 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. BARNABY — YES, MS. PHILIPS — NO, MR. CATALANO — YES, MR. SANTI — NO, MR. DEMPSEY — YES, MR. FULLER — NO, MS. MEUSE — NO, MR. CONNOR — YES, MR. MALLOY — YES, MR. HOYDICK — YES.

Stratford Town Council meeting recessed for Executive Session : 10:40 p.m.

Stratford Town Council meeting reconvened: 11:00 p.m.

ACTION TAKEN FROM EXECUTIVE SESSIONPERSONNEL MATTER

A MOTION WAS MADE BY MR. FULLER TO APPROVE A RESOLUTION OF THE PERSONNEL MATTER IN ACCORDANCE WITH THE DOCUMENT PREPARED BY THE TOWN ATTORNEY AND TO AUTHORIZE THE MAYOR TO EXECUTE SUCH DOCUMENT AS THE TOWN ATTORNEY MAY PREPARE TO IMPLEMENT THIS RESOLUTION. MOTION SECONDED BY MR. DEMPSEY AND 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. BARNABY, SECONDED BY MR. FULLER, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 11:01 p.m.

Respectfully submitted, Gail Nobili
Typed by: Carol Cabral

AMENDMENT TO SECTION 196-3. OF CHAPTER 196 -TOW TRUCKS (#11-05)

Sponsored by: Stratford Town Council

Section 196-3 (Permit Requirements) of Chapter 196 of the Stratford Town Code entitled "Tow Trucks" is hereby deleted and the following is substituted therefor:

D. . Each permit holder shall have at least ~~two (2)~~ **one (1)** wrecker and one (1) flatbed **capable of carrying two vehicles.** Said vehicles shall be registered in the Town of Stratford. If requested of the permittee, a tow truck or a flatbed shall be at the scene within thirty (30) minutes of the call.

ORDINANCE AMENDING CHAPTER 186 - ARTICLE IV, SECTION 186-44.1
STREET OPENING TRENCH STANDARD (#10-24)

SPONSORED BY: the Stratford Town Council

Section 186-44.1 of the Stratford Town Code is hereby deleted and the following is substituted in its place:

- A. Any person, contractor or utility that makes a street opening or multiple street openings greater than two hundred (200) longitudinal feet in aggregate or makes cuts for numerous lateral connections on a given street and as a result the useful life of any street is significantly shortened, as determined by the Director of Public Works, shall comply with the following:
1. A full-time construction inspector may be required for the term of the construction. This person shall be selected by the Town and shall report to the Town, but this person's salary, wages and benefits shall be paid for by the person, contractor or utility. The Director of Public Works or his designee may waive this requirement on street openings if, in the Town's opinion, such waiver will not diminish the quality of the repair.
 2. Materials and compaction testing of backfill materials may be required by the Town when depth of opening, materials or other conditions warrant. Costs shall be borne by the person, contractor or utility.
 3. Temporary patching of said street opening shall be of hot-mix bituminous asphalt whenever possible. Deviations from this requirement must be approved by the Town.
 4. Final patching of all trenches shall consist of saw cutting the original opening ~~a minimum of six inches (6")~~ beyond the original cut, tack coating all exposed vertical surfaces, patching the opening with hot-mix bituminous asphalt to a minimum depth of four inches (4") or the depth of adjacent existing asphalt, whichever is greater, and crack sealing the patch with an asphalt emulsion crack sealer approved by the Town. Final trench restoration shall be completed as directed for each of the following conditions:
 - a. For roads opened where the road has been surfaced or re-surfaced within ten (10) years of the time of the street opening, the trench repair shall be completed by cutting the original opening a minimum of six inches (6") beyond the original cut, patching the opening with hot-mix bituminous asphalt to a minimum depth of two and one half inches (2 ½"), one and one half inches (1 ½"), below finish grade, or to the bottom of the adjacent existing asphalt, whichever is greater. The pavement shall then be saw cut back two feet from the

outside edge of the trench cut parallel to the curb, the pavement shall be milled one and one half inch (1 ½") deep to the nearest curb, tack coating all exposed vertical surfaces, and then resurfaced, with a bituminous concrete wearing surface as approved by the Town Engineer. The joints shall then be crack sealed with an asphalt emulsion crack sealer approved by the Town.

- b. For roads opened where the road has been surfaced or re-surfaced within eleven (11) to fifteen (15) years of the time of the street opening, the pavement shall be saw cut back eighteen inches (18") from each edge of the trench cut parallel to the curb, the pavement and sub-base shall be removed, ten inches (10") of compacted processed aggregate sub-base shall be placed to within four inches (4") of the existing surrounded surface and then four inches (4") of pavement shall be installed in two lifts of two inches (2") each with bituminous concrete as approved by the Town Engineer.
 - c. For roads opened where the road has been surfaced or re-surfaced sixteen (16) or more years from the time of the street opening, the pavement shall be saw cut back twelve inches (12") from each edge of the trench cut, parallel to the curb, the pavement and sub-base shall be removed, ten inches (10") of processed aggregate sub-base shall be placed to within four inches (4") of the existing surrounded surface and then four inches (4") of pavement shall be installed in two lifts of two inches (2") each with bituminous concrete as approved by the Town Engineer.
- ~~5. Full curb to curb overlay shall be required for the entire longitudinal dimension of the street opening to a compacted depth of one and one half inches (1 ½") with a Class 1 or Class 2 hot mix bituminous asphalt, as specified by the Town.~~
6. Highway line striping on all roads requiring same shall be restored at the expense of the person, contractor or utility.
 7. Cost adjustments and other expenses that are related to these guidelines will be the responsibility of the person, contractor or utility.
 8. A guarantee of up to five (5) years on compaction and pavement serviceability may be required when conditions warrant.

- B. Appeal process: Should the person, contractor or utility determine that the restoration requirements of this section are unduly burdensome, it must notify the Director of Public Works within thirty (30) days of the application for permit. The Director shall convene a

committee made up of the Director of Public Works, Town Engineer and the Superintendent of Highways to review the complaint. This committee shall respond to the grievant within fifteen (15) working days, in writing. The decision of this committee will be final.

- C. In the event that any provision of this section or any part of any provision conflicts with any applicable law, such conflict shall not affect other provisions of this section which can be given effect without the conflicting provision, it being the intention of the Stratford Town Council that any such conflicting provision or part thereof be deemed severable.
- D. The Director of Public Works may approve payment to the Town in lieu of permanent pavement restoration on a case-by-case basis.
- E. In the event of any violations of any provision of this section, the Town has the right to make repairs and bill the person, contractor or utility who performed the work referenced in Section A hereof for actual costs.
- F. No person, contractor or utility who fails to comply with this ordinance shall be issued a permit to open any street or make cuts therein until it has fully corrected such non-compliance.

AN ORDINANCE PROPOSING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2011, AND ENDING JUNE 30, 2012, AND APPROPRIATING THE SUM OF \$189,780,768 IN ACCORDANCE THEREWITH (#11-06)

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, 2011, and ending June 30, 2012, 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 **\$189,780,768**.

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, 2011 and ending June 30, 2012; and

That the sum of **\$189,780,768** 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, 2011, and ending June 30, 2012, all in accordance with the provisions of the budget attached hereto and made a part hereof.

AN ORDINANCE LEVYING A TAX RATE OF 34.98 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2010. (#11-07)

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, 2011, and ending June 30, 2012, 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, 2011, and ending June 30, 2012, are \$36,806,903; and

WHEREAS, the Town Council has adopted an operating budget for the fiscal year commencing July 1, 2011, and ending June 30, 2012; and

WHEREAS, a tax levy at the rate of 34.98 mills on the dollar on the Grand List of taxable property in the Town of Stratford on October 1, 2010, 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 34.98 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, 2010;

That said tax shall be due and payable in two equal installments, one half thereof on July 1, 2011, and the second half thereof on January 1, 2012, 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, 2011.

A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$55,000,000 FOR THE COSTS ASSOCIATED WITH THE REFUNDING OF THE 1998 GENERAL OBLIGATION PENSION BONDS (FEDERALLY TAXABLE) OF THE TOWN

WHEREAS, the Town of Stratford, Connecticut (the “Town”) has previously issued its \$95,000,000 General Obligation Pension Bonds (Federally Taxable), dated August 13, 1998 (the “Prior Bonds”), for the purpose of funding a Retiree Benefits Reserve Fund to pay actuarially accrued liabilities of the Town’s pension plan for police, fire and certain non-certified employees of the Town and the Board of Education of the Town (the “Pension Plan”); and

WHEREAS, it is in the best interest of the Town to refund and defease the outstanding maturities of the Prior Bonds to produce financial savings for the Town.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF STRATFORD:

Section 1. General Obligation Pension Refunding Bonds of the Town in a principal amount of not more than \$55,000,000 (the “Refunding Bonds”) are hereby authorized to be issued in such amount or such lesser amount as shall be necessary to refund all or any portion of the outstanding maturities (including the payment of principal, accrued interest and any call premiums) of the Town’s \$95,000,000 General Obligation Pension Bonds (Federally Taxable), dated August 13, 1998 (the “Prior Bonds”) as determined by the Mayor and Director of Finance to be in the best interest of the Town to refund and to finance such additional costs and expenses related thereto, as the Mayor and Director of Finance shall approve for the funding of necessary and appropriate financing and/or issuance costs including, but not limited to, legal, advisory, escrow fees, credit enhancement, verification fees, investment fees, net temporary interest, trustee, underwriters’ discount and printing and administrative expenses.

Section 2. The Refunding Bonds shall be issued as federally taxable bonds 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 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 Pullman & Comley, LLC, Attorneys-at-Law. The Refunding Bonds shall be general obligations of the Town and each of the Refunding Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Refunding 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 Refunding Bonds issued pursuant to this ordinance.

Section 3. The Mayor and Director of Finance are hereby authorized to determine the aggregate principal amount of the Refunding Bonds, the annual installments of principal, date, maturity, prices, interest rates (whether fixed or variable), form, redemption provisions, if any, the certifying registrar and transfer agent, the manner of sale or other terms and conditions of the Refunding Bonds, including the terms of any reserve that might be established as authorized herein, all in such a manner as the Mayor and Director of Finance shall determine to be in the best interests of the

Town and in accordance with the General Statutes of Connecticut, Revision of 1958, as amended (the "Connecticut General Statutes"), and to take such actions and to execute such documents, or designate other officials or employees of the Town to take such actions and to execute such documents, as deemed to be necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance in order to issue, sell and deliver the Refunding Bonds.

Section 4. The Mayor and Director of Finance may irrevocably call for redemption such of the callable maturities of the Prior Bonds, as they determine to refund from the proceeds of the Refunding Bonds and other moneys as they may be determined to make available for this purpose, and to defease such Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof. The Mayor and Director of Finance are further authorized to appoint an escrow agent, a verification agent to verify the sufficiency of the escrow investments and other professionals, and to execute and deliver any and all escrow, investment and other agreements necessary to provide for the payment when due of the principal of and interest and redemption premium, if any, on the Prior Bonds.

Section 5. The net proceeds of the sale of the Refunding Bonds, after payment of costs of issuance, shall be deposited in an escrow agreement and invested in appropriate legal investments including, but not limited to, non-callable direct obligations of, or obligations guaranteed by, the United States of America, or any other investments permitted by the Connecticut General Statutes, all of which shall not be callable or pre-payable, the principal of and interest on which, when due, shall be in an amount sufficient to pay the principal of, interest and redemption premium, if any, on the Prior Bonds at maturity, or to redeem the Prior Bonds at the redemption price prior to maturity, pursuant to the plan of refunding.

Section 6. The Refunding Bonds are to be sold by the Mayor and Director of Finance in a competitive offering or by negotiation in their discretion. If sold in a competitive offering, the Refunding 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. If the Refunding Bonds are sold by negotiation, the provisions of the bond purchase agreement shall be approved by the Mayor and Director of Finance.

Section 7. The Mayor and Director of Finance are hereby authorized, if they determine it is in the Town's best interests, to acquire, on behalf of the Town, bond insurance or other forms of credit enhancement guaranteeing the Refunding Bonds on such terms as the Mayor and Director of Finance determine to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other undertakings as the issuer of the credit enhancement shall require; and the Mayor and Director of Finance, if they determine that it is appropriate, are authorized, on the Town's behalf, to grant security to the issuer of the credit from proceeds of the Refunding Bonds.

Section 8. In connection with the issuance of the Refunding Bonds authorized herein, the enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve Town may exercise any power delegated to municipalities pursuant to Section 7-370b, including the authority to enter into agreements managing interest rate risk. The Mayor and Director of Finance, on behalf of the Town, shall execute and deliver such reimbursement agreements, line of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of the Refunding Bonds.

Section 9. The Mayor and 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 the Municipal Securities Rulemaking Board ("MSRB") and to provide notices to the MSRB 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 Refunding Bonds authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 10. The Mayor and Director of Finance are hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the Refunding Bonds in accordance with the provisions of the Connecticut General Statutes and the laws of the United States.

Section 11. This resolution shall become effective immediately upon passage pursuant to Section 2.2.9 of the Town Charter.

Enacted by Town Council: _____, 2011

ORDINANCE REGULATING ICE CREAM TRUCK VENDORS (#11-10)

SECTION 1. DEFINITIONS. As used in this Ordinance, the following terms shall have the following meanings:

A. "ICE CREAM TRUCK" means every motor vehicle in which ice cream, Popsicles, ice sherbets or frozen desserts of any kind are carried for purposes of retail sale on the city streets.

B. "VEND" or "VENDING" means offering ice cream, popsicles, ice sherbets or frozen desserts for sale from a motor vehicle on the city streets.

C. "PERSON" shall include every driver of an ice cream truck as defined herein.

D. "VENDOR" shall include every person, firm or corporation who owns, leases, contracts or in any other fashion permits a person to operate upon the city streets any ice cream truck for the purpose of vending as defined in subsections A and B above.

SECTION 2. LICENSE REQUIRED. No Vendor shall vend from an ice cream truck without having first secured a food permit from the Director of Health, or his/her designee, to serve ice cream Popsicles, ice sherbets or frozen desserts of any kind, and a valid license from the Chief of Police, or his/her designee, to operate within the city limits and also for each truck to be used in the operation of any such business.

SECTION 3. APPLICATION. Any Vendor desiring a license shall make application therefor in writing to the Police Chief, or his designee. The application shall be in a form prepared by the Police Department and shall include:

A. The full name, address, date of birth, social security number and telephone number of the Vendor, including all partners of a partnership and all officers of a corporation. If the Vendor is a corporation, the address of the business office of the corporation and the address of the corporate headquarters.

B. The location and ownership of each place of business to be used for the storage and dispensing of ice cream and frozen desserts;

C. List of ice cream trucks to be used in the operation, including identification numbers and ownership;

D. The full name, address, date of birth, social security number, and telephone number, and copy of Connecticut operator's license for each person who is an authorized driver of such vehicles within the city limits.

ICE CREAM TRUCK VENDORS (#11-10) — continued

E. All Vendors, including all partners of a partnership and all officers of a corporation, and all employees of such Vendors, shall be at least eighteen (18) years of age and shall not have been convicted of any criminal offense. The Chief of Police may require such other credentials and proof of identity of the Vendor or Vendor’s employees as reasonably necessary to determine that Vendor and Vendor’s employees are of good moral character and propose to engage in a lawful commercial enterprise.

SECTION 4. INSURANCE. No license shall be issued to a Vendor selling from an ice cream truck unless a certificate is furnished to the Police Department showing that the vendor is carrying 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 license shall annex a copy of the insurance certificate to its application. Certificates must specifically contain a clause signed by the insurance company certifying that the Police Chief shall be notified, in writing, of any modification, cancellation or termination of the subject policy.

SECTION 5. FEES; TERM OF LICENSE.

A. The annual license fee shall be Two Hundred Dollars (\$200) payable in full upon the filing of the application.

B. All licenses issued pursuant to this ordinance shall expire at 12:00 midnight on December 31st following issuance of said license. The license fee shall be paid in full upon the filing of the application regardless of the time of the year in which the license is issued. A Vendor must apply for a new license each year and comply with all requirements for issuance of same and pay the required fees. .

SECTION 6. INSPECTIONS - PREREQUISITE FOR ISSUANCE OF LICENSE.

A. Health Inspection. Each application shall be accompanied by a food permit from the Health Director, or his/her designee, verifying that he/she has inspected each facility and vehicle listed in the application to determine whether it complies with this ordinance and all state and local health codes. The Vendor shall pay all inspection and license fees in connection with obtaining a food permit directly to the Department of Health.

B. Motor Vehicle Inspection. An applicant for such license under this article shall demonstrate to the satisfaction of the Police Department of the Town of Stratford that the motor vehicle to be used pursuant to the issuance of said license complies with all applicable state laws and motor vehicle regulations, verifying that each vehicle listed in the application is mechanically and operationally safe. Proof of inspection of vehicles will be required on an annual basis.

ICE CREAM TRUCK VENDORS (#11-10) — continued

C. Any new vehicles put in service by Vendor after the issuance of a license must be inspected by the Health Department and must demonstrate to the satisfaction of the Police Department of the Town of Stratford that the motor vehicle to be used pursuant to the issuance of said license complies with all applicable state laws and motor vehicle regulations and be approved in accordance with this Ordinance.

D. If a license is rejected because of unsatisfactory sanitary, mechanical or operational conditions found upon inspection, the Applicant shall be so advised in writing by the Police Chief, or his/her designee, and the Applicant may correct the conditions and then reapply for a license upon submitting proof that the unsatisfactory conditions have been corrected.

E. Nothing herein shall prohibit the Health Director or Chief of Police, or his/her designee, from periodically re-inspecting the Licensee's storage and dispensing facility or vehicles. If unsatisfactory sanitary, mechanical or operational conditions are noted by the Health Director or Chief of Police, or his/her designee, the Vendor shall be notified by certified mail of the unsatisfactory conditions and the Vendor's license shall be temporarily revoked. and vendor shall be subject to a fine of \$100 per day per violation until the unsatisfactory conditions are corrected.

SECTION 7. RESTRICTIONS ON OPERATION OF MOTOR VEHICLE.

- A. A person shall vend only when the ice cream truck is lawfully stopped.
- B. A person shall vend only from the side of the truck away from moving traffic and as near as possible to the curb or side of the street.
- C. A person shall not stop on the left side of a one-way street to vend.
- D. Prior to vending any products as defined herein, the Vendor of any ice cream truck which traverses the streets of the city for such purpose shall submit to the Police Chief, or his designee, a detailed listing of the routes to be traveled each day by each said vehicle.

SECTION 8. PENALTIES; REVOCATION; RIGHT TO HEARING.

A. Any Vendor violating any of the provisions of this ordinance shall be notified by certified mail of the violation and shall be subject to a fine of \$100 per day per occurrence. In addition, the Vendor's license may be revoked for the balance of that license year by the Chief of Police for violations by the holder thereof of any of the ordinances of the Town of Stratford or any state or federal law

B. Violators of this Ordinance shall have the right to file a written appeal to the Office of Citation Hearings within fifteen (15) days from the date of the imposition of the fines. Payment of fines and revocation of Vendor's license shall be stayed until the appeal has been heard and ruled on by a Citation Hearing Officer.

FY2011 [Jan YTD] Interdepartmental Budget Transfers / Appropriations

Exhibit A:

Inter-Departmental Budget Transfers - REVENUES:		From Revenue	To Revenue
01100	General Fund Revenue	\$ -	
01551	Board of Education		\$ -
Total		\$ -	\$ -
Net Impact			\$ -

Inter-Departmental Budget Transfers - EXPENSES:		To Expense	From Expense
01103	6003 HR - Payroll Reg	\$ 8,000	
01109	6419 Agencies - South End Community Center		\$ 10,000
01111	6003 Planning - Payroll Reg	\$ 6,000	
01151	6602 Contingency - Anticipated Expense		\$ 435,000
01151	6603 Contingency - Contract Settlements		\$ 150,000
01151	6634 Contingency - Heart Bill - Payroll		\$ 14,000
01151	6635 Contingency - Heart Bill - Settlement		\$ 12,000
01151	6636 Contingency - Misc. Self Insurance	\$ 150,000	
01251	6055 Employee Benefits - 401a Retirement Plan	\$ 68,000	
01251	6058 Employee Benefits - Uniform Maintenance	\$ 44,000	
01251	6060 Employee Benefits - Police/Fire Annuity	\$ 36,000	
01302	6003 Finance Accounting - Payroll Reg		\$ 30,000
01358	6003 Economic Development - Payroll Reg		\$ 49,000
01358	6502 Economic Development - Advertising		\$ 9,000
01404	6003 PW Engineering - Payroll Reg	\$ 90,000	
01405	6003 PW Highway - Auto Maintenance	\$ 33,000	
01406	6003 PW Garage - Payroll Reg	\$ 21,000	
01407	6003 PW Parks - Payroll Reg	\$ 87,000	
01407	6003 PW Parks - Payroll - Overtime	\$ 160,000	
01408	6003 PW Refuse - Payroll - OT Contractual	\$ 44,000	
01461	6003 Fire Admin - Payroll Reg	\$ 26,000	
01463	6003 Fire Prevention - Payroll Reg		\$ 35,000
01473	6003 Police Investigation - Payroll Reg		\$ 80,000
01474	6003 Police Patrol - Payroll Reg		\$ 30,000
01475	6020 Dispatch - Payroll - Overtime	\$ 180,000	
01475	6003 Dispatch - Payroll Reg		\$ 150,000
01476	6003 Police Records - Payroll Reg	\$ 16,000	
01478	6003 Police Prof Standards - Payroll Reg	\$ 35,000	

