



Stratford, Connecticut

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, JULY 11, 2011 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:10 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. Thomas Malloy, Mr. Paul Hoydick

COUNCIL MEMBERS ABSENT: Mr. James Connor

OTHERS IN ATTENDANCE: Mayor John Harkins, Town Attorney Timothy Bishop, Asst. Town Attorneys Kevin Kelly and John Florek, Dir. Of Human Resources Ronald Ing, CAO Geen Thazhampallath, Mayoral staff member Mark Dillon

INVOCATION PRESENTED BY TENTH DISTRICT COUNCIL MEMBER HON. PAUL HOYDICK FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of Public Forum and regularly scheduled meeting of June 13, 2011, and special meeting of June 27, 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. HOYDICK SECONDED BY MR. BARNABY TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED UNANIMOUSLY.

2. CEREMONIAL PRESENTATIONS AND AWARDS — Recognition of Dave Johnson for receiving the National Athletic Director of the year. Mayor Harkins and Council Member Paul Hoydick made the presentation to Mr. Johnson.

3. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

— No comments.

4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES — None

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

5.1 MAYOR'S REPORT — Mayor Harkins reported on:

Events: July 3 – Fireworks at Short Beach, July 10 – recognition of Javier Colon at Bunnell High School, July 30 – Blues on the Beach at Short Beach, High School Graduations

Grants that have been awarded.

5.2 COMMITTEE REPORTS

5.2.1 EMS FUNDING COMMITTEE — The EMS Funding Committee conducted a regularly scheduled meeting on June 21 at which time the following was referred to Council with favorable recommendation:

- A. Request for \$15,000 from the EMS fund — to donate to the Stratford EMS Association, Inc.

RESOLVED: that the recommendation of the EMS Funding Committee is accepted and the donation of \$15,000.00 from the EMS Fund to Stratford EMS Association, Inc. be and is hereby approved.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. FULLER TO APPROVE THE FOREGOING DONATION. THE MOTION PASSED 9 TO 0 VIA ROLL CALL VOTE AS FOLLOWS: MR. BARNABY — YES, MS. PHILIPS — YES, MR. CATALANO — YES, MR. SANTI — YES, MR. DEMPSEY — YES, MR. FULLER — YES, MS. MEUSE — YES, MR. CONNOR — ABSENT, MR. MALLOY — YES, MR. HOYDICK — YES.

- B. Purchase of 6 battery Powered stretchers — for the amount up to ~~\$70,000~~ \$65,000 from the EMS fund. — Battery power stretchers will reduce the amount of manual lifting and moving required of EMS providers in the performance of patient care.

COMMITTEE REPORTS — continuedEMS FUNDING COMMITTEE— continued

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. FULLER TO APPROVE THE FOREGOING PURCHASE. MESSRS. SANTI AND FULLER WITHDRAW THEIR MOTION AND SECOND.

- C. Amend CIP/CEP — EMS portion for 2012 and move up the purchase of the battery-powered stretchers from FY 2013 to FY 2012.

RESOLVED: that the recommendation of the EMS Funding Committee is accepted and the purchase of the battery-powered stretchers be and is hereby moved from CIP/CEP FY 2013 to CIP/CEP FY 2012.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. FULLER TO APPROVE MOVING OF THE FOREGOING PURCHASE TO FY2012. THE MOTION PASSED 9 TO 0 VIA ROLL CALL VOTE AS FOLLOWS: MR. BARNABY — YES, MS. PHILIPS — YES, MR. CATALANO — YES, MR. SANTI — YES, MR. DEMPSEY — YES, MR. FULLER — YES, MS. MEUSE — YES, MR. CONNOR — ABSENT, MR. MALLOY — YES, MR. HOYDICK — YES.

Purchase of 6 battery Powered stretchers — continued

RESOLVED: that the recommendation of the EMS Funding Committee is accepted and the purchase of 6 battery-powered stretchers for the amount of \$65,000 be and is hereby approved.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. FULLER TO APPROVE THE FOREGOING PURCHASE OF 6 BATTERY-POWERED STRETCHERS FOR THE AMOUNT OF \$65,000. THE MOTION PASSED 9 TO 0 VIA ROLL CALL VOTE AS FOLLOWS: MR. BARNABY — YES, MS. PHILIPS — YES, MR. CATALANO — YES, MR. SANTI — YES, MR. DEMPSEY — YES, MR. FULLER — YES, MS. MEUSE — YES, MR. CONNOR — ABSENT, MR. MALLOY — YES, MR. HOYDICK — YES.

5.3 TOWN ATTORNEY'S REPORT5.3.1 CLAIMS REPORT — Mr. Bishop reported on the following:

- AVALON BAY — Mr. Bishop reported on an appellate court decision that requires executive session.

TOWN ATTORNEY'S REPORTCLAIMS REPORT — continued

A MOTION WAS MADE BY MR. BARNABY SECONDED BY MR. HOYDICK TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING FOR THE PURPOSE OF STRATEGY AND NEGOTIATIONS WITH RESPECT TO PENDING CLAIMS OR LITIGATION TOWARD THE TOWN OR A MEMBER THEREOF AS A PARTY WITH EXECUTIVE SESSION TO INCLUDE MEMBERS OF THE STRATFORD TOWN COUNCIL, THE MAYOR AND THE MAYOR'S STAFF, THE TOWN ATTORNEY AND THE ASSISTANT TOWN ATTORNEYS. THE MOTION PASSED UNANIMOUSLY.

- PERSONNEL MATTER — Mr. Bishop reported on the following claim:

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. FULLER TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING TO DISCUSS THE ABOVE-CITED ITEM THAT IS A PERSONNEL MATTER WITH EXECUTIVE SESSION TO INCLUDE MEMBERS OF THE STRATFORD TOWN COUNCIL, THE MAYOR AND THE MAYOR'S STAFF, THE TOWN ATTORNEY AND THE ASSISTANT TOWN ATTORNEYS, AND THE HUMAN RESOURCES DIRECTOR. THE MOTION CARRIED UNANIMOUSLY.

5.3.2 QUESTIONS TO THE TOWN ATTORNEY

Ms. Philips — re: Savings on claims, reduction of claims

Mr. Catalano — re: accessibility of Bond's dock for 24 hours daily, Staff in Assessor's office, Assessment tax appeals cases.

6. QUESTIONS TO MAYOR OR STAFF

Mr. Santi — re: Road paving schedule

Mr. Meuse — re: date for opening of the Animal Shelter, regionalization of WPC.

Mr. Fuller — re: Police officers

Mr. Catalano — re: land remediation and EPA approval, IT upgrades

7. UNFINISHED BUSINESS and/or OLD BUSINESS

7.1 SAEP — No business furnished.

7.2 TABLED ITEMS

7.2.1 SELECTION OF ARCHITECT FOR HONEYSPOOT SCHOOL — The Building Needs Committee conducted a regularly scheduled meeting on April 18, 2011 and referred the following to Town Council. (Tabled during meeting of 5/9/2011).

TABLED ITEMS, SELECTION OF ARCHITECT FOR HONEYSPOOT SCHOOL — continued

RESOLVED: that the recommendation of the Building Needs Committee is accepted and that Tai Soo Kim Partners LLC is selected for Architectural and Engineering Design Services for Stratford Academy / Honeyspot House.

UPON A MOTION BY MR. DEMPSEY AND SECONDED BY MR. SANTI, IT WAS VOTED UNANIMOUSLY TO TAKE THE FOREGOING ITEM OFF THE TABLE.

A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. SANTI TO APPROVE TAI SOO KIM PARTNERS LLC AS THE ARCHITECT FOR THE FOREGOING PROJECT. THE MOTION PASSED UNANIMOUSLY.

7.3 TABLED ORDINANCES AND RESOLUTIONS

7.3.1 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)

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

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

7.3.2 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)

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

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

TABLED ORDINANCES AND RESOLUTIONS — continued

7.3.3 RESOLUTION OF SUPPORT FOR RECONSTRUCTION OF INTERCHANGE 33 ON INTERSTATE 95-PROJECT NUMBER 138-223 (tabled during meeting of Feb. 14, 2011)
AS AMENDED

Sponsored by Jason Santi, 4th District Councilman

WHEREAS, it has long been recognized that the construction of a new full interchange at Exit 33 on Interstate 95 could enhance economic opportunities for Stratford's Route 1 through enhanced access; and

WHEREAS, the project could replace the functionally outdated partial interchange at Exit 33 and complement improvements on Interstate 95 which will occur with the completion of the Moses Wheeler Bridge Project; and

WHEREAS, the Town of Stratford has the opportunity to realize substantial benefits to its infrastructure and commercial development through these coordinated projects and thus benefit its citizens and visitors with enhanced traffic patterns on Route 1 thus aiding in the commercial enhancement of Barnum Avenue as well as providing ease of access to the potential redevelopment of the Stratford Army Engine Plant and the tourist opportunities offered by the planned opening of the Stratford Festival Theater; and

WHEREAS, the Town of Stratford is responsible for articulating the important protection of neighborhood quality of life issues such as Transit District Development, sound barriers, traffic planning, environmental protection and conservation to the State of Connecticut in the State Department of Transportation's redesign of the new full Exit 33 interchange,

NOW, THEREFORE BE IT RESOLVED that the Town Council of Stratford supports the concept of the Exit 33 project and empowers the Mayor, the Chief Elected Official of the Town of Stratford, to petition the Connecticut Department of Transportation and the Governor to complete the Exit 33 work by involving the Town of Stratford in the planning and the redesign of the full interchange at Exit 33. The State should successfully fund, and construct the full interchange at Exit 33 before the end of the Moses Wheeler Bridge Replacement Project.

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

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

7.3.4 RESOLUTION re: John Benjamin House at 1850 Elm Street (Tabled during meeting of May 9, 2011) — REMAINED ON THE TABLE.

7.4 TABLED APPOINTMENTS — ALL TABLED APPOINTMENTS REMAINED ON THE TABLE.

8. ORDINANCES AND RESOLUTIONS

8.1 AN ORDINANCE APPROPRIATING ~~\$2,338,000~~ \$2,438,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2011-2012 (#11-14)

sponsored by: The Stratford Town Council

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. (Ordinance appended as page 13)

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. FULLER TO AMEND THE DOLLAR AMOUNT (as shown above) OF THE FOREGOING ORDINANCE AND REFER TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

8.2 AN ORDINANCE AUTHORIZING THE ISSUANCE OF ~~\$2,338,000~~ \$2,438,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2011-2012 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#11-15)

sponsored by: The Stratford Town Council

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. (Ordinance appended as pages 14-16)

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. FULLER TO AMEND THE DOLLAR AMOUNT (as shown above) OF THE FOREGOING ORDINANCE AND REFER TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

8.3 AN ORDINANCE APPROPRIATING ~~\$3,285,100~~ \$6,924,100 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2011-2012 (#11-16)

ORDINANCES AND RESOLUTIONS — continued

sponsored by: The Stratford Town Council

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. (Ordinance appended as pages 17-18)

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. FULLER TO AMEND THE DOLLAR AMOUNT (as shown above) OF THE FOREGOING ORDINANCE AND REFER TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

8.4 AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,285,100 \$6,924,100 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2011-2012 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#11-17)

sponsored by: The Stratford Town Council

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. (Ordinance appended as pages 19-21)

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. FULLER TO AMEND THE DOLLAR AMOUNT (as shown above) OF THE FOREGOING ORDINANCE AND REFER TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

8.5 AUTHORIZING RESOLUTION OF THE TOWN OF STRATFORD, CT TOWN COUNCIL

sponsored by: The Stratford Town Council

CERTIFICATION: I, Susan Pawlak, the Town Clerk of Town of Stratford, do hereby certify that the following is a true and correct copy of a resolution adopted by Stratford Town Council at its duly called and held meeting on July 11, 2011, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

ORDINANCES AND RESOLUTIONS — continued

RESOLVED, that the Stratford Town Council may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that John Harkins, as Mayor of the Town of Stratford , is authorized and directed to execute and deliver any and all documents on behalf of the Stratford Town Council and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

The undersigned further certifies that John Harkins now holds the office of Mayor and that he/she has held that office since December 14, 2009.

IN WITNESS WHEREOF: The undersigned has executed this certificate this day of
Month Year.

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

9. NEW BUSINESS

9.1 GRANT RESOLUTIONS

9.1.1 BROWNFIELDS COMMUNITY-WIDE ASSESSMENT GRANT
sponsored by: Stratford Town Council

WHEREAS, the *Town of Stratford* has been awarded a cooperative agreement grant from the United States Environmental Protection Agency (EPA) through the 2010 Brownfields Clean-Up, Assessment and Revolving Loan Fund program in an amount not to exceed \$400,000; and

WHEREAS, it is desirable and in the public interest that the *Town of Stratford* enter into a grant agreement with the EPA.

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

A. That it is cognizant of the Town’s cooperative agreement with the EPA for the *Brownfields Assessment Grant Program* in an amount not to exceed \$400,000; and

B. That it hereby authorizes, directs and empowers the Mayor or his designee to submit an application with the EPA, to execute such contract with the EPA, to provide such

ORDINANCES AND RESOLUTIONS — continuedBROWNFIELDS COMMUNITY-WIDE ASSESSMENT GRANT — continued

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. HOYDICK TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

9.1.2 FY 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG) FORMULA PROGRAM

sponsored by: Stratford Town Council

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

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

WHEREAS, the *Town of Stratford* will expend funds to improve and enhance traffic enforcement and technological capabilities; and,

WHEREAS, funds under this grant may be used towards the purchase of services, supplies and equipment to enhance local law enforcement activities conducted by the *Stratford Police Department*; and,

WHEREAS, it is desirable and in the public interest that the *Town of Stratford* submit an application to the *U.S. Department of Justice, Bureau of Justice Assistance* in an amount not to exceed \$22,081; and,

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

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

ORDINANCES AND RESOLUTIONS — continued

E. BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG) FORMULA PROGRAM — cont'd

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

9.2 REQUEST FOR USE OF SHAKESPEARE THEATER FOR FESTIVAL! STRATFORD 2011 AT GROUND OF THE SHAKESPEARE THEATER

sponsored by: Matthew Catalano, Council Member – Third district

RESOLVED: That the Arts Commission may present tours of the Shakespeare Theater for fundraising and/or marketing purposes and use the theater for the Stratford Arts Guild’s Art Exhibit, before and during Festival! Stratford 2011 at the grounds of the Shakespeare Theater, subject to the approval of the Fire Marshal.

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

9.3 APPOINTMENTS

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

A. RESOLVED: that _____ of _____ be and is hereby appointed a member of the Housing Authority. [term of Ann Dizenzo (DECEASED) expires June 30, 2014]

B. RESOLVED: that _____ of _____ be and is hereby appointed a member of the Housing Authority. [term of Margaret Voccola expired June 30, 2011)

A MOTION WAS MADE BY MR. FULLER SECONDED BY MR. DEMPSEY TO PLACE THE FOREGOING TWO APPOINTMENTS ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

*Stratford Town Council meeting recessed: 9:30 p.m.
Stratford Town Council meeting reconvened: 10:14 p.m.*

ACTION TAKEN FROM ITEMS REFERRED TO EXECUTIVE SESSION

5.3.1 CLAIMS REPORT

- PERSONNEL MATTER

A MOTION WAS MADE BY MR. DEMPSEY SECONDED BY MR. CATALANO TO AUTHORIZE THE MAYOR TO SETTLE THE AGREEMENT IN ACCORDANCE WITH THE TOWN ATTORNEY'S RECOMMENDATION. THE MOTION PASSED UNANIMOUSLY.

- AVALON BAY

A MOTION WAS MADE BY MR. MALLOY SECONDED BY MR. BARNABY TO INSTRUCT THE TOWN ATTORNEY TO BRING FORTH THE FOREGOING MATTER TO SUPERIOR COURT. 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. SANTI, SECONDED BY MR. FULLER, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:16 p.m.

ATTEST: *Carol Cabral*
Carol Cabral, Council Clerk

AN ORDINANCE APPROPRIATING \$2,438,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2011-2012 (#11-14)

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

Section 1. The sum of \$2,438,000 is hereby appropriated to meet the estimated costs of the public improvements set forth below, as more fully described in the narrative description of such public improvements in the capital equipment program of the Town for the fiscal year ending June 30, 2012, said appropriation to be inclusive of administrative, financing, legal and costs of issuance related thereto:

PUBLIC SAFETY

2-Way Radio Replacement	\$ 500,000
Rescue 1 (Pumper) Replacement: Headquarters Co. 1	\$ 480,000

PUBLIC WORKS

Vehicle Replacement – 10-Wheel Tandem Dump Truck	\$ 195,000
Vehicle Replacement – 2 Mason 550 Dump Trucks	\$ 200,000
Vehicle Replacement – 3 Single-Axle Dump Trucks	\$ 555,000
Vehicle Replacement – 4 Wheel Drive SUV Vehicles	\$ 108,000

TOWN FACILITIES

Information Technology Projects	\$ 300,000
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BOARD OF EDUCATION

Miscellaneous Equipment – various schools	\$ <u>100,000</u>
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GRAND TOTAL ALL PROJECTS: \$ 2,438,000

Section 2. Any of the estimated amounts for the public improvements set forth in Section 1 not required to meet the actual cost of such public improvements shall be allocated by the Mayor and Director of Finance as they deem necessary or advisable and in the best interests of the Town to other public improvements previously authorized by the Town Council for bonding, so long as such allocation is consistent with applicable tax and other laws.

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

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$2,438,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2011-2012 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#11-15)

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

Section 1. To meet the appropriation of \$2,438,000 made in the ordinance enacted together herewith for various public improvements in the capital equipment program for fiscal year ending June 30, 2012 (the "Project"), \$2,438,000 bonds of the Town may be issued maturing not later than the twentieth year after their date (the "Bonds").

Section 2. The Bonds may be issued in one or more series as determined by the Mayor and the Director of Finance. The amount of Bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amounts and timing of State and Federal grants-in-aid for the Project, provided that the total amount of Bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the Bonds outstanding at the time of the issuance thereof, and to pay for costs of issuance of the Bonds. The Bonds shall be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Director of Finance, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Pullman & Comley, LLC, Attorneys-at-Law. The Bonds shall be general obligations of the Town and each of the Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The Town shall levy taxes in each year to meet principal and interest due and payable on the Bonds issued pursuant to this ordinance.

Section 3. The Mayor and Director of Finance are hereby authorized to determine the aggregate principal amount of the Bonds of each series to be issued, the annual installments of principal, date, maturity, prices, interest rates whether fixed or floating, form, redemption provisions, if any, the certifying registrar and transfer agent, the manner of sale or other terms and conditions of the Bonds, including the terms of any reserve that might be established as authorized herein, and whether any of the Bonds issued will be issued as taxable bonds, 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 Bonds.

Section 4. The Bonds shall be sold by the Mayor and the Director of Finance in a competitive offering or by negotiation in their discretion. If sold in a competitive offering, the Bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. If the Bonds are sold by negotiation, the provisions of the bond purchase agreement shall be approved by the Mayor and Director of Finance.

Section 5. The Mayor and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of the Bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Director of Finance, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor and the Director of Finance, be approved as to their legality by Pullman & Comley, LLC, Attorneys-at-Law, and be certified by a bank or trust company designated by the Mayor and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. The Notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing, to the extent paid from the proceeds of such renewals or the Bonds, may be included as a cost of the Project. Upon the sale of the Bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid prior to and anytime after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

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 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 enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from proceeds of the Bonds.

Section 8. The Mayor and the Director of Finance are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to 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 Bonds and notes authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 9. The Mayor and Director of Finance are hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Projects, and to take all action necessary or proper in connection therewith.

Section 10. The Mayor and Director of Finance in connection with the issuance of the Bonds, are hereby authorized to allocate any unused bond proceeds to public improvements previously authorized by the Town Council for bonding, consistent with the applicable tax and other laws, as deemed necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance.

Section 11. It is hereby found and determined that the estimated period of utility for the Project is at least twenty years.

Section 12. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.

AN ORDINANCE APPROPRIATING \$6,924,100 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2011-2012 (#11-16)

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

Section 1. The sum of \$6,924,100 is hereby appropriated to meet the estimated costs of the public improvements set forth below, as more fully described in the narrative description of such public improvements in the capital improvement program of the Town for the fiscal year ending June 30, 2012, said appropriation to be inclusive of administrative, financing, legal and costs of issuance related thereto:

PARKS AND RECREATION

Renovate Basketball Courts (Wigwam Lane)	\$ 150,000
Restoration/Improvements at Penders Field	\$ 200,000
Short Beach Playground Renovations	\$ 150,000

ROADS AND SEWERS

Beach Dr/Washington Parkway Storm Pump Station	\$ 50,000
Replace School Sidewalks	\$ 25,000
Road Reconstruction	\$ 500,000
Road Resurfacing	\$ 900,000
Sidewalk Replacement	\$ 250,000
Tanners Brook Culvert Cleaning	\$ 250,000
Broadbridge Culvert over Bruce Brook	\$ 100,000
Shakespeare Estates Storm Relief Pipe	\$ 175,000
Whippoorwill Lane Bridge Replacement	\$ 300,000
Misc. Bridge Rehab – various projects	\$ 20,000

SCHOOL IMPROVEMENTS

Safety and Security Improvements	\$ 100,100
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TOWN FACILITIES

Civil War Monument Restoration (Academy Hill)	\$ 25,000
Exterior Painting – Town Hall	\$ 225,000
Parking Lot Resurfacing	\$ 100,000
Roof Replacement and Infrastructure Repair – Transfer Station	\$ 300,000

BOARD OF EDUCATION

BOE - Doors & Hardware	\$ 167,500
BOE – FOG (Fat, Oils & Grease) Separator	\$ 120,000
BOE - General Repairs	\$ 135,000
BOE - Miscellaneous Projects	\$ 400,500
BOE - Painting - Interior & Exterior of school bldgs district-wide	\$ 150,000
BOE - Replacement of Sidewalk, Curb & Stairs	\$ 175,000
BOE - Technology Infrastructure	\$ 175,000
Bunnell High School - Air Conditioning - FY12-2nd Floor	\$ 150,000
Bunnell High School - Room Heating & Ventilation Unit Replacement	\$ 250,000
Bunnell High School - Video Security System	\$ 100,000
Bunnell High School - Window & External Panel Replacement	\$ 150,000
Flood Middle School - Main Distribution Panel Room	\$ 350,000
Johnson House - Auditorium Update	\$ 141,000
Lordship Elementary - Window Replacement	\$ 100,000
Nichols Elementary - Structural repair of 2nd/3rd Floors	\$ 300,000
Nichols Elementary - Window Replacement	\$ 140,000
Wooster Middle School Kitchen Floor	<u>\$ 100,000</u>
GRAND TOTAL ALL PROJECTS	<u>\$ 6,924,100</u>

Section 2. Any of the estimated amounts for the public improvements set forth in Section 1 not required to meet the actual cost of such public improvements shall be allocated by the Mayor and Director of Finance as they deem necessary or advisable and in the best interests of the Town to other public improvements previously authorized by the Town Council for bonding, so long as such allocation is consistent with applicable tax and other laws.

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

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$6,924,100 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2011-2012 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#11-17)

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

Section 1. To meet the appropriation of \$6,924,100 made in the ordinance enacted together herewith for various public improvements in the capital improvement program for fiscal year ending June 30, 2012 (the "Project"), \$6,924,100 bonds of the Town may be issued maturing not later than the twentieth year after their date (the "Bonds").

Section 2. The Bonds may be issued in one or more series as determined by the Mayor and the Director of Finance. The amount of Bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amounts and timing of State and Federal grants-in-aid for the Project, provided that the total amount of Bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the Bonds outstanding at the time of the issuance thereof, and to pay for costs of issuance of the Bonds. The Bonds shall be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Director of Finance, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Pullman & Comley, LLC, Attorneys-at-Law. The Bonds shall be general obligations of the Town and each of the Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The Town shall levy taxes in each year to meet principal and interest due and payable on the Bonds issued pursuant to this ordinance.

Section 3. The Mayor and Director of Finance are hereby authorized to determine the aggregate principal amount of the Bonds of each series to be issued, the annual installments of principal, date, maturity, prices, interest rates whether fixed or floating, form, redemption provisions, if any, the certifying registrar and transfer agent, the manner of sale or other terms and conditions of the Bonds, including the terms of any reserve that might be established as authorized herein, and whether any of the Bonds issued will be issued as taxable bonds, 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 Bonds.

Section 4. The Bonds shall be sold by the Mayor and the Director of Finance in a competitive offering or by negotiation in their discretion. If sold in a competitive offering, the Bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. If the Bonds are sold by negotiation, the provisions of the bond purchase agreement shall be approved by the Mayor and Director of Finance.

Section 5. The Mayor and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of the Bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Director of Finance, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor and the Director of Finance, be approved as to their legality by Pullman & Comley, LLC, Attorneys-at-Law, and be certified by a bank or trust company designated by the Mayor and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. The Notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing, to the extent paid from the proceeds of such renewals or the Bonds, may be included as a cost of the Project. Upon the sale of the Bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid prior to and anytime after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

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 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 enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from proceeds of the Bonds.

Section 8. The Mayor and the Director of Finance are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to 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 Bonds and notes authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 9. The Mayor and Director of Finance are hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Projects, and to take all action necessary or proper in connection therewith.

Section 10. The Mayor and Director of Finance in connection with the issuance of the Bonds, are hereby authorized to allocate any unused bond proceeds to public improvements previously authorized by the Town Council for bonding, consistent with the applicable tax and other laws, as deemed necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance.

Section 11. It is hereby found and determined that the estimated period of utility for the Project is at least twenty years.

Section 12. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.