



Stratford, Connecticut

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ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE ADA COORDINATOR AT 203-385-4020 OR 203-385-4022 (TDD) 5 DAYS BEFORE THE MEETING, IF POSSIBLE.

## **NOTICE OF PUBLIC MEETING**

THE STRATFORD TOWN COUNCIL WILL CONDUCT A REGULARLY SCHEDULED MEETING ON MONDAY, JANUARY 9, 2012 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT AT 8:00 P.M.

PUBLIC FORUM WILL BEGIN AT 6:45 P.M.

### **AGENDA**

#### **CALL TO ORDER**

INVOCATION PRESENTED BY FIRST DISTRICT COUNCIL MEMBER HON. CHRISTIAN BARNABY FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

**1. APPROVAL OF MINUTES** — Minutes of regularly scheduled meetings conducted on December 12, 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.

**2. CEREMONIAL PRESENTATIONS AND AWARDS** — Bunnell High School Boys Soccer Team — Winners of State Championship.

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

**4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES** — None

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

**5.1 MAYOR'S REPORT**

**5.1.1 APPOINTMENT TO GREATER BRIDGEPORT TRANSIT AUTHORITY**

**5.2 COMMITTEE REPORTS** — No reports

**5.3 TOWN ATTORNEY'S REPORT**

**5.3.1 CLAIMS REPORT**

**5.3.2 AVALONBAY COMMUNITIES vs. TOWN OF STRATFORD** — (Executive session)

**5.3.3 TOWN OF STRATFORD vs. MARION PERREIRA** — (Executive session)

**5.3.4 QUESTIONS TO THE TOWN ATTORNEY**

**6. QUESTIONS TO MAYOR OR STAFF**

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

**7.1 SAEP**

UNFINISHED BUSINESS and/or OLD BUSINESS — continued

7.2 TABLED ITEMS — None

7.3 TABLED ORDINANCES AND RESOLUTIONS — none

7.4 TABLED APPOINTMENTS

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

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

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

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

7.4.1.2 REPRESENTATIVES AT LARGE — 2-year term

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed the Business Community representative to the Stratford Housing Partnership. [term of Marilyn Heenan (resigned) to expire February 22, 2012]

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

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Disability Review Board (term of Frank Scifo, M.D. expired 01/13/10)

TABLED APPOINTMENTS — continued

7.4.3 ASSESSMENT APPEALS, BOARD OF — 4-year term — § 5-76, appointed by Council

7.4.3.1 ALTERNATE MEMBERS

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Board of Assessment Appeals (vacant term)

7.4.3.2 REGULAR MEMBERS

A. RESOLVED: that \_\_\_\_\_ - of \_\_\_\_\_ be and is hereby appointed a regular member of the Board of Assessment Appeals (term of Howard E. Johnson expired January 1, 2011)

B. RESOLVED: that \_\_\_\_\_ - of \_\_\_\_\_ be and is hereby appointed a regular member of the Board of Assessment Appeals [term of Shayle Robins (resigned) to expire January 1, 2012]

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

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

**8. ORDINANCES AND RESOLUTIONS**

8.1 ORDINANCE re: Golf Cart Travel on Public Roads (#12-01)

Sponsored by: Hon. Christian Barnaby, District One Council Member

1. The Town of Stratford shall permit operation of a golf cart on [the following] public roads within the Town of Stratford that have a maximum permissible speed of twenty-five (25) miles per hour:

**[list roads that golf carts shall be permitted on, if the Town wants to limit such use]**

Golf Cart Travel on Public Roads (#12-01) — continued

- 2. The operation of a golf cart on such public roads shall be permitted during the hours of one half hour after sunrise and one half hour before sunset. No golf carts shall be driven on the permitted public roads of the Town of Stratford, unless the following requirements are satisfied by the owner or operator of the golf cart:
  - a) The golf cart shall be equipped with an operable horn in accordance with Connecticut General Statutes § 14-80;
  - b) The golf cart shall be equipped with a flag, in such a position that it is visible by other motor vehicle operators;
  - c) The operator of the golf cart shall have and carry a valid Connecticut motor vehicle operator’s license while operating the golf cart; and
  - d) The owner of the golf cart must maintain proper insurance on the golf cart as required by the Department of Motor Vehicles.

[Note: There is no present requirement for insurance on golf carts that are used for transportation on public roads.]

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.

8.2 ORDINANCE AMENDING CHAPTER 33 (#12-02)

Sponsored by: Stratford Town Council

Section 33-1 of Chapter 33, of the Stratford Town Code is hereby amended as follows:

**§ 33-1. Regular meetings; adjournment.**

The Town Council shall meet monthly, on the second Monday of each month, at ~~8:00~~ **7:15 p.m.** in the Town council chamber, except that in odd-numbered years in the month of November, when the meeting will be held at the same time and place on the Tuesday after the second Monday of the month. Each such meeting shall be known as a regular meeting of the Town Council. Whenever such second Monday of the month shall fall upon a legal holiday, such meeting shall be held on the next succeeding day at the time and place provided in this section. Such regular meetings may be ~~adjourned~~ **CONTINUED** upon a vote of a majority of the members present, provided that such ~~adjournment~~ **CONTINUED MEETING** is not less than two calendar days thereafter, and notice in

writing of such ~~adjourned~~ **CONTINUED** meeting shall be given by the Town Clerk to all members of the Town Council not present at the time of ~~adjournment~~ **THE CONTINUANCE**.

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.

8.3 AMENDMENT TO CHAPTER 83, ARTICLE VII (#12-03)

sponsored by: 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 12-13*)

8.4 GRANT RESOLUTION RE: HISTORIC DOCUMENTS PRESERVATION PROGRAM

sponsored by: Stratford Town Council

WHEREAS, the *Connecticut State Library* is authorized to make grant awards through the *FY 2012 Historic Documents Preservation Program-Targeted Grants*; and

WHEREAS the *Town of Stratford* has been awarded a grant from the *FY 2012 Historic Documents Preservation Program-Targeted Grants* program for activities related to historic document preservation; and

WHEREAS, it is desirable and in the public interest that the *Town of Stratford* enter into a grant agreement with the *Connecticut State Library* for funds in an amount not to exceed \$6,000; and

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

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

8.5 GRANT RESOLUTION RE: STRATFORD-TRUMBULL-MONROE MEDICAL RESERVE CORPS

sponsored by: Stratford Town Council

**WHEREAS**, NACCHO has received a grant from the Department of Health and Human Services (Grant Number: 5 MRCSG101005-02, CFDA Number: 93.008) (the "Grant") to build the capacity of local Medical Reserve Corps ("MRC") units;

**WHEREAS**, pursuant to the terms of the Grant, NACCHO has agreed, among other things, to provide support to MRC units and to encourage these units to provide certain information to the Office of the Surgeon General's Office of the Civilian Volunteer Medical Reserve Corps ("OSG/CVMRC");

**WHEREAS**, Organization either houses or is itself an MRC unit that is registered in good standing with the OSG/CVMRC;

**WHEREAS**, pursuant to the terms of the Grant, NACCHO desires to provide funding in an amount not to exceed \$ 5000 to Organization in exchange for Organization agreeing, among other things, to undertake the activities indicated in their capacity building application or oversee such activities and to provide certain information to the OSG/CVMRC.

**NOW, THEREFORE**, NACCHO and Organization, intending to be legally bound, in consideration of the promises and mutual covenants and obligations contained herein, hereby agree as follows:

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

1. That it is cognizant of the *Town of Stratford's* grant application and contract with *National Association of County and City Health Officials* in the amount of \$ 5,000 to implement and build the capacity of the *Stratford-Trumbull-Monroe Medical Reserve Corps* and fund emergency preparedness presentations to strengthen community preparedness and resiliency.
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and deliver such application in the name and on behalf of the *Town of Stratford*, any and all applications and/or agreements (including amendments to, or rescission of such agreement), and any and all related documents necessary to apply for and obtain funding from the *National Association of County and City Health Officials, MRC Grant Program* to build the capacity of the *Stratford-Trumbull-Monroe Medical Reserve Corps*.

8.6 RYSAP/CT DEPARTMENT OF MENTAL HEALTH AND ADDITION SERVICES GRANT

sponsored by: Stratford Town Council

**WHEREAS**, the *Town of Stratford* has been awarded a grant from RYASAP in conjunction with the CT Department of Mental Health and Addiction Services’ Local Alcohol, Tobacco and Other Drug Abuse Prevention Councils grant program in an amount not to exceed \$5,675); and

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

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

- A. That it is cognizant of the Town’s contract with the RYASAP for the CT Department of Mental Health and Addiction Services’ Local Alcohol, Tobacco and Other Drug Abuse Prevention Councils grant program in an amount not to exceed \$5,675; and
- B. That it hereby authorizes, directs and empowers the Mayor or his designee to submit an application with RYASAP, to execute such contract with the RYASAP, to provide such additional information, to implement the program once the award is secured, and to execute such other contracts and documents as maybe necessary under this program.

**9. NEW BUSINESS**

**9.1 APPOINTMENTS**

**9.1.1 BOARD OF ZONING APPEALS, ATERNATE MEMBER** — 3-year term of office appointed by Council

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Board of Zoning Appeals. (term of Thomas Grega expired January 1, 2012)

**9.1.2 PLANNING COMMISSION, ALTERNATE MEMBER** — 3-year term, appointed by Council

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Planning Commission. (term of Mary K. Young expired January 1, 2012)

APPOINTMENTS — continued

9.1.3 ZONING COMMISSION, ALTERNATE MEMBER— 3-year term of office appointed by Council

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Zoning Commission. (term of Adam Bonoff expired January 1, 2012)

9.1.4 LIBRARY ASSOCIATION — appointed by Council, 3-year term

A. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Stratford Library Association. (term of Kristine Feeney expired December 31, 2011)

B. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Stratford Library Association. (term of Thomas Hall expired December 31, 2011)

C. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Stratford Library Association. (term of Robert L. Smith expired December 31, 2011)

D. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Stratford Library Association. (term of Margaret A. Bachtel expired December 31, 2011)

E. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Stratford Library Association. (term of John Hutchinson expired December 31, 2011)

9.1.5 COMMITTEE APPOINTMENTS — terms concurrent with Town Council (2 years)

<u>COMMITTEE</u>	<u>CHAIRMAN/MEMBER(S)</u>
Beautification Committee	9 electorate members
Board of Education Liaison Committee	
Boothe Park Commission	<i>Per Ordinance</i> — Eighth District Council member James Connor (R), Council Member (D)
Building Needs Committee	Council Members: Electorate Members:
Community Development Subcommittee of the Economic Development Commission	
Conservation Commission	<i>Council Member Designee per Ordinance</i>
Economic Task Force	
EMS Funding Committee	
Finance and Claims Committee	
Longbrook Park Commission	<i>Chairman and Vice Chairman per Ordinance</i> (1) Council Member Matthew P. Catalano (R) — Chairman (2) Council Member Craig Budnick (R) — Vice Chair (3) Council Member (D) <i>per ordinance</i>
Ordinance Committee	All Council Members. Chairman —
Parks and Recreation Committee	§ 7-9 of code also 7 electorate members
Pension Board	
Property Maintenance Review Committee (a.k.a. Blight Committee)	Per § 161-7 of Stratford Town Code <i>Council Member Designee appointed by Council Chairman</i>
Public Safety Committee	Also 4 electorate members
Public Works Committee	Chairman
Roosevelt Forest Commission	<i>Per Ordinance</i> Council Member Joseph Kubic

Short Beach Commission	<i>Per Ordinance</i> Chairman Christian Barnaby (R), Council Member (D)
Task Force on Energy and Environment, Joint Mayor-Council	
Tax Partnership Screening Committee	<i>Per Ordinance § 191-10 B:</i> Three (3) Council members apptd by Council Chairman
Water Pollution Control Authority	All Council members. Chairman—

**10. ADJOURNMENT**

AMENDMENT TO CHAPTER 83, ARTICLE VII (#12-03)

Article VII of Chapter 83 of the Stratford Town Code is hereby repealed with the following to be substituted in lieu thereof:

ARTICLE VII  
Feeding of Wildlife

Section 83-26. Statement of Purpose.

The purpose of this article is to prohibit the feeding of unconfined wildlife, including ducks and geese, in any public park or on any other property owned or operated by the Town of Stratford and to restrict the feeding of unconfined wildlife on private property so as to protect the public health, safety and welfare of the citizens of the Town of Stratford.

Section 83-27. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. **Feeding, as used in Sections 83-26 through 83-28A of the Stratford Town Code, shall not include the following:**

- 1. The legal taking of fish and/or game; and**
- 2. The feeding of birds on private property, so long as the birdfeeders are at least five feet off the ground and the bird feeding does not attract rats or other animals in sufficient numbers so as to create a nuisance on the property.**

b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Wildlife – all animals that are neither human nor domesticated.

d. Non profit agencies/organizations shall be exempt from this regulation if the feeding is for trapping purposes.

Ordinance #12-03 — continued

## Section 83-28. Prohibited Conduct.

- a. No person shall feed any wildlife on a continuous basis, excluding confined wildlife (wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers) in any public park or on any other property owned or operated by The Town of Stratford.
  - (1) No persons shall deposit, place, distribute, or leave any foodstuffs of any kind or nature within the designated boundary of Longbrook Park or Wooster Middle School, save and except in a receptacle provided by the Town for that purpose.
  - (2) No persons shall feed any animal, including but not limited to, birds or waterfowl, within the designated boundary of Longbrook Park or Wooster Middle School.
  
- b. The feeding of unconfined wildlife shall be permitted outdoors on private property at such times and in such numbers that:
  - (1) Such feeding does not create an unreasonable disturbance that affects the rights of surrounding property owners and renders other persons insecure in the use of their property;
  - (2) Does not create an accumulation of droppings on the property and surrounding properties;
  - (3) Does not become an attractant for rodents or other wild animals;
  - (4) Bird feeders are placed at least five feet above the ground;
  - (5) No food left overnight on the property (bowls, containers, etc.)
  
- c. The provisions of this section shall not apply to any public officer or public employee in the performance of his or her duties.

Section 83-28A. Enforcement and Penalties.

- a. The prohibitions contained in § 83-28 of this article shall be enforced by Health Department, Animal Control Officer or Police Officer. Any person found to be in violation of these provisions shall be ordered to cease the prohibited conduct immediately.
  
- b. Any person(s) who is found to be in violation of any provision contained in this article, shall, for the first offense, be subject to a written warning by the Stratford Health Department ordering such person cease the prohibited conduct immediately. The Stratford Animal Control Officer shall thereafter fine any person \$100.00 for any second offense, \$200.00 for any third offense and a \$300.00 fine for all subsequent offenses.