



TOWN OF STRATFORD

CONNECTICUT
06615

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, MARCH 12, 2007 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 pro tem Michael Henrick

COUNCIL MEMBERS IN ATTENDANCE: Mr. Michael Julian, Mr. Alvin O'Neal, Mr. Gavin Forrester, Mr. Angelo Stavola, Mr. Raymond Barker, Mr. John Miranda, Mr. William Stroomer, Mr. Robert Camillo, Mr. Michael Henrick

COUNCIL MEMBERS ABSENT: — Mr. Jim Feehan

OTHERS IN ATTENDANCE: Mayor James Miron, Town Attorney Richard Buturla

INVOCATION PRESENTED BY FOURTH DISTRICT COUNCIL MEMBER ANGELO STAVOLA.

Ceremony and recognition for Girl Scouts took place followed by Recognition of Bunnell High School Marching Band.

COUNCIL MEMBER ANGELO STAVOLA LED THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of: Regularly scheduled meeting, public forum, and executive session of February 13 and special meetings of February 1 and 26, 2007.

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. STROOMER SECONDED BY MR. MIRANDA TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED UNANIMOUSLY.

2. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. Julian — re: SAEP, Airport

Mr. Barker — re: Girl Scouts

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COMMENTS FROM PUBLIC FORUM — continued

Mr. Stroomer — re: Senior Tax Relief, Airport, Girl Scouts

Mr. Camillo — re: Girl Scouts

Mr. Henrick — re: SAEP

3. COMMUNICATIONS**3.1 LETTERS OF RESIGNATION — letters previously forwarded.**

- A. RE: BEAUTIFICATION COMMITTEE
FROM: Linda Ficano DATED: February 9, 2007

RESOLVED: that the resignation of Linda Ficano from the Beautification Committee be and is hereby accepted.

A MOTION WAS MADE BY MR. STAVOLA SECONDED BY MR. BARKER TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED UNANIMOUSLY.

- B. RE: ROOSEVELT FOREST COMMISSION
FROM: Sheryl A. Decilio DATED: February 8, 2007

RESOLVED: that the resignation of Sheryl Decilio from the Roosevelt Forest Commission be and is hereby accepted.

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. STROOMER TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED UNANIMOUSLY.

4. MAYOR'S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY'S REPORTS**4.1 MAYOR'S REPORT****4.1.1 RESOLUTION RE DEPARTMENT OF SOCIAL SERVICES GRANT FOR COMMUNITY SERVICES COUNSELING**

Sponsor: Stratford Town Council

WHEREAS, the Connecticut Department of Social Services has made available funding in support of counseling services provided by the Town of Stratford in the amount of \$14,803; and

DEPT. OF SOCIAL SERVICES GRANT FOR COMMUNITY SERVICES COUNSELING — cont'd

WHEREAS, it is both desirable and in the public interest to execute a grant agreement with the State Department of Social Services and to accept funding in connection with this program;

NOW, THEREFORE, BE IT RESOLVED that James R. Miron, Mayor of the Town of Stratford, be, and hereby is, authorized to enter into a contract on behalf of the Town of Stratford with the Connecticut Department of Social Services in the amount of \$14,803; to execute any amendments, revisions or rescissions thereto; and to act as the authorized representative of the Town of Stratford with respect to said grant.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

4.1.2 RESOLUTION RE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES GRANT FOR COMMUNITY SERVICES STOPPING UNDERAGE DRINKING IN STRATFORD (SUDS)

Sponsor: Stratford Town Council

WHEREAS, the Connecticut Department of Mental Health and Addiction Services has made available funding in support of substance abuse prevention services provided by the Town of Stratford in the amount of \$75,000 and

WHEREAS, it is both desirable and in the public interest to execute a grant agreement with the State Department of Mental Health and Addiction Services and to accept funding in connection with this program;

NOW, THEREFORE, BE IT RESOLVED that James R. Miron, Mayor of the Town of Stratford, be and hereby is authorized to enter into a contract on behalf of the Town of Stratford with the Connecticut Department of Mental Health and Addiction Services in the amount of \$75,000; to execute any amendments, revisions or rescissions thereto; and to act as the authorized representative of the Town of Stratford.

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. BARKER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

MAYOR'S REPORT — continued4.1.3 RESOLUTION RE 20% CLEAN ENERGY BY 2010

Sponsored by: The Stratford Town Council

WHEREAS, electricity production is the leading cause of industrial air pollution in the United States which can result in a variety of health risks to Stratford residents including cases of asthma especially in children; and

WHEREAS, the world's most respected association of climate scientists, the Intergovernmental Panel on Climate Change (IPCC), projects that global warming will be even more severe than previously thought, with temperatures in Connecticut projected to rise by approximately 4 degrees Fahrenheit this Century and with the vast majority of warming clearly attributable to human activity; and

WHEREAS, the economic impact of not using conservation technology and alternative energy sources results in direct and indirect costs to Stratford citizens. These costs include medical, lost days at work, and environmental; and

WHEREAS, the 20% by 2010 campaign is a Connecticut not-for-profit initiative that has undertaken efforts to encourage community action in support of putting Connecticut's customers on a path to having 20% of their electricity supply come from clean, renewable energy sources by the year 2010; and

WHEREAS, by meeting the goals of 20% by 2010, Stratford can begin to address the problems resulting from the above; and

WHEREAS, greenhouse gas emissions can be reduced in a cost-effective manner that enhances economic development by applying currently available energy efficiency technologies and such renewable energy programs as Stratford and many towns have implemented that save money, create jobs and strengthen local economies; and

WHEREAS, clean energy resources – such as wind and solar energy – constantly replenish themselves, do not cause the buildup of global warming gases and health-damaging pollutants, and if properly managed, will be available to serve our energy needs forever;

NOW, THEREFORE, BE IT RESOLVED that the Town of Stratford commits to the goal of making at least 20% of its municipal energy purchases come from clean energy resources by the year 2010.

BE IT FURTHER RESOLVED that the Town create an entity such as a task force to research and make recommendations so that Stratford can reach the 20% by 2010 goal. The Task Force will

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MAYOR'S REPORT — continuedRESOLUTION RE 20% CLEAN ENERGY BY 2010 — continued

investigate options for meeting that goal, including purchasing Renewable Energy Certificates (RECs) and/or on-site renewable energy installations, and will research funding opportunities.

BE IT FURTHER RESOLVED that the Town Council encourages all businesses, institutions and households within Stratford to support clean energy, energy efficiency and conservation.

Jonathan Edwards, a representative of Smart Power – a not-for-profit group, explained the program. A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

4.1.4 PUBLIC HEALTH PREPAREDNESS GRANT AMENDMENT — RESOLUTION

Sponsor: The Honorable Town Council

WHEREAS, The State Department of Public Health has made available additional funding for Emergency Preparedness in the amount \$ 28,500

WHEREAS, the funding will be used to expedite the development of pandemic flu preparedness plans and capability at the local level

WHEREAS, these preparedness efforts will enhance our capacity to protect the entire Stratford population and neighboring jurisdictions in the Bridgeport region, in the event of a pandemic flu; and

WHEREAS, it is both desirable and in the public interest to execute a grant agreement with the Department of Public Health and to accept funding in connection with this program;

NOW, THEREFORE, BE IT RESOLVED that the Mayor James Miron is authorized to enter into a contract on behalf of the Town of Stratford with the Department of Public Health for funding in such amounts as may be available; to execute any amendments, revisions or rescissions thereto; and to act as the authorized representative of the Town of Stratford.

A MOTION WAS MADE BY MR. STAVOLA SECONDED BY MR. BARKER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

MAYOR’S REPORT — continued

4.1.5 ORDINANCE AUTHORIZING THE CREATION OF THE STRATFORD ECONOMIC DEVELOPMENT CORPORATION (#07-08)

A. Purpose.

Given the importance of growing the Grand List and promoting the economic development of Town of Stratford, the Town Council believes that the development of environmentally challenged properties located in Stratford will be significantly enhanced and encouraged by the active role of an economic development corporation.

B. Formation.

The Mayor is hereby authorized to establish a Stratford Economic Development Corporation, which corporation will be a non-profit, non-stock corporation formed in accordance with the laws of the State of Connecticut.

C. Powers.

The Stratford Economic Development Corporation will have all the powers and authority conferred by the Connecticut General Statutes on such non-profit, non-stock corporations.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. MIRANDA TO PLACE THE FOREGOING ORDINANCE ON THE TABLE. THE MOTION FAILED.

*Stratford Town Council meeting recessed: 8:50 p.m.
Stratford Town Council meeting reconvened: 8:53 p.m.*

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STAVOLA TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION FAILED FOR LACK OF 6 VOTES VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — NO, MR. O’NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — YES, MR. BARKER — YES, MR. MIRANDA — NO, MR. STROOMER — NO, MR. CAMILLO — YES, MR. HENRICK — NO, MR. FEEHAN — ABSENT.

4.1.6 ORDINANCE TO AMEND § 14-41 OF THE STRATFORD TOWN CODE RE SUBSEQUENT YEAR TAX RELIEF (#07-09)

Sponsored by: The Stratford Town Council

WHEREAS, the current unreserved fund balance of the Town of Stratford is approximately 4.4% of the Town’s current operating budget; and

WHEREAS, municipal finance experts recommend an unreserved fund balance of not less than ten percent (10%) of a municipality’s operating budget; and

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MAYOR'S REPORT — continuedORDINANCE #07-09 — continued

WHEREAS, the Town of Stratford has been advised that any use of the Town's unreserved fund balance will result in a lowering of the Town's bond rating; and

WHEREAS, the proposed amendments to section 14-41 of the Code of the Town of Stratford would allow the use of the unreserved fund balance for subsequent year tax relief when the unreserved fund balance exceeds ten percent (10%) of the operating budget for the ensuing year;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE STRATFORD TOWN COUNCIL that section 14-41 of the Code of the Town of Stratford be, and hereby is, amended as follows (deletions are indicated by [striking out text in brackets] and additions are indicated by UNDERLINING TEXT IN ALL CAPITAL LETTERS):

ARTICLE XIII, Tax Relief Account

§ 14-41. Transfer of funds to account; percentage to offset tax levy.

Any funds in the Town of Stratford's general fund balance that are not reserved or designated for specific purposes shall be transferred to the unreserved fund balance in an account titled, "Designated for Subsequent Year Tax Relief." In each fiscal year, the Town Council of the Town of Stratford may apply an amount of 40% to 60% of the balance in the Designated for Subsequent Year Tax Relief Account to offset the tax levy required to fund the adopted budget for the ensuing fiscal year, BUT ONLY IF THE UNRESERVED FUND BALANCE WILL REMAIN GREATER THAN TEN PERCENT (10%) OF THE OPERATING BUDGET FOR THE ENSUING YEAR AFTER SUCH AMOUNT IS SO APPLIED.

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

4.1.7 QUESTIONS TO MAYOR OR STAFF

Mr. Julian — re: Shakespeare Theater progress.

Mr. O'Neal — re: (1) Periodic report on Shakespeare Theater progress (2) volunteers to Municipal Committees/Commission/Boards/Agencies

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QUESTIONS TO THE MAYOR OR STAFF — continued

Mr. Forrester — re: Condition of Beers Place, all public roads placed on Public Works Committee agenda.

Mr. Miranda — (1) Support of State Champion teams, (2) communication about earlier occurring Mayor's State-of-the Town address.

Mr. Stroomer — re: report on Airport meeting with state representatives.

Mr. Camillo — re: Coe Ave. and Seabreeze Dr.

Mr. Henrick — re: (1) Old Spring Road stormwater drainage issues, (2) progress on policies for patching of roads by utility companies, (3) Ashcroft Retirees picnic.

WAIVER OF COUNCIL RULES OF ORDER

At request of the Mayor, A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO WAIVE THE COUNCIL RULES OF ORDER TO INCLUDE AN ADDITIONAL ITEM TO THE AGENDA ENTITLED "CT HEALTH FOUNDATION GRANT RESOLUTION". THE MOTION PASSED UNANIMOUSLY.

CT HEALTH FOUNDATION GRANT RESOLUTION

Sponsored by: The Stratford Town Council

WHEREAS, The Stratford Health Department has been awarded a renewal grant from the CT Health Foundation to augment oral health services for Stratford school-aged children, including restorative and preventative treatments offered in the Health Department dental clinics and screenings in the elementary schools to occur in 2007.

WHEREAS, The grant is being administered by the greater Bridgeport regional oral health collaborative that is administered by the Southwestern Area Health Education Collaborative;

WHEREAS, it is both desirable and in the public interest to executive a grant agreement between the Town of Stratford and the Southwestern Area Health Education Collaborative and to accept funding in connection with this project;

NOW, THEREFORE BE IT RESOLVED that the Mayor, James R. Miron, is authorized to enter into a contract on behalf of the Town of Stratford with the Southwestern Area Health Education Collaborative for funding in the amount of \$17,000; to execute any amendments, revisions, or rescission thereto; and to act as the authorized representative of the Town of Stratford.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED UNANIMOUSLY.

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Stratford Town Council meeting recessed: 9:25 p.m.

Stratford Town Council meeting reconvened: 9:35 p.m.

4.2 COMMITTEE REPORTS

4.2.1 ORDINANCE COMMITTEE — The Ordinance Committee conduct a public hearing and a meeting on February 26, 2007 and referred the following to Council:

4.2.1.1 WITH FAVORABLE RECOMMENDATION

A. AN ORDINANCE REPEALING §§3-1 AND 3-2 OF THE CODE OF THE TOWN OF STRATFORD RE: THE TOWN COUNCIL MEETING AGENDA (#06-21)

Sponsored by: Hon. Alvin O’Neal, 2nd District Council Member

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 19)

A MOTION WAS MADE BY MR. O’NEAL SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. THE MOTION PASSED UNANIMOUSLY VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O’NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — YES, MR. BARKER — YES, MR. MIRANDA — YES, MR. STROOMER — YES, MR. CAMILLO — YES, MR. HENRICK — YES, MR. FEEHAN — ABSENT.

B. ORDINANCE: DEDICATED FUNDS ORDINANCE (#07-02)

Sponsored by: Hon. Gavin B. Forrester, 3rd District Council Member

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 18)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O’NEAL TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. THE MOTION PASSED UNANIMOUSLY VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O’NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — YES, MR. BARKER — YES, MR. MIRANDA — YES, MR. STROOMER — YES, MR. CAMILLO — YES, MR. HENRICK — YES, MR. FEEHAN — ABSENT.

COMMITTEE REPORTS — continuedORDINANCE COMMITTEE — continuedWITH FAVORABLE RECOMMENDATION — continuedC. ORDINANCE RE: RULES OF CONSTRUCTION FOR THE CODE OF THE TOWN OF STRATFORD (#07-03)

Sponsored by: Hon. William A. Stroomer, 7th District Council Member

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 20-21*)

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. MIRANDA TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. THE MOTION PASSED UNANIMOUSLY VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — YES, MR. BARKER — YES, MR. MIRANDA — YES, MR. STROOMER — YES, MR. CAMILLO — YES, MR. HENRICK — YES, MR. FEEHAN — ABSENT.

D. ORDINANCE RE WAIVER OF SMALL PROPERTY TAX AMOUNTS DUE PURSUANT TO C.G.S. § 12-144C (#07-04)

Sponsored by: Hon. Gavin Forrester, 3rd District Council Member

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 with amendment appended as page 22*)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. BARKER TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. MR. JULIAN FRIENDLY AMENDED THE WAIVED AMOUNT AS FIVE DOLLARS (\$5.00). MESSRS. FORRESTER AND BARKER ACCEPT MR. JULIAN'S FRIENDLY AMENDMENT. THE MOTION PASSED UNANIMOUSLY AS AMENDED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — YES, MR. BARKER — YES, MR. MIRANDA — YES, MR. STROOMER — YES, MR. CAMILLO — YES, MR. HENRICK — YES, MR. FEEHAN — ABSENT.

COMMITTEE REPORTS — continuedORDINANCE COMMITTEE — continuedE. ORDINANCE ESTABLISHING AN ARCHITECTURAL REVIEW BOARD (#07-06)

Sponsored by: Hon. Michael Julian, 1st District Council Member

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. O'NEAL TO PLACE THE FOREGOING ORDINANCE ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

4.2.1.2 WITH NO RECOMMENDATIONORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05)

sponsored by: Hon. Gavin Forrester, 3rd district Council Member
Hon. Alvin O'Neal, 2nd district Council Member
Hon. Robert Camillo, 8th district Council Member

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING ORDINANCE.

A MOTION WAS MADE BY MR. STAVOLA SECONDED BY MR. JULIAN TO PLACE THE FOREGOING ORDINANCE ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

4.2.8 SHORT BEACH COMMISSION — The Short Beach Commission conducted the regularly scheduled meeting of February 6, 2007 at which time the following was referred to Council with favorable recommendation:

Increase of Fees – for non-resident Beach Parking from \$5.00 to \$10.00 on weekends and holidays.

RESOLVED: that the recommendation of the Short Beach Commission is accepted and the weekend and holiday parking fees at Short Beach Park will be increased to \$10.00.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. CAMILLO TO APPROVE THE ABOVE-MENTIONED FEE INCREASE. THE MOTION PASSED UNANIMOUSLY.

COMMITTEE REPORTS — continued

4.2.13 BOOTHE PARK COMMISSION — The Boothe Park Commission's regularly scheduled meeting of February 14, 2007 was ~~anceled~~ conducted.

Mr. Camillo gave a brief status report regarding the artifacts inventory and repair projects overview.

4.2.14 BOARD OF EDUCATION LIAISON COMMITTEE — The regularly scheduled meeting of the Board of Education Liaison Committee for February 15, 2007 was conducted.

Mr. Forrester, Chairman of the Committee, announced the Board of Education Budget presentation will be conducted Thursday, March 15 in Center School.

4.2.21 Longbrook Park Commission — This Commission's regularly scheduled meeting of February 28, 2007 was conducted.

Mr. Forrester, Chairman of the Commission, announced that an Organizational meeting for Friends of Longbrook Park will be conducted Tuesday, March 13, in Council Chambers of Town Hall.

4.2.23 BEAUTIFICATION COMMITTEE — The Beautification Committee did not conduct the regularly scheduled meeting on February 6, 2006.

Mr. Stavola, Chairman of the Committee, commended former member Linda Ficano for her outstanding commitment to the work of the Committee.

AIRPORT NOISE ABATEMENT COMMITTEE — Chairman Pro tem Henrick appoints Charles L. Bitzer of 115 Short Beach Road, a member of the Committee, as Chairman of the Committee.

4.3 TOWN ATTORNEY'S REPORT

4.3.1 WEST LONG BEACH LITIGATION

Attorney Buturla requests taking the foregoing item into executive session for the purpose of discussion regarding strategy and negotiations with respect to pending claims or litigation toward the town or a member thereof as a party. Mr. Buturla would like that motion to include members of the Stratford Town Council, the Mayor, and himself.

TOWN ATTORNEY'S REPORT — continuedWEST LONG BEACH LITIGATION — continued

A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. STAVOLA TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE FOREGOING FOR THE REASON STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED UNANIMOUSLY.

4.3.2 PROPERTY ACQUISITION

Town Attorney Buturla requests taking the foregoing item into executive session for the purpose being it is a property acquisition that disclosure of the facts and circumstances may result in a value increase. Mr. Buturla would like that motion to include members of the Council, The Mayor, and himself.

A MOTION WAS MADE BY MR. STAVOLA SECONDED BY MR. BARKER TO ENTER INTO EXECUTIVE SESSION PRIOR TO THE CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE ABOVE CITED ITEM WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION PASSED UNANIMOUSLY.

Stratford Town Council meeting recessed: 10:00 p.m.

Stratford Town Council meeting reconvened: 10:03 p.m.

5. UNFINISHED BUSINESS5.2 ABANDONMENT OF WASHINGTON AVE, §8-24 REVIEW CONDUCTED BY THE PLANNING COMMISSION.

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. BARKER TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED UNANIMOUSLY.

5.3 TABLED ITEMS5.3.4 RESOLUTION re: STRATFORD ARMY ENGINE PLANT — (tabled during Special Council meeting of January 18, 2007)

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

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UNFINISHED BUSINESS — continuedTABLED ITEMS — continuedRESOLUTION re: STRATFORD ARMY ENGINE PLANT — continued

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. O'NEAL TO APPROVE THE FOREGOING RESOLUTION.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. CAMILLO TO AMEND THE RESOLUTION AS CITED BELOW: MR. FORRESTER MADE A FRIENDLY AMENDMENT AT PARAGRAPH #10 TO READ “NOW THEREFORE, the Stratford Town Council, ~~urges~~ directs ~~the chief elected officer to formally request in writing~~ acting through its chief elected official, contact the entire Connecticut...” MESSRS. JULIAN AND O'NEAL ACCEPT THE FRIENDLY AMENDMENT.

Sponsored by: Hon. Michael Julian, 1st District Council Member
Hon. Alvin O'Neal, 2nd District Council Member
Hon. Gavin B. Forrester, III, 3rd District Council Member
Hon. Angelo Stavola, 4th District Council Member
Hon. Raymond Barker, 5th District Council Member
Hon. John D. Miranda, 6th District Council Member
Hon. William Stroomer, 7th District Council Member
Hon. Robert V. Camillo, 8th District Council Member
Hon. Michael Henrick, 10th District Council Member

WHEREAS, the Stratford Army Engine Plant was closed by the Department of the Army pursuant to a final recommendation of the 1995 Defense Base Closure and Realignment Commission; and

WHEREAS, the Town of Stratford, on January 8, 2007 confirmed its selection of Team Stratford as its developer of the Stratford Army Engine Plant; and

WHEREAS, the expeditious and comprehensive reuse of the Stratford Army Engine Plant is necessary for the recovery and economic development of the Town of Stratford, and the region as a whole; and

WHEREAS, the proper remediation of the environmental contamination at the Stratford Army Engine Plant is necessary for the protection of human health and the environment and for the successful economic redevelopment of the site; and

WHEREAS, the Town of Stratford has engaged in a serious and meaningful dialogue with the Army and Team Stratford designed to determine the optimum approach to restore the Stratford Army Engine Plant to productive use in as expeditious manner as possible; and

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RESOLUTION re: STRATFORD ARMY ENGINE PLANT — continued

WHEREAS, the Army has commenced the public sale of the Stratford Army Engine Plant through a statutory early transfer process in conjunction with the General Services Administration; and

WHEREAS, Team Stratford has sought to obtain a portion of the property from the Town by virtue of the Towns use of a no cost economic development conveyance in conjunction with the statutory early transfer process; and

WHEREAS, as a result of this dialogue the Town of Stratford has determined that a new approach different than that proposed by the Army or Team Stratford is prudent; and

WHEREAS, the Town of Stratford has determined that its twin goals of productive redevelopment and full environmental remediation of the Stratford Army Engine Plant may only be achieved by special legislation cutting through the bureaucratic delays associated with the traditional transfer process and the lack of designated funding for the environmental remediation.

NOW THEREFORE, the Stratford Town Council, urges acting through its chief elected official, contact the entire Connecticut Congressional delegation to aid the Town of Stratford by supporting specific Federal legislation that:

1. Precludes the Army from disposing of the surplus land at the Stratford Army Engine Plant by Auction or other form of public sale, a recently announced by the Department of the Army, or by any other means that will not result in the economic revitalization of the area provided that;
2. The Army conveys the surplus land at the Stratford Army Engine Plant to the Town of Stratford at no cost, such that the reuse of the property may best aid in the economic development of the Town of Stratford, and the region as a whole, and further provided that
3. Sufficient funds, of not less than \$150,000,000.00 be appropriated to the Town of Stratford for the expeditious remediation of the environmental contamination at the Stratford Army Engine Plant to ensure that the site may be developed without restrictions or limitations on use and without environmental or ecological risk.

THE MOTION TO AMEND PASSED UNANIMOUSLY. THE MOTION TO APPROVE AS AMENDED PASSED UNANIMOUSLY.

6. ORDINANCES AND RESOLUTIONS

6.1 RESOLUTION RE: SAEP

Sponsored by: Hon. Robert V. Camillo, 8th District Council Member

RESOLVED: that we request the assistance of our Federal delegation, U.S. Senator Christopher Dodd, U.S. Senator Joseph Lieberman and U.S. Representative Rosa DeLauro to continue the redevelopment of the SAEP through the U.S. Army BRAC process utilizing the remediation and redevelopment expertise of the Monti-Posillico Group and Team Stratford, LLC.

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. O'NEAL TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION PASSED UNANIMOUSLY.

6.2 ORDINANCE: ALCOHOL IGNITION INTERLOCKS (#07-07)

Sponsor: Hon. Alvin O'Neal 2nd District Councilman

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. (*Appended as pages 23-27C*)

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. FORRESTER TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY.

7. NEW BUSINESS

7.1 TOWN HALL RENOVATIONS

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

7.2 INVESTIGATION OF CAO

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

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO WAIVE THE COUNCIL RULES OF ORDER TO INCLUDE AN ADDITIONAL ITEM ENTITLED "SHAKESPEARE THEATER". THE MOTION PASSED UNANIMOUSLY.

SHAKESPEARE THEATER — Mr. Stavola presented a brief progress report and commented that the matter is going forward according to the time line.

7.3 APPOINTMENTS

7.3.1 ASSESSMENT APPEALS, BOARD OF — Appointed by Council

7.3.1.1 REGULAR MEMBER — 4-year term

RESOLVED: that HOWARD E. JOHNSON of 24 WATKINS STREET be and is hereby appointed a regular member of the Board of Assessment Appeals (term of Howard E. Johnson expired Jan. 1, 2007).

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. FORRESTER TO REAPPOINT HOWARD E. JOHNSON TO THE FOREGOING POSITION. THE MOTION PASSED UNANIMOUSLY.

7.3.1.2 ADDITIONAL (TEMP.) MEMBER — 2-year term (year of and year after reval)

RESOLVED: that _____ of _____ be and is hereby appointed an additional, temporary member of the Board of Assessment Appeals (term of Robyn Greenspan expired Dec. 31, 2006).

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

Stratford Town Council meeting recessed: 10:52 p.m.
Stratford Town Council meeting reconvened: 11:00 p.m.

ADJOURNMENT — Hearing no further discussion in connection with the above agenda items or further business, Chairman Pro Tem Henrick called for a motion to adjourn. ON A MOTION MADE BY MR.STAVOLA SECONDED BY MR. MIRANDA, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 11:01 P.M.

ATTESTED BY:

Carol Cabral

Carol Cabral, Council Clerk

ORDINANCE: DEDICATED FUNDS ORDINANCE (#07-02)

Sponsored by: Hon. Gavin B. Forrester, Third District Council Member

— § — **A. Acceptance**

The Town is authorized to accept monetary donations from charitable donors, which funds are directed to be utilized for a specific purpose.

B. Fund Maintenance

The funds shall be set forth on the balance sheet of the Town describing the specific purpose for which they are dedicated. Said funds shall continue to be set forth in that manner until expended for the specific purpose for which they have been donated.

AN ORDINANCE REPEALING §§3-1 and 3-2 OF THE CODE OF THE TOWN OF STRATFORD RE: THE TOWN COUNCIL MEETING AGENDA (#06-21)

WHEREAS, section 1-225(c) of the Connecticut General Statutes states that the “agenda of the regular meetings of every public agency...shall be made available to the public and shall be filed, not less than twenty-four hours before the meetings to which they refer,” with the Town Clerk; and

WHEREAS, section 1-212(a)(2) of the Connecticut General Statutes states that the fee for any copy provided in accordance with the Freedom of Information Act shall not exceed fifty cents per page;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE STRATFORD TOWN COUNCIL that following sections of the Code of the Town of Stratford known as 3-1 and 3-2, respectively be, and hereby are, repealed as they are superseded by the Connecticut General Statutes (deletions are indicated by [~~striking out text in brackets~~] and additions are indicated by UNDERLINING TEXT IN ALL CAPITAL LETTERS):

~~§ 3-1. Copies to be placed with Town Clerk.~~

~~—The office of the Town Manager shall place a sufficient number of copies of the agenda of the Town Council meeting, for public distribution, one copy for each, on a no charge basis, with the office of the Town Clerk.~~

~~§ 3-2. Time limit on placement.~~

~~—The Town Manager's office shall cause these copies to be placed with the Town Clerk not later than one day following distribution of the Town Council agenda to the Town Council.~~

AN ORDINANCE TO AMEND §1-2 OF THE CODE OF THE TOWN OF STRATFORD RE: RULES OF CONSTRUCTION (#07-03)

SPONSORED BY: Hon. William A. Stroomer, Council Member – District Seven

WHEREAS, the electors of the Town of Stratford voted by referendum to revise the Charter of the Town of Stratford at the General Election held on November 4, 2003; and

WHEREAS, pursuant section 5.1.1 of the former Charter, the Town Manager was the chief executive officer of the Town; and

WHEREAS, pursuant to section 1.1 of the revised Charter, the Mayor is now the chief executive officer of the Town; and

WHEREAS, said Charter became effective, pursuant to section 9.5.1 (a) thereof, on December 12, 2005, at 8:00 p.m.; and

WHEREAS, there are sections of the Code of the Town of Stratford which have not been amended to provide for the change from a Council-Manager form of government to a Mayor-Council form of government as provided for by the current Charter of the Town of Stratford;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE STRATFORD TOWN COUNCIL that section 1-2.B of the Code of the Town of Stratford be, and hereby is, amended as follows (deletions are indicated by [striking out text in brackets] and additions are indicated by UNDERLINING TEXT IN ALL CAPITAL LETTERS):

ARTICLE I, Miscellaneous Provisions [Adopted as Ch. 1 of the 1963 Code]

§ 1-2. Definitions; rules of construction.

In the construction of this Code and of all ordinances of the Town, the following definitions and rules of construction shall be observed, unless they are inconsistent with the manifest intent of the Town Council or the context clearly requires otherwise.

* * *

B. Rules of construction.

- (1) Computation of time. The time within which an act is to be done shall be computed by excluding the first and including the last day, and, if the last day is Sunday or a legal holiday, that day shall be excluded.
- (2) Gender. Words importing the masculine gender include the feminine and neuter.

AN ORDINANCE TO AMEND §1-2 OF THE CODE OF THE TOWN OF STRATFORD RE:
RULES OF CONSTRUCTION (#07-03) — continued

- (3) Joint authority. All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers unless otherwise specifically provided.
- (4) Number. A word importing the singular number only may extend and be applied to several persons or things, and a word importing the plural number may apply to one person or thing.
- (5) TOWN MANAGER. IN SECTIONS 5-5. 5-6. 5-11, 5-14. 5-15. 5-80. 5-81. 6-2. 6-3, 7-4. 8-3. 8-6, 14-2. 14-4, 14-7. 22-8, 22-9. 25-36. 25-45. 25-46. 35-3. 42-13. 44-3. 44-18, 58-1. 83-10, 83-13, 83-21. 88-2, 88-4. 88-5, 116-23. 133-14. 133-15, 140-6. 143-2. 144-1, 144-2. 144-3. 153-2. 161-2. 182-13. 186-12. 186-14. 186-45. 186-52. 191-10. 191-13, 196-1. 203-26. 214-3, 214-4. 214-5. 214-7. & 214-8 OF THIS CODE. UNLESS OTHERWISE PROVIDED BY THE CHARTER OF THE TOWN OF STRATFORD. OR ANY OTHER APPLICABLE LAW. AND UNTIL SUCH SECTION HAS BEEN AMENDED BY ORDINANCE OF THE STRATFORD TOWN COUNCIL:
- (a) ANY POWER. RIGHT OR AUTHORITY FORMERLY CONFERRED BY THIS CODE UPON THE TOWN MANAGER SHALL BE DEEMED AND CONSTRUED TO BE CONFERRED UPON THE MAYOR:
- (b) ANY DUTY. OBLIGATION OR RESPONSIBILITY FORMERLY IMPOSED BY THIS CODE UPON THE TOWN MANAGER SHALL BE DEEMED AND CONSTRUED TO BE IMPOSED UPON THE MAYOR:
- (c) ANY CORRESPONDENCE OR NOTIFICATION OF ANY KIND FORMERLY REQUIRED BY THIS CODE TO BE SERVED UPON. DELIVERED TO. OR PROVIDED BY THE TOWN MANAGER SHALL BE DEEMED AND CONSTRUED TO BE CORRESPONDENCE OR NOTIFICATION REQUIRED TO BE SERVED UPON. DELIVERED TO. OR PROVIDED BY THE MAYOR.

ORDINANCE RE WAIVER OF SMALL PROPERTY TAX AMOUNTS DUE PURSUANT TO C.G.S. § 12-144C (#07-04)

WHEREAS, section 12-144c of the Connecticut General Statutes provides that any municipality may waive any property tax due in an amount less than twenty-five dollars by action of its legislative body before the date such tax is due;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE STRATFORD TOWN COUNCIL that the Code of the Town of Stratford be, and hereby is, amended as follows:

Chapter 191, Article **XH**, Waiver of Taxes § 191-28.

Waiver of property tax under twenty-five dollars.

Commencing with the fiscal year beginning July 1, 2007, and continuing each and every fiscal year thereafter, any property tax due in an amount less than ~~twenty five dollars (\$25.00)~~ five dollars (\$5.00) shall be waived in accordance with the provisions of section 12-144c of the Connecticut General Statutes.

ORDINANCE: ALCOHOL IGNITION INTER LOCKS (#07-07)

Reason for Alcohol Ignition Interlock:

Stratford is always following behind other Towns and Cities in the State of Connecticut when creating and instituting Ordinances and Laws. It is time for Stratford to show that we can lead the State in instituting a program that will work for A Connecticut Without Drunk Driving.

Drunk driving continues to devastate America. Approximately 13,000 people are killed yearly by drunk drivers with an illegal alcohol level of .08 blood alcohol content or above

Alcohol ignition interlocks require drivers to pass a breath test to demonstrate sobriety before their cars will start. The Alcohol Ignition Interlocks are set at .02 or .025 to allow for small variations in accuracy of the breath test device and to avoid locking the ignition of drivers with very small amounts of alcohol from mouthwash, communion wine or other sources. There would be no drunk driving crashes if it were impossible for drunks to drive.

Most first-time offenders have driven drunk many times before they are arrested and convicted. If not prevented by an interlock, many will continue to drink and drive.

Alcohol affects a driver's actions. These effects can be observed in hand and eye movements and how the vehicle accelerates, brakes, steers and maintains its position on the road.

Something to remember is that two-thirds of drunk driving offenders continue to drive even when their license is suspended.

What is the cost of a love one? Should we continue to wait until this happens to you, a friend or a loved one or be pro-active and put this ordinance in place now?

Whereas, The Mayor, The Stratford Town Council, The Stratford Police Department in corroboration with MADD will work together to promote safety of its residents from persons convicted of DUI offences in the Town of Stratford.

Alcohol Ignition Interlocks

Definition: An Alcohol Ignition Interlock is a device that is installed into motor vehicles to prohibit individuals under the influence of alcohol from operating the vehicle. Individuals are required to blow into the device before starting the vehicle. If the device detects alcohol, it will prevent the vehicle from starting. In addition, at random times during the operation of the vehicle, the driver will be prompted to blow into the device to ensure they are not under the influence.

Persons Who Qualify for Alcohol Ignition Interlocks: Any Stratford Resident convicted of DUI shall be required within 30 days of said conviction and notification by the Stratford Police

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ORDINANCE: ALCOHOL IGNITION INTER LOCKS (#07-07) — continued

Department in writing, to go to an approved Stratford Alcohol Ignition Interlock installer. Person must bring copy of letter to Stratford Alcohol Ignition Interlock installer. Upon successful completion of installation, Stratford Alcohol Ignition Installer shall notify Stratford Police Department lettered persons have complied with letter requiring the installation of an Alcohol Ignition Interlock device to all of their registered vehicles.

Penalty for Non-Compliance of Installation of Alcohol Ignition Interlock Device:

After 30 days of dated letter, the Stratford Police Department shall cause such vehicle or vehicles to be removed by towing at the direction of the Stratford Police Department. Impounded Vehicles shall remain impounded until the owner makes arrangements with Stratford Alcohol Ignition Interlock Installer to have device installed in required number of vehicles.

Length of Alcoholic Ignition Interlocks: The Alcohol Ignition Interlocks shall remain installed until the offender has demonstrated a period of sober driving.

First Time Offenders: The Alcohol Ignition Interlock shall remain on their vehicle for Two Years.

Second Time Offenders: The Alcohol Ignition Interlock shall remain on their vehicle for Two Years.

Third Time Offenders: The Alcohol Ignition Interlock shall remain on their vehicle for Three Years.

Fourth Time Offenders: The Alcohol Ignition Interlock shall remain on their vehicle for Lifetime

Persons whose data information from the data recorder shows the levels have been consistently below the preset BrAC for the years prescribed, the Stratford Police Department shall give to First, Second or Third Time Offenders a letter in writing releasing them from said program successfully and having the Stratford Alcohol Ignition Interlock Installer to remove the Alcohol Ignition Interlock from their vehicle and or vehicles.

How an Alcohol Ignition Interlock Works:

Start-Up: To start their vehicles, drivers are required to blow a sample of alveolar (deep lung) breath into the device before starting the vehicle. If the device detects alcohol at a level greater than or equal to .025 percent Breath Alcohol Concentration (BrAC), the device will prevent the vehicle from starting; and will enter into a period of lockout. A lockout is a period of time that the device shall not allow for an additional breathe test attempt to start the vehicle. A lockout period for an initial high breath test is five (5) minutes. If the driver’s BrAC remains too high upon completion of a second breath test, the next and all subsequent lockout periods will be thirty (30) minutes.

1. Rolling Retest Feature: In addition to passing a breath test to start the vehicle, at periodic times during the operation of the vehicle, the device will prompt the driver to provide a

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ORDINANCE: ALCOHOL IGNITION INTER LOCKS (#07-07) — continued

Breath test to ensure that the driver is not under the influence of alcohol. From the time the device prompts the driver that a test is needed, the driver of the vehicle has six (6) minutes to actually administering the breath test.

To prevent potential hazardous situations for the driver of a vehicle equipped with ignition interlock or for other motorist sharing the roadways, no ignition interlock device approved for use in Stratford Connecticut will automatically shut off the engine of the vehicle for the driver's failure to respond to a rolling retest.

Early Recall: Early recall is a condition that requires the driver of the vehicle to return the vehicle to an ignition interlock installation service center for unscheduled service. Program violations, which result in an early recall, are:

- A. 3 BrAC over .025
- B. One (1) rolling retest violation
- C. One (1) event of tampering with the ignition interlock device
- D. Any other violation of restrictions placed upon the ignition interlock program participant by the Stratford Police Department and or the local judicial authority.

When the early recall is initiated, a program participant will have five (5) days to return the vehicle to the installation service center for service. If the vehicle is returned to the installation service center, the participant will incur additional program costs. Failure to return within this allotted time will cause the device to enter into a five (5) day grace period countdown. If the grace period countdown is exceeded, the vehicle will enter into a permanent lockout condition. Permanent lockouts result in the vehicle being towed to the installation service center. The costs incurred for towing are the responsibility of the program participant and are in addition to the costs for the unscheduled service.

Monitoring: Program participants not experiencing device problems or committing program violations must report for monitoring service calls to the installation service center. The first monitoring service call is scheduled for thirty (30) days after the initial installation of the device. Subsequent monitoring service calls are then scheduled for every sixty (60) days for the duration of the program. During these monitoring service calls, installation service center technicians check the vehicle and the device for evidence of tampering; recalibrate the device to ensure that it is receiving and recording accurate BrAC's; download and review the device's data log which records all activity

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ORDINANCE: ALCOHOL IGNITION INTER LOCKS (#07-07) — continued

Who Installs Ignition Interlock: The Town of Stratford's Mayor in corroboration with the Stratford Police Department shall determine approved local businesses who are trained and who shall work close with the Stratford Police Department to ensure proper compliance of this program.

Additional information/photos appended as pages.

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