



TOWN OF STRATFORD

CONNECTICUT
06615

MINUTES OF MEETING

STRATFORD TOWN COUNCIL
MAY 14, 2007

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, MAY 14, 2007 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:06 p.m.

PRESIDING: Council Chairman James Feehan

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. Jim Feehan, Mr. Michael Henrick

COUNCIL MEMBERS ABSENT: — none

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

INVOCATION BY SIXTH DISTRICT COUNCIL MEMBER JOHN D. MIRANDA FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of: Regularly scheduled meeting, public forum, and executive session of April 9, Public Hearing re: CDA of April 9 and special Council meeting of April 23, 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 MIRANDA SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 10 TO 0.

2. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. Julian — re: Removing the dip in the road on Main Street near the Airport.

COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM — continued

Mr. O'Neal — re: compliments expressed to Council, Senior Citizen tax relief, Board of Education budget.

Mr. Stavola — re: West Avenue

Mr. Barker — re: Compliments expressed to Council, budget

Mr. Miranda — re: Compliments expressed to Council, budget

Mr. Stroomer — re: budgetary issues

Mr. Camillo — re: Compliments to Council

Mr. Henrick — re: Senior Citizen Tax Relief

3. COMMUNICATIONS

3.1 LETTERS OF RESIGNATION — (previously forwarded)

3.1.1 FROM: Drew Bodington, Roosevelt Forest Commission
Dated: April 13, 2007

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

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED 10 TO 0.

3.1.2 FROM: Patricia Stosak, Beautification Committee
Dated: May 1, 2007

RESOLVED: that the resignation of Patricia Stosak from the Beautification Committee be and is hereby accepted.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. STAVOLA TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED 10 TO 0.

3.2 UPDATE FROM MONTI-POSILLICO re: SAEP — Mr. Don Monti presented a brief update.

**3.3 LETTER FROM PLANNING COMMISSION (Correspondence previously forwarded)
DATED: May 7, 2007
RE: § 8-24 Review of Proposed wireless facilities at Bunnell High School and Wooster Park or Wooster Middle School**

COMMUNICATIONS — continuedLETTER FROM PLANNING COMMISSION — continued

At the regularly scheduled meeting of the Planning Commission of April 24, 2007, the Planning Commission reviewed the subject matter as referred from Council Meeting of April 11, 2007. The Commission voted to DISAPPROVE the proposal.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. O'NEAL TO PLACE THE FOREGOING COMMUNICATION ON THE TABLE. THE MOTION PASSED 10 TO 0.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO WAIVE THE COUNCIL RULES OF ORDER TO ADD A COMMUNICATION ENTITLED "2007 NATIONAL ASA WOMEN'S 23 AND UNDER FAST PITCH SOFTBALL TOURNAMENT". THE MOTION PASSED 10 TO 0.

2007 NATIONAL ASA WOMEN'S 23 AND UNDER FAST PITCH SOFTBALL TOURNAMENT

Mr. DeLuca, organizer of the event, forwarded the above entitled, time-sensitive communication with resolution. Action may be necessary and, therefore will be placed on the next Council agenda.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 10 TO 0.

4. MAYOR'S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY'S REPORTS**4.1 MAYOR'S REPORT**

4.1.1 LETTER FROM THE CONNECTICUT CONGRESSIONAL DELEGATION RE THE SAEP. — Informational item. Action not required.

4.1.2 LETTER FROM TRANE COMMERCIAL SYSTEMS RE BIRDSEYE SCHOOL CLASSROOM NOISE AND HUMIDITY ISSUES. — Mayor Miron referred the letter to the Building Needs Committee meeting.

MAYOR'S REPORT — continued4.1.3 RESOLUTION RE STATE HISTORICAL RECORDS ADVISORY BOARD – FY2008 COMPETITIVE GRANTS.

RESOLVED: That James R. Miron, Mayor of the Town of Stratford is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for a Historic Documents Preservation Grant.

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

4.1.4 RESOLUTION RE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS/MEDICAL RESERVE CORPS CAPACITY BUILDING AWARD.

RESOLVED, that James R. Miron, Mayor of the Town of Stratford, is hereby empowered to execute and deliver, in the name and on behalf of the Town of Stratford, an agreement with the National Association of County and City Health Officials known as Contract #MRC 07301; to execute and deliver any and all amendments to, or rescissions of such agreement; and to execute and deliver any and all related documents necessary to provide the services contemplated therein or receive the payment for such services as stated in said contract.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 10 TO 0.

4.1.5 RESOLUTION RE JOINT MAYOR-COUNCIL TASK FORCE ON ENERGY AND ENVIRONMENT

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

Whereas, an Energy Use Committee was formed by the Mayor as an administrative committee “to make recommendations regarding conservation strategies for future energy use and specifically the use of alternative energy sources other than fossil fuels;” and

Whereas, the committee met with experts specializing in various energy use areas; and

Whereas, due to municipal demand for energy in conjunction with world political circumstances energy costs will continue to increase; and

Whereas, the Energy Use Committee has examined the broad spectrum of energy use in municipal buildings and alternate energy use options; and

RESOLUTION RE JOINT MAYOR-COUNCIL TASK FORCE ON ENERGY AND ENVIRONMENT — continued

Whereas, the Energy Use Committee made recommendations for both long term and short term goals utilizing the information gathered during the investigation phase; and

Whereas, additional study is necessary to fully evaluate the cost benefit and funding requirements of the recommendations; and

Whereas, funding is or would be necessary for further study and implementation of the recommendations; and

Whereas, the aforementioned issues also have a profound impact on the environment;

Now, therefore, be it resolved that a Joint Mayor-Council Task Force be, and hereby is, as follows:

A. Purposes:

- 1) reviewing the report and recommendations of the Energy Use Committee;
- 2) considering additional related energy and environmental issues including, but not limited to, current and future availability of fossil fuels, air quality, climate impact, and funding concerns; and
- 3) making recommendations to the Mayor and the Town Council regarding the priority, implementation, funding and execution of the Task Force's findings.

B. Composition: The Task Force shall be composed of seven (7) members appointed as follows:

- 1) The Mayor, or the Mayor's designee;
- 2) Two (2) members appointed by the Mayor, one of whom shall be a member of the opposite party of the Mayor;
- 3) The Town Council Chairman, or the Town Council Chairman's designee;
- 4) Two (2) members of the Town Council selected by the Town Council, one of whom shall be of the opposite party of the majority of the Town Council, or such Council Member's designee;
- 5) One (1) member selected by vote of not less than four of the members described above;
- 6) The Mayor shall appoint any one of the aforementioned members to chair the Task Force;

C. Term, removal and vacancies:

- 1) Members shall serve until the submission of a final report by the Task Force, or until sooner replaced by the authority that appointed them;
- 2) Members may be removed, with or without cause, by the authority that appointed them;
- 3) In the event of a vacancy on the Task Force for any reason, such vacancy shall be filled in the same manner as originally appointed;

RESOLUTION RE JOINT MAYOR-COUNCIL TASK FORCE ON ENERGY AND ENVIRONMENT — continued

D. Duties:

- 1) The members of the Task Force shall be appointed no later than June 30, 2007*;
- 2) The Task Force shall have an organizational meeting no later than July 31, 2007*;
- 3) The Task Force shall meet not less than once per month;
- 4) The Task Force shall prepare a draft preliminary report of its findings and recommendations and submit same to the Mayor and the Town Council no later than December 31, 2007.
- 5) The Task Force shall prepare a final report of its findings and recommendations and submit same to the Mayor and the Town Council no later than March 31, 2008.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. BARKER TO APPROVE THE FOREGOING RESOLUTION WITH THE FRIENDLY AMENDMENT BY MR. JULIAN TO CHANGE DATES IN ITEM “D. – Duties” ABOVE. THE MOTION PASSED 10 TO 0 AS AMENDED.

4.1.6 ORDINANCE RE HOUSATONIC RIVER ESTUARY COMMISSION (#07-15)

sponsored by: Hon. Gavin B. Forrester, III – Third District Council Member

§5-91. Creation; purpose.

The Stratford Housatonic River Estuary Commission is hereby created by the Stratford Town Council pursuant to section 25-70 of the Connecticut General Statutes. The Stratford Housatonic River Estuary Commission shall have all of the powers and duties stated herein and such other powers and duties as provided by any other applicable federal, state and local law.

§5-92. Membership.

- A. The Stratford Housatonic River Estuary Commission shall consist of three (3) regular members and two (2) alternate members, appointed by the Mayor, who shall all serve for terms of four (4) years commencing with the effective date of this ordinance and all of whom shall be electors of the Town of Stratford.
- B. Alternate members may attend all meeting and discuss any and all agenda items, but shall, in rotation, substitute for an absent regular member at any meeting of the Commission during which substitution the alternate member shall have the right to vote on any matter introduced or pending before the Commission.

* As amended.

ORDINANCE RE HOUSATONIC RIVER ESTUARY COMMISSION (#07-15) — continued

- C. Vacancies in the regular or alternate membership for any reason shall be filled by appointment of the Mayor, but the term of a regular or alternate member chosen to fill a vacancy shall only be the remainder of the term of the member creating the vacancy.

§5-93. Powers and duties.

- A. The Commission may employ expert and such other assistants as it judges necessary and may accept funds from any source. Notwithstanding any provision of the Connecticut General Statutes or the Town Code, funds appropriated to the Commission, or received by the Commission from any other source, shall be held in the custody of the Commission and expended by the Commission for the purposes set forth in subsection (b) of this section.
- B. The Commission may study any issues relating to the Housatonic River and may make such recommendations as may be necessary to maintain, protect and restore the resources of the estuary of the Housatonic River. The Commission shall consider the adverse impact any action proposed in or for the Housatonic River estuary may have upon the marine resources of said river. The Commission may prepare and submit a report to the local legislative bodies of the towns represented on said Commission.

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. HENRICK SECONDED BY MR. MIRANDA TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 10 TO 0.

4.1.7 QUESTIONS TO MAYOR OR STAFF

Mr. Julian — re: Flooding on Main Street near Airport

Mr. Stavola — re: West Avenue issue as referred to during Public Forum

Mr. Miranda — re: Utility Co. and Road Patching/Paving, Lobdell and Sheppard Sts., additional garbage cans at Parks prior to the summer season.

Mr. Henrick — re: Road patching/paving on Broadbridge Ave. and Brookbend Drive.

4.2 COMMITTEE REPORTS

4.2.1 ORDINANCE COMMITTEE — The Ordinance Committee conducted public hearings on April 23, May 1 continued to May 3 and a regularly scheduled meeting on April 23, a special budget work session on May 5 recessed to 10, 2007 with the following referrals to Council:

- A. ORDINANCE RE: ALLOCATION OF FUNDS COLLECTED AS A RESULT OF CLAIMS OR FINES LEVIED FOR ILLEGAL REMOVAL OR DAMAGE TO TOWN OF STRATFORD OWNED TREES. (#07-10)

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 25)*

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. CAMILLO TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE 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 — YES. THE MOTION PASSED 10 TO 0.

- B. ORDINANCE RE: PROPOSAL FOR FISCAL RESPONSIBILITY AND TAX RELIEF (#07-14)

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 23-24)*

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. HENRICK TO APPROVE THE FOREGOING ORDINANCE FOR FINAL PASSAGE. MR. HENRICK OFFERED A FRIENDLY AMENDMENT TO INCLUDE THE FINANCE DIRECTOR AND PLANNING DIRECTOR AS EXOFFICIO MEMBERS OF THE TASK FORCE. MR. O'NEAL OFFERED AN ADDITIONAL FRIENDLY AMENDMENT TO INCLUDE A STRATFORD AARP MEMBER AS AN EXOFFICIO MEMBER OF THE TASK FORCE. THE FRIENDLY AMENDMENTS WERE ACCEPTED. THE MOTION PASSED 10 TO 0 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 — YES.

COMMITTEE REPORTS — continued

- 4.2.5 PARKS AND RECREATION COMMITTEE — This committee conducted the regularly scheduled meeting on April 26, 2007 at which time the following was referred to Town Council with favorable recommendation.

Recognition of Individuals — Changing the name of North End Park to James Dillon Park.

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. STAVOLA TO PLACE THE FOREGOING ITEM ON THE TABLE UNTIL WHICH TIME THE TOWN ATTORNEY CAN VERIFY THAT ALL REQUIREMENTS FOR NAMING WERE MET. THE MOTION PASSED 10 TO 0.

- 4.2.17 ROOSEVELT FOREST COMMISSION — No information is available for the month of April 2007. Mr. Feehan affirmed that an organizational meeting will take place Wednesday.

- 4.2.21 BEAUTIFICATION COMMITTEE — The Beautification Committee did not conduct the regularly scheduled meeting of April 3, 2007. Mr. Stavola, Chairman of the Committee, stated that Project Greensweep will go forward on Saturday, May 19 with a rally commencing at 9 a.m. at Town Hall.

4.3 TOWN ATTORNEY'S REPORT

- 4.3.1 WEST LONG BEACH COTTAGES — 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.

A MOTION WAS MADE BY MR. HENRICK, SECONDED BY MR. FORRESTER TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE FOREGOING ITEM FOR THE REASON STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED 10 TO 0.

- 4.3.2 STRATFORD vs. VINCENT QUINTO — Mr. Buturla updated Council Members as to the progress with the foregoing litigation. Action not required.

- 4.3.3 GBTD vs. GBTA — Mr. Buturla updated Council Members as to the progress with the foregoing litigation. Action not required.

TOWN ATTORNEY'S REPORT — continued

4.3.4 SHAKESPEARE THEATER — No further information.

4.3.5 QUESTIONS TO THE TOWN ATTORNEY — No questions.

5. UNFINISHED BUSINESS

5.1 COUNCIL AGENDA — Final version adopted April 10, 2006. (*Appended as page 13*). The agenda items were reviewed as to progress or updates. Mr. Stroomer reported that “Phase 3” for item #9 will commence.

5.2 AIRPORT PURCHASE — No further information.

5.3 TABLED ITEMS — All items remained on the table.

5.4 TABLED ORDINANCES

5.4.3 ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05)
sponsored by: The Honorable Town Council

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (*Ordinance appended as page 14-22*)

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. MIRANDA TO REMOVE THE FOREGOING ORDINANCE FROM THE TABLE. THE MOTION PASSED 10 TO 0.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. O’NEAL TO APPROVE THE FOREGOING ORDINANCE. MR. O’NEAL OFFERED A FRIENDLY AMENDMENT TO INCLUDE A STRATFORD AARP MEMBER AS A MEMBER OF THIS COMMITTEE. After Attorney Buturla stated that the addition would be inappropriate, Mr. O’Neal withdrew the friendly amendment. Mr. Buturla presented an amendment re: § 191-5.3 (3) TAX DEFERRAL (Page 20)

TABLED ORDINANCES — continued

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued

THE MOTION PASSED 10 TO 0 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 — YES.

5.5 TABLED APPOINTMENTS

5.5.5 WATERFRONT HARBOR MANAGEMENT COMMISSION, appointed by Town Council

5.5.5.1 ALTERNATE MEMBERS, 2-year term of Office

A. RESOLVED: that DEVIN JON SANTA of 116 WEST BEACH DRIVE be and is hereby appointed an alternate member of the Waterfront Harbor Management Commission. (term of Carl Ferrarese, Sr. expired May 30, 2006)

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. MIRANDA TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED 10 TO 0.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. CAMILLO TO APPOINT DEVIN JON SANTA OF 116 WEST BEACH DRIVE AS AN ALTERNATE MEMBER OF THE WATERFRONT HARBOR MANAGEMENT COMMISSION. THE MOTION PASSED 10 TO 0.

6. ORDINANCES AND RESOLUTIONS

6.1 RESOLUTION SUPPORTING RAYMARK CONSOLIDATION -

Sponsored by: Hon. Michael Henrick, Tenth District Council Member

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. CAMILLO TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION PASSED 10 TO 0.

7. NEW BUSINESS

7.1 APPOINTMENTS

7.1.1 BEAUTIFICATION COMMITTEE — Term concurrent with Town Council term (Dec. 2007).

RESOLVED: that _____ of _____ be and is hereby appointed a member of the Beautification Committee. (vacated position of Rosemary Harrison)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. HENRICK TO PLACE THE FOREGOING APPOINTMENT ON THE TABLE. THE MOTION PASSED 10 TO 0.

Stratford Town Council meeting recessed: 9:30 p.m.

Stratford Town Council meeting reconvened: 9:46 p.m.

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. BARKER, SECONDED BY MR. MIRANDA, IT WAS VOTED 10 TO 0 TO ADJOURN THE MEETING AT 9:48 P.M.

ATTESTED BY:

Carol Cabral

Carol Cabral, Council Clerk

COUNCIL AGENDA

1. Develop Architectural Review Board. — **Supported by Council member M. Julian**
2. (option 1C of Feasibility Study for Animal Shelter) Move new designed building forward into the existing road, refer the above mentioned request to the Planning Commission for a mandatory review pursuant to § 8-24 of the Conn. Gen. Stats, and begin the RFP process. ~~Select developer and proposal for Shakespeare Theatre. Work with the Mayor and Town Attorney to perfect title to the Shakespeare property and determine the best proposal for site usage. Work to verify that any developer for the property has both the financial backing and experience necessary to complete the project.~~ — **Supported by Council member A. Stavola**
3. Review Long Beach West Task Force Report and begin developing a long-term action plan. Ask the Mayor to contact the U.S. Department of Fish and Wildlife for a proposal for preservation of the property in its natural state as an environmental resource. — **Supported by Council member R. Barker**
4. Investigate ways to best utilize the existing assets of Boothe Park to better serve the community. — **Supported by Council member R. Camillo**
5. ~~Appoint a committee to address conflicts in the Charter. Identify and explore any conflicts in the Charter and propose a Charter Revision Commission "if necessary" to clarify or amend language within the document.~~ — **Supported by Council member J. Feehan**
6. Ensure that the developers of Army Engine Plant have the financial resources to complete the project in a timely fashion. Continue to work with the United States Army to secure transfer of title to the Army Engine Plant and address the environmental concerns associated with that transfer. Continue to work with the developer in any way possible that facilitates the development of the site. — **Supported by Council member M. Henrick**
7. Work with the Mayor in review of a Master Economic and Community Development Plan of Action with emphasis on attracting new business into Stratford and **RETAINING** the existing businesses by making Stratford competitive with surrounding communities. Discussions to include a Redevelopment Agency and possible Tax Enterprise Zones. Examine viability of a Minority Business Enterprise Program. — **Supported by Council member A. O'Neal**
8. Determine best location for permanent home for Stratford EMS. — **Supported by Council member G. Forrester**
9. Review existing ordinances to determine their effectiveness and propose any alterations as necessary to accomplish their established objective. — **Supported by Council member W. Stroomer**
10. Consult with the Raymark Advisory Committee, DEP, & EPA and local property owners to develop an acceptable remediation plan. — **Supported by Council member J. Miranda**

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05)

SPONSORED BY: The Stratford Town Council

Chapter 191, Article III, Senior Citizen AND DISABLED Tax Relief [Adopted 2-9-1987]

§ 191-5.1. Statutory authority.

The Town of Stratford hereby [~~enacts~~] ESTABLISHES A MUNICIPAL PROPERTY TAX RELIEF PROGRAM FOR CERTAIN HOMEOWNERS AGE SIXTY-FIVE OR OVER OR PERMANENTLY AND TOTALLY DISABLED [~~tax relief for the elderly~~] pursuant to Section 12-129n of the General Statutes of Connecticut for eligible residents of the Town of Stratford for the fiscal year commencing JULY 1, 2007, [~~April 1, 1987,~~] on the terms and conditions provided herein: ~~this act to supersede and replace any tax relief ordinance now in effect~~ EFFECTIVE WITH THE FISCAL YEAR COMMENCING JULY 1, 2007, THIS ORDINANCE SHALL SUPERSEDE AND REPLACE ANY AND ALL TAX RELIEF PROGRAMS FOR SENIOR CITIZENS AND THE DISABLED.

§ 191-5.2. Eligibility.

A. Any person who owns real property in the Town of Stratford or who is liable for the payment of taxes thereon under Section 12-48 of the Connecticut General Statutes, and occupies that property as his or her principal residence, shall be eligible for real property tax [~~credit~~] RELIEF as set forth in § 191-5.3, provided [~~that~~] all of the following conditions are met:

(1) At the close of the calendar year next preceding the year in which the claim for tax relief is filed, such person shall be:

(a) ~~sixty-five (65) years of age or over;~~ OR THE SPOUSE OF SUCH PERSON, LIVING WITH HIM OR HER, SHALL BE SIXTY-FIVE (65) YEARS OF AGE OR OVER; or such person shall be sixty (60) years of age or over and the surviving spouse of a taxpayer who qualified in Stratford under this Article at the time of his or her death [~~or the spouse of such person, living with him or her, shall be sixty-five (65) years of age or over.~~]; OR

(b) UNDER THE AGE OF SIXTY-FIVE (65) YEARS AND SHALL BE ELIGIBLE IN ACCORDANCE WITH APPLICABLE FEDERAL REGULATIONS TO RECEIVE PERMANENT TOTAL DISABILITY BENEFITS UNDER THE SOCIAL SECURITY ACT, OR SHALL NOT HAVE BEEN ENGAGED IN EMPLOYMENT COVERED BY THE SOCIAL SECURITY ACT AND ACCORDINGLY SHALL HAVE NOT QUALIFIED FOR BENEFITS THEREUNDER, BUT SHALL HAVE BECOME QUALIFIED FOR PERMANENT TOTAL DISABILITY BENEFITS UNDER ANY FEDERAL, STATE OR LOCAL GOVERNMENT RETIREMENT OR DISABILITY

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued

PLAN, INCLUDING THE RAILROAD RETIREMENT ACT AND ANY GOVERNMENT-RELATED TEACHER'S RETIREMENT PLAN, IN WHICH REQUIREMENTS WITH RESPECT TO QUALIFICATIONS FOR SUCH PERMANENT TOTAL DISABILITY BENEFITS ARE COMPARABLE TO SUCH REQUIREMENTS UNDER THE SOCIAL SECURITY ACT.

- (2) Such person shall have, individually, if unmarried, or jointly, if married, during the calendar year preceding the filing of his or her claim, whether or not separate federal income taxes were paid by him and/or his spouse, adjusted gross income as defined in the Internal Revenue Code of [~~1954~~] 1986, as amended, plus tax exempt interest as defined in Section 103 of the Internal Revenue Code of [~~1954~~] 1986, as amended, [~~plus dividend exclusions as set forth in Section 116 of the Internal Revenue Code of 1954, as amended~~], plus social security benefits, railroad retirement benefits or income from other tax exempt retirement and annuity sources, plus any other income not included in the above classifications in an amount not to exceed the levels set forth in § [~~191-5.3A~~] 191-5.3 of this Article.
 - (3) Such person has resided in a residence located in the Town of Stratford for a period of [~~three (3) years~~] ONE (1) YEAR and has paid real estate taxes on a residence to the Town of Stratford for a period of [~~three (3) years~~] ONE (1) YEAR prior to his or her receipt of tax benefits under this Article, OR SUCH PERSON IS ELIGIBLE FOR THE BENEFITS OF THIS ARTICLE AS A SURVIVING SPOUSE.
 - (4) The real property for which the [~~exemption is~~] BENEFITS OF THIS ARTICLE ARE claimed must be the legal domicile of such person, and such person shall be in residence therein for at least one hundred eighty-three (183) days in each Grand List year for which the [~~exemption~~] BENEFITS are claimed. Such claim for [~~exemption~~] BENEFITS shall be for one (1) residence only.
 - (5) Before any tax [~~credit~~] RELIEF shall be given PURSUANT TO THIS ARTICLE, such person must first have applied for tax relief under any other state statute under which he or she is eligible.
- B. The benefits of this Article shall also apply to the owner of an interest in a cooperative unit and its allocated interests, subject to the conditions specified herein.
- (1) Owners of interests in a cooperative unit shall be subject to all of the conditions for eligibility set forth in § 191-5.2 and all of the other terms and conditions set forth in §§ 191-5.3, 191-5.4 and 191-5.5, except as the same are expressly modified by this § 191-5.2.A(7).
 - (2) As a precondition to eligibility for a tax credit, the owner of an interest in a cooperative unit must first have applied for and have been found eligible for benefits under the State of Connecticut Renter's Program.

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued

- (3) An application for tax relief under this Article must be made annually between June 1 and September 15, or in accordance with the period of applications under the State of Connecticut Renter's Program as the same may be modified from time to time.
 - (4) Upon the satisfaction by the unit owner of all requirements contained in this Article and upon the receipt of the information required pursuant to § 191-5.2.A(8) from the cooperative association, the Tax Assessor shall proceed to compute the amount of any tax [~~credit~~] RELIEF to which the unit owner may be entitled. The Tax Assessor shall thereupon certify the same to the Finance Department and a check in the amount of [~~said~~] ANY tax credit DUE TO SUCH UNIT OWNER shall thereafter be issued by the Finance Department in favor of said unit owner, OR ANY TAX RELIEF TO WHICH SAID UNIT OWNER IS ENTITLED SHALL BE GRANTED.
- C. Any cooperative association owning real estate located in the Town of Stratford shall as of October 1, 1993, and annually thereafter be required to file with the Tax Assessor a certificate containing the following items of information:
- (1) A list of all unit numbers of the cooperative.
 - (2) The current stock or membership certificate number for each unit.
 - (3) The name and address of the current unit owners of each unit.
 - (4) The date on which the proprietary lease was signed by each unit.
 - (5) The percentage of common interest assigned to each unit by the cooperative association, if applicable.
 - (6) A description of the size, room count or type of each unit listed on the certificate.
 - (7) The proportionate percentage of the total real estate tax assessed against the cooperative association which has been allocated by the association to each unit.
- D. No property tax [~~credit~~] RELIEF under this Article, together with any property tax relief received by such person under all applicable General Statutes of Connecticut shall exceed, in the aggregate, seventy-five percent (75%) of the tax which would, except for the General Statutes and this Article, have been laid against the person applying for property tax [~~credit~~] RELIEF hereunder.
- E. The application for tax [~~credit~~] RELIEF under this Article shall have been made by such person after he or she has become eligible to apply therefor.

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued

§ 191-5.3. Tax [~~credit~~] RELIEF.

A. ANY PERSON ELIGIBLE FOR TAX RELIEF UNDER THIS ARTICLE SHALL BE ENTITLED TO CHOSE ONE (1) OF THE FOLLOWING TYPES OF TAX RELIEF TO THE EXCLUSION OF ALL OF OTHER TYPES OF TAX RELIEF AVAILABLE UNDER THIS ARTICLE:

(1) TAX CREDIT. For applicants who elect to apply for tax credit under this Article, said credit shall be on a graduated basis AS FOLLOWS: [~~following the same annual qualifying income levels as those enacted by the state for the applicable year, except that the upper limit of Step 5 shall be twenty thousand dollars (\$20,000) or the maximum qualifying income set forth in the Connecticut General Statutes, § 12-170aa(e), as amended, for the applicable assessment year, whichever is greater.~~]

	Married	<u>[Single Benefit</u>
Income	Benefit	(80%)
Step 1	\$450.00	\$360.00
Step 2	400.00	320.00
Step 3	400.00	320.00
Step 4	350.00	280.00
Step 5	200.00]

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued

NEW TABLE

	Income		Tax Credit	
	Ove r	To	Mar ried	Un married
Ste p 1	\$0	\$14 ,400	\$50 0	\$40 0
Ste p 2	\$14 ,400	\$19 ,400	\$45 0	\$36 0
Ste p 3	\$19 ,400	\$24 ,200	\$40 0	\$32 0
Ste p 4	\$24 ,200	\$28 ,800	\$35 0	\$28 0
Ste p 5	\$28 ,800	\$35 ,300	\$30 0	\$24 0
Ste p 6	\$35 ,300	\$41 ,800	\$20 0	\$16 0

This schedule shall apply to the taxes for all fiscal years beginning July 1, 2007.

The maximum allowable income shall be at least equal to the maximum allowable income as set by the State of Connecticut for elderly tax relief, however under no circumstances shall the Town income limit be reduced below the state maximum.

(2) TAX FREEZE.

- (a) ANY APPLICANT WHO QUALIFIES FOR A TAX CREDIT UNDER THIS ARTICLE MAY, INSTEAD OF RECEIVING SUCH TAX CREDIT, ELECT TO PAY THE GROSS TAX LEVIED ON APPLICABLE PROPERTY CALCULATED FOR THE FIRST YEAR THE APPLICATION IS GRANTED (THE "FREEZE AMOUNT") AND SHALL BE ENTITLED TO CONTINUE TO PAY NO MORE THAN SUCH AMOUNT FOR EACH SUBSEQUENT YEAR IN WHICH THE APPLICANT

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued

CONTINUES TO MEET SUCH QUALIFICATIONS, BUT SHALL NOT BE ENTITLED TO ANY OTHER TAX RELIEF UNDER THIS ARTICLE.

- (b) IN THE EVENT THAT THE APPLICANT SHALL MAKE IMPROVEMENTS TO HIS PROPERTY RESULTING IN AN INCREASE IN HIS ASSESSMENT, AN AMOUNT CALCULATED BY MULTIPLYING THE INCREASE IN THE TAXPAYER'S ASSESSMENT ATTRIBUTABLE TO THE IMPROVEMENT BY THE MILL RATE IN EFFECT IN THE YEAR SUCH REASSESSMENT TAKES PLACE SHALL BE ADDED TO THE FREEZE AMOUNT IN EFFECT IMMEDIATELY PRIOR TO SUCH IMPROVEMENT TO OBTAIN A NEW FREEZE AMOUNT WHICH WILL BE THE FREEZE AMOUNT FOR SUBSEQUENT ASSESSMENT YEARS UNLESS OTHERWISE ADJUSTED IN ACCORDANCE WITH THIS ARTICLE.
- (c) PRIOR TO THE DUE DATE OF THE FIRST INSTALLMENT OF TAX EACH FISCAL YEAR, THE RECIPIENT SHALL ENTER INTO A WRITTEN AGREEMENT WITH THE TOWN PROVIDING FOR THE REIMBURSEMENT OF THE DIFFERENCE BETWEEN THE FREEZE AMOUNT AND THE AMOUNT OF TAX THAT WOULD HAVE BEEN LEVIED UPON THE APPLICANT'S RESIDENCE THAT YEAR, BUT FOR SUCH FREEZE (THE "FREEZE BENEFIT"). THE AMOUNT OF SUCH FREEZE BENEFIT SHALL BE RECORDED ON THE LAND RECORDS OF THE TOWN AND SHALL CONSTITUTE A LIEN ON THE PROPERTY PAYABLE ONLY WHEN THE PROPERTY SUBJECT TO TAXATION IS NO LONGER THE RESIDENCE OF THE APPLICANT, AS DEFINED IN THIS ARTICLE, AND THE APPLICANT'S SURVIVING SPOUSE IS NOT A PERSON ENTITLED TO TAX BENEFITS UNDER THIS ARTICLE.
- (d) THE TOTAL OF ALL FREEZE BENEFITS RECEIVED, PLUS INTEREST IN THE AMOUNT OF FOUR AND A HALF PERCENT (4.5%), SHALL BE REIMBURSED TO THE TOWN WHEN THE PROPERTY SUBJECT TO TAXATION IS NO LONGER THE RESIDENCE OF THE APPLICANT, AS DEFINED IN THIS ARTICLE, AND THE APPLICANT'S SURVIVING SPOUSE IS NOT A PERSON ENTITLED TO TAX BENEFITS UNDER THIS ARTICLE IN ACCORDANCE WITH PARAGRAPH (C) ABOVE.
- (e) THE TOTAL OF ALL DEFERRED TAXES SHALL NOT EXCEED THE ASSESSED VALUE OF THE REAL PROPERTY.
- (f) UNLESS OTHERWISE EXTENDED, THIS TAX FREEZE OPTION SHALL EXPIRE AFTER THE GRAND LIST OF OCTOBER 1, 2009.

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued(3) TAX DEFERRAL.

- (a) ANY APPLICANT WHO QUALIFIES FOR A TAX CREDIT UNDER THIS ARTICLE MAY, INSTEAD OF RECEIVING SUCH TAX CREDIT, ELECT TO DEFER SEVENTY-FIVE (75) PER CENT OF SUCH APPLICANT'S TAX DUE, LESS ALL AMOUNTS RECEIVED UNDER ANY STATE ELDERLY TAX RELIEF PROGRAM, AND SHALL BE ENTITLED TO DEFER SUCH TAX DUE UNTIL THE PROPERTY SUBJECT TO TAXATION IS NO LONGER THE RESIDENCE OF THE APPLICANT, AS DEFINED IN THIS ARTICLE, AND THE APPLICANT'S SURVIVING SPOUSE IS NOT A PERSON ENTITLED TO TAX BENEFITS UNDER THIS ARTICLE, BUT SHALL NOT BE ENTITLED TO ANY OTHER TAX RELIEF UNDER THIS ARTICLE.
 - (b) PRIOR TO THE DUE DATE OF THE FIRST INSTALLMENT OF TAX EACH FISCAL YEAR, THE RECIPIENT SHALL ENTER INTO A WRITTEN AGREEMENT WITH THE TOWN PROVIDING FOR THE REIMBURSEMENT OF THE AMOUNT DEFERRED TAXES THAT YEAR. THE AMOUNT OF SUCH DEFERRED TAXES SHALL BE RECORDED ON THE LAND RECORDS OF THE TOWN AND SHALL CONSTITUTE A LIEN ON THE PROPERTY PAYABLE ONLY WHEN THE PROPERTY SUBJECT TO TAXATION IS NO LONGER THE RESIDENCE OF THE APPLICANT, AS DEFINED IN THIS ARTICLE, AND THE APPLICANT'S SURVIVING SPOUSE IS NOT A PERSON ENTITLED TO TAX BENEFITS UNDER THIS ARTICLE.
 - (c) THE TOTAL OF ALL TAXES DEFERRED, PLUS INTEREST IN THE AMOUNT OF FOUR AND A HALF PERCENT (4.5%), SHALL BE REIMBURSED TO THE TOWN WHEN THE PROPERTY SUBJECT TO TAXATION IS NO LONGER THE RESIDENCE OF THE APPLICANT, AS DEFINED IN THIS ARTICLE, AND THE APPLICANT'S SURVIVING SPOUSE IS NOT A PERSON ENTITLED TO TAX BENEFITS UNDER THIS ARTICLE IN ACCORDANCE WITH PARAGRAPH (B) ABOVE.
 - (d) THE TOTAL OF ALL FREEZE BENEFITS SHALL NOT EXCEED THE ASSESSED VALUE OF THE REAL PROPERTY.
 - (e) UNLESS OTHERWISE EXTENDED, THIS TAX DEFERRAL SHALL EXPIRE AFTER THE GRAND LIST OF OCTOBER 1, 2009.
- B. In any case where title to the real property is recorded in the name of the taxpayer or his spouse and/or any other person or persons, the tax credit granted herein shall be prorated to reflect the fractional share of such taxpayer or spouse, and furthermore, if such property is occupied as a

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued

multiple-family dwelling, such relief shall be prorated to reflect the fractional portion of such property occupied by the taxpayer.

- C. Any person entitled to [~~the~~] tax [~~credit~~] RELIEF pursuant to this Article is required to file biennially for the benefit in the same year as he or she files for state benefits, however, if the taxpayer's income changes in the meantime such that his or her eligibility shall be affected, said person shall be required to reapply.
- D. Tax levy.
- (1) Commencing with the real property tax levied on the Grand List of October 1, [~~1986~~] 2006, and subject to such other limitations as are set forth in this Article, the tax [~~benefits~~] CREDIT for Steps 1 through [~~4~~] 5, inclusive, set forth in § 191-5.3.A(1) of this Article shall be increased annually by an amount equal to 75% of the amount by which the regular tax levied on the applicant's residence for the applicable Grand List exceeds the tax levied on the same property on the preceding Grand List. "Regular tax levied" is defined as the net assessment on the applicable Grand List multiplied by the mill rate applicable to said assessment. Notwithstanding the above, the provisions for increase of the tax credit, as specified hereinabove, shall not apply to any person in his or her first year of entitlement to a tax credit pursuant to this Article. Any such persons shall be entitled only to the base tax credit as specified in § 191-5.3.A.
 - (2) In the event that the regular tax levied on any Grand List remains the same or decreases from that levied on the preceding Grand List, there shall be no adjustment until there is an increase in the tax levied on any succeeding Grand List.
 - (3) In any case where title to the real property is recorded in the name of the eligible taxpayer or his spouse and/or any other person or persons, the tax credit granted herein shall be prorated to reflect the fractional share of such eligible taxpayer or spouse, and, furthermore, if such property is occupied as a multiple-family dwelling, such relief shall be prorated to reflect the fractional portion of such property occupied by the eligible taxpayer.
- E. If any person entitled to tax relief pursuant to this Article sells the property on which the tax relief is granted, no additional tax relief shall be allowed for his or her interest in the property for any fiscal years commencing after the date of the sale of the property, and further provided that the purchaser of such property shall pay the Town a prorated share of the tax credit as provided by Section 12-81a of the Connecticut General Statutes.

§ 191-5.4. Application procedure.

ORDINANCE RE SENIOR AND DISABLED TAX RELIEF (#07-05) — continued

- A. Any eligible taxpayer or his or her authorized agent shall file an application for tax credit under this article with the Tax Assessor of the Town of Stratford during the period set by the state for application to the state elderly programs on a form prescribed and furnished by the Town of Stratford. In making such application, the taxpayer shall present to the Tax Assessor a copy of his federal income tax return for the previous calendar year or, if not required to file a tax return, such other evidence of qualifying income which the Tax Assessor may reasonably require to establish compliance with the income qualifications provided in §§ 191-5.2A(2) and 191-5.3A of this Article. The applicant or his or her agent shall sign a sworn affidavit in the presence of the Tax Assessor's office staff affirming the accuracy of the statements in the application.
- B. When the Tax Assessor determines that the applying taxpayer is entitled to tax credit under this Article, he shall compute the amount of such tax credit and cause a certificate of tax credit to be issued in such form as to permit the Tax Collector to reduce the amount of tax levied against the taxpayer and make proper record thereof, and a copy of the certificate shall be delivered to the applicant. The tax relief shall be applied proportionately to the tax payments.
- C. Applications, affidavits or other documentation presented in support of the application for tax relief shall not be open for public inspection and shall not be disclosed except in case of an appeal or in connection with claims of fraud to the proper authorities.

§ 191-5.5. Applicability.

- A. This article shall apply to the taxes for the fiscal year beginning April 1, 1987, and shall be reviewed thereafter annually during the month of September.
- B. The tax relief for real property as provided herein shall apply only to the residence itself, the lot on which the residence is located and the improvements thereon. Said lot shall not exceed minimum zoning requirements.

ORDINANCE RE: Proposal for Fiscal Responsibility and Tax Relief (#07-14)

The lack of growth in Stratford's Grand List over the last few years has placed a significant burden on our taxpayers. The Mayor and the Town Council need to work together to develop a comprehensive plan that will address our need to expand or create tax relief programs. We must confront the problems faced by our needy taxpayers and our seniors who are living on fixed incomes.

We also need to be sure that we don't attempt to provide a "solution" that merely shifts an unreasonable tax burden to another segment of our population. Accordingly, a critical component of any plan must include reasonable guidelines for controlling expenses while maintaining our Town's services. We firmly believe that such a plan, in order to provide a lasting solution, must avoid quick fixes and "Band Aids." It must identify our Town's strengths and weaknesses and offer a practical plan of action. We must avoid proposing piecemeal fixes that do little to solve underlying problems and avoid answering the tough questions.

Accordingly, we are calling for the formation of a bi-partisan Economic Task Force ("ETF"). A committee to address the pressing economic issues facing the Town. The ETF should include a representative from the Mayor's office, one Town Councilman from each party, the Director of Finance AS AN EXOFFICIO MEMBER*, a member from the Planning Department AS AN EXOFFICIO MEMBER*, a representative from the Economic Development Commission, A STRATFORD RESIDENT MEMBER OF AARP AS AN EXOFFICIO MEMBER*, and three citizens selected from the community.

The ETF's charge will be to review our existing senior tax relief plan, compare it to plans from other communities and ultimately offer a comprehensive affordable plan that will allow us to proceed forward on a path of sustained growth.

Suggested topics of discussion for the ETF include:

- 1) Overhauling our tax relief program to ensure it meets the needs of all segments of our population. Such a review should include a workable tax freeze / deferral program that would be self-funding and self-sustaining. A deferral plan, structured properly, might be expanded to include many of our seniors who are currently ineligible due to income limitations that are no longer reasonable.
- 2) Link tax relief programs to spending benchmarks. For example, Stratford's annual debt service obligation is reduced by \$4.7 million in Fiscal 2009. A portion of this reduction could be earmarked for tax relief programs, thereby eliminating the need to increase some people's property taxes to pay for tax relief programs.

* as amended ON May 14, 2007.

ORDINANCE RE: Proposal for Fiscal Responsibility and Tax Relief (#07-14) — continued

- 3) Link spending programs, capital expenditures, and tax relief programs to increases in the Grand List and successful development programs. For example, as development proceeds on Lordship Boulevard or at the Army Engine Plant, allocate a portion of increased property tax revenue to reduce other tax burdens. A surcharge on tickets at our newly-renovated Shakespeare Theater could be used to fund needed capital expenditures or expand tax relief programs.
- 4) Analyze our unfunded pension liability and provide recommendations to reduce this burden on future generations.
- 5) Review existing capital budgets and offer suggestions as to how we can most efficiently fund expenditures in the future.

In summary, we are interested in developing a comprehensive, long-range solution to some of the significant financial issues facing Stratford. We want to ensure that no residents are forced out of town by unreasonable taxes but we also want to be sure that we don't engage in an irresponsible shell game that merely reassigns our property tax burden to other segments of our population. We want to encourage sustainable growth and pay for programs as they are needed.

There are some great things happening in Stratford and we look forward to moving through the 21st century with a long-term plan that meets everyone's needs.

6.1 ORDINANCE RE: ALLOCATION OF FUNDS COLLECTED AS A RESULT OF CLAIMS OR FINES LEVIED FOR ILLEGAL REMOVAL OR DAMAGE TO TOWN OF STRATFORD OWNED TREES. (#07-10)

Sponsored by: Gavin B. Forrester III – 3rd Dist.

§ 1) Statement of Purpose

Provide the enabling ordinance to allocate any funds received from either fines levied by the Town of Stratford against person(s) or entities for the illegal removal of Trees owned by the Town of Stratford or reimbursements from insurance carriers as a result of a compensate able loss, be set aside in the Budget of the Town of Stratford for the purchase of replacement trees, to be planted in accordance with guidelines established by the Director of Public Works.

§ 2) Rationale

Where as the Tree population within the Town of Stratford is aging and becoming more difficult to maintain; and it is generally viewed as important to maintain a healthy stock of Tree's thought out the Town; and the financial constraints on the Municipal Budget are such that replacement of removed trees is difficult; and where by the illegal removal of any tree is subject to fine as imposed by the Town of Stratford against the offending party; be it therefore resolved that any funds derived from said fines be specifically designated to plant replacement trees in areas deemed appropriate by the Director of Pubic Works. This Ordinance will also encourage the enforcement of existing legislation which enables the imposition of a fine for the illegal removal or damage to a Town of Stratford Owned Tree and will encourage the Town of Stratford to pursue claims of property damage against any person who may cause such damage as a result of a motor vehicle accident.