



TOWN OF STRATFORD

CONNECTICUT
06615

MINUTES OF MEETING

STRATFORD TOWN COUNCIL
JUNE 11, 2007

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, JUNE 11, 2007 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:02 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. William Stroomer, Mr. Robert Camillo, Mr. Jim Feehan, Mr. Michael Henrick

COUNCIL MEMBERS ABSENT: Mr. John Miranda

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

Stratford Town Council meeting recessed: 8:03 p.m.

Mayor Miron recognized Stratford High School outstanding sports teams.

Stratford Town Council meeting reconvened: 8:15 p.m.

INVOCATION BY EIGHTH DISTRICT COUNCIL MEMBER ROBERT CAMILLO FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of: Regularly scheduled meeting, public forum, and executive session of May 14, and special Council meeting of May 29, 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. FORRESTER SECONDED BY MR. STROOMER TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 9 TO 0.

APPROVAL OF MINUTES — continued

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. BARKER TO RECONSIDER THE 2007-2008 BOARD OF EDUCATION BUDGET. THE MOTION FAILED WITH 5 IN FAVOR AND 4 OPPOSED.

2. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. O'Neal — re: 2007-2008 Board of Education Budget.

Mr. Forrester — re: 2007-2008 Budget – work sessions and Public Hearings.

Mr. Camillo — re: trenching along Barnum Ave/Route 1, Pensions, Budget Adoption meeting of May 29.

Mr. Henrick — re: Pensions

Mr. Miron — re: Sikorsky Airport, 2007-2008 Budget, UI project on Barnum Avenue.

Mr. Feehan — re: Sikorsky Airport, road paving, CIP Bonding

3. COMMUNICATIONS

3.1 SHAKESPEARE THEATER — Mr. Buturla stated that timetable is on track.

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

4.1.1 REPORT OF PLANNING COMMISSION ON BUNNELL HIGH SCHOOL ATHLETIC FIELD IMPROVEMENTS. — The Planning Commission approved the project at their meeting of May 29, 2007.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO REFER THE FOREGOING INFORMATION TO THE BUILDING NEEDS COMMITTEE ALONG WITH INQUIRY OF BULLDOG CLUB. THE MOTION PASSED 9 TO 0.

MAYOR'S REPORT — continued4.1.2 RESOLUTION RE TOWN HALL EMPLOYEES' UNION CONTRACT – (Executive Session Requested).

A MOTION WAS MADE BY MR. CAMILLO, SECONDED BY MR. HENRICK TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING FOR THE PURPOSE OF DISCUSSION REGARDING UNION NEGOTIATIONS WITH EXECUTIVE SESSION TO INCLUDE UNION ARBITRATOR DAVID DUNN, DIRECTOR OF HUMAN RESOURCES MARILYN FLORES, MAYOR MIRON, FINANCE DIRECTOR JOHN NORKO, CAO MARK HADDAD. THE MOTION CARRIED 9 TO 0.

4.1.3 RESOLUTION RE CONNECTICUT DEPARTMENT OF PUBLIC HEALTH, PREVENTATIVE HEALTH BLOCK GRANT.

Sponsored by: Hon. Alvin O'Neal, Second District Council Member

RESOLVED, that James R. Miron, Mayor of the Town of Stratford, is hereby authorized and empowered to execute and deliver, in the name and on behalf of the Town of Stratford, any and all applications and/or agreements (including amendments to, or rescissions of such agreement), and any and all related documents necessary to apply for and obtain funding from the Connecticut Department of Public Health through the Preventative Health Block Grant program.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0.

4.1.4 RESOLUTION RE CONNECTICUT DEPARTMENT OF PUBLIC HEALTH, SCHOOL BASED HEALTH CENTER GRANT.

Sponsored by: Hon. Angelo Stavola, Fourth District Council Member

RESOLVED, that James R. Miron, Mayor of the Town of Stratford, is hereby authorized and empowered to execute and deliver, in the name and on behalf of the Town of Stratford, any and all applications and/or agreements (including amendments to, or rescissions of such agreement), and any and all related documents necessary to apply for and obtain funding from the Connecticut Department of Public Health through the School Based Health Center Grant program.

A MOTION WAS MADE BY MR. STAVOLA SECONDED BY MR. BARKER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0.

MAYOR'S REPORT — continued4.1.5 RESOLUTION RE CONNECTICUT DEPARTMENT OF REVENUE SERVICES, 2007 NEIGHBORHOOD ASSISTANCE ACT PROGRAM.

Sponsored by: Hon. Raymond Barker, Fifth District Council Member

WHEREAS, Chapter 228a of the Connecticut General statutes provides for a tax credit for businesses which sponsor community programs that have received State and local approval; and

WHEREAS, the State of Connecticut Department of Revenue Services is responsible for administering this program, known as the Neighborhood Assistance Act; and

WHEREAS, in accordance with the guideline established for the 2007 program, the Town of Stratford solicited applications from eligible non-profits and municipal agencies and conducted a public hearing on June 11, 2007, concerning the applications that were received by the established deadline of May 31, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Stratford does hereby approve the two applications submitted by the Stratford Health Department for submission to the State Department of Revenue Services for inclusion in the 2007 Neighborhood Assistance Act Program; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Stratford authorizes and requests James R. Miron, Mayor of the Town of Stratford, to submit such applications to the Department of Revenue Services by the July 1, 2007 deadline and to provide such additional information and execute any and all documents as may be necessary to participate in the 2007 Neighborhood Assistance Act Program.

A MOTION WAS MADE BY MR. BARKER SECONDED BY MR. O'NEAL TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0.

4.1.6 RESOLUTION RE CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION, OPEN SPACE AND WATERSHED LAND ACQUISITION GRANT PROGRAM.

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

RESOLVED, that the Stratford Town Council hereby authorizes the expenditure of up to \$71,000.00 from the Town's Open Space Acquisition Account for the purpose of purchasing up to three parcels for open space in conjunction with matching funds from Connecticut Department of Environmental Protection's Open Space and Watershed Land Acquisition Grant Program for 2007.

MAYOR'S REPORT — continuedRESOLUTION RE CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION,
OPEN SPACE AND WATERSHED LAND ACQUISITION GRANT PROGRAM — cont'd

BE IT FURTHER RESOLVED, that James R. Miron, Mayor of the Town of Stratford, is hereby authorized and empowered to execute and deliver, in the name and on behalf of the Town of Stratford, any and all applications and/or agreements (including amendments to, or rescissions of such agreement), and any and all related documents necessary to apply for and obtain funding from the Connecticut Department of Environmental Protection's Open Space and Watershed Land Acquisition Grant Program.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0.

4.1.7 RESOLUTION RE CAPITAL IMPROVEMENT & EQUIPMENT PROGRAM FOR
FISCAL YEARS 2008 THROUGH 2012.

Sponsored by: Hon. William Stroomer, Seventh District Council Member

BE IT RESOLVED, that the Stratford Town Council hereby adopts the Proposed Capital Improvement & Equipment Purchase Plan for Fiscal Years 2008 through 2012.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. JULIAN TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 9 TO 0.

4.1.8 ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$11,000,000 AGGREGATE
PRINCIPAL AMOUNT OF SERIAL BONDS OF THE TOWN OF STRATFORD,
CONNECTICUT, TO FINANCE THE CONSTRUCTION AND RECONSTRUCTION OF
VARIOUS TOWN OF STRATFORD IMPROVEMENTS AND THE PURCHASE OF
VARIOUS CAPITAL EQUIPMENT IN AND FOR SAID TOWN. (#07-16)

Sponsored by: Hon. Alvin O'Neal, Second District Council Member

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 25-27)

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. HENRICK TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 8 TO 1 WITH MR. FEEHAN OPPOSED.

MAYOR'S REPORT — continued

4.1.9 ORDINANCE APPROPRIATING UP TO \$11,000,000 FOR THE CONSTRUCTION AND RECONSTRUCTION OF VARIOUS TOWN OF STRATFORD IMPROVEMENTS AND THE PURCHASE OF VARIOUS CAPITAL EQUIPMENT IN AND FOR SAID TOWN. (#07-17)

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

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 23-24)*

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 8 TO 1 WITH MR. FEEHAN OPPOSED.

4.1.10 RECONSIDERATION AND AMENDMENT OF AN ORDINANCE RE SENIOR AND DISABLED TAX RELIEF.

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. JULIAN TO RECONSIDER ORDINANCE #07-05. (approved for final passage on May 14, 2007; effective date of ordinance June 13, 2007). THE MOTION PASSED 9 TO 0.

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. FORRESTER TO AMEND ORDINANCE #07-05. (Amendments reflect dates). THE MOTION PASSED 9 TO 0. *(Amended ordinance appended as pages 15-22)*

4.1.11 QUESTIONS TO MAYOR OR STAFF

Mr. Julian — re: (1) Airport – realignment of Main St/Route 113 (2) 260 York St. – bus transportation removed from constituent who is legally blind (3) Airport Noise Abatement Committee needs to access a phone line that will accept calls of Airport Noise complaints.

Mr. Stavola — re: West Ave., Sidewalk on Hollister Street.

Mr. Barker — re: Franklin Street

Mr. Henrick — re: (1) current list of CIP funds available along with other funds, (2) tree stump on Glen Drive

Mr. Feehan — re: Two constituent issues that I previously e-mailed.

MAYOR'S REPORT — continuedWAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. FORRESTER TO WAIVE THE COUNCIL RULES OF ORDER TO ADD THE ITEM ENTITLED "PRESENTATION re: PROPOSED FEES FOR FIRE MARSHAL SERVICES". THE MOTION PASSED 9 TO 0.

4.1.12 PRESENTATION re: PROPOSED FEES FOR FIRE MARSHAL SERVICES

Fire Chief Cybart and Fire Marshal Velky distributed and reviewed the document "Proposal fee for service program, Fire Prevention Office". The document listed proposed fees along with a comparison to area municipalities.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. O'NEAL TO WAIVE THE COUNCIL RULES OF ORDER TO ADD THE ITEM ENTITLED "RETIREMENT OF PUBLIC WORKS DIRECTOR". THE MOTION PASSED WITH 7 IN FAVOR AND 2, MESSRS. FORRESTER AND FEEHAN, OPPOSED.

4.1.13 RETIREMENT OF PUBLIC WORKS DIRECTOR

Mr. Miron requests taking the foregoing item into executive session for the purpose of discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public official or employee. Mr. Miron would like that motion to include members of the Stratford Town Council, CAO Haddad, Town Attorney Buturla, and himself.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. O'NEAL TO ENTER INTO EXECUTIVE SESSION PRIOR TO THE CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE MAYOR RE: THE FOREGOING ITEM WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE-STATED INDIVIDUALS FOR THE PURPOSE OF DISCUSSION CONCERNING THE APPOINTMENT, EMPLOYMENT, PERFORMANCE, EVALUATION, HEALTH OR DISMISSAL OF A PUBLIC OFFICIAL OR EMPLOYEE. THE MOTION PASSED WITH 7 IN FAVOR AND 2, MESSRS. FORRESTER AND FEEHAN, OPPOSED.

4.2 COMMITTEE REPORTS

- 4.2.5 PARKS AND RECREATION COMMITTEE — This committee conducted the regularly scheduled meeting on May 24, 2007 at which time the following was referred to Town Council with favorable recommendation.

Request for light at the Wooster Park Playground — Stratford Detectives met with UI Company to install a pole and a light in playground area. The total monthly cost to rent the pole and light would be \$56.51. They would like the light installed prior to installing the new playground equipment.

RESOLVED: that the UI Company hereby install a pole and a light in the playground area of Wooster Park at a total monthly rental cost of \$56.51.

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. HENRICK TO APPROVE THE FOREGOING POLE AND LIGHT AS STATED ABOVE. THE MOTION PASSED 8 TO 0 WITH MR. FORRESTER ABSENT.

- 4.2.6 PUBLIC WORKS COMMITTEE — Public Works Committee conducted the regularly scheduled meeting of May 21, 2007 with the following referral to Council and/or Mayor's Office:

RFP to determine true cost of GPS Systems based on Police Dept. Vehicles and other vehicles as recommended by Public Works Dept. Director, J. Carroll.

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. O'NEAL TO REFER THE FOREGOING ITEM TO THE PUBLIC WORKS COMMITTEE. THE MOTION PASSED 9 TO 0.

- 4.2.7 SHORT BEACH COMMISSION — The Short Beach Commission conducted the regularly scheduled meeting of June 5, 2007.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. STROOMER TO WAIVE THE COUNCIL RULES OF ORDER TO ADD AN ITEM ENTITLED "RESIGNATION OF JEAN BOUDREAU FROM THE SHORT BEACH COMMISSION". THE MOTION PASSED 9 TO 0.

COMMITTEE REPORTS — continuedRESIGNATION OF JEAN BOUDREAU FROM THE SHORT BEACH COMMISSION

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. STROOMER TO ACCEPT THE RESIGNATION OF JEAN BOUDREAU FROM THE SHORT BEACH COMMISSION. THE MOTION PASSED 9 TO 0.

Copy of resignation will be forwarded to the Mayor's Office.

4.3 TOWN ATTORNEY'S REPORT

4.3.1 WEST LONG BEACH COTTAGES — No business furnished.

4.3.2 STRATFORD vs. VINCENT QUINTO — Mr. Buturla presented a status report.

4.3.3 AIRPORT PURCHASE — No business furnished.

4.3.4 COOLIS vs. TOWN OF STRATFORD

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, Attorneys Cotter and LeClerc and himself.

A MOTION WAS MADE BY MR. HENRICK, SECONDED BY MR. O'NEAL TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE FOREGOING CASE FOR THE REASON STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED 9 TO 0.

4.3.5 QUESTIONS TO THE TOWN ATTORNEY

Mr. Julian — re: request to place SAEP on the next agenda.

Mr. Forrester — re: Fines that have been collected for illegal tree removal. Blight fines as well.

TOWN ATTORNEY'S REPORT — continued4.3.6 HELEN TIANO vs. OFFICER FARNELLA

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. FORRESTER, SECONDED BY MR. O'NEAL TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE FOREGOING CASE FOR THE REASON STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED 9 TO 0.

5. UNFINISHED BUSINESS5.2 TABLED ITEMS

5.2.5 RECOGNITION OF INDIVIDUALS — CHANGING THE NAME OF NORTH END PARK TO JAMES DILLON PARK — Table during Council meeting of May 14, 2007 for the purpose of referring the Town Attorney to verify that all requirements for naming a park are met.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO REMOVE THE FOREGOING ITEM FROM THE TABLE. THE MOTION PASSED 9 TO 0.

After discussion, A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 9 TO 0.

5.3 TABLED ORDINANCES — All tabled ordinances remained on the Table.

5.4 TABLED APPOINTMENTS

Stratford Town Council meeting recessed: 9:40 p.m.
Stratford Town Council meeting reconvened: 9:45 p.m.

UNFINISHED BUSINESS, TABLED APPOINTMENTS — continued

5.4.4 PUBLIC SAFETY COMMITTEE — term concurrent with Council term, appointed by Council.

RESOLVED: that _____ of _____ be and is hereby a member of the Public Safety committee.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED 7 TO 2.

A MOTION WAS MADE BY MR. STAVOLA TO APPOINT FORMER POLICE CHIEF MICHAEL IMBRO TO THE PUBLIC SAFETY COMMITTEE.

After discussion, A MOTION WAS MADE BY MR. BARKER SECONDED BY MR. JULIAN TO RETURN THE FOREGOING APPOINTMENT TO THE TABLE. THE MOTION PASSED 7 TO 2.

6. ORDINANCES AND RESOLUTIONS — None.

7. NEW BUSINESS

7.1 APPOINTMENTS

7.1.1 APPOINTMENTS FOR ECONOMIC TASK FORCE (ETF) — Per Ordinance #07-14 passed May 14, 2007. Composition of Task Force to Include: **One Town Councilman from each party**, Director of Finance (exofficio), member of Planning Dept. (exofficio), rep. from Economic Development Commission, Stratford resident member of AARP (exofficio).

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. STROOMER TO WAIVE THE COUNCIL RULES OF ORDER TO INCLUDE THE THREE ADDITIONAL STRATFORD CITIZEN MEMBERS APPOINTMENTS TO THE TASK FORCE AND THE ONE AD HOC STRATFORD RESIDENT MEMBER OF THE AARP. THE MOTION PASSED 9 TO 0.

CITIZEN MEMBERS

A. RESOLVED: that NORMAN ALDRICH of 110 BUTTERNUT LANE be and is hereby appointed an electorate member of the Economic Task Force (ETF).

NEW BUSINESS — continuedAPPOINTMENTS — continuedECONOMIC TASK FORCE (ETF), CITIZEN MEMBERS — continued

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. STROOMER TO APPOINT NORMAN ALDRICH OF 110 BUTTERNUT LANE TO THE FOREGOING POSITION. THE MOTION PASSED 9 TO 0.

- B. RESOLVED: that MAURY JOHNSON of 577 ARAPAHO LANE be and is hereby appointed an electorate member of the Economic Task Force (EFT).

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO APPOINT MAURY JOHNSON OF 577 ARAPAHO LANE TO THE FOREGOING POSITION. THE MOTION PASSED 9 TO 0.

- C. RESOLVED: that ERIC BOOTH of 81 MERCER STREET be and is hereby appointed an electorate member of the Economic Task Force (EFT).

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. STROOMER TO APPOINT ERIC BOOTH OF 81 MERCER STREET TO THE FOREGOING POSITION. THE MOTION PASSED 9 TO 0.

COUNCIL MEMBER REPRESENTATION

- A. RESOLVED: that MICHAEL HENRICK, COUNCIL MEMBER DISTRICT 10 Republican Town Council member, be and is hereby a member of the Economic Task Force (EFT).

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. STROOMER TO APPOINT COUNCIL MEMBER MICHAEL HENRICK TO THE FOREGOING POSITION. THE MOTION PASSED 9 TO 0.

- B. RESOLVED: that _____ Democratic Town Council member, be and is hereby a member of the Economic Task Force (EFT).

MEMBER OF THE AARP, STRATFORD RESIDENT (AD HOC)

RESOLVED: that _____ of _____ be and is hereby appointed an Ad Hoc member of the Economic Task Force (EFT) representing the Stratford AARP.

NEW BUSINESS — continuedAPPOINTMENTS — continuedECONOMIC TASK FORCE (ETF) — continued

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. STROOMER TO PLACE THE TWO FOREGOING APPOINTMENTS, DEMOCRATIC COUNCIL MEMBER REP. AND STRATFORD AARP REP., ON THE TABLE. THE MOTION PASSED 9 TO 0.

7.1.2 JOINT MAYOR-COUNCIL TASK FORCE ON ENERGY AND ENVIRONMENT — Per resolution passed May 14, 2007. Composition of Task Force includes: The Mayor, or the Mayor's designee; Two (2) members appointed by the Mayor, one of whom shall be a member of the opposite party of the Mayor; The Town Council Chairman, or the Town Council Chairman's designee; **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;** One (1) member selected by vote of not less than four of the members described above; The Mayor shall appoint any one of the aforementioned members to chair the Task Force;

A. RESOLVED: that _____ Republican Town Council member, be and is hereby a member of the Task Force On Energy and Environment.

B. RESOLVED: that _____ Democratic Town Council member, be and is hereby a member of the Task Force On Energy and Environment.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO PLACE THE FOREGOING TWO APPOINTMENTS ON THE TABLE. THE MOTION PASSED 9 - 0.

7.1.3 WATERFRONT HARBOR MANAGEMENT COMMISSION, REGULAR MEMBER

RESOLVED: that _____ of _____ be and is hereby appointed a member of the Waterfront Harbor Management Commission. (Term of Cameron Dunlap expired May 31, 2007)

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO PLACE THE FOREGOING APPOINTMENT ON THE TABLE. THE MOTION PASSED 9 - 0.

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

Stratford Town Council meeting reconvened: 10:35 p.m.

ACTION TAKEN FROM EXECUTIVE SESSION ITEMS4.3.4 COOLIS vs. TOWN OF STRATFORD

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION IN CONNECTION WITH THE FOREGOING CASE. THE MOTION PASSED 9 TO 0.

4.1.13 RETIREMENT OF PUBLIC WORKS DIRECTOR

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. FORRESTER TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 9 TO 0.

4.1.2 RESOLUTION RE TOWN HALL EMPLOYEES' UNION CONTRACT

RESOLVED: that the foregoing Town Hall Employees' Union Contract be and is hereby approved and authorize the Mayor to execute in the name of the Town of Stratford any and all related necessary documents.

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MESSRS. BARKER AND STAVOLA TO APPROVE THE FOREGOING UNION CONTRACT. THE MOTION PASSED 9 TO 0.

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. JULIAN, SECONDED BY MR. BARKER, IT WAS VOTED 9 TO 0 TO ADJOURN THE MEETING AT 10:40 P.M.

ATTESTED BY:

Carol Cabral
Carol Cabral, Council Clerk

Senior Citizen and Disabled Tax Relief (#07-05)

WHEREAS, the Stratford Town Council unanimously passed an ordinance entitled "Senior and Disabled Tax Relief" as stated in the ordinance below on May 14, 2007; and

WHEREAS, the state deadline for applying to tax relief programs was May 15, 2007; and

WHEREAS, said ordinance would not be effective until June 14, 2007, which is after such application deadline;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE TOWN COUNCIL THAT the passage of said ordinance be reconsidered for the sole purpose of amending the effective dates contained therein as follows:

Chapter 191, Article III, Senior Citizen and Disabled Tax Relief [Adopted 5142007]

§ 1915.1. Statutory authority.

The Town of Stratford hereby establishes a municipal property tax relief program for certain homeowners age sixty-five or over or permanently and totally disabled pursuant to Section 12129n of the General Statutes of Connecticut for eligible residents of the Town of Stratford for the fiscal year commencing, July 1, [2007] 2008 on the terms and conditions provided herein: effective with the fiscal year commencing July 1, [2007] 2008, this ordinance shall supersede and replace any and all tax relief programs for senior citizens and the disabled.

§ 1915.2. 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 1248 of the Connecticut General Statutes, and occupies that property as his or her principal residence, shall be eligible for real property tax relief as set forth in § 1915.3, provided 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

(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

Senior Citizen and Disabled Tax Relief (#07-05) — continued

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 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 1986, as amended, plus tax exempt interest as defined in Section 103 of the Internal Revenue Code of 1986, 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 § 1915.3 of this Article.

(3) Such person has resided in a residence located in the Town of Stratford for a period of one (1) year and has paid real estate taxes on a residence to the Town of Stratford for a period of 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 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 benefits are claimed. Such claim for benefits shall be for one (1) residence only.

(5) Before any tax 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 § 1915.2 and all of the other terms and conditions set forth in §§ 1915.3, 1915.4 and 1915.5, except as the same are expressly modified by this § 1915.2. A(7).

Senior Citizen and Disabled Tax Relief (#07-05) — continued

- (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.
- (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 § 1915.2. A(8) from the cooperative association, the Tax Assessor shall proceed to compute the amount of any tax 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 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 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 relief hereunder.

Senior Citizen and Disabled Tax Relief (#07-05) — continued

E. The application for tax relief under this Article shall have been made by such person after he or she has become eligible to apply therefor.

§ 1915.3. Tax 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:

	Income		Tax Credit	
	Over	To	Married	Unmarried
Step 1	\$0	\$14,400	\$500	\$400
Step 2	\$14,400	\$19,400	\$450	\$360
Step 3	\$19,400	\$24,200	\$400	\$320
Step 4	\$24,200	\$28,800	\$350	\$280
Step 5	\$28,800	\$35,300	\$300	\$240
Step 6	\$35,300	\$41,800	\$200	\$160

This schedule shall apply to the taxes for all fiscal years beginning July 1, [~~2007~~] 2008.

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

Senior Citizen and Disabled Tax Relief (#07-05) — continued

subsequent year in which the applicant 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] 2010.

(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.

Senior Citizen and Disabled Tax Relief (#07-05) — continued

- (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 of 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 freeze option shall expire after the Grand List of October 1, [2009] 2010.
- 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 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 tax 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, [2006] 2007, and subject to such other limitations as are set forth in this Article, the tax credit for Steps 1 through 5, inclusive, set forth in § 1915.3. 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

Senior Citizen and Disabled Tax Relief (#07-05) — continued

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 § 1915.3. 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 1281a of the Connecticut General Statutes.

§ 1915.4. Application procedure.

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 §§ 1915.2A(2) and 1915.3A 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.0

Senior Citizen and Disabled Tax Relief (#07-05) — continued

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.

§ 1915.5. Applicability.

A. This article shall apply to the taxes for the fiscal year beginning [April 1, 1987] JULY 1, 2008, 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.

AN ORDINANCE APPROPRIATING \$11,000,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2007-2008 (#07-17)

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

Section 1. The sum of \$11,000,000 is hereby appropriated to meet the estimated costs of the public improvements set forth below, as more fully described in the narrative description of such public improvements in the capital improvement and equipment program of the Town for the fiscal year ending June 30, 2008, said appropriation to be inclusive of administrative, financing, legal and costs of issuance related thereto, and any and all State-grants-in aid thereof:

TOWN FACILITIES

Roof Replacement Town Garage	\$ 242,000
Animal Control Facility	\$ 1,000,000
Parking Lot Resurfacing	\$ 100,000

ROADS & SEWERS

Road Resurfacing	\$ 500,000
Road Reconstruction	\$ 500,000
King Street Culvert Replacement	\$ 775,000
West Broad Street Railroad Underpass Drainage	\$ 500,000

PARKS AND RECREATION

Playground Renovations	\$ 100,000
New Playground Units	\$ 225,000

CAPITAL EQUIPMENT

Computer Infrastructure Improvement	\$ 250,000
Lift Truck	\$ 125,000
Dump Truck	\$ 175,000
Back Hoe (Highway Department)	\$ 150,000
Payloader	\$ 165,000
Street Sweeper	\$ 225,000
Mowing Units	\$ 110,000
Log Truck	\$ 130,000
Back Hoe (Park Department)	\$ 100,000
Refuse Truck	\$ 170,000
Rescue Pumper	\$ 400,000

ORDINANCE #07=17 — continuedBOARD OF EDUCATION

Administration Roof Replacement	\$ 275,000
Flooring Replacement	\$ 600,000
Technology Infrastructure	\$ 535,000
Bunnell High Capital Improvements	\$ 723,000
Stratford High Capital Improvement (incl. HVAC)	\$ 1,350,000
Nichols School Capital Improvements	\$ 200,000
Wooster School Capital Improvements	\$ 250,000
Stratford Academy Capital Improvements	\$ 900,000
Franklin School Capital Improvements	\$ 225,000

TOTAL \$11,000,000

Section 2. Any of the estimated amounts for the public improvements set forth in Section 1 not required to meet the actual cost of such public improvement may be transferred by the Mayor and the Director of Finance to meet the actual cost of any other public improvement set forth in Section 1.

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

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$11,000,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2007-2008 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#07-16)

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

Section 1. To meet the appropriation of \$11,000,000 made in the ordinance enacted together herewith for various public improvements in the capital improvement and equipment program for fiscal year ending June 30, 2008 (the "Project"), \$11,000,000 bonds of the Town may be issued maturing not later than the twentieth year after their date (the "Bonds").

Section 2. The Bonds may be issued in one or more series as determined by the Mayor and the Director of Finance. The amount of Bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amounts of State grants-in-aid for the Project, or the actual amounts thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of Bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the Bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the Bonds. The Bonds shall be in denominations of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Director of Finance, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The Bonds shall be general obligations of the Town and each of the Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The Town shall levy taxes in each year to meet principal and interest due and payable on the Bonds issued pursuant to this ordinance. The aggregate principal amount of the Bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such Bonds, including the approval of the rate or rates of interest, shall be determined by the Mayor and the Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended (the "Connecticut General Statutes").

The Bonds shall be sold by the Mayor and the Director of Finance in a competitive offering or by negotiation in their discretion. If sold in a competitive offering, the Bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice

ORDINANCE #07-16 — continued

of sale or a summary thereof describing the Bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the Bonds are sold by negotiation, the provisions of the bond purchase agreement shall be approved by the Mayor and Director of Finance.

Section 3. The Mayor and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of the Bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Director of Finance, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor and the Director of Finance, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or the Bonds, shall be included as a cost of the Project. Upon the sale of the Bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 4. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 5. The Mayor and the Director of Finance are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the Bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

ORDINANCE #07-16 — continued

Section 6. It is hereby found and determined that the estimated period of utility for the Project is at least twenty years.

Section 7. Pursuant to Sections 9.6.1 and 9.6.2 of the Town Charter, the provisions contained in any prior ordinances inconsistent with the procedure set forth in Sections 2 and 3 hereof for the issuance and sale of bonds and notes of the Town and the method for establishing the details and particulars of such bonds and notes shall be of no force and effect and the procedure to be followed for the issuance and sale of such bonds and notes previously authorized shall be the same as that set forth in Sections 2 and 3 hereof. In addition, the Mayor and the Director of Finance shall be the officials of the Town authorized to approve, execute and deliver any other agreement, instrument, certificate or document necessary or desirable in connection with the issuance of all bonds and temporary borrowings of the Town.

Section 8. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.