



Stratford, Connecticut

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## MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, SEPTEMBER 10, 2007 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:05 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 Stroemer, Mr. Robert Camillo, Mr. Jim Feehan, Mr. Michael Henrick

COUNCIL MEMBERS ABSENT: none

OTHERS IN ATTENDANCE: Mayor James Miron, Town Attorney Richard Buturla, Assistant Town Attorney Floyd Dugas, CAO Mark Haddad, Finance Director John Norko, Dir. Of Public Health Lisa LoBianco

INVOCATION PRESENTED BY TENTH DISTRICT COUNCIL MEMBER MICHAEL HENRICK FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

*TOWN COUNCIL MEETING PROCEEDED IN THE ORDER AS FOLLOWS:*

4.1.1 RECOGNITION OF 2007 STRATFORD PONY BRONCO AMERICAN ALL-STAR TEAM — Mayor Miron read and presented certificate.

4.1.2 RECOGNITION OF FINANCE DEPARTMENT RE: CAFR — Mayor Miron presented certificate.

**1. APPROVAL OF MINUTES** — Minutes of: Regularly scheduled meeting and public forum of August 13, 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.

APPROVAL OF MINUTES — continued

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. MIRANDA TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

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

Mr. Julian — re: Pony Baseball team, Raymark cleanup efforts, South Main St./route #113 flooding at Airport

Mr. O’Neal — re: Raymark cleanup efforts

Mr. Miranda — re: Messrs. Mulligan’s, Rimkunas’, and Ciecuch’s comments; SAEP

Mr. Stroomer — re: Raymark cleanup efforts, Charter Revision

Mr. Henrick — re: Raymark cleanup efforts

Mr. Miron — re: Raymark cleanup efforts, SAEP

Mr. Feehan — re: Transfers of funds, Raymark cleanup efforts

**3. COMMUNICATIONS**

**3.1 — SHAKESPEARE THEATER**

A MOTION WAS MADE BY MR. O’NEAL SECONDED BY MR. HENRICK TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

**3.2 RESIGNATION FROM BEAUTIFICATION COMMITTEE** —term concurrent with Council. (Communication previously forwarded)

FROM: Avril Westmoreland                      DATED: September 4, 2007

RESOLVED: that the resignation of Avril Westmoreland from the Beautification Committee be and is hereby accepted.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. STROOMER TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

**4. MAYOR'S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY'S REPORT****4.1 MAYOR'S REPORT****4.1.3 RESOLUTION RE: NONDISCRIMINATION AGREEMENTS AND WARRANTIES**

Sponsor: Town Council

RESOLVED: That the Town of Stratford hereby adopt as its policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes § 4a-60(a)(1) and § 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. JULLIAN TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

**4.1.4 RESOLUTION RE: WASHINGTON PARKWAY RECONSTRUCTION**

Sponsor: Stratford Town Council

RESOLVED: That the bid of G. Pic & Sons Construction Co., as submitted on August 10, 2007 for Contract 2007-03 be accepted and the Mayor be and is hereby authorized to execute a contract with G. Pic & Sons Construction Co., Trumbull, CT on the basis of their bid submitted for the performance of said work in accordance with the specifications prepared by the Engineering Department, and subject to the inspection and approval of the Town Engineer.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. STROOMER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 8 IN FAVOR, NO ONE OPPOSED, MR. STAVOLA ABSENT, MR. JULIAN RECUSING HIMSELF FROM VOTING AND DISCUSSION DUE TO A CONFLICT OF INTEREST.

**4.1.5 RESOLUTION RE: SIDEWALK IMPROVEMENT PROJECT**

SPONSOR: Stratford Town Council

RESOLVED: That the Town Council approve, and authorize the Mayor to execute, a change order, known as the Sidewalk Improvements Project, funded out of the Community Development Block Grant, to Contract 2006-01, Sidewalk Repair and Allied Construction, submitted by D & P Construction, Inc., 25 West Wind Road, Trumbull, CT 06611, in accordance with their unit price change order proposal, dated August 6, 2007, for the not to exceed figure of \$70,000.

MAYOR'S REPORT — continuedRESOLUTION RE: SIDEWALK IMPROVEMENT PROJECT — continued

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. BARKER TO APPROVE THE FOREGOING PROJECT.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. MIRANDA TO PLACE THE FOREGOING PROJECT ON THE TABLE. THE MOTION TO TABLE FAILED FOR LACK OF 6 VOTES VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — NO, MR. FORRESTER — NO, MR. STAVOLA — ABSENT, MR. BARKER — NO, MR. MIRANDA — YES, MR. STROOMER — YES, MR. CAMILLO — NO, MR. HENRICK — YES, MR. FEEHAN — YES.

THE MOTION TO APPROVE CARRIED 9 TO 0 VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — ABSENT, MR. BARKER — YES, MR. MIRANDA — YES, MR. STROOMER — YES, MR. CAMILLO — YES, MR. HENRICK — YES, MR. FEEHAN — YES.

4.1.6 FIRE UNION CONTRACT – (EXECUTIVE SESSION REQUESTED)

Town Attorney Buturla requests taking the foregoing item into executive session for the purpose being of contracts and negotiations. Mr. Buturla would like that motion to include members of the Town Council, the Mayor, David Dunn, CAO Haddad, Attorney Dugas, and himself.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. MIRANDA TO ENTER INTO EXECUTIVE SESSION PRIOR TO THE CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE ABOVE CITED ITEM WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

4.1.7 SUPERVISORS UNION COLLECTIVE BARGAINING UNIT ARBITRATION – (EXECUTIVE SESSION REQUESTED)

Town Attorney Buturla requests taking the foregoing item into executive session for the purpose being of contracts and negotiations. Mr. Buturla would like that motion to include members of the Town Council, the Mayor, David Dunn, CAO Haddad, Attorney Dugas, and himself.

MAYOR'S REPORT — continuedSUPERVISORS UNION COLLECTIVE BARGAINING UNIT ARBITRATION — continued

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. BARKER TO ENTER INTO EXECUTIVE SESSION PRIOR TO THE CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE ABOVE CITED ITEM WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

4.1.8 DISCUSSION OF RAC'S RECOMMENDATIONS

At the request of the Mayor, A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. STROOMER TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

4.1.9 RESIDENT REQUEST FOR PLANTING AND DEDICATION OF MEMORIAL TREE

RESOLVED: that the request for permission to plant a tree at the entrance of Far Mill River Park in remembrance of Morgan and John Pitera be and is hereby granted.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. MIRANDA TO GRANT THE FOREGOING REQUEST. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

4.1.10 COMMUNICATIONS — Informational Items.

- a) Memo re Task Force on Energy and Environment (August 22, 2007)
- b) Memo re Blight Fines Fiscal 2007 (August 24, 2007)
- c) Memo re Airport Noise Abatement Task Force (August 24, 2007)
- d) Memo re Stratford Army Engine Plant (August 31, 2007)
- e) Memo re Alternative Fuel Vehicles (August 31, 2007)
- f) Memo re State Education Funding (August 31, 2007)

4.1.2 RESOLUTION re: ASSIGNMENT OF MUNICIPAL TAX LIENS

SPONSOR: Stratford Town Council

WHEREAS, the budget for the fiscal year commencing July 1, 2007 provides for the collection of delinquent taxes and

MAYOR'S REPORT — continuedRESOLUTION re: ASSIGNMENT OF MUNICIPAL TAX LIENS — continued

WHEREAS, pursuant to § 12-195h of the Connecticut General Statutes the Tax Collector intends to assign municipal tax liens for the purpose of raising much needed revenue for the Town;

NOW, THEREFORE, BE IT RESOLVED as follows: Pursuant to § 12-195h of the Connecticut General Statutes the Tax Collector of the Town of Stratford is hereby authorized to assign municipal tax liens in exchange for consideration.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. JULIAN TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

4.1.13 RESOLUTION RE: HOUSATONIC GREENWAY/BIKEWAY SEATING AREA

SPONSOR: Stratford Town Council

RESOLVED: That the bid of G. Pic & Sons Construction Co., as submitted on June 6, 2007 for Contract 2007-01 be accepted and the Mayor be and is hereby authorized to execute a contract with G. Pic & Sons Construction Co., Trumbull, CT on the basis of their bid of \$173,000 submitted for the performance of said work in accordance with the specifications prepared by the Engineering Department, and subject to the inspection and approval of the Town Engineer.

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. BARKER TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED WITH 8 IN FAVOR, NO ONE OPPOSED, MR. STAVOLA ABSENT AND MR. JULIAN RECUSING HIMSELF FROM VOTING AND DISCUSSION ON THE MATTER DUE TO A CONFLICT OF INTEREST.

4.1.11 QUESTIONS TO MAYOR OR STAFF

Mr. Julian — re: Flooding on South Main/Route #113 near airport

Mr. O'Neal — re: Council chambers sound system quality as it relates to channel 79, Mayor's meeting with CDA

Mr. Forrester — re: communicating info re: meeting with Congresswoman DeLauro

Mr. Barker — re: traffic authority agenda

Mr. Camillo — re: Butternut Lane cleanup

Mr. Henrick — re: Broadbridge Avenue planting strip cleanup, Broadmere and Seabreeze Aves.

#### 4.2 COMMITTEE REPORTS

4.2.1 ORDINANCE COMMITTEE — The Ordinance Committee conducted a regularly scheduled meeting and a public hearing on August 27, 2007 at which time the following was amended and referred to Council WITHOUT recommendation:

ORDINANCE re: ~~BID PREFERENCE FOR TOWN OF STRATFORD – BASED BUSINESS – DEFINITION (#07-19)~~

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. MIRANDA TO STRIKE THE FOREGOING ORDINANCE FROM THE AGENDA. THE MOTION PASSED WITH 8 IN FAVOR, NO ONE OPPOSED, MR. STAVOLA ABSENT AND MR. JULIAN RECUSING HIMSELF FROM DISCUSSION AND VOTING ON THE MATTER DUE TO A CONFLICT OF INTEREST.

4.2.2 FINANCE AND CLAIMS COMMITTEE — The Finance and Claims Committee did not conduct the regularly scheduled meeting during on August 20, 2007. During a special meeting conducted on August 27, 2007, the following was referred without recommendation.

A. RESOLUTION AUTHORIZING AMENDMENTS AND TRANSFERS IN THE GENERAL FUND BUDGET FOR FISCAL YEAR 2006-2007

Sponsor: The Stratford Town Council

WHEREAS: The Town of Stratford Town Charter 6.2.2. requires that Council shall annually pass an appropriation ordinance for all departments of the Town and the Town Charter 6.2.3 requires that the total amount of appropriations shall not exceed the estimates of revenues; and

WHEREAS: The Town Charter 6.2.5.provides that Council may by affirmative vote of eight members authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenues not included in the annual budget; and

WHEREAS: It is desirable to reflect the operations of Town departments accurately by transferring unused funds and appropriating available revenues from time to time.

NOW THEREFORE BE IT RESOLVED: That the Town Council of the Town of Stratford hereby authorizes the Finance Director to transfer funds between various accounts and to appropriate available revenues as shown in Exhibits A, B, C attached and made a part of this resolution.

RESOLVED: that in accordance with § 6.2.5 of the Town Charter, the Town Clerk be and is hereby authorized to post on the public signpost a notice setting forth that it proposed to make the foregoing transfer of funds and to appropriate available revenues in the budget Appropriation for the fiscal year beginning July 1, 2006 and ending June 30, 2007.

COMMITTEE REPORTS — continued

FINANCE AND CLAIMS COMMITTEE — continued

INTER DEPARTMENT BUDGET TRANSFERS: FY- 2006-2007

<b>Exhibit A</b>							
Account	From				Account	To	
	01-301	Finance Administration	\$			\$	
			4,958				
	302	Finance Accounting				8,111	
	304	Tax Assessor				2,000	
	305	Tax Collector		5,153			
	01-401	Public Works Administration		81,752			
	402	Building Inspection				928	
	404	Engineering				1,442	
	405	Highways				57,077	
	406	Town Garage				12,463	
	408	Refuse				9,842	
	01-471	Police Administration				3,601	
	476	Police Records		3,601			
	01-101	Council Clerk				2,170	
	102	Mayor		163			
	103	Human Resources				135,691	
	104	Town Attorney				247,102	
	105	CAO		45,287			
	106	Registrar		17,407			
	107	Town Clerk		829			
	108	Town Buildings				86,620	
	109	Agencies		13,657			
	111	Planning		2,273			
	151	Contingency				292,779	
	201	Debt Retirement		44			
	251	Employee Benefits		160,017			
	303	Finance Purchasing		3,117			
	304	Finance Tax Collector		9,163			
	306	Computer Services		12,084			
	351	Community Services		25,458			
	352	Health				8,447	
	353	Recreation		4,171			
	354	Senior Services				5,198	
	358	Economic Development		11,270			
	361	Short Beach				7,194	

INTER DEPARTMENT BUDGET TRANSFERS: FY- 2006-2007 — continued

	401	Public Work Administration		178,618		
	403	Building Maintenance		23,244		
	407	Public Work Parks		113,151		
	461	Fire Administration		93,803		
	462	Fire Fighting		84,655		
	463	Fire Prevention		4,553		
	471	Police Administration				17,763
		Total		\$ 898,428		\$ 898,428

**Exhibit B**

<b>Appropriate Revenue:</b>							
					From		To
Account	100-4501	Investment Income		\$ 451,909		\$	
	01-356	Library					12,520
	471	Police Administration					203,826
	473	Police Investigation					77,097
	474	Police Patrol					140,897
	475	Communication Center					15,277
	477	Police Traffic					2,292
		Total		\$ 451,909		\$	451,909

**Exhibit C**

<b>Appropriate Revenue</b>							
					From		To
Account	474-4314	Police Special Duty		\$ 1,010,623			
	01-474	Police Private Duty					\$ 1,010,623

FINANCE AND CLAIMS COMMITTEE — continued

INTER DEPARTMENT BUDGET TRANSFERS: FY- 2006-2007 — continued

EXHIBIT A — A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. STROOMER TO APPROVE FOREGOING EXHIBIT A. THE MOTION PASSED WITH 8 IN FAVOR, 1 (MR. FORRESTER) OPPOSED AND MR. STAVOLA ABSENT.

WAIVER OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. MIRANDA TO WAIVE THE COUNCIL RULES OF ORDER TO ADD “EXHIBIT B” AND “EXHIBIT C” TO THE AGENDA. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

EXHIBIT B — A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. JULIAN TO APPROVE FOREGOING EXHIBIT B. THE MOTION PASSED WITH 6 IN FAVOR, 3 (MESSRS. O’NEAL, FORRESTER AND HENRICK) OPPOSED AND MR. STAVOLA ABSENT.

RECONSIDERATION OF VOTE

A MOTION WAS MADE BY MR. O’NEAL SECONDED BY MR. CAMILLO TO RECONSIDER THE FOREGOING VOTE FOR **EXHIBIT B**. THE MOTION PASSED WITH 7 IN FAVOR AND 2 OPPOSED AND MR. STAVOLA ABSENT.

*Stratford Town Council meeting recessed: 9:20 p.m.*

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

EXHIBIT C — A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. BARKER TO APPROVE FOREGOING EXHIBIT C. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

B. CLAIM REFERRED WITH FAVORABLE RECOMMENDATION

Holiday Express Corp – D/I 06/05/07      Amount of Claim: \$3,732.00

Summary of Claim: seeking reimbursement for damage to refrigerator semi-trailer, which was rear-ended by Sanitation truck at Exit 29.

RESOLVED: that the recommendation of the Finance and Claims Committee is accepted and the Claim of Holiday Express Corp. for the amount not to exceed \$3,732.00 be and hereby approved/denied.

COMMITTEE REPORTS — continuedFINANCE AND CLAIMS COMMITTEE — continuedCLAIM REFERRED WITH FAVORABLE RECOMMENDATION — continued

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING CLAIM. THE MOTION PASSED 8 TO 1 WITH MR. STAVOLA ABSENT.

4.2.11 WATER POLLUTION CONTROL AUTHORITY — The Water Pollution Control Authority conducted a regularly scheduled meeting of August 27, 2007.

Mr. Feehan, Chairman of the Authority, announced that a tour of the Water Pollution Control plant will take place on Wednesday, Sept. 19 at 5:00 p.m. at the plant on Beacon Point Road.

4.3 TOWN ATTORNEY'S REPORT

4.3.1 GREATER BRIDGEPORT TRANSIT DISTRICT vs. GREATER BRIDGEPORT TRANSIT AUTHORITY, ET AL — Mr. Buturla reports on the dispensation of the case. ACTION NOT REQUIRED.

4.3.2 PERSONNEL MATTER (EXECUTIVE SESSION)

Mr. Buturla 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. Buturla would like that motion to include members of the Stratford Town Council, the Mayor, Asst. Town Attorney F. Dugas and himself.

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. FORRESTER TO ENTER INTO EXECUTIVE SESSION PRIOR TO THE CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE-NAMED INDIVIDUALS. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

4.3.3 JAMES PROKOP vs. TOWN OF STRATFORD — No business furnished.

At the request of Attorney Buturla, A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. STROOMER TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

TOWN ATTORNEY'S REPORT — continued

4.3.4 AIRPORT PURCHASE — No business furnished. Mr. Buturla requested this item to be a continuing item on the agenda.

4.3.5 QUESTIONS TO THE TOWN ATTORNEY

Mr. O'Neal — re: Charter Revision

Mr. Forrester — re: Raymark/Environmental Attorney, Blight fines

Mr. Henrick — re: Blighted property on Kenyon Street, Longbeach West

7.2 RAC REPORT — COUNCIL RECOMMENDATIONS

Mr. Paul Rohaly, a member of the Raymark Advisory Committee, disseminated copies of *Raymark Advisory Committee Recommendation for Operable Unit 6 (OU6)* and presented a brief overview of the publication.

5. UNFINISHED BUSINESS5.1 COUNCIL AGENDA — Final version adopted April 10, 2006. (*Appended as page 20*)

Mr. Forrester stated that agenda item #8 has been resolved.

Mr. Miranda stated that agenda item #10 has been resolved.

5.3 TABLED ITEMS5.3.5 RESOLUTION RE CAPITAL IMPROVEMENT & EQUIPMENT PROGRAM FOR FISCAL YEARS 2008 THROUGH 2012. (tabled during Council Meeting of June 11, 2007 – Mayor's Report)

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. MIRANDA TO REMOVE THE FOREGOING ITEM FROM THE TABLE. THE MOTION PASSED WITH 8 IN FAVOR, 1 (MR. FEEHAN) OPPOSED AND MR. STAVOLA ABSENT.

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

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

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UNFINISHED BUSINESS — continuedTABLED ITEMS — continuedCAPITAL IMPROVEMENT & EQUIPMENT PROG. FOR FYs 2008- 2012 — continued

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. O'NEAL TO RETURN THE FOREGOING ITEM TO THE TABLE. THE MOTION PASSED 8 TO 0 WITH MESSRS. STAVOLA AND CAMILLO ABSENT.

CHAIRMAN FEEHAN WILL SCHEDULE A SPECIAL COUNCIL MEETING FOR THIS ITEM, THEATER CONSULTANTS, AND THE REVIEW OF CAPITAL PROJECTS TENTATIVELY FOR SEPTEMBER 24 IMMEDIATELY FOLLOWING WATER POLLUTION CONTROL AUTHORITY MEETING.

5.4 TABLED ORDINANCES

5.4.3 ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$11,087,000\* 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) (tabled during Council meeting of July 9, 2007)

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. *(Amended Ordinance appended as pages 23-25)*

5.4.4 ORDINANCE APPROPRIATING UP TO \$11,000,000 ~~\$11,000,000~~ \$11,087,000\* 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) (tabled during Council meeting of July 9, 2007)

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. *(Amended Ordinance appended as pages 26-27)*

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO REMOVE THE FOREGOING TWO ORDINANCES (#07-16 and #07-17) FROM THE TABLE. THE MOTION PASSED 8 TO 0 WITH MESSRS. CAMILLO AND STAVOLA ABSENT.

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\* As Amended

UNFINISHED BUSINESS — continued

TABLED ORDINANCES — continued

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING TWO ORDINANCES AND AMEND AS FOLLOWS:

TOWN FACILITIES

Roof Replacement Town Garage		\$ 242,000
<del>Animal Control Facility</del>		<del>\$ 1,000,000</del>
<del>Parking Lot Resurfacing</del>		<del>\$ 100,000</del>
Shakespeare Theater		\$ 2,500,000

ROADS & SEWERS

Road Resurfacing	\$ 500,000	\$ 1,000,000
Road Reconstruction	\$ 500,000	\$ 1,000,000
King Street Culvert Replacement		\$ 775,000
West Broad Street Railroad Underpass Drainage		\$ 500,000

PARKS AND RECREATION

Playground Renovations	\$ 100,000	\$ 50,000
New Playground Units	\$ 225,000	\$ 75,000

CAPITAL EQUIPMENT

<del>Computer Infrastructure Improvement</del>		<del>\$ 250,000</del>
<del>Lift Truck</del>		<del>\$ 125,000</del>
Dump Truck		\$ 175,000
<del>Payloader</del>		<del>\$ 165,000</del>
<del>Street Sweeper</del>		<del>\$ 225,000</del>
Mowing Units		\$ 110,000
<del>Log Truck</del>		<del>\$ 130,000</del>
Back Hoe (Park Department)		\$ 100,000
Refuse Truck	\$ 170,000	\$ 160,000
<del>Rescue Pumper</del>		<del>\$ 400,000</del>
Roosevelt Forest		\$ 25,000
Boothe Park		\$ 100,000
EMS Facility		\$ 2,100,000

BOARD OF EDUCATION

Administration Roof Replacement	\$ 275,000	\$ 170,000
Flooring Replacement	\$ 600,000	\$ 300,000
Technology Infrastructure	\$ 535,000	\$ 375,000
Bunnell High Capital Improvements	\$ 723,000	\$ 425,000
<del>Stratford High Capital Improvement (incl. HVAC)</del>		<del>\$ 1,350,000</del>
Wilcoxson School		\$ 125,000

UNFINISHED BUSINESS — continued

TABLED ORDINANCES — continued

Nichols School Capital Improvements	\$ 200,000	\$ 125,000
Wooster School Capital Improvements	\$ 250,000	\$ 100,000
Stratford Academy Capital Improvements	\$ 900,000	\$ 40,000
Franklin School Capital Improvements	\$ 225,000	\$ 75,000
Chapel Street School		\$ 30,000
Flood School		\$ 85,000
Lordship School		\$ 75,000
Bunnell High School Football Field		\$ 250,000
TOTAL	<u>\$11,000,000</u>	<u>\$11,087,000</u>

THE MOTION TO AMEND PASSED 8 TO 0 WITH MESSRS. CAMILLO AND STAVOLA ABSENT.

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 “REALLOTATION OF BOND INTEREST MONEY” TO THE AGENDA. THE MOTION PASSED 8 TO 0 WITH MESSRS. STAVOLA AND CAMILLO ABSENT.

REALLOCATION OF BOND INTEREST MONEY

A MOTION WAS MADE BY MR HENRICK SECONDED BY MR. JULIAN TO REALLOCATE THE \$550,000 INTEREST FROM THE CAPITAL IMPROVEMENT PROJECT FUND TOWARD THE BUNNELL FIELD. THE MOTION PASSED 8 TO 0 WITH MESSRS. STAVOLA AND CAMILLO ABSENT.

MR. JULIAN OFFERED A FRIENDLY AMENDMENT THAT THE \$2,500,000 FOR SHAKESPEARE THEATER TO INCLUDE MISCELLANEOUS REPAIRS TO THE THEATER AND MONIES NEEDED TO HIRE A THEATRICAL CONSULTANT. MESSRS. HENRICK AND FORRESTER ACCEPT MR. JULIAN’S FRIENDLY AMENDMENT.

UNFINISHED BUSINESS — continuedTABLED ORDINANCES — continuedORDINANCE (#07-16) — continued

THE MOTION TO APPROVE (#07-16) AS AMENDED CARRIED WITH 7 IN FAVOR AND 2 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — YES, MR. BARKER — YES, MR. MIRANDA — NO, MR. STROOMER — YES, MR. CAMILLO — ABSENT, MR. HENRICK — YES, MR. FEEHAN — NO.

*Stratford Town Council meeting recessed: 10:40 p.m.*

*Stratford Town Council meeting reconvened: 10:50 p.m.*

ORDINANCE (#07-17) — continued

THE MOTION TO APPROVE (#07-17) AS AMENDED CARRIED WITH 7 IN FAVOR AND 2 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — YES, MR. BARKER — YES, MR. MIRANDA — NO, MR. STROOMER — YES, MR. CAMILLO — ABSENT, MR. HENRICK — YES, MR. FEEHAN — NO.

SUSPENSION OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. HENRICK TO SUSPEND THE COUNCIL RULES OF ORDER TO REVISIT THE KKP/SHAKESPEARE THEATER ISSUE. THE MOTION FAILED WITH 7 IN FAVOR, 2 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — NO, MR. O'NEAL — YES, MR. FORRESTER — YES, MR. STAVOLA — YES, MR. BARKER — YES, MR. MIRANDA — YES, MR. STROOMER — YES, MR. CAMILLO — ABSENT, MR. HENRICK — YES, MR. FEEHAN — NO.

5.5 TABLED APPOINTMENTS

5.5.3 AIRPORT NOISE ABATEMENT COMMITTEE — ordinance #05-30 approved for final passage December 8, 2005. Seven (7) members

5.5.3.1 STRATFORD ELECTORATE AT LARGE — appointed by Town Council

A. RESOLVED: that DENISE NELSON of 178 SIXTH AVENUE be and is hereby appointed a member of the Airport Noise Abatement Committee.

UNFINISHED BUSINESS — continuedTABLED APPOINTMENTS — continuedAIRPORT NOISE ABATEMENT COMMITTEE, ELECTORATE AT LARGE — continued

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED 8 TO 0 WITH MESSRS. STAVOLA AND CAMILLO ABSENT.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO APPOINT DENISE NELSON OF 178 SIXTH AVENUE TO THE FOREGOING COMMITTEE. THE MOTION PASSED 8 TO 0 WITH MESSRS. STAVOLA AND CAMILLO ABSENT.

5.5.9 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;

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

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. MIRANDA TO REMOVE THE FOREGOING APPOINTMENT FROM THE TABLE. THE MOTION PASSED 8 TO 0 WITH MESSRS. STAVOLA AND CAMILLO ABSENT.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. MIRANDA TO APPOINT COUNCIL MEMBER WILLIAM STROOMER TO THE FOREGOING POSITION. THE MOTION PASSED 8 TO 0 WITH MESSRS. STAVOLA AND CAMILLO ABSENT.

**6. ORDINANCES AND RESOLUTIONS****6.1 AN ORDINANCE FOR THE REMEDIATION OF HAZARDOUS WASTE IN STRATFORD (#07-20)**

**Sponsored by: Gavin B. Forrester III**– 3<sup>rd</sup> 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. *(Ordinance appended as pages 28-30)*

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. STROOMER TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED WITH 6 IN FAVOR, NO ONE OPPOSED AND TWO (MESSRS. JULIAN AND MIRANDA) ABSTENTIONS DUE TO CONFLICTS OF INTEREST.

**6.2 RESOLUTION: THE CREATION OF A CHARTER REVISION COMMISSION**

**Sponsored by: Gavin B. Forrester III**– 3<sup>rd</sup> District Council member

WHEREAS, pursuant to Section 7-188 of the Connecticut General Statutes, any municipality has the power to amend its Charter; and

WHEREAS, pursuant to said section, any municipality may establish a charter revision commission for the purpose of recommending proposed amendments to such municipality's charter, and

WHEREAS, the Town of Stratford has established charter revision commissions which have made recommendations to the Stratford Town Council to amend the Charter of the Town of Stratford,

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Stratford, that there shall be establish by October 9<sup>th</sup>, 2007 a CHARTER REVISION COMMISSION for the Town of Stratford, which shall consist of nine (9) members who are not members of the current Town Council and have not held elective office for the period of two years prior to October 9<sup>th</sup>, 2007, consisting of three (3) registered Democratic electors of the Town of Stratford, three (3) registered Republican electors of the Town of Stratford, and three (3) unaffiliated electors of the Town of Stratford. Appointment to the Commission shall be made by a super majority vote of the Town Council and the Chair of the Commission shall be elected by the nine members appointed to the Commission. The Commission shall review the Charter of the Town of Stratford and make recommendation and amendments emphasizing, but not limited to, the following:

**RESOLUTION: THE CREATION OF A CHARTER REVISION COMMISSION — continued**

- 1) Shall the Town of Stratford adopt Budget Referendum(s) to determine the Annual Budgets of the Town of Stratford and the Stratford Board of Education, either combined or separate?
- 2) In the event that no one candidate receives 50% or greater of the votes in an election for public office should a run-off election be held between the two candidates who received the largest percentage of the votes cast? If yes, how many days following the initial election should the run-off election held?
- 3) Are there any sections of the Charter of the Town of Stratford that need additional clarification or elimination that better defines that section of the Charter?
- 4) Should a direct line of command be established in the event that the Chief Elected Official is unavailable to perform his/her duties?
- 5) Should a residency requirement be imposed on employees in key municipal positions? If so please identify the positions that would be included in residency requirement.
- 6) Should the position of Town clerk be an elected position similar to other CT. Municipalities?
- 7) Are there any additional recommendations from the Commission regarding items currently included or omitted from the Charter of the Town of Stratford?

The Charter Revision Commission should report back to the Town Council of Stratford no later than August 1, 2008 so that the Council may have ample time to review the recommendations and to determine if it will vote to place those recommendations on the 2008 municipal ballot.

**SUSPENSION OF COUNCIL RULES OF ORDER**

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO SUSPEND THE COUNCIL RULES OF ORDER FOR REASONS OF CHARTER REVISION. THE MOTION FAILED 6 TO 2 VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — NO, MR. FORRESTER — YES, MR. STAVOLA — ABSENT, MR. BARKER — NO, MR. MIRANDA — YES, MR. STROOMER — YES, MR. CAMILLO — ABSENT, MR. HENRICK — YES, MR. FEEHAN — YES.

**6.3 RESOLUTION: FULL FUNDING OF RAYMARK CLEAN-UP**

**Sponsored by: Gavin B. Forrester III**– 3<sup>rd</sup> District Council member

WHEREAS, it is known that there is approximately \$21 million dollars available for remediation of Raymark properties throughout Stratford.

WHEREAS, it is also known that the approximate cost of remediation of all affected properties will exceed the current funds available.

WHEREAS, the Town of Stratford has the desire to have all affected properties to undergo complete and final remediation to remove the superfund designation from these properties.

WHEREAS, the current superfund legislation prevents the request of additional monies until the existing funds are depleted.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Stratford, that the Mayor be requested to compose a letter to the entire Connecticut Congressional Delegation, which will also be signed by the members of the Town Council, requesting there assistance in any way possible in obtaining the necessary funding to complete the remediation process prior to the depletion of all existing funds so that the project can be completed fully.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED WITH 6 IN FAVOR, NO ONE OPPOSED AND MESSRS. JULIAN AND MIRANDA RECUSING THEMSELVES FROM VOTING AND DISCUSSION DUE TO A CONFLICT OF INTEREST.

*Stratford Town Council meeting recessed: 11:40 p.m.*

*Stratford Town Council meeting reconvened: 11:50 p.m.*

**7. NEW BUSINESS**

**7.1 STRATFORD vs. QUINTO A.K.A. HOLMES STREET** — Title to Holmes Street property has now vested in the Town. At August 13, 2007 Town Council Meeting, it was decided to discuss action for property at the September Council Meeting.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. O'NEAL TO REFER THE ABOVE MENTIONED HOLMES STREET PROPERTY FOR PURPOSE OF SALE AND WITH STIPULATIONS GIVEN BY THE TOWN ATTORNEY TO THE PLANNING COMMISSION FOR A MANDATORY REVIEW PURSUANT TO § 8-24 OF THE CONN. GEN. STATS. THE MOTION PASSED 9 TO 0 WITH MR. CAMILLO ABSENT.

*Stratford Town Council meeting recessed: Tuesday, September 11, 2007 12:05 a.m.*

*Stratford Town Council meeting reconvened: Tuesday, September 11, 2007 12:42 a.m.*

ACTION FROM EXECUTIVE SESSION AGENDA ITEMS

4.1.8 FIRE UNION CONTRACT

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. O'NEAL TO RATIFY AND ACCEPT THE FOREGOING CONTRACT. THE MOTION PASSED 9 TO 0 WITH MR. CAMILLO ABSENT.

4.1.9 SUPERVISORS UNION COLLECTIVE BARGAINING UNIT ARBITRATION

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. STROOMER TO RATIFY AND ACCEPT THE FOREGOING CONTRACT. THE MOTION PASSED 9 TO 0 WITH MR. CAMILLO ABSENT.

7.3 APPOINTMENTS — None

ADJOURNMENT — Hearing no further discussion in connection with the above agenda items or further business, Chairman Feehan called for a motion to adjourn. ON A MOTION MADE BY MR. MIRANDA, SECONDED BY MR. BARKER, IT WAS VOTED 9 TO 0 (MR. CAMILLO ABSENT) TO ADJOURN THE MEETING ON TUESDAY SEPTEMBER 11, 2007 AT 12:47 A.M.

ATTESTED:

\_\_\_\_\_  
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**

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)

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

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

Section 1. To meet the appropriation of ~~\$11,000,000~~ \$11,087,000\* 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~~ \$11,087,000\* 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").

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\* As amended

ORDINANCE #07-16 — continued

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 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

ORDINANCE #07-16 — continued

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.

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.

AN ORDINANCE APPROPRIATING ~~\$11,000,000~~ \$11,087,000\* FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2007-2008 (#07-17)

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

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

Section 1. The sum of ~~\$11,000,000~~ \$11,087,000\* 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
<del>Animal Control Facility</del>	<del>\$ 1,000,000</del>
<del>Parking Lot Resurfacing</del>	<del>\$ 100,000</del>

ROADS & SEWERS

Road Resurfacing	\$ 500,000	\$ 1,000,000
Road Reconstruction	\$ 500,000	\$ 1,000,000
King Street Culvert Replacement		\$ 775,000
West Broad Street Railroad Underpass Drainage		\$ 500,000

PARKS AND RECREATION

Playground Renovations	\$ 100,000	\$ 50,000
New Playground Units	\$ 225,000	\$ 75,000

CAPITAL EQUIPMENT

<del>Computer Infrastructure Improvement</del>	<del>\$ 250,000</del>
<del>Lift Truck</del>	<del>\$ 125,000</del>
Dump Truck	\$ 175,000
<del>Payloader</del>	<del>\$ 165,000</del>
<del>Street Sweeper</del>	<del>\$ 225,000</del>
Mowing Units	\$ 110,000
<del>Log Truck</del>	<del>\$ 130,000</del>
Back Hoe (Park Department)	\$ 100,000
Refuse Truck	\$ 170,000 \$ 160,000

\* As amended

ORDINANCE #07-17 — continuedCAPITAL EQUIPMENT — continued

<del>Rescue Pumper</del>	<del>\$ 400,000</del>
Roosevelt Forest	\$ 25,000
Boothe Park	\$ 100,000
EMS Facility	\$ 2,100,000
Shakespeare Theater	\$ 2,500,000

BOARD OF EDUCATION

Administration Roof Replacement	\$ <del>275,000</del>	\$ 170,000
Flooring Replacement	\$ <del>600,000</del>	\$ 300,000
Technology Infrastructure	\$ <del>535,000</del>	\$ 375,000
Bunnell High Capital Improvements	\$ <del>723,000</del>	\$ 425,000
<del>Stratford High Capital Improvement (incl. HVAC)</del>	<del>\$ 1,350,000</del>	
Wilcoxson School		\$ 125,000
Nichols School Capital Improvements	\$ <del>200,000</del>	\$ 125,000
Wooster School Capital Improvements	\$ <del>250,000</del>	\$ 100,000
Stratford Academy Capital Improvements	\$ <del>900,000</del>	\$ 40,000
Franklin School Capital Improvements	\$ <del>225,000</del>	\$ 75,000
Chapel Street School		\$ 30,000
Flood School		\$ 85,000
Lordship School		\$ 75,000
Bunnell High School Football Field		\$ 250,000
TOTAL	<u><del>\$11,000,000</del></u>	<u>\$11,087,000</u>

Section 2. Any of the estimated amounts for the public improvements set forth in Section 1 not required to meet the actual cost of such public 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 FOR THE REMEDIATION OF HAZARDOUS WASTE IN STRATFORD (#07-20)

Sponsor: Gavin B. Forrester III – 3<sup>rd</sup> District Council member

WHEREAS, Stratford has an industrial history in which many commercial entities operated within commercial zones and regularly used or created hazardous materials.

WHEREAS, several properties have been identified by State and Federal agencies as containing hazardous waste materials within the Town of Stratford.

WHEREAS, It is the goal of the Town in conjunction with State, Federal agencies, as well as commercial property owners or developers that these properties undergo remediation so that they can return to productivity.

WHEREAS, said remediation should be done in a manor that insures the safety and public health of all residents of Stratford.

NOW, THEREFORE BE IT ORDAINED BY THE STRATFORD TOWN COUNCIL that the code of the Town of Stratford will now include an Ordinance governing the remediation, construction, or development of properties that have been identified by any Town, State, or Federal agency or body as containing hazardous waste material as follows:

**1) Heath & Safety: These issues deal with proximity to residents, duration of exposure to clean-up and the monitoring of the clean-up.**

- a) Remediation construction (excavating, consolidation, and/or dumping of waste) shall take place no closer than 20 feet (this may be increased) from any property line. This will be the closest distance residents can come without safety gear (Hazmat suits, respiratory etc.).
- b) Barriers are to be erected to help contain any airborne material during the remediation construction process. Barriers to be similar to noise abatement barriers used along highways.
- c) Limit the time of remediation construction to 2 consecutive years max. From start, to completion of consolidation or removal, on any site, must have a firm closure date (limited to 2 years).
- d) Once the closure date has been reached, no additional waste can be taken to the site ever again.
- e) Funds are to be budgeted to ensure closure of consolidation or remediation construction. If it is started, it must be finished and not remain open indefinitely.

ORDINANCE #07-20 — continued

f) Airborne particulate at all construction sites (excavation and consolidation sites) are to be measured as close to real time as current technology will allow. Monitoring is to be done by an independent lab reporting to the health department of Stratford. Summary reports of testing are to be given to the Stratford Health Department at a minimum of once a week. Any elevated levels of dust are to be immediately reported to the Heath Department. The independent lab is to retain the test data for a minimum of 7 years.

g) Limit time of operation to 12 hours a day maximum. e.g. 7am-7pm.

h) Consolidation and excavations sites shall both use (amended) water to spray on sites to keep dust levels down should not be allowed to run off consolidation sites due to the chance of carrying hazardous material off site.

I) Management of storm water drainage from the consolidation or construction site shall include any drainage improvements to control potential flooding or runoff from the site.

j) Dump truck bed covers shall fully cover the truck beds and shall not have holes or gaps that allow waste to be released from the trucks in transit. Truck decontamination stations shall be constructed at both the excavation, construction and consolidation sites to remove dust and waste from the outside of the truck bodies and the wheels prior to departure of trucks from the sites.

k) Police details shall be in place at all major intersections that are not signal controlled to manage traffic safety issues (this should be paid for with remediation or construction funds).

l) The remedial or construction contractor shall use only diesel equipment retrofitted to reduce air emissions and use ultra low sulfur fuel to reduce harmful air emissions during construction. Vehicle operation on the excavation and consolidation sites shall comply with USEPA and CTDEP regulatory limitations on idling.

m) The remediation or construction contractor shall adhere to town restrictions of noise and light standards and shall monitor compliance during construction.

n) Stratford Fire, Police & Planning & Zoning should be consulted of the overall remediation or construction process.

o) Failure of remediation or construction contractor to adhere to the above will result in shut down of construction operation until such time contractor can meet set requirements. Contractor will not be compensated during a shutdown period resulting from failure to requirements.

ORDINANCE #07-20 — continued**2) Courtesy Practices: These issues deal with the maintaining the quality of life for residents adjacent to the consolidation areas.**

- a) Final use for the consolidation or remediation sites is to be known prior to remediation or construction activities and shall be approved by any land use boards as applicable. Emphasis should be placed on restoring property values to the abutting properties and area in general.
- b) A list of project managers and contact people is to be given to residents & town government.
- c) The remedial or construction contractor(s) shall hold neighborhood meetings at least once quarter during construction, more often if conditions warrant it or required by residents/town.
- d) Opening of any fire hydrant will be done in accordance with the town policies & ordinance.