



Stratford, Connecticut

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON **TUESDAY**, OCTOBER 9, 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 Stroomer, Mr. Robert Camillo, Mr. Jim Feehan, Mr. Michael Henrick

COUNCIL MEMBERS ABSENT: — none

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

INVOCATION PRESENTED BY FIRST DISTRICT COUNCIL MEMBER MICHAEL JULIAN FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of: Regularly scheduled meeting and public forum and executive session of September 10, 2007 and special meetings of September 5 and September 24, 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. HENRICK SECONDED BY MR. FORRESTER 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. Henrick — re: animal shelter, capital improvement plan

COMMENTS — continued

Mr. Camillo — re: proposed condos at edge of Great Meadows marsh, animal shelter

Mr. Stroomer — re: animal shelter

Mr. Miranda — re: animal shelter, proposed condos at edge of Great Meadows marsh

Mr. Barker — re: animal shelter

Mr. Forrester — re: animal shelter

Mr. O'Neal — re: animal shelter, proposed condos at edge of Great Meadows marsh

Mr. Julian — proposed condos at edge of Great Meadows marsh

Mayor Miron — animal shelter, Railroad Station parking facility, taping of Council Meetings

STRATFORD TOWN COUNCIL MEETING PROCEEDING IN THE ORDER AS FOLLOWS:

4.3.3 SIKORSKY MEMORIAL AIRPORT PILOT AGREEMENT — Attorney Jeff Fay from Pullman and Comley and additional staff members presented a brief overview. Question-Answer period followed. Mr. Buturla will forward a draft agreement to Council members.

3. COMMUNICATIONS**3.1 LETTER OF RESIGNATION FROM WATERFRONT HARBOR MANAGEMENT COMMISSION** (previously forwarded dated October 4, 2007) FROM: Mark Cody

RESOLVED: that the resignation of Mark Cody from the Waterfront Harbor Management Commission be and is hereby accepted.

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

3.2 LETTER FROM DaVINCI DRIVEWAYS, DATED: October 2, 2007
RE: High durability crosswalk in Stratford Center for the cost of materials only (estimated \$3200-3500) permits and providing traffic control.

MAYOR MIRON REFERRED THE FOREGOING COMMUNICATION TO THE PUBLIC WORKS COMMITTEE.

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

4.1.1 **RESOLUTION RE: ASTHMA GRANT** — Matching funds are not required. Additional staff will not be needed. This is a renewal grant application.

Sponsor: Stratford Town Council

RESOLVED: That the Mayor, James R. Miron, is authorized to enter into a contract on behalf of the Town of Stratford with the Connecticut Department of Public Health for funding in the amount of \$33,764.00; to execute any amendments, revisions, or rescission thereto; and to act as the authorized representative of the Town of Stratford.

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. O'NEAL TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 8 TO 0 WITH MESSRS. STAVOLA AND CAMILLO ABSENT.

4.1.2 COMMUNICATIONS

- a) Memo re: CONNDOT Bridge Inspection Reports for Local Structures (September 14, 2007) ITEM REFERRED TO THE PUBLIC WORKS COMMITTEE FOR REVIEW.
- b) Memo re: Fibertech Networks (September 21, 2007) ITEM REFERRED TO THE PUBLIC WORKS COMMITTEE.
- c) Memo re: Animal Shelter (September 28, 2007)

SUSPENSION OF COUNCIL RULES OF ORDER

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. CAMILLO TO SUSPEND THE COUNCIL RULES OF ORDER TO INCLUDE THE ABOVEMENTIONED ITEM "ANIMAL SHELTER" ON THE AGENDA. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

ANIMAL SHELTER

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. CAMILLO TO RECONSIDER THE SELECTION OF THE SITE FOR THE ANIMAL SHELTER. THE MOTION PASSED 9 TO 1 WITH MR. O'NEAL OPPOSED.

A MOTION WAS MADE BY MR. MIRANDA SECONDED BY MR. CAMILLO TO REFER SELECTION OF AN ALTERNATIVE SITE FOR ANIMAL SHELTER TO THE BUILDING NEEDS COMMITTEE. THE MOTION PASSED 9 TO 1 WITH MR. O'NEAL OPPOSED.

MAYOR'S REPORT — continuedANIMAL SHELTER — continued

A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. CAMILLO TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

- d) Memo re: CT Post Article – Artificial Turfs (September 28, 2007) — INFORMATIONAL ITEM
- e) Memo re: Post Carbon Cities Guidebook (September 28, 2007) — INFORMATIONAL ITEM

4.1.3 PROCLAMATIONS — INFORMATIONAL ITEMS

- a) National Fire Prevention Month
- b) National Breast Cancer Awareness Month
- c) National Domestic Violence Awareness Month
- d) National Hispanic Heritage Month

SUSPENSION OF COUNCIL RULES OF ORDER

At the request of Mayor Miron, A MOTION WAS MADE BY MR. O'NEAL SECONDED BY MR. FORRESTER TO SUSPEND THE COUNCIL RULES OF ORDER TO ADD AN ADDITIONAL ITEM ENTITLED "HISTORIC RESTORATION GRANT FOR BOOTHE PARK". THE MOTION PASSED 10 TO 0.

HISTORIC RESTORATION FUND GRANT PROGRAM

Sponsor: Stratford Town Council

WHEREAS, the CT Commission on Culture and Tourism, through the Historic Restoration Fund is authorized to extend financial assistance to municipalities in the form of grants; and,

WHEREAS, this funding has been made possible through the Historic Restoration Fund Grant Program; and,

WHEREAS, funds under this grant will be used to replace the roofs of all Boothe Memorial Park historic buildings that are significantly deteriorating and are in critical condition; and,

WHEREAS, it is desirable and in the public interest that the Town of Stratford, submit an application to the CT Commission on Culture and Tourism in an amount not to exceed \$400,000 for the purpose of roof replacements for Boothe Memorial Park historic buildings; and,

MAYOR'S REPORT — continuedHISTORIC RESTORATION FUND GRANT PROGRAM — continued

WHEREAS, the Town of Stratford is required to provide a cash match of \$200,000; and,

WHEREAS, the Town has committed a total of \$350,000, through municipal bonding, toward restoration of historic structures at the Park, of which \$200,000 will be used as matching funds; and,

WHEREAS, the Town of Stratford would benefit from the application of such funds toward improving the historic and cultural assets that are the several buildings that constitute the Park; and,

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL:

1. That it is cognizant of the Town grant application and contract to the CT Commission on Culture and Tourism for funds to replace the roofs of all Boothe Memorial Park historic buildings that are significantly deteriorating and are in critical condition.
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and file such application with CT Commission on Culture and Tourism, to provide such additional information and to execute such other contracts and documents as maybe necessary under this program.

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

SUSPENSION OF COUNCIL RULES OF ORDER

At the request of Mayor Miron, A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. CAMILLO TO SUSPEND THE COUNCIL RULES OF ORDER TO ADD AN ADDITIONAL ITEM ENTITLED "CHANGE ORDER FOR STERLING HOUSE IMPROVEMENTS". THE MOTION PASSED 10 TO 0.

CHANGE ORDER FOR STERLING HOUSE IMPROVEMENTS

RESOLVED: that the change order submitted by AllPhase Construction for repair/rebuild brick wall at Sterling House for the amount of \$6,241.68 be and is hereby approved.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. BARKER TO APPROVE THE FOREGOING CHANGE ORDER.

MAYOR'S REPORT — continuedCHANGE ORDER FOR STERLING HOUSE IMPROVEMENTS — continued

Stratford Town Council meeting recessed: 9:55 p.m.

Stratford Town Council meeting reconvened: 9:59 p.m.

THE MOTION PASSED 10 TO 0.

SUSPENSION OF COUNCIL RULES OF ORDER

At the request of Mayor Miron, A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. CAMILLO TO SUSPEND THE COUNCIL RULES OF ORDER TO ADD AN ADDITIONAL ITEM ENTITLED "PROPOSAL FOR WORK ON WASHINGTON PARKWAY AND COE AVENUE". THE MOTION PASSED 10 TO 0.

PROPOSAL FOR WORK ON WASHINGTON PARKWAY AND COE AVENUE

RESOLVED: that the proposal for work on Washington Parkway and Coe Avenue submitted by G.Pic and Sons Construction for the amounts as follows: (1) installation of 8" underdrain - \$13,200 (2) installation of 48" HDPE storm sewer - \$7,500 (3) one 45 degree fitting - \$1,250 (4) rip-rap pad - \$4,000 be and is hereby approved.

Mr. Julian recuses himself from voting and discussion on the matter due to a conflict of interest. A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. CAMILLO TO APPROVE THE FOREGOING PROPOSAL. THE MOTION PASSED WITH 8 IN FAVOR, NO ONE OPPOSED, MR. STAVOLA ABSENT AND MR. JULIAN RECUSING HIMSELF.

4.1.4 QUESTIONS TO MAYOR OR STAFF

Mr. Henrick — re: dumping in River near Quail Street, rumor of closing Boothe Park, Grants writer

Mr. Camillo — re: street paving, overgrowth of weeds on Whippoorwill Lane

Mr. Barker — re: Barnum Avenue

Mr. Miranda — re: light at Wooster Park, Naming of Park

Mr. Forrester — Railroad Station, goal posts at Pender Field, Old Firehouse bonding package, list of paving for sidewalks and streets

Mr. O'Neal — re: Bates Street, sidewalks on South Ave.

4.2 COMMITTEE REPORTS

4.2.22 BEAUTIFICATION COMMITTEE — The Beautification Committee meeting of September 4, 2007 went forward. MR. STROOMER REPORTED THAT THE BEAUTIFICATION AWARDS CERMONY TOOK PLACE ON OCTOBER 3, 2007.

4.2.27 BLIGHT COMMITTEE — Information regarding this committee is not available for the month of September 2007. MR. FORRESTER REPORTED THAT A MEETING TOOK PLACE DURING THE MONTH OF SEPTEMBER.

4.3 TOWN ATTORNEY'S REPORT

WAIVER OF COUNCIL RULES OF ORDER

At request of the Town Attorney, A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. O'NEAL TO WAIVE THE COUNCIL RULES OF ORDER TO ADD "AN ORDINANCE re: ENERGY MANAGEMENT SERVICES". THE MOTION PASSED WITH 8 IN FAVOR, 1 (MR. FEEHAN) OPPOSED AND MR. STAVOLA ABSENT.

AN ORDINANCE re: ENERGY MANAGEMENT SERVICES (#07-22)

Sponsored by: Hon. Gavin Forrester, Council Member — District 3
Hon. Michael Henrick, Council Member — District 10

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 17-19)

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED WITH 8 IN FAVOR, 1 (MR. FEEHAN) OPPOSED AND MR. STAVOLA ABSENT.

4.3.1 AIRPORT PURCHASE — continuing item

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

TOWN ATTORNEY'S REPORT — continued

4.3.4 SAFECO INSURANCE ASO CIOFFI V JASON SALEMME, ET AL — 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.

4.3.5 KIM WHITEHEAD-YEARWOOD V TOWN OF STRATFORD, ET AL — 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. JULIAN, SECONDED BY MR. BARKER TO ENTER INTO EXECUTIVE SESSION PRIOR TO CONCLUSION OF THIS MEETING AT THE RECOMMENDATION OF THE TOWN ATTORNEY TO DISCUSS THE FOREGOING THREE ITEMS (4.3.2, 4.3.4, AND 4.3.5) FOR THE REASON STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED 10 TO 0.

4.3.6 QUESTIONS TO THE TOWN ATTORNEY

Mr. O'Neal — re: proposed condos on edge of Great Meadow Marsh

Mr. Forrester — re: review of Blight Ordinance

Mr. Camillo — re: Fire Headquarters issues

5. UNFINISHED BUSINESS

5.1 COUNCIL AGENDA — Final version adopted April 10, 2006.
Mr. Julian is editing Ordinance re: agenda item #1.

5.2 SAEP — No business furnished.

5.3 TABLED ITEMS

5.3.1 BOOTHE PARK COMMISSION — tabled during Council meeting of June 12, 2006
(A) Fiscal Impact of Ordinance #06-01 Amending the Boothe Park Commission
(B) Mayor's Proposed Amendments #06-17

UNFINISHED BUSINESS — continuedTABLED ITEMS — continuedBOOTHE PARK COMMISSION — continued

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. FORRESTER TO REMOVE THE FOREGOING ITEMS FROM THE TABLE. THE MOTION PASSED 9 TO 1 WITH MR. FEEHAN OPPOSED.

- 5.4.1 ORDINANCE AMENDING THE BOOTHE PARK COMMISSION (#06-01) — Tabled during Council meeting of June 12, 2006, referred with favorable recommendation from Ordinance Committee meeting of May 22, 2006.

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.

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. FORRESTER TO REMOVE THE FOREGOING ORDINANCE FROM THE TABLE. THE MOTION PASSED 9 TO 0 WITH MR. MIRANDA ABSENT.

MR. CAMILLO WITHDRAWS HIS NAME AS SPONSOR OF THE ORDINANCE (#06-01). CHAIRMAN FEEHAN ASKS FOR A SPONSOR TO THE ORDINANCE. HEARING NONE, THE ITEM IS REMOVED FROM THE AGENDA.

SINCE ITEM 5.4.1 IS REMOVED, ITEM 5.3.1 [(A) AND (B)] IS REMOVED AS WELL.

- 5.3.2 PLAYGROUND AT BOOTHE PARK — tabled during Council meeting of June 12, 2006.

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

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

- 5.3.3 INVESTIGATION OF CAO — Tabled during Council Meeting of March 12, 2007.

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. MIRANDA TO REMOVE THE FOREGOING ITEM FROM THE TABLE. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

UNFINISHED BUSINESS — continuedTABLED ITEMS — continuedINVESTIGATION OF CAO — continued

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

5.3.4 LETTER FROM PLANNING COMMISSION (Correspondence previously forwarded)

DATED: May 7, 2007

RE: § 8-24 Review of Proposed wireless facilities at Bunnell High School and Wooster Park or Wooster Middle School (Tabled during Council meeting of May 14, 2007)

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

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. HENRICK TO REMOVE THE FOREGOING ITEM FROM THE TABLE. THE MOTION PASSED 10 TO 0. Mr. Feehan requests an official response to further action to the matter.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. JULIAN TO RETURN THE FOREGOING ITEM TO THE TABLE. THE MOTION PASSED 10 TO 0.

5.3.5 JAMES PROKOP vs. TOWN OF STRATFORD (tabled during Council meeting of September 10 from Town Attorney's Report)

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. HENRICK TO REMOVE THE FOREGOING ITEM FROM THE TABLE. THE MOTION PASSED 9 TO 0 WITH MR. STAVOLA ABSENT.

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, special Assistant Attorney Florek and himself.

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

UNFINISHED BUSINESS — continued5.4 TABLED ORDINANCES5.4.3 ORDINANCE RE HOUSATONIC RIVER ESTUARY COMMISSION (#07-15)

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

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. MIRANDA TO REMOVE THE FOREGOING ORDINANCE FROM THE TABLE. THE MOTION PASSED 10 TO 0.
After clarification from Mr. Buturla, A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO RETURN THE FOREGOING ORDINANCE TO THE TABLE. THE MOTION PASSED 10 TO 0.

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

RESOLVED: that VICTORIA WILCHINSKY of 389 OCEAN AVENUE be and is hereby appointed a member of the Airport Noise Abatement Committee.

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

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO APPOINT VICTORIA WILCHINSKY OF 389 OCEAN AVENUE TO THE FOREGOING POSITION. THE MOTION PASSED 10 TO 0.

5.5.5 WATERFRONT HARBOR MANAGEMENT COMMISSION, appointed by Town Council

5.5.5.2 REGULAR MEMBER, 5-year term

RESOLVED: that BOB SCHAEFER of 646 RIVERDALE DRIVE be and is hereby appointed a member of the Waterfront Harbor Management Commission. (Term of Cameron Dunlap expired May 31, 2007)

TABLED APPOINTMENTS — continuedWATERFRONT HARBOR MANAGEMENT COMM., REGULAR MEMBER — continued

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

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO APPOINT BOB SCHAEFER OF 646 RIVERDALE DRIVE TO THE FOREGOING POSITION. THE MOTION PASSED 10 TO 0.

5.5.6 LIBRARY ASSOCIATION — 3-year terms, appointed by Council

A. RESOLVED: that RICHARD H. DI VECCHIO of 21 B ALGONQUIN LANE be and is hereby appointed a member of the Stratford Library Association. (Term of Joel F. Pleban expired Dec. 31, 2006)

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

A MOTION WAS MADE BY MR. CAMILLO SECONDED BY MR. JULIAN TO APPOINT RICHARD H. DI VECCHIO OF 21 B ALGONQUIN LANE TO THE FOREGOING POSITION. THE MOTION PASSED 10 TO 0.

5.5.7 BEAUTIFICATION COMMITTEE — term concurrent with Council

A. RESOLVED: that FLORENCE KOKORUDA of 118 JEFFERSON STREET be and is hereby appointed a member of the Beautification Committee. (term of Linda Ficano expires December 2007)

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

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. JULIAN TO APPOINT FLORENCE KOKORUDA OF 118 JEFFERSON STREET TO THE FOREGOING POSITION. THE MOTION PASSED 10 TO 0.

6. ORDINANCES AND RESOLUTIONS

6.1 ORDINANCE RE AMENDMENTS TO CHAPTER 44 OF THE CODE OF THE TOWN OF STRATFORD: AIR POLLUTION (#07-21) (appended as pages 15-16)

Sponsor: Councilman Raymond Barker, Fifth District

RESOLVED: That the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing.

A MOTION WAS MADE BY MR. BARKER SECONDED BY MR. CAMILLO TO REFER THE FOREGOING ORDINANCE TO THE ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 10 TO 0.

7. NEW BUSINESS

7.1 SELECTION OF CONSULTANT FOR SHAKESPEARE THEATER THROUGH RFQ PROCESS

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. O’NEAL TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 10 TO 0.

7.2 APPOINTMENTS

7.2.1 BEAUTIFICATION COMMITTEE — term concurrent with Council.

RESOLVED: that _____ of _____ be and is hereby appointed a member of the Beautification Committee. (Vacated term of Avril Westmoreland will expire December 2007).

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

*Stratford Town Council meeting recessed: 10:55 p.m.
Stratford Town Council meeting reconvened: 11:15 p.m.*

ACTION TAKEN FROM EXECUTIVE SESSION ITEMS

4.3.4 SAFECO INSURANCE ASO CIOFFI V JASON SALEMME, ET AL

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION IN CONNECTION WITH THE FOREGOING CASE. THE MOTION PASSED 10 TO 0.

4.3.5 KIM WHITEHEAD-YEARWOOD V TOWN OF STRATFORD, ET AL

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION IN CONNECTION WITH THE FOREGOING CASE. THE MOTION PASSED 10 TO 0.

5.3.5 JAMES PROKOP vs. TOWN OF STRATFORD

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. FORRESTER TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION IN CONNECTION WITH THE FOREGOING CASE. THE MOTION PASSED 10 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. CAMILLO, SECONDED BY MR. JULIAN, IT WAS VOTED 10 TO 0 TO ADJOURN THE MEETING AT 11:17 P.M.

ATTESTED BY:

Carol Cabral
Carol Cabral, Council Clerk

**ORDINANCE RE AMENDMENTS TO CHAPTER 44
OF THE CODE OF THE TOWN OF STRATFORD: AIR POLLUTION (#07-21)**

Sponsor: Councilman Raymond Barker, Fifth District

Chapter 44, Air Pollution

ARTICLE I, Smoke **and Outdoor Fires.**

§ 44-1. Ringelmann Smoke Chart to be standard.

For the purpose of grading the density of smoke, the Ringelmann Chart, as now published and used by the United States Bureau of Mines, which is hereby made a part of this chapter by reference, shall be the standard.

§ 44-2. When smoke is considered dense.

Smoke shall be considered dense when it is equal to or of greater density than Diagram No. 2 of such chart.

§ 44-3. Declaration of nuisance.

The creation or discharge within the Town of dense smoke is prohibited and is hereby declared to be a nuisance and may be summarily abated by the **Mayor** or by anyone he may authorize for such purposes. Such abatement may be in addition to the fines and penalties hereinafter provided.

§ 44-4. Outdoor fire requirements.

The kindling and/or maintenance of any and all outdoor fires shall be subject to the following:

- A. **No person shall kindle and/or maintain an outdoor fire, except in a container approved by the fire marshal, without permission from the fire marshal or his designee, which permission may be denied if in his opinion conditions are unsafe for burning and in his judgment are required to protect the public health, safety and welfare.**
- B. **No outdoor fire shall be kindled and/or maintained between sunset and sunrise.**
- C. **No outdoor fire shall be left unattended at any time.**
- D. **This ordinance shall in no way be interpreted to relieve the person kindling or maintaining such a fire of any legal responsibility whatsoever for any damages cause by any fire, including, but not limited to, personal injury or damage to the property of another.**

Ordinance #07-21 — continued

- E. **Outdoor fires must be extinguished before sunset.**
- F. **Outdoor burning of garbage is prohibited.**
- G. **The provisions of this ordinance shall not apply to barbecue grills or other fires solely for the cooking of goods for human consumption and maintained in a grill manufactured and solely for such purpose.**

§ 44-5. Prohibited discharge.

No person shall cause, suffer or allow smoke, fumes or offensive odors to be discharged from any building, vessel, engine, vehicle or other places or premises within the Town in such manner, of such quality or in such quantity as to annoy or disturb unreasonably or to endanger the health of any person or as to damage or render unsightly any property or thing; the discharge of smoke, the density of which shall not exceed Diagram No. 3 of the Ringelmann Chart, provided that it causes no actual damage and does not endanger health, shall be permitted for eight minutes in any 60 consecutive minutes and for a period not to exceed 20 consecutive minutes in a period of one day of 24 hours and during such time as the firebox is being cleaned or a new fire being built therein.

§ 44-6. Violations and penalties.

All persons causing, participating or in any way responsible for any violation of the provisions of this chapter shall be **individually** and severally guilty of such violations, **and liable for such fire and/or smoke, or any damages caused thereby,** and shall each be fined **\$250.00 for any violation of this ordinance occurring within a one hour period and such persons may be fined an additional \$250.00 for all other violations occurring in any other one hour period.**