

# MINUTES OF MEETING

## **STRATFORD TOWN COUNCIL DECEMBER 10, 2007**

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

CALL TO ORDER: 8:00 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 MAYOR JAMES MIRON FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

1. APPROVAL OF MINUTES — Minutes of:

- Public Forum of November 13, 2007;
- Regularly scheduled Council meeting of November 13, 2007;
- Executive Sessions of November 13, 2007;
- Special meeting of November 28, 2007.

RESOLVED: that the reading of the minutes of the foregoing meetings be dispensed with as copies thereof have been previously provided to each Council Member and the same be and are hereby approved.

A MOTION WAS MADE BY MR. STROOMER SECONDED BY MR. MIRANDA TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 10 TO 0.

2. DISPENSE WITH: COMMUNICATIONS, MAYOR'S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY'S REPORT.

3. DISPENSE WITH: UNFINISHED BUSINESS

4. ORDINANCE re: LONG BEACH WEST RESERVE FUND (07-23)

sponsored by: Hon. James Feehan, Ninth 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*)

ORDINANCE re: LONG BEACH WEST RESERVE FUND (07-23) — continued

A MOTION WAS MADE BY MR. HENRICK SECONDED BY MR. CAMILLO TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING WITH FAVORABLE RECOMMENDATION. MR. FORRESTER OFFERED A FRIENDLY AMENDMENT TO EXCLUDE THE VERBIAGE “WITH FAVORABLE RECOMMENDATION”. MESSRS. HENRICK AND CAMILLO ACCEPT MR. FORRESTER’S FRIENDLY AMENDMENT. THE MOTION PASSED WITH 7 IN FAVOR AND 3 OPPOSED.

5. CERTIFICATION OF ELECTION OF NEW COUNCIL

STATE OF CONNECTICUT  
 COUNTY OF FAIRFIELD

TOWN OF STRATFORD

AS CERTIFIED ON NOVEMBER 15, 2007, at the regular election held on November 6, 2007, in accordance with the provisions of Section 7.1.1 of the Town Charter, the following persons were duly elected:

To the Office of Councilman for a term of two (2) years commencing December 10, 2007.

- FIRST DISTRICT — HONORABLE MICHAEL A. JULIAN
- SECOND DISTRICT — HONORABLE ALVIN L. O’NEAL
- THIRD DISTRICT — HONORABLE GAVIN B. FORRESTER, III
- FOURTH DISTRICT — HONORABLE EMMA BROOKS
- FIFTH DISTRICT — HONORABLE JOHN M. DEMPSEY
- SIXTH DISTRICT — HONORABLE AMY J. WANAMAKER
- SEVENTH DISTRICT — HONORABLE WILLIAM A. STROOMER
- EIGHTH DISTRICT — HONORABLE THOMAS W. MOORE
- NINTH DISTRICT — HONORABLE JOSEPH A. KUBIC
- TENTH DISTRICT — HONORABLE MICHAEL F. HENRICK

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. FORRESTER TO ACCEPT THE ABOVE CITED CERTIFICATION. THE MOTION PASSED 10 TO 0.

6. CERTIFICATES OF APPRECIATION — presented to the following individuals:

A. COUNCIL MEMBERS

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| <ul style="list-style-type: none"> <li>• ANGELO STAVOLA</li> <li>• RAYMOND BARKER</li> <li>• JOHN D. MIRANDA</li> </ul> |  | <ul style="list-style-type: none"> <li>• ROBERT V. CAMILLO</li> <li>• JAMES FEEHAN</li> </ul> |
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B. BOARD OF EDUCATION MEMBER

- LAURA HOYDICK



Oath of Office — continued

- SIXTH DISTRICT — HONORABLE AMY WANAMAKER
- SEVENTH DISTRICT — HONORABLE WILLIAM A. STROOMER
- EIGHTH DISTRICT — HONORABLE THOMAS W. MOORE
- NINTH DISTRICT — HONORABLE JOSEPH A. KUBIC
- TENTH DISTRICT — HONORABLE MICHAEL F. HENRICK

BOARD OF EDUCATION MEMBERS — Oath Administered by Town Clerk

- HONORABLE DAVID KENNEDY
- HONORABLE JAMES LOCONTE
- HONORABLE JEAN M. COLLIER

CONSTABLES — Oath Administered by Town Clerk

- HONORABLE ROBERT J. CONNOLLY
- HONORABLE PAUL R. MATHEWSON
- HONORABLE EDWARD A. MONROE

PLANNING COMMISSIONER — Oath Administered by Town Clerk

District II — HONORABLE ANGELO STAVOLA

ZONING COMMISSIONERS — Oath Administered by Town Clerk

District I — HONORABLE ROBERT J. CONNOLLY

District II — HONORABLE ROBERT J. GALELLO

District IV — HONORABLE CHRISTOPHER E. SILHAVEY (2-YEAR TERM)

District V — HONORABLE ADAM G. BONOFF (2-YEAR TERM)

ZONING BOARD OF APPEALS COMMISSIONER — Oath Administered by Town Clerk

District V — HONORABLE JAMES D. SHUGRUE

3. ELECTION OF CHAIRMAN — Acting Council Chairman, Town Clerk called for nominations for Chairman of the Stratford Town Council.

RESOLVED: that COUNCIL MEMBER MICHAEL HENRICK be and is hereby appointed Chairman of the Stratford Town Council.

A MOTION WAS MADE BY MR. JULIAN, SECONDED BY MR. O'NEAL TO NOMINATE MICHAEL HENRICK FOR CHAIRMAN OF THE STRATFORD TOWN COUNCIL.

A MOTION WAS MADE BY MR. KUBIC, SECONDED BY MR. FORRESTER TO CLOSE NOMINATIONS. THE MOTION TO CLOSE NOMINATIONS PASSED UNANIMOUSLY.

Chairman — continued

MICHAEL HENRICK IS DULY ELECTED CHAIRMAN OF THE STRATFORD TOWN COUNCIL VIA ROLL CALL VOTE AS FOLLOWS: MR. JULIAN — YES, MR. O'NEAL — YES, MR. FORRESTER — YES, MS. BROOKS — YES, MR. DEMPSEY — YES, MS. WANAMAKER — YES, MR. STROOMER — YES, MR. MOORE — YES, MR. KUBIC — YES, MR. HENRICK — YES (VOTED UNANIMOUSLY)

4. APPOINTMENT OF COUNCIL CLERK

RESOLVED: that CAROL G. CABRAL of 1034 EAST MAIN STREET be and is hereby reappointed Council Clerk for the Town of Stratford at a salary as outlined in the current salary schedule.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. STROOMER TO REAPPOINT CAROL G. CABRAL AS THE CLERK OF THE STRATFORD TOWN COUNCIL. THE MOTION PASSED UNANIMOUSLY.

4.a APPOINTMENT IN ACCORDANCE WITH § 1.2 OF THE STRATFORD TOWN CHARTER

RESOLVED: that Council Member Joseph A. Kubic be and is hereby the Council Member appointed to perform the duties of the Mayor pursuant to § 1.2 of the Stratford Town Charter.

A MOTION WAS MADE BY MR. JULIAN SECONDED BY MR. STROOMER TO APPOINT COUNCIL MEMBER JOSEPH A. KUBIC TO THE FOREGOING POSITION. THE MOTION PASSED UNANIMOUSLY.

5. ADOPTION OF COUNCIL RULES OF ORDER

RESOLVED: that the 2007-2009 Council Rules of Order be and is here adopted. (*appended as pages 4-10*).

A MOTION WAS MADE BY MR. KUBIC SECONDED BY MR. JULIAN TO ADOPT THE COUNCIL RULES OF ORDER WITH THE FOLLOWING AMENDMENTS:

- Change the verbiage "Councilman(men)" to "Council Member(s)"
- Last paragraph change to read: The Public shall include residents of the Town of Stratford and Town of Stratford Taxpayers.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. O'NEAL TO AMEND THE RULES OF ORDER AS FOLLOWS:

Rule XIII, line item C: delete the verbiage "Town Attorney and the Assistant Town Attorneys"

THE AMENDMENT CARRIED UNANIMOUSLY.

THE MAIN MOTION, TO ADOPT, PASSED UNANIMOUSLY AS AMENDED.

6. ADJOURNMENT Hearing no other business, Chairman Henrick entertained a motion to adjourn. ON A MOTION MADE BY MR. FORRESTER, SECONDED BY MR. O'NEAL, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:10 P.M.

ATTESTED BY: Carol Cabral  
Carol Cabral, Council Clerk

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## **RULES OF ORDER**

Adopted December 10, 2007

### **I DEFINITIONS**

From the time of the passage of these Rules of Order:

A. COUNCIL CHAIR shall have the same meaning in these Rules of Order and in all Council records, correspondence, ordinances, resolutions, memoranda, communications, documents and other matters as the term "*Council Chairman*" which is defined in Section 2.1.5 of the Charter of the Town of Stratford.

### **II PRESIDING OFFICER AND RECORD**

A. The Chair of the Council, or in the absence of the Chair, a Chair Pro Tempore as appointed by the Council, shall preside at all Council meetings, and on the appearance of a quorum shall call the members to order. The Chair shall cause the records of the previous meeting to be read unless such action is waived by a majority vote of all members of the Council.

B. The Chair of the Council shall not be removed from such appointment except by the affirmative vote of seven (7) members of the Council taken by roll call.

C. This Rule (Numbered II) shall not be changed except by the affirmative vote of eight (8) members of the Council taken by roll call.

### **III ORDER AND APPEAL**

The presiding officer shall preserve order and decorum and shall refer all questions of order to the Council Parliamentarian upon which no debate shall be allowed except by request of the presiding officer, but any such decision by the Council Parliamentarian shall be subject to an appeal to the Council made by motion regularly seconded and decided by a majority vote of the council members in attendance at the meeting. Debate shall be allowed on appeal.

### **IV ORDER OF BUSINESS**

The Order of Business, is limited to Town business and shall not include ceremonial presentations and awards, shall be as follows:

First: Reading of the record of the previous meeting.

Second: Councilman Member's response to comments from public forum.

Third: Reading and disposing of communications, bills, petitions, remonstrances and memorial, or other matters, which may be referred to an appropriate Committee, Board, or Town Officer by the Chair. Such reference shall be subject to an appeal to the Council, whereby such dispositions shall be determined by a majority of the Council present.

Fourth: Reading and disposing of reports of the Mayor, Committee Reports and Town Attorney.

Fifth: Questions for the Mayor.

Sixth: Unfinished Business.

Seventh: Ordinances and Resolutions.

Eighth: New Business.

Ninth: Old Business

Tenth: Adjournment

#### V AGENDA

A. The Clerk of the Council shall prepare an agenda relating to the order of business to be considered at the regular Council meetings. All new business to be included in such agenda shall be presented to the Clerk in its complete text not later than four-thirty (4:30) P.M. on the Tuesday preceding the next regular Council meeting at which the matter is to be considered. Any matter requested to be placed on the agenda must be approved by the Chairman of the Council. An item may be added to the Council agenda only with a vote of seven (7) members of Council at the regularly scheduled.

B. The Clerk of the Council shall distribute copies of the agenda to each Council ~~Man~~ Member, the Mayor, Chief administration officer, the Town Attorney and Assistant Town Attorneys, on or before the Wednesday preceding the date of the regular Council meeting.

#### VI FILLING VACANCIES

Only a properly distributed agenda requesting an appointment to fill a vacancy shall be acted upon at the meeting at which it is presented; other requests to fill a vacancy shall be placed upon the agenda for the next meeting of the Council, regular or special, as the case may be, at which time action in filling the vacancy may be taken.

#### VII QUORUM

A quorum of the Council shall consist of six (6) members. *See Charter, Section 2.1.4.*

#### VIII ORDER OF MOTIONS AND DETERMINATION OF VOTES

A. During debate, only the following motions shall be received by the Chair, and they shall have precedence in the following order:

(1) To fix the time of adjournment (which may be amended as to time).

- (2) To adjourn.
- (3) To reconsider.
- (4) To lay on the Table.
- (5) To move the previous question.

The preceding motions (1 through 5) shall not be debatable nor subject to amendment, except as stated above.

- (6) To postpone to a time certain.
- (7) To commit or to recommit.
- (8) To amend.
- (9) To postpone indefinitely (which may not be amended).

The preceding motions (6 through 9) shall be debatable and subject to amendment, except as stated above.

B. The presiding officer shall declare all votes. If a vote be doubted, the presiding officer shall order a roll call vote or any member of the Council may request a roll call vote.

C. Any of the aforesaid motions shall be carried by a majority vote of the members of the Council in attendance at the meeting of the Council.

#### **IX WITHDRAWAL AND RECONSIDERATION OF MOTIONS**

A. A motion may be withdrawn by the mover at any time before a decision or amendment.

B. In the event a motion has been carried, whether in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move a reconsideration thereof at the same, or at the regular meeting next succeeding the meeting at which the vote was taken, and such motion shall take precedence over all other questions except a motion to fix the time to which to adjourn and to adjourn.

C. However, no question shall be twice reconsidered, nor shall any vote which has caused action that cannot be reversed be reconsidered.

#### **X MOTION IN WRITING**

The presiding officer shall state any motion which is made and seconded. A motion which is in writing shall be read aloud to debate unless copies of same have been distributed to all Councilmen Members. Any motion shall be reduced to writing at the request of the presiding officer or of any member of the Council.

#### **XI ROLL CALL VOTE ON FINAL PASSAGE OF ORDINANCE**

A roll call vote shall be taken upon the final passage of any ordinance.

## **XII AMENDMENTS AND DIVISIONS**

No motion or proposition on a subject different from that under consideration shall be recognized by way of an amendment. Any member of the Council may move for a division of the question when each of the divided questions may be acted upon properly. An affirmative vote of the majority of the Council members in attendance at the meeting of the Council shall be necessary to divide a question.

## **XIII COUNCIL COMMITTEES AND OTHER APPOINTMENTS**

A. A majority of the Council shall appoint, except as otherwise provided by Charter or State Law, such Committees, their members and their respective Chairs, as it deems necessary for the proper conduct of Town affairs.

B. Except as otherwise provided by Charter or State Law, a majority of the Council Shall also have the power to appoint Council representation to any Board, Commission, Conference, Committee or other body which may request the same.

C. The appointment of the Committee Chairs, Committee Members, ~~Town Attorney and the Assistant Town Attorneys~~, and the Council Clerk shall not be changed except by the affirmative vote of seven (7) members of the Council taken by roll call.

D. Subject to these Rules of Order, all Council~~men~~ Members shall have the right to address any Committee of the Town Council.

E. On all Council Committees and other appointments except as otherwise provided by law, a Council~~man~~ Member may appoint an alternate to represent him/her at a meeting of said committee of which they are a member. That appointee can only be another Council~~man~~ Member appointed by the Council~~man~~ Member who is not going to be present at said meeting. The alternate Council~~man~~ Member will be allowed to make any appropriate motions and vote on any and all issues that come before that committee on that date. The Council~~man~~ Member who will be absent must notify the Chair of said committee, either verbally or a note or a Fax or an E-Mail stating who the alternate Council~~man~~ Member will be.

F. This Rule (numbered XIII) shall not be changed except by the affirmative vote of seven (7) members of the Council taken by roll call.

## **XIV DUTIES OF COMMITTEES**

A. The Chair of each Committee shall appoint the Committee Secretary.

B. All Committee meetings shall be tape recorded and such recordings shall be filed with the Town Clerk and said tape recordings be kept for a period of time not less than the term of the Town Council during which they were recorded. In no event, however, shall said tape recordings be kept for a period of time less than a quarter of a year.

C. Each Committee shall keep written minutes, copies of which shall be distributed to each Council~~man~~ Member and filed with the Town Clerk.

D. Each Committee, Board, or Town Officer to which may be referred any petition, matter or thing, shall present their report at the next regular meeting of the Council after such reference,

unless otherwise specifically directed. Extensions of time for the filing of such report may be granted at the discretion of the Council Chair.

#### **XV COMMITTEE REPORTS**

All reports of Committees, Boards, or Town Officers shall be in writing and accompanied by such order, resolution or bill as said Committee, Board or Town Officer shall recommend for the action of the Council. Upon reading of a report, if no motion is made the question shall always be upon the order, resolution or bill, if any contained therein; and when the question is determined, upon the acceptance of the report. Orders, resolutions or bills reported by the Committee, Board or Officer may be recommitted, together with the report, at any time prior to passage or rejection of the same.

#### **XVI COMMITTEE MINORITY REPORTS**

Any minority report of a Committee shall be acted upon by the Council even though a majority report on the matter or subject in question is not submitted by said Committee.

#### **XVII REFERENCES TO COMMITTEES**

Any new business relating to an ordinance, order, resolution, or other matter appropriately requiring Committee action may be referred to any Committee, except as follows, and unless determined to the contrary by a majority vote of the members of the Council present:

A. All resolutions or petitions relating to the adoption or amending of any ordinance shall be referred to the ORDINANCE COMMITTEE.

B. All claims, resolutions, petitions, or other matters relating to general government of the Town and for which no appropriate Committee may exist, may be referred to the FINANCE AND CLAIMS COMMITTEE; and all resolutions, petitions, ordinances, or other matters relating to the appropriation of money shall be referred to the FINANCE AND CLAIMS COMMITTEE.

#### **XVIII ENDORSEMENTS AND PRESENTATIONS**

All written resolutions and ordinances shall be endorsed with the name of a "*sponsor*" who shall be a member of the Council. A resolution or ordinance shall be considered in the order of its presentation unless a subsequent matter be prior in its nature, except when considering the naming of sums or the fixing of time, the Council shall first consider the larger sum and the longer time.

#### **XIX RESTRICTIONS ON SPEAKING**

Only members of the Town Council and the Mayor shall be recognized to speak at meetings of the Town Council except for those persons a Council Member wishes to question. No member or the Mayor shall speak more than once on a question until each member and the Mayor choosing to speak has done so. In the event two or more members and or the Mayor desire recognition at the same time, the presiding officer shall designate the member or the Mayor to speak first. All remarks shall be directed to the Chair and be confined to and be germane to the question in debate. A speaker permitted to speak pursuant to these rules shall not be interrupted by another except by a call to order or to correct a mistake.

**XX VOTE ON ORDINANCES**

The yes and no votes shall be taken upon the passage of all ordinances and the affirmative vote of a majority of the whole number of the Council shall be necessary to make, alter or repeal ordinances, except that any ordinance providing for the issue of bonds shall require the affirmative vote of seven (7) members of the Council. *See Charter, Section 2.2.4.*

**XXI ADOPTION OF ORDINANCES**

No ordinance shall be passed until it has been read at two (2) separate meetings or unless this requirement has been dispensed with by vote of seven (7) members of the Council. The final reading shall be in full, unless the measure shall have been printed or typewritten and a copy thereof furnished to each member prior to such readings. *See Charter, Section 2.2.8.*

**XXII VOTE ON RESOLUTIONS**

The yes and no votes shall be taken upon the passage of all resolutions and the affirmative vote of six (6) members of the Council shall be necessary to make, alter or repeal resolutions. *See Charter, Section 2.2.8.* Authorization of the transfer of funds shall require the affirmative vote of seven (7) members of the Council. *See Charter, Section 6.2.5.*

**XXIII SPECIAL APPROPRIATIONS**

A special appropriation of money shall be approved by the affirmative vote of six (6) members of the Council taken by roll call; but the Council shall have no power to make any special appropriation out of unappropriated revenues unless the revenues of the Town are sufficient for the purpose.

**XXIV VOTE REQUIRED OF MEMBERS**

No member of the Council shall be excused from voting on any question, except matters involving the consideration of his own official conduct or where his financial interests are involved. *See Charter, Section 2.2.8.* No member shall be permitted under any circumstances whatever to vote after the decision is announced from the Chair.

**XXV PARLIAMENTARY LAW**

All differences of opinion in regard to points of order or modes of proceeding not herein otherwise provided for shall be governed by Parliamentary practice as set forth in "*Robert's Rules of Order*".

All questions of Parliamentary procedure shall be referred to the Council Parliamentarian selected by the Town Council by a majority vote of the Town Council members. The Council Parliamentarian shall serve for the term of the Council unless removed by a vote of seven (7) members of the Town Council. The Council Chair may appoint a Substitute Council Parliamentarian upon the disclosure of the Council Parliamentarian of the need to recuse himself or herself from the deliberations of any matter before the Town Council.

**XVI SUSPENSION OF RULES**

These Rules may be suspended at any meeting of the Council by the affirmative vote of seven (7) members. A motion made hereunder shall designate the particular rule proposed to be suspended and the purpose of the proponent.

**XXVII CHANGE OF RULES**

The foregoing Rules, except such as are Charter provisions and except as otherwise provided, may be repealed, amended, or new ones added by resolution approved by the affirmative vote of seven (7) members of the Council.

**XXVIII PUBLIC FORUM**

A public forum of not more than seventy (70) minutes in length shall be held prior to each regular Council meeting and shall commence seventy five (75) minutes prior to such meeting until concluded, during which time members of the public may address the Council on any appropriate matter.

A registration form will be made available prior to the public forum until the commencement thereof and members of the public wishing to address the Council shall enter their names upon said form. Only those persons so registered shall be entitled to address the Council at the public forum. A time limit which is appropriate to the circumstances but not to exceed five (5) minutes, shall be imposed on each speaker by the Chair at the commencement of each public forum. Should any member of the public wish to address the Council for a period in excess of five (5) minutes, that member should prepare a written communication and forward the same to the Council Chair. The Chair shall cause copies of the same to be distributed to each Council member in an expeditious manner.

Notwithstanding any rule regarding the suspension of these Rules of Order, the limitations imposed by this section XXVIII may be waived by an affirmative vote of six (6) members of the Council.

The Public shall include residents of the Town of Stratford and Town of Stratford Taxpayers.