



Stratford, Connecticut

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## MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON **MONDAY, JUNE 9, 2014** IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:10 p.m.

PRESIDING: Council Chairman Joseph Kubic

COUNCIL MEMBERS IN ATTENDANCE: Mr. Peter Massey, Mr. Matthew Catalano, Ms. Stephanie Philips, Mr. Jason Santi, Mr. Brian Dempsey, Mr. Kenneth Poisson, Mr. James Connor, Mr. Joseph Kubic, Mr. Paul Hoydick

COUNCIL MEMBERS ABSENT: Mr. Craig Budnick

OTHERS IN ATTENDANCE: Mayor John Harkins, Town Attorney Timothy Bishop, CAO Steven Nocera, Chief of Staff Marc Dillon, Finance Director Susan Collier

INVOCATION PRESENTED BY: Eighth District Council Member Hon. James Connor followed by the Pledge of Allegiance. A moment of silence was observed in memory of the Late State Representative Lawrence Miller and the Late Second District Town Council member Lewis Davis.

**1. APPROVAL OF MINUTES** — Public forum, regularly scheduled meeting, and executive session of May 12, 2014.

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. DEMPSEY SECONDED BY MR. SANTI TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 8 TO 0 WITH MR. CATALANO ABSENT.

**2. CEREMONIAL PRESENTATIONS AND AWARDS** — None

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

Mr. Catalano — re: RR Station parking, Shakespeare Festival

Mr. Santi — re: tree removal

Mr. Dempsey — re: Landscaping, tree trimming

Mr. Hoydick — re: RR Station Parking

#### **4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES**

##### **4.1 LETTER FROM PLANNING COMMISSION DATED: May 27, 2014**

Re: Review of proposed Dog Park

At a meeting of the Planning Commission held May 20, 2014, the proposed dog park near the Animal Control Facility and the Waste Water Treatment Facility was discussed. The Commission reviewed the map dated April 2014, the draft set of rules, discussed finances and reviewed for consistency with the POCD. The Commission voted to send a favorable recommendation for the proposed dog park at this location with the following suggestions or modification as they felt that it was consistent with the POCD:

1. Considering its location alongside wetlands, a determination should be made whether the dog park would adversely impact wildlife or the wetlands.
2. A determination should be made whether there is adequate parking at the Animal control Facility for both the dog park and the Animal control Facility.
3. Consideration should be given to have a supply of water available such as a faucet.
4. Suggestions to modify the rules of the park are as follow (referred to Council from Parks and Recreation Committee – line item 5.2.3.)

RESOLVED: that the recommendation of the Planning Commission is accepted and the above cited location specifications and additional considerations be and are hereby accepted.

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

#### **5. MAYOR'S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY'S REPORTS**

##### **5.1 MAYOR'S REPORT** Mayor Harkins reported on:

- June 7 Main Street Festival
- Memorial Day Parade
- Veterans' Breakfast
- Bunnell High School Boys Track team

##### **5.1.1 APPOINTMENTS** — None

##### **5.2 COMMITTEE REPORTS**

**5.2.1 PUBLIC WORKS COMMITTEE** — The Public Works Committee met on May 19 at which time the following items were referred to Council with favorable recommendation:

- A. Barnum Drainage and Streetscape Phase IV- Concept study has been refined. The traffic light must be replaced or repaired at the intersection of Bruce and Barnum Ave. The cost proposal for the traffic light design is \$30,500.

PUBLIC WORKS COMMITTEE — continued

RESOLVED; that the recommendation of the Public Works Committee is accepted and the STV contract be and is hereby amended for an increase of \$30,500.00 to include the above cited traffic light design at intersection of Bruce and Barnum Avenues.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MS. PHILIPS TO APPROVE THE FOREGOING STV CONTRACT AMENDMENT. THE MOTION PASSED 9 TO 0.

- B. Bruce Ave. RR underpass drainage - A proposal was received from Weston and Sampson to perform this study in the amount of \$16,500.00. Project to be funded by the Bruce Brook improvement bond.

RESOLVED; that the recommendation of the Public Works Committee is accepted and the Weston and Sampson contract be and is hereby amended for an increase amount of \$16,500.00 to conduct the drainage study at the Bruce Ave. RR underpass.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING WESTON AND SAMPSON CONTRACT AMENDMENT. THE MOTION PASSED 9 TO 0.

- C. Surf Ave. Bridge— The engineering study consisted of the hydraulics of this culvert as well as the upstream channel approximately 600' and performance of a preliminary design of the culvert and channel improvements. This study will evaluate flooding and would include the potential for raising the roadway, installing a dike, and/or installing a pump station to address chronic tidal and inland flooding at Surf Ave. and the upstream channel up to a 25 year storm. The cost of this work is \$46,250 to be funded from current appropriations.

RESOLVED; that the recommendation of the Public Works Committee is accepted and the STV contract be and is hereby amended for an increase amount of \$46,250.00 to conduct the engineering study as described above.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING STV CONTRACT AMENDMENT. THE MOTION PASSED 9 TO 0.

- D. Canaan Rd. Bridge—The original scope called for major rehab of the bridge decks at Light St. The engineer recommended that the deck be replaced during the design phase since from a cost perspective, we would get more bang for our buck. The Canaan bridge deck was originally to be replaced but this was taken out of the engineer's proposal when the committee decided not to move forward with this bridge due to costs. At a later date, the Council approved funding for the deck replacement, but the work was not added back into the engineer's contract. Request is to modify the engineer's contract to include the Canaan Rd. bridge deck and an upgrade of the Light St. deck replacement.

PUBLIC WORKS COMMITTEE — continued

RESOLVED; that the recommendation of the Public Works Committee is accepted and the Anchor Engineering contract be and is hereby amended for an increase amount of \$23,400.00 to include the Canaan Road bridge deck and an upgrade of the Light Street deck replacement.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING ANCHOR ENGINEERING CONTRACT AMENDMENT. THE MOTION PASSED 9 TO 0.

5.2.2 EMS FUNDING COMMITTEE — The EMS Funding Committee met on May 20 and referred the following to Town Council with favorable recommendation:

Allocation of \$15,000 out of the EMS Funding Account

RESOLVED: that the recommendation of the EMS Funding Committee is accepted and the amount of \$15,000.00 be and is hereby allocated from the EMS Funding Account to the Stratford Volunteer EMS Association, Inc.

Chairman Kubic called upon Mr. Barry Kelly, President of the Stratford Volunteer EMS Association, to clarify the above-cited matter. Mr. Kelly stated that the funds will be used for education and regular expenses for which the Town of Stratford does not reimburse.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO APPROVE THE FOREGOING FUND REQUEST. THE MOTION PASSED 9 TO 0.

5.2.3 PARKS AND RECREATION COMMITTEE — The Committee met May 28, 2014 and referred the following to Town Council with favorable recommendation:

Dog Park — rules for consideration

Harmonious and enjoyable use of the Stratford Dog Park relies upon the responsible comportment of dog owners. As a dog owner, you are required to know the law. You are strictly liable should any damage **or injury** occur. It is in your best interest to be proactive and take necessary precautions to prevent injury or annoyance. If an issue occurs please notify the animal control officer and he/she shall deal with the issue in accordance with state and local laws.

The following rules will be strictly adhered to .

1. Hours: Sunrise to Sunset. Use the park at your own risk.
2. Owners must comply with all state and local laws.
3. Owners are responsible for their dog(s) behavior.
4. All dogs must be properly licensed and vaccinated and wearing their tags while in the Dog Park. Please do not bring dogs with contagious diseases to the park.
5. Puppies must have had their last set of vaccinations at least 10 days prior to visiting the park.
6. Dogs must be leashed when entering and exiting the Dog park.
7. For the safety of your dog and other park visitors, choke, prong (pinch) and spiked collars are strictly prohibited.

PARKS AND RECREATION COMMITTEE — continued

8. ~~No person shall be responsible for more than 3 dogs while in the dog park.~~ **There shall be a limit of 3 dogs per person.**
9. Children must be supervised at all times. Children under the age of 12 are **not** permitted in the Dog Park ~~without adult supervision.~~
10. Aggressive dogs, unneutered dogs, dogs who bark excessively and dogs in heat are not allowed in the Dog Park. Dogs must be removed from the park at the first sign of aggression or if they bark excessively.
11. Dog owners must be in the Dog Park and monitoring their dogs at all times. Dogs must be under their owner's voice control at all times.
12. Owners must clean up after their dogs and fill/repair any holes.
13. No Smoking, alcoholic beverages and food or drink of any kind are allowed in the Dog Park.
14. Shoes must be worn inside the Dog Park.
15. Toys are allowed in the Dog Park but must be used in such a manner as to not distract or interfere with other dogs.
- 16. Small dog area is for dogs 20 lbs. and under only.**
- 17. Town is not responsible for any items left or lost in the Dog Park.**

RESOLVED: that the recommendation of the Parks and Recreation Committee is accepted and for foregoing Stratford Dog Park Rules be and are hereby approved.

A MOTION WAS MADE BY MR. CONNOR, SECONDED BY MR. SANTI TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 9 TO 0.

5.2.4 ARTS COMMISSION — During the Arts Commission meeting of May 14, 2014, the following items were referred to Council for further consideration:

- A. Jim Lutian Memorial Bench to be placed on Theater Grounds.

RESOLVED: that the recommendation of the Arts Commission is accepted and permission to place the Jim Lutian Memorial Bench on Theater Grounds at no cost to the town be and is hereby approved.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. CATALANO TO APPROVE THE FOREGOING BENCH PLACEMENT. THE MOTION PASSED 9 TO 0.

- B. Second Annual ShakesBeer Festival on Theater grounds on August 23, 2014.

A MOTION MADE BY MR. SANTI, SECONDED BY MR. CATALANO TO APPROVE THE FOREGOING FESTIVAL. After discussion, A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. CONNOR TO PLACE THE FOREGOING REQUEST ON THE TABLE. THE MOTION PASSED 9 TO 0.

### 5.3 TOWN ATTORNEY'S REPORT

5.3.1 CLAIMS REPORT — Mr. Bishop reported that \$29,000 in claims have been paid in 2 months.

5.3.2 SHORT BEACH PARK FEE SCHEDULE — Ordinance Amending § 203-9 C of Town Code. (appended on page 24)

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. DEMPSEY, SECONDED BY MR. HOYDICK TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION CARRIED 9 TO 0.

#### 5.3.8 KITEWISE

A MOTION WAS MADE BY MR. CONNOR, SECONDED BY MR. DEMPSEY TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION CARRIED 9 TO 0.

5.3.3 AT&T TOWER — Structure Lease at Longbrook — Executive Session requested.

7.2.1 MASTER PERSONAL SERVICES AGREEMENT – INDEPENDENT CONTRACTOR — (Connecticut Free Shakespeare) — Executive Session Requested.

Mr. Bishop requests taking the foregoing 2 items, 5.3.3 and 7.2.1, into executive session for the purpose of contract negotiations. Mr. Bishop would like that motion to include all members of the Stratford Town Council, the Mayor and the Mayor's staff member Mr. Dillon, Mr. Nocera, and himself.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. HOYDICK TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE ABOVE-CITED ITEMS FOR THE REASON AS STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION CARRIES 9 TO 0.

5.3.4 231 KING STREET — Executive Session requested.

5.3.5 25 NORTH PARADE — Executive Session requested.

5.3.6 175 PATRICIA DRIVE — Executive Session requested.

5.3.7 1525 JAMES FARM ROAD — Executive Session requested.

5.3.9 383 SEDGEWICK AVENUE — Executive Session requested.

5.3.10 PROPOSED SALE OF 993 HONEYSPOT ROAD. — Lease with Purchase Option. — Executive Session requested.

Mr. Bishop requests taking the foregoing 6 items, 5.3.4, 5.3.5, 5.3.6, 5.3.7, 5.3.9, and 5.3.10, into executive session for the purpose of discussion of real estate acquisitions and/or transactions. Mr. Bishop would like that motion to include all members of the Stratford Town Council, the Mayor and the Mayor's staff member Mr. Dillon, Mr. Nocera, and himself.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. HOYDICK TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE ABOVE-CITED ITEMS FOR THE REASON AS STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION CARRIES 9 TO 0.

*Stratford Town Council meeting recessed to enter into executive session: 8:23 p.m.*

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

ACTION RE: ITEMS REFERRED TO EXECUTIVE SESSION

5.3.3 AT&T TOWER — Structure Lease at Longbrook

RESOLVED: that the opinion of the Town Attorney is accepted and the Mayor be and is hereby authorized to enter in contract with AT&T.

A MOTION WAS MADE BY MR. DEMPSEY SECONDED MR. SANTI TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH AT&T. THE MOTION PASSED 9 - 0.

5.3.4 231 KING STREET

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. DEMPSEY TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION CARRIED 9 TO 0.

5.3.5 25 NORTH PARADE

A MOTION WAS MADE BY MR. DEMPSEY, SECONDED BY MR. SANTI TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION CARRIED 9 TO 0.

5.3.6 175 PATRICIA DRIVE

5.3.7 1525 JAMES FARM ROAD

RESOLVED: that the recommendation of the Town Attorney, as discussed in executive session, be and is hereby approved.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. MASSEY TO APPROVE THE TOWN ATTORNEY'S RECOMMENDATION AS DISCUSSED IN EXECUTIVE SESSION FOR ITEMS 5.3.6 AND 5.3.7 ABOVE. THE MOTION PASSED WITH 7 IN FAVOR, 1 OPPOSED (MR. DEMPSEY), AND ONE ABSTENTION DUE TO A CONFLICT OF INTEREST (MS. PHILIPS).

5.3.9 383 SEDGEWICK AVENUE

RESOLVED: that the recommendation of the Town Attorney, as discussed in executive session, be and is hereby approved.

ACTION RE: ITEMS REFERRED TO EXECUTIVE SESSION, SEDGEWICK AV. — cont'd

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. MASSEY TO APPROVE THE TOWN ATTORNEY'S RECOMMENDATION AS DISCUSSED IN EXECUTIVE SESSION, IN CONNECTION WITH THE FOREGOING ITEM. THE MOTION PASSED 9-0.

5.3.10 PROPOSED SALE OF 993 HONEYSPOT ROAD. — Lease with Purchase Option.

RESOLVED: that the recommendation of the Town Attorney, as discussed in executive session, be and is hereby approved.

A MOTION WAS MADE BY MS. PHILIPS, SECONDED BY MR. SANTI TO APPROVE THE TOWN ATTORNEY'S RECOMMENDATION AS DISCUSSED IN EXECUTIVE SESSION, IN CONNECTION WITH THE FOREGOING ITEM. THE MOTION PASSED 9-0.

5.3.11 QUESTIONS TO THE TOWN ATTORNEY

Mr. Catalano — re: list of foreclosed properties

**6. QUESTIONS TO MAYOR OR STAFF**

Mr. Massey — re: Moving of a portion of Main Street (Route 113) in the area of Sikorsky Memorial Airport. Mayor Harkins called upon Mr. Nocera for the progress report.

Ms. Philips — re: report on the sale of properties

Mr. Santi — re: Dead tree removal, Hyde Park

Mr. Dempsey — re: dead tree on Huntington Road

Mr. Poisson — re: positive feedback for the earlier start time for the Memorial Day Parade.

Mr. Hoydick — re: Train Station temporary parking policy

**7. UNFINISHED BUSINESS and/or OLD BUSINESS**

7.1 SAEP (continuing item) — Mayor Harkins reported that the state Legislature approved a special tax district for SAEP. Ore samples will be taken from the mud flats and analyzed.

7.2 TABLED ITEMS

7.2.1 MASTER PERSONAL SERVICES AGREEMENT – INDEPENDENT CONTRACTOR — (CT Free Shakespeare) PLACED ON THE TABLE DURING MEETING OF MAY 12, 2014. — ACTION ITEM FROM EXECUTIVE SESSION.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO TAKE THE FOREGOING ITEM OFF THE TABLE. THE MOTION PASSED 9 TO 0.

RESOLVED: That the Stratford Town Council supports the production of good quality Shakespeare performances on the grounds of the Shakespeare Theatre; and approves permission of CT Free Shakespeare, a project of Dandelion Productions, Inc. to use the grounds of the Shakespeare Theatre property for the performances from July 30 to August 9, 2014.

A MOTION WAS MADE BY MR. CATALANO SECONDED BY MR. MASSEY TO APPROVE THE FOREGOING CONTRACT. A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. SANTI TO AMEND THE MOTION BY ADDING TO THE CONTRACT TO DESIGNATE A SEPARATE TREASURER FOR FUNDRAISING EFFORTS. THE MOTION TO AMEND PASSED 9 TO 0. THE MOTION TO APPROVE AS AMENDED PASSED 9 TO 0.

7.3 TABLED ORDINANCES AND RESOLUTIONS — None

7.4 TABLED APPOINTMENTS

*ACTION NOT TAKEN ON THE FOLLOWING TABLED APPOINTMENTS.*

- 7.4.1 STRATFORD HOUSING PARTNERSHIP — (7) Same as last.
- 7.4.2 BOARD OF ASSESSMENT APPEALS — (1 alternate, 2 temporary) Same.
- 7.4.3 COMMISSION ON AGING — (4) appointments remaining; 2 members – private sector agencies, 1 member representing educational community, 1 clergy representation.
- 7.4.4 PLANNING COMMISSION, ALTERNATE MEMBERS — 2 apptmts, 3-yr term
- 7.4.5 BEAUTIFICATION COMMITTEE — terms concurrent with Council. 9 8 electorate members. *Placed on the Table during Council meeting of February 10, 2014.*
- 7.4.6 ARTS COMMISSION — Appointed by Town Council, 3-year terms. *Placed on the Table during Council meeting of March 10, 2014.*
  - A. REGULAR MEMBERS — 5 — Town code § 5-52
  - B. ALTERNATE MEMBERS — 2 — Town code § 5-53
- 7.4.9 SIKORSKY MEMORIAL AIRPORT NOISE ABATEMENT COMMITTEE — § 7-12 of Town Code, one member appointed by Mayor, one member appointed by PYE. *Placed on the Table during Council meeting of March 10, 2014.*
  - A. 2 members from Lordship section of Stratford— appointed by Town Council.
  - B. 1 member from District of Town in which Sikorsky Memorial Airport is located – appointed by Town Council.
  - C. 2 members from the Stratford Electorate at-large — appointed by Town Council.
- 7.4.10 STRATFORD LIBRARY ASSOCIATION — [term of Shirley Wright (resigned) expires Dec. 31, 2016]. PLACED ON THE TABLE DURING COUNCIL MEETING OF APRIL 14, 2014.
- 7.4.11 INLAND WETLANDS AND WATERCOURSES COMMISSION — (term of Ronald Hojdich expired May 31, 2012] 4-year term appointed by Council Chairman
- 7.4.12 WATERFRONT AND HARBOR MANAGEMENT COMMISSION — 5-yr. term, appointment by Town Council. (This unexpired term ends May 31, 2018)
- 7.4.7 Longbrook Park Commission — Appointed by Council, § 5-39 of Town Code. 2 or 3 Council Members depending on minority representation, 4 Electorate members with 3-year terms. *Placed on the Table during Council meeting of March 10, 2014.*
  - 3 regular electorate members needed.

RESOLVED: that JON MERRIAM of 100 BREWSTER STREET be and is hereby appointed a regular member of the Longbrook Park Commission. [term of Brian O'Shea (resigned) expired Nov. 6, 2012].

TABLED APPOINTMENTS, LONGBROOK PARK COMMISSION — continued

A MOTION WAS MADE BY MR. HOYDICK SECONDED BY MR. CONNOR TO TAKE ONE OF THE FOREGOING APPOINTMENTS OFF THE TABLE. THE MOTION PASSED 9 TO 0. A MOTION WAS MADE BY MR. HOYDICK, SECONDED BY MR. CONNOR TO APPOINT JON MERRIAM OF 100 BREWSTER STREET TO THE LONGBROOK PARK COMMISSION. During discussion of appointment authority, Mayor Harkins confirmed the appointment of Mr. Merriam. MESSRS. HOYDICK AND CONNOR MOTIONED TO MOVE FORWARD WITH THE APPOINTMENT. THE MOTION TO APPOINT MR. MERRIAM PASSED 9 TO 0.

7.4.8 SHORT BEACH COMMISSION — Appointed by Council, § 5-69 of Town Code. 2 Council Members, 5 Electorate members with 3-year terms. *Placed on the Table during Council meeting of March 10, 2014.*

3 electorate members needed.

RESOLVED: that SCOTT BARKSDALE of 180 GROVE STREET be and is hereby reappointed an electorate member of the Short Beach Commission. (term of Scott Barksdale expired Jan. 2, 2013).

RESOLVED: that PETER PULASKI of 111 CLIFFLAWN ROAD be and is hereby reappointed an electorate member of the Short Beach Commission. (term of Peter Pulaski expired Jan. 2, 2013).

RESOLVED: that KAREN DADEN of 302 CURTIS AVENUE be and is hereby reappointed an electorate member of the Short Beach Commission. (term of Karen Daden expired Jan. 2, 2012).

A MOTION WAS MADE BY MR. MASSEY SECONDED BY MR. SANTI TO TAKE THE THREE FOREGOING APPOINTMENTS OFF THE TABLE. THE MOTION PASSED 9 - 0.

A MOTION WAS MADE BY MR. MASSEY SECONDED BY MR. SANTI TO REAPPOINT SCOTT BARKSDALE, PETER PULASKI, AND KAREN DADEN TO THE SHORT BEACH COMMISSION. THE MOTION PASSED 9 TO 0.

## **8. ORDINANCES AND RESOLUTIONS**

### **8.1 AMENDMENT TO CHAPTER 62: BUILDING CONSTRUCTION ARTICLE I: FEES AND PENALTIES (#14-09)**

Sponsored by: Hon. Joseph Kubic, Ninth District Council member

Section 62-1 of the Stratford Town Code is hereby amended as follows:

§ 62-1. Schedule of fees; penalty.

ORDINANCE #14-09 — continued

A. A schedule of fees for building and mechanical permits is hereby prescribed as follows:

| <u>Type of Construction</u>   | <u>Fee</u>  |
|---|---|
| New construction or alterations or additions (based on estimated cost):                             | <del>\$20.00</del> <u>\$25.00</u> for the first \$1,000 and <del>\$10.00</del> <u>\$12.00</u> for each additional \$1,000 or fraction thereof |
| Plumbing, heating, electrical, air conditioning and water heater permits (based on estimated cost): | \$5.00 per \$100 or any fraction thereof to \$1,000 and thereafter \$10.00 for each \$1,000 or any fraction thereof                           |
| <del>Moving Permits</del>   | <del>\$20.00</del>  |
| Demolition Permits (based on estimated cost of demolition):   | \$20.00 for the first \$1,000 and \$10.00 for each additional \$1,000 or any fraction thereof.  |
| Sign Permits (based on cost of sign):   |   |
| Less than \$500.00  | \$10.00   |
| \$500.00 to \$999.99  | \$20.00   |
| \$1,000.00 or more  | \$30 plus an additional \$10.00 for each \$1,000 or any fraction thereof in excess of \$2,000.00  |
| Street opening, sewer connection or curb/driveway or sidewalk permits                               | \$25.00   |
| Bond and License fee for contractors performing work within the public right-of-way                 | \$25.00   |

B. Anyone who engages in any act covered by this section without the proper permits shall be subject to a penalty equivalent to double the normal permit fee plus \$50.

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. SANTI SECONDED BY MR. MASSEY TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 9 TO 0.

8.2 ORDINANCE AMENDING CHAPTER 200, TREES, SHRUBS AND WOODY VEGETATION (#14-10) (appended as pages 18-24)

Sponsored by: Hon. Joseph Kubic, 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.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 9 TO 0.

8.3 AN ORDINANCE APPROPRIATING \$2,033,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2014-2015 (#14-11) (appended as pages 25-26)

Sponsored by: Hon. Joseph Kubic, 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.

8.4 AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$2,033,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2014-2015 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#14-12) (appended as pages 26-28)

Sponsored by: Hon. Joseph Kubic, 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.

8.5 AN ORDINANCE APPROPRIATING \$8,503,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2014-2015 (#14-13) (appended as pages 28-30)

Sponsored by: Hon. Joseph Kubic, 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.

8.6 AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$8,503,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2014-2015 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#14-14) (appended as pages 30-33)

Sponsored by: Hon. Joseph Kubic, 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.

A MOTION WAS MADE BY MR. SANTI SECONDED BY MR. DEMPSEY TO REFER THE FOREGOING 4 ORDINANCES, 14-11, 14-12, 14-13, AND 14-14, TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 9 TO 0.

8.7 GRANT RESOLUTION RE: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG)

Sponsored by: Hon. Joseph Kubic, Ninth District Council member

**WHEREAS**, the *U.S. Department of Justice, Bureau of Justice Assistance* is authorized to extend financial assistance to municipalities in the form of grants; and,

**WHEREAS**, this funding has been made possible through the *Edward Byrne Memorial Justice Assistance Formula Grant Program*; and,

**WHEREAS**, the *Town of Stratford* will expend funds to increase police surveillance in high-crime areas; and,

**WHEREAS**, funds under this grant may be used towards the purchase of services, supplies and equipment to enhance local law enforcement activities conducted by the *Stratford Police Department*; and,

**WHEREAS**, it is desirable and in the public interest that the *Town of Stratford* submit an application to the *U.S. Department of Justice, Bureau of Justice Assistance* in an amount not to exceed \$17,566; and,

**NOW THEREFORE, BE IT RESOLVED BY THE Town Council:**

1. That it is cognizant of the Town's grant application and contract to the *U.S. Department of Justice, Bureau of Justice Assistance* for funds to address law enforcement and crime prevention and intervention within the *Town of Stratford*;

GRANT RESOLUTION – JAG — continued

2. That it hereby authorizes, directs and empowers the Mayor, John A. Harkins, or his designee to execute and file such application with the *U.S. Department of Justice, Bureau of Justice Assistance*, to provide such additional information and to execute and administer such other contracts and documents as maybe necessary to execute this program.

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

8.8 GRANT RESOLUTION re: SCHOOL BASED DENTAL HEALTH

Sponsored by: Hon. Joseph Kubic, Ninth district Council member

WHEREAS, The Stratford Health Department has been awarded a grant in the amount of \$8,200.00 from the *Department of Public Health* to augment and expand oral health services for Stratford school-aged children to receive sealants.

WHEREAS, the grant is being administered and funded by the *Department of Public Health*.

WHEREAS, it is both desirable and in the public interest to execute a grant agreement between the Town of Stratford and the *Department of Public Health* and to accept funding in connection with this project.

**NOW THEREFORE, BE IT RESOLVED BY THE Town Council:**

1. That it is cognizant of the Town grant application and contract to the *Department of Public Health* for funds in the amount of \$ 8,200.00 to implement sealants for Stratford school-aged children.
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and deliver such application in the name and on behalf of the Town of Stratford, with *Department of Public Health* for funding of the Stratford Health Department's oral health services, and to provide such additional information to execute all other contracts and documents as maybe necessary under this program.

Chairman Kubic called upon the Director of Public Health, Andrea Boissevain, to clarify the resolution.

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

## 8.9 GRANT RESOLUTION re: PERRY HOUSE

Sponsored by: Hon. Joseph Kubic, Ninth district Council member

**WHEREAS**, the Town of Stratford owns the property known as the *Perry House* at 1128 West Broad Street; and

**WHEREAS**, the *Perry House* has been recognized as an important historic property, with evidence that it dates to the early development of the community, c. 1690; and

**WHEREAS**, the Town of Stratford, in accordance with a Section 106 review of the property, conducted a archaeological reconnaissance survey, a Phase II archaeological survey, and an expanded Phase II archaeological survey on the property, in the location of the newly built addition; and

**WHEREAS**, the Town of Stratford received a Survey and Planning Grant in the amount of \$20,000 from the *CT Commission on Culture and Tourism* for financial assistance in accordance with the provisions for Public Act 03-06 of the Connecticut General Assembly, and executed a funding agreement with the State dated July 2, 2010 to finance the cost of the expanded Phase II archaeological survey; and

**WHEREAS**, due to staff and organizational changes at both the state and municipal level this funding agreement was never acted upon and expired.

### **NOW THEREFORE, BE IT RESOLVED BY THE Town Council:**

1. That it is cognizant of the Town's Assistance Agreement with the State of Connecticut, now acting by the *Department of Economic and Community Development* for Financial Assistance in accordance with the provisions of Public Act 03-06 of the Connecticut General Assembly, *in an amount not to exceed \$20,000*; and
2. That it hereby authorizes, directs and empowers *John A. Harkins, Mayor of the Town of Stratford*, or his designee to execute such contract with the *Department of Economic and Community Development*, to provide such additional information, to implement the program once the Assistance Agreement is signed, and to execute such other contracts and documents as may be necessary under this program.

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

## **9. NEW BUSINESS**

### **9.1 APPOINTMENTS**

#### **9.1.1 ARTS COMMISSION**

RESOLVED: that KATHERINE DECRESCENZO of 60 BIRCH PLACE be and is hereby appointed a member of the Arts Commission [term of Kevin A. McNair (resigned) expired April 9, 2013].

A MOTION WAS MADE BY MR. CONNOR SECONDED BY MR. SANTI TO APPOINT KATHERINE DECRESCENZO TO THE ARTS COMMISSION. THE MOTION PASSED 9 TO 0.

9.1.2 WATERFRONT AND HARBOR MANAGEMENT COMMISSION — § 210-3 of Town Code, appointed by Town Council

9.1.2.1 REGULAR MEMBERS — 5-year term

A. RESOLVED: that JAMES TUCCIARONE of 26 BRIDGEVIEW PLACE be and is hereby reappointed a regular member of the Waterfront and Harbor Management Commission. (term of James Tucciarone expired May 31, 2014).

B. RESOLVED: that EDWARD SCINTO of 35 LENOX AVE. be and is hereby reappointed a regular member of the Waterfront and Harbor Management Commission. (term of Edward Scinto expired May 31, 2014).

C. RESOLVED: that THOMAS G. COTTER of 42 PAULINE STREET be and is hereby appointed a regular member of the Waterfront and Harbor Management Commission. (term of David Salik expired May 31, 2014).

A MOTION WAS MADE BY MR. CONNOR SECONDED BY MR. SANTI TO REAPPOINT JAMES TUCCIARONE TO POSITION A. ABOVE, REAPPOINT EDWARD SCINTO TO POSITION B. ABOVE AND APPOINT THOMAS G. COTTER TO POSITION C. ABOVE. THE MOTION PASSED 9 TO 0.

9.1.2.2 ALTERNATE MEMBERS — 2-year term

A. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Waterfront and Harbor Management Commission. (term of Richard Fredette expired May 31, 2014).

A MOTION WAS MADE BY MR. HOYDICK, SECONDED BY MR. DEMPSEY TO PLACE THE FOREGOING APPOINTMENT ON THE TABLE. THE MOTION CARRIED 9 TO 0.

B. RESOLVED: that HENRY HALVERSON of 33a HAPPY HOLLOW CIRCLE be and is hereby appointed an alternate member of the Waterfront and Harbor Management Commission. (term of Darren Owen expired May 31, 2014).

A MOTION WAS MADE BY MR. CONNOR SECONDED BY MR. DEMPSEY TO APPOINT HENRY HALVERSON AS ALTERNATE MEMBER TO POSITION B. ABOVE. THE MOTION PASSED 9 TO 0.

9.1.3 INLAND WETLANDS AND WATERCOURSES COMMISSION — 4-year term appointed by **Council Chairman**

9.1.3.1 AT-LARGE REPRESENTATIVES

A. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an at-large representative to the Inland Wetlands and Watercourses Commission. (term of James Tucciarone expired May 31, 2014).

B. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an at-large representative to the Inland Wetlands and Watercourses Commission. (term of Thomas Fahy expired May 31, 2014).

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. DEMPSEY TO PLACE THE FOREGOING 2 APPOINTMENTS, A. AND B. ABOVE, ON THE TABLE. THE MOTION CARRIED 9 TO 0.

9.1.3.2 ALTERNATE MEMBERS

A. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate members of the Inland Wetlands and Watercourses Commission. (term of John Waite expired May 31, 2014).

B. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate members of the Inland Wetlands and Watercourses Commission. (term of Anthony Capuano expired May 31, 2014).

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. DEMPSEY TO PLACE THE FOREGOING 2 ALTERNATE POSITIONS, A. AND B. ABOVE, ON THE TABLE. THE MOTION CARRIED 9 TO 0.

**10. 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. SANTI, SECONDED BY MR. DEMPSEY, IT WAS VOTED 9 TO 0 TO ADJOURN THE MEETING AT 10:08 p.m.

ATTEST:

*Carol Cabral*

Carol Cabral, Council Clerk

ORDINANCE AMENDING CHAPTER 200, TREES, SHRUBS AND WOODY  
VEGETATION (#14-10)

**TREES, SHRUBS AND WOODY VEGETATION.**

**§200-1. Purposes.**

**§200-2. Definitions.**

**§ 200-3. Declaration of Nuisance.**

**§ 200-4. Notice to Owner.**

**§ 200-5. Abatement to Town.**

**§ 200-6. Assumption of responsibility by owner.**

**§ 200-7. Court Review.**

**§ 200-8. Stratford Arboricultural Specifications and Policy Manual**

**§ 200-9. Tree Warden as Liaison to Other Municipal Departments.**

**§ 200-10. Public Utilities.**

**§ 200-11 Permits for Trees, Shrubs, and Woody Vegetation on Town-Owned Property.**

**§ 200-12. Trees, Shrubs and Woody Vegetation on Town-Owned Property.**

**§ 200-13. Effect of Chapter.**

**§ 200-14. Prohibition; Arboricultural Standards.**

**§ 200-15. Permits.**

**§ 200-16. Work.**

**§ 200-17. Emergencies.**

**§ 200-18. Penalties.**

**§ 200-19. No Exemption.**

**§ 200-20. Interference with Planting, Maintenance, and Removal.**

**§ 200-21. Tree Protection During Construction Activities.**

**§ 200-22. Duties of the Deputy Tree Warden.**

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**§200-1. Purposes.**

The purposes of this Ordinance are:

- A. To promote and protect the public health, safety and general welfare of the residents by providing for the regulation of the planting, maintenance, protection and removal of trees, shrubs and woody vegetation within the Town of Stratford.
- B. To recognize and appreciate that trees produce oxygen, capture carbon dioxide from the atmosphere, provide air purification, prevent soil erosion, control flooding, assist in water purification, contribute to the quality of life by providing cooling shade, provide habitat for wildlife, reduce noise levels, and aesthetically enhance the landscape.

ORDINANCE #14-10

- C. To preserve and protect trees and their canopies as an important environmental and cultural resource that enhances the Town of Stratford's natural character and heritage.
- D. To protect the people in the Town of Stratford from personal injury and property damage caused by the improper planting, maintenance, protection or removal of trees, shrubs and woody vegetation located on Town-owned property.
- E. To protect property values by maintaining a healthy and vigorous community forest

**§200-2. Definitions.**

- A. **Tree Warden:** The Stratford Tree Warden shall have all the powers, duties and authority provided by the Public Shade Trees and Tree Protection Examining Board Statute (Connecticut General Statutes Sec. 23-59) as may be hereafter amended, and by this Ordinance.
- B. **Deputy Tree Warden(s):** Stratford Deputy Tree Warden(s) as appointed by the Tree Warden.
- C. **Urban/Community Forest:** Collectively, the natural resource of all Town-owned trees, shrubs and woody vegetation upon street right-of-ways, parks, school campuses, open space properties, and grounds of Town facilities.
- D. **Town-owned Property:** Any and all real property owned by the Town of Stratford.
- E. **Tree:** A woody plant, usually with one main trunk, reaching a height of at least fifteen feet when mature.
- F. **Shrub:** A woody plant, branched from the base, generally less than fifteen feet in height when mature.
- G. **Woody Vegetation:** All woody, non-herbaceous plants, not defined as trees or shrubs.
- H. **Town of Stratford Arboricultural Specifications and Policy Manual:** A manual prepared by the Tree Warden pursuant to § 200-8, as amended from time to time.
- I. **Person:** Any person, firm, corporation or other entity, including any public utility.
- J. **Public Nuisance:** Any tree, shrub or woody vegetation which is hazardous or injurious to the public health, safety and welfare or which causes substantial depreciation in the value of real property in the neighborhood.

**§ 200-3. Declaration of Nuisance.**

**ORDINANCE #14-10**

The maintenance of any tree on private property, the root system of which interferes with the proper functioning of any portion of the public sanitary or storm sewer system of the Town of Stratford or causes a change in the elevation of any public sidewalk, curb or street pavement, is hereby declared to be a public nuisance.

**§ 200-4. Notice to Owner.**

The Director of Public Works shall give the record owner of private property whereon such a public nuisance exists, 10 days' written notice, by registered mail that he has determined that such a public nuisance exists.

**§ 200-5. Abatement to Town.**

The employees of the Department of Public Works, upon expiration of said ten-day period, are hereby authorized to go upon the property whereon said public nuisance is located and remove same at the owner's expense, the charge for same to become a lien on said property, to be foreclosed in the same manner as a lien for taxes.

**§ 200-6. Assumption of responsibility by owner.**

The owner of said property may inform the Director of Public Works in writing within said ten-day period that said owner will assume responsibility for the removal of said public nuisance, the removal of same to be accomplished within 30 days of the mailing of the original notice.

**§ 200-7. Court Review.**

The owner shall have the right to bring an action returnable to the superior court to review the determination of the Director of Public Works, provided that service of summons is made upon the Director of Public Works within the said ten-day notice period. Each notice will advise the owner of this right of appeal and the time in which it must be served. The provisions of § 200-3 hereof will be suspended as to the appellant's property during the pendency of such appeal and upon further order of the court.

**§ 200-8. Stratford Arboricultural Specifications and Policy Manual.**

The Tree Warden shall prepare and maintain a manual containing regulations and standards for the planting, maintenance, removal and protection of trees, shrubs and woody vegetation upon Town-owned property which shall be known as the Stratford Arboricultural Specifications and Policy Manual.

**§ 200-9. Tree Warden as Liaison to Other Municipal Departments.**

A. The Tree Warden shall serve as liaison to all Town Departments, agencies, and the Board of Education on all matters relating to individual trees and forest resources, and may provide

technical assistance as appropriate. The Stratford Tree Warden shall be the Director of Public Works.

- B. Any Town Department or agency shall notify the Tree Warden of any applications for new curb, gutter, sidewalks or driveway installations, utility installations or other improvements which might require the removal of or cause injury to any Town-owned tree.

**§ 200-10. Public Utilities.**

- A. Any public utility maintaining any overhead wires or underground pipes or conduits shall obtain a public utilities permit from the Tree Warden before performing any maintenance work on the wires, pipes, or conduits which would cause injury to Town-owned trees. The public utility shall not injure, deface, prune, or scar any Town-owned tree until its plans and procedures have been approved by the Tree Warden.
- B. When maintaining Town-owned trees, a public utility must observe good arboricultural practices, as specified by the Pruning Standards prescribed in the Stratford Arboricultural Specifications and Policy Manual.

**§ 200-11 Permits for Trees, Shrubs, and Woody Vegetation on Town-Owned Property.**

- A. No person shall plant any tree, shrub or woody vegetation within the limits of any Town owned property without having first obtained a permit to do so from the Tree Warden.
- B. Written application for such permission shall be made to the Tree Warden setting forth the size, species, type and location of each tree, shrub or woody vegetation, for which such permission is requested.
- C. The Tree Warden shall consider the effect of planting the specified trees, shrubs or woody vegetation upon the general welfare of the community and upon the present and future use, safety, maintenance, development and improvement of Town-owned property for all lawful purposes.
- D. The Tree Warden shall grant or deny the applications upon the basis of such considerations.

**§ 200-12. Trees, Shrubs and Woody Vegetation on Town-Owned Property.**

Any tree, shrub or woody vegetation planted on Town-owned property shall become the property of the Town.

**§ 200-13. Effect of Chapter.**

Nothing in this Chapter and no permit granted pursuant to this Chapter shall be deemed to prejudice any rights which the Town may now or hereafter have with respect to trees, shrubs and woody vegetation planted on Town-owned property.

ORDINANCE #14-10**§ 200-14. Prohibition; Arboricultural Standards.**

Except as otherwise provided in Sec. 200-10, 200-15 and 200-16 of this Chapter, no person shall cut, trim, prune, remove, injure or interfere with any tree, shrub or woody vegetation, including the branches, trunk, root system or crown thereof, in whole or in part, on any Town-owned property without a permit from the Tree Warden. When maintaining Town-owned trees, a person must observe good arboricultural practices, as specified by the pruning standards prescribed in the Stratford Arboricultural Specifications and Policy Manual.

**§ 200-15. Permits.**

Under this chapter, permits shall be issued in conformity with Connecticut General Statutes Sec. 23-65(f). Applications for permits must be made on application forms provided for such purpose by the Tree Warden. Permits expire thirty (30) days after the date of issue unless otherwise noted thereon by the Tree Warden.

**§ 200-16. Work.**

All work performed on such trees, shrubs or woody vegetation shall be done in strict accordance with the permit and under the direction of the Tree Warden.

**§ 200-17. Emergencies.**

Work which, in the opinion of the Tree Warden, is of an emergency nature, such as failure of gas, water or electric utility lines, may be performed as orally prescribed by the Tree Warden at the expense of the person requesting same.

**§ 200-18. Penalties.**

Except as otherwise provided in this section, any person who unlawfully or willfully cuts, destroys, carries away, removes, prunes, injures or defaces any tree or shrub on Town-owned property without proper authority shall be fined not more than one hundred dollars (\$100.) for each separate offense and shall be liable civilly for damages [Connecticut General Statutes, Section 23-65(b)].

In addition to any fines authorized hereunder for any tree, shrub or woody vegetation unlawfully cut, destroyed or carried away, the Tree Warden may seek recovery of three (3) times the value of the tree, shrub or woody vegetation pursuant to Connecticut General Statutes Section 52-560 and, for any encroachment (as referred to in Connecticut General Statutes Section 52-560a), may bring an action to enforce the remedies and damages specified in Connecticut General Statutes Section 52-560a. Nothing in this section shall limit the authority of the Tree Warden to invoke any other remedies under Connecticut General Statutes Section 52-560 and Section 52-560a.

ORDINANCE #14-10

Any person who affixes to a telephone, electric light pole, power pole or other utility pole, tree, shrub, rock or other natural object on Town-owned property a playbill, picture, notice, advertisement or other similar thing, or cuts, paints or marks any tree, shrub, rock or other natural object or uses climbing spurs for the purpose of climbing any tree on Town-owned property shall be fined not more than fifty dollars (\$50.00) for each offense. Each affixing, cutting, painting, marking or climbing shall be considered a separate offense [Connecticut General Statutes, Section 23-65(a)].

The removal, pruning or willful injury of any tree, shrub or woody vegetation by any person without a permit from the Tree Warden or the affixing of any playbill, picture, notice, advertisement or other similar thing concerning the business or affairs of any person to a tree, shrub, rock or other natural object on Town-owned property by an agent or employee of such person shall be deemed to be the act of such person, and such person or any member of such firm or any officer of such corporation, as the case may be, shall be subject to the penalty therein provided, unless such act is shown to have been done without his knowledge or consent [Connecticut General Statutes, Section 23-65(d)].

The affixing of each individual playbill, picture, notice or advertisement or other similar thing to a tree, shrub, rock or other natural object or the willful removing, pruning, injuring or defacing of each tree or shrub shall constitute a separate violation. Nothing in this section shall affect the authority of the Tree Warden to remove, prune or otherwise deal with a tree or shrub under his jurisdiction. [Connecticut General Statutes, Section 23-65(e)].

If any person plants any tree, shrub or woody vegetation on Town-owned property, without obtaining the required permit, he shall be fined not more than twenty-five dollars (\$25.) and shall remove the same at his expense within a period of thirty (30) days.

**§ 200-19. No Exemption.**

Nothing herein contained shall be deemed to exempt any person from the application of any other applicable statute, ordinance, regulation or rule.

**§ 200-20. Interference with Planting, Maintenance, and Removal.**

No person shall interfere with the Tree Warden or persons acting under his authority while engaged in planting, mulching, pruning, removing or maintaining any tree, shrub or woody vegetation on Town-owned property.

**§ 200-21. Tree Protection During Construction Activities.**

All trees on Town-owned property that are designated for preservation shall be protected in accordance with the Tree Protection Specifications section of the Stratford Arboricultural Specifications and Policy Manual.

ORDINANCE #14-10**§ 200-22. Duties of the Deputy Tree Warden.**

The Tree Warden may assign the Deputy Tree Warden(s) to perform those duties of the Tree Warden as the Tree Warden shall designate, but the Tree Warden shall remain responsible for those duties. The Tree Warden may rescind the right to be designated as Deputy Tree Warden at any time with or without cause.

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**§ 203-9 — Special parking rules for certain beaches; seasonal parking stickers. (#14-15)**

A. Restricted areas. For the period of May 30 to September 30 of each year, no person shall park a motor vehicle in the parking areas adjacent to Short Beach, Lordship Beach and Long Beach marked and designated by appropriate signs as "restricted areas" unless there is affixed to the front bumper of the driver's side of the vehicle an appropriate sticker which would designate the owner of the vehicle as being a taxpayer or resident of the Town.

[Amended 8-14-1967; 7-10-1972; 4-13-1987]

B. Stickers to be issued to taxpayers or residents. Stickers shall be issued biannually to all taxpayers or residents of the Town and shall have the current year printed thereon.

[Amended 8-14-1967; 7-10-1972; 4-13-1987]

C. Season stickers may be purchased by nontaxpayers or nonresidents for Short Beach. A season sticker may be purchased by a nontaxpayer or nonresident of the Town for a fee of \$50.**\$150.00**

[Amended 9-11-1965; 7-10-1972; 4-13-1987]

AN ORDINANCE APPROPRIATING \$2,033,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2014-2015 (#14-11)

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

Section 1. The sum of \$2,033,000 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 equipment program of the Town for the fiscal year ending June 30, 2015, said appropriation to be inclusive of administrative, financing, legal and costs of issuance related thereto:

PUBLIC SAFETY

|                         |              |
|-------------------------|--------------|
| Fire - Ladder Apparatus | \$675,000.00 |
|-------------------------|--------------|

PUBLIC WORKS

|                                |              |
|--------------------------------|--------------|
| Highway - Pay loaders (1)      | \$175,000.00 |
| Parks - Toro Multi Pro 5800    | \$ 53,000.00 |
| Sanitation - Refuse Truck      | \$200,000.00 |
| Town Garage - Diagnostic Equip | \$ 20,000.00 |

ROADS & SEWERS

|   |              |
|---|--------------|
| Engineering - Electronic Information Mg't | \$ 25,000.00 |
|---|--------------|

BOARD OF EDUCATION

|                                |              |
|--------------------------------|--------------|
| Schools - Various School Equip | \$250,000.00 |
|--------------------------------|--------------|

TOWN FACILITIES

|  |              |
|--|--------------|
| Bldg Inspect - GIS Permitting & Licensing SW & Peripherals | \$125,000.00 |
| Highway - Radio Replacement & Repair Program               | \$ 10,000.00 |
| Technology - Document Storage                              | \$100,000.00 |
| Tech-VOIP Comm Sys: Town/Publ Sfty Teleph Sys Rollout      | \$325,000.00 |
| Town Garage - Fleet Mg't SW & KIOSK                        | \$ 75,000.00 |

GRAND TOTAL ALL EQUIPMENT/PROJECTS:

\$2,033,000.00

ORDINANCE #14-11 — continued

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 improvements shall be allocated by the Mayor and Director of Finance as they deem necessary or advisable and in the best interests of the Town to other public improvements previously authorized by the Town Council for bonding, so long as such allocation is consistent with applicable tax and other laws.

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

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AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$2,033,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2014-2015 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#14-12)

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

Section 1. To meet the appropriation of \$2,033,000 made in the ordinance enacted together herewith for various public improvements in the capital equipment program for fiscal year ending June 30, 2015 (the "Project"), \$2,033,000 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 and timing of State and Federal grants-in-aid for the Project, 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 costs of issuance of the Bonds. The Bonds shall 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 Pullman & Comley, LLC, Attorneys-at-Law. 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.

ORDINANCE (#14-12) — continued

Section 3. The Mayor and Director of Finance are hereby authorized to determine the aggregate principal amount of the Bonds of each series to be issued, the annual installments of principal, date, maturity, prices, interest rates whether fixed or floating, form, redemption provisions, if any, the certifying registrar and transfer agent, the manner of sale or other terms and conditions of the Bonds, including the terms of any reserve that might be established as authorized herein, and whether any of the Bonds issued will be issued as taxable bonds, all in such a manner as the Mayor and Director of Finance shall determine to be in the best interests of the Town and in accordance with the General Statutes of Connecticut, Revision of 1958, as amended (the “Connecticut General Statutes”), and to take such actions and to execute such documents, or designate other officials or employees of the Town to take such actions and to execute such documents, as deemed to be necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance in order to issue, sell and deliver the Bonds.

Section 4. 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. 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 5. 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 Pullman & Comley, LLC, Attorneys-at-Law, 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. The Notes 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, to the extent paid from the proceeds of such renewals or the Bonds, may 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 6. 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 prior to and any time 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 her

designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Mayor and Director of Finance are hereby authorized, if they determine it is in the Town's best interests, to acquire, on behalf of the Town, bond insurance or other forms of credit enhancement guaranteeing the Bonds on such terms as the Mayor and Director of Finance determine to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other undertakings as the issuer of the credit enhancement shall require; and the Mayor and Director of Finance, if they determine that it is appropriate, are authorized, on the Town's behalf, to grant security to the issuer of the credit enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from proceeds of the Bonds.

Section 8. 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 the Municipal Securities Rulemaking Board ("MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the Bonds and notes authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 9. The Mayor and Director of Finance are hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Projects, and to take all action necessary or proper in connection therewith.

Section 10. The Mayor and Director of Finance in connection with the issuance of the Bonds, are hereby authorized to allocate any unused bond proceeds to public improvements previously authorized by the Town Council for bonding, consistent with the applicable tax and other laws, as deemed necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance.

Section 11. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.

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AN ORDINANCE APPROPRIATING \$8,503,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2014-2015 (#14-13)

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

ORDINANCE #14-13 — continued

Section 1. The sum of \$8,503,000 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 program of the Town for the fiscal year ending June 30, 2015, said appropriation to be inclusive of administrative, financing, legal and costs of issuance related thereto:

Parks & Recreation

|  |              |
|--|--------------|
| Conserv - Misc. Tree Removal Program Town-wide     | \$100,000.00 |
| Conserv - Wood Waste Disposal & Tree Stump Removal | \$100,000.00 |
| Parks - Parks Department Storage Bldg              | \$160,000.00 |
| Parks - Removal of Wading Pool Longbrook Park      | \$200,000.00 |

Public Works

|  |              |
|--|--------------|
| Parks - Ball field Repair Program          | \$ 75,000.00 |
| Parks - Playground Renovation              | \$190,000.00 |
| Parks - Repairs to various Town Parks      | \$250,000.00 |
| Parks - Repl Fencing                       | \$ 50,000.00 |
| Bldg Maint - Upgrade Town Hall Fire System | \$125,000.00 |

Roads & Sewers

|  |                |
|--|----------------|
| Engineering - Canaan Road Bridge Deck Rehab    | \$ 75,000.00   |
| Engineering - Longbrook Avenue Culvert Repair  | \$ 50,000.00   |
| Engineering - Misc. Bridge Rehabilitation      | \$325,000.00   |
| Engineering - Sidewalk Repl                    | \$250,000.00   |
| Engineering - Streetscape Improvement Study    | \$300,000.00   |
| Engineering - Surf Avenue Culvert Repl         | \$100,000.00   |
| Highway - Culvert Cleaning                     | \$200,000.00   |
| Highway - Resurface Parking Lot at Short Beach | \$150,000.00   |
| Highway - Road Resurfacing                     | \$1,000,000.00 |
| Public Works - Road Reconstruction             | \$400,000.00   |

School Improvements

|   |              |
|---|--------------|
| Bldg Maint - BOE - Painting Interior & Exterior of BOE Bldgs  | \$150,000.00 |
| Bldg Maint-BHS-Accessible Seating-Stadium & Auditorium        | \$200,000.00 |
| Bldg Maint - General Repairs                                  | \$135,000.00 |
| Bldg Maint - Repl of Sidewalks, Curbs, Stairs & Loading Docks | \$ 25,000.00 |
| Bldg Maint - Wilcoxson - Roof Repl                            | \$850,000.00 |

|  |              |
|--|--------------|
| Bldg Maint - Wilcoxson - Repl Flooring                         | \$425,000.00 |
| Bldg Maint - Wilcoxson - Window Repl                           | \$175,000.00 |
| Highway - Second Hill Lane - Traffic Circulation/Add'l Parking | \$300,000.00 |
| School Improv - Admin BOE & Schools - Resurface Parking Lots   | \$100,000.00 |
| School Improv - Safety & Security Improv                       | \$400,000.00 |
| Schools - Technology Infrastructure                            | \$500,000.00 |

Town Facilities

|  |              |
|--|--------------|
| Bldg Maint - Boothe Park Painting                              | \$100,000.00 |
| Bldg Maint - DPW Complex Repairs                               | \$ 75,000.00 |
| Bldg Maint - Police - Bldg Security Improvement                | \$ 73,000.00 |
| Bldg Maint - Renovations at Boothe Park                        | \$125,000.00 |
| Bldg Maint - Repairs & Maint - 4 Firehouses                    | \$175,000.00 |
| Bldg Maint - Town Bldgs - Masonry                              | \$ 50,000.00 |
| Engineering - Perry House Addition & Barn                      | \$ 75,000.00 |
| Highway - Parking Lot Resurfacing                              | \$100,000.00 |
| Libr-Drop Ceiling, Ductwork, Air Handling Unit & Lighting Repl | \$250,000.00 |
| Library - Facade & Interior Repairs                            | \$100,000.00 |
| Parks - Installation of Picnic Tables, Benches & Garbage Cans  | \$ 20,000.00 |

GRAND TOTAL ALL EQUIPMENT/PROJECTS:

\$8,503,000.00

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 improvements shall be allocated by the Mayor and Director of Finance as they deem necessary or advisable and in the best interests of the Town to other public improvements previously authorized by the Town Council for bonding, so long as such allocation is consistent with applicable tax and other laws.

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

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AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$8,503,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2014-2015 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#14-14)

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

Section 1. To meet the appropriation of \$8,503,000 made in the ordinance enacted together herewith for various public improvements in the capital improvement program for fiscal year ending June 30, 2015 (the "Project"), \$8,503,000 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 and timing of State and Federal grants-in-aid for the Project, 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 costs of issuance of the Bonds. The Bonds shall 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 Pullman & Comley, LLC, Attorneys-at-Law. 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.

Section 3. The Mayor and Director of Finance are hereby authorized to determine the aggregate principal amount of the Bonds of each series to be issued, the annual installments of principal, date, maturity, prices, interest rates whether fixed or floating, form, redemption provisions, if any, the certifying registrar and transfer agent, the manner of sale or other terms and conditions of the Bonds, including the terms of any reserve that might be established as authorized herein, and whether any of the Bonds issued will be issued as taxable bonds, all in such a manner as the Mayor and Director of Finance shall determine to be in the best interests of the Town and in accordance with the General Statutes of Connecticut, Revision of 1958, as amended (the "Connecticut General Statutes"), and to take such actions and to execute such documents, or designate other officials or employees of the Town to take such actions and to execute such documents, as deemed to be necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance in order to issue, sell and deliver the Bonds.

Section 4. 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. 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 5. 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 Pullman & Comley, LLC, Attorneys-at-Law, 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. The Notes 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, to the extent paid from the proceeds of such renewals or the Bonds, may 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 6. 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 prior to and any time 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 her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Mayor and Director of Finance are hereby authorized, if they determine it is in the Town's best interests, to acquire, on behalf of the Town, bond insurance or other forms of credit enhancement guaranteeing the Bonds on such terms as the Mayor and Director of Finance determine to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other undertakings as the issuer of the credit enhancement shall require; and the Mayor and Director of Finance, if they determine that it is appropriate, are authorized, on the Town's behalf, to grant security to the issuer of the credit enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from proceeds of the Bonds.

Section 8. 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 the Municipal Securities Rulemaking Board ("MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the Bonds and notes authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

ORDINANCE #14-14 — continued

Section 9. The Mayor and Director of Finance are hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Projects, and to take all action necessary or proper in connection therewith.

Section 10. The Mayor and Director of Finance in connection with the issuance of the Bonds, are hereby authorized to allocate any unused bond proceeds to public improvements previously authorized by the Town Council for bonding, consistent with the applicable tax and other laws, as deemed necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance.

Section 11. This ordinance shall become effective thirty days after its passage pursuant to Section 2.2.9 of the Town Charter.