



Stratford, Connecticut

ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE ADA COORDINATOR AT 203-385-4020 OR 203-385-4022 (TDD) 5 DAYS BEFORE THE MEETING, IF POSSIBLE.

## **NOTICE OF PUBLIC MEETING**

THE STRATFORD TOWN COUNCIL WILL CONDUCT A REGULARLY SCHEDULED MEETING ON **SEPTEMBER 9, 2019** IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT AT 8:00 P.M.

PUBLIC FORUM WILL BEGIN AT 6:45 P.M.

### **AGENDA \*AMENDED**

#### **CALL TO ORDER**

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

#### **1. APPROVAL OF MINUTES** — Regularly scheduled meeting of August 12, 2019

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.

#### **2. CEREMONIAL PRESENTATIONS AND AWARDS**

- Stratford Brakettes: 2019 WMS Tournament Champions
- Stratford Baseball Association's Cal Ripken 8u
- Alyssa Naeh: U.S. Women's National Soccer Team goalie
- \*Stratford Athletic Oldtimers Association

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

##### 3.1. LETTERS OF RESIGNATION (for information only)

- Email dated August 20, 2019 from Jerry (Frederick) Streets – Stratford Library Association Board

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

##### 4.1 MAYOR'S REPORT

##### 4.2 QUESTIONS FOR THE MAYOR

##### 4.3 COMMITTEE REPORTS

**4.3.1 The Ordinance Committee** held a meeting on July 22, 2019 and referred the following item to the Town Council with a favorable recommendation, as amended:

AN ORDINANCE AMENDING ARTICLE V, § 191-9 THROUGH § 191-12 OF THE TOWN CODE (#19-19)  
*Appended as pages 6-12*

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members, and that the same be adopted as a second reading and the foregoing be and is hereby approved, effective thirty days from passage.

**4.3.2 The Building Needs Committee** held a regular meeting on September 3, 2019 and referred the following items to the Town Council with favorable recommendations:

4.3.2.1 Steam Heating System Alterations at Wooster Middle School in the amount of \$79,000. Low Bidder: Southport Contracting, Inc.

RESOLVED: that the contract for Steam Heating System Alterations in the amount of \$79,000 be awarded to Southport Contracting, Inc. on the basis of its lowest responsible bid estimate submitted, and that the Mayor be and is hereby authorized to enter into a contract with Southport Contracting, Inc. for such, in form satisfactory to the Town Attorney.

4.3.2.2 Elevator Modernization/Repairs at the Baldwin Senior Center in the amount of \$174,890. Low Bidder: L. Holzner Electric Company/Holzner Construction.

RESOLVED: that the contract for Elevator Modernization/Repairs at the Baldwin Senior Center in the amount of \$174,890 be awarded to L. Holzner Electric Company/Holzner Construction on the basis of its lowest responsible bid estimate submitted, and that the Mayor be and is hereby authorized to enter into a contract with L. Holzner Electric Company/Holzner Construction for such, in form satisfactory to the Town Attorney.

**4.3.3 The Public Works Committee** held a regular meeting On September 3, 2019 and referred the following item to the Town Council with a favorable recommendation:

4.3.3.1 Stratford Ave. /Honeyspot Road Project - BL Companies Change Order in an amount not to exceed \$17,000 to complete various projects.

RESOLVED: that BL Companies Change Order in an amount not to exceed \$17,000 be and is hereby approved.

#### 4.4 TOWN ATTORNEY'S REPORT

**4.4.1** 520 Sniffens Lane (Executive Session requested)

### **5. UNFINISHED BUSINESS and/or OLD BUSINESS**

### **6. ORDINANCES AND RESOLUTIONS**

6.1 ORDINANCES

6.2 RESOLUTIONS

**6.2.1 RESOLUTION REGARDING YOUTH SERVICE BUREAU ENHANCEMENT GRANT**

Sponsored by: Stratford Town Council

**WHEREAS**, the *Town of Stratford* has been awarded a grant from the *CT Department of Children and Families* for the *Youth Service Bureau Enhancement* in an amount not to exceed \$12,967; and

**WHEREAS**, it is desirable and in the public interest that the *Town of Stratford* enter into a grant agreement with the *CT Department of Children and Families*.

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

1. That it is cognizant of the Town's contract with the *CT Department of Children and Families* for the *Youth Service Bureau Enhancement Grant* in an amount not to exceed \$12,967; and
2. That it hereby authorizes, directs and empowers the Mayor or her designee to submit an application with the *CT Department of Children and Families* to execute such contract with the *CT Department of Children and Families*, to provide such additional information, to implement the program once the award is secured, and to execute such other contracts and documents as maybe necessary under this program.

**6.2.2 RESOLUTION ADOPTING THE CONNECTICUT METROPOLITAN COUNCIL OF GOVERNMENTS (METROCOG) NATURAL HAZARD MITIGATION PLAN UPDATE, 2019**

Sponsored by: Stratford Town Council

**WHEREAS**, the Town of Stratford has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of those natural hazards profiled in the plan (e.g. *flooding, high wind, thunderstorms, winter storms, earthquakes, dam failure, and wildfires*), resulting in loss of property and life, economic hardship, and threats to public health and safety; and

**WHEREAS**, the Stratford Town Council approved the previous version of the Natural Hazard Mitigation Plan in 2014; and

**WHEREAS**, the Town of Stratford and Connecticut Metropolitan Council of Governments (METROCOG) developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for the 2019 Natural Hazard Mitigation Plan Update (the "Plan") under the requirements of 44 CFR 201.6; and

**WHEREAS**, public and committee meetings were held, and public input was sought in 2018 and 2019 regarding the development and review of the Plan; and

**WHEREAS**, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedure for the Town of Stratford; and

**WHEREAS**, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the Town of Stratford, with the effect of protecting people and property from loss associated with those hazards; and

**WHEREAS**, adoption of this Plan will make the Town of Stratford eligible for funding to alleviate the impacts of future hazards; now therefore be it

**NOW THEREFORE, BE IT RESOLVED** by the Town Council:

1. The Plan is hereby adopted as an official plan of the Town of Stratford;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as a part of this resolution for a period of five (5) years from the date of this resolution.
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Town Council.

## **7. NEW BUSINESS**

**7.1 LEASE AGREEMENT FOR CONCESSION STAND AT SHORT BEACH PAVILION** *(a copy of which has been previously provided to each Council member)*

RESOLVED: that the Lease Agreement for Concession Stand at Short Beach Pavilion be and is hereby approved.

**7.2** At the Novemeber 26, 2018 Board of Education meeting, it was moved and carried to name the Bunnell High School Field House for the Wojnarowski Family.

RESOLVED: that the naming of the Bunnell High School Field House for the Wojnarowski Family be and is hereby approved.

**7.3** At the Novemeber 26, 2018 Board of Education meeting, it was moved and carried to name the Bunnell High School Turf field for Robert Mastroni

RESOLVED: that the naming of the Bunnell High School Turf Field for Robert Mastroni be and is hereby approved.

## **7.4 APPOINTMENTS**

**7.4.1 Inland Wetlands Commission – (Alternate Member) – 4 year term**

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Inland, Wetlands Commission to the vacant seat with a term to expire January 13, 2023

**7.4.2 Waterfront and Harbor Management Commission – (Alternate Member) – 2 year term**

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Waterfront and Harbor Management Commission to the vacant alternate seat with a term to expire May 31, 2021

**7.4.3 Stratford Library Association Board – 3 year term**

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Library Association Board to the seat of Deborah Perman (resigned) with a term to expire December 31, 2020

**8. ADJOURNMENT**

**AN ORDINANCE AMENDING ARTICLE V, § 191-9 THROUGH § 191-12 OF THE TOWN CODE (#19-19)**

Sponsored by: Stratford Town Council

Article V, § 191-9 through § 191-12 of the Town Code is hereby repealed in its entirety and the following substituted in lieu thereof:

ARTICLE V

**Tax Incentive Program**

**§ 191-9. Goals and Objectives**

The purpose of this article is to establish through financial accommodation a tax abatement program for the Town of Stratford that will promote economic growth, thus expanding Town's tax base. The incentives will both attract new businesses and promote the expansion of existing businesses, while creating and preserving jobs. The program will encourage redevelopment and adaptive reuse of obsolete or distressed properties which pose special development problems because of age, configuration and/or location. Blighted properties will be revitalized and put to productive reuse. The program will also assist in the redemption and redevelopment of contaminated industrial sites, commercial sites and superfund sites.

**§ 191-10. Eligibility and Guidelines**

(A) Real property incentives may be available to any party owning or proposing to acquire an interest in or performing an improvement upon real property in the Town of Stratford, setting the assessment of the real property which is the subject of the agreement, and all improvements thereon or therein and to be constructed thereon or therein subject to the provisions set for the below, provided that the improvements shall be for one of the following:

- 1) Office use;
- 2) Retail use;
- 3) Establishments with a minimum of 25 units and providing housing and other transient guest services;
- 4) Manufacturing facility, as defined in Conn. Gen. Stat. Sec. 12-81(72);
- 5) Industrial, warehouse, or distribution use;

- 6) Information technology;
- 7) Recreational facilities;
- 8) Transportation facilities;
- 9) Research and Development;
- 10) Restaurants;
- 11) Athletic Facilities;
- 12) Health Care Facilities;
- 13) Mixed Use Development with not less than 25% of its floor area designated as commercial or retail use in the non-residential portion thereof; or
- 14) Structured multi-leveled parking use necessary in connection with a mass transit system.

(B) Personal property incentives may be available to any party owning or proposing to acquire an interest in or performing an improvement upon real property in the Town of Stratford, upon which is located or proposed to be located and is one of the following:

- 1) Office use;
- 2) Retail use;
- 3) Establishments with a minimum of 25 units and providing housing and other transient guest services;
- 4) Manufacturing facility, as defined in Conn. Gen. Stat., 12-81(72);
- 5) Industrial, warehouse, or distribution use;
- 6) Information technology;
- 7) Recreational facilities;
- 8) Transportation facilities;
- 9) Research and development;
- 10) Restaurants;
- 11) Athletic Facilities;

12) Health care Facilities systems; or

13) Mixed Use Development with not less than 25% of its floor area designated use as commercial or retail use.

(C) Real or personal property incentives are only available to those properties which have received all required municipal approvals. In addition, the following criteria shall apply to any property for which an abatement is sought:

1) The property shall not be delinquent on municipal taxes, sewer use fees, sewer assessments or any other amounts due to the Town of Stratford;

2) If the payment of municipal taxes, sewer use fees, sewer assessments or any other amounts due to the Town of Stratford shall become delinquent, the incentive shall be revoked;

3) The property must maintain the use upon which the abatement was based for the duration of the abatement period. The term "use" includes the continuation of the ordinary business operations of the property owner and/or business owner. Any change in use including the termination of ordinary business operations will result in a revocation of the abatement;

4) The abatement shall be revoked if the property owner and/or business owner files for bankruptcy;

5) Failure of the property to remain in compliance with applicable zoning laws and municipal ordinances and regulations shall result in a revocation of the abatement;

6) The applicant shall enter into an agreement with the Town. Construction of any improvements shall not begin until the agreement has been fully executed. The agreement shall require the repayment of the tax abatement if the applicant does not comply with the terms of the agreement;

7) The applicant shall be the owner of the improvement for which the abatement is requested for the full term of the abatement. If a tenant makes application for a personal property abatement, its lease must be on file with the Town. Failure of the applicant to remain the owner for the full term of the abatement, or failure of a tenant to remain a tenant for the full term of the abatement shall result in the revocation of such incentive(s);

8) The property shall be ineligible to receive an abatement under this program if it receives tax incentives under any other federal, state or local program; and



9) No property shall receive both real and personal property incentive programs unless such receipt of both real and personal property incentives are approved by the Town Council.

[10\) Annual Income and Expense Report – The application for or granting of an abatement pursuant to this program shall not relieve a taxpayer from the obligation to submit annual income and expense reports as set forth in section 12-63c of the Connecticut General Statutes or to comply with any other applicable tax laws.](#)

~~§ 191-11. Transferability~~

[11\)](#) Abatement(s) granted under this program are non-transferable.

**§ 191-~~11~~ 12. Incentive Programs**

**A. Real Property Tax Incentives- New Construction**

This program is open to property owners who have met the requirements in Section ~~§ 191-10~~ [\\*2 191-10](#) of this ordinance. The abatement will be applicable to the value of the buildings and improvements only. The values shall be updated and recalculated during revaluation cycles. Taxes will be calculated on the assessed value as determined by the Assessor and shall be due and payable in accordance with the Town's collections laws, policies and procedures. Tax benefits must be reflected in any lease, and such lease shall be provided to the Town.

**B. Real Property Tax Incentives- Rehabilitation**

The program will encourage the rehabilitation of aging or deteriorating structures, new development and redevelopment of real property as well as promote businesses to replace, construct, expand or remodel existing structures. The rehabilitation project shall correct all code violations, make improvements, both interior and exterior, and must meet all ADA requirements. Tax benefits must be reflected in any lease and shall be provided to the Town.

The abatement will be applicable to the value of the buildings and improvements only. The increase in assessment shall be the basis for the amount of this program. The amount to be abated will be determined by the Assessor as follows: final assessed value after rehabilitation is complete less the value prior to rehabilitation equals amount which may be abated. The values shall be updated and recalculated during revaluation cycles. Taxes will be calculated on the assessed value as determined by the Assessor and shall be due and payable in accordance with the Town's collections laws, policies and procedures.

The abatement for new construction and rehabilitation shall be for a term of up to six (6) years, at the discretion of the [Administrative Tax Partnership Screening](#) Committee, provided the cost of the improvements is \$ 100,000.00 or greater. The abatement shall be as follows:

- (1) during the period of construction, but not greater than eighteen (18) months, or such additional time as may be extended by the [\\*Administrative Tax Partnership Screening](#) Committee, but not to exceed six (6) additional months, or (2) until the receipt of a Certificate of Occupancy, whichever shall occur first:  
100% exempt, then following such period or issuance of Certificate of Occupancy:

Year 1: up to 100% Exempt

Year 2: up to 100% Exempt

Year 3: up to 80% Exempt

Year 4: up to 60% Exempt

Year 5: up to 40% Exempt

Year 6: up to 20% Exempt

If no Certificate of Occupancy is issued prior to the expiration of the time as set forth above, then any benefits awarded under this ordinance shall lapse.

In the event the cost of the improvements is \$ 20,000,000.00 or greater, the abatement shall be for a term of up to ten (10) years, at the discretion of the [Administrative Tax Partnership Screening](#) Committee, as follows:

- (1) During the period of construction, but not greater than eighteen (18) months, or such additional time as may be extended by the [Administrative Tax Partnership Screening](#) Committee, but not to exceed six (6) additional months, or (2) until the receipt of a Certificate of Occupancy, whichever shall occur first:  
100% exempt, then following such period or issuance of Certificate of Occupancy:

Year 1: up to 100% Exempt

Year 2: up to 100% Exempt

Year 3: up to 100% Exempt

Year 4: up to 80% Exempt

Year 5: up to 70% Exempt

Year 6: up to 60% Exempt

Year 7: up to 50% Exempt

Year 8: up to 40% Exempt

Year 9: up to 30% Exempt

Year 10: up to 20% Exempt

If no Certificate of Occupancy is issued prior to the expiration of the time as set forth above, then any benefits awarded under this ordinance shall lapse.

### **C. Personal Property Tax Incentives**

The abatement will be applicable to personal property depreciated with a five (5) or seven (7) year IRS life and shall appear on the company's fixed asset schedule which shall match the federal income tax filings.

The abatement shall be for a term of five (5) years, provided the investment into the improvements is \$ 100,000.00 or greater. The abatement shall be as follows:

Year 1: up to 100% Exempt

Year 2: up to 100% Exempt

Year 3: up to 50% Exempt

Year 4: up to 40% Exempt

Year 5: up to 30% Exempt

### **§ 191-~~12~~ 13. Application and Review Process**

Applications for abatement shall be made on a form prescribed by the Town of Stratford which may be amended from time to time. Completed applications must be submitted to the Economic Development Director and approved by the Town of Stratford prior to the issuance of any permits.

The Economic Development Director shall immediately refer the application to a committee consisting of the Mayor or her designee, Economic Development Director, Finance Director, Tax Assessor, Tax Collector, Town Attorney, and the Chair of the Tax ~~\*Incentive Program Administrative~~ Partnership Screening Committee (the "Administrative Committee"). Within fifteen (15) days of submission of a completed application to the Economic Development Director's office the ~~\*Administrative~~ Committee shall refer the application to the Tax ~~\*Partnership Screening Incentive Program~~ Committee with its recommendation. The Tax ~~\*Partnership Screening Incentive Program~~ Committee shall consist of the following: three (3) members of the Stratford Town Council, who shall be appointed by the Chair of the Town Council, the Chair of the Economic and Community Development Commission or his designee, and the Chair of the Redevelopment Agency or his designee. The Tax ~~\*Partnership Screening Incentive Program~~ Committee shall review and consider the application within thirty (30) days of its receipt from the ~~\*Administrative Tax Partnership Screening~~ Committee, and determine the amount, if any, and duration of the abatement. \*After approval of said application by said Committee, the same shall be forwarded to the Stratford Town Council for final approval. Any such agreement, as referred by said Committee, shall be approved upon the affirmative vote of a majority of the members of the Town Council. Once any abatement is approved the Town, through its Mayor, will enter into an agreement with the applicant. All abatement agreements shall be recorded on the land records and shall constitute a priority lien against the property that has benefited until the conditions of the tax abatement have

been fulfilled and the agreement has expired. Upon default of under the terms of the agreement, or material misrepresentation in the application, the taxes abated shall immediately become due and payable. All applications will be subject to audit by the Town Council to ensure compliance.

The total assessment amount to be abated will be determined by the Tax Assessor upon final inspection after issuance of certificate of occupancy. The assessed value will be set in accordance with Connecticut General Statutes and will take into consideration revaluations required under such statutes.

The applicant must meet all program requirements. Failure to complete the project in the approved manner will cause the pending abatement to not be implemented. All submissions shall comply with all current state and local codes. Sign off for the code requirements will be required by the applicable Town officials.

Applications shall be completed in their entirety. The applications shall have the following attachments in order to be considered.

- Detailed project plan;
- Itemized project budget;
- Itemization of construction costs;
- Project Schedule;
- Expected Date project to begin; and
- Expected date of project completion.

Any abatement constitutes a significant financial accommodation for the Town of Stratford because of the reduction in tax revenue that would otherwise be received. This policy should be reviewed by the Town Council Ordinance Committee at least once every five years.

**\*§ 191-13 14. Revocation**

Should any abatement approved pursuant to this program be revoked, the Town shall notify the recipient of such abatement of the revocation. The aggrieved party may thereafter, within 60 days of such notification, appeal such revocation to the Town Council. Following hearing, the Town Council may rescind such revocation or set any such terms and conditions for the continued abatement.