



Stratford, Connecticut

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, MARCH 9, 2015 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:00 p.m.

PRESIDING: Council Chairman Joseph Kubic

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

COUNCIL MEMBERS ABSENT: Mr. Matthew Catalano

OTHERS IN ATTENDANCE: Mayor John Harkins, Town Attorney Timothy Bishop, Asst. to the Town Attorney John Florek, CAO Steve Nocera, HR Director Ronald Ing, 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.

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. HOYDICK TO WAIVE THE COUNCIL RULES OF PROCEDURE TO TAKE THE ITEM, 8.2 OUT OF ORDER. THE MOTION PASSED 9 TO 0.

8.2 RESOLUTION SUPPORTING APPLICATION AND CONTRACT FOR THE CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION CLEAN VESSEL ACT GRANT PROGRAM FOR THE OPERATION AND MAINTENANCE OF THE STRATFORD PUMPOUT BOAT

sponsored by: Town Council

WHEREAS, the CT Department of Environmental Protection-Office of Long Island Sound Programs, is authorized to extend financial assistance to municipalities in the form of grants through the Clean Vessel Act Grant Program; and,

WHEREAS, the Town of Stratford operates a pump-out boat program to maintain good water quality in the Lower Housatonic River and vicinity, including Milford Harbor; and,

WHEREAS, funding through the Clean Vessel Act Grant Program will be used to reimburse the Town of Stratford for 75% of the operation costs of its pump-out boat program; and,

WHEREAS, it is desirable and in the public interest that the Town of Stratford, enter into contracts with the CT Department of Environmental Protection-Office of Long Island Sound Programs in an amount not to exceed \$37,428.75 for the purpose of operating the Town's pump-out boat program; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF STRATFORD:

1. That it is cognizant of the Town's contract with the CT Department of Environmental Protection-Office of Long Island Sound Programs for funds through the 2015 Clean Vessel Act Grant Program to operate a pump-out boat program in the Lower Housatonic River and vicinity; and,
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute such contract with the CT Department of Environmental Protection, to provide such additional information and to execute such other contracts and documents as maybe necessary under this program.

Chairman Kubic recognized Thomas Gloersen, Vice-Chairman of the Waterfront Harbor Management Commission, to further explain the advantages of the grant. A MOTION WAS MADE BY MR. MASSEY, SECONDED BY MR. SANTI TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0.

1. APPROVAL OF MINUTES — Special Council meeting of February 4 and Public forum, regularly scheduled meeting and executive session of February 9, 2015.

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. FORRESTER TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 9 TO 0.

2. CEREMONIAL PRESENTATIONS AND AWARDS — None.

3. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. Massey — re: Council Members residing and sincere involvement in the Town of Stratford.
Ms. Philips — re: The Stage Group LLC and Shakespeare Theater renovations, WPCA, cell tower, Executive sessions.

Mr. Santi — re: Mr. Reed and the Stage Group LLC, WPC sales, Mercer towers

Mr. Dempsey — re: Mr. Reed's Shakespeare Theater proposal

Mr. Poisson — re: info re: WPC sale
Mr. Connor — re: The Stage Group proposal
Mr. Hoydick — Mr. Reed and the Stage Group proposal

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. HOYDICK TO WAIVE THE COUNCIL RULES OF PROCEDURE TO TAKE THE ITEM 5.2.1 OUT OF ORDER. THE MOTION PASSED 9 TO 0.

5.2.1 BUILDING NEEDS COMMITTEE — During the Committee meeting of Feb. 19, 2015, the following was referred to Council with favorable recommendation:

Options for design floor plans and grant options for Stratford High School renovations. The selected option (“A”), a.k.a. renovate as new, has a projected lower cost, quicker time-frame for construction completion. The option does not require closing King Street but could bridge over it. A change of the School Construction Grant is needed which could utilize special legislation from the State Legislature.

RESOLVED: that the recommendation of the Building Needs Committee is accepted, and the request to increase the town bond appropriation and a change to the school grant through special legislation to fund construction of Option “A” be and is hereby approved.

Mr. Clarence Zachery, Board of Education COO, led the slide presentation re: concept plan for Stratford High School renovation. Paul Antinozzi and George Perham from Antinozzi Architects, Mr. McCullough – Manager from Turner Construction Company, Project Control Manager from CREC construction services further explained the plan. After Questions-Answer segment, A MOTION WAS MADE BY MR. HOYDICK, SECONDED BY MR. POISSON TO ACCEPT THE RECOMMENDATION AND REQUEST AND APPROVE THE PROJECT. THE MOTION PASSED 9 TO 0.

4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES — None

5. MAYOR’S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY’S REPORTS

5.1 MAYOR’S REPORT — Mayor Harkins reported on upcoming dates, events and progress of the SAEP.

5.1.1 APPOINTMENTS — Mayor Harkins appointed the following persons to the Historic District Commission:

- David Fuller to fill the expired term of Thomas Yemm.

RESOLVED: that the appointment of DAVID FULLER to the Historic District Commission be and is hereby ratified.

A MOTION WAS MADE BY MR. CONNOR, SECONDED BY MR. FORRESTER TO RATIFY THE FOREGOING APPOINTMENT OF DAVID FULLER. THE MOTION PASSED 8 TO 1.

- Penni Knoblein to fill the expired term of Lisa Donnelly

RESOLVED: that the appointment of Penni Knoblein to the Historic District Commission be and is hereby ratified.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. CONNOR TO RATIFY THE FOREGOING APPOINTMENT OF PENNI KNOBLEIN. THE MOTION PASSED 9 - 0.

- Richard Fredette to fill the expired term of Paul Joy

RESOLVED: that the appointment of RICHARD FREDETTE to the Historic District Commission be and is hereby ratified.

A MOTION WAS MADE BY MR. DEMPSEY, SECONDED BY MR. MASSEY TO RATIFY THE FOREGOING APPOINTMENT OF RICHARD FREDETTE. THE MOTION PASSED 9 TO 0.

- Casimir Mizera to fill the expired term of Beth DaPonte

RESOLVED: that the appointment of CASIMIR MIZERA to the Historic District Commission be and is hereby ratified.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. FORRESTER TO RATIFY THE FOREGOING APPOINTMENT OF CASIMIR MIZERA. THE MOTION PASSED 8 - 1.

5.2 COMMITTEE REPORTS

5.2.2 PUBLIC WORKS COMMITTEE — The Public Works Committee met on Feb. 19, 2015 and referred the following to Council with favorable recommendation:

West Broad St. reconstruction —The State is requesting improvements to the turning lane at exit 32 south-bound ramp. Amending the engineer's contract by \$25,000.

RESOLVED: That the recommendation of the Public Works Committee is accepted and amending the engineering fee (Weston & Sampson) with funds from the West Broad Street drainage fund be and is hereby approved.

A MOTION WAS MADE BY MR. POISSON, SECONDED BY MR. SANTI TO APPROVE THE FOREGOING FEE AMENDMENT. THE MOTION PASSED 9 TO 0.

5.2.3 STRATFORD REDEVELOPMENT AGENCY — During the meeting of February 19, 2015 the following was referred with favorable recommendation:

Mercer Coal (Stratford Avenue) - \$381,000 is available in funding for demolition and remediation. The lowest bid is \$479,605 from Standard Demolition. Mr. Carey is applying to the GBRC revolving loan fund for another \$200,000.

RESOLVED: that the recommendation of the Stratford Redevelopment Agency is accepted and the base bid of Stratford Demolition for \$479,605.00, awaiting the receipt of \$200,000 from GBRC, be and is hereby approved.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. FORRESTER TO APPROVE THE FOREGOING BID. MESSRS. SANTI AND FORRESTER WITHDRAW THEIR MOTION. A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. SANTI TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 9 TO 0.

5.3 TOWN ATTORNEY'S REPORT

5.3.1 CLAIMS REPORT — No report

5.3.2 25 NORTH PARADE — Mr. Bishop requests to have the item stricken from the agenda. A MOTION WAS MADE BY MR. POISSON, SECONDED BY MR. DEMPSEY TO STRIKE THE FOREGOING ITEM (25 NORTH PARADE) FROM THE AGENDA. THE MOTION PASSED 8 TO 0 WITH MR. SANTI ABSENT.

5.3.3 KENNETH MENCEL vs. TOWN OF STRATFORD — Executive session requested.

Mr. Bishop requests taking the foregoing item into executive session for the purpose that the discussion is a matter of strategy and negotiations regarding pending claims and/or litigation toward the town or a member thereof as a party. Mr. Bishop would like that motion to include all members of the Town Council, the Mayor, Human Resources Director, Assistants to the Town Attorney Mr. Florek and Mr. Cotter, the CAO, Chief of Staff, the Finance Director, and himself.

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. DEMPSEY TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE ABOVE-CITED ITEM FOR THE REASON AS STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION CARRIED 9 TO 0.

Stratford Town Council meeting recessed into executive session at 8:56 p.m.

Executive Session took place in room 213 of Stratford Town Hall, 2725 Main Street, Stratford, CT. The following persons entered into executive Session: Mr. Peter Massey, Ms. Stephanie Philips, Mr. Jason Santi, Mr. Brian Dempsey, Mr. Kenneth Poisson, Mr. Gavin Forrester, Mr. James Connor, Mr. Joseph Kubic, Mr. Paul Hoydick, Town Attorney Timothy Bishop, Attorneys John Florek and Thomas Cotter, Mr. Steven Nocera, Mayor John Harkins, Mr. Ronald Ing, Mr. Mark Dillon, and Ms. Susan Collier. Executive Session ended at 9:03 p.m.

Stratford Town Council meeting reconvened: 9:05 p.m.

KENNETH MENCEL vs. TOWN OF STRATFORD — Action item from Executive Session.

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

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. DEMPSEY TO ACCEPT THE TOWN ATTORNEY'S RECOMMENDATION AS PRESENTED IN EXECUTIVE SESSION. THE MOTION PASSED 9 TO 0.

5.2.3 STRATFORD REDEVELOPMENT AGENCY — During the meeting of February 19, 2015 the following was referred with favorable recommendation:

Mercer Coal (Stratford Avenue) - \$381,000 is available in funding for demolition and remediation. The lowest bid is \$479,605 from Standard Demolition. Mr. Carey is applying to the GBRC revolving loan fund for another \$200,000. **PREVIOUSLY TABLED.**

RESOLVED: that the recommendation of the Stratford Redevelopment Agency is accepted and the base bid of Stratford Demolition for \$479,605.00, awaiting the receipt of \$200,000 from GBRC, be and is hereby approved.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MS. PHILIPS TO TAKE THE FOREGOING ITEM OFF THE TABLE. THE MOTION PASSED 9 TO 0. Mr. Nocera was called to the podium by chairman Kubic and reviewed the terms and conditions of the bid award. Questions were posed to Mr. Nocera.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. FORRESTER TO APPROVE THE BID AWARD. THE MOTION PASSED 9 TO 0.

5.3.4 LICENSE AGREEMENT WITH BRAKETTES FOR USE OF DELUCA FIELD — Mr. Bishop stated that the finalized license agreement and financial arrangements have not changed since last year's acceptance of the agreement.

RESOLVED: that the recommendation of the Town Attorney is accepted and the finalized license agreement and financial arrangements with the Brakettes for use of DeLuca field be and are hereby approved.

Mr. Forrester, member of the Board of Directors, declares a conflict of interest and recuses himself from voting. A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. MASSEY TO APPROVE THE LICENSE AGREEMENT WITH THE BRAKETTES FOR USE OF DELUCA FIELD. THE MOTION CARRIES WITH 8 IN FAVOR, NO ONE OPPOSED AND 1 ABSTENTION.

5.3.5 LICENSE AGREEMENT FOR LEASE OF CONCESSION AT DELUCA FIELD — Mr. Bishop stated that the finalized license agreement and financial arrangements have not changed since last year's acceptance of the agreement.

RESOLVED: that the recommendation of the Town Attorney is accepted and the finalized license agreement and financial arrangements with the Stratford Brakettes Organization for lease of concession at DeLuca field be and are hereby approved.

Mr. Forrester, member of the Board of Directors, declares a conflict of interest and recuses himself from voting. A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. HOYDICK TO APPROVE THE LICENSE AGREEMENT FOR LEASE OF CONCESSION AT DELUCA FIELD WITH THE STRATFORD BRAKETTETS ORGANIZATION. THE MOTION CARRIES WITH 8 IN FAVOR, NO ONE OPPOSED AND 1 ABSTENTION.

5.3.6 LEASES TO STRATFORD LITTLE LEAGUE — The league uses different fields in the Town of Stratford. The agreement is the same as prior years. The League requests to operate the concession stand at Short Beach during tournaments.

RESOLVED: that the recommendation of the Town Attorney is accepted and the finalized lease agreement and financial arrangements with Stratford Little League for operation of the concession at Short Beach and use of town fields be and are hereby approved.

A MOTION WAS MADE BY MR. DEMPSEY, SECONDED BY MR. HOYDICK TO APPROVE THE LEASE ARRANGEMENTS AS STATED ABOVE WITH STRATFORD LITTLE LEAGUE. THE MOTION CARRIES 8 TO 0 (MR. CONNOR ABSENT).

5.3.7 STRATFORD BASEBALL (f.k.a. Pony League) — The extension/renewal of the lease is the same as last year's acceptance of the agreement.

RESOLVED: that the recommendation of the Town Attorney is accepted and the finalized lease agreement and financial arrangements with Stratford Baseball for use of town fields be and are hereby approved.

A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. MASSEY TO APPROVE THE LEASE ARRANGEMENTS AS STATED ABOVE WITH STRATFORD BASEBALL. THE MOTION CARRIES 8 TO 0 (MR. CONNOR ABSENT).

5.3.8 § 8-24 REVIEW – SALE OF SIKORSKY LOTS ON MAIN STREET — Mr. Bishop requests to have bids solicited and then return the item to Council for final approval.

RESOLVED: the request of the Town Attorney, to have bids solicited and then return the item to Council for approval, is hereby approved.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. MASSEY TO APPROVE THE FOREGOING TOWN ATTORNEY REQUEST. THE MOTION PASSED 9 TO 0.

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. MASSEY TO WAIVE THE COUNCIL RULES OF PROCEDURE TO TAKE THE ITEM 8.1 OUT OF ORDER. THE MOTION PASSED 9 TO 0.

8.1 GRANT RESOLUTION re: NEIGHBORHOOD FACILITIES – FUNDING FOR CONSTRUCTION OR RENOVATION

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

WHEREAS, the *Town of Stratford* has been awarded a grant from the *CT Department of Social Services* for *Neighborhood Facilities (Bond Fund) – Funding for Construction or Renovation* in an amount not to exceed \$53,000; 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 Social Services*.

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

1. That it is cognizant of the Town's contract with the *CT Department of Social Services* for the *Neighborhood Facilities (Bond Fund) – Funding for Construction or Renovation* in an amount not to exceed \$53,000); and
2. That it hereby authorizes, directs and empowers the Mayor or his designee ~~to submit an application with CT Department of Social Services,~~ to execute such contract with the *CT Department of Social Services*, 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.

Chairman Kubic called upon Tammy Trojanowski, Director of Community Services, to clarify the resolution.

A MOTION WAS MADE BY MS. PHILIPS SECONDED BY MR. FORRESTER TO AMEND THE RESOLUTION BY DELETING PHRASE IN ITEM "2" ABOVE (~~to submit an application with CT Department of Social Service,~~) AND APPROVE. THE MOTION TO AMEND AND APPROVE PASSED 9 TO 0.

5.3.9 QUESTIONS TO THE TOWN ATTORNEY

Ms. Philips — re: eminent domain, executive session notices

Mr. Santi — re: blight citation process.

6. QUESTIONS TO MAYOR OR STAFF

Ms. Philips — WPCA

7. UNFINISHED BUSINESS and/or OLD BUSINESS

7.1 SAEP (continuing item) — no new information

7.2 TABLED ITEMS

7.2.1 PATRICIA DRIVE — *Placed on the table during special meeting of 9/22/14* — Action not taken.

7.2.2 ~~231 KING STREET~~ — Initially referred to Executive Session. *Placed on the table during meeting of 6/9/14.*

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. FORRESTER TO TAKE FOR FOREGOING ITEM OFF THE TABLE. THE MOTION PASSED 9 TO 0. A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. DEMPSEY TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION PASSED 9 TO 0.

7.2.3 ShakesBeer donates \$20,000 to the Town for the benefit of Shakespeare Theatre. *Tabled during meeting of Jan. 12, 2015*

A MOTION WAS MADE BY MS. PHILIPS, SECONDED BY MR. FORRESTER TO TAKE THE FOREGOING ITEM OFF THE TABLE. THE MOTION PASSED 9 TO 0. A MOTION WAS MADE BY MS. PHILIPS TO RETURN THE FUNDS TO THE DONER. THE MOTION DIED FOR LACK OF A SECOND. A MOTION WAS MADE BY MR. POISSON, SECONDED BY MR. SANTI TO RETURN THE ITEM TO THE TABLE. THE MOTION PASSED 9 TO 0.

7.2.4 ~~Longbrook Park Cell Tower Reconsideration~~ — *Placed on the table during meeting of 2/9/15.*

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

7.3 TABLED ORDINANCES AND RESOLUTIONS

7.3.1 AN ORDINANCE AMENDING CHAPTER 172 – Sewers - ARTICLE XI, FATS, OILS AND GREASE PRETREATMENT (#14-26) — appended as pages 8-20 (*tabled during meeting of Nov. 10, 2014*) — ACTION NOT TAKEN.

7.4 TABLED APPOINTMENTS

7.4.1 STRATFORD HOUSING PARTNERSHIP — (9) Same as last. — REMAINED ON THE TABLE.

7.4.2 BOARD OF ASSESSMENT APPEALS — (2) temporary — REMAINED ON THE TABLE.

7.4.3 COMMISSION ON AGING — (9) appointments remaining; 2 members – private sector agencies, 1 member representing educational community, 1 clergy representation, 5 electorate — REMAINED ON THE TABLE.

7.4.4 ARTS COMMISSION — Appointed by Town Council, 3-year terms. *Placed on the Table during Council meeting of March 10, 2014.* — REMAINED ON THE TABLE.

A. Regular members — 2 — Town code § 5-52

B. Alternate members — 2 — Town code § 5-53

7.4.5 Longbrook Park Commission — Appointed by Council, § 5-39 of Town Code. 2 or 3 Council Members depending on minority representation, 3 Electorate members with 3-year terms. *Placed on the Table during Council meeting of March 10, 2014.*

1 regular electorate members needed.

RESOLVED: that JAMES MCGUIRE of 75 LONDON STREET be and is hereby appointed a member of the Longbrook Park Commission (term of James McGuire expired Nov. 6, 2011)

A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. SANTI TO TAKE THE FOREGOING APPOINTMENT OFF THE TABLE. THE MOTION PASSED 9 TO 0. A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. DEMPSEY TO REAPPOINT JAMES MCGUIRE TO THE LONGBROOK PARK COMMISSION. THE MOTION PASSED 9 TO 0.

7.4.6 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.* — REMAINED ON THE TABLE.

7.4.7 WATERFRONT AND HARBOR MANAGEMENT COMMISSION — REMAINED ON THE TABLE.

7.4.8 BEAUTIFICATION COMMITTEE — term concurrent with Council — REMAINED ON THE TABLE.

8. ORDINANCES AND RESOLUTIONS

9. NEW BUSINESS

9.1 APPOINTMENTS

9.1.1 BEAUTIFICATION COMMITTEE — terms concurrent with Council.

Alternate members (4 new) Approved *during Council meeting of Feb. 9, 2015.*

A MOTION WAS MADE BY MS. PHILIPS, SECONDED BY MR. MASSEY TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 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. MASSEY, IT WAS VOTED 9 TO 0 TO ADJOURN THE MEETING AT 9:43 p.m.

ATTEST: *Carol Cabral*
Carol Cabral, Council Clerk