



Stratford, Connecticut

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## MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, JULY 13, 2015 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT PURSUANT TO NOTICE DULY POSTED.

CALL TO ORDER: 8:01 p.m.

PRESIDING: Council Chairman Joseph Kubic

COUNCIL MEMBERS IN ATTENDANCE: Mr. Matthew Catalano, 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. Peter Massey

OTHERS IN ATTENDANCE: Mayor John Harkins, Town Attorney Timothy Bishop, Asst. to Town Attorney John Florek, Outreach coordinator Chris Bandecchi, Human Resources director Ronald Ing.

INVOCATION PRESENTED BY: Second District Council Member Hon. Matthew Catalano followed by the Pledge of Allegiance.

**1. APPROVAL OF MINUTES** — Public forum, regularly scheduled meeting of June 8, 2015 and special meeting of June 25, 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. FORRESTER, SECONDED BY MR. HOYDICK TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 8 TO 0 WITH MR. SANTI ABSENT.

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

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

Mr. Catalano — re: Abuse to Pender's Field

Ms. Philips — re: Shakespeare Theater, Tax abatements

Mr. Santi — re: WPCA sale, Shakespeare Theater

Mr. Poisson — re: Comments in *CT Post* regarding WPCA sale, Penders Field

Mr. Forrester — re: Sports playing fields/Penders Field  
Mr. Connor — WPCA, tax arrears collections, tax abatements  
Mr. Hoydick — re: Penders field

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

**4.1 E-MAIL LETTER OF RESIGNATION FROM:** Norman Aldrich, Library Board Member  
Dated June 17, 2015

RESOLVED: that the resignation of Norman Aldrich from the Library Board be and is hereby approved.

A MOTION WAS MADE BY MR. CATALANO, SECONDED BY MR. FORRESTER TO ACCEPT THE FOREGOING RESIGNATION. THE MOTION PASSED 9 TO 0.

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

**5.1 MAYOR'S REPORT** — Mayor Harkins reported the following:

- “Blues on the Beach” – July 25
- Main Street near the Airport will be closed for an additional 3-½ weeks.
- The Town will meet with the Army Corp of Engineers and CT-DEEP on July 29 re: SAEP

**5.1.1 APPOINTMENTS** — No appointments.

#### **5.2 COMMITTEE REPORTS**

**5.2.1 PUBLIC WORKS COMMITTEE** — The Public Works Committee conducted a special meeting of June 9, 2015 and referred the following to Council with favorable recommendation:

Surf Avenue Bridge – STV proposal approval for the recommended option in the amount of \$198,500 for design, DEEP permitting, bidding, and construction administration. Inspection as required would be billed on an hourly basis. It is estimated that funds exist for the project.

RESOLVED: that the recommendation of the Public Works Committee is accepted and the above-cited proposal by STV for the amount not to exceed \$198,500 be and is hereby approved.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. DEMPSEY TO APPROVE THE ABOVE REFERENCED PROPOSAL. THE MOTION PASSED 9 TO 0.

#### **5.3 TOWN ATTORNEY'S REPORT**

**5.3.1 CLAIMS REPORT** — No report

5.3.2 THOMAS CARBONE v T. CLEMENTS, ET AL — Exec. Session requested.

Mr. Bishop requests taking the foregoing item into executive session for the purpose of discussion with respect to litigation toward the town or a member thereof as a party. Mr. Bishop would like that motion to include all members of the Stratford Town Council, the Mayor, Human Resources Director Ronald Ing, Attorney Warren Holcomb, Chief of Staff Marc Dillon, Finance Director, Assistant to the Town Attorney Mr. Florek and himself.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. FORRESTER TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF STRATEGY AND NEGOTIATIONS WITH RESPECT TO LITIGATION TOWARD THE TOWN OR A MEMBER THEREOF AS A PARTY WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE NAMED INDIVIDUALS. THE MOTION PASSED 9 TO 0.

5.3.3 CONTRACT PLATING CLEANUP – Change order — Barrel(s) of cyanide were found on the property. Additional cleanup cost is projected to be north of \$200K. Amount comes from state funds; contract is with the Town.

RESOLVED: that the change order for additional clean-up at the Contract Plating site for the amount stated above be and is hereby approved.

A MOTION WAS MADE BY MR. HOYDICK, SECONDED BY MR. FORRESTER TO APPROVE THE ABOVE-CITED CHANGE ORDER FOR CONTRACT PLATING CLEANUP. THE MOTION PASSED 9 TO 0.

5.3.4 16 GOODWIN PLACE

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

5.3.5 179 WEST AVE. — Drainage easement

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

5.3.6 TOWN OF STRATFORD vs. DALEY DEVELOPMENT, ET. AL. — *Placed on the table during Council meeting of May 11, 2015.* REMAINED ON THE TABLE.

5.3.7 STRATFORD FESTIVAL THEATER CONTRACT — *Placed on the table during Council meeting of May 11, 2015.* REMAINED ON THE TABLE.

5.3.8 SALE OF VACANT LOT ON CANDLEWOOD ROAD (Lot 23) — *Placed on the table during Council meeting of June 8, 2015* REMAINED ON THE TABLE.

5.3.9 QUESTIONS TO THE TOWN ATTORNEY — No questions.

*Stratford Town Council meeting recessed into executive session at 8:34 p.m.*

Executive Session took place in room 213 of Stratford Town Hall, 2725 Main Street, Stratford, CT to discuss Thomas Carbone v T. Clements, et al. The following persons entered into executive Session: Mr. Matthew Catalano, 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, Asst. to the Town Attorney John Florek, Attorney Warren Holcomb, Human Resources Director Ronald Ing, Chief of Staff Marc Dillon and Mayor John Harkins.

*Executive Session ended and Stratford Town Council meeting reconvened: 8:55 p.m.*

#### ACTION FROM EXECUTIVE SESSION AGENDA ITEM

#### THOMAS CARBONE v T. CLEMENTS, ET AL

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

A MOTION WAS MADE BY MR. FORRESTER AND SECONDED BY MR. CONNOR TO APPROVE THE RECOMMENDATION OF THE TOWN ATTORNEY AS DISCUSSED IN EXECUTIVE SESSION. THE MOTION PASSED 8 TO 0 WITH MR. SANTI ABSENT.

#### **6. QUESTIONS TO MAYOR OR STAFF**

Mr. Hoydick — re: Penders field

Mr. Dempsey — re: Repair and upkeep of Stoneybrook field.

Ms. Philips — re: Trees at Boothe Park, tree removal at observatory in Boothe Park, electric power for Boothe Park Pavilions, improving picnic areas at Juliet Lowe Park, Johnson field

Mr. Catalano — re: Shakespeare archive investigation, changing of the locks on the “White House” doors.

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

7.1 SAEP (continuing item) — Previously addressed.

#### 7.2 TABLED ITEMS

7.2.1 TOWN ATTORNEY’S REPORT ABOVE (3 items). REMAINED ON THE TABLE.

7.2.2 CLINTON AVENUE ESTATES — Acceptance of Plan and Profile. Referred from Planning Commission with favorable recommendation. (placed on the table during Council meeting of June 8, 2015) — REMAINED ON THE TABLE.

#### 7.3 TABLED ORDINANCES AND RESOLUTIONS

7.3.1 AN ORDINANCE AMENDING CHAPTER 172 – Sewers - ARTICLE XI, FATS, OILS AND GREASE PRETREATMENT (#14-26) — (*placed on the table during meeting of Dec. 8, 2014*) — REMAINED ON THE TABLE.

7.4 TABLED APPOINTMENTS — ALL TABLED APPOINTMENTS REMAINED ON THE TABLE.

## **8. ORDINANCES AND RESOLUTIONS**

### **8.1 RESOLUTION re: CT OFFICE OF POLICY AND MANAGEMENT POLICE AND YOUTH GRANT**

sponsored by: Hon. Joseph Kubic, Ninth District Council Member

**WHEREAS**, the *State of Connecticut Office of Policy and Management*, is authorized to extend financial assistance to municipalities in the form of grants and has made funds available to the Town in an amount not to exceed \$10,000; and,

**WHEREAS**, funds under this grant will be used to implement the *Stratford Police Department's Straight Path Program for youth*; and,

**WHEREAS**, it is both desirable and in the public interest that the *Town of Stratford* execute a grant agreement with *State of Connecticut Office of Policy and Management* 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 of Stratford* grant application and contract to the *State of Connecticut Office of Policy and Management* for funds in an amount not to exceed \$10,000; and,
2. That it hereby authorizes, directs and empowers the mayor, John A. Harkins, or his designee to execute and deliver such application in the name and on behalf of the *Town of Stratford*, any and all applications and/or agreements (including amendments to, or rescission of such agreement), and any and all related documents necessary to apply for and obtain funding from the *State of Connecticut Office of Policy and Management through the Police and Youth Grant Program*.

The Chairman called Ms. Christina Kazanas, Director of Grants Administration, to the podium to further explain benefits of the grant. A MOTION WAS MADE BY MR. DEMPSEY, SECONDED BY MR. HOYDICK TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0.

### **8.2 RESOLUTION re: FAIRFIELD COUNTY COMMUNITY FOUNDATION**

sponsored by: Hon. Joseph Kubic, Ninth District Council Member

**WHEREAS**, the *Town of Stratford* has been awarded a grant from the *Fairfield County Community Foundation* for the *South End Community Center Summer K-6 After School Program* in an amount not to exceed \$20,000; and

**WHEREAS**, it is desirable and in the public interest that the *Town of Stratford* enter into a grant agreement with the *Fairfield County Community Foundation*;

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

1. That it is cognizant of the Town's contract with the *Fairfield County Community Foundation* for the *South End Community Center Summer K-6 After School Program* in an amount not to exceed \$20,000; and
2. That it hereby authorizes, directs and empowers the Mayor or his designee to submit an application with Fairfield County Community Foundation, to execute such contract with the *Fairfield County Community Foundation*, 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.

The Chairman called Ms. Tammy Trojanowski, Community Services Administrator, to the podium to further explain benefits of the grant. A MOTION WAS MADE BY MR. CATALANO, SECONDED BY MS. PHILIPS TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 9 TO 0.

## **9. NEW BUSINESS**

**9.1 REFERENDUM REGARDING SALE OF STRATFORD WATER POLLUTION AUTHORITY TO GREATER NEW HAVEN WATER POLLUTION CONTROL AUTHORITY** —In accordance with §8.3.3 of the Town Charter:

1. Town Council shall proceed to reconsider such measure or such part thereof as the petitioner shall specify.

RESOLVED: that reconsideration of the Concurrent Ordinance re: Regionalization of the Stratford Water Pollution Control Authority Operations with the Greater New Haven Water Pollution Control Authority Operations (#15-13 approved for final passage April 9, 2015) is hereby denied.

A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. CONNOR TO RECONSIDER THE CONCURRENT ORDINANCE RE: REGIONALIZATION OF THE STRATFORD WATER POLLUTION CONTROL AUTHORITY OPERATIONS WITH THE GREATER NEW HAVEN WATER POLLUTION CONTROL AUTHORITY OPERATIONS (#15-13 approved for final passage April 9, 2015).

THE MOTION TO RECONSIDER THE ORDINANCE FAILED WITH 2 IN FAVOR AND 7 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. MASSEY — ABSENT, MR. CATALANO — YES, MS. PHILIPS — NO, MR. SANTI — NO, MR. DEMPSEY — NO, MR. POISSON — NO, MR. FORRESTER — NO, MR. CONNOR — NO, MR. KUBIC — NO, MR. HOYDICK — YES.

2. If upon such reconsideration such measure or part hereof be not repealed or amended as demanded in the petition, the Council shall provide for submitting the same, by the method herein provided, to a vote of the electors at the next Town election occurring not less than thirty (30) days after the receipt by the Council of the Town Clerk's certificate, and such measure or such part thereof shall thereupon be suspended from going into effect until said election and shall then be deemed repealed unless approved by a majority of those voting thereon.

RESOLVED: that reconsideration of the Resolution Authorizing the sale of assets of the Stratford Water Pollution Control Authority to the Greater New Haven Water Pollution Control Authority (approved April 9, 2015) is hereby denied.

A MOTION WAS MADE BY MR. FORRESTER, SECONDED BY MR. SANTI TO RECONSIDER THE RESOLUTION AUTHORIZING THE SALE OF ASSETS OF THE STRATFORD WATER POLLUTION CONTROL AUTHORITY TO THE GREATER NEW HAVEN WATER POLLUTION CONTROL AUTHORITY (approved April 9, 2015).

THE MOTION TO RECONSIDER THE RESOLUTION FAILED WITH 1 IN FAVOR AND 8 OPPOSED VIA ROLL CALL VOTE AS FOLLOWS: MR. MASSEY — ABSENT, MR. CATALANO — YES, MS. PHILIPS — NO, MR. SANTI — NO, MR. DEMPSEY — NO, MR. POISSON — NO, MR. FORRESTER — NO, MR. CONNOR — NO, MR. KUBIC — NO, MR. HOYDICK — NO.

3. ...Question to ballot

RESOLVED: that the referendum on the sale of the assets of the Stratford Water Pollution control facility, with question on the November 3, 2015 ballot, is hereby approved.

A MOTION WAS MADE BY MR. SANTI, SECONDED BY MR. CONNOR TO APPROVE THE REFRENDUM ON THE SALE OF THE ASSETS OF THE STRATFORD WATER POLLUTION CONTROL FACILITY WITH QUESTIONS ON THE NOVEMBER 3<sup>RD</sup>, 2015 BALLOT. THE MOTION PASSED 9 TO 0.

## 9.2 APPOINTMENTS

### 9.2.1 STRATFORD HOUSING AUTHORITY — 5-year term, appointed by Town Council.

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Stratford Housing Authority. (term of Arthur Miller expired June 30, 2015).

9.2.2 STRATFORD LIBRARY ASSOCIATION — 3-year term, appointed by Council

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Stratford Library Association. (Term of Robert L. Smith expires Dec. 31, 2017. Mr. Smith was appointed a life member of the Association).

A MOTION WAS MADE BY MR. FORRESTER SECONDED BY MR. SANTI TO PLACE THE FOREGOING TWO APPOINTMENTS, 9.2.1 AND 9.2.2, 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. HOYDICK, SECONDED BY MR. SANTI, IT WAS VOTED 9 TO 0 TO ADJOURN THE MEETING AT 9:19 p.m.

ATTEST: Carol Cabral  
Carol Cabral, Council Clerk