



Stratford, Connecticut

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## MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON **WEDNESDAY, OCTOBER 12, 2016** 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 Beth Daponte

COUNCIL MEMBERS IN ATTENDANCE: Ms. Beth Daponte, Mr. Wali Kadeem, Mr. Philip Young, Ms. Marianne Antezzo, Mr. J. Vincent Chase, Mr. Alan Llewelyn, Ms. Tina Manus.

COUNCIL MEMBERS ABSENT: Mr. David Harden,

OTHERS IN ATTENDANCE: Assts. to the Town Attorney John Florek and Brian LeClerc, Town Attorney Christopher Hodgson, Human Resources Director Ronald Ing, Chief of Staff Marc Dillon, Finance Director Susan Collier, CAO Chris Tymniak, Director of Health Andrea Boissevain, Director of Public Works Maurice McCarthy

PRAYER AND PLEDGE OF ALLEGIANCE — Prayer and Pledge delivered by Hon. Tina Manus, tenth district Council Member

**1. APPROVAL OF MINUTES** — Regularly scheduled meeting and public forum of September 12, 2016.

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. LLEWELYN SECONDED BY MR. KADEEM TO APPROVE THE FOREGOING MINUTES. THE MOTION PASSED 7 TO 0.

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

**3. COUNCIL MEMBERS' RESPONSE TO COMMENTS FROM PUBLIC FORUM**  
Mr. Kadeem — re: tree trimming and removal, dog park, new housing developments, walkway at the Beach House Restaurant/public safety.

Mr. Young — re: Charter Revision/term limits for elected officials, safety at the Beach House Restaurant, Stratford High School renovations, tree removal

Ms. Antezzo — re: term limits for elected officials, replacement of trees and plan for tree removal, Ms. Grey's concerns

Mr. Chase — re: Tree removal and replacement, term limits for elected officials, Restaurant at Short Beach, Ms. Grey's complaints

Mr. Llewelyn — re: Tree removal, restaurant at Short Beach, Stratford High School renovations

Ms. Manus — re: Stratford High School renovations, Shakespeare Theater, Charter Revision, Ramada Inn closure to convert to Housing, Public Safety

Ms. Daponte — re: Shakespeare Theater, Public safety, tree cutting issues

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

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

5.1 MAYOR'S REPORT — Charter § 1.2.14, report on employment, vacancies, promotions and recently hired employees. In the absence of Mayor Harkins, Mr. Tymniak reported:

- Sikorsky aircraft deal
- Raymark waste removal
- Hiring and introducing the part-time Arts Coordinator

5.1.1 STRATFORD ARMY ENGINE PLANT (SAEP) — Mr. Tymniak reported on Mayor Harkins' meeting of Sept. 20 re: final remediation and a waterfront district.

5.1.2 USE OF STIPENDS — Questions were posed to Mr. Tymniak re: use of stipends.

5.1.3 FINALIZED VEHICLE USAGE PLAN — Document distributed prior to meeting: "Town of Stratford Employee Vehicle Use Policy"

5.1.4 APPOINTMENTS — Appointments on page 4

#### **5.2 COMMITTEE REPORTS**

5.2.1 PUBLIC SAFETY COMMITTEE — During the regularly scheduled Public Safety Committee meeting of September 20, 2016, the following was approved and referred to Council with favorable recommendation:

SAFER grant program — The program is administered through the Federal Emergency Management Agency and had been funded by Congress to assist local fire depts. to improve and restore staffing and emergency response deployment capabilities so that they may more effectively and safely respond to emergencies. The grant is a 2-year program with an award in the amount of \$935,716.00.

#### **SAFER GRANT PROGRAM**

sponsored by: Hon. Beth Daponte, First District Council member

WHEREAS, the *Town of Stratford* has applied for funding from the *U.S. Department of Homeland Security* through the *2015 Assistance to Firefighters- Staffing for Adequate Fire and Emergency Response Grant Program*, and;

WHEREAS, grant funding will be used to fund salaries and benefits for 4 new firefighters in an amount not to exceed \$935,716, and;

WHEREAS, it is desirable and in the public interest that the *Town of Stratford* to enter into a grant agreement with *2015 Assistance to Firefighters- Staffing for Adequate Fire and Emergency Response Grant Program*.

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

1. That it is cognizant of the Town's application and grant award from the *2015 Assistance to Firefighters- Staffing for Adequate Fire and Emergency Response Grant Program*, in an amount not to exceed \$935,716; and
2. That it hereby authorizes, directs and empowers the Mayor, John A. Harkins, or his designee to execute such contract with *FEMA/U.S. Department of Homeland Security*, 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.

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. KADEEM TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 7 TO 0.

5.2.2 WATER POLLUTION CONTROL AUTHORITY (WPCA) – report. Ms. Antezzo reported that a Water Pollution Control Authority meeting will be conducted on Tuesday, October 18, 2016 at 7:15 p.m.

5.2.3 BUILDING NEEDS COMMITTEE — The Building Needs Committee conducted a special meeting on October 12 at which time the following was referred to Council:

- A. BE IT RESOLVED, that the recommendation of the Building Needs Committee is accepted and the proposal dated October 12, 2016 from GeoDesign, Inc., in the amount of \$660,950.00 to perform additional testing of the soil for structural suitability and potential hazardous materials at the site for the Stratford High School Renovation Project, OSCG #138-0101, be and is hereby approved.

A MOTION WAS MADE BY MR. LLEWELYN, SECONDED BY MR. CHASE TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 7 TO 0.

- B. Fire doors for the enclosure to the Modulars at Eli Whitney and Nichols Elementary Schools as per the Fire Marshall.

RESOLVED: that the recommendation of the Building Needs Committee is accepted and that fire doors be provided for the modular units at Eli Whitney and Nichols Elementary School be and are hereby approved.

A MOTION WAS MADE BY MR. LLEWELYN, SECONDED BY MR. KADEEM TO APPROVE THE FOREGOING RESOLUTION FOR FIRE DOORS. THE MOTION PASSED 7 TO 0.

C. Paving of additional parking spaces at Honeyspot House facility.

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. KADEEM TO PLACE THE FOREGOING ITEM (C.) ON THE TABLE. THE MOTION PASSED 7 TO 0.

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MS. MANUS SECONDED BY MS. ANTEZZO TO WAIVE THE COUNCIL RULES OF PROCEDURE TO RETURN TO ITEMS 5.1.4 A. and B, MAYORAL APPOINTMENTS. THE MOTION PASSED UNANIMOUSLY.

A. Redevelopment Authority – Eric Hampton to replace Thomas Malloy, who has offered his letter of resignation.

A MOTION WAS MADE BY MS. MANUS, SECONDED BY MR. KADEEM TO PLACE THE FOREGOING APPOINTMENT ON THE TABLE. THE MOTION PASSED 7 TO 0.

B. Greater Bridgeport Transit Authority – Joseph Kubic to replace Thomas Malloy, who has offered his letter of resignation.

RESOLVED: that the Mayor's appointment of Joseph Kubic to the Greater Bridgeport Transit Authority to replace Thomas Malloy be and is hereby ratified.

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. LLEWELYN TO RATIFY THE APPOINTMENT OF JOSEPH KUBIC TO THE GREATER BRIDGEPORT TRANSIT AUTHORITY. THE MOTION PASSED 7 TO 0.

5.3 TOWN ATTORNEY'S REPORT

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MS. MANUS SECONDED BY MS. ANTEZZO TO WAIVE THE COUNCIL RULES OF PROCEDURE TO AMEND THE AGENDA BY ADDING THE ITEM: 5.3.3 - MATHEWSON VS. PANTON. THE MOTION PASSED 7 TO 0.

5.3.3 - MATHEWSON VS. PANTON

Chairman Daponte requests taking the foregoing item into executive session to discuss strategy and negotiations with respect to a pending claim with executive session to include all members of the Town Council, the CAO and the Town Attorneys.

A MOTION WAS MADE BY MR. CHASE SECONDED BY MR. YOUNG TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE ABOVE-CITED ITEM FOR THE REASON AS STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION CARRIED 7 TO 0.

5.3.1 JENNINGS LAWSUIT – Executive Session requested (Finance Director, CAO, Mayor, Town Attorneys, Town Council)

Chairman Daponte requests taking the foregoing item into executive session to discuss strategy and negotiations with respect to a claim with executive session to include all members of the Town Council, the CAO, the Finance Director and the Town Attorneys.

A MOTION WAS MADE BY MR. CHASE SECONDED BY MS. MANUS TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE ABOVE-CITED ITEM FOR THE REASON AS STATED ABOVE WITH EXECUTIVE SESSION TO INCLUDE THE ABOVE MENTIONED INDIVIDUALS. THE MOTION CARRIED 7 TO 0.

*Stratford Town Council meeting recessed into executive session at 8:55 p.m.*

Executive Session took place in room 213 of Stratford Town Hall, 2725 Main Street, Stratford, CT to discuss items 5.3.1 and 5.3.3. The following persons entered into executive Session: Ms. Beth Daponte, Mr. Wali Kadeem, Mr. Philip Young, Ms. Marianne Antezzo, Mr. Vincent Chase, Mr. Alan Llewelyn, Ms. Tina Manus, Town Attorney Chris Hodgson, Asst. Town Attorneys John Florek and Bryan LeClerc, John Henry Steele, CAO Chris Tymniak. Finance Director Susan Collier entered Executive Session at 9:35 p.m.

Attorney Steele exited executive session at 9:32 p.m. All other persons exited executive session at 10:12 p.m. Executive Session ended at 10:12 p.m.

*Stratford Town Council meeting reconvened: 10:14 p.m.*

A MOTION WAS MADE BY MR. CHASE SECONDED BY MR. YOUNG TO END EXECUTIVE SESSION. THE MOTION PASSED 7 TO 0.

#### EXECUTIVE SESSION ACTION

5.3.3 MATHEWSON VS. PANTON

RESOLVED: that approval is hereby given to proceed with the decision as discussed in executive session.

A MOTION WAS MADE BY MR. LLEWELYN SECONDED BY MR. CHASE TO APPROVE THE DECISION MADE IN EXECUTIVE SESSION IN REFERENCE TO MATHEWSON vs. PANTON. THE MOTION PASSED 7 TO 0.

### 5.3.2 QUESTIONS TO THE TOWN ATTORNEY

- Discussion of retirement obligations and promises that are not supported by any pension fund — Executive Session requested. (Town Council, Finance director, Personnel director, CAO, Town Attorneys). Ms. Collier was called to the podium to clarify issues and procedures. ACTION NOT TAKEN.

Additional questions were posed re:

- Street name change from Stratford Ave. (portion of) to Shore Road. Mr. McCarthy was called to the podium re: changing the street name on deeds, tax info, voter registration.
- Center School

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

Ms. Manus – re: Arts coordinator

Mr. Young — re: Center School

Mr. Kadeem — re: the previously cited street name change.

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

7.1 INLAND WETLANDS AND WATERCOURSES COMMISSION — appointed by Council Chair, § 217-4A of Town code

- A. RESOLVED: that Ariana Fine of 2 Barrows Street be and is hereby appointed a member of the Inland Wetlands and Watercourses Commission (vacated term of Vincent Massey expires May 31, 2018)

Chairman Daponte appoints Arian Fine.

- B. RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Inland Wetlands and Watercourses Commission (vacated term of Dennis Blake expired May 31, 2016) — ACTION NOT TAKEN.

### WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MS. MANUS SECONDED BY MS. ANTEZZO TO WAIVE THE COUNCIL RULES OF PROCEDURE TO TAKE ITEMS OUT OF ORDER; ITEM 8.1 AND 8.2. THE MOTION PASSED 7 TO 0.

### 7.2 TABLED ITEMS

7.2.1 Cost of Dog Park - \$15,000.00 is set aside from CIP 2017. TABLED DURING COUNCIL MEETING OF JULY 11, 2016. REMAINED ON THE TABLE.

### 7.3 TABLED ORDINANCES AND RESOLUTIONS

7.3.1 CENTER SCHOOL — RESOLUTION — (tabled July 11, 2016) — NO ACTION TAKEN.

7.3.2 TRANSFER OF FUNDS AND RESOLUTION (*placed on the table during Council meeting of June 13, 2016*) — NO ACTION TAKEN.

### 7.4 TABLED APPOINTMENTS

7.4.1 STRATFORD HOUSING PARTNERSHIP — NO ACTION TAKEN.

- A. 3 members of the local business community (3 vacancies)
- B. 1 member-at-large

7.4.2 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.* — NO ACTION TAKEN.

- A. 1 member from District of Town in which Sikorsky Memorial Airport is located – appointed by Town Council.
- B. 2 members from the Stratford Electorate at-large — appointed by Town Council.

7.4.3 BEAUTIFICATION COMMITTEE — term concurrent with Council — NO ACTION TAKEN.

- A. 2 ALTERNATE MEMBERS (new positions)
- B. 1 REGULAR MEMBER

RESOLVED: That \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Beautification Committee. (vacated term of Rosanne Neri)

7.4.4 BOARD OF ASSESSMENT APPEALS – ALTERNATE MEMBERS — 4-year term, appt. by Council, § 5-77-78. TABLED DURING COUNCIL MEETING OF JULY 8, 2016 — NO ACTION TAKEN.

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an Alternate member of the Board of Assessment Appeals. (term of Kenneth Caserta expired March 13, 2016)

7.4.5 COMMITTEE/COMMISSION VACANCIES created by Town Council resignations— TABLED DURING COUNCIL MEETING OF JULY 8, 2016 — NO ACTION TAKEN.

- A. Conservation Commission

## 8. ORDINANCES AND RESOLUTIONS

8.1 RESOLUTION — LEAD POISONING INTERVENTION, PREVENTION AND CONTROL PROGRAM

sponsored by: Hon. Tina Manus – Tenth district Council Member

**WHEREAS**, the *Connecticut Department of Public Health* is authorized and has made funds available in the amount of \$8,980.00 to extend financial assistance to municipalities in the form of grants; and,

**WHEREAS**, funds under this grant will be used to implement a community level, *Lead Poisoning Intervention, Prevention and Control Program* in Stratford; and,

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

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL:**

That it is cognizant of the Town grant application and contract to the *Connecticut Department of Public Health/Connecticut Association of Directors of Health* for funds in the amount of \$8,980.00.

1. To implement a community level, *Lead Poisoning Intervention, Prevention and Control Program*
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*, 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 *Connecticut Department of Public Health* through the *Lead Poisoning Intervention, Prevention And Control Program*, and to provide such additional information to execute all other contracts and documents as maybe necessary under this program.

A MOTION WAS MADE BY MR. LLEWELYN, SECONDED BY MR. CHASE TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 7 TO 0.

**8.2 RESOLUTION TO NAME THE PARADISE GREEN GAZEBO IN HONOR OF BUD UNDERWOOD**

Sponsored by Hon. Marianne Antezzo – Seventh District

Whereas: The Park and Recreation Committee has unanimously approved the following resolution and requests its passage.

In recognition of the courage and determination he displayed despite his profound handicap, and the fine example he set for young people who remember him fondly as he drove around the Green on the homemade cart his Dad had made, we propose to name the Paradise Green Gazebo in honor of Bud Underwood.

A MOTION WAS MADE BY MS. ANTEZZO, SECONDED BY MR. KADEEM TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 7 TO 0.

8.3 A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$25,000,000 FOR THE COSTS ASSOCIATED WITH TOWN OF STRATFORD GENERAL OBLIGATION REFUNDING BONDS (appended as pages 12-14)

sponsored by: Council Member Beth Daponte, District One

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. LLEWELYN TO APPROVE THE FOREGOING RESOLUTION. THE MOTION PASSED 7 TO 0.

8.4 AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$12,060,700 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2009-2010 (#09-23) – #16-15 (appended as pages 15-16)

sponsored by: The Honorable Stratford Town Council

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. CHASE, SECONDED BY MR. LLEWELYN TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 7 TO 0.

8.5 AN ORDINANCE AMENDING AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$12,060,700 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2009-2010 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-22) - #16-16 (appended as pages 17-18)

sponsored by: The Honorable Stratford Town Council

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. CHASE, SECONDED BY MR. KADEEM TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 7 TO 0.

**9. NEW BUSINESS**

9.1 PROPOSED HEALTH DEPARTMENT FEE INCREASES FOR LOCAL ESTABLISHMENTS.

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. KADEEM TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION FAILS. After distribution of the document "Fee Increases" by Ms. Boissevain, and discussion, A MOTION WAS MADE BY MS. MANUS, SECONDED BY MR. KADEEM TO PLACE THE FOREGOING ITEM ON THE TABLE. THE MOTION PASSED 7 TO 0.

9.2 RELATIONSHIP OF YMCA WITH TOWN OF STRATORD

A MOTION WAS MADE BY MS. MANUS, SECONDED BY MR. CHASE TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION PASSED 7 TO 0.

9.3 DISCUSSION OF CHARTER REVISION

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MS. MANUS TO STRIKE THE FOREGOING ITEM FROM THE AGENDA. THE MOTION PASSED 7 TO 0.

9.4 BUNNELL HIGH SCHOOL ROOF REPLACEMENT — appropriated in FY2017 CIP

- A. **RESOLVED**, that the Stratford Town Council authorizes the Board of Education to apply to the Commissioner of Education and to accept or reject a grant for Roof Replacement at Bunnell High School.
- B. **RESOLVED**, that the Town Building Needs Committee is hereby established as the building committee with regard to the Roof Replacement project at Bunnell High School.
- C. **RESOLVED**, that the Stratford Town Council hereby authorizes at least the preparation of schematic drawings and outline specifications for the Roof Replacement project at Bunnell High School.

A MOTION WAS MADE BY MR. LLEWELYN, SECONDED BY MR. CHASE TO APPROVE FOREGOING ITEMS A., B., AND C. THE MOTION CARRIED 7 TO 0.

9.5 FRANKLIN ELEMENTARY SCHOOL ROOF REPLACEMENT— appropriated in FY2017 CIP

- A. **RESOLVED**, that the Stratford Town Council authorizes the Board of Education to apply to the Commissioner of Education and to accept or reject a grant for Roof Replacement at Franklin Elementary School.
- B. **RESOLVED**, that the Town Building Needs Committee is hereby established as the building committee with regard to the Roof Replacement project at Franklin Elementary School.

- C. **RESOLVED**, that the Stratford Town Council hereby authorizes at least the preparation of schematic drawings and outline specifications for the Roof Replacement project at Franklin Elementary School.

A MOTION WAS MADE BY MR. LLEWELYN, SECONDED BY MR. CHASE TO APPROVE FOREGOING ITEMS A., B., AND C. THE MOTION CARRIED 7 TO 0.

9.6 STRATFORD PUBLIC LIBRARY HVAC AND LIGHTING UPGRADES

RESOLVED: that the Mayor is hereby authorized to sign a contract for Phase 3 for the Stratford Public Library HVAC and lighting upgrades.

A MOTION WAS MADE BY MR. LLEWELYN, SECONDED BY MR. KADEEM TO APPROVE THE HVAC AND LIGHTING UPGRADES FOR THE STRATFORD PUBLIC LIBRARY. THE MOTION PASSED 7 TO 0.

9.7 APPOINTMENTS

9.7.1 FINANCIAL ADVISORY COMMITTEE — ACTION NOT TAKEN.

**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. CHASE, SECONDED BY MR. LLEWELYN, IT WAS VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 11:02 p.m.

ATTEST:

*Carol Cabral*

Carol Cabral, Council Clerk

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF  
UP TO \$25,000,000 FOR THE COSTS ASSOCIATED WITH TOWN  
OF STRATFORD GENERAL OBLIGATION REFUNDING BONDS**

**WHEREAS**, the Town of Stratford, Connecticut (the “Town”) has previously issued its \$7,590,000 General Obligation Refunding Bonds, Series B, dated June 29, 2010 (the “2010 Series B Bonds”), its \$14,235,000 General Obligation Refunding Bonds, Series C, dated June 29, 2010 (the “2010 Series C Bonds”), its \$21,475,000 General Obligation Bonds, Issue of 2012, dated August 30, 2012 (the “2012 Bonds”), and its \$42,740,000 General Obligation Bonds, Issue of 2014, dated December 17, 2014 (the “2014 Bonds,” and collectively with the 2010 Series B Bonds, the 2010 Series C Bonds, the 2012 Bonds, the 2014 Bonds and such other outstanding general obligation bonds of the Town, the “Prior Bonds”); and

**WHEREAS**, it is in the best interest of the Town to refund and defease all or a portion of the outstanding maturities of such Prior Bonds to produce financial savings for the Town.

**BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF STRATFORD:**

Section 1. General Obligation Refunding Bonds of the Town in a principal amount of not more than \$25,000,000 (the “Refunding Bonds”) are hereby authorized to be issued in such amount or such lesser amount as shall be necessary to refund all or any portion of the outstanding maturities (including the payment of principal, accrued interest and any call premiums) of the Prior Bonds as determined by the Mayor and Director of Finance to be in the best interest of the Town to refund and to finance such additional costs and expenses related thereto, as the Mayor and Director of Finance shall approve for the funding of necessary and appropriate financing and/or issuance costs including, but not limited to, legal, advisory, escrow fees, credit enhancement, verification fees, investment fees, net temporary interest, trustee, underwriters’ discount and printing and administrative expenses.

Section 2. The Refunding 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 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 Refunding Bonds shall be general obligations of the Town and each of the Refunding Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Refunding 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 Refunding 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 Refunding Bonds, the annual installments of principal, date, maturity, prices, interest rates (whether fixed or variable), form, redemption provisions, if any, the certifying registrar and transfer agent, the manner of sale or other terms and conditions of the

Refunding Bonds, including the terms of any reserve that might be established as authorized herein and whether any of the Refunding 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 Refunding Bonds.

Section 4. The Mayor and Director of Finance may irrevocably call for redemption such of the callable maturities of the Prior Bonds, as they determine to refund from the proceeds of the Refunding Bonds and other moneys as they may be determined to make available for this purpose, and to defease such Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof. The Mayor and Director of Finance are further authorized to appoint an escrow agent, a verification agent to verify the sufficiency of the escrow investments and other professionals, and to execute and deliver any and all escrow, investment and other agreements necessary to provide for the payment when due of the principal of and interest and redemption premium, if any, on the Prior Bonds.

Section 5. The net proceeds of the sale of the Refunding Bonds, after payment of costs of issuance, shall be deposited in an escrow agreement and invested in appropriate legal investments including, but not limited to, non-callable direct obligations of, or obligations guaranteed by, the United States of America, or any other investments permitted by the Connecticut General Statutes, all of which shall not be callable or pre-payable, the principal of and interest on which, when due, shall be in an amount sufficient to pay the principal of, interest and redemption premium, if any, on the Prior Bonds at maturity, or to redeem the Prior Bonds at the redemption price prior to maturity, pursuant to the plan of refunding.

Section 6. The Refunding Bonds are to be sold by the Mayor and Director of Finance in a competitive offering or by negotiation in their discretion. If sold in a competitive offering, the Refunding 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 Refunding Bonds are sold by negotiation, the provisions of the bond purchase agreement shall be approved by the Mayor and Director of Finance.

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 Refunding 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 Refunding Bonds.

Section 8. In connection with the issuance of the Refunding Bonds authorized herein, the Town may exercise any power delegated to municipalities pursuant to Section 7-370b, including the authority to enter into agreements managing interest rate risk. The Mayor and Director of Finance, on behalf of the Town, shall execute and deliver such reimbursement agreements, letter of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of the Refunding Bonds.

Section 9. The Mayor and 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 Refunding Bonds authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 10. The Mayor and Director of Finance are hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the Refunding Bonds in accordance with the provisions of the Connecticut General Statutes and the laws of the United States.

Section 11. The sale of the Refunding Bonds authorized pursuant to this resolution shall take place, if at all, not later than June 30, 2017.

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$12,060,700 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2009-2010 (#09-23) #16-15

**WHEREAS**, an ordinance entitled “An Ordinance Appropriating \$12,060,700 for Various Public Improvements in the Capital Improvement and Equipment Program for Fiscal Year 2009-2010” was enacted by the Town Council at its meeting on September 14, 2009 (the “Original Appropriation Ordinance”);

**WHEREAS**, the Original Appropriation Ordinance was amended by an ordinance entitled “An Ordinance Amending An Ordinance Appropriating \$12,060,700 for Various Public Improvements in the Capital Improvement and Equipment Program for Fiscal Year 2009-2010” which was enacted by the Town Council at its meeting on August 11, 2014 (the “First Amending Appropriation Ordinance, and together with the Original Appropriation Ordinance, the “Amended Appropriation Ordinance”);

**WHEREAS**, the Amended Appropriation Ordinance was amended by an ordinance entitled “An Ordinance Amending An Ordinance Appropriating \$12,060,700 for Various Public Improvements in the Capital Improvement and Equipment Program for Fiscal Year 2009-2010” which was enacted by the Town Council at its meeting on April 7, 2015 (the “Second Amending Appropriation Ordinance, and together with the Amended Appropriation Ordinance, the “Appropriation Ordinance”);

**WHEREAS**, the Appropriation Ordinance authorized the appropriation of various amounts for the costs associated with the projects described in Exhibit A, Column 1 (the “Original Projects”);

**WHEREAS**, the Town desires to reallocate a portion of the appropriations of the Original Projects in the amounts set forth in Exhibit A, Column 2 (the “Reallocations”);

**WHEREAS**, the Town Council has determined it to be in the best interest of the Town to amend the Appropriation Ordinance in accordance with the Reallocations so as to properly finance the Original Projects so that the appropriations for the Original Projects, as amended hereby, shall be as set forth in Exhibit A, Column 3 (the “Reallocated Projects”).

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF STRATFORD:**

Section 1. Section 1 of the Appropriation Ordinance is hereby amended to revise the amount of the appropriation for the Original Projects by the Reallocations so that the appropriations for the Original Projects, as amended hereby, shall be as set forth in Exhibit A, Column 3.

Section 2. Except as specifically modified or amended herein, all other provisions of the Appropriation Ordinance shall remain in full force and effect.

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

Enacted by Town Council: \_\_\_\_\_, 2016

EXHIBIT A						
				<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
				Current Appropriations	Reallocation	Amended Appropriations
54551	6600	1068	Nichols - Roof Repl FY10	450,000.00	(405,721.17)	44,278.83
54551	6600	1045	School Building Repairs	135,000.00	405,721.17	468,530.22

AN ORDINANCE AMENDING AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$12,060,700 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT AND EQUIPMENT PROGRAM FOR FISCAL YEAR 2009-2010 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#09-22) #16-16

**WHEREAS**, an ordinance entitled “An Ordinance Authorizing the Issuance of \$12,060,700 Bonds of the Town to Meet the Appropriation for Various Public Improvements in the Capital Improvement and Equipment Program for Fiscal Year 2009-2010 and Pending Issuance Thereof the Making of Temporary Borrowings for Such Purpose” was enacted by the Town Council at its meeting on September 14, 2009 (the “Original Bonding Ordinance”);

**WHEREAS**, the Original Bonding Ordinance was amended by an ordinance entitled “An Ordinance Amending An Ordinance Authorizing the Issuance of \$12,060,700 Bonds of the Town to Meet the Appropriation for Various Public Improvements in the Capital Improvement and Equipment Program for Fiscal Year 2009-2010 and Pending Issuance Thereof the Making of Temporary Borrowings for Such Purpose” which was enacted by the Town Council at its meeting on August 11, 2014 (the “First Amending Bonding Ordinance, and together with the Original Bonding Ordinance, the “Amended Bonding Ordinance”);

**WHEREAS**, the Amended Bonding Ordinance was amended by an ordinance entitled “An Ordinance Amending An Ordinance Authorizing the Issuance of \$12,060,700 Bonds of the Town to Meet the Appropriation for Various Public Improvements in the Capital Improvement and Equipment Program for Fiscal Year 2009-2010 and Pending Issuance Thereof the Making of Temporary Borrowings for Such Purpose” which was enacted by the Town Council at its meeting on April 7, 2015 (the “Second Amending Bonding Ordinance, and together with the Amended Bonding Ordinance, the “Bonding Ordinance”);

**WHEREAS**, the Bonding Ordinance authorized bonding authorization for certain costs associated with the projects in the amounts set forth in Exhibit A, Column 1 (the “Original Projects”);

**WHEREAS**, the Town has issued bonds for the Original Projects in the amounts set forth in Exhibit A, Column 1;

**WHEREAS**, the Town desires to reallocate a portion of such bond proceeds to the Original Projects in the amounts set forth in Exhibit A, Column 2 (the “Reallocations”);

**WHEREAS**, the Town has together herewith enacted an ordinance entitled “An Ordinance Amending An Ordinance Authorizing the Issuance of \$12,060,700 Bonds of the Town to Meet the Appropriation for Various Public Improvements in the Capital Improvement and Equipment Program for Fiscal Year 2009-2010 and Pending Issuance Thereof the Making of Temporary Borrowings for Such Purpose (#09-22)” so as to amend the appropriations for the Original Projects by the amount of the Reallocations to the amounts set forth in Exhibit A, Column 3 (the “Reallocated Projects”);

**WHEREAS**, the Town Council has determined it to be in the best interest of the Town to amend the Bonding Ordinance so as to properly finance the Reallocated Projects so that the bonding authorizations for the Original Projects, as amended hereby, shall be as set forth in Exhibit A, Column 3.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF STRATFORD:**

Section 1. Section 1 of the Bonding Ordinance is hereby amended to revise the amount of the bonding authorization for the Original Projects by the Reallocations so that the bonding authorizations for the Original Projects, as amended hereby, shall be as set forth in Exhibit A, Column 3.

Section 2. Except as specifically modified or amended herein, all other provisions of the Bonding Ordinance shall remain in full force and effect.

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

Enacted by Town Council: \_\_\_\_\_, 2016

<b>EXHIBIT A</b>						
				<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
				<b>Current Appropriations</b>	<b>Reallocation</b>	<b>Amended Appropriations</b>
54551	6600	1068	Nichols - Roof Repl FY10	450,000.00	(405,721.17)	44,278.83
54551	6600	1045	School Building Repairs	135,000.00	405,721.17	468,530.22