



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.

MEETING NOTICE

THE STRATFORD TOWN COUNCIL WILL CONDUCT A REGULARLY SCHEDULED MEETING ON MONDAY, MAY 9, 2016 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

CALL TO ORDER

INVOCATION PRESENTED BY: Sixth District Council Member, Hon. Philip Young followed by the Pledge of Allegiance.

1. APPROVAL OF MINUTES — Regularly scheduled meeting of April 11, and special meeting of April 25, 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.

2. CEREMONIAL PRESENTATIONS AND AWARDS

3. COUNCIL MEMBERS' RESPONSE TO COMMENTS FROM PUBLIC FORUM

4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES

4.1 **RESIGNATION OF** Harold D. Watson from Parks and Recreation Committee

RESOLVED: that the resignation of Harold D. Watson from the Parks and Recreation Committee be and is hereby accepted.

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.

5.1.1 APPOINTMENTS

A. Historic District Commission (minimum representation)

5.2 COMMITTEE REPORTS

5.2.1 BUILDING NEEDS COMMITTEE — The Building Needs Committee referred the following Stratford High School renovations project change orders to Council with favorable recommendation from their regularly scheduled meeting of April 18:

A. Turner Construction for \$75,000.00 which covers the first 9 months of their work before the BSC decided on a design.

RESOLVED: That the recommendation of Building Needs Committee is accepted and the change order in the amount of \$75,000 to Turner Construction re: Stratford for High School Renovations project be and is hereby approved.

B. Antinozzi Associates amendment for \$34,500 for audio/video design

RESOLVED: That the recommendation of Building Needs Committee is accepted and the change order to Antinozzi Associates in the amount of \$34,500 be is hereby approved.

C. Antinozzi Associates amendment for \$110,400 for technology design consulting by D'Agostino & Associates

RESOLVED: That the recommendation of Building Needs Committee is accepted and the change order to Antinozzi Associates for D'Agostino & Associates' technology design consulting in the amount of \$110,400 be is hereby approved.

5.2.2 EMS FUNDING COMMITTEE — At the regularly scheduled meeting of the EMS Funding Committee, the following was referred to Council:

Request from volunteers for Public Donation funds in the amount of \$4,500.00 for purchasing appropriate uniforms and accessories for the Honor Guard.

RESOLVED: that, providing the funds are available for reimbursement to the volunteers, the amount of \$4,500.00 be and is hereby endorsed/approved.

5.2.3 ORDINANCE COMMITTEE

5.2.3.1 The Ordinance Committee conducted a regularly scheduled meeting on April 25 at which time the following was referred to Council with favorable recommendation:

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

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (appended as pages 10-16)

5.2.3.2 The Ordinance Committee conducted a special meeting of May 3 at which time the following was referred to Council with unfavorable recommendation:

- A. AN ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2016, AND ENDING JUNE 30, 2017, AND APPROPRIATING THE SUM OF \$216,051,861 IN ACCORDANCE THEREWITH; (16-07)

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective July 1, 2016. (appended as page 17)

- B. PROPOSED – MILL RATE ORDINANCE – FY17 (WITH PROPOSED MV AND NON-MV REVISIONS) (#16-08)

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective July 1, 2016. (appended as pages 17-19)

- C. AN ORDINANCE APPROPRIATING \$11,565,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2016-2017 (#16-09)

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (appended as pages 19-20)

D. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$11,565,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2016-2017 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#16-10)

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (appended as pages 21-23)

E. AN ORDINANCE APPROPRIATING \$762,500 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2016-2017 (#16-11)

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (appended as page 24)

F. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$762,500 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2016-2017 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#16-12)

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (appended as pages 25-27)

5.2.4 SHORT BEACH COMMISSION — The Short Beach Commission met on May 2, 2016 and referred the following to Council with favorable recommendation:

FTS Gallery's 5th anniversary celebration – June 5. Allow workers and artisans with a list provided by FTS Gallery's free entrance to the park.

5.3 TOWN ATTORNEY'S REPORT

5.3.1 BRAKETTE'S LICENSE FOR DELUCA FIELD

5.3.2 BRACKETTES LEASE FOR CONCESSION STAND

5.3.3 CHARLES V. JOHNSON — executive session requested re: pending claim.

5.3.4 SHORT BEACH RESTRAURANT — Executive Session requested.

5.3.5 MIGHTY QUINN FOUNDATION — Executive Session requested

5.3.6 QUESTIONS TO THE TOWN ATTORNEY

6. QUESTIONS TO MAYOR OR STAFF

7. UNFINISHED BUSINESS and/or OLD BUSINESS

7.1 STRATFORD ARMY ENGINE PLANT (continuing item)

7.2 ***ROLL-CALL VOTE REQUIRED FOR FINAL PASSAGE.*** Initially the ordinance was referred to Council with favorable recommendation and approved during Council meeting of April 11:

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF THE TOWN OF STRATFORD, CONNECTICUT TO REQUIRE THAT THE FINANCE DIRECTOR PUBLISH TOWN REVENUE AND EXPENDITURE REPORTS AND A LIST OF NON-PAYROLL DISBURSEMENTS ON THE TOWN'S WEBSITE ON A MONTHLY BASIS; (#16-01)

Sponsored by: Hon. Beth Daponte, First District; Hon. Mark Dumas, Second District; Hon. Joseph Gresko, Fifth District; and Hon. Marianne Antezzo, Seventh District

WHEREAS, Section 2.2.1 of the Charter of the Town of Stratford gives the Town Council the authority to enact ordinances relative to the regulation of the various departments;

WHEREAS, the Town Council desires to foster the public trust in the operations of the Town and its enterprise funds;

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

That Chapter 14 of Code of the Town of Stratford, Connecticut shall be amended to include the following new Section:

A. That the Department of Finance publish on the Town of Stratford's website a list or database of the non-payroll disbursements for the Town of Stratford and its enterprise funds and shall update such lists or databases monthly.

B. That the Department of Finance publish on the Town of Stratford's website a report of the fiscal year-to-date revenues and expenditures by budget line item for the Town of Stratford; and its enterprise funds, and shall update such reports monthly.

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

7.3 COMMITTEE APPOINTMENTS — terms concurrent with Town Council (2 years)

7.3.1 BEAUTIFICATION COMMITTEE — term concurrent with Council
4 2 alternate members (new positions)

7.3.2 PUBLIC SAFETY COMMITTEE —1 electorate member

7.3.3 BUILDING NEEDS COMMITTEE

7.3.4 FINANCE AND CLAIMS COMMITTEE — appointment of Chair

7.4 TABLED ITEMS

7.5 TABLED ORDINANCES AND RESOLUTIONS — None.

7.6 TABLED APPOINTMENTS

7.6.1 STRATFORD HOUSING PARTNERSHIP

7.6.2 COMMISSION ON AGING — (9) appointments remaining;

7.6.3 SIKORSKY MEMORIAL AIRPORT NOISE ABATEMENT COMMITTEE

7.6.4 ETHICS COMMISSION

7.6.5 DISABILITY REVIEW BOARD

7.6.6 ECONOMIC DEVELOPMENT COMMISSION

7.6.7 FINANCIAL ADVISORY COMMITTEE

8. ORDINANCES AND RESOLUTIONS — None**9. NEW BUSINESS****9.1 BUILDING DEMOLITION AND SITE ALTERATIONS AT 3704 MAIN STREET**

RESOLVED: THAT: G. Pic and Sons Construction for building demolition and site alterations at 3704 Main Street be and is here approved as the low bidder in the amount of \$49,500.00.

9.2 CHANGE ORDER FOR LIBRARY PROJECT — HVAC and Lighting upgrades, magnetic Hold Open for Gates – Tied to Fire Alarm System. Initially approved during Building Needs Committee meeting of March 21.

RESOLVED: THAT: Tomlinson Hawley Patterson be and is hereby approved for the Stratford Public Library project upgrade of HVAC and lighting, magnetic hold open for gates tied to fire alarms system for the amount of \$7,501.63.

9.3 APPOINTMENTS**9.3.1 BEAUTIFICATION COMMITTEE** — term concurrent with Council

A. RESOLVED: that _____ of _____ be and is hereby appointed a member of the Beautification Committee. (vacated term of Rita Scacchia ends November 2017)

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

9.3.2 ARTS COMMISSION — Town code § 5-52, 3 year terms.

A. RESOLVED: that _____ of _____ be and is hereby appointed a member of the Arts Commission. (term of Erin McLaughlin expires April 9, 2016)

B. RESOLVED: that _____ of _____ be and is hereby appointed a member of the Arts Commission. (term of William F. Franz expires April 9, 2016)

C. RESOLVED: that _____ of _____ be and is hereby appointed a member of the Arts Commission. (term of Ellen Cox expires April 9, 2016)

D. RESOLVED: that _____ of _____ be and is hereby appointed a member of the Arts Commission. (term of Katherine DeCrescenzo expires April 9, 2016)

9.3.3 BOARD OF ASSESSMENT APPEALS – ALTERNATE MEMBERS — 4-year term, appt. by Council, § 5-77-78

A. RESOLVED: that _____ of _____ be and is hereby appointed an Alternate member of the Board of Assessment Appeals. (vacated term of Richard Brown expires March 14, 2016)

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

9.3.4 BOARD OF ZONING APPEALS — Alternate member, 3-year term

RESOLVED: that _____ of _____ be and is hereby appointed an alternate member of the Board of Zoning Appeals. (vacated term of Mary Young expires Jan. 1, 2017)

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

RESOLVED; that _____ of _____ be and is hereby appointed a member of the Inland Wetlands and Watercourses Commission (vacated term of Vincent Massey expires May 31, 2018)

9.3.6 VETERANS' MONUMENT PRESERVATION COMMISSION FOR ACADEMY HILL — 5-19 OF Town code, appointed by Council, 4-year terms

A. Representative from Historic District

RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill Commission as a representative from the Historic District. (term of Paul Joy expires May 2016)

B. Veterans from Stratford

1. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a veteran representative from Stratford. (term of Robert Mastroni expires May 2016)
2. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a veteran representative from Stratford. (term of Richard Kennedy expires May 2016)
3. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a veteran representative from Stratford. (term of Roy Friedman expires May 2016)

C. Representatives-At-Large

1. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a representative-at-large. (term of Charles Devan expires May 2016)
2. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a representative-at-large. (term of Edward M. Roberts expires May 2016)
3. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a representative-at-large. (term of Matthew Catalano expires May 2016)
4. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill Commission as a representative-at-large. (term of George Vagasky expires May 2016)
5. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a representative-at-large. (term of Ralph CoAngelo expires May 2016)
6. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a representative-at-large. (term of James Connor expires May 2016)
7. RESOLVED; that _____ of _____ be and is hereby appointed a member of the Veterans' Monument Preservation Commission for Academy Hill as a representative-at-large. (term of Robert Newall expires May 2016)

10. ADJOURNMENT

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

Sponsored by: Hon: Beth Daponte, Hon. Wali Kadeem, Hon. J. Vincent Chase, Hon. Tina Manus

TREES, SHRUBS AND WOODY VEGETATION.

§200-1. Purposes.

§200-2. Definitions.

§ 200-3. Declaration of Nuisance.

§ 200-4. Notice to Owner.

§ 200-5. Abatement to Town.

§ 200-6. Assumption of responsibility by owner.

§ 200-7. Court Review.

§ 200-8. Stratford Arboricultural Specifications and Policy Manual

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

§ 200-10. Public Utilities.

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

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

§ 200-13. Effect of Chapter.

§ 200-14. Prohibition; Arboricultural Standards.

§ 200-15. Permits.

§ 200-16. Work.

§ 200-17. Emergencies.

§ 200-18. Penalties.

§ 200-19. No Exemption.

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

§ 200-21. Tree Protection During Construction Activities.

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

§200-1. Purposes.

The purposes of this Ordinance are:

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

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

§200-2. Definitions.

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

§ 200-3. Declaration of Nuisance.

The maintenance of any tree on private property, the root system of which interferes with the proper functioning of any portion of the public sanitary or storm sewer system of the Town of

Stratford or causes a change in the elevation of any public sidewalk, curb or street pavement, is hereby declared to be a public nuisance.

§ 200-4. Notice to Owner.

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

§ 200-5. Abatement to Town.

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

§ 200-6. Assumption of responsibility by owner.

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

§ 200-7. Court Review.

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

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

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

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

- A. The Tree Warden shall serve as liaison to all Town Departments, agencies, and the Board of Education on all matters relating to individual trees and forest resources, and may provide technical assistance as appropriate. The Stratford Tree Warden shall be the Director of Public Works.

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

§ 200-10. Public Utilities.

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

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

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

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

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

§ 200-13. Effect of Chapter.

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

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

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

§ 200-15. Permits.

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

§ 200-16. Work.

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

§ 200-17. Emergencies.

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

§ 200-18. Penalties.

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

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

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

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

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

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

§ 200-19. No Exemption.

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

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

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

§ 200-21. Tree Protection During Construction Activities.

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

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

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

AN ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE TOWN OF STRATFORD FOR THE FISCAL YEAR COMMENCING JULY 1, 2016, AND ENDING JUNE 30, 2017, AND APPROPRIATING THE SUM OF \$216,051,861 IN ACCORDANCE THEREWITH; (16-07)

Sponsored by:

WHEREAS, the Mayor has prepared and submitted to the Town Council the annual operating budget for the Town of Stratford for the fiscal year commencing July 1, 2016, and ending June 30, 2017, in accordance with the Stratford Town Charter; and

WHEREAS, the Town Council has given consideration thereto and has conducted public hearings in connection therewith; and

WHEREAS, the estimated amount of current expenses, permanent improvements, and other lawful charges of the Town of Stratford for the fiscal year commencing July 1, 2016 and ending June 30, 2017, is \$216,051,861

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

That the budget attached hereto and made a part hereof be and is hereby proposed as the operating budget for the Town of Stratford for the fiscal year commencing July 1, 2016 and ending June 30, 2017; and

That the sum of \$216,051,861 is hereby appropriated for the current expenses, permanent improvements, and other lawful charges for each department and each division thereof of the Town of Stratford for the fiscal year commencing July 1, 2016, and ending June 30, 2017, all in accordance with the provisions of the budget attached hereto and made a part hereof.

8.1.2 PROPOSED – MILL RATE ORDINANCE – FY17 (WITH PROPOSED MV AND NON-MV REVISIONS) (#16-08)

~~AN ORDINANCE LEVYING A TAX RATE OF 38.84 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2015.~~

A TAX RATE OF 32.00 MILLS ON THE DOLLAR ON THE GRAND LIST OF TAXABLE MOTOR VEHICLE PROPERTY IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2015.

A TAX RATE OF 39.39 MILLS ON THE DOLLAR ON THE GRAND LIST OF ALL OTHER TAXABLE PROPERTY [EXCLUDING MOTOR VEHICLE PROPERTY] IN THE TOWN OF STRATFORD, CONNECTICUT, ON THE FIRST DAY OF OCTOBER, 2015.

WHEREAS, the Mayor has prepared and submitted to the Town Council the annual operating budget for the Town of Stratford for the fiscal year commencing July 1, 2016, and ending June 30, 2017, according to law; and

WHEREAS, the Town Council has given consideration thereto and has conducted public hearings in connection therewith; and

WHEREAS, the estimated revenues of the Town of Stratford other than by taxation for the fiscal year commencing July 1, 2016, and ending June 30, 2017, are \$ 46,767,904; and

WHEREAS, the Town Council has proposed an operating budget for the fiscal year commencing July 1, 2016, and ending June 30, 2017; and

~~**WHEREAS**, a tax levy at the rate of 38.84 mills on the dollar on the Grand List of taxable property in the Town of Stratford on October 1, 2015, is necessary to meet the appropriations, less the estimated amount of revenue from other sources as permitted by law to be raised;~~

WHEREAS, a tax levy at the rate of 32.00 mills on the dollar on the Grand List of taxable motor vehicle property in the Town of Stratford on October 1, 2015, is necessary to meet the appropriations, less the estimated amount of revenue from other sources as permitted by law to be raised;

WHEREAS, a tax levy at the rate of 39.39 mills on the dollar on the Grand List of all other taxable property [excluding motor vehicle property] in the Town of Stratford on October 1, 2015, is necessary to meet the appropriations, less the estimated amount of revenue from other sources as permitted by law to be raised;

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

~~That a tax rate of 38.84 mills on the dollar on the Grand List be and is hereby levied against all taxable property in the Town of Stratford on the Grand List of October 1, 2015;~~

That a tax rate of 32.00 mills on the dollar on the Motor Vehicle Grand List be and is hereby levied against all taxable motor vehicle property in the Town of Stratford on the Motor Vehicle Grand List of October 1, 2015;

That a tax rate of 39.39 mills on the dollar on the Grand List [excluding Motor Vehicle] be and is hereby levied against all taxable property [excluding motor vehicle] in the Town of Stratford on the Grand List [excluding Motor Vehicle] of October 1, 2015;

That said taxes shall be due and payable in two equal installments, one half thereof on July 1, 2016, and the second half thereof on January 1, 2017, provided, however, that any tax, the

aggregate amount of which shall not exceed \$100.00 shall be due and payable in one payment on July 1, 2016.

AN ORDINANCE APPROPRIATING \$11,565,000 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2016-2017 (#16-09)

Sponsored by:

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

Section 1. The sum of **\$11,565,000** is hereby appropriated to meet the estimated costs of the public improvements set forth below, as more fully described in the narrative description of such public improvements in the capital improvement program of the Town for the fiscal year ending June 30, 2017, said appropriation to be inclusive of administrative, financing, legal and costs of issuance related thereto:

<u>PARKS & RECREATION</u>	Misc. Tree Removal Program Town-wide	\$ 100,000.00
	Wood Waste Disposal and Tree Stump Removal	\$ 50,000.00
	Parks Department Storage Building	\$ 25,000.00
<u>PUBLIC WORKS</u>	Ball field Repair Program	\$ 75,000.00
	Playground Renovation	\$ 100,000.00
	Repairs to various Town Parks	\$ 150,000.00
	Replacement Fencing	\$ 50,000.00
<u>TOWN FACILITIES</u>	Renovations at Boothe Park	\$ 100,000.00
	Repairs and Maintenance - 4 Firehouses	\$ 150,000.00
	Open Space Acquisition	\$ 50,000.00
	Parking Lot Resurfacing	\$ 100,000.00
	Children's Department Renovation	\$ 100,000.00
	Libr Drop Ceil, Ductwork, Air Handl Unit&Lighting Repl	\$ 500,000.00
	Installation of Picnic Tables, Benches &Garbage Cans	\$ 20,000.00
	Municipal Building Renovations	\$ 50,000.00
<u>ROADS & SEWERS</u>	Barnum Avenue Culvert carrying Bruce Brook	\$ 500,000.00
	Landfill Pre-Closure/Closure Plan	\$ 50,000.00
	Misc. Bridge Rehabilitation	\$ 270,000.00

	Sidewalk Replacement	\$ 250,000.00
	Topographic Map Updates	\$ 50,000.00
	West Broad Improv from Knowlton St to Linden Ave	\$ 300,000.00
	Culvert Cleaning	\$ 200,000.00
	Road Resurfacing	\$ 1,000,000.00
	Road Reconstruction	\$ 500,000.00
<u>SCHOOL IMPROVEMENTS</u>	BOE - Boilers - Water Treatment	\$ 264,000.00
	BOE - General Repairs	\$ 135,000.00
	BOE - Modular Classroom Walkways	\$ 625,000.00
	BOE - Replace Sidewalks, Curbs, Stairs & Loading Docks	\$ 50,000.00
	BOE - Stage Curtains	\$ 175,000.00
	Bunnell High - Roof Replacement	\$ 3,150,000.00
	Bunnell High - Various Renovations/Repairs	\$ 300,000.00
	Franklin - Roof Replacement	\$ 255,000.00
	Wilcoxson - Air Conditioning	\$ 40,000.00
	Wilcoxson - Laminate on Cabinets	\$ 30,000.00
	Wilcoxson - Remodel Stage/Multi Purpose Room	\$ 45,000.00
	Nichols - Parking Spaces & Turn Around North Avenue	\$ 280,000.00
	Bunnell High - Parking Lot Repair	\$ 400,000.00
	BOE - Safety and Security Improvements	\$ 200,000.00
	BOE & Schools - Resurface Parking Lots	\$ 100,000.00
	BOE - Automated External Defibrillator Replacement	\$ 26,000.00
	BOE - Technology Infrastructure	\$ 750,000.00
GRAND TOTAL ALL IMPROVEMENT PROJECTS:		\$11,565,000.00

Section 2. Any of the estimated amounts for the public improvements set forth in Section 1 not required to meet the actual cost of such public improvements shall be allocated by the Mayor and Director of Finance as they deem necessary or advisable and in the best interests of the Town to other public improvements previously authorized by the Town Council for bonding, so long as such allocation is consistent with applicable tax and other laws.

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

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$11,565,000 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2016-2017 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#16-10)

Sponsored by:

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

Section 1. To meet the appropriation of **\$11,565,000** made in the ordinance enacted together herewith for various public improvements in the capital improvement program for fiscal year ending June 30, 2017 (the "Project"), **\$11,565,000** bonds of the Town may be issued maturing not later than the twentieth year after their date (the "Bonds").

Section 2. The Bonds may be issued in one or more series as determined by the Mayor and the Director of Finance. The amount of Bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amounts and timing of State and Federal grants-in-aid for the Project, provided that the total amount of Bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the Bonds outstanding at the time of the issuance thereof, and to pay for costs of issuance of the Bonds. The Bonds shall be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Director of Finance, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Pullman & Comley, LLC, Attorneys-at-Law. The Bonds shall be general obligations of the Town and each of the Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The Town shall levy taxes in each year to meet principal and interest due and payable on the Bonds issued pursuant to this ordinance.

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

documents, or designate other officials or employees of the Town to take such actions and to execute such documents, as deemed to be necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance in order to issue, sell and deliver the Bonds.

Section 4. The Bonds shall be sold by the Mayor and the Director of Finance in a competitive offering or by negotiation in their discretion. If sold in a competitive offering, the Bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. If the Bonds are sold by negotiation, the provisions of the bond purchase agreement shall be approved by the Mayor and Director of Finance.

Section 5. The Mayor and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of the Bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Director of Finance, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor and the Director of Finance, be approved as to their legality by Pullman & Comley, LLC, Attorneys-at-Law, and be certified by a bank or trust company designated by the Mayor and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. The Notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing, to the extent paid from the proceeds of such renewals or the Bonds, may be included as a cost of the Project. Upon the sale of the Bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid prior to and any time after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Mayor and Director of Finance are hereby authorized, if they determine it is in the Town's best interests, to acquire, on behalf of the Town, bond insurance or other forms of credit enhancement guaranteeing the Bonds on such terms as the Mayor and Director of Finance determine to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other

undertakings as the issuer of the credit enhancement shall require; and the Mayor and Director of Finance, if they determine that it is appropriate, are authorized, on the Town's behalf, to grant security to the issuer of the credit enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from proceeds of the Bonds.

Section 8. The Mayor and the Director of Finance are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board ("MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the Bonds and notes authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

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

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

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

AN ORDINANCE APPROPRIATING \$762,500 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2016-2017 (#16-11)

Sponsored by:

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

Section 1. The sum of **\$762,500** is hereby appropriated to meet the estimated costs of the public improvements set forth below, as more fully described in the narrative description of such public improvements in the capital equipment program of the Town for the fiscal year ending June 30, 2017, said appropriation to be inclusive of administrative, financing, legal and costs of issuance related thereto:

<u>PUBLIC SAFETY</u>	Police Radio System Upgrade	\$ 200,000.00
<u>PUBLIC WORKS</u>	Dump Truck	\$ 200,000.00
	Radio Replacement and Repair Program	\$ 10,000.00
<u>SCHOOL IMPROVEMENTS</u>	Nichols - Wheelchair Lift	\$ 40,000.00
	Wooster Middle - Flushometers	\$ 12,500.00
	BOE - Various School Equipment	\$ 150,000.00
	Wooster Middle - Intercom	\$ 150,000.00
<u>GRAND TOTAL ALL EQUIPMENT PROJECTS:</u>		\$ 762,500.00

Section 2. Any of the estimated amounts for the public improvements set forth in Section 1 not required to meet the actual cost of such public improvements shall be allocated by the Mayor and Director of Finance as they deem necessary or advisable and in the best interests of the Town to other public improvements previously authorized by the Town Council for bonding, so long as such allocation is consistent with applicable tax and other laws.

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

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$762,500 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2016-2017 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#16-12)

Sponsored by:

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

Section 1. To meet the appropriation of **\$762,500** made in the ordinance enacted together herewith for various public improvements in the capital equipment program for fiscal year ending June 30, 2017 (the "Project"), **\$762,500** bonds of the Town may be issued maturing not later than the twentieth year after their date (the "Bonds").

Section 2. The Bonds may be issued in one or more series as determined by the Mayor and the Director of Finance. The amount of Bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amounts and timing of State and Federal grants-in-aid for the Project, provided that the total amount of Bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the Bonds outstanding at the time of the issuance thereof, and to pay for costs of issuance of the Bonds. The Bonds shall be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Director of Finance, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Pullman & Comley, LLC, Attorneys-at-Law. The Bonds shall be general obligations of the Town and each of the Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such Bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The Town shall levy taxes in each year to meet principal and interest due and payable on the Bonds issued pursuant to this ordinance.

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

documents, or designate other officials or employees of the Town to take such actions and to execute such documents, as deemed to be necessary or advisable and in the best interests of the Town by the Mayor and Director of Finance in order to issue, sell and deliver the Bonds.

Section 4. The Bonds shall be sold by the Mayor and the Director of Finance in a competitive offering or by negotiation in their discretion. If sold in a competitive offering, the Bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. If the Bonds are sold by negotiation, the provisions of the bond purchase agreement shall be approved by the Mayor and Director of Finance.

Section 5. The Mayor and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of the Bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Director of Finance, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor and the Director of Finance, be approved as to their legality by Pullman & Comley, LLC, Attorneys-at-Law, and be certified by a bank or trust company designated by the Mayor and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. The Notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing, to the extent paid from the proceeds of such renewals or the Bonds, may be included as a cost of the Project. Upon the sale of the Bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid prior to and any time after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Mayor and Director of Finance are hereby authorized, if they determine it is in the Town's best interests, to acquire, on behalf of the Town, bond insurance or other forms of credit enhancement guaranteeing the Bonds on such terms as the Mayor and Director of Finance determine to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other

undertakings as the issuer of the credit enhancement shall require; and the Mayor and Director of Finance, if they determine that it is appropriate, are authorized, on the Town's behalf, to grant security to the issuer of the credit enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from proceeds of the Bonds.

Section 8. The Mayor and the Director of Finance are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board ("MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the Bonds and notes authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

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

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

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