



Stratford, Connecticut

MINUTES OF MEETING

THE STRATFORD TOWN COUNCIL CONDUCTED A REGULARLY SCHEDULED MEETING ON MONDAY, SEPTEMBER 11, 2017 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. Scott Farrington-Posner, Mr. Wali Kadeem, Mr. David Harden, Mr. Philip Young, Ms. Marianne Antezzo, Mr. J. Vincent Chase, Mr. Alan Llewelyn, Ms. Tina Manus.

COUNCIL MEMBERS ABSENT: Mr. Gregory Cann

OTHERS IN ATTENDANCE: Mayor John Harkins, Assts. to the Town Attorney Bruce Jackson, John Florek, and Brian LeClerc; Town Attorney Christopher Hodgson, Human Resources Director Ronald Ing, Chief of Staff Marc Dillon, Constituent Service and Outreach Coordinator Chris Bandecchi, CAO Chris Tymniak, Finance Director Jay Wahlberg

PRAYER AND PLEDGE OF ALLEGIANCE — presented by Hon. Beth Daponte, First district Council member

1. APPROVAL OF MINUTES — Regularly scheduled meeting and public forum of August 14, 2017.

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. CHASE, SECONDED BY MS. ANTEZZO TO APPROVE THE FOREGOING MINUTES. MS. MANUS OFFERED A FRIENDLY AMENDMENT TO THE MINUTES OF AUGUST 14, 2017 TO CHANGE THE NAME OF ARTS COMMISSION ALTERNATE MEMBER APPOINTEE FROM PICCOLO TO MANUS (THERESA MANUS). THE FRIENDLY AMENDMENT WAS ACCEPTED. THE MOTION TO APPROVE PASSED 8 TO 0 AS FRIENDLY AMENDED. (MS. DAPONTE WAS NOT PRESENT DURING THE AUGUST 14 COUNCIL MEETING.)

2. CEREMONIAL PRESENTATIONS AND AWARDS — None

3. COUNCIL MEMBERS' RESPONSE TO COMMENTS FROM PUBLIC FORUM

Mr. Farrington-Posner: Primary election of September 12, 2017

Mr. Young: Ms. Masso's encounter with Senior Services Personnel, 8-11 remembrance

Ms. Antezzo: Senior Services personnel
Mr. Llewelyn: Senior Services personnel
Ms. Manus: Primary election, 9-11 remembrance
Mr. Kadeem: Primary Election
Mr. Harden: Council Accomplishments
Ms. Daponte: State of CT to vote on budget Sept 14

4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES — None

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. Mayor Harkins reported. VFW 9-11 Memorial Ceremony, State budget, Stratford Police Dept. accomplishment. The fire dept. will conduct an open house with “touch-a-truck” event.

5.1.1 STRATFORD ARMY ENGINE PLANT (SAEP) — A meeting took place with DEEP, ACoE and DoD re: remediation.

5.1.2 APPOINTMENTS — None

5.2 COMMITTEE REPORTS

5.2.1 ARTS COMMISSION — During the Arts Commission's meeting of Aug. 9, 2017, the following request was approved: \$500.00 donation to Bonfire on the Beach, an event which raised money for “Swim Across the Sound” (charitable organization).

RESOLVED: that the request of the Arts Commission for a donation of \$500.00 to Bonfire on the Beach, an event which raised money for “Swim Across the Sound” be and is hereby approved.

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. HARDEN TO APPROVE THE REQUESTED AMOUNT OF \$500.00. THE MOTION PASSED 9 TO 0.

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MS. ANTEZZO SECONDED BY MS. MANUS TO WAIVE THE COUNCIL RULES OF PROCEDURE TO AMEND THE AGENDA BY ADDING A REFERRAL ITEM FROM THE TAX PARTNERSHIP SCREENING COMMITTEE MEETING OF SEPTEMBER 7. THE MOTION PASSED 9 TO 0.

TAX PARTNERSHIP SCREENING COMMITTEE — The following tax abatement for Wagpants, LLC was referred from the Sept. 7 meeting with favorable recommendation:

RESOLVED: that the recommendation of the Tax Partnership Screening Committee is accepted and the abatement of 100% (percent) for two (2) years be and is hereby approved.

A MOTION WAS MADE BY MS. ANTEZZO, SECONDED BY MS. MANUS TO APPROVE AN ABATEMENT FOR WAGPANTS, LLC. A MOTION WAS MADE BY MS. MANUS, SECONDED BY MR. FARRINGTON-POSNER TO AMEND THE ABATEMENT TO 100% FOR 2 YEARS. Ms. Fonda, Stratford Tax Assessor was called to the podium for clarification of the amount of \$7,200 for a two-year period.

MR. CHASE MOTIONS TO CALL THE QUESTION WHICH WAS SECONDED BY MS. ANTEZZO. THE MOTION PASSED 9 TO 0. THE MOTION TO AMEND PASSED 9 TO 0. THE MOTION TO APPROVE, AS AMENDED, PASSED 9 TO 0.

5.3 TOWN ATTORNEY'S REPORT — Attorney LeClerc reported re: court cases, tax liens

WAIVER OF COUNCIL RULES OF PROCEDURE

A MOTION WAS MADE BY MR. CHASE SECONDED BY MR. LLEWELYN TO WAIVE THE COUNCIL RULES OF PROCEDURE TO AMEND THE AGENDA BY ADDING ITEMS A. Corner Tavern Rock Road and Huntington Road, B. Beers Place, Lot 26, C. Purchase by the Town of Stratford of personal property located at Boothe Memorial Park from the Trusts of David B. Boothe and Stephen N. Boothe. THE MOTION PASSED 9 TO 0.

Attorney Bruce Jackson was called to the podium to explain all options and agreements for items A., B., and C. below.

A. Corner Tavern Rock Road and Huntington Road — Sale of property by the Town of Stratford to Thomas Dugas. During the Administrative meeting of the Planning Commission of May 19, 2015, the following was referred to Council with favorable recommendation:

RESOLVED: that the recommendation of the Planning Commission is accepted and the Corner of Tavern Rock Road and Huntington Road be and is hereby sold to Thomas Dugas for the amount of \$200,000.

A MOTION WAS MADE BY MS. ANTEZZO, SECONDED BY MR. FARRINGTON-POSNER TO APPROVE THE SALE AS STATED ABOVE. THE MOTION PASSED 9 TO 0.

B. Beers Place, Lot 26 — Sale of property to Raymond P. Quiles. During the Administrative meeting of the Planning Commission of November 15, 2016, the following was referred to Council with favorable recommendation:

RESOLVED: that the recommendation of the Planning Commission is accepted and the approval of the sale of the property as stated above in accordance with option #1 by the Town of Stratford to Raymond P. Quiles be and is hereby approved.

A MOTION WAS MADE BY MR. FARRINGTON-POSNER, SECONDED BY MS. MANUS TO APPROVE THE SALE WITH OPTION ONE (#1) OF THE CONTRACT. Mr. Jackson explained option #1 as follows: Subject lot 26 — the sale price should be sure to cover all cost incurred by the town (legal fees, engineer costs, etc.) to secure a conservation easement to preserve the wooded lot and prevent any future development. By securing a conservation

easement, the Town reserves the opportunity to return the channelized stream to its natural state if it so chooses, thus improving stormwater management and the Town's environmental impact.

MR. CHASE MOTIONS TO MOVE THE QUESTION WHICH IS SECONDED BY MR. LLEWELYN. THE MOTION PASSES 8 TO 1 WITH MS. DAPONTE VOTING NO. THE MOTION TO APPROVE THE SALE WITH OPTION #1 PASSED WITH 8 IN FAVOR AND 1, MR. KADEEM, OPPOSED.

C. Purchase by the Town of Stratford of personal property located at Boothe Memorial Park from the Trusts of David B. Boothe and Stephen N. Boothe

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. HARDEN TO REFER THE FOREGOING PURCHASE TO THE BOOTHE PARK COMMISSION. THE MOTION PASSED 9 TO 0.

5.3.1 QUESTIONS TO THE TOWN ATTORNEY

Mr. Kadeem: Ethics Commission appointments. Ms. Daponte: cost savings on liabilities

6. QUESTIONS TO MAYOR OR STAFF

Mr. Kadeem: re: Street sweeping schedule

Mr. Farrington-Posner: re: Longbrook park cleanup on Saturday Oct. 7

Ms. Manus: re: (1) communications for bringing forward community issues (2) location/route for National Solidarity march for Peace – Oct. 14

Ms. Daponte: re: SAEP meeting, timeline for development, coastal remediation

7. UNFINISHED BUSINESS and/or OLD BUSINESS

7.1 APPOINTMENT TO ARTS COMMISSION, alternate members – 3-year terms, appointed by Council — *ACTION NOT TAKEN DURING MEETING OF AUG. 14, 2017.*

RESOLVED: that _____ of _____ - be and is hereby appointed an alternate member of the Arts Commission. (term of Katherine DeCrezenzo expired August 12, 2017)

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. YOUNG TO PLACE THE FOREGOING APPOINTMENT ON THE TABLE. THE MOTION PASSED 9 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.*

RESOLVED: that the recommendation of the Parks and Recreation Committee is accepted and that setting aside \$15,000.00 from CIP 2017 for the Dog Park be and is hereby approved. REMAINED ON THE TABLE.

7.2.2 RENAMING OF A PORTION OF STRATFORD AVENUE TO SELBYS POND ROAD. — Placed on the table during meeting of July 10, 2017.

RESOLVED: to rename the portion of Stratford Avenue that was previously renamed to Bond's Dock Way, that is, the portion that runs from the intersection of Lockwood Avenue to Bond's dock, to be renamed to be Selbyg Pond Road.

A MOTION WAS MADE BY MR. LLEWELYN, SECONDED BY MR. CHASE TO TAKE THE FOREGOING ITEM OFF THE TABLE. THE MOTION PASSED 8 TO 0. (MR. KADEEM ABSENT FOR VOTE)

A MOTION WAS MADE BY MR. LLEWELYN, SECONDED BY MR. FARRINGTON-POSNER TO RENAME THE PORTION OF STRATFORD AVENUE TO SELBYS POND ROAD. THE MOTION PASSED 8 TO 0. (MR. KADEEM ABSENT FOR VOTE)

7.3 TABLED ORDINANCES AND RESOLUTIONS

7.3.1 CEP/CIP ORDINANCES — *Tabled during Council Meeting of June 12, 2107.*

- A. AN ORDINANCE APPROPRIATING \$12,510,500 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2017-2018 (#17-05)
- B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$12,510,500 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2017-2018 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#17-06)
- C. AN ORDINANCE APPROPRIATING \$3,517.130 FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2017-2018 (#17-07)
- D. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,517.130 BONDS OF THE TOWN TO MEET THE APPROPRIATION FOR VARIOUS PUBLIC IMPROVEMENTS IN THE CAPITAL EQUIPMENT PROGRAM FOR FISCAL YEAR 2017-2018 AND PENDING ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (#17-08)

ITEMS A., B., C., AND D. ABOVE REMAINED ON THE TABLE.

7.3.2 CENTER SCHOOL — RESOLUTION — *(tabled July 11, 2016)*

Sponsored by the Stratford Town Council

Whereas, the Town Council has the power to authorize the demolition of a town building;
Whereas, the demolition of a school has long-lasting implications on educational opportunities for the town's population;

Whereas, the number of building permits has increased in Stratford;

Whereas, the physical use of the center of Stratford has long-lasting implications on the town's reputation;

Now, therefore, be it resolved by the Stratford Town Council: That the path to demolition of 55 Sutton Place ~~1000 East Broadway~~, aka the new Center School, be stopped, stop phase 3 testing, further, a study will be conducted to determine the cost of returning the building to use as a school.

ITEM REMAINED ON THE TABLE.

7.4 TABLED APPOINTMENTS

7.4.1 FINANCIAL ADVISORY COMMITTEE — additional appointments. *Placed on table during meeting of Jan.9, 2017.*

7.4.2 STRATFORD HOUSING PARTNERSHIP

A. 3 members of the local business community (3 vacancies)

B. 1 member-at-large

7.4.3 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.*

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.

7.4.4 BOARD OF ZONING APPEALS, ALTERNATE MEMBER — 3-year term. *Placed on the table during Council meeting of Jan. 9, 2017.*

RESOLVED: that _____ of _____ be and is hereby appointed an alternate member of the Board of Zoning Appeals (term of Richard Fredette expired January 1, 2017)

7.4.5 BEAUTIFICATION COMMITTEE — term concurrent with Council Term (Dec. 2017)

RESOLVED: that _____ of _____ - be and is hereby appointed an alternate member of the Beautification Committee. (vacancy created by the resignation of Maria Ferrera)

7.4.6 ARTS COMMISSION – 3-year terms, appointed by Council

Alternate member – term of Louis DeCilio expired March 10, 2017

7.4.7 WATERFRONT & HARBOR MANAGEMENT COMMISSION, alternate member — § 210-3 of Town Code, 5-year term

RESOLVED: that _____ of _____ - be and is hereby appointed an alternate member of the Waterfront Harbor Management Commission. [term of Reese Mitchell (resigned) will expire on May 31, 2021]

THE FOREGOING TABLED APPOINTMENTS 7.4.1, 7.4.2, 7.4.3, 7.4.4, 7.4.5, 7.4.6, AND 7.4.7, REMAINED ON THE TABLE.

8. ORDINANCES AND RESOLUTIONS

8.1 GRANT RESOLUTION.

Sponsored by: the Stratford Town Council

WHEREAS, the *Connecticut Department of Public Health*, is authorized and has made funds available in the amount of \$ 734,395 to extend financial assistance to municipalities in the form of grants; and,

WHEREAS, funds under this grant will be used to support the continuation for the next ~~three~~ five years of the *Town of Stratford School Based Health Center*,

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:

1. That it is cognizant of the *Town of Stratford* grant application and contract to the *Connecticut Department of Public Health* for funds in the amount of \$734,395 to implement a Town level *School Based Health Center*.
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 *School Based Health Center Grant Program*.

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MS. ANTEZZO TO APPROVE THE FOREGOING RESOLUTION. Ms. Boissevain, director of Health, was called to the podium to clarify matters. Questions were posed to Ms. Boissevain. MR. CHASE MOTIONED, SECONDED BY MR. YOUNG TO AMEND THE RESOLUTION BY CHANGING THE WORD THREE YEARS TO FIVE YEARS (paragraph 2). THE MOTION TO AMEND PASSED 9 TO 0. THE MAIN MOTION PASSED 9 TO 0 AS AMENDED.

8.2 AUTHORIZATION TO CREATE A SPECIAL REVENUE FUND (#17-13) re: Open Space and Property Acquisition Fund

Sponsored by:

WHEREAS: The Town Charter of the Town of Stratford under section 2.2.3. Special Funds – states “*The council shall have the power to establish by ordinance special funds for such specified purpose as may be set forth in the Town plan for long term financing.*”

WHEREAS: The Town authorizes periodic bonding for the purpose of acquiring open space and property acquisitions.

WHEREAS: An approval is required to establish an Open Space & Property Acquisition Fund for said restricting use and segregation of funds for such purposes.

WHEREAS: As such current funds are inappropriately residing in the Capital Project Fund subjected to IRS arbitrage rules and tax exempt municipal bond spending requirements.

NOW THEREFORE: The Finance Director is seeking approval for *the establishment of special revenue account* and for said funds to be transferred to the created special revenue fund for future restricted procurements.

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. FARRINGTON-POSNER SECONDED BY MR. KADEEM TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 9 TO 0.

8.3 AUTHORIZATION TO CREATE A SPECIAL REVENUE FUND (#17-14) re: Revaluation Fund

Sponsored by:

WHEREAS: The Town Charter of the Town of Stratford under section 2.2.3. Special Funds – states *“The council shall have the power to establish by ordinance special funds for such specified purpose as may be set forth in the Town plan for long term financing.”*

WHEREAS: The Town contributes funds through the general fund for the purpose of the Town’s property revaluation as required by State General Statutes.

WHEREAS: An approval is required to establish a Revaluation Fund for said restricting use and segregation of funds for such purposes.

WHEREAS: Said current funds are inappropriately residing in the Capital Project Fund.

NOW THEREFORE: The Finance Director is seeking approval for *the establishment of special revenue account* and for said funds to be transferred to create a special revenue fund for future restricted use.

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. LLEWELYN SECONDED BY MR. CHASE TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 9 TO 0.

8.4 AUTHORIZATION TO CREATE A SPECIAL REVENUE FUND (#17-15) re: Police Special Revenue Fund

Sponsored by:

WHEREAS: The Town Charter of the Town of Stratford under section 2.2.3. Special Funds – states *“The council shall have the power to establish by ordinance special funds for such specified purpose as may be set forth in the Town plan for long term financing.”*

WHEREAS: The Town accounts for special police duty through the general fund for the purpose of traffic control on road and utility projects, special events and other purposes that require special police activities.

WHEREAS: Council approval is required to establish a Police Special Revenue Fund for said purpose, restricting use and segregation of funds for said accountability purposes.

WHEREAS: Said current funds are comingled and inappropriately residing in the General Fund.

NOW THEREFORE: The Finance Director is seeking approval for *the establishment of a special revenue account* and for said funds to be held in a special revenue fund for future accountability..

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 9 TO 0.

8.5 FEMA GRANT - PORT SECURITY FOR ALL TERRAIN VEHICLE

Sponsored by: The Stratford Town Council

WHEREAS, the **Federal Emergency Management Agency/ U.S. Department of Homeland Security** is authorized to extend financial assistance to municipalities in the form of grants and has made funds available to the Town through the 2017 Port Security Grant Program in the amount equal to \$11,250.00; and,

WHEREAS, funds under this grant will be used to purchase an “All Terrain Vehicle (ATV)”, and;

WHEREAS, there is a mandatory cost share of 25% of the total project cost, equal to \$3,750.00, and;

WHEREAS, it is both desirable and in the public interest that the **Town of Stratford** execute a grant agreement with the **Federal Emergency Management Agency/U.S. Department of Homeland Security** to accept funding in connection with this project.

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

1. That it is cognizant of the **Town of Stratford** grant application to contract with the **Federal Emergency Management Agency/U.S. Department of Homeland Security** to accept funds in the amount of \$11,250.00;and,
2. That it hereby authorizes, directs, and empowers the mayor, John A. Harkins, or his designee to execute and deliver such application in the name and on behalf of the **Town of Stratford**, any and all applications and/or agreements (including amendments to, or rescission of such agreement), and any and all related documents necessary to apply for and obtain funding from the **Federal Emergency Management Agency/U.S. Department of Homeland Security: Port Security Grant**

A MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. HARDEN TO PLACE THE FOREGOING RESOLUTION ON THE TABLE. THE MOTION PASSED 9 TO 0.

8.6 FEMA GRANT – ASSISTANCE TO FIREFIGHTERS - SELF CONTAINED BREATHING APPARATUS RECHARGE STATION

Sponsored by:

WHEREAS, the **U.S. Department of Homeland Security/U.S. Fire Administration** is authorized to extend financial assistance to municipalities in the form of grants has made funds available to the Town through the 2016 Assistance to Firefighters Grant Program in the amount equal to \$59,091.00; and,

WHEREAS, funds under this grant will be used to purchase a “Self Contained Breathing Apparatus (SCBA) Recharge Station”.

WHEREAS, there is a mandatory cost share of 10% of the total project cost, equal to \$5,909.00, and;

WHEREAS, it is both desirable and in the public interest that the **Town of Stratford** execute a grant agreement with the **U.S. Department of Homeland Security/U.S. Fire Administration** to accept funding in connection with this project.

NOW THEREFORE, BE IT RESOLVED BY THE Town Council:

1. **That it is cognizant of the Town of Stratford grant application to contract with the U.S. Department of Homeland Security/U.S. Fire Administration** to accept funds in the amount of \$59,091.00; and,
2. That it hereby authorizes, directs, and empowers the mayor, John A. Harkins, or his designee to execute and deliver such application in the name and on behalf of the Town of Stratford, any and all applications and/or agreements (including amendments to, or rescission of such agreement), and any and all related documents necessary to apply for and obtain funding from the **U.S. Department of Homeland Security/U.S. Fire Administration: AFG Grant Program.**

A MOTION WAS MADE BY MR. HARDEN, SECONDED BY MR. CHASE TO APPROVE THE FOREGOING RESOLUTION. After discussion, MR. CHASE MOTIONED TO MOVE THE QUESTION WHICH WAS SECONDED BY MR. LLEWELYN. THE MOTION PASSED 9 TO 0. THE MOTION TO APPROVE THE RESOLUTION PASSED 9 TO 0.

8.7 ORDINANCE PROHIBITING WASTE ASSOCIATED WITH NATURAL GAS AND OIL EXTRACTION (#17-10) — appended as pages 13-15

Sponsored by: Hon. Greg Cann, Fifth district Council member

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 MS. ANTEZZO TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 9 TO 0.

8.8 SEC. XX-XX. APPLICABILITY OF TRAFFIC LAWS. (#17-11) — appended as pages 16-17

Sponsored by: The 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. FARRINGTON-POSNER TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 9 TO 0.

8.9 SEC. XX-XX. — PROHIBITION ON BLOCKING THE BOX. (#17-12) — appended as page 18

Sponsored by:

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. HARDEN TO REFER THE FOREGOING ORDINANCE TO ORDINANCE COMMITTEE FOR A PUBLIC HEARING. THE MOTION PASSED 9 TO 0.

9. NEW BUSINESS

9.1 APPOINTMENTS

9.1.1 INLAND WETLANDS AND WATERCOURSES COMMISSION — 4-year term, appointed by COUNCIL CHAIRMAN, Town code §217-4A

RESOLVED: that _____ of _____ - be and is hereby appointed a member of the Inland Wetlands and Watercourses Commission. (term of Albert Schlager expired Sept. 9, 2017)

A MOTION WAS MADE BY MR. FARRINGTON-POSNER, SECONDED BY MS. MANUS TO PLACE THE FOREGOING APPOINTMENT ON THE TABLE. THE MOTION PASSED 9 TO 0.

10. ADJOURNMENT — Hearing no further discussion in connection with the above agenda items or further business, MR. FARRINGTON-POSNER MOTIONS TO ADJOURN THE MEETING. THE MOTION WAS SECONDED BY MR. KADEEM AND PASSED UNANIMOUSLY AT 9:42 P.M.

ATTEST: *Carol Cabral*
Carol Cabral, Council Clerk

ORDINANCE PROHIBITING WASTE ASSOCIATED WITH NATURAL GAS AND OIL EXTRACTION (#17-10)

xxx-01 Definitions for the Purposes of this Ordinance:

- 1) For the purposes of this Ordinance, the following terms, phrases, and words shall have the meanings given here, unless otherwise clearly indicated by the context:
- 2) “*Hydraulic fracturing*” shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.
- 3) “*Natural gas extraction activities*” shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.
- 4) “*Oil extraction activities*” shall mean all geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited, to, core and rotary drilling and hydraulic fracturing.
- 5) “*Natural gas waste*” shall mean: a) any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid wastes associated with natural gas extraction activities; c) any waste that is generated as a result of or in association with the underground storage of natural gas; d) any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and e) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
- 6) “*Oil waste*” shall mean: a) any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid wastes associated with oil extraction activities; and c) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
- 7) “*Application*” shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town of Stratford.

xxx-02 Prohibitions:

- 1) The application of natural gas waste or oil waste, whether or not such waste has received Beneficial Use Determination or other approval for use by the Department of Energy & Environmental Protection (“DEEP”) or any other regulatory body, on any road or real property located within the Town of Stratford for any purpose is prohibited.

- 2) The Introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the Town of Stratford is prohibited.
- 3) The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town of Stratford is prohibited.
- 4) The storage, disposal, sale, acquisition, transfer, handling, treatment and/or processing of waste from natural gas or oil extraction is prohibited within the Town of Stratford.

xxx-03 Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the Town of Stratford:

- 1) All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town of Stratford shall include a provision stating that no materials containing natural gas or oil waste shall be utilized in providing such a service.
- 2) All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town of Stratford shall include a provision stating that no materials containing natural gas or oil waste shall be provided to the Town of Stratford.
- 3) The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and or maintained road or real property within the Town of Stratford and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town of Stratford: *“We _____ hereby submit a bid for materials, equipment and/or labor for the Town of Stratford.. The bid is for bid documents titled _____. We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor, subcontractor, agent or vendor agent in connection with the bid; nor will the undersigned bidder or any sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property within the Town of Stratford as a result of the submittal of this bid if selected.”*

xxx-04 Penalties

This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. In response to a violation of this ordinance, the Town of Stratford is empowered to a) issue “Cease and Desist” orders demanding abatement of the violation, b) seek any appropriate legal relief, including immediate injunctive relief, as a result of any violation of this ordinance; c) file a complaint with any other proper authority; and

d) require remediation of any damage done to any land, road, building, aquifer, well, watercourse, air quality or other asset, be it public or private, within the Town of Stratford. The Town of Stratford may recoup from the offending person(s), jointly and severally, all costs, including experts, consultants and reasonable attorney's fees, that it incurs as a result of having to prosecute or remediate any infraction of this ordinance. Any person who violates this ordinance shall be liable for a fine of \$250 per CT Statute. The Town of Stratford may also pursue other penalties as applicable defined in CT General Statutes.

xxx-05 Enforcement:

Any designee authorized by the Mayor of the Town of Stratford may pursue penalties against any person(s) who commits violations of this ordinance. The involvement of any Stratford officials will not require testing of waste products to determine chemical contents, this work will be done via contacting CT DEEP or other 3rd party analytical laboratories as is current practice of the Town of Stratford for other exposures to potentially hazardous chemical situations.

Any designee authorized by the Mayor of the Town of Stratford may request the Commissioner of CT DEEP pursue civil penalties defined by CT General Statutes, as applicable.

xxx-06 Severability

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered. To further this end, the provisions of this Chapter are hereby declared to be severable.

xxx-07 Transportation

Nothing in this ordinance shall be interpreted to ban the transportation of any product or byproduct described herein on any roadway or real property within the Town of Stratford.

xxx-07 Effective Date

This Ordinance shall become effective thirty (30) days after publication in a newspaper having circulation in the Town of Stratford.

SEC. XX-XX. APPLICABILITY OF TRAFFIC LAWS. (#17-11)

- (a) Every person riding a bicycle upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle pursuant to Title 14 of the Connecticut General Statutes, except those provisions, which by their nature, are not applicable. Every person riding a bicycle upon a sidewalk shall be granted all of the rights and shall be subject to all of the duties applicable to a pedestrian.
- (b) A violation of any provision of Sec. xx - xx, by an operator of a bicycle shall be ticketed using the same procedure as is used for motor vehicle infractions, except that any violation committed while operating a bicycle shall not affect the status of the violator's motor vehicle operator's license. When a citation is issued to a bicycle operator, the fact that the violation involves a bicycle shall be clearly indicated on the citation.
- (c) Whenever there is a violation of traffic law by a bicycle operator or a violation by a motorist that endangers a bicycle operator, the court may permit demonstration of successful completion of a court-approved cycling knowledge course or test in lieu of or in addition to a fine or other penalty.

Sec. xx-xx. Operation on roadways.

- (a) Persons riding bicycles upon a roadway shall ride not more than two abreast in a single lane, except on paths or parts of roadways set aside for the exclusive use of bicycles.
- (b) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, and with the flow of traffic, obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (c) This section does not require a person operating a bicycle to ride at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway include when necessary to avoid fixed or moving objects, parked or moving vehicles, surface hazards, or if it is otherwise unsafe or impracticable to do so, including if the lane is too narrow for the bicycle and an overtaking vehicle to travel safely side by side within the lane.
- (d) When a bicycle is operated on the roadway, the operator shall give hand signals to other vehicle operators in the vicinity before turning or changing lanes. Such signals shall conform with the motor vehicle laws of Connecticut. The signal shall be made not less than one time but is not required to be continuous. A bicycle operator is not required to make a signal if the bicycle is in a designated turn lane, and a signal shall not be given when the operator's hands are needed for the safe operation of the bicycle.

Sec. xx-xx. Reckless or uncontrolled operation.

No person shall operate a bicycle:

- (a) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property.
- (b) Without exercising reasonable and ordinary control over such bicycle.
- (c) By trick riding or in a weaving or zigzag course, unless such irregular course is necessary for safe operation in compliance with the law.

Sec. xx-xx. Compliance with traffic signal control devices required.

- (a) Any person operating a bicycle shall obey the instructions of official traffic signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- (b) Whenever authorized signs are erected that no right or left turns or U-turns are permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

Sec. xx-xx. Emerging from alley or driveway.

The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching on such sidewalk area and upon entering the street shall yield the right-of-way to all vehicles approaching on said street.

Sec. xx-xx. Parking.

- (a) No person shall park a bicycle upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic, or upon a roadway so as to unduly interfere with vehicular traffic.
- (b) Bicycles shall be parked in such a manner as not to interfere with building entrances.

Sec. xx-xx. Impounding.

Whenever any person operates a bicycle or motorized bicycle in violation of any section of this Code, the bicycle may be seized by any member of the Police Department and impounded. A bicycle or motorized bicycle so impounded shall be surrendered to the owner, or if the owner is a minor, to the parents or guardians of such minor. A full explanation of the reason for the impounding shall be made to the owner, parent or guardian. A complete record of each such impounding shall be kept in the office of the Chief of Police.

SEC. XX-XX. PROHIBITION ON BLOCKING THE BOX. — (#17-12)

- (a) No operator of a motor vehicle, other than a tractor-trailer unit, as defined in Connecticut General Statutes § 14-1, shall proceed into any intersection that has been designated in Subsection (c) herein, except when making a turn, unless there is sufficient space on the opposite side of the intersection to accommodate such motor vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of a traffic control signal that would permit such operator to proceed into the intersection.
- (b) The Town of Stratford shall:
 - (1) Post signs at each designated intersection indicating that blocking the intersection is prohibited and violators are subject to a fine; and
 - (2) Mark, in white paint, the boundary of such designated intersections with a line not less than one foot in width and the area within such boundary line with parallel diagonal lines not less than one foot in width.
- (c) The provisions of Subsections (a) and (b) shall apply to the following designated intersections within the Town of Stratford:
 - (1)
 - (2)
 - (3) . . .
- (d) Any person who violates the provisions of Subsection (a) of this section shall have committed an infraction.