REGULAR MEETING – MANSFIELD TOWN COUNCIL
October 26, 2015

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL
Present: Kegler, Kochenburger, Marcellino, Moran, Paterson, Raymond, Shapiro, Wassmundt
Excused: Ryan

II. APPROVAL OF MINUTES
Mr. Kegler moved and Mr. Shapiro seconded to approve the minutes of the October 13, 2015 minutes as presented. The motion passed unanimously.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL
Bill Petrix, Echo Road, discussed the issue of student housing and its effect on his neighborhood. Mr. Petrix is concerned about the increase in the number of homes that are being purchased to be rented and asked the Town to do more to mitigate the impact.
Bill Roe, Echo Road, has been keeping a log of activities in a rental house in his neighborhood for 57 days. Mr. Roe commented that this is a business enterprise in a residential area.
Becky Shafer, Echo Road, stated that is a burden to prove that a house is over-occupied and provided a copy of the log and pictures she and other neighbors have compiled for Councilors to look at. Ms. Shafer distributed two articles showing what other college communities are doing to address this problem. (Articles will be included as a communication in the November 9, 2015 packet).
Jennifer Oliver, Cemetery Road, commented on the proliferation of single family houses being converted to rental units. Ms. Oliver asked that the Town put a new moratorium on new rental permits and that the Town monitor the units and enforce the regulations. (Statement attached)
Darby Pollansky, Pollansky Construction, detailed her company's work as a subcontractor on the playground. Pollansky Construction did all the excavation for the playground and worked closely with Town staff. The Town paid the contractor but the contractor has not paid the subcontractor.
Gary Bent, Mansfield Hollow Road, urged support for the Ordinance Regarding the Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut
David Freudmann, Eastwood Road, objected to the tone of discrimination he says has been directed at student renters and asked that residents respect economic freedom.
Brian Coleman, Centre Street, stated that he rents to students and that they are great tenants. Mr. Coleman urged tolerance and stated that if there is a problem the Town will work on it.
Jane Fried, Olsen Drive, served on the Community Quality of Life Committee and commented that the Town cannot discriminate against any group of people but there can

be rules that address behavior. Ms. Fried asked if the Town has enough employees to enforce the rules.

Mick Fitzgerald, Warrenville Road resident and EO Smith cross country coach, described the hazards his students encounter as they train on Town roads and suggested that maybe an increased police presence at certain times might be beneficial.

Miriam Kurland, Wormwood Hill Road, spoke in favor of the ordinance under consideration at tonight's meeting stating that passage would send a message to the State.

Fiona Leek, Echo Road, expressed her concerns about changes in her neighborhood due to the number of increase rental units. Ms. Leek noted the newly adopted Plan of Conservation and Development identifies rentals as an issue.

Irene Petrix, Echo Road, commented that she has heard about other areas of Town where rentals are also a problem and that her husband was misquoted and that they have no vendetta against students.

IV. REPORT OF THE TOWN MANAGER

In addition to his written report the Town Manager offered the following comments in response to comments made by the pubic:

- Mr. Hart appreciates the Echo Road residents bringing the issue of rental housing to the Council. Staff has been working to enforce the zoning and housing regulations in this area and filed a violation notice in early September. In response to Councilors' questions Mr. Hart stated that occupancy in rental units is being monitored and that the Department of Building and Housing has sufficient staff to enforce the regulations.
- Mr. Hart commented that while the Town is sympathetic to the plight of the Pollansky Construction LLC the Town's contract is with the contractor. Staff is doing what they can to assist.
- Mr. Hart commented that the Town does engage in traffic enforcement based on complaints and Sargent Cournoyer has been successful in securing grants for additional police enforcement activities. Mr. Hart will look at options and report back to the Council.

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Paterson presented a plaque to Betty Wassmundt for her dedicated and meritorious service on the Mansfield Town Council from November 2013 to November 2015. Ms. Wassmundt commented that although it has been difficult having influence as a member of the minority party it was her position that allowed her access to the records of Mr. Baruzzi.

Ms. Moran moved and Mr. Marcellino seconded to add a second executive session to the agenda to discuss Personnel in accordance with Connecticut General Statutes §1-200(6)(a), Town Manager's contract.

Motion passed unanimously.

Deputy Mayor Shapiro attended the Energize Connecticut, Clean Energy Communities Award Ceremony at which Mansfield received a Gold level award. Mr. Shapiro noted that Recycling Agent Virginia Walton is well known and highly respected.

Mr. Shapiro also attended the dedication of the skate park. The park is in honor of the son of Larry and Catherine Ross.

VI. OLD BUSINESS

1. Storrs Center Update
   The Town Manager reported the requested information regarding the amount of tax revenue at full build out for Storrs Center will be available at the next meeting.

2. Community/Campus Relations
   Mr. Hart commended the efforts of the State Police, UConn Police, and those involved in Student Affairs for their efforts over the past weekends. Staff is preparing for Halloween including communicating with off campus residents.

3. Ordinance Regarding the Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut
   Mr. Shapiro moved and Ms. Moran seconded, to approve the proposed Ordinance Prohibiting the Storage, Disposal or Use of Fracking Waste or any Products or By-products Thereof in the Town of Mansfield, Connecticut, which ordinance shall be effective 21 days after publication in a newspaper having circulation within the town of Mansfield.
   Mr. Shapiro moved to amend the motion and to include the following technical changes:
   - In the title change "REGARDING" to "PROHIBITING"
   - In the title change "DERIVATIVE" to "PRODUCTS OR BY-PRODUCTS"
   - In Section 4 change the sentence to read, "Within ten (10) days of the final passage of this ordinance it shall be published in its entirety in a newspaper having general circulation within the town…"

   Seconded by Ms. Moran the motion to amend passed unanimously.
   Mr. Shapiro moved and Mr. Kegler seconded to further amend the motion to add the following: "This ordinance applies only to the extent allowable by state law."
   Mr. Kochenburger offered a friendly amendment changing the wording to, "This ordinance shall apply unless preempted by state law." Accepted by Mr. Shapiro and Mr. Kegler, the amendment passed.
   The motion as amended passed.

VII. NEW BUSINESS

4. Grant Application to CT DEEP for Eagleville Lake Aquatic Invasive Control
   Ms. Moran moved and Mr. Marcellino seconded to approve the following resolution: Resolved, effective October 21, 2015, that the Mansfield Town Council authorizes the Town Manager to partner with the Town of Coventry to submit a grant to the Connecticut Department of Energy and Environmental Protection seeking $28,000 to manage fanwort in Eagleville Lake and to commit to contributing the required $7,000 cash match from the Town of Mansfield's FY 2015/16 capital fund.
   The motion passed unanimously.

5. Compensation for Town Manager – FY 15/16
   Ms. Moran moved and Mr. Marcellino seconded, to increase the Town Manager's annual salary by 2% retroactive to July 1, 2015, for an annual salary of $146,157 as of July 1, 2015.
   The motion passed unanimously.

VIII. REPORTS OF COUNCIL COMMITTEES

Mr. Shapiro, Chair of the Ordinance Development and Review Subcommittee, reported the five members of the Subcommittee are considering a wide range of ordinances. Two items were unanimously approved to be added to the next Council agenda in order to set a public hearing date.

IX. DEPARTMENTAL AND COMMITTEE REPORT

No comments offered

X. PETITIONS, REQUESTS AND COMMUNICATIONS

6. M. Hart re: Political Activity at Town's Transfer Station. The Town Attorney has been asked for an opinion. Councilors discussed what current rules are in effect at the landfill. There are no rules in effect at this time. Mr. Hart will report back.
7. C. Naumec re: Allocation of state PILOT funds
8. M. Hart re: Proposed Acquisition of Lot 17 of Maplewoods Subdivision
9. C. van Zelm re: 12th Annual Celebrate Mansfield Festival
10. B. Silva re: District/Municipal Budget Information Sharing Meeting
11. Press Release: Jeffrey P. Ossen Family Foundation Community Playground Grand Opening and Ribbon Cutting
12. Southeast News: October–November 2015
13. K. Farrish re: Tolland 300th Anniversary Celebration
14. D. Malloy re: Open Space and Watershed Land Acquisition Program
15. S. Nolan re: Stage 1B Water Supply Advisory

XI. FUTURE AGENDAS

Mr. Shapiro requested that at a future meeting a discussion on how zoning and housing enforcement operates, be added to an agenda.

Ms. Moran moved and Mr. Marcellino seconded to move into executive session to discuss Strategy and Negotiations with Respect to Pending Claims or Litigation, in accordance with CGS§1-200(6) (B) and Personnel in accordance with Connecticut General Statutes §1-200(6) (a), Town Manager Performance Review. Mr. Hart and Attorney Deneen will be included in the first session.

Motion passed unanimously.

XII. EXECUTIVE SESSION

Present: Kegler, Kochenburger, Marcellino, Moran, Paterson, Raymond, Shapiro, Wassmundt

Also Attending: Town Manager Matt Hart and Town Attorney Kevin Deneen for the discussion of pending claims and litigation only.

Strategy and Negotiations with Respect to Pending Claims or Litigation, in accordance with CGS§1-200(6) (B)
Personnel in accordance with Connecticut General Statutes §1-200(6) (a), Town Manager Performance Review

XIII. ADJOURNMENT

The Council reconvened in regular session. Ms. Moran moved and Mr. Shapiro seconded to adjourn the meeting at 9:54 p.m.
Motion passed unanimously

Elizabeth C. Paterson, Mayor

Mary Stanton, Town Clerk

I have been a homeowner in Mansfield for 22 years. I am also a UCONN alum. ~~But I am~~ People like me are the exception. Most UCONN students won't settle in Mansfield, and ~~a large~~ an increasing number aren't even from Connecticut. Long after they are gone, we will still be dealing with a growing number of single family homes that are turning into rentals to accommodate the ever growing number of UCONN students. I was young once, and I remember that coexisting with my neighbors be it on or off campus was an acquired skill.

Dealing with the proliferation of single family homes that have been converted into rental properties has been a theme in this town as long as I can remember. As far back as 2008, Mr. Padick, the Director of P&Z at the time, attended a COMMITTEE ON COMMUNITY QUALITY OF LIFE meeting and noted 58 sites on his zoning enforcement watch list. He further noted that although single family rentals are limited to [at the time] 4 unrelated persons, "Many landlords have ignored this regulation, which is challenging to enforce." It appears that this committee has been disbanded, as there are no minutes after 2011. This committee should be reinstated as the need is greater now more than ever.

As outlined in the newly ratified POCD, theme 4 on page 1.4 "**Support Neighborhoods. The continued conversion of single-family homes into rental units is a significant concern for the long-term health of these neighborhoods.** The residents of Mansfield have spoken: on page 7.2: a resident is quoted as

Submitted by Jennifer Oliver

Gina Callout

saying that **"Landlord requirements should be better enforced to manage the rental stock and maintain the character of existing neighborhoods."**

I have noticed this proliferation ~~myself~~ personally. I have driven up 195 many time at about 630 AM and have noticed the same ~~8~~ 5 plus houses with 5 or more cars parked there on a consistent basis. Once you look for over-occupied rentals, you will notice them everywhere. The time to preserve our town's character is NOW, before the problem gets further out of control.

I am encouraged that the town has heard us, as several strategies have been identified in the new Plan of Conservation and Development to handle these concerns. For example, strategy B on page 7.26 says, "Enhance code enforcement systems for rental properties through researching and implementing enforcement practices successfully used by other college communities." * It is ~~certainly~~ actually easier to create regulations to maintain our neighborhoods (see handout), rather than deal with these issues after the fact as so many of our sister college towns have had to do.

* One immediate action that can be taken is to place a moratorium on new rental permits. To date, no rental housing permit application has even been denied – how can thoughtful development take place when there is no effective monitoring or constraint? (**) Investors know that renting in this town is a lucrative business, ~~&~~ there is no fear of ~~denial~~ permit or ~~effective~~ efficient

* If, as Mr Pudrick noted, it is hard to enforce occupancy, we ought to do more to limit them in the first place.

(**) How can invest people purchase affordable homes if they are all

enforcement of current zoning laws ~~they will keep on buying these homes and destroying our neighborhoods~~.

Mansfield needs to be ahead of the curve rather than reactionary in preserving the quality of life for its citizens. I would like to know the specific timeline/accountability metrics in place to monitor the progress towards the goals laid out in the POCD.

Patterson - can't prohibit sell to renters?
No ~~but~~ - limit density on road, not rubber stamp permits