TOWN OF MANSFIELD

TOWN COUNCIL MEETING
MONDAY, March 24, 2003

COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING
7:30 p.m.

AGENDA

PAGE

CALL TO ORDER

ROLL CALL

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PUBLIC HEARING

1. Proposed Amendments to Building Construction Ordinance (7:30 p.m.) 9

OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

OLD BUSINESS

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EXECUTIVE SESSION

REGULAR MEETING-MANSFIELD TOWN COUNCIL-MARCH 10, 2003

The regular meeting of the Mansfield Town Council was called to order by Deputy Mayor Gregory Haddad at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building following a reception welcoming Dave Dagon as Emergency Services Administrator.

I. ROLL CALL

Present: Bellm, Haddad, Hawkins, Holinko, Rosen, Schaefer, Martin (arrived at 7:38 p.m.)
Absent: Paterson

II. APPROVAL OF MINUTES

Mr. Schaefer moved and Mr. Hawkins seconded to approve the minutes of February 24, 2003 as presented.

So passed. Mr. Bellm, Mr. Rosen, and Mr. Thorkelson abstained.

NEW BUSINESS

Mr. Schaefer moved and Mr. Thorkelson seconded to move up item #9 on the agenda.

So passed unanimously.

9. Eagleville Fire Department-Public Recognition

The Eagleville Fire Department requested the Council time to allow the department to recognize two young children who assisted their mother during a recent medical emergency. On January 30, 2003 at 5:58 p.m. the Eagleville Fire Department received a call from 3-A Eagle Ct. for a person in respiratory distress. Upon arrival Rebecca and Zacharia directed the personnel to their mother who was on the floor suffering from a seizure. The children were honored for the actions taken that day.

III. PUBLIC HEARING

1. Proposed Amendments to Solid Waste Regulations

No comments from the public.

2. Proposed "Heating Procedure for Citations Ordinance"

No comments from the public.

Mr. Rosen moved and Mr. Schaefer seconded to place item 12a. Library correspondence on the agenda.

So passed unanimously.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Meredith Lindsey, 72 Beech Mountain Road, read a letter in response to Mr. Bruce Bellm's letter to her regarding the resolution against war in Iraq.

David Kloss, 72 Beech Mountain Road, urged the Town Council to be more supportive of the present leaders of our country and was not in favor of the resolution passed by the Council against war in Iraq. He expressed the opinion that the Council should not have adopted the resolution without a public hearing.

Mr. Michael Lassow, 70 Jacobs Hill Road, expressed his faith in our armed forces and felt that the Council did not speak for him by signing this resolution. A referendum on the resolution should have been held.

Michael Bryce, 80 Candide Lane, expressed his feeling that the Council did not speak for him with regards to the resolution. He believed that the Council should leave ideology at the door.

Michael Kelley, 77 Beech Mountain Road, felt that the Town Council had overstepped their bounds and should not politicize on national issues.

Joel Geffin, 28 Jacobs Hill Road, felt that the Council should have had more conversation with people in Mansfield before voting on the Resolution against war in Iraq. The passing of the resolution was inappropriate without more discussion.

Ryan Hawthorne, Warrenville Road, supports the troops overseas and does not believe the Council spoke for him in the Resolution against war in Iraq.

V. OLD BUSINESS

3. Appointment of Member to Regional School District #19 Board of Education.

Mr. Martin moved and Mr. Thorkelson seconded to appoint Mr. Fran Archambault of Charles Lane to the vacancy on the District 19 Board of Education.

Good evening, I'm Meredith Lindsey, of 72 Beech Mountain Road. I'd like to thank you, Mr. Bellm, for responding to my letter concerning the anti-war resolution. It was very thoughtful of you to explain your reasons for making and supporting the motion. Your letter contained a few points I would like to address.

In your letter you state: "regarding the current situation with Iraq, it amazes me that the present leaders of our country seem determined to ignore world opinion." Do I understand this to mean that you want our elected leaders to base American national security and foreign policy on the opinions of other countries? It would seem to me that countries, such as France, Germany and Russia, have their own agendas when it comes to the Iraq situation, which may not be in the United State's best interest.

I, too, as most Americans do share your concern for the Iraqi people, but I disagree with your assessment of Iraq as "an essentially helpless country." Iraq is not a helpless country; if this were true there would be no need for UN sanctions or weapons inspections.

You also state: " a war against Iraq will incite terrorism here, not protect us from it." Unfortunately, Mr. Bellm, terrorism is already here.

Finally, from the tone of your letter, I'm sorry that you have so little respect for our elected leaders. I, however, place more confidence in their position; one that is based on first hand intelligence reports and expert information - information that this Town Council doesn't have.

Unfortunately, I think you may have missed the point of my letter. I was well aware of your personal emotions based on your support of the resolution. You, and the rest of the Council, however, were unaware of my opinion, or more importantly, the majority of Mansfield's when you passed this resolution. A pubic hearing was definitely in order before passing this resolution, as suggested by a resident attending the February 10th meeting. Obviously the Town Council deemed their personal opinions more important than the opinions of Mansfield's residents. The Town Council owes the citizens of Mansfield a public apology for using this town as a forum for their own personal political beliefs.

Just for the record – I don't appreciate partisan politics being played out during these troubling times. And I for one am PROUD TO BE AN AMERICAN!

Thank you for the chance to express my viewpoint.

So passed unanimously.

4. Issues regarding the UConn Landfill including the UConn Consent Order, Public Participation Relative to the Consent Order and Well Testing.

   Town Manager said that the project would most probably go to the end of 2003. No other comments on this issue.

5. Paperwork Reduction

   Council suggested that the staff reduce paper in Council packet, by only referencing previously mentioned issues and make reference to the dates when the issue was discussed.

   No action taken.

6. Proposed Amendments to Solid Waste Regulations

   Mr. Schaefer moved and Mr. Martin seconded to adjourn as the Town Council and convene as the Mansfield Resource Recovery Authority.

   So passed unanimously.

   Mr. Schaefer moved and Mr. Martin seconded to adopt the Mansfield Solid Waste Regulations as presented by town staff in its draft dated February 24,2003, and which amendments will become effective 21 days after publication in a newspaper having circulation in the Town of Mansfield.

   So passed unanimously.

   Mr. Martin moved and Mr. Thorkelson seconded to adjourn as the MRRA and reconvene as the Town Council.

   So passed unanimously.

7. Proposed "Hearing Procedure for Citations Ordinance"

   Mr. Schaefer moved and Mr. Rosen seconded to adopt the proposed "Hearing Procedure for Citations Ordinance: as presented by town staff in its draft dated March 10,2003, and which will become effective 21 days after its publication in a newspaper having circulation in the Town of Mansfield.

   So passed unanimously.

8. University Spring Weekend

Meetings continue between the State Police and the UConn Police. The Substance Abuse Task Force, with Town Manager as a member, continues to meet and will give the President of the University a report shortly.

VI. NEW BUSINESS

9. Eagleville Fire Department-already presented earlier on agenda.

10. Proposed Amendments to Building Construction Ordinance-Chapter 107, Mansfield Code of Ordinances

Mr. Martin moved and Mr. Thorkelson seconded to schedule a public hearing for 7:30 p.m. at the Town Council's regular meeting on March 24, 2003 to solicit public comment regarding the proposed amendments to Chapter 107 of the Mansfield Code of Ordinances.

So passed unanimously.

11. Grant Application to Comprehensive Approach to Combating Underage Drinking Program

Mr. Rosen moved and Mr. Schaefer seconded to authorize the Town Manager to submit an application of $25,000 to the Office of Policy and Management's "Comprehensive Approach to Combating Underage Drinking Program: for fiscal year 2003/04.

So passed unanimously.

12. CCM Amicus Curiae-Board of Education of Naugatuck v. Town and Borough of Naugatuck

No motion made.

12a. Library Board communication

Mr. Hawkins moved and Mr. Schaefer seconded to table this communication.

Motion so passed. Mr. Bellm and Mr. Schaefer voted against.

Communication is tabled.

VII. QUARTERLY REPORTS

VIII. DEPARTMENTAL REPORTS

IX. REPORTS OF COUNCIL COMMITTEES

X. REPORTS OF COUNCIL MEMBERS

Mr. Alan Hawkins mentioned the elderly project in Coventry, where the elderly are called to make sure that they have food, fuel etc. especially during the winter months.

XI. TOWN MANAGER'S REPORT

The Town Manager suggested a tour of the Capital Projects and suggested March 29th as a possible date.

XII. FUTURE AGENDAS

Possible ordinance regarding underage drinking in private homes.

Minority representation on the Regional Board.

Same sex marriage and state statutes regarding the issue.

State abatements on taxes for veterans.

I. PETITIONS, REQUESTS AND COMMUNICATIONS

13. E.Paterson re: Response to State Senator Prague
14. Reception for New Emergency Services Administrator-March 10, 2003
15. Plan of Conservation and Development Update-March 4, 2003
16. Senator J. Lieberman re: Possibility of Military Action to Disarm Iraq
17. D. Kloss re: Resolution concerning War in Iraq
18. M. Lindsey re: Resolution Concerning War in Iraq
19. K.S. and S.Q. Clark re: Resolution Concerning Civil Liberties in Mansfield
20. Planning and Zoning Application Referral-13 lot Subdivision East of Fern Road, West of Chatham Hill Road

II. EXECUTIVE SESSION

21.At 8:48 p.m. Mr. Martin moved and Mr. Thorkelson seconded to go into Executive Session with the Town Manager and Assistant Town Manager for a Personnel matter.

So passed unanimously.

At 9:30 p.m. Mr. Martin moved and Mr. Thorkelson seconded to come out of Executive session and return to the Town Council meeting.

So passed unanimously

XV. ADJOURNMENT

At 9:31 Mr. Martin moved and Mr. Thorkelson seconded to adjourn the meeting.

So passed unanimously.

Elizabeth Paterson, Mayor

Joan E. Gerdsen, Town Clerk

Item #1

LEGAL NOTICE

REC'D MAR 13 2003

TOWN OF MANSFIELD

PUBLIC HEARING

PROPOSED AMENDMENTS TO BUILDING CONSTRUCTION ORDINANCE

The Mansfield Town Council will hold a public hearing at 7:30 p.m. on March 24, 2003 in the Council Chamber of the Audrey P. Beck Municipal Building, to solicit public comment regarding the proposed amendments to Chapter 107 of the Mansfield Code of Ordinances. This references building construction. At this time persons may be heard on the proposed changes and written communication received. Copies of the proposed amendments are available in the Town Clerk's office, 4 South Eagleville Road, Mansfield.

Dated at Mansfield Connecticut this 12th day of March, 2003

Joan E. Gerdsen
Mansfield Town Clerk

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Item #2

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

March 24, 2003

Town Council
Town of Mansfield

Re: Comprehensive Annual Report (CAFR) for Year Ending June 30, 2002

Dear Town Council:

The Finance Committee will review the Comprehensive Annual Financial Report (CAFR) at its March 24, 2003. If the committee recommends that the Council accept the report, the following motion is in order:

Move, to accept the Comprehensive Annual Financial Report for year ending June 30, 2002.

Respectfully submitted,

Martin H. Berliner
Town Manager

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Item #3

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING
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March 24, 2003

Town Council
Town of Mansfield

Re: Proposed Amendments to Building Construction Ordinance – Chapter 107, Mansfield Code of Ordinances

Dear Town Council:

In order to address several issues, staff has prepared the attached proposed amendments to the building construction ordinance. A summary of the proposed amendments is as follows:

- § 107-2(G) – to allow the town to charge a fee to recover some of the costs for the inspection of solid fuel-burning appliances such as wood stoves and fireplaces
- § 107-2(H) - to clarify that applicants must purchase the permit in advance, and to ensure that the town collects its plan review fee
- § 107-2(I) – to allow for the collection of a nonrefundable plan review/administrative fee to recover some or all of the costs associated with the plan review process
- § 107-3(A) – to increase the amount of the nonrefundable plan review/administrative fee to recover some or all of the costs associated with the plan review process
- §107-3(B) – to establish a refund process where a building permit is denied

The proposed new language is in [brackets] and the recommended deletions are ~~crossed out~~. We have also attached a copy of the current ordinance.

The Council has scheduled a public hearing for its March 24th meeting to solicit public comment regarding the proposed changes. If following the public hearing the Council supports the proposed amendments, staff requests that the Council approve the changes as presented by staff.

If the Council concurs with this recommendation, the following motion is in order:

Move, to adopt the amendments to the Building Construction Ordinance – Chapter 107 of the Mansfield Code of Ordinances as proposed by staff in its draft dated March 10, 2003, and which amendments will become effective 21 days after publication in a newspaper having circulation in the Town of Mansfield.

Respectfully submitted,

Martin H. Berliner

Martin H. Berliner
Town Manager

Attach:(3)

Town of Mansfield
Proposed Amendments to Building Construction Ordinance – Chapter 107, Mansfield Code of Ordinances

March 10, 2003 Draft

Amendments to Section 107-2 – Schedule of fees

G. The fee for the inspection of any solid fuel-burning appliance is $25 per unit, and must be submitted prior to the inspection. Applicants requesting an inspection should apply to the Building Department.

H. Except as provided under subsection (I) of this section, all permit fees are due when an application is submitted to the Building department.

I. A nonrefundable plan review/administrative fee of $250 per dwelling unit must be submitted with the application for all new residential dwellings. The $250 plan review/administrative fee will be subtracted from the total fee as calculated pursuant to the fee schedule set out in this section. The balance of the permit fee will be due upon the approval of the building permit.

Amendments to Section 107-3(A) - Refunds

A. When a permit has been issued in accordance with the State Building Code and the owner/applicant abandons or discontinues the building project, or, if the permit is revoked by the Building Official, the owner/applicant can make a written request for a refund. That portion of the work actually completed shall be computed and any excess fee shall be returned, less a non-refundable plan review/administrative fee equivalent to ~~Also, an administrative fee will be charged as follows~~: a minimum of $40 or ~~10 percent~~ [15 percent] of the cost of the permit, whichever is greater.

B. [When a permit application submitted under this section has been denied in accordance with the State Building Code, the owner/applicant can make a written request for a refund. Any excess fee shall be returned, less a non-refundable plan review/administrative fee equivalent to a minimum of $40 or 15 percent of the cost of the permit, whichever is greater.]

C. The Building Official will calculate the refund due to the owner/applicant and forward it to the Finance Department for process.

CODE OF THE TOWN OF MANSFIELD, CONNECTICUT, v5 Updated 11-20-2002
PART II GENERAL LEGISLATION
Chapter 107, BUILDING CONSTRUCTION

Sewers and water -- See Ch. 159.
Storage tanks -- See Ch. 163.
Streets and sidewalks -- See Ch. 166.
Housing Authority -- See Ch. A193.
Road permit engineering standards and specifications -- See Ch. A195.

§ 107-1. Legislative authority.

Pursuant to Chapters 541 and 99 of the Connecticut General Statutes, as amended, the following penalties and schedule of fees are hereby established in accordance with the provisions of the State Building Code as amended.

§ 107-2. Schedule of fees.

A. The fee for signs, bill boards and other display structures for which permits are required under the provisions of the State Building Code, as amended, shall be at the rate of $14 for each $1,000 or fraction thereof of building value. A copy of the work contract shall be submitted for the purpose of determining permit fees. [Amended 6-22-1998, effective 7-15-1998]

B. The fee for a building permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be at the rate of $12 for each $1,000 or fraction thereof of the estimated costs of moving, plus the cost of new foundations and all work necessary to place the building or structure in its completed condition and in a new location. A copy of the work contract shall be submitted for the purpose of determining permit fees. [Amended 4-8-2002, effective 6-4-2002]

C. The fee for a permit for the demolition of a building or structure shall be at the rate of $12 for each $1,000 or fraction thereof of the cost of such demolition. A copy of the work contract shall be submitted for the purpose of determining permit fees. [Amended 4-8-2002, effective 6-4-2002]

D. The fee for residential and accessory building permits issued in accordance with the State Building Code shall be at the rate of $12 for each $1,000 or fraction thereof of estimated building costs. Estimated building costs referred to herein shall be those costs set forth in the most recent edition of the Marshall and Swift Residential Cost Handbook. [Amended 4-8-2002, effective 6-4-2002]

E. The fee for commercial, industrial and similar building permits issued in accordance with the State Building Code shall be at the rate of $14 for each $1,000 or fraction thereof of estimated building cost. Estimated building costs referred to herein shall be those costs set forth in the most recent edition of the Marshall Valuation Service Manual.

F. All fees and costs related to the performance of special professional and technical services for "threshold limit" structures as defined in Public Act 89-255 shall be paid by the owner. EN

§ 107-3. Refunds.

CODE OF THE TOWN OF MANSFIELD, CONNECTICUT, v5 Updated 11-20-2002
PART II GENERAL LEGISLATION
Chapter 107, BUILDING CONSTRUCTION
§ 107-3. Refunds.

A. When a permit has been issued in accordance with the State Building Code and the owner/applicant abandons or discontinues the building project, or if the permit is revoked by the Building Official, the owner/applicant can make a written request for a refund. That portion of the work actually completed shall be computed and any excess fee shall be returned; also an administrative fee will be charged as follows: a minimum of $40 or 10% of the cost of the permit, whichever is greater.

B. The Building Official will calculate the refund due to the owner/applicant and forward it to the Finance Department for process.

§ 107-4. Penalties for offenses.

A. Any person who violates any provision of the State Building Code shall be fined not less than $200 nor more than $1,000 or imprisoned not more than six months, or both, as provided in Public Act 88-359. EN

B. Any person who shall continue any work in or about the structure after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than $200 nor more than $1,000 or imprisoned not more than six months, or both, as provided in Public Act 88-359.EN

C. Starting work prior to obtaining a building permit. [Added 6-22-1998, effective 7-15-1998]

(1) A penalty of $50 will be added to a permit fee for starting work without a permit.

(2) A penalty will not be assessed to emergency repair work.

D. Repeat inspections. The fee for a repeat inspection over one return visit for the same code violation correction shall be $10. [Added 6-22-1998, effective 7-15-1998]

§ 107-5. Agencies exempt from fees; exception. [Amended 4-8-2002, effective 6-4-2002]

Agencies of the Town of Mansfield and the Mansfield Board of Education are required to comply with the provisions of the State Building Code, as amended; but shall not be required to pay any permit fees required under said State Building Code, any amendment thereto or under any Town ordinance relating thereto; except that the Building Official shall assess an education fee on each building permit application, including any application filed by an agency of the Town of Mansfield or the Mansfield Board of Education, as required by Connecticut General Statutes § 29-263(b), as amended, and the regulations promulgated thereunder.

Chapter 111, BUILDINGS, NUMBERING OF

[HISTORY: Adopted by the Town Council of the Town of Mansfield 12-11-1973, effective 1-4-1973;

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Item #4

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

March 24, 2003

Town Council
Town of Mansfield

Re: Mansfield Public Library Advisory Board Statement Concerning the Importance of Constitutional Privacy Protections

Dear Town Council:

In keeping with the town's policy, the Mansfield Public Library Advisory Board requests that the Town Council review the advisory board's statement concerning the importance of maintaining certain Constitutional privacy protections with respect to public libraries. The advisory board requests that the Council authorize the board to submit the statement to our federal legislators.

If the Council supports this request, the following motion is in order:

Move, to authorize the Mansfield Public Library Advisory Board to submit to Mansfield's federal legislators the board's statement concerning the importance of maintaining certain Constitutional privacy protections with respect to public libraries.

Respectfully submitted,

Martin H. Berliner
Town Manager

Attach: (3)

DEAR TOWN COUNCIL,

IT IS MY UNDERSTANDING THAT OUR TOWN GOVERNANCE PROTOCOL INCLUDES THE PRESENTATION OF WRITTEN COMMUNIQUES, SUCH AS THIS ONE BY THE LIBRARY BOARD, PRIOR TO THEIR BEING SENT OUT. THANK YOU FOR TAKING THE TIME TO PERUSE OURS AT TONIGHT'S MEETING.

- Sheila : SHEILA QUINN CLARK, CHAIR
ON BEHALF OF THE
LIBRARY BOARD

Mansfield Public Library Advisory Board
54 Warrenville Road
Mansfield, CT 06250

Senator Christopher Dodd
Russell Senate Office Building, Room 444
Washington, D.C. 20510

COPIES ARE ALSO PREPARED FOR SENATOR LIEBERMAN AND REPRESENTATIVE SIMMONS

Dear Senator Dodd:

The Mansfield (CT) Public Library Advisory Board seeks your assistance as one of our State lawmakers at the federal level.

Matters of extreme concern have arisen regarding library patrons and staff – concerns which are detailed in the attached letter from our entire board.

Your assistance in correcting these problems will be noticed and appreciated.

Sincerely,

Sheila Quinn Clark

Sheila Quinn Clark, Chair

Mansfield Public Library Advisory Board
Mansfield Public Library
54 Warrenville Road
Mansfield, CT 06250

February 27, 2003

We the people of the Mansfield (CT) Public Library Advisory Board observe that, within the Bill of Rights of the Constitution of the United States:

- Amendment 4 insures that "... the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue but upon probable cause... particularly describing the place to be searched and the persons or things to be seized."

This amendment therefore prohibits speculative searches through the homes and possessions of the people of the United States.

It is our contention that library materials which any patron borrows for personal use are, for the time of possession, included in that person's "effects" and therefore are protected from government surveillance without a specific warrant of which the patron is aware. Moreover, any review of a patron's records is also unlawful search and seizure when not accompanied by a process, order, or subpoena in proper form or demonstrated probable cause.

- Amendment 1 insures that "Congress shall make no law ... abridging the freedom of speech."

We contend that forbidding library employees from notifying patrons and/or the press when any library circulation records and registration information stored in any medium are under scrutiny is an unconstitutional restraint of freedom as guaranteed by Amendment 1.

In addition, we unanimously endorse the resolutions on the USA Patriot Act by the American Library Association and the Connecticut Library Association.

We urge you as a duly elected government official to help to defeat – and to rescind in instances already in practice – any laws and regulations that contradict the Constitutional rights and protections of all library patrons and staff.

As Benjamin Franklin so wisely pointed out, "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety." (Attribution: *Historical Review of Pennsylvania).*

Sheila Quinn Clark, Chair _____ Barbara Katz _____

Eva Bar-Shalom _____ Rita Pollack _____

Marietta Johnson _____ Edmond Chibeau _____

Compton Rees _____ Hui Wang _____

Item #6

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING
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March 24, 2003

Town Council
Town of Mansfield

Re: Town of Mansfield Proposed Fiscal Year 2003/04 Budget

Dear Town Council:

At Monday night's meeting, staff will distribute the proposed budget for fiscal year 2003/04. For your convenience, I have also attached the revised budget review calendar.

Respectfully submitted,

Martin H. Berliner
Town Manager

Attach:(1)

TOWN OF MANSFIELD
PROPOSED BUDGET REVIEW CALENDAR
BY TOWN COUNCIL
FEBRUARY 24, 2003

DATE	SUBJECT	LOCATION
Mar. 24 (Mon.) 7:30 p.m.	Budget Presented to Town Council	Council Chambers
Mar. 31 (Mon.) 6:00 p.m.	Issues and Options General Government Mansfield Board of Education Public Safety Public Works Solid Waste	Council Chambers
Apr. 7 (Mon.) 6:00 p.m.	Internal Service Funds Daycare Capital Projects Town Aid CNR Operating Transfers Out Revenues Debt Service Town-Wide	Conference Room C
Apr. 14 (Mon.) 6:00 p.m.	Public Hearing Community Development Community Services Health and Social Services Area Agency Contributions Library Recreation	Council Chambers
Apr. 28 (Mon.) 7:30 p.m.	Adoption of Budget and Recommended Appropriations	Council Chambers
Apr. 30 (Wed.) 6:00 p.m.	Adoption of Budget and Recommended Appropriations (if necessary)	Conference Room C
May 13 (Tues.) (8:00 p.m.)	Town Meeting	Mansfield Middle School

Item #7

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

March 24, 2003

Town Council
Town of Mansfield

Re: Agreement among Chief Elected Officials for the Eastern Connecticut Workforce Investment Area

Dear Town Council:

Attached please find a proposed "Agreement among Chief Elected Officials for the Eastern Connecticut Workforce Investment Area." The agreement is designed to establish the Eastern Connecticut Workforce Council of Elected Officials, which shall work to obtain grant funds and develop programs targeted for workforce development in our region. If Mansfield becomes a member of the Workforce Council, the town will not need to contribute any direct financial assistance to that organization. The Workforce Council will serve as the successor organization for Workforce One, of which Mansfield was a member for some time.

The Workforce Council requests that the Town Council authorize the Mayor to execute the agreement on behalf of the town. If the Council supports this request, the following motion is in order:

Move, effective March 24, 2003 to authorize the Mayor to execute the proposed "Agreement among Chief Elected Officials for the Eastern Connecticut Workforce Investment Area."

Sincerely,

Martin H. Berliner

Martin H. Berliner
Town Manager

Attach: (1)

AGREEMENT

AMONG

CHIEF ELECTED OFFICIALS

FOR THE

EASTERN CONNECTICUT

WORKFORCE INVESTMENT AREA

RE: WORKFORCE INVESTMENT

THIS AGREEMENT ("Agreement"), entered into by and among the Town of Ashford, Town of Bozrah, Town of Brooklyn, Town of Canterbury, Town of Chaplin, Town of Colchester, Town of Columbia, Town of Coventry, Town of Eastford, Town of East Lyme, Town of Franklin, Town of Griswold, Town of Groton, City of Groton, Town of Hampton, Town of Killingly, Town of Lebanon, Town of Ledyard, Town of Lisbon, Town of Lyme, Town of Mansfield, Town of Montville, City of New London, Town of North Stonington, City of Norwich, Town of Old Lyme, Town of Plainfield, Town of Pomfret, Town of Preston, Town of Putnam, Town of Salem, Town of Scotland, Town of Sprague, Town of Sterling, Town of Stonington, the Borough of Stonington, Town of Thompson, Town of Union, Town of Voluntown, Town of Waterford, Town of Willington, Town of Windham and the Town of Woodstock. (collectively, the "Parties" and, each individually, a "Party").

WHEREAS, the Parties desire to enter into an agreement in order for each Party acting by and through its chief elected official or other designated elected official (each, a "Chief Elected Official") to implement workforce development activities under the Workforce Investment Act of 1998, as it may be amended or replaced, and under such other workforce grants or appropriations, whether formula or discretionary, awarded by the United States or the State of Connecticut; and

WHEREAS, the Parties desire to enter into such workforce agreement in order for each Party to authorize its Chief Elected Official to appoint local workforce board members in accordance with the Workforce Investment Act or such other legislation as may require the appointment of a local workforce board in order to implement a workforce system and to strategically plan for the delivery of workforce services in the workforce region encompassing the geographic area comprised by the Parties (referred to herein as the "Local Workforce Investment Area"), and to assign responsibilities among the Chief Elected Officials of each of the Parties;

WHEREAS, the Parties intend to create the Eastern Connecticut Workforce Investment Council to be appointed by the Southeastern Connecticut Council of Governments, the Northeastern Connecticut Council of Governments and the Windham Region Council of Governments in accordance with Article IV of this Agreement;

NOW, THEREFORE, in consideration of the premises and mutual covenants and obligations herein contained and subject to the terms and conditions hereinafter stated, the Parties agree and understand as follows:

ARTICLE I: AGREEMENT PURPOSE

a. It is the purpose of this Agreement to affirm, state, and establish the duties, powers, and obligations of the Chief Elected Officials of the local governmental jurisdictions comprising the Eastern Connecticut workforce investment area, and the Eastern Connecticut Workforce Council of Chief Elected Officials created under Article IV of this Agreement (the "Council"). The terms and conditions that follow reflect the joint understanding among the Parties and shall be construed as the essential elements of the mutual considerations upon which this Agreement is based.

b. The Parties intend to incorporate into this Agreement the duties and obligations governing the Parties, the Council, their grant and grant sub-recipients, the fiscal agent and the local workforce board they shall appoint (the "Eastern CT Workforce Board" or "Board"), and services providers they select to implement and operate State and federal workforce investment programs.

c. The Council shall be responsible for oversight and policy determination for the development of a workforce system in the Eastern CT Workforce Investment Area constituted by the Parties under Article II of this Agreement.

d. Entry into this Agreement shall not be construed to affect any of the State's or Governor's rights to designate or establish workforce areas or otherwise implement and oversee statewide workforce activities.

ARTICLE II: PARTIES TO THE AGREEMENT

a. The Parties shall constitute a Local Workforce Investment Area in accordance with applicable State and federal laws, which Local Workforce Investment Area shall be known as (the "Eastern Connecticut Workforce Investment Area").

b. Each Party represents and warrants that it is authorized to enter into the Agreement, including any subsequent amendments hereto pursuant to subsections III.b.ii. or iii. hereof, and that this Agreement constitutes, and such subsequent amendments shall constitute, the legal, valid and binding obligation of such Party enforceable in accordance with its terms. Subsequent amendments that do not increase the liabilities of a Party shall be delegated to the Council.

c. Each Party further represents and warrants that its Chief Elected Official is authorized to execute and deliver this Agreement and any subsequent amendments hereto pursuant to subsections III.b.ii. or iii. hereof. Subsequent amendments as noted in subsection II.b above that do not increase the liability of the Parties will be delegated to the Council.

ARTICLE III: TERM

a. This Agreement shall become effective on July 1, 2003, and shall be automatically renewed on July 1 of each subsequent year, unless or until:

   i This Agreement has been terminated by a Party upon the giving of written notice to the other Parties at least ninety (90) days prior to the end of the program year for receipt of federal workforce funds. In such instance this Agreement shall be terminated only as to such Party and not as to the other Parties to the Agreement.

b. If any Party withdraws from this Agreement in accordance with the terms and conditions of this Agreement,

   i. The withdrawing Party shall be liable for obligations entered into or incurred prior to the effective date of its respective withdrawal. The remaining Parties shall be allocated the future liabilities of the withdrawing Party in accordance with the formula used to apportion liability as described herein (See Section a of Article VI.).

   ii. At the option of the other Parties,

      A. This Agreement shall continue as to all of the other Parties and, to the extent that an amendment is necessary or appropriate, the Parties may enter into such amendment, or

      B. A new agreement may be negotiated. The Workforce Council shall determine this.

   iii. In the event of the withdrawal of a Party, the Governor may take such action as is appropriate to address workforce area designation and amendment to this Agreement if necessary shall be effectuated by the Parties to conform to the action taken by the Governor.

ARTICLE IV: ORGANIZATION

a. To carry out the purposes of this Agreement the Eastern Connecticut Workforce Council of Chief Elected Officials is hereby created (the "Council"). The council shall consist of three (3) Chief Elected Officials appointed by the Southeastern Connecticut Council of Governments, one (1) Chief Elected Official appointed by the Northeastern Connecticut Council of Governments, and one (1) Chief Elected Official appointed by the Windham Region Council of Governments.

b. The members of the Council shall elect a chairperson, vice-chairperson, and secretary/treasurer, from among and by the membership of the Council. The term shall be for one year.

c. Meetings.

   i The chairperson shall preside at all Council meetings and shall perform all duties incident to that office. In the absence of the chairperson or his/her alternate, the vice-chairperson shall preside and perform chairperson duties. The Council shall meet quarterly unless there is agreement from the members of the Council to vary from this

schedule. Meetings may be coordinated with the meetings of the Eastern Connecticut Workforce Board.

ii Meetings shall be noticed and declared public meetings, open to the public, in accordance with Connecticut General Statutes "Freedom of Information" laws and federal law.

iii A quorum at any Council meeting shall consist of three (3) members. The Council will allow for the use of a designated alternate for each Council member and shall grant the alternate full power and voting rights in the absence of the regular member of the Council. Alternates shall be selected and designated by the respective Councils of Governments ("COGs") who appoint Council members under Section a. of this Article IV. Alternates may be either other Chief Elected Officials from member municipalities of the applicable COG or City/Town Managers. A letter naming the designated alternate(s) from each COG must be on file with the Council in order to authorize service by an alternate. The Executive Director of each of the three Councils of Governments will serve as an advisory non-voting member of the Council.

iv Action by the Council must receive an affirmative vote of at least three (3) members of the Council, except in voting on the following items where a super majority (4 yes votes) is required for approval: 1) Eastern Connecticut Workforce Board's annual budget, and 2) Eastern Connecticut Workforce Board's Regional Plan.

d. The Council shall support its programs and any costs incidental to the operation of its programs by grant funds appropriated to it by the federal and State grants or appropriations. In addition, the Council or its designee is authorized to accept any other grants in aid or assistance or appropriations from any of its members, or any other organization or person, including the acceptance of gifts, grants, or bequests whether they be in the form of tangible or intangible property.

e. The Council shall serve as grant recipient and the Eastern Connecticut Workforce Board, Inc. shall be the grant sub-recipient and fiscal agent for purposes of receipt of federal and State workforce investment and related funds.

f. The Council shall be provided with staff and related support by the same staff as that hired to provide staff support to the Eastern Connecticut Workforce Board. The staff shall carry out the policies of the Council, produce required reports for their review and approval and provide such other services as may be necessary for the Council to carry out its business.

g. The Council shall appoint a majority private sector Board, which meets the requirements of federal and State law with respect to the receipt of federal and State funding streams over which the Council shall exercise policy and oversight for the implementation of a workforce system. This majority private sector Board shall exercise those responsibilities with respect to workforce and related funding streams as shall be determined in any authorizing legislation or as shall be set forth herein.

i Eastern Connecticut Workforce Board members serve at the pleasure of the Chief Elected Officials acting through the Council of Governments that appointed them.

ii Private sector members shall be in the majority of the members appointed.

iii The (*private sector*) member appointments to the Eastern Connecticut Workforce Board shall be determined by the Council from nominations brought forth from local business organizations and business trade associations.

iv If possible half of the business members appointed shall represent small business including minority business.

v Non-business members shall be selected in accordance with applicable law and the organizations, agencies, groups and institutions representing those sectors required by governing legislation to be appointed to the non-business seats on the Board.

vi The Council, together with the Eastern Connecticut Workforce Board shall be authorized to take such actions as are necessary to develop a workforce system for the Local Workforce Investment Area as described herein.

vii The Workforce Investment Act funding streams and the Welfare to Work funding stream shall be represented on the Eastern Connecticut Workforce Board by a member of the Council elected by vote of the Council. This shall be in addition to their service as a member of the Council. The Council from its membership may elect by vote an alternate to the Eastern Connecticut Workforce Board.

ARTICLE V: POWERS DELEGATED TO THE COUNCIL

a. The Council shall make policy decisions and shall act for the Parties in connection with all matters related to the subject matter of this Agreement, including, without limitation,

i. The entry into contracts.

ii. The power to contract with any one of the Parties.

iii. The manner in which accountability for fund expenditures shall be provided for including an independent audit to be done in accordance with the Connecticut General Statutes, and applicable federal legislation, as well as oversight and monitoring.

iv. The acceptance of grants, gifts, or other types of financial assistance as allowed by law.

v. The manner in which any program income, fee for services or surplus funds may be expended.

vi. The composition, membership appointments, and organizational approval of any advisory or partnership bodies to the Council.

vii. The development of polices and procedures and/or administrative rules to effectively carry out the Council's policies and decisions so long as they do not conflict with federal and State rules and regulations, or impinge upon powers granted to the Board through any authorizing legislation governing any of the funding streams received.

viii. Together with the Board appointed by the Council, the Council shall:

A. Approve the budget of the Board in accordance with Article IV.C.iv.

B. Approve the Eastern Connecticut Workforce Board's Regional Plan in accordance with Article IV.C.iv.

C. Designate/certify or competitively select local one-stop operators.

D. Provide oversight with respect to local youth activities, employment and training activities, and the one-stop delivery system.

E. Appoint the local youth council.

F. Negotiate local performance measures and levels with the State.

ix. Any other necessary and proper matters as they may arise and as is agreed upon by the Council members or Parties.

ARTICLE VI: GENERAL PROVISIONS

a. The Parties shall assume liability in proportion to their share of the total population within the Eastern Connecticut Workforce Investment Area, as determined by the most recent federal census of population for contractual and other obligations of the Council, including without limitation, liability for any mis-expenditure or loss related to the funds received from the State and federal government to implement programs under this Agreement to the extent allowed and/or required by law.

b. The Eastern CT Workforce Board shall purchase such insurance as is necessary to indemnify the Parties, the Council and/or any of its members and any separate legal entity, grant recipient or grant sub-recipient from any liability which may attach due to the operation of Workforce Investment Act, Welfare to Work or other federal or State workforce investment programs.

c. The Parties shall save harmless and indemnify each individual Party, the Council, the grant recipient, the grant sub-recipient, the Board and their respective members from and against financial loss and expense arising out of any claim, demand, suit or judgment by reason of alleged negligence, intentional act or alleged deprivation of any person's civil rights or other alleged act or omission resulting in alleged damage or injury, if the indemnified person or entity is found to have been acting in the discharge of duties or within the scope of employment and such act or omission is found not to have been wanton, reckless or malicious.

   The Parties shall provide for the defense of any such indemnified person or entity in any civil action or proceeding in any state or federal court arising out of any alleged act, omission or deprivation that occurred or was alleged to have occurred while the indemnified person or entity was acting in the discharge of duties or in the scope of employment.

d. The Council shall be responsible for deciding on a course of action or defense in the event of mis-expenditure or other loss related to funds received for purposes of implementing this Agreement.

e. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this Agreement. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.

f. It is agreed that no modification, amendment, or alteration that increases the liabilities of the Parties herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

g. Whenever any Party or Council member desires to give notice unto another Party or Council member, notice must be given in writing sent by registered United States Mail with Return Receipt Requested, or by nationally recognized overnight courier, addressed to the Party or Council member for whom it is intended, at the address last specified in compliance with the provision of this Section. The Parties designate the office address of their respective Chief Elected Officials listed with their respective signatures on this Agreement as place for giving notice to a Party or a Council member under this Agreement. Each Party or Council member may change the address for notice pursuant to a subsequent notice by the method and manner described in this Section.

h. The Council shall make such reports to the State and the federal government as may be required and shall require such reports as necessary from the Board, the grant recipient or grant sub-recipient.

i. Council members may be reimbursed for travel and out of pocket expenses to the extent allowed by the authorizing legislation governing the funding stream from which reimbursement is sought. Reimbursement shall be in accordance with federal, State and local policies.

j. To the extent a dispute shall arise among the Parties in connection with this Agreement, the Parties shall first attempt an informal resolution, followed by formal mediation.

k. The chairperson of the Council shall act as signatory for the Parties and for Council on all agreements, leases or grants, or on any other document requiring a signature in order to be legally binding. In the absence of the chairperson, the vice-chairperson may sign for the Parties or the Council, as applicable.

l. Captions to Articles of this Agreement are for convenience only and shall form no part of this Agreement.

m. This Agreement shall be deemed to be a binding contract and shall be construed in accordance with, and governed by the laws of the State of Connecticut, without regard to its principles governing conflicts of laws.

n. In the event that any provision of this Agreement or the application of any such provision to any Party or circumstances be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and shall remain in full force and effect.

o. Any waiver at any time by any Party of its rights with respect to any default or other matter arising in connection with this Agreement shall not be considered a waiver with respect to any subsequent default or other matter.

ARTICLE VII, AMENDMENT OF AGREEMENT

The terms of this agreement may, from time to time, be amended by joint action of the parties to the agreement. The text of proposed amendments shall be provided to members of the Council and to all parties to the Agreement at least thirty (30) calendar days before parties to the agreement are asked to act on the proposed amendments.

NORTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the dates so indicated and as chief elected official are duly authorized to sign this Chief Elected Officials Agreement.

Maurice F. Bowen, First Selectman
P.O. Box 356
Brooklyn, CT 06234`

David I. Patenaude, First Selectman
5 Haven Road
Pomfret Center, CT 06259

Neil Dupont, Sr.,First Selectman
P.O. Box 26
Canterbury, CT 06331

Daniel S. Rovero, Mayor
126 Church Street
Putnam, CT 06260

Richard L. Woodward First Selectman
P.O. Box 207
Eastford, CT 06242

Dale P. Clark, First Selectman
P.O. Box 157
Oneco, CT 06373

Christian Sarantopoulos, Chairman TC
P.O. Box 6000
Danielson, CT 06239

Douglas J. Williams, First Selectman
P.O. Box 899
North Grosvenordale, CT 06255

David Allard, First Selectman
8 Community Avenue
Plainfield, CT 06374

Joseph Kratochvil, First Selectman
1043 Buckley Highway
Union, CT 06076

Ernest Wetzel, First Selectman
415 Route 169
Woodstock, CT 06381

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the dates so indicated and as chief elected official are duly authorized to sign this Chief Elected Officials Agreement.

Keith Robbins, First Selectman
1 River Road
Bozrah, CT 06334

Elizabeth Sabilia, Mayor
181 State Street
New London, CT 06320

Jenny Contois, First Selectman
127 Norwich Avenue
Colchester, CT 06415

Nicholas Mullane, First Selectman
40 Main Street
North Stonington, CT 06359

Wayne Fraser, First Selectman
P.O. Drawer 519
Niantic, CT 06357

Arthur Lathrop, Mayor
100 Broadway
Norwich, CT 06360

Richard Matters, First Selectman
7 Meetinghouse Hill Road
Franklin, CT 06254

Robert Congdon, First Selectman
389 Route 2
Preston, CT 06365

Paul Brycki, First Selectman
32 School Street
Jewett City, CT 06351

Peter Sielman, First Selectman
270 Hartford Road
Salem, CT 06420

Dennis Popp, Mayor
295 Meridian Street
City of Groton, CT 06340

Dennison Allen, First Selectman
1 Main Street
Baltic, CT 0633

Frank O'Beirne, Mayor
45 Fort Hill Road
Groton, CT 06340

Peter Dibble, First Selectman
152 Elm Street
Stonington, CT 06378

Wesley Johnson, Mayor
741 Colonel Ledyard Hwy.
Ledyard, CT 06339

Andrew Maynard, Warden
P.O. Box 328
Stonington, CT 06378

Thomas Sparkman, First Selectman
1 Newent Road
Lisbon, CT 06351

Thomas Wilber, First Selectman
P.O. Box 96
Voluntown, CT 06384

Howard Beetham, Mayor
310 Norwich-NL Turnpike
Uncasville, CT 06382

Paul Eccard, First Selectman
15 Rope Ferry Road
Waterford, CT 06385

WINDHAM REGION COUNCIL OF GOVERNMENTS

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the dates so indicated and as chief elected official are duly authorized to sign this Chief Elected Officials Agreement.

John Zulick, First Selectman
Town Hall
Ashford, CT 06278

Eugene Boomer, First Selectman
P.O. Box 286
Chaplin, CT 06235

Adel Urban, First Selectman
P.O. Box 165
Columbia, CT 06237

James Clark, Council Chairman
48 Antrim Road
Coventry, CT 06238

Margaret Haraghey, First Selectman
Town Office Building
Hampton, CT 06247

Daniel McGuire, First Selectman
579 Exeter Road
Lebanon, CT 06249

Elizabeth Paterson, Mayor
4 South Eagleville Road
Storrs, CT 06268

Elizabeth Wilson, First Selectman
Town Office Building
Scotland, CT 06264

Michael Paulhus, First Selectman
979 Main Street
Willimantic, CT 06226

TOWNS NOT MEMBERS OF A COUNCIL OF GOVERNMENTS

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the dates so indicated and as chief elected official are duly authorized to sign this Chief Elected Officials Agreement.

_____
William T. Koch, Jr., First Selectman
480 Hamburg Road
Lyme, CT 06371

_____
Timothy C. Griswold, First Selectman
52 Lyme Street
Old Lyme, CT06371

_____
John Patton, First Selectman
40 Old Farms Road
Willington, CT

Item #8

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

March 24, 2003

Town Council
Town of Mansfield

Re: Underage Drinking on Private Property

Dear Town Council:

At our last meeting, Council member Haddad requested that this item be added to a future agenda. Attached please find information prepared by the Office of Legislative Research as well as several sample ordinances concerning this issue.

Respectfully submitted,

Martin H. Berliner

Martin H. Berliner
Town Manager

Attach:(6)

OLR RESEARCH REPORT

January 31, 2003 2003-R-0163

TOWN ORDINANCES CONCERNING POSSESSION OF ALCOHOL BY MINORS ON PRIVATE PROPERTY

By: Daniel Duffy, Principal Analyst
John Rappa, Principal Analyst

You asked what authority does a municipality have to adopt ordinances making it illegal for a minor (someone under 21) to [possess alcohol on private property.

The Office of Legislative Research is not authorized to render legal opinions and the report should not be considered as one.

SUMMARY

The Liquor Control Act does not authorize towns to adopt such ordinances nor does it explicitly prohibit them from doing so. Towns might look for authority to do so under the municipal powers statutes, which give them broad authority to address nuisances and takes steps to protect public health and safety. Since a court has not decided the question, we cannot provide a definitive answer.

LIQUOR CONTROL ACT

The Liquor Control Act regulates the sale of liquor in Connecticut. It also has several provisions concerned with preventing minors from drinking. Among them, the law prohibits (1) inducing a minor to procure liquor (CGS § 30-87), (2) misusing a driver's license to obtain liquor (CGS § 30-88a), (3) a minor from procuring liquor (CGS § 30-89), (4) minor from having liquor in a public place (CGS § 30-89), and (5) liquor

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Office of Legislative Research

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Legislative Office Building
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permittee from allowing a minor to loiter in an establishment with a liquor permit (CGS § 30-90). The act does not contain any provision authorizing towns to adopt ordinances prohibiting minors from possessing alcohol on private property, nor does it explicitly prohibit towns from doing so. Opponents of such an ordinance could argue that the law implicitly prohibits them from doing so. But since no court has decided the question, we cannot provide you with a definitive answer.

MUNICIPAL POWERS

About a dozen towns have adopted ordinances prohibiting adults from hosting a party in which minors are served alcohol and their parent, guardian, or spouse over age 21 is not present. We surveyed two of them (Farmington and Glastonbury) and a third that is considering such a ban (Essex). They could not cite any statute that explicitly authorizes them to do this.

There may be implied authority in the statutes giving towns powers to address nuisances and protect public health. The Connecticut Supreme Court has ruled that a municipality's powers are those that are (1) expressly granted or (2) by implication, necessary to exercise those powers (*Hennessy v. City of Bridgeport,* (1990) 231 Conn. 656). Further, it has ruled that an ordinance is not in conflict with state statute if it only enlarges on it (*Aaron v. Conservation Commission,* (1981) 183 Conn. 532). Finally, it has ruled that an ordinance that is not in conflict with a statute is not preempted by it (*Modern Cigarette, Inc. v. Orange* (2001) 256 Conn. 105).

Towns can define, prohibit, and abate all nuisances and their causes and all things that are detrimental to health, morals, safety, convenience, and welfare of their residents. In doing so, they can charge the expense of abating a nuisance to the owner of the property where it exists (CGS § 7-148(c) (7) (E)).

Besides addressing nuisances, towns can take steps to protect public health and safety. They specifically can:

- Regulate or prohibit business activities that could harm the public health, that foster fraud and cheating, or that endanger or annoy nearby residents or property owners (CGS § 7-148(H) (ii)) and

- Provide for residents' health and do all things necessary to or desirable to secure and promote the public health (CGS § 7-148 (H) (xi)).

Towns could argue that these specific grants of authority given them implied authority to adopt the ordinance in question. We cannot give a definitive answer because no court has decided the question.

DD:ts

OLR RESEARCH REPORT

January 9, 2003 2003-R-0013

LAWS RESTRICTING ALCOHOL BY MINORS IN PRIVATE PLACES

By: Kevin McCarthy, Principal Analyst

You asked for a description of laws in Connecticut and other states restricting possession of alcohol by minors (those under 21) in private places.

SUMMARY

Connecticut does not generally prohibit minors from possessing alcoholic beverages in private places. Legislation to do so was considered in 1999 (SB 181), but it died on the Senate floor. Connecticut does subject a minor to a driver's license revocation of up to 60 days if a police officer finds alcoholic beverages in the vehicle the minor is driving. In contrast, Georgia, Massachusetts, Nebraska, New Jersey, New Mexico, Oregon, Rhode Island, and Texas (among other states) have broader prohibitions. Most of these states prohibit minors from possessing alcoholic beverages, subject to certain exceptions such as when the minor is accompanied by a parent or guardian or is acting in the course of his employment.

A 1984 federal law effectively required states to prohibit minors from possessing alcoholic beverages in public, with several exceptions. States that did not pass such legislation faced the loss of substantial highway funding. Connecticut, like all other states, has adopted conforming legislation (CGS § 30-89).

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Legislative Office Building
Hartford, CT 06106-1591
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CONNECTICUT

A minor is subject to a license revocation for up to 60 days if a police officer finds alcoholic beverages in a vehicle he is driving. The penalty applies if the motor vehicles commissioner finds that the minor knew or had reason to know that the beverages were in the vehicle. However, the penalty does not apply if (1) the minor's parent or legal guardian is in the vehicle or (2) the minor is over age 18 and engaged in the employment of liquor permittee or is a permittee himself (CGS § 14-111a).

GEORGIA

Georgia bars the knowing possession of alcoholic beverages by minors, except for medical purposes, as part of a religious ceremony, or when the parent or guardian of the minor gives him the beverage in his home. In addition, a minor can: (1) dispense, serve, sell, or handle alcoholic beverages as a part of employment in any licensed establishment; (2) be employed in any establishment in which alcoholic beverages are distilled or manufactured; and (3) take orders for and possession of alcoholic beverages as a part of employment in a licensed establishment. Violators are subject to a fine of up to $300, imprisonment for up to six months, or both for a first offense, and a fine of up to $1,000, imprisonment for up to one year, or both for a subsequent offense (Ga. Code Ann. 3-3-23 *et seq.*).

MASSACHUSETTS

Massachusetts prohibits minors from knowingly possessing alcoholic beverages or carrying them on their persons. The prohibition does not apply if the minor is (1) accompanied by his parent or guardian or (2) between 18 and 21 years old and acting in the course of his employment. A first offense is punishable by a fine of up to $50 and a subsequent offense is punishable by a fine of up to $150. In addition, the minor's driver's license must be suspended for 90 days (Mass. Gen. Laws 138 § 34C).

NEBRASKA

Nebraska generally prohibits minors from possessing or having physical control over alcoholic beverages in any vehicle or in any place, other than in their homes or in places of worship where the beverage is part of a religious service. Minors who are 16 or older may (1) carry alcohol from licensed establishments when accompanied by an adult, (2)

handle liquor and liquor containers in the course of their employment; and (3) remove and dispose of liquor containers for the convenience of the employer and customers in the course of their employment. Minors who are 19 or older may also serve or sell liquor in the course of their employment. Violators are subject to a fine of up to $500, imprisonment of up to months, or both. In addition, the arresting officer must make a reasonable attempt to notify the minor's parent or guardian. Counties and municipalities may adopt ordinances regulating the knowing possession of alcoholic beverages (Neb. Rev. Stat. § 53-180.02).

NEW JERSEY

New Jersey's law is somewhat broader than Connecticut's in that it bars minors from possessing alcoholic beverages in vehicles, whether or not the minor is driving or his parent or guardian is in the vehicles. The penalty is a fine of up to $500 and a driver's license suspension for six months. If the minor is not yet licensed, the law requires that licensing be delayed for six months. If the minor is under 17, this delay starts from the date he turns 17. The court can also require the offender to attend an alcohol education or treatment program. Like Connecticut, New Jersey permits the minor to possess alcohol in the performance of his employment. It also permits possession if the minor is preparing food while in a secondary or post-secondary culinary arts or hotel management program (N.J. Rev. Stat. § 2C:33-15).

NEW MEXICO

The Liquor Control Act (N.M. Rev. Stat. § 60-7B-1) prohibits minors from possessing or permitting himself to be served with alcoholic beverages. Violation is subject to a fine of and imprisonment for up to. However, the court may suspend the minor's sentence if the minor:

1. accepts the suspension of his driver's license for a period set by the court of up to three months, and

2. performs up to 50 hours of community service designated by the court.

If the minor drives while under suspension, the court can reimpose the fine and imprisonment, or order him to perform the community service.

OREGON

The state prohibits minors from having personal possession of alcoholic beverages. The prohibition does not apply to (1) possession in a private residence when the minor is accompanied by a parent or guardian or (2) possession of sacramental wine as part of religious service. A minor in possession of alcohol is subject to a fine of up to $300. The court can order him to undergo alcohol assessment and treatment; for a second or subsequent offense it must do so. In addition, his driving privilege can be suspended for up to one year. If the minor is not already licensed, licensure must be delayed by up to one year (Ore. Rev. Stat. § 471.430).

RHODE ISLAND

Rhode Island's law has two provisions regarding the possession of alcohol by minors. The first is similar to Connecticut's law, providing for a 30-day license suspension for knowingly driving a vehicle that has alcoholic beverage containers in any part of the vehicle. The provision applies whether the containers are opened or unopened. But it does not apply if the minor (1) is accompanied by a parent or guardian or (2) is at least 16 years old and transporting unopened containers in the course of his employment (R.I. Gen. Laws § 3-8-9).

The more general provision bars any minor from having alcoholic beverage in his possession. The maximum penalty is a fine of up $500. The minimum fine is $100 for a first offense, $200 for a second, and $300 for a subsequent offense (R.I. Gen. Laws § 3-8-10).

TEXAS

Texas bars minors from possessing alcoholic beverages unless the minor is:

1. acting in the scope of his employment as an employee of a liquor permittee or licensee;

2. in view of his parent, guardian, or an adult to whom he has been committed by the court; or

3. acting under the immediate supervision of a police officer enforcing the liquor laws.

Violators are generally subject to a fine of up to $500. However, if the minor is 18 to 21 years old, the penalty for a third or subsequent offense is a fine of $250 to $2,000, imprisonment for up to 180 days, or both. In addition, the court must sentence the minor (regardless of age) to (1) eight to 40 hours of community service and (2) a driver's license suspension of 30 to 180 days. In both cases the penalty depends on the number of prior convictions the minor has had for alcohol offenses. If the minor is not yet licensed, the Department of Public Safety must delay his licensure for the relevant period (Tex. Alco. Bev. Code § 106.50).

KM:ts

AN ORDINANCE REGARDING ALCOHOL POSSESSION BY MINORS

BE IT ORDAINED by the Town Council of the Town of Rocky Hill that:

Section 1: Definitions

"Alcoholic Liquor" shall have the same meaning, as the same term is defined in Title 30, Section 30-1 of the Connecticut General Statutes as amended from time to time.

"Host" shall mean to organize a gathering of two or more persons, or to allow the premises under one's control to be used with one's knowledge for a gathering of two (2) or more persons for personal, social or business interaction.

"Minor" shall have the same meaning, as the same term is defined in Title 30, Section 30-1 of the Connecticut General Statutes as amended from time to time.

Section 2: Possession

No minor shall be in possession of alcoholic liquors, whether in opened or closed containers or otherwise, within the Town of Rocky Hill except, when accompanied by or in the presence of his or her parent, guardian or spouse who has attained the age required to possess alcoholic liquors. These restrictions shall apply to both public and private property.

Section 3: Hosting Events

No person shall host an event or gathering at which the host knowingly allows alcoholic liquor to be consumed by or dispensed to any minor unless said minor is accompanied by or in the presence of his or her parent, guardian, or spouse who has attained the age required to possess, consume or dispense alcoholic liquors. This restriction shall apply to any event or gathering within the Town of Rocky Hill, whether conducted on public or private property.

Section 4: Penalty

Any person violating any provision of this act shall be subject to a fine of ninety dollars ($90.00) and any person under the age of sixteen (16) shall be referred to Juvenile Court.

This ordinance shall take effect in accordance with the Town Charter.

Sec. 10-9. Possession and transportation of alcoholic liquors by minors.

(a) *Definitions.* "Alcoholic liquor" shall mean any spirit, wine, beer, ale or other liquor containing more than one-half of one per cent (½ of 1%) by volume of alcohol which is fit for beverage consumption.

(b) *Prohibited acts.* No person who has not attained the age of twenty-one (21) years shall have in his or her possession or control within the Town of Cheshire any alcoholic liquors, whether such alcoholic liquor be opened or in a sealed container.

(c) *Penalty.* Any person violating the provisions of this section shall be subject to a fine not more than one hundred dollars ($100.00) for each offense.
(Ord. Enact. 6-10-86)

Editor's note—At the time of enactment, § 10-9 contained a subsection (d) setting out the effective date of these provisions. In order to conform to the Code's format, the editor, at his discretion, has not included said subsection (d).

CITY COUNCIL MEETING November 14, 2000
COUNCILMAN JOSEPH P. WILSON, CHAIR, ORDINANCE COMMITTEE

Bristol

In accordance with Section 21(f) of the Charter of the City of Bristol, the following amendment to the Code of Ordinances is hereby INTRODUCED. I hereby MOVE that the time and place of November 28, 2000 at 7:15 p.m., in the Second Floor Auditorium, Board of Education Building, 129 Church Street, Bristol, Connecticut be set for the holding of a public hearing thereon by the Ordinance Committee, and that the City Clerk publish notice of said public hearing and the proposed amendment to the Code of Ordinances as required by City Charter.

(Note: New Article III in Chapter 15, OFFENSES AND MISCELLANEOUS PROVISIONS. All new section numbers and words underlined to be added.) ARTICLE III. ALCOHOL POSSESSION BY PERSONS UNDER 21 YEARS OF AGE.

Sec. 15-41. Intent The city council finds that the unregulated possession of alcoholic liquor by persons under the age of twenty-one (21) is detrimental to the general welfare, health and safety of the citizens of Bristol, and especially its youth.

Sec. 15-42. **Definitions.**

"Alcoholic liquor shall have the same meaning as the same term is defined in Title 30, Chapter 545, Section 30-1 of the Connecticut General Statutes.

"Host" shall mean to organize a gathering of two or more persons, or to allow the premises under one's control to be used with one's knowledge for a gathering of two or more persons, for personal, social or business interaction.

Sec. 15-43. Possession of alcoholic liquor restricted. No person under the age of twenty-one (21) shall possess any container of alcoholic liquor, whether opened or unopened, within the city of Bristol except when accompanied by or in the presence of his or her parent, guardian, or spouse who has attained the age of twenty-one (21) years. This restriction shall apply to both public and private property

Sec. 15-44. Restrictions retarding hosting of event or gathering at which alcoholic liquor present. No person shall host an event or gathering at which alcoholic liquor is consumed by or dispensed to any person who has not attained the age of twenty-one (211 years unless said person is accompanied by or in the presence of his or her parent, guardian, or spouse who has attained the age of twenty-one (21) years. This prohibition shall apply to any event or gathering within the city of Bristol, whether conducted on public or private property

Sec. 14-45. Penalties. Any person violating any provision of this Article shall be guilty of an infraction and be penalized ninety dollars ($90.00) as provided for in section 1-11 of this Code of Ordinances.

Approved as to form:

Introduced: _____
Public Hearing: _____
Board of Selectmen Action: _____
Published: _____
Effective: _____

_____
Town Attorney
Date: 1/22/01

BE IT ORDAINED, that Chapter 76, Article III of the Cromwell Code is Amended and that the title of Article III shall hereafter read as follows:

Article III: Consumption in Public Areas and Motor Vehicles and Possession by Minors

And that Section 76-6 shall be changed to read:

§76-6 A: **Possession.**

No person under the age of 21 shall be in possession of containers of alcoholic liquors, whether open or closed, within the Town of Cromwell, except when accompanied by or in the presence of his or her parent, legal guardian or spouse, who has attained the age of 21 years.

§76-6 B: **Hosting Events.**

No person shall host an event which allows the consumption or dispensing alcoholic liquor to or by a minor or minors, except as provided in Section 76-6 A above. This prohibition shall apply to events on both public and private property.

§76-6. Violations and Penalties, shall be renumbered as Section 76-7.

PURPOSE: To regulate the possession of alcoholic beverages by minors on both public and private property.

PREPARED BY: John W. Bradley, Jr., Town Attorney

PROPOSED BY: Anthony J. Salvatore, Chief of Police

DATE:

21018/306894

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Item #9

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

March 24, 2003

Town Council
Town of Mansfield

Re: Minority Party Representation on Regional School Boards

Dear Town Council:

At our last meeting, Council member Martin requested that this item be added to a future agenda.

Respectfully submitted,

Martin H. Berliner
Town Manager

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Item #10

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

March 24, 2003

Town Council
Town of Mansfield

Re: Community Center Walking Track

Dear Town Council:

Since we do not yet have all of the material prepared concerning this item, we send that correspondence to you under a separate cover.

Respectfully submitted,

Martin H. Berliner

Martin H. Berliner
Town Manager

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TOWN OF MANSFIELD CORRECTIONAL FACILITY LIAISON COMMITTEE

January 8, 2003

Minutes

Members and Staff Present: Same as DOC Public Safety Committee

I. CALL TO ORDER

Chairwoman Barberet called the meeting to order at 3:31 p.m.

1. Selection of Recorder – Matt Hart volunteered to serve as the recorder for the meeting.

2. Minutes – George Cole made motion to approve the minutes of January 8, 2003. Wunderley Stauder seconded. The motion passed unanimously.

II. COMMUNICATIONS - none

III WARDEN'S REPORT AND DISCUSSION

1. Community Outreach – the Warden reported that there are no new community outreach crews.

2. Programming Updates – see the discussion under Warden's report – Public Safety Committee.

IV. OPPORTUNITY FOR PUBLIC TO SPEAK - none

V. OLD BUSINESS - none

VI. NEW BUSINESS - none

VII. ADJOURNMENT

Chairwoman Barberet adjourned the meeting at 3:35 p.m.

Respectfully submitted,

Matthew W. Hart

Matthew W. Hart
Assistant Town Manager

TOWN OF MANSFIELD/DEPARTMENT OF CORRECTION
PUBLIC SAFETY COMMITTEE
WEDNESDAY, January 8, 2003
COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING

Minutes

Members Present: A. Barberet, R. Blicher, G. Cole, C. Lary, Warden S. Sawicki, W. Stauder

Members Absent: R. Gergler, R. Pellegrine, L. Seretny, W. Solenski, S. Thomas

Staff: Major Coletti, M. Hart, Counselor Supervisor Sponheimer

I. CALL TO ORDER

Chairwoman Barberet called the meeting to order at 3:02 p.m. and welcomed everyone present.

1. Matt Hart volunteered to serve as the recorder/secretary for the meeting.

2. George Cole made motion to approve the minutes of November 13, 2002 with a correction to note that the meeting was actually held at Bergin C.I.. Wunderly Stauder seconded. The motion passed unanimously.

II. COMMUNICATIONS

1. Matt Hart noted that JC Martin had been appointed as the new Mansfield Town Council representative to the committee.

2. Warden Sawicki pointed out that the Bergin CI program booklet that the committee used for reference purposes was outdated, and that she would provide the committee with a more recent version.

III. WARDEN'S REPORT AND DISCUSSION

1. Population Status Report – Counselor Supervisor Sponheimer reviewed the Population Status Report and the "November 13, 2002 through January 7, 2003 Transfer and Discharge Report." The facility count is currently 956 inmates with a maximum capacity of 962.

2. List of Offenses – Counselor Supervisor Sponheimer reviewed the List of Offenses for inmates currently housed at the facility, and noted that there are no significant changes from previous reports. George Cole asked whether the report listed the inmates by their most serious offense, and Ms. Sponheimer confirmed that was indeed accurate.

3. Programming – Warden Sawicki reported that the facility had to slightly reduce its program offerings because of staff layoffs. Consequently, the facility is now more dependent on volunteers. Wunderly Stauder asked which staff areas were reduced, and the Warden explained that reductions had been made in education, building maintenance and religious services.

IV. CHAIRMAN'S REPORT - none

V. OPPORTUNITY FOR THE PUBLIC TO SPEAK - none

VI. OLD BUSINESS

1. Community Notification System – George Cole made a motion to adopt the following steps to complete the implementation of the new community notification system, and to serve as a future policy:

   a) Town staff will send the revised call list to the attention of Major Coletti;
   b) Bergin CI will officially implement the new system as of 3:00 p.m. on January 9, 2003;
   c) Bergin CI will continue to hold the Titus system for some time;
   d) Town staff will move people with longer outgoing answering machine messages to the end of the list. People with outgoing messages in excess of 30 seconds will be deleted from the calling list;
   e) Bergin CI will test the system on a monthly basis, and perform an actual notification twice per year; and
   f) Town staff will continue to administer the calling list and to send updates to Bergin CI.

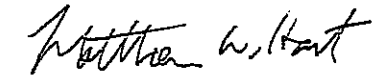
   The motion was seconded by Major Blicher and was passed unanimously by the committee.

VII. NEW BUSINESS - none

VII. ADJOURNMENT

Chairwoman Barberet adjourned the meeting at 3:30 p.m.

Respectfully submitted,



Matthew W. Hart
Assistant Town Manager

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TOWN OF MANSFIELD

OPEN SPACE PRESERVATION COMMITTEE

Minutes of February 18, 2003 Meeting

Members Present: Quentin Kessel, Steve Lowery, Jim Morrow (Chair), and Vicky Wetherell

1. The meeting was called to order at 7:38 p.m.

2. **The minutes of the December 17, 2002 and January 21, 2003 meetings were approved.**

3. Town Plan of Conservation and Development: The OSPC recommends that the Town consult the commercial and residential lighting regulations of Tolland with a view to incorporating them, or something similar, into the Mansfield Plan of Conservation and Development. The appropriate definition of forestland for the plan was also discussed. It was agreed that 500 or 600 feet would be the minimum side dimension for a tract of forestland.

4. There was no official report from Town staff but Wetherell conveyed a request: This was for an opinion regarding bow hunting on Town property. Pros and cons were discussed and it was agreed to continue the discussion at the next meeting. After the discussion Wetherell reported that the Parks Advisory Committee was recommending against permitting hunting on Town property.

5. Wetherell reviewed a request from Harakaly with regard to removing a reversion clause from the conservation easement for the planned subdivision at the intersection of Route 89 and Mt. Hope Road in return for giving the Town a strip of land between Route 89 and the Mt. Hope River.

6. The OSPC will ask the Town Manager to contact the Gordon Estate about the possibility of preserving a buffer area along the west side of Nelson Brook.

7. Mansfield Auto Parts owns a strip of land along the Willimantic River. Lowery reported on his visit to the site during which he observed junk, including tires and a tank trailer. It is in a flood plain and he felt the land to be of no commercial value and suggested the owner could give it to the Town if he wished to avoid the taxes and other liabilities of ownership.

8. Wetherell reported that the survey of the Vernon property is complete and the Nipmuck Trail will have to be rerouted in that area. This must be accomplished before June 1, 2003

9. Management Plan for the Torrey Property. Wetherell agreed to revise the version supplied earlier by the PAC, and have it reflect our responses to the public hearing on the earlier draft.

10. **The meeting was adjourned at 8:55 p.m.**

Respectfully submitted,

Quentin Kessel
Secretary

Town of Mansfield
Mansfield 300th Steering Committee
January 8, 2003

Corrected Minutes

I. Roll Call

Fred Cazel, Rudy Favretti, Kay Holt, Donna Stratton and Pat Ferrigno were present for the meeting. In the absence of Joan Gerdsen, Matt Hart volunteered to take the minutes.

II. Approval of Minutes

The Committee approved the minutes of the October 2002 meeting.

III. Communications

1. Meeting Dates – Due to a conflict with a UConn sporting event, the Committee decided to change its February meeting date from February 12 to February 11, 2003.

2. Fire Department Carnival – Matt Hart read Mike Gergler's report: the fire department has a committee of 12 planning the event, but is concerned about a possible conflict with other weekend events during that time of year. Mike's other is concern is that the Mansfield Volunteer Fire Company may not have sufficient volunteer personnel to assist with the event, so the carnival may be sponsored by Eagleville alone. Mike will have more information in the near future.

3. Matt Hart reviewed a proposal by Art Kostapappas to conduct a "Mansfield 300 Anniversary Photo Contest." The Committee endorsed the proposal.

IV. Committee Reports

1. Beating Bounds – Pat Ferrigno is having some difficulty attracting volunteers to his sub-committee. However, he has decided to combine UConn's usual Mt. Laurel road race with a run/walk to commemorate the 300th. This event will occur on Saturday, May 3, 2003. Also, the sub-committee is contemplating whether or not to sponsor other track and field events, which could be held at E.O. Smith High School. Regardless of the events, Pat hopes to keep the costs as low as possible for the participants.

   Matt Hart stated that he would volunteer to assist Pat, particularly with respect to adding a cycling component to the day. Matt will also ask Curt Vincente to

assign someone from the Parks and Recreation Department to serve on the sub-committee.

In addition, the Committee decided to attempt to sponsor a traditional Beating the Bounds event for May 3rd, possibly with the Boy Scouts.

Pat will hold a meeting of his sub-committee and provide another report at the next meeting.

V. Old Business

1. Speaking Program – Fred Cazel explained that he hoped to model this event on the Town of Windham's tercentennial speaking program. The event would be held at a significant location in town, and we would invite a number of speakers to commemorate Mansfield's incorporation as a separate town. Possible speakers could include the Mayor of Mansfield, first selectmen/mayors of surrounding towns, state representative, state senator, governor, US representative and US senators. Matt Hart stated that town staff would assist in planning this event.

VI. New Business

1. Mansfield Tercentenary Song - Kay Holt made a motion to adopt Nancy Tomastik's song as the official song of the tercentenary. Donna Stratton seconded and the motion passed unanimously.

2. Mansfield Camber Players and Mansfield Senior Center Chorus "Concert in Honor of Mansfield's 300th" – Nancy Tomastik reviewed a proposal from the Mansfield Chamber Players and the Mansfield Senior Center Chorus to conduct a concert on Sunday, June 8, 2003 in honor of the 300th. The event will be held at the Mansfield Middle School Auditorium and will begin at **2:00 p.m.** Nancy requested a donation of $150 to be used towards building use fees. Kay Holt moved to appropriate $150 toward the event. Rudy Favretti seconded and the motion passed unanimously.

VII. Adjournment

At 8:25 p.m., Kay Holt made a motion to adjourn. Pat Ferrigno seconded and the motion passed unanimously.

Respectfully submitted,

Matthew W. Hart
Assistant Town Manager

300th STEERING COMMITTEE MEETING –FEBRUARY 11,2003

Chairman of the 300th Steering Committee, Fred A. Cazel, Jr. called the meeting to order at 7:05 p.m. in Room C of the Audrey P. Beck Municipal Building.

I. ROLL CALL

Fred A. Cazel, Jr., Rudy Favretti, Michael Gergler, Dona Stratton, staff Joan Gerdsen

II. COMMUNICATIONS

Chairman, Fred A. Cazel, Jr. received a thank you from Nancy Tomastik regarding sponsorship of the Concert at the Mansfield middle School on June 8.

III. COMMITTEE REPORTS

Arbor Day event may be too early for planing trees in front of the Community Center. However, trees should be planted no later than middle of May. Question-will the area in front of the Community Center be completed so that the trees once planted will have no adverse stress on them? Will that area need to be disturbed by any construction?

Rudy Favretti reported on the Tour of Four Corners, which will be ready to go on June 7, 2003.

Discussion followed on the Speakers program. Majority of those present felt that it would not be well attended unless it was held in conjunction with another event. Suggestion-at the "Know Your Town Fair".

Michael Gergler reported that the Carnival/Fireworks Program would be one of the three weekends in August. Eric Beaulieu is the Chairman

Suggestion to contact WILI, the CHRONICLE to try to get coverage on programs coming up.

Ball-question when are the tickets going on sale? How much?

IV. ADJOURNMENT

At 8:50 p.m. the meeting was adjourned by consensus.

Fred A. Cazel, Jr. Chairman

Joan E. Gerdsen, Secretary

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Mansfield Youth Service Bureau Advisory Board

Tuesday, February 4, 2003 @ MMS Conference Room
12N-1: 15pm

In attendance were: Frank Perrotti, Assistant Chairperson/Resident; Jaime Russell, Assistant Principal; Janet Romayko, YSB Coordinator; Pat Michalak, YSB Counselor.
Regrets: Ethel Mantzaris, Maria Kern, Molly Kirouac, Chuck Leavens

Agenda items included:

1. Introductions: Frank Perrotti introduced himself to Jaime Russell, newly appointed Assistant Principal as Frank had been the Principal @ MMS from the early 70's to the mid 80's. Some of the same issues of the earlier days remain such as parental limit setting, discipline, etc. Jaime remarked that the school can only do so much but the home environment certainly has an impact on individual students. YSB will meet with Jaime after vacation to discuss YSB services/programs and how the YSB interfaces with MMS.
2. Program Update: a. YSB staff has seen an increase in the post-holiday depression cases of parents/children. Dr. Haney offered his consultation time to an additional Friday morning if necessary. YSB also offers the COPE groups to all previous participants in January of each year and there has been an increase in the numbers of participants. b. The Local Prevention Council (LPC) met on January 30th to consider the possibility of applying for a $25,000 OPM Coalition Building Grant and a $100,000 Drug Free Communities Grant. The LPC would have to meet on a more regular basis to meet the criteria for the OPM grant. The grant is due on March 3, 2003. C. Juniper Hill continues to be a popular program for both seniors and Big/Little Friends. The Community Service students from MMS have been joining us since the fall and they are a welcomed addition!. D. YSB staff are involved in the planning stages for the EH-Mansfield Cultural Exchange Program and for the regionwide PAWS (Peers Are Wonderful Support) Conference for middle school students on March 19, 2003. A Drug Free Communities Grant is funding transportation and the conference will be held at Manchester Community College. E. GrandParents' group is interested in having the subsidized guardianship bill raised again. JR attended a legislative meeting at the State Capitol and Sens. Edith Prague and Maryanne Handley may consider sponsoring the bill. GrandParents will convene to strategize.

3. Budget: Submitted at last year's level.

Meeting adjourned @ 1:15pm

Respectfully submitted,

Janit Romayko, Secretary

JR/jr

NEXT MEETING: Tuesday, March 11, 2003
@YSB Office
10am
All others invited if convenient for you.

April Meeting: Tuesday, April 1, 2003 at noon at Juvenile Court
JR working on this with Judge Michael Mack so this
Is TENTATIVE: details to follow

May Meet: Tuesday, May 6, 2003 at noon
Celebration for our student members as two will be graduating from high school and the other will be graduating from middle school. Pizza party is in the works!

Close Drinking Loophole

Various towns are adopting ordinances giving police the authority to arrest underage drinkers and party hosts on private property. Local officials are motivated, in part, by horror stories involving alcohol poisoning and drunken driving crashes.

Although these communities are closing a key legal loophole, it would be better if the legislature set a uniform state standard.

Under present state law, police may arrest underage drinkers on public property, but not on private property. That distinction frustrates police officers, who have no authority to break up house parties involving underage drinkers.

Last fall two girls were rushed from a large house party in Greenwich to the hospital with acute alcohol poisoning. As a result of that near tragedy, State Rep. Claudia Powers, R-Greenwich, submitted a bill to allow arrests on private property. Teens caught drinking at such a party could be fined $200 to $500, the same fine applicable to drinking in public. A separate bill would make it a crime to host a party at which liquor is served to minors.

The bills sensibly would not restrict the right of parents or legal guardians to serve alcohol to their own children. That decision should be left to the parents and guardians.

Police say that house parties have become more widespread. Most often, youths gather in a house when the parents are out of town. Police might receive a complaint from a neighbor, but they have no authority now to arrest the young drinkers.

About a dozen towns have adopted local measures giving police authority to make arrests. They include Glastonbury, Cheshire, Ellington, Farmington, Bristol, Cromwell, Portland, Berlin and Newington. Southington is considering such an ordinance.

These local ordinances fill a gap in state law, but it would be far preferable for the General Assembly to set one statewide standard.

OUR TOWNS

GREATER HARTFORD

HTFD COURANT 3/1/03

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ADMINISTRATION

- **Absence from Office**: Your director will be out of the office from Tuesday, March 25, through Wednesday, April 2, combining four days of vacation with the five-day national conference of the American Planning Association in Denver, CO.
- **State Grant in Aid:** While OPM has not included the State Grant in Aid to RPO's as a line item in its budget as it used to be prior to the last biennial budget (FY 01 - FY 03), money to fund this grant has been included in the appropriations bill (# 6548, p. 75, item 44b). Funds are to come from ConnDOT's Transportation Strategy Board carryforward from FY 03. Unfortunately, the language reads the "up to $640,000" of these carryforward funds are to be transferred to OPM to fund this grant for FY 04. Also unfortunately, this bill is intended to appropriate funds for two fiscal years (FY 04 and FY 05), and there is no mention of any funding for RPO's for FY 05.
- **Legislation:** HB # 6539 would have the TSB review the boundaries of Metropolitan Planning Organizations and make recommendations for consolidation. This would, directly or indirectly, affect all RPO's in the state, as it could lead to a redefinition of regional planning organization boundaries. There was a public hearing on this bill on March 10.

Technical Assistance Current Contracts Update:

Contract #	Description	Date started	Status
Scotland '03-2	*Mapping for POCD*	*pending finalization of contract*	
Scotland '03-3	*POCD preparation*	*9/9/02*	*anticipated completion May 03*
Chaplin '03-1	*Specified Zoning regulation modifications*	*9/19/02*	*Complete*

UPCOMING DATES OF INTEREST

March 21	**ConnDOT deadline for applications for Alternative Fuel Vehicle Program**
April 1	**Deadline for submitting Local Road Accident Reduction projects to WINCOG.**
April 2	**Regional Planning Commission Meeting**
April 3	**Workforce One Celebration, Willimantic Country Club, 4:30 - 7:00 p.m.**
April 4	**Next WINCOG Meeting**
April 18	**Rural Minor Collector applications due at WINCOG offices**
May 7	**CT Public Transportation Commission Public Hearing, Mansfield Town Hall, 7:30 p.m.**

TRANSPORTATION

- Transportation Enhancement Projects: Prioritization of Enhancement projects submitted to WINCOG is scheduled on today's agenda.
- Transportation Strategy Board: TIA co-chairs met with TSB Chairman Oz Griebel on February 13 to discuss the future role of the TIA's (and of the RPO's as conveners of the TIA's). Mr. Griebel informed the group that the TSB-related bills now before the General Assembly are not championed by the TSB. The TSB is encouraging the General Assembly to endorse the overall strategy presented in the TSB's report to the legislature, rather than passing legislation that implements fragments of this strategy. The TSB will continue to meet monthly. TIA's are encouraged to meet periodically to continue to gather information on issues pertinent to transportation strategies for their regions. It was noted that legislation passed in 2001 requires that the TIA's submit revised transportation plans to the TSB biennially on Nov. 15, with the first revision due in 2004. Mr. Griebel asked that RPO's take action to endorse of the overall TSB strategy as submitted to the General Assembly; this action is included on the agenda for today's meeting.
- Legislation: SB 931 proposes that the Transportation Strategy Board be designated as the one "local planning organization" for the state. The Transportation Committee of the General Assembly held a public hearing on the bill on February 18.

- Funding for Alternative Fuel Vehicles: Each municipality should have received a letter and application form for funding for the purchase of alternative fuel vehicles. It would be helpful if you would let our office know if your town is planning to apply for these funds.
- Rural Minor Collectors: Because of the change in the census definition of urbanized areas and the subsequent change in ConnDOT's designation of urban clusters, some of our region's roads which formerly qualified for funding under the rural minor collectors program are no longer eligible. This is the case for Coventry's two-part project for improvements on South St. at Skinner Hill Rd. Because that location is no longer classified as rural, ConnDOT will be using another funding source for this project. This means that WINCOG's annual allocation of $121,548 for FY '04 and FY- '05 can be re-programmed for another project. At today's meeting, staff will be distributing a revised list of the segments of town-maintained rural minor collectors that are eligible for funding under this program, along with a description of the program. Please call the WINCOG offices for an application form if you are interested in submitting one or more projects. ConnDOT will accept projects at any time, but they must first be prioritized by WINCOG. We therefore request that applications be submitted to WINCOG by April 18, for prioritization at the May 2 meeting. If you would like to submit a project, but need more time, please let us know.

TRANSIT *(See attached Transit Administrator's Activities Report)*
Transit Planning:

- Record-keeping: Staff have continued to assist the transit administrator in developing an improved database for vehicle maintenance and passenger ridership records.
- Feasibility Study for Transit Facility: At the request of WRTD, ConnDOT has indicated that it would be willing provide funding for a feasibility study for a transit vehicle storage/ maintenance/ and perhaps administration facility for the transit district. Since this is considered "planning", the funds will come through an agreement between ConnDOT and WINCOG, and consultants would be hired to carry out the study. ConnDOT has suggested that it will take $50,000 to fund such a study. The state will provide $40,000, and it is WRTD will provide the required 20% local match. We will be asking for two or three COG members (or their designees) to work with the WRTD board and WINCOG staff in selecting consultants and directing their work. ConnDOT has asked WINCOG to include this item in its Unified Planning Work Program for its FY 04 contract.

PLANNING

- Regional Planning Commission: At their March 5th meeting, the Regional Planning Commission reviewed and responded to the following referrals:
  a. #03-01-30-CR: Colchester: A proposal to create an 11-lot subdivision with remaining land on Rte. 16 on the Lebanon town boundary. **No intermunicipal impact.**
  b. #03-02-18-PT: Pomfret: A proposal to establish zoning regulations where none have previously existed. **No intermunicipal impact.**
  c. #03-01-21-HN: Hampton: A proposal to create a 5-lot subdivision on N. Brook St. near the Chaplin town boundary. **Creation of Reference Committee.**

- Scotland Plan of Conservation and Development: At their March 10th meeting, the Scotland POCD subcommittee focused on developing strategies to preserve and enhance rural character and to protect natural resources. The next meeting will be held on April 7th and will focus on finalizing the draft.

FEMA GRANTS

- Emergency Operations Plans and Citizens Corps: The Office of Emergency Management and Department of Public Safety are still working on contract language for these grants. While they have indicated that we should start on the work program, most RPO's are holding back until the contracts are in place. WINCOG has received the EOP's for the ten towns in the Windham Region and we have started to review them while waiting for the remaining four towns' plans to arrive.

CENSUS AFFILIATE ACTIVITIES

- Boundary and Annexation Survey: At the request of the Census Bureau, WINCOG staff reviewed census maps for the towns of Ashford, Chaplin, Mansfield, Scotland, and Lebanon, and submitted required forms attesting to their being no town boundary changes since January 2002.
- Data Requests: Responded to requests for information from: 1 state agency staff, 2 businesses, and 2 students.

LOCAL ASSISTANCE

Ashford - Reviewed census maps for town boundary and annexation changes.
Chaplin - Provided technical assistance to PZC Chair regarding lot line adjustments.
- Reviewed census maps for town boundary and annexation changes.
Coventry - Provided technical assistance to ZEO in setting up municipal GIS.
Lebanon - Reviewed census maps for town boundary and annexation changes.
Mansfield - Reviewed census maps for town boundary and annexation changes.
- Researched legal cases pertaining to minimum lot sizes for RPC representative.
Scotland - Reviewed census maps for town boundary and annexation changes.
- Worked on Town POCD under contract.
Windham - Provided data and information to consultant working on town's affirmative action plan.
- Continued to serve on Ad Hoc Economic Development Committee.
All Towns - Processed statutory referrals from or affecting various member towns (see Planning, above).

OTHER ASSISTANCE

- Provided mapping data to State Police for use with their GIS.
- Provided information to consultant on zoning regulations relating to scenic roads and stone walls.
- Provided administrative support to OPM by assisting in compilation of municipal responses to state POCD draft.

MEETINGS

Feb 7 - WINCOG (BB, SG)
10 - Scotland POCD Committee / Scotland (JB, BB)
13 - OPM Technical Coordination Meeting / Rocky Hill (BB)
- TIA Co-chairs meeting with TSB Chairman / Rocky Hill (BB)
14 - CT RDC Board meeting / Berlin (BB)
19 - Windham Budget Hearings, for transit district local match (KG)
20 - COG and WIB Executive Director's meeting on draft agreement / Norwich (BB)
- GPS for GIS Training / Storrs (JB)
25 - OPM State POCD meeting / Hartford (JB)
26 - CACT legislative breakfast (transit) / Hartford (BB)
- Testimony before General Assembly on bills relating to statewide GIS program / Hartford (BB)
- WRA/GIS Grant meeting / Mansfield (JB)
28 - CCAPA workshop, Smart Growth / Rocky Hill (BB)
- GIS training with ZEO / Coventry (JB)

March 1 - CT Bar Association workshop on Land Use Law / Middletown (SG)*
4 - Meeting with Executive Director of the ECRC&D (BB,JB,SG)
5 - Regional Planning Commission meeting (JB, SG)
6 - Center Edge project presentation / New Britain (BB)
7 - QSHC annual breakfast / Sturbridge (JB)
10 - Scotland POCD Committee / Scotland (JB, SG)
13 - UConn Parking Advisory Committee / Storrs (BB)
- Chaplin PZC meeting / Chaplin (JB)
14 - Meeting with ZEO / Ashford (JB)

** Time not charged to WINCOG.*

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MINUTES

MANSFIELD PLANNING & ZONING COMMISSION
Regular Meeting, Monday, March 3, 2003
Council Chambers, Audrey P. Beck Municipal Building

Members present: A. Barberet (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Plante, G. Zimmer
Members absent: P. Kochenburger, R. Favretti
Alternates present: E. Mann, B. Mutch, B. Ryan
Staff present: C. Hirsch (Zoning Agent), G. Padick (Town Planner)

Chairman Barberet called the meeting to order at 7:36 p.m., appointing Alternates Mann and Mutch to act as voting members and Alternate Ryan to act in case of member disqualifications.

2/18/03 Minutes – Hall MOVED, Gardner seconded to approve the Minutes as presented; MOTION CARRIED, all in favor except Goodwin and Mutch (disqualified).

Zoning Agent's Report – February Activity Update was received.

Old Business

Stephen Estates (Harakaly), request for modification, file 1191 – Mr. Padick's 2/27/03 memo and the Town Attorney's 2/28/03 opinion were noted; Attorney Schrager was present at the meeting to reiterate the applicants' alternative proposal : The presently-approved conservation easement parcel at the southwest corner of Mt. Hope/Warrenville Roads is to be maintained as open field and, in addition, the owners would deed to the Town the property they own across Warrenville Rd. along the river south of Mt. Hope Rd., and grant a conservation easement to the Town on their property across Warrenville Rd. to the north of Mt. Hope Rd., granting right of access for public parking and fishing at the river. After further discussion, Holt MOVED, Gardner seconded to modify the PZC's 11/4/02 approval of the Stephen Estates subdivision as follows:

1. Condition #3 shall be replaced with the following:
   "To address the open space provisions of Section 13, the PZC accepts, subject to the terms noted below, the applicant's open space proposal as outlined in a February 12, 2003 letter from Attorney Schrager, which includes the dedication of a 9.04-acre agricultural conservation easement at the corner of Mount Hope and Warrenville roads, the dedication of a 3.5-acre conservation easement along the Mount Hope River north of Mount Hope Road and the deeding to the Town of a .8-acre parcel along the Mount Hope River south of Mount Hope Road.
   A. The open space parcel to be deeded to the Town and the two conservation easement areas shall be depicted and appropriately labeled on the subdivision plans. These open space parcels shall be approved for filing on the Land Records pursuant to condition #8 of the PZC's 11/4/02 approval motion.
   B. The agricultural conservation easement shall be based on the Town's model format and shall be submitted to the Planning Office for approval by the PZC officers, with assistance from the Town Planner and Town Attorney. The agricultural easement shall include specific provisions that address the following elements:
      1. The easement shall allow the continued use and maintenance of the existing barn and existing pasture areas for the housing and grazing of animals consistent with the existing use of this property. No other agricultural uses and no new agricultural structures or fencing shall be authorized without subsequent review and approval by the Planning and Zoning Commission;
      2. The easement shall specify that existing field areas and pasture land shall be maintained as open field. This requirement is deemed necessary because the retention of the open field character has qualified the subject area as acceptable with respect to subdivision open space requirements.

3. The easement shall specify that no machinery shall be utilized to keep the pasture land open unless specifically approved by the Planning and Zoning Commission.

C. The conservation easement along the Mount Hope River shall be based on the Town's model format and shall be submitted to the Planning Office for approval by the PZC officers, with assistance from the Town Planner and Town Attorney. This easement shall incorporate existing fishing rights to the Mount Hope River as well as authority for roadside parking for fishing access."

2. Condition #4 shall be replaced with the following:
"A common driveway easement or equivalent deed covenant that addresses maintenance and liability issues shall be submitted to the Planning office for approval by the PZC officers, with the assistance of staff and the Town Attorney. The common driveway work shall be completed prior to the issuance of a Certificate of Compliance on either Lot 1 or Lot 2. This requirement shall be clearly noted on final plans and specifically incorporated into the deeds for the subject lots."

MOTION PASSED unanimously.

Windswept Manor, 4 proposed lots off East Rd. (Malek), file 1198 – Written comments were noted from the Town Planner (2/26/03); State DOT (2/19/03) and R. Favretti (2/27/03). Mr. Padick reviewed his memo regarding percentage of wetlands vs. dry land within an open space dedication, saying he interprets the regulations to refer to the entire parcel, not just the proposed open space dedication portion. (He noted the Commission may wish to clarify this point in the Regulations at a later date.) Members also discussed the points referred to in Mr. Favretti's comments: It was generally agreed that a sugar maple monoculture, as proposed by the applicant, should be avoided. Since Lot 1 is within a Historic District, and also as a safety measure, Mr. Favretti and others would prefer that the driveway be constructed off the new road rather than off East Road. Finally, members generally felt that all underground utilities would be preferable to the applicant's current proposal. Mr. Padick noted that CL&P has not stated that it would be unable to provide all of the utilities underground; the applicant's proposal was assumed to be solely a monetary consideration. Mr. Favretti has volunteered to draft a motion.

Public Hearing, application to amend the Zoning Regulations (Art. X, Sec. C), temporary sponsorship signs/banners in Town parks, file 1202 – The Public Hearing was called to order at 8:10 p.m. Members and Alternates present were Barberet, Gardner, Goodwin, Hall, Holt, Plante, Zimmer, Mann, Mutch and Ryan. The legal notice was read and communications were noted from the Town Planner (2/27/03) and Town Att'y. (2/18/03). The application, presented by the Town, would amend Art. X, Secs. C.2.b and C.4.a of the Zoning Regulations to incorporate provisions that authorize the Parks and Recreation Dep't. to approve temporary sponsorship signs and/or banners in specified Town parks as provided for in the recently-amended Parks Regulations, under the regulatory and enforcement jurisdiction of the Parks and Recreation Dep't. Ass't. Town Manager M. Hart and Parks & Recr. Director C. Vincente informed those present that the Parks Regulations have recently been revised by the Town Council, which directed Mr. Hart to prepare this revision proposal for the PZC. The purpose of the revision is to help support activities of the Mansfield Little League and other approved organizations, and to assist local businesses by permitting display of signs/banners during games or approved events by local businesses which serve Mansfield citizens. The banners, approximately 4 ft. by 8 ft. maximum size, would have dark backgrounds (as displayed at the Hearing) and would be displayed only during games/activities at Lions Club Field or the Southeast fields, and would be stored offsite by the sponsoring organizations. The signs would be repaired or replaced by the sponsors when necessary to maintain good appearance. The Parks & Rec. Dep't. would work with the sponsoring organizations to determine the most appropriate locations for display. It was noted that some of the sites where signs would be allowed do not have fences, so other means of display (posts, etc.) would have to be devised and approved by the Parks & Rec. Dep't. All signs would be one-sided and could be placed facing away from roads, to be visible mainly to those attending or participating in the events. Asked how national logos, colors, types of sponsorship, etc., could be controlled on the signs, Mr. Vincente said the Little League has guidelines for appropriateness; he has also asked the president of the local Little League to discuss with him any questionable signs or potential issues. He said the 3 Town parks will be monitored regularly by the Parks & Rec. Dep't. to make sure the banners are taken down when events are not taking place.

Mr. Padick noted that the PZC could at any time revise its sign regulations to be more or less restrictive, and could always convey any objections to the Town Council. He noted that while the PZC cannot regulate or restrict colors, the Parks Regulations can do so.

It was noted that all events would be non-profit, and both adult groups and youth groups could be approved to use the fields. Public comment was then invited.

D. Nadeau, 150 Thornbush Rd., President of Tri-Town Youth Soccer, spoke in support of the proposal and outlined her organization's plans to have a display 4 times a year during games. She said the displays will comply with the Parks & Rec. regulations.

C. Burke, Knowlton Hill Rd., representing the local football and baseball leagues, also urged passage of the revision.

B. Mulday, President of the Mansfield Little League, also urged passage of the revision. He noted sponsors agree to post and maintain banners for a period of 3 years each.

D. Hamlin, Chaffeeville Rd., who is in charge of umpires for the Little League and is also a paying sponsor, supported the revision, saying the banners are good for team morale.

B. Pittman, 75 Lynwood Rd., urged support of the proposal as one way to help keep the registration fees affordable.

C. Hirsch, Zoning Agent, stated that he had conferred with Mr. Vincente prior to submission of the proposal, and agreed that our Regulations would support this revision.

When asked what other forms of advertising might be expected in the future in order to help support the activities, Mr. Vincente said the various organizations each have different ways of raising funds, and the signs would be viewed as an extension of the sponsors' support of the programs.

Mr. Padick stated that both he and Mr. Vincente feel that only the 3 Town park sites noted in the application would be impacted in the foreseeable future. The Public Hearing was closed at 9:02 p.m. Mrs. Holt and Mr. Plante volunteered to work on a motion for the next meeting.

2003 Plan of Conservation & Development Update – Members received draft 2/13 and 2/27 Minutes, which will be considered at the POCD meeting on Wednesday, so that all will be able to follow along with the update process even if unable to attend the committee meetings. The committee hopes to be able to present a draft update at Public Hearing sometime this spring. If PZC members think of issues they feel should be addressed in the Plan Update, please let the committee or Mr. Padick know.

Verbal Updates

Lands of Unique Value study – Detailed mapping is still in progress; it is hoped that it will be completed by the end of March, after which a presentation will be made at a PZC meeting.

Storrs Center Downtown project – The Downtown Partnership will meet tomorrow; final details are now being organized for consultants.

UConn landfill – At a meeting held last week, findings and recommendations as noted in members' packets were discussed. A leachate plume has been identified, and the University plans to contain it by capping and the use of interceptor trenches. Officials feel the plume will gradually decrease. The University plans to construct a paved parking lot over the site in the future. DEP now must decide whether the University's proposed remedies are acceptable; if so, they are to implemented within the year. DEP will consider all comments from the Town's consultants in making its decisions.

UConn Water Supply Plan – An interim report submitted by the University was included in members' packets. It notes that there has been a decrease in water consumption from 1989 to the present because of revisions to systems and operational procedures.

AT&T proposed telecommunication tower between Cedar Swamp and Baxter Rds. – A legal notice published on 2/12/03 gives notice that an application will soon be filed with the CT Siting Council by AT&T. A letter signed by the PZC Chairman and the Mayor was recently sent to the Siting Council to say the Town is pleased with the amount of information and cooperation offered by AT&T during its research and experimentation to determine the best possible site in town.

Law seminar – Mr. Padick recently attended a law seminar which provided some helpful information regarding land use issues which may be useful to the Town in consideration of rezoning issues. Mrs. Holt mentioned that information given her by WINCOG planner J. Butts along the same lines could also be helpful and would be provided to members.

New Business

Chatham Hill, Sec. II, 13-lot proposed subdivision, Chatham Hill, LLC, 1131-2 – Holt disqualified herself and was replaced by Ryan. Gardner MOVED, Hall seconded to receive the subdivision application (file 1131-2) submitted by Chatham Hill, LLC, for 13 lots, Chatham Hill, Phase II, on property off Fern Road owned by the applicant, as shown on plans dated 2/20/03 and as described in other application submissions, and to refer said application to the staff, Design Review Panel, Town Council, Open Space Preservation Committee, Conservation Commission, Parks Advisory Committee and Recreation Advisory Committee for review and comment, and to set a Public Hearing for April 21, 2003. MOTION PASSED unanimously.

Hawthorne Park, resubdivision of Lot 1, 1177-2 – Holt disqualified herself and was replaced by Ryan. Gardner MOVED, Hall seconded to receive the resubdivision application (file 1177-2) submitted by Wayne Hawthorne, for 1 additional lot in the Hawthorne Park subdivision, on property located on Hawthorne Lane, owned by the applicant, as shown on plans dated 2/21/03 and as described in other application submissions, and to refer said application to the staff for review and comments, and to set a Public Hearing for April 21, 2003. MOTION PASSED unanimously.

Modification requests to waive survey requirements regarding Sec. 6.5.b and the CT Plane Coordinate System:

A. Stone Mill Acres, file 1195
B. Sibley Estates, file 1199

Feb. 25, 2003 letters from Surveyor S. Filip, representing the applicants who received PZC approvals for the two subdivisions, and Mr. Padick's 2/28/03 comments were noted. Mr. Padick explained that the new Subdivision Regulations provide the PZC with the ability to waive the A-2 survey requirement for subdivisions which have fewer than 3 lots, as both of these do. The reason is that both subdivisions are located at significant distances from the existing Plane Coordinate System control points, and enforcing the requirement would greatly increase the cost to the developers. Mr. Padick has consulted with The Ass't. Town Engineer and K. Such of the Town's engineering staff, and all three staff members feel it would be justifiable to waive the A-2 requirement in these cases. Mann MOVED, Holt seconded that the PZC waive, pursuant to Section 6.5.b of the Subdivision Regulations, the requirement that the surveys for the Sibley Estates and Stone Mill Acres subdivisions be tied to the CT Plane Coordinate System of 1983. This waiver is approved due to the distance of the subject subdivisions from existing control points, the small size of the subdivisions (2 lots and 1 lot, respectively) and the fact that tying into the coordinate system would significantly increase survey costs. MOTION PASSED unanimously.

Field trip – Scheduled for Monday, 3/10/03, 1 p.m.

Communications and Bills – As listed on the Agenda. Mr. Padick recommended that members attend The Green Valley Institute workshops. Holt MOVED, Gardner seconded to approve payment of the Town Attorney's 2/18/03 bill in the amount of $456.00; MOTION PASSED unanimously.

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

TOWN OF MANSFIELD
Community Center Building Committee Meeting
March 03, 2003
MINUTES

Present: M. Paquette, J. Pandolfo, M. Johnson, S. Goldman, R. Moore

Staff: Town Manager M. Berliner, Capital Projects and Personnel Assistant L. Patenaude, Director of Parks and Recreation C. Vincente

Others: Construction Manager K. Boutin, Construction Manager D. Yoder, Architect D. Harazim

1. **Call to Order**

S. Goldman called the meeting to order in the absence of A. Rash at 7:10 p.m.

2. **Approval of Minutes**

The minutes of the February 3, 2003 meeting were approved.

3. **Audience to Visitors**

None

4. **Additions to the Agenda**

None

5. **Staff Reports**

a. Construction Manager's Report –K. Boutin gave an overview of what was occurring on site and what was to occur within the next four weeks. M. Berliner questioned when the sheetrocking was due to start. K. Boutin replied that it should be started by the end of the week.

M. Paquette asked if we were still on schedule for completion for May 30th. K. Boutin replied that it would be tight, especially with the Kalwall as that is the biggest hold up at this point.

K. Boutin went over the changes for the next change order. C. Vincente questioned the under cabinet lighting. C. Vincente is to walk the site tomorrow to see if the lighting is necessary.

M. Berliner questioned the adjustment in the pricing for the pool roof changes. K. Boutin replied that there was an error made in the roofer's pricing. S. Goldman wanted to know if there was any recourse if the change order was not approved. D. Harazim replied that the roofers could be told to install the roof with the specified changes. J. Pandolfo questioned if the original specs stated that the roof would be guaranteed against condensation. D. Harazim replied that there are large ducts in the area and a great deal of air moving so the chance of condensation would be minimal.

M. Paquette questioned the $16,000 for landscaping. M. Berliner replied that with the budget cuts there would be no summer help s[illegible]ng could be crucial where planting is considered. M. Berliner will discuss with L. Hultgren to see if this could be done by our Public Works

Department. This item is carried over. J. Pandolfo suggested that he might know of some people in the community who would be interested in helping with the landscaping.

J. Pandolfo questioned what the problems were with the Kalwall. D. Yoder replied that th windload criteria was missed, then there were submissions, approvals and resubmissions. After that Kalwall insisted on physically coming out to do the field measuring rather than go by the guaranteed dimensions on the prints. D. Yoder also stated that Kalwall was a very indpendent company.

b. Architect's Report – D. Harazim had nothing new to report. The office is working on the porcelain tile pricing. They want to make sure that nothing has been discontinued.

6. **Old Business**

None.

7. **New Business**

An alternate list was handed out. C. Vincente stated that the kitchen portion does not include the appliances. The plumbing and electrical are roughed in for a refrigerator.

S. Goldman requested that more pricing information be made available before the next meeting so the meeting can be more productive.

A discussion followed of the open alternates as follows:

#2) add bleachers to the gym and pool – approximately 100 seats each – better to wait on this item.

#3) kitchen fixtures – better to keep in now as everything can be wired and plumbed

#6) site improvements – will get a map breakdown and updated pricing from Milton Beebe & Sons.

#7) bike racks and 7 benches – discussion followed that the bike racks should be there, but maybe revaluate the need for all seven benches. The question arose if they needed to go to PZC if the entire amount wasn't installed.

#8) aggregate concrete on west end instead of lawn – M. Paquette requested that this be discussed later in the project. M. Johnson requested an updated price.

#10) carpeting in place of VCT – this was requested to do as carpeting has a longer life than VCT.

The next regular meeting is March 17, 2003 at 7:00 p.m.

The meeting was adjourned at 8:26 pm.

Respectfully Submitted,

Linda Patenaude,
Capital Projects and Personnel Assistant

DRAFT
NOT REVIEWED OR ACCEPTED BY COMMITTEE
ATTACHMENTS NOT INCLUDED

Mansfield Advisory Committee on the Needs of Persons with Disabilities

Informational Session
Tuesday, January 28, 2003

Notes

I. Attendance: Members: Scott Hasson, Tom Miller; Staff: Sheila Thompson, Kevin Grunwald, Curt Vincente. **No quorum was present, and therefore an informational session was convened.**

II. Minutes: Minutes of the November 26, 2002 meeting will be reviewed at the next regular meeting in February.

III. New Business: Tom Miller, PhD, was introduced to the group as the newest member of the MACPD. New business will be entertained at the next regular meeting in Feb.

Kevin Grunwald distributed a letter from the AJ Pappanikou Center for Developmental Disabilities regarding the Real Choice Grant, which is a 3 year competitive grant awarded to three model communities which establish supports and barrier-free access to person with disabilities. The idea of applying for the grant met with favorable reaction.

IV. Old Business: General information was presented.

a) Post Office Box: Sheila Thompson reported that the Post Office has not yet obtained permission to place a drive-up mailbox at the location between Fleet Bank and Savings Bank of Manchester. It was also suggested that the Post Office consider possible location at the new Community Center.

b) Membership: Tom Miller suggested that Bob Goldsborough might have an interest in serving on the Committee. Sheila indicated that she would contact him.

c) Community Center Membership Rates: Curt Vincente presented the recently-adopted membership descriptions and fees for the Community Center. He indicated that use rates for groups and schools have not been set, and indicated that non-resident rates were set based on market potential. Recommendations for fee waivers are not yet finalized.

d) Agency Funding Requests: Due to lack of quorum, Scott reviewed the requests from VNA East and Community Companions and Homemakers, and Sheila presented Mary Thatcher's review of WRCC Dial-A-Ride and ADA. Both Mary and Scott recommended that the agencies' funding requests be approved. Those members in attendance were in agreement with a proposal to take a telephone poll of absent members to obtain their votes either to accept, reject or modify the proposed funding requests. Both Tom Miller and Scott Hasson voted in favor of accepting the proposed funding requests. Sheila indicated that she would call the remaining members of the Committee to obtain their votes.

The information session concluded at 3: 45PM.

Next regular meeting will be February 25, 2003.

Respectfully submitted,

Sheila J. Thompson

Town of Mansfield
Transportation Advisory Committee
Minutes of the Meeting
December 10, 2002

Present: Stephens (Chair), Nash, Hall, Zimmer, Koehn, Hultgren (staff), Zolnik (staff)

The meeting was called to order by Chair Stephens at 7:35 p.m.

The Minutes of the 9/19/02 meeting were approved on a motion by Nash/Zimmer.

Correspondence was reviewed including the TSB planning process, the Graduate Student Senate's support for the fare-free bus program and the Willi-bus newsletter. Hultgren updated members on the small urban cluster mapping effort with WinCOG/DOT.

Nash and Zolnik reported that meetings with Karen Graber (WinCOG transit Administrator) and UConn student government were taking place in an effort to revive UConn's interest in the fare-free program. The latest ridership statistics were reviewed.

Hultgren reported that the Birch Road and Separatist Road bikeway projects were still in design and that the cost of the Separatist Road bikeway may be higher than anticipated due to the relatively large retaining wall that it will require. The recent roadway changes were discussed with regards to pedestrian access. Members favored walkway access along the newer (western) edge of the roadway, although no formal recommendation was made.

The speed hump surveys for the two sections of Cedar Swamp Road were circulated. Most residents favored their remaining in place. From the many comments received, clearly they are not a perfect solution.

Hultgren explained that the fourth hump on Baxter Road just north of Forest Road and a speed table on Hillside Circle were delayed by the early onset of winter. A design sketch for a roundabout at the Birch/Hunting Lodge intersection near Goodwin School was discussed with favorable committee reaction.

The status of several road projects was reviewed: 1) The Town is waiting for a response from DOT regarding the design speed for the Route 89/Mt. Hope Road project; 2) Design sketches for the Stone Mill Road bridge were reviewed – staff review and public comment will follow; and 3) The Maple Road reconstruction project will be delayed one year due to DOT funding constraints.

Hultgren said he was working with CL&P and the DOT to get the existing lights along the Mansfield Center streetscape changed to match the color of the new lights. He also said the Town was pressuring the DOT to re-time the signal at Rt. 195/North Eagleville Road to eliminate the daily backup on Rt. 195 at this intersection.
The four new enhancement grant project proposals were reviewed. Zimmer and Koehn suggested upgraded and safer pedestrian crossings for Rt. 195 in the downtown project. Hultgren said he would relay these concerns. Koehn also suggested that TAC review the Mansfield Downtown Plan when it is available. Hultgren will contact the Exe - 85 - Director with this request.

The proposed meeting schedule for 2003 (second Tuesday) was approved.

Hultgren reported that speed limit reduction requests were still being reviewed by the Traffic Authority and that the Town's bike route signs would be repositioned at ¼ mile intervals per Council's request to the Traffic Authority (AASHTO guidelines suggest ¼ mile intervals).

The next meeting will be February 11th unless a January meeting is required.

The meeting was adjourned at approximately 9:15 p.m. on a motion by Nash/Zimmer.

Respectfully submitted,

Lon R. Hultgren
Director of Public Works

cc: Town Manager, Town Clerk, Town Planner, Assistant Town Engineer, Transportation Planning Aide, Social Services Director, UConn Transportation, H. Koehn, file

To: Town Council/Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: March 11, 2003

Re: ***Monthly Report of Zoning Enforcement Activity***
For the month of February 2003

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	5	6	13	84	136
Certificates of Compliance issued	18	46	19	172	116
Site inspections	33	48	32	345	343
Complaints received from the Public	1	3	2	29	56
Complaints requiring inspection	1	3	2	19	40
Potential/Actual violations found	3	9	3	32	34
Enforcement letters	2	7	9	67	81
Notices to issue ZBA forms	2	2	0	12	5
Notices of Zoning Violations issued	2	3	0	20	30
Zoning Citations issued	0	0	0	6	9

Zoning permits issued this month for single family homes = 2, multi-fm = 0
2002/03 Fiscal year to date: s-fm =14, multi-fm =9

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AGRICULTURE COMMITTEE

MINUTES OF FEBRUARY 12, 2003 MEETING

PRESENT: Charlie Galgowski, Al Cyr, Carol Stearns, Bill Palmer, Bill Hopkins, Vicky Wetherell

1. Carol Stearns was acting chairman.

2. Minutes of the January 8, 2003 meeting were approved.

3. Update of the Town's Plan of Conservation and Development
The Committee reviewed a draft of their recommendations for updating the Agricultural Resources section of the Town plan and recommended additional items. A previous list of farms prioritized for preservation was reviewed. Additional farms will be considered at the next meeting.

4. 2003 Agriculture Products and Services Brochure
The committee recommended adding two items to the annual mailing about this brochure: A cover letter outlining preservation options for agricultural operations and a request for participation in a planned fall tour of agricultural operations in town.

5. Fall Exhibit and Tour
The committee discussed options for a fall agricultural tour and decided to investigate whether the committee could have an exhibit at UConn's Cornucopia and Mansfield 300 bus/van tours of local operations during this late September event. Sponsoring a Walking Weekend event was also discussed.

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ANIMAL CONTROL ACTIVITY REPORT

FOR REPORT PERIOD: February 2003

PERFORMANCE DATA:	THIS MONTH	LAST MONTH	SAME MONTH LAST YEAR	THIS FY TO DATE	LAST FY TO DATE
Complaints Investigated:	137	208	176	2152	2023
Wildlife Calls	11	7	4	109	9
Cat Calls	34	56	30	623	529
Phone Calls	148	190	209	2217	2078
Road Calls	18	24	1	201	145
Dog Calls	85	128	145	1328	1357
Complaints Unanswered at End of Month	0	0	0	0	0
Notices to License Issued	(1 survey) 6	6	(2 survey) 13	(43 survey) 75	100
Notices to Vaccinate Issued	0	0	0	0	0
Warnings to Vaccinate	0	0	0	0	0
Other Written Warnings Issued	0	(survey) 8	(survey) 7	(18 survey) 33	(7 survey) 227
Warnings Needing to be Issued	0	0	0	0	0
Dog Bite Quarantines	0	0	0	5	10
Dog Strict Confinement	0	0	0	0	0
Cat Bite Quarantines	0	0	0	0	8
Cat Strict Confinement	0	0	0	0	0
Horse Quarantines	0	0	0	0	0
Number of Arrests	0	0	(2 survey) 3	(4	(9 survey) 15
Dogs on Hand at Start of Month	5	5	4	52	55
Cats on Hand at Start of Month	8	8	5	69	68
Impoundments	13	16	13	182	150
DISPOSITIONS:					
Owner Redeemed	3	2	2	37	37
Sold as Pets - Cats	8	5	4	82	55
Sold as Pets - Dogs	4	6	5	52	52
Total Destroyed	0	2	1	14	15
Road Kills Taken for Burial	0	0	1	5	7
Euthanized at Owners Request	0	1	0	1	2
Euthanized as Unclaimed/Unplaceable	0	1	0	8	6
Total Dispositions	15	15	12	185	159
Dogs on Hand at End of Month	4	5	5	50	53
Cats on Hand at End of Month	7	8	5	67	61
Total Fees Collected	$474.00	$-91-.00	$521.39	$5918.75	$3318.39

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Mansfield Conservation Commission
Minutes of the February 19 meeting
Conference Room B, Audrey Beck Building
7:30 PM

Present : Thorson, Dahn, Trainor, Kessel, Burchstead.
Guest: Miller, Meitzler.

Call to order at 7:30 PM

1. Received letter of resignation of Mary Rodgers.

Motion: Thorson/Burchstead that we appreciate her service and regret her loss. Unanimous.

2. Received 12 page letter from George Hoag and Glen Warner dated Feb 14, which addresses points raised by the Fenton River Subcommittee
(Thorson/Silander/Kessel). It was not discussed. We did extend our appreciation to Richard Miller for presenting it. We will review it for the next meeting.

3. Various items on the agenda passed over and discussed without note.

4. Pleased to find the Open-space committee is working for new criteria.

5. IWA referrals
W1202-B Quintana-Coventry Road. Trainor/Kessel moved that there was no significant negative impact expected, provided that appropriate sedimentation/erosion controls were kept. Unanimous, with Thorson abstaining.

W1203-Sabrina Pools. Trainor/Kessel, moved that were was no significant impact provided that appropriate sedimentation/erosion control were kept but cautioned the committee that the project should strive to keep the pool as far away from the reservoir as possible.

6. Meeting ended with discussion of the adjustments to the final Level A zone of direct recharge. Kessel has contacted DEP and is awaiting
clarification of the procedures how this was done and whereby the perennial stream assumption came into play. Thorson pointed out that the
perennial/non-perennial dichotomy was a surrogate for the effluent/influent dichotomy, which is, in itself, an absurd assumption for streams crossing
"stratified drift" aquifers in southern New England.

Meeting Adjourned

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Item #11

MEMO
3/19/03

To: Martin H. Berliner, Town Manager and the Mansfield Town Council
From: Mansfield's Transportation Advisory Committee (TAC) on behalf of TAC
Re: Fare-Free Bus Program Funding

We understand from Lon Hultgren (staff to the TAC) that with Mansfield's share of the pre-paid fares increasing by approximately $10,000 for fiscal 03-04 it is unlikely that the Town's continued funding of this aspect of the WRTD bus system will be included in the Manager's budget. In light of this, the TAC would like to inform the Town Council:

1) That it favors the continuation of the fare-free program in which all the participants – the Town, UConn Administration, UConn undergraduate students and UConn graduate students – pay their fair share;

2) That currently the UConn Administration and the undergraduate students are not contributing to the program at all, even though UConn students are a majority of the fare-free riders;

3) That the TAC is trying (with the anticipated assistance of our local legislators) to arrange a meeting of the above participants to discuss contributions of the "partners" to the fare-free program so that it can continue on an equitable basis; and

4) That in any event, the Council should fund Mansfield's projected share ($15,540) to keep the program alive, particularly in this time of tighter budgets and higher gas prices, as transit – particularly fare-free transit – is needed all the more.

If and when the meeting referred to in 3) above takes place, we will communicate any program changes to the Manager and Council.

cc: Greg Padick, Town Planner
Karen Graber, WRTD Transit Administrator
Denise Merrill, 54th District Representative
Don Williams, 29th District Senator
Dale Dreyfuss, Vice Chancellor, Business & Administration
Janet Freniere, Manager, Parking and Transportation
Ed Zolnik, Graduate Student Representative
Mike Nichols, President, Undergraduate Students
Dennison Nash, Transportation Advisory Committee
Lon Hultgren, Mansfield DPW

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TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT
ZONING OFFICE

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3330

To: Martin Berliner, Town Manager
From: Curt Hirsch, Zoning Agent CBH
Date: March 11, 2003

Re: FYI, "the Rock" S. Eagleville Rd.

I received this letter yesterday from the president of Zeta Psi Fraternity. The University has begun to take an active role in making student organizations take responsibility for their actions off the campus by placing sanctions on these organizations. Joe Briody, Associate Director of Campus Activities has been in contact with me as to the form that sanctions may take. In Zeta Psi's case, they will be picking up litter on North Eagleville Road between the campus and Separatist Road.

I have been using the Zoning Citations Ordinance for a couple of years in an effort to make UConn (usually) organizations more responsible for policing themselves for littering around "the Rock" just west of the town hall. A significant trash problem had been growing for several years due to the discarding of paint cans, rollers and brushes, rags and beverage containers thrown into the woods behind the Rock after student artists finish their work. I have removed hundreds of aerosol cans and other trash from this area. Several fraternities have been issued warnings under the Citations Ordinance and one was fined twice, they paid both times.

Judy Preston, formerly as Coordinator of Greek Life, and now as Coordinator of Student Organizations has been very helpful in my attempts to get fraternities to be more responsive. The word did spread quickly after I began issuing these warnings and littering around the Rock is now very minor. I believe that there is a Town-Gown meeting today and the administration's separate, unsolicited response to my enforcement probably should be recognized in the public setting of such a meeting.

ZETA PSI FRATERNITY — THETA CHAPTER
1445 Storrs Road, Storrs, Connecticut 06268 (203) 486-5195

March 5, 2003

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I have personally met with Mr. David Clokey, the Associate Dean of Students for Judicial Affairs, and Mr. Joe Briody, the Associate Director with the Division of Student Affairs, at the University of Connecticut in an attempt to resolve this matter. After reviewing the violations by Zeta Psi, and confirming the approval of the chapter to proceed, I have agreed to certain disciplinary sanctions for the chapter. Zeta Psi has received a warning, understanding future violations will result in more severe sanctions and has also agreed to the completion of 25 man hours of community service.

As the head representative of my active chapter, I apologize for any inconvenience my fraternity's lack of consideration has caused you and your staff. Though it was the actions of a select few who caused the problem, it is the organization as a whole which is shed in a bad light.

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As a result, Zeta Psi will take the necessary consequences for these violations, as well as the actions in the future to make sure the proper respect and care is given to town and university property so these problems do not repeat themselves. Thank you for your time and consideration.

Sincerely,
Tristan Lawrie
President, Zeta Psi

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Item #13

News Item for Immediate Release

For more information contact:
Lon Hultgren 429-3332
Steve Bowen 429-3340

Plains Road Bridge to be closed
March 31, 2003

The Plains Road bridge over the Willimantic River between Coventry and Mansfield will be closed beginning March 31, 2003 for deck repairs. The work is expected to be completed in about 4 to 6 weeks.

The top of the concrete deck will be hydroblasted and repoured and a new bituminous wearing course applied.

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STATE OF CONNECTICUT

CONNECTICUT STATE LIBRARY

231 Captiol Avenue • Hartford, Connecticut 06106-1537

March 4, 2003

Item #14

Louise Bailey, Library Director
Mansfield Public Library
54 Warrenville Road
Mansfield, CT 06250

Dear Ms. Bailey:

We are pleased to announce the winners of the Excellence in Public Library Architecture Award 2003. Mansfield Public Library was the winner for public libraries under 18,000 square feet, and Westport Public Library for public libraries over 18,000 square feet.

There are two honorable mentions: one for the Chaplin Public Library, and another for the Mark Twain Library (Redding).

Fifteen libraries submitted projects for consideration. A jury panel consisting of two librarians and two architects, all from out-of-state, spent a day and a half reviewing submissions and evaluating the spectrum of building styles and design solutions presented in the twenty-three projects. I served as non-voting facilitator.

The two architect jurors were

Elizabeth Martin, Director of Planning and Design, Brooklyn Public Library (architect);
J. Stewart Roberts (J. Stewart Roberts Associate Architects in Somerville, MA)

The two librarian jurors were

Sunny Vandermark, Vandermark Consulting (Farmington, MA)
Marjorie Judd, Director of Middleborough Public Library (MA)

I want to thank all of the entrants for the time and effort they spent to prepare the entries (notebooks), which they submitted. The notebooks will be kept in my office, and anybody is welcome to look at them. If you decide to apply again in 2005, you can update your notebook and resubmit as long as your library project is still eligible (open at least one year but no older than six years).

These notebooks will also give us a great history of public library construction in Connecticut. Thanks again.

Sincerely,

Mary Louise Jensen

Mary Louise Jensen
Building Consultant
Division of Library Development

Martin H. Berliner

From: lbailey@biblio.org
Sent: Wednesday, March 12, 2003 9:39 AM
To: berlinermh@mansfieldct.org
Subject: FW: Speakers for CLA (CT Award for Excellence in Public LibraryArchitecture)

Hi,
Here's the official email about our award.

Louise

Original Message:

From: Mary Louise Jensen MJensen@cslib.org
Date: Mon, 10 Mar 2003 11:43:35 -0500
To: lbailey@biblio.org, grover@centerbrook.com, hnewman@hsnparch.com, KBA@KBARCH.COM, heather@marktwainlibrary.org, rmocarsky@schoenhardt.com, mbleiweis@westportlibrary.org
Subject: Speakers for CLA (CT Award for Excellence in Public LibraryArchitecture)

Congratulations!

The winner for public libraries under 18,000 square feet is Mansfield Public Library
The winner for public libraries over 18,000 square feet is Westport Public Library
The honorable mentions for the Chaplin Public Library and Mark Twain Library

As I discussed, you are invited to speak at the Connecticut Library Association program (Connecticut Award for Excellence in Public Library Architecture 2003) at 11:15 am in the Marriott Hotel, Mystic, CT. Your registration for the day and a lunch ticket will be provided by CLA.

Listed below is the agenda
11:00 am Meet at the room (If you want to download your presentation to the laptop, meet at the room about 10:45 am)
11:15 am to 11:25 am Mary Louise Jensen will summarize the program and introduce the speakers
11:25 am to 11:45 am Mansfield's architect and the library's representative
11:45 am to 12:05 am Westport's architect and the library's representative
12:05 am to 12:15 am Mark Twain's architect and the library's representative
12:15 am to 12:25 am Chaplin's architect
12:25 am to 12:30 am Presententation of honorable mention certificates

To allow everybody time to talk, we need to keep to this schedule. The library representatives and architects will need to determine how much time each will take. There is a computer projector. If you decide to do a powerpoint presentation, I would recommend burning a CD or floopies so that we can leave a laptop computer hooked up to the projector. I will provide the labtop microcomputer.

I will present the honorable mentions certificates to the libraries and the architects at the program. The winning libraries will receive a

plaque and $100 and the winning architects will receive a certificate at the Awards Program from 3:45 pm to 5:00 pm at the Awards Reception April 8th.

As soon as possible, I need the following information for the people that will be speaking:

Name, Title
Institution
Address
City, State, Zip
Phone number
E-mail
Some brief biographical information I can use to introduce you

Libraries please let me know who is the current chairperson. I am including this information on an board describing the winners, honorable mentions, and the award program.

For more information about CLA (http://cla.uconn.edu/committees/confrnce/confrnce.html) and directions to Mystic go to http://www.marriott.com/epp/default.asp?MarshaCode=GONMM.

Thanks for your participation.

Mary Louise Jensen
Building Consultant
Division of Library Development
Connecticut State Library
231 Capitol Ave.
Hartford, CT 06106
Telephone: 860-566-2712
or 1-800-253-7412
Fax: 860-525-7645
E-mail: mjensen@cslib.org

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Willimantic River Alliance

P.O. Box 9193, Bolton, CT 06043
wralliance@yahoo.com

Item #15

To: Mansfield Town Council

The Willimantic River Alliance wishes to thank you for supporting the nomination of the Wilimantic River Greenway. The nomination has been forwarded to Leslie Lewis at Ct. DEP for consideration by the Connecticut Greenways Council. Supporting documents include resolutions from the nine towns along the river (Columbia, Coventry, Ellington, Lebanon, Mansfield, Stafford, Tolland, Willington, and Windham). Also included were letters of support from agencies and organizations that have interests along the river and are potential partners in greenway projects:

> Appalachian Mountain Club, Eastern Ct. Resource Conservation and Development Area, Joshua's Tract Conservation and Historic Trust, Natural Resources Conservation Service, Shenipsit State Forest Supervisor, Tolland County Soil and Water Conservation District, Willimantic River Yacht Club.

The 2003 designated official state greenways will be announced in May, and we will notify you about the exact date.

We look forward to working with towns and organizations toward enhanced recreation and natural resource protection along the river. Currently there is an opportunity to apply for the Kodak American Greenway Awards. Up to $2500 may be used for a variety of greenway projects. Priority is given to non-profit community organizations, so towns may wish to work with a local conservation or recreation group. Applications are due on June 1. Details are available at http://www.conservationfund.org/?article=2372 Each town has proposed one or more initial greenway projects (see below), but other greenway projects would be eligible.

The Willimantic River Alliance.

PROPOSED INITIAL GREENWAY PROJECTS

Downstream from the headwaters in Stafford Springs, the towns of Stafford and Ellington are proposing a cooperative trail project along a ridge with scenic views of the steep-sided river valley below.

Stafford will adopt as an initial greenway project a trail linking the town's Hyde Park to nearby town open space, which provides access along the ridgetop to the Ellington line. The trail will be extended from from Hyde Park to the Ellington line.

Ellington will adopt as an initial greenway project "the linkage of a portion of the Nye-Holman

PROPOSED INITIAL GREENWAY PROJECTS (continued)

State Forest to nearby open space parcels in Ellington or adjoining towns," including Stafford's open space parcel on the ridge (the exact route to be determined).

Tolland will pursue the "establishment of a linkage between the Kollar Wildlife Management Area and the Nye-Holman State Forest in the State's (Cole Wilde) Trout Management Area."

Willington's proposed revision to its Town Plan will "designate the Willimantic River corridor as a high priority area for natural resource and open space protection," including the Cole Wilde Trout Management Area. The town's proposed Plan will also have a "goal to connect the new Recreation Area on Rt. 32 (near the river) with a new trail along Roaring Brook (a tributary of the Willimantic River) to a bridge and parking lot area on Village Hill Road." Willington will adopt this as an initial greenway project.

Coventry and Mansfield representatives have been discussing a cooperative trail project along the river. This trail would begin in Coventry near Rt. 195 and continue south to Eagleville dam, switching from one side of the river to the other by crossing existing road bridges in order to access the best riverside areas for the trail.

Coventry will adopt as an initial greenway project the construction of a riverside trail on town land from River View Drive to the Merrow Road bridge. This will connect to an existing riverside trail in Mansfield that leads south through Merrow Meadow Park, UConn's Spring Manor Farm and DEP property to Route 44.

Mansfield will adopt as an initial greenway project the planning and development of a trail from Route 44 south to the Plains Road bridge, where the trail will cross into Coventry and continue to Eagleville dam in the future.

Columbia's entire riverfront is already preserved by Joshua's Trust's Potter Meadow Preserve or DEP property. Their participation in the greenway would be to support the connection of the Willimantic River Greenway with two existing greenways: the Hop River State Park Trail and the Airline State Park Trail North and South.

Lebanon is supporting future linkage between the Airline Trail South and Airline Trail North via the Willimantic River Greenway, and also linkage along the river to Joshua's Trust's Potter Meadow Preserve in Columbia.

Windham has several ongoing projects that will coincide with the Willimantic Greenway plan. First is the goal to connect existing greenways via a trail along the Willimantic River. "There are three bikeways which all converge near the banks of the Willimantic River: the Hop River State Park Trail, The Airline State Park Trail North and South and the Kendall Spur Greenway, and the connection of these trails are integral in the East Coast Greenway plan." Second is an urban trail along the river connecting the existing Willimantic River Trail and the Railroad Museum on the west side of Willimantic to the Windham Mills State Heritage Park and on to Recreation Park on the east side of town near the river's confluence with the Natchaug River.

Item #16

Eastern Highlands Health District
4 South Eagleville Road • Mansfield CT 06268 • Tel: (860) 429-3325 • Fax: (860) 429-3388

Memo

To: Martin Berliner, Town Manager
From: Robert L. Miller, Director of Health
Date: 3/06/03
Re: Four Corners area drinking water well monitoring – Update

At your request, I have reviewed the latest data available from the drinking water monitoring program for the Four Corners area administered by the Health District. As you may recall, this program initiated in cooperation with the DEP in 1990 and was administered by the Town of Mansfield until 1997, when the Health District took over. Although many sites in the general Four Corners area were tested as part of the initial investigation in 1988 and 1989, the current program includes seven (7) active well sites for six (6) properties: B&G Package Store and Wings Over Storrs (1650/1646 Storrs Road), CVS (632 Middle Turnpike), Kathy-John's (643 Middle Turnpike), Public Petroleum (1659 Storrs Road), the Subway Business Office (650 Middle Turnpike), and Zenny's (625 Middle Turnpike). An analysis of the water at Dick's Auto (644 Middle Turnpike) was done this year as well. Below is a summary of the status of each site.

B&G Package Store and Wings Over Storrs, 1650/1546 Storrs Road

Over the past several years the water quality for this site has improved. The latest test results for the treated water from October of 2002 detected 1,2 dichloroethane, 1,2 dichloropropoane, and MTBE at <0.5 micrograms (ug) per liter (L). The compounds detected do not pose a health risk, and the water at this site is potable. At minimum, testing will continue indefinitely as part of the Food License renewal process at this site.

CVS, 632 Middle Turnpike

This site was formerly Exxon and had been unoccupied for a number of years. The new CVS was constructed and occupied in 2001. The latest test results from October of 2002 detected MTBE and toluene at levels of 2.5 ug/L and <0.5 ug/L respectively. An additional compound, t-amyl methyl ether, was detected at a concentration of 1.2 ug/L. No drinking water quality standard exists for this compound. The compounds detected were at levels that do not pose a public health risk, and the water at this site is potable. The Health District will continue annual monitoring for this site.

Dick's Auto, 644 Middle Turnpike

We took the opportunity to test this site in October 2002 and found that MTBE and toluene were at levels below the action levels set by the Department of Public Health (0.6 ug/L and <0.5 ug/L, respectively). Neither compound, however, was found in the last test, done in August of 1996; in that analysis, toluene was tested for but not detected, and MTBE was not tested for. An additional compound, t-amyl methyl ether, was also detected at a concentration of <0.5 ug/L. No drinking water quality standard exists for this compound. The compounds detected were at levels that do not pose a public health risk.

Kathy-John's, 643 Middle Turnpike

The most recent analysis, from October 2002, detected 1,2 dichloroethane and 1,2 dichloropropane at trace levels, both <0.5 ug/L. You may recall that water monitoring was discontinued in 1994. However, the Health District has continued monitoring on an annual basis as a precautionary measure because the well serves a food establishment. The monitoring the Health District performs and the required annual testing Kathy-John's must perform to maintain a Food Service License will result in a thorough examination of the water supply. At this time the water supply is potable.

Public America, 1659 Storrs Road

This property, formerly Public Petroleum had been unoccupied since 1994. In 2001, the renamed Public America constructed a convenience store. Part of the construction requirements was to install a water treatment system coupled with a comprehensive water-quality monitoring program. The results of the water monitoring have shown that the treatment system produces potable water. The water test results from January of 2003 detected MTBE at 5.0 ug/L, but it is unclear whether the water tested was treated or raw. The Department of Public Health has established an action level for this compound at 70 ug/L, and therefore the water tested is potable.

Subway Business Office, 650 Middle Turnpike

The latest test results from October 2002 indicate chlorobenzene and 1,2 dichloropropane at levels below the maximum contaminant levels set by the Department of Public Health, <0.5 ug/L and 1.3 ug/L respectively. However, 1,2 dichloroethane was detected at 1.3 ug/L, a concentration which exceeds the action level per the Department of Public Health. The water is not potable. The business maintains the use of bottled water, and the Health District will continue with annual monitoring.

Zenny's, 625 Middle Turnpike

Over the past twelve years the water quality at this site has generally improved. The latest test results from October of 2002 detected MTBE and 1,2 dichloroethane below the action levels established by the Department of Public Health: In the treated water, MTBE was detected at a concentration of 18.0 ug/L and 1,2 dichloroethane at a concentration of 0.5 ug/L; in the untreated water, MTBE was detected at a concentration of 17.0 ug/L and 1,2 dichloroethane at a concentration of 0.5 ug/L. An additional compound, t-butyl alcohol, was detected in the treated and untreated water sources at levels of 3.3 ug/L and 2.7 ug/L, respectively. No drinking water quality standard exists for this compound. The compounds detected were at levels that do not pose a public health risk. Annual testing will continue as part of the Food License renewal.

In closing, the data generated by this monitoring program indicates a general improvement over time of the drinking water quality in this area. One new site, CVS, was added to the program, and Dick's Auto was also tested this year. Except the Subway Business office, the water at all the sites tested is potable. Although the data indicates a general improving trend in the Four Corners Area, the same data clearly demonstrates that ground water contamination still exists. Appropriately, the Health District will continue to monitor the well water quality in the area.

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