



**TOWN OF MANSFIELD**  
**TOWN COUNCIL MEETING**  
**MONDAY, April 26, 2004**  
**COUNCIL CHAMBERS**  
**AUDREY P. BECK MUNICIPAL BUILDING**  
**7:30 p.m.**  
**AGENDA**

	PAGE
CALL TO ORDER	
ROLL CALL	
APPROVAL OF MINUTES .....	1
OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL	
OLD BUSINESS	
1. Issues Regarding the UConn Landfill Including the UConn Consent Order, Public Participation Relative to the Consent Order and Well Testing (Item #3, 04-12-04 Agenda) .....	21
2. University Spring Weekend (Item #4, 04-12-04 Agenda).....	29
3. Town of Mansfield/University of Connecticut Land Exchange (Item #10, 04-12-04 Agenda).....	33
4. Appointment of Town Representative to Mansfield Downtown Partnership (Item #2, 03-08-04 Agenda).....	43
5. Town of Mansfield Proposed Fiscal Year Operating 2004/05 Budget (Item #III, 04-12-04 Special Meeting Agenda) .....	45
NEW BUSINESS	
6. Proclamation of Congratulations and Friendship to Mansfield, Massachusetts .....	47
7. Appointment of Auditor to Conduct Financial Audit for Fiscal Year 2003/04.....	53
8. Amendment to Solid Waste Regulations .....	57
DEPARTMENTAL REPORTS.....	59
REPORTS OF COUNCIL COMMITTEES	
REPORTS OF COUNCIL MEMBERS	
TOWN MANAGER'S REPORT	
FUTURE AGENDAS	
PETITIONS, REQUESTS AND COMMUNICATIONS	
9. R. Favretti re: 8-24 Referral, 2004/05 Capital Improvements Budget .....	95
10. Q. Kessel re: Correspondence with Department of Environmental Protection .....	97

11. J. Passmore re: Mansfield Town Council Pledge .....107  
12. Legal Notice – Regional School District Number 19 Town Meeting .....109  
13. Mansfield Planning and Zoning Commission Referral – 14-lot Subdivision East of Fern Road.....111  
14. Connecticut Conference of Municipalities Management Bulletin – Connecticut Supreme Court  
on Municipal Powers: Separate Budget Referenda, “Yes” .....125

EXECUTIVE SESSION

REGULAR MEETING-MANSFIELD TOWN COUNCIL-APRIL 12,2004

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

I. ROLL CALL

Present: Blair, Clouette, Haddad, Hawkins, Paterson, Paulhus, Redding, Thorkelson

Absent: Schaefer

II. APPROVAL OF MINUTES

Mr. Thorkelson moved and Mr. Hawkins seconded to approve the minutes of March 22, 2004 as presented with one correction: Mr. Chip Jordan was incorrectly spelled.

So passed unanimously.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Mr. Richard Pellegrine, Clover Mill Road, spoke on his concerns over the upcoming Spring Weekend at UConn. He urged the Town Council to encourage UConn to take appropriate action of those students who caused destruction on the Campus after the National Basketball Championships were won by both the Men and Women. If UConn takes appropriate action before spring weekend, perhaps it may discourage further inappropriate actions by the UConn students.

By consensus the order of the two Public Hearings was changed.

IV. PUBLIC HEARING

2. Separatist Road Bikeway/Walkway Project

Mr. Lon Hultgren, Director of Public Works discussed the plans for the project. The maps were on the wall of the Council Chamber.

Helen Koehn, Separatist Road was very concerned over the speed of the traffic. She suggested speed bumps for control. She also requested that traffic and speed counts be done prior to the project and after the bikeway is built

Kathy Hagan, Separatist Road, expressed concern over the high retaining wall that will be built by her driveway. She is concerned that clients coming to her

## Separatist Road Bikeway

4/12/04

### Highlights:

The path is proposed to be 8 ft wide and made of bituminous concrete along the East side of Separatist Road from Hunting Lodge Road to South Eagleville Road (4100 feet approximately).

UConn has agreed to build the 1200 feet that fronts their property North of Stadium Road.

Town would build the remaining link to Hunting Lodge Road and the section from Stadium Road to South Eagleville Road.

A concrete retaining wall just over 400 feet long would be required along the high bank to make room for the pathway. It is proposed to have fieldstone form liners or stone facing.

Approximately 25 mature trees would have to be removed to make way for the pathway and the retaining wall, mostly along the high bank area. Approximately 35 trees will be replanted along the path, most along this high bank area.

The row of mature arborvitaes near the Stadium Road corner will be removed to make way for the path. A new row will be planted between the house and the pathway and extended along Separatist Road.

East side driveway sight distances along Separatist Road will be substantially improved, particularly the one nearest the retaining wall.

Some minor drainage changes are needed to cross existing streams, pipes and ditches. A wetlands permit will be required.

The estimated Cost of the pathway is \$715,000 (including Engineering and Rights of Way); the Town's cost will be \$500,000 to \$575,000 since UConn is building about 29% of it (but the Town's section is more expensive). This has been budgeted over the last 3 years in the Town's capital budget (activity 83308).

Following the public hearing, the next step is to have the needed easements surveyed and appraised so that they can be purchased by the Town.

After the easements are secured, construction can begin ... perhaps still in 2004.

home and place of business may not be able to see bikers and/or walkers as they exit her driveway. There is also concern over a large rock and ledge area that is not conducive to straight site line view as you leave her driveway. She is not in favor of the project as proposed.

Emory Braswell, Separatist Road, was concerned about the ditch that is on the corner of Separatist and Stadium Road. Drivers seem not to make the appropriate turn onto Stadium Road and go into that ditch by his driveway.

Hearing closed at 8:00 p.m.

1. Proposed Fiscal Year 2004/05 Operating Budget

Mr. Richard Pellegrine, Clover Mill Road spoke on items of concern to him:

1. Cost of Annual Report/Calendar.  
Annual meeting date was not on calendar, commissions and boards were not up to date, and list of current officials such as Town Council were not on it.
2. Compensation and Fringe Benefits to certain upper management employees. Has the Council compared them to such towns as Newington, Glastonbury and Rocky Hill ?
3. What did the Town do to assist in the cleanup of the litter, junk, and garbage in Celeron and Carriage House apartments after the UConn celebration of the National Championships?
4. To what extent is the community center self-sufficient?
5. Has there been a study of the administrative staffing of Reg. District #19?

Public Hearing closed at 8:12 p.m.

V. OLD BUSINESS

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

The Town Manager reported that the Quarterly Progress Report for Jan-March 2004 was in the Council's packet. The final report is due soon as to the closeout plan. Six or seven more houses have been added to UConn water.

4. University Spring Weekend

The Town Manager has held many meetings with all emergency departments in both the town and university. The University has set a high priority on the student disciplinary procedure. The Dean of Students has sent out staff to do videos of certain areas of campus.

The Town Manager is waiting for the after action report from the State Police.

Mr. Haddad moved and Mr. Thorkelson seconded to add 10a to the agenda-Town Council committee appointments

So passed unanimously.

VI. NEW BUSINESS

5. 2004 America the Beautiful Grant Application

Mr. Haddad moved and Mr. Hawkins seconded that effective April 12, 2004, to authorize the Town Manager to submit the attached 2004 America the Beautiful Grant application in the amount of \$10,953 for the purchase of a handheld personal computer and related software, and to execute a Personal Services Agreement with the Department of Environmental Protection to receive any such grant award.

So passed unanimously.

6. Construction Agreement for Clover Mill Road Reclaim and Overlay Project

Ms. Blair moved and Mr. Haddad seconded to adopt the following resolution:

RESOLVED, that Martin H. Berliner, Town Manager, be, and hereby is authorized to sign the agreement entitled:

“Agreement between the State of Connecticut and the Town of Mansfield for the Construction, Inspection and Maintenance of Clover Mill Road Reclaim and Overlay utilizing Federal Funds under the Rural Component of the Surface Transportation Program.”

So passed unanimously.

7. Administration of Fee Waiver Ordinance

No action necessary

8. Pledge of Allegiance at Town Council Meetings.

Mr. Clouette moved and Mr. Haddad seconded that the Town Council adopt a practice that at the start of each Council meeting each Council member, in alphabetical order, would present a patriotic exercise on our democracy.

After much discussion the motion was withdrawn. By consensus the Council will discuss this issue at a future meeting.

9. National Community Development Week

Mr. Haddad moved and Mr. Thorkelson seconded to adopt the attached Proclamation and Resolution.

So passed unanimously.

10. Town of Mansfield/University of Connecticut Land Exchange

Mr. Thorkelson moved and Mr. Hawkins seconded to move that effective April 12, 2004, to refer the proposed land exchange between the town and the University of Connecticut concerning the town's property adjacent to the Bergin Correctional Institution and the University's property at Plains road to the Planning and Zoning Commission for review pursuant to Section 8-24 of the Connecticut General Statutes.

So passed unanimously.

10A. Council Committee Appointments

Mayor Paterson has appointed Carolyn Redding to the Committee on Committees and Bruce Clouette to the Finance Committee.

VII. DEPARTMENTAL REPORTS

VIII. REPORTS OF COUNCIL COMMITTEES

IX. REPORTS OF COUNCIL MEMBERS

The Mayor reported that she and the Town Manager had attended a ceremony where Congressman Simmons presented the Downtown Partnership a USDA grant for \$50,000.

The Mayor had the opportunity to speak with Congressman Simmons on the \$5 million grant the Husky road.

The Mayor and Council member Chris Paulhus attended the League of Women Voters when Rep. Merrill spoke on several issues. One issue was the cost of malpractice insurance for our local doctors and the issue of recycling bottles would be looked at again by the legislature.

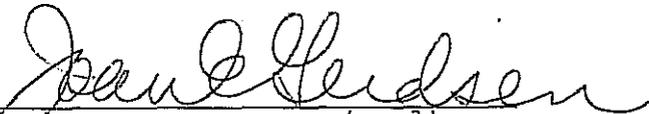
State Project No. 77-209  
Federal- Aid Project No. STPR-1077 (106)

RESOLUTION

RESOLVED, that Martin H. Berliner, Town Manager, be, and hereby is authorized to sign the agreement entitled:

" Agreement Between the State of Connecticut and the Town of Mansfield for the Construction, Inspection and Maintenance of Clover Mill Road Reclaim and Overlay utilizing Federal Funds under the Rural Component of the Surface Transportation Program "

ADOPTED BY THE  Mansfield Town Council  OF THE  
 Town of Mansfield , CONNECTICUT, THIS  12th  DAY  
OF  April , 200 4

  
Clerk (seal)

April 13, 2004   
Date

S:\LR\LEON\MARIC.

**DRAFT**

**PROCLAMATION  
NATIONAL COMMUNITY DEVELOPMENT WEEK**

Whereas, the Community Development Block Grant (CDBG) Program has operated since 1975 to provide local governments with the resources to meet the needs of low- and moderate-income, the elderly and other in need within our community, and CDBG funds have been used by neighborhood based non-profit organizations throughout the nation to address pressing neighborhood and human service needs; and

Whereas, the Community Development Block Grant program has had a significant impact on our community; and

Whereas, Town of Mansfield, CT and other local governments have clearly demonstrated the capacity to administer and customize the CDBG program to identify, prioritize and resolve pressing local problems, such as affordable housing, neighborhood and human service needs, job creation and retention and neighborhood revitalization; and

Whereas, the Town of Mansfield has utilized funds for renovations at Juniper Hills, a senior housing complex; Wrights Village, a publicly assisted program; An addition to Senior Center for health services; Purchase and rehabilitation of a residential shelter for young women with children; and a Town-Wide housing Rehabilitation program.

Now, Therefore, I, Mr. Martin Berliner, by virtue of the authority vested in me as Town Manager of, Town of Mansfield, CT, do hereby proclaim the week of April 12 - April 18, 2004 as

**Town of Mansfield, CT Community Development Week**

In the Town of Mansfield, CT and urge all citizens to join in recognizing the Community Development Block Grant program and the important role it plays in our community.

In Witness Whereof, I have hereto set my hand and caused the Seal of, Town of Mansfield, CT to be affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

# DRAFT

## RESOLUTION

Whereas, the week of April 12 - April 18, 2004 has been designated as National Community Development Week, Town of Mansfield, CT is a participant in the Community Development Block Grant program which funds a myriad of social service, economic development, and housing programs in this community, and

Whereas, in this community and in communities throughout the nation, thirty years of Community Development Block Grant program funding has developed a strong network of relationships between our local government, residents and the many non-profit agencies that provide services and help make possible our commitment to those neighborhoods, and

Whereas, this community recognizes that the Community Development Block Grant program is a successful partnership of Federal, state and local governments, business, non-profit and community efforts, and that the services funded by the CDBG program, administered by our local government and often assisted by local non-profit organizations, relies heavily on the dedication of and good will of our combined efforts.

Therefore **Be It Resolved**, that during National Community Development Week 2004, our community gives special thanks and recognition to all participants whose hard work and devotion to their community and neighborhoods and their low- and moderate-income residents has helped insure the quality and effectiveness of the Community Development Block Grant program, and

**Be It Further Resolved**, that the Town of Mansfield, hereby petitions the U.S. Congress and the Administration to recognize the outstanding work being done locally and nationally by the Community Development Block Grant program, and of its vital importance to our community and the people who live in its lower income neighborhoods, and who have been helpful in its progress, and

**Be It Further Resolved**, that copies of this resolution be conveyed to the appropriate elected and appointed officials of the Federal government and that the Town of Mansfield, be added to the rolls of those committed to the preservation and full funding of the Community Development Block Grant program and maintenance of its essential value over the course of the next session of Congress.

There will be a dedication of the Farwell Barn on the University of Connecticut campus hopefully in May before the students leave for the summer.

On April 25, 2004 the Mayor will attend the celebration of Stephen Christopher Glow's Eagle Scout Award and present him a proclamation from the Town Council.

X. TOWN MANAGER'S REPORT

The Town Manager and Town Planner attended a meeting of the University Board of Trustees to talk on the issue of off campus housing. It is recommended that there be a sub-committee formed to look at housing, which may have problems such as housing code violations.

The Mansfield Downtown Partnership Inc and the Storrs Center Alliance LLC have signed a Development Agreement. The preliminary draft of the Business Plan must be completed within 120 days.

The Town/Gown meeting will be held on Tuesday, April 13, 2004 in the Council Chamber at 4:00 p.m.

The Town has met with the Eastbrook Mall Management to discuss the cinema project.

The Old Town Hall was a structural problem and town staff will be assessing the situation.

The next meeting will be on the 26<sup>th</sup> to discuss the budget.

XI. FUTURE AGENDAS

The patriotic exercise in the beginning of future Council meetings.

XII. EXECUTIVE SESSION

Not needed.

XIII. ADJOURNMENT

At 9:06 p.m. Mr. Hawkins moved and Mr. Thorkelson seconded to adjourn the meeting.

Elizabeth C. Paterson, Mayor

Joan E. Gerdson, Town Clerk

SPECIAL MEETING-MANSFIELD TOWN COUNCIL-APRIL 12, 2004

Mayor Elizabeth Paterson called the Special Meeting of the Mansfield Town Council to order at 6:04 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building.

I. ROLL CALL

Present: Blair, Clouette, Haddad (arrived at 6:10 p.m.)Hawkins, Paterson,  
Paulhus, Redding, Thorkelson  
Absent: Schaefer

II. BUSINESS

1. FY 2004-2005

Col. Edwin Passmore, Middle Turnpike, Woody Woodbury, Vet. Advisor for the Area, and Mrs. Jane Metzler Potz, 611 Wormwood Hill Road, were present and expressed their concern that the request for Veterans Advisory Center be given to the full amount. The request under Area Agencies had been for \$9,630.00. The amount suggested for this year's budget was \$2,500.00.

Mr. Thorkelson moved and Mr. Hawkins seconded to totally fund the Veteran's request of \$9,630.00

So passed unanimously.

a. Health and Social Services pg. 127-137

Mr. Kevin Grunwald, Director of Social Services was present to answer questions of the Council.

b. Library pg. 138-139

Louise Bailey, Director of the Library was present. She spoke, when asked, about Sunday hours. Although those hours are missed by many the statistics are showing that the library users are changing their times to use the library. There seems to be a switch to Monday hours from Sundays.

c. Area Agency Contributions Pg. 142-143

Flagged\*\*\*\*\*Sexual Assault Crisis Service

III. ADJOURNMENT

At 7:15 p.m. Ms. Blair moved and Mr. Thorkelson seconded to close the special meeting.

So passed unanimously.

Elizabeth Paterson, Mayor

Joan E. Gerdson, Town Clerk

SPECIAL MEETING-MANSFIELD TOWN COUNCIL-APRIL 7, 2004

The Special Meeting of the Mansfield Town Council was called to order by Mayor Elizabeth C. Paterson at 6:10 p.m. at the Mansfield Community Center.

I. ROLL CALL

Present: Blair, Clouette, Hawkins, Paterson, Paulhus, Redding, Schaefer  
Absent: Haddad, Thorkelson

II. BUSINESS

Mr. Schaefer moved and Mr. Paulhus seconded to move #2 to the beginning of the agenda.  
So passed unanimously.

Mayor Paterson read a proclamation thanking the Mansfield Community Center Building Committee for their vision and willingness to serve the Town in creating a Community Center that has become a center for so many. Mr. Vincente and the Mayor presented the Committee with a sweatshirt and cap from the Community Center. There was cake for all to enjoy. Present from the Committee were Chairman Ann Rash, Sharry Goldman, Ray Moore, Christopher Kueffner, Joseph Pandolfo, Mark Paquette, and Dave Hoyle.

1. FY 2004/05 Budget

a. Mansfield Board of Education pg. 153-156

Present from the Board of Education: Simpson, Perry, Holinko, Patwa, Kueffner, Thacher, Hamlin, Feathers and Superintendent Schimmel, and Asst. Supt. Baruzzi.

Mr. Simpson presented the overall budget to the Council and thanked them for their past support for Education.  
Superintendent Schimmel discussed the problems with the Federal mandates for "No Child left Behind".

Mayor Paterson, on behalf of the Council requested the Board to reduce their budget by \$204, 190.00. The Board said that they would discuss this amount and communicate with the Mayor, Manager and Finance Director.

- b. Daycare Pg. 197-198
- c. Debt Service Pg. 201-208
- d. Internal Service Funds Pg. 219-226



*Town of Mansfield  
Proclamation*

*In Honor of the Mansfield Community Center Building Committee*

*Whereas*, in February of 2000 the Town Council established the Mansfield Community Center Building Committee to prepare plans for a community center; and

*Whereas*, the members of the Committee included Anne Rash, who served as chair, Sharry Goldman, who served as vice chair, Christopher Kueffner, who served as secretary, and David Hoyle, Marietta Johnson, Ray Moore, Joseph Pandolfo and Mark Paquette; and

*Whereas*, the Committee met regularly from May 2000 until February 2004; and

*Whereas*, the Committee worked in consultation with town staff, the project architect and construction manager to review and consider suggestions and comments from residents and the general public; prepare preliminary and final work drawings, specifications and cost estimates; select the various contractors; and oversee the facility's construction; and

*Whereas*, the Committee was able to proactively and effectively shape the design, components and character of the Community Center, thereby contributing greatly to its ultimate success.

**NOW, THEREFORE**, I, Elizabeth C. Paterson, Mayor of Mansfield, Connecticut, on behalf of the Town Council and the citizens of Mansfield do hereby acknowledge the members of the Mansfield Community Center Building Committee for their work and leadership in support of the planning, design and construction of Mansfield's Community Center.

*IN WITNESS WHEREOF*, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 12th day of April in the year 2004.

*Elizabeth C. Paterson*

---

Elizabeth C. Paterson  
Mayor, Town of Mansfield  
April 12, 2004

e. Recreation Pg. 140-141, 191-195

Mr. Curt Vincente, Director of Parks and Recreation answered questions from the Council.

Discussion on Pg. 193 to take "actual " out of header.

Pg. 267 needs to be checked.

Also present was Mr. John Jackman, Fire Marshal and Director of Civil Preparedness.

### III. Adjournment

At 7:30 p.m., by consensus, the meeting was adjourned and everyone stayed for a reception to thank the members of the Community Center.

Elizabeth C. Paterson, Mayor

Joan E. Gerdson, Town Clerk

SPECIAL MEETING-TOWN COUNCIL-MARCH 31, 2004

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 6:03 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building.

I. ROLL CALL

Present: Blair, Clouette, Haddad (arrived at 6:10 p.m.) Hawkins, Paterson, Paulhus, Schaefer, Thorkelson

II. BUSINESS

1. Appointment of New Council Member

Mr. Thorkelson moved and Mr. Schaefer seconded to appoint Caroline Redding to the Mansfield Town Council.

So passed unanimously.

Town Clerk read the oath of office to Ms. Redding.

2. FY 2004/05 Budget

a. Town-Wide Pg. 157-63

Town Manager handed out:

Economic and Demographic Data of the Town  
Information on the Bridge Account  
Replacement Pages Title and Pg. 65, 79  
CCM Revised Analysis of State Funding  
Budget review calendar revised

b. Public Safety Pg. 93-105

Police Protection Pg. 94-95

Animal Control Pg. 96-97 Dianne Gaudreau was present to answer questions.

Fire Marshal Pg. 98-99 John Jackman was present to answer questions.

Fire and Emergency Services Pg. 100-103 Dave Dagon was present to address questions

Civil Preparedness Pg. 104-105

c. Public Works

Lon Hultgren, Director of Public Works was present.

P.W.Administrative Pg. 107-111

Road Services Pg. 112-117

Question on the list of town owned vehicles. Town Manager had that list and gave it to the Council members

Engineers Pg. 121-125

d. Solid Waste

Lon Hultgren explained Pg. 209-217

e. Revenue Budgets

Pg. 33-45

f. Operating Transfers Out Pg. 165

g. Community Development Pg. 145-149

### III. ADJOURNMENT

At 7:00 p.m. Mr. Clouette moved and Mr. Hawkins seconded to adjourn the meeting.

So passed unanimously.

Elizabeth Paterson, Mayor

Joan E. Gerdson, Town Clerk

SPECIAL MEETING-MANSFIELD TOWN COUNCIL-MARCH 29, 2004

The special meeting of the Town Council was called to order at 6:06 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building by Mayor Elizabeth Paterson.

I. ROLL CALL

Present: Blair, Clouette, Haddad, Hawkins, Paterson, Paulhus, Schaefer, Thorkelson

II. BUSINESS

1. FY 2004-2005 Budget

a. Budget presented to the Council

Town Manager presented the proposed budget to the Council and discussed the following items:

The budget message Pg. 1-5 This would mean a 5.7 percent increase. Education budget up 7.8 percent, Regional District #19 increase of 7.7 percent, and the Town's portion increased by 6.4.

b. Issues and Options Pg. 5

Fund Balance

Ten Year Trend in Education Pg. 7,8,9

Debt Service Fund Pg. 10

Staff Changes Pg. 10

Impact of Community Center Pg. 13

Requests of Non-profit organizations Pg. 14

Land Management Pg. 15

c. General Government Pg. 59

Town Government

Town Attorney Pg. 66

Probate Pg. 68-69

Registrars Pg. 70-71

Town Clerk Pg. 72-73

General Elections Pg. 74-75

Finance Pg. 77-85

Copy Central Pg. 86-87

Central Services 88-89

d. Capital Projects Pg. 167-173  
Summary Pg. 181-183

e. CNR Pg. 185

Add to the agenda for next meeting filling Council vacancy created by Mr. Bruce Bellm.

III. ADJOURNMENT

At 7:22 p.m. Mr. Thorkelson moved and Mr. Haddad seconded to adjourn the Town Council meeting.

So passed unanimously.

Elizabeth Paterson, Mayor

Joan E. Gerdson, Town Clerk

THIS PAGE LEFT

BLANK

INTENTIONALLY



Item #1

**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *Matt*  
**CC:** Martin H. Berliner, Town Manager  
**Date:** April 26, 2004  
**Re:** Issues Regarding the UConn Landfill Including the UConn Consent Order,  
Public Participation Relative to the Consent Order and Well Testing (Item #3,  
04-12-04 Agenda)

---

**Subject Matter/Background**

Attached please find new correspondence concerning the UConn landfill. At present, the Town Council is not required to take any action on this item.

**Attachments**

1) UConn Landfill Remediation Project – April 2004 Update

UCONN

# Update

## Landfill Remediation Project

### INTRODUCTION

Last October, the Update reported on the public review of the Closure Plan for the UConn landfill and former chemical pits. At that time, the Connecticut Department of Environmental Protection (DEP) had accepted comments on the Closure Plan and anticipated issuing a decision letter later in the fall. That review was delayed by questions over how to consolidate multiple permits required for disturbance of waste materials and closure of the landfill and former chemical pits. In December 2003, DEP issued a letter commenting on the Closure Plan and requesting a revised Closure Plan, which UConn prepared and submitted in January 2004. A detailed letter responding to comments from DEP and others – including the U.S. Environmental Protection Agency (EPA) and the Town of Mansfield – was submitted together with the Revised Closure Plan. Additional documents are currently being prepared or under review. This includes a detailed Wetland Mitigation Plan and follow-up work related to stormwater management in connection with permit applications.

The article below highlights some of the changes included in the Revised Closure Plan and Response to Comments document. DEP is reviewing the changes, along with details of the permit applications. Other articles in this edition outline the results of the ongoing Interim Monitoring Plan and permits that UConn has applied for. Once all of the permits are in hand and DEP has issued a decision on the revised closure plan, UConn will contract with a Construction Manager (CM) to complete the closure work. At that time, the community will be invited to meet the CM and learn more about the construction of the cap and leachate interceptor system.

## UConn Submits Revised Landfill Closure Plan

In September 2003, about 45 members of the Mansfield and UConn communities participated in an Open House on the Draft Closure Plan for the UConn landfill and former chemical pits. The participants talked with agency and UConn representatives, consultants and local officials, and some submitted comments on the draft plan. They also had the chance to review information in a Technical Memorandum on groundwater flow from the east and its potential impact on the project.

Comments from the public and letters from local, state and federal agencies were then considered by the Connecticut Department of Environmental Protection (DEP). In December 2003, DEP asked UConn to respond to some of these comments as part of the agency's review of

the Closure Plan. UConn sent DEP a Revised Closure Plan on January 26, 2004. UConn also submitted a detailed response to comments document to DEP on January 22. DEP is currently reviewing these documents and the permit applications.

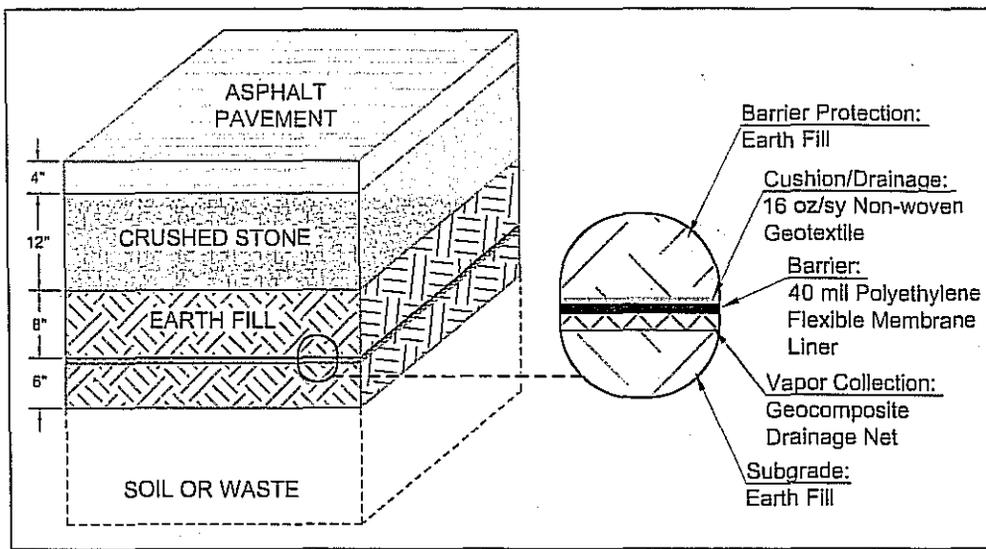
While these documents were being prepared, UConn's consultants continued to work on the permits needed to start closure activities. UConn also began the process of hiring a construction manager (CM) to oversee the closure. The quarterly schedule of well sampling continued, and UConn began using a commercial laboratory to analyze all samples from residential wells. Although UConn had hoped to begin

### WHAT IS THE UCONN LANDFILL PROJECT?

On June 26, 1998 the Department of Environmental Protection issued a Consent Order to the University of Connecticut. The order requires UConn to thoroughly evaluate the nature and extent of soil, surface water and groundwater pollution emanating from the University landfill, former chemical pits and an ash disposal site known as F Lot. The order also requires UConn to propose and implement remedial actions necessary to abate the pollution. The UConn Landfill Remediation Project is the process that UConn is undertaking to comply with the order.

**Visit the UConn Landfill Project web site for copies of the project schedule, meeting announcements and other information.**

**[www.landfillproject.uconn.edu](http://www.landfillproject.uconn.edu)**



Cross-Section of proposed UConn Landfill cover system.

### Revised Landfill Closure Plan / cont.

work on the landfill closure in winter 2003, construction has been pushed back. Permitting, fine tuning the closure plan and developing a mitigation plan for the wetlands areas are taking more time than anticipated. Finally, plans were approved to connect six homes southwest of the study area to UConn water, as directed by DEP, and the water connections were completed on North Eagleville Road.

### Refining the Closure Plan

The Revised Closure Plan responds to comments provided by the public, reviewers for the Town of Mansfield, DEP, and the U.S. Environmental Protection Agency (EPA). If approved by DEP, the changes in the Closure Plan will include the following steps:

- Adding alarms on the pumps that will convey leachate from the landfill leachate interceptor trenches to the wastewater treatment plant. A problem with a pump will trip an alarm at the UConn wastewater treatment plant, notifying the staff to check it.
- Dewatering the sediments and material that will be dug up from outside the perimeter of the landfill. Once these materials are placed on the landfill, they will dry out and any water coming off the landfill will be collected and pumped to the wastewater treatment plant. (See the Glossary on page 3 for more information on dewatering and other boldfaced terms.)
- Placing stormwater catchbasins and associated piping above the landfill liner. In the first plan, pipes that carry stormwater from the catchbasins were placed below the liner, which consists of a flexible membrane liner (FML). DEP and EPA reviewers felt that placing the piping above the liner would mean fewer penetrations of the liner and easier access to the system for repairs. In the revised plan, the pipes are located above the FML liner. (See the cross-section, above.)
- Providing a detailed plan for wetlands mitigation. Waste and polluted sediment from the outside edges of the landfill will be dug up and placed on the landfill before it is capped. In response to requests from DEP and the Army Corps of Engineers (ACOE), UConn's consultants prepared a conceptual wetland mitigation plan and, with input from the ACOE

and DEP, are preparing a detailed plan to replace these wetlands and restore others that will be disturbed by excavation and construction activities.

The team anticipates that a detailed wetlands mitigation plan will be submitted to DEP in early April 2004.

- Supplying more information and drawings, such as a plan for the parking lot bus shelter on the landfill; how to deal with snow removal; and other technical design issues.
- Combining the waste disruption, landfill closure and post-closure use permits into one permit to be granted by DEP, which will streamline this phase of the permitting process.
- Affirming that post-closure monitoring will continue for at least 30 years. Quarterly sampling is required under the Remediation Standard Regulations (RSRs); however, UConn can petition the DEP to reduce sampling frequency after post-closure conditions are well-established. The Long-Term Monitoring Plan specifies all of the locations to be sampled.

The Closure Plan/ Response to Comments document lists the reviewer's question or comment, then provides a response. The responses form the basis for the changes in the Revised Closure Plan. It is helpful to read the Response Document first since it highlights the changes that were then implemented in the Revised Closure Plan.

### Next Steps

This month, UConn will complete work on a revised version of the Comprehensive Hydrogeologic Investigation Report (CHIR) and Remedial Action Plan (RAP) and submit it to DEP and the key parties for final review. The RAP will be revised to include changes in the Revised Closure Plan, Supplemental Remedial Alternatives Analysis Technical Memorandum and Closure Plan/Responses to Comments. DEP will review all of these documents and issue a decision letter or letters on the plans. Final action on some of the permits will not be complete until

## Chronology of Recent Submittals

### Comprehensive Hydrogeologic Investigation Report and Remedial Action Plan

- Approved by DEP 6/03
- Revised plan and responses to comments to DEP 4/04

### Closure Plan

- Submitted to DEP 8/03
- Reviewed by public 9/03
- Review by DEP 12/03
- Revised plan 1/04
- DEP review ongoing

### Closure Plan/Response to Comments

- Comments in 9/03
- DEP review 12/03
- UConn reply 1/04
- DEP review ongoing

### Interim Monitoring Program

- Round 12 submitted to DEP 1/04
- Round 13 sampling began in 2/04

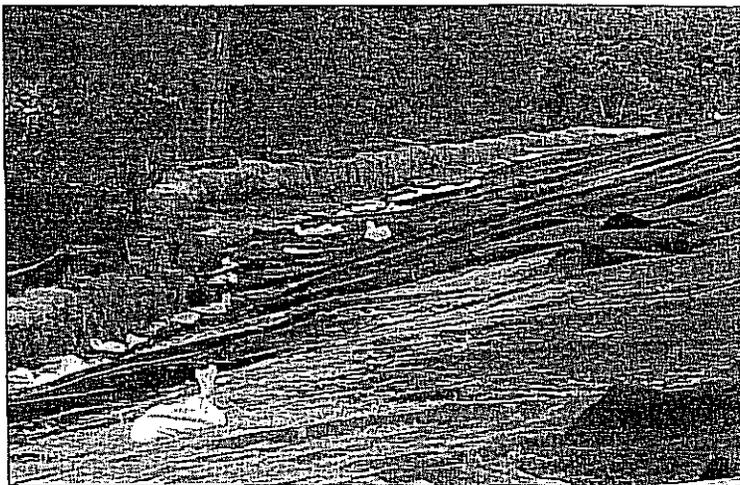
### Final Wetlands Mitigation Plan

- Requested by ACOE 12/03
- UConn to submit 4/04

Continued on next page

the agencies complete their review of the Final Wetland Mitigation Plan.

Copies of all documents are available for public review at the Mansfield Public Library, in the Town Manager's office and at UConn communications. Questions on the changes should be sent to Ray Frigon, DEP Project Manager, 79 Elm St., Hartford, CT 06106-5127. Mr. Frigon can be reached by phone at 860-424-3797 or email at Raymond.Frigon@po.state.ct.us.



The closure of F Lot also involved placement of a flexible membrane liner (FML), as shown in this photo. The white sandbags hold the liner in place during construction. Hay bales visible along the perimeter are part of the stormwater detention system.

## DEFINING THE TERMS

**Abandonment** – The process of closing a well to avoid cross-contamination or the introduction of contaminants into a well that is no longer in use. The closing includes removing the steel casing and PVC materials and filling the opening with grout or cement.

**Closure Plan & Closure Plan/Response to Comments** – The Closure Plan for the landfill describes how the remedies for the study area will be completed. It includes information on regrading the landfill, consolidating outlying waste and installing a final cover on the landfill and regrading and capping the former chemical pits area, building a parking lot over the cover and monitoring the groundwater and surface water quality. The Response to Comments document lists changes in the plan and answers to comments made by regulators and the public. The Revised Closure Plan includes the changes described in the Response document.

**Commercial laboratory** – An independent, privately owned laboratory that routinely conducts analyses of soil, water and other media as a commercial business.

**Analytic detection limit** – The measurable value of a compound or element below which a chemical test is unable to tell if a substance is present. Detecting a substance does not necessarily mean it will have health effects.

**Dewatering** – (1) A process of removing water from saturated solid media, such as soils and sediment, by gravity drainage or vacuum extraction; (2) The practice of lowering groundwater levels, typically by pumping from wells, sumps, or wellpoints, to stabilize soils, reduce uplift pressures and promote dry working conditions in an excavation or trench.

**Flexible Membrane Liner (FML)** – A flexible, low-permeability synthetic made of various materials including polyvinyl chloride (PVC) and high density polyethylene (HDPE). Its flexibility reduces the potential for rupture in areas where ground settlement is anticipated. Typical uses include lining ponds and impoundments to minimize exfiltration, and covering landfills and waste disposal areas to minimize infiltration of rainfall and snowmelt. (See the F Lot FML liner photo on page 3.)

**Interim Monitoring Program (IMP)** – A quarterly well sampling program for monitoring shallow groundwater, surface water and active domestic wells in the project Study Area and around its perimeter. The Long-Term Monitoring Plan will replace the IMP.

**Leachate** – Liquid that has passed through solid waste and contains suspended or soluble materials in solution that came from the waste. Leachate can flow laterally and discharge from the sides of a landfill.

**Leachate Interceptor Trenches (LITs)** – Trenches that are filled with pipes and crushed stone or drainage sand. The trenches are constructed adjacent to landfills to collect leachate, which is then treated and discharged.

**Long-Term Monitoring Plan (LTMP)** – A multi-year plan to continue sampling of soil gas, surface water, shallow monitoring wells and bedrock wells in the Study Area and several adjacent private domestic wells to monitor water quality and protect human health and the environment. The results will be reported to DEP and property owners and evaluated on a long-term basis.

**Remedial Action Plan (RAP)** – A set of recommendations resulting from the landfill investigation: to cap the landfill and build trenches around it to capture and treat leachate; to cap the area of the former chemical pits; to continue the use of the parking lot as a cap for F lot; and to extend public water to additional homes. The plan includes operation and maintenance plans for each site; restrictions on future use; and a Long-Term Monitoring Plan to protect human health and the environment.

**Wetlands Mitigation Plan** – A plan that specifically addresses actions to mitigate or repair impacts made to wetlands as a result of remediation and/or construction activities.

# Well Sampling Continues

Until the Closure Plan is complete, UConn continues to implement the Interim Monitoring Program (IMP). This sampling program takes place four times a year. It includes groundwater, surface water and domestic wells in the project Study Area and around its perimeter. This program will be replaced by a Long-Term Monitoring Plan (LTMP), which will guide sampling for 30 years after the closure work is finished.

Haley & Aldrich recently completed the 12th round of well sampling. Results of the samples were sent to homeowners and reported to the Town of Mansfield, Eastern Highlands Health District (EHHD), and the Connecticut Department of Environmental Protection (DEP). No exceedances of drinking water standards were found. The quarterly IMP report is available at the Town Manager's Office and at the EHHD office. (Homeowners each receive a report of their results. They can consult with DEP on any questions.)

All of the samples from private wells are now being sent to a commercial laboratory for analysis. Based on questions concerning the validity of some of the prior sample analysis performed by UConn's Environmental Research Institute (ERI), UConn began sending 20% of the IMP samples to a commercial state-certified laboratory in January 2003. Because ERI is no longer doing drinking water sampling analysis, UConn will continue to use commercial laboratories for this work. (An article on data quality was in the October 2003 UConn Update, which is available on the project web site.)

## History of Sampling

The IMP was intended to ensure the safety of drinking water in the area around the landfill and former chemical pits while the study was underway. Since 1998, DEP, EHHD and Haley & Aldrich have collected more than 500 groundwater samples from domestic wells. The RSR drinking water protection criteria were exceeded three times, at two homes. Those homes were promptly connected to UConn water.

The LTMP will serve the same role as the IMP after the landfill and former chemical pits have been closed and the remediation is in place. The LTMP will also protect human health and the environment by evaluating the concentrations of contaminants in groundwater and surface water over time. If concentrations increase over time, UConn and DEP will re-evaluate the remediation system, expand the monitoring program and take other measures needed to protect public health and the environment.

The LTMP includes sampling at many locations, including:

- six surface water locations in the study area
- five shallow groundwater monitoring wells
- five bedrock monitoring wells (two are inactive domestic wells)
- six active domestic wells, and
- four soil gas monitoring locations

At DEP's direction, UConn is connecting six homes on Meadowood Road and North Eagleville Road to its water system (a seventh homeowner prefers to remain on well water).

The active private wells to be sampled in the LTMP are located on Meadowood Road and Separatist Road.

The results of the LTMP analysis will be available to the key parties and the public. The data will be reported four times a year, with summaries available on the project web site. The complete reports will be in the Mansfield Public Library, in the Town Manager's and EHHD offices and at UConn Communications.

## Well Abandonment

The LTMP will include abandoning many of the existing monitoring wells at the landfill and private wells that are not in use because the residences were hooked up to the UConn water system.

*Continued on page 6*

The **Revised Comprehensive Hydrogeologic Investigation Report and Remedial Action Plan (RRAP)**, to be submitted to DEP in April, contains updated information on the well sampling completed for the UConn Landfill Project. Precision, accuracy, representativeness, completeness and comparability are some of the criteria summarized in Section 5 of the RRAP. Data assessment provides a "check" on the quality of the data produced by a laboratory. The table below presents some data on completeness, just one part of this assessment. It is presented here for readers' information because it gives a glimpse of the volume of data analyzed as part of the investigation. **Completeness** is a measure of the amount of data obtained from a measurement system compared to the amount expected under normal conditions. It is usually expressed as a percentage. The goal for the study was a completeness percentage of 90%. A total of 308,689 project analytical measurements were looked at, with 5,322 rejected. Samples were rejected due to failure to meet specific quality assessment criteria or failure to comply with specific analytical methods. For example, samples that were held too long in the laboratory prior to their analysis, violating the holding times dictated by the analytical method, were rejected. The review showed a completeness percentage of 98.3% for the project overall.

### Number of Parameters Analyzed

Measurement or Parameter	Domestic Wells and % complete	Groundwater Wells and % complete	Soil and Sediments and % complete
Groundwater VOCs	10,686 100%	77,240 97.1%	6,116 99.9%
Groundwater SVOCs	9,360 100%	121,971 98.3%	10,210 98.9%
Groundwater trace metals	22,297 99.8%	1,440 100%	2,46 100%

For more information on all of the parameters of the data assessment, see Section 5 of the RRAP for a review of all the parameters and results.

# Permitting Underway for Landfill Closure

Once the Closure Plan for the UConn landfill and former chemical pits has been approved, the actual construction will not begin until all of the permits and certificates have been issued. UConn's consultants have filed applications for the permits needed to implement the plan. The Connecticut Department of Environmental Protection (DEP) issues most of the permits, which are listed below. The Army Corps of Engineers (ACOE) regulates issues connected with disturbing wetlands.

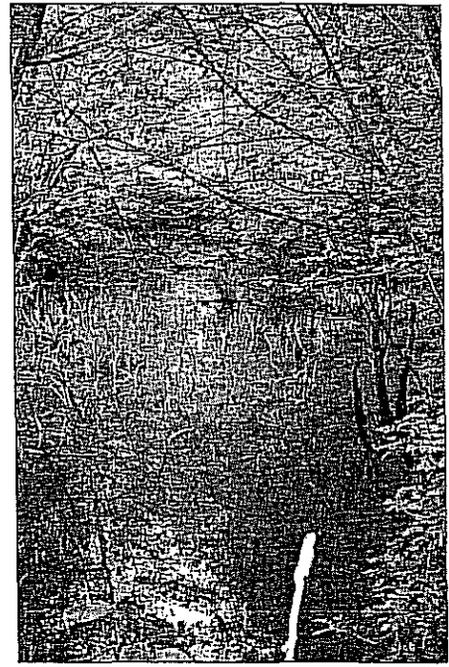
The ACOE Permit is intended to protect aquatic resources from development by requiring applicants to avoid wetland impacts. This permit also allows or regulates the discharge of dredged or fill material into wetlands. The Permit application was submitted to ACOE (with copies sent to DEP) in May 2003. The Corps published a public notice on July 24, 2003 indicating the project comment period would end on August 22, 2003. One comment was received from a developer on an adjacent property during the public comment period. The ACOE and U.S. Environmental Protection Agency (EPA) provided comments on the application in letters dated October 30, 2003 and October 3, 2003, respectively. DEP provided additional comments on the Permit application and additional State permit applications in a letter dated November 4, 2003. The project team responded to these comments with two submittals dated December 1, 2003 (to ACOE) and December 3, 2003 (DEP). These submittals included point-by-point responses to comments, supplemental engineering calculations and drawings and a conceptual wetland mitigation plan.

As part of the permit review process, representatives from DEP and ACOE did a site walk on March 9, 2004, to review the impacts of the landfill closure on the wetlands. UConn will supply the agencies with more sediment data along with the Final Wetlands Mitigation Plan.

In addition to reviewing the ACOE Permit application, DEP reviews and issues permits in the following category areas:

- 401 Water Quality Certificate – this is a requirement of the ACOE Permit; it assures that the discharges to a water body are consistent with the federal Clean Water Act and the Connecticut Water Quality Standards
- Inland Wetlands and Watercourses – regulates activities within and adjacent to wetlands and surface waters (streams, rivers, ponds)
- General Permit for the Discharge of Stormwater and Dewatering Wastewater from Construction Activities – regulates management of stormwater and construction dewatering waters from construction sites
- General Permit for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer – regulates discharge of waters to a public-owned treatment works (this is required for discharge of leachate from the proposed leachate interceptor trenches)
- Flood Management Certificate – ensures that discharge of stormwater will not result in a flooding hazard
- Authorizations for Disruption of a Solid Waste Disposal Area, Closure and Post-Closure Use – regulates any activities that have the potential to disrupt solid waste, the plans for closure of solid waste disposal areas, and proposed plans for post-closure use of solid waste disposal areas

UConn will also seek a certificate of operation from the State Traffic Commission for the parking lot. Discussions are underway with Northeast Utilities to work within its easements and crossing right-of-ways. The Construction Manager will also be required to obtain building and site development permits and approvals in accordance with local, state and federal requirements.



This wetlands is part of the sediment remediation area north of the landfill.



The ACOE permit governs wetlands like this one, also north of the landfill.

## CLOSURE SCHEDULE

Preparation of Bid Documents	Weeks 1-4
Hire Project Construction Management	Weeks 2-3
Review Contractor Submittals	Weeks 3-11
Mobilization, Site Preparation, and Stormwater/Erosion Control	Weeks 11-16
Contaminated Sediment Removal and Relocation	Weeks 17-22
Waste Consolidation	Weeks 23-34
Construction of the LITs	Weeks 35-40
Land Reshaping and Grading	Weeks 38-42
Cover System Installation	Weeks 43-49
Road and Parking Lot Construction	Weeks 38-50
Project Completion, Demobilization and Closeout – Installation of Monitoring Wells	Weeks 51-54
Preparation of closure certification report	Weeks 55-58

tem. This includes homes on Hunting Lodge Road, North Eagleville Road and Meadowood Road. Abandonment is a term that describes closing a well as advised by DEP guidelines. Proper closure of wells helps avoid introducing new contaminants into the bedrock, and prevents cross-contamination from one bedrock fracture to another.

Abandoning the wells consists of several steps. Piping and existing well pumps are removed initially. If the well has a steel casing, it is removed. If the casing is cemented into the bedrock, the contractor cuts it off below the ground

surface along with the PVC well materials inside the well casing. (Removing as much of the PVC as possible is a goal of this process.) For older wells, which were installed without seals, the PVC materials are usually split so cement can be injected into the space around the PVC. Finally, the well and borehole are filled with cement grout. This smooth-flowing cement fills the well up to the ground surface.

Care of the wells that are part of the LTMP will be included in an operations and maintenance plan.

**For more information . . .**

The U.S. Environmental Protection Agency (EPA) offers good information on its web sites on municipal solid waste and landfill capping:

<http://epa.gov/to/download/citizens/capping.pdf> -- a good fact sheet on capping a landfill

<http://epa.gov/epaoswer/non-hw/municipal/index.html> -- the municipal solid waste page

The U.S. Geological Survey (USGS) also offers informative and easy-to-read information: <http://water.usgs.gov/wid/index-resources.html>

**LIST OF PROJECT CONTACTS**

*Town of Mansfield:*

Martin H. Berliner  
Audrey P. Beck Building  
4 South Eagleville Rd.  
Mansfield, CT 06268-2599  
(860) 429-3336

*University of Connecticut*

Richard Miller  
Director, Environmental Policy  
31 LeDoyt Rd., U-3038  
Storrs, CT 06269-3038  
(860) 486-8741

Scott Brohinsky, Director  
University Communications  
1266 Storrs Rd., U-4144  
Storrs, CT 06269-4144  
(860) 486-3530

James Pietrzak, P.E.  
Senior Project Manager  
Architectural and  
Engineering Services  
31 LeDoyt Rd., U-3038  
Storrs, CT 06269-3038  
(860) 486-5836

*CT Department of  
Environmental Protection*  
Ray Frigon  
Project Manager  
Water Management  
Bureau  
79 Elm St.  
Hartford, CT 06106-5127  
(860) 424-3797

*U.S. Environmental  
Protection Agency*  
Chuck Franks  
Northeast Region  
1 Congress St. (CCT)  
Boston, MA 02114-2023  
(617) 918-1554

*Haley & Aldrich, Inc.*  
Rick Standish, L.E.P.  
800 Connecticut Blvd.  
Suite 100  
East Hartford, CT 06108-7303  
(860) 282-9400

**UPDATE REVIEWERS**

The following parties reviewed the copy for this edition of the *UConn Update*: Ray Frigon, CT DEP; Rob Miller, EHHD; Martin Berliner, Town of Mansfield; and members of the UConn consultant team.

**COMING NEXT TIME**

- Interim Monitoring Program Results
- Construction Schedule
- Permitting Update

**WHERE WILL I FIND THE DOCUMENTS?**

[www.landfillproject.uconn.edu](http://www.landfillproject.uconn.edu)

Copies of all project documents are available at:

**Town Manager's Office**

Audrey P. Beck Bldg.  
4 South Eagleville Rd.  
Mansfield, CT 06268  
(860) 429-3336

**Mansfield Public Library**

54 Warrenville Rd.  
Mansfield Center, CT 06250  
(860) 423-2501

**CT Dept. of Environmental Protection**

Contact: Ray Frigon  
79 Elm St.  
Hartford, CT 06106-5127  
(860) 424-3797

**UConn at Storrs**

Contact: Scott Brohinsky  
University Communications  
1266 Storrs Road, U-4144  
Storrs, CT 06269-4144  
(860) 486-3530

THIS PAGE LEFT

BLANK

INTENTIONALLY



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MWH*  
**CC:** Martin H. Berliner, Town Manager  
**Date:** April 26, 2004  
**Re:** University Spring Weekend (Item #4, 04-12-04 Agenda)

---

**Subject Matter/Background**

Attached please find correspondence concerning the University Spring Weekend, which is scheduled for April 22-25, 2004. As in previous years, state, university and town staff and public safety personnel have conducted extensive planning to manage this event as best as possible.

**Attachments**

- 1) Letter to Residents re: Potential Closure of Carriage House Drive and Hunting Lodge Road to Vehicular Traffic
- 2) Letter to Package Store Owners re: Sale of Alcoholic Beverages
- 3) University of Connecticut Communication to Students

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

April 15, 2004

Dear Resident:

As you may know, the University of Connecticut Spring Weekend is scheduled to run Thursday, April 22<sup>nd</sup> through Sunday, April 25<sup>th</sup>. The town is working closely with the Connecticut State Police and University officials to provide a safe environment for both residents and students alike.

To ensure public safety, on an "as needed" basis we may need to close to vehicular traffic all of Carriage House Drive and the portion of Hunting Lodge Road from North Eagleville to Birch Road. The potential road closures would most likely occur during evening hours, but could begin earlier if necessary. As there may be times when drivers may not be able to access these roads, we advise all residents of this area to plan their travel accordingly. You can assist our efforts by being extra careful when driving this weekend and by avoiding heavy pedestrian areas.

Please feel free to contact our police department at 429-3357 with any questions regarding this request.

Your assistance is greatly appreciated. Together, we can make this the safest Spring Weekend ever.

Sincerely,

Martin H. Berliner  
Town Manager

CC: Mansfield Town Council  
Michael Darcy, Resident State Trooper  
Robert Hudd, Chief, University of Connecticut Department of Public Safety  
Thomas Callahan, Special Assistant to the President, University of Connecticut

**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  
fx: (860) 429-6863

April 15, 2004

Dear Permittee:

As you may know, the University of Connecticut Spring Weekend is scheduled for this Thursday, April 22<sup>nd</sup> through Sunday, April 25<sup>th</sup>. The town is working closely with the Connecticut State Police and University officials to limit some of the troubles that we have experienced in the past.

We can attribute many of our past problems to the consumption of alcoholic beverages by minors. Consequently, I am asking for your assistance to prevent minors from purchasing alcohol, which will serve to avoid the problems associated with such illegal purchases. You can help by being extra careful to "card" prospective buyers.

In addition, we request that the sale of glass bottles be discouraged wherever possible. "Flying glass bottles" thrown by partygoers and other individuals have caused numerous injuries in recent years and have helped to inflame potentially dangerous situations.

We greatly appreciate your cooperation.

Sincerely,

Martin H. Berliner  
Town Manager

CC: Mansfield Town Council  
Mike Darcy, Resident State Trooper  
Robert Hudd, Chief, University of Connecticut Police Department  
Thomas Callahan, Special Assistant to the President, University of Connecticut

# Help preserve your investment in your education!

We view the following as not just violations against individuals and property, but against the UConn Community at large. Please understand what you are risking if you choose to disrespect Your Campus Community:

If you are found responsible for:

<u>Violation</u>	<u>Minimum Sanction</u>
Flipping or vandalizing a vehicle	Expulsion
Having contact with a flipped or Vandalized vehicle	Suspension
Setting fires	Suspension/Expulsion
Assault	Suspension/Expulsion
DUI with aggravating circumstances	Suspension/permanent loss of parking
Interfering with a Police Officer	Suspension/Expulsion

Please note: These are not new sanctions, but these sanctions are expensive. Suspension and expulsion for disciplinary reasons means no refund of tuition or other fees. Suspension is usually for two semesters, including the semester in which the violation occurred. Expulsion is permanent. Most of these violations will also include arrest and criminal action. Many employers require criminal checks of potential employees.

If you think the sanctions are damaging to the individuals involved, think of the damage the violators are doing to the reputation of UConn and your degree. If you have information about a violation of *The Student Code* and/or the law, contact the Dean of Students Office, the University of Connecticut Police or a member of the Residence Life staff. The Dean of Students Office website ([www.dosa.uconn.edu/bbpics.html](http://www.dosa.uconn.edu/bbpics.html)) has photographs of individuals and incidents for which we need further information. Step up and help stop incivility at UConn!

For more information Call the Dean of Student Office 486-3428.



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MWH*  
**CC:** Martin H. Berliner, Jennifer Kaufman Gregory Padick, Curt Vincente  
**Date:** April 26, 2004  
**Re:** Town of Mansfield/University of Connecticut Land Exchange (Item #10, 04-12-04 Agenda)

---

**Subject Matter/Background**

As you will recall, at its previous meeting the Town Council referred this item to the Planning and Zoning Commission for review pursuant to Section 8-24 of the Connecticut General Statutes. This proposal concerns a land exchange between the town and the university in which the town would acquire the 10-acre Plains Road parcel and the university would receive title to the town's 43-acre parcel adjacent to the Bergin Correctional Institution. The town has no immediate plans for the use of its 43-acre parcel and its interest in the proposed land exchange is to facilitate the development of a greenway/blueway, including a canoe launch and multi-use recreation area, along the Willimantic River at Plains Road. We have recently submitted a grant application to the Department of Environmental Protection seeking funding for this project.

For its part, the university is interested in the proposed land exchange in order to acquire property for the development of future recreational programs. The town had originally acquired the 43-acre parcel adjacent to Bergin CI from the university in 1995, at the time the former Mansfield Training School property was transferred by the state to UConn.

The university's board of trustees has acted favorably on this proposal. As detailed in the attached, the Planning and Zoning Commission does not object to the proposed exchange of open space/recreational parcels.

**Financial Impact**

The land transfer itself would be an even exchange. The development of the proposed greenway/blueway would total \$48,800, with the grant contributing \$39,000 to the project and the town providing the balance via in-kind services.

**Legal Review**

The Town Attorney is in the process of drafting the necessary documents to facilitate the land exchange.

### **Recommendation**

Because the town has no immediate plans to use the 43-acre parcel adjacent to the correctional institution and the development of a greenway/blueway along the Willimantic River would be a significant recreational asset for the community, staff recommends that the Town Council authorize the Town Manager to execute the proposed land exchange with the university.

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

*Move, effective April 26, 2004, to authorize the Town Manager to execute the proposed land exchange with the University of Connecticut in which the town would acquire for an even exchange the university's 10-acre Plains Road parcel and the university would receive title to the town's 43-acre parcel adjacent to the Bergin Correctional Institution.*

### **Attachments**

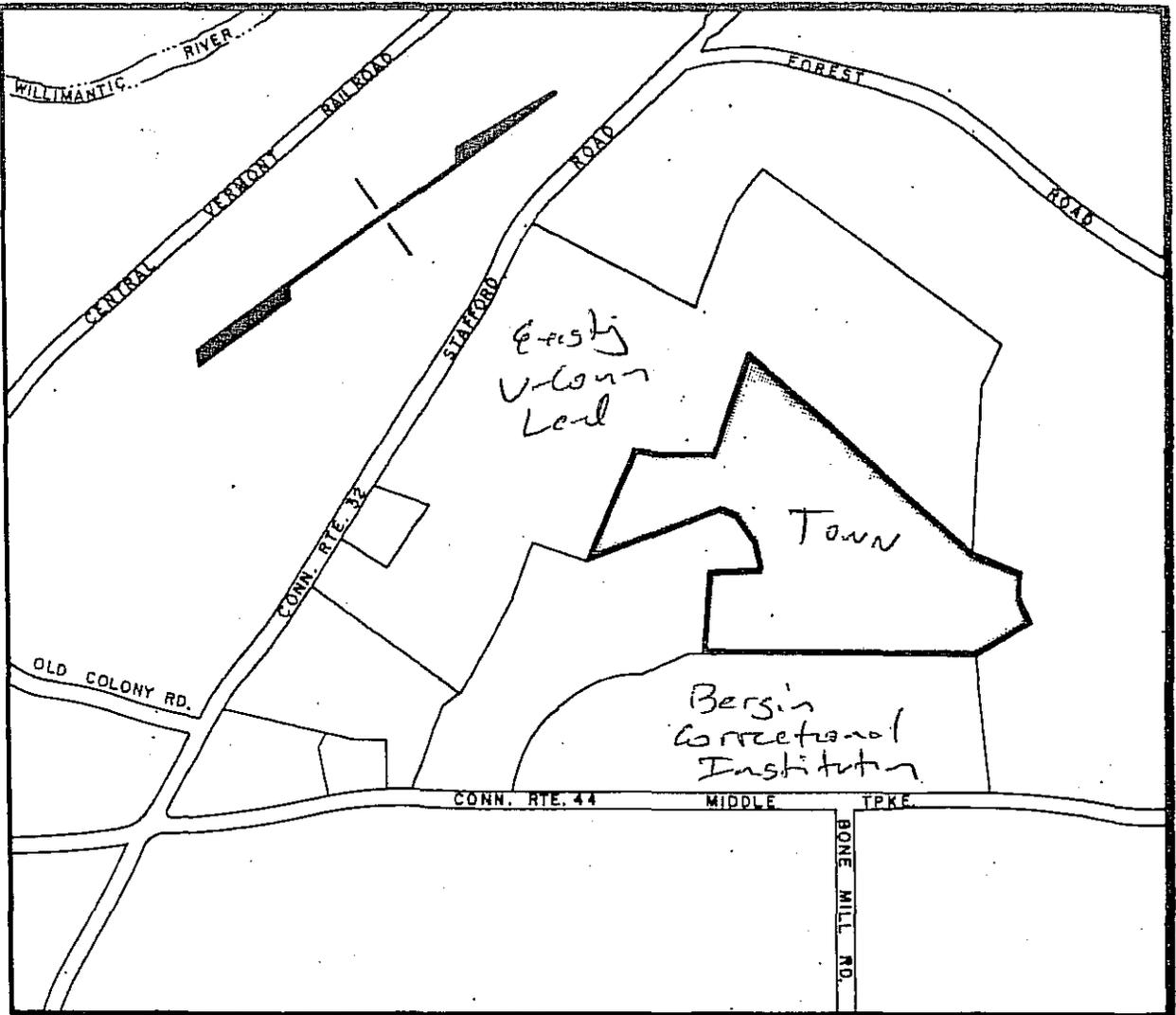
- 1) Map – Proposed Greenway/Blueway
- 2) Map – Existing Town-owned 43 Acres of Land
- 3) Communication from PZC re: Section 8-24 Referral
- 4) Memorandum from Town Planner to PZC
- 5) Memorandum from Parks Coordinator



THIS PAGE LEFT

BLANK

INTENTIONALLY



Eastly Town owned  
43 acres of Lead.





PLANNING AND ZONING COMMISSION  
TOWN OF MANSFIELD

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
STORRS, CONNECTICUT 06268  
(203) 429-3330

Memo to: Town Council  
From: Planning and Zoning Commission

*Rudy Favretti / jrk.*  
Rudy J. Favretti, Chairman

Date: April 21, 2004

Re: 8-24 referral, proposed exchange of land between the Town and the University of CT-owned 10-acre parcel along Willimantic River immediately north of Plains Rd. and Town-owned 43-acre parcel immediately north of Bergin Correctional Institution

At a meeting held on April 19, 2004, the Mansfield Planning and Zoning Commission unanimously adopted the following motion:

“that the Planning and Zoning Commission has no objection to the proposed exchange of open space/recreational parcels as described in information accompanying the Town Council’s 8-24 referral.”

The Town Planner’s informational memo on this proposal is attached for your information. If there are any questions regarding this action, the Planning Office may be contacted.

TOWN OF MANSFIELD  
OFFICE OF PLANNING AND DEVELOPMENT

---

GREGORY J. PADICK, TOWN PLANNER

Memo to: Planning & Zoning Commission  
From: Gregory J. Padick, Town Planner  
Date: 4/15/04



Re: 8-24 referral: Proposed exchange of land between the Town and the University of Connecticut

Pursuant to the provisions of Section 8-24 of the State Statutes, the Town Council, at its 4/12/04 meeting, voted to refer to the PZC a proposed exchange of land. If approved, the Town would take over ownership of a 10-acre parcel located along the Willimantic River, immediately north of Plains Road, and would deed to the University 43 acres without road frontage that is located immediately north of the Bergin Correctional Institution's site north of Rt. 44. The subject parcels are depicted on the attached maps. The proposed exchange has been approved by the UConn Board of Trustees. State Statutes provide the PZC with a 35-day comment period. The following additional information is provided for the PZC's consideration:

- The Town is interested in the Plains Road property to facilitate the development of a greenway/blueway, including a canoe launch and multi-use recreation area, along the Willimantic River. The attached grant application, which has not yet been acted upon, provides more information about this proposed project.
- The 43-acre parcel north of Rt. 44 was deeded to the Town in 1995 in conjunction with the disposition of land formerly associated with the Mansfield Training School. This conveyance stipulated that the property shall be used for open space purposes and, if and when said premises are not are not used for open space purposes, said premises shall revert to the State of Connecticut.
- The Town has not utilized the 43-acre parcel since 1995, and does not have any plans to use this site. The University of Connecticut is interested in the subject parcel for the development of future recreational programs. The University owns abutting land between this site and Rt. 32. As noted, this parcel does not have frontage on any public road. It is primarily wooded in character.
- A majority of the Plains Rd. site is within the 100-year flood plain of the Willimantic River and is within a Plan-designated stratified drift aquifer area. The property is situated between the Central Vermont Railroad tracks and the Willimantic River. Areas closest to Plains Rd. are of an open field character and were previously used for filter beds for the now-discontinued Mansfield Training School/UConn sewage treatment plant.
- The subject parcels are both depicted within open space preservation classifications in Mansfield's Overall Plan of Development map. The 43-acre parcel is zoned RAR-90 and the Plains Rd. parcel is zoned Flood Hazard.
- The Plan of Development also provides priority criteria for use in evaluating potential open space acquisitions. Town acquisition of the Plains Rd. site would promote priority criteria A, B, E, G, H and L of the Plan (see pages 139 and 140). Additionally, providing trail linkage opportunities would promote recreational recommendations 1b and 1c as cited on page 118 of the Plan.

Summary/Recommendation

The proposed land exchange would convey to the Town property along the Willimantic River that has utility for a variety of recreational and open space functions. Town ownership of the Plains Rd. site would promote many specific and general recommendations contained in Mansfield's Plan of Conservation and Development. The submitted recreational grant application provides information about intended uses for the Plains Rd. site. The Town has no current plans for the landlocked 43-acre parcel north of Rt. 44 that was conveyed to the Town for "open space" purposes. Without road frontage, this parcel has limited public access and would likely remain as undeveloped woodland. The University of Connecticut owns abutting land and has interest in this parcel for future recreational programs.

My review indicates that the proposed exchange is consistent with Mansfield's Plan of Conservation and Development. Accordingly, it is recommended that the Planning & Zoning Commission notify the Town Council that it has no objection to the proposed exchange of open space/recreational parcels as described in information accompanying the Town Council's 8-24 referral.



Mansfield  
Community  
Center

Town of Mansfield  
Parks and Recreation  
Department



*Jennifer Kaufman*  
*Parks Coordinator*

10 South Eagleville Road  
Storrs/Mansfield, Connecticut 06268  
Tel: (860) 429-3015 Fax: (860) 429-9773  
Email: Parks&Rec@MansfieldCT.org  
Website: www.MansfieldCT.org

TO: Martin H. Berliner, Town Manager  
Matt Hart, Assistant Town Manager

FROM: Jennifer S. Kaufman, Parks Coordinator

DATE: February 4, 2004

SUBJECT: Recreational Trails Program Grant

Attached you will find a project description and budget to develop a greenway/blueway, including a Canoe Launch and multi-use recreation area with a nature trail, along the Willimantic River at UConn's Plains Road Property. This greenway/blueway would greatly enhance the Willimantic River as a "Canoe/Kayak Trail." In addition, this project provides another link in the greenway trail from Merrow Meadow Park to Eagleville Preserve, permanently preserved parcels along the Willimantic River. Both the Town and University see this project as an excellent partnership opportunity.

The total project cost is \$48,800. If funded, the grant would contribute \$39,040 to the project. In-kind services and cash would be provided by the Town and a local Landscape Architect and would total \$9,760 and will be paid out of existing capital improvement funds.

It is respectfully recommended that the Town Council consider authorizing the submittal of this grant application to the Recreational Trail Program.

## Development of a Greenway/Blueway Along the Willimantic River

### 1. Project Summary

The Town of Mansfield proposes to develop a greenway/blueway, including a Canoe Launch and multi-use recreation area with a nature trail, along the Willimantic River at UConn's Plains Road Property. This greenway/blueway would greatly enhance the Willimantic River as a "Canoe/Kayak Trail." In addition, this project provides another link in the greenway trail from Merrow Meadow Park to Eagleville Preserve, permanently preserved parcels along the Willimantic River. The Town and University have negotiated a lease and both parties see this project as an excellent partnership opportunity.

In 2003, the Willimantic River was designated an Official State Greenway. One of the goals of this greenway is to enhance the river as a waterway and to create additional launch sites. Development of this greenway/blueway trail provides more river access and would draw residents of Mansfield and surrounding towns to the Willimantic River, which runs 25-miles through 9 towns from Stafford Springs to Willimantic. Use of the greenway/blue trail will be enhanced by a multiuse green space with a nature trail. This space will be used as a ball field and for other recreational uses such as picnicking, kite flying, and summer concerts. The Plains Road location is ideally suited for a canoe launch because of its location immediately above the Eagleville Lake impoundment. Proximity to the lake provides paddlers with relatively flat waters and is the only location along the river where beginners can learn to canoe in a river with slow current. In addition, the Plains Road location is the only point between Eagleville Lake and the Willimantic River's headwaters where there is enough water flow year round to float a canoe. The Plains Road location is ideal for a multiuse green space and nature trail because it is surrounded by undeveloped land that would not conflict with recreational uses.

The property was the site of UConn's former sewage treatment facility. The area of the proposed multi-use green space has since been refurbished and graded with a layer of topsoil. The site was hydroseeded in 2001 to stabilize the soil and prevent erosion. The Canoe Launch would be installed adjacent to the multiuse green space and would be incorporated as part of the nature trail.

In order to develop this property as a waterfront recreation area with a nature trail and canoe launch the Town of Mansfield would perform the following tasks:

- Consult with a UConn's Department of Landscape Architecture to develop a plan for greenway/blueway trail, development. The plan would guide the initial installation of the items detailed below. The plan would also include additional items such as plantings, and stone walls that would require additional funding at a later date.
- Develop a parking area and appropriate fencing to provide easy public access.
- Develop a multiuse green space with a nature trail.
- Install a gravel walking path area from field to the Canoe Launching area.
- Install a Canoe Launch.
- Develop trail and install appropriate waterbars and walking bridges where needed to connect this site to UConn's Plains Road site.
- Develop and install appropriate signage.



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MWH*  
**CC:** Martin H. Berliner, Town Manager; Cynthia van Zelm, Mansfield Downtown Partnership  
**Date:** April 26, 2004  
**Re:** Appointment of Town Representative to Mansfield Downtown Partnership  
(Item #2, 03-08-04 Agenda)

---

**Subject Matter/Background**

Attached please find a letter from Cynthia van Zelm requesting that the Town Council appoint a town representative to the Mansfield Downtown Partnership's Board of Directors for a term to run from July 1, 2004 through June 30, 2007. The Mayor wishes to recommend that Council member Carolyn Redding be appointed to this position.

**Recommendation**

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

*Move, effective April 26, 2004, to appoint Council member Carolyn Redding as a town representative to the Mansfield Downtown Partnership's Board of Directors for a term to run from July 1, 2004 through June 30, 2007.*

**Attachments**

- 1) Memorandum from Executive Director, Mansfield Downtown Partnership



**Mansfield Downtown Partnership**  
*Helping to Build Mansfield's Future*

February 23, 2004

Mr. Martin Berliner  
Town Manager  
Town of Mansfield  
4 S. Eagleville Road  
Mansfield CT 06268

RE: Appointment of Town Council Member to Mansfield Downtown Partnership, Inc.

Dear Mr. Berliner:

As you know, current terms for some members of the Mansfield Downtown Partnership's Board of Directors are to expire on June 30, 2004. In 2002, the Town Council appointed Town Councilor Chris Thorkelson for a two-year term to end on June 30, 2004. The other two Town appointments are Al Hawkins for a term to end in 2006 and yourself for a term to end in 2005. As noted in the Partnership's Bylaws, all terms will become three-year terms after the first term is complete.

By this letter, I am requesting that you inform the Partnership of whom the Town Council will be appointing as one of its representatives to the Partnership Board for a three-year term to end June 30, 2007. Mr. Thorkelson has expressed interest in serving for another term.

Thank you for your interest and participation. Please do not hesitate to contact me at 429-2740 if you have any questions.

Sincerely,

Cynthia van Zelm  
Executive Director



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager  
**CC:** Martin H. Berliner, Town Manager; Jeffrey Smith, Director of Finance  
**Date:** April 26, 2004  
**Re:** Town of Mansfield Proposed Fiscal Year 2004/05 Operating Budget (Item #III, 04-12-04 Special Meeting Agenda)

---

**Subject Matter/Background**

As distributed earlier by email, attached please find a list of suggested reductions to the Town Manager's proposed budget. During the course of its review of the budget, the Town Council has flagged one item – the town's contribution to the Women's Center of Northeastern Connecticut (listed in the budget as "Sexual Assault Crisis Service"). Staff will distribute amended budget pages and related materials at Monday's meeting.

**Attachments**

- 1) Memorandum from the Director of Finance re: Suggested Reductions to the Town Manager's Proposed Budget

INTEROFFICE MEMORANDUM

TO: MARTIN BERLINER  
 FROM: JEFF SMITH  
 SUBJECT: SUGGESTED LIST OF BUDGET CUTS  
 DATE: 4/22/2004

Code	Description	Current Proposed	Deduction	New Proposed
12200-53924	Personnel Management - Advertising	\$ 3,000.00	\$ (1,000.00)	\$ 2,000.00
13100-53122	Town Attorney - Legal Services	12,360.00	(360.00)	12,000.00
14200-51604	Registrars - Elected Officials	26,000.00	(1,000.00)	25,000.00
15200-53934	General Elections - Election Workers	13,500.00	(1,000.00)	12,500.00
16100-54301	Finance Administration - Office Supplies	300.00	(300.00)	-
16402-51204	Property Assessment - Overtime	1,000.00	(1,000.00)	-
16511-53925	Central Services - Printing & Binding	3,000.00	(1,000.00)	2,000.00
16511-53926	Central Services - Postage	20,000.00	(2,000.00)	18,000.00
16600-52210	Information Technology - Training	2,500.00	(1,000.00)	1,500.00
16600-53124	Information Technology - Consultants	3,000.00	(1,000.00)	2,000.00
16600-54301	Information Technology - Office Supplies	3,750.00	(750.00)	3,000.00
21200-51305	Police Services - Reimbursable Overtime	32,000.00	(1,000.00)	31,000.00
21200-52203	Police Services - Membership Fees/Prof. Dues	2,310.00	(1,310.00)	1,000.00
21200-55430	Police Services - Equipment	1,000.00	(1,000.00)	-
22101-52202	Fire Marshal - Travel	1,700.00	(700.00)	1,000.00
22000-51505	Fire & Emergency Services - Overtime	64,000.00	(3,000.00)	61,000.00
22000-52205	Fire & Emergency Services - Work Clothing	6,000.00	(1,000.00)	5,000.00
22000-52206	Fire & Emergency Services - Protective Clothing	10,000.00	(1,000.00)	9,000.00
22000-53921	Fire & Emergency Services - Alarm Service	17,500.00	(1,000.00)	16,500.00
30300-51401	Road Services - Regular Payroll	544,150.00	(10,000.00)	534,150.00
30300-51402	Road Services - Overtime	47,500.00	(1,000.00)	46,500.00
30400-53230	Ground Maintenance - Water/Sewer	7,800.00	(1,000.00)	6,800.00
30600-54802	Equipment Maintenance - Lubrication & Anti-Freeze	7,500.00	(1,000.00)	6,500.00
30700-52210	Engineering - Training	2,000.00	(1,000.00)	1,000.00
30900-53964	Maintenance of Buildings - Voice Communications	63,900.00	(3,900.00)	60,000.00
41200-55105	Health Regulation & Inspection - Architects & Engineers	2,500.00	(1,500.00)	1,000.00
42210-53111	Youth Services - Medical Services	5,200.00	(1,000.00)	4,200.00
43100-51605	Library Administration - Part-Time (NB)	52,680.00	(1,000.00)	51,680.00
44100-51603	Recreation Administration - Temporary	3,000.00	(1,000.00)	2,000.00
52100-53122	Planning & Zoning - Legal Services	16,000.00	(2,000.00)	14,000.00
71000-58110	Employee Benefits - G/F Contribution to Retiree Insurance	50,000.00	(10,000.00)	40,000.00
73000-56318	Contingency - Attrition Cut	-	(25,000.00)	(25,000.00)
92000-58216	Other Financing Uses - Recreation Program Fund	50,000.00	(25,000.00)	25,000.00
92000-58713	Other Financing Uses - Pension Plan-Volunteer Firefighters	40,000.00	(5,000.00)	35,000.00
		\$1,115,150.00	\$(109,820.00)	\$1,005,330.00



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MWH*  
**CC:** Martin H. Berliner, Town Manager  
**Date:** April 26, 2004  
**Re:** Proclamation of Congratulations and Friendship to Mansfield, Massachusetts

---

**Subject Matter/Background**

Next month, the Town of Mansfield, Massachusetts will be hosting the second celebration of "Mansfields Around the World." As detailed briefly in the attached, the host community has invited a large number of guests and has planned a series of activities to commemorate the event. The Mayor plans to attend, and would like to issue the attached proclamation at an event on May 17<sup>th</sup> to honor the town and host committee for its efforts. For more information on the celebration, please see the host committee's web site at <http://www.sistercities-mansfieldmausa.org/>

**Recommendation**

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

*Move, effective May 17, 2004, to authorize the Mayor to issue the attached proclamation of congratulations and friendship to the Town of Mansfield, Massachusetts.*

**Attachments**

- 1) Proclamation Congratulations and Friendship to Mansfield, Massachusetts
- 2) "Mansfields Around the World Celebration" – Schedule of Events



*Town of Mansfield*

*Proclamation of Congratulations and Friendship to Mansfield, Massachusetts*

*Whereas*, the Town of Mansfield, Connecticut, has a long-standing bond of association with the Town of Mansfield, Massachusetts; and,

*Whereas*, the Town of Mansfield, Connecticut through its participation in the Mansfield Sister Cities Association, recognizes the friendship and bond between its community and all other Mansfield communities of the world; and,

*Whereas*, the Town of Mansfield, Connecticut wishes to convey its most fraternal greetings and good wishes to all of our sister cities; and,

*Whereas*, the Town of Mansfield, Massachusetts is welcoming visitors from 30 different Mansfields around the world in May 2004 for the second celebration of "Mansfields Around the World;" and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Mansfield, Connecticut, hereby extend their congratulations and best wishes to the Town of Mansfield, Massachusetts and all who attend the second celebration of "Mansfields Around the World."

*IN WITNESS WHEREOF*, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 17<sup>th</sup> day of May in the year 2004.

---

Elizabeth C. Paterson  
Mayor, Town of Mansfield  
May 17, 2004



<p>(breakfast with hosts, also dinner for most visitors – those not attending the Rotary dinner)</p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <a href="#"><u>Plimoth Plantation</u></a></li> <li><input checked="" type="checkbox"/> <a href="#"><u>Mayflower II</u></a></li> </ul>
	<p>7:00 pm (time subject to change) – Rotary Club dinner for all attending Rotarians. Many thanks to the Rotary Club of Mansfield, Massachusetts</p>
<p>Wednesday, May 19</p> <p>Cape Cod &amp; Provincetown</p> <p>(breakfast with hosts)</p>	<p>6:30 am – depart Mansfield for a day on Cape Cod. The day includes a Whale Watch in Provincetown harbor, lunch &amp; shopping "on your own" in Provincetown in the afternoon, a scenic tour and many local sights as we return north in the afternoon, and dinner at Christine's Restaurant.</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <a href="#"><u>Cape Cod</u></a></li> <li><input checked="" type="checkbox"/> <a href="#"><u>Whale Watch</u></a></li> <li><input checked="" type="checkbox"/> <a href="#"><u>Provincetown</u></a></li> <li><input checked="" type="checkbox"/> <a href="#"><u>Christine's</u></a></li> </ul>
<p>Thursday, May 20</p> <p>Boston</p> <p>(breakfast and dinner with hosts)</p>	<p>8:30 am – depart Mansfield for another day in Boston, to include a tour of the State House, lunch and a photo op with our State Representatives and other government officials. Afternoon tour of the John F. Kennedy Library. Many thanks to our State Representative and Michael Coppola for their assistance with this special day!</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <a href="#"><u>JFK Library</u></a></li> <li><input checked="" type="checkbox"/> <a href="#"><u>State House</u></a></li> </ul>
<p>Friday, May 21</p> <p>Newport and Providence, Rhode Island</p> <p>(breakfast with hosts)</p>	<p>8:30 am – depart Mansfield for Newport, RI – day to include a guided tour of the State House "on your own" in the historic Brick Marketplace, and a tour of one of the 3 most famous Mansions – The Breakers, the Marble House, or The Elms. We return to Mansfield where we'll stop at the exciting Providence Place Mall for shopping and dinner.</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <a href="#"><u>Newport, Rhode Island</u></a></li> <li><input checked="" type="checkbox"/> <a href="#"><u>The Newport Mansions</u></a></li> <li><input checked="" type="checkbox"/> <a href="#"><u>Providence Place Mall</u></a></li> </ul>
<p>Saturday, May 22</p> <p>Golf or free time during the day; Farewell Ceremonies in the evening</p> <p>(breakfast with hosts for all delegates; lunch with hosts for those not golfing)</p>	<p>8:00 am – The "Golf Match of the Mansfields" at Wentworth Hills Golf &amp; Country Club to chase a little white ball around! Lunch will be "on your own" in the clubhouse. The day is strictly social and won't be taken seriously at all, so players of all handicap levels are welcome.</p> <p>(If you are signing up for this event, please advise us as soon as possible if you have access to golf clubs. We will do our best to provide clubs free of charge wherever we can. If clubs must be rented, the cost will be passed through to you. Thanks for your understanding.)</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <a href="#"><u>Wentworth Hills Golf &amp; Country Club</u></a></li> </ul>
	<p>4:00 pm – Reception at Borderland State Park, with a tour of the Ames Mansion provided by Rum Runner; cheese &amp; crackers provided by the Village Cheese Company.</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <a href="#"><u>Borderland State Park</u></a></li> <li><input checked="" type="checkbox"/> <a href="#"><u>Rum Runner</u></a></li> </ul>

	<b><u>Village Cheese Shoppe</u></b>
	6:00 pm – Farewell Dinner at Qualters Middle School, sponsored by the Town fabulous dinner provided by "Catering by Claudia".
<b>Sunday, May 23</b>  <b>(all meals with hosts depending on departure schedule)</b>	Delegates departing

[Greetings](#) - [Your hosts](#) - [Our Mansfield](#) - [Sister Cities](#) - [Sponsors](#) - [Forum](#) - [Points of Interest](#) - [I am Interested](#) -

[Site map](#)

Copyright (c) 2002, 2003 Sister Cities of Mansfield Massachusetts  
 e-mail comments about this web site to [louand@comcast.net](mailto:louand@comcast.net)  
 For Info about our organization: [info@sistercities-mansfieldmausa.org](mailto:info@sistercities-mansfieldmausa.org)  
[Disclaimer](#)

[HOME](#)

THIS PAGE LEFT

BLANK

INTENTIONALLY



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MWH*  
**CC:** Martin H. Berliner, Jeffrey Smith  
**Date:** April 26, 2004  
**Re:** Appointment of Auditor to Conduct Financial Audit for Fiscal Year 2003/04

---

**Subject Matter/Background**

Section 7-392(c) and 4-232 of the Connecticut General Statutes, as amended, requires that each municipality annually designate an independent public accounting firm to audit the books and accounts of that government. Kostin, Ruffkess and Company has provided the town's audit services for the last five years and in the past it has been our policy to change auditors every four to five years. With that in mind it had been the Director of Finance's intention to request proposals for auditing service for the audit due June 30, 2004.

However, because the implementation of Statement 34 was far more difficult and time consuming than anticipated, and preliminary audit work generally begins in late April or May, staff is recommending that Kostin, Ruffkess and Company be appointed for an additional year.

Please note that the June 30, 2003 audit is currently expected to be issued by April 30, 2004, and the Secretary of the Office of Policy and Management has approved the necessary extension waiver. The delay of the audit for June 30, 2003 is a function of the amount of changes and work involved for both staff and the auditors and is not an indication of any lack of ability or negligence on the part of the auditing firm.

**Financial Impact**

The Director has included \$28,330 in the Town's General Fund Budget to cover the audit fee, which is a three percent increase over the current fee.

**Legal Review**

Not Applicable

### **Recommendation**

Staff recommends that the Town Council appoint the firm of Kostin, Ruffkess and Company to conduct the annual audit for the period ending June 30, 2004.

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

*Move, effective April 26, 2004, to appoint the firm of Kostin, Ruffkess and Company to conduct the financial audit for the Town of Mansfield for the year ending June 30, 2004.*

### **Attachments**

- 1) State of Connecticut Office of Policy and Management re: Appointment of Auditor



STATE OF CONNECTICUT  
OFFICE OF POLICY AND MANAGEMENT

RECD APR 07 2004

TO: Chief Financial Officer, Treasurer, and Chair Boards of Finance

FROM: W. David LeVasseur, Undersecretary  
Intergovernmental Policy Division 

DATE: March 31, 2004

SUBJECT: Appointment of Auditor

Connecticut General Statutes (C.G.S. 7-396 and 4-232) require the appointing authority of any municipality or audited agency to file with the Secretary of the Office of Policy and Management (OPM) the name of the independent auditor designated to conduct the annual audit of its accounts. The notification must be made at least **thirty** days prior to the end of the fiscal period for which the audit is required.

Please complete the enclosed appointment of auditor notification form and furnish it to our office by **June 1, 2004**. The form may be sent via facsimile to **(860) 418-6493**. A second filing is not necessary if the information has been previously submitted. The appointment of auditor notification form can be found on the OPM website: [www.opm.state.ct.us/programs.htm](http://www.opm.state.ct.us/programs.htm) under **Services**.

Please note that municipalities and audited agencies issuing Request For Proposals (RFP) for audit services should, in accordance with Government Auditing Standards (Yellow Book), request a copy of the latest results of the proposer's external quality control review. It is the responsibility of the audit firm to furnish this review with its proposal.

The Executive Board of the Government Finance Officers Association (GFOA) has approved recommended practices which pertain to audit procurement and the establishment of audit committees. These practices may be useful in the independent auditor selection process. In addition, the GFOA has available for sale a "Model RFP" for audit services in CD Format. The GFOA web site address is: [www.gfoa.org](http://www.gfoa.org).

If you prefer, you can access the GFOA of Connecticut website at [www.gfoact.org](http://www.gfoact.org). It contains a link to samples of RFP for audit services of governments in the state of California.

THIS PAGE LEFT

BLANK

INTENTIONALLY



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MWH*  
**CC:** Martin H. Berliner, Lon Hultgren, Virginia Walton  
**Date:** April 26, 2004  
**Re:** Amendment to Solid Waste Regulations – Fee Waivers

---

**Subject Matter/Background**

As you will recall, the town recently amended its fee waiver ordinance and eliminated the 100-percent waiver for most services. Consequently, we need to amend our Solid Waste regulations to reflect that change.

To effect this technical amendment, staff recommends that Section A196-12(H)(1) of the Mansfield Solid Waste Regulations be amended to read as follows:

Service fee waivers for curbside refuse collection and/or normal household quantities of refuse, recycling and bulky waste drop-off at the transfer station shall be available **[as prescribed in the Mansfield Code of Ordinances, Chapter 122, Article III]** ~~in fifty-percent and one-hundred percent increments to residents based on their gross monthly family income.~~ Applications for said waiver shall be made to the Town's Social Services Department. Fee waivers for greater than household quantities of refuse, recycling or bulky waste must be approved by the Town's Zoning Agent or the Director of the Eastern Highlands Health District.

**Recommendation**

In order to ensure that the solid waste regulations are consistent with the town's fee waiver ordinance, staff recommends that the Town Council, in its role as the Mansfield Resource Recovery Authority, amend the regulations as proposed.

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

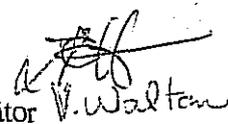
*Move, effective April 26, 2004, to amend Section A196-12(H)(1) of the Mansfield Solid Waste Regulations as recommended by town staff .*

**Attachments**

- 1) Memorandum from the Director of Public works and Recycling/Refuse Coordinator

TOWN OF MANSFIELD  
MEMORANDUM  
3/29/04

TO: Martin H. Berliner, Town Manager  
FROM: Lon R. Hultgren, Director of Public Works  
Virginia Walton, Recycling/Refuse Coordinator  
RE: Change to solid waste regulations fee waivers



The Mansfield fee waiver code was recently amended. In order to reflect these changes, section A196-12 (H) (1) of the solid waste regulations needs to be updated. Below is the proposed regulation change to reflect the amended Town Code, Chapter 122, Article III.

H. Fee waivers.

(1) Service fee waivers for curbside refuse collection and/or normal household quantities of refuse, recycling and bulky waste drop-off at the transfer station shall be as prescribed in the Town Code, chapter 122, article III. Fee waivers for greater than household quantities of refuse, recycling or bulky waste must be approved by the Town's Zoning Agent or the Director of the Eastern Highlands Health District.

Council's action, acting as the Mansfield Resource Recovery Authority is respectfully requested to adopt these regulation changes.

AGRICULTURE COMMITTEE

MINUTES OF MARCH 10, 2004 MEETING

PRESENT: Charlie Galgowski, Al Cyr, Bill Hopkins, Bob Peters, Bill Palmer, George Thompson, Vicky Wetherell.

1. Charlie Galgowski was acting chairman.
2. Minutes of the February 11 meeting were approved.

3. Fall Event

The Storrs Downtown Partnership is sponsoring a "Festival on the Green" in Storrs on Sunday, September 12. Bill Hopkins attended a festival planning meeting in February. At this meeting there was a request that the Agriculture Committee inform local farmers about selling local products and that the committee also sponsor an apple pie contest. A mailing will be sent to farmers about the festival. The committee discussed possible ways to set up a contest and advertise it.

4. Annual Mailing

The committee prepared the annual mailing to agricultural operations about participating in the 2004 "Mansfield Agricultural Products and Services" brochure.

TOWN OF MANSFIELD  
Solid Waste Advisory Committee  
Minutes of the Meeting  
February 12, 2004

Present: Gogarten (chair), Ames, Squires, McLaughlin, Knox, Smith, Hultgren (staff), Walton (staff)

The meeting was called to order by chair Gogarten at 7:30 p.m. The minutes of September 25, October 30 and November 13, 2003 were approved. Walton outlined her efforts to bring "green" building concepts to the Storrs Center project. She also updated members on Mansfield's use of the Household Hazardous Waste Collection Facility (7 businesses and 4% of households in 2003).

Hultgren reported that the multi-family contractor changeover was done on December 1<sup>st</sup> and thanks to Walton's coordination it went quite well. He noted that the new contract will cost less per month than the old one. Walton said that the new contractor (Willimantic Waste) was much better to deal with than the previous contractor (Waste Management).

Hultgren said they have been monitoring bulky waste quantities at the transfer station since commercial bulky waste was excluded, but it was too soon to tell just how much of a reduction in bulky waste there will be. He said October had 80 tons, November 50 tons and December 38 tons, but winter weather skews the totals. The possibility of installing a scale at the transfer station to weigh and accurately charge for bulky waste was discussed.

Hultgren and Walton circulated the letter on the pre-paid bag proposal that was being sent to the Manager and Town Council. They suggested that the transfer station usage needed to be better understood before the proposal could be fairly considered, since most of the negative comments on the proposal were from "minimal" users. A discussion of how to obtain this information ensued. The consensus of those present appeared to be to require Town resident identification at the transfer station gatehouse and to issue a numbered windshield sticker to all transfer station users (while screening out non-Mansfield residents) on their first visit. For subsequent visits, their sticker number could be entered on the Town's copy of their receipt, to be analyzed for quantity and frequency at a later date. Staff will develop this proposal for implementation this spring (pending appropriate policy approvals). There would be no cost to Town residents for the stickers issued at the transfer station.

Hultgren said that he had compared the cost savings on hauls to the cost of renting compaction equipment for refuse and cardboard at the transfer station and there would be an immediate cost savings and quick pay-back from the reduction in haul frequency. He said he was waiting for a second electrical quote and would have the compactors installed this spring.

Walton suggested that the Spring rid litter day be held this year on May 1<sup>st</sup>, which is the weekend after Spring Weekend. She said she was working to enlist help from UConn groups as well.

Walton circulated Keep America Beautiful promotional materials and a discussion of electronic recycling and scavenging was held. Most members agreed that electronics recycling should be monitored and if necessary regulated (by staff) so that unused, scavenged electronic components didn't end up back in the waste stream as a pollutant. Staff will investigate this.

Walton circulated a CRC letter on the bottle bill (which apparently will be discussed again this year at the State Legislature) and announced that Mansfield was again on the DEP's outstanding recyclers list in 2003.

The next meeting will be held in March or April, depending on business needs.

The meeting was adjourned at approximately 9:00 p.m.

Respectfully Submitted,

Lon R. Hultgren  
Director of Public Works

cc: Virginia Walton, Recycling Coordinator, Members, file, Town Manager, Town Clerk

THIS PAGE LEFT

BLANK

INTENTIONALLY

**TOWN/UNIVERSITY RELATIONS COMMITTEE  
COMMITTEE MEETING  
Tuesday, February 10, 2004  
Audrey P. Beck Municipal Building  
Council Chambers**

**Corrected Minutes**

Present: A. Barberet, M. Berliner, T. Callahan, E. Daniels, R. Hudd, AJ Pappanikou,  
E. Paterson, W. Simpson

Absent: P. Barry, B. Clouette, J. Gauthier, L. Schilling,

Staff: M. Hart, G. Padick, C. van Zelm

**1. Opportunity for Public to Address the Committee**

None

**2. January 13, 2004 Meeting Minutes**

Audrey Barberet made a motion to approve the minutes from the January 13, 2004 meeting. Martin Berliner seconded. The motion passed unanimously.

**3. Update re: Mansfield Downtown Partnership**

Cynthia van Zelm reported that the Partnership was still working on negotiating an agreement with the master developer, Storrs Center Alliance, LLC. In March, the Partnership's Finance and Administration Committee is hoping to present the agreement to the Board of Directors for approval. The organization is also continuing its work on the Mansfield brochure, as well as the fall festival on the green.

Tom Callahan added that the Partnership is researching the possibility of applying for Small Cities Community Development Block grant monies, to help fund current initiatives. He also stated that while it may appear that progress is slow, things are moving along. The drafting of the development agreement with the master developer has been a lot of work.

**4. Substance Abuse Workgroup**

Tom Callahan reported that the workgroup is moving along, and that they are awaiting the opportunity to meet with key property owners. The workgroup meets again on February 26<sup>th</sup>.

## 5. UConn Spring Weekend

Chief Hudd reported that spring weekend is scheduled to start on April 22. From his perspective, there are a couple of good things: 1) the format with the concert will be similar to last year; and 2) the Dean of Students Office has developed a good working relationship with the student body.

[Paterson] – asks the Town Manager to be sure that the town police meet with the management of Carriage House Apartments to prepare for the event. Also, anything different scheduled for this year? [Hudd] – no.

Greg Padick reported that the town has recently cited 10 student rental properties for violation of the zoning regulations. In addition, town staff is looking at a number of other strategies to better address issues relating to student rental housing, such as revising the definition of “family” under the zoning regulations, rezoning and implementing additional “quality of life” ordinances.

[Paterson] – where are these properties located? [Padick] – on Hunting Lodge Road, north of North Eagleville Road.

[Callahan] – is the citation a \$150 fine per occurrence? [Padick] – yes.

[Callahan] – with respect to the definition of a family, do the zoning regulations distinguish between owner-occupied residences and single family rentals? [Padick] – no.

[Callahan] – are you focusing on single family rental properties? [Padick] – yes, violations of occupancy in single family dwellings.

[Callahan] – is the standard evidence required to issue citation based on the number of observed cars in the parking lot? [Padick] – yes.

[Callahan] – in St. Louis, the city requires an updated certificate of occupancy every time a rental unit changes ownership. [Berliner] –town staff is looking into the viability of a housing code and/or rental registry.

[Callahan] – you have now issued the first set of citations, is it premature to characterize the feedback you have received? [Padick] – yes, we should know more in a few weeks.

[Paterson] – does the fine accrue any interest? [Padick] – no, but staff can issue a separate citation for each violation.

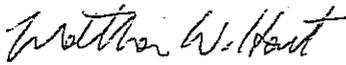
[Pappanikou] – are you looking at other areas of town, and, if not, would you if you received complaints? [Padick] – yes, staff is looking at other areas of town, and primarily focuses upon areas where it has received complaints.

## 6. Other Business

- a) Martin Berliner reported that he had received the most recent status report on UConn 21<sup>st</sup> century.
- b) AJ Pappanikou asked Chief Hudd if, on Sundays, his department could avoid ticketing the cars parked in spaces in front of the churches on North Eageleville Road. Chief Hudd explained that he would look into the issue.
- c) Rich Miller announced that the hazardous waste comparative site committee had completed its work, and has recommended a site adjacent o the old transfer station. The committee's recommendation will now be reviewed by senior administration.
- d) Matt Hart announced that the Town council had recently adopted an ordinance regulating adult-oriented establishments.
- e) Tom Callahan explained that the ConnTech Road project has now been backed up two to three years under the UConn 21<sup>st</sup> century capital improvement plan. The university is working to obtain federal funding through Representative Simmons' office.

The committee adjourned the meeting at 4:55 p.m.

Respectfully submitted,



Matthew Hart  
Assistant Town Manager

THIS PAGE LEFT

BLANK

INTENTIONALLY

**TOWN/UNIVERSITY RELATIONS COMMITTEE  
COMMITTEE MEETING  
Tuesday, March 9, 2004  
Audrey P. Beck Municipal Building  
Council Chambers**

**Minutes**

Present: A. Barberet, T. Callahan, B. Clouette, R. Hudd, AJ Pappanikou, L. Schilling

Absent: P. Barry, E. Daniels, J. Gauthier, E. Paterson, W. Simpson

Staff: M. Berliner, M. Hart, G. Padick, C. van Zelm

**1. Opportunity for Public to Address the Committee**

None

**2. February 10, 2004 Meeting Minutes**

Audrey Barberet made a motion to approve the minutes from February 10, 2004 meeting, with the corrections to item 6(b) as noted by AJ Pappanikou. Chief Hudd seconded. The motion passed unanimously.

**3. Update re: Mansfield Downtown Partnership**

Cynthia van Zelm reported that the Partnership was still working on negotiating an agreement with the master developer, Storrs Center Alliance, LLC. Also, in April the Partnership plans to complete its brochure highlighting businesses and services in the community. Other tasks that the Partnership currently has underway include planning for its fall festival on the green, updating its business list and developing strategies to increase student involvement within the organization.

**4. Substance Abuse Workgroup**

Tom Callahan reported that the workgroup met the previous week, and that he, Betsy Paterson and Martin Berliner plan to meet with President Austin to discuss the establishment of a permanent committee to focus on substance abuse issues.

[Pappanikou] – is the workgroup primarily concerned with alcohol? [Callahan] – yes.

## 5. UConn Spring Weekend

Chief Hudd reported that nothing has changed dramatically, and that the university's internal planning meetings are moving along. Public safety personnel will be paying particular attention to manage the concert and the entourage, and to utilize metal detectors.

[Pappanikou] – will the new Greek village play into this? [Hudd] – the students will not be able to deviate from any of the customary rules pertaining to the village housing.

## 6. UConn 2000

Larry Schilling provided an update on the following projects:

- Co-generation facility – on track to produce its own electricity by March 2005
- Student union – phase I should be completed this summer, including the theater. The complete project should be finished in the fall of 2005.
- University communications building – construction to start spring of 2005
- Torrey building – in the process of hiring an architect to replace this building by 2009
- Football complex – the design development is underway; hope to start construction in spring 2005 for completion in 2006

[Clouette] – does the EIE of this project include the relocated facilities? [Schilling] – the EIE does include the tennis courts.

[Clouette] – what is the status of the cupola on the Wilbur Cross building? [Schilling] the cupola was restored as part of the building project.

Larry also reviewed the UConn landfill closure project – the engineers have resolved the wetland issues and hopefully the DEP will issue a permit by July 2004. The university hopes to start work somewhat in advance in order to complete the project for this fall.

## 7. UConn Master Plan Update

Larry Schilling explained that this project was moving along, with the October 2004 trustees meeting as the target completion date. The consultants are presently focused on the recreation/athletic piece, which was never fully examined in the past, and will probably hold another public meeting in the early fall.

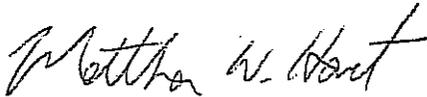
[Pappanikou] – what are the plans for the old football stadium? [Schilling] – it will probably be demolished in the summer of 2005.

## 8. Other Business

- a) Martin Berliner reported that Rich Miller will be making a presentation to the Mansfield Town Council on March 22, and will discuss topics such as the East Campus, the hazardous waste storage site study advisory committee and the environmental policy committee.

The committee adjourned the meeting at 4:32 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Matthew W. Hart".

Matthew Hart  
Assistant Town Manager

THIS PAGE LEFT

BLANK

INTENTIONALLY

MANSFIELD HISTORIC DISTRICT COMMISSION  
BOARD MEETING, APRIL 13, 2004

Members attending: I. Atwood, A. Bacon, G. Bruhn, J. Newmyer

Sandy Lambert appeared before the Commission to discuss proposed renovations to her home at 27 Centre Street. These renovations include removing a late addition to the second story of the property and replacing it with a dormer. Clapboards, as previously approved, are replacing shingles on the house. More photographs of all four sides of the house and brochures picturing and describing the windows to be added were requested for the hearing, which will be held May 11 at 8:00 p.m.

The minutes of the March 9 meeting were approved.

The Commission agreed to that G. Bruhn would send a letter to Peter Friedland, asking him to appear at 8:30 p.m. on May 11 before the Commission to discuss the discrepancy between the type of windows approved for his barn at 17 Chafeeville Rd. and the type actually installed.

The prospective buyer of the Altnaveigh Inn has requested a statement from the Commission to the effect that the building meets Historic District standards. The Commission agreed that we never send such letters in general and, in this case, the aluminum siding and replacement dormer windows were not approved by nor in conformance with historic district standards.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Jody Newmyer  
Clerk

THIS PAGE LEFT

BLANK

INTENTIONALLY

Mansfield Open Space Protection Committee  
Minutes for March 23, 2004

The meeting was postponed from the regular night of March 16<sup>th</sup> because of snow.

Members present:

Jim Morrow, Vickie Wetherell, Dave Silsbee, Jim Hill, Ken Feathers and Steve Lowrey

Others

Councilman Chris Thorkelson

1. Chairman Jim Morrow called the meeting to order at 7:40 PM
2. The minutes of February 17, 2004 were approved unanimously on a motion by Lowrey, seconded by Feathers.
3. Chris Thorkelson discussed the Claude McDaniels/Nelson Green farm and the possibility of the Town purchasing the development rights. The Committee has discussed this property a couple of times and has asked the Town Manager to write a letter expressing the Town's interest to Victor Green, Executor of the Nelson Green's estate. The Committee will request that Marty Berliner send a follow up letter reiterating the Town's interest.
4. Review of Kidder Brook Subdivision on Browns Road, PZC #1151-2  
The Committee feels that the Conservation Easement should extend through Lot 6 and make some observations about Lot 4. These comments will be forwarded to the Town Planner.
5. Review of Wild Rose Estates on Mansfield City Road, PZC #1113-2  
The Committee noted that all of the stormwater is proposed to be directed towards the White Cedar Swamp. The contour lines are not readily visible on the map and it was hard to tell where the drainage divide is. The Committee feels that it is important to see the concept plan for future development and future open space donations. Drainage should be directed away from the White Cedar Swamp. Cedar Swamp should be given for open space with the first phase of the subdivision.
6. Field Trip to look at Dorwart property scheduled for Sunday, March 28 at 1:30 P.M.
7. Marking another section of Dunhamtown Forest for non-commercial thinning. Is the Committee willing to cut trees?
8. Committee will mark the boundary of Schoolhouse Brook Park along Browns Road.

The meeting was adjourned at 9:50 P.M.

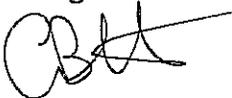
Respectfully submitted

Stephen Lowrey

THIS PAGE LEFT

BLANK

INTENTIONALLY

To: Town Council/Planning & Zoning Commission  
 From: Curt Hirsch, Zoning Agent   
 Date: April 14, 2004

Re: *Monthly Report of Zoning Enforcement Activity*  
*For the month of March 2004*

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits Issued	13	6	10	136	94
Certificates of Compliance Issued	7	8	25	112	197
Site Inspections	44	41	40	350	385
Complaints received from the Public	5	1	9	24	38
Complaints requiring inspection	4	1	7	19	26
Potential/Actual violations found	4	3	1	24	33
Enforcement letters	2	3	3	70	70
Notices to issue ZBA forms	0	2	0	15	12
Notices of Zoning Violations Issued	6	13	2	44	22
Zoning Citations Issued	0	3	0	8	6

Zoning permits issued this month for single family homes = 4, multi-fm = 0  
 2003/04 Fiscal year to date: s-fm = 30, multi-fm = 17

THIS PAGE LEFT

BLANK

INTENTIONALLY

**EASTERN HIGHLANDS HEALTH DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING  
THURSDAY – February 19, 2004  
COVENTRY TOWN HALL – BOARD ROOM B**

Board Members Present: J Devereaux, P Schur, R Field, T Tieperman, W Kennedy, J Elsesser, E Paterson

Board Members Absent: J Stille (alternate), M Kurland, M Berliner

Staff Present: R Miller, J Smith, Dr Dardick

Meeting was called to order at 4:35pm by Chairperson Paterson.

A MOTION was made by J Elsesser, seconded by R Field, to approve the minutes of the board meeting on December 18, 2003 as presented. THE MOTION PASSED unanimously.

**PUBLIC HEARING FOR PROPOSED 04/05 EHHD BUDGET**

A MOTION was made by J Elsesser, seconded by R Field, to open the public hearing. THE MOTION PASSED unanimously. The public hearing opened at 4:36pm.

Public hearing warning notice was read into the record. No public comments were made. A MOTION was made by J Elsesser, seconded by W Kennedy, to close the public hearing. THE MOTION PASSED unanimously. The public hearing closed at 4:37pm.

**OLD BUSINESS**

**Fiscal Year 04-05 Budget**

A MOTION was made by R Field, seconded by J Elsesser, to accept the proposed operating budget of \$561,830 and fee schedule for fiscal year '04-05. THE MOTION PASSED unanimously.

**Ashford Membership**

A MOTION was made by W Kennedy, seconded by R Field, pursuant to CGS section 19a-241, to approve the Town of Ashford as a full standing municipal member of the Eastern Highlands Health District, effective July 1, 2004. THE MOTION PASSED unanimously.

**BT Grant**

A MOTION was made by R Field, seconded by J Elsesser, to ratify the Connecticut Department of Public Health contract, log number 2004-1073, as signed by the Director of Health and submitted to the Department on December, 23, 2003; and further, to amend the fiscal year 2003—2004 EHHD operating budget by the grant allocation of \$81,320. THE MOTION PASSED unanimously.

A MOTION was made by J Elsesser, seconded by R Field, directing the Director of Health to request that CADH raise an issue of concern with the CDC regarding the State of Connecticut's apparent willingness to supplant per capita grant funds with Bioterrorism grant funds. THE MOTION PASSED unanimously.

**NEW BUSINESS**

A MOTION was made by W Kennedy, seconded by P Schur, to amend the EHHD fiscal year 2003-2004 operating budget by the grant allocation of \$50,000 to accommodate both the CVH and preventive health grants. THE MOTION PASSED unanimously.

## TOWN REPORTS

### **MANSFIELD**

Uconn water main break discussed; 12 food establishments temporarily closed. Uconn gas line break discussed; area buildings evacuated.

### **WILLINGTON**

Nothing to report.

### **TOLLAND**

Windham Hospital opening a walk-in clinic at Tolland IGA Plaza in the near future.

### **BOLTON**

Nothing to report.

### **COVENTRY**

Terrapin's Restaurant opened. Coventry securing grant funding for Phase 3b of the sewer project.

## ADDED ITEM

A MOTION was made by J Elsesser, seconded by R Field, to add a resolution to the agenda to support access to quality health care. THE MOTION PASSED unanimously.

A MOTION was made by J Elsesser, seconded by W Kennedy, to adopt the resolution to support access to quality health care. (The resolution is attached). THE MOTION PASSED unanimously.

## DIRECTOR'S REPORT

### **Proposed Budget Cuts**

R Miller presented an update on the Governor's proposed budget cuts for FY04-05. The 25% cut to the per capita grant translates to \$27,000 to the health district, or 5% of its operating budget. By consensus, the Board authorized sending correspondence to area legislators expressing deep concern. Said letters will be co-signed by the Director and local chief elected officials.

### **Quarterly Reports**

R Miller presented the quarterly reports. W Kennedy questioned activity figures for case reports and consultations. R Miller will look into and report back.

### **Proposed By-Laws**

R Miller informed the Board that proposed language addressing quorum, budget adoption and amendments would be available for action at the next regular meeting.

### **CREPC**

R Miller informed the board of a request by CREPC for 3 staff names for a mutual aid call-down list.

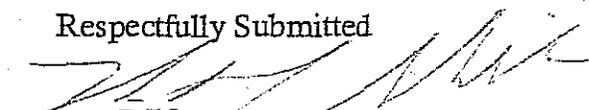
### **Andover Membership**

R Miller informed the Board that Andover, as of yet, has not responded to a proposal for membership.

### **Correspondence**

W Kennedy asked if any schools had responded to the letter suggesting radon testing. R Miller responded, no.

Respectfully Submitted



P.78  
Robert Miller, Secretary

## HISTORIC DISTRICT COMMISSION

**Meeting - Minutes**  
Meeting held March 9, 2004

In attendance: Atwood and Bruhn, Conference Room C, Mansfield Town Hall

The meeting was convened at 8:00 p.m., with only two members in attendance. Bruhn updated Atwood on discussions from February meeting, which included the prospective change of ownership at the Altnaveigh Restaurant as well as the windows to be used in the Friedland barn.

No new business was discussed, and the meeting was adjourned at 8:30 p.m.

THIS PAGE LEFT

BLANK

INTENTIONALLY

**Mansfield Commission on Aging Minutes**  
**Monday, March 8, 2004 2:30 PM – Senior Center**

**PRESENT:** K. Grunwald (staff), P. Hope (staff), S. Thomas (Chair), B. Acebo, J. Brubacher, E. Norris, K. Doeg, M. Thatcher, C. Phillips, P. Secker  
**REGRETS:** N. Stevens, B. Ivry, C. McMillan, D. Mercier, J. Kenny

- I. **Call to Order:** S. Thomas called the meeting to order at 2:35 PM, Chair.
- II. **Appointment of Recording Secretary:** K. Grunwald agreed to take minutes for the meeting.
- III. **Acceptance of Minutes** of the Feb 9, 2004 meeting: minutes were reviewed. It was noted that dollar amounts for the agency funding requests need to be included; these will be added as a separate report. Accepted as written.
- IV. **Correspondence - Chair and Staff:** P. Hope shared a copy of the CT Commission on Aging Annual Report. A flyer from Senior Resources was also distributed on a March 11 meeting of Eastern CT residents with state legislators. A bus will be leaving from Generations in Willimantic. Attendance is encouraged.
- V. **Optional Reports on Services/Needs of Town Aging Populations**
  - A. **Health Care Services**

Wellness Center and Wellness Program – J. Kenny had submitted copies of her report. P. Hope noted that figures on donations are incomplete and need to be corrected.

Mansfield Center for Nursing and Rehabilitation – J. Kenny submitted a report that indicated that MCNR has received a \$16,000 grant for specialized rehabilitation equipment. They will be celebrating their 10<sup>th</sup> anniversary on May 23, and will be hosting an open house
  - B. **Social, Recreational and Educational**

Senior Center – P. Hope distributed copies of her report. She pointed out that the Senior Center is now offering soup and bread as an alternate meal, M-F. Numbers of attendees at Friday meals has increased. Several successful social functions have been held, and there was good attendance for the cancer prevention presentation. There was also good attendance for a presentation on emergency use of the new defibrillator. The computer committee is working hard to attract new participants. Workshops are being offered to all to attract new members to enroll in courses. B. Acebo suggested making other senior centers in the area aware of these courses. Tax Assistance is being offered by AARP; some problems with the use of the phone line. A Low-Vision seminar will be offered on 3/11; starting in April a 10-week course will be offered for individuals who are legally blind; transportation will be provided. The Lion's Club low vision service will be here at the end of the month; Easter Seals will be offering a presentation on their driver evaluation program at the end of the month.

B. Acebo provided a copy of a NY Times article on changes to the Meals-On-Wheels program; also an article on increased Dial-A-Ride services in Avon. P. Hope mentioned that we are conducting a transportation survey to support our application for a grant from Senior Resources to hire a driver for the town van. She is looking for people to complete the survey who may not be coming to the Senior Center due to transportation problems. C. Phillips suggested that we utilize local churches to publicize programs, and this was discussed as an outreach activity for the Senior Social Worker. P. Secker mentioned the Storrs Area Regional Churches is a group that we may be able to access.

Senior Center Assoc. – J. Brubacher mentioned that the Association is setting up a committee to look at the long-term space needs of the Center. He requested a representative of the COA to be a part of this committee. New bylaws will be passed at their next Executive Committee meeting, for a vote for the full membership in April.

#### C. Housing

Assisted Living Project – S. Thomas mentioned that she has recently joined the Coalition for Assisted Living, which is exploring alternatives for creation of an assisted living facility in town. Jane Ann Bobbitt and Sharry Goldman are co-chairing the committee, and K. Grunwald will be joining this group. She will continue to report on the efforts of this group.

Juniper Hill: P. Hope reported that kitchen renovations have started and they have contracted with UConn for meal service. Some residents have started to have lunch here. B. Acebo reported that Juniper Hill is providing assisted living services, and the need for this is growing. P. Hope reported that participants are on the CT Homecare Program for Elders, and they are only providing services for those who need care at the first two levels. Because services are limited, there are difficulties if residents move to needing a higher level of care. Overall the population there is aging and needing a higher level of care. Care is available from 7 AM until 7 PM; nursing care is provided 20 hours a week.

Jensen's Park, Other: no report.

#### D. Related Town and Regional Organizations

Com. on Physically and Sensorily Impaired – M. Thatcher reported that MACNPD reviewed several agency-funding requests. They also reviewed an application to expand a local ceramics studio.

Senior Resources of Eastern CT: K. Grunwald reported that the Town has applied for federal funds for transportation services.

Town Plan of Conservation and Development – Carol Phillips: no report

Town Community Center: no report.

## VI Old Business

Review of Commission members and terms: S. Thomas mentioned that the Town Clerk noted that not all of the members identified by Carol McMillan and Lib Norris were formally re-appointed by the Town Council. S. Thomas has made this request of the Committee on Committees for formal appointment.

Status of town Council consideration of Requests for Funds – K. Grunwald handed out a copy of a report going to the Town Manager, and mentioned that the Town Council will be holding public hearings on this request. He mentioned that there are ongoing concerns re: cuts in Dial-A-Ride services and the amount of funding being requested.

Request for a Drive-by Mail Box: The mayor has contacted S. Thomas to let her know that the Council supports this request and the Assistant Town Manager has written a letter to the postmaster of Storrs formally requesting that this be pursued.

Tabled Motion on joining CT Elder Action Network: P. Hope explained that this is a group that advocates for the needs of seniors. Membership is \$35 for a voting member; \$25 for a non-voting member. She stated that as a representative group of seniors the Commission represents an important voice. Some discussion about how participation in a group like this fits into the role of this Commission. S. Thomas suggested that the Commission not pursue this. K. Grunwald will pursue the status of our membership in the CT Coalition on Aging.

**VI. New Business**

S. Thomas mentioned the Commission's long-range plan will expire at the end of the year. The Commission will review this plan and make recommendations for changes to the plan. Suggested that this be discussed at the meetings in April and May; copies will be sent to members who did not attend this meeting.

**VI. Adjournment:** meeting adjourned at 4:12 PM.

(next meeting set for Monday, April 12, 2004 at 2:30, Senior Center)

THIS PAGE LEFT

BLANK

INTENTIONALLY

**Mansfield Commission on Aging Minutes**  
**Monday, March 8, 2004 2:30 PM – Senior Center**

**PRESENT:** K. Grunwald (staff), P. Hope (staff), S. Thomas (Chair), B. Acebo, J. Brubacher, E. Norris, K. Doeg, M. Thatcher, C. Phillips, P. Secker  
**REGRETS:** N. Stevens, B. Ivry, C. McMillan, D. Mercier, J. Kenny

- I. **Call to Order:** S. Thomas called the meeting to order at 2:35 PM, Chair.
- II. **Appointment of Recording Secretary:** K. Grunwald agreed to take minutes for the meeting.
- III. **Acceptance of Minutes** of the Feb 9, 2004 meeting: minutes were reviewed. It was noted that dollar amounts for the agency funding requests need to be included; these will be added as a separate report. Accepted as written.
- IV. **Correspondence** - Chair and Staff: P. Hope shared a copy of the CT Commission on Aging Annual Report. A flyer from Senior Resources was also distributed on a March 11 meeting of Eastern CT residents with state legislators. A bus will be leaving from Generations in Willimantic. Attendance is encouraged.

**V. Optional Reports on Services/Needs of Town Aging Populations**

**A. Health Care Services**

Wellness Center and Wellness Program – J. Kenny had submitted copies of her report. P. Hope noted that figures on donations are incomplete and need to be corrected.

Mansfield Center for Nursing and Rehabilitation – J. Kenny submitted a report that indicated that MCNR has received a \$16,000 grant for specialized rehabilitation equipment. They will be celebrating their 10<sup>th</sup> anniversary on May 23, and will be hosting an open house

**B. Social, Recreational and Educational**

Senior Center – P. Hope distributed copies of her report. She pointed out that the Senior Center is now offering soup and bread as an alternate meal, M-F. Numbers of attendees at Friday meals has increased. Several successful social functions have been held, and there was good attendance for the cancer prevention presentation. There was also good attendance for a presentation on emergency use of the new defibrillator. The computer committee is working hard to attract new participants. Workshops are being offered to all to attract new members to enroll in courses. B. Acebo suggested making other senior centers in the area aware of these courses. Tax Assistance is being offered by AARP; some problems with the use of the phone line. A Low-Vision seminar will be offered on 3/11; starting in April a 10-week course will be offered for individuals who are legally blind; transportation will be provided. The Lion's Club low vision service will be here at the end of the month; Easter Seals will be offering a presentation on their driver evaluation program at the end of the month.

B. Acebo provided a copy of a NY Times article on changes to the Meals-On-Wheels program; also an article on increased Dial-A-Ride services in Avon. P. Hope mentioned that we are conducting a transportation survey to support our application for a grant from Senior Resources to hire a driver for the town van. She is looking for people to complete the survey who may not be coming to the Senior Center due to transportation problems. C. Phillips suggested that we utilize local churches to publicize programs, and this was discussed as an outreach activity for the Senior Social Worker. P. Secker mentioned the Storrs Area Regional Churches is a group that we may be able to access.

Senior Center Assoc. – J. Brubacher mentioned that the Association is setting up a committee to look at the long-term space needs of the Center. He requested a representative of the COA to be a part of this committee. New bylaws will be passed at their next Executive Committee meeting, for a vote for the full membership in April.

#### C. Housing

Assisted Living Project – S. Thomas mentioned that she has recently joined the Coalition for Assisted Living, which is exploring alternatives for creation of an assisted living facility in town. Jane Ann Bobbitt and Sharry Goldman are co-chairing the committee, and K. Grunwald will be joining this group. She will continue to report on the efforts of this group.

Juniper Hill: P. Hope reported that kitchen renovations have started and they have contracted with UConn for meal service. Some residents have started to have lunch here. B. Acebo reported that Juniper Hill is providing assisted living services, and the need for this is growing. P. Hope reported that participants are on the CT Homecare Program for Elders, and they are only providing services for those who need care at the first two levels. Because services are limited, there are difficulties if residents move to needing a higher level of care. Overall the population there is aging and needing a higher level of care. Care is available from 7 AM until 7 PM; nursing care is provided 20 hours a week.

Jensen's Park, Other: no report.

#### D. Related Town and Regional Organizations

Com. on Physically and Sensorily Impaired – M. Thatcher reported that MACNPD reviewed several agency-funding requests. They also reviewed an application to expand a local ceramics studio.

Senior Resources of Eastern CT: K. Grunwald reported that the Town has applied for federal funds for transportation services.

Town Plan of Conservation and Development – Carol Phillips: no report  
Town Community Center: no report.

## VI Old Business

Review of Commission members and terms: S. Thomas mentioned that the Town Clerk noted that not all of the members identified by Carol McMillan and Lib Norris were formally re-appointed by the Town Council. S. Thomas has made this request of the Committee on Committees for formal appointment.

Status of town Council consideration of Requests for Funds – K. Grunwald handed out a copy of a report going to the Town Manager, and mentioned that the Town Council will be holding public hearings on this request. He mentioned that there are ongoing concerns re: cuts in Dial-A-Ride services and the amount of funding being requested.

Request for a Drive-by Mail Box: The mayor has contacted S. Thomas to let her know that the Council supports this request and the Assistant Town Manager has written a letter to the postmaster of Storrs formally requesting that this be pursued.

Tabled Motion on joining CT Elder Action Network: P. Hope explained that this is a group that advocates for the needs of seniors. Membership is \$35 for a voting member; \$25 for a non-voting member. She stated that as a representative group of seniors the Commission represents an important voice. Some discussion about how participation in a group like this fits into the role of this Commission. S. Thomas suggested that the Commission not pursue this. K. Grunwald will pursue the status of our membership in the CT Coalition on Aging.

**VI. New Business**

S. Thomas mentioned the Commission's long-range plan will expire at the end of the year. The Commission will review this plan and make recommendations for changes to the plan. Suggested that this be discussed at the meetings in April and May; copies will be sent to members who did not attend this meeting.

**VI. Adjournment:** meeting adjourned at 4:12 PM.

(next meeting set for Monday, April 12, 2004 at 2:30, Senior Center)

AGENCY	FY'04 AWARD	FY '05 REQUEST	MISSION	VULNERABLE CLIENTS	MANSFIELD CLIENTS	CRITICAL SERVICE	FISCAL RESPON.	OTHER SOURCES	TOTAL SCORE	RECOMMEND	AWARD
United Services	\$7500	\$8550	4	4	4	5	5	5	27	\$7725	7730
Safe Havens	NA	\$2600	5	5	5	5	5	5	30	\$2000	2000
CT Legal Services	\$4500	\$8500								4500	4500
Literacy Volunteers	NA	\$1500	5	4	3	5	4	3	24	\$1500	1500
Holy Family Home/Shelter	\$2500	\$2700	5	5	1	5	5	4	25	\$2500	2500
Veteran's Advisor/WRCC	\$2500	\$9630	5	3	2	3	5	4	22	\$4000	2500
WAIM	\$1000	\$2000							30	\$2000	2000
McSweeney Center	\$4000	\$5000	5	5	4	5	5	5	29	\$5000	5000
TVCCA/Meals On Wheels	\$1980	\$1686.30	5	5	5	5	5	5	30	\$1686.30	1980
Dial-A- Ride/WRCC	\$34,740	\$39,033	5	5	2	5	5	5	27	\$39,033	39,030
Dial-A- Ride/ADA	\$27,500	\$28,875	5	5	2	5	5	5	27	\$28,875	28,880
Mansfield Senior Center Association	\$4000	\$10,000	5	5	5	5	5	5	30	\$10,000	6000
Community Companion and Homemaking Services	\$4000	\$4000								\$4000	4000
NECASA	\$650	\$2072								\$650	650
Women's Center of NECT	\$4000	\$4000							NA	-0-	0
<b>TOTALS</b>	<b>\$98,870</b>	<b>\$130,146</b>								<b>\$113,469</b>	<b>\$108,270</b>

## MINUTES

### MANSFIELD PLANNING & ZONING COMMISSION

Regular Meeting, Wednesday, April 7, 2004

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), A. Barberet, R. Hall, K. Holt, P. Plante  
Members absent: B. Gardner, P. Kochenburger, G. Zimmer  
Alternates present: B. Pociask, B. Ryan  
Alternates absent: B. Mutch  
Staff present: G. Padick (Town Planner)

Chairman Favretti called the meeting to order at 9:16 p.m., appointing both Alternate Pociask and Alternate Ryan to act as voting members.

#### Minutes

3/15/04 – Hall MOVED, Favretti seconded to approve the minutes as presented; MOTION CARRIED, all in favor except Plante, who was disqualified.

3/16/04 field trip – It was noted that Holt attended only items 1 and 2. Holt MOVED, Goodwin seconded to approve the minutes as corrected; MOTION CARRIED, Holt, Goodwin and Favretti in favor, all else disqualified.

Public Hearing, Wild Rose Estates, Sec. 2, proposed 9-lot subdivision off Mansfield City Rd., file 1113-2– The Public Hearing was called to order at 9:20 p.m. Members and alternates present were Favretti, Barberet, Hall, Plante, Pociask and Ryan; Holt had disqualified herself. The legal notice was read and the following communications noted: Town Planner (4/2, 4/5/04); Ass't. Town Engineer, Fire Marshal (both 4/1/04); Open Space Preservation Committee (3/23/04); Design Review Panel, Parks & Recreation Committee (both 3/4/04), Conservation Commission (3/25/04), and Eastern Highlands Health District (3/30/04). Favretti MOVED, Plante seconded to have the testimony from the Inland Wetland Agency meeting held earlier in the evening entered into the public record of this Hearing. MOTION PASSED unanimously.

P. Miniutti, site-planner/landscape architect representing the property-owner, B. Thompson, described the application, the first phase of land development on this 76-acre property, a 9-lot subdivision with 6 of the lots being serviced from a new, temporary cul-de-sac road off Mansfield City Rd. (later to be dedicated to the Town), and the remaining 3 lots to share a driveway. Overall site and topographic characteristics of the site now proposed for development were described and its location within the entire property were described; Mr. Miniutti noted that a future phase might consist of development of another 15 or 16 lots. Forested lands, swamplands (including an ecologically important white cedar swamp and a red maple swamp), a filled area and agricultural areas of the site were described. Drainage for the proposed road, septic issues, and the 9 individual wells were discussed; all disturbed materials would be reused on the site, and no separate fill permit is needed. Revised plans have been submitted to the Eastern Highlands Health District.

Mr. Miniutti stated that the only significant trees to be removed would be for road construction, and stones from any disturbed stone walls would be reused onsite. The applicant's open space proposal was also discussed at length: A circular area at the cul-de-sac and a large meadow space are currently proposed, with the meadow to be used for active recreation or planted with evergreen trees, or meadow-planted. (The tree-planting suggestion has been approved by H. Luce, the applicant's soil scientist, and B. Root, ecological consultant.)

D. Overton, project engineer, reviewed plans to protect the swamps from pollution, and water discharge plans for the 26-ft.-wide road. He said the road would be curbed to direct water runoff at points where water might otherwise discharge into neighboring yards. He stated he did not expect any road drainage problems.

Mr. Miniutti was asked how the proposed homeowners association would operate relative to maintenance of the open space. He said legal documents would be formulated, dues would be assessed, and residential meetings would help to foster a communal feeling of responsibility. He said the open meadow area is intended as an area to be used by the whole subdivision community, and may include a stonedust pathway. Members of the audience were then invited to participate.

P. Paine, Sycamore Dr., asked where a second phase would be. Mr. Miniutti explained tentative plans for a second phase of 15 or more lots, in which case a portion of the open space dedication might be relocated to protect the swamplands.

T. Rothenberg, 736 Mansfield City Rd., stated that he is in favor of a loop road for the entire development, but asked how runoff on the presently-proposed road section would be handled, as he feared runoff onto his driveway, which would be lower than the road. He was told that portions of the road would be curbed, to avoid runoff onto lawns and driveways. Mr. Overton stated that this and all road issues would be coordinated with the Ass't. Town Engineer.

Mr. Miniutti submitted a letter granting a 70-day extension, stating that within that time frame he could confer with the State DEP regarding the white cedar swamp and also revise plans to address recommendations from staff members and Town boards in time for review by staff and the public. At 10:05 p.m., Mr. Favretti MOVED, Mr. Hall seconding, to accept the request for a 70-day extension to allow for submission of revised plans and additional information for staff review prior to the 5/3/04 meeting. The MOTION PASSED unanimously and the Public Hearing was recessed until 5/3/04.

Mr. Favretti MOVED, Mr. Hall seconding, to add discussion of the matter of J. Stearns, storage violation on property on Rt. 44, to the end of New Business; MOTION PASSED unanimously.

Kidder Brook Estates, Ph. 2, Rock, proposed subdivision on Browns Rd., file 1151-2 – After discussion with M. Dilaj, representing the applicants, further discussion and action were postponed until the 4/19/04 meeting, to allow soils scientist J. Ianni to be present to discuss his written comments, as had been previously requested by the Commission.

Forest Acres, Sec. 2, Semerzakis, proposed 2-lot subdivision on Hunting Lodge Rd., file 1216 – Written comments were noted from the Town Planner, Fire Marshal and Ass't. Town Engineer (all 4/1/04) and Eastern Highlands Health District (3/22/04). J. Kazierski, representing the applicant, submitted receipts verifying neighborhood notification. He said he had read all staff reports, and agreed to revise the Lot B building area envelope to address the western property line setback. Mr. Kazierski discussed alternatives for an open space dedication of either 15% or 25%, and described the proposals, one of which could include the entire wetland area on the site. He noted that 2 specimen trees would be protected by a conservation easement. He requested a waiver of the requirement for connection to the 1983 CT Plane Coordinate System, because of the small size of the proposal. He also requested that concrete monumentation not be required. Mr. Padick requested a map showing the newly-proposed (25%) easement. Mrs. Holt agreed to work on a motion for the next meeting.

Proposed service of alcohol at restaurant use at University Plaza, file 274-2 – Mr. Hall MOVED, Mrs. Holt seconded to approve with conditions the special permit application (file 274-2) of Jai He Chen for the sale of alcoholic beverages in association with the proposed Oriental Café restaurant on property located at 1232 Storrs Rd. ("University Plaza" shopping center), in a PB-2 zone, as submitted to the Commission and as presented at a Public Hearing on 3/15/04. This approval is granted because the application as approved is considered to be in compliance with Article X, Section I.4.a.1.b, Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. Pursuant to regulatory provisions, all service of alcoholic beverages at this restaurant shall be limited to service from a service bar in conjunction with the service of meals to customers seated at tables within the building and which premises does not contain a cocktail lounge or area where alcoholic beverages are served to patrons standing or seated at a bar;
2. Any significant change in the proposed restaurant use as described in application submissions and at the 3/15/04 Public Hearing shall require further PZC review and approval. Any questions regarding what constitutes a significant change shall be reviewed with the Zoning Agent and, as deemed necessary, the PZC;
3. The owner shall be responsible for training staff with respect to all applicable Connecticut liquor laws;
4. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

This approval waives several provisions of Article V, Section A.3.c, since the information submitted with the application is sufficient to determine compliance with applicable approval criteria. MOTION CARRIED, all in favor except Plante (disqualified).

Hanks Hill Estates, Sec. 5, resubdivision application, 3 proposed lots off Hanks Hill Rd., file 596-4 – Mr. Padick's 3/31/04 memo was noted. Mr. Favretti MOVED, Holt seconded to approve with conditions the resubdivision application (file 596-4) of Hunting Lodge Partners, LLC for Hanks Hill Estates, Section V, a 3-lot resubdivision of property owned by the applicants located on Hanks Hill Road, in an RAR-90 zone, as submitted to the Commission and shown on plans dated 8/27/03, revised to 3/15/04, and as heard at a Public Hearing on 3/15/04. This approval is granted because the application as hereby approved is considered to be in compliance with the Mansfield Zoning and Subdivision Regulations. Approval is granted with the following modifications or conditions:

1. Final plans shall be signed and sealed by the responsible surveyor, engineer and soil scientist.
2. Pursuant to the Inland Wetland Agency's 12/1/03 approval, required work on the existing ditch along the west and southwest property lines shall be completed before final plans are filed on the Land Records.
3. This approval authorizes a common driveway for the three lots. A common driveway easement that addresses maintenance and liability issues shall be submitted to the Planning Office for approval by the PZC Chairman, with staff assistance, and the Town Attorney. The easement shall include provisions to maintain sightlines along Hanks Hill Road and at the intersection of the common drive and individual drives (see 3/11/04 memo from the Ass't. Town Engineer). The common driveway work shall be completed or bonded before the filing of the subdivision plan, pursuant to Section 7.10.e.
4. Pursuant to subdivision regulation provisions, particularly Sections 7.5 and 7.6, this action specifically approves a waiver or reduction of lot frontage for Lots 1, 2 and 3 and the depicted building envelopes, including a setback waiver for Lot 1. Unless the Commission specifically authorizes revisions, the depicted building envelopes shall serve as the setback lines for all future structures and site improvements, pursuant to Article VIII of the Zoning Regulations. This condition shall be noted on the final plans (replacing Note 13 on Sheet 1) and specifically Noticed on the Land Records.
5. After considering the proposed subdivision layout, site and neighborhood characteristics, the open space provisions of Section 13 and recommendations and objectives contained in Mansfield's Plan of Conservation and Development, the PZC has determined that a revision of the proposed conservation easement dedications shall be required. Accordingly, subject to final acceptance by the PZC Chairman, with staff assistance, and use of the Town's model conservation easement format, the final plans shall be revised as follows:

The conservation easement area on Lot 3 shall be extended to include all land within fifty (50) feet of the northern property line of this lot. This extension is deemed necessary to provide a wooded buffer that will help minimize any visual impacts on the adjacent Hanks Hill Village area as depicted in Mansfield's Plan of Conservation and Development. Although other open space revisions are not recommended, modifications may be made to other conservation easement areas depicted on the 3/15/04 plans, provided wetland areas with some non-wetland buffers are retained and the total amount of conservation easement area is not less than the required 15%, taking into account character of land requirements.

This revision also shall necessitate a revision to the Development Area Envelope for Lot 3. Additionally, the conservation easement shall note that the anticipated grading work within the easement area on Lot 3 shall be subject to Inland Wetland Agency approval requirements. MOTION PASSED unanimously.

6. Pursuant to Section 6.5.b and based on information submitted by the applicant and staff, the PZC hereby waives the requirement that the survey be tied to the Connecticut Plane Coordinate System of 1983. Tying into this survey system would be an unreasonable and unnecessary expense for the proposed 3-lot subdivision.
7. The Planning and Zoning Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety (90) or one hundred and eighty (180)-day filing extension has been granted):
  - A. All final maps, including submittal in digital format, a common driveway easement, a conservation easement, and a Notice on the Land Records to address condition 4 (with any associated mortgage releases) shall be submitted to the Planning Office no later than fifteen days after the appeal period provided for in Sec. 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;
  - B. All monumentation (including delineation of the conservation easement with iron pins and the Town's official markers every 50 to 100 feet on perimeter trees or on cedar posts), with Surveyor's Certificate, shall be completed or bonded pursuant to the Commission's approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant.

MOTION PASSED unanimously.

Zoning Agent's Report – The March Monthly Activity Report was acknowledged. Mr. Padick, speaking for Mr. Hirsch, reported on single-family occupancy issues in areas of town adjacent to the University campus. He reported that Town officials have met with a lawyer who has experience in this area, and then met with University officials. Town/University meetings on related issues are expected to continue. Some suggested courses of action to help remedy related problems are the adoption of a Town Housing Code, changing the definition of “family” in the Zoning Regulations, creation of a special Town zone for student housing, incentives for private developers to build student housing, and/or a potential ordinance requiring property-owners to maintain their properties.

#### Verbal Updates

Storrs Center downtown project – Information was included in members' packets and materials handed out tonight. The chairman was authorized to execute a Development Agreement with the Storrs Center Alliance. Progress is also being made toward preliminary recommendations and design guidelines.

University Hazardous Waste Storage Facility Site Study – The final report containing the committee's recommendations has been presented to the Town Council and will now go through another public process. The facility will probably be built near the sewage treatment plant, not near the present hazardous waste facility site.

Aquifer Protection Regulations/designation of Aquifer Protection Agency - The Town Council is reviewing the Regulations and possible designation of a Town board to act as the official agency. The matter has also been referred to the Conservation Commission.

2004 Windham Water Works Supply Plan – Included in members' packets was the 3/30/04 letter sent to the State Dep't. of Health containing PZC comments on the Water Supply Plan.

Zoning Board of Appeals – The Town Planner is to meet with the Zoning Board of Appeals on 3/14/04 to discuss the issue of posting signs at sites of ZBA applications, and will report at the next PZC meeting.

#### New Business

“Chatham Hill, Sec. 2.” proposed 14-lot subdivision off Fern Rd., Chatham Hill, LLC, o/a, file 1131-2 – Holt disqualified herself on this application. Barberet MOVED, Hall seconded to receive the subdivision application (file 1131-2) of Chatham Hill, LLC, for a 14-lot subdivision, Chatham Hill, Section 2, on property owned by the applicant located east of Fern Road, as shown on plans dated 3/8/04 and as described in other application submissions, and to refer said application to the staff, Design Review Panel, Town Council, Conservation Commission, Parks Advisory Committee, Open Space Preservation Committee and Recreation Advisory Committee for review and comments, and to set a Public Hearing for May 17, 2004. MOTION PASSED unanimously.

Special permit application for proposed commercial agricultural use at 552 Bassetts Bridge Rd., J.&J. Bell, o/a, file 1217 – Hall MOVED, Holt seconded to received the special permit application (file 1217) of J.&J. Bell for a commercial agricultural use on property located at 552 Bassetts Bridge Road owned by the applicants, as shown on a site plan dated 1/15/04 and as described in other application submissions, and to refer said application to the staff, Design Review Panel and Committee on the Needs of Persons with Disabilities for review and comments, and to set a Public Hearing for May 17, 2004. MOTION PASSED unanimously.

8-24 referral, proposed 2004-05 Capital Budget – The Town Planner's 4/1/04 memo was noted. Barberet MOVED, Holt seconded that the PZC approve the proposed 2004-05 Capital Improvement Program budget, subject to the condition below:

Several items are land use-regulated and may require PZC or IWA approvals before implementation. The PZC respectfully requests that the departments involved with land use projects coordinate with the Town Planner and Inland Wetland Agent and that the Commission/Agency be given adequate time to thoroughly review and act upon final plans for all projects that require PZC or IWA approval. MOTION PASSED unanimously.

2004-05 proposed Mansfield Budget, 3/17/04 letter from OPM regarding recommended Conservation & Development Policies Plan for CT, 2004-2009 – for the Commission's information.

Mulch storage violation, 497 Middle Turnpike – Mr. Padick's 4/7/04 memo outlines a situation in which large quantities of mulching materials are being stored in an unauthorized location, and a violation notice was issued. The owner of the new home garden center, J. Stearns, stated that the previously-approved location is directly above a septic system. The property-owner, B. Brodin, plans to make revisions to the septic system so that the mulch can be relocated to the area presently containing the septic system. He estimates this process could be completed in

about 60 days. After discussion, the Commission's consensus was that the Zoning Agent should wait to begin implementation of the violation notice until after the 5/3/04 meeting, to assess progress on the project.

**Communications and Bills** – As listed on the Agenda. The Chairman especially noted the notice of a 4/12/04 Public Hearing on the proposed Separatist Rd. bikeway/walkway, and the CCM 3/23/04 mid-Session Legislative Update. Holt MOVED, Hall seconded to pay the annual CFPZC dues in the amount of \$90.00; MOTION PASSED unanimously.

The meeting was adjourned at 11:10 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

THIS PAGE LEFT

BLANK

INTENTIONALLY

PLANNING AND ZONING COMMISSION  
TOWN OF MANSFIELD

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
STORRS, CONNECTICUT 06268  
(203) 429-3330



Memo to: Town Council  
From: Planning and Zoning Commission

*Rudy Favretti*  
Rudy Favretti, Chairman

Date: April 14, 2004

Re: 8-24 referral, 2004-05 Capital Improvements Budget

At a meeting held on April 7, 2004, the Mansfield Planning and Zoning Commission unanimously adopted the following motion:

"that the PZC approve the proposed 2004-05 Capital Improvement Program budget, subject to the condition below:

Several items are land use-regulated and may require PZC or IWA approvals before implementation. The PZC respectfully requests that the departments involved with land use projects coordinate with the Town Planner and Inland Wetland Agent and that the Commission/Agency be given adequate time to thoroughly review and act upon final plans for all projects that require PZC or IWA approval."

If there are any questions regarding this action, the Planning Office may be contacted.

THIS PAGE LEFT

BLANK

INTENTIONALLY

REC'D APR 07 2004

97 Codfish Falls Road  
Storrs, CT 06268  
April 2, 2004

Commissioner Arthur J. Rocque, Jr  
State of Connecticut  
Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106

Item #10

Dear Commissioner Rocque:

Thank you for your letter of February 4, 2004, to the Mansfield Conservation Commission expressing the need for open communication between Connecticut Conservation Commissions and the Department of Environmental Protection. Your opinion that it would be a "...shame if the Conservation Commission and its members were prevented from expressing their opinions, either collectively or individually, no matter how well intended the restraint upon them may be" was especially welcome. You state, "my agency has historically corresponded directly with Conservation Commissions." You further note, "The Attorney General's memo concluded with the observation that the choice to seek or accept comments was certainly the Commissioner's irrespective of what controls a local legislative body may choose to impose and regardless of the validity of such controls." Unfortunately, you considered the Attorney General's response vague with regard to this being a "two-way street," i.e. whether Conservation Commissions could correspond with you without censorship by the local executive body. As I recall a conversation with you, you said the Attorney General had left it to your office to render a final decision on this. I am writing to you now because the Mansfield Conservation Commission has once again been criticized (copy enclosed) by the Executive body of the Town for corresponding with you without first submitting the Commission's letter to the Executive body of the Town or the Town Manager for "review and approval." This goes beyond their earlier edict of restricting public testimony (even with the proviso that such a testimony was on behalf of the Commission and should not be taken as official town policy) to restricting our correspondence with the DEP Commissioner.

To review our earlier correspondence on this matter:

November 17, 2000: I wrote you a personal letter (as this letter must be considered personal) forwarding the Town attorney's opinion that Conservation Commissions cannot speak publicly without prior approval of the testimony or statement by the Town Council. I asked if there might be an attorney on your staff who might help clarify the situation for me.

You responded December 1, 2000, stating that you had forwarded my request for an opinion to the Attorney General. You did warn me that it would take some time for a formal opinion to materialize from that office.

February 4, 2004, You responded with the letter referred to in the first paragraph.

Enclosed is a copy of the Mansfield Conservation Commission's January 21, 2004, letter to you together with the cover memo I wrote for the Mansfield Town Council. The memo points out that in view of time constraints for making comments on the Conservation and Development Area maps that the Commission felt it was appropriate to send the correspondence directly to you with a copy to the Council. This memo also made reference to the Commission's privilege of corresponding directly with the Commissioner of the DEP.

The other enclosure is a copy of the Town Council's March 11, 2004, letter to the Commission reminding the Commission that the letter to you should have first been submitted to them for their review and approval. As The Commission meets only once a month and the Council only biweekly, it is not always possible to do so and meet deadlines. This is especially true when the State or Town fails to notify the Commission of important deadlines in a timely fashion.

The Council's March 11, 2004, included a copy (enclosed) of the Town Attorney's August 18, 2000 opinion that led to my asking you to have a DEP attorney review the issue in the first place. In my mind the Town attorney minimizes or ignores pertinent issues, thus managing to place restrictions on Conservation Commission activities that may, on occasion, make it difficult for the Commission to carry out the responsibilities placed upon it by Connecticut State Statutes (CGS) (Sect. 7-131a-e).

First, I note that in 1963 the act (CGS Sect. 7-131a-e) was amended to weaken the link between Conservation Commissions and the executive branch of local governments and, instead, to emphasize the Commissions' linkage with planning commissions instead. Was this change made to insulate Commissions from undue influence from the executive branches of town governments?

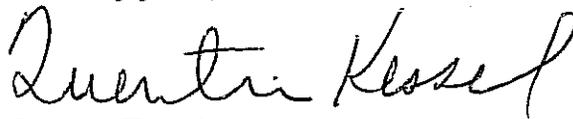
The Town Attorney emphasizes the supreme and pervasive authority of the Town Council in such a way that it is easy to overlook the exception to this authority: those rights, powers, duties and obligations assigned by the CGS, in this case to the Conservation (CC). The CGS do take precedence over the Town Charter, ordinances and statutes.

The CGS empower Conservation Commissions to "exchange information" with the Commissioner of the DEP. However, the town attorney attempts to define "information in such a way as to minimize and restrict the flow of information between the CC and the DEP. He states "...in every dictionary I have looked at, the word "information" connotes facts, not opinions." This is an extraordinarily narrow definition of the word "information." Facts, or data often must be interpreted, or qualified, in order to be considered useful information. The *American Heritage Dictionary* (1971) includes in its definitions of inform or information: "communication of knowledge" and "knowledge derived from study, experience, or instruction."

In order that Mansfield's Conservation Commission and Commissions across the State not be similarly handicapped in their activities, I hope your attorneys can clarify some of these issues and provide advice to the State's Conservation Commissions. It is through the exchange of information, often in a public forum, that the best solutions are found to complex issues. Without the ability to participate fully in public forums, the Commissions are handicapped. Without having uncensored, full and open communications with the Commissioner of the DEP, the Commissions are handicapped. I cannot think of any government that has attempted to control and suppress information without impairing its own effectiveness.

Thank you for your consideration of these matters.

Sincerely yours,

A handwritten signature in black ink that reads "Quentin Kessel". The signature is written in a cursive style with a large, sweeping initial 'Q'.

Quentin Kessel

CC: Mansfield Conservation Commission  
Mansfield Planning and Zoning Commission/Inland Wetlands Agency  
Mansfield Town Council  
CACIWC  
Connecticut Fund for the Environment



Conservation Commission

# Memo

To: Mansfield Town Council  
From: Mansfield Conservation Commission  
Date: January 22, 2004  
Re: Proposed Plan of Conservation and Development Areas, Town of Mansfield, CT/Letter to DEP Commissioner Arthur Rocque

Dear Town Council Members:

Attached is a copy of a letter from the Mansfield Conservation Commission to DEP Commissioner Arthur Rocque recommending that two additional watersheds in Mansfield be granted the protections given to "Level A/B Aquifer Protection Areas." The Conservation Commission is appreciative of your efforts in assisting the OPM and DEP in finalizing the map of the Proposed Plan of Conservation and Development Areas; however in view of the time constraints for making comments, the Conservation Commission is of the opinion that it is appropriate to "exchange" the information contained in this letter with the Commissioner of the DEP, in accordance with the State Statutes referred to below.\*

Sincerely yours,

Quentin Kessel  
Secretary

\*THE MANSFIELD CONSERVATION COMMISSION IS CONSTITUTED IN ACCORDANCE WITH ENABLING LEGISLATION BY THE STATE OF CONNECTICUT (Sections 7-131a through 7-131e of the General Statutes)- FOR THE PURPOSE OF "THE DEVELOPMENT, CONSERVATION, SUPERVISION AND REGULATION OF NATURAL RESOURCES, INCLUDING WATER RESOURCES, WITHIN MUNICIPAL LIMITS." FURTHERMORE, THE STATUTES EMPOWER THE MANSFIELD CONSERVATION COMMISSION TO "EXCHANGE INFORMATION" WITH THE COMMISSIONER OF THE DEP.



*Conservation Commission*

OF THE

*Town of Mansfield*

STORRS, CONNECTICUT

January 21, 2004

Commissioner Arthur Rocque  
State of Connecticut - Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106

Dear Commissioner Rocque:

The Mansfield Conservation Commission has reviewed the Proposed Plan of Conservation and Development Areas, Town of Mansfield, CT provided by Eric Thomas ([http://cgissrv1.ccsu.edu/website/opm\\_maps/mansfield\\_map.pdf](http://cgissrv1.ccsu.edu/website/opm_maps/mansfield_map.pdf)) and is concerned with two watersheds which contribute significantly to the Fenton River aquifers used by the University of Connecticut to provide water to residents of the Town of Mansfield and the University. These areas are indicated on the enclosed map and the Conservation Commission urges that your office review these areas with an eye toward having them designated as "Level A/B Aquifer Protection Areas" rather than as the "Conservation Areas" indicated on the proposed plan. The larger of these two areas, on the east side of the Fenton River, is drained by Fishers Brook and the smaller one on the west side of the river is drained by a small brook without a formal name.

Our reason for recommending an aquifer protection review for these areas is that these basins are drained by streams that, during dry periods, disappear directly into the stratified drift of the aquifer, never reaching the Fenton River as surface runoff. Because of the otherwise regular flow in these streams, one could reasonably argue that year-around, they contribute more water to the aquifer than do the neighboring watersheds which are given the greater Level A/B Aquifer Protection on the proposed map.

In summary, the Mansfield Conservation Commission recommends that the outlined areas on the enclosed maps be given the protection due direct aquifer recharge areas.

Sincerely yours,

Robert Dahn  
Chairman

CC: Mansfield Town Council  
Greg Padick, Mansfield Town Planner  
Eric Thomas, DEP  
Corinne Fitting, DEP  
Marc Ryan, OPM  
Jeffery Smith, OPM

**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 11, 2004

Conservation Commission  
Town of Mansfield

**Re: Communications with Outside Agencies**

Dear Commission members:

The Town Council and I are in receipt of your memorandum dated January 22, 2004 concerning the Proposed Plan of Conservation and Development Areas for the Town of Mansfield. We respectfully request that the Commission continue to adhere to the Council's policy regarding official communications with state and other outside agencies. As you know, as an individual citizen you have the full right to communicate your opinion(s) whenever and to whomever you choose. However, with respect to official communications on behalf of the town, we ask that you first address those communications to the Town Manager or Town Council, as appropriate, for our review and approval.

We realize that this policy may at times appear onerous, but it is certainly not designed as a punitive measure. Our intent is to ensure that the town speaks with "one voice" regarding important policy matters, and that our elected and appointed officials have the opportunity to vet and authorize the issuance of official communications.

For your reference, I have attached the Town Attorney's opinion regarding this important issue. We greatly appreciate the Commission's compliance with the Town Council's policy, as well as your continued work on behalf of the community.

Sincerely,

Martin H. Berliner  
Town Manager

CC: Mansfield Town Council

LAW OFFICES OF  
**HOWARD B. SCHILLER**

---

Howard B. Schiller

Dennis J. O'Brien

August 18, 2000

Matthew W. Hart  
Assistant to Town Manager  
Town of Mansfield  
4 South Eagleville Road  
Storrs, CT 06268

Dear Matt:

You have asked me for a legal opinion whether the Conservation Commission has the authority to be exempted from the Town Council's policy requiring "Advisory Boards" to refrain from "voicing their positions on . . . issues," and instead direct their opinions as official town bodies to the Town Council. The Mayor and Town Manager were careful to conclude the Town Council policy statement by saying that:

As private citizens, you of course retain your right to speak your mind. When you do so, just please ensure that you are speaking as an individual, not as a representative of the Town of Mansfield.

This issue has probably arisen because it is not commonly understood that in a town council-town manager form of government the authority of the town council, elected by the voters of the town in the exercise of their First Amendment rights, is supreme and pervasive. Pursuant to the Charter of the Town of Mansfield, duly enacted as the basic "law of the land" in Mansfield under the authority of the "Home Rule Act," Conn. General Statutes §7-187, et. seq.:

The Council shall be the governing body of the town. It shall exercise and perform all the rights, powers, duties and obligations of the town except as the same may be assigned by the C.G.S. or this charter to some other officer, board, agency or to the Town Meeting. . . (Charter, Section C 303 A).

Moreover, under Charter Section C 306:

The Council shall appoint, oversee and terminate all boards, commissions and committees except as otherwise provided by law.

The Conservation Commission was created by the Town Council's enactment of an ordinance stated at section 11-1 of the Code:

The Town Manager shall appoint a Conservation Commission in accordance with §§7-131A and 7-131B of the 1961 supplement to the Connecticut General Statutes for the development and conservation of natural resources, including resources within its territorial limits.

The Conservation Commission was created by the Mansfield Town Council under the authority of C.G.S. §7-131a. That section, aside from enabling the creation of the Commission, sets forth its power. Nothing in that statute or any other legislation expressly gives the Conservation Commission general legal authority to publicly opine. As far as the Commission's recent communication with the State Department of Environmental Protection is concerned, the statute does provide that "(c) a [conservation] commission may exchange information with the Commissioner of Environmental Protection." With regard to the issue of whether the Commission has the legal power to publish "comments" to the DEP and Department of Public Health the way it did last month, that subsection of 7-131a is the apparent extent of its possible statutory authority.

The only other possible statutory authority for the Commission to publish its opinions at will is that part of section 7-131a that provides that a conservation commission:

may advertise, prepare and distribute books, maps, charts, plans and pamphlets as necessary for its purposes.

With regard to the Commission's statutory authority to "exchange information" with the DEP, in every dictionary I have looked at, the word "information" connotes facts, not opinions. Given the broad power of the popularly elected Town Council *vis á vis* the appointed boards and commissions it has created under State enabling statutes like §7-131a, the Council may interpret "information" to stop short of including opinions, as opposed to plain facts. So too may the Council legally hold that "books, maps, charts, plans and pamphlets" as used in §7-131a does not encompass the authority to publicly transmit official opinions of the Commission without the approval of the Commission's legally empowered supervisor, the Town Council.

Quentin Kessel's letter to the Council, dated July 29, 2000, states that the "officers and members of the Conservation Commission are empowered to speak publicly . . . Specifically, the chairman's duties include speaking publicly and carrying on correspondence in the name of the commission."

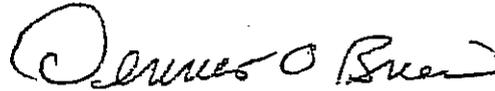
The "chairman's duties" Mr. Kessel cites are apparently derived from the "Mansfield Conservation Commission Administrative Procedures," presumably created and ostensibly amendable by the Conservation Commission members themselves. As such, given the general authority of the elected Town Council *vis á vis* the Conservation Commission appointed by the Town Manager, these "procedures" are trumped by Council policy whenever there is an inconsistency, as there is in this case. The Town Council's policy is valid. All things considered, the Commission has no legally cognizable claim to exemption.

Despite, for example, its appearance in the above-quoted §C 303 of the Town Charter in reference to the Town Council, the word "rights" is really not in play here. Boards, commissions and even town councils do not have legal rights. People do. That is why the Mayor and Town Manager wisely and properly made it clear that any members of the Conservation Commission are well within their rights to publicly offer any opinion they want to as private individuals not as official representatives of the Town of Mansfield.

As a practical matter, given the Commission's acknowledged expertise and capabilities, and the impressive nature and extent of its work, it is likely that in many instances once they are made known to the Council, the Commission's opinions will become the Council's as well.

I hope this answers your question.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dennis J. O'Brien". The signature is written in a cursive style with a large initial "D".

Dennis J. O'Brien  
Attorney at Law

DJO/afr

THIS PAGE LEFT

BLANK

INTENTIONALLY

## Andrew D. White

---

**From:** Edwin E. Passmore [epassmore03@earthlink.net]  
**Sent:** Sunday, April 18, 2004 8:24 PM  
**To:** TownMgr@mansfieldct.org.; PatersonE@mansfieldct.org; HaddadG@mansfieldct.org; BlairAW@mansfieldct.org; clouette@mindspring.com; HawkinsAR@mamsfieldct.org; PaulhusCR@mansfieldct.org; ThorkelsonC@mansfieldct.org; SchaeferC@mansfieldct.org; ReddingCG@mansfieldct.org  
**Cc:** GerdsonJE@mansfieldct.org  
**Subject:** FW: Mansfield Town Council Pledge

---

**From:** Edwin E. Passmore [mailto:epassmore03@earthlink.net]  
**Sent:** Thursday, April 15, 2004 3:19 PM  
**To:** The Chronicle (letters@thechronicle.com)  
**Cc:** EPassmore (epassmore03@earthlink.net)  
**Subject:** Mansfield Town Council Pledge

Letters to the Editor:

Referring to the actions of the Mansfield Town Council, the following is my response,

I am saddened and disappointed that members of the Mansfield Town Council refused to stand and recite the Pledge of Allegiance.

I love America and the freedoms it stands for and feel it is a duty and an honor to affirm my loyalty to my country. Any citizen who chooses not to pledge allegiance to the flag and to the United States of America should really search their soul and ask why they live in this free land. Where else in the world can one move about and speak freely. Why live in this great society, why even call yourself an American, it is ludicrous, in my view; to say reciting the pledge is "an empty gesture and a rote exercise." Unfortunately no one presently on this council represents my view.

Also I am unhappy when at a ball game or other event and the national anthem is played, there is such disrespect. Disrespect leads to lawlessness, to anarchy and the destruction of a society. History has proven this over and over. Is this our fate? Let us all stand up for America.

Joyce Passmore  
668 Middle Turnpike  
Storrs, Ct. 06268  
429-6799

THIS PAGE LEFT

BLANK

INTENTIONALLY

**LEGAL NOTICE**

**REGIONAL SCHOOL DISTRICT NUMBER 19 – EDWIN O. SMITH HIGH SCHOOL**

**NOTICE AND WARNING**

**REGIONAL SCHOOL DISTRICT NUMBER 19 TOWN MEETING**

The electors of the Towns of Ashford, Mansfield and Willington and all persons who are entitled to vote in Town meeting are hereby warned and notified that the Annual District Number 19 meeting budget consideration will be held on Monday, May 3, 2004 at the Edwin O. Smith High School library media center at 7:00 p.m. and moved to referendum to be held on Tuesday, May 4, 2004 for the following purpose:

To act upon the Proposed Budget for the District's fiscal year July 1, 2004 to June 30, 2005, which was adopted by the Board of Education on April 13, 2004 and to appropriate the sums estimated and set forth in said Budget to the purpose indicated.

A machine vote of "Yes" or "No" shall be taken on the following question:

"Shall the sum of \$15,067,160 be appropriated for the operation and maintenance of the Regional School District Number 19 Public School System for the July 1, 2004 to June 30, 2005 fiscal year?"

Polling places shall include:

Ashford:	Knowlton Memorial Town Hall, 25 Pompey Hollow Road
Mansfield:	Audrey P. Beck Building, 4 South Eagleville Rd, Rte.195
Willington:	Willington Old Town Hall, 11 Common Road

Polls shall be open from 6:00 a.m. until 8:00 p.m.  
Absentee ballots will be available in the office of the town clerk in Ashford, Mansfield and Willington during their regular office hours.

Dated and signed at Mansfield, Connecticut this 14th Day of April, 2004

Elena Tapia  
Chairman, Board of Education  
Statutory Authorization CGS 10-51  
2004-2005 Budget Summary

Estimated Revenue:

Member Town Assessment	\$	14,279,890
State Aid	\$	385,050
Tuition from CT School District	\$	382,220
Other	\$	20,000
Appropriation of Fund Balance	\$	0
Total Estimated Revenue and Appropriation of Fund Balance		\$ 15,067,160

Estimated Expenditures:

Salaries	\$	9,199,610
Employee Benefits	\$	1,821,930
Purchased Services	\$	2,618,070
Supplies	\$	611,220
Debt Service	\$	670,000
Other Operating Expenses	\$	146,330
Total Estimated Expenditures		\$ 15,067,160

Copies of the budget are available at the superintendent's office, Edwin O. Smith High School and at the office of the town clerks in Ashford, Mansfield and Willington.

APPLICATION REFERRAL

Mansfield Planning & Zoning Commission

- TO:
- Public Works Dep't., c/o Ass't. Town Eng'r.
  - Health Officer
  - Design Review Panel
  - Committee on Needs of Persons w/Disabilities
  - Fire Marshal
  - Traffic Authority
  - Recreation Advisory Committee
  - Open Space Preservation Committee
  - Parks Advisory Committee
  - Town Council
  - Conservation Commission

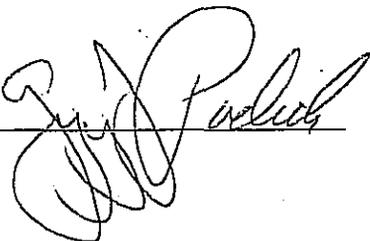
The Planning and Zoning Commission has received a 14 lot subdivision application and will consider the application at a Public Hearing/regular meeting on May 17, 2004. Please review the application and reply with your comments to the Planning Office before May 13, 2004. For more information, please contact the Planning Office, 429-3330.

APPLICATION INFORMATION

Applicant: Chatham Hill LLC  
Owner: Same  
Agent(s): Datum Engineering + Surveying  
Proposed use: 14 lots  
Location: east of Fern Rd.  
Zone classification: RAR-40  
Other pertinent information:

- Inland wetland Application also is pending
- Similar to application denied by PZC + IWA in 2003
- Full size maps available in Planning Office

signed



date

4/14/04

THIS PAGE LEFT

BLANK

INTENTIONALLY



SUBDIVISION CHECK LIST

TOWN OF MANSFIELD

PLANNING AND ZONING COMMISSION

This check list is intended as an aid to expedite the work of the Town staff, the Planning and Zoning Commission and the subdivider. It is not intended as a substitute for, nor does it contain all of the information and requirements in the Zoning Regulations and other applicable Town regulations and procedures.

Please check if the plan complies, or indicate N/A if not applicable.

1. Name of subdivision: Chatham Hill - Phase II
2. Name and address of subdivider and/or land owner.
3. Name, address and seal of registered land surveyor and professional engineer.
4. Scale, date and north arrow.
5. Key map, 1" = 1000
6. Boundary survey.
7. Designation of zoning district of subdivision and abutting properties.
8. Names and addresses of abutting property owners.
9. Lot numbers, square footage, lot dimensions.
10. Street layout, width, street names: SEE CONSTRUCTION AND PUBLIC IMPROVEMENT PLANS - SECTION 6.7.
11. Right-of-way dedication - Section 7.3 (b):
12. Location of all water courses and bodies, wetlands and areas subject to 100 year flood. Rights to drain (Section 10.5)
13. Location of proposed septic systems and wells.
14. Location of proposed monuments - Section 7.11.
15. Building setback lines - dashed lines.
16. Proposed open spaces for parks and playgrounds.
17. Existing and proposed topography at 5' intervals.
18. Signature block - item (q), page 6.  
P.114
19. Engineer's estimate of cost of public improvements - Section 6.9A (a).

- O/A 20. Connecticut Department of Transportation approval - Section 6.9A (b).
- X 21. Unexecuted copies of warantee deeds - Section 6.9 (c).
- X 22. Environmental Impact Statement - Section 6.10 (d).
- X 23. Erosion and sedimentation Control Plan - Section 6.10 (e).
- X 24. Construction and Public Improvement Plan - Section 6.7.
- X 25. Grading Plan - Section 6.8.
- X 26. Submission to WRPA - Section 6.11.7.
- X 27. Street Lighting - Section 7.9.

CHATHAM, PHASE II  
FERN ROAD, MANSFIELD  
ABUTTERS LIST

MAP 26  
BLOCK 77

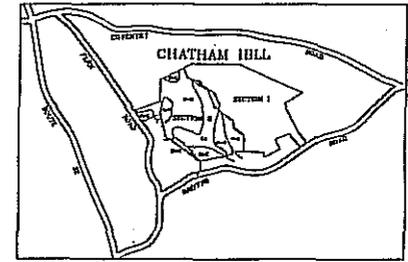
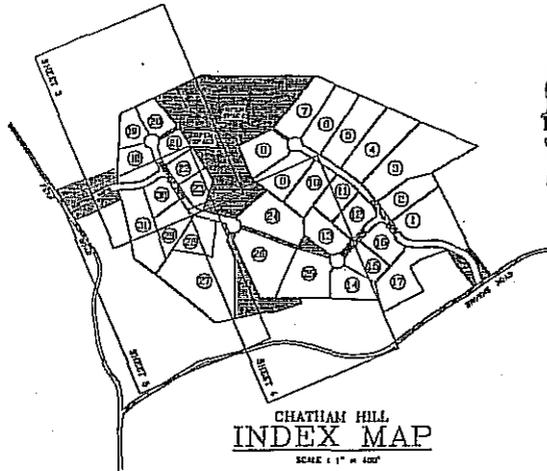
MAP 26  
BLOCK 78

<p>Lot 1 Yong Xiang Cheng &amp; Rong Zhen Wang 67 Fern Road Storrs, CT 06268</p>	<p>Lot 1 PBR Investments Limited Partnership c/o Barbara Rich 42 Fern Road Storrs, CT 06268</p>
<p>Lot 10 The Five K's Realty Trust, LLC P.O. Box 1042 Manchester, CT 06045</p>	<p>Lot 2 Donna G. Clauson 48 Fern Road Storrs, CT 06268</p>
<p>Lot 10A John K. Liapes 63 Fern Road Storrs, CT 06268</p>	<p>Lot 3 Geoffrey A. &amp; Toula Webster 54 Fern Road Storrs, CT 06268</p>
	<p>Lot 4 George A. Negro P.O. Box 2383 Westerly, RI 02891</p>
	<p>Lot 5 M. Youssef &amp; Ann M. Kouatly 98 Fern Road Storrs, CT 06268</p>

MAP 27  
BLOCK 78

MAP 31  
BLOCK 78

<p>Lot 11-8A Dana A. &amp; Aliza C. Wilder 73 Chatham Drive Storrs, CT 06268</p>	<p>Lot 8 Donna Naumec 666 Browns Road Storrs, CT 06268</p>
<p>Lot 11-9A Joan E. Mezner &amp; Kenneth V. Gouwens 67 Chatham Drive Storrs, CT 06268</p>	<p>Lot 9 George Mikulski c/o Helen Majcher 188 Brickyard Road Preston, CT 06365</p>
<p>Lot 11-10A Robert &amp; Kristin Gildersleeve 61 Chatham Drive Storrs, CT 06268</p>	<p>Lot 10-1 Diane J. Burgess 626 Browns Road Storrs, CT 06268</p>
<p>Lot 11-13A Christopher &amp; Lisa Sewell 14 Derek Drive Storrs, CT 06268</p>	
<p>Lot 11-14A Joseph J. Helble Trustee &amp; Rebecca L. Dabora Trustee 17 Derek Drive Storrs, CT 06268</p>	



**LOCATION MAP**

SCALE 1" = 1000'

**--- SOBS LEGEND ---**

- SYMBOL DESCRIPTION
- BOUNDARY SURVEY LINE (20' TO 100' PERMANENT MARKS)
  - BOUNDARY SURVEY LINE (20' TO 100' PERMANENT MARKS)
  - BOUNDARY SURVEY LINE (20' TO 100' PERMANENT MARKS)
  - BOUNDARY SURVEY LINE (20' TO 100' PERMANENT MARKS)
  - BOUNDARY SURVEY LINE (20' TO 100' PERMANENT MARKS)
  - BOUNDARY SURVEY LINE (20' TO 100' PERMANENT MARKS)

SUBDIVISION

ENTITLED

**CHATHAM HILL**

SECTION II

FERN ROAD, MANSFIELD, CONNECTICUT

PREPARED BY

DATUM ENGINEERING & SURVEYING, LLC

132 CONANTVILLE ROAD  
MANSFIELD CENTER, CONNECTICUT 06250

OWNER & SUBDIVIDER

CHATHAM HILL, LLC  
132 CONANTVILLE ROAD  
MANSFIELD CENTER, CONNECTICUT 06250

DATE: MARCH 8, 2014

**INDEX TO SHEETS**

COVER SHEET	SHEET 1 OF 8
BOUNDARY SURVEY	SHEET 2 OF 8
SITE DEVELOPMENT PLAN	SHEET 3 OF 8
SITE DEVELOPMENT PLAN	SHEET 4 OF 8
SITE DEVELOPMENT PLAN	SHEET 5 OF 8
PLAN & PROFILE	SHEET 6 OF 8
PLAN & PROFILE	SHEET 7 OF 8
DETAIL SHEET	SHEET 8 OF 8
LANDSCAPING PLAN	LI

JOB NO. 102021  
SHEET 1 OF 8

APPROVED BY THE TOWN OF MANSFIELD PLANNING BOARD

DATE: \_\_\_\_\_

APPROVED BY THE MANSFIELD PLANNING AND ZONING COMMISSION

DATE: \_\_\_\_\_

APPROVED BY THE DIVISION OF REGISTRY

DATE: \_\_\_\_\_

APPROVED BY THE DIVISION OF PUBLIC WORKS

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

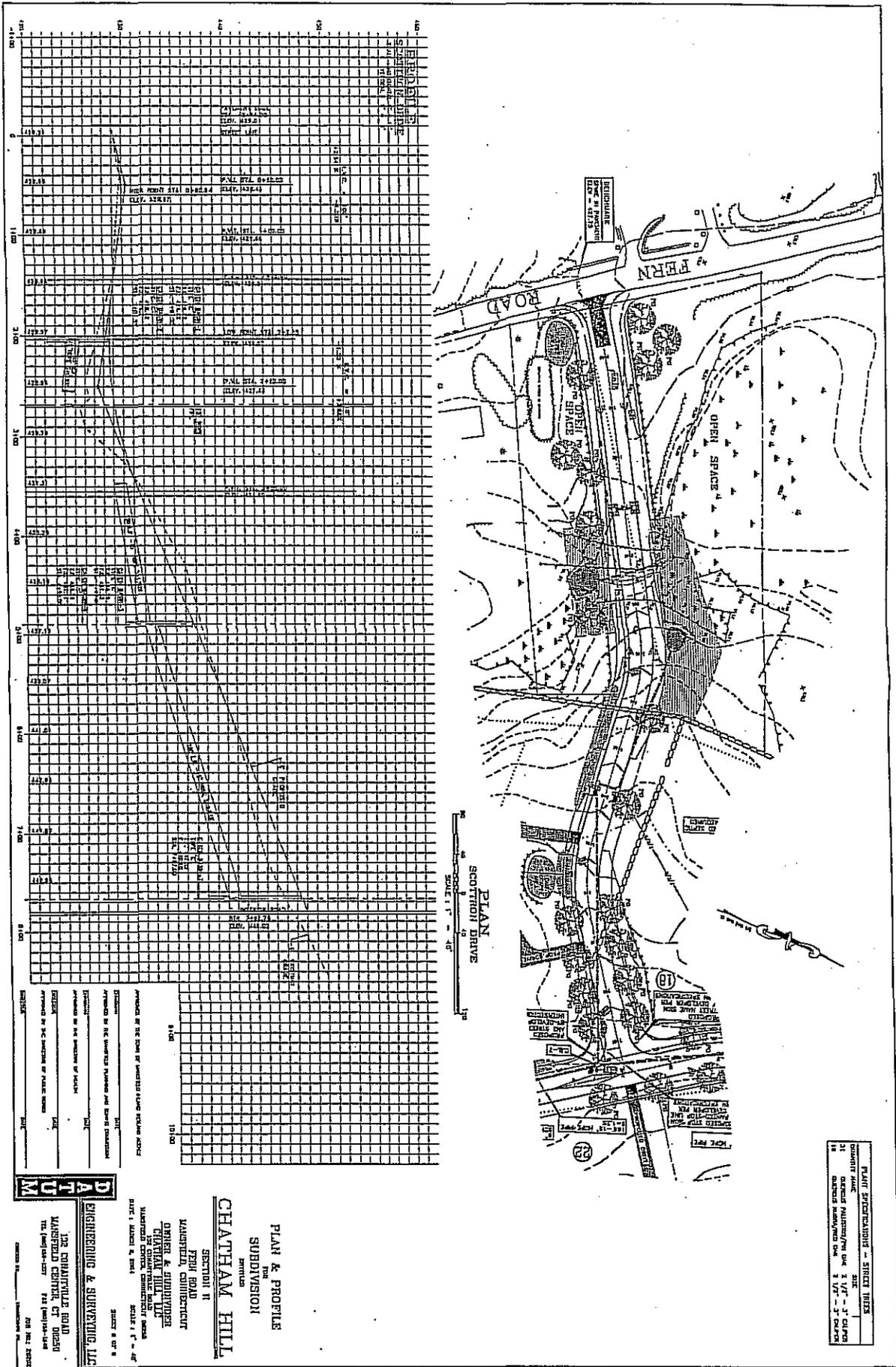
P.117











PLATT SUBDIVISION - STREET LINES	
COMMITTEE NAME	DATE
11	1/1/77
12	2/1/77
13	3/1/77

APPROVED BY THE BOARD OF REGISTERED PLANNING ENGINEERS

APPROVED BY THE BOARD OF REGISTERED SURVEYORS

APPROVED BY THE BOARD OF HEALTH

APPROVED BY THE BOARD OF WATER COMMISSIONERS

APPROVED BY THE BOARD OF ZONING COMMISSIONERS

**DATUM**

**ENGINEERING & SURVEYING, INC.**

122 CHAUNTOURNE ROAD  
 WASHINGTON CENTER, CT 06090  
 TEL: (860) 455-2277 FAX: (860) 455-1444

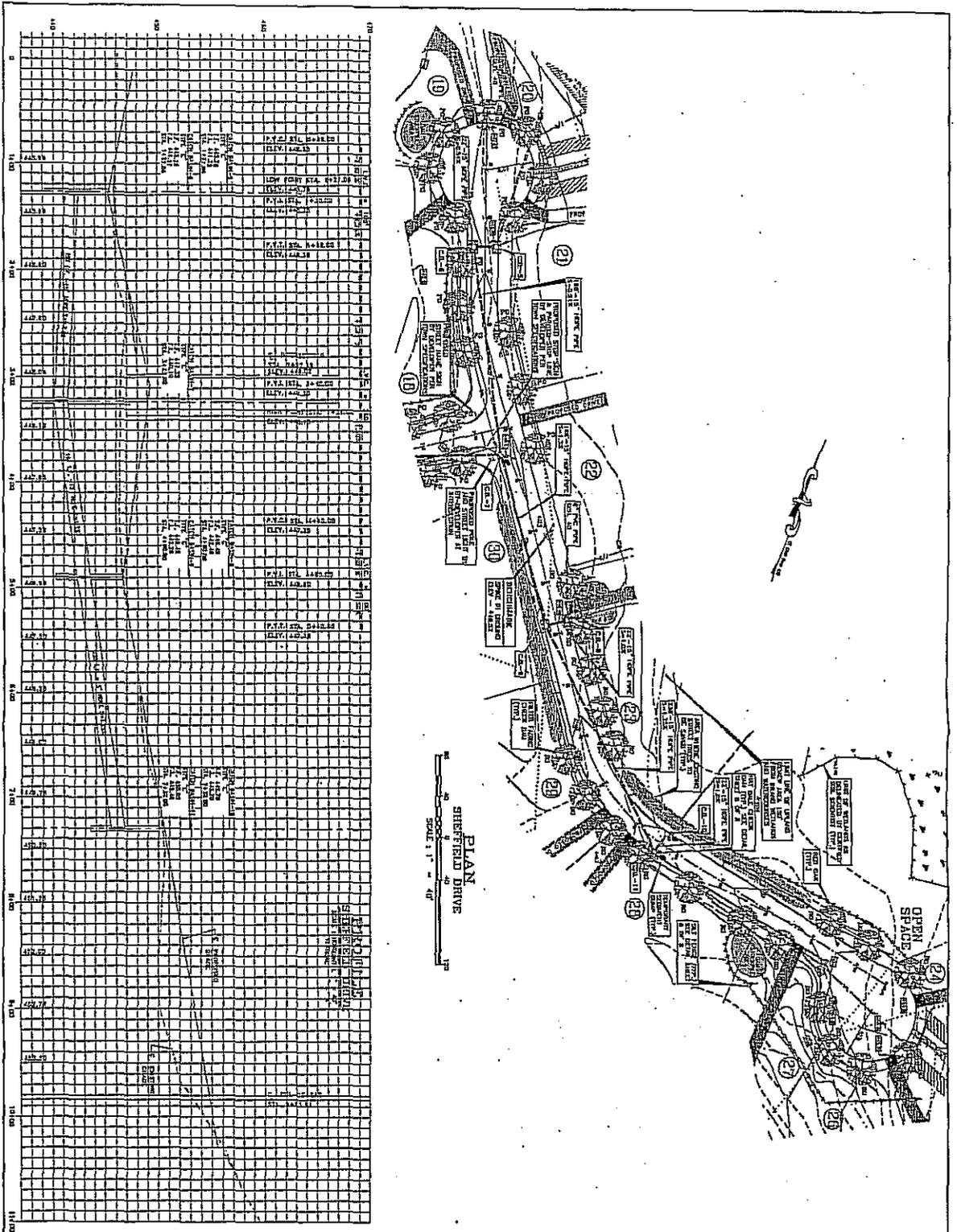
**CHATHAM HILL**

SECTION II

FERM ROAD  
 MAINTENANCE, CONSTRUCTION  
 OPENING & RECONSTRUCTION  
 CHATHAM HILL, CT

PLAN & PROFILE

THE  
 SUBDIVISION



**CHATHAM HILL**  
 SECTION II  
 FROM ROAD  
 UNIVERSITY COURTYARD  
 OFFICE & SUBDIVISION  
 CHATHAM HILL, LLC  
 100 CHATHAM HILL ROAD  
 SUITE 100  
 CHATHAM, MASSACHUSETTS 01949  
 DATE: JANUARY 6, 2014  
 SHEET 7 OF 8

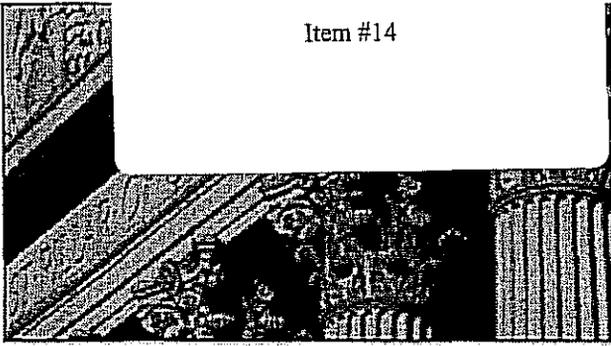
**ENGINEERING & SURVEYING, LTD.**  
 INC. COMPANY NO. 9040  
 775 BROADWAY, SUITE 100  
 NEWTON, MASSACHUSETTS 02459  
 DATE: JANUARY 6, 2014

APPROVED BY THE BOARD OF REGISTERED PROFESSIONAL ENGINEERS  
 APPROVED BY THE BOARD OF REGISTERED PROFESSIONAL SURVEYORS  
 APPROVED BY THE BOARD OF REGISTERED PROFESSIONAL LAND SURVEYORS  
 APPROVED BY THE BOARD OF REGISTERED PROFESSIONAL CIVIL ENGINEERS

PLAN & PROFILE  
 SUBDIVISION  
 CHATHAM HILL

**DATUM**





# MUNICIPAL MANAGEMENT BULLETIN



CONNECTICUT CONFERENCE OF MUNICIPALITIES

900 CHAPEL STREET, 9th FLOOR, NEW HAVEN, CT 06510-2807 PHONE (203) 498-3000 • FAX (203) 562-6314

[www.ccm-ct.org](http://www.ccm-ct.org) Your source for local government management information on the Web

April 5, 2004, No. 04-02

## CONNECTICUT SUPREME COURT ON MUNICIPAL POWERS: SEPARATE BUDGET REFERENDA, "YES."

The Connecticut Supreme Court held in *Board of Education of Naugatuck v. Town and Borough of Naugatuck*,<sup>1</sup> that a municipality *may* provide by charter for separate referenda on the general government budget and the education budget.

### Summary of the Facts and the Opinion

#### Facts:

A charter amendment in Naugatuck provided that voters could petition for a referendum vote on the general government budget and the education budget. A rejection of either budget at referendum (which also allows voters to indicate whether each was too high or too low) requires the finance board to recommend a revised total budget. If, after three referenda, either component of the total budget is not approved, the finance board sets the final budget.

#### Opinion:

In finding that a municipality may provide for separate budget referenda on the general government budget and the board of education budget, the Supreme Court addressed two questions:

1. Does the amendment violate *Connecticut General Statutes* §7-344, "Appropriations. Laying of Tax?"
2. Is the amendment "inconsistent with the statutory allocation of power between local boards of education and local boards of finance?"

Concerning §7-344, which prescribes the budget formation process and the role of the board of finance, the Court stated that "matters concerning a town budget are of local rather than statewide concern," and that "general laws pertaining to such matters, such as the General Statutes §7-344, 'do not supersede the provisions of home rule charters or ordinances on the same subject.'" Thus, Naugatuck's Charter did not violate the provisions of §7-344.

The Court also stated that the amendment is not against state education policy as both the board of education and the board of finance have a responsibility to ensure that every proposed budget meets state requirements and provides adequate funding for the school system. "In other words, as long as the board of education and joint boards act in accordance with statutory requirements, *town voters never will have the opportunity to accept or reject an education budget that is insufficiently funded because the board of education is barred from recommending such a budget and the joint boards are barred from adopting such a budget.*" (sic.) The Court also rejected the contention that allowing separate referenda gives the voters veto power over the education budget, stating that even if the voters reject all proposed budgets the boards of education and finance would still be required to adopt a sufficient budget.

\*\*\*

This bulletin is informational only and is not intended as legal advice. Please consult your municipal attorney for legal advice. For further information please call Michael Martin at CCM, 203-498-3000.

*This bulletin is being sent to Mayors, First Selectmen, Town/City Managers, Town Attorneys, Finance Directors, and School Superintendents.*

<sup>1</sup> *Board of Education of Naugatuck v. Town and Borough of Naugatuck*, 268 Conn. 295 (2004).

THIS PAGE LEFT

BLANK

INTENTIONALLY