



TOWN OF MANSFIELD
TOWN COUNCIL MEETING
MONDAY, November 22, 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	
PUBLIC HEARING	
1. Code Enforcement Relocation Plan	7
OLD BUSINESS	
2. Code Enforcement Relocation Plan (Item #4, 11-08-04 Agenda).....	9
3. Request from Cambridge, Massachusetts re: Casualties from the War in Iraq (Item #7, 11-08-04 Agenda)	19
4. University Spring Weekend and Campus/Community Relations (Item #2, 11-08-04 Agenda) (no attachment)	
NEW BUSINESS	
5. Collective Bargaining Agreement between the Mansfield Board of Education and the Mansfield Education Association	21
6. Town Council Meeting Schedule for 2005	25
7. No Freeze Project Hospitality Center.....	27
8. Proclamation in Honor of Student "Get out the Vote" Efforts	33
9. Status Report on Pending Claims and Litigation.....	35
10. Non-native Invasive Plant and Animal Species in Mansfield.....	41
11. Flexible Benefits Plan for Employees	47
12. Financial Statements Dated September 30, 2004 (enclosed).....	49
DEPARTMENTAL REPORTS	51
REPORTS OF COUNCIL COMMITTEES	
REPORTS OF COUNCIL MEMBERS	

TOWN MANAGER'S REPORT

FUTURE AGENDAS

PETITIONS, REQUESTS AND COMMUNICATIONS

- 13. The Daily Campus – “UConn takes step toward environmentally friendly campus”91
- 14. Connecticut Civil Liberties Union re: Town of Mansfield Political Sign Regulation..... 93
- 15. Town of Tolland re: Probate Court Administrator to Speak at Tolland Town Council Meeting97

EXECUTIVE SESSION

- 16. Personnel

REGULAR MEETING-MANSFIELD TOWN COUNCIL-NOVEMBER 8,2004

The regular meeting of the Mansfield Town Council was called to order by Mayor Elizabeth Paterson at 7:35 p.m in the Council Chamber of the Audrey P. Beck Municipal Building.

I. ROLL CALL

Present: Blair, Clouette, Hawkins, Koehn, Paterson, Paulhus, Redding, Schaefer

Absent: Haddad

II. APPROVAL OF MINUTES

Ms. Blair moved and Mr. Paulhus seconded to approve the minutes of October 25,2004 with one correction On Page 9 of the packet, under future agendas Pg. 85 was changed to Pg. 63.

So passed unanimously.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

No comments from the public.

IV. OLD BUSINESS

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

No action necessary. The packet contains ongoing information. The University is still waiting for the next approval step.

2. University Spring Weekend and Campus/Community Relations

Will discuss under reports of Council Committees.

V. NEW BUSINESS

3. Acceptance of Max Felix Drive

Ms. Blair moved and Mr. Hawkins seconded that effective November 8, 2004, to refer the acceptance of Max Felix Drive to staff and the Planning and Zoning Commission for review and comment.

So passed unanimously.

4. Code Enforcement Relocation Plan

Mr. Hawkins moved and Ms. Blair seconded that effective November 8, 2004, to schedule a public hearing for 7:30 p.m. at the Town Council's regular meeting on November 22, 2004, to solicit public comment regarding the revised Code Enforcement Relocation Plan.

So passed unanimously.

5. 2005 Child Daycare Contract Application

Ms. Blair moved and Mr. Hawkins seconded that the Town Manager, Martin H. Berliner, is empowered to enter into and amend contractual instruments in the name and on behalf of the Town of Mansfield with the Department of Social Services of the State of Connecticut for a Child Day Care program for the Mansfield Discovery Depot, and to affix the corporate seal of the Town.

So passed unanimously.

6. Social Services Block Grant Application

Ms. Blair moved and Mr. Clouette seconded that effective November 8, 2004, to authorize the Town Manager to submit an application to the US Department of Health and Human Services for a Social Services Block Grant in the amount of \$3,565.

So passed unanimously.

7. Request from Cambridge, Massachusetts re: Casualties from the War in Iraq

Mr. Schaefer moved and Ms. Blair seconded that at each meeting of the Mansfield Town Council, after the approval of the minutes and before the public address the Council, each Council member read the names of five Americans killed in Iraq since April 2003, these names to be from the military, from ngo's, and from contracting companies. These names to be in alphabetical order, and only the name, and the hometown and state or Territory, to be read.

Further, that there may be a minute of silence after the readings.

Purpose: Clearly, to honor these men and women, and to remind ourselves and those listening of that honor.

Also: Hearing these names aloud will, I hope, remind us of something too little recognized: "That the strength of this country lies to a very large extent in its diversity: in the diversity of nationalities of beliefs, of ethnicities, of cultures, of languages, of foods, of customs, of everything: a diversity easily discovered by merely reading any group of names from any telephone book, and a diversity which, taken together, has almost magically (paradoxically) formed a united country.

Mr. Hawkins made a motion to table. Mr. Schaefer seconded.

So passed.

Mr. Clouette moved the following resolution:

Resolved, that the Mansfield Town Council expresses the gratitude of the community to our friends and neighbors who are veterans and all veterans and that the Council intends to do everything in its power to assure that society's obligations to those veterans are met.

Seconded by Mr. Schaefer.

Motion so passed unanimously.

VI. DEPARTMENTAL REPORTS

Ms. Koehn asked for further information on the statement in the Report from the Housing Authority regarding the "the number of vacancies at Holinko Estates is double the normal average." The Town Manager will ask for further information.

VII. REPORTS OF COUNCIL COMMITTEES

Mr. Clouette reported on the Committee on the Quality of Life. The Committee has met twice. They are trying to finalize a report back to the Council. Question being asked is: what are the legal powers of the town?

Mr. Clouette reported on the Town/Gown Meeting. At that meeting the Mayor gave a statement and the new Dean presented some directions she might like to pursue. The Town/Gown will be meeting tomorrow. The Mayor and Dean of Students, Julie Bell-Elkins are now chairing a committee, which is a sub committee of the Alcohol and Substance Abuse Committee. This will focus on

the issues mainly involving students and the off-campus parties and underage drinking situation.

The issue is not just a University problem, but must be addressed by all entities including the town, landowners, and tenants, which includes the Housing Authority.

VIII. REPORTS OF COUNCIL MEMBERS

Ms. Blair commented on the wonderful activities on a farm in Mansfield. She assisted in harvesting a potato crop and hoped that the town can continue to support farming in Mansfield.

Ms. Koehn spoke on the Sustainable Design Program, which was held recently. Mr. Paulhus, Council Member and Mr. Matt Hart, Assistant Town Manager were present. She urged a committee be established to look at sustainability issues.

Mr. Paulhus announced that the Community Center held a very nice Trick 'n Treat program on Saturday. Over 100 persons addressed in costume attended.

VIII. TOWN MANAGER'S REPORT

The Downtown Partnership will be making a presentation on how the Downtown project will look. The meeting will be held at EOSmith at 7:30 p.m. on Wednesday night November 10.

The Town Manager discussed concerns regarding the Probate System. The State Probate Judicial System is having a financial situation, and will most probably urge probate courts to consolidate.

The Town Council will be having a special meeting in December from 6:30-9:00. Town Council members are to respond to the Town Manager as to availability.

Information on flu shots are on the website.

At the last meeting Betty Wasmundt inquired as to what people can do to keep bittersweet under control. At present there is a consultant working with the Parks Advisory Committee on recommendations. When the report is completed it can be placed on the website.

IX. FUTURE AGENDAS

X. PETITIONS, REQUESTS AND COMMUNICATIONS

8. CCM Candidate Bulletin-"Early Childhood Education: Improving the Quality of Life in our Towns and Cities"
9. CCM Candidate Bulletin-"Keep Working Farms in Connecticut"
10. CCM Candidate Bulletin-"State Mandates on Towns and Cities"
11. Connecticut Resources Recovery Authority re: Status Report
12. Connecticut Department of Public Health re: Estimated Populations in Connecticut as July 1, 2003
13. C. van Zelm re: September 30, 2004 Progress Report
14. Mansfield Downtown Partnership re: November 10, 2004 Presentation
15. M. Berliner re: Downtown Mansfield Revitalization and Enhancement Project
16. G. Padick re: Draft municipal Development Plan (MDP) and Permitting Process
17. Connecticut Department of Corrections re: Capacity and Population at Bergin Correctional Institute
18. S. and M. Shifrin re: Kirby Mill
19. Mansfield Planning Office re: UConn Students Enrolled at Storrs Campus 1985-2004
20. Kerrigan v. State of Connecticut, et al

XI. EXECUTIVE SESSION

Ms. Blair moved and Mr. Clouette seconded to adjourn for a few minutes and then go into Executive session with the Town Manager and Assistant Town Manager on a Personnel Matter. 8:32 p.m.

So passed unanimously.

At 8:50 p.m. Mr. Paulhus moved to go back into regular session. Seconded by Mr. Hawkins.

So passed unanimously.

XII. ADJOURNMENT

At 8:51 p.m. Mr. Paulhus moved and Mr. Hawkins seconded to adjourn the meeting.

So passed unanimously.

Elizabeth Paterson, Mayor

Joan E. Gerdson, Town Clerk

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LEGAL NOTICE
TOWN OF MANSFIELD
REVISED-CODE ENFORCEMENT RELOCATION PLAN
PUBLIC HEARING

The Mansfield Town Council will hold a public hearing for 7:30 p.m. at the Council's regular meeting on November 22, 2004, to solicit public comment regarding the revised Code Enforcement Relocation Plan. The Hearing will be held in the Council Chamber of the Audrey P. Beck Municipal Building, 4 South Eagleville Road. Copies of said plan are available in the Town Clerks office.

At this hearing interested persons may be heard and written comments taken.

Dated at Mansfield Connecticut, this 10th day of November, 2004.

Joan E. Gerdson

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager *MWH*
CC: Martin Berliner, Town Manager; Kevin Grunwald, Director of Social Services
Date: November 22, 2004
Re: Code Enforcement Relocation Plan

Subject Matter/Background

In January of this year, the Town Council approved a Code Enforcement Relocation Plan for the town. Written pursuant to the provisions of the Uniform Relocation Assistance Act (URAA) and the Connecticut General Statutes, the purpose of the plan is to establish a policy for the fair and equitable treatment of persons displaced by code enforcement activities.

The relocation plan is primarily based upon various model policies that are in force around the state. Some time after its approval, we realized that we needed to amend the document to make it more compatible with some of our local practices and procedures, particularly with respect to the state building and fire codes. Consequently, we are now presenting the Council with a revised relocation plan that has been prepared by the Town Attorney in consultation with our Department of Social Services and key code enforcement staff. Staff will be available at Monday night's meeting to address any questions that the Council may have.

Financial Impact

State law does require that the town bear certain costs relating to the relocation of persons displaced from housing by virtue of municipal code enforcement activities. The plan does cap the town's responsibility for housing costs at \$4,000.00 per incident. In addition, the town may also be responsible for costs associated with the moving and the storage of the displaced tenant's personal property.

Legal Review

As stated above, the Town Attorney is the primary drafter of the revised plan.

Recommendation

The amendments to the relocation plan will not have a significant impact upon the displaced tenant, and are designed to make the document more compatible with our local code enforcement procedures. Consequently, staff recommends that the Town Council approve and adopt the revision.

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

Move, effective November 22, 2004, to adopt the revised Code Enforcement Relocation Plan, dated November 22, 2004.

Attachments

- 1) Revised Code Enforcement Relocation Plan



Town of Mansfield
Code Enforcement Relocation Plan
November 22, 2004 Draft

I. PURPOSE

This Relocation Plan is adopted by the Town of Mansfield pursuant to the provisions of the Uniform Relocation Assistance Act ("URAA"), Connecticut General Statutes Sec. 8-266 et. seq., and URAA Regulations, Connecticut Agencies Regulations Sec. 8-273-1 through Sec. 8-273-41.

Connecticut General Statutes Sec. 8-266 states that the purpose of the URAA "is to establish a uniform policy for the fair and equitable treatment of persons displaced by...code enforcement activities..."

In furtherance of the stated purpose, the Town promulgates this Relocation Plan for the provision of URAA benefits and assistance to individuals and families displaced by the Town's code enforcement activities as a result of substandard conditions.

II. ADMINISTRATIVE STRUCTURE

Determination of displacement and provision of relocation benefits and assistance under this Relocation Plan shall be accomplished by cooperative effort of Town of Mansfield Code Enforcement Officials and the Social Services Official of the Town of Mansfield in consultation with all other appropriate Town agencies, including the Town Attorney.

III. APPLICATION PROCESS

Upon notice from any occupant of any building who believes that building is unfit for occupancy or upon notice from a Town of Mansfield Code Enforcement Official, the Social Services Official shall immediately provide the occupant with an *Application for Relocation Assistance* (attached hereto as Exhibit A) and *Notice of Rights and Services* (Exhibit B). At the same time, the Social Services Official shall also notify the owner of the property of the occupant's application and the owner's potential liability for relocation benefits (See Exhibit C, *Notice of Potential Liability*).

Along with a completed application, the occupant may file an inspection report by a Town agency in support of the occupant's claim for relocation benefits and assistance. If no such report is filed with the application, the Social Services Official shall forward a copy of the completed application to the appropriate Code Enforcement Official together with a request that an inspection of the property and written report be completed within five (5) business days.

IV. DETERMINATIONS OF DISPLACEMENT

- A. Any determination that a property constitutes a threat to the health and safety of the occupant is made by an appropriate Town Code Enforcement Official under the particular standards regulating the work of that appropriate Code Enforcement Official. Upon making such determination, the Code Enforcement Official will notify the Social Services Official. If an inspection resulting in any such determination is completed on premises whose occupant has not filed an application, the Social Services Official will immediately invite the occupants to apply for benefits under the URAA. The Social Services Official will at the same time provide the occupant with *Notice of Rights and Services* and provide the owner with *Notice of Potential Liability*.
- B. If, upon inspection by the appropriate Town Code Enforcement Official applying standards required to be used by that particular Official, it is found that the property is in such a condition as to constitute an immediate and serious threat to the health and safety of the occupant, the occupant shall be immediately determined by the Social Services Official to be a displaced person under the URAA. Within three (3) business days of the date of the determination, the Social Services Official shall provide an adult occupant and the property owner with *Notice of Displacement*, attached as Exhibit D.
- C. Procedure for property which does not constitute an immediate threat to health and safety:
1. If, the appropriate Town Code Enforcement Official, applying standards required to be used by that Official, determines that the property is in such condition that it does not constitute an immediate threat to the health and safety of the occupant, the Social services Official shall proceed as follows:
 - a. Determine, in consultation with the appropriate Code Enforcement Official, on the basis of the totality of the circumstances, including but not limited to the seriousness of the condition(s), their effect on the occupant, and the owner's capacity to remedy them, a reasonable deadline by which the owner must complete the necessary repairs or incur the consequences of a determination that the occupant has been displaced under the URAA; and
 - b. Provide as soon as possible to the owner a written notice (*Notice to Owner – Attachment F* is reserved for this notice in the event that a standard format is developed in the future) informing him/ her of any such deadline. This notice shall include a copy of any inspection report or key findings of that report. A copy of the notice shall be delivered to the occupant.
 2. Immediately following the expiration of any such deadline, in cooperation with the appropriate Code Enforcement Official, the Social Services Official shall cause the property to be re-inspected. If the Code Enforcement Official concludes that any of the identified unsafe conditions have not been remedied to the extent that the premises are habitable, the Social Services Official shall:
 - a. Determine the occupant to be displaced and notify the Human Services Official to provide an adult occupant and the property owner with *Notice of Displacement*; or
 - b. Determine under the totality of the circumstances in consultation with the appropriate Code Enforcement Official that the necessary repairs will soon be made and offer the

owner the option of temporarily relocating the occupant to adequate replacement housing until the conditions are remedied, by providing the owner with a *Temporary Relocation Proposal*, attached as Exhibit G.

- (i) If the owner fails to either remedy the conditions or agree to a temporary relocation within three (3) business days thereafter, issue *Notice of Displacement* to the occupant and the owner;
 - (ii) If the owner agrees to temporarily relocate the occupant, the owner shall sign a *Temporary Relocation Agreement*, attached as Exhibit H, and accomplish the temporary relocation at the owner's expense within a reasonable time frame established by the Town.
 - (iii) Once a re-inspection shows to the Town's satisfaction that the conditions have been remedied, the owner shall restore the occupant to the building at the owner's expense.
 - (iv) If the Social Services Official in consultation with the Code Enforcement Official determines that it is in the best interests of the occupant, it may permit a temporary relocation of the occupant by the owner at any time after the Town issues Notice to Owner to the property owner.
3. If at any time after a Town of Mansfield Code Enforcement Official initially finds the existence of conditions that violate health and safety standards of the applicable local code, the owner informs the Town that s/he cannot or will not make the necessary repairs, the Town shall immediately issue a *Notice of Displacement* to the occupant and owner.
 4. If it is determined by the Social Services Official in consultation with the appropriate Code Enforcement Official that it is in the best interests of the occupant, the Social Services Official may grant an extension of any deadline set in applying section IV.C. of the Plan.

V. RELOCATION OF DISPLACED PERSONS

A. General

1. The Town of Mansfield shall file this Relocation Plan with the State of Connecticut Department of Economic and Community Development, together with the information required by the Connecticut General Statutes Sec. 8-281, for the approval of the Commissioner of Economic and Community Development.
2. Town of Mansfield Code Enforcement Officials together with the Social Services Official shall administer a relocation program for persons displaced from property by the Town's code enforcement activities. The program shall include such measures as may be necessary to ensure that, prior to displacement by code enforcement activities, there will be available to every displaced person a replacement dwelling which is:
 - a. "decent, safe, and sanitary," as that term is defined in URAA Regulations Sec. 8-273-4 (a);

- b. in an area not generally less desirable than the area in which the displacement dwelling is located in regard to public utilities and public and commercial facilities;
 - c. reasonably accessible to the displaced person's place of employment; and
 - d. available at a price or rental within the financial means of the displaced person.
3. The Social Services Official shall ensure that a copy of this Relocation Plan is provided to every appropriate Town agency or department. Upon request, a copy of this Relocation Plan shall be provided at no expense to any indigent person.

B. Relocation Benefits and Assistance

1. Within two (2) business days of issuing *Notice of Displacement* to any displaced person, the Social Services Official shall mail a *Request for Priority Consideration* (attached hereto as Exhibit I) to the Mansfield Housing Authority.
2. Also within two (2) business days of issuance of *Notice of Displacement* to any displaced person, the Social Services Department shall move the displaced person and his or her family and personal property from the displacement dwelling to a permanent replacement dwelling. If no permanent replacement dwelling is then available, the displaced person and his or her family and personal property shall be moved from the displacement dwelling to a temporary replacement dwelling. If no temporary replacement dwelling is then available, the displaced person and his or her family shall be moved to emergency housing, normally the Holy Family Home and Shelter, 88 Jackson Street, Willimantic, CT, or if that is unavailable, to the Access Emergency Shelter, 51 Reynolds Street, Danielson, CT, and the personal property of the displacee(s) shall be placed in storage, if necessary.

Notwithstanding the provisions of the preceding paragraph, if a displaced person elects to receive the fixed cash payment described in Section V. (B) (4) in lieu of actual and reasonable moving and storage expenses, the Town shall be under no obligation to move or store personal property owned by the displaced person and his or her family.

3. The Social Services Official shall permit any displaced person who elects to have the Town move and store his or her personal property to choose from a mover from a list of moving companies to be maintained by the Town. The moving company selected shall, at the sole expense of the Town, pack, crate, and transport the displaced family's personal property, including household appliances owned by the family. If a temporary or permanent replacement dwelling is not then available, the Town shall arrange for the storage of the personal property. The Town's obligation to move a displaced family's personal property shall extend to subsequent moves from storage to a permanent replacement dwelling, from storage to a temporary replacement dwelling to a permanent replacement dwelling. The Town shall insure all personal property against loss or damage while being moved and while in storage. The Town's moving obligation shall include the cost of removing, reinstalling, and reconnecting all household appliances owned by the displaced family.
4. The Social Services Official shall provide a fixed cash payment to any displaced person who elects to receive such a payment in lieu of actual and reasonable moving expenses. The payment shall be made with the next Town payment cycle after the date of the

request. The exact amount of the fixed cash payment shall be determined in accordance with URAA Regulations Sec. 8-273-3.

5. The Social Services Official shall assist the displaced family to relocate to a permanent replacement dwelling which is a "comparable dwelling" as that term is defined in URAA Regulations Sec. 8-273-4(a) and 8-273-4(b). Any proposed permanent replacement dwelling shall be inspected to determine whether or not it is "decent, safe, and sanitary," as that term is defined in URAA Regulations Sec. 8-273-4(a).
6. Any displaced person who actually and lawfully occupied the displacement dwelling for at least 90 consecutive days immediately before the date of displacement and who subsequently rents a permanent replacement dwelling shall receive a replacement housing payment of not more than \$4,000.00. The amount of the replacement housing payment shall be determined in accordance with URAA Regulations Sec. 8-273-32, and shall be 48 times the monthly rent paid by the displaced person for the permanent replacement dwelling diminished by 48 times the average monthly contract rent the displaced person or family had agreed to pay during the three months immediately before the date of displacement; or (b) if that average monthly rent was not reasonable, 48 times the monthly economic rent for the displacement dwelling determined by the Social Services Official of the Town of Mansfield.

After a displaced person has rented and occupied a permanent replacement dwelling, the Social Services Official shall make the replacement housing payment directly to him or her, unless requested by the displaced person to make the payment directly to the lessor.

Replacement housing payments shall be made in monthly installments upon receipt of verification that the displaced person or family still occupies the replacement dwelling.

Upon request of a displaced person who has not yet rented a proposed permanent replacement dwelling which has been found to be decent, safe, and sanitary by the appropriate Town agency, the displaced person will receive a replacement housing payment on the date that he or she rents and occupies the proposed permanent replacement dwelling. The Social Services Department shall further certify in writing what the total amount of the replacement housing will be, which amount shall be determined in accordance with URAA Regulations Sec. 8-273-32. Attached hereto as Exhibit J is the *Certificate of Eligibility* to be submitted by the Social Services Official to the lessor at the election of the displaced person.

7. Any displaced person who actually and lawfully occupied the displacement dwelling for at least 90 consecutive days immediately before the date of displacement and who subsequently purchases a permanent replacement dwelling shall receive a replacement housing payment of not more than \$4,000.00. The amount of the replacement housing payment shall be determined in accordance with URAA Regulations Secs. 8-273-27(b), 8-273-31, and 8-273-34, and shall be that amount necessary for the displaced person to (a) make the down payment on the permanent replacement dwelling required for a conventional mortgage loan; and (b) pay the incidental expenses described in URAA Regulations Sec. 8-273-31.

The Social Services Official shall pay the full amount of the first \$2,000.00 of the required down payment. The Social Services Official shall pay 50 percent of the remainder of the

down payment, and the displaced person must provide the other 50 percent of the remainder of the down payment.

After a displaced person has purchased and occupied a permanent replacement dwelling, the Social Services Official shall make the replacement housing payment directly to him or her, unless requested by the displaced person to make the payment directly to the seller.

Upon request of a displaced person who has not yet purchased a proposed permanent replacement dwelling which has been found to be decent, safe, and sanitary by the appropriate Town agency, the Social Services Official shall certify in writing to the lending agency, financial institution, or other interested party that the displaced person will receive a replacement housing payment on the date that he or she purchases and occupies the proposed permanent replacement dwelling. The Social Services Department shall further certify in writing what the total amount of the replacement housing payment will be, which amount shall be determined in accordance with URAA Regulations Secs. 8-273-27(b), 8-273-31, and 8-273-34. Attached hereto as Exhibit K is the *Certificate of Eligibility* to be submitted by the Social Services Department to the lending agency, financial institution, or other interested party.

8. In accordance with URAA Regulations Sec. 8-273-39, if two or more families, or an individual and a family, occupy the same displacement dwelling, each individual or family who chooses to relocate separately shall be entitled to a separately computed replacement housing payment. However, two or more individuals, not a family, who occupy the same displacement dwelling pursuant to the same rental agreement, shall be treated as a single family in computing a replacement housing payment.
9. If a permanent replacement dwelling is not available at the time of the initial move from a displacement dwelling, or at the expiration of a displaced person's stay in an emergency shelter, the Social Services Department shall assist the displaced family or individual to relocate to a temporary replacement dwelling. A temporary replacement dwelling must meet the standards for "adequate replacement housing" set forth in URAA Regulations Secs. 8-273-4(a) and 8-273-4(c).

The provisions of Secs. 47a-2(1) and 47a-2(4) C.G.S. shall apply to the occupancy of temporary replacement dwellings by displaced persons.

In no event shall a displaced individual or family remain in a temporary replacement dwelling permanently; the Social Services Department shall help the displaced individual or family to relocate to a permanent replacement dwelling as soon as possible under the circumstances.

10. If neither a permanent replacement dwelling nor a temporary replacement dwelling is available at the time of the initial move from a displacement dwelling, the Social Services Department shall relocate the displaced individual or family to emergency shelter. For purposes of the Relocation Plan, emergency shelter means the Holy Family Home and Shelter, 88 Jackson Street, Willimantic, CT, or if that is unavailable, the Access Emergency Shelter, 51 Reynolds Street, Danielson, CT, or any other similar area facility. As soon as possible, the Human Services Department shall assist the displaced individual or family to relocate from emergency shelter to a permanent replacement dwelling or, if no permanent replacement dwelling is then available, to a temporary replacement dwelling.

VI. SPECIAL CIRCUMSTANCES – FIRE OR CASUALTY

If a dislocation is caused by fire or other casualty, this section of the relocation plan shall apply. If displacement is caused by local code enforcement activities subsequent to a fire or other casualty, other sections of this plan shall apply.

Sec. 47a-14. CGS outlines tenant remedies in the event that a dwelling unit is damaged or destroyed to an extent that it is not habitable. The remedy established in this section does not provide supports to tenants to prevent homelessness. In the event of loss of housing as a result of fire, hurricane, flood, tornado or other catastrophic occurrence, it shall be the goal of the Town to prevent displacement that results in homelessness. Town departments shall provide assistance as follows:

- A. The Social Services Official will coordinate services with the American Red Cross, emergency shelters and other charitable organizations.
- B. If, upon inspection and consultation with the property owner by the appropriate Code Enforcement Official, it is determined that the property might reasonably be returned to a safe and healthy condition, the Code Enforcement Official will report any such conclusion to the Social Services Official including, if possible, an estimated timetable for the completion of repairs necessary to return the premises to safe and healthy condition.
- C. If it is determined that code violations caused the event leading to dislocation, the Social Services Official will determine the occupant to be a displaced person as outlined in previous sections of this plan.
- D. In the event of fire or other casualty, it is expected that the property owner will move quickly to make necessary repairs so that the tenant will be able to return to the dwelling. The Code Enforcement Official may, in consideration of the provisions of the applicable Code, establish reasonable deadlines for the completion of repair work related to code violations that are created by fire or other casualty. If the property owner fails to comply with reasonable deadlines, the Code Enforcement Official may refer the case to the Social Services Official to determine if the occupant may be considered to be a displaced person as outlined in previous sections of this Plan.
- E. In the event that a person displaced by fire or other casualty is not eligible for other assistance, the Social Services Official may provide assistance to that person which may include but is not limited to the following:
 1. Referral to legal counsel.
 2. Pursuit of Fair Housing remedies.
 3. Referral to services provided by state agencies and private not for profit organizations.
 4. Provision of emergency financial assistance for moving expenses and/ or rental security deposits.

VII. MISCELLANEOUS RIGHTS AND RESPONSIBILITIES

- A. The Town's obligation under the URAA, URAA Regulations and this Relocation Plan to provide relocation assistance and benefits to displaced persons shall not be affected or diminished by the availability to such persons of other rights or remedies under state or federal law.
- B. A displaced person's decision to refuse a portion of the relocation assistance and benefits available to him or her under the URAA, URAA Regulations and this Relocation Plan shall not affect or diminish the Town's obligation to provide remaining relocation assistance and benefits to that person.
- C. Any displaced person aggrieved by any action on the part of the Town of Mansfield shall be advised by the Social Services Department of his or her right to appeal the Town of Mansfield's determination to the State of Connecticut Department of Economic and Community Development, and shall be provided with a copy of URAA Regulations Sec. 8-273-1, (attached hereto as Exhibit L).



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager *MWH*
CC: Martin H. Berliner, Town Manager
Date: November 22, 2004
Re: Request from Cambridge, Massachusetts re: Casualties from the War in Iraq

Subject Matter/Background

At its previous meeting, the Town Council tabled its discussion of this item.

Attachments

- 1) Proposed motion by Council member Schaefer

Move: That ~~before~~ at each meeting of the Mansfield Town Council, after the approval of the Minutes and before the public addresses the Council, each Council member read the names of five Americans ~~who~~ killed in Iraq since April 2003, these names to be from the military, from ngo's, and from contracting companies. These names to be in alphabetical order, and only the name, and the home town and state or Territory, to be read.

Further, that there may be a minute of silence after the readings.

--carl schaefer
nov 8/04

Purpose: Clearly, to honor these men and women, and to remind ourselves and those listening of that honor.

-also: Hearing these names aloud will, I hope, remind us of something too little recognized: That the strength of this country lies to a very large extent in its diversity: in the diversity of nationalities of beliefs, of ethnicities, of cultures, of languages, of foods, of customs, of everything: a diversity easily discovered by merely reading any group of names from any telephone book, and a diversity which, taken together, has almost magically (and paradoxically) formed a united country.

Notes -By reading this list before the public addresses the Council, there may be a slightly larger audience, because once the public has done its thing, it usually leaves.

-I purposely scheduled this for after the elections. Guess why.

-I estimate this will take at the most 10 minutes



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager
CC: Martin Berliner, Town Manager; Gordon Schimmel, Superintendent of Schools
Date: November 22, 2004
Re: Collective Bargaining Agreement between the Mansfield Board of Education and the Mansfield Education Association

Subject Matter/Background

The Mansfield Board of Education (MBOE) and the Mansfield Education Association (MEA) have agreed to a contract settlement, the highlights of which are attached.

With respect to teacher's contracts, the Town Council has three options:

- 1) Ratify/approve the tentative agreement;
- 2) Reject the tentative agreement, in which case the matter shall be referred to binding arbitration; or
- 3) Take no action, in which case the tentative agreement shall be considered ratified by the town after a 30-day waiting period.

Financial Impact

The MBOE's labor counsel has estimated the cost of the three-year agreement as follows:

Year 1 - 3.81% increase over prior year
Year 2 - 3.54% increase over prior year
Year 3 - 3.75% increase over prior year

Legal Review

The MBOE has negotiated the agreement with the assistance of its labor attorney.

Recommendation

Town staff does not participate in labor relations involving MBOE employees. The cost projections for the tentative agreement do appear reasonable with respect to recently negotiated teacher settlements around the state. Also, the board has worked hard to reduce its future costs for employee health insurance, while still retaining excellent coverage for its employees. Because the parties have negotiated and reached an agreement in good faith, staff recommends that the Town Council ratify or take no action on this item.

Attachments

- 1) Summary of Tentative Agreement between the Mansfield Board of Education and the Mansfield Education Association

Tentative Agreement

The negotiating committees for the Mansfield Board of Education and the Mansfield Education Association agree to the following contract settlement, subject to ratification by both parties:

Issue	Agreement
BOE #5 (Insurance)	
POS Plan	The Board will offer a POS plan consistent with the terms set forth below. The Board shall have the right to set the employee premium contribution percentage for the POS plan, at a percentage not to exceed the percentage contribution for the PPO plan.
OV co-payment & outpatient services	\$0 preventive care \$20 PCP \$25 specialists (including allergists) \$25 for outpatient services (including mental health, substance abuse, PT, OT, speech, chiro, short-term rehab)
Urgent Care	\$50
ER	\$75
Outpatient hospital services	\$175
In-patient hospitalization	\$350
Deductibles	\$500/1000/1500
Out-of-pocket max	\$2500/5000/7500
Prescription drug	\$10/25/40 public sector formulary, \$2000/year max, 2x co-payment for mail order (3-mo. supply)
PPO Plan	15.0% 2005-06 15.5% 2006-07 15.5% 2007-08
OV co-payment & outpatient services	\$0 preventive care \$15 PCP \$15 specialists (including allergists) \$15 for outpatient services (including mental health, substance abuse, PT, OT, speech, chiro, short-term rehab)
Urgent Care	\$25
ER	\$50
Outpatient services	\$100
In-patient hospitalization	\$200
Deductibles	\$400/800/1000
Out-of-pocket max	\$2000/4000/5000
Prescription drug	\$5/15/25 public sector formulary, \$3,000/year max, 2x co-payment for mail order (3-mo. supply).
Canada RX (PPO and POS)	Board shall have the right to offer a Canada RX program as an option for employees. The Board shall have the right to terminate the Canada RX program at any time, with prior notice to employees.
BOE #8/MEA #12 (Duration)	
	3 years

Issue	Agreement
MEA #9 (Degree Definitions)	The Board will enter into a side letter (not to be included in the contract) providing that two individuals (_____) will be moved to the MA salary track effective at the beginning of the 2005-06 contract year, based on the fact that they have completed at least 30 credits beyond a BA degree, provided that they are not required under CT law to obtain their MA degrees. The Board's agreement to move these two employees to the MA degree track will not create a practice or precedent in any respect.
MEA #11 (Reimb. for National Board Cert. Costs)	No such provision in contract.
MEA #13 (Salary)	2005-06: 2.6% plus increment
	2006-07: 2.6% plus increment
	2007-08: 2.6% plus increment
MEA #14 (Stipends)	No stipends in contract.
After-school activities	BOE agrees to increase to \$30 per session
Curr. Writing, per hr.	BOE agrees to increase to \$25 per hour
National Board Cert.	BOE agrees to provide a one-time recognition payment in the amount of \$1000 to any teacher who earns National Board Certification, with such payment to be made in the year in which the teacher provides verification of such certification.

All proposals withdrawn by both parties, except for those proposals previously agreed to and signed by both parties.

For the Board:

For the Association:

By: _____

By: _____

Date: _____

Date: _____

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager *MWH*
CC: Martin Berliner, Town Manager; Joan Gerdson, Town Clerk
Date: November 22, 2004
Re: Town Council Meeting Schedule for 2005

Subject Matter/Background

Attached please find a proposed meeting schedule for 2005, as prepared by the Town Clerk. The schedule conforms to the Town Council's normal schedule of holding its regular meetings on the second and fourth Mondays of the month, with the exception of a holiday.

Recommendation

Staff recommends that the Town Council approve the schedule as presented.

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

Move, effective November 22, 2004, to adopt the Town Council Meeting Schedule for 2005, as presented by the Town Clerk.

Attachments

1) Proposed Schedule

Memo to: Town Council

From: Town Clerk

Re: Council meeting dates for 2005

Respectfully submitted for your review and approval is the proposed regular meeting schedule for 2005:

January 10, 24

Feb. 14, 28

March 14, 28

April 11, 25

May 9, 23

June 13, 27

July 11, 25

Aug 8, 22

Sept. 12, 26

Oct 11***Tuesday(Columbus Day on Monday)
24

Nov 14, 28

Dec 12, 27***Tuesday(Christmas Holiday on Sunday, next day is holiday)

Location and time of each meeting will be the Council Chamber at 7:30 p.m.

Recommended Motion: Move to adopt the Town Council 2005 regular meeting schedule as presented.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager
CC: Martin Berliner, Town Manager; Kevin Grunwald, Director of Social Services
Date: November 22, 2004
Re: No Freeze Project Hospitality Center

Subject Matter/Background

This is a proposal for the Town of Mansfield to provide financial assistance to the No Freeze Hospitality Center, which is located at the Calvary Chapel in Willimantic. The center is a temporary overnight shelter that was started by a group of volunteers last year to respond to the needs of homeless individuals in this part of the state. The facility operates on a very limited budget, and is almost completely reliant on volunteer labor and private donations. Last year 60 individuals stayed there for a total of 730 overnights.

Financial Impact

Staff proposes that the Town of Mansfield donate \$500 this year to support the shelter's operations.

Recommendation

Staff recommends that the Town Council act to approve this donation. The incidence of homelessness in our region is a growing problem, and there are limited resources available to address this issue. The Holy Family Shelter in Willimantic is a family shelter, and the next closest shelter for single adults is in Danielson. These shelters are typically full, with long waiting lists, and at the height of winter an overnight shelter may be the only source of refuge for someone who is homeless. While they are not always evident, we do have homeless individuals in Mansfield who benefit greatly from programs like this.

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

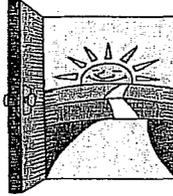
Move, effective November 22, 2004, to authorize staff to appropriate a \$500 donation to the Windham Region No Freeze Project Hospitality Center.

Attachments

- 1) Donation request and related newspaper articles

CC KEVIN
JEFF

No Freeze Project Hospitality Center
A Community Coalition



REC'D OCT 13 2004

...To provide basic overnight shelter from cold weather for homeless persons over the age of 18

October 4, 2004

Martin Berliner
Town Manager
4 So. Eagleville Rd
Storrs, CT 06268

Dear Mr. Berliner:

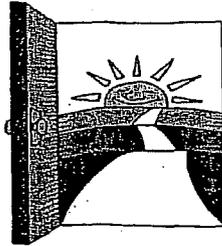
We appreciate the opportunity to meet with WINCOG members at your last meeting to provide information regarding the No Freeze Hospitality Project. As we explained, the project provides shelter for single people who are homeless in the Windham region. Last year we provided a warm shelter during the cold, winter months and a modest meal for 60 unduplicated guests. Our guests were very appreciative to get this assistance so that they would not have to continue living in cars, tents and other difficult places. We know the need is still very much there so we are currently working to be able to provide the overnight shelter again so as to save lives and prevent the needless injuries and serious illnesses.

As suggested at the meeting, we do plan to submit a request to member towns for possible contribution before their next budget session next year. We greatly appreciate having that opportunity to do so, but we also wanted to ask if there were any possibilities of discretionary funds to help with this year's project. Any amount would be very helpful towards providing the basics for guests as well as helping to fund a position to staff the shelter and assist the other needed volunteers. Also enclosed, as suggested, is a flyer to post and distribute to any interested individuals or groups regarding possible donations as well as offers to volunteer. We are also providing a press clipping regarding the project in case you were not able to attend the meeting. If you would like more information please call Tom McNally, at 423-1643 and he would be happy to answer any of your questions.

Again, we wanted to express our gratitude to present the project to you and we look forward to hearing from you regarding assistance with this year's project.

Sincerely,

John Kilburn
Windham Region No Freeze Project



...To provide basic overnight shelter from cold weather for homeless persons over the age of 18

September 8, 2004

Dear Friend:

“A decent provision for the poor is the true test of civilization.” (Samuel Johnson)

Last fall, a coalition of concerned citizens and community activists here in Windham County joined together to provide the disadvantaged people of this area with a basic necessity that most of us take for granted. We established a temporary overnight shelter for the homeless as a refuge from the coldest nights of the winter.

We opened the “No-Freeze Hospitality Center” at the Calvary Chapel on Main Street in Willimantic in early January, and provided emergency shelter for 60 guests, totaling 730 overnights before we closed for the season on April 1st. This year we hope to open even earlier, by December 1st. at latest.

The Center is run on a “shoe-string”. It is organized and run entirely by volunteer labor. We have no paid staff. The budget and operating expenses required to fund the Center are paid entirely from the generous donations of our supporters. Even the space we use at Calvary Chapel was graciously donated to us.

As we plan for the coming winter, we must reach out, once again, to the local community to meet our need for volunteers and for funds. Will you help us to keep the “No Freeze Hospitality Center” open for another year? Can you help us with a financial donation to help us meet our operating expenses? Or can you help us with a gift of time to help us staff the Center during the coming season?

If you can contribute time or funds or both, please fill out the form below and return it to the Covenant Soup Kitchen at the address given. If you would prefer to volunteer online please write to: windhamvolunteers@yahoo.com. *Thank you for your generosity.*



Please make checks payable to:

Hospitality Center c/o The Covenant Soup Kitchen, 220 Valley Street, Willimantic, CT 06226.

Donations are tax deductible.

My donation of: ___\$100, ___\$50, ___\$25, ___\$10, ___ (other) is enclosed.

Name: _____

Address: _____ Phone: _____

[] Yes, I am interested in volunteering to help staff the Center.



www.remindernet.com • 875-3366
or toll-free 888-456-2211

Town to Create Temporary Skating Rink: If Nature Will Cooperate

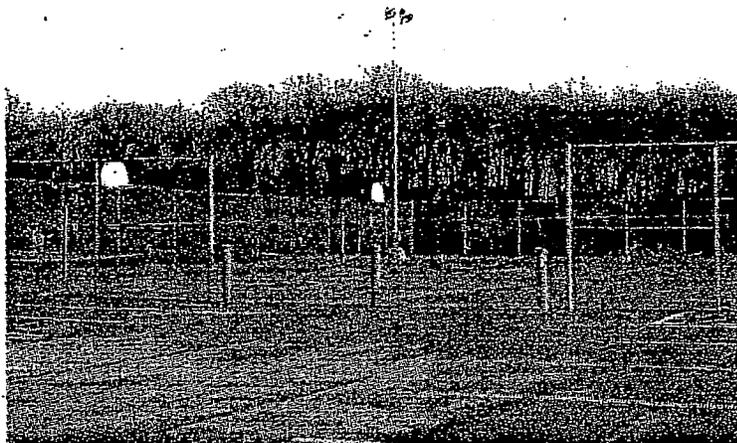
By BRENDA SULLIVAN
The Reminder

COVENTRY—With winter seeming to come and go from one week to the next, those who enjoying skating on ponds and lakes around here have been pretty much out of luck.

While Connecticut has certainly had some bitter cold days, they have been followed by unseasonably warm stretches, and a lot of rain, that have melted away snow and ice.

Winter-activity enthusiasts, including Harvey Barrette, a member of the town's recreation commission, may have a solution—for skaters anyway.

(See "Skating," inside)



Awaiting Real Winter Thanks to the generosity of winter-loving volunteers, such as Harvey Barrette who is donating lumber and labor, this approximately 90-by-110-foot basketball court area is planned to become a temporary skating rink. Photo by Brenda Sullivan.

New "No Freeze" Center Aims to Assist Overburdened Shelters

By BRENDA SULLIVAN
The Reminder

WILLIMANTIC—With homeless shelters facing funding cuts at the same time that the number of people out of work and on the streets is increasing, winter is a particularly dangerous time.

In an effort to supplement the services provided by places such as the Holy Family Home and Shelter, a coalition of volunteers has opened what they call a "No Freeze" Hospitality Center on Main Street.

The space, which can accommodate about 20 people, is provided through the generosity of the Calvary Chapel of Willimantic at 776 Main Street.

(See "No Freeze," inside.)



Getting People Off the Streets. This new "hospitality center," housed at the Calvary Chapel of Willimantic at 776 Main Street, will keep people who cannot find shelter from freezing this winter. The center is run by a coalition of volunteers, including (left to right) Tom McNally and Paul Lanier. Photo by Brenda Sullivan.

"No Freeze" Center Needs Financial Support

Continued from Page 1

"A hospitality center is a different from a homeless shelter," explained Tom McNally, one of the volunteers in the project, and case manager for the Covenant Soup Kitchen.

First of all, it is meant to be temporary. Also, there are no beds.

"We have mats and blankets," he said.

The hospitality center is the result of cooperation between a diverse group of volunteers, McNally added.

"We are representing different agencies and churches, but this is meant to be egalitarian, for us to talk with one voice," he said.

In the few short days since the center's official opening on January 1, the center has not been over-crowded.

"We have had as few as two and as many as six," McNally said.

The center, which is located diagonally across the street from The Savings Institute can accommodate a maximum of about 25.

Use of the hospitality center is also limited to single adults who are age 18 or older, and to married couples.

Separate quarters are provided for men and women.

"One of our guidelines is that we don't want to mix single people with families, so we have back-up procedures," McNally said. This includes transportation to other facilities.

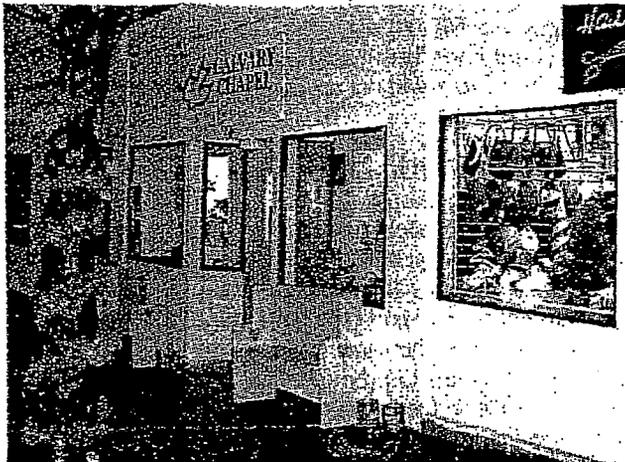
Need for Volunteers to Step Up

The hospitality center's organizers expect to see more use as word gets out.

"Most of the agencies know about it, and we have put up flyers that say, 'Are You Homeless? Do You Have a Warm Place to Spend the Night?'," McNally said.

"And it will get around by word-of-mouth, which is very fast," he said.

The center will evolve as its use grows, McNally added.



Shelter from the Cold. The store-front Calvary Chapel has opened its doors to the No Freeze Hospitality Center, which relies on private donations from individuals for its support. The Windham Area Interfaith Ministry (WAIM) has offered its fiduciary services at no charge for accepting donations for the center. Photo by Brenda Sullivan.

the need for more support.

The Calvary Chapel is glad to help, said Paul Lanier, who serves as liaison between the chapel and the No Freeze Committee.

"We see the need for people to sleep in a warm place. We feel like we want to do our part. There are people out there now sleeping in tents and abandoned buildings," Lanier said.

There will be ongoing training of volunteers. A minimum of two volunteers per shift is needed.

Volunteers can help with such things as food preparation and serving, setting up the center and cleaning up, fund-raising, and recruiting more volunteers.

Groups or individuals who are interested can call John Kilburn at 429-8361 or write to windhamvolunteers@yahoo.com

The center is open from 9:30 p.m. until 6:30 a.m. when people are given a cup of coffee and sent back out into the world.

After registering at 9:30 p.m., people are free to leave, but must return by 11:30 p.m. for the evening.

Financial support is needed to help the "No Freeze" center defray the costs of heating, food and volunteer training.

The Windham Area Interfaith Ministry (WAIM) is handling donations for the center. Checks can be made out to Hospitality Center and mailed to: WAIM,

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Deadline is January



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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager *MWH*
CC: Martin Berliner, Town Manager
Date: November 22, 2004
Re: Proclamation in Honor of Student Voter Registration Efforts

Subject Matter/Background

Attached you will find a proposed proclamation in honor of student voter registration efforts at the University of Connecticut. The Mayor has requested the proclamation in order to recognize the efforts of those student organizations whose members worked extremely hard to encourage their peers to register and vote in the recent election.

Recommendation

Staff recommends that the Town Council authorize the Mayor to issue the proclamation.

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

Move, effective November 22, 2004, to authorize the Mayor to issue the attached Proclamation in Honor of Student Voter Registration Efforts.

Attachments

1) Proposed proclamation



*Town of Mansfield
Proclamation
In Honor of Student Voter Registration Efforts*

Whereas, several University of Connecticut student organizations – including the College Democrats, the College Republicans, the Public Interest Research Group (ConnPIRG), and the Undergraduate Student Government (USG) – participated in the “New Voters Project,” a nationwide youth voter registration effort; and

Whereas, the members of these student organizations worked very hard to get their message out and to register their fellow students, engaging in various voter registration efforts such as “doorstorming,” making information available in classrooms, dorms and the student union, and sponsoring an on-campus debate between the major candidates for the second Congressional District; and

Whereas, the student organizations continued their work throughout Election Day, campaigning for candidates for state and national office, and ensuring that bus transportation to the polls was available throughout the day; and

Whereas, the combined efforts of the student organizations helped to register a record number of UConn students; and

Whereas, the Town of Mansfield wishes to recognize the members of these student organizations for their civic duty and good citizenship, and for making the election a successful experience for all involved.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Town Council that the College Democrats, the College Republicans, the Public Interest Research Group (ConnPIRG), and the Undergraduate Student Government (USG), collectively, be honored by the Town of Mansfield for their hard work and leadership in support of the “New Voters Project” and related student voter registration efforts.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 22nd day of November in the year 2004.

Elizabeth C. Paterson
Mayor, Town of Mansfield
November 22, 2004



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager *MWH*
CC: Martin Berliner, Town Manager
Date: November 22, 2004
Re: Status Report on Pending Claims and Litigation

Subject Matter/Background

I have attached for your review the quarterly status report regarding pending claims and litigation. Please let us know if you have questions concerning the items in the report.

Attachments

- 1) Status report

Memo

To: Martin Berliner, Town Manager
From: Dennis O'Brien, Town Attorney and Matt Hart, Assistant Town Manager *Matt*
CC: Mansfield Town Council
Date: November 22, 2004
Re: Status Report on Pending Claims and Litigation

Chatham Hills, LLC v. Town of Mansfield. In August of 2003, the Chatham Hill, LLC filed its appeal to the Superior Court of a decision by the Mansfield Inland Wetlands Agency to deny the plaintiff's application for a wetlands permit to construct a road, driveway, houses, etc. adjacent to a wetland/watercourse area on Fern Road as part of a subdivision known as Chatham Hill Subdivision Section II. Town Counsel appeared in the case for the IWA, and with the help of Town staff, filed the record of the IWA and some of the PZC proceedings with the Court along with the IWA's answer to the plaintiff's complaint. The plaintiff's brief was filed with the Court on March 15, 2004. Meanwhile, Chatham Hills filed a reapplication in early April, including a new drainage analysis apparently calculated to address the IWA's concerns about the prior application. The reapplication was granted by the IWA on June 7, 2004. At the urging of town counsel, Chatham Hill's appeal to the Superior Court soon after the right to appeal the IWA's June 7, 2004 decision was extinguished.

Grand Shart, LLC v. Town of Mansfield. This action was filed by developer Michael Dilaj and attorney Samuel Schragger, doing business as Grand Shart LLC, pursuant to Connecticut General Statutes section 13a-50 seeking the discontinuance of the Old Tolland Turnpike. Old Tolland Turnpike is a highway that cannot be discontinued by the Town in the conventional way because of the manner in which it was initially established during the 19th century. Under the controlling statute, "all questions arising as to the convenience or necessity of such highway shall, unless the parties agree, be decided by a committee." The parties have agreed that Attorney Steve Bacon should serve as "the committee," and he agreed to serve and was appointed by the Court. On November 19, 2003, Mr. Dilaj and Atty. Schragger met with our town planner, town attorney and Grant Meitzler of the Town engineering department to discuss and develop a possible solution to the underlying problem that would resolve this case. Efforts to effectuate an out of court solution have continued. The Planning and Zoning Commission recently approved a four-lot subdivision

requested by the developers. It is expected that the Old Tolland Turnpike right of way that is the subject of this litigation will be deeded to the Town for recreational and bicycle path uses only, with the stipulation that the roadbed cannot be opened as a new Town road. Once this is accomplished, it is expected that the court case, which has continued to be on hold, will be readily withdrawn or settled.

Mansfield Cooperative, Inc. v. Town of Mansfield. This tax appeal was returnable to the Superior Court at Rockville on June 22, 2004. Town counsel has filed an appearance in Court on behalf of the Town. This appeal was apparently filed because, under the authority of Connecticut General Statutes section 12-60, our Assessor corrected a "mistake" in the assessment of the taxes assessed against the plaintiff corporation for Grand List Years 2000, 2001 and 2003, which resulted in an increased tax obligation for the plaintiff. In essence, the Cooperative is claiming that the "mistake" on which the Assessor relied in retroactively increasing the Cooperative's assessment, i.e., failure to include several newly constructed cooperative units in the subject assessments, was not a "mistake" within the meaning of C.G.S. section 12-60. Our Assessor disagrees. An answer to the plaintiff's complaint was recently filed in court by town counsel. The pleadings were closed by the plaintiff's reply to the Town's answer, and the case has been claimed for the trial list.

Negro Cases. In June of 1999, after several unsuccessful out of court efforts to obtain zoning code compliance by George Negro at property he owns at 76 Fern Road, Mansfield zoning agent Curt Hirsch filed *Hirsch v. Negro* in the Superior Court seeking an injunction against Mr. Negro's illegal commercial use of this property located in a residential zone. About a week later, Mr. Negro responded with *Negro v. PZC*, styled as an appeal from a Planning and Zoning Commission (PZC) action allegedly taken against his interests in 1986 and 1998, regarding the same property that is the subject of *Hirsch v. Negro*, but later held by the court in denying the PZC's motion to dismiss to be a declaratory judgment as well.

Hirsch v. Negro was tried during the first week of September 2001. On September 10, 2001, the Superior Court issued its decision in favor of our zoning agent. Predictably, Mr. Negro appealed to the State Appellate Court. Meanwhile, he continued to violate the Superior Court's order, but on the advice of the town attorney and despite the appeal, the zoning agent acted to enforce the order by removing many unauthorized motor vehicles from the property. There appears to have been no ensuing violations of the court order. On November 12, 2002, the Appellate Court unanimously affirmed our trial court victory in *Hirsch v. Negro*. As Negro's deadline to petition for certification to appeal to the Supreme Court passed on December 2, 2002, *Hirsch v. Negro* came to a successful conclusion.

Meanwhile, contending essentially that *Negro v. PZC* is redundant, the PZC filed a motion to amend the PZC's answer to add the special defense of *res judicata*. Mr. Negro objected to our motion to amend, but on April 30, 2003, the Court denied his objection apparently paving the way for the PZC to move for summary judgment claiming that the issues raised by Mr. Negro in his case have already been resolved. In the wake of the Court's decision to allow the PZC to amend its pleading, town counsel filed a motion for summary judgment accompanied by a brief in support of the motion. Mr. Negro filed his own motion for

summary judgment. At the close of a lengthy hearing on both the motion for summary judgment on October 14, 2003, Judge Scholl revealed to Mr. Negro that she had worked with town counsel for ten months twenty-five years ago, and asked him if he had a problem with that. Mr. Negro replied that he objected to Judge Scholl's participation in the case so she said she would have the case assigned to another Judge who will reschedule the hearing on the pending cross motions for summary judgment. Unfortunately, Judge Thomas White recently ruled without a hearing that this case might not be determined on the cross-motions for summary judgment because the plaintiffs brought it as a zoning appeal. In the aftermath of this curious ruling by Judge White, town counsel apparently has little choice but to bring this unusual case to trial as both a zoning appeal and a declaratory judgment action, surely a case of first impression.

Our zoning agent continues to monitor the subject property, and, on the advice of counsel, will enforce the court's September 10, 2001 ruling as needed. Meanwhile, George Negro and Kenneth Wright filed suit against Curt Hirsch, Attorney O'Brien and the Town, among others, seeking damages for the 2001 enforcement by the Town of Judge Sferrazza's September 10, 2001, ruling. This newer case, **Negro v. Hirsch**, had a return date of December 5, 2003, and was referred to the Town's insurance carrier who is providing legal representation to all defendants except the town attorney who is separately represented by his own insurance carrier. Counsel for our town attorney and the Town of Mansfield have been taking a proactive approach. A motion to dismiss Mr. Wright from the case was denied by Judge Scholl on February 2, 2004. Counsel for our town attorney then filed interrogatories and requests for production directed to plaintiffs Negro and Wright. He also filed a motion to strike the second count of the plaintiff's complaint, the only count directed against the town attorney, claiming the count was legally insufficient as pleaded, and the motion to strike was granted by Judge White. A court hearing on a motion to dismiss the case against the Town Attorney is expected to be held very soon. Meanwhile, the attorney representing the Town, Curt Hirsch and Richard Meehan filed an answer to the complaint generally denying its validity and raising numerous special defenses including governmental immunity and failure to state a claim on which relief may be granted. She later filed a motion for summary judgment that should be heard and determined by the Court very soon. If this motion is granted in its entirety by the Court, as our town counsel believes it should be, this case should be finished. A few months ago, Kenneth Wright, one of the two plaintiffs, passed away, leaving George Negro as the only remaining plaintiff.

Newell v. Regional School District Number 19 and Town of Mansfield. On November 21, 2002, the plaintiff served the Town and Region School District 19 notice on this claim seeking damages for injuries sustained by the plaintiff during football practice at E.O. Smith High School. The Town and the Region are insured by the same carrier (CIRMA), and the carrier has been working with the plaintiff to resolve the matter prior to litigation. Settlement negotiations are still underway, and the town's insurance the carrier has retained counsel for our legal defense.

Town of Mansfield v. Mary Krivanec. Seeking to assist our tax collector in collecting real estate property tax arrearages and interest on three separate four corners area properties totaling upwards of \$40,000, town counsel has filed three tax foreclosure actions versus Ms. Krivanec, the owner. These cases were returnable to the Tolland County Superior Court on October 5, 2004. On November 3, 2004, an attorney finally filed an appearance in behalf of Ms. Krivanec. Town counsel is about to contact the attorney in hope that the payment of these taxes owed to the Town can be negotiated and implemented soon.

Town of Mansfield v. Susan Carter. This is another real estate tax foreclosure action with a return date of October 5, 2004. No appearance has been filed for the defendant, so town counsel is about to pursue judgment by default, seeking payment of more than \$25,000, or Town ownership of the subject real estate on Hillyndale Road in Storrs.

UConn Co-op v. Town of Mansfield. This case was returnable to the Superior Court at Rockville on June 24, 2003. Although property tax assessment appeals are usually transferred to a special tax appeals court in New Britain by superior courts in other judicial districts, the office of the clerk at Rockville informed our town counsel that this case might not be transferred, perhaps because of its special nature. It is special because most tax appeals are filed because the taxpayer simply believes that the assessment of fair market value is excessive. In this appeal, however, the Cooperative is making a unique claim of law, based on a statute that is not of general applicability, stating that the Cooperative property should be on the Payment-in-Lieu-of-Taxes list. Our assessor disagrees. Town counsel has filed an appearance in this case in behalf of the Town. So far, the Co-op's attorney has done nothing to move this case forward. Meanwhile, town counsel and our assessor are preparing an answer to the allegations stated in the Co-op's appeal complaint.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager
CC: Martin Berliner, Town Manager; Jennifer Kaufman, Parks Coordinator
Date: November 22, 2004
Re: Non-native Invasive Plant and Animal Species in Mansfield

Subject Matter/Background

As you will recall, at one of our recent meetings a citizen recently expressed concern about the proliferation of certain invasive plant species in town. Staff and the Parks Advisory Committee have been working on this issue, and have presented the Town Manager with the attached proposal.

We plan to address this issue at the staff level, and will keep the Town Council informed of our progress. Please let us know if you have any questions at this point.

Attachments

- 1) PAC Proposal re Non-native Invasive Plant and Animal Species in Mansfield

November 11, 2004

Mr. Martin Berliner
Town Manager
4 South Eagleville Road
Mansfield, CT 06268

Re: Non-Native Invasive Plant and Animal Species in Mansfield

Dear Marty:

We write on behalf of the Parks Advisory Committee.

The Parks Advisory Committee (PAC) respectfully requests that the Town develop a non-native invasive plant and animal control policy and enlist the assistance of the Connecticut Invasives Plant Council to provide the Town with practical, fiscally responsible information regarding invasives education, control methods, enforcement, financing, and research.

Background

Non-native invasive species abound along Mansfield's roadsides, in our parks and preserves and on private land. Controlling invasives has been an ecological issue for the past 25 years. In Connecticut this issue has recently come to the forefront. At the October symposium hosted by the Connecticut Invasive Plant Working Group, State Senator Andrew W. Roraback quoted from the Connecticut Council on Environmental Quality's newsletter "The Short Version" (April, 2002).

The second biggest threat to Connecticut's natural habitats is invasion by alien plants and animals (behind loss of habitat to sprawling land development). With few natural enemies these species grow, spread, and multiply so fast they can transform healthy ecosystems into weed-choked woodlands and waterways in just a few years. Worse, many of our native plants and animals are deprived of light, nutrients and ultimately their continued existence. Collectively, invasive species are a silent but serious environmental problem for which Connecticut is not prepared.

On the legal side, in 2003 Public Act No. 03-136 created a nine-member Connecticut Invasives Plant Council, which immediately banned the sale and propagation of 7 aquatic invasives. In 2004 Public Act No. 04-203 expanded the list to 54, and in October 2005, the list will have 90 species.

This legal progress was made possible by overwhelming evidence of the harm caused by invasives that has been gathered by several regional academic groups' research and monitoring. These groups include: Connecticut Invasives Plant Working Group (CIPWG), Invasives Plant Atlas of New England (IPANE), and New England Invasives Plant Group (NIPGRO). Interesting fact sheets about each problem species are available on their websites (also on the CT DEP and The Nature Conservancy websites). These groups have done a good job about spreading the "alarm" about the invasives problem, researching control methods, and making an effort about reporting new invasive species sightings. At this stage, however, they often disagree on control methods, or their research is difficult to translate into a fiscally responsible control strategy for owners of large acreage or infestation. Or, they are not reporting new invasives plant sightings to those who could be doing control. This important information is not getting down to the level of the landowners and their workers who need to be in the loop to make a significant impact in control.

More Mansfield residents are becoming aware of this issue and are looking to the Town to become involved. For years, invasives control has been written into many of our land management plans for several of our parks and preserves with natural areas. In the last three years, attempts to selectively control infestations have been made by volunteers and by DPW (i.e. DPW old field mowing to keep down the woody invasives). The Town Parks and Recreation Department Parks staff organizes public workdays about invasives removal, the Friends of Mansfield Parks have hosted programs about invasives, and an invasives poster and fact sheets were part of our "Know Your Town Fair" exhibits. The Town Land Management Committee authorized hiring a consultant in 2004 to recommend a one year invasives control strategy for Schoolhouse Brook Park, to be implemented in 2005 using labor resources such as parks staff, DPW workers, volunteers, and contractors. The control plan is completed. The implementation is daunting, yet must be included in any comprehensive plans for natural areas land management practices.

Action Plan

To properly address this issue in the future, use the resources available in the already established academic invasives community, and ultimately define our Town role, we recommend that:

- 1) The Town immediately adopt an **Invasives Control Policy**, which could be as simple as below (simple, because we are already doing this in many small ways):

"The Town of Mansfield recognizes that the spread of invasive plants and animals is a serious environmental problem threatening our local natural ecosystems. Therefore, in the Town's continuing effort to preserve, restore, and protect native plant and animal communities of Mansfield, we establish this policy for invasives control.

- Include the development and implementation of an invasives control plan in Town properties' land management plans.
 - Train staff and volunteers in control methods, and apply to selected sites.
 - Educate residents about the invasives problem.
 - Work with other groups concerned with invasives control.”
- 2) Parks staff develop an **Invasives Control Strategy** as an important part of natural areas land management practices. In support of this developing strategy, we ask The Town to solicit the assistance of the experts by requesting practical on-the-ground information to help the Town and other landowners identify and control invasive plant and animals. This could be achieved by writing to the Invasives Plant Council on the occasion of their Dec. 13 public forum, asking for specific information including:
- Their figures for “the **estimated costs associated with eradication** of the plant”, one of their charges in the legislation. Proposing a budget for invasives control needs cost estimates in staff-hours and equipment per a certain size infestation for the common invaders (Rosa, Celastrus, Elaeagnus, Berberis, etc.) Landowners need information to budget for control.
 - A **SIMPLE invasives control calendar** indicating the time of year that people should control these plants and how to control them. Mansfield Parks and Recreation staff has made one for our own volunteer stewards, but we need to know what the experts' opinion is on control.
 - A **list of invasives consultants** who are trained in controlling invasives themselves or who are able to train volunteers or our Public Works employees about control methods.
 - A **list of contractors** available for hire on special projects involving invasives removal. We need them to be willing to itemize their bills, so we can learn about costs.
 - A **list of names of IPANE monitors working in Mansfield** so we can contact them and ask for reports of sightings in Mansfield to be sent to Parks and Recreation staff with this information.

The Parks Advisory Committee believes that the Town must act soon. Invasives are spreading quickly. It is estimated that Oriental Bittersweet grows up to 16-feet per year. There are many experts working on this issue and it makes sense to solicit their assistance in Mansfield where we have a proven track record of natural area preservation.

Sincerely,

Jennifer Kaufman
Parks Coordinator

Jean Haskell
Parks Assistant

Sample Letter to Connecticut Invasives Plant Council

Dear Connecticut Invasives Plant Council:

The Town of Mansfield is in the process of adopting an **Invasives Control Policy** and developing a strategy of control, with the assistance of our Parks Advisory Committee and Parks and Recreation staff. On the occasion of the December 13 public forum of the Connecticut Invasives Plant Council, we urge the Council to provide our Town with practical, fiscally responsible information regarding invasives education, control methods, enforcement, financing, and research. At this time, we specifically request:

- Council figures for “the **estimated costs associated with eradication** of the plant”, one of your charges in the legislation. Proposing a budget for invasives control needs cost estimates in staff-hours and equipment per a certain size infestation for the common invaders (Rosa, Celastrus, Elaeagnus, Berberis, etc.) Landowners need information to budget for control.
- A **SIMPLE invasives control calendar** indicating the time of year that people should control these plants and how to control them. Mansfield Parks and Recreation staff has made one for our own volunteer stewards, but we need to know what the experts’ opinion is on control.
- A **list of invasives consultants** who are trained in controlling invasives themselves or who are able to train volunteers or our Public Works employees about control methods.
- A **list of contractors** available for hire on special projects involving invasives removal. We need them to be willing to itemize their bills, so we can learn about costs.
- A **list of names of IPANE monitors working in Mansfield** so we can contact them and ask for reports of sightings in Mansfield to be sent to Parks and Recreation staff with this information.

We applaud your efforts and are prepared here in Mansfield to not only be alarmed about the invasives problem, but to also be a part of the control solution.

Please contact our Parks and Recreation staff with your suggestions.
(Jennifer Kaufman, Jean Haskell contact info.)

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager *MWH*
CC: Martin Berliner, Town Manager; Jeffrey Smith, Director of Finance
Date: November 22, 2004
Re: Flexible Benefits Plan

Subject Matter/Background

For many years, the town has administered a Flexible Benefits Plan for its employees. The plan, authorized by the Internal Revenue Service under Section 125 of the Internal Revenue Code, allows the employees to set aside money via payroll deduction to use for reimbursement for uninsured medical and dependent care expenses.

Our labor counsel is in the process of updating the plan, as the law has changed and we can now allow employees to set aside money for over-the-counter medications as well. If we receive the documents in time, we will present the updated plan to the Town Council at its meeting on Monday night.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Assistant Town Manager
CC: Martin Berliner, Town Manager; Jeffrey Smith, Director of Finance
Date: November 22, 2004
Re: Financial Statements Dated September 30, 2004

Subject Matter/Background

Enclosed please find the Financial Statements Dated September 30, 2004, as prepared and submitted by the Department of Finance.

Recommendation

Staff recommends that the Council refer this item to the Finance Committee for review.

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

Move, effective November 22, 2004, to refer the Financial Statements Dated September 30, 2004 to the Finance Committee for review.

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**AGRICULTURE COMMITTEE
MINUTES OF OCTOBER 13, 2004 MEETING**

PRESENT: Al Cyr, George Thompson, Bill Palmer, Vicky Wetherell.

1. Al Cyr was acting chairman.
2. Minutes of the September 8, meeting were approved.
3. Fall Event
Review of the apple pie baking contest was tabled to the next meeting.
4. Plan of Conservation and Development Update
Members discussed the upcoming review of draft maps and text for the POCD (which will begin at the next meeting). It was suggested that Greg Padick be invited to discuss this and the UConn Master Plan (as related to farmland preservation) at the next meeting.
5. Membership
The members learned that Gary Zimmer has not renewed his membership in the committee. It was suggested that Mary Kegler (Gary's replacement as UConn farm manager) be asked to serve on the committee. Bill Palmer will contact her.
6. 2005 Calendar
Al suggested that the committee develop a calendar of committee tasks for the coming year. The committee agreed to begin planning items for the calendar at the next meeting.



Mansfield Downtown Partnership

1244 Storrs Road
PO Box 513
Storrs, CT 06268
(860) 429-2740
Fax: (860) 429-2719

November 8, 2004

Board of Directors
Mansfield Downtown Partnership

Re: Item #3 - Meeting Minutes

Dear Board members:

Attached please find the minutes for the Board meeting held on October 5, 2004.

The following motion would be in order:

Move, to approve the minutes of October 5, 2004.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia van Zelm".

Cynthia van Zelm
Executive Director

Attach: (1)

MANSFIELD DOWNTOWN PARTNERSHIP, INC.
BOARD OF DIRECTORS MEETING
Mansfield Downtown Partnership Office
Tuesday, October 5, 2004

MINUTES

Present: Steve Bacon, Tom Callahan, Dianne Doyle, Dale Dreyfuss, Al Hawkins, Janet Jones, Philip Lodewick, Fred Maryanski, Betsy Paterson, Dave Pepin, Caroline Redding, Steve Rogers, Betsy Treiber, Frank Vasington, David Woods

Staff: C. van Zelm

1. Call to Order

Philip Lodewick called the meeting to order at 4:00 pm.

2. Opportunity for Public to Comment

There was no public comment.

3. Approval of Minutes

Betsy Treiber made a motion to approve the September 8, 2004 minutes. Dale Dreyfuss seconded the motion. The motion was approved with one abstention by Steve Bacon.

4. Director's Report

Cynthia van Zelm said most of her Report would be covered in other agenda items.

5. Update on Municipal Development Plan and Related Storrs Center Project Issues

Ms. van Zelm went over the draft timeline for the Storrs Center project that she prepared in conjunction with the Storrs Center Alliance team, Town Planner Greg Padick and Partnership Attorney Lee Cole-Chu. She said there would be several meetings in November and December to review the design and the technical Municipal Development Plan (MDP). The goal is to have a draft MDP completed in mid-December. The state and local review process would occur in early 2005, with the local, state and federal permitting process to take through 2005 and mid-2006. The goal is to have preparation of final construction documents occur in mid-2006.

Tom Callahan noted that the timeline is fluid and the MDP process is a complicated undertaking. There will be several opportunities for the public to comment on design and the MDP. He asked Board members to be flexible with Board and Committee meetings to accommodate the issues of scheduling many people i.e., on the Board and the development team.

Mr. Callahan said the September 8 meeting to introduce the Storrs Center Alliance team to the public was well attended with over 150 people. The response has been positive. A comprehensive media plan was undertaken with good coverage in both the Chronicle and the Hartford Courant.

6. Debrief Festival on the Green

Betsy Paterson said the Festival on the Green went well! There were some adjustments due to using the rain date but she has heard very positive response. Lon Hultgren of the Organic Blues Trio that played at the Festival said it was the most well run Festival in which he had participated.

Ms. Paterson said the Festival Committee was one of the best committees she has worked with and she hopes to keep the members involved next time.

One of the comments she heard most frequently was to try and condense the Festival – it was too spread out.

She commended Wendi Richardson, who was in attendance at the Board meeting, and was in charge of music.

7. Grants

Martin Berliner updated the Board on grants. He said the Town had received its second \$500,000 Small Town Economic Assistance Program grant which will be used for the town green and surrounding infrastructure i.e., utilities and moving roads. Mr. Berliner will be meeting with Howard Kaufman of LeylandAlliance to work on specifics. Mr. Callahan congratulated Mr. Berliner and the Town for their work on the grant.

Mr. Berliner noted that the downtown project has been the recipient of over \$1.25 million in grants.

8. Report from Committees

Finance and Administration

Mr. Callahan reiterated that the Development Agreement between the Partnership and LeylandAlliance calls for a Preliminary Business Plan to be completed in 30 days and the MDP to be completed in 120 days from the date of the signing of the Development Agreement (August 3). The LeylandAlliance team indicated that their submission from June, when they were reinterviewed to be master developer for the project, represented the first iteration of their Preliminary Business Plan. Not much had changed. Mr. Callahan said there would be an opportunity to update this after the design meeting in October. Mr. Callahan did say the Plan focuses on phasing with retail playing more of a role at the beginning phase than originally anticipated. Other issues that the Finance Committee brought up that need to be determined further are the size of the green and the height of buildings.

Mr. Callahan said the Board had approved an additional staff person for the Partnership and the hope is that the person can be hired quickly. Mr. Callahan asked Board members to think about someone that would be able to perform a variety of tasks for the

Partnership and get back to him or Ms. van Zelm by tomorrow if they knew of a candidate. In response to Dave Pepin's question about what the position would entail, Mr. Callahan said the person would assist Mr. van Zelm with day to day tasks, freeing her up to strategize and move the development project along. The person should be well organized, a multi-tasker, a good communicator and be comfortable working in a small organization.

Planning and Design

Steve Bacon said that the Committee met last month but did not meet with Lou Marquet or Michael Klemens. Next steps for the Committee's work will be dependent on what comes out of the design meeting in New Haven on October 27.

9. Other

Philip Lodewick noted that a meeting had been set up with LeylandAlliance and Intrawest-The Village People with Dean Woods to discuss how the economics generated at the UConn School of Fine Arts affect the downtown project. Dean Woods said they have the numbers on how many people attend shows, etc. and there needs to be consideration of the economic impact of these people buying meals, shopping, etc. on the downtown project. A further dialogue between Dean Woods and Intrawest was planned.

10. Adjourn

Ms. Paterson made a motion to adjourn the meeting. Betsy Treiber seconded. The motion was approved unanimously. The meeting adjourned at 5:00 pm.

Respectfully submitted,

Cynthia van Zelm
Executive Director, Mansfield Downtown Partnership

EASTERN HIGHLANDS HEALTH DISTRICT
BOARD OF DIRECTORS – REGULAR MEETING
THURSDAY – October 21, 2004
COVENTRY TOWN HALL – BOARD ROOM B

Marty Berliner
Town of Mansfield

Meeting was called to order at 4:50pm.

Present were: M Kurland, L Eldredge (alternate seated), J Deavereaux, W Kennedy, M Berliner, J Elsesser

Absent were: B Paterson, R Fields, T Tieperman, C Johnson, J Stille (Alternate)

Staff Present: R Miller, Dr Dardick

A MOTION was made by M Kurland, seconded by J Devereaux, to approve the minutes of the August 18, 2004 meeting. THE MOTION PASSED unanimously.

PUBLIC COMMENTS:

No public attending

OLD BUSINESS

None

NEW BUSINESS

Bioterrorism Grand Award and Contract 2004/2005

A MOTION was made by M Kurland, seconded by M Berliner, to authorize the director of health to execute a grant contract with the Connecticut Department of Public Health for the 2004/2005 contract period for the purpose of Public Health Preparedness and Response for Bioterrorism and to amend the FY04/05 operating budget to reflect a BT grant appropriation of \$82,370. A discussion ensued recognizing that final contract language will be established at a later date. THE MOTION PASSED unanimously.

Cardiovascular Health Grant

A MOTION was made by W Kennedy, seconded by M Kurland, to authorize the Director of Health to sign the Cardiovascular Health Program Grant contract for FY04/05 (DPH Contract Log 2005-219) as presented and amend the operating FY04/05 budget to reflect an allocation of \$30,000 for the purpose of promoting cardiovascular health. A discussion ensued. THE MOTION PASSED unanimously.

Dr Dardick arrives at 5:04pm.

Proposed 2005 Regular Meeting Schedule

The 2005 Board of Directors meeting schedule as presented was accepted by consensus.

TOWN REPORTS

MANSFIELD – The following Mansfield activities were discussed: School water system project, discharge of sodium hydroxide into Mirror Lake, landfill closure close to completion

BOITON – Nothing to report

COVENTRY – The following Coventry activities were discussed: school water study being conducted, Phase 3A and B under construction on the sewer project which should be done by spring and phase 4 permitting next month, phase 5 the following year, a new police station is on the ballot for November, STEAP Grant to match funds for sewer connections approved, solid waste transfer station permit approved, new restaurant under construction at the old firehouse, village area renovation architectural plans received, Coventry Lake phosphorous reduction program under review.

TOLLAND – Nothing to report.

ASHFORD – Nothing to report.

DIRECTOR'S REPORT

R Miller discussed flu vaccine shortage. He reported that based on a survey conducted by the Health District, very little vaccine is currently available locally. Monitoring local availability will continue. The Health District will engage in a campaign using media to educate the public on flu prevention.

R Miller discussed West Nile virus bird surveillance. Dr Dardick questioned the need for continued surveillance.

R Miller presented and discussed annual reports.

R Miller presented and discussed end of fiscal year 03/04 operating budget report.

COMMUNICATIONS

Small community water supplies discussed.

DEP's proposed Fat, Oils and Grease general permit discussed.

The meeting adjourned at 6:18pm.

Respectfully submitted,



Robert L. Miller
Secretary

MINUTES, MANSFIELD HISTORIC DISTRICT COMMISSION
NOVEMBER 9, 2004

Present: I. Atwood, J. Newmyer, D. Spencer

The minutes of the October 12 meeting were approved.

Salvatore and Michelle Shifrin appeared before the Commission to discuss the building of a hydroelectric system at the Kirby Mill near the Mansfield Hollow Dam. This Commission is the first group being approached because a new building will have to be erected; the Shifrins are seeking direction on the appearance of the structure. The purpose of the building is to create a 500-kilowatt capacity system to power the mill; surplus power will be sold to the electric grid. Such power is renewable and pollution-free.

The Shifrin's project is one-third the size of that proposed by Richard Ely eight years ago and would be located entirely on the Shifrin's own property. They have applied for preliminary exemption from a license from the Federal Energy Regulatory Commission (FERC), which application prevents anyone else from building a hydroelectric plant in the area for 36 months. Their preference is to reproduce the original building both in location and dimensions. Photographs and charts were presented to show the original building, which seems to have been constructed of cedar siding and clapboards; however, fire code issues need to be addressed before building materials are selected. The foundation of this building still exists.

The Shifrins noted that there would be no noise heard outside the building and there would be no effect on the dam itself. Two power company meters would be used—one outside the building beside the road and one inside the building. The original turbine and tunnel have been located and partially excavated. The tail race would need to be re-opened, a new head gate and building built, and the sluice gate filled in for safety.

One suggestion was to place the piping for the project within the original rock-and-cement sluice so that the historic technology remains visible.

It was agreed that the next step will be to produce engineering and construction plans to be presented to the Commission, whereupon a public hearing on the project would be scheduled.

After the Shifrin's departure, the Commission discussed the fact that rumors are circulating in town that the Commission disapproved of the peace pole and flags at the Mansfield Center Congregational Church; in fact, when this was discussed at the October meeting, the Commission agreed that, since this was not a permanent display, it had no objection to it.

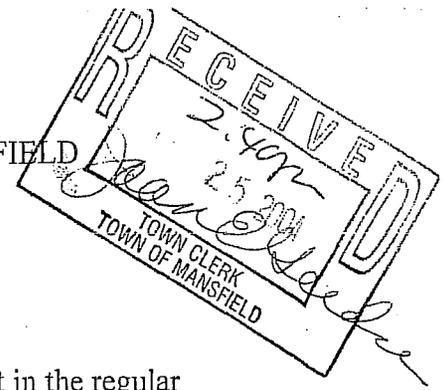
The meeting dates for next year were determined; all would fall on the second Tuesday of the month, with no meetings scheduled for July and August. The dates are: December 14, 2004; January 11, February 8, March 8, April 12, May 10, June 14, September 13, October 11, November 15, and December 13, 2005.

J. Newmyer will forward these dates to Joan Gerdson, Town Clerk, and request that Conference Room be scheduled for them.

Respectfully submitted,

Jody Newmyer, Clerk

HOUSING AUTHORITY OF THE TOWN OF MANSFIELD
REGULAR MEETING
MINUTES
September 16, 2004
9:30am



The members of the Housing Authority of the Town of Mansfield met in the regular meeting at 9:30 a.m. on Thursday September 16, 2004 at the office of the Housing Authority of the Town of Mansfield, 309 Maple Road, Storrs, Connecticut, the time, date and place duly established for holding such meetings.

ROLL CALL

On roll call the following Commissioners were present:

Anne Jordan Crouse	-	Chairperson
Richard Long	-	Vice-Chairperson
Gretchen Hall	-	Commissioner

Also present was Cathy K. Forcier, Executive Director.

Joan Christison-Lagay and Grace Hunderlach was absent and excused.

MINUTES

After review and due deliberation a motion was made by Richard Long, seconded by Gretchen Hall to approve of the minutes of the regular meeting of August 19, 2004. Motion passed unanimously.

COMMUNICATION

None

COMMENTS FROM THE PUBLIC

None

REPORT OF THE DIRECTOR

Mrs. Forcier reported on the number of vacancies this year, creating a large workload for the Maintenance Mechanic. The number of vacancies at Holinko Estates is double the normal average.

Mrs. Forcier reported on the difficult communication with Betty Jones at Housing and Urban Development (HUD). The Mansfield Housing Authority is requesting information on obtaining an exception to the seventy five percent lease up of eligible low-income (ELI) families' requirement. Mrs. Jones is not replying to the question.

Bills

The Commissioners were presented with a list of bills for August 2004. After review and due deliberation, a motion was made by Gretchen Hall, seconded by Richard Long, and passed unanimously, to approve the bills.

Financial Reports

The commissioners reviewed the Financial Reports for Wright's Village, Holinko Estates and the Section 8 Program. After discussion and due deliberation, a motion was made by Richard Long, seconded by Gretchen Hall, and passed unanimously, and it was voted to approve the Wright's Village, Holinko Estates, and Section 8 Financial Reports for the month of July 2004.

Section 8 Statistical Reports

The Commissioners reviewed the Section 8 Statistical Reports for August 2004. After discussion and due deliberation, a motion was made by Richard Long seconded by Gretchen Hall, and passed unanimously.

Report of the Tenant Representative

None

UNFINISHED BUSINESS

Holinko Estates Environmental Phase II Survey- Mrs. Forcier reported that Neil Payne, of Payne Environmental Services, Inc recommended doing more soil samples in one location and that she is waiting for a price proposal.

NEW BUSINESS

Review of Section 8 Administrative Plan – Chapters 13-20– Mrs. Forcier presented recommended changes to chapters thirteen through twenty. Richard Long made a motion, seconded by Gretchen Hall, to approve the Section 8 Administrative Plan as presented. The motion passed unanimously.

Review of Job Descriptions – Mrs. Forcier presented recommended changes. Gretchen Hall made a motion, seconded by Richard Long, to approve the job descriptions as presented.

Delinquent Taxes – Mrs. Forcier reported the Housing Authority was instrumental in having landlords on the Section 8 program pay over \$12,000. in delinquent taxes to the Town of Mansfield. Mrs. Forcier has partnered with the Town to work together to continue to make Section 8 landlords accountable for their property taxes.

Section 8 Annual Adjustment Factor (AAF) Appeal – Mrs. Forcier reported that her appeal has resulted in obtaining \$54,717. more for the calendar year 2004 budget.

Section 8 – FY 2005 Proposed Fair Market Rents (FMRs) – Mrs. Forcier reported that due to HUD changing their method of calculating, the proposed FMRs are lower than the current ones. National Association of Housing and Redevelopment Officials (NAHRO) and Housing Authorities, including Mansfield Housing Authority (MHA), are objecting to this change.

Section 8 Rent Study – Mrs. Forcier reported that, as a result of the objections to the proposed FMRs, HUD is undertaking a rent study for some areas; The Hartford MSA is one such area.

Section 8 and Holinko Estate Hearings – Mrs. Forcier reported on the number of hearings that occur due to applicants being denied or participants being terminated. Mrs. Forcier expressed concern as Ms. Crouse's term is coming to an end in October, the Town council has expressed a dislike for lengthy appointments, and Ms. Crouse serves as the Grievance Hearing Officer.

Rental Assistant Program (RAP) and Resident Service Coordinator (RSC) Audit- Mrs. Forcier reported that a representative from Department Economic Community Development (DECD) will audit both grant programs on September 28, 2004.

Incident at Wright's Village – Mrs. Forcier reported on an incident that occurred when a man selling magazines convinced a tenant to let him in.

Difficulties with UConn students – Mrs. Forcier reported on the worsening behavior of students at Celeron Square and Carriage House apartments and the resulting harm to Holinko Estates tenants. Mrs. Forcier reported on the number of tenants who spoke at the Town Council Meeting. Mrs. Forcier reported on conversations with Matt Hart, Assistant to the Town Manager, Kevin Grunwald, Director of Social Services, Officer Marchand, UConn police and Troop C. Mrs. Forcier encouraged the Board to get involved with the town, university or local politicians to get action.

Annual Town Report – Mrs. Forcier presented the Housing Authority's portion for the Town Report. Richard Long made a motion, seconded by Gretchen Hall, to approve the Housing Authority's report for the Town Report as presented. Motion passed unanimously.

ADJOURNMENT

After discussion and due deliberation a motion was made by Gretchen Hall, seconded Richard Long, and passed unanimously, it was voted to adjourn the meeting at 10:35 A.M.

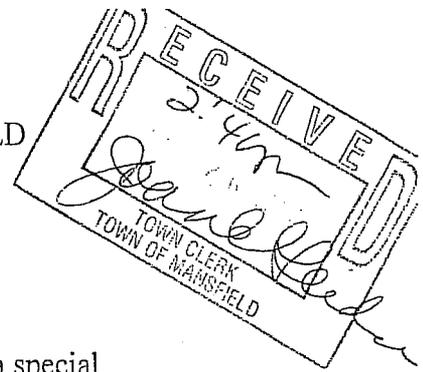
Respectfully Submitted,

Cathy K. Forcier

APPROVED:

Anne Jordan Crouse

HOUSING AUTHORITY OF THE TOWN OF MANSFIELD
Special Meeting
MINUTES
October 7, 2004
9:30am



The members of the Housing Authority of the Town of Mansfield met in a special meeting at 9:30 a.m. on Thursday October 7, 2004 at the office of the Housing Authority of the Town of Mansfield, 309 Maple Road, Storrs, Connecticut, the time, date and place duly established for holding such meetings.

ROLL CALL

On roll call the following Commissioners were present:

Anne Jordan Crouse	-	Chairperson
Richard Long	-	Vice-Chairperson
Joan Christison-Lagay	-	Assistant-Treasurer
Gretchen Hall	-	Commissioner

Also present was Cathy K. Forcier, Executive Director.

Grace Hunderlach was absent.

NEW BUSINESS

After discussion and due deliberation Richard Long made a motion to accept the Public Housing Administration Plan (PHA) as presented, seconded by Gretchen Hall. Motion passed unanimously.

ADJOURNMENT

After discussion and due deliberation a motion was made by Gretchen Hall, seconded Richard Long, and passed unanimously, it was voted to adjourn the meeting at 9:40 A.M.

Respectfully Submitted,

Cathy K. Forcier

APPROVED:

Anne Jordan Crouse

HOUSING AUTHORITY OF THE TOWN OF MANSFIELD
REGULAR MEETING
MINUTES
October 21, 2004
9:30am

The members of the Housing Authority of the Town of Mansfield met in the regular meeting at 9:30 a.m. on Thursday October 21, 2004 at the office of the Housing Authority of the Town of Mansfield, 309 Maple Road, Storrs, Connecticut, the time, date and place duly established for holding such meetings.

ROLL CALL

On roll call the following Commissioners were present:

Anne Jordan Crouse	-	Chairperson
Richard Long	-	Vice-Chairperson
Joan Christison-Lagay	-	Assistant Treasurer
Gretchen Hall	-	Commissioner

Also present was Cathy K. Forcier, Executive Director.

Grace Hunderlach was absent.

MINUTES

After review and due deliberation a motion was made by Gretchen Hall, seconded by Richard Long to approve of the minutes of the regular meeting of September 16, 2004 and Special Meeting October 7, 2004. Motion passed unanimously.

COMMUNICATION

From a Section 8 voucher holder, requesting an exception to a policy.

COMMENTS FROM THE PUBLIC

None

REPORT OF THE DIRECTOR

Mrs. Forcier reported on receipt of a complaint filed against the Housing Authority and Section 8 Coordinator, by a former Section 8 voucher holder, with the Commission on Human Rights and Opportunities (CHRO).

Mrs. Forcier reported on the on the service of a summons for a lawsuit filed against the Housing Authority by a newspaper carrier who tripped over the cement curb marker at the top of a parking space at Holinko Estates in June 2003.

Bills

The Commissioners were presented with a list of bills for September 2004. After review and due deliberation, a motion was made by Gretchen Hall, seconded by Richard Long, and passed unanimously, to approve the bills.

Financial Reports

The commissioners reviewed the Financial Reports for Wright's Village, Holinko Estates and the Section 8 Program. After discussion and due deliberation, a motion was made by Joan Christison-Lagay, seconded by Richard Long, and passed unanimously, and it was voted to approve the Wright's Village, Holinko Estates, and Section 8 Financial Reports for the month of August 2004.

Section 8 Statistical Reports

The Commissioners reviewed the Section 8 Statistical Reports for September 2004. After discussion and due deliberation, a motion was made by Joan Christison-Lagay seconded by Gretchen Hall, and passed unanimously.

Report of the Tenant Representative

None

UNFINISHED BUSINESS

Holinko Estates Environmental Phase II Survey, Part II - Mrs. Forcier reported on the proposal for \$5510. by Payne Environmental to test six more borings near the one questionable original boring. She also expressed concern about building additional units on the site at this time, due to the out-of-control behaviors of the college students attending parties next door. Joan Christison-Lagay made a motion, seconded by Richard Long, to table discussion about additional testing until January. Motion passed unanimously. The board instructed the Executive Director to check on the value of testing over time.

NEW BUSINESS

Holinko Estates – Discussion Regarding Solutions to Problems with UConn Party-goers- Mrs. Forcier described the continuing problems at Holinko Estates due to the behavior of the UConn students. Mrs. Forcier also reported on the reduction in the amount of fines for underage drinking. Joan Christison-Lagay volunteered to talk to members of the Town Gown Committee. Mrs. Forcier expressed a desire to install a fence with an electric gate at the entrance. The Board instructed the Executive Director to look into fence and gate costs.

Section 8 Revised Fair Market Rents (FMRs) – Mrs. Forcier reported that due to the large number of complaints, HUD has decided to change back to the area definitions that have been used for over ten years. This means the FMRs are now higher.

Section 8 Annual Adjustment Factor (AAF) Appeal - Mrs. Forcier that the additional monies allowed will more than likely not be needed due to keeping the average HAP down and the 95% lease up rate.

Rental Assistant Program (RAP) and Resident Service Coordinator (RSC) Audit – Mrs. Forcier reported on the audit of the Rental Assistance and Resident Service Coordinator grant programs. The results reported to the Housing Authority state the programs are being administered according to program guidelines.

Administration Fee Lawsuit – Mrs. Forcier reported on the continuing class action lawsuit the Housing Authority joined to object to HUD's recapture of previously earned administrative fees and new limitation on how previously earned administration fees.

Board Appointment – Anne Jordan Crouse – Mrs. Forcier reported that Mrs. Crouse had sent a letter to the Town expressing a desire to be re-appointed to the Board for another term. Mrs. Forcier sent a letter supporting a re-appointment.

Public Housing Authority (PHA) Plan – Mrs. Forcier reported on the smooth electronic submission of the Section 8 PHA Plan on October 7, 2004.

October 21, 2004 Minutes continued

Management Plans for Holinko Estates and Wright's Village – Mrs. Forcier presented the management plans for approval. Richard Long made a motion, seconded by Gretchen Hall, to approve the Management Plans for Holinko Estates and Wright's Village. Motion passed unanimously.

Section 8 Utility Survey- Mrs. Forcier reported that the annual survey was underway but responses have been limited.

Employee Evaluations- Mrs. Forcier reported that the first draft was complete.

Annual Inspections – Wright's Village and Holinko Estates- Mrs. Forcier reported that inspections are complete and the number of work orders is not very high as compared to several years ago.

Audit Proposals- Mrs. Forcier reported that the Housing Authority could either use the third year price proposal by Roy and Associates or send out Request for Proposals. A motion was made by Joan Christison-Lagay, seconded by Richard Long to use Roy and Associates for the FY2004 audit.

Review Lease- Mrs. Forcier presented the lease and asked for a comment. Joan Christison-Lagay made a motion, seconded by Richard Long, to approve the Housing Authority Lease as presented. Motion passed unanimously.

Date and Time of November Meeting – The Board agreed to change the meeting to November 10, 2004 at 11:30 to accommodate Joan Christison-Lagay.

Section 8 Voucher Holder Request- Mrs. Forcier presented the request of a Section 8 voucher holder for an exception to policy to be allowed to "Port Out" immediately instead of waiting one year. Richard Long made a motion, seconded by Joan Christison-Lagay to approve of the exception if it is requested to accommodate her disability and she provides a doctor's note stating it is medically necessary due to the disability. Motion passed unanimously.

October 21, 2004 Minutes continued

ADJOURNMENT

After discussion and due deliberation a motion was made by Richard Long, seconded by Gretchen Hall, and passed unanimously, it was voted to adjourn the meeting at 11:05 A.M.

Respectfully Submitted,

Cathy K. Forcier

APPROVED:

Anne Jordan Crouse

Minutes of the October 20, 2004 Meeting
Conference Room B, Audrey P. Beck Building

Present: Jennifer Kaufman, Quentin Kessel, Lanse Minkler (acting chair), John Silander, Robert Thorson, and Frank Trainor.

Absent: Robert Dahn and Denise Burchsted

Town Staff: Grant Meitzler, Inland Wetlands Agent and Gregory Padick, Mansfield Town Planner

Guests: James Boisvert; Louis G. Marquet and Macon C. Toledano of Leyland Alliance and Michael W. Klemens, consultant for Leyland Alliance LLC ; Cynthia van Zelm of the Mansfield Downtown Partnership.

1. The meeting was called to order at 7:35 PM.
2. The regular order of the meeting was waived to accommodate guests attending the meeting.
3. IWA Referrals.
 - a) W1275 - Boisvert - Route 32. Map date, 9/2/04. This application is for a series of self-storage buildings on a mined out gravel pit area that presently serves as a site for a construction company. The CC is concerned with the possible illegal storage of hazardous wastes. It was noted that the gravel mining operation probably brought the surface of the area down as close to the water table as was permitted, and that any spill might have a significant negative impact. However, Kessel moved and Trainor seconded, that there should be no significant negative impact on the wetlands due to this construction as long as the sedimentation and erosion controls shown on the map are in place during the construction and removed after the site is stabilized. The motion passed with five in favor and one abstention.
4. Discussion of the Mansfield Downtown Partnership with the Leyland Alliance master developer group. Marquet, executive vice president of Leyland Alliance began by describing a few of their successful development projects and overall planning goals for the Mansfield Down Partnership. In particular he emphasized their ability to match developments to communities in unique ways. Klemens, an environmental consultant for Leyland Alliance described his background and philosophy in protecting the quality of opens space and wetlands and watercourses. He went on to review the Mansfield Downtown Partnership site with an emphasis on the types of salamanders observed and other environmental signals of wetland quality. He took note of the vernal pool on the site and commented on what will be required to maintain it in a viable state. He also took note of the fact that approximately 25 acres of the approximately 70 acre site had originally been designated for construction, but that he is recommending, because of environmental concerns for the vernal pool, the wetlands and streams, that only about 14 of the acres be developed.

5. Town Planner Greg Padick reviewed the status of the Town's updated Plan of Conservation and Development and the probable timetable for its completion. The Town hopes to hold public hearings in March and to approve the plan by late spring or early

summer. He went on to discuss major changes to the 1993 plan. These included the possibility of designating more of Mansfield for two-acre zoning, but with the idea of preserving open space. This new plan would have a one-acre zoning component which would be extended to those parts of Town currently zoned for 2-acres. The CC pointed out that, to the CC's disappointment, the recent "shared driveway" modification of the zoning regulations permitted three houses to be constructed on lots that might have only been allowed a single house before. The CC asked if the new one-acre zoning component might not allow even more intensive development without contributing significantly to the preservation of open space. Padick argued that overall, he felt that the proposed changes would preserve open space.

Padick reviewed maps titled "Planned Conservation Areas" and "Planned Development Areas" dated 2004 and prepared for the Town of Mansfield by the Windham Region council of Governments and asked for the CC's input on them. Kessel noted that the Open Space Preservation Committee planned to meet the following Tuesday at 7:00 PM to consider these maps and to begin preparing recommendations and that members of the CC were invited to attend. This would permit the CC to go over its recommendations at the November meeting and to forward them to Padick in time for the Town's consideration.

6. Thorson distributed a taxonomy for stone materials. He explained that one of the reasons for developing a taxonomy is to begin the process of developing a classification, naming protocols, a method of inventory/mapping, and establishing priorities in the relative importance of stone walls on large land holdings or on public lands. Much of the present taxonomy will be published by Walker and Company as a chapter and an appendix to Thorson's new book, "Exploring Stone Walls, A field Guide to Stone Walls." It was agreed that such a taxonomy should be incorporated into the Town's revision of its Plan of Conservation and Development together with guidelines for the preservation of stone walls in the Town of Mansfield.

7. The minutes of the September 14, 2004 meeting were tabled to allow a full discussion of them at the November meeting.

The meeting adjourned at 9:24 P.M.

Respectfully submitted,

Quentin Kessel
Secretary

**TOWN OF MANSFIELD
OPEN SPACE PRESERVATION COMMITTEE
Minutes of the October 19, 2004 meeting**

Members Present: Quentin Kessel, Steve Lowery, Jim Morrow (chair), Ken Feathers, David Silsbee and Vicky Wetherell.

Town Representative: Town Planner Greg Padick

- 1. The meeting was called to order at 7:38 P.M.**
2. The minutes of the September 21, 2004 meeting were approved unanimously.
3. Town Planner Greg Padick reviewed the status of the Town's updated Plan of Conservation and Development and the probable timetable for its completion. The Town hopes to hold public hearings in March and to approve the plan by late spring or early summer. He went on to discuss major changes to the 1993 plan. These included the possibility of designating more of Mansfield for two-acre zoning, but with the idea of preserving open space. This new plan would have a one-acre zoning component which would be extended to those parts of Town currently zoned for 2-acres

Padick reviewed maps titled "Planned Conservation Areas" and "Planned Development Areas" dated 2004 and prepared for the Town of Mansfield by the Windham Region council of Governments and asked for the OSPC's input on them. It was agreed to meet Tuesday, October 26, 2004 at 7:00 PM to consider these maps and to begin preparing recommendations. It was agreed that members of the Conservation Commission be invited to attend, and Kessel agreed to make this invitation to Conservation Commission members. This would permit the OSPC to go over its recommendations at the November meeting and to forward them to Padick in time for the Town's consideration.

The meeting adjourned at 9:20 P.M.

Respectfully submitted

Quentin Kessel
Secretary

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, November 1, 2004

Council Chambers, Audrey P. Beck Municipal Building

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

Chairman Favretti called the meeting to order at about 7:50 p.m., appointing Alternates Ryan and Mutch to act as voting members.

Minutes: 10/18/04 – Ryan MOVED, Plante seconded to approve the Minutes as corrected to note that Ryan did not arrive late. MOTION PASSED unanimously.

Zoning Agent's Report – The October Monthly Activity Report was acknowledged.

Mulch/outside storage, 497 Middle Turnpike – Mr. Hirsch reported that illegally-stored materials remain outside the building; he is now pursuing the matter as a violation.

32 Centre St. fill storage – Mr. Hirsch reported he has viewed the fill and judges it to be close to, but not more than 100 cubic yards, and he plans to contact the owner to discuss plans for further storage. Meanwhile, the site appears to be satisfactorily stabilized for winter.

Charter Communications site at Four Corners, landscaping – Mr. Kochenburger asked Mr. Hirsch why there appears to be no landscaping on the site, and Mr. Hirsch agreed to re-inspect it.

Old Business

Smith Farms subdivision, request for bond release for driveway and trail work, file 1214 – 10/28/04 memos were noted from the Town Planner and Ass't. Town Engineer. After discussion, Holt MOVED, Hall seconded that the PZC authorize its Chairman, with staff assistance, to execute a one-year cash maintenance bond in the amount of \$5,000 for trail improvements in the Smith Farms, Phase I subdivision on Coventry Road and that, upon execution of the maintenance bond, the Town Planner be authorized to take appropriate actions to release the previously-posted Letter of Credit from the Jewett City Savings Bank and cash funds deposited by the developer that are no longer required to address bonding requirements. MOTION PASSED unanimously.

Separatist Road stormwater sampling report – Eastern Highlands Health District Director R. Miller's 10/29/04 comments in response to PZC questions were noted. Mr. Miller's conclusion was that the detention basin is not particularly dangerous at this time, but that monitoring and testing will be ongoing.

Public Hearing, Special permit application, proposed self-storage use at 537 Stafford Rd., Mansfield Self-Storage, LLC/J. Boisvert, o/a, file 1222 – The Public Hearing was called to order at 8:00 p.m. Members and Alternates present were Favretti, Goodwin, Hall, Holt, Kochenburger, Mutch, Plante, Pociask, Ryan and Zimmer. The legal notice was read and reports were noted from the Town Planner (10/27/04), Ass't. Town Engineer (10/26/04), Eastern Highlands Health District (10/28/04), Fire Marshal (10/28/04), Comm. on Needs of Persons w/Disabilities (10/28/04); Coventry Town Planner E. Trott (11/1/04), 11/1/04 letter from P. Seretny and signed notes in favor of the proposal from 10 other nearby property-owners.

Applicant J. Boisvert and project engineer M. Goodin displayed photos and site plans of the site and the proposed 56,000 sq. ft. facility, which would be built in two phases. The buildings would be 9 to 11 feet high. Mr. Goodin pointed out that the elevation of the site is lower than that of Rt. 32, and most of the buildings, which would be constructed about 200 feet from the road, would not be visible from the road. The project would be a low-traffic use, but has been designed so there would be no traffic on the side abutting neighboring houses. The existing tree buffer is to be retained. No lighting or noise impacts are envisioned. Erosion/sedimentation and drainage plans

were described. All staff comments had been seen by the applicants, who said they agreed with most of them. Noting the comments of the Fire Marshal, Mr. Goodin stated that the plans comply with the State Fire Code, and he believes the proposed arrangement is practical and adequate. Further discussion between the applicant and the Fire Marshal is scheduled.

The applicants still have to decide on hours of operation, but plan to provide 24-hour access in some cases. They assured members that there would be adequate security measures, including fencing, locked gates with key-cards for some, mandatory sign-ins and constant camera-monitoring. The applicants said that neighborhood impacts would be kept low; there would be no intrusive lighting outside the site, and no electricity inside the units, no vehicle maintenance, hazardous materials, vehicle repairs, painting, or contractors' storage. Public comment was then invited.

J. Patnode, C. Schamback, S. Cohen, R. Rue and R. Wayne, Rt. 32 property-owners, voiced support for the project.

B. Young, Stafford Rd., said that the intersection of Coventry Rd. and Rt. 32 is already dangerous.

Mr. Goodin said an application to bring in 4,000 cubic yards of fill would be submitted. At approximately 8:40 p.m., the Public Hearing was recessed until 11/15/04, awaiting further comments from the Fire Marshal.

Old Business (cont.)

Downtown Partnership presentation regarding Storrs Green center and permitting process – Members had been provided with a 10/28/04 memo from the Town Planner and a draft of a proposed Municipal Development Plan and Permitting Process. Downtown Partnership Director C. van Zelm, Lee Cole-Chu, legal counsel for the Partnership, and 3 members of the development team were present to discuss various elements of the draft plan and permitting process. It was noted that a meeting is scheduled for Nov. 10 to display the plans publicly, when members of the public, including PZC members, are free to comment or ask questions. If the draft is agreed upon, a change to our Zoning Map to incorporate the "Downtown" area as a separate "Special Design District" and relevant revisions to the Zoning Regulations would be needed. During the ensuing discussion, members voiced no objections to the proposal, and it was agreed that the topic will appear on the next PZC agenda (11/15/04); meanwhile, it was suggested that if members had additional suggestions or comments prior to that time, they should be given to the Town Planner as soon as possible. At this time, Mr. Plante left, and Mr. Pociask acted in his stead for the rest of the meeting.

Windham referral regarding proposed rezoning along Rt. 195 just south of Mansfield town line – Mr. Padick's 10/28/04 memo was noted. Kochenburger MOVED, Holt seconded that the PZC Chairman be authorized to communicate to Windham officials that Mansfield's PZC has reviewed the proposed rezoning of property at 617 and 619 Jackson Street in Windham and has no comment on the proposed rezoning. MOTION PASSED unanimously.

Town Planner Updates

Plan of Conservation & Development Update – The committee is meeting regularly; Mr. Padick plans to meet with several Town boards to elicit their comments on various aspects of the Plan Update. It is hoped that a Public Hearing can be held in March of 2005. Members were urged to keep up to date with distributed materials and raise any comments or questions as soon as possible.

UConn athletic training facility/tennis courts relocation – Mr. Padick recently attended an informational meeting, where no concerns were raised by the public. He felt that drainage design will be carefully considered. The tennis courts are to be relocated to the west side of No. Hillside Rd., just past the Safety complex.

New Business

Zone change application from Flood Hazard to R-20, property at corner of Thornbush/Briarcliff Rds., J. Bender, o/a, file 1123-2 – Holt MOVED, Hall seconded to receive the application of John R. Bender (file 1123-2) to change the zone classification of a .54-acre parcel of land owned by the applicant located at the corner of Thornbush and Briarcliff Roads from Flood Hazard zone to R-20 zone, as shown on plans dated 10/22/04, and to refer the

application to the staff for review and comments and set a Public Hearing for December 6, 2004. MOTION PASSED unanimously.

Freedom Green requests for Ph. III escrow release and Ph. IV-A escrow requirement reduction, file 636-4 – The Planning and Zoning Commission has received a request to release remaining escrow funds in Phase III and to reduce the escrow fund requirement for Phase IV-A of the Freedom Green development. Holt MOVED, Hall seconded to refer this request to staff and the Villages at Freedom Green Condominium Association for review and comment, and to discuss the item at its 11/15/04 meeting. MOTION PASSED unanimously.

Windswept Manor subdivision, request for bond reduction, file 1198 – Memos were received from the Town Planner (10/27/04) and Ass't. Town Engineer (10/28/04). After discussion, Holt MOVED, Hall seconded to authorize the Chairman, with staff assistance, to modify the bond agreement for the Windswept Manor subdivision and recognize the existing \$17,950 cash bond as constituting full bonding of remaining subdivision improvements. MOTION PASSED unanimously.

Kirby Mill hydroelectric facility – Noting 10/18/04 letters from S. and M. Shifrin, owners of the Kirby Mill, Mr. Padick explained that the Shifrins have applied to the Federal Energy Regulatory Commission for a permit which would allow them several years in which to investigate the feasibility of restoration of the Mill's hydropower system. If such a plan were to go forward, it would need IWA and PZC approvals.

Hunting Lodge Rd. proposed conservation easement – The Town Council has referred to the IWA and PZC a proposal for conveyance by the University of CT Foundation to the Town of an existing house with 5 acres of land approximately mid-way between No. Eagleville Rd. and Carriage House Drive, including a conservation easement on undeveloped westerly portions of the property. Town officials will review the proposal and a report will be submitted to the PZC at its 12/6/04 meeting. Favretti MOVED, Holt seconded to refer the proposal to staff for review and comment; MOTION PASSED unanimously. The site will be visited on the 11/9 field trip.

Proposed schedule of meeting dates for 2005 - Holt MOVED, Zimmer seconded to approve the draft 2005 meeting schedule, with the second meeting in November to be held on Monday, November 17, 2005. MOTION PASSED unanimously.

Plan of Conservation & Development Update Committee – Scheduled to meet Wednesday, 11/3/04, at 1 p.m.

Communications and Bills – As listed on the Agenda.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

MINUTES

MANSFIELD SCHOOL READINESS COUNCIL

Wednesday, October 21, 2004

Council Chambers

6:30-9:00 PM

PRESENT: J. Daniels (facilitator), B. Lehmann, D. McLaughlin, S. Daley, K. Grunwald (staff), J. Goldman, J. Buck, K. Paulhus, S. Baxter (staff), L. Bailey (staff), D. Adams, B. Maines, M. Esquilin, S. Tucker, M.J. Newman, M. Esquilin (guest)

I. INTRODUCTIONS/MINUTES

■ Minutes of September 15, 2004: meeting was called to order at 6:40 PM by Chair, J. Buck. Minutes of the last meeting were accepted as written.

■ Meeting Purpose: J. Buck reviewed the agenda for the meeting. J. Daniels acknowledged that a lot of work was done at the last meeting, and suggested that we move quickly through the agenda.

S. Baxter announced that there is a web page for ECE on the Town of Mansfield's website, www.mansfieldct.org, and she asked members to review and provide feedback. She also announced that a series of parenting videos are now running on Mansfield public access Channel 13. She also asked for feedback on these videos. There will be a Discovery Conference on 10/26, and members of this Council are invited to attend.

II. FINAL ACTION: MISSION, ROLES

■ Review, Reaffirm Mission Statement: Proposed from last meeting: "Contribute to the positive development of all young children [in Mansfield] [birth to 8]. The group agreed that we want to make sure that this reflects the business that we're in. Question of who we want to be vs. who we are now? The mission statement should reflect where we intend to be moving in the future. A question was raised as to whether or not we take out the qualifier "young", so that we are not limiting ourselves. It was apparent that everyone on the Council seems to have a different idea about what is meant by the words "young" and "children." The point was made

that the mission statement should assist us in focusing and providing clarity around what we're doing, with the understanding that it can be changed. A desire was expressed to be able to expand this mission at a future date. Agreed: "Contribute to the positive development of all young children." A question was then raised as to whether or not this needs to include..."in Mansfield." Some suggested that by including this it limits participation in regional initiatives. There was also some feeling that this may raise unrealistic expectations and objectives. The question was then raised as to whether or not this includes children who don't live here, but who are participating in programs here. The general feeling was that by saying "in Mansfield", we are being inclusive of all children who are in town. Agreed that we will include "in Mansfield" as part of the mission statement.

■ Review, Affirm Organization Roles: 1) Improve **access** to quality ECE, (2) provide **leadership** for the community on ECE issues, (3) increase **awareness** and understanding of ECE issues amongst members of the community, (4) **advocate** for the long-term investment in ECE by the community and municipal government, (5) **empower** parents to have an active voice in having input in making decisions around ECE issues.

A question was raised as to whether or not there needs to be a separate role identified that addresses the issue of supporting providers. Some feeling was expressed that this issue is encompassed in all of the other roles, and that this does not need to be spelled out as a distinct role. A concern was raised that if this is spelled out it will exclude other care providers, including parents.

■ Relationship To Town government: Defines formal relationship with the Town Council and the Board of Ed. A question was raised as to whether or not this group needs to be connected to government, rather than separate and independent. J. Buck stated that she would like to see this group sanctioned by the Town Council's Committee on Committees. There is a feeling that this connection provides sanction and value to the committee. This is a way in which the Town does provide a clear commitment to the issue of ECE and improvement

and advancement opportunities. It also puts us in a better position to apply for grants. The texture of the relationship will become clearer when we get to the structural issues of the committee.

III. ORGANIZATION NAME SELECTION

- Presentation & Report of Subcommittee: J. Buck, K. Paulhus, and D. Adams worked independently on this and came up with 3 names. J. Buck stated that the report of the committee presents the rationale for the names that were suggested. D. Adams stated that the goal was to include an active verb in the name to denote that this will be an active group. An acronym was not a primary consideration.
- Discussion, Final Choice of New Name: A vote was conducted, and Mansfield Advocates for Children was selected overwhelmingly.

IV. STRUCTURE & ORGANIZATION

■ Membership

Constituencies, terms, and appointment methods: Who appoints the members of this committee? It was agreed that we will use the current mechanism, which involves appointments by the Committee on Committees as a result of members expressing interest in serving. There may need to be a Town ordinance passed to sanction the formation of this committee. S. Daley questioned whether or not terms should be for longer than one year. In general, it was felt that involvement should require 2-year, staggered appointments. The suggestion was made that individuals be allowed to serve in an ad hoc capacity, even if they are not formally members of MAC. A follow-up suggestion was that sub-committees have at least one full member of MAC. MAC will send a list of nominees annually to the CofC for reappointment. Suggestion that we need to have a finite number of members, but the question was raised as to how staff are included in the membership. Current structure includes staff as non-voting members. Feeling expressed that we are not in the position at this time to establish limits on the number of members of this

committee. General agreement that we will not settle on a number at this time, and staff will determine whether or not there needs to be a limit on membership. Some feeling that we may only want to establish an upper limit. Also need to study suggested categories of membership, to determine whether or not we have adequate representation.

■ Leadership Structure

Chair Selection: previously appointed by the highest elected official in the Town. Some feeling expressed that the members should select the leader(s); general agreement on that. We need more information to determine whether or not this will be determined by the governing ordinance.

IV. NEXT STEPS

Still need to determine:

- Organization Decision-Making Model
Consensus, Roberts Rules, etc.
- Committee Structure, Meetings
Role, function of subcommittees
- Meeting Frequency, time

Meeting adjourned at 9:00 PM

Respectfully submitted,

Kevin Grunwald, Director of Social Services

Full-day kindergarten getting results in E Hartford

By Christine Stuart

Journal Inquirer

EAST HARTFORD

Daniel, a kindergarten student at Robert J. O'Brien School, is so proud he wrote his name that he doesn't want other students to write over it.

He is one of 60 young students attending full-day kindergarten, and teachers say his performance is indicative of the strides he and his classmates will make this school year.

O'Brien kindergarten teacher Brenda Taylor says she has noticed that students in a full-day kindergarten program are more advanced socially and interact better with their classmates.

"This makes them feel more successful," she says.

O'Brien kindergarten teacher Paula Norion, who is new to the school system, says letter and sound recognition are the first steps in teaching students to read. "It's what we push for so when they leave kindergarten, they leave with the tools they need to read."

O'Brien School has four full-day kindergarten classes. This is the first year the Board of Education funded the program in all nine elementary schools.

As early as first grade, there's a noticeable difference in students who attend full-day kindergarten programs, Michelle Urso, another O'Brien kindergarten teacher, says.

She says students receive more time on the core subject areas, such as reading and math.

"You're not just drilling them all the time," she says. "It allows more time for self-discovery."

In the morning, students rotate through academic centers set up at little tables in their classroom. The students practice writing letters, sorting paintbrushes by color, writing in journals, and various other activities.

SEE EAST HARTFORD / PAGE 5

Full-day kindergarten will pay for itself, school official says

FORD
FROM PAGE 1

ings they've learned show up in the way they know students are building skills when they sort the teddy bears in their play because "sort" is a word used in math, Urso says.

Afternoon, the students rotate centers that allow for more self-discovery. In each classroom, there are play areas where the students play house when the chance

Lauren Carlson, who taught third grade at Langford Elementary School before coming to O'Brien as a kindergarten teacher, says she was impressed with the progress she has seen in last year's students.

In October, a first grader stopped by Taylor's classroom to show her former teacher her progress in writing.

Taylor complimented the student and asked her to walk the paper around the class so that her students could marvel at the first grader's writing skills.

Assistant Schools Superintendent Lynda

Green, who helped push for system-wide implementation of the full-day program, says all the progress O'Brien school teachers are seeing has been supported by research.

She says research comparing full-day and half-day programs at Robert J. O'Brien School showed that full-day students scored better on writing prompts than their half-day counterparts.

The O'Brien School has had full-day programs in the past because it received federal Title I funds, but the system-wide initiative helped it eliminate its half-day programs this

year. In the long run, Green says, the implementation of full-day kindergarten will pay for itself.

In Philadelphia, she says, students were 26 percent more likely to have made it to third and fourth grade without repeating a grade, which helped the schools shave about 19 percent off the cost of the program.

Data also has been collected from 14,000 students in 27 school systems throughout the United States that found children who attended full-day programs scored higher on standardized tests, she says.

**TOWN/UNIVERSITY RELATIONS COMMITTEE
COMMITTEE MEETING
Tuesday, October 12, 2004
Audrey P. Beck Municipal Building
Council Chambers**

Minutes

Present: A. Barberet, P. Barry, T. Callahan, B. Clouette, E. Daniels, R. Hudd, AJ Pappanikou, E. Paterson, L. Schilling, W. Simpson

Staff: J. Bell-Elkins, M. Berliner, S. Cox, M. Hart, G. Padick

1. Opportunity for Public to Address the Committee

Council member Christopher Paulhus addressed the committee with respect to off-campus student parties. He would like our residents to know that the town is using all available resources to crack down on problem parties, and that we recognize this is no longer a small problem. It is no longer just a town or a university issue – it is a community issue. We need to address the problem now. The students think that they are invincible, and they need to know that they are subject to a code of conduct. The Town Council and the Mayor are frustrated. He would like to thank SGT Cox for doing an outstanding job with limited resources.

2. July 13, 2004 Meeting Minutes

Philip Barry made a motion, seconded by Bill Simpson, to approve the minutes from September 14, 2004 as corrected by Matt Hart. Matt Hart explained that the minutes need to be corrected under Item 4, Update re: UConn 2000 Act Projects, to reflect that the text refers to the “pharmacy/biology” building as opposed to the “pharmacy” building. The motion passed unanimously.

3. Update re: Mansfield Downtown Partnership

Cynthia van Zelm reported that the Partnership’s Festival on the Green event went very well, and that the planning committee intends to conduct a debriefing meeting on November 1st. Also, the Storrs Center development team plans to conduct a public presentation to show the proposed design, and to solicit feedback.

4. Community-Campus Partnership on Substance Abuse

The Mayor reported that she and Julie Bell-Elkins were in the process of scheduling the inaugural meeting of the partnership, and that they hoped to conduct the meeting in early November.

5. Community Quality of Life Issues/Spring Weekend

AJ Pappanikou asked whether it was legal for the police to film improper conduct and behavior. SGT Cox said that it was. Pappanikou recommended the university consider using expulsion more frequently. We still need to respect due process, but the procedure should be expedited. Students need to accept responsibility for their behavior.

Pappanikou made a motion, seconded by Audrey Barberet, to ask the university to consider to revising the student code of conduct to include expulsion as a sanction for certain behavior. Bill Simpson stated that he thought that expulsion was already possible, and, if that is the case, would the maker of the motion be looking for a more expeditious process? Pappanikou answered in the affirmative.

Tom Callahan stated that he could support and accept the motion. A few things: one, the code of conduct has only recently been applied to off-campus conduct and the university has begun to enforce the code more rigorously; and, second, what he cannot address is how long the process takes once a referral has been made to the Dean of Students. He will check with the Dean to get the data and report back to the committee. Also, we need to be just as vigilant with non-students. If a student from another university is arrested or cited with an infraction, we should check to see if the home institution would apply its code of conduct.

Bruce Clouette seconded Tom's comments. The problem is multifaceted. The probability of a student receiving negative consequences is pretty low, so punitive measures are not always a true deterrent. Unless you can ramp up your enforcement to include more students, you will have limited impact. That being said, there are other small measures that we can do, measures that would involve landlords, package store owners and other parties. We need to take a broad view.

At this point, Mayor Paterson introduced Julie Bell-Elkins, Dean of Students. Tom Callahan asked Julie about Pappanikou's motion. Julie answered that as soon as the office receives a report, it determines whether the alleged behavior is a violation of the code and formulates a charge letter. They then send the letter to the student within a week. Regarding disposition, many times the office is able to reach an agreement with the student. If the violation is more severe, the matter is referred to judicial for a hearing. Once the hearing has been conducted, judicial is normally able to make a determination within a few hours. Every case is different. Sometimes a matter will take a just a few days to resolve, other issues will take several weeks. The standard is three to four weeks.

Tom Callahan asked how the university detaches criminal charges from violations of the code. Julie explained that when the two charges intersect, as long as there is no interference, they operate simultaneously. There are different burdens of proof. With a violation of the student code you are looking for clear and convincing evidence as opposed to beyond a reasonable doubt for a criminal charge.

Bruce Clouette asked if in the case in which a student has been cited for a violation of a town ordinance, would that be handled in a similar fashion? Generally, yes.

The Mayor called the question and Pappanikou's motion passed unanimously.

Phil Barry stated that he agrees the problem is multifaceted. Kegs are a problem. Would it be possible to pass an ordinance outlawing the sale of kegs except in restaurants and bars? Bruce Clouette said that he is not sure that power is within the town's authority. SGT Cox said that Carriage House does prohibit kegs and the issue has several prongs. One prong is that kegs are indeed a problem, but so are backpacks full of beer suitcases. Cans from suitcases create an environmental problem. A second prong is the lack of facilities to hold a large party –students come to him looking for suggestions. A third prong is the lack of parental involvement and a fourth is the "rape trail" from campus to Carriage House. Town and university police are working with the Dean of Students to implement a more holistic approach.

Phil Barry followed up on the facility issue, and asked if the parking garage could become a venue for parties? SGT Cox said that more controlled environment would be beneficial. Bill Simpson said that if we regulate kegs in town, students will just go elsewhere to make their purchases. Eddie Daniels pointed out that is already illegal to sell alcohol without a permit, so he is not sure what the ordinance would accomplish. Phil replied that the problem is the illegal sale by purchasers of kegs, and we need to get at package store owners.

Bruce Clouette added that it would be good to regulate or restrict the sale. The sale of quantity containers is the problem – it does not matter whether it is in kegs or not. Tom Callahan asked if Carriage House has levied fines for kegs. SGT Cox explained that they had. Tom asked if they notified the parents? SGT Cox believes that they do. The holistic approach to enforcement is the way to go, but the student is the key. The student needs to know that there are consequences, and certain behavior offenses should justify rapid expulsion.

Audrey Barberet asked what other universities do? Mayor Paterson said that she has sent out a survey to the National League of Cities' University Caucus asking for other approaches. Hopefully, she will have some feedback within a month.

Tom Callahan stated that part of the discussion comes out of the earlier work of the work of the substance abuse task force and subsequent town/university relations subcommittee. It is not a mistake that events occur on properties owned by absentee landlords. There are a variety of issues that need attention.

Chief Hudd echoed Tom's comments. They had met with Carriage House management early on, and he is not sure what they have done besides hiring officers on private duty. At least we have succeeded in putting all of the parties at one location – the problem used to be parties at multiple locations. The recent

Northeast Magazine article did not mention the positive developments. Tucson, Arizona has visited Storrs to learn how we control crowds – the “get tough” policy has problems and limitations. Cultural issues are also a factor. We need to use a holistic enforcement approach because of that limitation.

Mayor Paterson commented that every student who moves into Carriage House is aware of the environment. This is a factor and we need to change the attraction and the allure. AJ Pappanikou added that the difference today is the destruction of property and the attitude toward law enforcement.

6. Other

None.

The committee adjourned the meeting at 5:15 p.m.

Respectfully submitted,

Matthew Hart
Assistant Town Manager

ADMINISTRATION

- *ACIR Symposium on the Roles and Responsibilities of RPOs:* As noted last month, the Advisory Commission on Intergovernmental Relations (ACIR) looked at the various roles of RPOs last year. To gather additional information, OPM has scheduled a symposium on November 16 (8:00 am - 12:30 pm in North Haven) and asked us to encourage COG members to attend. A brochure was mailed to each of you, and additional copies are available at today’s meeting.
- *3-COG Lunch:* Your executive director and chairmen met with counterparts from NECCOG and SECCOG on October 22. We will be sharing legislative agendas to identify common issues and may plan a joint trip to Hartford to meet with eastern CT legislators.

Technical assistance contracts active in FY 05:

Contract #	Description	Status
<i>Ashford</i>	<i>POCD assistance</i>	<i>first draft distributed</i>
<i>Mansfield</i>	<i>Mapping assistance</i>	<i>in progress</i>
<i>Columbia</i>	<i>Fill-in staffing (part time) for ZEO for one week</i>	<i>completed 7/04</i>
<i>Willimantic River Alliance</i>	<i>Web site development</i>	<i>in progress</i>

UPCOMING DATES OF INTEREST

- November 9 (Tuesday, 2:00 p.m.) Northeastern CT Economic Partnership meeting, EASTCONN in Hampton. (M. Paulhus represents WINCOG)
- November 16 (Tuesday, 8:00am-12:30pm) ACIR Symposium on Roles and Responsibilities of RPOs, North Haven Holiday Inn.
- November 16 (Tuesday, 3:30 p.m.) WINCOG Regional Emergency Planning Workgroup, Coventry Town Hall Annex (please note that the time and location of this meeting may be changed).
- November 19 (Friday, 5:00 p.m.) QSHC Reception, Slater Museum, Norwich
- November 25 and 26 **HAPPY THANKSGIVING - WINCOG Office Closed**
- December 2 (Thursday, 8:00 a.m.) EWIB Chief Elected Officials Council meeting (D. McGuire represents WINCOG)
- December 3 Next scheduled WINCOG meeting

FOCUS ON THE FUTURE

The Town of Mansfield recently passed a resolution requiring all town projects to be sustainable and built to the US Green Building Council’s Leadership in Energy and Environmental Design (LEED) standards. Eastern Connecticut State University has already committed to LEED certification and UConn has adopted its own sustainable building guidelines. Approximately 4% of new, non-residential construction is already LEED certified and experts anticipate that by 2007, the number will be 20%. The goals of Green Building Design are to create buildings that are environmentally responsible, profitable and healthy places to live and work. More info on the web at: www.usgbc.org and www.buildinggreen.com.

ECONOMIC DEVELOPMENT

- *EDA Planning Grant:* No word yet.
- *NCEP Planning Activity:* Your director staffed the Business Development subcommittee meeting on October 12 and hosted and staffed meetings of the Economic Development Forum Committee and of the Coordinating Committee to prepare for the November 9 Partnership meeting. The November 9 meeting will include a panel discussion on the entrepreneurial and small business development climate in northeastern Connecticut (Martha Hunt, CERC; Rita Zangara, UConn’s Technology Incubator Program; and Michael LoPresti, DECD). We are trying to identify a regional (Partnership) project that we could undertake that might have some impact on this climate.

TRANSPORTATION

- Journey to Work Maps, 1990 and 2000: Our intern, Dagmar Noll, has completed maps showing commuting patterns (by town) for the last two decennial censuses. You were given the 2000 maps at an earlier meeting. The 1990 maps will be distributed today.
- Earmarks: For your information, the regional planning organizations and ConnDOT will be discussing with congressional representatives the impacts of federal transportation earmarks that come without funding. ConnDOT must set aside funding for these “off-the-top” before allocating funding to programs that get a percentage allocation (such as the Safety Program, the Bridge Program, the Enhancement Program, etc.). This means that there is less funding for projects planned and prioritized through regional transportation plans. We suspect that few congressmen understand the impact of these unfunded earmarks.
- I-395 Corridor TIA: The I-395 Transportation Investment Area Committee met at SECCOG on October 21 to ratify the changes to the corridor plan suggested at its June meeting. The Transportation Strategy Board (TSB) asked each TIA to review the plans submitted in November 2002 and re-adopt them or update them. The changes to the I-395 plan were minor updates. The TSB will be meeting on November 16 to discuss priority projects.

TRANSIT

- New Web Site: Intern Dagmar Noll has been working on a new web site for WRTD and it is now operational. Check it out at www.wrttd.net.
- Other: Staff continue to work on the pre-paid fares program for the Storrs/Willimantic bus service, local match issues, vehicle purchases, and planning for next year’s service contracts.

LAND USE PLANNING

- Regional Planning Commission: The Regional Planning Commission has not met since WINCOG’s September 3 meeting. Their next meeting is scheduled for December 1.
- Ashford Plan of Conservation and Development: The Ashford Plan Committee recently distributed the first complete draft of the Plan of Conservation and Development to relevant town boards and commissions. The Planning and Zoning Commission will review the plan at a Special Meeting on November 15.
- Mansfield Plan of Conservation and Development Maps: WINCOG GIS staff continue to work with Mansfield Town Planner Greg Padick and PZC Chair Rudy Favretti in preparing maps depicting priority development areas and priority conservation areas.
- Green Infrastructure: The Green Valley Institute and WINCOG hosted a meeting on Oct. 12 to identify greenways and blueways (also known as “green infrastructure”) in Coventry, Mansfield, Windham, Scotland, Lebanon, and Columbia. Approximately 20 people attended this meeting that helped identify regional recreation and wildlife corridors. This workshop will soon be repeated for the Towns of Ashford, Hampton and Chaplin.

EMERGENCY PLANNING UPDATES

- Homeland Security - Regional Emergency Planning: The October 19 meeting of the Regional Emergency Planning Workgroup included a demonstration of the DMIS software (Disaster Management Interoperability Services) which is being adopted by the state. There was discussion at that meeting about training a group of CERT volunteers to use the software. The next meeting is scheduled for November 16, although the time and date may be changed to meet the needs of some emergency management directors who have been unable to attend the Tuesday afternoon meetings.
- Regional Interoperability Pilot Project: After we contacted the Department of Information Technology’s Interoperability Subcommittee regarding our proposal for a regional pilot project feasibility study, the DOIT learned of a federal program which will send a team (at federal expense) to do such a study for UASI - designated areas (P. 8 51 Areas Security Initiative - New Haven is the

only one in Connecticut. These areas get separate funding for homeland security.) Connecticut has suggested that, since the state is so small, this study should be done for the entire state, and not just for the New Haven UASI area, and the federal government has, evidently, agreed. If this is implemented, we will not need our regional feasibility study.

- Pre-Disaster Hazard Mitigation Planning Grant – FEMA Funding through Department of Environmental Protection (DEP): The Risk and Vulnerability Assessment portion of this plan was distributed at the October meeting and is on the agenda for action at today’s meeting. The individual mitigation plans for each town will be developed as supplements to this assessment.

OTHER

- Annual Reporting to CT Siting Council: As requested, WINCOG staff submitted a report to the Connecticut Siting Council on towers and antennae in member municipalities. Staff consulted with each town in preparing the report (available at today’s meeting). In all, there were four additions to the Siting Council’s Telecommunications Database and one correction. This information will be used to make more informed decisions on new cell tower locations and future “co-location” opportunities.
- Probate Court System: Staff prepared and emailed to each of you a spreadsheet showing the impacts of the proposed new probate court organization and funding proposal on the courts used by our member towns. Additional copies will be available for today’s discussion with probate court representatives.
- Willimantic River Alliance website: Intern Dagmar Noll is developing a website for the Willimantic River Alliance. The WRA has received a grant to fund this work.

CENSUS AFFILIATE ACTIVITIES

- Data Requests: Staff responded to requests for data from one private non-profit and one media business.

LOCAL ASSISTANCE

TOWN	ASSISTANCE	# HOURS
Ashford	<ul style="list-style-type: none"> • Continued working on Town POCD under contract 	
Chaplin	<ul style="list-style-type: none"> • Provided information on ADT’s (traffic counts) to First Selectman. 	0.5
	<ul style="list-style-type: none"> • Attended planning meeting for economic development initiative. 	2.0
	<ul style="list-style-type: none"> • Provided information on non-profit organizations in Chaplin. 	1.0
Mansfield	<ul style="list-style-type: none"> • Continued working on Town POCD maps under contract 	
Windham	<ul style="list-style-type: none"> • Provided information to business owner on handicapped parking in downtown area. 	1.5
	<ul style="list-style-type: none"> • Provided information to arts collective representative on business planning assistance. 	.25
	<ul style="list-style-type: none"> • Provided census data to local non-profit for grant application. 	.25
All Towns	<ul style="list-style-type: none"> • Completed and submitted report on telecommunications tower locations in member towns to the CT Siting Council. 	14
	<ul style="list-style-type: none"> • Probate Court data - gathering and distribution. 	3
	<ul style="list-style-type: none"> • Economic Development activities (see text and meetings). 	10

OTHER ASSISTANCE

- Continued to participate in Willimantic White Water Partnership.
- Provided information to media representative on apartments in Willimantic.
- Responded to a request from OPM for information on regional coordination of elderly services

MEETINGS

- Oct. 1 - WINCOG Board meeting / Coventry (BB, JB)
6 - DEP Aquifer Protection Workshop / Hampton (JB)
7 - EWIB CEO Council meeting / Norwich (DM, BB)
- EM & HS Coordinating Council / Hartford (BB)
12 - NCEP Business Development Subcommittee / Dayville (BB)
- Green Infrastructure / Windham (JB)
13 - UConn Parking Advisory Committee meeting / Storrs (BB)
- UConn Master Plan Advisory Committee meeting / Storrs (BB)
14 - OPM / RPO Technical Coordination meeting / Rocky Hill (BB)
15 - Economic Development meeting / Chaplin (JB)
- Ashford POCD Draft Review / Willimantic (JB)
19 - Focus Area A (DPH - public health preparedness planning) / Middletown (BB)
- WINCOG Regional Emergency Planning Workgroup / Coventry (BB)
20 - NCEP Economic Development Forum Committee (BB)
21 - I-395 TIA meeting / Norwich (BB)
22 - EM & HS Coordinating Council Planning Subcommittee / Hartford
- Lunch meeting with E.D.'s and Chairs of NECCOG and SECCOG / Franklin (DM, BB)
26 - ConnDOT / RPO technical coordination meeting / Newington (BB)
- Ashford POCD Committee / Ashford (JB)
- Nov. 2 - Community Builders Economic Development Workshop (NU) / Berlin (BB)
- CEDS Coordinating Committee meeting (BB)
3 - Sustainable Building Design / Storrs (JB*)

** Time not charged to WINCOG*

Mansfield YSB Advisory Board
Meeting Minutes
Tuesday, October 12, 2004
4pm @ YSB

Meeting time had been changed from 12N to 4pm

In attendance were: Ethel Mantzaris, Chairperson/Resident; Frank Perrotti, Assistant Chairperson/Resident; Janit Romayko, YSB Coordinator; Pat Michalak, YSB Counselor

Agenda items included:

1. Update: a. The summer months were busy ones with activities for youth and families funded by grants. The Summer Camp at Rectory School collected \$1823 in pledges at the summer swim-a-thon. This amount was a slight increase from last year and volunteer parents tallied the totals this year. In the past this money has been used towards camperships for Mansfield youth. We are grateful for their thoughtfulness and for their generosity. The staff, the camp director and the 76 swimmers of which Mansfield had 11, were all very enthusiastic and committed to the swim-a-thon. B. Eleven youth from the towns of Mansfield, Ashford and Willington were brought together for three sessions in late July and mid August to write, act, edit and produce a 14 minute video about positive approaches to problem solving. The group of 7th/8th graders decided on a theme, chose the title, acted, wrote, edited and then hosted their parents and families at a private showing of the video in mid-September. This video is now being formatted into DVDs for each individual participant and will be given to each school system, parent-teacher organization and /or interested organization that chooses to show it. Funding, technical assistance and support for the project came from ERASE (East of the River Action Council for Substance Abuse Education). ERASE was also very generous to the group and it will host the video participants at the 11th Annual PAWS (Peers Are Wonderful Support) Conference in March 2005. The eleven students will meet monthly in preparation for the conference, as they will be presenting their video project in PowerPoint to their peers. C. Planning for the "Kids of Incarcerated parents" group continued over the summer but plans were foiled by lack of parental cooperation. The issues centered around confidentiality and trust, although those invited kids had a grand time at the cookout. WE will pursue this group possibly again at a later date/time when conditions are perhaps more favorable. D. Groups underway for the fall include: Homework: parents and middle schoolers, GrandParents, Bus Drivers, Healthy Eating Habits for Adolescents and COPE.
2. Meeting Schedule: It was decided to have a large group meeting in December @ MMS with smaller group meetings in November, January, March and May, 2005. The group would like to revisit Juvenile Court and Perception Programs. Pat Michalak suggested that perhaps the group visit the new female wing at Natchaug

Hospital. JR will contact Lilly Rhodes, the PR person at Natchaug. Ethel and Frank will also call members from last year to review their availability for this coming year.

3. Reflections on 2003-4: The Advisory Board was asked to contribute to the town's Annual Report regarding its goals for the past year. The agreed upon statement follows: "The Mansfield Youth Service bureau Advisory Committee met with its members on the scheduled basis in 2003-4. The membership embraced two middle school and two high school members along with school administrators, Mansfield Police, residents, special education and Department of Children and Families personnel. The collective consensus was to provide services and programs to Mansfield youth and families. The planning process of service delivery was characterized as one of consistence, responsibility and accessibility. Student input has always been solicited, valued and incorporated into the short and long term goals. The YSB Advisory committee endorses the 3rd year of Children's Trust fund endeavors, the 7th year of Rectory School camperships, the 16th year of Safe Graduation and the 28th year of Mansfield Challenge. The group looks forward to the challenges of 2005 and beyond with respect for family needs in an ever-changing world.

Meeting adjourned 4:45pm

Respectfully submitted,

Janit P. Romayko
Secretary

JR/jr

Next Meeting: Tuesday, November 16, 2004

11am @ YSB

Agenda: 1. Update
2. Membership
3. Other

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UConn takes step toward environmentally friendly campus

Much of New England is only looking backward on greenhouse gas reduction, driving gas-guzzling sports "utility" vehicles. They are costly to buy, costly to fuel and costly for the health of those that breathe their thick, noxious emissions. UConn, however, has its eyes to the horizon, with the will to keep it from looking like Los Angeles.

Tomorrow morning UConn will be testing its first six gallons of biodiesel fuel made from used dining hall cooking oil, setting a very green precedent. Using what is called a B20 mixture - that's 20 percent biodiesel and 80 percent regular diesel - there will be a demonstration involving one of the school's smaller buses.

The university's president and provost along with members of the Buildings and Grounds Committee will tour the Depot Campus in a small bus powered by the B20 biodiesel mixture. The bus will ultimately be parked at the "mall" in Fairfield Way outside the Gampel Pavilion where the EcoHuskies are planning to wait with information tables. To illustrate the origin of the fuel, fried French toast sticks will be served.

Director of Environmental Policy Richard Miller said this is part of UConn's plan to reduce greenhouse gases on campus. Consideration was given to the possibility of hybrid vehicles, but that would require far too large an investment for new equipment. "We looked at various alternative fuels, but the thing about bio-diesel is you can use it in buses without separate equipment needed," he said.

Dr. Joe Helble, a professor of chemical engineering, developed the fuel over the summer along with two student researchers, Greg Magoon and Joanna Domka.

This is a wonderful step toward a greener campus. Considering how much of the gases produced by burning fuels the campus suffers from I-84 and Route 195, anything to reduce local greenhouse emissions is greatly appreciated. Miller estimated the B20 blend could reduce greenhouse emissions as much as 20 percent to 30 percent in any vehicle powered by it.

This breakthrough runs exactly in turn with the old maxim many youngsters are taught: "Reduce, reuse, recycle." By reusing old cooking oils by recycling them into fuel, UConn is working to reduce the harmful gases we all have to breathe.

Perhaps in the near future, students at the university will have the chance to breathe a crisper sort of back-country air. Because of the ramifications of suiting next to the aptly scented Horsebarn Hill, however, Towers and Husky Village residents may still have other things to offend their nostrils.

Considering the investment of \$10,000 to \$15,000 it took to produce the first six gallons, it may be some time before biodiesel is fueling all of UConn's buses, but the will is there and the Department of Environmental Policy is vying for it. Bravo.

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Connecticut Civil Liberties Union Foundation

32 Grand Street • Hartford, CT 06106
860-247-9823 • Fax: 860-728-0287

October 21, 2004

REC'D NOV 9 2004

Martin H. Berliner
Town Manager
Mansfield
4 South Eagleville Road
Mansfield, CT 06268

Re: Town of Mansfield Political Sign Regulation

Dear Mr. Berliner,

I am in receipt of the information you sent on September 2, 2004. Thank you for your expediency in filling our FOIA request.

I have reviewed the regulation and find that the durational, size and number, restrictions it imposes are impermissible under the First Amendment to the United States Constitution, as applied to the states through the Fourteenth Amendment.

Specifically, the regulation provides in pertinent part:

C. 4. h. 4. Political Signs – Temporary political signs shall be limited to the following:

- b. temporary political signs on individual lots, provided the following criteria are met:
 1. such signs shall pertain to the election of candidates to a public office in a national, state or municipal election or primary or shall pertain to the passage or defeat of a measure for which a specific voting date has been established.;
 2. such signs shall not exceed five (5) square feet in area;
 4. a maximum of three (3) signs per lot is allowed;
 6. such signs shall be displayed no earlier than thirty (30) days prior to a voting day and shall be removed within five (5) days after the voting day.

The ordinance does not seem to address signs not tied to an election, but the same analysis applies.

The First Amendment to the United States Constitution protects the right of citizens to post signs for elections and other political signs on private property *free from time restrictions or limitations on number or size.*

The First Amendment establishes the highest form of protection for political speech. *McIntyre v. Ohio Elections Com'n*, 514 U.S. 334, 347 (1995). See also *Mills v. Alabama*, 384 U.S. 214 (1966). Thus, any governmental attempt to regulate that speech is held to the highest standard – one of strict scrutiny. In other words, the burden shifts onto the municipality to show that the regulation furthers a compelling state interest. Moreover, regulation of political speech on private land is held to a higher standard than on public land. *City of Ladue v. Gilleo*, 512 U.S. 43, 59 (1994) (striking down town ordinance banning all residential signs but certain listed exemptions which did not include political speech). In *City of Ladue*, the Court noted the unique nature of residential signs supporting a candidate or cause as "an important and distinct medium of expression." *Id.* at 55. Simply put, the Supreme Court and lower federal courts have repeatedly reviewed ordinances like Mansfield's, found them to fail constitutional scrutiny and *declined to uphold them*.¹

Sign restrictions that *single out* political speech, like yours, raise special concerns. By limiting political signs to specific periods of time before and after an election, as well as their size and number, the town of Mansfield subjected them to a limitation more burdensome than that imposed on other forms of speech. In so doing, the provision impermissibly favors other speech over political speech. Given the special protection afforded political speech, however, even if the restrictions were applied equally to all temporary signs, the regulation would fail as applied to political and election signs on residential property.² For, indeed, if the First Amendment does not protect a citizen's right to maintain a small sign at her own home expressing her views on an important public issue, it is hard to imagine what it does protect.

I hope this is helpful. We would appreciate receiving your written assurance within five business days of the receipt of this letter that you will cease and desist from further enforcing this zoning regulation and will change the law to reflect constitutional standards at the earliest opportunity.

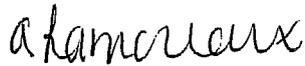
¹See *Whitton v. City of Gladstone, Mo.*, 54 F.3d 1400 (8th Cir. 1995) (ordinance restricting posting of political signs to thirty or less days before event unconstitutional as content-based restriction); *Orazio v. Town of North Hempstead*, 426 F. Supp. 1144, 1145-1149 (D.C.N.Y. 1977) (ordinance restricting duration of political signs but not non-political violates First Amendment and equal protection clause); *People v. Middlemark*, 420 N.Y.S.2d 151 (Dist. Ct. 1979) (holding ordinance proscribing political signs but allowing other signs in residential areas unconstitutional); *Antioch v. Candidates' Outdoor Graphic Serv.*, 557 F. Supp. 52 (N.D. Cal. 1982) (municipal ordinance imposing a 60-day limitation on political signs but not on commercial signs unconstitutional as violating the equal protection clause and violating the First Amendment since not least restrictive means of protecting governmental interest in aesthetics).

² See *Orazio*, 426 F. Supp. at 1149 (holding that "no time limit on the display of pre-election political signs is constitutionally permissible under the First Amendment"); *Knoeffler v. Mamakating*, 87 F. Supp. 2d 322, 327 (S.D.N.Y. 2000) (noting that "durational limits on signs have been repeatedly declared unconstitutional"); see also *Curry v. Prince George's County, Md.*, 33 F. Supp. 2d 447 (D. Md. 1999) (holding ordinance requiring private resident to obtain permit and pay fee before posting campaign signs unconstitutional as imposing undue burdens on the right to free speech); *Arlington County Republican Comm. v. Arlington County*, 983 F.2d 587 (4th Cir. 1993) (holding limit of two political signs on private property unconstitutional).

If the problem is not resolved, we will consider taking legal action against the Town of Mansfield and the Zoning Commission. Should we be forced to take such action, the CCLU will be entitled to recover costs, attorneys' fees and damages. Given the well-settled nature of the law, town officials are not entitled to qualified immunity. *Francis v. Coughlin*, 891 F.2d. 43, 46 (2d Cir. 1989) (citing *Anderson v. Creighton*, 483 U.S. 635, 640 (1987)).

We look forward to hearing from you.

Sincerely,



Annette M. Lamoreaux
Legal Director

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TOWN of TOLLAND / 21 tolland green, tolland, connecticut 06084

RECD NOV 16 2004

Timothy J. Tieperman
Town Manager
(860) 871-3600

November 15, 2004

Mr. Martin H. Berliner
Town Manager
Town of Mansfield
Audrey P. Beck Municipal Building
4 South Eagleville Road
Storrs, CT 06268

**RE: PROBATE COURT ADMINISTRATOR TO SPEAK AT
TOLLAND TOWN COUNCIL MEETING**

Dear Marty:

As you are aware, Connecticut's Probate Court Administrator, the Honorable James J. Lawlor, has put forth a proposal which, if approved by the legislature, would for the first time require towns to pay a per capita fee to fund their probate courts. This proposal shifts the cost of the court system directly to the towns, when this can perhaps be better met through other means such as court fees (which have not changed since 1997) or perhaps not ending the succession tax.

The Tolland Town Council has invited Judge Lawlor to attend the November 23, 2004 Town Council meeting to speak to this new proposal and to provide additional information regarding the proposed legislation. The Town Council would also like to invite all Region #3 judges to this meeting, as well as officials from surrounding towns. The Council meeting will begin on November 23rd at 7:30 p.m. in Council Chambers on the 6th floor of the Hicks Memorial Municipal Center, Tolland. Judge Lawlor's discussion will take place shortly after the start of the meeting.

Please RSVP to 871-3600 at your earliest convenience should you be interested in attending this meeting.

Sincerely,



Timothy J. Tieperman

TJT/kmw

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