



**TOWN OF MANSFIELD**  
**TOWN COUNCIL MEETING**  
**MONDAY, March 28, 2005**  
**COUNCIL CHAMBERS**  
**AUDREY P. BECK MUNICIPAL BUILDING**  
**7:30 p.m.**

**AGENDA**

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<b>CALL TO ORDER</b>	
<b>ROLL CALL</b>	
<b>APPROVAL OF MINUTES .....</b>	<b>1</b>
<b>MOMENT OF SILENCE</b>	
<b>OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL</b>	
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<b>OLD BUSINESS</b>	
2. <b>An Ordinance Regulating Litter (Item #3, 02-28-05 Agenda).....</b>	<b>11</b>
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**EXECUTIVE SESSION**

REGULAR MEETING-MANSFIELD TOWN COUNCIL-MARCH 14, 2005

Deputy Mayor Gregory Haddad called the regular meeting of the Mansfield Town Council to order. Mayor Paterson was attending the National League of Cities Meeting in Washington. The meeting was called to order at 7:34 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building.

I. ROLL CALL

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

Absent: Paterson

II. APPROVAL OF MINUTES

Ms. Blair moved and Mr. Hawkins seconded to approve the minutes of Feb. 28, 2005 as presented.

So passed. Ms. Koehn, Ms. Redding and Mr. Schaefer abstained.

III. MOMENT OF SILENCE

Deputy Mayor requested a moment of silence to remember all those persons serving in uniform abroad.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

V. PUBLIC HEARING

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

So passed unanimously.

The Director of Public Works, Mr. Lon Hultgren, addressed the Council on this issue. The proposed fee change will allow a twice-a-week collection of eight cubic yard dumpsters if requested from multi-family units in town.

VI. OLD BUSINESS

2. MRRA, Amendment to Solid Waste Regulations, Section A196-12 (G)  
(Item #6 02/28/05 Agenda)

Mr. Hawkins moved and Mr. Paulhus seconded, effective March 14, 2005, to adopt the amendment to Section A196-12 (G) of the Solid Waste Regulations, to allow for twice a week collection of eight-cubic yard dumpsters.

So passed unanimously.

Mr. Schaefer moved and Mr. Clouette seconded to adjourn as the MRRA  
So passed unanimously

3. Zoning Board of Appeals Concerns, Legal Issues (Item #7, 02/28/05  
Agenda) (No attachment)

Mr. Stephen Marks-Hamilton, Chairman of the Zoning Board of Appeals spoke to the Council on this issue. However, staff has stated that the town attorney did issue an opinion that the Planning and Zoning Commission has the authority to interpret the regulations and that the Town Attorney does not have a conflict of interest with respect to providing legal representation to the ZBA.

No action taken by Council.

4. University Spring Weekend and Campus/Community Relations

Bruce Clouette reported that the committee on Community Quality of Life has met and is still working on the draft report to present to the Council. After the Council accepts the report there will be public hearings on it, and one will be on campus.

Ms. Koehn moved and Mr. Paulhus seconded to add 10a and 10b to the agenda.

So passed unanimously.

VII. NEW BUSINESS

5. Fair Housing Policy and Proclamation

Mr. Schaefer moved and Ms. Blair seconded that effective March 14, 2005, that the Mansfield Town Council hereby endorses the attached fair housing policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a nondiscriminatory basis; and, be it further resolved, that the town manager or his/her designated representative is responsible for responding to any person who alleges to be

TOWN OF MANSFIELD

MEMORANDUM

2/14/05

TO: Martin H. Berliner, Town Manager  
FROM: Lon R. Hultgren, Director of Public Works   
Virginia Walton, Recycling/Refuse Coordinator V. W.  
RE: Change to solid waste regulations 8-cubic-yard twice a week collection (set fee)

Recently one of the Town's multi-family managers requested a change in their trash service. The owners of the 160-unit apartment complex want to keep the area around the dumpsters more tidy. In certain locations where the quantity of trash has gotten out of hand, they would like to go to twice a week collection of 8 cubic yard dumpsters. They currently are being serviced with 10 cubic yard dumpsters, our largest dumpster service, but this is inadequate. The solid waste regulations provide rates for once per week dumpster service, with the exception of six cubic yard dumpsters. There are two multi-family locations where twice a week collection has been warranted (one due to space constraints and the other with dining services). To reduce their service to six cubic yard containers emptied twice a week would not provide the extra capacity that this apartment complex needs.

We are recommending that this new multi-family service (8 cubic yard collected twice a week) be added to the Town's solid waste regulations. The rate that we suggest is based on the same ratio that was used to create the twice a week collection rate for the six cubic yard dumpster. The weekly collection of an 8 cubic yard dumpster is now \$303 per month, which ratios to \$566 for twice a week. In order to reflect this change, section A196-12 (G) of the solid waste regulations needs to be modified. Below is the proposed regulation change:

G. 8-cubic-yard container (twice a week)	Providing and emptying a 8-cubic-yard covered refuse container twice per week. Pickup of mixed paper, flattened corrugated cardboard and commingled containers in centralized recycling containers at or adjacent to the refuse container every week.	\$566
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Council's action, acting as the Mansfield Resource Recovery Authority, is respectfully requested to adopt this regulation change.

Cc: File

the victim of an illegal discriminatory housing practice in the Town of Mansfield and

To authorize the mayor to issue the attached proclamation designating the month of April as "Fair Housing Month" in Mansfield.

So passed unanimously.

The council, by consensus would like the Policy statement in the 6<sup>th</sup> paragraph to read:

The Fair Housing Officer, Kevin Grunwald, or his designated representative is responsible for the enforcement and implementation of the Fair Housing Regulations/Plans and the enforcement of the policy. The Fair Housing Officer may be reached at (860) 429-3314 and include his email address and the town's website.

6. Appointment of Auditor to Conduct Financial Audit for fiscal year 2004/05

Mr. Hawkins moved and Mr. Paulhus seconded that effective March 14, 2005, to forward this item to the Finance Committee for its review and recommendation.

So passed unanimously.

7. WPCA, Proposed UConn Water/Sewer Budget 2004/05

Ms. Koehn moved and Mr. Paulhus seconded to adjourn as the Town council and convene as the WPCA. So passed unanimously.

Mr. Schaefer moved and Mr. Hawkins seconded that effective March 14, 2005, to adopt the proposed UConn Water/Sewer Budget for 2004/05 as presented by the Department of Finance.

So passed unanimously.

Mr. Paulhus moved and Ms. Blair seconded to adjourn as the WPCA and reconvene as the Town Council.

So passed unanimously.

8. Tax Abatement for the Society of Jesus of New England

TOWN OF MANSFIELD  
UCONN WATER/SEWER ENTERPRISE FUND ESTIMATED BUDGETS

	<u>2003/04</u> Actual*	<u>2004/05</u> Proposed
OPERATING REVENUES:		
Water/Sewer Charges	<u>\$80,000</u>	<u>\$80,000</u>
Total Operating Revenues	80,000	80,000
OPERATING EXPENSES:		
Water/Sewer Billings	55,783	58,805
Purchased Services & Supplies <sup>(1)</sup>	6,466	6,789
Depreciation	<u>9,272</u>	<u>9,272</u>
Total Operating Expenses	<u>71,521</u>	<u>74,866</u>
Operating Income/(Deficit)	8,479	5,134
Retained Earnings, July 1	<u>319,684</u>	<u>328,163</u>
Retained Earnings, June 30	<u><u>\$328,163</u></u>	<u><u>\$333,297</u></u>

<sup>(1)</sup>Primarily electricity for sewer pumps

\* Agrees with Exhibit H of 2003/04 CAFR

Ms. Blair moved and Mr. Hawkins seconded that effective March 14, 2005, to abate or reimburse property taxes amounting to \$4,363.81 to the Society of Jesus of New England for taxes paid to the town of Mansfield in July 2004 and January 2005.

So passed unanimously.

9. Regional School District No. 19, Superintendent's Proposed FY 2005/06 (attachment to be distributed)

The Superintendent's Proposed budget was given to the Council.

10. Town of Mansfield Annual Report for fiscal year 2003/04

The Town Council was very impressed with the Annual Report primarily prepared by Sara Ann Chaine, management assistant in the Town Manager's Office.

10a. Second Amendment to Fire Protection Agreement

Mr. Hawkins moved and Mr. Schaefer seconded that effective March 14, 2005, to authorize the town manager, Martin H. Berliner, to execute the attached Second Amendment to "Fire Protection Agreement" with the Eagleville Fire Department, Inc. and the Mansfield Volunteer Fire Company, Inc.

So passed. Ms. Blair recluded herself as she is on the committee.

10b. Grant Application-DWI

Mr. Hawkins moved and Ms. Blair seconded that effective March 14, 2005, to authorize town staff to submit a grant application in the amount of \$10,000 to be used for DWI and related motor vehicle enforcement, to the Connecticut Department of Transportation, and to execute any related grant documents.

Sgt. Sean P. Cox was present to answer any questions of the Council.

So passed unanimously.

## VIII. DEPARTMENTAL REPORTS

The Town Council asked the Town Manager to the results of the All Day Kindergarten survey done by the Board of Education.

- IX. QUARTERLY REPORTS
- X. REPORTS OF COUNCIL COMMITTEES
- XI. REPORTS OF COUNCIL MEMBERS
- XII. TOWN MANAGER'S REPORT

The new legislative bill on the Probate Court doesn't seem to have a negative impact upon our Court.

There is a budget hearing at 6:30 p.m. on the 28<sup>th</sup>.

There is a public hearing on the Small Cities Grant Program that may be continued to the next meeting.

- XIII. FUTURE AGENDAS

Council member Koehn requested that Clean Energy be placed on the next agenda, that a discussion on the Resolution on Leed building standards and the Reynolds school renovations and an update on local businesses and the relocation package with the downtown partnership on the next agenda.

- XIV. PETITIONS, REQUESTS AND COMMUNICATIONS

- 11. E. Paterson re: Downtown Mansfield Revitalization and Enhancement Project
- 12. Mansfield Planning and Zoning Commission Application Referral-25 Lot Subdivision on Mansfield City Road
- 13. Mansfield Planning and Zoning Office-UConn Students Living on campus at Storrs
- 14. National League of Cities re: K. Grunwald Selection to Participate in Cities Supporting Parents of Young Children Leadership Academy.
- 15. Connecticut Conference of Municipalities-Testimony to the Transportation Committee.
- 16. The Hartford Business Journal, February 28, 2005-"Reinventing Mansfield"
- 17. "The Broadcaster, February 18, 2005-Help Pours in After Fire and Juniper Hill Village"
- 18. Northeast Family Federal Credit Union-"Show you care...Adopt a Bear"
- 19. Governing, February 2005-"Grading the States, A Management Report Card:
- 20. University of Connecticut Advance, February 28, 2005-"New Restaurant to Open in Student Union"

XV. EXECUTIVE SESSION

Not needed.

XVI. ADJOURNMENT

At 8:38 p.m. Ms. Blair moved and Mr. Hawkins seconded to adjourn the meeting.

So passed unanimously.

Gregory Haddad, Deputy Mayor

Joan E. Gerdson, Town Clerk

**LEGAL NOTICE**

The Town of Mansfield will hold a public hearing on March 28, 2005 at the Audrey P. Beck Building 4 South Eagleville Road, Mansfield, CT at 7:30 p.m. to review and discuss its proposed Application to the State Department of Economic Community Development for funds under the Small Cities Program.

The purpose of the public hearing is to obtain citizens views on the Town's community development and housing needs and review and discuss specific project activities in the areas of housing, economic development or community facilities which could be a part of the Town's Application for funding. The Town is considering submitting an Application(s) for the initiation of a code enforcement program in certain neighborhood areas and the construction of a business incubator to increase economic development opportunities and investments and create or retain jobs especially for moderate and lower income persons. The Town will also review and discuss the proposed use of Program Income funds to assist the Housing Authority with renovations at Wrights Village Senior Housing for accessible bathroom modifications. Other potential or proposed projects eligible for Small Cities funding may also be reviewed and discussed at this hearing.

The Town will also review the status of its current Small Cities project and programs at this hearing in anticipation of this submission.

All are encouraged to attend. The hearing is accessible to the handicapped.

Any disabled persons requiring special assistance or non-English speaking persons should contact Mr. Matthew Hart, A.D.A Coordinator at (860) 429-3339 at least five days prior to the hearing.

Further information may be obtained concerning the program by contacting Ms. Linda Patenaude, Capital Project Coordinator at (860) 429-3336 between the hours of 8:15 a.m. to 4:30 p.m. Monday through Wednesday, 8:15 a.m. to 6:30 p.m., Thursday, 8:00 a.m. to 12:00 noon, Friday.

**Equal Opportunity Employer/Affirmative Action**

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Please publish twice in the Willimantic Chronicle. The **first time** being on the publication date of **Monday, March 7, 2005** and the **second time** being on the publication date of **Monday, March 21, 2005**.

Please invoice:      Town of Mansfield  
                                 Town Hall, 4 South Eagleville Road  
                                 Storrs, CT 06268

**AN AFFIDAVIT OF PUBLICATION IS REQUIRED. PLEASE FORWARD DIRECTLY TO THE ADDRESS BELOW AS SOON AS POSSIBLE.**

L. Wagner & Associates, Inc.  
51 Lakeside Boulevard East  
Waterbury, CT 06708

Any questions or inability to comply with the above please contact Lauri at (203) 573-1188 AS SOON AS POSSIBLE.

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** *Martin Berliner*  
 Martin Berliner, Town Manager  
**CC:** Matt Hart, Assistant Town Manager; Lon Hultgren, Director of Public Works;  
 Dennis O'Brien, Town Attorney  
**Date:** March 28, 2005  
**Re:** An Ordinance Regulating Litter

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**Subject Matter/Background**

Based upon the additional comments that we have received, attached please find a further revised draft of the proposed "Ordinance Regulating Litter."

In consultation with the town attorney, staff has made the following changes to the draft:

- Revised section 4(a) to provide a somewhat more rigorous definition of blight and to provide the enforcement officer with additional guidance
- Revised section 4(D) to include garbage and rubbish within the definition of litter, and to delete other language that appeared unnecessary
- Removed the language in section 15(B) regarding a lien for violations of this section. The removed language was not truly necessary, as section 15(D) allows the town to use the procedure outlined in the "Hearing Procedure for Citations Ordinance," which provides the town with the ability to pursue a judgment in state court for an unpaid fine. The "Hearing Procedure for Citations Ordinance" also provides the cited person with certain due process protections, most notably the right to a hearing, which should alleviate the council's concerns about placing a lien against a property for an unpaid litter citation. From past experience, most people will probably pay the citation without protest.
- Related to this item above, we have preserved the lien provision in section 16, as staff believes it is appropriate to lien a property where the town has incurred the expense to clean that site

Furthermore, we have had some discussion as to whether we need separate litter and blight ordinances. Staff does not believe that two ordinances are necessary, as the majority of the litter ordinances that we have reviewed do contain a "removal by town" section, which we have referred to as the "mini-blight" provision (section 16). The true blight ordinances that some towns have in place are targeted more towards commercial properties and rundown rental properties. We do not think the problem is as acute in Mansfield, and the "removal by town" section 16 is sufficient to protect our interests and to allow us to enter and to clean up a property in those remote circumstances where we believe this action is warranted.

Upon reviewing the draft, you will find that new language is in **bold and underlined**. Deleted language is in ~~strikeouts~~.

### **Financial Impact**

At present, we believe the ordinance could be effectively enforced with existing personnel, including the refuse and recycling agent, the zoning enforcement officer and our police officers. After we gain some experience with the ordinance, our opinion on this issue could change. Our enforcement of the ordinance would raise some limited revenue that would help to cover administrative expenses, but we do not anticipate that it would be sufficient to cover the cost of additional personnel.

### **Legal Review**

Staff has prepared the proposed ordinance in consultation with the town attorney.

### **Recommendation**

Staff believes that the ordinance would provide us with a valuable tool to address quality of life issues associated with litter. Consequently, we recommend that the council adopt the ordinance as proposed.

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

*Move, effective March 28, 2005, to adopt an "Ordinance Regulating Litter" as presented by staff in its draft dated March 28, 2005, and which ordinance shall become effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.*

### **Attachments**

- 1) Proposed Ordinance



**Town of Mansfield  
Code of Ordinances  
“An Ordinance Regulating Litter”**

*March 28, 2005 Draft*

**Section 1. Title.**

This Ordinance shall be known and may be cited as the “Ordinance Regulating Litter” or “Litter Ordinance.”

**Section 2. Legislative Authority.**

This Ordinance is enacted pursuant to the provisions of *Connecticut General Statutes* §7-148 *et seq.*, as amended.

**Section 3. Findings and Purpose.**

The Town Council of the Town of Mansfield finds that the improper dispersion of litter and garbage within the community creates a public health hazard and blight, and is therefore detrimental to the general welfare, health and safety of the people of Mansfield. Therefore, pursuant to the various police, health and public safety powers granted to municipalities under *Connecticut General Statutes* § 7-148, the Town of Mansfield seeks to protect, preserve and promote the health, safety, welfare and quality of life of its people by regulating the dispersion of litter and garbage.

**Section 4. Definitions.**

For the purpose of this Ordinance, the words and phrases used herein shall have the following meanings, unless otherwise clearly indicated by the context:

- A. “Blight” or “Blighted premises” shall mean any parcel of land where at least one of the following conditions exists:
  - 1) It has been determined by an Enforcement Officer, acting within the scope of his/her authority, that a condition exists that poses a serious or immediate threat to the health, safety or general welfare of the community.

- 2) The property is in a physically deteriorating condition causing unsafe or unsanitary conditions or a nuisance to the general public, as evidenced by one or more of the following conditions:
    - a. Rodent harborage and/or infestation.
    - b. Persistent **and substantial litter**, garbage or rubbish on the property.
  - 3) The overall condition of the property causes an unreasonable impact on the enjoyment of or value of neighboring properties **as evidenced, for example, by complaints or statements of witnesses, photographs, code violations, reports or inspection by an Enforcement Officer.**
- B. "Enforcement Officer" shall mean one or more employees or agents of the town, designated by the Town Manager to enforce the provisions of this Ordinance.
  - C. "Garbage" shall mean putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.
  - D. "Litter" shall mean any discarded, used or consumed substance or waste material, **garbage or rubbish** ~~whether made of aluminum, glass, plastic, rubber, paper or other material or synthetic material or combination thereof,~~ which has not been deposited in a refuse receptacle.
  - E. "Park" shall mean a park, reservation, playground, recreation center or any other public area in town, owned or used by the town and devoted to active or passive recreation.
  - F. "Person" shall mean any individual, firm, partnership, association, syndicate, company, trust, corporation, limited-liability company, municipality, agency, or political or administrative subdivision of the state or other legal entity of any kind.
  - G. "Private premises" shall mean any dwelling, house, building, or other structure, designed or used, either wholly or in part, for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, sidewalk and abutting edge of the street, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.
  - H. "Public place" shall mean any area that is used or is held out for use by the public whether owned or operated by public or private interests.
  - I. "Refuse" shall mean both garbage and rubbish.
  - J. "Rubbish" shall mean non-putrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood glass, bedding, crockery and similar materials.

K. "Vehicle" is every device in, upon or by which any person or property is or may be transported or drawn upon a highway.

**Section 5. Littering in public places.**

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the town except in public receptacles, in authorized private receptacles for collection, or in official town disposal areas.

**Section 6. Placing of litter in receptacles to prevent scattering.**

Persons placing litter in public receptacles or in private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

**Section 7. Sweeping litter into public places; duty to keep sidewalks clean.**

No person shall sweep into or deposit in any gutter, street or other public place within the town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning, controlling or occupying property shall keep the sidewalk or abutting edge of the street in front of their premises free of litter.

**Section 8. Merchants to keep sidewalks, public places free of litter.**

No person owning, controlling or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning, controlling or occupying places of business within the town shall keep the sidewalk or abutting edge of the street in front of their business premises free of litter.

**Section 9. Throwing litter from vehicles.**

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the town, or upon private property.

**Section 10. Vehicles causing litter.**

No person shall drive or move any truck or other vehicle within the town unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street or other public place, or upon private property.

**Section 11. Litter in parks.**

No person shall throw or deposit litter in any park within the town except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place or upon private property. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

**Section 12. Littering fountains or bodies of water.**

No person shall throw or deposit or cause to be blown, scattered, spilled or otherwise dispose of any litter in any fountain, pond, lake, stream, or other body of water in a park or elsewhere within the town.

**Section 13. Litter on private property.**

No person shall throw or deposit litter on any private property within the town, whether owned by such person or not, except that the owner or person in control of occupied private property may maintain private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

**Section 14. Duty to maintain premises free of litter or blight.**

The owner, agent, tenant or person in control of any private property shall at all times maintain the premises free of litter or blight; provided, however, that this section shall not prohibit the storage of litter in private receptacles for collection.

**Section 15. Enforcement, Violations and Penalties.**

Enforcement of this Ordinance shall be as follows:

- A. The Town Manager shall designate one or more Enforcement Officers, who are empowered to take such enforcement actions as authorized in this Ordinance.
- B. Any person violating the provisions of this Ordinance shall be deemed to have committed an infraction and may be issued a citation. Said citation shall inform the person named therein of the allegations against him or her, the amount of the fine due, and the date on which payment of the fine is due, which shall be no later than ten (10) days after the date of the citation. Said citation shall be hand delivered or mailed by certified mail, return receipt requested, addressed to the person named therein at his or her last known address. Citations shall be punishable with a fine of ninety (\$90) dollars for each violation. Each

separate day that a violation exists after the issuance of a citation shall be subject to a separate additional fine without the issuance of a separate citation.

~~Per *Connecticut General Statutes* section 7-148aa, any unpaid fine imposed by the Town pursuant to this Ordinance regulating litter and blight shall constitute a lien on the real estate against which the fine was imposed from the date of the fine. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens filed after July 1, 1997, and encumbrances except taxes and may be enforced in the same manner as property tax liens.~~

- C. In lieu of issuing a citation per Section 15(B) of this Ordinance, the Enforcement Officer may serve written notice of the violation(s) of this Ordinance to the owner, agent, tenant or person in control of any occupied or vacant property within the town. Such notice shall be hand delivered or mailed by certified mail, return receipt requested, addressed to said owner, agent, tenant or person in control of the subject property at the last known address.

Such notice shall state the violation(s) as outlined hereinafter, demand its correction within ten (10) calendar days, and state that if the person cited fails to correct the violation before the deadline, the Town may issue a citation to the owner, agent, tenant or person in control of the subject property per Section 15(B) of this Ordinance.

- D. In addition to any other remedy authorized by this Ordinance, if any such fine issued pursuant to the provisions of this Ordinance is unpaid beyond the due date, the Town may initiate proceedings under the authority of *Connecticut General Statutes* §7-152c and the Town of Mansfield "Hearing Procedure for Citations Ordinance" to collect such fine.

#### **Section 16. Removal by town.**

- A. *Notice to remove.* In lieu of or in addition to the remedies authorized in Section 15 of this Ordinance, the Enforcement Officer is authorized and empowered to notify the owner, agent, tenant or person in control of any occupied or vacant private property within the town to properly dispose of litter located on the subject property that is in violation of this Ordinance. Such notice shall be by certified mail, addressed to said owner, agent, tenant or person in control of the subject property at his/her last known address.
- B. *Action upon noncompliance.* Upon the failure, neglect or refusal of any owner, agent, tenant or person in control of the subject property so notified to properly dispose of litter or blight within ten (10) days after receipt of the written notice provided for in subsection A above, the Enforcement Officer is hereby authorized and empowered to pay for the disposing of such litter or to order its disposal by the Town.
- C. *Recorded statement constitutes lien.* Upon completion of such work, the Enforcement Officer shall determine the reasonable cost thereof and bill the owner, agent, tenant or

person in control of the subject property. Upon failure of the owner, agent, tenant or person in control of the subject property to remit to the town the amount of such charge within thirty (30) days from the date of such notice, the Enforcement Officer, within ninety (90) days from the date of such notice, shall record in the land records of the Town a sworn statement showing the cost and expense incurred for the work, the date the work was performed and the location of the property on which said work was performed. The recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and legal interest, plus costs in court, if any, for collection, until final payment has been made. Sworn statements recorded in accordance with the provisions hereof shall be *prima facie* evidence that all work has been completed properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and the same is due and collectible as provided by law. Said lien shall have the same effect and may be foreclosed in the same manner as a tax lien.

**Section 17. Appeals Procedure.**

Any person fined pursuant to this Ordinance may appeal such fine pursuant to the provisions of the Town of Mansfield Hearing Procedure for Citations Ordinance.

**Section 18. Construction.**

Whenever used, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.

**Section 19. Savings Clause.**

Should any court of competent jurisdiction declare any section or clause or provision of this Ordinance to be unconstitutional or *ultra vires*, such decision shall affect only such section, clause or provision so declared unconstitutional and shall not affect any other section, clause or provision of this Ordinance.



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** *Martin Berliner*  
Martin Berliner, Town Manager  
**CC:** Matt Hart, Assistant Town Manager; Gordon Schimmel, Superintendent of Schools  
**Date:** March 28, 2005  
**Re:** Mansfield Board of Education Legal Fees

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**Subject Matter/Background**

The superintendent and members of the Mansfield Board of Education would like to speak with the town council at Monday's meeting to review the issue legal fees. We respectfully suggest that the council move this item up on the agenda to the first order of business.

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Martin Berliner, Town Manager  
**CC:** Matt Hart, Assistant Town Manager; Louise Bailey, Library Director  
**Date:** March 28, 2005  
**Re:** Application for FY 2005/06 Library Services Adaptive Technology Grant

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**Subject Matter/Background**

Attached please find a grant application to the Connecticut State Library seeking \$17,550 in funding to assist the Mansfield Public Library in developing targeted services and programs for residents aged 65 and older. Labeled the "Senior Outreach Services" project, the proposed program would enable the library to provide senior residents with the opportunity to borrow library materials in a variety of formats from three depository collections at Juniper Hill Village, the Center for Nursing and Rehabilitation and the Mansfield Senior Center. The project would also enable seniors to receive library materials via homebound delivery service.

**Financial Impact**

The total amount of the application is for \$17,550, of which \$5,750 would be contributed by the town through in-kind services.

**Recommendation**

In preparing the grant application and the proposed project, the library has partnered with a number of agencies in the community that provide services to seniors, and they collectively believe that the project has much to offer this segment of the population. Consequently, staff recommends that the town council authorize staff to submit the application as presented, and to execute any related grant documents.

If the town council supports this recommendation, the following motion is in order:

*Move, effective March 28, 2005, to authorize staff to submit an application to the Connecticut State Library seeking \$17,550 in funding to assist with the Mansfield Public Library's Senior Outreach Project, and to execute any related grant documents.*

**Attachments**

- 1) Proposed Grant Application



CONNECTICUT STATE LIBRARY  
APPLICATION FOR A FISCAL YEAR 05/06  
LIBRARY SERVICES AND TECHNOLOGY ACT  
PROGRAM or ADAPTIVE TECHNOLOGY GRANT

Applicant (Organization) Name: Mansfield Public Library  
Applicant Address: 54 Warrentville Road  
Mansfield, CT. 06250  
Project Director: Margaret M. Frank  
Phone Number: 860-423-2501  
E-mail Address: mmfrank@bilbio.org  
Website (URL): http://www.biblio.org/mansfield  
Amount of Grant Requested: 11,800.00  
Minimum grant award: \$3,000  
Maximum grant award: \$20,000 (\$10,000 for Adaptive Technology Grants)  
Match Required: 25% of the grant amount requested  
Grant Period: 7/1/05 to 6/30/06

Indicate the category in which you are applying for a grant (check one).

1. Adaptive Technology
2. Collaborations to Support Children's Literacy
3. Programs for Children in Poverty
4. Programs for Individuals with Disabilities
5. Programs for Non-English Speaking Populations
6. Programs for Older Adults

Send your electronic submission to Sheila Mosman at [smosman@cslib.org](mailto:smosman@cslib.org). Paper copies of the originally signed Project Budget Page and the Certification Regarding Debarment must be mailed to the address below. Acknowledgement of receipt of your grant application will be sent within 5 working days.

Paper submissions will be accepted. Type used must be 12 point or larger. Please return one original and three copies of the completed application package to:

Sheila K. Mosman  
Grants and Contracts Manager  
Connecticut State Library  
231 Capitol Avenue  
Hartford, CT 06106

**COMPLETED APPLICATIONS MUST BE RECEIVED BY THE STATE LIBRARY  
NOT LATER THAN 4:30 PM ON MARCH 4, 2005.**

## **A. ABSTRACT**

Project Title: **S.O.S. - Senior Outreach Services**

This project seeks to serve seniors with tailored library services and programs. The project will involve completing a targeted survey conducted at the Town of Mansfield Senior Center, Juniper Hill Adult Housing Community, and The Center for Nursing and Rehabilitation and developing depository collections and delivery services based on the feedback gathered from the survey. An additional goal is to study and respond to patron needs by beginning a delivery service of materials to the homebound elderly. The library currently provides residents of Juniper Hill Adult Housing Community and Mansfield Center for Nursing and Rehabilitation with monthly library outreach programming which will be continued and enhanced with feedback results from planned surveys. This project will partner with town agencies (Mansfield Senior Center, Mansfield Social Services), Juniper Hill Adult Housing Community, Mansfield Center for Nursing and Rehabilitation and various private groups (Friend of the Mansfield Library, Meals on Wheels, Visiting Nursing Association, Windham Hospital Food to Home Program, Dial-A-Ride, Community Companions and Homemakers and various Houses of Worship) in identifying those who can benefit from these added services.

## **B. PROGRAM PLAN**

The purpose of this grant opportunity is to provide funding for your library to address a need in your community. First you must demonstrate that there is the need. Then you must propose a solution. You must describe what you will do, for whom, and for what benefit or outcome.

*Applications will be scored 0-5 points for the response to each bulleted item.*

### **1. What is the need in your community that you hope to address with this project?**

- ◆ **Describe your proposed project and the community need that it will address.**

This library outreach program will provide a dynamic depository collection of library materials responsive to the targeted populations' information and recreational

needs based on the feedback gathered from the survey. The depository collections will rotate every three months between the 3 targeted locations (Juniper Hill, Mansfield Center for Nursing and Rehabilitation and Mansfield Senior Center) and will be augmented with material from the current Mansfield Library collection and borrowed from the State Library Service Centers in Willimantic and Middletown.

Mansfield governmental agencies, Houses of Worship and private organizations will be sought as partners in identifying and serving the various individuals we hope to assist with the homebound delivery service of library materials. While some of these agencies are currently partnering with the library on an ongoing basis, others will be identified and contacted as the project advances.

It is important to stress that in serving the nursing home clientele it is essential to remember that the residents of any particular home may not have anything more in common than their mailing address. For whatever reason, this is a group that has experienced some degree of impairment or loss and they need the services a nursing home offers. The goal of the outreach programming to Juniper Hill and Mansfield Center for Nursing and Rehabilitation is to provide a stimulating continuing-education-type program that broadens the current planned activity schedules at these locations. The library seeks to provide enrichment and entertainment to the target populations with these educational and recreational programs.

◆ **Define the target population (age, size and other descriptions).**

The 2000 census data for Mansfield indicated there are 1839 residents who are 65 or older. This comprises 8.9% of our population. The town has a 100 unit residential adult housing community with 105 residents (few married couples) with an average age of 82. It is an independent living facility with an assisted living component (2 meals a day and nurse on site 20 hours a week.) In addition the community hosts The Mansfield Center for Nursing and Rehabilitation, a residential center with 98 residents. The age of the sub-acute (rehabilitation) area ranges from 75-80 while the long term population's average age is 88. Mansfield also has an active senior center with members ranging in age from 64-95 years of age. Seniors can become members at 55 years of age; however they are not active participants since most are still working. Most of the seniors who attend the Mansfield Senior Center drive but as they become dependent on dial-a-ride or no longer

can drive their attendance tends to drop off and the services that will be provided by the homebound delivery of library materials could potentially increase. It is also important to note that the Mansfield Senior Center is centrally located within Mansfield and the Library is located on the southern edge of town so even though the Seniors are willing to drive to the Senior Center, they may not feel comfortable driving to the Mansfield Library.

The housebound delivery service population is defined as Mansfield residents with disabilities whether that disability be age or due to some other physical limitation.

◆ **Describe how you have communicated with people in your target population to determine their needs.**

Currently some of these services are already in existence, the communication of service needs was through an earlier contact with Dawn David the Recreation Director at Juniper Hill, and Patty Hope the Senior Services Coordinator at Mansfield Senior Center. These preliminary conversations showed enthusiastic support for the Mansfield Library to provide and maintain depository collections of library materials. The Recreational Director at Juniper Hill was also extremely responsive to the idea of the Public Service Librarian coming to Juniper Hill and providing monthly programs of interest that promote lifelong learning. The first contact with Mansfield Center for Nursing and Rehabilitation was initiated by conversations at the reference desk with patrons visiting the library and expressing a need for these services per the request of their parent, a long term resident at the center. This initial contact was followed up with Stacy Estrella, the Recreation Director at Mansfield Center for Nursing and Rehabilitation who wholeheartedly supported the creation of a depository collection and monthly programs similar to those being provided to Juniper Hill residents. With the development of the user surveys, the goal is to provide more effective depository collections responsive to the needs and interests of the residents in conjunction with providing programs addressing the targeted populations' interests based on their survey responses.

Also, even though it is anecdotal at this point in time, the need for library outreach to the homebound will be explored based on correspondence with the Patty Hope, Senior Services Coordinator at the Mansfield Senior Center who stated that there are 12 meals sent out daily to homebound elderly seniors from there. Through the development and

distribution of surveys through the various organizations who deal with Seniors (e.g. Dial-A -Ride, Community Companions and Homemakers, VNA East, Windham Hospital Food to Home and others yet to be identified) the intent is to identify a target population that would appreciate home delivery of library materials.

◆ **Describe how this project fits into your library's mission and total range of service.**

The project is a natural extension of the mission of Mansfield Library "to provide convenient access to information that can enhance the lives of Mansfield residents of all ages." The Library emphasizes current, popular materials and seeks to provide programs of general interest to the Mansfield community. In order to guarantee that library services meet the needs of our entire population, the special needs of seniors (e.g. lack of mobility, need for materials in various formats) must be accommodated to achieve this goal. Only by making a concerted effort to providing a broad range of materials in a variety of formats and by providing programs and services that promote lifelong learning to this targeted population group will the library will be closer to achieving its mission.

◆ **Address the specific requirements of the grant category. (See *Descriptions of Grant Programs for Which Applications Will Be Considered.*)**

This S.O.S. project will provide the 1,839 senior residents of Mansfield with the opportunity to borrow library materials in a variety of formats from the three depository collections at Juniper Hill, the Center for Nursing and Rehabilitation and Mansfield Senior Center or to receive library materials through the homebound delivery service. To address the access issues specific to older adults the depository collections will be developed to meet their needs and interests by providing a broad range of materials in a variety of formats to enhance their quality of life. The programs planned for Juniper Hill and the Mansfield Center for Nursing and Rehabilitation will be programs that will appeal to all senses, and will appeal to diverse audiences. Library-initiated outreach services will meet the needs of older adults by providing them with the opportunity to maintain their independence as library users. By providing a variety of materials and programs that offer informational or recreational entertainment the library seeks to enhance the quality of life of the target population.

◆ **Explain why the library is unable to fund this project out of the current operating budget.**

As in most municipalities the library's material budget has not kept rate with inflation with the result being less materials can be purchased. The ability to purchase large print books and books on tape is not keeping pace with the current demand let alone purchasing for depository collections. The current large print book budget is funded 100% by the Friends of the Library book sale profits. The current large print collection is a pre-selected standing order of 7 books a month for \$162.47/month. This is a total of 84 books a year. Books on CD are extremely popular circulating material formats and because they are so popular it would be difficult to set aside these formats for depository collections outside of the library building for any length of time. Our Video and DVD budget was not funded in fiscal year 2003/2004 and currently is funded at \$1, 765.00. This budget is for both entertainment and educational videos and the majority of them do not have public performance rights.

The staffing to provide these services is not incorporated separately into the budget, however with a successful implementation of the grant and a proven track record the funding could become part of the larger library budget based on the documented needs that the services fulfill.

◆ **Include relevant data such as statistics, community input, professional research data, your library's mission or library plan.**

According to the 2000 census, 8.9% of Mansfield population or 1839 residents are 65 years of age or older. A breakdown of those 1839 residents shows: 698 are 75-84, and 215 are 85+. By gender, 793 are male and 1046 are female. The census data indicated there are 96 individuals that are 65+ and low income. There are 93 60+ minority elderly and no 60+ low income minority elderly. Census data also states 176 seniors had an income at 150% of the poverty level. On average 70-75 seniors visit the Mansfield Senior Center daily. The seniors range in age from 64-95 years of age and all the seniors who participate at the center live in independent housing and most ambulate without devices. There has been considerable town support for this grant's mission. They include: Mansfield Social Service Director, Kevin Grunwall, Dawn Davis, Recreation Director at

Juniper Hill, Stacey Estrella, Recreation Director at Mansfield Center for Nursing and Rehabilitation, and the Friends of the Mansfield Library who in the past had a delivery service of library materials to the homebound. As previously stated, this project is a natural extension of the mission of Mansfield Library “to provide convenient access to information that can enhance the lives of Mansfield residents of all ages. By providing a broad range of materials in a variety of formats and by providing programs and services that promote lifelong learning to this targeted population group, the library will be closer to achieving its mission.

## **2. What will you do? For whom?**

### **◆ Describe in clear, specific terms what you will do and for whom.**

1.) Define the type of depository collection desired and the type of programs desired by the target population through a survey distributed to the residential community, senior center and nursing and rehab facility. To publicize the survey, advance notice will be given to the administrators of Juniper Hill, Mansfield Senior Center and Mansfield Rehab so that they can publicize the survey with their staff and residents through newsletters, posted signs around the facilities and through meetings and activities. The collected surveys will be tallied and the results will provide an excellent tool for the development of services and depository collections for the target audience.

2.) The library will develop an information campaign to publicize the creation of a homebound service. Notices will be placed in the local newspapers, library newsletter, and on the library and town webpage to encourage those interested to contact the library. Publicity will be for both volunteers (delivery services) and for users of the program. In addition flyers will be created and distributed to current providers of services to the homebound such as Meal-On-Wheels, VNA East, Windham Hospital Food to Home Program, Dial-A-Ride and Community Companions and Homemakers to distribute on their visits. After contacts are made in the community to determine individuals interested in homebound delivery, a survey will be sent out enclosed with a postage paid envelope to those interested individuals to determine the types of materials they would be interested in receiving in the homebound delivery program. Staff will create a printed

procedure brochure for these users to request books (over the phone, via fax, mail or through the online catalog). Staff will schedule frequency of deliveries with volunteers (Friends members and other volunteers who express an interest).

3.) Collection materials for depository collections and homebound service will be of all types and formats. Standard purchasing practices and vendors currently in use by Mansfield Public Library will be utilized in building this collection. Current review sources used by Mansfield Public Library for collection development will also be used to develop these depository collections and include: Booklist, Library Journal, Publisher's Weekly and Video Librarian. Outreach Program material will be in DVD/VCR format with public performance licensing rights.

4.) Supplies to augment these depository collections will also be purchased from established vendors. The anticipated equipment needed to provide outreach include: portable CD players for the three previously identified depository collections plus outreach to homebound. A large library book cart will be purchased to hold library materials at the Mansfield Center for Nursing and Rehabilitation so that the collection can easily travel throughout the building to allow the residents an opportunity to browse the collection and make their own choices. The depository collections at the Senior Center and at Juniper Hill will have a permanent location. In addition, combination DVD/VCR players will be purchased as library equipment for library sponsored programs at the Juniper Hill and Mansfield Center for Nursing and Rehabilitation. These purchased are vital because these facilities only have outdated VCR's that cannot be used with the new DVD format. Since VCRs are being phased out the library needs to remain current with technological changes by only purchasing DVD format materials.

5.) The plans for the collection development of the three depository collections and the outreach services along with the material selection for the monthly programs at Juniper Hill and Mansfield Center for Nursing and Rehabilitation will be developed and implemented based on the data collected from the surveys.

- ◆ **Identify resources you will need for the project and the stakeholders that will be involved.**

Resources required for this project will be a rotating collection of 1,000 items including magazines, Books on CD, and books (combination of current library material, planned purchases and books borrowed from the state library service centers.) The large print books, magazines and Books on CD will consist of new material purchased through the grant. In addition twelve new DVDs will be purchased to provide varied entertaining and educational programming opportunities. Staff time is an additional resource that will need to be considered for all aspects of the Senior Outreach Services project.

The Friends of Mansfield Library is a vital stakeholder in this project since the current library collection of large type books is solely funded by their generosity and this collection will be used to augment the grant purchased collection. Additional stakeholders are the residents and staff at Juniper Hill Adult Housing Community, staff and residents at Mansfield Center for Nursing and Rehabilitation, Town of Mansfield Social Services Departments, members of the Mansfield Senior Center and the homebound population identified through the surveys.

**◆ Describe how you will select materials and plan activities; provide timeframes.**

<b>Task</b>	<b>Timeline</b>
Initiate publicity campaign for services	July 1, 2005
Identify Homebound population	July 2005
Develop and Distribute Surveys	July 2005
Interpret Results of Survey and Develop Budget	September 2005
Identify 1st selection of materials	September 2005
Purchase Supplies and 1st selection of materials	October 2005
Process and distribute 1st selection of materials	October 2005
Identify 2nd selection of materials	January 2006
Purchase 2nd selection of materials	February 2006
Process and distribute 2nd selection of materials	February 2006
Develop, Distribute and Interpret Post Survey	March 2006
Provide (2) Outreach Programs of Interest monthly	July 2005 – July 2006

**◆ Indicate who will do the work and describe their qualifications.**

The Public Service Librarian responsible for this project has a Masters in Library Science with 2 years of experience as the Public Services Librarian in Mansfield. This librarian will be in charge of the collection development and delivery of the depository collections. In addition, all publicity, monthly programming, maintaining all records and coordinating services to homebound residents will be the responsibility of the librarian. The acquisitions and processing of the new collection will be done by a Library Assistant II. The services of a Library Assistant I will also be used as needed for the creation of publicity notices, flyers and to assist in the processing of new materials and the processing of borrowed materials from the state library service centers.

◆ **Describe how your project will be publicized.**

Communication with representatives of Juniper Hill, Mansfield Senior Center and Mansfield Center for Nursing and Rehabilitation will guarantee the inclusion of the services being publicized in their monthly newsletters. Outreach services to the homebound will be publicized in the library monthly newsletter, the local newspapers, through flyers posted at town agencies at Houses of Worship, on the library and town websites and through flyers distributed when services are provided to the homebound by outside agencies such as: Meal-On-Wheels, VNA East, Windham Hospital Food to Home Program, Dial-A-Ride, and Community Companions and Homemakers.

3. **What is the anticipated benefit or outcome?**

◆ **Describe the benefit to your target population.**

The anticipated benefit will be improved depository collections that meet the target populations informational needs and interests based on the survey responses, increased access to library materials by creating a homebound delivery service and enhanced monthly programming due to the ability to provide programming tailored to the interests based on the survey results.

◆ **Relate the benefit to the stated need.**

Residents of Juniper Hill, Mansfield Center for Nursing and Rehabilitation and

members of Mansfield Senior Center will use the depository collection to obtain library materials that serve their information and recreational needs. The homebound population will remain independent and skillful users by having access to library materials that also meet their informational needs and interests. Residents at Juniper Hill and Mansfield Center for Nursing and Rehabilitation will have continuing-education-type programs that will provide enrichment and entertainment.

- ◆ **Identify the project's specific, measurable outcomes and/or outputs. An outcome measures the result of your program; what will improve in the skills, behavior, knowledge, or attitude of the target population (e.g., % of program participants will double the amount of time reading to their children). An output measures the volume of successful activities or evidence of service delivery (e.g., the number of books circulated or attendance at programs).**

75% of the target population using the depository collection/attending programs will report a two point increase (on a scale of 5) in their ability to attain materials/attend programs responsive to their individual information and recreational needs within 6 months of the project's commencement.

At Juniper Hill and at the Mansfield Center for Nursing and Rehabilitation the target population will attend programs with at least 10% of the population will attend the programs monthly. These programs will offer opportunities for lifelong learning and meet their needs and interests, while providing a source of enjoyment and increase their quality of life.

The circulation of the new depository collection at the three locations will increase by 20% over the current depository collections at the 3 locations. The reading and audio material will be enjoyed by the targeted community. This will be measured by the circulation and by brief surveys.

To improve access to materials to the homebound target population our goal is to identify and serve 10 residents on a regular basis by the end of the grant period.

#### **4. How will you measure the outcomes and outputs?**

- ◆ **Describe how you will measure each expected outcome and/or output.**

The outcome will be measured with brief pre and post surveys in print form.

The output of the monthly programs will be measured by the number of the target population in attendance.

The output of the depository collection will be based on the circulation of the materials in these locations.

The output for the homebound delivery service will be the number of the targeted population participating in the program.

- ◆ **Include samples of any pre/post surveys or interview forms.**

See attached

##### **5. How will your library continue the project?**

- ◆ **Describe resources and funding needed to continue the project.**

The continuation of this project is dependent on having a continuous source of large print materials and Books on CD for the depository collections and for services to the homebound. These resources will come from the Mansfield Public Library collection and materials borrowed from the state library service centers in Willimantic and Middletown. In addition future Video/DVD purchases made by the library will also take into consideration the requirements necessary for use as public performance programming material. By involving town agencies in the planning, partnering and delivery of these services the Library hopes to demonstrate the importance of these services to the targeted population and if successful, these new services and collection enhancements would be incorporated into the regular operating budget in the future and become a documented job task for the Public Service Librarian. The library is committed to the long term success of the project and will seek funding from the town as well as alternative sources accordingly.

- ◆ **Describe how you will obtain resources and funding. Describe how you will work with major stakeholders to ensure continuation.**

Discussion will be initiated with the Friends of Mansfield Library to explore the possibility of changing the purchasing process of large print materials. The current large print collection is a pre-selected standing order of 7 books a month for a cost of \$162.47/month. If the collection development was handled by librarians instead, the funds could be more efficiently spent (purchase 114 books versus 84) thereby allowing usage of this collection by all library users including the targeted population. Additional resources will be accessed from the Mansfield Library collection and the state library

service centers. The major stakeholders: Mansfield Senior center, Juniper Hill, and the Mansfield Center for Nursing and Rehabilitation will be provided with status reports along with directed opportunities to assist with funding these services.

### C. ADA REQUIREMENTS

1. Will activities in your grant program be held in an area accessible to people with disabilities? (Please note that all programs, meetings, and group activities must be accessible to people with disabilities.)  
Yes  No

If no, please explain how will you make the program accessible to people with disabilities.

2. Is there equal access to information, programs, and resources? For example, a sign language interpreter must be provided, if needed. If your LSTA grant includes purchasing library materials, you must include a variety of formats and range of reading levels to assist people with hearing, sight, and cognitive disabilities. If no, your application will not be considered for funding.

Yes  No

If yes, please explain how you will provide equal access to this program.

Material in a variety of formats (including large print, magazines and Books on CD) and geared for various reading abilities of the targeted population will be purchased.

These materials will be delivered to each of the three facilities and the homebound thereby alleviating the accessibility issues of seniors who have difficulty with their mobility, sight or dexterity.

Programs presented will be designed to appeal to diverse audiences and appeal to all the senses.

## INSTRUCTIONS FOR COMPLETING LSTA PROJECT BUDGET FORMS

1. All project costs must be incurred during the grant period to accomplish the objectives of the project. Costs must be verifiable from the grantee's financial records and these records will be the source of information for the final report of grant expenditures to close the grant.
2. Applicants for LSTA grants must provide a local match for all grants as indicated on the cover page of the application. Applicants may meet their share of project costs with cash or in-kind cost sharing, or a combination of both unless otherwise indicated. In-kind cost share includes staff time, space, utilities, and materials from your regular budget as well as donated goods, and services from sources other than state or federal grants which will be devoted to the project.
3. All costs must be specifically listed in the LSTA Project Budget.
4. Costs must be explained on the Budget Narrative page.
5. Unless indicated otherwise on the cover page of the Grant Application, allowable costs include:
  - Salaries and fringe benefits of individuals specifically hired for the project or for additional hours (beyond the regular number of hours worked) a staff person spends on the project. Indicate rate of pay times the number of hours to be worked.
  - Travel required to successfully implement the project. (Indicate cost per mile times number of miles.)
  - Supplies such as paper, pens, pencils, tape, and other consumables as well as larger items such as film projectors, tape recorders, VCRs, record players, computers, etc.
  - Equipment consists of anything which costs \$1,000 or more and has a normal useful life of 1 year or more.
  - Rental costs for space used solely for the project.
  - Postage and phone costs directly related to the project.
  - Contractual expenses such as payments to individuals or vendors (consultants, shared automation systems, maintenance agreements, etc.) for services performed in connection with the project.
  - Printing of flyers, posters, newsletters, etc.
  - Library materials such as books, magazines, periodicals, computer programs, realia, microfilm, films, videocassettes, audiocassettes, etc.

**D. PROJECT BUDGET**

Funding Category: Programs for Older Adults

Amount Requested: \$13,000.00

		A. LSTA Funds Requested	B. Local Match Cash	C. Local Match In-kind	D. Total Project A+B+C
1.	Personnel			5,750.00	5,750.00
a.	salary				
b.	fringe				
2.	Travel	152.00			152.00
3.	Supplies	1840.00			1840.00
4.	Equipment				
5.	Rental (space)*				
6.	Postage	50.00			50.00
7.	Phone				
8.	Contractual				
9.	Printing	138.00			138.00
10.	Library Materials	9,620.00			9,620.00
11.	Other (Specify)				
12.	TOTAL	11,800.00		5,750.00	17,550.00

\* In-kind only

If the applicant is a public library or primary or secondary school and intends to use any LSTA funds to purchase computers used to access the Internet or to pay for direct costs associated with accessing the Internet, the applicant must comply with the requirements of the Children's Internet Protection Act (CIPA). Such grantees will be required to certify that they are in compliance with CIPA or are not using LSTA funds for such purposes.

\_\_\_\_\_  
Signature of Library Director

Date \_\_\_\_\_

Typed name of Library Director

10/27/04

## E. BUDGET NARRATIVE

Explain how proposed grant and matching funds will be expended.

Refer to Instructions for Project Budget for amount and type of detail required.

Applicants will be awarded points (0-5) based on the

- ◆ Appropriateness of costs. Ensure that the costs relate to the activities and benefits of the project.
- ◆ Substantiation of costs. Provide documentation for any atypical expenses.

1. Personnel	LSTA Funds	Public Service Librarian (shifting depository collection) 4 times a year at 3 locations 12 hrs@25/hr= <b>300.00</b> Public Services Librarian (general planning and coordinating all services, survey , collection development and programming) 130 hrs@25/hr= <b>3,250.00</b> Public Service Librarian (24 programs/yr) 48hrs/25/hr= <b>1,200.00</b> LA II (acquisitions and processing of grant material) 50hrs@20/hr = <b>1,000.00</b> <b>Total: 5,750.00</b>
	Local Match	
2. Travel	LSTA Funds	Monthly programs 12 mile round trip x 24 times/yr = 288 miles@.35=101.00 Delivery of Rotating Depository Collections 12 miles round trip x 12 =144@.35=51.00 <b>Total : 152.00</b>
	Local Match	
3. Supplies	LSTA Funds	12 portable CD Player@ 70= <b>840.00</b> , 2DVD/VCR @ <b>400.00</b> , Heavy duty book cart @ <b>400.00</b> , 10 heavy duty book bags @ 20 = <b>200.00</b> <b>Total: 1,840.00</b>
	Local Match	
4. Equipment	LSTA Funds	
	Local Match	
5. Rental (in-kind)	LSTA Funds	
	Local Match	
6. Postage	LSTA Funds	First Class Mailing for Program Publicity and Surveys to target populations: <b>50.00</b>
	Local Match	
7. Phone	LSTA Funds	
	Local Match	
8. Contractual	LSTA Funds	
	Local Match	
9. Printing	LSTA Funds	Program flyers and surveys publicity: <b>138.00</b>
	Local Match	
10. Library Materials	LSTA Funds	40 unabridged books on CD @85.00each = <b>3,400.00</b> 280 large print titles @17.00 each = <b>4,760.00</b> 12 Public Performance(PPR) DVD's @ 55.00 each = <b>660.00</b> 16 periodicals@50.00 each = <b>800.00</b> <b>Total: 9,620.00</b>

	Local Match	
11. Other (Specify)	LSTA Funds	
	Local Match	

10/27/04

CERTIFICATION REGARDING DEBARMENT,  
SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION  
LOWER-TIER COVERED TRANSACTIONS

This certification is required by Executive Order 12549, Debarment and Suspension, 34 CFR, Part 85, for all lower-tier transactions meeting the threshold and tier requirements stated at Section 85.110

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower-tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower-tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower-tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower-tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower-tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower-tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower-tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower-tier participant further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion -- Lower-tier Covered Transactions”, without modification, in all lower-tier covered transactions and in all solicitations for lower-tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower-tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless that participant knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly inters into a lower-tier covered transaction with a person who is debarred, suspended, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) The prospective lower-tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower-tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Mansfield Public Library

\_\_\_\_\_  
Signature of Library Director

\_\_\_\_\_  
Date

Typed Name of Library Director

**Examples of Survey to Measure Outcome of the  
Depository Collection/Programs**

**Pre-Survey (at beginning of grant period before survey of interested is conducted) in print format**

**To what extend do you feel the depository collection/program is meeting your individual educational and recreational needs? (please circle response)**

**1. Not at all    2. Somewhat    3. Average    4. Considerably    5. A Great Extent**

**Comments or Suggestions:**

**Post-Survey (at 6 month anniversary of commencement of project) in print format**

**To what extend do you feel the depository collection/program is meeting your individual educational and recreational needs? (please circle response)**

**1. Not at all    2. Somewhat    3. Average    4. Considerably    5. A Great Extent**

**Comments or Suggestions:**

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** *Martin Berliner*  
 Martin Berliner, Town Manager  
**CC:** Matt Hart, Assistant Town Manager; John Jackman, Director of Emergency Management  
**Date:** March 28, 2005  
**Re:** Memorandum of Understanding between the State of Connecticut and the Town of Mansfield for FY 2005 State Homeland Security Grant Funds

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**Subject Matter/Background**

The U.S. Department of Homeland Security, Office of Domestic Preparedness (ODP) has awarded the State of Connecticut the FY 2005 Homeland Security Grant in the amount of \$ 24,080,428. Funding will be used to address the equipment, training, planning and exercise needs of state and local emergency first responders. Of the total amount allocated to the state, the Town of Mansfield is scheduled to receive \$ 55,132.

Under the grant program, local jurisdictions can choose one of three options to administer the funds:

1. **Local Administration:** Jurisdiction chooses to administer the funds locally. The jurisdiction will submit an Initial Spending and Implementation Plan (ISIP) by the April 18<sup>th</sup> deadline. The jurisdiction will assume all administrative functions including grant-reporting requirements as outlined in ODP FY 2005 Homeland Security Grant Guidelines. Jurisdictions will be permitted to drawdown funds up to **120 days prior to expenditure/disbursement subject to the requirements and guidelines stated in the grant application.** A maximum of 2.5 percent of the total allotment may be used for administrative purposes as detailed in the grant guidelines. Regional Planning Organizations (RPOs) must comply with all requirements detailed in the grant guidelines and DOJ Financial Guide.
2. **Regional Administration:** Designate the Regional Planning Organization (RPO) to administer the funds on the behalf of its member jurisdictions. The jurisdictions will be responsible to coordinate with the RPO to ensure the ISIP is submitted by the April 18<sup>th</sup> deadline. The RPO will assume all administrative functions including grant-reporting requirements as outlined in the ODP FY 2005 Homeland Security Grant Guidelines. The RPO will be permitted to drawdown funds up to **120 days prior to expenditure/disbursement subject to the requirements and guidelines stated in the grant application.** A maximum of (2.5%) of the total allotment may be used for administrative purposes as detailed in the grant guidelines. The RPOs must comply with all requirements detailed in the grant guidelines and DOJ Financial Guide.

3. **State Administration:** Sign a Memorandum of Understanding (MOU) and have the State Administrative Agency (SAA) administer the allocation on their behalf. The state will accept all administrative oversight, procurement, fiscal, grant reporting and audit requirements. The entire allotment will be used for the equipment, planning, training, and exercise needs of the jurisdiction. Regional equipment, training, exercise and planning needs may be addressed with approval from all participating Jurisdictions.

Staff believes that option 3 (State Administration) would best suit the needs of the Town of Mansfield (which is consistent with the administration of the FY 2004 Homeland Security Grant Funds), and attached you will find the proposed MOU between the State and the Town.

### **Financial Impact**

As stated above, the town's allocation under the FY 2005 grant is \$ 55,132. There is no local match required, and under option 3 all administrative costs will be absorbed by the state and will not be charged against the town's allocation.

### **Recommendation**

Staff recommends that the town council authorize the town manager to execute the MOU as proposed. This funding will assist the town's emergency operations with equipment, training, and planning needs.

If the town council supports this recommendation, the following resolution is in order:

*Resolved, effective March 28, 2005, to authorize the Town Manager, Martin H. Berliner, to execute the attached Memorandum of Understanding between the State of Connecticut and the Town of Mansfield for Fiscal Year 2005 State Homeland Security Grant Funds, and to execute any related grant documents.*

### **Attachments**

- 1) Designation of Administrator Form
- 2) Proposed MOU



**THE DEPARTMENT OF EMERGENCY MANAGEMENT & HOMELAND SECURITY  
FY 2005 HOMELAND SECURITY GRANT PROGRAM**

**DESIGNATION OF ADMINISTRATOR FORM**

The Town of Mansfield will receive the following allocation from the FY 2005 State Homeland Security Grant Program (SHSGP):

PROGRAM	ALLOCATION
State Homeland Security Grant Program	\$ 52,062
Law Enforcement Terrorism Prevention Program	\$ 3,070
Total FY 2005 Allocation	\$ 55,132

This allocation was developed by the Homeland Security Working Group and approved by the Emergency Management and Homeland Security Coordinating Council on February 10, 2005.

In addition to the jurisdictional allocations, the following set asides for special projects have been approved from the local portion of the HSGP for initiatives benefiting First Responders on a statewide basis:

PROGRAM	PROJECT	ALLOCATION	PROJECT	ALLOCATION
SHSGP	Regional Response Teams (9)	\$ 1,312,343	Interoperability Issues	\$ 797,840
	Regional Response Systems	\$ 1,468,018	Medical Reserve Corps (3)	\$ 90,000
LETPP	POST Training	\$ 181,130	Statewide Anti-Terrorism Task Force Stipends	\$ 300,000
	Interoperability Issues	\$ 200,000	CAPTAIN Upgrades	\$ 88,400

The Jurisdictions have three options to administer these funds: (Check one)

Option 1

**ADMINISTER THE FUNDS AT LOCAL LEVEL**

Jurisdiction chooses to administer the funds locally. An ISIP must be submitted with this form. Grant applications with all the necessary assurances and budget information will be distributed to jurisdictions submitting an ISIP. Jurisdictions will submit completed grant packages for review and approval. ***NO EMCUMBRANCES OR EXPENDITURES MAY BE INCURRED UNTIL THE JURISDITON RECEIVES A GRANT AWARD INDICATING THE ISIP AND APPLICATION HAVE BEEN APPROVED.***

The Jurisdiction will assume all administrative functions including grant reporting requirements as outlined in the grant application. Jurisdictions will be permitted to drawdown funds up to ***120 days prior to expenditure/disbursement subject to the requirements and guidelines stated in the grant application.*** A maximum of (2.5%) of the total allotment may be used for administrative purposes as detailed in the grant guidelines. The jurisdiction must comply with all requirements detailed in the grant guidelines and DOJ Financial Guide.

Option 2



**ADMINISTER THE FUNDS THROUGH A REGIONAL PLANNING ORGANIZATION**

Designate the Regional Planning Organization (RPO) to administer the funds on the behalf of its member Jurisdictions. The RPO will be responsible for submitting an ISIP for its Jurisdictions. The Jurisdiction is responsible to coordinate with the designated RPO to ensure the ISIP is submitted on its behalf by the April 18, 2005 deadline. Grant applications with all the necessary assurances and budget information will be distributed to RPO submitting an ISIP. RPOs will submit completed packages for review and approval. **NO EMCUMBRANCES OR EXPENDITURES MAY BE INCURRED UNTIL THE JURISDITION RECEIVES A GRANT AWARD INDICATING THE ISIP AND APPLICATION HAVE BEEN APPROVED.**

The RPO will assume all administrative functions including grant reporting requirements as outlined in the ODP FY 2005 Homeland Security Grant Guidelines. The RPO will be permitted to drawdown funds up to **120 days prior to expenditure/disbursement subject to the requirements and guidelines stated in the grant application.** A maximum of (2.5%) of the total allotment may be used for administrative purposes as detailed in the grant guidelines. The RPOs must comply with all requirements detailed in the grant guidelines and DOJ Financial Guide.

Jurisdictions will be responsible to ensure their individual needs will be met with Regional Administration. RPOs will not be required to maintain separate jurisdictional accounts.

Designate the administering RPO: \_\_\_\_\_

Option 3



**ADMINISTER THE FUNDS THROUGH THE STATE ADMINISTRATIVE AGENCY**

Designate the State Administrative Agency (SAA) to administer the allocation on their behalf. Sign the enclosed MOU and return with this completed form.

The State will accept all administrative oversight: procurement, fiscal, grant reporting and audit requirements. The entire allotment will be used for the equipment, planning, training, and exercise needs of the Jurisdiction.

The Jurisdictions will submit their equipment, training, planning, and exercise needs to the SAA for processing.

The signature indicates approval of your jurisdiction's allocation of FY 2005 Homeland Security Grant Program and designation of fund administrator.

\_\_\_\_\_  
Martin H. Berliner, Town Manager

**This completed form must be returned by April 18, 2005 regardless of the option chosen.**

Pease mail the original form to: Department of Emergency Management & Homeland Security  
Rowland Government Center  
55 West Main St.  
Waterbury, CT 06702 Attn: Rosemary Salerno (203) 805-6577

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE STATE OF CONNECTICUT,  
DEPARTMENT OF EMERGENCY MANAGEMENT & HOMELAND SECURITY,  
AND  
THE TOWN OF MANSFIELD**

WHEREAS, The Department of Emergency Management & Homeland Security is the designated recipient and State Administrative Agency (SAA) of the United States Department of Homeland Security, Office of State and Local Government Coordination and Preparedness for the Fiscal Year 2005 Homeland Security Grant Program (SHSGP), Law Enforcement Terrorism Prevention Program (LETPP), and Citizen Corps Program (CCP);

WHEREAS, The Emergency Management and Homeland Security Coordinating Council has approved an allocation formula for grant funds available under the SHSGP, LETPP and CCP Grants;

WHEREAS, the Town of Mansfield, is a sub-state local jurisdiction recognized by the SAA as an eligible jurisdiction to receive grant funds in the amount of \$55,132.

THEREFORE, The SAA and the Town of Mansfield enter into this Memorandum of Understanding (MOU) authorizing the SAA to act as the agent of the Town of Mansfield and allow the SAA to retain and administer such grant funds on behalf of the Town of Mansfield.

This MOU shall be effective when all parties have executed it and all required approvals have been granted. The term of this MOU is for the period of May 1, 2005 through April 30, 2007.

The SAA is authorized to enter into this agreement through the Commissioner of Emergency Management and Homeland Security pursuant to the authority provided under Connecticut General Statute § 4.8.

This MOU remains in full force and effect for the entire term of the MOU unless cancelled by the SAA, giving the Town of Mansfield written notice of such intention at least thirty (30) days in advance. The SAA reserves the right to cancel the MOU without prior written notice when the funding for the grant is no longer available.

The SAA agrees to withhold funds for Town of Mansfield in the amount of \$55,132. The maximum amount payable on behalf of the Town of Mansfield shall be \$55,132.

The Town of Mansfield agrees to allow the SAA to provide financial and programmatic oversight for the purpose of supporting the allocations and uses of funds under this grant consistent with the 2004 State Homeland Security Strategy that was reviewed and approved by the Department of Homeland Security, Office of Domestic Preparedness in 2004 and remains in effect and is supported by an Initial Strategy Implementation Spending Plan (ISIP) as required by the federal program. The Town of Mansfield agrees to allow the SAA to withhold, manage, and disburse the grant funds withheld in the name of the Town of Mansfield.

The SAA, in consultation with Town of Mansfield, agrees to procure the equipment, training, planning and exercise specific to its needs which are consistent with the 2004 State Homeland Security Strategy that remains in effect and supported by the State ISIP.

#### Amendment of the Agreement

Formal written amendment of the agreement is required for extensions to the final date of the contract period and to terms and conditions specifically stated in the original agreement and any prior amendments, including but not limited to:

1. revisions to the maximum payment
2. the agreement's objective's services or plans
3. due dates for reports
4. completion of objectives or services, and
5. any other agreement revisions determined material by the state agency

#### Litigation

The Town of Mansfield agrees that the sole and exclusive means for the presentation of any claim against the Grantor arising from this agreement shall be in accordance with Chapter 53 of the Connecticut General Statutes (Claims Against the State) and the Grantee further agrees not to initiate legal proceedings in any State or Federal Court in addition to, or in lieu of, said Chapter 53 proceedings.

The Town of Mansfield must comply with the Federal Single Audit Act of 1984, P.L. 98-502 and the Amendments of 1996, P.L. 104-156 and with the Connecticut Statutes §7-396a and 396b, and the State Single Audit Act § 4-230 through 236 inclusive, and regulations promulgated thereunder. The Town of Mansfield agrees that all fiscal records pertaining to the projects shall be maintained for a period of not less than three (3) years. Such records will be made available to the state and/or federal auditors upon request.

The Town of Mansfield commits to compliance with the requirements under 28 CFR Part 66 (Uniform Administrative Requirements for Grants to States); 28 CFR Part 69, New Restrictions on Lobbying; 28 CFR Part 67, Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug Free Workplace (Grants); Office of Management and Budget (OMB) Circular A-87, addressing cost principles for grants to state and local governments; 28 CFR Part 70 (Common Rules for Administrative Requirements for Grants to Non-Profits); OMB Circulars A-122 and A-21 addressing Cost Principles for Grants to Non-Profit Entities and requirements included in the Office of Justice Programs OC Financial Guides.

## **EXECUTIVE ORDERS**

This contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill promulgated June 16, 1971, and, as such, this contract may be cancelled, terminated or suspended by the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Three, or any State or federal law concerning non-discrimination, notwithstanding that the Labor Commissioner is not a party to this contract. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Three is incorporated herein by reference and made a part hereof. The parties agree and abide by said Executive Order and agree that the State Labor Commissioner shall have continuing jurisdiction in respect to contract performance in regard to non-discrimination, until the contract is completed or terminated prior to completion. The grantee agrees, as part consideration hereof, that this contract is subject to the Guidelines and Rules issued by the State Labor Commissioner to implement Executive Order No. Three, and that it will not discriminate in his employment practices or policies, will file all reports as required, and will fully cooperate with the State of Connecticut and the State Labor Commissioner.

This contract is also subject to the provision of Executive Order No. 16 of Governor John G. Rowland promulgated August 4, 1999 adopting a zero tolerance policy for workplace violence, and as such, this contract may be cancelled terminated or suspended by the State for violation of or noncompliance with said Executive Order No. Sixteen. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Sixteen is incorporated herein by reference and made a part thereof. The parties agree to abide by such Executive Order.

The contract is also subject to provisions of Executive Order No. Seventeen of Governor Thomas J. Meskill promulgated February 15, 1973, and, as such this contract may be cancelled, terminated or suspended by the contracting agency or the State Labor Commissioner for violation of or non-compliance with said Executive Order No. Seventeen, notwithstanding that the Labor Commissioner may not be a party to this contract. The parties to this contract, as part of the consideration hereof, agree that Executive Order No. Seventeen is incorporated herein by reference and made a part hereof. The parties agree to abide by such Executive Order and agree that the contracting agency and the State Labor Commissioner shall have joint and several continuing jurisdiction in respect to contract performance in regard to listing all employment openings with the Connecticut State Employment Service.

## NON-DISCRIMINATION CLAUSE

In accordance with Public Act 88-351, the grantee agrees and warrants that, (a) For the purposes of this section, "minority business enterprise" means any small grantee or supplier of materials fifty-one percent or more of the capital stock, if any, or assets of which is owned by person or persons: (1) Who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise and (3) who are members of a minority, as such term is defined in subsection (a) of Conn. Gen. Stat. Sect. 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

For purposes of the section, "Commission" means the Commission on Human Rights and Opportunities.

For purposes of this section, "Public works contract" means any agreement between any individual, firm or corporation and the State or any political subdivision of the State other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway, or other changes or improvements in real property, or which is financed in whole or in part by the State, including but not limited to, matching expenditures, grants, loans, insurance or guarantees.

- (b) (1) The grantee agrees and warrants that in the performance of the contract such grantee will not discriminate or permit discrimination against any person or group or persons on the grounds of race, color, religious creed, age, marital status, national origin, sex, mental retardation or physical disability, including but not limited to, blindness, unless it is shown by such grantee that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The grantee further agrees to take affirmative action to insure that applicants with job related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such grantee that such disability prevents performance of the work involved: (2) the grantee agrees, in all solicitations or advertisements for employees placed by or on behalf of the grantee, to state that it is an "affirmative action – equal opportunity employer" in accordance with the regulations adopted by the Commission; (3) the grantee agrees to provide each labor union or representative of workers with which such grantee has a collective

bargaining agreement or other contract of understanding and each vendor with which grantee has a contract of understanding, a notice to be provided by the Commission advising the labor union of workers' representative of the grantee's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the grantee agrees to comply with each provision of this section and Conn. Gen. Stat. Sect. 46a-68f and with each regulation or relevant order issued by said Commission pursuant to Conn. Gen. Stat. Sect. 46a-56, as amended by Section 5 of Public Act 89-253, 46a-68e and 46a-68f; (5) the grantee agrees to provide the Commission of Human Rights and Opportunities with such information requested by the Commission, permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the grantee as related to the provisions of this section and section 46a-56. If the contract is a public works contract, the grantee agrees and warrants that he will make good faith efforts to employ minority business enterprises as subgrantees and suppliers of materials on such public works project.

- (c) Determination of the grantee's good faith efforts shall include but shall not be limited to the following factors: The grantee's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.
- (d) The grantee shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.
- (e) The grantee shall include the provisions of subsection (b) of this section in every subcontract or purchase order entered into in order to fulfill any obligation or a contract with the State and such provisions shall be binding on a subgrantee, vendor or manufacturer, unless exempted by regulations or orders of the Commission. The grantee shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for non-compliance in accordance with Conn. Gen. Stat. Sect. 47a-56, as amended by Section 5 of Public Act 89-253; provided, if such grantee becomes involved in, or is threatened with litigation with a subgrantee or vendor as a result of such direction by the Commission, the grantee may request the State of Connecticut to enter into any such litigation prior thereto to protect the interest of the State and the State may so enter.
- (f) The grantee agrees to comply with the regulations referred to in this section as they exist on the date of this contract and as they may be

adopted or amended from time to time during the term of this contract and any amendments thereto.

- (g) Pursuant to Public Act 89-227, as of January 1, 1991, no agency of the State of Connecticut may purchase new products packaged in or composed in whole or part of polystyrene foam if such foam is manufactured using chlorofluorocarbons (CFC). Manufacturers are required by the Act to provide information regarding the CFC content of polystyrene foam used in such products or packaging to any person selling the product who requests such information. By submitting an offer to sell to or accepting an order from the State of Connecticut the vendor certifies that no CFC are used in the manufacture of polystyrene foam contained in such products or packaging.  
Effective 07/01/89 – Amended 04/01/91

#### **NON-DISCRIMINATION ON THE GROUNDS OF SEXUAL ORIENTATION**

- (1) The grantee agrees warrants that in the performance of the contract such grantee will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation.
- (2) The grantee agrees to provide each labor union or representative of workers with which such grantee has a collective bargaining agreement or other contract or understanding and each vendor with which such grantee has a contract or understanding and each vendor with which such grantee or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the grantee's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment;
- (3) The grantee agrees to comply with each provision of this Section and Sections 46a-68f of the General Statutes and with each regulation or relevant order issued by said Commission pursuant to Sections 46a-56, 46a-68e and 46a-68f of the General Statutes;
- (4) The grantee agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the grantee as related to the provisions of this section and Section 46a-56 of the General Statutes.

- (5) The grantee shall include the provisions of paragraph (1) of this addendum in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subgrantee, vendor or manufacturer unless exempted by regulations or orders of the Commission. The grantee shall take such actions with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for non-compliance in accordance with Section 46a-56 of the General Statutes; provided, if such grantee becomes involved in, or is threatened with, litigation with a subgrantee or vendor as a result of such direction by the Commission, the grantee may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

The GRANTEE agrees and warrants that in the performance of this contract, it shall meet the requirements of all applicable Federal, State and Local laws, ordinances, regulations and codes.

#### **STATE LIABILITY**

The State of Connecticut assumes no liability for payment under the terms of this contract until the GRANTEE is notified by the GRANTOR that this contract has been approved and executed by the Department of Emergency Management and Homeland Security and, if applicable, approved by the Office of Policy and Management (OPM) or the Department of Administrative Services (DAS) and by the Office of the Attorney General of the State of Connecticut.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the dates written below:

**GRANTEE: THE TOWN OF MANSFIELD**

By: \_\_\_\_\_  
Martin H. Berliner, Town Manager (Date)  
Duly Authorized per attached Resolution

**GRANTOR: The Department of Emergency Management and Homeland Security**

By: \_\_\_\_\_  
James M. Thomas (Date)  
Commissioner of Emergency Management & Homeland Security  
Duly Authorized



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Martin Berliner, Town Manager *MHB*  
**CC:** Matt Hart, Assistant Town Manager; Cynthia van Zelm, MDP Executive Director  
**Date:** March 28, 2005  
**Re:** Grant Application to Small Town Economic Assistance Program

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**Subject Matter/Background**

Attached you will find a grant application to Connecticut's Small Town Economic Assistance Program (STEAP) seeking \$500,000 in funding to assist with the Downtown Mansfield Revitalization and Enhancement Project. The town council did approve the submission of this grant application, and the state has accepted the application. However, the state has revised some of its grant administration requirements, and has asked the town council to execute another resolution in support of the application.

**Financial Impact**

The state does not require a local match to apply for STEAP funding. However, as the town council is well aware, the Town of Mansfield has already contributed substantial resources to this important project.

**Recommendation**

To reiterate, the town council has previously approved the submission of this grant, but needs to execute another resolution in support of the application in order for the state to issue the funds. As explained in the application materials, the Downtown Mansfield Project will have many benefits for our community, including business growth and retention, increased services and employment opportunities, as well expanding our commercial tax base. In short, we expect the project will enhance the quality of life that Mansfield residents have come to enjoy. In order for the project to be successful, it is essential that we identify as many funding sources as possible, and the STEAP process presents us with a tremendous opportunity to leverage state resources. Consequently, we recommend that the town council re-authorize the town manager to submit the grant application.

If the town council supports this recommendation, the following resolution is in order:

*WHEREAS, the Town of Mansfield, in association with the University of Connecticut, private property owners, and community residents, has been working for years to help plan the transformation of an existing commercial area on Storrs Road (Route 195) into a vibrant and economically successful mixed-use downtown that will be the heart of the community;*

*WHEREAS, pursuant to Connecticut General Statutes Section 4-66 (g) of the Connecticut Legislature, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and*

*WHEREAS, it is desirable and in the public interest that the Town of Mansfield make an application to the state for \$500,000 in order to undertake the Downtown Mansfield Revitalization and Enhancement Project.*

*NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF MANSFIELD;*

*That it is cognizant of the conditions and prerequisites for state assistance, as imposed by Section 4-66 (g) of the Connecticut General Statutes;*

*That the filing of an application for State financial assistance by the Town of Mansfield in an amount not to exceed \$500,000 is hereby approved and that the Town Manager is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Mansfield.*

**Attachments**

- 1) Excerpts from STEAP Project Application
- 2) Proposed Town of Mansfield Resolution



## Town of Mansfield Resolution

WHEREAS, the Town of Mansfield, in association with the University of Connecticut, private property owners, and community residents, has been working for years to help plan the transformation of an existing commercial area on Storrs Road (Route 195) into a vibrant and economically successful mixed-use downtown that will be the heart of the community;

WHEREAS, pursuant to Connecticut General Statutes Section 4-66 (g) of the Connecticut Legislature, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that the Town of Mansfield make an application to the State for \$500,000 in order to undertake the Downtown Mansfield Revitalization and Enhancement Project.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF MANSFIELD;

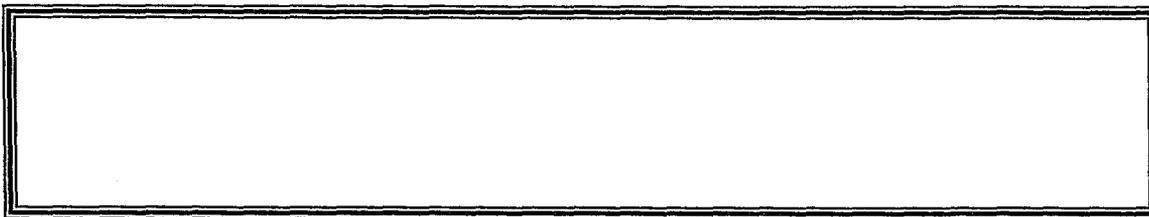
That it is cognizant of the conditions and prerequisites for state assistance, as imposed by Section 4-66 (g) of the Connecticut General Statutes;

That the filing of an application for State financial assistance by the Town of Mansfield in an amount not to exceed \$500,000 is hereby approved and that the Town Manager is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Mansfield.

Certified a true copy of a resolution duly adopted by the Town of Mansfield at a meeting of its Town Council on \_\_\_\_\_ and which has not been rescinded or modified in any way whatsoever.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature and Title of Official



**Applicant Town:** Mansfield

**Four South Eagleville Road, Mansfield, CT 06268**

**Applicant Address:** \_\_\_\_\_

**Project Location:** Town of Mansfield **Eligible Municipality:** Yes No

**Proposed STEAP Funding** \$500,000 **Total Project Cost** \$500,000

**Eligibility Analysis:**

*Please provide a brief description of the project that includes the purpose of the project, the sources and the use of funds. (Example= Economic Development: Extend utilities to industrial park; Water/Sewer: 500 Ft water extension along Hop Spring Road; Road Improvement: Pave Smith Road; Park and Recreation: New Playscape at Hill Park)*

**The purpose of the Downtown Mansfield Revitalization and Enhancement Project is to develop Mansfield's downtown into a vibrant and economically successful mixed-use destination. Funding is needed for the continued development of this project. As a follow-up to the planning done for Storrs Center, this phase focuses on construction as the next step including a town square, and interior road through the new development, and additional streetscape elements. Funding is being requested for the project from the Small Town Economic Assistance Program (STEAP) in the amount of \$500,000. Approximately, \$20 million is being requested in public investment overall for the project. These requests are leveraged by private equity which will provide the balance of an estimated \$175 million mixed-use village project.**

**Project Requirements**

- 1. Provide a narrative of how your project will impact and benefit the community. (If necessary attach in separate letter)**

**Please see attached sheet.**

- 2. Describe the Fund Raising process for the project?**
  - a. What are the capital funding needs?**  
**Construction of town square with landscaping and corresponding sitework; realignment of Dog Lane; building demolition; sewer, water, and electrical extension;**

**stormwater lines; sidewalks; curbing; new road with parking; underground utilities; additional streetscape elements.**

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b. How much has been raised to date?

**The Downtown Mansfield Revitalization and Enhancement Project is a multi-million dollar project, with preliminary estimates in the \$175 million range. Currently, approximately, \$1,180,000 has been put toward planning and construction for the revitalization and enhancement of downtown Mansfield. The Town of Mansfield, and the University of Connecticut has put considerable resources toward this project. The Town paid for the HyettPalma Study at a cost of \$42,500, put \$49,750 toward the Downtown Mansfield Master Plan, and has a four and half year commitment of \$234,200 toward the operations of the Mansfield Downtown Partnership. The University of Connecticut has contributed \$110,600 for an Environmental Impact Evaluation at Storrs Center, \$49,750 toward the Master Plan, and a four and half year commitment of \$234,200 for the operations of the Partnership. The University and the Town will continue to be the main funders of the operations of the Partnership and will continue to put funding toward the planning for the downtown. In addition, the Town has received \$35,000, \$90,000 and \$50,000 USDA Rural Business Enterprise Grants for planning costs, and a previous \$500,000 STEAP grant. It is also expected that individuals and businesses in Mansfield will contribute funding to the Partnership through membership contributions. Finally, the development team of LeylandAlliance will be privately financing the majority of the development project. LeylandAlliance has already committed \$250,000 to the planning for the project, and expects to commit approximately \$5 million in project equity.**

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c. What is anticipated source and timeline for the remaining funds?

**~~The Town of Mansfield has been aggressive in pursuing grant opportunities and~~ other funding sources, and will continue to pursue all avenues for funding. LeylandAlliance, LLC will be providing equity for the project in excess of the grant amount. This phase of the project is expected to take one to three years.**

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d. Provide any other details on the project's fundraising.

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3. Provide a project management and administrative plan. Describe the operational capacity, experience, financial viability of the organization that will develop and manage the project. Please include an organization chart:

**The project will be managed by the Mansfield Downtown Partnership, Inc.**

**On May 28, 2002, the Mansfield Town Council gave municipal development authority to the Mansfield Downtown Partnership. However, the Town's staff will be providing significant assistance with the project. The Mansfield Planning and Zoning Commission will have the opportunity to review the Municipal Development Plan. The Town Council will have oversight on the project. See the attached memo from Town Manager Martin Berliner to the Mansfield Town Council on using the municipal development plan process for implementing the Downtown Mansfield Master Plan.**

As the Executive Director for the Mansfield Downtown Partnership, Cynthia van Zelm will serve as project manager for the project including the administration of project plans. Ms. van Zelm has over 15 years of planning, management, and government experience. Ms. van Zelm will be working closely with Macon Toledano, Project Manager for the Mansfield downtown project, and Vice President for Planning and Development at LeylandAlliance.

A 15-member Board of Directors that is composed of Town of Mansfield and University of Connecticut representatives, and several business people including a banker, developer, and small business owner governs the Mansfield Downtown Partnership. The Board will be providing overall oversight and guidance on this project. *A list of the Board of Directors is attached.*

Martin Berliner, Mansfield Town Manager, and Gregory Padick, Mansfield Town Planner, will also be part of the team working on development of Storrs Center. Mr. Berliner and Mr. Padick have worked for the Town of Mansfield for over twenty years and bring extensive experience in project management, grant/contract management, and planning to the project. *The Town of Mansfield's organizational chart is attached.*

Both the Mansfield Downtown Partnership and the Town of Mansfield are in good financial standing. The Town of Mansfield and the University of Connecticut have committed funding for a minimum of four and half years to the Partnership. *The Partnership's operating budget through 2005-2006 is attached.*

<b>Project Sources and Uses of Funds</b>			
<b>Sources</b>	Non-STEAP Funds	STEAP Funds	Total
STEAP Grant		500,000	500,000
Local Funds			
Federal Funds			
Other			
<b>Total</b>		500,000	500,000
<b>Uses</b>			
Professional Services			
Acquisition			
Construction/Renovation		500,000	500,000
Other			
Contingency			
<b>Total</b>		500,000	500,000

Assess the economic benefits the project will provide to the community (if possible)

Estimated In	Year 1	Year 2	Year 3	Year 4
Corporate Taxes	\$	\$	\$	\$
Payroll Taxes	\$	\$	\$	\$
Sales Tax	\$	\$	\$	\$
Local Taxes	\$	\$	\$	\$
Full Time Job Retained				

Please see attached preliminary economic and fiscal impact assessment included as part of the draft Municipal Development Plan.

**Identify Town Officials and Professionals involved in developing, working on and managing the project.**

**Martin Berliner, Town Manager, 860-429-3336**

Print Name, Title and Phone Number

**Gregory Padick, Town Planner, 860-429-3329**

Print Name, Title and Phone Number

**Lon Hultgren, Director of Public Works, 860-429-3332**

Print Name, Title and Phone Number

**Cynthia van Zelm, Executive Director of the Mansfield Downtown Partnership, 860-429-2740**

Print Name, Title and Phone Number

**Attach the following material**

1. Site Location Map (if applicable) **Please see the attached site location map form the draft Municipal Development Plan. (attached).**
2. Real Estate appraisals (if land acquisition is proposed) **This information will be available once the Municipal Development Plan is complete which is estimated to be Summer 2005.**
3. Proposed project schedule **This project will begin following the completion of the Municipal Development Plan. This phase of the project will take one to three years.**
4. Project cost estimates supporting the request for funding (if available) **Project costs will be included as part of the Municipal Development Plan but are estimated to be at least \$1 million for this phase of the project.**
5. List of necessary local/state/federal permits and approvals required for the project **This information would be part of the Municipal Development Plan.**
6. State plan of conservation and development: If project proposal is contrary to the State Plan of Conservation and Development, attach a narrative explaining why the project should move forward and how the project will further overall C&D goals across the State. Include information on steps taken to address C&D concerns. **N/A**

**February 18, 2005**

**Attachment to Application for Small Town Economic Assistance  
Program (STEAP)  
Downtown Mansfield Revitalization and Enhancement Project**

**1) Provide a narrative for how your project will impact and benefit the community**

The requested funds from the STEAP would benefit various public and private stakeholders:

- Business-owners and owners of commercial properties in the downtown would benefit from the retention and strengthening of existing businesses and the creation of new business opportunities;
- Town residents, including University of Connecticut students, would benefit from an increase in locally-available goods and services and employment opportunities and the establishment of a new community center that would enhance the community's quality of life;
- The Town of Mansfield would benefit from an enhanced commercial tax base;
- University of Connecticut students, staff, and visitors would benefit from increased off-campus amenities and an overall improvement of the University atmosphere, which will enhance the recruitment of students and faculty (*University of Connecticut recruitment statistics indicate that a major reason students do not choose to attend the University is the lack of off-campus amenities*);
- The State of Connecticut would share in all of the above-noted benefits, and accordingly, the State's commitment to the UConn 2000 and 21<sup>st</sup> Century UConn programs and the overall effort to enhance the University of Connecticut's reputation as a prominent national university and an appropriate "flagship" for the State's higher education system would be advanced.



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** *Martin Berliner*  
 Martin Berliner, Town Manager  
**CC:** Emergency Services Management Team  
**Date:** March 28, 2005  
**Re:** An Ordinance Establishing a Division of Fire and Emergency Services

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**Subject Matter/Background**

As you know, the Emergency Services Management team has been working the past few years to improve the management and delivery of fire and emergency services in town. One of the essential elements of our work is to establish a municipal Division of Fire and Emergency Services, as part of our larger Department of Public Safety. The management team wishes to establish a fully consolidated, combination volunteer/career workforce with a career fire chief, as recommended by UConn Professor Dr. Amy Donahue in her report issued a few years ago. The town clearly embarked upon this path in March of 2003 when we made all of the paid firefighters town employees, and we have been moving forward to establish a municipal organization ever since.

Please note that the proposed ordinance calls for the establishment of a fire chief's position, which we will present to the town council as a separate proposal in the near future. If the town council does authorize the establishment of this position, we would phase out the position of emergency services administrator.

If approved, the new Division of Fire and Emergency Services would allow us to consolidate all personnel, both paid and volunteer, within one united organization. We believe that this would greatly enhance the effectiveness and the efficiency of fire and emergency services in Mansfield.

**Financial Impact**

Our work to establish a municipal Division of Fire and Emergency Services has been expensive, with much of the cost attributable to labor negotiations, and to equalizing employee benefits. With the collective bargaining agreement signed, much of this cost has been assumed to date. For fiscal year 2005/06, we do project additional costs to cover expenses such as a pension plan, legal fees and to establish a fire chief's position. The town currently funds the operating budgets for both the Eagleville Fire Department (EFD) and the Mansfield Volunteer Fire Company (MVFC), and those expenditures would constitute the budget for the new division. Most of the anticipated new costs will be incurred over the short-term, and once these expenditures are built into the base budget, future increases will not be nearly as significant.

### **Legal Review**

Staff has prepared the proposed ordinance in consultation with the special counsel that it has retained to assist with the emergency services project.

### **Recommendation**

As required by the Mansfield Code of ordinances, staff recommends that the town council schedule a public hearing to solicit public comment regarding the proposed ordinance.

If the town council supports this recommendation, the following motion is in order:

*Move, effective March 28, 2005, to schedule a public hearing for 7:45 p.m. at the town council's regular meeting on April 11, 2005, to solicit public comment on "An Ordinance Establishing a Division of Fire and Emergency Services."*

### **Attachments**

- 1) Proposed Ordinance



**Town of Mansfield  
Code of Ordinances**

**“An Ordinance Establishing a Division of Fire and Emergency Services”**

*March 28, 2005 Draft*

**Section 1. Title.**

This Ordinance shall be known and may be cited as the “Ordinance Establishing a Division of Fire and Emergency Services” or the “Division of Fire and Emergency Services Ordinance.”

**Section 2. Legislative Authority.**

This Ordinance is enacted pursuant to Connecticut General Statutes §§ 7-148 and 7-193, and § C509 of the Mansfield Town Charter, as amended.

**Section 3. Purpose.**

The Town Council has established a Division of Fire and Emergency Services within the Department of Public Safety to provide for fire protection and the emergency services in the Town of Mansfield.

**Section 4. Creation of Division of Fire and Emergency Services.**

There hereby is created a Division of Fire and Emergency Services within the Department of Public Safety. The Division of Fire and Emergency Services shall be responsible for performance of the responsibilities of the Department of Public Safety, under § C509 of the Charter of the Town of Mansfield, for protection of life and property within the Town of Mansfield from fire and for provision of emergency services. The Division of Fire and Emergency Services shall be administered by a Fire Chief, who shall be appointed by the Town Manager and shall report directly to the Director of Public Safety. Upon resolution of the Town Council, the Division of Fire and Emergency Services may include not only career firefighters but also volunteer firefighters.

**Section 5. Construction.**

Whenever used, the singular number shall include the plural, and the plural the singular.

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## MINUTES

### **Mansfield Advisory Committee on Persons with Disabilities**

Regular Meeting - Tuesday Feb. 22, 2005

2:30 PM - Conference Room C - Audrey P. Beck Building

- I. Attendance: K. Grunwald, S. Thompson (staff), T. Miller (Acting Chair), W. Gibbs, J. Sidney
- II. Approval of the Minutes for the Meeting of Jan. 25, 2005: minutes were approved as written.
- III. New Business:
  - a. There was no report yet issued on the PZC special permit for 452 Storrs Rd. S. Thompson gave a brief synopsis on the permit request, indicating that J. DeWolf would be making a formal review.
  - b. Information was distributed on the TASH New England 2005 Conference
  - c. T. Miller presented information on the Smart Medical Home concept and other "Smart" initiatives for decreasing barriers.
- IV. Old Business

- a. Membership: J. Sidney was welcomed as the newest member of the Committee.
  
- b. Update on ADA compliance – Community Center: J. Sidney and D. Korbelt met with the staff at the Community Center in regard to the shower seating area in the women's facilities. It has been decided that further research will be made into the type of shower seats available which would provide more adaptive accessibility for the public who experience various adaptive needs. J. Sidney is researching this online and with pharmacies, and T. Miller will check with S. Hasson regarding medical equipment catalogs, which might offer varieties of shower seating.

Meeting adjourned at 3:30 PM; next meeting will be on Tuesday, March 22 at 2:30.

Respectfully submitted,  
Sheila Thompson

# CHARTER COMMUNICATIONS ADVISORY COUNCIL

November 15, 2004

## ATTENDANCE COUNCIL

Gene Sellers	Grace Enggas
Betty T. Church	Joan Meldrum
Dave LaMore	Kathie Elliott
Roger Morin	Joan Russoniello Goba
Nancy Gale	Olga Kurnyk-Ezis
Betty Church	

## ATTENDANCE CHARTER

Bob Spain	Mike Nelson
Ron Rozanski	

**ATTENDANCE PUBLIC:** None

**PUBLIC COMMENTS:** None

## CORRESPONDENCE

1. Received correspondence from the Towns indicating that we need to submit meeting dates and times for next year.
2. Also received new Advisory Council appointments from the Towns.
  - a) Coventry: Leo Pellerin is off the Advisory Council; David LaMore and Joan Meldrum have been appointed as the Town Representatives and Kathleen Elliot has been appointed to Board of Ed.
  - b) Scotland: Rosita Vining has been appointed as Town Representative.

## MINUTES OF SEPTEMBER 20<sup>TH</sup> MEETING

Motion to accept minutes of September 20<sup>th</sup> meeting by David LaMore; 2<sup>nd</sup> by Joan Meldrum. Unanimously accepted.

## FINANCIAL REPORT

Motion to accept the Financial Report of November 15<sup>th</sup> by Olga Kurnyk-Ezis ; 2<sup>nd</sup> by David LaMore. Unanimously accepted.

## CHARTER UPDATES: BOB SPAIN

1. Bob Spain, Director of Government Relations. Combined MA, CT, VT, NY operations into one. Works out of Worcester. 508-853-1515 ext. 72857; rspain@chartercom.com
2. Elimination of positions was a financial decision by Charter. The # of subscribers didn't justify the duplication of staff. There were some economies of scale made. Keep subscriber's rate down. Cost this year is going up 12%.
3. When 800 # Customer Service line is called there is a routing sequence involved. If call comes from CT the system looks for an open CT rep.
4. Delighted customers is the first thing Charter strives for; Successful employees; Strong bottom line.

## CHARTER UPDATES: RON ROZANSKI

1. 1978 started in cable business. 860-456-8346 x. 3040 is how Ron can be reached or Ron.Rozanski@Chartercom.com
2. Gives customer his own number so that problem gets resolved.

**Charter Communications Advisory Council**  
**November 15, 2004**

3. Customer comment board, employee incentives.
4. Will be starting a 2<sup>nd</sup> shift for outages and system reliability
5. Will also be starting a 3<sup>rd</sup> shift. Faster response time for fixing problems.
6. Board put up with the recent outages. Helps the technicians.
7. 2 more broad band technicians. Almost next-day service.

**CHARTER UPDATES: MIKE NELSON**

1. Membership update. Michael has done a lot of work cleaning this up and contacting Towns. He will put the add in the paper required to solicit members by the end of the year.
2. Mansfield Congregational Church taped for Christmas play.
3. HomefrontLive: Relay for Life, DCF, Generations (Health Program), kayaking in Willimantic river, Mansfield recycling coordinator.
4. Town Talk w/ Rusty Lanzit had Senate Candidates on Habitat for Humanity.
5. Education Matters: Dessert Storm, Teachers network, America Star of Teaching Award.
6. New Show: Artists and Authors starting in December.
7. Mobile studio: UCONN Men's Soccer, Women's Soccer, CSU vs. WCSU Soccer.
8. Media sponsorship award.
9. 3<sup>rd</sup> Thursday. Has really grown in numbers.
10. Sports: Columbia/Windham Soccer association.
11. Opera at UCONN. Fine Arts Dept w/ Orchestra.
12. Amy Goodman runs Democracy Now. She did a speech and Mike taped it.
13. Live Studio Night: sometime in January. Live call in shows for Public Access.

**NEW BUSINESS**

1. Meeting Dates for 2005

March 21, 2005  
May 16, 2005  
July 18, 2005  
September 19, 2005  
November 21, 2005

Motion to adjourn meeting at 8:45 pm by Grace Enggas; 2<sup>nd</sup> by Dave LaMore. Unanimously accepted.

**NEXT MEETING**

**Charter Communications Advisory Council**

When:                   Monday, March 21, 2005  
                                  7:00 pm

Where:                  Charter Studio  
                                  207 Tuckie Road  
                                  North Windham  
                                  P.70

**Mansfield Commission on Aging Minutes**  
**Monday, February 14, 2005 2:30 PM – Senior Center**

**PRESENT:** K. Grunwald, S. Thomas, M. Thatcher, B. Griffin, B. Acebo, E. Norris, T. Rogers, K. Doeg, C. Phillips, C. McMillan, D. Mercier, J. Kenny, P. Hope  
**REGRETS:** P. Secker, N. Stevens

- I. **Call to Order:** Chair Susanna Thomas called the meeting to order at 2:35 PM.
- II. **Appointment of Recording Secretary:** K. Grunwald agreed to take minutes for the meeting.
- III. **Acceptance of Minutes:** The minutes of the January 10, 2004 meeting were accepted as written.
- IV. **Correspondence - Chair and Staff:** none.
- V. **Optional Reports on Services/Needs of Town Aging Populations**
  - A. **Health Care Services**

Wellness Programs –J. Kenny distributed copies of her report. She has been busy responding to victims of the Juniper Hill fire.
  - B. **Social, Recreational and Educational**

Senior Center – P. Hope distributed copies of her report. She noted that attendance at the Center tends to be low in January. There have been some closures and delayed opening due to weather. There have been some closures and delayed opening due to weather. Lifeline Screening was offered to provide testing in 4 different health areas. Linda Wohllebe has returned from medical leave part-time. The food service manager has resigned; a student is currently filling the position part-time. The Senior Center is in the process of compiling an accurate account of unduplicated members who are attending on a daily basis.  
Senior Center Assoc. – John Brubacher was not present; no report.
  - C. **Housing**

Assisted Living Project: K. Grunwald reported that the Town Council has approved funds up to \$25,000 for a market needs analysis to be done on development of an assisted living facility. The Coalition for Assisted Living is reorganizing and will be meeting in March 10. They would like to see seniors take on a lobbying function to support this initiative. They would also like to see a liaison with the Commission. B. Acebo circulated an article from the New York Times on assisted living.  
Juniper Hill, Jensen’s Park, Other: no report.
  - D. **Related Town and Regional Organizations**

Advisory Committee On the Needs of Persons with Disabilities: no report.  
Senior Resources of Eastern CT: no report. There was a suggestion that

Marilyn Gerling be approached to serve as the Mansfield representative to Senior Resources.

Town Plan of Conservation and Development: no report.

## **VI. New Business**

### **A. Agency Funding Requests:**

- a. Windham Region Dial-A-Ride: K. Grunwald reported that the Windham Regional Transit District has requested that municipal funds come directly to them. WRCC is the current operator/sub-contractor for the service, and the contract is going out to bid. M. Thatcher reported on information that she received from Rose Kurcinik. The agency scored 27/30 on funding criteria: this reflects the importance of the service involved. Those who rely on this are among the most vulnerable citizens. The increased request from last year does not seem excessive, but there is a concern due to the Town of Windham's failure to fully fund this program. It was recommended that the amount requested be delivered to WRCC; members felt that they need an application from WRTD. Approved unanimously.
- b. TVCCA Meals On Wheels: C. Phillips reported on this application. The amount requested of \$1456.20, is a decrease from last year. Score of 30/30. Question of whether or not they reach all of the residents who need this service, but P. Hope pointed out that some eligible residents are at Juniper Hill. Recommended to fully fund, approved unanimously.
- c. McSweeney Regional Center: C. McMillan reported on their application. She felt that all participating towns are paying a similar amount for the services provided. Score was 29/30. Based on other town contributions she felt that our fair share would be 7-\$8000. Moved and approved that the application be funded in the amount of \$7500.
- d. Community Companions and Homemakers: K. Doeg reported on this application. Score of 27/30; closely aligned with the Department's mission. Mansfield is the only town that provides funding, and the feeling is that they are not trying hard to solicit funds from other towns. Recommends that the request be fully funded in the amount of \$4500. Approved unanimously.
- e. Mansfield Senior Center Association: D. Mercier reported on this application. She feels that it is a modest amount of money to request for the proposed service. She questioned why only \$750 has been spent to date. T. Rogers explained that for the first six months the Easter Seals rehabilitation program supported the food service employee; she is no longer working in the job, and it is difficult to find individuals who meet eligibility criteria. D. Mercier is concerned that the recommendation should be based upon how much will actually be spent out of the remaining funds for this year. She sees support for the TVCCA meal program as being a top priority. She sees the Windham

Hospital meal program as being a second priority, and asked whether or not the Town could assume the cost of a shed for the Senior Center. T. Rogers raised concerns about hiring a minimum wage employee to do the type of work that is required in the kitchen. D. Mercier also questioned how the Association can increase participation in the meal program without fully funding the request. The suggestion was also made that if the Association owns the existing shed then they should request that the Town find other storage space for the maintenance equipment that is in there. D. Mercier's recommendation is that there should be full funding for the requested items 1 & 2 (TVCCA meal program & Windham Hospital meal program), with a lesser priority for #3 (purchase of a shed); score of 30/30. She also recommended that if there is a need to cut, the Town look at sharing the cost of the shed. The feeling is that having the Association hire a reliable employee will take this burden away from the Senior Service Coordinator. Some discussion re: whether or not this should be an employee of the Association or the Town. Approved that the application be fully funded with the Item 1 request be fully funded, to continue the meals program by hiring an employee, with the recommendation that this be supported by the Town with the hiring of a part-time employee. If the Town is unwilling to do that, the COA recommends fully funding the Association's request to support this position. Moved by C. Phillips; seconded by C. McMillan.

## **VII. Old Business**

Process for up-dating **the Long Range Plan (2005-2009)** - Kevin Grunwald

- a. Review of accomplishments of previous plan: request made that members do this for the next meeting.
- b. Review each area of the plan and indicate comments/questions on the following dimensions: Existence, Adequacy, Accessibility, Efficiency, Equity, and Quality.

**VIII. Adjournment:** meeting adjourned at 4:40 PM

(next meeting set for Monday, March 14, 2005 at 2:30, Senior Center)

# Memorandum

**To:** Martin Berliner, Town Manager  
**CC:** Kevin Grunwald, Director of Social Services  
**From:** Susanna Thomas, Chair, Commission On Aging  
**Date:** 3/14/2005  
**Re:** Agency Funding Requests

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At our February 14 meeting, the Commission on Aging reviewed applications for funding by the Town from the following non-profit agencies:

- Community Companion and Homemaking Services
- McSweeney Regional Senior Center
- The Mansfield Senior Center Association
- TVCCA/ Meals on Wheels
- WRCC Dial-A-Ride and ADA Transportation Service

The table on the following page represents the recommendation of the Commission on these funding requests. If you have any questions regarding this, please feel free to contact me at 429-2522.



AGENCY	REQUEST	RECOMMENDATION	COMMENTS
Community Companion and Homemaking Service	\$4500	\$4500	This agency does good work and serves clients who tend to "fall through the cracks." The Town donation is used for Mansfield residents who have no funding source for services, or who need service while they file applications.
McSweeney Regional Senior Center	\$10,000	\$7500	There is an appreciation for the importance of the Dental Clinic operated by McSweeney, particularly because many dentists will not serve clients on Medicaid.
Mansfield Senior Center Association	\$11,821	\$11,821* (less any carry-over funds from FY 05)	* Approved that the TVCCA meals portion of the application be fully funded, with the recommendation that this be supported by the Town with the hiring of a part-time municipal employee. If the Town is unwilling to do that, the COA recommends fully funding the Association's request to support this position. It was also recommended that the Windham Hospital meals portion of the application also be fully funded. The Commission suggests that if the Town cannot fund the purchase of a shed through the Capital Expenditures program, that the cost be shared between the Town and the Association
TVCCA/Meals On Wheels	\$1456.20	\$1456.20	This is an important service for elderly residents who are home-bound, enabling them to live a higher quality life through good nutrition.
WRCC Dial-A-Ride/ADA Transportation Service	\$39,066/\$29,636	\$39,066/\$29,636*	This is a critical service that serves those who can no longer drive their cars. This is another quality of life issue. The Commission requested an application from WRTD, as the funds will no longer go directly to the operator.

P.75

CONFIDENTIAL

**February 2005 Monthly Report  
MANSFIELD SENIOR CENTER**

Total Participation: (Approximate)			Windham		TVCCA		Total
			Food Service		Meals/Days		
			Meals/Days		Meals/Days		
Feb.	2005	1187	40	3	212	18	*252/18
Jan.	2005	987	58	3	192	18	250/19
Feb.	2004	1259	252	12	97	6	349/18

\*Does not include meals for Chinese dinner on Wed., Feb. 9

Meals on Wheels January 2005 count: 275

Two delayed openings. The Center was also closed February 21st for Presidents' Day.

**NOTES OF INTEREST:**

We began the month of February with our birthday lunch and the Mansfield Middle School Chamber Choir performing. Our Mansfield students are amazing!

Our monthly "main event" was the Chinese New Year Celebration on Wednesday, February 9<sup>th</sup> with 46 in attendance. The noon meal was provided by Chang Garden and entertainment provided by Hua Hua Zhang, a guest lecturer from the UConn Ballard Puppet Museum who specializes in Chinese puppet.

For this "romantic" month, we offered a special homemade Valentine meal provided by TVCCA for Wrights Way Day on Friday, Feb. 11<sup>th</sup>, with 23 in attendance. Entertainment was provided by Don Donegan.

Other special programs and activities for the month included a program on ice fishing in Connecticut on Feb. 3; a free hearing screening sponsored by UConn Speech and Hearing Clinic on Feb. 4; a presentation on trans-fat by the TVCCA nutritionist on Feb. 17; and "Practical Diabetes Management for the Older Adult" offered on Feb. 23.

A.A.R.P. Tax Assistance volunteers started the first of the year and will continue to mid-April. To date, approximately 113 have had their income taxes done here at the Center.

We held the first Quilting Retreat on Saturday, February 26; another retreat is scheduled for March 19.

TOWN OF MANSFIELD  
CONSERVATION COMMISSION  
DRAFT Minutes of the February 16, 2005 Meeting  
Conference Room B, Audrey P. Beck Building

Present: Robert Dahn (chair), Jennifer Kaufman, Quentin Kessel, John Silander, and Frank Trainor.

Absent: Denise Burchsted and Robert Thorson.

Guest: Donald Holmes

1. The meeting was called to order at 7:31 PM.
2. IWA Referral (taken out of sequence to accommodate Mr. Holmes).
  - a) W1289 - B.T. Partners, LLC. - 1768 Storrs Road. Map date, 1/27/05, revised 2/2/05. This application is for site work within the 150 foot regulated area in order to add a septic system under an existing parking lot in order to accommodate a new activity (conversion of warehouse space to an dance instructional space). Silander noted that although the proposed septic system is further from the wetland than is the existing one, cumulative effects on this very important wetland (Cedar Swamp) should be considered. The added septic system with additional nutrient input to a fairly nutrient poor wetland may have a negative impact on this wetland system over time. He further noted that this wetland is the prime recharge area and source of Cedar Swamp Brook, a black water stream that flows into the Willimantic River. Kessel moved, and Trainor seconded, that the proposed work should not have a significant negative impact on the wetlands. The motion passed with three in favor and one opposed.

The regular order of the meeting was resumed.

3. Membership: Disappointment was expressed with Lanse Minkler's resignation from the CC. He has served the CC well, most recently in the capacity of vice-chairman. It was noted that since the Town has ceased to appoint alternate members to the CC, the CC now has seven members and there is no need for another member to be appointed at the present time.
4. Kaufman moved, and Silander seconded, that the minutes of the January 19, 2005 meeting be approved. The motion passed unanimously
5. Fenton River: Silander reiterated (see the January minutes) that at a Quinnebaug Highlands meeting he attended, the group is making an effort to conserve the Mount Hope and Natchaug River areas, but they are placing a lower priority on the Fenton River. They perceive that the University of Connecticut wells represent a significant negative impact on the Fenton River and therefore lowers its status as a conservation target.
6. Stone Walls: Kessel reported that CC member Robert held a talk and book signing for his new book, "Exploring Stone Walls, a Field Guide to New England's Stone Walls." He gave an excellent talk to an overcapacity audience in the UConn CO-OP.

## 7. Open Space/Park Management Issues:

a) Kaufman noted that the unfunded mandate that comes with the Town accepting open space dedications represents a significant financial burden for the Town. She suggested that the Town should adopt a policy for funding the inspections and maintenance of these areas. Silander noted that the Nature Conservancy insists that their land donations be made in conjunction with donations for that purpose. No action was taken on this.

b) Kessel reported on two actions taken by the OSPC at their February 15, 2005 meeting. At this meeting Wetherell reported that at a Land Management meeting she learned that more than 100 subdivision lots were pending or in the process of being considered for approval. This compares with a more usual number of 80 for a full year. She noted that the exceptional number of applications was making it impossible for the PZC to make the required timely progress on the Town's new Plan of Conservation and Development. Further, at a meeting of the Agricultural Committee she learned that this committee was planning to ask the Town Council to be more proactive in conserving open space and farmland. Following an extensive discussion of these issues the OSPC took the following actions:

i) Agreed to explore with the Agricultural Committee the feasibility of making a joint recommendation to the Town Council, asking them to be more proactive in preserving open space and farmland and to provide appropriate funding for such a proactive approach.

ii) Agreed to recommend to the PZC that a moratorium be placed on subdivision applications until the Town Planner and the PZC can complete the Town's new Plan of Conservation and Development and make the subdivision regulations consistent with the New Plan of Conservation and Development.

After discussion of these issues, the CC unanimously voted to support the OSPC actions described in i) and ii), above.

c) Kaufman distributed copies of the "Bittersweet Dispatch," describing efforts to combat invasive species, including the efforts of Mansfield Natural Area Volunteers. More information is available under Parks and Recreation on the Town's website.

## 8. IWA referrals (continued) and comments on the corresponding PZC referrals.

b) W1285 - Ballas - Woodland Road. The CC declined to act on this application because the Town has yet to make an appropriate site visit to the site.

c) W1286 - Dorwart Family Trust - Wormwood Hill Road. Map date, 12/14/04, revised 2/2/05. Kessel moved, and Kaufman seconded, that the proposed work on lots 1, 2, and 3 should not have a significant negative impact on the wetlands. It is recommended that a greater effort be made to move activities out of the regulated areas on lots 4 and 5. It appears that the house on Lot 5 could be moved in the northerly direction to increase its distance from the wetlands. This might be done in conjunction with moving the house on Lot 5 in the northeasterly direction and beyond the 150 foot limit. The motion passed unanimously.

PZC File # 1225 - Dorwart Family Trust. With regard to the Conservation easement, the CC applauds the stated goals, but finds the plans are not consistent with these goals. For example, one figure shows the lovely view along the road as it currently exists and states that the tree canopy that extends overhead is important to the character of the road. Reference to the maps show that new utility lines will be placed along the road and the assumed tree cutting and trim p. 78 is likely to be detrimental the overall

appearance of the road. At the present time, there are no power lines along this portion of the Road. Electrical service to the Dorwart house currently reaches that house from the north while the next house along the road is served from the south. The plan calls for buried utilities to serve Lots 1-4. It is not clear to members of the CC why the service to the current Dorwart house could not be extended, underground, to all 5 lots, thus preserving much of the current view along this portion of the road.

Also in contradiction with the stated preservation goal are the proposed number of cuts through the easement areas and stone walls. The plan does not make appropriate use of the new three house per driveway regulation, whose purpose was to minimize such cuts. For example, the semicircular driveway requires 2 cuts when only one would be necessary with better planning. In fact, the planning could take into account that the lot just north of this subdivision may someday be developed and the overall plan might have managed this potential of 6 houses with only two road cuts. It was also suggested that any future planting in, or maintenance of, the conservation easement area be limited to the use of native species planted in a naturalistic fashion. Kessel moved, and Dahn seconded that the above comments, which do echo those made by the OSPC, be included in the minutes and forwarded to the PZC.

d) W1287 - Town of Mansfield, LLC. - Separatist Road. Map date, 1/24/05, revised 2/2/05. This is an application to construct a bike path along Separatist Road from South Eagleville Road to Hunting Lodge Road. Silander used the opportunity to question the Town's existing bike path construction along Route 44. It appears to be over engineered and has required the removal of many trees, destruction of stone walls and construction in wetland areas. He asked if the proposed bike path would require a similar destruction of properties. Kessel moved that it would not have a significant negative impact on the wetlands involved, but there was no second to the motion. Silander then moved, and Trainor seconded, that based on the destruction of wetland areas by bikeway construction along Route 44, that this proposed work may have a significant negative impact on the wetlands involved. The vote was 2 in favor, 1 opposed and 1 abstention.

e) W1288 - Ross - Candide Lane. Map Date, 1/27/05. This is an application for a new house on a remaining lot in the Candide Lane subdivision. Kessel moved, and Trainor seconded, that the proposed-work should not have a significant negative impact on the wetlands. The motion passed with three in favor and one opposed. Silander moved, and Kessel seconded, that to minimize the impact on the wetlands and to minimize the destruction of the stone wall, that the house be moved further from the wetlands. It was noted that this seems practical and would minimize the height to which the septic system pump would have to pump the sewage. The motion passed unanimously.

f) W1290 - Smith Farm Dev. Group - Mansfield City Road. Map date January, 2005. This is an application for a 25 lot subdivision, Phase II of the Smith Farms subdivision. Kessel moved, and Kaufman seconded, that the CC express general disappointment with the design of the subdivision; however, with the exception of a lack of retention ponds for the road drainage, there did not appear that there would be a significant negative impact on the involved wetlands. The motion passed with 3 in favor and 1 abstention.

PZC file # 1214-2 Smith Farms Development Group, This is an application for Phase II of this development and proposes an additional 25 house lots for this property. As is the OSPC, the CC is disappointed that this proposed development marginalizes the use of open space rather than making it an asset to the Town. It is used more as a buffer around the development and does not provide that large an area of uninterrupted open space. Furthermore, there seems to be little p.7 9t made to preserve existing stonewalls,

or to fully utilize the existing cart trails for hiking and walking. On Lot 8, for example, the plans call for the complete removal of a stone wall in order to place a linear drainfield in its location. This might be avoided with the use of a beehive-type of seepage pit. Rather than providing a large natural area of open space, this plan seems to utilize nearly every square foot of buildable land, leaving the dedicated open space area with nearly all of the wetlands and steep slopes. Although it may be that the plan follows PZC regulations (including the provision for 3 houses on a shared driveway), it fails to preserve any open space of great value. On the south side of the development, the proposed trail runs parallel with the land contours on a fairly steep slope. Such a trail would have to be carefully constructed and maintained. Furthermore, because the proposed open space includes trails and a picnic area on what would become Town land, it places an additional financial burden on the Town. Because of the necessity of the Town maintaining this less than ideal open space and trail system, the CC recommends that the developer be required to establish or contribute to a Town-administered trail or open-space maintenance endowment. It was noted that the third houses on shared driveways (Lots 4 and 11) intrude significantly into the proposed open space. It was suggested that an easement for a trail be placed on Lot 10 so that the old cart trail might be utilized for access to the Town's open space instead of placing so much of the trail on the three-house driveway. Wherever possible the developer should be encouraged to preserve the historic nature of the property by preserving stone walls and utilizing the old cartways for hiking and walking trails. In addition to the above concerns expressed by the OSPC, in the event the application is approved as presented, the CC recommends that parking for hikers be provided and that the access to open space be clearly marked. Furthermore, the CC recommends that great care be taken with the construction of the long steep driveway to lot 4.

9. Among the communications distributed, Kaufman distributed copies a letter to the Town of Mansfield from the Eastern Connecticut Conservation District, Inc., dated February 2, 2005 that reviewed the proposed Sawmill Valley Estates. She reported that the Town Planner felt that it was a model report. The CC members present agreed that it would be nice for the CC to have the resources to make similar reports, or to be able to commission such reports for the Town.

10. The meeting adjourned at 9:40 P.M.

Respectfully submitted,

Quentin Kessel  
Secretary

## MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, March 7, 2005  
Council Chambers, Audrey P. Beck Municipal Building

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

Chairman Favretti called the meeting to order at 8:50 p.m., appointing Alternate Ryan to act as a voting member, to replace the vacancy created by Mrs. Barberet's resignation.

Minutes 2/22/05 – Hall MOVED, Holt seconded to approve the Minutes as submitted; MOTION CARRIED, all in favor except Kochenburger and Goodwin (disqualified)

3/1/05 field trip – Holt MOVED, Favretti seconded to approve the Minutes as submitted; MOTION CARRIED, Favretti, Holt, Plante, Gardner, Goodwin and Ryan in favor, all else disqualified.

Zoning Agent's Report - The February, 2005 Monthly Activity Report was acknowledged.

Negro court case – A court memo of decision was received last Friday stating that the Town has won all but the remaining one of its court cases vs. George Negro *et al.*, which has still to be adjudicated.

Public Hearing, proposed commercial buildings at 452 Storrs Rd. at Bassetts Bridge Rd., Home Selling Team, LLC, o/a, file 510-2 – The Public Hearing was called to order at 8:50 p.m. Members and alternates present were Favretti, Zimmer, Plante, Hall, Gardner, Goodwin, Holt, Kochenburger and Ryan. The legal notice was read and the following written communications noted: Town Planner, Eastern Highlands Health District (both 3/3/05); Ass't. Town Engineer, Health District (both 3/7/05); Fire Marshal, Design Review Panel. (both 3/1/05); Advisory Comm. on Persons with Disabilities (2/19/05); State DOT, J. S. DeCastro (2/24/05); D. Rawlinson (3/6/05). Steve Filip, land surveyor and project engineer, distributed revised plans dated 3/7/05, which address comments from Town staff, and briefly reviewed the comments, including those of the Eastern Highlands Health District, distributed at the meeting. The applicant, B. McCarthy, and Mr. Filip also discussed septic issues and some possibilities for dealing with the existing artesian well. The existing driveway will be reconfigured to contain a planted traffic island and to indicate that the preferred exit is onto Bassetts Bridge Rd. Identity signage is to be determined later and is not a part of this application. The applicant agreed to extend both of the pedestrian walks on his property out to the road. The proposed fence is to be of grey cedar; the dumpster is to be relocated and the size increased. The existing trees are to be retained and will be so shown on the revised plans, which, Mr. McCarthy promised, will be appreciably clearer than the present ones and will address all staff comments.

Handicap provisions were discussed; it was noted that, because both of the new buildings are under the specified minimum size, the second floors would not be required to comply with Federal handicap specifications. He also agreed that the peaked roof and Palladian window designs could be modified if required by the Commission.

Discussion returned to traffic concerns expressed by staff regarding the intersection of Bassetts Bridge Rd. and Rt. 195; Mr. McCarthy stated that his consultants had conferred with State Police to determine traffic accident patterns in the area and had completed what he felt is an adequate traffic study. It demonstrates that the intersection could safely handle an increase in traffic, which, Mr. McCarthy believes, is inevitable. It was noted that the Ass't. Town Engineer has recommended additional traffic data and analysis. Mr. McCarthy expressed that he is not in favor of one-way entrance/exit restrictions. Mr. Zimmer asked the applicant how entry/exit from Bassetts Bridge Rd. could be controlled, saying it seemed to him more likely that people would want to enter from Rt. 195. Mr. McCarthy said an internal traffic entry/exit plan would be submitted to the Commission. Mrs. Gardner also expressed concern regarding the higher amounts of turning traffic in an area that is already congested at peak traffic hours.

Landscaping plans were discussed with landscape architect John Alexopoulos, who stated that no trees were or are to be removed for sightline improvement. Mr. Alexopoulos discussed proposed landscaping and wetlands. He said that loam application of more than 4 inches would be possible. He has tried to plan for minimal use of pesticides. Many existing trees would be preserved for screening, and more would be added as appropriate. He said a 6-ft. snow shelf would be provided on the revised plans.

Mr. Padick noted that there is not much space for landscaping in the area where the planned drainage pipe is to be on the eastern side of the property. Mr. Alexopoulos said that, although that is true, there is enough room so that the tree line will not be over the pipe. Mr. Filip was asked to draw his plans on several sheets, in order to clarify the issues expressed in the one plan previously submitted; he agreed to do so. Public comment was then invited.

George Robinson, Mountain Rd., said that the well on the McCarthy property is affecting his well-flow. He voiced concern regarding the extensive tree-cutting taking place on the site, and also noted concern regarding traffic safety hazards as a result of the project.

Harold Schone, Mountain Rd., also voiced concern regarding traffic and tree-cutting. He enquired about the type of signage that is planned, where sewage would be directed, and, even more strongly, about the nature of future uses at the site. He thought that a drive-through bank would be a very bad idea, based on the traffic situation at the site presently. He stated that the proposal represents over-development for the size of the lot, and could cause severe traffic problems.

Irene Sheehan voiced concerns over the probable increase in traffic, leading to more accidents, and felt a drive-through bank would be a very bad idea. Otherwise, she said, she has no objection to the proposal.

Meg Reich, Bassetts Bridge Rd., asked whether the proposal fits into the definition of a neighborhood business, given the proposed scale, and whether it is consistent with goals in the Plan of Conservation and Development. She voiced concern regarding the already high levels of traffic on Bassetts Bridge Rd. and the narrowness of the road, and additional concern regarding existing wells and septic systems.

At 10:05, after brief further discussion, during which Mr. McCarthy agreed to submit clearer, revised plans, the Public Hearing was recessed until March 21<sup>st</sup>.

Public Hearing, special permit application for the performance of live music at Coyote Flaco restaurant, 50 Higgins Hwy. (Rt. 31), file 724 - The Public Hearing was called to order at 8:50 p.m. Members and alternates present were Favretti, Zimmer, Plante, Hall, Gardner, Goodwin, Holt, Kochenburger and Ryan. The legal notice was read and the Town Planner's 3/2/05 report noted. Mrs. Gardner questioned the meaning of the applicant's request for "special events" use of live music, saying she had been asked this by a property-owner near the site of the application. Since no one was present representing the applicant to answer questions, Mr. Padick noted that the PZC has the right to restrict business hours and other aspects of live music use.

James Garrity, who is a neighbor of the restaurant, noted that when a restaurant's doors are open the noise sounds much louder.

At 10:15 p.m., noting that no neighborhood notification receipts had been submitted, the Hearing was recessed until March 21<sup>st</sup>.

Public Hearing, proposed efficiency unit, Lot 7, Jonathan Lane, file 1226 - The Public Hearing was called to order at 10:15 p.m. Members and alternates present were Favretti, Zimmer, Plante, Hall, Gardner, Goodwin, Holt, Kochenburger and Ryan. The legal notice was read and reports were noted from the Town Planner and Eastern Highlands Health District (both 3/2/05). The site had been visited during the recent field trip. No one was present at the Hearing to represent the applicant, and there was no public comment. The Public Hearing was closed at 10:20 p.m. Mr. Kochenburger agreed to draft a motion.

### Other Old Business

Mulwood East, proposed 5-lot subdivision on Wormwood Hill Rd., file 1225 - Written comments were noted from the Open Space Preservation Committee (2/15/05), Conservation Commission (undated), Fire Marshal, Design Review Panel (3/1/05), Ass't. Town Engineer (3/2/05), Town Planner (3/4/05) and Eastern Highlands Health District (3/7/05). Peter Miniutti, project landscape architect, displayed and described a site analysis of the 19-acre site, pointing out wetland areas. He explained that the proposal is designed to protect the existing roadside character with a conservation easement. Minimal tree-clearing would take place, and houses would be placed lower down the slope, away from the road. Other issues raised by written comments from staff and advisory boards include whether the common drive should both enter and exit onto Wormwood Hill Rd. The applicant feels that it

should, based on consultation with CL&P representatives regarding utility service, including plans for an additional house on the west side of the road.

Mr. Dorwart explained that the IWA-required conservation easement would increase the total open space dedication for the entire parcel, including the "other land" to over 22%. He requested that the new proposed open space satisfy requirements for any future subdivision.

Mr. Zimmer urged that consideration be given to providing or enlarging recreational corridors adjoining or abutting lands. The applicant was also asked to submit further information to the Planning Office on utilities, and analysis of the impact of the proposed tree-clearing and pruning for utilities service. Discussion closed without public comment, and Mr. Hall agreed to work on a motion.

Proposed modification request for new dance studio use within existing commercial building at 1768 Storrs Rd., file 864-3 – Mr. Padick's 3/1/05 memo and a 3/1/05 communication from N. Smith were noted. After brief discussion, Goodwin MOVED and Hall seconded to authorize the PZC Chairman and Zoning Agent to approve the modification request of B.T. Partners, LLC, for a dance studio within an existing building at 1768 Storrs Road, as described in applicant submissions, subject to the following conditions:

1. Phase II of the plans, which involves the installation of a new septic system and use of a newly-constructed restroom for the dance studio occupancy, shall not be implemented unless the new septic system is approved by the Inland Wetland Agency and installed as per State Health Code requirements;
2. Due to potential concerns regarding the adequacy of onsite parking for all uses of this property, this authorization is for the proposed dance studio and continuation of two existing office uses that occupy about 6,600 square feet of the existing building. No occupancy of the remaining space unoccupied at the date of this approval shall take place without further authorization from the PZC. The adequacy of existing parking and sanitary systems will be important factors in determining appropriate uses of remaining space;
3. The three existing handicap parking spaces onsite shall be revised as necessary to address current State requirements for delineation and signage;
4. The property-owner and tenants shall monitor parking patterns in the gravel/crushed stone parking area and, as necessary, implement wheel stops or other measures to encourage parking in the previously-approved pattern. No parking or other obstructions shall be allowed in parking lot aisles, as they are part of the fire lane system and must be kept clear for use by emergency vehicles;
5. All applicable Health Code and Building and Fire Codes shall be addressed and required permits obtained.

MOTION PASSED unanimously.

Freedom Green, request for construction of remaining 15 units in Phase IV-B, file 636-4 – Mr. Padick's 3/3/05 memo, 3/2/05 letter from B. Otto, representing the management company for the condominiums, and the 2/28/05 letter from D. Poitras, Esq. requesting permission to construct the units, were noted. There was no public comment on the proposal. Holt MOVED, Hall seconded to authorize the remaining fifteen units in Phase IV-B, subject to compliance with approved plans, escrow fund provisions and all applicable approval conditions. MOTION PASSED unanimously.

Withdrawal request for subdivision application, Sunrise Estates, 25 proposed lots off Mansfield City Rd., file 1214-2 – 3/3/05 comments from the Parks Advisory Committee and a 3/7/05 letter from Att'y. L. Jacobs, representing the applicant, were noted. Holt MOVED, Gardner seconded to accept the withdrawal of the Sunrise Estates subdivision application of Smith Farms, as outlined in a 3/7/05 letter from Attorney Leonard Jacobs. MOTION PASSED unanimously.

Discussion of items 6 (Mansfield Downtown Center project) and 7 (proposed PZC fee revisions) was tabled to the next meeting pending further information; members had received information from the Downtown Partnership in their packets.

Town/University Relations Committee – A meeting was scheduled for Tuesday, 3/8/05. University of Conn. enrollment figures for the spring semester were noted.

### New Business

Wild Rose Estates, Jonathan Lane, request for bonding to allow issuance of occupancy permits, file 1113-2 – The Town Planner's 3/3/05 report and a 3/1/05 request from Att'y. Sam Schragger were noted. After brief discussion,

Holt MOVED, Holt seconded to modify condition #7 of the PZC approval of the Wild Rose Estates subdivision to authorize occupancy permits to be issued for individual lots, provided a revised construction bond agreement is approved by the PZC Chairman, with staff assistance. The amount of the bond shall be \$64,970, as previously approved, and the new completion date shall be September 1, 2005. The new bond agreement shall document the developer's commitment to maintain safe access to all homes with occupancy permits, including all necessary snow-plowing and sanding. MOTION PASSED unanimously.

Wild Rose Estates, Phase II, 25 proposed lots on Mansfield City Rd., file 1113-3 – Holt MOVED, Gardner seconded to receive the subdivision application (file 1113-3) submitted by The Miniutti Group, LLC for a 25-lot subdivision, Wild Rose Estates, Phase II, on property located off Mansfield City Road and Jonathan Lane, owned by Byron Thompson, as shown on plans dated March 2, 2005 and as described in other application submissions, and to refer said application to the staff, Design Review Panel, Town Council, Conservation Commission, Open Space Preservation Committee, Parks Advisory Committee and Recreation Advisory Committee for review and comment. A Public Hearing shall take place on May 2, 2005. MOTION PASSED unanimously.

2/24/05 letters from the Open Space Preservation Committee and Conservation Commission regarding subdivision moratorium—Mr. Padick's 3/1/05 memo was noted. It was MOVED by Favretti, seconded by Holt and unanimously agreed by the Commission to refer this matter to the Regulatory Review Committee.

Separatist Road bikeway project – Mr. Padick stated that the PZC may comment on the project through the Capital Projects process. Any comments the PZC wishes to make should be passed on to the Dep't. of Public Works or the Town Council soon after IWA action takes place.

Field trip – By consensus, a field trip was scheduled for Wednesday, March 23, at 1 p.m.

Plan of Conservation and Development Committee –Minutes of meetings of 1/19, 2/2 and 2/24/05 meetings were included in members' packets. The next meeting is scheduled for 3/10/05, at 3 p.m.

Communications and Bills – As noted on the agenda.

Proposed efficiency unit on Lot 7, Jonathan Lane. (Public Hearing held earlier in this meeting), file 1226 - Kochenburger MOVED, Holt seconded to approve with conditions the special permit application (file 1226) of KMC, LLC for an efficiency apartment on Lot 7, Jonathan Lane, in the Wild Rose Estates subdivision, off Mansfield City Rd. in an RAR-40 zone, as submitted to the Commission and shown on site plans dated 12/2/04 and undated floor plan, and other application submissions, and as presented at Public Hearing on 3/7/05. This approval is granted because the application as hereby approved is considered to be in compliance with Article X, Section M, Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. This approval is granted for a one-bedroom efficiency unit in association with a single-family home having three additional bedrooms. Any increase in the number of bedrooms on this property shall necessitate subsequent review and approval from the Director of Health and the Planning and Zoning Commission;
2. This approval is conditioned upon continued compliance with Mansfield's zoning regulations for efficiency units, which include owner-occupancy requirements and limitations on the number of residents in an efficiency unit;
3. This special permit shall not become valid until it is filed upon the Land Records by the applicant.

MOTION PASSED unanimously.

The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary



**TOWN OF MANSFIELD**  
**OFFICE OF THE FINANCE DIRECTOR**

JEFFREY H. SMITH, Director of Finance

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TO : Martin H. Berliner, Town Manager  
 CC: Matt Hart, Assistant Town Manager  
 FROM : Jeffrey Smith, Director of Finance *JH*  
 DATE : March 28, 2005  
 RE : Funding for the Mansfield Community Center

You have asked me to respond to Council-member Helen Koehn's memo of February 20, 2005 concerning the funding of the Community Center.

In that communication Helen raises the following points and/or questions:

- Do Community Center members and in particular, those not from Mansfield, pay their fair share?
- What are folks in Mansfield paying to fund the Community Center?
- I do not think that our residents who are not Community Center members should be subsidizing Community Center memberships.
- Services for children are another matter.
- The Council clearly told residents that the Community Center would not be a drain on taxes.
- We need an accurate accounting before we vote on the budget.

In order to address Helen's concerns and questions I have prepared an aggregate budget for the Community Center that includes not only operating revenues and expenditures, but capital and debt service expenditures as well. Please see attached Exhibit A.

In the operations of the Community Center, membership fees are approximately 90 percent of operating expenditures. This leaves a net subsidy of \$140,000. Of that amount, the Council has included \$50,000 in our General Fund Tax Budget to pay for memberships and programs of our less wealthy citizens and \$10,000 to support the Teen Center. Put another way, the operating subsidy without strings is \$80,000 or approximately 5.7 percent of the operating budget for 2004/2005. This is due to decrease in 2005/2006 to \$40,000, and be phased out after that. With that said, it should be noted that approximately 6 percent of the Community Center building, or nearly 10 percent of the income producing portions of the building are set aside for non-member use (sitting room, Teen Center, meeting room). Because these areas are not able to generate revenue, or very little revenue, it is more difficult to make the facility self-supporting. That is not to say that these areas are not important in a facility such as ours, only that a commercial facility would not have them.

If we consider the payment for Capital of \$50,000 and debt of \$233,013 then the total funding from sources other than operating revenues is approximately 25 percent.

We could argue that because the expenditures from Capital and debt are funded with Pequot/Mohegan grants then the only subsidy using tax dollars is for fee waivers and the Teen Center. That argument is valid in that the Council has an unwritten policy of not using Pequot/Mohegan grants as part of the General Fund Budget. On the other hand, one dollar is indistinguishable from another and were they to be used in the General Fund, they could off-set tax dollars.

Is this fair? That is for the Council to decide. I would note, however, that the issue is more complicated than whether non-member residents are subsidizing members of the Community Center. First, we use tax revenues to subsidize many of our programs that only benefit a few and are open to non-residents, see Exhibit B. We support our Library, for residents and non-residents alike, because literacy is a vital skill in a democratic society, our Senior Center/Wellness Center because taking care of those who have taken care of us is the right thing to do, our daycare center because the next generation is our responsibility, open space because of its recreational and scenic value and because for many of us wearing out our soles is restorative to our soul. The Community Center is no different. It promotes a healthy life style which allows us to enjoy our lives to the fullest. There is then a basic agreement that these types of programs support the greater good and are worthy of governmental support. But, where the line is drawn between user fees and general tax dollars will always be a matter for debate.

Second, we need the membership dollars that non-resident members pay us as a substitute for more tax dollars. We also need the membership fees that residents pay us again to keep the need for tax dollars at an absolute minimum. The more we encourage residents to use the facility and not be members the more we risk the need for increased tax subsidies. Similarly, the more we discourage non-resident members the more we risk the need for tax dollars. Under our current policy, a member resident has no more advantages in signing up for programs run at the Community Center than a non-member resident. In fact, the member resident is at a disadvantage in that they are paying for the operating costs of the Center and the individual program cost, while the non-member resident is only required to pay the program cost.

To conclude, there is no perfect solution and perfect fairness will remain elusive. However, we do believe that staff and the Town Council have worked hard and successfully to achieve a proper balance between taxes and user fees, and to mitigate the impact of the Community Center's operating budget on our residents and taxpayers. Consequently, at this point we do feel that the funding structure for the Community Center is appropriate, and that members both resident and nonresident are paying their "fair share."

**Community Center  
Aggregate Budget**

2004/2005  
Budget as Amended

Revenues:

Membership Fees	\$	1,000,000
Program Fees		150,000
Daily Admission Fees		30,000
Rent		50,000
Miscellaneous		16,000
<u>Operating Revenues</u>	\$	<u>1,246,000</u>
Operating Transfers:		
G/F Teen Center	\$	10,000
G/F Fee Waivers		50,000
CNR Fund Operating Subsidy		80,000
CNR Fund Capital		50,000
CNR - Debt		233,013
<u>Transfers In</u>	\$	<u>423,013</u>
Appropriation Community Center Fund Balance	\$	<u>15,810</u>
Total Revenues, Transfers, and Appropriation of Fund Balance	\$	<u><u>1,684,823</u></u>

Expenditures:

Operating Expenditures	\$	1,401,810
Capital Expenditures		50,000
Debt Service		233,013
	\$	<u><u>1,684,823</u></u>

*Other Subsidized Programs*

	Library 43100	Wellness Sr. Ctr. 42300	Discovery Depot Fund 231	Open Space*	Community Center
Total Budget 04/05	513,400	169,800	960,210	2,576,294	1,451,810
Debt Service Pmts	307,652		52,409 **	68,629 **	233,013
(Fees)	(15,000)		(720,700)		(1,261,810)
(Grants)	(8,600)		(238,430)	(299,600)	
Town Subsidy	797,452	169,800	53,489	2,345,323	423,013

\* Capital Costs as there is very little operating costs through 01/31/05

\*\* Final payment made in 05/06

REC'D MAR 21 2005

**COLE-CHU**  
 COMPANY, LLC  
 COUNSELLORS AT LAW

To: Mansfield Downtown Partnership Business  
 Development and Retention Committee  
 cc: C. van Zelm, E. Paterson, T. Callahan, M. Berliner,  
 H. Kaufman, T. Cody  
 From: Lee Cole-Chu  
 March 17, 2005  
 Re: Relocation of businesses in Storrs Center Project area

The Mansfield Downtown Partnership must comply with the Connecticut Uniform Relocation Assistance Act, Connecticut General Statutes Chapter 135 ("URAA"), and, if it turns out to apply, the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 United States Code §4601. (The latter depends on federal funding.) **The Partnership is presently seeking a relocation consultant to help prepare and implement a Relocation Plan that complies fully with the law and is as fair as possible to all concerned.** The key issues that will be covered by the Plan are summarized here.

The law requires that a displacing agency – here, the Partnership – help businesses that are required by a government-supervised project to move. The assistance is of two kinds:

- ACTUAL assistance (help finding a suitable new location and moving to it) and
- FINANCIAL assistance. This included paying for the move, including legally-authorized incidental expenditures or, if it is clear that a business can't successfully relocate, compensation up to \$10,000 – more if the federal act applies -- free of federal income tax, for lost profits.

There will be a detailed Relocation Plan. This is required by both state and – again, to the extent it applies – federal law. The Plan will be part of the Municipal Development Plan. As such, it will have been approved by the Town Council and the State before it becomes final.

The Plan will describe all aspects of the relocation program, including the following principal elements affecting businesses:

1. All owners and tenants will be treated in a fair and equitable manner, consistent with their respective legal rights and leases.
2. Relocation of each business will be handled individually.
3. Businesses operating premises acquired by the Master Developer who are month-to-month tenants or who have leases which either i) will expire before the preferred time for demolition for the Project or ii) have an early termination clause will be required to relocate, perhaps as early as June 30, 2006. Of course, there will be multiple written notices.
4. All businesses displaced by the Project, even temporarily, who wish relocation assistance will be eligible for, and will be offered, relocation assistance, including help analyzing space needs, finding and comparing alternative locations and making compensation claims.
5. All businesses permanently (generally displacement for over a year) displaced by the Project will be eligible for monetary compensation.
6. The Partnership hopes compensation will be established in all cases by agreement. Where there is no agreement, the law requires the Partnership to determine the proper compensation. There will be an appeals process, in case a business claims the Partnership's award is inadequate.
7. The Master Developer will give information to all businesses to be displaced by the Project about how it will select which businesses will be offered the opportunity to negotiate leases in Storrs Center.

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TOWN OF MANSFIELD  
OFFICE OF THE BUILDING MAINTENANCE DIRECTOR

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Item #12

TO: Martin Berliner, Town Manager  
FROM: Bill Hammon, Building Maintenance Director  
DATE: March 22, 2005  
RE: Small Water Systems

In response to your inquiry, this memo is an explanation of small water systems. There are three types of small water systems:

1. Community Systems – Examples: small groups of homes or an apartment building.
2. Transient Non-Community Systems – Examples: office buildings or shopping building such as Wal-Mart.
3. Non-Transient Non-Community Systems – Examples: schools.

The state requires that small water systems have Certified Small Water System Operators. Allen Corson, Deputy Director of Building Maintenance, is our certified operator, and after one year I will become a certified operator. The Town could also contract this requirement out to a certified operator if necessary.

The duties of the operator include:

1. Be responsible for day-to-day operations.
2. Ensure delivery of safe water by complying with Public Health Codes.
3. Maintain a consumer complaint log, including resolutions of complaints.
4. Test, flush, clean and disinfect the system as necessary.
5. Oversee the collection, testing and reporting of water samples by a certified lab (Premier Laboratory, Inc.) and send results to Department of Public Health (DPH).
6. Report all violations to DPH and issue public notices if necessary.
7. Oversee all repairs.
8. Be responsible where meters are required for measurements. (Note: We need more meters.)
9. Give advice on preventive maintenance programs and source protection programs.
10. Be aware of changes in regulations (notices are sent to me.)
11. Accompany regulatory officials for on-site inspections.
12. Keep accurate records (filed in Maintenance Director's office).
13. Investigate quality and quantity problems (no water at Vinton and Goodwin schools).
14. Attend training programs to stay current.

Should you require any additional information in this area, please do not hesitate to contact me.

  
Bill Hammon

cc: Matt Hart

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## Findings from the Full-Day Kindergarten Survey

Kenneth Dautrich

University of Connecticut Center for Survey Research and Analysis

### **Background and Methodology:**

In 2003 the Mansfield Department of Social Services, working in conjunction with the Education Department, agreed to explore the topic of full-day kindergarten. Working under a “Discovery Grant” from the Graustein Foundation, both departments felt that prior to implementation of a full-day kindergarten program in the public school system it was important to gauge the level of knowledge, interest, and commitment in this change by various members of the community. A limited survey had been done previously with parents of children entering kindergarten, and it was determined that it would be helpful to expand on this by developing a more extensive survey that would be sent to a cross-section of the community. The Town of Mansfield was fortunate to obtain the assistance of resident Ken Dautrich, who was serving at the time as the Director of the Center for Survey Research and Analysis at the University of Connecticut. The survey instrument that eventually evolved was developed over the course of a number of months prior to actually going out to households. Some of the questions incorporated into the survey came out of a Community Conversation that occurred in late November of 2003. Also in January a series of focus groups were conducted with teachers in the school system, as well as parents of preschool and recently kindergarten age students. Each focus group lasted about an hour and was structured to identify what the important issues were with respect to half day, full day kindergarten. Once this input was taken into consideration, a questionnaire was drafted and distributed to a number of people in the town and within the school system for feedback and revision. Ultimately, the content of the questionnaire was based Mr. Dautrich’s own perception of what the important issues were from all the various people who provided input.

The survey was distributed in late April of 2004. A random sample of 1400 households of the approximately 4000 households in town was selected from the list of taxpayers. Of the 1400 households that received the survey, a total of 552 returned questionnaires

were returned. This is better than what is typically an acceptable response rate for a mail survey. With a sample of 552, given a population of 4000 households, the sampling error for the survey was determined to be approximately plus or minus 3 %.

### **Key Findings/Responses to Survey Questions:**

The survey began by first attempting to assess respondents' familiarity with the public school system. The initial question related to support or opposition to implementation of full-day kindergarten simply presented people with the following statement:

1. Currently, the Mansfield public school system has a half-day kindergarten program. The half day program is one in which children attend school on weekdays for two hours and 45 minutes per day (either in the morning or in the afternoon). A proposal is being considered to change Mansfield's half-day kindergarten program to a full day program. In the proposed full day program, children would attend a full six-hour school day, similar to the length of the day for grades 1 through 4.

Would you support or oppose changing the kindergarten program in the Mansfield public schools from half day to full day?

- Support strongly
- Support somewhat
- Oppose somewhat
- Oppose strongly
- I'm not sure

This general question was posed before we began to talk about any of the more specific issues related to the issue to measure general top of the line support or opposition in moving the kindergarten program from half day to full day. What we found among all respondents was a significantly higher percentage of people who would support going from half day to full day rather than oppose it. Specifically 53% said they supported going from a half day to a full day program and 35% said they opposed it. Consequently, on the basis of general information describing the proposed change, residents are in favor of moving from a half day to a full day system by about 18 percentage points.

At the end of the questionnaire we asked the respondents whether or not they had school age children in the household. By doing this we were able to break down Mansfield

residents based on whether or not they have children in the schools or not and see how they responded to this particular question. What we found was that among households with children at home, fully 60% said they support changing from a half day to a full day program as opposed to 31% who oppose it. What this means is that by a 2 to 1 margin those who support moving to a full day system outnumber those who oppose moving to a full day system. We then found that even among those households without children, those who don't have a direct vested interest in this issue, we find more people in households without kids support the idea of moving to the full day system. Specifically 47% of those in households with no kids as opposed support it as opposed to 39% who oppose. Consequently, we found that regardless of whether or not there are kids who might be affected by the kindergarten program the survey results indicated significantly more people supporting than opposing a change to full-day kindergarten.

As part of the survey process, we felt that it was important to familiarize the respondents with the important issues that are behind the full-day/half-day debate. We attempted to do this by taking the main arguments that emerged in the focus groups and the Community Conversations and present them in the survey, so that respondents could react to the arguments that are either opposed or in favor of going to a full day system. To accomplish this we presented five arguments that favored moving to a full day system and five different arguments that favored a keeping the half-day system. What we found in the survey responses was that among the arguments that were presented for the full day system there were more people who agreed with those arguments than disagreed with them. The following two arguments received the highest level of support:

1<sup>st</sup> – Kindergarten should be extended because many children are now shuffled from daycare to kindergarten and a full day system will reduce these transitions. 59% agreed with that argument only 26% disagreed with it.

2<sup>nd</sup> -- Kindergarten should be extended because it will be more supportive of parents who work during the day. 57% agreed with that and only 32% disagreed with it.

The other three arguments that were made in favor of full day Kindergarten received more support than opposition. Those arguments are:

- Kindergarten should be extended because it will give the teachers more time to get to know and work with students.
- Kindergarten should be extended because it will provide more time during the day for children to learn at a more relaxed pace.
- Kindergarten should be extended because it will improve the child's preparedness for first grade.

All of those arguments received more support than opposition. It is important to note that the two that have the highest levels of agreement are around the argument about the extension of the day because it will help parents and the extension of the day because it will result in not shuffling kids around. So, the more compelling, all of the arguments are compelling for a majority of people to going to the full day kindergarten but the arguments that are most compelling are for logistical reasons, not necessarily the curriculum or the academic reasons. Residents appear to be very sympathetic to the fact that parents work and are even more supportive of moving to a full day kindergarten to deal with the logistical problems that parents who have kids in school face.

The following five arguments were presented as reasons for opposition to moving to a full day system:

- a. Kindergarten should not be extended because it will increase the costs of maintaining the public schools and cause property taxes to rise.
- b. Kindergarten should not be extended because it will require 5-year-old children to be away from home for too long a period of time.
- c. Kindergarten should not be extended because it will reduce the amount of time that children have to spend with their family.
- d. Kindergarten should not be extended because it will place too much stress on children.

- e. Kindergarten should not be extended because this change is more aimed at providing daycare for kindergarteners than at enhancing the quality of education.

Our findings were that for all of those five arguments there are more residents who disagree rather than agree with those arguments. The survey revealed the following results:

- Kindergarten should not be extended because it will reduce the amount of time that children have to spend with their family- 52% disagree with that argument, 34% agree with it.
- Kindergarten should not be extended because it will require 5-year-old children to be away from home for too long a period of time- 47% disagree 39% agree.
- Kindergarten should not be extended because it will place too much stress on children- 48% disagreed with that and 33% agreed with it.

The two other arguments presented for opposing the move to a full-day program also revealed more people disagreeing than agreeing.

When the arguments that are made that either support or oppose full-day kindergarten are presented to a scientific sample of Town residents we find that the arguments in favor of going to a full day system are more compelling to a sample of Town residents.

Another important finding from the survey deals with whether people support or oppose giving parents the option of selecting half day versus full day. This issue was discussed in the focus groups and the Community Conversation, questioning whether or not parents who don't want to send their kids to a full day program should have the option of keeping their children at the half day? The following questions were presented:

3. If a full day kindergarten program is offered, do you think that parents/guardians should or should not have the option of placing their children in a half day program?

- Should have the option of half day
- Should not have the option of half day
- I'm not sure

4. If you had to choose between Mansfield public schools offering a half day kindergarten program or a full day kindergarten program, which would you choose?

- Half Day Kindergarten program
- Full Day kindergarten program
- I'm not sure

That argument that parents should have a choice is a very compelling one, and the survey results indicated that 67% of residents say that those who have kindergartners should have the option of selecting a half day program for them, while only 18% say that there should not be a half day option.

Another group of concerns that often emerges when dealing with new programs or enhanced programs with any town service deals with the issue of costs and how to pay for those new services. We are aware that in Mansfield moving from a half day to a full day system would require increased resources to pay for those costs. The Superintendent's office was able to identify what resources would be required, and an estimate was developed to reflect the cost of moving from a half day to a full day system. This estimate indicated that the cost of this change would be an increase of approximately 1.5% to a typical property tax bill. Given this, the following question was presented in the survey:

5. Moving from a half day to a full day kindergarten program will require increased financial support for the public schools. It is estimated that local property taxes will need to increase by about 1.5% to fund a full day program. Would you support or oppose adopting the full day kindergarten program if that meant a 1.5% increase in your property taxes?
  - Support strongly
  - Support somewhat
  - Oppose somewhat
  - Oppose strongly
  - I'm not sure

The response to this question indicates that 49% of town residents overall continue to support the move from a half day to a full day system and 45% oppose that. These results indicate an expected change from the generic question of support vs. opposition, which is 53% support to 35% oppose. While introducing the concept of increased

property taxes does reduce the extent to which there is support in moving to a full day system, there are still more people supporting the idea of moving to a full day system than opposing the idea by a rate of 49% vs. 45%. These numbers are important in and of themselves, but also in the context of other town surveys that have been conducted on support for municipal services when there is a cost increase attached. The Center for Survey Research and Analysis has conducted surveys in the towns of West Hartford, Meriden, Hartford, Greenwich, Windsor, Waterford and Stamford. Over the past three to four years they've conducted many town surveys dealing with the issues of services and costs of those services. Those surveys indicate that when people are presented with the idea that they're going to pay more money for a town service it is rare to find a majority of people supporting rather than opposing the addition of that particular town service. In this particular instance we do have 4% more people who support the move from the half day to the full day kindergarten system, even in light of the fact that it will cost them more money.

**Summary:**

These are the primary findings from the survey. They should offer some important guidance to the Town as it goes about making decisions about what to do with the kindergarten system. The system that was used to generate the list of individuals who received the survey met accepted standards for survey validity. The important part of a sampling process is that every household had the same chance of being selected for the sample. To accomplish this we utilized an electronic database, which assigned each household a random number, which then generated the list of 1400 households to be surveyed. Because the process of choosing the households is a random process the results of this survey are generalizable to the entire population of Mansfield. The 552 households that responded represented a large enough group to then generalize the results to the entire population. It is important to note that a survey such as this involves a cross section of people at a given point in time. People change over time; people's attitudes can change from one time point to the next. For example, in a survey like this if next week it's announced that, aside from the full day kindergarten program, property taxes in the Town of Mansfield are going to increase by 5% that probably would have an impact

on people's willingness to pay even more for something like a full day kindergarten program. Because the survey was conducted in May of 2004 it's time bound to that particular point in time. If things may have changed as external events change affects how people respond to these types of questions.



March 21, 2005

Town Council  
4 South Eagleville Rd.  
Mansfield, CT 06268

Dear Council Members:

I am writing as the Chair and on behalf of Mansfield Advocates for Children (MAC), formerly the Mansfield School Readiness Council. MAC is composed of a representative group of community members, and functions as an advisory committee to the Town Council and the Board of Education on matters concerning young children. Our mission is "to contribute to the positive development of all young children in Mansfield."

Over the past two years MAC has been involved in a number of community events and activities focused on exploring and assessing the needs of young children and their families in town. Following on the heels of two very successful Community Conversations, MAC worked with the School Readiness coordinator and other staff of the Department of Social Services to conduct a survey of taxpayers in Mansfield on the issue of implementation of full-day kindergarten. We were fortunate to receive assistance on that project from Kenneth Dautrich, former Director of the UConn Center for Survey Research and Analysis. Utilizing data collected from the Community Conversations, and a series of focus groups, Dr. Dautrich developed a survey that was randomly distributed to 1400 taxpayers to assess their level of support for implementation of a full-day kindergarten program.

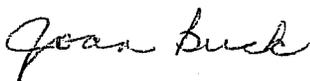
39% of all individuals who received this survey completed and returned it – a remarkable response rate, and 53% of respondents indicated their support for a full-day kindergarten program. Arguments in favor of full-day kindergarten that received strong support included a belief that this change will allow teachers more time to get to know and work with students, that it will allow children to work at a more relaxed pace, and that it will improve preparedness for first grade. 67% of all respondents also indicated strong support for allowing parents to have a choice of a full-day or a half-day program.

In evaluating this proposed budget, please bear in mind the Board of Education's dedication to a detailed and transparent research and review process, which is supported by the results of this survey. We also hope that you will appreciate the acknowledgement of the importance of giving parents a choice of kindergarten programs, including a plan for bussing of students regardless of whether or not they attend for a half-day or for the full-day session. Approval of this budget will enable kindergarten students to participate in a program model that is currently available in more than half of the school districts in

the United States, with proven positive outcomes for students throughout their educational experience. Full-day kindergarten allows a more integrated and less hurried environment for developing an interest in learning, developing social skills and for laying a good foundation for Reading and Math.

Mansfield Advocates for Children enthusiastically support the Board of Education's proposed budget, inclusive of a full-day kindergarten program. We hope that you will concur with this recommendation.

Respectfully,

A handwritten signature in cursive script that reads "Joan Buck".

Joan Buck, Chair  
Mansfield Advocates for Children

Dear Mansfield Town Council Members:

We fully support the Board of Education's proposal for full-day Kindergarten. We hope that you will fund the education budget as submitted.

Sincerely,

Glen Ridge Residents:

- 1) Elizabeth C. Halloran  
Elizabeth C. Halloran 23 Silo Rd West Storrs
- 2) Eva M. Eaton . 24 Silo Rd. W. Storrs
- 3) Evelyn Glazier Evelyn Glazier 22 Silo Rd West Storrs
- 4) Albert Kloban 13 Silo Rd W. Storrs

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I was informed that if I could not attend the Town Council Meeting that my voice could still be heard if I sent an email. The following is a couple of thoughts I'd like to share in support of Mansfield's implementing an all day kindergarten program:

\*\*Please note that I shared other thoughts in an editorial to the Chronicle on Saturday, February 5<sup>th</sup>, 2005.\*\*

To Whom It May Concern,

I have listened to those who have spoken against all day kindergarten and I have noticed two major themes to their arguments:

1. Children should be home with their families.
2. All day kindergarten is just daycare for those who do not keep a parent home with their young children and they don't want tax payer money paying for it.

Addressing point #1: As I mentioned in my editorial, families have to make many decisions in life and what works for one, does not work for them all. Having the town agree that the only way to raise a young child is to stay home with them, is telling the many who do not (for the many valid reasons they don't) that their situation is not acknowledged and supported by the town they live in.

Addressing point #2: The half day kindergarten program works effectively only for those families who have a parent staying home with their child. For the many who do not, it means a year of multiple transitions for their child, which negatively affects them and their families. The public school system is for the many, not the select few. If we are to offer a kindergarten program at all, it needs to be a comprehensive program that meets the needs of as many Mansfield children as possible. There are private programs to support select interest groups. Full day kindergarten is what's best for OUR kids; the children of Mansfield.

I also want to share that it is important to visit an all day kindergarten program before voting against one. It may not be what they think it is. In fact, I believe once they visit one, they'll see it is much, much more!

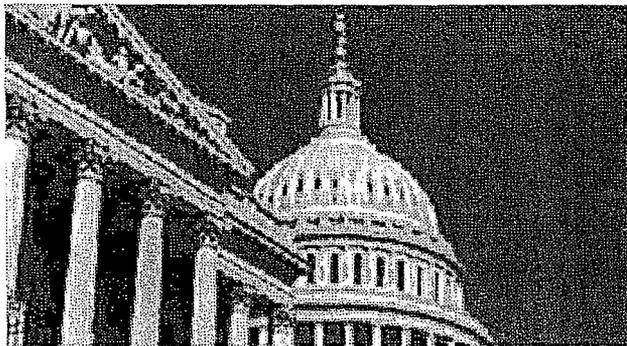
Thank you for considering my thoughts on this issue.

Monique M. Brown

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# FEDERAL ISSUES BULLETIN



CONNECTICUT CONFERENCE OF MUNICIPALITIES

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

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

March 1, 2005, No. 05-02

## President Bush's FY 06 Budget:

Proposal Would Severely Cut or Eliminate Many Community Programs

*Your Action Needed!*

President Bush recently released a \$2.57 trillion federal budget proposal for 2006 that calls for cuts in or elimination of 150 government/nonmilitary programs (including 48 within the Department of Education) in an attempt to cut the federal deficit in half by 2009. The budget proposal does not fully consider the costs of the war in Iraq and Afghanistan or start-up costs associated with Social Security private investment accounts. Further, the budget assumes that tax cuts previously enacted during the Bush Administration will remain. **Governor M. Jodi Rell estimates that Connecticut would lose \$97-\$108 million if the federal budget is enacted as presented.**

The budget calls for severe cuts in or elimination of many programs of importance to towns and cities, including a \$1 billion cut in various **law enforcement programs**. These cuts include a \$634 million cut in the **Justice Assistance Grant (JAG)** – formerly the Local Law Enforcement Block and Edward Byrne Memorial grants and a \$488 million cut – an 80% reduction -- in the **Community Oriented Policing Services (COPS)** funding.

The President proposes to **consolidate 18 economic development programs** -- including the **Community Development Block Grant (CDBG)** program -- into 2 programs and move them to the Department of Commerce. The President's **Strengthening American Communities Initiative** would be funded at \$3.71 billion, \$1 billion less than is received under the current CDBG program. Other domestic discretionary funding cuts include: **Food Stamps** program cuts that would, according to the Center on Budget and Policies Priorities, eliminate benefits for 300,000 families, and a 5-year childcare funding freeze that would eliminate 300,000 children from the program over the period. The President's budget would also reduce **Medicaid** funding by \$45 billion over 10 years, a cut which would greatly impact Connecticut.

The President would increase funding for **Title 1 of the No Child Left Behind Act (NCLB)**, from \$603 million to \$13.3 billion. However, the Act is still underfunded by \$9.4 billion.

*A detailed analysis of the President's budget proposal may be found on CCM's website, [www.ccm-ct.org](http://www.ccm-ct.org).*

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*This bulletin has been sent to all CCM-member mayors, first selectmen, and town/city managers.*

## Your Action Needed

Please email or fax Senators Dodd and Lieberman and your U.S. Representative(s) right away (see attached for contact information).

### Tell them to:

- *Oppose efforts to consolidate the Community Development Block Grant (CDBG) program and to support at least level funding for this important program.* Provide them with examples of the impact that an elimination of funding would have on your community.
- *Support full funding of the No Child Left Behind Act and legislation that meets the federal obligation to fund the Individuals with Disabilities Act (IDEA - special education) at 40%.*
- *Oppose efforts to severely cut funding – and support more resources -- for local first responders.* Provide them with examples of what you use COPS and JAG funding for. Remind them that local first responders are among those on the front-line in the war on terrorism.

\* \* \*

If you have any questions on federal issues, please call Ron Thomas, CCM's Manager of State and Federal Relations; or Jim Finley, Associate Director of CCM for Public Policy & Advocacy, at (203) 498-3000.

Attachment

# Connecticut Congressional Delegation

## *Contact List*

### U.S. Senators

The Honorable Christopher J. Dodd  
United States Senator  
448 Russell Senate Office Building  
Washington, DC 20510  
Phone: (202) 224-2823  
Fax: (202) 224-1683  
Website/Email: [www.senate.gov/~dodd](http://www.senate.gov/~dodd)

The Honorable Joseph I. Lieberman  
United States Senator  
706 Hart Senate Office Building  
Washington, DC 20510  
Phone: (202) 224-4041  
Fax: (202) 224-9750  
Website/Email: [www.lieberman.senate.gov](http://www.lieberman.senate.gov)

### U.S. Representatives

The Honorable John B. Larson  
United States Representative  
1005 Longworth House Office Building  
Washington, DC 20515  
Phone: (202) 225-2265  
Fax: (202) 225-1031  
Website/Email: [www.house.gov/larson](http://www.house.gov/larson)

The Honorable Robert Simmons  
United States Representative  
215 Cannon House Office Building  
Washington, DC 20515  
Phone: (202) 225-2076  
Fax: (202) 225-4977  
Website/Email: [www.house.gov/simmons](http://www.house.gov/simmons)

The Honorable Rosa DeLauro  
United States Representative  
2262 Rayburn House Office Building  
Washington, DC 20515  
Phone: (202) 225-3661  
Fax: (202) 225-4890  
Website/Email: [www.house.gov/delauro](http://www.house.gov/delauro)

The Honorable Christopher Shays  
United States Representative  
1126 Longworth House Office Building  
Washington, DC 20515  
Phone: (202) 225-5541  
Fax: (202) 225-9629  
Website/Email: [www.house.gov/shays](http://www.house.gov/shays)

The Honorable Nancy L. Johnson  
United States Representative  
2409 Rayburn House Office Building  
Washington, DC 20515  
Phone: (202) 225-4476  
Fax: (202) 225-4488  
Website/Email: [www.house.gov/nancyjohnson](http://www.house.gov/nancyjohnson)

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# United States Senate

WASHINGTON, DC 20510-0703

## MEMORANDUM

TO: Connecticut Locally Elected Officials  
FROM: Senator Joseph Lieberman  
DATE: February 17, 2005  
RE: Federal Budget Issues Affecting Cities and Towns

As we begin the fiscal year 2006 (FY06) budget cycle, I would like to have an ongoing dialogue with Connecticut cities and towns about their federal funding needs. This memo identifies some of the major federal programs that support municipalities in the areas of housing & economic development, education, law enforcement, transportation, and homeland security; describes the manner in which funds are allocated to local jurisdictions (either by formula, by competitive grant, or by Congressional "earmarking"); and alerts you to the President's recent budget request for each of these programs for FY06 (October 1, 2005 – September 30, 2006).

In theory, each of these programs will be funded by one of 13 annual appropriations bills that comprise the federal budget. Now that the President has submitted his budget proposal, Congress will soon begin to draft these bills. I hope to hear your concerns at an early stage in the budget process, in order to help me advocate for Connecticut before these bills are drafted in the spring. Generally speaking, my appropriations requests to the Appropriations Subcommittees must be submitted by March 15.

Attached for your reference is a detailed timeline and overview of the Congressional budget process (Attachments A and B). Once drafted, the 13 appropriations bills are expected to pass each chamber of Congress as separate pieces of legislation, and enacted before the new fiscal year begins on September 1. In practice, however, they are often combined into one or more "omnibus" appropriations bill, as was the case last year, and enacted in the fall or winter after the new fiscal year has started.

### Sources of Funding for Municipalities

The federal government administers hundreds of programs benefiting cities and towns, but this memo seeks to highlight those major programs with the greatest fiscal impact for municipalities. Within each area, programs can be grouped in three broad categories:

- 1) **Formula grant programs** receive an appropriation from Congress each year. That money is then distributed to localities according to various formulas prescribed in the law.
- 2) **Competitive grant programs** are also appropriated funds each year by Congress, but municipalities must apply to various federal agencies in order to receive these funds. My web site includes a "Federal Funding" page (see <http://lieberman.senate.gov/funding/index.html>) links to each new "Notification of Federal Funding Assistance" (NOFA) most applicable to Connecticut

communities and organizations. My state office in Hartford can also assist you in navigating the maze of federal programs and identifying federal funding for which your locality may be eligible.

- 3) **“Earmarked” Programs** do not distribute funds by formula or competitive grant; instead, the agency administering the program is directed by Congress to fund specific local projects. These projects are listed, or “earmarked,” in the Congressional Committee reports that accompany appropriations bills. While these reports are technically non-binding, federal agencies invariably fund the projects listed within them because they regard committee reports as statements of Congressional intent.

Some programs are fully earmarked, while others are competitive grant programs that are only partially earmarked. Since the Administration objects to Congressional earmarking, the fully-earmarked programs are typically omitted from the President’s budget request. In total, earmarked programs provide a much smaller amount of money to localities than do formula or competitive grant programs, but I and other members of our state’s Congressional delegation have always fought for Connecticut’s fair share of these dollars.

Following is a brief summary of major federal programs affecting municipalities in the areas of housing & economic development, education, law enforcement, transportation, and homeland security:

## **I. HOUSING & ECONOMIC DEVELOPMENT PROGRAMS**

President Bush’s “Strengthening America’s Communities Initiative” in the FY06 budget request would consolidate 18 community and economic development programs now totaling \$5.3 billion into a new, and significantly reduced, \$3.7 billion program to be run by the Commerce Department. The Community Development Block Grant (CDBG) is a part of this consolidation and is discussed below. The stated goal is to target these funds toward the poorest neighborhoods and streamline the administration of the programs, and the proposal would condition all future funding on a series of performance measures.

Attached is a list of the 18 programs that the President’s FY 2006 budget proposes to consolidate (Attachment C). It should be noted that opposition to this proposal is now the U.S. Conference of Mayors’ top legislative priority.

Below are the major areas of federal housing and community development support for cities:

### **Formula Grants**

**U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant** . Having already been cut 4 percent in the FY 2005 Omnibus Appropriations bill, the \$4.15 billion CDBG program would be eliminated in the Bush budget, as discussed above. CDBG funds are currently distributed to municipalities by formula, and cities have wide latitude over their use. Communities with populations greater than 50,000 are currently guaranteed some CDBG funding, but since the President’s consolidation proposal would eliminate CDBG, it would end that guarantee.

**HUD Section 8 Housing Choice Voucher Program.** Unlike CDBG funds, money to support Section 8 housing vouchers flows directly to public housing authorities (PHAs). HUD reimburses PHAs through a formula based on the fair-market rent in the local area. The President's budget proposes \$14.1 billion for tenant vouchers, a 5 percent increase over FY05 funding.

### Competitive Grants

**HUD HOME Investment Partnerships.** This program, which helps municipalities provide homeownership assistance, was cut 7 percent in last year's FY 2005 Omnibus Appropriations bill. The Administration is generally supportive of the HOME Program, however, and has proposed level funding of approximately \$1.9 billion.

**HUD HOPE VI programs.** Under Hope VI, public housing authorities can apply for funding to build or revitalize mixed-income housing. Hope IV received \$143 million last year, but has been slated for elimination in the President's Budget once again this year.

**Economic Development Administration (EDA).** Housed in the Commerce Department, this \$284 million agency provides support for municipalities for a variety of public works projects supporting economic development. Like CDBG, EDA would be consolidated into the "Strengthening America's Communities Initiative" under the President's budget proposal.

### Earmarked Programs

Congress has created two programs to supplement the CDBG. The **Economic Development Initiative (EDI)** and the **Neighborhood Initiative (NI)** are both fully earmarked each year. Congress provided \$262 million and \$42 million, respectively, for these programs in FY05, and the programs have broad eligibility criteria for bricks-and-mortar projects that support economic development. While funds are always extremely limited, I would be pleased to know of any initiatives that you might propose to benefit your city in these categories. The President's budget proposes to eliminate these two programs, but Congress is expected to restore them during the appropriations process.

**The State and Tribal Assistance Grants (STAG) program** also provided \$309 million in earmarked funding under the Environmental protection Agency in FY05 to support municipal water systems. The President's budget proposes to eliminate these grants, but Congress is expected to restore them during the appropriations process.

## II. EDUCATION PROGRAMS

### Formula Grants

**Title I ("No Child Left Behind").** This formula-based program targets funds to localities according to the population of low-income children in each city. The President's FY06 budget proposes \$13.3 billion for Title I in FY06, a 4.7 percent increase over the FY05, but it also eliminates 48 other education programs totaling \$4.3 billion (Attachment D) and cuts overall federal education funding by 3.7 percent. The Administration also proposes an additional \$1.5 billion to expand No Child Left Behind into high schools.

**Individuals with Disabilities Education Act (IDEA).** For more than 20 years, federal law has announced Congress's intention to finance 40 percent of the per-pupil costs of special education. Yet, in practice, federal support has averaged only 18-19 percent. The President's budget proposes \$12.2 billion for all IDEA programs, including \$11.1 billion for IDEA Grants to States, a 4.7 percent increase over the FY05 level.

### Earmarked Programs

**Fund for the Improvement of Education (FIE).** While very little funding is earmarked in the area of education, this program has broad eligibility criteria, supporting innovative projects for improving K-12 education. \$417 million was provided in FY05, and the program is heavily earmarked. FIE is not funded in the President's budget request.

## III. LAW ENFORCEMENT PROGRAMS

### Formula Grants

**Byrne Justice Assistance Grants program.** The FY05 Omnibus Appropriations bill merged the **Local Law Enforcement Block Grant (LLEBG)** and the **Byrne Formula Grant** program into a \$634 million **Byrne Justice Assistance Grants** program, which distributes 60 percent of its funds to the states and 40 percent to municipalities by formula. The President's FY06 budget, however, proposes to eliminate this grant program, claiming that it has not demonstrated its effectiveness in reducing crime.

### Competitive Grants

**Community Oriented Policing Services (COPS) Program.** This \$606 million program provides competitive grants for municipalities to hire, train and equip local law enforcement. President Bush's FY06 budget would cut the program to \$22 million.

### Earmarked Programs

**COPS Law Enforcement Technology Grants.** This portion of the COPS competitive grant program (see above) was fully earmarked last year. Technology earmarks totaled \$138 million in FY05. The President's Budget would eliminate this program.

**Byrne Discretionary Grants.** This program, totaling \$170 million in FY05, supplements the Byrne formula program. It has very broad eligibility criteria for law enforcement and crime prevention initiatives and was fully earmarked last year. The President has proposed to eliminate it.

**Juvenile Justice Programs (Part E--Demonstration Projects).** Congress appropriated \$102 million last year for "demonstration projects" designed to combat juvenile delinquency. While other juvenile justice funds are sent to the states via formula, Part E funds are fully-earmarked. The President's Budget would eliminate this earmarked portion of the Juvenile Justice Program, and would also eliminate the Juvenile Accountability Block Grants (JABG), which provided \$54 million to states and localities in FY05.

#### IV. TRANSPORTATION PROGRAMS

Federal highway and mass transit programs receive unique budgetary treatment. Highway and transit funding levels are determined every six years in a highway reauthorization bill, not in the annual appropriation process. The last such reauthorization, "TEA-21," expired in October of 2003, and Congress has yet to enact a successor bill to TEA-21. Connecticut faces an uphill battle against Sunbelt states seeking to redistribute highway funding toward the South and West, but is likely to benefit from new transit formulas if they reward states with high population densities.

Two years ago, the President proposed \$256 billion for highway, rail, and mass transit programs over six years. The Senate, by contrast, passed a more robust reauthorization bill with \$318 billion in funding for these programs, while the House bill included an intermediate funding level of \$284 billion. The last Congress ended with the two Houses deadlocked over a reauthorization level, but this year, the President has proposed a six-year transportation funding figure approximately equal to last year's House-passed level of \$284 billion.

Transit funding is generally directed to localities, whereas almost all federal highway funding is distributed directly to the states via formulas. Funding for both highway and transit projects is generally provided with a 20 percent local match requirement.

##### Formula Grants

**Fixed-Guideway Modernization.** This program provides funds to local transit systems to modernize or improve existing rail or fixed guideway systems. The President's budget requests \$1.3 billion for this program, slightly higher than last year's funding level of \$1.2 billion.

**Urbanized Area Formula program.** This program provides funds for cities with populations greater than 50,000 for transit capital and operating assistance in urbanized areas. It received \$3.6 billion in FY05. The President's budget request would provide \$3.7 billion for FY06, and the budget also proposes to consolidate this and a number of other formula programs into one \$6 billion program.

##### Competitive Grants

**Major Capital Investments ("New Starts").** This program provides competitive grants for construction of new fixed guideway systems or extensions to existing fixed guideway systems. The President's budget requests \$1.5 billion for this program, slightly more than the \$1.45 billion appropriated last year.

##### Earmarked Programs

**New Starts.** A portion of the New Starts competitive grant program (see above) is earmarked each year.

**Bus and Bus Related Facilities program.** This program is fully earmarked each year. Grants in FY05 totaled \$675 million. The program provides funding for buses, bus maintenance and other facilities. The President's budget would eliminate this program and shift funding toward the formula programs.

**Transportation and Community and System Preservation (TCSP).** This \$25 million program is fully earmarked, and provides funds for local efforts to improve transportation efficiency while preserving the character of the community. The President's budget would eliminate this program.

## **V. HOMELAND SECURITY PROGRAMS**

The U.S. Department of Homeland Security (DHS) provides grants to large, high-risk cities under the Urban Area Security Initiative (UASI). Beyond this, DHS sends very little grant funding directly to municipalities, instead targeting most such funding to the states, which are required to pass through 80% of funds to local governments. In FY06, the Administration proposes to change the state homeland security grant program from a formula grant program to a competitive grant program and target these grants to regions facing the greatest likelihood of attack and with the greatest unmet needs. The Senate Committee on Homeland Security and Governmental Affairs, of which I am Ranking Member, is scrutinizing this proposal carefully.

There are no earmarks in the annual Homeland Security Appropriations bill.

### **Formula Grants**

**Urban Area Security Initiative (UASI).** This program uses a risk-based formula to provide homeland security funding to cities at the discretion of the Secretary of Homeland Security, but in FY05 only those with populations greater than 225,000 within the city limits were eligible for these dollars. There is no application process; DHS gives out this money in accordance with its own internal criteria. Congress appropriated \$885 million in FY05, and the President's budget proposes \$1.02 billion for FY06.

### **Competitive Grants**

**Firefighter Assistance Grants Program.** Under this program, local fire departments can apply for funds to pay for vehicles, equipment, and training for first responders. The program received \$715 million in FY05, but President Bush has proposed to cut this funding to \$500 million in FY06.

# CRS Report for Congress

Received through the CRS Web

## The Congressional Budget Process Timetable

Bill Heniff Jr.

Analyst in American National Government  
Government and Finance Division

The Congressional Budget Act (CBA) of 1974 (Titles I-IX of P.L. 93-344, 88 Stat. 297-332) established the congressional budget process, which coordinates the legislative activities on the budget resolution, appropriations bills, reconciliation legislation, revenue measures, and other budgetary legislation. Section 300 of this act provides a timetable (see **Table 1**) so that Congress may complete its work on the budget by the start of the fiscal year on October 1. For more information on budget process, see [<http://www.crs.gov/products/guides/guidehome.shtml>].

**Table 1. The Congressional Budget Process Timetable**

Date	Action to be completed
First Monday in February	President submits budget to Congress.
February 15	Congressional Budget Office submits economic and budget outlook report to Budget Committees.
Six weeks after President submits budget	Committees submit views and estimates to Budget Committees.
April 1	Senate Budget Committee reports budget resolution.
April 15	Congress completes action on budget resolution.
May 15	Annual appropriations bills may be considered in the House, even if action on budget resolution has not been completed.
June 10	House Appropriations Committee reports last annual appropriations bill.
June 15	House completes action on reconciliation legislation (if required by budget resolution).
June 30	House completes action on annual appropriations bills.
July 15	President submits mid-session review of his budget to Congress.
October 1	Fiscal year begins.

The congressional budget process is initiated by the submission of the President's budget on or before the first Monday of February (31 U.S.C. 1105(a)). However, the

concurrent budget resolution is the centerpiece to the congressional budget process, providing the framework for subsequent legislative action on the budget.

The congressional budget timetable sets April 15 as a target date for completion of the annual budget resolution. However, Congress usually does not meet this deadline. Since the timetable was established in 1974, Congress has met the budget resolution deadline only six times during this 29-year period, most recently in 2003 for FY2004. Under the original deadline (prior to 1986, the deadline was May 15), Congress adopted the annual budget resolution on time twice, in 1975 and 1976. After the deadline was changed to April 15 with the Balanced Budget and Emergency Deficit Control Act of 1985 (see Section 201(b) of P.L. 99-177, 99 Stat. 1040), Congress has met its deadline four times, in 1993, 1999, 2000, and 2003. Further, Congress did not adopt a budget resolution twice (in 1998 for FY1999 and in 2002 for FY2003).

Section 303(a) of the CBA prohibits any spending, revenue, or debt-limit legislation for the upcoming fiscal year from being considered before a budget resolution has been adopted. However, the House may consider annual appropriations bills after May 15 if a budget resolution has not been adopted by then. In this case, the House Appropriations Committee must rely on the Section 302 allocations in connection with the most recently adopted budget resolution (i.e., the previous year's budget resolution). The House and Senate, however, may not consider any measure within the jurisdiction of the House and Senate Appropriations Committees, respectively, providing new budget authority for a fiscal year until the appropriations committees make and report their Section 302(b) suballocations (see Section 302(c) of the CBA). Because the House historically initiates appropriations measures, the congressional budget process timetable places deadlines on the House Appropriations Committee and the entire House to complete action on the annual appropriations bills.

When Congress includes reconciliation directives in the budget resolution, it also includes instructions to one or more committees to submit their legislative recommendations to their respective chamber's Budget Committees by a certain date. In addition, Congress may include a deadline by which the House must complete action on reconciliation legislation, superseding the June 15 deadline in the Budget Act.

While the deadlines in the budget timetable generally are prescriptive, the 1974 CBA sets forth procedural rules to encourage adherence to the timetable. First, Section 309 prohibits the consideration of a resolution providing for an adjournment period of more than three calendar days during the month of July until the House has approved the annual appropriations bills for the upcoming fiscal year. Second, if reconciliation legislation is required by the budget resolution, Section 310(f) prohibits the consideration of a resolution providing for an adjournment period of more than three calendar days as well until the House has completed action on the reconciliation legislation.

The procedural rules set forth in the 1974 CBA are enforced by points of order. However, these timing points of order are not self-enforcing and may be waived. In the House, this usually is done by the adoption of a special rule reported by the Rules Committee. In the Senate, a three-fifths vote is necessary to waive the requirement that the Senate Appropriations Committee make its suballocations before the Senate may consider any measure providing new budget authority for a fiscal year, but other points of order related to timing may be waived by majority vote.

# CRS Report for Congress

Received through the CRS Web

## Overview of the Congressional Budget Process

Bill Heniff Jr.

Analyst in American National Government  
Government and Finance Division

The congressional budget process, in the broadest sense, consists of the consideration and adoption of spending, revenue, and debt-limit legislation within the framework of an annual concurrent resolution on the budget. Under the Congressional Budget Act (CBA) of 1974 (Titles I-IX of P.L. 93-344, 2 U.S.C. 601-688), the House and Senate Budget Committees develop the budget resolution, assisted by the nonpartisan Congressional Budget Office. See [<http://www.crs.gov/products/guides/guidehome.shtml>] for more information on budget process.

Congress begins its budget process once the President submits his budget; the President is required by law to submit a comprehensive federal budget no later than the first Monday in February. Congress is not bound by the President's budget, and through its budget process may adopt budgetary legislation reflecting different priorities than the President's.

### Congressional Budget Resolution

The budget resolution, the centerpiece of the congressional budget process, sets forth aggregate spending and revenue levels, and functional levels of spending, for the upcoming fiscal year and at least the following four fiscal years. As a concurrent resolution, it is not presented to the President for his signature, and, thus, does not become law. By setting forth a comprehensive statement of congressional priorities on budgetary matters, however, the budget resolution provides a framework for subsequent legislative action on the budget during each congressional session.

The House and Senate Budget Committees develop the annual budget resolution, after receiving testimony from executive branch officials, Members of Congress, and the public, and receiving "views and estimates" statements from other congressional committees with jurisdiction over spending and revenues.

The House and Senate consider budget resolutions under expedited procedures. The CBA sets April 15 as a target date for completion of the annual budget resolution. No spending, revenue, or debt-limit legislation for the upcoming fiscal year may be considered before a budget resolution has been adopted unless a waiver of the rules is

granted. However, the House may consider annual appropriations bills without a waiver after May 15 if a budget resolution has not been adopted by then.

Once a budget resolution has been adopted, Congress may enforce its provisions through a complex set of points of order. For example, any legislation, or amendment, that would cause the aggregate levels to be violated is prohibited from being considered. Further, the total budget authority and outlays set forth in the budget resolution are allocated to each House and Senate committee that has jurisdiction over specific spending legislation. Any legislation, or amendment, that would cause these committee allocations to be exceeded is prohibited. Finally, the House and Senate Appropriations Committees subdivide their allocations among their respective 13 subcommittees. A point of order may be raised against any appropriations act, or amendment, that would cause these subdivisions to be exceeded. Congress also may use reconciliation legislation (discussed below) to enforce direct spending, revenue, and debt-limit provisions of a budget resolution.

### Subsequent Budgetary Legislation

About one-third of all federal spending is considered *discretionary* and is provided through the annual appropriations process. The House and Senate Appropriations Committees have jurisdiction over appropriations measures. The 13 subcommittees of each Appropriations Committee are each responsible for one of the regular appropriations acts. The regular appropriations acts provide budget authority for the next fiscal year. If the regular appropriations acts are not completed by October 1, Congress must adopt a continuing resolution providing stop-gap funding.

Revenues and the remaining federal spending referred to as *direct spending* (which funds mostly entitlements) are determined largely by existing law. No action is necessary by Congress for them to continue, although Congress usually modifies some revenue laws and direct spending programs each session. Congress may include reconciliation directives in a budget resolution in order to initiate necessary changes in revenue, direct spending, and debt-limit laws. Reconciliation directives instruct one or more committees to recommend legislative language necessary to achieve the levels of revenues, direct spending, and debt limit agreed to in the budget resolution. The legislative language recommended by committees is packaged by the House and Senate Budget Committees “without substantive revision” into one or more reconciliation bills. In some instances, reconciliation instructions may direct a committee to report its legislative recommendations directly to its house. Reconciliation legislation is considered under expedited procedures that limit debate and place restrictions on amendments.

Congress also may adopt revenue, direct spending, and debt-limit measures individually. The substantive provisions of such legislation must comply with the budget policies set forth in the budget resolution. Any freestanding budgetary legislation is subject to the points of order mentioned above.

## Attachment C

### Programs to be Consolidated Under the President's "Strengthening America's Communities Initiative"

#### Housing and Urban Development

CDBG Formula Grants

National Community Development Initiative

CDBG Set-Asides

Brownfields Economic Development Initiative

Rural Housing and Economic Development

Urban Empowerment Zones Round II Grants

Community Development Loan Guarantees

#### Commerce

Economic Development Administration

#### Agriculture

Rural Business Enterprise Grants

Rural Business Opportunity Grants

Economic Impact Grants

Rural Empowerment Zones (EZ)/Enterprise Communities (EC)

#### Treasury

Community Development Financial Institutions (CDFI) Program

Bank Enterprise Award (BEA) Program

CDFI Native Initiatives

#### Health and Human Services

Community Services Block Grant

Urban and Rural Community and Economic Development

Rural Community Facilities

## Attachment D

### Education FY 2006 Program Terminations

(Dollars in thousands)

<u>Program</u>	<u>2005 Appropriation</u>
<b><u>NCLB:</u></b>	
Foundations for Learning	992
Close Up Fellowships	1,469
Excellence in Economic Education	1,488
Women's Educational Equity	2,956
School Dropout Prevention	4,930
Mental Health Integration in Schools	4,960
Community Technology Centers	4,960
Exchanges with Historic Whaling and Trading Partners	8,630
Javits Gifted and Talented	11,022
Ready to Teach	14,291
School Leadership	14,880
Foreign Language Assistance	17,856
National Writing Project	20,336
Star Schools	20,832
Civic Education	29,405
SDFS Alcohol Abuse Reduction	32,736
Elementary School Counseling	34,720
Arts in Education	35,633
Parental Information and Resource Centers	41,886
Smaller Learning Communities	94,476
Comprehensive School Reform	205,344
Even Start	225,095
Safe and Drug-Free Schools State Grants	437,381
Educational Technology State Grants	496,000
<b>Total, NCLB</b>	<b>1,762,278</b>
<b><u>Other K-12:</u></b>	
Tech-Prep Demonstration	4,900
Occupational and Employment Information	9,307
Vocational Education National Programs	11,757
Tech-Prep State Grants	105,812
Vocational education State grants	1,194,331
<b>Total, Other K-12</b>	<b>1,326,107</b>

**Postsecondary:**

B.J. Stupak Olympic Scholarships	980
Interest Subsidy Grants	1,488
Underground Railroad Program	2,204
Thurgood Marshall Legal Educational Opportunity Progra	2,976
Demonstration Projects for Students with Disabilities	6,944
Byrd Honors Scholarships	40,672
Leveraging Educational Assistance Partnership	65,643
Federal Perkins Loans Cancellations	66,132
Teacher Quality Enhancement	68,337
TRIO Talent Search	144,887
GEAR UP	306,488
TRIO Upward Bound	312,556
<b>Total, Postsecondary</b>	<b>1,019,307</b>

**All Other ED:**

VR Migrant and Seasonal Farmworkers	2,302
VR Recreational Programs	2,543
Literacy Programs for Prisoners	4,960
VR Projects with Industry	21,625
State Grants for Incarcerated Youth Offenders	21,824
VR Supported Employment State Grants	37,379
Regional Educational Laboratories	66,131
<b>Total, Other ED</b>	<b>156,764</b>

**Total (48 Terminations) 4,264,456**

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Item #19

Testimony Of

**PHILIP SCHENCK, JR.**

**TOWN MANAGER OF AVON AND PRESIDENT OF CCM**

To The

**APPROPRIATIONS COMMITTEE**

March 16, 2005

Good morning. I am Phil Schenck, Town Manager of Avon and President of the Connecticut Conference of Municipalities. I thank you, on behalf of towns and cities across the state, for giving us this special opportunity to speak directly to you about the proposed state budget and its potential impacts on municipalities. Each year this dialogue is critically important to the residents and businesses we both serve.

The State and municipalities have suffered through some difficult fiscal years. We have both had to raise taxes and cut services.

As officials who have to balance our own budgets, we appreciate the difficult task you have. Yet we must ask you to restore funding for many of the important grant programs for which funding has fallen short the past few years.

### **Governor Rell's Proposed Budget**

Governor Rell's proposed budget is a better starting point for towns and cities than have been the budgets we have seen proposed the past several years. She has given you a foundation on which to build.

Nonetheless, despite some increases, *the proposed budget falls short of what is need to keep property taxes in check and local public services from being reduced.*

The Governor has called for an increase of \$85 million and a *decrease* of \$3.9 million in non-education aid. In all, municipal aid would increase by a net of \$81 million compared to this fiscal year.

And, as we at the local level know all to well, board of education budget requests alone are coming in well above the percentage increases she proposes – some as high as 6-10%. So the budget proposal for education – the area of biggest increase – is still running behind local costs.

The Governor has proposed a \$31 million increase in funding for the Education Cost Sharing Grant – but that is \$34 million less than the amount called for by present statutes.

We appreciate that she has proposed an increase in Special Education excess cost reimbursement of almost \$26 million – but her budget proposal itself states that it is funded at only 75% of what is needed if the reimbursement threshold is lowered to 4.5%. It falls \$23 million short.

**And funding for municipal general government continues to lag.** Aid to municipal general government has never recovered from the large cuts made during FY 2003-03. Even a cursory look at the major non-education grant programs shows that municipalities have had to continually pick up a heavier load.

Compared to a few years ago, municipalities are receiving less for Pequot-Mohegan grants, TAR and lower levels of reimbursement for all of the major PILOT programs.

The Governor proposes no increase in PILOT payments – which would be the second straight year of flat funding. *The reimbursement rates for these state-mandated tax exemptions continue to tumble.* And the proposed budget would *completely eliminate* two reimbursement grant programs within DECD – a reduction of almost \$5 million.

There is no increase proposed in the \$85 million appropriation for the Mashantucket Pequot Fund, which provided municipalities with \$135 million as recently as 2001 -- while the state's take from the casinos continues to rise.

There is no increase proposed for Town Aid Roads – it would remain at \$20 million, while it was \$35 million just three years ago.

While we know that it is not in your area of cognizance there is one other aspect of the proposed budget that could have a significant impact on the budget: the Governor's budget did not recommend *extension of the increased rates of the local portion Real Estate Conveyance Tax.* According to OFA, those increased rates will raise *\$50 million* for towns and cities this fiscal year – if not made permanent, that \$50 million would have to be made up by increased state appropriations, local service cuts or higher taxes.

Those increased rates were enacted to partially offset the cuts enacted in 2002-03 – cuts that have not been restored.

### **Municipalities Need Your Help**

Local officials do not want to come before you each year begging for assistance – we do not like being known as the “conference of crying mayors.” *But the numbers do not lie – under the proposed budget towns and cities would fall further behind. Local officials would have no choice but to cut the services that make their towns livable and increase regressive property taxes.*

As partners in delivering public services to the people and businesses of Connecticut, municipal officials need your help.

You will hear today from several local officials who will discuss the importance of specific programs to their hometowns, including funding for education and other important local

government services. *We ask you to help fulfill State pledges to increase aid for education, restore funding to grant programs that have been cut the past three years, and provide us with relief from costly unfunded and underfunded mandates.*

### **Working Together**

Municipal officials came to this forum the last few years pledging to stand with you to support revenue increases necessary to address property tax overdependence. Today we reiterate that pledge.

Most towns and cities cannot bear yet another year of budget and service shortfalls. The price will be paid by the children in our schools, in terms of our ability to respond to public safety emergencies, and in the quality-of-life for those who play in our parks, drive on our streets and need the services that only their local governments can provide.

We look forward to working with you to meet these shared challenges.

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# Design of New Athletic Facilities Seeks to Meet 'Green' Standards

BY RICHARD VEILLEUX

UConn officials have registered the Burton Family Football Complex and Mark R. Shenkman Training Center with a non-profit organization, hoping it will become the University's first building certified as meeting the Leadership in Energy and Environmental Design (LEED) standards for "green" buildings.

Once construction is completed, and if certification is granted by the U.S. Green Building Council, the complex would become the first college or university athletic complex in the nation to earn the designation, says Richard Miller, UConn's director of environmental policy. The U.S. Green Building Council is a Washington, D.C.-based coalition of building industry leaders.

Construction of the \$40 million, 165,000-square-foot facility began earlier this year, and is expected to be completed by summer 2006. The complex will include an indoor, 120-yard, multipurpose synthetic turf field, strength and conditioning facilities, athletic training and sports medicine facilities, academic resource areas for the Counseling Program for Intercollegiate Athletics (CPIA), offices, and more.

"There are unique challenges in constructing an athletic facility to

meet LEED standards," says Miller. "The indoor practice field is a large structure, with considerable open space, and there can be problems making such facilities energy-efficient, with their heating and cooling needs. On the other hand, these challenges have inspired some creative ideas from our design professionals. For example, infrared heating units will be directed to keep players on the field comfortable, and are more energy-efficient than heating the entire structure to a uniform temperature."

"We're extremely proud that these will be the first new construction projects on the UConn campus that will feature environmentally sustainable buildings," says Jeffrey Hathaway, director of athletics. "The Burton Family Football Complex and the Mark R. Shenkman Training Center will be among the nation's finest athletic facilities, and we are equally proud that they will be built with the ability to meet LEED certification."

To become LEED-certified — a process certifying that a building project meets a wide range of environmentally friendly criteria — UConn officials first had to decide whether it was economically feasible to incorporate the special designs and equipment required to attain environmental

sustainability. Once officials decided it was — the effort would cost less than 1 percent of the overall budget — they registered with the Green Building Council, indicating what measures would be taken. Another report will be filed after construction, and the council will review documentation verifying that the "green" design concepts have been included in the facility and are functioning as planned.

Miller says there are more than three dozen components in the construction of the Burton/Shenkman complex that promote environmental sustainability, from site selection to building design and selection of materials, energy and water conservation, and indoor environmental quality. Miller also says the University will earn creativity points by using 7,000-cubic-feet of peat excavated from the site to help restore and create wetlands that will be affected by the cleanup and construction activity at the former UConn landfill, which is scheduled to begin on the north side of campus later this spring.

Recycled steel will be used in construction of the facility, and the synthetic turf for the indoor field will be comprised of various recycled materials, including rubber from shredded tires and sneakers. Ninety percent of regularly occupied spaces in the com-

plex will allow for natural daylight and external views, reducing energy costs by enabling passive solar heating in the winter, and providing a more conducive environment for those who use the building. Permeable pavement, as an alternative to concrete or asphalt, and "bio-retention" swales around the facility will help cleanse or renovate storm water and reduce runoff that can cause sedimentation, erosion, and localized flooding downstream of the site.

Although the Burton/Shenkman complex is the first building at UConn to be registered for LEED certification — the Green Building Council's standards were only adopted in 2000 — architects and designers involved in every building project at Storrs, whether new construction or renovations — are required to follow UConn's environmentally responsible, sustainable design guidelines, a set of principles and strategies for building projects. Energy efficiency, water conservation, conserving materials and resources, improving indoor environmental quality, and land management are among the areas that must be considered when planning a project.

The University also will consider every future project for its technical and economic feasibility of becoming a LEED certified project, Miller says.

Besides enhancing the environment, Miller says following the Green Building Council guidelines eventually will save money, through ongoing operational, maintenance, repair and replacement costs, even though there would be a design and construction premium at the front end. The environmental measures being taken at the Burton/Shenkman Complex, which will cost about \$220,000, will pay for themselves in savings within five to 10 years, mostly through the built-in energy efficiencies and utility cost savings.

Also, as the LEED program begins expanding nationally, Miller says the cost of materials and equipment used in the projects will decrease as they become common, rather than specialty materials.

"Through UConn 2000, the University has had a remarkable transformation over the past 10 years," Miller says. "Now, with the beginning of 21st Century UConn, we have a tremendous opportunity to be a sustainable development leader among colleges and universities. By adopting our sustainable design guidelines and now, with the first LEED registered athletic complex in the NCAA, UConn has demonstrated its commitment to sustainable development."

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