



**TOWN OF MANSFIELD**  
**TOWN COUNCIL MEETING**  
**MONDAY, April 24, 2006**  
**COUNCIL CHAMBERS**  
**AUDREY P. BECK MUNICIPAL BUILDING**  
**7:30 p.m.**

**AGENDA**

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**EXECUTIVE SESSION**

SPECIAL MEETING-MANSFIELD TOWN COUNCIL  
APRIL 3, 2006

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 6:35 p.m. in the Community Room of the Mansfield Community Center.

I. ROLL CALL

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

II. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

None

III. NEW BUSINESS

Mr. Schaefer noted that on page 36 the increase in library hours should be for Wednesday not Sunday as stated.

1. Public Works

Lon Hultgren, Director of Public Works and William Hammon, Director of Maintenance answered questions on their budgets. (Pg. 115)  
In response to questions Mr. Hultgren addressed issues including the reclassification of two workers as drivers, the Birch Road/Hunting Lodge roundabout, Community Center parking, sewer leaks and snow plowing. Mr. Hammon explained the methodology used in the satisfaction survey of teachers regarding the custodial staff noting that he plans to redo the survey using a point value system.

Mr. Clouette suggested that staff look into the possibility of the housing inspector sampling large complexes as opposed to examining each individual unit. The idea being that this might reduce the amount of staff work and be less expensive for the owner.

Ms. Koehn requested that the concept of determining energy conservation by measurement of therms be included in the highlights. (Pg 134)

2. Marty Berliner, the Town Manager, raised a number of issues for Council consideration.

He noted that the latest information from the Appropriations Committee shows an increase in Mansfield's share. And although the process has a long way to go the town should be encouraged.

The Manager distributed a letter from the Ashford's First Selectman asking towns to consider regionalizing all of our K-12 schools. Mr. Berliner suggested that this issue might be raised at the Council's meeting with the Board of Education.

Based on previous discussions in the Council, the Manager suggested the possibility of discussions with the Housing Authority to see if there are ways that the Council could support their efforts.

The Manager also reported on the alleged animal abuse case in town commenting that at the moment the town is shouldering a lot of the expenses and though we will probably recoup most of the money we are currently expending money.

### 3. Solid Waste

Lon Hultgren discussed the relationship between the Willimantic Water Works and the Town.

### 4. Capital Projects

Jeff Smith, Director of Finance, enumerated a couple of expenditures not included in the budget: the Siemens Project, an energy improvement project, which is underway and the Willimantic Sewer Project our share of which is currently being negotiated.

The Town Manager mentioned a number of issues that although not in the budget have been under discussion. He has been in conversation with Mr. Callahan regarding the property adjacent to the Community Center and has received favorable comments from him. The Town and the University have been discussing the ownership of Post Office Road and the necessary improvements to it. The Town and the University have also been in conversations about a possible joint sewer and water agreement. A study on this subject is possible within the next few months.

Ms. Koehn requested a detailed estimate showing the increase in the Community Center bonding proposal.

Mr. Hawkins identified a number of items in the 5 Year Capital Improvement Program that should be flagged for further consideration. These include: the replacement boat, the epoxy floors, the tripod rescue kit, the purchase of Car 7 and the replacement of Forestry 117.

Ms. Koehn requested a total of the amount in all budgets that is proposed for technology in the school system.

The Town Manager noted that although it is only the first year of the Capital Project Fund that is adopted the staff will revise the out year request and represent it to the Council.

5. Capital Nonrecurring Fund

6. Town Aid

Matt Hart, Assistant Town Manager, questioned whether or not the April 12<sup>th</sup> meeting, which is the first day of Passover, should be rescheduled to April 19<sup>th</sup>. It was agreed that it should and that the meeting would start at 7:30 p.m.

#### IV. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

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SPECIAL MEETING-MANSFIELD TOWN COUNCIL  
APRIL 5, 2006

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 6:37 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. ROLL CALL

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

II. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

III. NEW BUSINESS

Board of Education

Mayor Paterson welcomed the members of the Board of Education and staff. Present for the Board of Education: Gary Bent, Mary Feathers, Min Lin, William Simpson and Shamim Patwa. Staff present were Gordon Schimmel, the Superintendent of Schools and Fred Barruzzi, the Assistant Superintendent of Schools.

Mr. Simpson presented an overview of their budget noting that the increase is a modest 4.27% over the present year. Salaries and benefits increased 2.61% and make up 82.5% of the overall budget. Due to an enrollment decline three classroom and one support service positions have been eliminated. This change presented the Board with an opportunity to fill some long-deferred professional development and instructional support positions. Two language arts consultants and one math consultant are included in the proposed budget.

Mr. Clouette requested that the Board be cognizant of the need to explain to the taxpayers why when enrollment is declining staffing is not declining as quickly. Mr. Schimmel commented that the proposed new positions are crucial for the development and coordination of teachers and have been needed for a long time. Mr. Clouette noted that on page 4 "increase" should read, "decrease".

Ms. Koehn requested figures showing the difference in salary and benefits between the eliminated staff and the proposed staff.

Mr. Hawkins raised the issue of regionalizing all of K-12 as suggested by the Ashford First Selectman. The Board expressed some concerns that the political and budget processes in the other two towns are different and might

not be beneficial to Mansfield schools. Mr. Simpson noted that all three schools are making an effort to better coordinate their programs so students arrive at the high school similarly prepared.

Responding to some concerns regarding foreign language exposure from Ms. Redding, the Superintendent stated that currently French, German and Spanish (starting in second grade) are offered. Ms. Lin informed the Council that Mandarin Chinese is offered in an after school program.

In a discussion about energy conservation and the schools, Ms. Koehn commented that she would like to see more from the Board, as well as from the Town, to promote conservation. Mr. Schimmel enumerated some of the programs currently in the schools.

Daycare

The Daycare Board sets the budget for the Center.

#### IV. EXECUTIVE SESSION

A motion to move into Executive Session was made by Mr. Paulhus, seconded by Ms. Redding and passed by all.

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

Also Present: Peter Curry

#### PERSONNEL ISSUES

A motion to move out of Executive Session was made by Mr. Paulhus, seconded by Ms. Redding and passed by all.

#### V. ADJOURNMENT

A motion to adjourn was made by Mr. Paulhus, seconded by Mr. Schaefer and passed by all.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

SPECIAL MEETING – MANSFIELD TOWN COUNCIL  
APRIL 10, 2006

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 6:30 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. CALL TO ORDER

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

Absent: Redding

II. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL

III. NEW BUSINESS

Kevin Grunwald, Director of Social Services, presented his budget to the Council, noting that it is relatively unchanged from last year. His office includes adult, youth and senior services.

Curt Vincente, Recreation Director, outlined some of the changes in the Recreation budget. A part time parks coordinator position has been moved from a grant position to a general fund position in the proposed budget. On page 149 the amount should read \$1500 across the page.

Mr. Clouette asked if there was an easy way to assess the number of volunteers involved with the Recreation department. The staff will report back.

Mr. Haddad commented that the total number of members is down but the usage is up and requested a breakdown of the number of “pay as you play” participants versus membership participants.

Mr. Vincente pointed out that the reduction in membership fees is offset by a reduction in expenses. This was accomplished by not filling a vacancy, converting some employees to part time positions and holding the line on facility cost as much as possible. He noted that included in this budget is a 5% increase in membership fees.

Mr. Clouette emphasized that approval of this budget, which reflects the 5% increase, does not infer approval of the fee increase that occurs in August.

Mr. Vincente outlined the Issue Paper on the Mansfield Community Center/Department of Parks and Recreation. He suggested the

implementation of a three- tier system: a membership program discount rate, a resident non-member regular rate and a non-resident/non-member higher rate.

Ms. Koehn requested an analysis of the current 4 ten- week sessions compared to the possibility of 5 ten- week sessions.

Discussion ensued on the issues presented and will be continued at the next budget hearing on April 17<sup>th</sup>.

The meeting was adjourned at 7:30 p.m.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

REGULAR MEETING-MASFIELD TOWN COUNCIL  
APRIL 10, 2006

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

I. ROLL CALL

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

II. APPROVAL OF MINUTES

Mr. Clouette moved and Mr. Hawkins seconded to approve the minutes of the March 27, 2006 Special Meeting and the March 27, 2006 Regular Meeting. Mr. Schaefer noted that the term expiration date for Blanche Serban should be 03/01/07 and that in the enumeration of the items in the Manager's Report the reference to "him" should read "the Town Manager".

Motion to pass as corrected passed with Mr. Schaefer abstaining.

III. MOMENT OF SILENCE

Mayor Paterson requested a moment of silence in recognition of our troops serving abroad.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

V. PUBLIC HEARING

Mr. Hawkins moved to move Item 2 to Item 1. Seconded by Mr. Clouette the motion passed.

1. Town of Mansfield Proposed Budget for Fiscal Year 2006/07

Mayor Paterson called the Public Hearing on the 2006/2007 Budget to order.

The hearing was closed at 7:42 p.m.

Mr. Haddad moved to recess as the Town Council and to convene as the Mansfield Resource and Recovery Authority. Seconded by Mr. Paulhus the motion passed.

2. MRRA, Rate Increase, Multi-family Collection

Mayor Paterson called the Public Hearing on the proposed rate increase for multi-family collections to order at 7:45 p.m.

Lon Hultgren, Director of Public Works, described the proposed adjustments to the multi-family collections. The mini-service and the individual can service for multi-family collections were inadvertently not adjusted after the conversion from weight-based to volume-based charges in 2003.

Richard DeBoer, 62 Blacksmith Road, informed Council members that people other than his tenants are using his dumpsters. He also stated that he preferred when the town was charging on a weight basis.

Mr. Hultgren commented that the town changed back to a volume-based collection system after the scales became decertified and they could no longer use them.

Mayor Paterson closed the Public Hearing at 8:15 p.m.

Mr. Paulhus moved and Mr. Clouette seconded, to approve the rate increase effective July 1, 2006 for multifamily collection, as recommended by the Director of Public Works in his memorandum dated March 21, 2006.

Mr. Paulhus moved and Mr. Clouette seconded to adjourn as the Mansfield Resource and Recovery Authority and to reconvene as the Mansfield Town Council.

Motion so passed.

VI. OLD BUSINESS

3. Issues Regarding the UConn Landfill

Quarterly Progress Report

4. MRRA, Rate Increase, Multi-family Collection

Addressed above

5. Fenton River

Minutes of the February 28, 2006 meeting between the University, the State and the Town regarding the water supply and sewerage systems were included in the packet.

6. Campus/Community Relations

Mayor Paterson reported on a meeting that she and the Assistant Town Manager attended regarding the establishment of an off campus housing office at the University. If approved the office would be supported by student fees and would offer a variety of services and information. Mr. Hart stated that one of the proposed components would be an orientation for students on how to be a good neighbor.

VII. NEW BUSINESS

Matt Hart, Acting Town Manager, presented for consideration the concept of video taping the Town Council meetings. Mr. Paulhus moved and Ms. Koehn seconded adding the item as Agenda Item 9A.

Motion so passed.

7. Historic Documents Preservation Grant

Mr. Schaefer moved and Mr. Haddad seconded, resolved, effective April 10, 2006, that Matthew W. Hart, Acting Town Manager, is empowered to execute and to deliver in the name of and on behalf of this municipality, an application and a contract with the State Library for a Historic Preservation Grant.

Motion so passed.

8. Historic Preservation Grant Program

Mr. Haddad moved and Ms. Koehn seconded, resolved, effective April 11, 2006, that Matthew W. Hart, Acting Town Manager, is empowered to execute and to deliver in the name of and on behalf of this municipality, an application and any other grant related paperwork with the Quinebaug-Shetucket Heritage Corridor, Inc. for a Historic Preservation Grant.

Motion so passed, with Mr. Schaefer abstaining.

9. Local Bridge Design Funding Agreement

Mr. Schaefer moved and Mr. Clouette seconded, resolved, by the Town Council of the Town of Mansfield that Matthew W. Hart, Acting Town Manager, is hereby authorized to execute the Agreement Between the State of Connecticut and the Town of Mansfield for the Development of Contract Plans, Specifications and Estimates in Conjunction with the Replacement of the Laurel Lane Bridge (Bridge No. 05366) over the Mt. Hope Utilizing Federal Funds.

Motion so passed.

Mr. Schaefer moved and Mr. Clouette seconded, resolved by the Town Council of the Town of Mansfield that Matthew W. Hart, Acting Town Manager, is hereby authorized to execute the Agreement Between the State of Connecticut and the Town of Mansfield for the Development of Contract Plans, Specifications and Estimates in Conjunction with the Replacement of the Stone Mill Road #1 Bridge (Bridge No. 04731 over the Fenton River Utilizing Federal Funds.

Motion so passed.

#### 9A. Video taping of Town Council Meetings

Mr. Hart stated that we now have the capability to video tape and then broadcast the tape at a later date. A discussion of the pros and cons ensued. Some of the questions Council member had included: the number of cable subscribers in Mansfield, the type and quality of video and sound available, the use of Region 19 equipment and the experience of the Region 19 Board. Mr. Hart said that staff would look at these issues and report back to the Council.

### VIII. DEPARTMENTAL REPORTS

### IX. REPORTS OF COUNCIL COMMITTEES

### X. REPORTS OF COUNCIL MEMBERS

Mr. Schaefer reported on a conference of the National Association of State Legislators that he attended last week in Washington. State Representative Denise Merrill chairs the Higher Education and State Legislators Committee and asked Mr. Schaefer to make a statement. While there he took the opportunity to thank Ms. Merrill for all her help with the Downtown Project.

Ms Koehn and the Mayor attended a conference arranged by Senator Lieberman on climate control. The Mayor was a panel member and thanked

the staff for the information they provided her. Ms. Koehn and Ms. Paterson agreed that the evidence and the information shared by the speakers are sobering. The question seems to be not when the changes will happen but rather how catastrophic they will be. Ms. Koehn relayed that at the end of the conference Senator Lieberman said that the motto of the day should be, "America should be more like Mansfield."

#### XI. TOWN MANAGER'S REPORT

Mr. Hart reported that the Clean Energy Team will meet on the 11<sup>th</sup> and CPTV will be there to film the award presentation to the Middle School participants.

The Town/University Committee will meet on the 11<sup>th</sup> and the proposed Housing Code will be discussed.

The Charter Revision Committee will begin work in April with the Mayor facilitating the initial meeting.

A Spay and Neuter Ordinance will be prepared and presented for Council consideration,

The School Building Committee will meet on the 12<sup>th</sup>.

Preparations continue to be made for Spring weekend and Mr. Hart invited any Council members who are interested in attending to contact him or Sara-Ann Chaine for travel arrangements.

Mr. Hart reminded members that the public hearing on the proposed housing code would be on the 24<sup>th</sup>.

#### XII. FUTURE AGENDAS

#### XIII. PETITIONS, REQUEST AND COMMUNICATIONS

10. Civic Engagement: A Guide for Communities, "League of Women Voters, State of Connecticut, Kevin Grunwald, Town of Mansfield, Connecticut"
11. L.Hultgren re: 2006 Force Account Work Schedule
12. Mansfield Planning and Zoning Commission re: Proposed Revisions to Zoning and Subdivision Regulations
13. Nation's Cities Weekly, "University Communities Change Government Structure
14. G. Padick re: Protection of Future Water Supplies
15. SmartPower re: Clean Energy Update
16. University of CT, Storrs Capital Project Planning Advisory Committee

XIV. EXECUTIVE SESSION

Mr. Paulhus moved and Ms. Blair seconded to go into Executive Session.  
Motion so passed.

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

Also Present: Matt Hart, Acting Town Manager  
Personnel Issues

Mr. Paulhus moved and Ms. Blair seconded to go out of Executive Session  
Motion so passed.

XV. ADJOURNMENT

Mr. Hawkins moved and Ms. Blair seconded to adjourn the meeting.

Motion so passed.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

SPECIAL MEETING-MANSFIELD TOWN COUNCIL  
APRIL 17, 2006

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 6:30 p.m. in Conference Room C of the Audrey P. Beck Building.

I. ROLL CALL

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

Absent: Haddad

Mr. Hawkins asked for a moment of silence to remember in our thoughts members of our extended family, Jim and Karen Foley, who tragically lost their son this week.

II. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL

III. NEW BUSINESS

1. Recreation

Discussion continued on the Issue Paper regarding the Recreation Department. Curt Vincente, Recreation Director, discussed with the Town Council the current session structure, the non-revenue producing space in the Community Center and the Adult Education Program.

2. Town-wide

Matt Hart, Acting Town Manager, noted that the medical insurance payments have increased in the last few months.

3. Public Safety

Mr. Hart commented on a new fulltime position in the Police Department. Late in the next fiscal year money is budgeted for an officer who will assist with the implementation of a number of community policing initiatives. Mr. Schaefer requested that the Town Gown and Quality of Life Committees review these programs in order not to duplicate efforts and to look at the progress.

Mr. Hawkins requested that the term, "constable," be changed to Police Officer and that the words, "public safety success," be toned down. (Page 102)

Ms. Redding asked that staff identify the cost of the position for a full year in order to evaluate the overall fiscal impact of the position.

The Mayor recognized Noranne Nielsen, the Animal Control Officer, for her extremely well executed efforts in the recent animal emergency and thanked her for her work.

Mr. Clouette would like, for this year or starting next year, an accounting of the number of volunteers who work with the agency.

Mr. Hawkins requested flagging the certification of 4 shift officers to deputy fire marshal level noting the increased supervisor to officer ratio.

#### 4. Revenues

Jeff Smith, Financial Director, noted that revenues have been adjusted to reflect the Appropriation Committees latest figures. Mr. Paulhus commented that the Region 19 numbers do not incorporate the cuts that were recently made. Mr. Smith reported that the transportation grant is subject to a cap and will make the necessary changes to show this.

#### 5. Operating Transfers

#### 6. Debt Service

Ms. Koehn requested that the wording, "This assumes no additional debt will be authorized," be changed to something like, "Based on debt already incurred..." or "Baring additional expenditures..."

#### 7. Internal Service Funds

Mr. Hawkins requested the flagging of two initiatives in the Fire Marshall's Budget and the Fire Chief's budget that call for the training and the creation of 4 supervisory positions in the career sector of the fire department and, consequently, 4 additional deputy fire marshals. His concerns are that this proposed change would alter the supervisory load of the Fire Chief, discourage volunteers from retaining or attaining certification and decrease the ratio between supervisors and those they supervise. After some discussion it was pointed out that this is one of the items the staff proposed for elimination in this year's budget so there will be ample time to examine the issues.

Mr. Hart distributed a memo, "Suggested Adjustments to Proposed 2006/07 Budget", for review at the next meeting.

### IV. ADJOURNMENT

Mr. Blair moved and Mr. Clouette seconded to adjourn at 8:50 p.m. Motion so passed.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

SPECIAL MEETING-MANSFIELD TOWN COUNCIL

April 19, 2006

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

I. ROLL CALL

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

II. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL

III. NEW BUSINESS

1. Library

Louise Bailey, Library Director, outlined the issue of Sunday openings and updated the Council on library offerings.

2. Area Agency Contributions

Matt Hart, Acting Town Manager, itemized some changes in the proposed budget: Literacy Volunteers has gone out of business, Meals on Wheels has been increased to \$1460, the \$3000 allocated to the Senior Center Association has been moved to a Capital Improvement item, and the Women's Center of Northeast CT is now the Sexual Assault Services.

Mr. Paulhus moved and Ms. Koehn seconded to increase line item 53739 for Veterans' Services to \$12,500.

Motion so passed.

Ms. Koehn moved and Mr. Haddad seconded to increase line item 53712 for CT Legal Services to \$5,500.

Motion so passed.

3. Community Development

Greg Padick, Director of Planning, presented an overview of the department's budget and discussed the major issues for the upcoming year. Mayor Paterson recognized Mr. Padick for all the work he has done for the town regarding the Downtown Partnership and for representing the town so well in discussions with the University.

4. General Government

Ms. Redding moved and Mr. Clouette seconded to appropriate \$3000 to the Committee on Committees for a Volunteer Recognition Event.  
Motion so passed.

By consensus, the Town Council agreed to appropriate \$18,000 for the search for a new Town Manager.

Jeff Smith, Director of Finance, noted that on page 99 Network Manager should read Network Administrator.

Mr. Hawkins moved and Mr. Schaeffer seconded to approve the outlined proposal submitted by Peter Curry/CCM at a rate of \$130 per hour, not to exceed \$18,000, with customary out of pocket expenses to be added.

Motion passed unanimously.

The Mayor reminded Council members that there is a budget meeting on Monday the 24<sup>th</sup> at 6:30 p.m. and a meeting on the 26<sup>th</sup> with Peter Curry starting at 7:30 p.m.

#### IV. ADJOURNMENT

Mr. Paulhus moved and Ms. Blair seconded to adjourn the meeting at 9:20 p.m.

Motion passed.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

LEGAL NOTICE  
TOWN OF MANSFIELD  
PUBLIC HEARING APRIL 24, 2006  
ORDINANCE TO ADOPT A HOUSING CODE

The Mansfield Town Council will hold a public hearing at 7:30 p.m. at their regular meeting on April 24, 2006 to solicit public comment concerning the proposed "Ordinance to Adopt a Housing Code." This hearing will be held in the Council Chambers of the Audrey P. Beck Building.

At this hearing persons may address the Town Council and written communications may be received.

Copies of the said draft ordinance are on file and available at the Town Clerk's office, 4 South Eagleville Road, Mansfield.

Dated at Mansfield Connecticut this 14<sup>th</sup> day of April, 2006

Mary Stanton  
Town Clerk

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *Matt*  
**CC:** Martin Berliner, Town Manager  
**Date:** April 24, 2006  
**Re:** Proclamation in Honor of the Mansfield Middle School Clean Energy Team

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**Subject Matter/Background**

As you will recall, the Town Council had previously authorized the Mayor to issue the attached proclamation to the members of the Mansfield Middle School Clean Energy Team, to recognize their efforts on behalf of the town's clean energy campaign.

The members of the Mansfield Middle School Clean Energy Team are Nick Briere, Nic Dinsmore, Justin Enis and Chad Vincente. At Monday night's council meeting, the Mayor would like to officially present the proclamation to the students and to acknowledge the team members for their work. As a project for their 7<sup>th</sup> grade special studies class, the students decided to focus on enrolling a minimum of 20 Mansfield residents to sign up for the CTCleanEnergyOptions<sup>sm</sup> program. The team's efforts paid off, and they were able to push us over the 100<sup>th</sup> customer mark.

**Attachments**

- 1) Proclamation in Honor of the Mansfield Middle School Clean Energy Team



*Town of Mansfield*

*Proclamation in Honor of the Mansfield Middle School Clean Energy Team*

*Whereas*, in July 2005 the Town of Mansfield officially joined Connecticut's clean energy campaign; and

*Whereas*, as an environmental project for their 7<sup>th</sup> grade special studies class Nick Briere, Nic Dinsmore, Justin Enis and Chad Vincente formed a Clean Energy Team and focused on enrolling a minimum of 20 Mansfield residents to sign up for the CTCleanEnergyOptions<sup>sm</sup> program, in order to realize the 100 residential signup threshold needed to qualify the town to receive a free 1kW solar energy system; and

*Whereas*, the Clean Energy Team created an informational flyer on clean energy and distributed the flyers to all Mansfield public schools, and reinforced those efforts by e-mailing town employees and encouraging them to support clean energy by signing up for the program through their local utility provider; and

*Whereas*, on Friday, February 3, 2006 at the Mansfield Middle School open gym night, team-member Chad Vincente pushed Mansfield over the top by signing up the 100<sup>th</sup> customer for the CTCleanEnergyOptions<sup>sm</sup> program, thereby qualifying Mansfield for a free 1 kW solar energy system from the Connecticut Clean Energy Fund; and

*Whereas*, the Team's efforts have earned Mansfield the distinction of becoming the first eastern Connecticut town to achieve the 100 residential signup threshold under the CTCleanEnergyOptions<sup>sm</sup> program:

**NOW, THEREFORE, BE IT RESOLVED**, that I, Elizabeth C. Paterson, Mayor of Mansfield, Connecticut, on behalf of the Town Council and the citizens of Mansfield do hereby issue this proclamation in honor of the Mansfield Middle School Clean Energy Team. Thank you for your excellent work!

**IN WITNESS WHEREOF**, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 13<sup>th</sup> day of February in the year 2006.

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Elizabeth C. Paterson  
Mayor, Town of Mansfield



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *Matt*  
**CC:** Martin Berliner, Town Manager; Michael Ninteanu, Building Official  
**Date:** April 24, 2006  
**Re:** Housing Code for the Town of Mansfield

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**Subject Matter/Background**

As you know, at Monday's meeting the Town Council plans to conduct a public hearing regarding the proposed Housing Code for the Town of Mansfield. Unless the public hearing raises any concerns that the Town Council believes must be investigated, staff recommends that the Council adopt the code as presented.

As proposed, by ordinance the town would adopt the provisions of the *International Property Maintenance Code*, and amend, delete or add provisions to that code as necessary. To assist the Council with its review, we have provided you with an executive summary of the code. We also wish to highlight the following items:

**Purpose:** As you know, the town has several residential rental properties in town that suffer from deteriorating conditions. To address this and related quality of life issues, we have prepared the housing code to regulate the conditions and maintenance of rental dwelling units within the Town of Mansfield, by providing standards for utilities, facilities and other items to ensure that the structures are safe, sanitary and fit for occupation and use. More specifically, the code would provide regulations concerning light, ventilation and occupancy; plumbing facilities and fixtures; mechanical and electrical systems; fire safety; exterior conditions, porches and decks; and other items.

**Scope and applicability:** With respect to complaints, the housing code would apply to all residential rental structures in town, with the exception of rental structures owned by the State of Connecticut. This means that a renter living anywhere in town could contact the housing office with a complaint, and the town would investigate the complaint and enforce any remedies, if required. The rental certification program, as outlined in more detail below, would be more limited in scope and would apply to all residential rental properties within the rental certification zone, with the exception of rental structures owned by the State of Connecticut, age-restricted housing (age 55 and older), properties owned by the Mansfield Housing Authority, new construction less than six years old, and owner-occupied rental housing consisting of no more than four units. At the request of the Town Council, we would also exempt single-family dwelling units rented or leased for a period not to exceed one year when the original owner occupant

will return to that unit as his or her primary residence at the end of the rental term or lease, as well as single-family dwelling units sold and rented or leased by the buyer to the seller as a condition of the sale to provide the seller with extended occupancy for a period not to exceed one year. (We would exempt these various types of properties because they are generally better maintained.)

**Rental certification and inspections:** As referenced above, the code would establish a "rental certification zone" that is roughly equivalent to the greater Storrs area (see attached map). This area has been defined to include the bulk of the rental units occupied by students, as that is where most of the problem issues can be found at this time. The certification zone would contain approximately 930 rental-housing units, including single and multi-family dwellings. The owners of rental properties within the zone could rent only with a certificate of compliance, or license to rent, issued by a Town of Mansfield housing code official. In order for the owner to obtain a certificate of compliance for any individual dwelling unit, the unit must satisfy the conditions of the code, which would be verified by a physical inspection of the premises by the code official. The certificate of compliance would be valid for a two-year period, and the proposed fee for the certificate is \$150 per unit.

**Violations and penalties:** The housing code would establish certain civil and criminal penalties for violations of the regulations. Such penalties would include a \$100 fine for each violation, and a separate fine for each day the violation persists, as well as prosecution in housing court if necessary. Prior to the issuance of a penalty, the code official would have the discretion in most instances to work with a property owner to bring a rental unit into compliance with the regulations. Landlords and property owners would have the right to appeal violations of the code to a housing code board of appeals, which members would be appointed by the Town Council.

### **Financial Impact**

The town would plan to hire one full-time and one part-time housing inspector to enforce the new housing code, as well as a full-time secretary to provide administrative support. The new staff would become part of our building department, and would report to our Building Official. Our preliminary operating budget, which does not include one-time capital costs such as vehicles, office equipment, etc, is approximately \$150,000 per year. During the first year we would anticipate generating approximately \$50,000-\$60,000 in revenues to offset the budget, and the revenue should increase in the following years.

The Town Council has asked that, for apartment complexes, staff consider the possibility of inspecting a representative sample of those units, thereby reducing the overall number of inspections and the staffing needs. While this concept has merit, we are concerned about comprising the integrity of the program, and would prefer to inspect all of the units. Also, the selection of the sample might be difficult to defend from a legal basis. Consequently, staff would prefer not to amend the code to effect this change. Please let us know if this answer is satisfactory and if you have further questions or concerns regarding this particular issue.

### **Recommendation**

We believe that the adoption of the housing code would have many benefits for our community. As noted by the Town Council's Special committee on Community Quality of Life, we now have several residential rental properties suffering from deteriorating conditions. This development adversely affects the character and quality of life in some of our neighborhoods, especially those adjacent to campus. The adoption of the housing code and the implementation of the housing inspection program would provide staff with a significant tool to address these problems. In particular, the code would allow us to ensure that residential rental housing units meet basic safety criteria and are maintained. The code would also provide staff with another mechanism to prevent against blight and to preserve the character of our neighborhoods.

For these reasons, unless the public hearing raises any concerns that the Town Council believes must be investigated further, staff recommends that the Council adopt the code as presented.

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

*Move, to adopt the Ordinance for Adoption of the International Property Maintenance Code, a Housing Code for the Town of Mansfield, as presented by staff in its draft dated April 24, 2006, and which ordinance shall become effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.*

### **Attachments**

- 1) Proposed Ordinance for Adoption of the International Property Maintenance Code, A Housing Code for the Town of Mansfield
- 2) A Housing Code for the Town of Mansfield, Executive Summary
- 3) Map of Proposed Rental Certification Zone



## Town of Mansfield Code of Ordinances

“Ordinance for Adoption of the International Property Maintenance Code,  
A Housing Code for the Town of Mansfield”

*April 24, 2006 Draft*

The Town Council of the Town of Mansfield finds that inadequate maintenance of some residential rental property within the community has created a public health hazard and blight, and is therefore detrimental to the public welfare, health and safety of the people of Mansfield. Accordingly, pursuant to the various police, health, and public safety authority granted to municipalities by Connecticut General Statutes section 7-148, the Town of Mansfield seeks to better protect, preserve and promote the health, safety, welfare and quality of life of its people by regulating the conditions and maintenance of residential rental property, as set forth in this code:

An ordinance of the Town of Mansfield adopting the 2003 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of residential rental property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Town of Mansfield; and providing for the issuance of permits and collection of fees therefore.

Therefore, the Town Council of the Town of Mansfield does ordain as follows:

Section 1. That a certain document, a copy of which is on file in the office of the Town Clerk of Town of Mansfield, being marked and designated as the *International Property Maintenance Code*, 2003 edition, as published by the International Code Council, be and is hereby adopted as the *Housing Code of the Town of Mansfield*, in the State of Connecticut for regulating and governing the conditions and maintenance of residential rental property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; and providing for the issuance of permits and collection of fees therefore. Each and all of the regulations, provisions, penalties, conditions and terms of said *Housing Code of the Town of Mansfield* on file in the office of the Town Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, prescribed in Section 6.

Section 2. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or ultra vires, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that it would have

passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or ultra vires.

Section 3. That nothing in this ordinance or in the *Housing Code of the Town of Mansfield* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 6 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 4. That the Town of Mansfield Town Clerk is hereby ordered and directed to cause this ordinance to be published in a newspaper having circulation within the town.

Section 5. That this ordinance and the rules, regulations, provisions requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption, and 21 days after publication in a newspaper having circulation within the Town of Mansfield.

Section 6. The following sections of said 2003 edition of the International Property Maintenance Code are hereby revised as follows:

## SECTION 101 GENERAL

**(Amend) 101.1 Title.** These regulations shall be known as the Housing Code of the Town of Mansfield, hereinafter referred to as "this code."

**(Amend) 101.2 Scope.** The provisions of this code shall apply to all existing residential rental housing units and their associated premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises; and for administration, enforcement and penalties.

**Exception:** All existing residential rental housing units that are the property of the State of Connecticut shall be exempt from this code. This exemption shall not include residential rental housing units owned by an entity leasing real property from the State of Connecticut.

**(Amend) 101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of residential rental housing units, structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the:

- Connecticut State Building Code and Connecticut Supplement

- Connecticut Fire Safety Code
- Connecticut Public Health Code
- Town of Mansfield Code of Ordinances
- Town of Mansfield Zoning Regulations

SECTION 102  
 APPLICABILITY

**(Amend) 102.1 General.** The provisions of this code shall apply to all matters affecting or relating to residential rental housing units, structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**(Amend) 102.3 Application of other codes.** Repairs, additions or alterations to a residential rental housing unit, structure, or premises, or changes of occupancy, shall be done in accordance with the procedures and provisions of the codes and documents outlined in Section 101.3. Nothing in this code shall be construed to cancel, modify or set aside any provision of the codes and documents listed in Section 101.3.

**(Amend) 102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of the referenced standards shall apply.

SECTION 103  
 (Amend) DEPARTMENT OF BUILDING INSPECTION

**(Amend) 103.1 General.** The department of building inspection is hereby authorized and directed to enforce this code, and the executive official in charge thereof shall be known as the “code official.”

**(Amend) 103.2 Appointment.** The Town Manager of Mansfield shall appoint the code official; and the code official shall be subject to the Town Personnel Rules and Regulations or appropriate union contract.

**(Amend) 103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the schedule set forth in Chapter Nine of this code.

SECTION 104  
 DUTIES AND POWERS OF THE CODE OFFICIAL

**(Amend) 104.3 Inspections.** The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the

responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the Town Manager.

**(Amend) 104.8 Coordination of inspections.** Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

## SECTION 106 VIOLATIONS

**(Amend) 106.3 Prosecution of Violation.** The code official shall retain discretion to refer any violation of this code to the authority of the State of Connecticut for prosecution according to state law.

## SECTION 107 NOTICES AND ORDERS

**(Delete without Substitution) 107.2.6.**

**(Amend) 107.5 Transfer of ownership.** The code official may cause to be filed upon the Land Records of the Town of Mansfield any written notice of violation or order issued by the code official. In any such case, if and when compliance with this code is subsequently attained, the code official shall cause to be filed on the Land Records a writing that documents and explains any such result without delay.

**(Amend) 109.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person or persons severally or jointly aggrieved by any decision of the Housing Code Board of Appeals shall thereafter have the right to appeal such order to the Connecticut Superior Court.

## SECTION 110 DEMOLITION

**(Amend) 110.1 General.** Per Connecticut General Statutes Section 29-253, the code official shall order the owner of any premises upon which is located any structure which in the code official's judgment is "unsafe," meaning a building that constitutes a fire hazard or is otherwise dangerous to human life or the public welfare, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option.

SECTION 111  
MEANS OF APPEAL

**(Amend) 111.1 Application for appeal.** Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Housing Code Board of Appeals, provided that a written application for appeal and a filing fee of \$100 is filed with the Clerk of the Board within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted or applied, the provisions of this code are not fully applicable, or the requirements of this code are adequately satisfied by other means.

**(Amend) 111.2 Membership of Board.** The Housing Code Board of Appeals shall consist of three electors of the community who, in the opinion of the appointing authority, the Town Council, possess the experience, capability and judgment to pass on matters pertaining to this Code. The members shall serve staggered and overlapping terms of three years, but in the beginning, the three who are initially appointed shall serve terms of one, two and three years, respectively.

**(Amend) 111.2.1 Alternate members.** The Town Council shall appoint two or more alternate members who shall be called by the Board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

**(Amend) 111.2.4 Secretary.** The Town Manager shall designate a qualified person to serve as secretary to the Board. The secretary shall keep and file a detailed record of all proceedings in the office of the Town Clerk.

**(Amend) 111.2.5 Compensation of members.** Members shall not be compensated.

SECTION 201  
GENERAL

**(Amend) 201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the *Codes and Regulation listed in Section 8*, such terms shall have the meanings ascribed to them as in those codes.

SECTION 202  
GENERAL DEFINITIONS

**(Amend) BATHROOM.** A group of fixtures including or excluding a bathtub or shower consisting of a water closet and lavatory located together in the same room.

**(Add) RESIDENTIAL RENTAL STRUCTURES.** Shall include all dwelling and housing units defined by this code that are residential and rental structures except for those owned by the State of Connecticut. The terms "dwelling unit(s)" and "housing unit(s)" shall be considered

synonymous for purposes of this code.

SECTION 302  
EXTERIOR PROPERTY AREAS

**(Delete without substitution) 302.4 Weeds.**

**(Delete without substitution) 302.8 Motor vehicles.**

SECTION 304  
EXTERIOR STRUCTURE

**(Amend) 304.3 Premises identification.** Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 3 1/2 inches high with a minimum stroke width of 0.5 inch.

**(Amend) 304.14 Insect screens.** During the period from May 1 to October 15, every door, window and other outside opening required for ventilation of habitable rooms, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self closing device in good working condition.

**(Delete without substitution) 304.18.1 Doors.**

SECTION 305  
INTERIOR STRUCTURE

**(Amend) 305.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure, which they occupy or control, in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, apartments, two or more dwelling units shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

SECTION 306  
HANDRAILS AND GUARDRAILS

**(Amend) 306.1 General.** Every exterior and interior flight of stairs having four or more risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails and guardrails shall be in accordance with the codes and regulations listed in Section 8.

**Exception:** Guards shall not be required where exempted by the adopted building code.

SECTION 308  
EXTERMINATION

**(Amend) 308.3 Single occupant.** The occupant of a one-family dwelling shall be responsible for extermination on the premises.

SECTION 401  
GENERAL

**(Amend) 401.3 Alternative devices.** In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the *Building Codes and regulations listed in Chapter 8* shall be permitted.

SECTION 402  
LIGHT

**(Amend) 402.2 Common halls and stairways.** Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60watt standard incandescent light bulb for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm).

SECTION 403  
VENTILATION

**(Delete without substitution) 403.4 Process ventilation.**

SECTION 404  
OCCUPANCY LIMITS

**(Amend) 404.1 Privacy.** Dwelling units, housekeeping units, rooming units and apartment units shall be arranged to provide privacy and be separate from other adjoining spaces.

SECTION 502  
REQUIRED FACILITIES

**(Delete without substitution) 502.3 Hotels**

**(Delete without substitution) 502.4 Employees' facilities.**

**(Delete without substitution) 502.4.1 Drinking facilities.**

SECTION 503  
TOILET ROOMS

**(Delete without substitution) 503.3 Location of employee toilet facilities**

**(Delete without substitution) 503.4 Floor surface.**

SECTION 505  
WATER SYSTEM

**(Amend) 505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *Building Code and Regulations listed in Chapter 8.*

SECTION 602  
HEATING FACILITIES

**(Amend) 602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in the Building Code listed in Chapter 8. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

**(Amend) 602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

**Exception:** When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Building Code and regulations listed in Chapter 8.

Per Connecticut General Statutes section 19a-109, a temperature in any residential rental housing unit of less than sixty-five degrees Fahrenheit in such unit shall be deemed injurious to the health of the occupants thereof and violative of this code.

**(Delete without substitution) 602.4 Occupiable workspaces.**

SECTION 604  
ELECTRICAL FACILITIES

**(Amend) 604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the Building Code and Regulations listed in Chapter 8. Dwelling units shall be served by a three-wire, 120/240-volt, single-phase electrical service having a rating of not less than 60 amperes.

SECTION 702  
MEANS OF EGRESS

**(Amend) 702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the Building Codes and Regulations listed in Chapter 8.

**(Delete without substitution) 702.2 Aisles.**

**(Amend) 702.3 Locked doors.** All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the Building Codes and Regulations listed in Chapter 8.

SECTION 704  
FIRE PROTECTION SYSTEMS

**(Amend) 704.1 General.** All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the Building Codes and Regulations listed in Chapter 8.

**(Amend) 704.2 Smoke alarms.** Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split-levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the Building Codes and Regulations listed in Chapter 8.

**(Amend) Chapter 8 Referenced Standards.** The provisions of this code shall be govern by the following:

- Connecticut State Building Code and Connecticut Supplement
- Connecticut Fire Safety Code
- Connecticut Public Health Code
- Town of Mansfield Code of Ordinances
- Town of Mansfield Zoning Regulations

**(ADD) CHAPTER 9  
RENTAL CERTIFICATION AND INSPECTIONS**

**SECTION 901  
CERTIFICATION**

**Findings.** The Town Council of the Town of Mansfield finds that inadequate maintenance of some residential rental property within the community is especially prevalent and concentrated in certain areas of the Town, and that since the Town of Mansfield has limited resources to regulate and control such inadequate maintenance Town-wide, it is necessary to concentrate deployment of said limited resources in areas of the Town in which the detriment to public welfare, health and safety caused by inadequate maintenance of residential rental property is more prevalent and concentrated.

**901.1 Scope.** No owner, agent or person in charge of a residential rental housing unit offered for rent within the Rental Certification Zone shall allow any person to occupy the same as a tenant or lessee for a valuable consideration, unless he/she holds a valid certificate of compliance issued by the code official for the specific housing unit.

**Rental Certification Zone:** The provisions of this chapter shall apply only to those residential rental housing units located within the Rental Certification Zone, hereinafter referred to as the "Certification Zone." A map of the Certification Zone is attached as an appendix to this code.

**Exception:** The provisions of this chapter shall not apply to those housing units that are:

1. Age-restricted to persons aged fifty-five (55) and older.
2. Owned by the Mansfield Housing Authority.
3. Owned by the State of Connecticut. This exception shall not include those dwellings or dwelling units located within the Certification Zone that are owned by an entity leasing real property from the State of Connecticut.
4. Newly constructed housing units for the first five years after issuance of an initial certificate of occupancy by the Town of Mansfield Building Department.
5. Housing units in any building consisting of no more than four units, one of which is owner occupied and serves as the owner's primary domicile.
6. Single-family dwelling units rented or leased for a period not to exceed one year when the original owner occupant will return to that unit as his or her primary residence at the end of the rental term or lease.

7. Single-family dwelling units sold and rented or leased by the buyer to the seller as a condition of the sale to provide the seller with extended occupancy for a period not to exceed one year.

**Implementation Schedule:** The provisions of this chapter shall be implemented pursuant to a schedule, hereinafter referred to as the "implementation schedule," developed and maintained by the code official. No owner, agent or person in charge of a dwelling or dwelling unit located within the Certification Zone shall be found in violation of this chapter until such time as he/she fails to obtain a valid certificate of compliance within the period of time specified by the implementation schedule.

**Term of Certificate:** Every rental certificate of compliance shall expire at the end of two (2) years following the date of issuance. The fee for a certificate of compliance shall be one hundred-fifty dollars (\$150) for the two-year period.

**901.2 Conditions for issuance of certificates.** Upon request of the owner, agent or other person authorized to rent a dwelling unit (hereinafter referred to as the "applicant"), the code official will be available at an appointed time, within a reasonable amount of time, agreed upon by the code official and the applicant, or later if the applicant requests, to inspect such dwelling or dwelling unit. If such inspection establishes that the dwelling or dwelling unit is in substantial compliance with this code, the code official shall issue a certificate of compliance for said dwelling or dwelling unit. One (1) copy of the certificate of compliance shall be handed to or sent by mail to the applicant; a second copy shall be posted by the owner or his/her designated agent in a conspicuous location inside the dwelling or dwelling unit for the information of the tenant and shall not be removed by or at the direction of anyone other than the tenant; and a third copy shall be kept on file in the code official's office.

**901.3 Reinspections.** If said dwelling or dwelling unit does not comply with the code standards, the code official shall furnish the applicant with a written list of the specific violations, which would have to be corrected before a certificate of compliance could be issued for the dwelling or dwelling unit. Upon the representation of the applicant that the listed violations have been corrected, the code official shall re-inspect said dwelling or dwelling unit and issue a certificate of compliance or a list of violations, as above provided.

**901.4 Waiver pending correction.** Any applicant who is delayed in correcting violations necessary to entitle him/her to a certificate of compliance and who has a valid contract in writing with a person for the performance of the work may petition the code official in writing for a temporary waiver of compliance. The petition shall contain the information therein which is reasonably necessary for a decision and shall include a written and signed statement by the person under contract to correct the violation, specifying the date of beginning and completion of the work. If the code official shall find that the delay in the correction of the violation is reasonable, taking into consideration the availability of persons to do the work and the current work load, and that the work can reasonably be undertaken and completed while the premises are occupied or that appropriate provision has been made for housing the tenant elsewhere during the necessary period when the dwelling or dwelling unit will not be habitable because of the work of correcting the code violation, the code official shall issue a temporary waiver of compliance

expiring on the date when the corrective work should be completed. The applicant shall, on or before that said date, request a reinspection. The code official shall reinspect the dwelling or dwelling unit and issue the certificate of compliance or list any remaining violations as above provided.

**901.5 Appeals.** Any applicant aggrieved by the decision of the code official to issue a certificate of compliance may appeal to the Housing Code Board of Appeals as set forth in section 111, above.

**901.6 Violations and penalties.** Any owner, agent or other authorized persons who shall let for occupancy any dwelling or dwelling unit in the Town of Mansfield who does not hold a valid certificate of compliance from the code official, may, upon a finding of violation, be assessed a fine of not more than one hundred dollars (\$100.00) for each and every day that such violation continues.

## SECTION 902 INSPECTIONS

**902.1 Scope.** The code official is hereby authorized and directed to make periodic inspections within the purview of this chapter and such inspections as are required by a code compliance program of the Town of Mansfield, by and with the consent of the owner, occupant or person in charge, to determine the condition of dwellings, dwelling units, rooming units and premises within this town for the purpose of determining compliance with the provisions of this chapter or this code. Occupants may also request inspections under this chapter or this code

A. For the purpose of making such inspections, the code official, with the consent of the owner, occupant or person in charge, is hereby authorized to enter, examine and survey all dwellings, dwelling units, rooming units and premises at such time mutually satisfactory to and agreed upon by the code official and the owner or occupant of a dwelling, dwelling unit or rooming unit or the person in charge thereof. Such inspection, examination or survey shall not have for its purpose the undue harassment of owner or occupant, and such inspection, examination or survey shall be made so as to cause the least amount of inconvenience to said owner or occupant, consistent with an efficient performance of the duties of the code official. To further ensure that the policy of this chapter, which is to achieve compliance through cooperation of owners and occupants, shall be successfully maintained, it shall be the practice of the code official whenever practicable, to provide reasonable advance notice to owners and/or occupants of projected special inspections or inspections of a routine nature. Ultimately, no owner or occupant of a residential rental housing unit or rooming unit may unreasonably withhold from the code official consent to access the premises for the purpose of performing any inspection authorized by this code.

B. The occupant of each dwelling, dwelling unit, rooming unit or premises, or the person in charge thereof, upon presentation by the code official of his/her proper credentials, may give the code official entry to the dwelling, dwelling unit, rooming unit or premises and free access to every part thereof.

C. Whenever an owner, occupant or person in charge of a dwelling, dwelling unit, rooming unit or premises shall deny the code official right of entry for the purpose of inspection, examination or survey, the code official shall not enter until he/she presents a duly issued search warrant or other written authorization describing the dwelling, dwelling unit, rooming unit or premises to the owner, occupant or person in charge thereof.

D. Nothing in this section shall be construed to preclude the entry of the code official at any time when, in his/her judgment, an emergency tending to create an immediate danger to the public welfare or safety exists, or when such entry is requested by the owner, occupant or person in charge of the dwelling, dwelling unit, rooming unit or premises, or when the Code Official presents a duly issued search warrant to said owner or occupant or person in charge thereof.

**902.2 Access to remedy.** Per Connecticut General Statutes section 47a-16, every occupant of a residential rental housing unit or rooming unit shall not unreasonably withhold from the owner thereof, or his/her agent or employee, consent to access any part of such dwelling, dwelling unit or rooming unit, or its premises, for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.



## **A Housing Code for the Town of Mansfield Executive Summary**

(Prepared by the International Code Council, Inc., and edited by the Town of Mansfield)

The *International Property Maintenance Code* governs the maintenance of existing buildings through model code regulations. The provisions of this code apply to all existing residential rental structures and constitute minimum requirements and standards relating to premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators, and occupants; the occupancy of existing structures and premises; and for administration, enforcement and penalties.

### **Chapter 1**

This chapter contains provisions for the application, enforcement, and administration of all subsequent requirements of the code. All of the police powers inherent in enforcing minimum standards for the use and maintenance of buildings must follow the actual line of authority from the Constitution to the state to the actual enforcer. Chapter 1 defines the role and responsibility of the authority having jurisdiction. Residential rental housing units that are the property of the State of Connecticut are exempt from the provisions of the code.

### **Chapter 2**

This chapter establishes the meaning of keywords and terms used in the code. The code, with its broad scope of applicability, includes terms inherent in a variety of construction disciplines. These terms can have multiple meanings, depending on the context or discipline being used at the time. For these reasons, it is necessary to maintain a consensus on the specific meaning of terms contained in the code. Chapter 2 performs this function by stating clearly what specific terms mean for the purpose of the code.

### **Chapter 3**

This chapter contains requirements regulating the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas. Chapter 3 provides specific criteria for regulating the installation and maintenance of building components. When not provided in the code, the following three options are available: the official can continue to enforce the jurisdiction's established criteria; the jurisdiction may adopt its own criteria and incorporate them as an amendment to the appropriate section of the code; or the code official may adopt and enforce criteria already established by the building code. Chapter 3 also provides a guideline for determining who is responsible for maintaining sanitary conditions and eliminating infestations of insects, rodents, and other pests.

#### Chapter 4

This chapter establishes the minimum criteria for light and ventilation and identifies occupancy limitations. Minimum light, ventilation, and space requirements are based on the physiological and psychological impact of these factors on building occupants. The purpose of Chapter 4 is to set forth these requirements in the code and to establish the minimum environment for occupiable and habitable buildings.

#### Chapter 5

This chapter establishes the minimum criteria for the installation, maintenance, and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal system and related plumbing fixtures. Existing plumbing installations may present unique inspection problems for the code official, as almost all are concealed by finished walls, ceilings and floors. The code official must inspect the visible portions of the system and assess the acceptability of the whole installation. To help the code official make suitable judgments, Chapter 5 lists basic principles of environmental sanitation and safety for the design, installation and maintenance of plumbing systems, which establish the fundamental concepts behind health and safety regulations for plumbing systems.

#### Chapter 6

This chapter establishes minimum performance requirements for electrical and mechanical facilities and minimum standards for the safety of such facilities. All mechanical and electrical equipment, appliances, and systems must be installed properly to serve the intended purpose. Proper installation, however, does not in itself guarantee safety or performance. All such equipment, appliances, and systems must also be maintained, as they are subject to wear and aging, and may require cleaning, lubrication, adjustment, etc. All materials and components used to construct mechanical and electrical systems have a limited life span and require repair or replacement at various time intervals that are specific to the material or component.

#### Chapter 7

This chapter establishes minimum requirements for fire safety facilities and fire protection systems. Building codes regulating new construction are intended to verify that prior to occupancy, the building has been constructed in a manner that will provide the occupants a relatively safe and secure environment. Once these new structures are occupied, a variety of hazards inherent in their use may arise. Often, these hazards are unanticipated and can affect the overall safety of the occupants. The purpose of Chapter 7 is to address those fire hazards that arise as the result of a building's occupancy. It also provides minimum requirements for fire safety issues that are most likely to arise in older buildings.

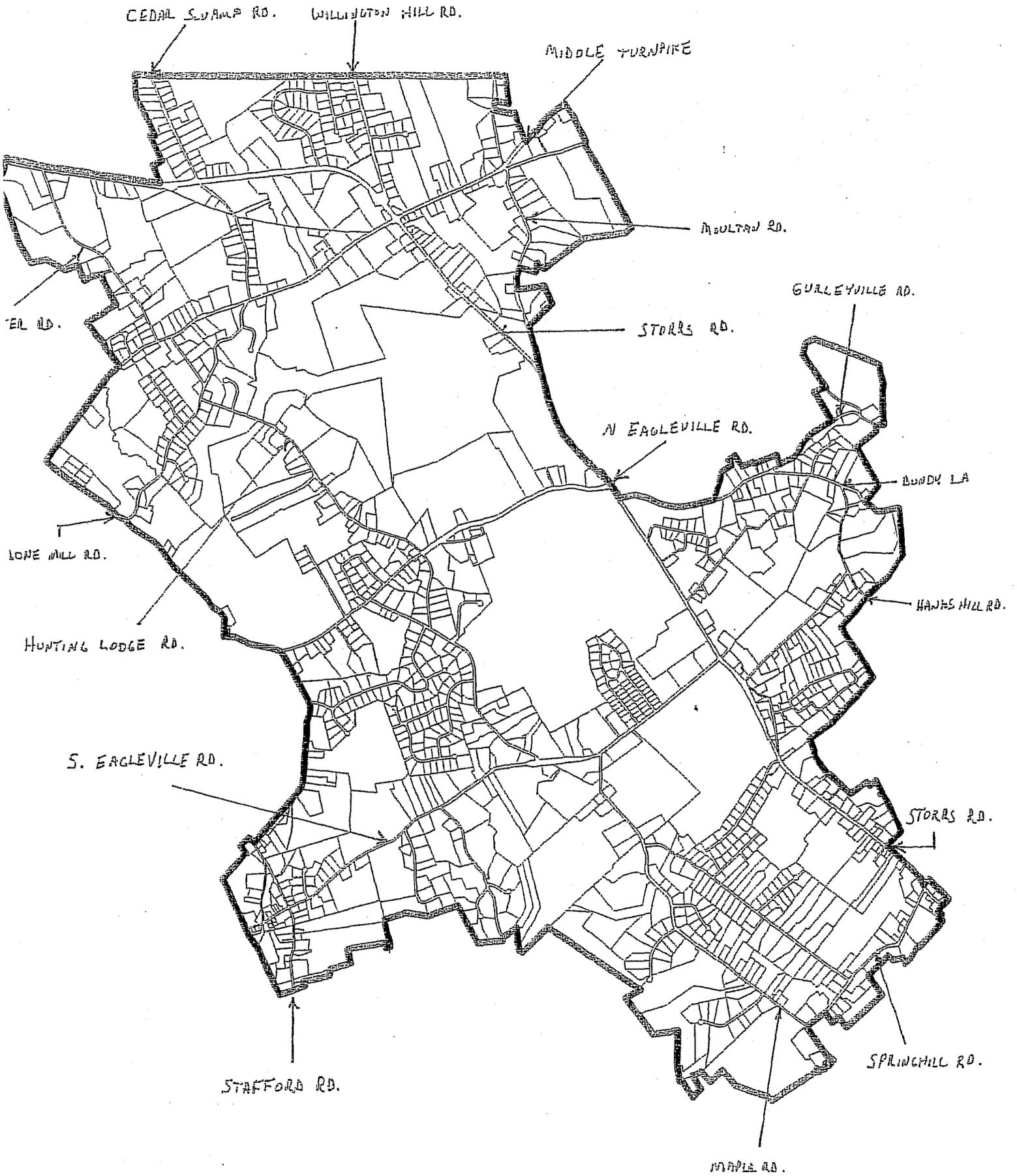
#### Chapter 8

This chapter contains a comprehensive list of all standards that are referenced in the code. As a performance-oriented code, the code contains numerous references to documents that are used to regulate materials and methods of construction.

## Chapter 9

This chapter establishes a rental certification and inspections program for a specified area of town, defined as the "rental certification zone." No owner of a residential rental housing unit located within the zone can rent the unit without a certificate of compliance issued by the code official following an inspection of the premises. The certificate is issued for a two-year period, for a fee of \$150 per unit. The following types of housing units are exempt from the provisions of this chapter:

1. Age-restricted to persons aged fifty-five (55) and older.
2. Owned by the Mansfield Housing Authority.
3. Owned by the State of Connecticut. This exception does not include those dwellings or dwelling units located within the Certification Zone that are owned by an entity leasing real property from the State of Connecticut.
4. New construction up to five years of age.
5. Owner-occupied buildings, subject to a maximum of four units.
6. Single-family dwelling units rented or leased for a period not to exceed one year when the original owner occupant will return to that unit as his or her primary residence at the end of the rental term or lease.
7. Single-family dwelling units sold and rented or leased by the buyer to the seller as a condition of the sale to provide the seller with extended occupancy for a period not to exceed one year.





**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Elizabeth Paterson, Mayor *Elizabeth Paterson*  
**CC:** Matt Hart, Cynthia van Zelm  
**Date:** April 24, 2006  
**Re:** Appointment of Town Council Designee to Mansfield Downtown Partnership, Inc.

---

**Subject Matter/Background**

Attached please find correspondence from Cynthia van Zelm regarding Council member Hawkins' term with the Mansfield Downtown Partnership's Board of Directors.

Council member Hawkins has represented the town and the partnership well during his tenure with board, and has expressed an interest in serving for another term. Consequently, I recommend that the Council appoint Council member Hawkins to a subsequent three-year term with the board.

**Recommendation**

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

*Move, effective April 24, 2006, to appoint Council member Alan Hawkins to a three-year term commencing on July 1, 2006 and expiring on June 30, 2009, to the Board of Directors of the Mansfield Downtown Partnership, Inc.*

**Attachments**

- 1) C. van Zelm re: Appointment of Town Council Designee to Mansfield Downtown Partnership, Inc.



**Mansfield Downtown Partnership**

*Helping to Build Mansfield's Future*

April 6, 2006

Mayor Elizabeth Paterson  
Town of Mansfield  
4 S. Eagleville Road  
Mansfield CT 06268

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

Dear Mayor Paterson:

As you know, current terms for some members of the Mansfield Downtown Partnership's Board of Directors are to expire on June 30, 2006. There are three appointees from the Town Council including Town Council member Al Hawkins whose term ends on June 30, Town Council member Bruce Clouette who is serving a term until 2007, and Town Manager Martin Berliner who is serving a term until 2008.

By this letter, I am requesting that you inform the Partnership of whom the Town Council will be appointing as one of its representatives to the Partnership Board for a three-year term to end June 30, 2009. Mr. Hawkins has expressed interest in serving for another term.

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

Sincerely,

Cynthia van Zelm  
Executive Director

cc: Martin Berliner, Town Manager  
Matthew Hart, Assistant Town Manager



Item #7

**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Jeffrey H. Smith, Director of Finance  
**CC:** Martin Berliner, Town Manager; Matt Hart, Assistant Town Manager  
**Date:** April 24, 2006  
**Re:** Appointment of Auditor to Conduct Financial Audit for Fiscal Year 2005/2006

---

**Subject Matter/Background**

Section 7-392(c) and 4-232 of the Connecticut General Statutes, as amended, requires that each municipality annually designate an independent public accounting firm to audit the books and accounts of that government. This audit was performed last year by Kostin, Ruffkess and Company.

Kostin, Ruffkess and Company did an excellent job and I am recommending that they be re-appointed for the current year.

**Financial Impact**

The Town's General Fund budget includes \$32,000 to cover the audit fee, which is a three percent increase over the current year.

**Recommendation**

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

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

*Move, effective April 24, 2005, to refer this item to the Finance Committee for their recommendation.*

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matthew Hart, Assistant Town Manager *MWH*  
**CC:** Martin Berliner, Town Manager; Jeffrey Smith, Director of Finance; Christine Gamache, Collector of Revenue  
**Date:** April 24, 2006  
**Re:** Transfer of Uncollected Taxes to Property Tax Suspense Book

---

**Subject Matter/Background**

Attached please find the proposed transfer of uncollected taxes to the property tax suspense book, submitted for the Town Council's review and approval. As explained by the Collector of Revenue, the majority of the list items are motor vehicle accounts billed to taxpayers that the town has been unable to locate. The additions to the suspense book total \$34,014.39.

Although the taxes are removed from the books as a current receivable they continue to remain collectible for 15 years from their original due date. From July 1, 2005 to date, the town has successfully collected \$7,300 in outstanding taxes and interest.

**Recommendation**

Staff recommends that the Council approve the list as presented. If the Town Council concurs with this recommendation, the following motion is in order:

*Move, effective April 24, 2006, to transfer \$34,019.39 in uncollected property taxes to the Mansfield Property Tax Suspense Book, as recommended by the Collector of Revenue.*

**Attachments**

- 1) C. Gamache re: Transfer of Uncollected Taxes to Suspense Tax Book
- 2) List Summary

**TOWN OF MANSFIELD  
COLLECTOR OF REVENUE  
4 South Eagleville Road  
Storrs/Mansfield, CT 06268-2599**

April 2006

Town Council  
Town of Mansfield  
Mansfield, CT 06268-2599

Dear Council Members:

The following list of uncollected taxes for transfer to the Suspense Tax Book is respectfully submitted for your examination and approval as required by Sec. 12-165 of the General Statutes of the State of Connecticut. The mobile home taxes are for units that no longer exist. The homes were removed from their lots and disposed of, having belonged to owners that have passed away or moved out of state. The majority of the motor vehicle accounts were billed to owners that we are no longer able to locate. All accounts have been extensively rebilled and reported to the Connecticut Motor Vehicle Department.

Although these taxes are removed from the books as a current receivable they continue to remain collectible for fifteen years from their original due date. Suspense collection of tax and interest this fiscal year has been \$7,300.00 from July 1, 2005 to date.

The Collector's office continues to monitor all bankruptcy cases in the event assets are made available through the Court toward tax payments. The office also submits all motor vehicle suspense accounts to the Delinquent Property Division of the Department of Motor Vehicles to block reregistration in Connecticut.

Respectfully submitted,

Christine Gamache  
Collector of Revenue

PROPOSAL

Grand List Year	Bill Type	Tax amount
1994 Total		131.96
1995 Total		1,184.19
1996 Total		1,421.14
1997 Total		63.90
1998 Total		897.25
1999 Total		945.28
2000 Total		2731.83
2001 Total		5,762.87
2002 Total		20,875.97
<b>Grand Total</b>		<b>34,014.39</b>

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager  
**CC:** Lon Hultgren, Director of Public Works, Jeffrey Smith, Director of Finance  
**Date:** April 24, 2006  
**Re:** WINCOG Region Enhancement Grant – Confirmation of Local Match Support

---

**Subject Matter/Background**

As you have probably read in the local papers, the Town of Coventry has declined the Windham Region's enhancement grant in this latest round of Transportation Enhancement project funding. The grant is now available to Mansfield for the Downtown Streetscape project, as the second ranked project in the region. When the town submitted the grant late in 2002, the Council's resolution did commit the town to maintain and operate the constructed facilities, but did not contain specific wording concerning the 20-percent local match.

**Financial Impact**

Because of the Connecticut Department of Transportation's recent experience in Coventry where the local match became a problem, the agency has requested that the Mansfield Town Council vote to specifically accept the grant and to commit to the 20-percent local match. The region's available funding for this project is \$1,173,000, requiring a local match of \$234,600. As in past enhancement projects, we would offset some of these costs with our own engineering and/or inspection services so that not all of these funds would have to be provided in cash. Additionally, the town would not be required to construct the project until 2007 or 2008, providing us with time to budget these funds in the upcoming capital improvement budget.

In addition to the local match, the town would incur some costs to maintain the facilities constructed as part of the project. Since the facilities are proposed to be adjacent to and part of the Downtown Partnership project, and would likely be built whether grant funded or not, we have already anticipated that the town would incur these maintenance costs.

**Legal Review**

Formal funding agreements for the design and construction of this project would be provided by the DOT at a later date.

**Recommendation**

Staff recommends that the Town Council confirm that the Town would accept the grant and provide the 20-percent local match.

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

*Resolved, by the Town Council of the Town of Mansfield to accept the Federal Transportation Grant Funds for the Downtown Streetscape Project in the amount of approximately \$1,173,000 and to provide the local 20-percent match at the appropriate time as required by the Department of Transportation's funding guidelines. Furthermore, as previously provided and approved by the Town Council in its 2002 action to apply for this grant, the Council hereby reconfirms its commitment to operate and to maintain the facilities constructed by this grant.*



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager  
**CC:** Lon Hultgren, Director of Public Works; Fred Baruzzi, Assistant Supt of Schools  
**Date:** April 24, 2006  
**Re:** Safe Roads to Schools Grant Application

---

**Subject Matter/Background**

The recently passed Federal transportation law has a provision to fund projects under a "Safe Roads to Schools" program. These projects are 100-percent funded with no local match requirement. We believe the completion of the Birch Road bikeway and the construction of a walkway from the Birch Road/Hunting Lodge Road intersection to the Goodwin School may be eligible for funding under this program. As such, we have prepared a grant application that combines these two projects.

**Financial Impact**

As explained above, this grant program does not require a local match. The estimated project cost is \$422,120.

**Legal Review**

Staff has not sought legal review of the grant application. As the program is administered by the DOT, the agreements for design, construction and right of way are expected to be similar to other DOT funded projects the town has undertaken.

**Recommendation**

The completion of the Birch Road bikeway is a top priority in the Town's bikeway/walkway priority listing, and the construction of a walkway from the Birch Road/Hunting Lodge Road intersection to the Goodwin School would be a significant enhancement to that project. Completing this project with Federal funding would save the town considerable resources.

Staff recommends that the Town Council authorize staff to submit the grant as presented.

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

*Move, effective April 24, 2006, to authorize the Director of Public Works to submit the attached application seeking \$422,120 in funding from the Federal Safe Roads to Schools Program.*

**Attachments**

1) Excerpts from Grant Application

**Connecticut Department of Transportation**  
**Safe Routes to School (SR2S)**  
**2006 Infrastructure Program**

Application Form – Interim  
*Applications due: May 15, 2006*

**I. Applicant Information:**

Applicant: (Project Sponsor) Town of Mansfield

Address: 4 South Eagleville Road

City: Storrs/Mansfield, CT Zip Code 06268-2599

Contact Person: Lon Hultgren (Director of Public Works)

Phone: 860-429-3332 Ext.: \_\_\_\_\_ E-mail: HultgrenLR@Mansfieldct.org

School Name(s): Goodwin Elementary School

School District(s): Mansfield (K - 8)

(Regional/Metropolitan Planning Organization): Windham

Total number of project applications being submitted by your agency: 1

If more than one application is being submitted, what is the priority of this application? N/A

Project Classification: (See Eligible Infrastructure Projects on page 5)

- Sidewalk Improvements
- Traffic Calming and Speed Reduction
- Bicycle Parking Facilities
- Traffic signals
- Crosswalks
- Warning Devices
- Signing
- Pavement Markings
- Other Completion of Bikeway near school

## II. Project Evaluation Criteria

*Note: In order to qualify for funding, projects must be within a 2-mile radius of an elementary or middle school site. Schools to benefit from project must have a SR2S Master Plan.*

**The applicant's responses to the following will be used to evaluate the proposed project. Please limit responses to each question to two pages.**

1. Describe the problem(s) that the project is addressing.
  - a. What are the safety hazards (physical or perceived) or risks facing children who walk and/or bicycle to and from the school site(s)?
  - b. Cite any other concerns using accident data, traffic counts, demographics, community and school surveys or audits, traffic volumes, and other environmental factors, as appropriate.
  - c. Include a description of the neighborhood traffic issues in the vicinity of school site that may provide some background for the project.
  - d. Provide a map showing a 2-mile radius of the school and identify the general area with existing and proposed changes. Please limit map sizes to 11" x 17".
2. Provide a detailed description of the project scope.
  - a. How will project address the identified problem(s) cited in question 1?
  - b. How will the project reduce child pedestrian and bicycle related injuries?
  - c. How will the project encourage more students to walk or bicycle to school?
  - d. What percentage of the students walking/bicycling will benefit from this improvement?
  - e. What is the expected percentage increase in walkers/bicyclists from this project?
3. Describe the ongoing Safe Routes to School program efforts at school site(s).
  - a. Provide the following information for each school affected by program.
    - i.  School name
    - ii. Student population within grades K-8.
    - iii. Estimated number of students who currently walk to school. 0
    - iv. Estimated number of students who currently bike to school.
    - v. Percentage of students living within 2 miles of school.
    - vi. Number of students who are bussed.
    - vii. Distance eligibility for riding a bus ( in miles)

## Goodwin Elementary School – Safe Routes to School Grant Application

### Project Evaluation Criteria

#### 1a. Safety hazards or risks

There are no sidewalks, walkways or shoulders in the vicinity of the school. There is essentially no safe non-vehicular access to the school grounds.

#### 1b. Other concerns

There is no safe emergency evacuation route (by foot) leading away from the school grounds.

#### 1c. Neighborhood Traffic

Hunting Lodge Road serves as a major shortcut to the University of Connecticut. Average daily traffic is about 2,500 vehicles per day with an average speed of 31 mph and an 85% speed of 39 mph. Neighborhood complaints about speeding on the road and the movement of traffic through the wide intersection at Hunting Lodge and Birch Roads just to the south of the school have been made in recent years to the Mansfield Traffic Authority. A major portion of the Town's North-South bikeway is proposed to run along Birch Road a few hundred feet south of the school.

#### 1d. Map – see attachment A

#### 2a. How the Project would address problems identified in (1) above

The proposed project would both provide a walkway from the Hunting Lodge Road/Birch Road intersection to the school and complete the bikeway to this intersection along Birch Road. Non-vehicular access to the school via bikeway/walkway would be provided from the many apartments on Hunting Lodge Road to the South and on Birch Road to the North and East. Additionally, the Town is constructing a roundabout this construction season (2006) that will provide safe crossings through the intersection at Hunting Lodge Road and Birch Road. The walkway away from the school to the south would provide a safe emergency route (on foot) away from the school as well.

#### 2b. Reduced injuries

By providing separate bikeways and walkways to the school, we expect to reduce injuries and accidents that occur whenever students and/or parents travel to this school outside of a motor vehicle.

- b. Provide information on any ~~current~~ program, ~~efforts~~ targeted towards bicycle and pedestrian safety awareness.
  - c. Provide an outline of documented infrastructure deficiencies (safety hazards) and recommended improvements documented in Safe Routes to School Master Plan.
4. Who are your partners – what collaborations have you created to ensure the success of your project?
- a. Include letters of agreements from participating school districts, school principals, and government entity acknowledging their participation in this project.
  - b. Identify project partners that are in concurrence with this project. (Possible project partners may include school officials, local traffic engineers, law enforcement agencies, public health organizations, school-based organizations, local elected officials, nonprofit organizations, etc.)

**III. Project Cost Estimate:** Eligible costs are generally limited to those cost directly associated with engineering and construction of project.

Preliminary Engineering Fees *	\$ <u>0</u> - Bikeway is designed; Town will Engr. Walkway
Rights of Way Costs (If applicable)**	\$ <u>1,000</u> - one easement for walkway (bikeway easements completed)
Utility Relocation Costs	\$ <u>0</u>
Estimated Construction Costs (Include Detailed Estimate, if available)	\$ <u>walkway: \$71,000 bikeway: \$275,000</u>
Construction Engineering (Inspection, Materials Testing) (15%)	\$ <u>51,900</u>
Contingencies (State Guidelines suggest 7% of Construction Cost for projects under \$1,000,000)	\$ <u>24,200</u>
<b>Total Project Cost</b>	\$ <u>422,120</u>

\***Preliminary Engineering Fees:** Surveying; ConnDOT Coordination, Plan/Specification Reviews; Regulatory Permits and Meetings; Town Meetings (wetlands, public informational); Preparation of Property Taking and Easement Maps; Engineering Design; Construction Quantity and Cost Estimates; Specifications; Printing of Plans & Specifications for Bidding, Consulting fees, etc.

\*\***Rights of Way:** For the acquisition of property, easements or rights from property owners other than the municipality or State. In general, projects are to be constructed on public property. Projects primarily constructed on private property must have easements for public access.

2c. Encourage students to walk or ride

By providing a safe bikeway/walkway to the school, parents can elect to have their children access the school/schoolyard via foot or bike. This would apply to after-hours, weekends and summers as well as during the school day.

2d. Percentage of students to benefit

Currently no students walk or bike to Goodwin School (as it is not safe) and all are bussed. After the bikeway, walkway and roundabout are constructed, this mode will be safe and it is possible some children (parents) will take this route to the school. Certainly this route will be used to access the school grounds after hours and during the summers.

2e. Percentage of increase

As there are no bikers/walkers currently, any increase in the number will be a significant increase. After the connection is made and the roundabout is constructed, school administrators will be able to re-evaluate their bussing practices from the neighborhood apartments and residences along the bikeway.

3a.	i. <u>School name:</u>	Dorothy C. Goodwin School
	ii. <u>Student population (K – 8):</u>	205 (K-4)
	iii. <u>Students currently walking:</u>	0
	iv. <u>Students currently biking:</u>	0
	v. <u>% of students living within 2 mi.:</u>	+/-65%
	vi. <u># students bussed:</u>	205
	vii. <u>distance eligibility for riding a bus:</u>	K – 1 mile (Board of Education policy 1-3 – 1 mile although students are bussed inside 1 mile presently)

3b. Current bike safety awareness

Each year in the physical education health curriculum a section on bicycle safety is taught to all students.

3c. Safe Routes to School Master Plan

The proposed improvements are in keeping with the Safe Routes to School plan.

4a. Letter from Mansfield School District  
(see attachment B)

- 4b. Project Partners
- Town Department of Public Works
  - Town Transportation Advisory Committee
  - Mansfield School System

**IV. Project Schedule:**

Estimate dates of completion for major milestones shown below:

Complete Environmental Document: 7/1/06

Obtain Right of Way Clearance: 9/1/06 (~~One essentially~~)

Advertise Project for Construction: Dec 1, 06

Award Construction Contract: Feb 1, 07

Completed Construction: Sept 1, 07

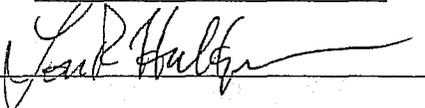
**V. Application Signatures**

**Local Agency Official**

Name: Lon R. Hultgren

Title: Director of Public Works

Phone Number: 860-429-3332 Email address: HultgrenLR@Mansfieldct.org

Signature: 

**School Official**

Name: Frederick A. Baruzzi

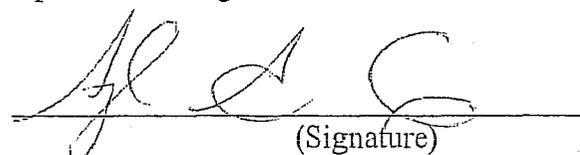
Title: Assistant Superintendent of Schools

Phone Number: 860-429-3356 Email address: BaruzziFA@Mansfieldct.org

Signature: \_\_\_\_\_

**Local Law Enforcement Agency Approval**

It is recommended that the applicant obtain a letter of support from the local law enforcement agency to show acknowledgement and support of the project or have a local law enforcement representative sign below:

  
(Signature)

Sergeant Sean Cox  
(Print Name)



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MH*  
**CC:** Martin Berliner, Town Manager; Noranne Nielsen, Animal Control Officer  
**Date:** April 24, 2006  
**Re:** An Ordinance Regulating Cats

---

**Subject Matter/Background**

Attached please find a proposed Ordinance Regulating Cats, which ordinance has been prepared by staff in consultation with the Town Attorney. We are still fine-tuning the draft, and will present the Town Council with a revision at Monday's meeting.

We believe such an ordinance would be necessary to help control the problem we have with an excessive cat population, particularly feral cats, that is presenting a legitimate public health issue for the community.

**Attachments**

- 1) Proposed Ordinance Regulating Cats



**Town of Mansfield  
Code of Ordinances  
"An Ordinance Regulating Cats"**

*April 24, 2006 Draft*

**Section 1. Title.**

This chapter shall be known and may be cited as "the Ordinance Regulating Cats" or "Cat Control Ordinance."

**Section 2. Legislative Authority.**

This chapter is enacted pursuant to the provisions of C.G.S. section 7-148, et seq., as amended.

**Section 3. Findings and Purpose.**

The Town Council of the Town of Mansfield finds that there is an overpopulation of stray and unwanted cats in the Town, evidenced in part by the impoundment of an increasing number of cats every year during the past six years by the Animal Control Department. It is the purpose of this chapter to promote the health, safety and general welfare of the residents of the Town of Mansfield by reducing the number of stray/abandoned cats. This chapter shall serve to reduce the excessive numbers of unwanted animals and thereby contribute to the welfare of cats and elimination of unnecessary euthanization of "surplus" cats by restricting the breeding practices of pet owners and breeders. It is also found that other communities with such ordinances have experienced significant decreases in the number of cat surrenders.

**Section 4. Mandatory Spaying/Neutering.**

- A. No person shall own, harbor or keep a cat over the age of six months which has not been spayed or neutered, unless such person holds an unaltered animal permit for the animal (see **Unaltered Animal Certification; Administration**, below).
- B. Any person intentionally providing care or sustenance for a cat shall be deemed to be the owner and shall comply with this section.
- C. Any owner of an unaltered cat who has been cited for failing to obtain a permit shall have his or her citation dismissed if proof of altering is presented within 30 days of the issuance of the citation or the owner obtains the necessary permit within 30 days of the issuance of the citation **and** the animal has not reproduced.
- D. Individuals who are aware of cat abandonment must notify the Department of Animal Control of said event:
  - 1) To ensure that the animal is not simply lost
  - 2) To identify potential problem areas
  - 3) To receive assistance with spay/neuter and/or placement of the animal(s)

Those complying will not be subject to penalty for having an unaltered animal on the premises if they are willing to surrender it to the Animal Control Department.

**Section 5. Penalties.**

- A. The penalty for violation shall be \$100, payable to the municipal Neuter Assistance and Education Fund. If the violation is not corrected within 30 days and the fine is not paid, the continuing violation becomes a second offense, the fine for which shall be \$200. A fine of \$100 will be assessed for each additional 30-day violation.
- B. The Animal Control Officer may, at his/her discretion, waive the citation and/or penalty if the animal(s) is surrendered to the Animal Control Department for placement.
- C. The penalty shall not be waived by the Department upon the transfer or abandonment of the cat by the noncompliant owner except as specified in subsection B, above.

**Section 6. Unaltered Animal Certification; Administration.**

The Animal Control Department shall administer a permit program to allow for unaltered animals over the age of six months when the following conditions have been met:

- 1. The annual permit fee of \$100 is paid at the time of application and upon each annual renewal.
- 2. The animal is examined annually by a licensed veterinarian and is following the preventative program recommended by the veterinarian.
- 3. The animal is current on rabies vaccination.
- 4. The owner otherwise complies with any applicable local/state law concerning the care and housing of animals and has not been in violation of animal related ordinance/laws in the past 24 months.
- 5. The owner furnishes the Animal Control Department with a signed statement agreeing to the following conditions:
  - (a) A female unaltered animal will have no more than one litter per year.
  - (b) Offspring of the unaltered animal will not be sold or adopted until they are at least eight weeks of age.
  - (c) Records will be kept documenting how many offspring were produced and who adopted or purchased them (name, address, phone number).
  - (d) Offspring must be immunized against common diseases.
  - (e) The Seller/adopter must disclose the permit number in any advertisement.

**Section 7. Sterilization of Impounded Animals.**

On a first or subsequent impoundment of a cat, the Animal Control Department may require that, as a condition for return to its owner or keeper, (a) the animal must be altered and (b) the cost incurred must be paid by the owner or keeper, or that the owner or keeper obtain Unaltered Animal Certification per this chapter.

**Section 8. Exemptions.**

- A. Animal shelters and rescue organizations that have implemented an ongoing spay/neuter program.

**Section 9. Exceptions.**

- A. Medical - A licensed veterinarian has determined that an animal is medically unsuited to undergo the surgical procedure and has signed a statement to that effect specifying the medical grounds for the exemption.
- B. Temporary medical - The veterinarian may specify a temporary medical condition including the prognosis of when the surgery may be performed, which shall become the expiration date of the temporary exemption.
- C. Transitory status - An animal that is temporarily in the Town to participate in a show or event sponsored by a nonprofit, sanctioned animal organization.

**Section 10. Neuter Assistance and Education Fund.**

All fees and penalties collected under the provisions of this chapter shall be deposited into a special fund known as the Neuter Assistance and Education Fund ("the Fund"). The purpose of the Fund shall be to offer financial assistance to qualified residents for the spaying and neutering of their cats and to create public awareness regarding efforts to control pet overpopulation in the Town. Additionally, the Animal Control Department shall maintain a current list of resources for reduced-price spay/neuter services for distribution to residents of the Town.

**Section 11. Sale in Public Places.**

A person shall not display any cat in a public place for the purpose of selling or giving the animal away. The term "public place" shall include but not be limited to streets, highways, areas exterior to shops or businesses, carnivals, sidewalks and flea markets. This section does not apply to a registered rescue group or animal welfare society.

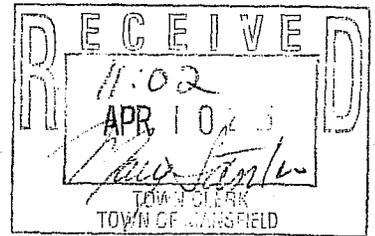
**Section 12. Feeding of Feral Cats.**

No person shall feed a feral cat unless the cat is altered or the person is working with a registered rescue group or animal control department towards a goal of altering the cat or working to place the cat in a home. A "feral cat" means a free-roaming domestic cat that is not owned.

**Section 13. Cats Roaming at Large.**

No owner or keeper of any cat or kitten shall allow such cat or kitten to roam at large if the cat or kitten is not altered.

HOUSING AUTHORITY OF THE TOWN OF MANSFIELD (CT)  
REGULAR MEETING MINUTES  
Housing Authority Office  
March 16, 2006  
8:00 a.m.



Attendance: Mr. Long, Chairperson; Ms Christison-Lagay, Vice Chairperson; Mr. Eddy, Treasurer and Acting Secretary; Ms Hall, Assistant Treasurer; Mr. Simonson, Commissioner and Rebecca Fields, Executive Director. Special Guest Caroline Redding, Chair of the Committee on Committees.

The meeting was called to order at 8:10 by the President.

### MINUTES

Motion made by Ms Hall and seconded by Ms Christison-Lagay, to accept the minutes of the January 16, 2006 Regular meeting. Motion Passed.

Motion Made by Mr. Simonson and seconded by Mr. Eddy to accept the minutes of the February 16, 2006 Regular meeting and the February 16, 2006 Special Meeting. Motion Passed

### COMMUNICATIONS

There were no communications.

### COMMENTS FROM THE PUBLIC

There were no comments from the public.

### REPORTS OF THE DIRECTOR

#### BILLS

Motion made by Ms Hall and seconded by Ms Christison-Lagay, to approve the Bills payments. Motion passed. Ms. Fields will report with an explanation for a check made out to Liberty Bank for \$6,976.70.

#### FINANCIAL REPORTS-A (General)

There was discussion regarding the variance from budget in salaries for January in both Wrights Village and Holinko Estates Month End Report.

Motion was made by Mr. Eddy and seconded by Mr. Simonson, to conditionally accept the January 31, 2006 Financial Reports for both Wrights Village and Holinko Estates. Motion passed. Ms Hall opposed.

#### FINANCIAL REPORT-B (Section 8 Statistical Report)

Motion was made by Mr. Eddy and seconded by Mr. Simonson to accept the February Section 8 Statistical Report. Motion passed.

JASAsolution yearly contract (Computer Tamers)

There was discussion regarding the need for a yearly contract. There was no information on the cost benefit of the contract at this time. The contract cost would be \$1,419.00. Last 8 months cost was 580.00. This item was tabled until a later date.

Online Banking

There was discussion about the possibility of using online banking for some activities. More information is needed to assure checks and balances as well as security. Ms. Fields is waiting for a response from Liberty Bank with more information. This item was table until a later date.

**ADJOURNMENT**

Motion was made by Mr. Simonson and seconded by Ms Hall to adjourn at 10:40 a.m. Motion passed.

Dexter Eddy,  
Acting Secretary

**Approved:**

Richard Long  
Chairperson

## REPORT FROM TENANT REPRESENTATIVE

Mr. Eddy reported that the shower conversions were complete and as reported last month. He also asked whether gatherings of tenants as recommended by the RSV needed to be approved by the Board. It was agreed that the decision of the ED was sufficient.

## **OLD BUSINESS**

Minutes -February 16, 2006 Page 2

### Executive Director Search

The search for an Executive Director was completed with the hiring of Ms Rebecca Fields effective February 18, 2006.

## **NEW BUSINESS**

### Board Member Appointment

Caroline Redding , Chair of the Town Council's Committee on Committees was a special guest invited to discuss the Commissioner position, presently filled by Mr. Long. She suggested, Ms Shawn Grunwald, as a possible candidate. However, Ms Grunwald would likely be unable to attend July and August Board meetings. After Ms. Redding's departure, discussions centered on a number of issues including Ms Grunwald's inability to attend regular meetings in July and August with the possibility of special meetings with the possibility of starting a new housing development project. All Commissioners felt that maintaining continuity within the Board in light of a complete turn over of staff within the past year would be helpful. The Board, as well as the Executive Director, agreed to recommend to Ms. Redding that Mr. Long be appointed for another term. Ms Christison-Lagay volunteered to write a letter to Ms Redding outlining the reasoning for and recommendation of the appointment of Mr. Long.

### Bank Signature card renewal.

New Bank Signature card have been made available for signature. All signatures will be completed prior to the next meeting.

### Election of Authority Officers.

This item was tabled pending a review of the By Law and the State Statutes.

### Change of Pay Week

There was discussion about changing the pay week to enable the smoother processing of payroll. The Board agreed that it was an operational issue and left the decision to the Executive Director.

### Professional Development

The Board approved \$3000.00 for Ms. Fields to attend the Public Housing Manager Seminar on March 27, 2006 through March 31, 2006 and \$3000.00 for Ms. O'Connor to attend the Section 8 Housing Manager seminar on June 12, 2006 through June 15, 2006.

TOWN OF MANSFIELD/DEPARTMENT OF CORRECTION  
PUBLIC SAFETY COMMITTEE  
WEDNESDAY, January 18, 2006  
Audrey P. Beck Municipal Building  
Council Chambers

Minutes

Members Present: A. Barberet, G. Cole, R. Gergler, C. Lary, C. Paulhus, W. Solenski,  
W. Stauder

Members Absent: R. Blicher, E. Higgins, R. Pellegrine, S. Thomas

Staff: Assistant Town Manager M. Hart, Police Officer J. Marchon, Counselor J. Roache,  
Deputy Warden K. Smayda

I. CALL TO ORDER

Ms. Stauder called the meeting to order at 3:05 p.m. and welcomed everyone present.

1. Mr. Hart volunteered to serve as the recorder/secretary for the meeting.
2. Minutes of July 20, 2005 – Ms. Barberet made a motion, seconded by Mr. Paulhus, to approve the minutes of July 20, 2005. The motion passed unanimously.
3. Minutes of August 24, 2005 – Mr. Cole made a motion, seconded by Mr. Solenski, to approve the minutes of August 24, 2005. The motion passed unanimously.
4. Minutes of October 19, 2005 – Mr. Paulhus made a motion, seconded by Mr. Gergler, to approve the minutes of October 19, 2005. The motion passed unanimously.
5. Meeting Schedule for 2006 – Mr. Paulhus made a motion, seconded by Mr. Cole, to accept the meeting schedule for 2006. The motion passed unanimously.

The committee asked Mr. Hart to add a “members absent” section to the minutes.

II. COMMUNICATIONS

1. List of Offenses – Ms. Stauder stated that she likes the addition of the underlying charge to the list of offenses.
2. Letter from T. Lantz re: Security Measures – Mr. Cole clarified that the razor wire is to be laid along the ground. Mr. Marchon asked about the possibility of alarming the fence? The committee explained that it had not contemplated alarming the fence as of yet.

### III. WARDEN'S REPORT AND DISCUSSION

1. Population Status Report – Ms. Smayda reported that the current population is 954 inmates, and the maximum capacity remains 962.
2. List of Offenses – Ms. Smayda reviewed the list of offenses with the committee. The list is similar to that of previous months.

### IV. CHAIRMAN'S REPORT – None

### V. OPPORTUNITY FOR PUBLIC TO SPEAK – None

### VI. OLD BUSINESS

1. Security Measures – Mr. Gergler made a motion that the committee recommend to the Town Council that the town accept the installation of the razor wire at Bergin CI. Mr. Solenski seconded.

After some discussion, the committee recommended that the motion be amended as follows:

*Move, effective January 18, 2006, to recommend to the Mansfield Town Council that the Council accept the Connecticut Department of Correction's proposal to install at Bergin Correctional Institute two rolls of razor ribbon on the ground along the interior perimeter of the existing fence, specifically a double row of wire consisting of two 30" rolls with 24" rolls inside the 30" rolls.*

Mr. Gergler and Mr. Solenski accepted the friendly amendments to the motion.

Ms. Stauder posed what she described as the "moral question" regarding the possibility that inmates could be physically hurt by the wire. The committee discussed this issue at some length. Ms. Smayda stated that inmates are accustomed to the wire at other facilities, and staff will make sure to educate the inmates during orientation.

Ms. Stauder called the question. The motion, as amended, was approved 5-2-0, with Cole, Gergler, Lary, Paulhus and Solenski in favor, and Barberet and Stauder opposed.

2. Annual Report – Mr. Paulhus made a motion, seconded by Mr. Gergler, to accept the Annual Report for 2005 as presented by staff. Mr. Cole suggested some editorial revisions to the draft, which were endorsed the committee. The motion passed unanimously, with the understanding that Mr. Cole's comments would be incorporated within the report. Mr. Hart agreed to make the corrections to the report for Ms. Stauder's signature, and to send the report to the state legislature as required by law.

VI. NEW BUSINESS - None

VII. ADJOURNMENT

Ms. Stauder adjourned the meeting at 4:00 p.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Matthew W. Hart". The signature is written in a cursive style with a large, prominent initial "M".

Matthew W. Hart  
Assistant Town Manager

# TOWN OF MANSFIELD CORRECTIONAL FACILITY LIAISON COMMITTEE

January 18, 2006

## Minutes

Members and Staff Present: Same as DOC Public Safety Committee

### I. CALL TO ORDER

Ms. Stauder called the meeting to order at 4:00 p.m.

1. Selection of Recorder – Mr. Hart volunteered to serve as the recorder for the meeting.
2. Minutes of July 20, 2005 – Mr. Gergler made a motion, seconded by Mr. Paulhus, to approve the minutes of July 20, 2005. The motion passed unanimously.
3. Minutes of August 24, 2005 – Mr. Gergler made a motion, seconded by Mr. Paulhus, to approve the minutes of August 24, 2005. The motion passed unanimously.

### II. COMMUNICATIONS – None

### III. WARDEN'S REPORT AND DISCUSSION

1. Community Outreach and Programming – Ms. Smayda reported that Bergin's programming is proceeding well. The facility has hired a new principal, Ms. Dollie Durst, to replace Ed Korza. Ms. Durst will share her time with another facility. In other news, the contractors have finished their asbestos abatement work at the facility and Bergin is waiting to receive another counselor to be added to the staff. The DUI program is going well and 14 of 16 participants in the most recent GED program received their certificate.

### IV. OPPORTUNITY FOR PUBLIC TO SPEAK – None

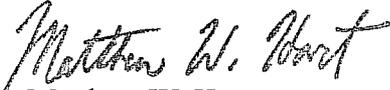
### VII. OLD BUSINESS - None

### VIII. NEW BUSINESS – None

IX. ADJOURNMENT

Ms. Stauder adjourned the meeting at 4:08 p.m.

Respectfully submitted,

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

Matthew W. Hart  
Assistant Town Manager

Number 06-23

Item #12

April 19, 2006



# Legislative Update

 Connecticut Conference of Municipalities

PLEASE DELIVER IMMEDIATELY TO ALL CCM-MEMBER MAYORS, FIRST SELECTMEN, AND TOWN/CITY MANAGERS

## Your Action Needed

### Two Weeks To Go: Good and Bad Bills Still Pending Before General Assembly; Several Mandates Already "Killed"!

As the 2006 General Assembly Session heads into its final two weeks there are still about 500 bills awaiting action by the House and the Senate.

As CCM has reported, negotiations between legislative leaders and the Governor will intensify on the major issues with which they must grapple – the state budget and tax package, the state bond package, and transportation investment initiatives.

CCM will be pushing the municipal agenda on those issues. But many other bills remain that will have a significant impact on towns and cities. The crush of having 500 bills awaiting action means that many of them may die – so local officials need to be clear with members of their delegations about the bills that would help or hurt their municipalities. Proponents of harmful legislation will be pressing leaders to get their bills into the queue for action...and good bills that don't have people pushing for them will easily fall by the wayside.

Below are some of the key good and bad bills affecting local governments. Note that this is not an exhaustive list.

#### Bills Of Benefit To Municipalities

- SB 701 Would (1) provide for a **five-year phase in of revaluations** and (2) create a **\$5 million fund to provide financial incentives for joint service provision by municipalities** through their Regional Planning Organizations.
- SB 389 Would (1) increase fines and grant **priority lien status to municipalities for violations of health, housing, zoning and safety laws**, and (2) increase, from \$100 to \$250, the maximum penalty for violation of municipal ordinances.
- HB 5491 Would, among other things, require the Connecticut Advisory Commission on Intergovernmental Relations (CACIR) to submit a report to the legislature every four years that (A) **identifies and describes each unfunded or partially funded state mandate**, (B) **quantifies the actual cost to local governments of such mandates**, and (C) analyzes the effect of eliminating or reducing such mandates.
- HB 5842 Would require: (1) the State Comptroller to conduct a **study of the feasibility and effect of the State assuming the costs and administration of providing health benefits to municipal government and board of education employees**; (2) the Department of Education to study the feasibility of the State **paying 100% of the cost of Special Education**; and (3) OPM to study freezing all real property valuation as of a certain date.

For the most up-to-date news on legis.P.73 issues affecting municipalities —  
see CCM's *Legislative Action Center* at [www.ccmlac.org](http://www.ccmlac.org)

- SB 668 Would make numerous **changes in assessment procedures**. Among other things, would give more flexibility to assessors to conduct on-site inspections only when necessary, and other flexibility to conduct revaluations using less costly methods.
- HB 5605 Would treat telecommunications companies that get their taxes assessed by the State the same as all other property taxpayers by making them subject to an 18% annual penalty for delinquent payment.
- Would also cap, at last year's levels, **charges to municipalities for utilizing DMV to enforce payment of delinquent property taxes**.
- HB 5685 Among other things, would (1) establish an Office of **Brownfield Remediation** within the Department of Economic and Community Development; (2) allow municipalities and other parties that undertake the clean-up and remediation of contaminated property to seek reimbursement for the costs associated with such clean-up from the party responsible for the contamination; and (3) provide greater protection from liability for those parties that undertake such clean-up and remediation and who did not have responsibility for the contamination.

Please note that the bill to make **significant investments in transportation infrastructure**, mentioned in the introduction on the previous page (HB 5717), also contains a provision that would require the State to **share a portion of the revenue from moving violations with the municipality** that issued the ticket.

### Bills With Provisions Harmful To Municipalities

- SB 1 Among other things, would **completely exempt from property taxes all manufacturing machinery and equipment** as of October 1, 2007.
- However, as currently written, the bill also requires **100 percent reimbursement to municipalities for taxes lost due to these provisions**. A previous version of the bill provided that municipalities could have taxed for any unreimbursed tax loss. Unfortunately, the bill no longer contains that language. CCM can only support the bill with such a provision.
- HB 5576 Would impose significant losses in revenue, costs and administrative burdens on towns and cities, by: (1) **significantly reducing, from 50 cents to ten cents, the amount local governmental offices may charge for copies of public records**; (2) **expanding the amount of information to be included (i.e. names of speakers and a summary of each speaker's comments) and require such meetings to be electronically recorded**; and (3) essentially allowing people to bring into town hall any device they choose for the purposes of copying public records.
- HB 5273 Would provide a special, **unwarranted property tax break for privately owned golf courses open to the public**. The bill would provide a blanket tax break to all privately owned golf courses open to the public-- with no distinction between those facing financial hardship and those that are thriving, and no true protection of open space.
- SB 291 Would require **diesel-powered school buses retrofitted or replaced to meet certain emission requirements**. The cost of retrofitting each school bus to meet the requirement of this bill would average \$2,000. There are approximately 6,500 diesel-powered school buses in Connecticut. This bill would cost municipalities over \$6 million.
- SB 636 Although this bill would authorize state grant commitments for school construction projects, it would also **limit the uses of state funding for certain types of positions that do project management**.

HB 5290      Would require municipalities to establish a **registry containing the names and addresses of property owners, electors, and federal tax-exempt organizations to receive land use hearing notices by mail or email**, depending on the request of the entity. Towns must annually notify residents of the registry. Such entities must stay on the registry at least 3 years, and may request to be placed on notice for another 3 years.

**Good News: Mandates Defeated**

Several bills proposing to create or expand unfunded mandates have recently died in Committee after strong lobbying by CCM staff and local officials (although there is always the possibility they will be brought up again as amendments). They include proposals that would have:

- established a workers' compensation presumption for paid firefighters who contract **heart disease or hypertension** (killed by the Appropriations Committee);
- mandated that **municipalities adopt a state-prescribed ethics code** (killed by the Judiciary Committee);
- created a mandated presumption of **job relatedness for public safety employees who contract certain contagious diseases** (killed by the Appropriations Committee);
- expanded the **family and medical leave mandate** for local employees (killed by the Appropriations Committee);
- provided **portal-to-portal workers' compensation** coverage for public safety dispatchers (killed by the Appropriations Committee); and
- lowered the level of **assessments on certain affordable housing developments** (killed by the Finance, Revenue and Bonding Committee).

Although several potential mandates still remain in play, thanks to all local officials who lobbied their delegations against these bills.

\*\* \*\* \*

For more information, please go to CCM's Legislative Action Center at [www.ccm-lac.org](http://www.ccm-lac.org) or call members of CCM's advocacy team at the state capitol: Jim Finley, Gian-Carl Casa, Ron Thomas, Kachina Walsh-Weaver, Bob Labanara or Kylene Fredrick. They can all be reached by calling the CCM main office at (203) 498-3000.

PAGE  
BREAK

budgeting. These tools hold tremendous promise for our profession.

For that reason, we are introducing a regular column, "Performance matters," in *Public Management* to feature news and information related to the use of performance management systems. The objectives are to share the latest advances that the field has to offer and to create a sustained dialogue on what works. In doing so, we hope to both advance our profession and help local governments respond better to the needs of their citizens.

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—Robert J. O'Neill, Jr.  
Executive Director  
International City/County  
Management Association  
Washington, D.C.  
roneill@icma.org

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## GOLDEN YEARS ARE ACTIVE YEARS, STUDY SHOWS

Rocking chairs, shuffleboard matches, and card games are getting stiff competition from paid work, volunteering, and caregiving in the lives of older Americans, new research from the Urban Institute shows.

Almost 80 percent of those aged 55 and older spend time working, volunteering for an organization, taking care of family members, or helping people outside their own households. They average nearly 1,300 hours a year at these labors. Nine out of 10 adults aged 55 to 64 take part in at least one activity. Engagement declines with age but remains high. Eight out of 10 adults aged 65 to 74, and almost six in 10 aged 75 and older, participate in one or more activities.

"These findings contrast sharply with the image of older Americans as unengaged adults living out their older years solely in pursuit of leisure and rest," comment researchers Sheila Zedlewski and Simone Schaner. "Nonetheless, the results also suggest room to expand engagement opportunities. Unengaged or less engaged older adults represent an untapped resource."

The potential contributions of older adults will grow rapidly as baby boomers age, as Zedlewski and Schaner point out in "Older Adults' Engagement Should Be Recognized and Encouraged." Three in 10 Americans will be 55 or older by 2030, up from two in 10 today. Currently, 65.4 million people are 55 or older.

This information is from the 2002 Health and Retirement Study, a nationally representative survey of adults 55 and older. The survey is conducted for the National Institute on Aging by the Survey Research Center at the University of Michigan.

#### SATISFACTION WITH RETIREMENT

Most older adults are highly satisfied with their retirement (62 percent), but

33 percent are only somewhat satisfied, and 6 percent are dissatisfied.

At the same time, the Institute's Barbara Butrica and Simone Schaner show in "Satisfaction and Engagement in Retirement," engaged seniors are more likely than their unengaged counterparts to be very satisfied with retirement—regardless of age, sex, race, marital status, education, mental and physical health, or income. But retirees involved only in caregiving are significantly less likely to be very satisfied than uninvolved retirees.

#### HELPING AT HOME

In "Many Older Americans Engage in Caregiving Activities," Richard Johnson and Simone Schaner observe that 39 percent of older adults care for their parents, in-laws, frail spouses, children, or grandchildren. They average 580 hours a year in caregiving.

Older men are just as likely as older women to spend time caring for their families, challenging the conventional wisdom that family care is women's work. However, women caregivers devote more time (648 hours a year) than men (489 hours).

Many caregivers juggle family responsibilities with work demands and their own health needs. Among those aged 55 to 64, half of full-time workers care for family members. And 34 percent of those aged 55 and older in fair or poor health serve as caregivers.

#### ADDITIONAL FINDINGS: TYPES AND INTENSITY OF ENGAGEMENT

- Older Americans volunteer at similar rates throughout the age distribution, with about three in 10 devoting time to formal volunteering.
- Most older Americans diversify their activities, with 52 percent taking on two or more tasks. Yet, almost two in 10 adults aged 65 to 74 and four in 10 adults aged 75 and older, do not engage in any of these activities.
- African Americans and Hispanics are less likely to be engaged than their white counterparts. Hispanics

aged 65 and older are least likely to be working for pay, volunteering, or caregiving.

- Across the age spectrum, low-income individuals engage in these activities less often than higher-income seniors.

**ADDITIONAL FINDINGS:  
RETIREMENT SATISFACTION**

- Seniors who are more active appear more satisfied with retirement. For example, older adults who report being very satisfied with retirement are nearly 1.5 times more likely to participate in multiple activities (+2 percent) than dissatisfied older adults (29 percent).
- Relatively fewer very satisfied retirees are inactive (25 percent) than dissatisfied retirees (38 percent).
- Dissatisfied retirees are more than twice as likely to be caregivers as extremely satisfied retirees.
- For most, retirement satisfaction

rises as the amount of activity approaches 500 hours. Beyond that, satisfaction seems unrelated to hours spent.

**ADDITIONAL FINDINGS:  
CAREGIVING ACTIVITIES**

- Fifty-one percent of adults aged 55 to 64 provide care to family members, compared with 38 percent of those aged 65 to 74 and 19 percent of those aged 75 and older.
- Grandchild care is the most common caregiving activity, pursued by nearly one-quarter of older adults, followed by parent care, spouse care, and child care.
- Seven percent of adults aged 55 and older care for multiple generations of relatives.
- Spouse helpers average 1,443 hours of family care a year, compared with 541 hours for parent caregivers and 474 hours for grandchild caregivers.
- Eighty-seven percent of adults aged 55 and older with frail spouses and

67 percent of those with frail parents serve as caregivers.

**SERIES ON PERSPECTIVES  
ON PRODUCTIVE AGING**

The three briefs cited in this article are part of Perspectives on Productive Aging, a new research series documenting the value of engagement among older adults and highlighting the best ways for society and policymakers to support and encourage the full engagement of older Americans.

Forthcoming publications will cover volunteering, paid work, the economic value of engagement, factors affecting the level of activity, and transitions from career work to other kinds of activity.

Perspectives on Aging is supported through a grant from Atlantic Philanthropies. It is part of the Urban Institute's Retirement Project (<http://www.urban.org/retirement>).

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the social, economic, and governance challenges facing the United States.

—Stu Kantor

Senior Public Affairs Associate  
The Urban Institute  
Washington, D.C.

skantor@ui.urban.org; www.urban.org

## KEEP AMERICA BEAUTIFUL ISSUES GUIDE TO CIGARETTE LITTER PREVENTION

Take a closer look at the sidewalks, roadways, and beaches in your community. You'll probably find thousands of pieces of cellulose acetate litter, better known as cigarette butts. Cellulose acetate—a man-made fiber that looks like cotton thread—takes many years to decompose and, along with such other cigarette litter as packaging and lighting materials, represents more than 20 percent of the litter collected in many community cleanup initiatives.

To address the problem of cigarette litter, Keep America Beautiful, the United States' largest nonprofit community-improvement organization, has produced the *Guide to Cigarette Litter Prevention*, which offers tools for launching an initiative for cigarette litter reduction. The guide has been produced as a CD-ROM, after three years of field testing in more than a dozen large and small communities across the nation. Strategies included in it helped to reduce cigarette litter by an average of 46 percent in field testing over three years.

"Bakersfield [California] was excited to be one of the three cities chosen for the test campaign in 2003," said Mayor Harvey Hall. "The results were very encouraging, with a definite reduction in cigarette litter. We were pleased that the business and property owners in the test area were able to involve their employees, clients, and customers during the campaign."

Karen West is program director of Keep Genesee County Beautiful in Michigan, one of 28 local affiliates that used the guide as part of the national roll-out of the program. "People need to know that cigarette butts are litter, too," said West, who noted that, during a recent scan for cigarette litter in her community, surveyors found more than 2,000 cigarette butts in a three-block area.

Keep America Beautiful started developing its Cigarette Litter Prevention Program in 2002, after identifying this kind of refuse as the most often littered item found in cleanups around the country. The organization tested a multidimensional approach to developing the most effective program that could easily be replicated in communities. To order the *Guide to Cigarette Litter Prevention* CD-ROM, go to the Web site at [www.kab.org](http://www.kab.org).

## CONSISTENT SERVICE ON DEMAND

The city of Gardena, California, with a population of more than 60,000, takes great pride in maintaining its small-town culture, in which all residents can get direct and personal assistance from city hall. When the city faced financial cutbacks and a reduction in its workforce, a customer service tool was needed that would dispense consistent information and service, whether a resident walked into city hall, called, or surfed the city's Web pages.

After considerable research, the management staff decided to use a composite system that integrated two components supplied by private sector companies, and Gardena-Direct was born. Gardena-Direct features an automated citizen information system (ACIS) with a service-request component powered by software from GovPartner, an ICMA Corporate Partner. The partnership between the two components allows citizens to use any communication preference to retrieve or request information and forms, make a service request, and

receive feedback when the request has been addressed.

Gardena-Direct is the first program of its kind with this type of integrated system, giving residents access to city services 24/7 without their having to spend time in city hall. Since the system has been in place, information has been centralized, and the transfer of information-based service calls has dropped by about 50 percent.

If a citizen comes directly to city hall with a question or requires service, reception-staff members use Gardena-Direct to find the answer or to process the request. This kind of commitment to citizens is ongoing, and Gardena plans to expand its assistance to include multilingual support.

—D. Christine Hach

Assistant City Manager  
Gardena, California

[citymanager.web@ci.gardena.ca.us](mailto:citymanager.web@ci.gardena.ca.us)

## CITY HALL ANNEX IS OLDEST GREEN BUILDING WORLDWIDE

The Cambridge city hall annex recently became the first municipal building in Massachusetts—and the oldest building yet—to receive a LEED (Leadership in Energy and Environmental Design) Gold Certification from the U.S. Green Building Council (USGBC). The LEED rating system has become the national standard for green buildings.

Originally built in 1871, the building was closed in 2000 after indoor air quality testing found mold spores at elevated levels. After a major renovation, the annex reopened in February 2004 as the city's first green municipal building, the first LEED-certified municipal building in Massachusetts, and to date the oldest building to receive certification under the LEED program, proving that historic preservation and energy-efficient healthy green design can go hand in hand.

The city's decision to renovate rather than demolish has brought

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