

REGULAR MEETING-MANSFIELD TOWN COUNCIL  
February 23, 2009

Deputy Mayor Gregory Haddad called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. ROLL CALL

Present: Clouette, Duffy, Haddad, Koehn, Nesbitt, Paulhus, Schaefer (arrived 7:37 p.m.)  
Excused: Blair, Paterson

II. APPROVAL OF MINUTES

Ms. Koehn moved and Mr. Paulhus seconded to approve the minutes of the February 9, 2009 Special Meeting as presented. Motion passed with Mr. Clouette abstaining. Mr. Clouette moved and Mr. Nesbitt seconded to approve the minutes of the February 9, 2009 regular meeting as corrected. Motion passed by those present

III. PUBLIC HEARING

1. Acquisition of Mansfield Lions Memorial Park

Deputy Mayor Gregory Haddad called the public hearing to order and asked the Clerk to read the legal notice. Jennifer Kaufman, Parks Coordinator, briefly outlined the location and value of the proposed acquisition. Ms. Kaufman noted that both the Planning and Zoning Commission and the Open Space Preservation Committee have reviewed the parcel and are in support of its purchase.

Keith Johnson, 32 Mulberry Road, spoke in favor of the acquisition commenting that this parcel is an important link in the connection of existing open space and for that reason alone it has intrinsic value.

Sharry Goldman, Brown Road, expressed her gratitude to the Council, the current Town Manager and the past Town Manager who have had the foresight to put us in the position to be able to purchase this property. She also thanked Mansfield Recreation Park, Inc for providing so many residents with such a wonderful experience.

Quentin Kessel, Codfish Falls and Chair of the Conservation Commission, submitted a letter from the Conservation Committee expressing their support of the purchase and noting the generosity of the Lions Club. Statement attached. Personally Mr. Kessel expressed support for the purchase on behalf of his wife Margaret and himself.

Jay Rueckl, 128 South Eagleville Road, speaking in support of the purchase urged the Council to take advantage of this opportunity. Mr. Rueckl noted that the town has a long history of support for forward thinking initiatives that benefit the citizens and make Mansfield a good place to live. Statement attached.

Rudy Favretti, Middle Turnpike and Chair of the Planning and Zoning Commission, commented that this purchase would fulfill several objectives found in the Town's

Plan of Conservation and Development, including the linkage of a very valuable tract of open space. Mr. Favretti noted that generations to come would thank us for our foresight.

Scott Lehman, 532 Browns Road, urged the Council to take a larger view noting that what is rational for an individual is not the same as what might be rational for society and what is rational for the present self may not be rational for the future self. He asked the Council to think about the next 10, 50 or 100 years and urged support for the purchase.

Mike Sikoski, Wildwood Road, asked the Council to wait for a couple of years to see if the economy has improved adding that the money could be used for something else. He feels that in 2 years it may be a good investment. Mr. Sikoski also questioned the Council's ability to approve this transaction without first holding a public hearing in accordance with section 406A of the Town Charter. He asked for clarification of exactly what is an appropriation.

Antoinette Webster, representing Mansfield Recreation Park, Inc. was available to answer questions.

Town Council members asked Attorney Webster if the Lions would be willing to delay selling the property if the Town were willing to pay for the insurance.

Deputy Mayor Haddad recessed the meeting until Attorney Webster had an opportunity to talk to those members of the Lions' Board who were present.

After a discussion with those members of the Lions present, Ms. Webster reported that, although the group present could not speak for the entire organization, the goal of Mansfield Recreation Park, Inc. is to divest itself of this asset as the organization would like to have the resulting funds to use for other charitable purposes. Attorney Webster noted that discussions have been underway for two years and urged the Council to approve the sale.

#### IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Betty Wassmundt, Old Turnpike Road, reiterated her concern that there is a conflict of interest in having the Finance Director for the Town also be the Finance Director for Region 19. Statement attached.

Harry Birkenruth, Ball Hill Road, stated that he and his wife, Honey, have been residents of Mansfield for 43 years and have always appreciated the quality and forward looking actions of the residents and town officials. Statement attached.

Howard Raphaelson, Timber Drive, stated the residents he has spoken to were not aware of the budget process but would like the town to stay as it is and prefer its current services. Mr. Raphaelson admitted that his sampling was not very large. He urged the Town Council not to generalize based on a few people who say cut at any cost and to remember that the Council represents over 22,000 residents. Statement attached.

Mike Sikoski, Wildwood Road, urged the Council to look at the proposed purchasing regulations under discussion in the Finance Committee and to consider the danger of having one person in charge of spending. He asked the staff and Council to stop relying on the phrase, "That's the way it has always been done."

V. TOWN MANAGER'S REPORT

Statement attached. Town Manager Matt Hart distributed an article by Roger Kemp titled, Managing Government in Hard Times: Prudent Options to Balance Public Budgets. He asked Council members to review the article prior to the retreat on Saturday.

VI. OLD BUSINESS

2. Acquisition of Mansfield Lions Memorial Park

Mr. Schaefer moved and Ms. Koehn seconded, effective February 23, 2009, to authorize the Town Manager to finalize and to execute the purchase of the 69.9 – acre park known as Mansfield Lions Memorial Park owned by Mansfield Recreation Park, Inc.

Motion passed unanimously.

Mr. Clouette moved and Mr. Paulhus seconded to move Item 6, GASB 45 Presentation by Milliman Inc, as the next order of business.  
Motion passed unanimously.

3. Amendments to Special Police Services Ordinance

Mr. Schaefer moved and Mr. Paulhus seconded, to schedule a public hearing at 7:30 PM at the Town Council's regular meeting on March 23, 2009, to solicit public comment regarding the proposed amendments to the Special Police Services Ordinance, Chapter 70 of the Mansfield Code.

The Committee on Community Quality of Life has reviewed the proposed amendments and has endorsed the revisions as presented.

Motion passed unanimously.

4. Community/Campus Relations

Town Manager Matt Hart announced that the report on Spring Weekend, presented by the Student Life Committee, was referred by the Board of Trustees to the Administration for review and implementation.

Mr. Hart also reported that the Committee on Community Quality of Life met recently and discussed the role of the Eastern Highland Health District with regard to off campus housing; the proposed changes to the Special Police Service ordinance; and the septic pumping and water testing provisions of the housing code. The Committee directed staff to come back with a proposed amendment to the housing code for the committee to review at its next meeting.

Also the Committee will be acting on its Mansfield 2020 referral.

5. Community Water and Wastewater Issues

The Town Manager spoke to his testimony to the General Assembly regarding allowing the University to receive and treat sewerage from the Town. The testimony was included in the Council packet. Councilor Nesbitt reported the 4 Corner Sewer Study Committee will meet tomorrow and are preparing for the March 24<sup>h</sup> presentation which will be focused on area property owners.

VII. NEW BUSINESS

6. GASB 45 Presentation by Milliman Inc

Steve May, representing Milliman Inc., reviewed sections of the actuarial report for the Town of Mansfield Other Post-Employment Benefits Program. The report was prepared in compliance with Government Accounting Standard NO. 45 which requires employers to perform periodic actuarial valuations to determine annual accounting cost, and to determine the extent to which these amounts are funded. The principle is to treat future health benefits, as you would pension plans. Mr. May reported the Town is currently putting money aside and has a plan in place. The Boards of Education have yet to start accruing assets to meet this obligation.

In response to a question by the Deputy Mayor, Mr. May noted a number of ways the Town of Mansfield is ahead of many organizations including: the Town already has assets set aside; retirees' contributions to retirees' insurance programs are set at a fixed dollar amount; and the Town has made substantial progress in paying attention to benefit structures including an active wellness program.

7. Comprehensive Annual Financial Report for Fiscal Year 2007-2008

Mr. Schaefer moved, effective February 23, 2009, to accept the Comprehensive Annual Financial Report for Fiscal Year 2007-08, as endorsed by the Finance Committee.

Motion passed with all in favor except Ms. Koehn who abstained.

8. Financial Statements Dated December 31, 2008

Mr. Schafer moved, effective February 23, 2009, to accept the Financial Statements Dated December 31, 2008, as prepared by town staff and endorsed by the Finance Committee.

Mr. Schaefer reported that at the halfway mark of the fiscal year the budget is balanced. Management will continue the cost-saving measures currently in place.

Ms. Koehn questioned how the indirect costs for the Community Center pool are allocated. Ms. Koehn has started to keep track of usage information in order to perform her own analysis based on individual lane use and asked that if there is an existing document that it be provided to her. Comptroller Cherie Trahan stated the allocation used in the budget was based on what was considered a fair representation of member and non-member use of the pool. Any additional information would have to be based on information provided by the Recreation Department and it was her understanding that most of the Council members were satisfied with the information as presented. Ms. Koehn requested an analysis of the usage be done. The Town Manager will ask the Director of Parks and Recreation to do so.

Mr. Schaefer called the question, seconded by Mr. Paulhus the motion passed with all in favor except Duffy and Koehn.

The motion to accept the Financial Statements passed.

#### 9. Classification and Pay Grade for Director of Finance Position

Deputy Mayor Haddad, who is also Chair of the Personnel Committee, reported that the Committee reviewed and endorsed the classification and pay grade. The Committee's recommendations regarding revisions to the position description will be incorporated into the classification.

Ms. Koehn moved and Mr. Clouette seconded to establish the position of Director of Finance in the Town Administrator's Pay Plan at a pay grade of 32, the position was scored at 730 points.

Council members discussed the pros and cons of having one Finance Manager for the three entities, the appropriateness of the classification and the salary, and possible conflicts of interest. Region 19 has been appraised of this proposal. Without objection the Council decided to ask the Town Attorney to provide an opinion on whether there is any conflict of interest in having a single Finance Director.

Motion passed unanimously.

Mr. Clouette moved and Mr. Paulhus seconded that the salary range for the Director of Finance be established as recommended by the Personnel Committee.

Motion passed unanimously.

#### VIII. DÉPARTMENTAL AND COMMITTEE REPORTS

- No comments

#### IX. QUARTERLY REPORTS

- Distributed this evening for discussion at a future meeting.

- X. REPORTS OF COUNCIL COMMITTEES

- Based on the comments of Steve May regarding the Town's position on Post Employment Benefits (Item 6), Deputy Mayor Haddad acknowledged the leadership of Town Manager Matt Hart and previous Town Manager Marty Berliner and also the excellent work of Director of Finance Jeff Smith and Comptroller Cherie Trahan.

XI. REPORTS OF COUNCIL MEMBERS

- Leigh Duffy Chair of the Committee on Committees made the following recommendations

Agriculture Committee – Charles Galgowski and Carolyn Stearns  
 Arts Advisory Committee-Jay Ames, Kim Kaminsky, Joan Prugh, Blanche Serban  
 Emergency Management – Michael Kurland  
 Solid Waste Advisory – Andrea Ames. Anne Smith and Jane Knox

Motion to approve passed.

Chair of the Personnel Committee, Gregory Haddad reported the committee would soon start working on the Code of Ethics.

The Finance Committee will continue their work on the Purchasing Regulations.

- XII. PETITIONS, REQUEST AND COMMUNICATIONS

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10. Bay State Consultants re: CCM Energy Purchasing – Revised Annual Projection- Director of Finance Jeff Smith will inquire as to the energy mix being provided in the CCM Cooperative Energy Program.
  11. CCM re: Governor's Proposed Budget for FY 2009-10 and FY 2010
  12. Center News, Winter 2009
  13. Chronicle, "DOT Reveals Details of Route 44 Construction" – 02-10-09
  14. Chronicle, "Ed Board Comes In With Budget Decrease" – 02-13-09
  15. Chronicle, "Editorial: We Offer These Threads, Needles" – 02-09-09
  16. Chronicle, "Fun in the Winter Sun" – 02-09-09
  17. Chronicle, "Trustees Seek Kinder, Gentler Spring Weekend" – 02-11-09
  18. J. Courtney re: Update from Rep. Joe Courtney on Education Funding
  19. Daily Campus, "Committee Recommends Stricter Spring Weekend" – 02-18-09
  20. M. Hart/F. Baruzzi re: A. Rash Resignation from School Building Committee
  21. Hartford Courant, "Hurdle Cleared in Plan to House UConn..." – 02-09-09
  22. Hartford Courant, "Panel Proposes Toning Down UConn Spring..." – 02-11-09

23. Horizons, "EHHD Presents Cardiovascular Health Promotion Awards" – 2-09
24. J. Jackman re: 2008 Mansfield Town Meeting – Councilor Schaefer stated for the record that the idea that the 2008 Annual Town Meeting for Budget Consideration was overcrowded is clearly false and however well placed these ideas are, they are not just ill advised, but they also create a danger and he thinks people should, in the future, find out the facts and then holler and yell about them and not first yell and holler and then find out the facts.  
Ms. Koehn stated that she was the person who asked for clarification based on information she received from a resident. She objected to the last paragraph of the memo, which she said indicated something was wrong with her for asking for clarification. She found it offensive and feels that it is her job as a Council member to bring questions from the public to the Council.  
Deputy Mayor Haddad commented that the memo in question allowed Mr. Jackman to address the rumors and to correct any misconceptions that might exist.
25. J. Jackman re: Mansfield Self Storage, LLC
26. Mansfield Downtown Partnership re: Winter Lights Program
27. Mansfield Today, "School Board Approves \$20.8 Million..." – 02-09-09
28. Mansfield Today, "School Board Expected to Vote on ..." – 02-09-09
29. Mansfield Today, "Trustees Adopt New Strategies to Reduce ..." – 02-09-09
30. State of Connecticut Department of Economic and Community Development re: Affordable Housing Land Use Appeals List
31. State of Connecticut Department of Transportation re: 2009 Master Transportation Plan- Public Works Director Lon Hultgren will check to see if any local transportation projects are included in this Plan.
32. Troop C, Tolland CT re: Town of Mansfield Public Works Department
33. Windham Region Council of Governments re: WINCOG FY '08 Audit
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### XIII. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Mike Sikoski, Wildwood Road, stated that committees should receive complete reports and questioned whether or not the Town had been "taken to the cleaners" by Region 19 regarding the payment for a Finance Director. He also requested a definition of appropriation.

Mr. Clouette and Mr. Smith explained that the open space funding is appropriated for that use when the capital project fund is approved at the Annual Town Meeting.

### XIII. FUTURE AGENDAS

None

The Council agreed to recess and to go into executive session to discuss pending claims and litigation.

XIV. EXECUTIVE SESSION

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Pending Claims and Litigation

Present: Clouette, Duffy, Haddad, Koehn, Nesbitt, Paulhus Schaefer

Also Present: Town Manager Matt Hart, Finance Director Jeffrey Smith, Town Attorney Dennis O'Brien

XV. ADJOURNMENT

Duffy moved and Nesbitt seconded to adjourn the meeting.  
Motion passed.

Gregory Haddad, Deputy Mayor

Mary Stanton, Town Clerk