

REGULAR MEETING-MANSFIELD TOWN COUNCIL  
November 23, 2009

Town Clerk Mary Stanton 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. The Town Clerk administered the oath of office to Councilor-elect Denise Keane.

The Town Clerk asked for nominations for the position of Mayor. Ms. Keane nominated Gregory Haddad and Mr. Ryan nominated Elizabeth Paterson. Ms. Keane, Mr. Paulhus and Ms. Lindsey voted in support of Mr. Haddad. Ms. Moran, Mr. Ryan, Mr. Schaefer and Mr. Kochenburger voted in support of Ms. Paterson. Ms. Paterson was declared Mayor. Mayor Paterson assumed the Chair.

Mayor Paterson asked for nominations for the position of Deputy Mayor. Mr. Ryan nominated Gregory Haddad and Ms. Lindsey nominated Christopher Paulhus. Following a vote Mr. Haddad was declared Deputy Mayor.

I. ROLL CALL

Present: Keane, Kochenburger, Lindsey, Moran, Paterson, Paulhus, Ryan, Schaefer

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Mr. Ryan seconded a motion to approve the minutes of the October 26, 2009 regular meeting. Motion passed unanimously.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, congratulated the Council members on their election and requested they focus on the following issues: making the Community Center accessible to all residents at no additional cost, expediting the Four Corners Project and disbanding the Ethics Board. (Statement attached)

Gene Nesbitt, Wormwood Hill Road, urged the Council to allow the Four Corners Sewer Advisory Committee to move forward as originally charged. Mr. Nesbitt outlined the Committee's work on the issue of water noting that he believes it is impractical to separate water and sewer in this area.

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Betty Wassmundt, Old Turnpike Road, discussed aspects of the Town Manager's proposed contract. (Statement attached)

Mike Sikoski, Wildwood Road, asked the Council to review the Ethics Board and suggested the change to the Town Manager's contract be called a salary increase. Mr. Sikoski also suggested that Town policies reflect the wishes of the Council and not an endorsement of current practices.

IV. TOWN MANAGER'S REPORT

Attached

The Town Manager reported the School Building Committee would like to invite the Council and the Board of Education to a joint meeting on December 14<sup>th</sup> at 6:00 p.m. This meeting will be held prior to the regularly scheduled Town Council meeting.

The Town Manager recognized Gene Nesbitt, thanked him for his work on the Council and commended his efforts on many important issues. Mayor Paterson joined the Town Manager in his remarks.

V. OLD BUSINESS

1. Parking Steering Committee Appointment

Mr. Paulhus moved and Ms. Lindsey seconded to approve the following:

Resolved, to appoint the following members to the Storrs Center Parking Steering committee:

Paul Aho, Windham Region Transit District Board of Directors  
Melinda Perkins (alternate), Windham Region Transit District Administrator

Motion passed unanimously.

2. Four Corners Sewer Advisory Committee

Ms. Lindsey moved and Mr. Paulhus seconded to adopt the resolution to clarify the charges of the Four Corners Sewer Advisory Committee established October 14, 2008.

RESOLUTION TO CLARIFY THE CHARGES TO THE FOUR  
CORNERS SEWER ADVISORY COMMITTEE ESTABLISHED  
OCTOBER 14, 2008

BE IT RESOLVED THAT:

1. The Four Corners Sewer Advisory Committee shall be renamed the Four Corners Sewer and Water Advisory Committee
2. The Committee will continue to perform the duties as outlined in the Committee charges date October 14, 2008
3. The Committee will continue to disseminate information to Mansfield Residents through public informational meetings, workshops. Town web sites and other modes as deemed timely and appropriate.
4. The Committee may assist the staff and will participate in discussions concerning sewer, water and economic development issues that have a direct impact on the Four Corners area.
5. The Committee will disseminate information of its discussions in a timely and appropriate manner (i.e. minutes, workshops, memos, town web site) to all Town Boards and Commissions with an interest or statutory responsibility to items discussed.

AND FURTHER

That this resolution shall be appended to the Resolution establishing the Four Corners Sewer Advisory Committee and shall replace the Resolution to Clarify the Issue Charge to the Advisory Committee for the Four Corners Sewer Planning project dated October 13, 2009.

That a proposed plan of action of Committee activities dated October 28, 2009 shall be appended to this Resolution.

Members discussed the role of the Department of Environmental Protection regarding the need to remediate the sewer situation in the Four Corners area, the role of the Advisory Committee and the benefits of including infrastructure for water during this process. Director of Public Works Lon Hultgren updated the Council on the efforts of the staff and stated that as long as the Town is actively working on the problem DEP will allow them to continue.

Motion to approve the resolution passed with all in favor except Ms. Moran who abstained.

Mr. Schaefer moved and Mr. Kochenburger seconded to refer the issue of membership on the Four Corners Sewer Advisory Committee to the Committee on Committees.

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Motion passed unanimously.

In response to a question by Ms. Keane, the Mayor noted that the present membership would continue until the Committee on Committees makes a recommendation and the Council acts on that recommendation.

VI. NEW BUSINESS

3. Meetings of the Town Council

Mr. Schaefer moved and Mr. Paulhus seconded to approve the following:

RESOLVED: Pursuant to Section 302 of the Town Charter, the Town Council shall meet regularly on the second and fourth Mondays of every month at 7:30 p.m. in the Council Chambers of the Audrey P. Beck Building. The schedule of meetings for 2010, as provided by the Town Clerk, is hereby approved.

RESOLVED: Pursuant to Section 302 of the Town Charter the Town Council shall provide methods for the calling of special meetings. Special meetings of the Town Council may be called by the Mayor, or on the written request of at least three members of the Council, filed with the offices of the Town Manager and Town Clerk not less than 36 hours (excluding Saturday, Sunday, legal holidays and any day on which the Office of the Town Clerk is officially closed) in advance of such meeting, which request must specify the date and time and business to be transacted, and copies of this notice shall be served by mail or personally upon each Council member and the Town Manger or left at their usual place of abode at least 24 hours prior thereto.

RESOLVED: Emergency Special Meetings may be called by the Mayor or the Town Manager in case of an emergency with at least two hours notice given to Council members, without complying with the posting of notice requirement, but a copy of the minutes of every such Emergency Special Meeting shall be filed with the Town Clerk not later than 72 hours following the holding of such meeting in accordance with the Freedom of Information Act, C.G.S. section 1-225 (d).

Motion passed unanimously.

4. Rules of Procedure

Mr. Paulhus moved and Ms. Keane seconded to approve the following:

BE IT RESOLVED, that under the authority of Section C302 of the Town Charter, the Town Council of the Town of Mansfield does hereby establish its Rules of Procedure as follows. These rules are in effect for the term of office of the Council and shall be adopted at the organizational meeting. Procedural matters not covered by the Town Charter or these Rules of Procedure will be determined by the Mayor, or by the Deputy Mayor in the absence of the Mayor, in accordance with "Robert's Rules of Order, Newly Revised."

Motion passed unanimously.

Mr. Paulhus moved and Ms. Keane seconded to refer the Town Council Rules of Procedure to the Personnel Committee for review.

Motion passed unanimously.

5. Town Council Orientation

Town Manager Matthew Hart and Assistant to the Town Manager Maria Capriola presented an overview of general town government in the first of a three-part orientation for the new Council.

6. Appointment of Town Attorney

Mr. Paulhus moved and Mr. Ryan seconded to approve the following:

RESOLVED: Pursuant to Section C305 of the Mansfield Charter, to appoint Attorneys O'Brien and Johnson as Town Attorney, for a term commencing on December 3, 2009 and ending on December 8, 2011, and to authorize the Town Manager to execute the proposed Retainer Agreement between the Town of Mansfield and Attorneys O'Brien and Johnson.

Members discussed the need to request bids from a number of attorneys in the future, the Charter requirement to appoint a town attorney within a month of the election, the excellent work Attorney O' Brien has provided to the Town at a reasonable cost, the process used to determine the amount of the retainer and the availability of supporting documentation for that determination.

Ms. Lindsey noted the term on the contract should be from December 3, 2009 to December 8, 2011. The Town Manager will include the change.

The motion passed with Kochenburger, Moran, Paterson, Ryan and Schaefer in favor and Keane, Lindsey and Paulhus opposed.

7. Town Manager's Employment Agreement

Mr. Paulhus moved and Mr. Ryan seconded to approve the following:

Resolved, to authorize the Mayor to execute the Town Manager Employment Agreement between the Town of Mansfield, Connecticut and Matthew W. Hart, for an initial period of three years from December 1, 2009 until November 20, 2012.

Motion passed unanimously.

8. 2010 Child Day Care Application

Mr. Schaefer moved and Ms. Keane seconded to approve the following:

Resolved, that the Town Manager, Matthew W. Hart, is empowered to enter into or amend contractual instruments in the name and on behalf of the Town of Mansfield with the Department of Social Services of the State of Connecticut for a Child Day Care program if such agreement is offered and to have the corporate seal affixed to all documents required as part of any offered agreement.

Motion passed unanimously.

9. FY 2010 Comprehensive DUI Enforcement Program

Mr. Schaefer moved and Mr. Ryan seconded, effective November 23, 2009, to authorize the Town Manager, Matthew W. Hart, to submit a grant application to the Connecticut Department of Transportation, Division of Highway Safety, for \$24,800 to be dedicated to police overtime for D.U.I. and related motor vehicle enforcement, and to process any related grant paperwork.

Motion passed unanimously.

10. Community Energy Savings Project – Cooperative Grant Application

Ms. Lindsey moved and Ms. Keane seconded, to authorize the Town Manager to submit an application in the name and on behalf of the Town of Mansfield to the US Department of Energy for a Department of Energy Competitive Block Grant.

Motion passed unanimously.

VII. DEPARTMENTAL AND COMMITTEE REPORTS

No comments

VIII. REPORTS OF COUNCIL COMMITTEES

Mayor Paterson will consult with Deputy Mayor Gregory Haddad and announce the committee assignments and chairs next week.

IX. REPORTS OF COUNCIL MEMBERS

Mr. Paulhus attended the Community Center anniversary event and noted Parks and Recreation Director Curt Vincente presented an excellent explanation of the current status of the Center.

Ms. Lindsey reported that the Parking Steering Committee had its first meeting at which parking consultant Andy Hill made a presentation. Karla Fox will serve as the Chair of the Committee and Ms. Lindsey as Vice-Chair.

X. PETITIONS, REQUEST AND COMMUNICATIONS

11. J. Norman re: Sustainable Development
12. Freedom of Information Guidelines for Boards, Commissions, and Committees
13. State of Connecticut Department of Transportation re: State Matching Grant Program Application
14. State of Connecticut Office of Policy and Management re: Estimates of State Formula Aid to Municipalities
15. CCM Legislative Update
16. Chronicle "\$3.46M in projects to be decided in Mansfield" – 10/31/09
17. Chronicle "Editorial: We offer these threads, needles" – 10/26/09
18. Chronicle "Democrats maintain their control of Mansfield" – 11/15/09
19. Chronicle "Democrats want to maintain edge in Mansfield" – 11/02/09

20. Chronicle "Getting their due" – 10/28/09
21. Chronicle "Letter to the Editor" – 10/21/09
22. Chronicle "Letter to the Editor" – 10/22/09
23. Chronicle "Letter to the Editor" – 10/26/09
24. Chronicle "Letter to the Editor" – 10/29/09
25. Chronicle "Letter to the Editor" – 10/31/09
26. Chronicle "Letter to the Editor" – 11/04/09
27. Chronicle "Letter to the Editor" – 11/11/09
28. Chronicle "Mansfield GOP seeks to take over council" – 11/02/09
29. Chronicle "Mansfield set to host candidates night" – 10/26/09
30. Chronicle "Mansfield to kick off Energy Challenge" – 10/26/09
31. Chronicle "Obituary: Dr. Agisilaos John "Pappy" Pappanikou" – 11/10/09
32. Chronicle "Recount nets a winner in Mansfield" – 11/06/09
33. Chronicle "Recount to decide council seat" – 11/05/09
34. Chronicle "Sewer group may study water after all" – 11/04/09
35. Chronicle "Storrs Center project adds more businesses to plan" – 11/13/09
36. Hartford Courant "Cosimo's Restaurant to join Storrs Center" – 11/10/09
37. Mansfield Today "Fire Department contract freezes wages,..." – 10/26/09
38. Mansfield Today "Town may require parking permits for..." – 10/22/09
39. Reminder News "Kids have Halloween fun at the library" – 10/30/09

XI. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike Road, stated he feels the Council operated tonight as they have done in the past, without the facts. Mr. Hossack again explained his understanding of the Town Attorney's bills.

Betty Wassmundt, Old Turnpike Road, expressed her disappointment with the approval of the Town Manager's contract. Mayor Paterson ruled Ms. Wassmundt's personal comments regarding the Town Manager out of order and asked her to desist immediately. Ms. Wassmundt distributed information regarding the Ethics Board and stated in her opinion the current form of government is not in the public interest.

XIII. FUTURE AGENDAS

No comments

XII. ADJOURNMENT

Mr. Paulhus moved and Ms. Moran seconded to adjourn the meeting at 10:00 p.m.

Motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

November 23, 2009